

Decision D. 97-11-007 November 5, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of THE CITY OF STOCKTON for )  
authority to construct a crossing )  
at separated grades between )  
March Lane and tracks of the )  
Union Pacific Railroad Company )  
sometimes referred to as the )  
"March Lane Underpass." )

Application 97-04-031  
(Filed April 11, 1997)

**ORIGINAL**

O P I N I O N

The City of Stockton (City) requests authority to construct the March Lane Underpass at separated grades under the tracks of the Union Pacific Railroad Company's (UP) main line in Stockton, San Joaquin County. The underpass will replace the present grade crossing at March Lane. Authority is also requested to construct two temporary crossings at grade on a detour road across both the existing track and a temporary shoofly track for use during construction of the underpass.

The applicant misidentified the crossing. The existing March Lane grade crossing is identified as Crossing No. 4-97.1.

The priority list of grade separation projects for the fiscal year 1996-97, as set forth in Decision 96-06-041, dated June 19, 1996 in I.95-07-003, shows this project as Priority No. 11.

Extension of March Lane and the construction of the grade separation will provide a major east-west connector between Interstate Route (I) 5 and State Route (SR) 99 not subject to disruption by rail movements, and will improve safety of the travelling public.

During construction of the underpass, trains will be diverted to a shoofly track. The existing March Lane grade crossing will be closed and a detour road will be constructed over the existing and

shoofly tracks. Upon completion of the underpass the shoofly track and temporary crossings will be removed.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. City has determined that the project is categorically exempt from CEQA under PR Code Section 21080.13.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's categorical exemption determination.

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 construction, the staff recommends that the sought authority be granted.

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 crossing area is included as Appendix A.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on April 15, 1997. No protests have been filed.
2. City requests authority under Public Utilities Code Sections 1201-1205 to construct the March Lane Underpass at separated grades under UP's main line tracks in Stockton, San Joaquin County.
3. Construction of the March Lane Underpass is required to complete the I-5/SR 99 east-west connection through Stockton.
4. Public convenience, necessity, and safety require construction of the March Lane Underpass.

5. Construction of the March Lane Underpass requires that a detour road and temporary grade crossings be built across both the existing track and a shoofly track.

6. Public safety requires that protection at the temporary grade crossing of the shoofly track be two Standard No. 9-A automatic gate-type signals with cantilever lights (General Order (GO) 75-C).

7. Upon completion of the March Lane Underpass the shoofly track and temporary crossings shall be removed.

8. City 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 categorical exemption determination.

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.

3. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

O R D E R

IT IS ORDERED that:

1. The City of Stockton (City) is authorized to construct the March Lane Underpass at separated grades under the tracks of the Union Pacific Railroad Company's (UP) main line in Stockton, San Joaquin County at the location and substantially as shown by plans attached to the application, to be identified as Crossing 4-97.1-B.

2. City is also authorized to construct temporary grade crossings of a detour road and both the existing track and a shoofly track, which will be required during construction.

3. Protection at the temporary grade crossing over the shoofly track shall be two Standard No. 9-A automatic gate-type signals with cantilever lights (General Order (GO) 75-C).

4. Upon completion of the underpass, the existing March Lane grade crossing (Crossing 4-97.1), the temporary crossings and the shoofly track shall be closed and physically removed.

5. Clearances shall be in accordance with GO 26-D.

6. 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.

7. 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, shall be filed by City with the Commission's Rail Safety and Carriers Division prior to commencement of construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

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

9. 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.

10. The application is granted as set forth above.

A.97-04-031 RSAC/LGB

11. Application 97-04-031 is closed.

This order becomes effective 30 days from today.  
Dated November 5, 1997, at San Francisco, California.

P. GREGORY CONLON

Président

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners

APPENDIX A

Crossing 4-97.1-B

