

Decision No. 82757**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF APPLICATION OF THE)
 CITY OF SEASIDE, ACTING THROUGH ITS)
 COUNCIL, FOR PERMISSION TO RELOCATE)
 AND CONSTRUCT HIGHWAY 218 AT GRADE)
 ACROSS THE SOUTHERN PACIFIC TRANS-)
 PORTATION COMPANY, A CORPORATION.)

Application No. 53851
 (Filed February 20, 1973)

O P I N I O N

The City of Seaside requests authority to relocate the grade crossing at Humbolt Street (State Route 218) and tracks of the Southern Pacific Transportation Company.

The City of Seaside is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. Pursuant to the guidelines for implementation of the Act, a draft Environmental Impact Report was prepared and circulated on October 10, 1973. The final Environmental Impact Report was approved by the city on February 13, 1974.

Notice of the application was published in the Commission's Daily Calendar on February 22, 1973. No protests have been received. A public hearing is not necessary.

Findings

After consideration, the Commission finds:

1. The proposed construction would not be adverse to the public interest.
2. Applicant should be authorized to relocate Humbolt Street at grade across Southern Pacific Transportation Company tracks in Seaside, County of Monterey, to the location and substantially as shown by plans attached to the application, identified as Crossing No. EE-123.6.
3. Construction expense of the crossing, and installation costs of the automatic protection, should be borne in accordance

with an agreement entered into between the parties involved.

4. Maintenance costs of the automatic protection should be shared equally between the railroad and the governmental body having jurisdiction of the crossing at the time the maintenance is incurred.

5. The City of Seaside is the Lead Agency as defined in CEQA Guidelines, Sections 15030 and 15064. The Commission has considered the Environmental Impact Report in rendering its decision on this project.

The Commission accepts said Environmental Impact Report and finds that:

- (a) The environmental impact of this proposed action is insignificant.
- (b) The planned construction is the most feasible and economical that will avoid any environmental impact.
- (c) There are no known irreversible environmental changes involved in this project.

6. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plan set forth in the application and comply with applicable rules and general orders of the Commission.

Conclusions

On the basis of the foregoing findings, we conclude that 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 Seaside is authorized to relocate Humbolt Street at grade across tracks of the Southern Pacific Transportation Company in Seaside, County of Monterey, to the location and substantially as shown by plans attached to the application, identified as Crossing No. EE-123.6.

2. Protection at the crossing shall be two Standard No. 9 gate signals and two Standard No. 9-A gates with cantilever signals (General Order 75-C).

3. Construction of the crossing shall be equal or superior to Standard No. 2 (General Order No. 72-B).

4. Width of crossing and grades of approach shall be as shown on plans attached to the application.

5. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

6. Construction expense of the crossing, and installation costs of the automatic protection shall be borne in accordance with an agreement entered into between the parties involved, and a copy of said agreement, together with plans of said crossing approved by Southern Pacific Transportation Company shall be filed with the Commission prior to commencing construction.

7. Maintenance of the crossing shall be in accordance with General Order No. 72-B.

8. Maintenance costs of the automatic protection shall be shared equally between the railroad and the governmental body having jurisdiction of the crossing at the time the maintenance is incurred.

9. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within two years unless time be extended or if the above conditions are not complied with. This authorization may be revoked or modified if public convenience, necessity or safety so require.

10. The Secretary of the Commission shall file a Notice of Determination with the Secretary for Resources and with the planning agencies of any city and county which will be affected by the project.

A. 53851 FBC

The effective date of this order shall be twenty days
after the date hereof.

Dated at San Francisco, California, this 23rd
day of APRIL, 1974.

Vernon L. Stenger
President
William J. ...
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Commissioners