

Mailed: 10/15/97

ORIGINAL

Decision 97-10-022 October 9, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Santa Clara County )  
 Transit District (CIS 410.46.5) for an )  
 order authorizing construction of an at-) )  
 grade emergency crossing across the )  
 westbound and eastbound LRT tracks on )  
 Tasman Drive of the Tasman Corridor )  
 Project at the Casa de Amigos Mobile )  
 Home Park in the City of Sunnyvale, )  
 County of Santa Clara. )

Application 97-01-002  
(Filed January 2, 1997)

O P I N I O N

As part of the project to construct a 12 mile extension to its existing Light Rail Transit (LRT) system, the Santa Clara Valley Transportation Authority (VTA), formerly the Santa Clara County Transit District, requests authority to construct two light rail tracks along Tasman Drive at-grade across an emergency vehicles and mobile home movers access to the Casa de Amigos Mobile Home Park in Sunnyvale, Santa Clara County. The proposed crossing will allow restricted access for emergency response vehicles and mobile home (wide-load) movers into and out of the Casa de Amigos Mobile Home Park.

The extension, known as the Tasman Corridor Project (project), is a proposed double track line constructed for much of its length in the median of existing arterial streets between Mountain View and East San Jose. The project is to be completed in two phases. Phase 1 will construct the West Extension through Sunnyvale to Downtown Mountain View, and Phase 2 will construct the East Extension and items deferred in the West Extension.

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 (FEIS), 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 approval of 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.

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

Access across the tracks will be made possible by lowering the concrete headers at this location to two (2) inches. Delineators and signs will be placed to prohibit access for unauthorized vehicles. Mobile home movements across the tracks, estimated to be about six (6) per year, will be restricted to off-peak hours. Such movements will also require prior consent from VTA, and a qualified flagman present to direct traffic across the tracks while maintaining radio communication with the LRT operators.

The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 40, which relates to the construction of a railroad track across a public street. A sketch of the project vicinity is included as Appendix A.

Due to the large scope of the Tasman Corridor project, VTA requests that the time authorization be extended to four (4) years to facilitate its construction schedule.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on January 13, 1997. No protests have been filed.

2. VTA requests authority under Public Utilities Code Sections 1201-1205 to construct its light rail tracks along Tasman Drive at-grade across an emergency vehicles and mobile home movers access to the Casa de Amigos Mobile Home Park in Sunnyvale, Santa Clara County.

3. The crossing is an essential element of the Tasman Corridor Project extension of the VTA LRT system.

4. Public convenience, necessity, and safety require construction of the proposed crossing.

5. VTA 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 FEIS.

7. 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.

Conclusions 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 its tracks along Tasman Drive at grade across an emergency vehicles and mobile home movers access to the Casa de Amigos Mobile Home Park in Sunnyvale, Santa Clara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 82B-7.93.
2. The emergency access crossing shall be identified with delineators and signs to preclude all vehicles access, except for emergency response vehicles and mobile home movers.
3. A two (2) inch high curb shall be constructed at the emergency access crossing to separate the Light Rail Tracks from the side-by-side vehicular traffic lanes on Tasman Drive.
4. Movement of mobile homes across the tracks shall be limited to off-peak hours. Such movements shall require written approval from VTA, and a qualified flagman shall direct traffic across the tracks while maintaining radio communication with the LRT operators.
5. Maintenance of the crossing shall conform to General Order (GO) 72-B.
6. Clearances shall be in accordance with GO 143-A.
7. Walkways shall conform to GO 118.
8. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between VTA and the City of Sunnyvale (City). A copy of the agreement, together with plans of the crossing approved by City shall be filed by VTA 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.

9. Within thirty (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.

10. This authorization shall expire if not exercised within four (4) 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.

11. The application is granted as set forth above.

12. Application 97-01-002 is closed.

This order becomes effective 30 days from today.

Dated OCT 9, 1997, at San Francisco, California.

P. GREGORY CONLON

President

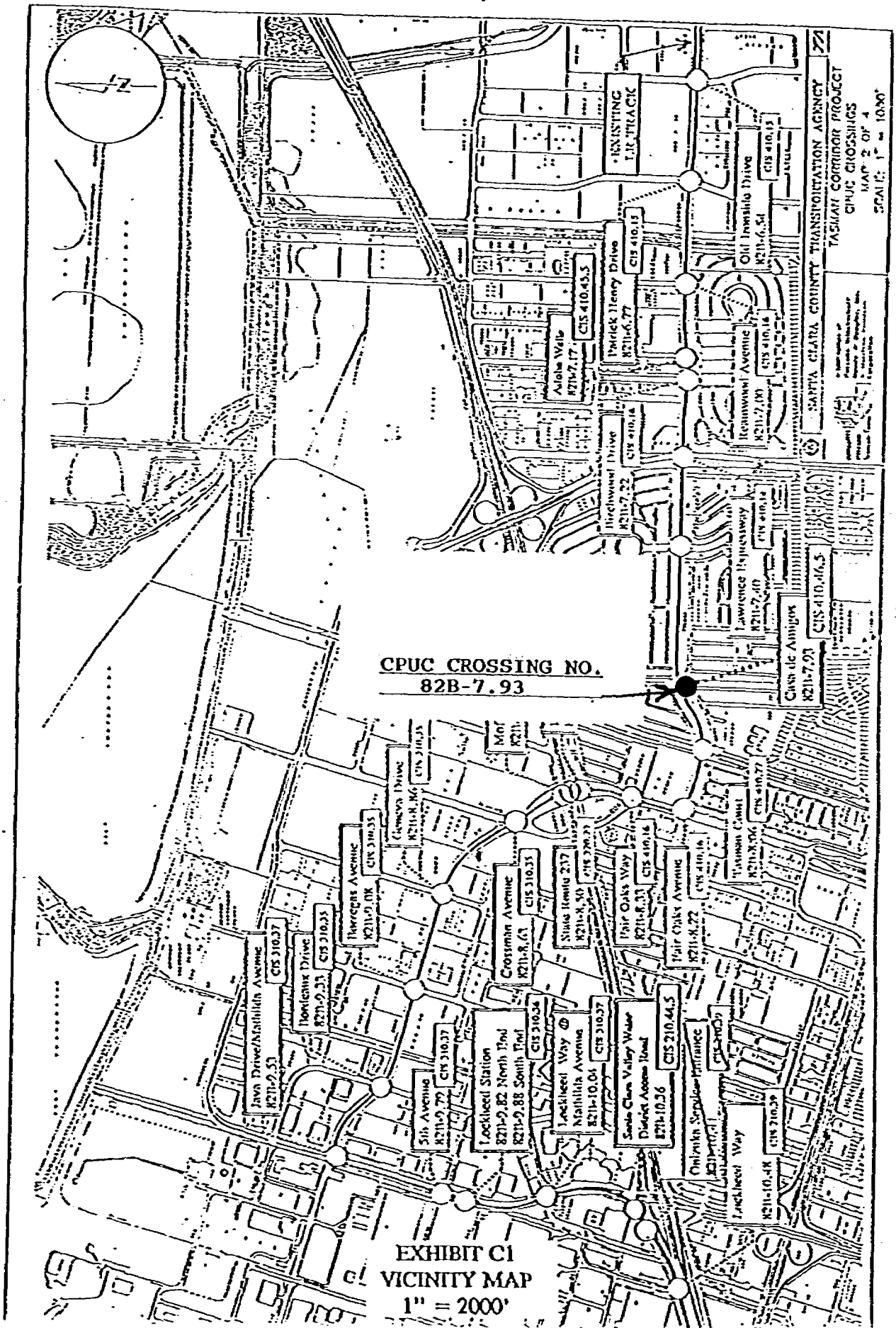
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEPPER

RICHARD A. BILAS

Commissioners



**CPUC CROSSING NO.**  
**82B-7.93**

**EXHIBIT C1**  
**VICINITY MAP**  
**1" = 2000'**

SANTA CLARA COUNTY TRANSPORTATION AGENCY  
 TASHIAT CORRIDOR PROJECT  
 CHUC CROSSINGS  
 MAP 2 OF 4  
 SCALE: 1" = 1000'

Legend:  
 Street  
 Right-of-Way  
 Easement  
 Utility  
 Other