

Decision No. 86198

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the EAST BAY REGIONAL)
PARK DISTRICT for an order authorizing)
construction of an overcrossing at)
separated grades of the tracks of the)
Southern Pacific Transportation Company)
on a proposed access road between por-)
tions of Pt. Pinole Regional Shoreline)

Application No. 56505
(Filed May 25, 1976)

O P I N I O N

As part of the project for development of Pt. Pinole Regional Shoreline, the East Bay Regional Park District requests authority to construct a crossing at separated grades over the tracks of the Southern Pacific Transportation Company's main line near the City of Richmond, Contra Costa County.

Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of the final Environmental Impact Report, the Board of Directors of the East Bay Regional Park District approved the project and directed that a Notice of Determination be filed with the Contra Costa County Clerk by June 4, 1976 which found "that the project will not have a significant effect on the environment."

During the course of construction, continued use of the privately-owned grade separation at Crossing A-19.3-A which is located at Sobrante Avenue north of the proposed overpass will be required.

Notice of the application was published in the Commission's Daily Calendar on May 27, 1976. 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 a crossing at separated grades over the tracks of the Southern Pacific Transportation Company's main line at Pt. Pinole Regional Shoreline near the City of Richmond, Contra Costa County, to be identified as Crossing A-19.0-A at the location and substantially as shown by the plans attached to the application.

2. Construction and maintenance costs should be borne in accordance with the agreement which has been entered into between the parties relative thereto, and a copy of said agreement, together with plans of the crossing approved by the Southern Pacific Transportation Company, should be filed with the Commission prior to commencing construction.

3. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on June 1, 1976 approved its final Environmental Impact Report which has been filed with the Commission. The Commission has considered the final EIR and Notice of Determination in rendering its decision on this project and finds that the environmental impact of the proposed action is insignificant.

4. Clearances should be in accordance with General Order 26-D.

5. 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.

6. The existing public crossing of Sobrante Avenue over the tracks of the Southern Pacific Transportation Company's main line, identified as Crossing A-19.3-A, should revert to private status upon completion and opening to traffic of the new crossing at separated grades.

O R D E R

IT IS ORDERED that:

1. The East Bay Regional Park District is authorized to construct a crossing at separated grades over the tracks of the Southern Pacific Transportation Company's main line at Pt. Pinole Regional Shoreline near the City of Richmond, Contra Costa 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.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd
day of AUGUST, 1976.

William J. Squire
President
Vernon L. Stanger
Donna M. ...

Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.