

Decision 97-06-059 June 11, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Santa Clara County)
Transit District (CIS 310.36.5) for an)
order authorizing construction of)
at-grade pedestrian crossings across the)
westbound, pocket and eastbound Light)
Rail Transit (LRT) tracks at the northern)
end of the Lockheed Station, and across)
the westbound, pocket and eastbound LRT)
tracks at the southern end of the)
Lockheed Station of the Tasman Corridor)
Project in the City of Sunnyvale, County)
of Santa Clara.)

Application 95-10-018
(Filed October 3, 1995)

ORIGINAL

O P I N I O N

As part of the project to construct a 12 mile extension to its Light Rail Transit (LRT) system, the Santa Clara Valley Transportation Authority (VTA), formerly the Santa Clara County Transit District, requests authority to construct two pedestrian at-grade crossings (one at each end of the station) across the proposed westbound and eastbound light rail tracks at the Lockheed Station in Sunnyvale, Santa Clara County. The proposed crossings are needed for pedestrian access to the station's center platform from the station's parking lot and the sidewalk adjacent to Mathilda Avenue. A fence will be constructed at each side of Lockheed Station, between the two pedestrian crossings, so that access to the station platform will be limited to the designated pedestrian crossings.

In its application, VTA requests a variance from the Commission's General Order (GO) 75-C, Section 7.2, crossing signal actuation time requirements. VTA contends that the warning signal actuation range of 20 to 30 seconds in advance of the arrival of a train at the crossing is too excessive and requests authority to provide signal actuation range of 8 to 10 seconds.

The GO 75-C standards for signal actuation range are consistent with the standards of the Manual on Uniform Traffic Control Devices, the Association of American Railroads, and the General Code of Operating Rules adopted by the major railroad corporations. The GO 75-C signal actuation standards are deemed to be adequate while considering requirements for physically impaired and senior citizens. In a letter dated January 22, 1996, VTA has agreed to withdraw its request for variance at this time and implement the Commission's 20 second minimum warning time requirement.

VTA has encroachment authorization to establish the pedestrian crossings upon and across the LRT tracks by letter of intent for the issuance of encroachment permit by the City of Sunnyvale and Lockheed Martin Missiles & Space Company, Inc..

The extension, known as the Tasman Corridor, is a double track line constructed for most of its length in the median of existing arterial streets. It is planned to extend from Castro Street in Mountain View to the area in northeast San Jose just past the Hostetter Road intersection with Capitol Avenue, connecting with the existing VTA LRT system on Tasman Drive between Great America Parkway and North First Street.

VTA 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 a Final Environmental Impact Statement/Final Environmental Impact Report (FEIS/R), VTA Filed a Notice of Determination with the Santa Clara County Clerk on January 12, 1993, which found that "The project will have a significant effect on the environment," and "Mitigation measures were made a condition of the approval of the project" and " A statement of Overriding Considerations was adopted for the project."

Major impacts include elimination of bicycle lanes and landscape trees on some portions of the route, increased traffic noise, and disturbance of two National Historic Place sites. Mitigation measures include implementation of an alternative route bike path, tree replacement, construction of noise walls, and Historic Properties data recovery.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's FEIS/R. The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a Railroad. A sketch of the project vicinity is included as Appendix A.

The site of the proposed project has been inspected by staff of the Commission's Rail Safety and Carriers Division, Traffic Engineering Section (staff). The staff examined the need for and safety of the proposed grade crossings, and recommends issuance of an ex parte order authorizing construction as requested.

Due to the large scope of the Tasman Corridor project, VTA requests that the time authorization be extended to four years to facilitate its construction schedule.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on October 27, 1995. No protests have been filed.

2. VTA requests authority under Public Utilities Code Sections 1201-1205 to construct two pedestrian crossings at-grade (one at each end of the station) across the westbound and eastbound Light Rail Transit tracks at the Lockheed Station.

3. VTA also requests authority to reduce crossing signal actuation time. VTA has since withdrawn this request in a letter to the Commission dated January 22, 1996.

4. The GO 75-C crossing signal actuation time requirements are reasonable.

5. VTA has encroachment authorization to establish the pedestrian crossings by letter of intent for the issuance of encroachment permit by the City of Sunnyvale and Lockheed Martin Missiles & Space Company Inc..

6. The crossings are essential elements of Tasman Corridor extension of the VTA LRT system.

7. Public convenience, necessity, and safety require construction of the pedestrian crossings at Lockheed Station across VTA's westbound and eastbound LRT tracks.

8. VTA is the lead agency for this project under CEQA, as amended.

9. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's FEIS/R.

10. The project will have a significant impact on the environment; however, the adopted mitigation measures will reduce the severity of the adverse impacts to acceptable levels.

Conclusion of Law

1. The application is uncontested and a public hearing is not necessary.

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

O R D E R

IT IS ORDERED that:

1. Santa Clara Valley Transportation Authority (VTA), is authorized to construct two pedestrian at-grade crossings across its westbound and eastbound tracks at the Lockheed Station in Sunnyvale, County of Santa Clara, at the location and substantially

as shown by plans attached to the application, to be identified as Crossing 82B-9.82-D (north end of station) and 82B-9.88-D (south end of station) respectively.

2. Construction of the crossings shall be equal or superior to Standard No. 1 of General Order (GO) 72-B.

3. Maintenance of the crossings shall conform to GO 72-B.

4. Clearances and walkways shall conform to GO 143-A.

5. Protection at each crossing shall be four Standard No. 10 automatic flashing light signals that have been modified to provide two flashing light assemblies similar to those used on Standard No. 8 flashing light signals (GO 75-C). Two flashing light signals shall be actuated by train traffic on the westbound tracks. The other two flashing light signals shall be actuated by train traffic on the eastbound track. The movement of light rail vehicles (LRV) at these crossings shall be controlled by signals which are for the exclusive use of LRV's.

6. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the VTA, the City of Sunnyvale and Lockheed Martin Missiles & Space Company, Inc.. A copy of the agreement, together with plans of the crossings approved by the parties, shall be filed 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.

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

8. This authorization shall expire if not exercised within four 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.

9. The application is granted as set forth above.
10. Application 95-10-018 is closed.
This order becomes effective 30 days from today.
Dated June 11, 1997, at San Francisco, California.

P. GREGORY CONLON

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners

