

Mailed 09/12/00

Decision 00-09-015 September 07, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Davis, for an order authorizing the City to: construct a bicycle crossing at separated grades over the tracks and right of way of the Union Pacific Railroad Company, in the City of Davis, Yolo County, State of California

Application 00-05-017
(Filed May, 03 2000)

OPINION

The City of Davis (City) requests authority to construct a new bicycle crossing at separated grades over the tracks of the Union Pacific Railroad Company (UPRR) in the City of Davis, Yolo County, State of California. The proposed structure will be referred to as Mace Ranch Bicycle Overcrossing.

The project will be financed by the City of Davis.

The proposed project will provide for an additional east-west crossing of Interstate 80 and the UPRR railroad tracks and reduce pedestrian and bicycle traffic on Poleline Road and the Mace Boulevard Interchange. The project is located west of the Interstate 80 Mace Boulevard Interchange. A map of the project vicinity is set forth as Appendix A.

The new grade separation will serve as a bicycle and pedestrian overcrossing of Interstate 80 and UPRR railroad tracks, connecting south Davis Class I facilities with Class I facilities north of the freeway. The public will benefit from the safety that the overcrossing will provide by rerouting bicycle traffic away from the Interstate 80 interchange at Mace Blvd. Temporary rerouting of vehicular and railroad traffic during construction will not be necessary.

There are approximately 28 train movements per day for Union Pacific Railroad. Movements consist of both freight and passenger trains.

City is the lead agency for this project. The project has been developed so as to give detailed consideration to the potential impact upon the quality of the environment. On February 25, 2000, in compliance with CEQA, the City filed its Notice of Environmental Determination, approving this project.

The Commission is the responsible agency for this project under CEQA and has reviewed and considered the lead agency's Notice of Determination.

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

Application 00-05-017 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 176-3040 dated June 8, 2000 the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's RSCD recommends that this application be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3040.

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

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on May 03, 2000. No protests have been filed.
2. City of Davis requests authority, under Public Utilities Code Section 1201-1205, to construct a bicycle overcrossing at separated grades over the tracks of the UPRR identified as Mace Ranch Bicycle Overcrossing, PUC Crossing Number A-77.30A.
3. Public convenience and necessity require the construction of the Mace Ranch Bicycle Overcrossing in the City of Davis, Yolo County, State of California.
4. City of Davis is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Notice of Determination.

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.

O R D E R

IT IS ORDERED that:

1. The City of Davis (City) is authorized to construct a crossing at separated grades between Mace Blvd. Overcrossing (PUC No. A-76.28) and Pole Line Road Overcrossing (PUC No. A-78.10A) over the tracks of the Union Pacific Railroad Company (UPRR) in Yolo County at the location as shown on the plans attached to the application, to be identified as Mace Ranch Bicycle Overcrossing, PUC No. A-77.30A.
2. Clearances shall be in accordance General Order (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 shall be filed by the City with the Commission's Rail Safety and Carriers Division (RSCD) prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

5. Final construction plans, approved by City and UPRR, shall be filed by City with RSCD prior to commencing construction.

6. City of Davis will inform the RSCD Rail Crossings Engineering Section in writing within 30 days of the date of the completion of this project.

7. UPRR will file form "G" within 30 days of the completion of this project.

8. 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.

9. This application is granted as set forth above.

10. Application 00-05-017 is closed.

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

Dated September 07, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners

APPENDIX A

