

Decision No. 86064

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Stockton  
for an order authorizing the re-  
construction of a grade separation,  
to be known as the Miner Avenue  
Underpass under the tracks of the  
Southern Pacific Transportation  
Company, Crossing No. D90.2-B, and  
The Western Pacific Railroad Company,  
Crossing No. 493.9B, in the City of  
Stockton, California.

Application No. 56074  
(Filed November 18, 1975)

O P I N I O N

The City of Stockton requests authority to reconstruct the grade separation known as "Miner Avenue Underpass" under the Southern Pacific Transportation Company tracks, Crossing D-90.2-B, and under The Western Pacific Railroad Company tracks, Crossing 4-93.9-B, in the City of Stockton, San Joaquin County.

Miner Avenue is a major east-west collector which is routed through the "Miner Avenue Underpass." The existing subway has two 11-foot lanes for vehicular traffic separated by a concrete curb. The proposed project will accommodate four lanes of vehicular traffic and a pedestrian and bicycle path.

The priority list of grade separation projects for the fiscal year 1976-77, as set forth in Decision 85991 in Case 10019, shows this project as Priority 9.

The City of Stockton is the lead agency for the "Miner Avenue Underpass" project pursuant to the Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Report, the Planning Division of the Stockton Community Development Department approved the project and on September 10, 1975 filed a Notice of Determination with the San Joaquin County Clerk which found that the project "will not have a significant effect on the environment."

Notice of the application was published in the Commission's Daily Calendar on December 4, 1975. 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 reconstruct the "Miner Avenue Underpass" grade separation under the tracks of the Southern Pacific Transportation Company and the tracks of The Western Pacific Railroad Company in the City of Stockton, San Joaquin County, at the location and substantially as shown by Exhibits "A" and "B" attached to the application, to be identified as Crossing D-90.2-B (SPTCo.) and 4-93.9-B (WPRR).
2. Clearances should conform to General Order 26-D.
3. Walkway areas should conform to General Order 118. Walkway areas adjacent to any trackage subject to rail operations should be maintained free of obstructions and should promptly be restored to their original condition in the event of damage during construction.
4. Construction and maintenance costs should be borne in accordance with the agreement entered into between the parties relative thereto, a conformed copy of said agreement being on file with the Commission. Plans of the crossings, approved by the Southern Pacific Transportation Company and The Western Pacific Railroad Company, should be filed with the Commission prior to commencing construction.
5. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on September 10, 1975 approved its final Environmental Impact Report which has been filed with the Commission. The Commission has considered the final Environmental Impact Report and the Notice of Determination in rendering its decision on this project and finds that:

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

### 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 City of Stockton is authorized to reconstruct the "Miner Avenue Underpass" at separated grades under the tracks of the Southern Pacific Transportation Company and the tracks of The Western Pacific Railroad Company in the City of Stockton, San Joaquin County, as set forth in the findings of this decision.


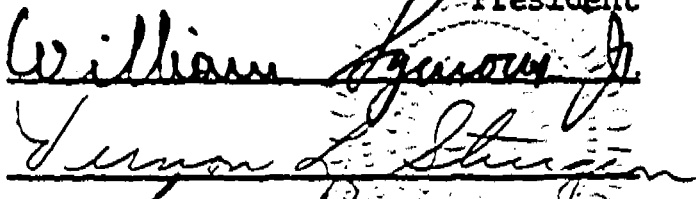


2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.

This authorization shall expire if not exercised within three years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

A. 56074 VVB

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

Dated at San Francisco, California, this 7<sup>th</sup>  
day of JULY, 1976.

  
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President  
  
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Commissioners