

TLR

Decision No. 81612

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

An application by the East Bay  
Regional Park District for a  
temporary right of access across  
a railroad of the Southern Pacific  
Company at Point Pinole, City of  
Richmond, County of Contra Costa,  
State of California.

} Application No. 54026  
(Filed May 11, 1973)

O P I N I O N

The East Bay Regional Park District requests authority for a temporary park access road at separated grades over the tracks of the Southern Pacific Transportation Company. This park access road will provide for the public use of a new park at Point Pinole within the City of Richmond, Contra Costa County. Notice of the application was published in the Commission's Daily Calendar on May 15, 1973. No protests have been received. A public hearing is not necessary.

FINDINGS AND CONCLUSIONS

The request is in the public interest and should be granted. The East Bay Regional Park District should be authorized to establish a temporary park access road over the tracks of the Southern Pacific Transportation Company in Richmond, Contra Costa County, at the location described in the application, to be identified as Crossing No. A-19.3-A.

The Park District will use an existing bridge over the railroad for the separated crossing. This bridge was built in 1933 for a county road and repaired in 1948. The county abandoned this road in 1965. The Park District had this bridge inspected by a Structural Engineer. The engineer's report dated February 14, 1973, indicates the bridge is safe for normal two-lane operation with limitations of maximum ten-(10) ton truck loads. Clearances should conform to General Order No. 26-D.

Construction and maintenance costs shall be borne in accordance with an agreement entered into between parties.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. The structure presently exists and it appears this authorization will not affect the environment.

The applicant proposes to construct a new grade separation in the near future and the matters concerning the new structure should be decided at that time.

O R D E R

The East Bay Regional Park District is hereby authorized to establish a park access road at separated grades over the tracks of the Southern Pacific Transportation Company in Richmond in the County of Contra Costa at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. A-19.3-A.

Construction and maintenance expense shall be borne in accordance with an agreement entered into between the parties relative thereto.

Clearances shall be in accordance with General Order No. 26-D.

Walkway areas adjacent to the railroad tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

The authorization granted is the temporary public crossing for a park access road, Crossing No. A-19.3-A. This authorization will expire three years from the effective date

of this order unless the time be extended or if conditions are not complied with. This authority may not be exercised until the agreement referred to above has been executed. Authorization may be revoked or modified if public convenience, necessity or safety so require. The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 17th day of JULY, 1973.

Veron L. Sturgeon  
President

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[Signature]

[Signature]  
Commissioners

*I abstain*

*J.P. [Signature], Commissioner*

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.