

ORIGINAL

Decision 89 07 003

JUL 6 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF WEST SACRAMENTO)
 for an Order authorizing construction of)
 a crossing at separated grades between)
 Harbor Boulevard and tracks of the) Application 88-11-010
 Southern Pacific Transportation Company) (Filed November 3, 1988)
 sometimes referred to as the "Harbor)
 Boulevard Underpass." (PUC No. A-86.4B))

OPINION

The City of West Sacramento (City) requests authority to construct Harbor Boulevard at separated grades under the tracks of Southern Pacific Transportation Company's (SPT) main line in West Sacramento, Yolo County.

The priority list of grade separation projects for the fiscal year 1988-1989, as set forth in Decision 88-06-050, dated June 17, 1988, shows this project as Priority No. 25.

Harbor Boulevard is a major north-south thoroughfare for the western portion of West Sacramento, and is a primary access route to the Port of Sacramento, Interstate Routes 80 and 80 Business Loop, the California State Highway Patrol Academy, and the Sacramento River. A grade separated crossing would reduce delays to the public, fire and police services, and would enhance traffic safety.

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 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's Safety Division Traffic Engineering staff. The staff examined the need for and the safety of the proposed crossing, and recommends issuance of an ex parte order authorizing the proposed underpass.

Application 88-11-010 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a railroad. A sketch of the project vicinity is set forth as Appendix A.

By protest filed November 22, 1988, SPT objected to granting of the sought authority on the basis that insufficient information concerning design and cost of the proposed structure was included in the Application to justify its construction. SPT subsequently withdrew its protest by letter dated May 5, 1989.

Notice of the application was published in the Commission's Daily Calendar on November 9, 1988. There are no unresolved protests to the application. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct Harbor Boulevard at separated grades under the tracks of SPT's main line in West Sacramento, Yolo County.
2. Construction of the Harbor Boulevard underpass is required to reduce traffic delays and improve safety.
3. Public convenience, necessity, and safety require construction of the Harbor Boulevard underpass.
4. Public safety requires that, upon construction of the Harbor Boulevard underpass, the existing at-grade crossing of Harbor Boulevard be closed and physically removed.

5. City is the lead agency for this project under CEQA, as amended. The project is exempt from CEQA under RP Code Section 21080.13.

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

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

Conclusions of Law

1. The application should be granted as set forth in the following order.

2. 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.

ORDER

IT IS ORDERED that:

1. The City of West Sacramento (City) is authorized to construct Harbor Boulevard at separated grades under the tracks of Southern Pacific Transportation Company's (SPT) main line in West Sacramento, Yolo County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing A-86.4-B.

2. Upon initiation of construction of the underpass, the existing Harbor Boulevard grade crossing of SPT's tracks, A-86.4, shall be closed and physically removed.

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

4. 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 SPT, 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.

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

6. 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.

7. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated JUL 6 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

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


Victor Weisser, Executive Director

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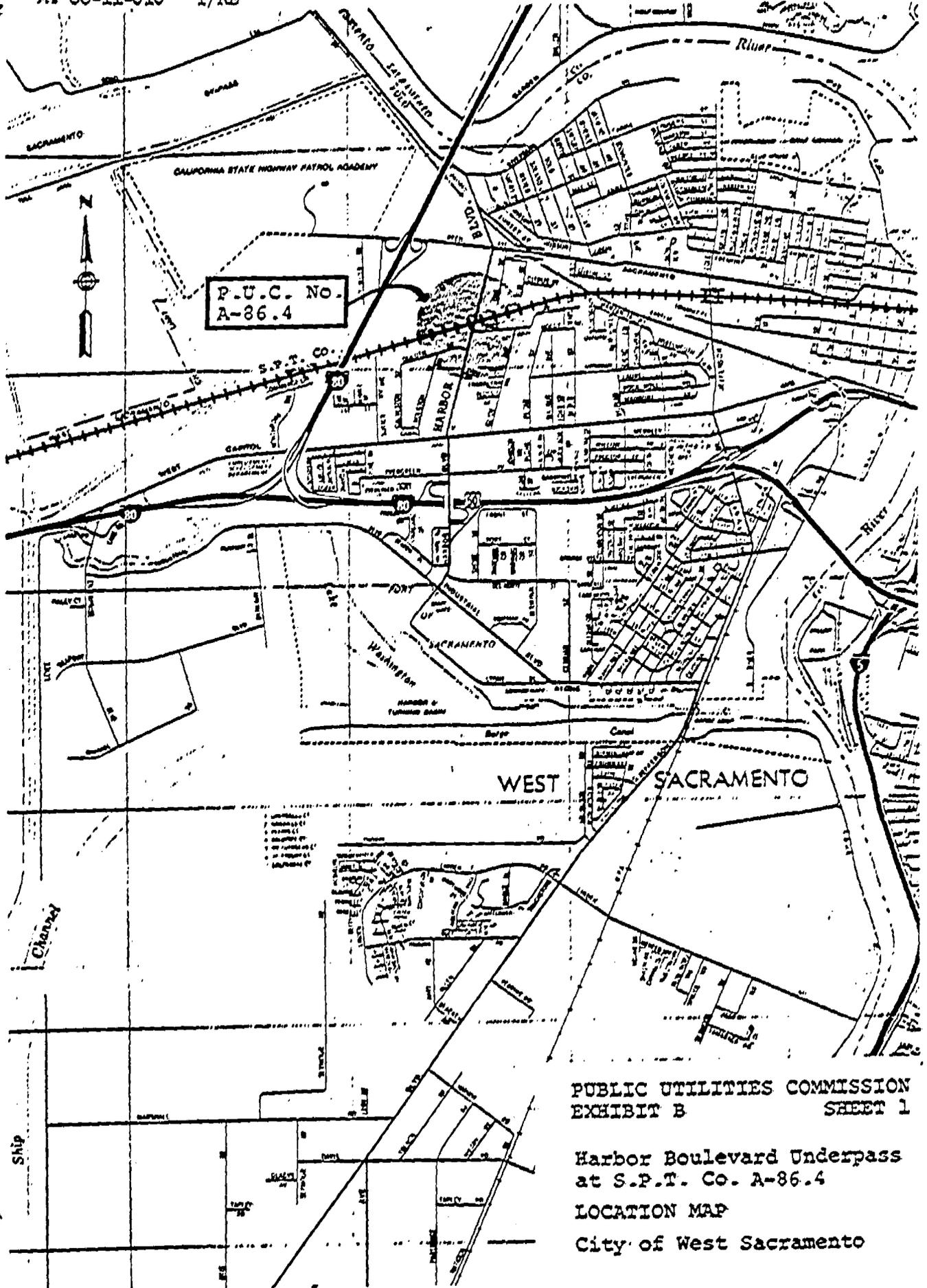
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PUBLIC UTILITIES COMMISSION
EXHIBIT B SHEET 1

Harbor Boulevard Underpass
at S.P.T. Co. A-86.4
LOCATION MAP
City of West Sacramento

Appendix A

S/RE/

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