

ORIGINALDecision 98-06-071 June 18, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of THE TOWN OF TRUCKEE for)
authority to construct a crossing)
at separated grades connecting Donner)
Pass Rd. and West River Street and)
track of the Union Pacific Railroad)
Company sometimes referred to as the)
"Western Under Crossing.")

Application 98-03-022
(Filed March 17, 1998)

O P I N I O N

The City of Truckee (City) requests authority to construct the Western Underpass at separated grades under the tracks of the Union Pacific Railroad Company's (UP) main line in Truckee, Nevada County.

Currently traffic from Interstate Route (I) 80 headed for Lake Tahoe uses Donner Pass Road through downtown Truckee, crossing the tracks and heading south along State Route (SR) 267. This project would create a connection between West River Street and Donner Pass Road under the tracks, bypassing the historic downtown area. Construction of the grade separation will provide an alternate route for traffic between I 80 and SR 267 not subject to disruption by rail movements, and will improve safety of the travelling public.

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. After preparation and review of an Initial Study/Mitigated Negative Declaration, City approved the project. On February 27, 1998, a Notice of Determination was filed with the Office of Planning and

Research which found that "The project will not have a significant effect on the environment" and "Mitigation measures were made a condition of approval of the project."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study/Mitigated Negative Declaration.

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.

In Resolution ALJ 176-2989, dated March 26, 1998, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, public hearings is not necessary, and it is not necessary to disturb the preliminary determination made in Resolution ALJ 176-2989.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on March 20, 1998. No protests have been filed.
2. City requests authority under Public Utilities Code Sections 1201-1205 to construct the Western Underpass at separated grades under UP's main line tracks in Truckee, Nevada County.
3. Construction of the Western Underpass is required to complete an alternate I-80/SR 267 connection through Truckee.
4. Public convenience, necessity, and safety require construction of the Western Underpass. Due to the short

construction season in the Truckee area, City has requested that the authority be granted on the date of signature.

5. City 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 Initial Study/Mitigated Negative Declaration.

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 requested authority should be granted as soon as possible.

O R D E R

IT IS ORDERED that:

1. The City of Truckee (City) is authorized to construct the Western Underpass at separated grades under the tracks of the Union Pacific Railroad Company's (UP) main line in Truckee, Nevada County at the location and substantially as shown by plans attached to the application, to be identified as Crossing A-207.55-B.

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

3. 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.

4. 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.

5. 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.

6. 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.

7. The application is granted as set forth above.

8. Application 98-03-022 is closed.

This order becomes effective today.

Dated June 18, 1998, at San Francisco, California.

RICHARD A. BILAS

President

P. GREGORY CONLON

JESSIE J. KNIGHT, JR.

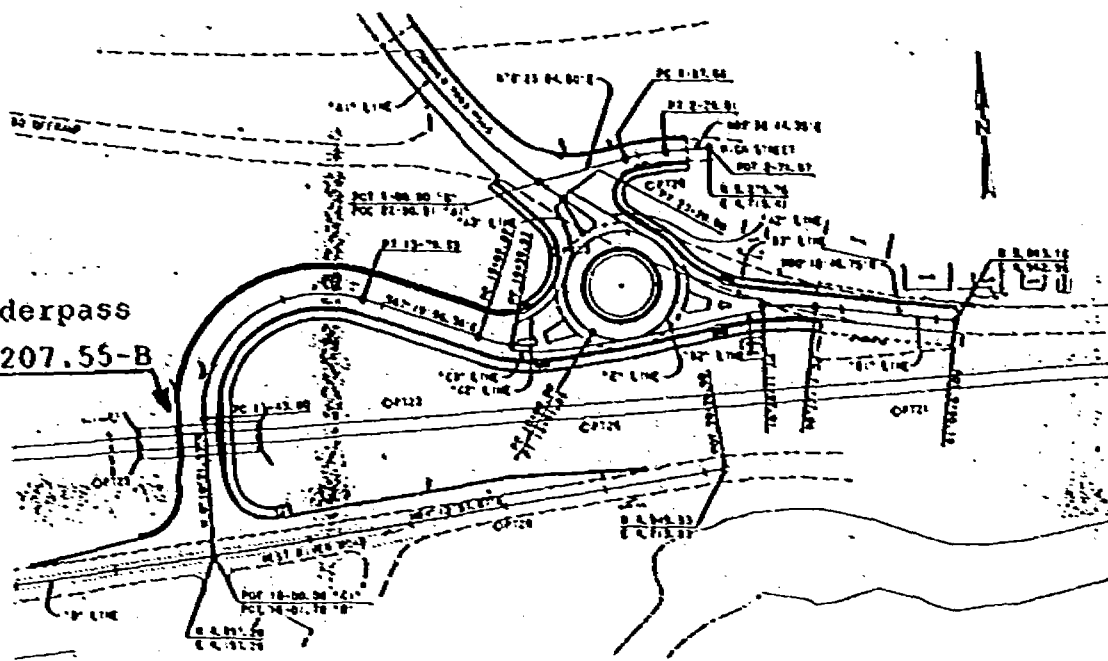
HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners

Appendix A

Western Underpass
Crossing A-207.55-B



UNDER CROSSING
ROADWAY PLAN VIEW

