

Decision 11-02-019 February 24, 2011

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Sacramento Regional Transit District for authority to modify, construct, maintain, and operate a Light Rail Passenger System across (i) 7<sup>th</sup> & H Street (ii) 8<sup>th</sup> & H Street (iii) 7<sup>th</sup> & G Street (iv) 8<sup>th</sup> & G Street (v) 7<sup>th</sup> & F Street (vi) 7<sup>th</sup> & E-F Alley (vii) 7<sup>th</sup> & North B Street and (viii) 7<sup>th</sup> & Richards Boulevard in the City of Sacramento, State of California.

Application 10-07-013  
(Filed July 12, 2010;  
Amendment filed  
August 9, 2010)

**DECISION GRANTING AUTHORIZATION TO THE SACRAMENTO REGIONAL TRANSIT DISTRICT TO MODIFY TWO EXISTING AT-GRADE CROSSINGS AND CONSTRUCT SIX NEW AT-GRADE CROSSINGS IN THE CITY OF SACRAMENTO, SACRAMENTO COUNTY**

**Summary**

This decision grants the Sacramento Regional Transit District's request for authority to construct six new at-grade crossings and modify two existing ones in the City of Sacramento, Sacramento County. The new at-grade crossings will be identified as CPUC Crossing Nos. 083A-0.53 (7<sup>th</sup> & G Street), 083A2- 0.46 (8<sup>th</sup> & G Street), 083A-0.61 (7<sup>th</sup> & F Street), 083A-0.65 (7<sup>th</sup> and E-F Alley), 083A-1.09 (7<sup>th</sup> & North B Street), and 083A-1.35 (7<sup>th</sup> & Richards Boulevard). The existing at-grade crossings being modified are 083A2-0.46 (7<sup>th</sup> & H Street) and 083A1-0.39 (8<sup>th</sup> and H Street). There will also be one new grade separated track-over-track crossing along 7<sup>th</sup> Street and one new at-grade track over track crossing at the intersection of 7<sup>th</sup> and H Streets that are the subject of separate applications.

## **Discussion**

The Sacramento Regional Transit District (SRTD) requests authority to construct six new at-grade crossings and modify two existing ones. The project will connect the existing light rail track that currently runs along H Street between 7<sup>th</sup> and 8<sup>th</sup> Streets with a new light rail station near the intersection of 7<sup>th</sup> Street and Richards Boulevard. The new segment is referred to as the Downtown/Natomas/Airport MOS-1 Project (Greenline). The Greenline is the first minimum operating segment of the SRTD's Downtown/Natomas/Airport (DNA) Project that will eventually extend light rail from downtown Sacramento to the Sacramento International Airport. This first Greenline segment will be fully functional on its own, until the full DNA Project is built out.

The new outbound (from downtown) track will connect to, and extend north from the existing SRTD light rail track at 8<sup>th</sup> and H Streets. It will travel along the west side of 8<sup>th</sup> Street from H Street to G Street, and then turn west along the north side of G Street to 7<sup>th</sup> Street. The track will then continue north along the east side of 7<sup>th</sup> Street for approximately 0.9 miles, cross the intersection of 7<sup>th</sup> and Richards and then terminate at the Richards Boulevard station located in the northwest corner of that intersection.

The inbound to downtown track will leave the Richards Boulevard station and double back along the west side of 7<sup>th</sup> Street until it reaches North B Street where it will reconnect with the outbound track and continue as a single track to 7<sup>th</sup> and G Streets. There it will separate and run exclusively inbound along 7<sup>th</sup> Street to its connection to the existing track at 7<sup>th</sup> and H Street. The SRTD is expecting to run 72 trains per day at a maximum speed of 25 mph on the new Greenline segment.

G Street at 8<sup>th</sup> is a signalized intersection with G Street being a three-lane, one-way street westbound and 8<sup>th</sup> Street a three-lane, one-way street northbound. A California Manual on Uniform Traffic Control Devices (CAMUTCD) G96 (CA) "Train" extinguishable message sign will be installed for drivers turning left from 8<sup>th</sup> Street onto westbound G Street. Commission Standard warning devices will consist of two 1-R Crossbucks with the traffic signals being pre-empted for trains.

G Street at 7<sup>th</sup> is a signalized T- intersection. 7<sup>th</sup> Street is a three-lane street with one northbound and two southbound lanes. G Street is a three-lane, one way westbound street with two dedicated left-turn lanes and one dedicated right-turn lane. The outbound track will be on the north side of G Street and turn north along the east side of 7<sup>th</sup> Street at the intersection. The inbound track will cross G Street on the east side of 7<sup>th</sup>. Therefore, to help prevent conflicts between vehicles and trains at the northeastern portion of the intersection of 7<sup>th</sup> and G Streets, two CAMUTCD R3-1 "No Right Turn" extinguishable message signs will be installed for drivers turning right from G Street onto northbound 7<sup>th</sup> Street. Commission Standard warning devices will consist of two 1-R Crossbucks sign with the traffic signals being pre-empted for trains.

7<sup>th</sup> & F Street is a signalized T- intersection. 7<sup>th</sup> Street is a three -lane street with two northbound lanes and one southbound lane. F Street is a three-lane, two-way street with two westbound lanes and one eastbound lane. Therefore, to help prevent conflicts between vehicles and trains at the eastern portion of the intersection of 7<sup>th</sup> and F Streets, two CAMUTCD R3-1 "No Right Turn" extinguishable message signs will be installed for drivers. The first of these signs will be for drivers turning right from northbound 7<sup>th</sup> Street onto eastbound F Street and the other will be for drivers turning right from westbound F Street

onto northbound 7<sup>th</sup>. Commission Standard warning devices will consist of one 1-R Crossbuck with the traffic signals being pre-empted for trains.

E-F Alley is a ten-foot wide alley that enters/exits 7<sup>th</sup> Street midway between E and F Streets. To help avoid conflicts between vehicles and trains, warning devices will consist of one Commission Standard 1-R Crossbuck, one CAMUTCD R1-1 “STOP” sign and one CAMUTCD W82-1 “Look both Ways” sign.

North B Street at 7<sup>th</sup> is a four-way intersection that is currently controlled with four-way STOP signs. The intersection will be fully signalized as part of the Greenline Project. There will be a single track approaching the intersection from the south on the east side of 7<sup>th</sup> Street. The track will split within the intersection with the inbound track continuing along the east side of 7<sup>th</sup> and the outbound track moving to the west side of 7<sup>th</sup>. To help avoid conflicts between trains and vehicles, CAMUTCD G96 (CA) “Train” extinguishable message signs will be installed in both approach directions for drivers on 7<sup>th</sup> Street. CAMUTCD W82-1 “Look both Ways” extinguishable message signs will be installed in both approach directions for drivers on North B Street. Commission Standard warning devices will consist of four 1-R Crossbucks with the traffic signals being pre-empted for trains.

Richards Boulevard at 7<sup>th</sup> is a four-way signalized intersection. The inbound track crosses the east side of the intersection and traverses the southbound lanes of 7<sup>th</sup> Street on the north side of the intersection as the track enters the light rail station in the northwest quadrant. The outbound track leaves the station, crosses Richards Boulevard on the west side of the intersection and continues south along the west side of 7<sup>th</sup> Street. To help avoid conflicts between vehicles and trains, CAMUTCD R3-1 “No Right Turn” extinguishable message

signs will be installed in both approach directions for drivers on Richards Boulevard. A combined CAMUTCD R3-1 “No Right Turn” / W82-1 “Look both Ways” extinguishable message sign will be installed for eastbound drivers on Richards Boulevard. Commission Standard warning devices will consist of four CPUC Standard 1-R Crossbucks with the traffic signals being pre-empted for trains.

The existing H Street at 7<sup>th</sup> Street crossing is a signalized intersection with H Street being a two-lane, one-way street eastbound. 7<sup>th</sup> Street is a three-lane, one-way street southbound on the south side of H Street and a three-lane street with two lanes southbound and one lane northbound on the north side of H Street. The existing track splits just west of 7<sup>th</sup> Street with one track continuing along H Street and the other turning south down 7<sup>th</sup> Street. The new Greenline inbound tracks on 7<sup>th</sup> Street will cross the existing tracks on H Street and connect to the existing line just south of H Street. To help prevent conflicts between vehicles and trains, two CAMUTCD R3-2 “No Left Turn” extinguishable message signs will be installed for drivers on eastbound H Street. Also, CAMUTCD G96 (CA) “Train” and a CAMUTCD W82-1 “Look both Ways” extinguishable message signs will be installed for drivers on southbound 7<sup>th</sup> Street. Commission Standard warning devices will consist of two 1-R Crossbucks with the traffic signals being pre-empted for trains.

The existing H Street at 8<sup>th</sup> crossing is a signalized intersection with 8<sup>th</sup> Street being one-way northbound with two lanes on the south side of H Street and three lanes on the north side. The existing track crosses from the southwest corner of the intersection to the north side of H Street and continues west along H Street. The new Greenline track will split off the existing track just south of H Street and continue north along the west side of 8<sup>th</sup> Street. To help prevent

conflicts between vehicles and trains, CAMUTCD R3-2 “No Left Turn” extinguishable message signs will be installed for drivers on eastbound H Street. Commission Standard warning devices will consist of one 1-R Crossbucks with the traffic signals being pre-empted for trains.

All private driveways that enter the roadway across tracks will have CAMUTCD W82-1 “Look both Ways”, “Yield to Trains” or “Watch for Trains” signs posted.

### **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,<sup>1</sup> or the one with the greatest responsibility for supervising or approving the project as a whole.<sup>2</sup> Here, the SRTD is the lead agency for this project because the project is being constructed by them, and subject to their review and approval,

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

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

and the Commission is a responsible agency because it has jurisdiction to issue a permit for 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.<sup>3</sup>

The SRTD adopted a Light Rail Transit Project as the Locally Preferred Alternative (LPA) for the DNA Corridor from Downtown Sacramento, through Natomas, to the Sacramento International Airport on December 15, 2003. The SRTD subsequently prepared a Final Environmental Impact Report (FEIR) for the DNA Corridor Project in April 2008 and certified the FEIR on April 28, 2008. The Greenline Project EIR is tiered from the Final Program EIR for the DNA Corridor Project.

The SRTD circulated the Draft Environmental Impact Report (DEIR) for the Greenline Project from February 10, 2009 to March 27, 2009. The FEIR was issued in April 2009. On May 1, 2008 the SRTD filed a Notice of Determination (NOD) with the State Clearing House. The NOD states that the Greenline Project would have a significant impact on the environment and that mitigation measures were made a condition of the approval of the project. A mitigation monitoring and reporting plan and a Statement of Overriding Considerations (SOC) were adopted for the project.

A number of potentially significant impacts to resources were identified in the DEIR, but most were mitigated to a less-than-significant level. In particular, the DEIR identified impacts to air quality, construction and operational noise, traffic and transportation, cultural resources, aesthetics, water and existing

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<sup>3</sup> CEQA Guidelines, Sections 15050(b) and 15096.

contaminated hazardous waste sites, but noted that all of these impacts could be mitigated to a less-than-significant level. Although mitigations were adopted to address them, two identified impacts could not be fully mitigated and remain significant and unavoidable, including: (1) fugitive dust levels during construction,<sup>4</sup> and (2) the visual impact of the overhead catenary system required for the light rail line.

All safety, transportation and noise impacts were mitigated to less-than-significant levels. For example, the Greenline Project will increase traffic volumes and have a significant impact on intersections in the project area. However, these impacts can be properly mitigated by modifying traffic signal cycle length. Additionally, other minor transportation impacts relating to parking and the width of the pedestrian pathway under the Union Pacific 7<sup>th</sup> Street underpass were properly mitigated. Construction noise was also identified as having a potentially significant impact. However, noise control devices, such as equipment mufflers, enclosures and barriers will be used to reduce construction noise levels to less-than-significant levels. Operational noise impacts were identified for the several residences along 7<sup>th</sup> Street, just north of G Street. However, these impacts are mitigated through improvements to insulation and acoustically rated windows for those structures. No other impacts with regard to safety, transportation and noise specific to the Greenline Project were identified in the SRTD's environmental documents.

The Commission reviewed and considered the SRTD's DEIR, FEIR, NOD and SOC and finds them adequate for our decision-making purposes.

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<sup>4</sup> This significant and unavoidable impact is an emission known as particulate matter, or more specifically, PM10.



### **Filing Requirements and Staff Recommendations**

This application is in compliance with the Commission's filing requirements, including Rules of Practice and Procedure Rule 3.9, which relates to the construction of a railroad across a public road and Rule 3.10 which relates to the construction of a railroad 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 six new subject crossings and modify the two subject crossings be granted for a period of two years.

### **Categorization and Need for Hearings**

In Resolution ALJ 176-3258, dated July 29, 2010, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. There is no apparent reason why the application should not be granted. Given these developments, it is not necessary to disturb the preliminary determinations.

### **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 14, 2010. On August 9, 2010, the SRTD filed an amendment to the application. The amendment was published in the Commission's Daily Calendar on August 16, 2010. There are no unresolved matters or protests. A public hearing is not necessary.

2. The SRTD requests authority, under Public Utilities Code Sections 1201-1205, to construct six new at-grade crossings and modify two existing at-grade crossings necessary for the Greenline Project in the City of Sacramento.

3. The SRTD is the lead agency for this project under CEQA, as amended.

4. The SRTD circulated the DEIR for the Greenline Project from February 10, 2009 to March 27, 2009. The FEIR was issued in April 2009. On May 1, 2008, the SRTD filed a NOD with the State Clearing House. The NOD states that the Greenline Project would have a significant impact on the environment and that mitigation measures were made a condition of the approval of the project. A mitigation monitoring and reporting plan and a SOC were also adopted for the project.

5. The SRTD adopted mitigation measures to reduce all but two impacts to less-than-significant levels. The other two impacts also had mitigation measures adopted, but were still considered significant and unavoidable.

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

7. The Greenline Project, will have a significant effect on the environment. Mitigation measures and a SOC were adopted for the project.

## **Conclusions of Law**

1. At each of the six new and two modified intersections, the Commission finds various CAMUTCD static and extinguishable message signs, 1-R Crossbuck signs, and traffic signal preemption for trains to be reasonable for purposes of avoiding conflicts between trains and vehicles.

2. At the alley entering and exiting 7<sup>th</sup> Street midway between E and F Streets, and at each private driveway that enters the roadway across the tracks, the Commission finds the posting of CAMUTCD static signs to be reasonable in order to avoid conflicts between trains and vehicles.

3. The DEIR, FEIR and NOD prepared by the SRTD as the documentation required by CEQA for the project are adequate for our decision-making purposes.

4. For those impacts that could not be mitigated to a less-than-significant level, we find the SRTD adopted reasonable partial mitigations to reduce the impacts to the extent possible.

5. The application is uncontested and a public hearing is not necessary.

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

## **O R D E R**

### **IT IS ORDERED** that:

1. The Sacramento Regional Transit District is authorized to construct six new at-grade crossings and modify two existing at-grade crossings necessary for the Downtown/Natomas/Airport MOS-1 Project. The six new at-grade crossings will be identified as CPUC Crossing Nos. 083A-0.53 (7<sup>th</sup> & G Street), 083A2- 0.46 (8<sup>th</sup> & G Street), 083A-0.61 (7<sup>th</sup> & F Street), 083A-0.65 (7<sup>th</sup> & E-F Alley), 083A-1.09 (7<sup>th</sup> & North B Street), and 083A-1.35 (7<sup>th</sup> & Richards Boulevard). The two existing

at-grade crossings being modified are 083A2-0.46 (7<sup>th</sup> & H Street) and 083A1-0.39 (8<sup>th</sup> & H Street) in the City of Sacramento, County of Sacramento.

2. At the six new and two modified at-grade crossing intersections, various California Manual on Uniform Traffic Control Devices static and extinguishable message signs and 1-R Crossbuck signs will be installed as described in the Application and outlined above.

3. At the alley entering and exiting 7<sup>th</sup> Street midway between E and F Streets and at all private driveways that enter the roadway across tracks, California Manual on Uniform Traffic Control Devices static signs will be posted as described in the Application and outlined above.

4. The Sacramento Regional Transit District shall notify the Commission's Consumer Protection and Safety Division – Rail Crossings Engineering Section at least five (5) business days prior to operating any trains through the crossings. Notification should be made to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov).

5. Within 30 days after completion of the work under this order, the Sacramento Regional Transit District shall notify the Rail Crossings 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.cpus.ca.gov/formg>. This report may be submitted electronically to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov) as outlined on the web page.

6. The Sacramento Regional Transit District shall comply with all applicable rules, including Commission General Orders, and the California Manual on Uniform Traffic Control Devices.

7. This authorization shall expire if not exercised within two years, unless time is extended or if the above conditions are not satisfied. The Commission

may revoke or modify this authorization if public convenience, necessity, or safety so require.

8. A request for extension of the two-year authorization period must be submitted to the Rail Crossings 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. The application is granted as set forth above.

10. Application 10-07-013 is closed.

This order becomes effective 30 days from today.

Dated February 24, 2011, at San Francisco, California.

MICHAEL R. PEEVEY

President

TIMOTHY ALAN SIMON

MICHEL PETER FLORIO

Commissioners

Commissioner Catherine J.K. Sandoval, being necessarily absent, did not participate.