

Decision No. 83660

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of)
the County of Yolo to realign County)
Road 89 across the Rights of Way of)
the Southern Pacific Transportation)
Company in the County of Yolo.)

Application No. 54808
(Filed April 16, 1974)

O P I N I O N

The applicant seeks authority to realign County Road 89 across the tracks of the Southern Pacific Transportation Company near Dunnigan in Yolo County.

The County of Yolo is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and has on January 2, 1974 adopted a Negative Declaration which was filed as an attachment to the application.

The railroad by letter of September 17, 1974 offers no objection to the issuance of an ex parte order authorizing the project provided that the order stipulates that the installation and maintenance costs of automatic protection be shared on an equal basis between the county and the railroad.

Applicant alleges that there is an immediate need to commence this crossing realignment.

Notice of the application was published in the Commission's Daily Calendar on April 18, 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. The applicant should be authorized to construct County Road 89 on new alignment across the tracks of the Southern Pacific Transportation Company near Dunnigan in Yolo County, to be identified as Crossing No. AE-103.5. Upon completion, the existing Crossing No. AE-103.4 should be closed.

2. Costs of relocating the crossing should be borne by the applicant.

3. Costs of installation and maintenance of automatic protection should be borne equally between the county and the railroad.

4. Costs of maintenance of the crossing should be borne in accordance with General Order No. 72-B.

5. The Commission has considered the county's Negative Declaration in rendering its decision on this project and finds that:

- (a) The environmental impact of this proposed action is not significant.
- (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.

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 Yolo is authorized to relocate County Road 89 at grade across tracks of Southern Pacific Transportation Company, near Dunnigan, County of Yolo, to the location substantially as shown by plans attached to the application, to be identified as Crossing No. AE-103.5. Upon completion, the existing Crossing No. AE-103.4 is to be closed and obliterated.

2. Protection at the crossing shall be two Standard No. 9 gate signals (General Order No. 75-C), which shall be installed as expeditiously as possible.

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

4. Width of crossing shall be not less than 40 feet 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. 113.

6. Relocation expense of the crossing shall be borne by the applicant.

7. Costs of installation and maintenance of automatic protection shall be borne equally between the county and the railroad.

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

9. Construction plans of the crossing approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission within 120 days of the date hereof.

10. The relocated crossing may be opened to traffic with interim protection consisting of two Standard No. 1R signs (General Order No. 75-C), advance warning signs and necessary pavement markings provided that the automatic protection is installed within six months.

11. Upon completion of the new crossing, the county road crossing, Crossing No. AE-103.4, shall be effectively closed.

12. 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.

The effective date of this order shall be the date
hereof.

Dated at San Francisco, California this 29th
day of OCTOBER, 1974.

Vermon L. Sturgeon

President

William Synovis Jr.

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Robert E. McLeod

Commissioners