

Mailed: 5/28/97

Decision 97-05-068 May 21, 1997

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
   
Department of Transportation, for an )
   
order authorizing the Department to: )
   
construct the Cottonwood Creek Bridge )
   
and Overhead located in the City of )
   
Cottonwood, Counties of Shasta and )
   
Tehama, State of California. )

Application 96-10-041  
(Filed October 30, 1996)

**ORIGINAL**O P I N I O N

As part of the project to replace the substandard existing Cottonwood Creek Bridge and Overhead, the California Department of Transportation (Caltrans) requests authority to rebuild and replace the structure over the Union Pacific Railroad (formerly Southern Pacific Transportation) Company's (UP/SP) main line track in Shasta County.

The new structure is to replace a substandard existing structure located on Interstate Route 5 between the cities of Red Bluff and Redding. The structure spans both the railroad tracks and Cottonwood Creek, which is the County Line between Tehama and Shasta Counties. The reconstruction will meet the State mandated seismic retrofit program, and will improve sight distance and shoulder width.

Caltrans is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000, et seq. After preparation and review of an Initial Study, Caltrans issued a Negative Declaration and approved the project. A Notice of Determination was filed with the State Office of Planning and Research on April 9, 1996 which found that "The project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Negative Declaration. The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 39, which relates to widening or relocation of an existing crossing. A sketch of the crossing area is set forth as Appendix A.

The Commission's Rail Safety and Carriers Division Traffic Engineering staff inspected the site of the proposed project. After reviewing the need for and safety of the proposed grade separated crossing, the staff recommends issuance of an ex-parte order authorizing reconstruction of the overhead.

Findings of Facts

1. Notice of the application was published in the Commission's Daily Calendar on November 13, 1996. No protests have been filed.

2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to reconstruct the Cottonwood Creek Overhead over the UP/SP main line tracks, in Shasta County.

3. The overhead is an essential component of Interstate Highway 5.

4. Public convenience and necessity require reconstruction of the overhead.

5. Caltrans is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Negative Declaration.

Conclusions of Law

1. The application should be granted as set forth in the following order.

2. The application is uncontested, and a public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. The California Department of Transportation (Caltrans) is authorized to reconstruct the Cottonwood Creek Overhead over the Union Pacific Railroad (formerly Southern Pacific Transportation) Company's (UP/SP) main line tracks, at the location and substantially as shown by plans attached to the application, to continue to be identified as Crossing C-240.0-A.

2. Clearances shall be in accordance with General Order (GO) 26-D, except that during the period of construction a temporary minimum clearance of 21'-6" above top of rail is authorized, and UP/SP is authorized to operate with such reduced overhead clearance provided the railroad issues instructions (and files them with the Commission's Rail Safety and Carriers Division) limiting the height of loads beneath the structure.

3. Caltrans shall notify the Commission's Rail Safety and Carriers Division and UP/SP at least 15, but not more than 30, days in advance of the date when the temporary impaired overhead clearance will be created.

4. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossing approved by UP/SP, shall be filed by Caltrans with the Commission's Rail Safety and Carriers Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

6. Within 30 days after completion of the work under this order, Caltrans shall notify the Commission's Rail Safety and Carriers Division in writing that the authorized work has been completed.

7. This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

8. The application is granted as set forth above.

9. Application 96-10-041 is closed.

This order becomes effective 30 days from today.

Dated May 21, 1997, at Sacramento, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

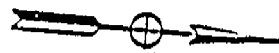
RICHARD A. BILAS

Commissioners

LOCATION MAP

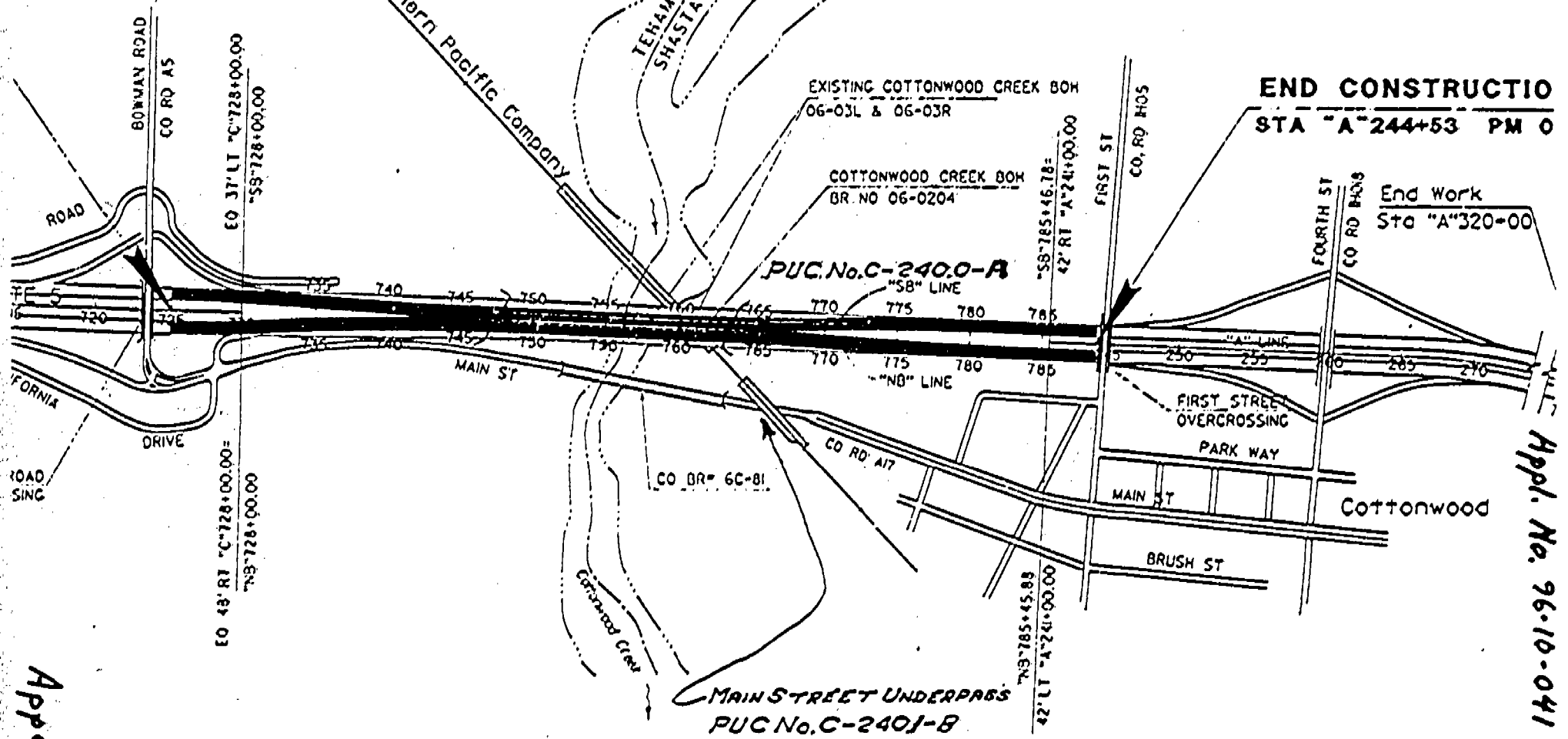


The State of California or its officers or agents shall not be responsible for or consequences of any errors or omissions of this plan sheet.



Southern Pacific Company

TEHAMA COUNTY  
SHASTA COUNTY



END CONSTRUCTIO  
STA "A" 244+53 PM 0

End Work  
Sta "A" 320+00

Appl. No. 96-10-041

Appendix A

NO SCALE

BRIDGE NO. 06-0204	COTTONWOOD CREEK BOH
POST MILE 41.5/42.1, 0.0/0.7	PUBLIC UTILITIES COMMISSION SHEET - EXHIBIT