

Decision No. 83049**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California  
Department of Transportation, for an  
order authorizing the construction of  
a crossing at separation of grade over  
the tracks of the Southern Pacific  
Transportation Company, and one future  
track, of the Company's Calistoga Branch  
line, at railroad mile post 65.7 + and  
highway station 90+21.0 POC, in connection  
with the construction on new alignment  
between Soscal Road east of the Napa River  
and Imola Avenue in the City of Napa.

Application 54528  
(Filed December 21, 1973)

### O P I N I O N

The State of California Department of Transportation requests authority to construct on new alignment a crossing at separated grades of State Route 29 over the tracks of the Southern Pacific Transportation Company near the City of Napa in the County of Napa.

The Department of Transportation, California Highway Commission, is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on June 26, 1973 adopted a Final Environmental Statement. The statement was approved and adopted by the Federal Highway Administration on August 20, 1973. The statement was made an official Department of Transportation Document on October 1, 1973.

Notice of the application was published in the Commission's Daily Calendar on December 24, 1973. No protests have been received. A public hearing is not necessary.

### F I N D I N G S

After consideration, the Commission finds:

1. The proposed construction would not be adverse to the public interest.

2. The State of California Department of Transportation should be authorized to construct on new alignment State Route 29 at separated grades over the tracks of the Southern Pacific Transportation Company, and one future track, near the City of Napa, County of Napa, at the location described in the application, to be identified as Crossing AB-65.7-A.

3. Construction and maintenance expenses should be borne in accordance with an agreement entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company should be filed with the Commission prior to commencing construction or, if they fail to agree, by further order of the Commission.

4. The Department of Transportation, California Highway Commission, is the lead agency as defined in CEQA Guidelines, Sections 15030 and 15064. The Commission has considered the Department of Transportation Final Environmental Impact Statement in rendering its decision on this project.

The Commission accepts said Final Environmental Impact Statement and finds that the planned construction is the most feasible and economical that will avoid any environmental impact.

5. 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.

### C O N C L U S I O N S

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 State of California Department of Transportation is authorized to construct on new alignment State Route 29 at separated grades over the tracks of the Southern Pacific Transportation Company, and one future track, near the City of Napa, County of Napa, at the location described in the application, to be identified as Crossing AB-65.7-A.

2. Construction and maintenance expenses shall be borne in accordance with an agreement entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company shall be filed with the Commission prior to commencing construction or, if they fail to agree, by further order of the Commission.

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

4. 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.

5. 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 three years unless time be extended or if the above conditions are not complied with.

A. 54523 - CSE

This authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at \_\_\_\_\_, California, this \_\_\_\_\_ day of \_\_\_\_\_, 1974.

Veron L. Sturgeon  
President  
William L. Sturgeon  
William L. Sturgeon  
William L. Sturgeon  
William L. Sturgeon  
Commissioners