

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of San Diego for authority to relocate the existing South Santa Fe Avenue at-grade crossing (C.P.U.C. Crossing No. 106E-12.00) within the County of San Diego, California.

Application 05-06-039
(Filed June 27, 2005)

O P I N I O N

Summary

This decision grants the County of San Diego’s (County) request to relocate the existing at-grade crossing (crossing) at South Santa Fe Avenue over the North County Transit District’s (NCTD) Escondido Subdivision approximately 458 feet east, measured along the centerline of the track, replacing the existing at-grade crossing identified as CPUC Crossing No. 106E-112.00, in San Diego County.

Discussion

Proposed Project

The proposed relocation of the South Santa Fe Avenue crossing is part of a larger project to improve the flow of traffic in the area adjacent to State Route (SR) 78 and is part of the State Highway Corridor Program (Program). As part of the Program, South Santa Fe Avenue will be reconstructed and widened, realigning it on a new centerline, from the existing two-lane road to a four-lane major road for approximately two miles between the cities of Vista and San Marcos in the unincorporated area of San Diego County. The new major road

will have a width of 76 feet within a 96-foot right-of-way. The typical roadway section will include two 12-foot inside traffic lanes; two 13-foot outside traffic lanes; one 14-foot striped two-way left-turn lane with formal left-turn pockets at road intersections; and two 6-foot bike lanes and sidewalks.

The realignment of South Santa Fe Avenue also includes modifications to the two adjacent three-way intersections of York Drive with South Santa Fe Avenue, and Woodland Drive with South Santa Fe Avenue. The existing intersection of York Drive will be removed and York Drive will be realigned with the existing Woodland Drive intersection to form a single new four-way intersection with South Santa Fe Drive.

The new four-way intersection of York Drive/Woodland Drive/South Santa Fe Avenue will be signalized with the crossing passing diagonally through the center of the new intersection. The traffic signals will be interconnected with the railroad warning device control system. Warning devices at the crossing will include two median-mounted Standard No. 9s (automatic gate type signal as defined in Commission General Order (GO) 75-C) on South Santa Fe Avenue, and four curb-mounted Standard No. 9-As (automatic gate type signal with additional lights on a cantilever as defined in GO 75-C) on each quadrant of the intersection.

The new intersection configuration will improve the safety and traffic flow through the at-grade crossing and intersection. NCTD's new SPRINTER Light Rail Transit service is scheduled to begin operation on the Escondido Subdivision in December 2007. The SPRINTER will operate seven days a week with weekday service every 30 minutes in each direction, from approximately 5 a.m. to 9 p.m. for an approximate total of 30 train crossings of the new intersection daily.

Pedestrian and bicyclist safety will be improved with the addition of ADA-compliant sidewalks and curbs, as well as 6-foot bike lanes on Santa Fe Avenue that will be striped and protected by warning signs. The pedestrian sidewalk and bike lane portions of the crossing will be constructed with stop bars, Commission Standard No. 10 (Pedestrian and bicycle flashing light type signal as described in GO 75-C) automatic warning devices, hand rails, and lane stripes with raised pavement markers, and will be realigned so that pedestrian and bicyclist movement through the crossing is perpendicular to tracks. The existing crossing (CPUC Crossing No. 106E-112.00) will be eliminated once the new crossing is completed and in service.

Environmental Review

The California Environmental Quality Act of 1970 (CEQA, as amended, Public Resources (PR) Code Section 21000 et seq.) applies to discretionary projects to be carried out or approved by public agencies. A basic purpose of CEQA is to inform governmental decision makers and the public about potential, significant environmental effects of the proposed activities. Since the project is subject to CEQA and the Commission must issue a discretionary decision in order for the project to proceed (i.e., the Commission must approve the project pursuant to Section 1202 of the Public Utilities Code), the Commission must consider the environmental consequences of the project by acting as either a lead or responsible agency under CEQA.

The lead agency is the public agency with the greatest responsibility for supervising or approving the project as a whole.¹ Here, County is the lead

¹ CEQA Guidelines (Title 14 of the California Code of Regulations), Section 15051(b).

agency for this project and the Commission is a responsible agency. As a responsible agency under CEQA, the Commission must consider the lead agency's environmental documents and findings before acting on or approving this project.²

The Commission reviewed and considered the lead agency's Final Environmental Impact Report (FEIR) and Notice of Determination (NOD) and finds them adequate for our decision-making purposes. Safety, transportation, and noise as they relate to the relocation of the existing at-grade crossing are within the scope of the Commission's permitting process. The FEIR did not identify any impacts within the scope of the Commission's permitting process. The NOD is shown in Appendix A attached to this order.

The Commission's Consumer Protection and Safety Division - Rail Crossings Engineering Section (RCES) has inspected the site of the proposed crossing. After reviewing the need for and safety of the proposed crossing, RCES recommends that the Commission grant County's request.

The application is in compliance with the Commission's filing requirements, including Rule 38 of Rules of Practice and Procedure, which relates to the construction of a public highway across a railroad. A vicinity map of the proposed crossing location and a plan of the proposed crossing are shown in Appendix B attached to the order.

Categorization and Need for Hearings

In Resolution ALJ 176-3155, dated June 30, 2005, and published in the Commission Daily Calendar on July 1, 2005, the Commission preliminarily

² CEQA Guidelines, Sections 15050(b) and 15096.

categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests were filed, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3155.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived..

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on June 29, 2005. There are no unresolved matters or protests; a public hearing is not necessary.

2. County requests authority, under Public Utilities Code Sections 1201-1205, to relocate the existing at-grade crossing at South Santa Fe Avenue across tracks of the NCTD's Escondido Subdivision approximately 458 feet east, measured along the centerline of the track, replacing the existing at-grade crossing identified as CPUC Crossing No. 106E-112.00, in San Diego County.

3. The proposed relocation of the crossing, is part of a larger project to improve the safety and flow of traffic in the area adjacent to SR-78, within approximately two miles between the cities of Vista and San Marcos in San Diego County, and is part of the State Highway Corridor Program.

4. Public convenience, safety and necessity require the construction of the proposed crossing.

5. County is the lead agency for this project under CEQA, as amended.

6. County adopted an NOD for this project pursuant to CEQA.

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

Conclusions of Law

1. The NOD adopted by the County as the documentation required by CEQA for the crossing project is adequate for our decision-making purposes.

2. We adopt the County's NOD for purposes of our approval.

3. The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. County of San Diego (County) is authorized to relocate the at-grade crossing (crossing) over the track and right-of-way of the North County Transit District's (NCTD) Escondido Subdivision, eliminating the existing crossing identified as CPUC Crossing No. 106E-112.00, in San Diego County. The new at-grade crossing shall be identified as CPUC Crossing No. 106E-114.49.

2. County shall close the existing South Santa Fe at-grade crossing, CPUC Crossing No. 106E-112.00. This at-grade crossing shall be eliminated no later than 30 days from the date the new South Santa Fe at-grade crossing, CPUC Crossing No. 106E-114.49, is opened to vehicular traffic.

3. County shall comply with all applicable rules, including Commission General Orders and the Manual on Uniform Traffic Control Devices (MUTCD), as amended by the MUTCD California Supplement.

4. Warning devices at the crossing shall include two median-mounted Standard No. 9s (automatic gate type signal as defined in Commission General Order (GO) 75-C) and two curb-mounted Standard No. 9-As (automatic gate type signal with additional lights on cantilever as defined in (GO) 75-C) on South

Santa Fe Avenue, one curb-mounted 9-A on the north corner of York Drive and South Santa Fe Avenue, and one curb mounted 9-A on the south corner of Woodland Drive and South Santa Fe Avenue.

5. In the interest of pedestrian and bicyclist safety, the sidewalks and bike lanes shall be aligned so that they intersect the railroad tracks perpendicular to them, and two modified Standard No. 10 (Pedestrian and Bicycle Flashing Light Type signal as described in GO 75-C) warning devices shall be installed at each pedestrian crossing location. The Standard No. 10s shall be modified with two back-to-back pairs of flashing red lights. Stop bars shall be painted on both sides of the pedestrian crossing locations to indicate where pedestrians should wait while a train approaches. Rumble strips shall also be installed on the north-east and south-west quadrants where the bike lane is aligned, to protect bicyclists as well as motorists.

6. There shall be only one crosswalk across South Santa Fe Avenue, from the north-east to north-west corner. Two Activated, Blank-Out signs (MUTCD California Supplement No. W10-7) shall be installed facing across South Santa Fe Avenue on the north-east and north-west corners of the intersection. Two Standard No. 10 warning devices, modified with two back-to-back pairs of flashing red lights, shall be installed, one each on the north-west and north-east corners of the intersection. "NO PEDESTRIAN CROSSING" signs (MUTCD California Supplement No.'s R9-3 and R9-3b) shall be installed facing across South Santa Fe Avenue on the south-east and south-west corner to prohibit pedestrian crossing of South Santa Fe Avenue on the south edge of the intersection.

7. Construction and maintenance costs shall be borne in accordance with an agreement that has been entered into between County and NCTD (parties).

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, NCTD shall notify the Commission's Consumer Protection and Safety Division, Rail Crossings Engineering Section (RCES) in writing, by submitting a completed Standard Commission Form G (Report of Changes at Highway Grade Crossings and Separations), that the new at-grade crossing (CPUC Crossing No. 106E-114.49) is completed and that CPUC Crossing No. 106E-112.00 is eliminated.

9. This authorization shall expire if not exercised within two 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. A request for extension of the two-year authorization period must be submitted to RCES at least 30 days before the expiration of that period. A copy of the request must be sent to all interested parties.

11. This application is granted as set forth above.

12. Application 05-06-039 is closed.

This order becomes effective 30 days from today.

Dated _____, at San Francisco, California.

APPENDIX A
NOTICE OF DETERMINATION

NOTICE OF DETERMINATION

092405

TO: ■ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
■ Recorder/County Clerk
1600 Pacific Highway, MS A33
San Diego, CA 92101

FILED FROM: D
Gregory J. Smith, Recorder/County Clerk
JUN 16 2004
BY: AD DEPUTY

County of San Diego
Department of Public Works
Environmental Services MS 0385
5469 Kearny Villa Road Suite 305
San Diego, CA 92123
Attn: Daryl Trumbo

SUBJECT: FILING OF NOTICE OF DETERMINATION IN COMPLIANCE WITH PUBLIC RESOURCES CODE SECTION 21108 OR 21152

Project Name: SOUTH SANTA FE AVENUE RECONSTRUCTION PROJECT (UJ1600)

State Clearinghouse No.: 1999061053

Project Location: The project is located north of State Route 78 and south of Monte Vista Drive in the northwest portion of San Diego County. The project is located in the unincorporated area between Vista and San Marcos.

Project Applicant: County of San Diego Department of Public Works
Applicant Address: 5469 Kearny Villa Road Suite 305 San Diego, CA 92123

Project Description: The project would widen South Santa Fe Avenue from a two-lane roadway to a four-lane Major Road, with a center left-turn lane, from the Vista city limit to the San Marcos city limit, an approximate distance of two miles. This project would also include realignment and extension of approximately 0.3 mile of Sycamore Avenue between its existing built-out terminus at the Vista city limits near University Drive, east to South Santa Fe Avenue at Buena Creek Road, and the replacement of Robellini Drive as the link between South Santa Fe Avenue and State Route (SR) 78. Improvements to the railroad crossing in the vicinity of York Drive and Woodland Drive would also be constructed as a component of this project. The project also includes a drainage component to improve existing flood control problems associated with Buena Creek.

Agency Approving Project: County of San Diego

County Contact Person: Nelson Olivas Telephone: 858-874-4005

Date Form Completed: June 16, 2004

This is to advise that the County of San Diego County Board of Supervisors (County decision-making body) has approved the above-described project on June 16, 2004, Item # 6 (date/item #) and has made the following determinations:

1. The project ■ will will not have a significant effect on the environment.
 2. ■ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of the CEQA.
 A Negative Declaration or Mitigated Negative Declaration was prepared for this project pursuant to the provisions of the CEQA.
 3. Mitigation measures ■ were were not made a condition of the approval of the project.
- The following determinations are only required for projects with Environmental Impact Reports:
4. A Statement of Overriding Considerations ■ was was not adopted for this project.
 5. Findings ■ were were not made pursuant to the provisions of State CEQA Guidelines Section 15091.

Project status under Fish and Game Code Section 711.4 (Department of Fish and Game Fees):
 Certificate of Fee Exemption (attached)
■ Proof of Payment of Fees (attached)

The Environmental Impact Report or Negative Declaration with any comments and responses and record of project approval may be examined at: County of San Diego, Department of Public Works, Environmental Services, 5469 Kearny Villa Road San Diego, CA 92123

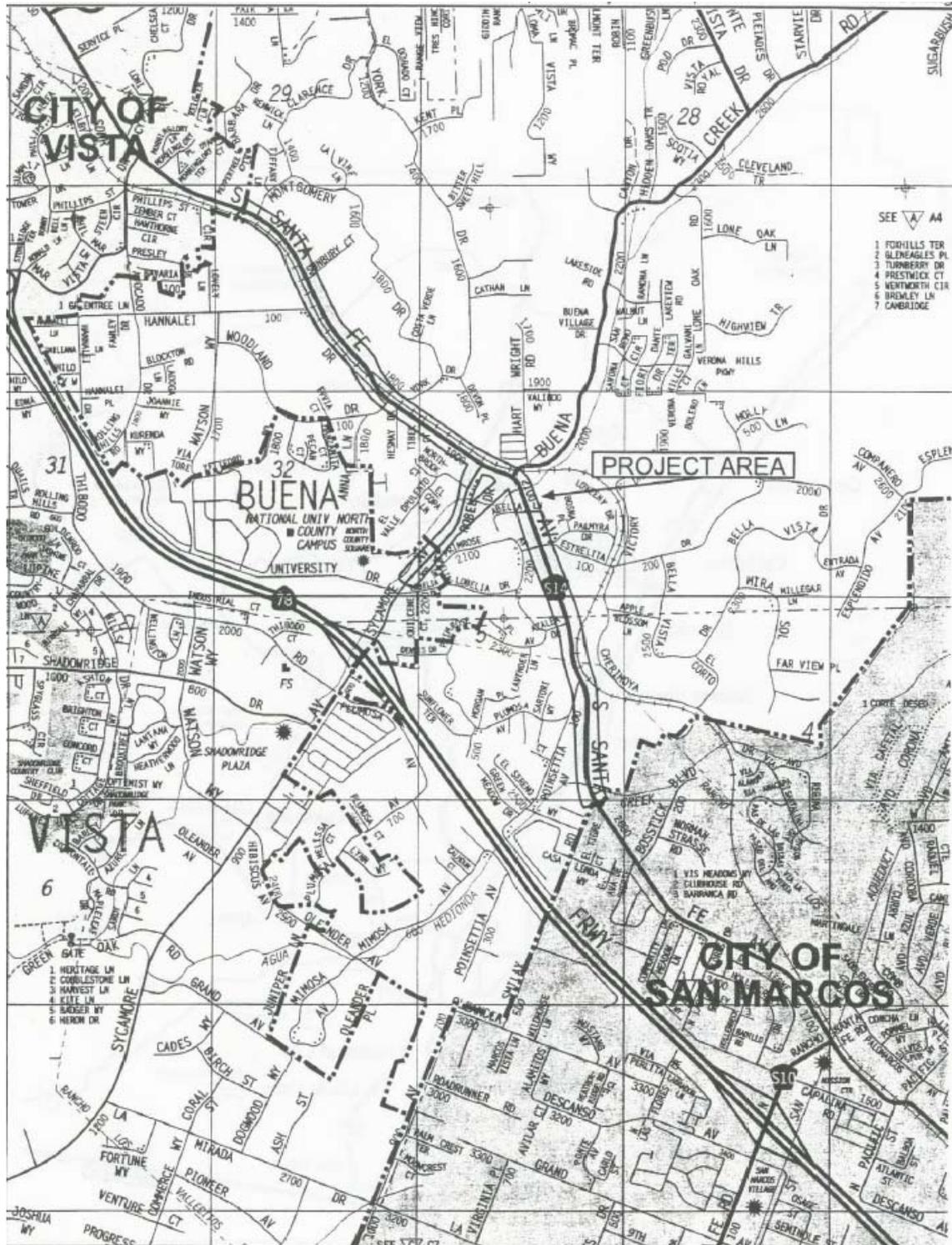
Date received for filing and posting at OPR: _____

Signature: [Handwritten Signature] Telephone: (858) 874-4005
Name (Print): Nelson Olivas Title: ESU Manager

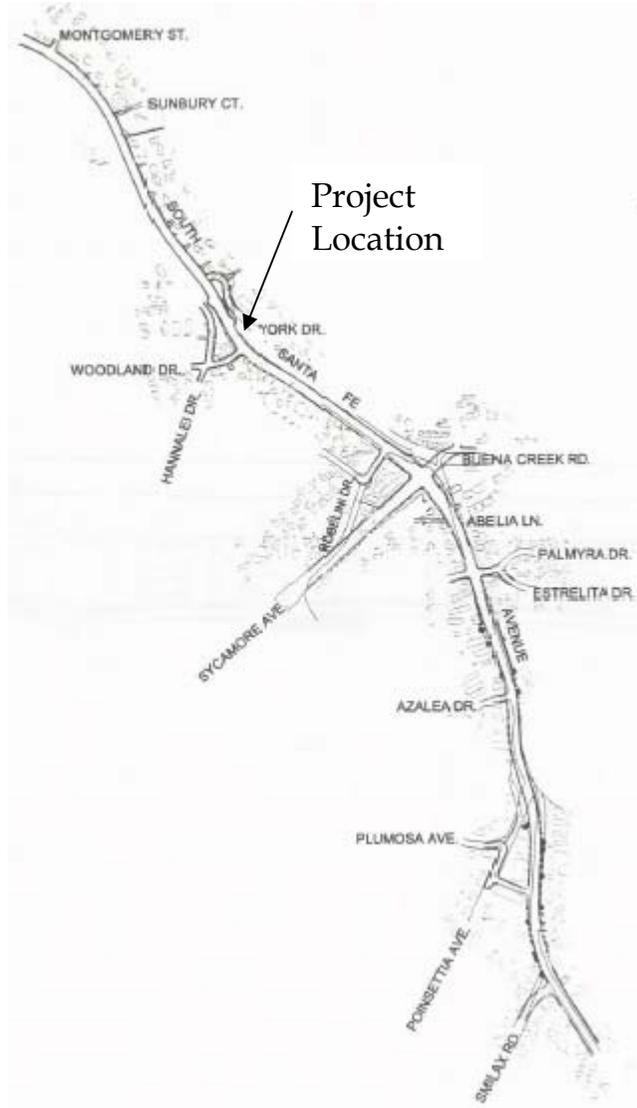
This notice must be filed with the Recorder/County Clerk within five working days after project approval by the decision-making body. Recorder/County Clerk must post this notice within 24 hours of receipt and for a period of not less than 30 days. At the termination of the posting period, the Recorder/County Clerk must return this notice to the Department address listed above along with evidence of the posting period. The originating Department must then retain the returned notice for a period of not less than nine months. Reference: CEQA Guidelines Section 15075 or 15094

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County
Posted: JUN 16 2004
Required to appear on: _____
Date: AD

APPENDIX B
VICINITY MAP



APPENDIX B
LOCATION MAP



APPENDIX B PLAN VIEW

