

ORIGINALDecision 98-07-085 July 23, 1998**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of the City of Roseville to remove the Berry Street crossing of the Union Pacific Railroad Company tracks and construct a new improved crossing in the City of Roseville, County of Placer.

Application 98-04-060
(Filed April 24, 1998)

OPINION

As part of the Berry Street Realignment Project, the City of Roseville (City) requests authority to relocate the Berry Street crossing, Crossing 001A-107.2, across the A-line tracks of the Union Pacific Railroad (UP), formerly the Southern Pacific Transportation Company (SP) A-line, in said City, Placer County.

The purpose of this project is to optimize traffic circulation and improve safety. This is to be achieved by widening and realigning Berry Street, to the east, such that it forms a 90 degree angle with the UP tracks and a four-way signalized intersection with Atlantic Street.

Within the project area, UP's A-line runs east-west while paralleled by Atlantic Street to the south. At present, Berry Street runs north-south across the A-line tracks and forms a T-intersection with Atlantic Street. The crossing is approximately 24 feet wide with an angle of 60 degrees. Two vehicular lanes across three sets of tracks are fitted with two Standard No. 9 automatic gate type signals (General Order 75-C).

The proposed Berry Street realignment, to be renamed Tahoe Avenue, will cross the A-line at a location 300 feet to the east (measured along the tracks). This alignment will form a four-way intersection at Atlantic Street just south of the crossing. The Tahoe Avenue crossing is proposed at 56 feet wide with an angle of 90 degrees. Four vehicular lanes across the three sets of tracks will be fitted with two Standard No. 9-A automatic gate type signals

with cantilever. A sketch of the realigned/relocated crossing is set forth as Appendix A. A map of the project area is set forth as Appendix B.

During construction, both vehicular and train traffic will continue to utilize the existing facilities. Upon completion of the Tahoe Avenue crossing, and its subsequent opening to vehicular traffic, the Berry Street crossing will be closed and physically removed.

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 Initial Study (IS), City determined that "although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures... [that] have been added to the project." On April 2, 1998, City filed a Notice of Environmental Determination (NOD) for a Negative Declaration, with the County Clerk of Placer County, which states, "As approved, the project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed the lead agency's IS 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. City has requested that the 30-day effective date on an order be waived in order to maximize utilization of the 1998 construction season and thus lessen disruption to the public.

Application 98-04-060 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.

In Resolution ALJ 176-2992 dated May 7, 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 hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-2992.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on May 6, 1998. No protests have been filed.
2. City requests authority, under Public Utilities Code Sections 1201 - 1205, to relocate the Berry Street crossing, Crossing 001A-107.2, across the A-line tracks of UP, formerly the SP A-line, in said City, Placer County.
3. Public convenience and necessity require the relocation of the Berry Street crossing.
4. The relocated roadway will be identified as Tahoe Avenue.
5. Public safety requires that the Tahoe Avenue 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. The traffic signal and railroad warning systems will be interconnected such that vehicular movements at the Tahoe Avenue/Atlantic Street intersection are preempted by train movements through the Tahoe Avenue crossing.
7. Upon the completion of the Tahoe Avenue crossing and its opening to vehicular traffic, the Berry Street crossing will be closed and physically 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 IS and NOD for a Negative Declaration.
10. The project will not have a significant effect on the environment.

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 usual 30-day effective date of an order should be waived.

ORDER

IT IS ORDERED that:

1. The City of Roseville (City) is authorized to relocate the Berry Street railroad crossing, Crossing 001A-107.2, across the A-line tracks of the Union Pacific Railroad (UP), formerly the Southern Pacific Transportation Company A-line, in said City, Placer County, at the location and substantially as shown on the plans attached to the application, to be identified as Tahoe Avenue, Crossing 001A-107.26.
2. The Tahoe Avenue grade crossing shall be fitted with two Standard No. 9-A automatic gate-type signals with cantilever, as specified in General Order (GO) 75-C.
3. Traffic signals at the Tahoe/Atlantic intersection shall be interconnected with the Tahoe Avenue railroad crossing warning system such that vehicular movements at the intersection are preempted by train movements through the crossing.
4. Clearances shall be in accordance with GO 26-D.
5. 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.
6. 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 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.
7. Final construction plans, approved by UP, shall be filed by City with RSAC prior to commencing construction.
8. Upon completion of the Tahoe Avenue crossing and its opening to vehicular traffic, the Berry Street grade crossing shall be closed and physically removed.
9. This authorization shall expire if not exercised within two (2) 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. This application is granted as set forth above.
11. Application 98-04-060 is closed.

This order becomes effective today.

Dated July 23, 1998, at San Francisco, California.

RICHARD A. BILAS

President

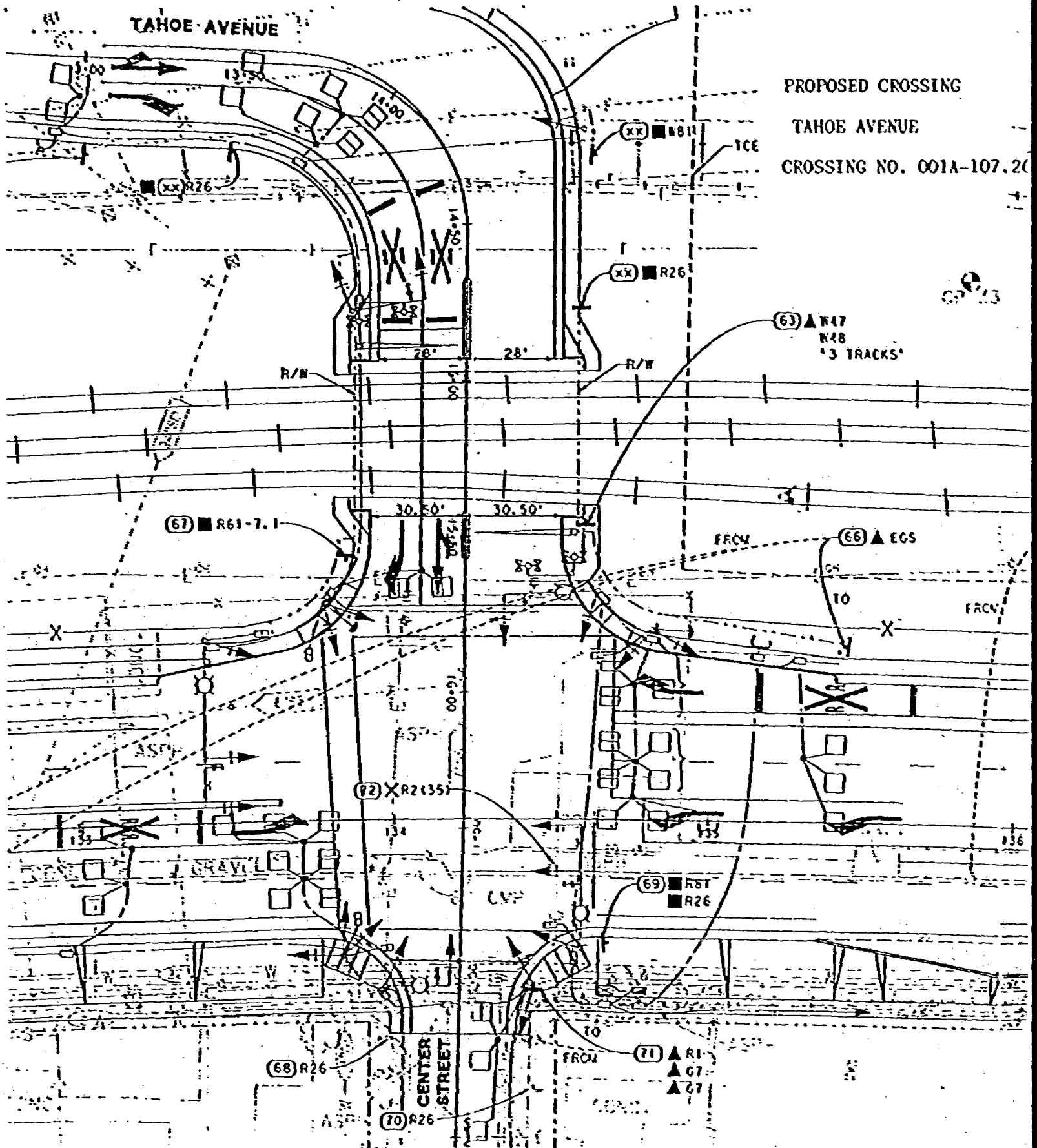
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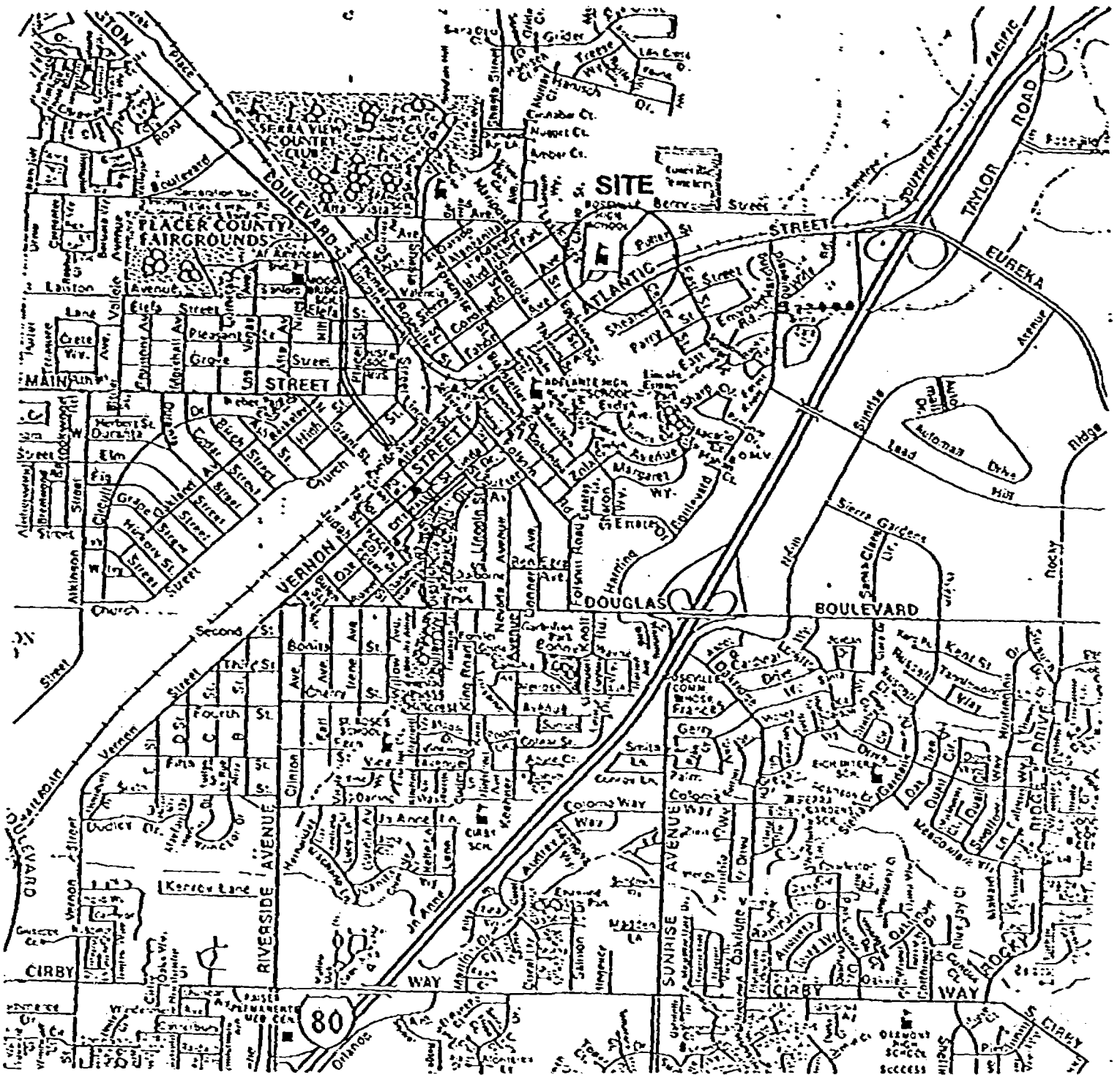
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners





CITY OF ROSEVILLE