

~~CONFIDENTIAL~~

Decision 84 09 056

SEP 6 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of San)
Joaquin for an order authorizing)
the reconstruction of an existing)
grade separation structure where)
Bacon Island Road crosses under the)
tracks of the Atchison, Topeka and)
Santa Fe Railway Company west of)
the City of Stockton in San Joaquin)
County, Crossing No. 2-1136.6B.)

Application 84-04-110
(Filed April 18, 1984)

O P I N I O N

The County of San Joaquin (County) requests authority to reconstruct the Bacon Island Road Undercrossing under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line near Stockton, San Joaquin County.

The present undercrossing is a timber structure that provides inadequate roadway width (12') and an impaired vertical clearance (10'-9"). This is the only county road providing access to Bacon Island. Certain types of trucks cannot use the existing undercrossing due to its limited height and width. It is proposed to replace the existing timber structure with a concrete structure providing a roadway width of 30 feet and a vertical clearance of 15 feet.

County 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. County 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 April 26, 1984. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. County requests authority under Public Utilities Code Sections 1201-1205 to reconstruct the Bacon Island Road Undercrossing under the tracks of AT&SF's main line near Stockton, San Joaquin County.

2. Reconstruction of the undercrossing is required to provide adequate side and vertical clearances for vehicular traffic.

3. Public convenience, necessity, and safety require reconstruction of the Bacon Island Road Undercrossing.

4. County 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 County of San Joaquin (County) is authorized to reconstruct the Bacon Island Road Undercrossing under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line near Stockton, San Joaquin County, at the location and substantially as shown by the plans attached to the application, identified as Crossing 2-1134.6-B.

2. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.

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

A.84-04-110 T/ET/SR/WPSC

approved by AT&SF, 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, County shall notify the Commission in writing that the authorized work has been completed.

5. The application is granted as set forth above.

A.84-34-110 T/ET/SR/WPSC

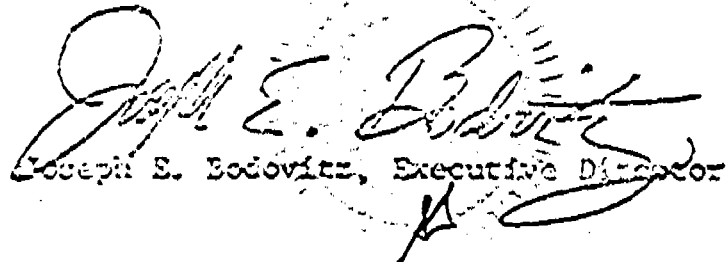
This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated SEP 6 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.


Joseph S. Bodovitz, Executive Director