

Decision No. 83648

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Yuba)
for an order authorizing construction of)
a crossing at separated grades between)
Pasado Road and the tracks of the) Application No. 54958
Western Pacific Railroad sometimes) (Filed June 10, 1974)
referred to as the "Pasado Road Underpass.")

O P I N I O N

The County of Yuba requests authority to construct Pasado Road at separated grades under the tracks of The Western Pacific Railroad Company.

The priority list of grade separation projects for the fiscal year 1974-75 as set forth in Decision No. 83066 shows the project as Priority No. 22.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on August 27, 1974, adopted a Negative Declaration.

Notice of the application was published in the Commission's Daily Calendar on June 12, 1974. 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. Applicant should be authorized to construct Pasado Road at separated grades under the tracks of The Western Pacific Railroad Company near the City of Marysville in Yuba County, at the location and substantially as shown by plans attached to the application.

2. Construction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto.

3. The Commission has considered the applicant's Negative Declaration in rendering its decision on this project and finds that the environmental impact of this proposed action is not significant.

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 County of Yuba is authorized to construct Pasado Road at separated grades under the tracks of The Western Pacific Railroad Company, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 4-176.1-B.
2. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by The Western Pacific Railroad Company shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.
3. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.
4. 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. 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 29th day of OCTOBER, 1974.

Vernon L. Sturgeon
President
William J. ...
J. ...
...
Robert E. McLeod
Commissioners