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Decision No. 83340

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Department of
Water Resources, a California
State Agency, to construct a
public pedestrian and bicycle
trail across the Southern Pacific
Transportation Company Right of
Way in the County of San Bernardino)

Application No. 54754
(Filed March 25, 1974)
(Amended July 8, 1974)

O P I N I O N

The State of California, Department of Water Resources, requests authority to establish the existing private crossing of its service road across the tracks of the Southern Pacific Transportation Company as a public at-grade pedestrian and bicycle crossing in the County of San Bernardino.

The State of California, Department of Water Resources, is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and included in its application a statement that the project will have no adverse effect on the environment.

Notice of the application and amendment was published in the Commission's Daily Calendar on March 27, and July 10, 1974, respectively. 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 State of California, Department of Water Resources,

should be authorized to establish the existing private crossing of its service road across the tracks of the Southern Pacific Transportation Company as a public at-grade pedestrian and bicycle crossing in the County of San Bernardino, at the location and substantially as shown by plans attached to the application, as amended.

2. Cost of the crossing and installation of protection should be borne by the applicant.

3. Maintenance costs of the crossing and protection should be borne by the applicant except that the railroad should bear the maintenance cost of the crossing within lines two feet outside of rails.

4. It is reasonably certain that the environmental impact of this proposed action is insignificant. //

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 Water Resources, is authorized to establish the existing private crossing of its service road across the tracks of the Southern Pacific Transportation Company as a public at-grade pedestrian and bicycle crossing

in the County of San Bernardino, at the location and substantially as shown by plans attached to the application as amended, to be identified as Crossing No. BB-443.5-D.

2. Construction of the rail crossing shall be equal or superior to Standard No. 1 of General Order No. 72-B with tops of rails flush with finished roadway.

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

4. Protection at the crossing shall be two Standard No. 1D signs (General Order No. 75-C), two bicycle barriers as shown on Exhibit B attached to the application, and two 24 inch by 36 inch caution signs with black letters 2 inches high on a white background reading as follows may be installed.

CAUTION
Railroad Crossing
Dismount and Walk
Bicycle Across Tracks

5. Construction expense of the crossing and the installation of the protection shall be borne by the applicant.

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

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 one year unless time be extended or if the above conditions are not complied with.

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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 San Francisco, California, this 27th /
day of AUGUST, 1974.

Vernon L. Sturgeon
President
William Lyness, Jr.
[Signature]
[Signature]
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.