

Decision No. 86335

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Department of Parks and Recreation for an order authorizing operation, maintenance and use of an existing 30-foot easement, to be widened to 60 feet; reconstruction of the existing road to provide 15' vertical clearance; construction of an additional traffic lane under the adjacent trestle span; construction of a metal crib wall; and relocation or extension of existing drainage facilities used by the Department of Parks and Recreation for park purposes only, in, under, along, upon and across the right of way and beneath the tracks and bridge structure No. 350.67 of Southern Pacific Transportation Company located at El Capitan State Beach, Santa Barbara County, California.

O P I N I O N

As part of the project for development of El Capitan State Beach, the State of California, Department of Parks and Recreation requests authority to construct a roadway at separated grades under existing Bridge Structure 350.67 of the Southern Pacific Transportation Company's Main Line at the entrance to El Capitan State Beach, Santa Barbara County.

The State of California, Department of Parks and Recreation is the lead agency for the project to develop El Capitan State Beach pursuant to the Environmental Quality Act of 1970, as amended. After review of the Environmental Impact Report, the State of California, Department of Parks and Recreation approved the project and filed a Notice of Determination with the Secretary for Resources on April 23, 1976 which found that "The project will not have a significant effect on the environment." A Resolution of Approval for the project has been granted by the California Coastal Zone Conservation Commission.

Notice of the application was published in the Commission's Daily Calendar on April 6, 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 that:

1. The State of California, Department of Parks and Recreation should be authorized to construct a roadway at separated grades under existing Bridge Structure 350.67 of the Southern Pacific Transportation Company's Main Line at the entrance to El Capitan State Beach, Santa Barbara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing E-350.8-B.

2. Clearances should be in accordance with General Order 26-D. Walkways should conform to General Order 118.

3. Construction and maintenance costs should 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 the crossing approved by the Southern Pacific Transportation Company, should be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

4. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on February 6, 1976 approved its final Environmental Impact Report. The Public Utilities Commission has considered the final Environmental Impact Report, Notice of Determination and Coastal Zone Conservation Commission Resolution of Approval 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 State of California, Department of Parks and Recreation is authorized to construct a roadway at separated grades under existing Bridge Structure 350.67 of the Southern Pacific Transportation Company's Main Line at the entrance to El Capitan State Beach in Santa Barbara County as set forth in the findings of this decision.

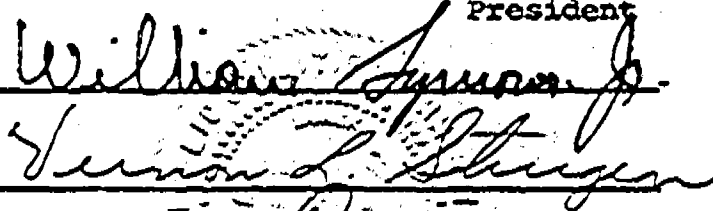
2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.

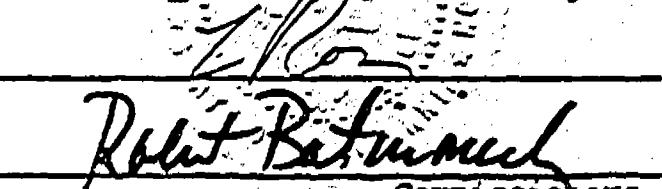
This authorization shall expire if not exercised within three years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 31st day of AUGUST, 1976.



President




Commissioners