

Mailed: 5/11/98

Decision 98-05-016 May 7, 1998

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Sacramento Regional Transit)
 District for an order authorizing it to construct,)
 maintain and operate a light rail passenger)
 system and a Union Pacific Railroad freight)
 line on a structure over Power Inn Road)
 in the City of Sacramento, County of)
 Sacramento, State of California.)
 _____)

Application 98-02-008
(Filed February 4, 1998)

OPINION

The Sacramento Regional Transit District (District) requests authority to construct Power Inn Road at separated grades, beneath the District's E-line and AH-line, formerly of the Union Pacific Railroad (UP) main line, in the City of Sacramento (City), County of Sacramento.

Power Inn Road crosses the E-line (083E-5.64) and AH-line (001AH-95.4) at grade. It is a major arterial which feeds US Highway 50. Current Average Annual Daily Traffic count is approximately 26,000 on this bi-directional, 4-lane facility. At this crossing, the District operates 132 Light Rail Vehicles (LRV) per day on the E-line (north track), while UP runs freight trains twice a day on the AH-line (south track) via leased trackage rights. The purpose of grade separating Power Inn Road from the E- and AH-lines is to alleviate congestion at the crossing and at intersections in the area, thereby improving public safety. A map of the project vicinity is set forth as Appendix A.

Future plans call for double-tracking the E-line and relocating the AH-line 28 feet toward the south to gain the required space. The structures proposed in this application accommodate these future plans.

The District proposes two bridge structures over an excavated Power Inn Road: a 38 foot wide by 120 foot long structure designed to carry two District LRV tracks and pedestrian walkway, and a 17 foot wide by 115 foot long bridge for the UP single-track freight operations. See Appendices B and C. The roadway will be graded some 21 feet below its current elevation. The minimum vertical clearance will exist beneath the UP bridge way, 16 feet.

During construction, the District will continue to run its LRVs on the existing E-line while UP utilizes the relocated AH-line. Vehicular traffic on Power Inn Road will be routed around the construction site via a temporary frontage road to be constructed 100 feet to the west. The detour retains the same capacity and width as Power Inn Road, with appropriate speed restrictions consistent with construction areas. The frontage road will cross the E- and AH-lines at grade. Warning devices will be relocated from the existing to the temporary crossing. An exhibit of the proposed detour and crossing is set forth as Appendix D.

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 December 16, 1997, City filed a CEQA Statement of Findings of Fact and Statement of Overriding Considerations with the State Clearinghouse. This document states that "the project would result in certain unavoidable adverse impacts. However, the City has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the project...outweigh the adverse impacts, and the proposed project shall be approved."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIR and Statements of Findings of Fact and Overriding Considerations.

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 98-02-008 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 February 9, 1998. No protests have been filed.

2. District requests authority, under Public Utilities Code Sections 1201 - 1205, to construct the Power Inn Road, at separated grades, beneath the tracks of their E-line and AH-line, formerly the UP main line, in the City of Sacramento (City), County of Sacramento. District also requests authority to construct a temporary at grade crossing for diverted vehicular traffic during the construction period.

3. Public convenience and necessity require the construction of the Power Inn Road Grade Separation.

4. Construction of the Power Inn Road Grade Separation requires that a detour road and temporary grade crossing be constructed for public use during construction.

5. Public safety requires that the temporary grade crossing be fitted with two Standard Number 9-A automatic gate-type signals with cantilever (one on each approach), as specified in General Order (GO) 75-C.

6. Upon the completion of the Power Inn Road Grade Separation and its opening to vehicular traffic, the temporary grade crossing will be closed and physically removed.

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

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's EIR and Statements of Findings of Fact and Overriding Considerations.

9. The project will have a significant effect on the environment. Mitigation measures were made a condition of approval. A Statement of Overriding Considerations was filed regarding unmitigable impacts.

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 Sacramento Regional Transit District (District) is authorized to construct Power Inn Road at separated grades, beneath the District's E-line and AH-line tracks, formerly of the Union Pacific Railroad (UP) main line, in the City of Sacramento (City), County of Sacramento, at the location and substantially as shown on the plans attached to the application, to be identified as Crossings 083E-5.64-B and 001AH-95.4-B, respectively.
2. District is also authorized to construct a temporary grade crossing, for use during construction, as set forth in Appendix D of this Decision.
3. The temporary grade crossing shall consist of two Standard No. 9-A automatic gate-type signals with cantilever, as specified in General Order (GO) 75-C.
4. Upon completion of the Power Inn Road Grade Separation and its opening to vehicular traffic, the temporary grade crossing shall be closed and physically removed.
5. Clearances shall be in accordance 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 shall be filed by District with the Commission's Rail Safety and Carriers Division (RSAC) prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.
8. Final construction plans, approved by City and UP, shall be filed by District with RSAC prior to commencing construction.
9. The District shall contact the RSAC Traffic Engineering Section no less than thirty (30) days before the scheduled opening, to conduct a final inspection of the project. Any deficiencies found shall be corrected by the District.
10. This authorization shall expire if not exercised within three (3) 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. This application is granted as set forth above.
12. Application 98-02-008 is closed.

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

Dated May 7, 1998, at San Francisco, California.

RICHARD A. BILAS

President

P. GREGORY CONLON

HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners

Commissioner Jessie J. Knight, Jr.,
being necessarily absent, did not
participate.







