

Mailed: 11/24/97

ORIGINAL

Decision 97-11-067 November 19, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Sacramento for)
an order authorizing construction of a new)
grade separated crossing of Arden Way at)
Union Pacific Railroad Company main line)
at mile post 140.8 in the City of)
Sacramento, California.)

Application 97-06-007
(Filed June 5, 1997)

O P I N I O N

The City of Sacramento (City) requests authority to construct the Arden Way Overhead, at separated grades, over the mainline tracks of the Union Pacific Railroad (UP) in said City, County of Sacramento.

The Arden Way Overhead is part of the proposed Arden Garden Connector, which would provide direct access between South Natomas and North Sacramento. A sketch of the project area is set forth as Appendix A. Beginning from the west, the Connector's alignment starts at the Garden Highway/East Levee Road junction. It will follow atop the levee, north of the Natomas East Main Drainage Canal (NEMDC) in an easterly direction. The Arden Way Overhead begins at the west bank of the NEMDC, carries the Connector over the NEMDC and the 4-line tracks of UP, and descends onto the existing Arden Way right-of-way. The project alignment terminates at the intersection of Arden Way and Del Paso Boulevard.

The proposed bridge is a cast-in-place concrete box girder-type structure approximately 1270 feet long by 76 feet wide with 140 foot spans. The travel way is to be developed with four lanes for vehicular traffic, two bike lanes, two sidewalks, and a raised median.

During construction, the vertical clearance from the top of rail to any falsework may be impaired to a distance of 22'0".

Aside from this temporary impaired clearance, train service will continue to utilize the existing facilities unfettered.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code 21000, et. seq. After preparation and review of an Environmental Impact Report (EIR), City approved the project. On June 20, 1996, City filed a Notice of Determination (NOD) with the County Clerk of Sacramento stating that "the project will have a significant effect on the environment, and mitigation measures were made a condition of the approval of the project."

Environmental impacts include increased traffic noise levels, loss of seasonal wetlands, and degradation in the Level of Service at various nearby intersections. Mitigation measures include construction of sound walls, replacement of wetlands, and restriping for traffic channelization.

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

The site of the proposed project has been inspected by the Commission's Rail Safety and Carriers Division Traffic Engineering staff. The staff examined the need for and safety of the proposed crossing and recommends that the sought authority be granted.

Application 97-06-007 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.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on June 9, 1997. No protests have been filed.

2. City requests authority, under Public Utilities Code Sections 1201-1205, to construct the Arden Way Overhead, at separated grades, over the mainline tracks of UP in the County of Sacramento.

3. Public convenience and necessity require the construction of the Arden Way Overhead.

4. City requests that a temporary impaired vertical clearance of 22'0" be authorized to accommodate falsework during construction.

5. By letter dated October 22, 1997, UP indicated no objection to the temporary vertical clearance requested by City.

6. City is the lead agency for this project under CEQA, as amended.

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's BIR and NOD.

8. The project will have a significant effect on the environment. Mitigation measures were made a condition of approval.

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.

ORDER

IT IS ORDERED that:

1. The City of Sacramento (City) is authorized to construct the Arden Way Overhead, at separated grades, over the mainline tracks of the Union Pacific Railroad (UP) in said City, County of Sacramento, at the location and substantially as shown on the plans attached to the application, to be identified as Crossing 004-140.8-A.

2. Clearances shall be in accordance with General Order (GO) 26-D; except that during the period of construction a vertical clearance of not less than 22'0" above top of rail shall be authorized, and UP shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission's Rail Safety and Carriers Division (RSAC) limiting the height of loads beneath the structure.

3. City shall notify RSAC and UP at least 15, but no more than 30, days in advance of the date when the temporary impaired 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 shall be filed by City with RSAC prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

6. Final construction plans, approved by UP, shall be filed by City with RSAC prior to commencing construction.

7. Within thirty (30) days after completion of the work under this order, City shall advise RSAC in writing that the authorized work has been completed.

8. This authorization shall expire if not exercised within three (3) years unless time is extended or if the above

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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. The Executive Director shall serve a copy of this order on UP, so that the railroad company is informed of the obligation herein imposed upon it.

11. Application 97-06-007 is closed.

This order becomes effective thirty (30) days from today.

Dated November 19, 1997, at San Francisco,
California.

P. GREGORY CONLON

President

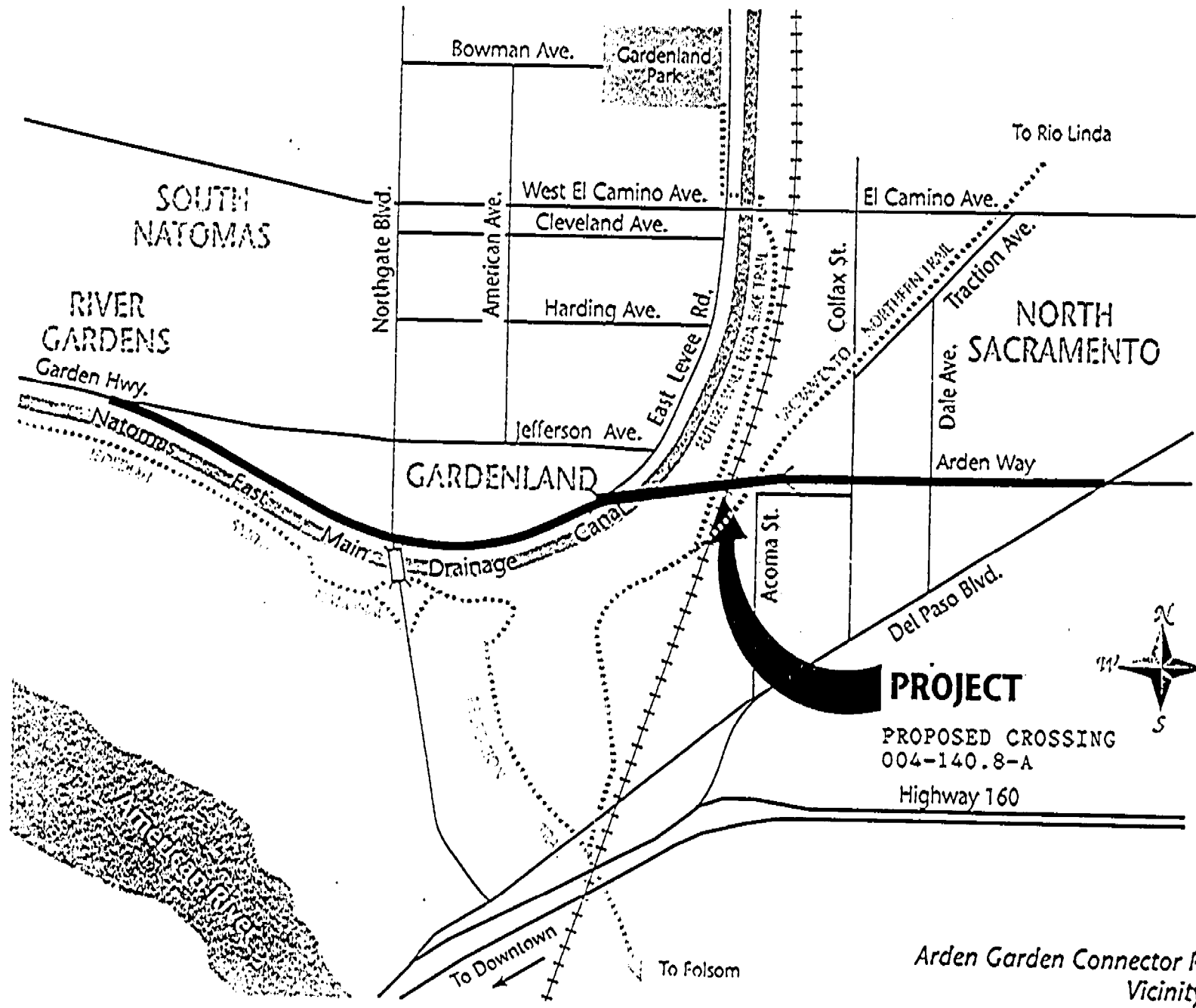
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEPPER

RICHARD A. BILAS

Commissioners



PROJECT

PROPOSED CROSSING
004-140.8-A
Highway 160

*Arden Garden Connector Project
Vicinity Map*