

Decision 84 06 157

JUN 20 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of
California, Department of Trans-
portation for an order authorizing
the Department to improve a por-
tion of State Route 101, in the
City of San Rafael from Mission
Avenue to north of Miller Creek
Road by widening the existing
crossing at separated grades known
as "Forbes Overhead" over the
Northwestern Pacific Railroad
Company's San Rafael Branch track
in Marin County.

Application 84-02-07
(Filed February 2, 1984)

O P I N I O N

The State of California, Department of Transportation (Caltrans), requests authority to widen the Forbes Overhead over the tracks of Northwestern Pacific Railroad Company's (NWP) main line in San Rafael, Marin County.

The Forbes Overhead presently provides six vehicular lanes on two concrete spans approximately 40 feet apart. The project will consist of constructing a contiguous roadway surface (with a barrier railing) between the two structures, and 3.3 feet on the easterly side. This will provide four traffic lanes and shoulder areas for southbound traffic and five lanes and shoulder areas for northbound traffic.

Caltrans 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. Caltrans has determined that the project is categorically exempt from CEQA under PR Code Section 21080.13.

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.

Notice of the application was published in the Commission's Daily Calendar on February 7, 1984. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to widen the Forbes Overhead over the tracks of NWP's main line in San Rafael, Marin County.

2. Widening of the overhead is required to provide additional traffic lanes.

3. Public convenience, necessity, and safety require widening of the Forbes Overhead.

4. Caltrans is the lead agency for this project under CEQA, as amended.

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

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

7. 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 State of California, Department of Transportation (Caltrans), is authorized to widen the Forbes Overhead over the tracks of Northwestern Pacific Railroad Company's (NWP) main line in San Rafael, Marin County, at the location and substantially as shown by the plans attached to the application, to continue to be identified as Crossing 5-19.6-A.

2. Clearances shall be in accordance with General Order 26-D. Walkways shall conform to General Order 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

3. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossing approved by NWP, 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.

4. Within 30 days after completion of the work under this order, Caltrans shall notify the Commission in writing that the authorized work has been completed.

5. The application is granted as set forth above.

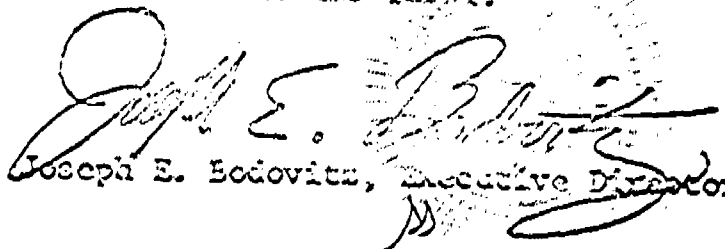
This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated JUN 20 1984, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director