

Decision 09-11-025 November 20, 2009

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the California Department of Transportation for an order authorizing the construction of a single grade separation structure on Carmenita Road (Proposed CPUC No. 001BK-501.20-A) (per General Order 26-D) over both Route 5 and one rail line operated by the Union Pacific Railroad; relocation of the existing grade crossing approximately 30 ft to the east of the present location to Carmenita Place (per General Order 75-D); and resurfacing the Arctic Circle grade crossing (CPUC No. 001BK-501.18-C, DOT No. 748126B) with concrete panel (per General Order 75-D), located in the City of Santa Fe Springs, County of Los Angeles, State of California.

Application 09-06-027
(Filed June 25, 2009)

**DECISION GRANTING AUTHORIZATION TO THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A GRADE-
SEPARATED CROSSING OF CARMENITA ROAD OVER THE UNION
PACIFIC RAILROAD COMPANY TRACKS AND RELOCATE THE
EXISTING CARMENITA ROAD AT-GRADE CROSSING IN THE CITY OF
SANTA FE SPRINGS, COUNTY OF LOS ANGELES**

Summary

This decision grants the California Department of Transportation (Caltrans) authorization to grade-separate Carmenita Road over the Union Pacific Railroad Company (UPRR) Santa Ana Subdivision tracks, relocate the existing Carmenita Road at-grade crossing approximately 30 feet east of its current location, and to modify and reconfigure the at-grade spur

crossing of Arctic Circle, in the City of Santa Fe Springs, Los Angeles County.

The new Carmenita Road overhead structure is to be identified as CPUC Crossing No. 001BK-501.20-A. The relocated Carmenita Road at-grade crossing will be renamed Carmenita Place and is to be identified as CPUC Crossing No. 001BK-501.21. The upgraded and reconfigured Arctic Circle at-grade crossing will remain CPUC Crossing No. 001BK-501.18-C.

Discussion

The grade-separation and crossing relocation is part of the Caltrans Interstate-5/Carmenita Road Interchange reconstruction project. The project aims to improve traffic mobility through the adjoining cities and across the counties, and will increase the capacity of the freeway facility along Interstate-5, as well as Carmenita Road.

UPRR operates a single main line with side and spur tracks in the area. The main track roughly parallels I-5 in the vicinity and has approximately 26 daily train movements at speeds of up to 30 MPH. The spur track crossing over Arctic Circle, just west of Carmenita Road, has approximately 8 daily train movements at speeds of up to 10 MPH.

The Caltrans project will require the reconstruction of the existing Carmenita Road/I-5 overpass structure and realignment of Carmenita Road and all of its entrance and exit ramps to I-5, and will include extension of the overpass structure to grade-separate the UPRR tracks and Carmenita Road. In addition, the project will relocate and reconstruct Arctic Circle, Molette Street, Firestone Boulevard, and other adjacent local streets and intersections. The proposed improvements will increase roadway capacity, eliminate the train-vehicle conflicts on Carmenita Road, reduce impacts on

local traffic, and provide adequate vehicle queuing distances for all intersections and traffic movements.

The realignment of Carmenita Road and replacement of the existing two-lane I-5 overpass structure with a ten-lane overpass extending over the adjacent rail corridor requires significant changes to local roadways and traffic circulation patterns. Caltrans proposes to grade-separate Carmenita Road over the UPRR tracks and relocate the existing Carmenita Road at-grade crossing, CPUC Crossing No. 001BK-501.20, approximately 30 feet east from its current location and rename the crossing to Carmenita Place. In addition, Molette Street will be realigned and connected to Arctic Circle, which will be extended under the new structure south of the tracks and connected to Carmenita Place. Carmenita Place will serve as an access road to Firestone Boulevard, providing access for local businesses north of the railroad tracks and south of I-5.

The Carmenita Place crossing will be a two-lane roadway, one lane for each direction. The crossing will be equipped with two Commission Standard 9 (flashing light signal assembly with automatic gate) warning devices, one on each approach, raised medians, advance warning signage and pavement markings. In addition, R8-8 'DO NOT STOP ON TRACKS' signs will be installed on both approaches of the Carmenita Place crossing. The intersection of Carmenita Place and Firestone Boulevard will be controlled by a two-way stop. Eastbound and westbound Firestone Boulevard traffic will have a stop, giving a free uncontrolled movement to northbound Carmenita Place traffic, preventing any traffic queues back to the crossing.

The Arctic Circle crossing, CPUC Crossing No. 001BK-501.18-C, will remain at its current location, but Arctic Circle south of the tracks will be realigned to connect to Carmenita Place. The crossing warning devices will be upgraded from Commission Standard 8 (flashing light signal) devices to Commission Standard 9 warning devices. The crossing surface will be extended to the east to accommodate the street realignment and be upgraded with concrete crossing panels.

California Public Utilities Commission General Order (GO) 26-D specifies railroad track clearances that must be maintained. GO 26-D requires a minimum overhead clearance of 22 feet 6 inches. During construction of the grade separation, Caltrans is requesting a temporary impaired vertical clearance of 21 feet. The permanent minimum vertical clearance over the tracks from bottom of grade-separated structure to top of rail upon completion will be 26 feet. UPRR has indicated it is in agreement with the project and offers no objection to the request.

Environmental Review and CEQA Compliance

The California Environmental Quality Act of 1970 (CEQA, as amended, Public Resources 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 has the exclusive authority to 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 either the public agency that carries out the project,¹ or the one with the greatest responsibility for supervising or approving the project as a whole.² Here, Caltrans is the lead agency for this project as it is proposing and carrying out the project to improve its roadway system, and the Commission is a responsible agency because it has jurisdiction to issue a permit for a portion of the project. 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.³

Caltrans has prepared an Initial Study/Environmental Assessment for the Carmenita Road I-5 interchange project. From the study, Caltrans determined that there are no major environmental impacts associated with the proposed improvements. Caltrans adopted a Negative Declaration (ND) on March 15, 2002, as the documentation required by CEQA, in approving the project.

The Commission reviewed and considered the Initial Study/Environmental Assessment, and the ND environmental documentation and findings and believes that Caltrans project will have no

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

² CEQA Guidelines (Title 14 of the California Code of Regulations), Section 15051(b).

³ CEQA Guidelines, Sections 15050(b) and 15096.

significant impact and finds them adequate for our decision-making purposes.

Filing Requirements and Staff Recommendation

The application is in compliance with the Commission's filing requirements, including Rule 3.7 of Rules of Practice and Procedure, which relates to the construction of a public highway across a railroad.

The Commission's Consumer Protection and Safety Division – Rail Crossings Engineering Section has inspected the site of the proposed crossings, has reviewed and analyzed the plans submitted with the application, and recommends that the requested authority to construct the subject crossings be granted for a period of three years.

Categorization and Need for Hearings

In Resolution ALJ 176-3237, dated July 9, 2009, and published in the Commission Daily Calendar on July 10, 2009, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. Given these developments, it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3237.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is 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 July 10, 2009. There are no unresolved matters or protests. A public hearing is not necessary.
2. Caltrans requests authority, under Public Utilities Code Sections 1201-1205, to construct the grade-separated crossing of Carmenita Road over UPRR tracks, modify and rename the existing Carmenita Road at-grade crossing, and modify the Arctic Circle at-grade crossing.
3. Caltrans is the lead agency for this project under CEQA, as amended.
4. Caltrans adopted an ND of No Significant Impact for this project on March 15, 2002.
5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's ND.
6. The project will not have a significant effect on the environment.

Conclusions of Law

1. The Initial Study/Environmental Assessment prepared by Caltrans as the documentation required by CEQA for the project are adequate for our decision-making purposes.
2. The Commission adopts Caltrans findings contained in its ND.
3. The application is uncontested and a public hearing is not necessary.
4. The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The California Department of Transportation is authorized to construct the Carmenita Road grade-separated crossing to be identified as CPUC Crossing No. 001BK-501.20-A and to relocate and rename the existing

at-grade crossing 30 feet east, to be identified as Carmenita Place, CPUC Crossing No.001 BK-501.21, in the City of Santa Fe Springs, Los Angeles County.

2. The California Department of Transportation shall install one Commission Standard 9 warning device on each approach of the Carmenita Place at-grade highway-railroad crossing. In addition, Carmenita Place shall be equipped with raised medians on both approaches, R8-8 'DO NOT STOP ON TRACKS' signs, pavement markings and advance warning signage.

3. The California Department of Transportation shall install one Commission Standard 9 warning device on each approach of the reconfigured Arctic Circle at-grade highway-railroad crossing CPUC Crossing No.001BK-501.18-C. In addition, the crossing surface shall be extended to accommodate the reconfigured eastern approach and upgraded with concrete panels.

4. The California Department of Transportation shall comply with all applicable rules, including Commission General Orders and the California Manual on Uniform Traffic Control Devices.

5. The California Department of Transportation shall notify the Commission's Consumer Protection and Safety Division – Rail Crossing Engineering Section at least five (5) business days prior to opening each of the crossings. Notification should be made to rces@cpuc.ca.gov.

6. Within 30 days after completion of the work under this order, the California Department of Transportation shall notify Rail Crossing Engineering Section in writing, by submitting a completed Commission Standard Form G (*Report of Changes at Highway Grade Crossings and*

Separations), of the completion of the authorized work. Form G requirements and forms can be obtained at the CPUC web site Form G page at <http://www.cpuc.ca.gov/formg>. This report may be submitted electronically to rces@cpuc.ca.gov as outlined on the web page.

7. This authorization shall expire if not exercised within three years, unless time is extended or if the above conditions are not satisfied. The Commission may revoke or modify authorization if public convenience, necessity or safety so require.

8. A request for extension of the authorization period must be submitted to Rail Crossing Engineering Section at least 30 days before the expiration of that period. A copy of the request must be sent to all interested parties.

9. This application is granted as set forth above.

10. Application 09-06-027 is closed.

This order becomes effective 30 days from today.

Dated November 20, 2009, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners