

ORIGINAL

Decision 84 03 107

MAR 21 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF PITTSBURG
for an ORDER Authorizing construc-
tion of Grade Separation Structures }
to carry RAILROAD AVENUE over the }
tracks of the Southern Pacific }
Transportation Company and under the }
tracks of The Atchison, Topeka & }
Santa Fe Railway Company, sometimes }
known as the "Railroad Avenue Grade }
Separation Project" (PUC No. B-48.9 }
and 2-1155.7)

Application 83-12-36
(Filed December 20, 1983)

O P I N I O N

The City of Pittsburg (City) requests authority to construct Railroad Avenue at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) Mococo Main Line and under the tracks of The Atchison, Topeka & Santa Fe Railway Company's (AT&SF) main line in Pittsburg, Contra Costa County.

The priority list of grade separation projects for fiscal year 1983-84, as set forth in Decision 83-06-36, dated June 1, 1983, shows this project as Priority No. 8.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000 et seq. City has determined that the project is categorically exempt from CEQA under Section 21080.13 of the PR code.^{1/}

^{1/} Section 21080.13 was added to the PR Code by Chapter 58, Statutes 1982, as an urgency statute effective February 18, 1982.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's categorical exemption determination. The site of the proposed project has been inspected by the Commission staff.

The grade separation project will provide more dependable and safer traffic circulation between "old town" to the north, and the residential and commercial areas located south of the tracks. The existing Railroad Avenue grade crossings of SPT's and ATSF's tracks will be eliminated upon completion of the project.

Notice of the application and amendment were published in the Commission's Daily Calendar on December 22, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct Railroad Avenue at separated grades over the tracks of SPT's Mococo Main Line and under the tracks of ATSF's main line in Pittsburg, Contra Costa County.
2. Construction of the grade separation over SPT's tracks requires temporary modification of existing Crossing B-48.9.
3. Railroad operations require temporary ATSF track relocations during the construction of the railroad structure.
4. Construction of the grade separation project is required to reduce vehicular traffic delay and improve safety for railroad operations.

5. Public convenience, necessity and safety require construction of the proposed grade separations.

6. City is the lead agency for this project under CEQA, as amended.

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's categorical exemption determination.

8. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

9. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

Conclusion of Law

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 Pittsburg (City) is authorized to construct Railroad Avenue at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) Mococo Main Line and under the tracks of The Atchison, Topeka and Santa Fe's (ATSF) main line

in Pittsburg, Contra Costa County, at the locations and substantially as shown by plans attached to the application, to be identified as Crossings B-48.9-A and 2-1155.7-B, respectively.

2. City is authorized to close the west roadway of existing Railroad Avenue (southbound traffic) Crossing B-48.9 during construction as indicated by plans attached to the application.

3. During construction, protection on the east roadway of Crossing B-48.9 shall be a minimum of two Standard No. 9 automatic gate-type signals (General Order 75-C), with appropriate modification thereof prior to changing the direction of traffic.

4. Upon completion of the grade separation project and its opening to vehicular traffic, the existing Railroad Avenue grade crossing of SPT's tracks (Crossing B-48.9) shall be closed and physically removed.

5. City is further authorized to close and remove existing Railroad Avenue Crossing 2-1155.7 during construction as indicated in the application.

6. Clearances shall be in accordance with General Order 26-D; walkways shall conform to General Order 118.

7. Construction and maintenance costs shall be borne in accordance with agreements to be entered into between the parties. A copy of the agreements, together with plans of the crossings approved by SPT and ATSF, shall 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.

8. Within 30 days after completion of the work under this order, City shall advise the Commission in writing that the authorized work has been completed.

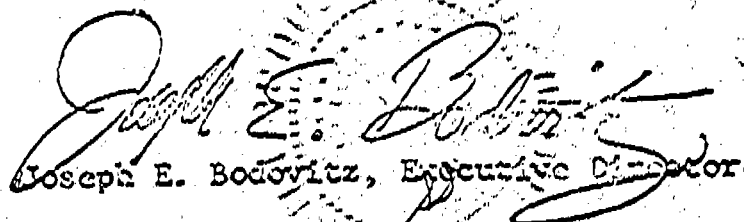
This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated MAR 21 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director