

Decision 83 03 057 MAR 16 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF)
 PITTSBURG for an ORDER Authorizing)
 Reconstruction of the Railroad)
 Grade Separation Structure to)
 Carry Harbor Street Traffic)
 under the tracks of the Atchison,)
 Topeka and Santa Fe Railway)
 Company, sometimes known as the)
 "Harbor Street Railroad Grade)
 Separation Reconstruction)
 Project, Contract 81-07")
 (P.U.C. No. 2-1155.4-B))

Application 83-02-50
(Filed February 22, 1983)

O P I N I O N

The City of Pittsburg (City) requests authority to reconstruct Harbor Street at separated grades under the tracks of the Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line in Pittsburg, Contra Costa County.

The priority list of grade separation projects for fiscal year 1982-83, as set forth in Decision 82-06-053, dated June 15, 1982, shows this project as Priority No. 17.

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.^{1/}

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

The existing Harbor Street underpass allows for only two narrow lanes and restricts vertical clearance. The proposed structure will accommodate four lanes of traffic, resulting in improved safety and capacity. Its increased vertical clearance will allow larger commercial truck traffic.

Notice of the application was published in the Commission's Daily Calendar on February 24, 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 reconstruct Harbor Street at separated grades under the tracks of AT&SF's main line in Pittsburg, Contra Costa County.

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

2. Reconstruction of the underpass is required to improve the safety of rail operations and reduce vehicular traffic delay.

3. Public convenience and necessity require reconstruction of Harbor Street at separated grades.

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

5. The Commission is a responsible agency for this project and has independently evaluated and assessed 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 City of Pittsburg (City) is authorized to reconstruct Harbor Street at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line in Pittsburg, Contra Costa County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 2-1155.4-B.

2. Clearances shall be in accordance with General Order 26-D. Walkways shall conform to General Order 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 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, City shall advise the Commission in writing that it has been completed.

A.83-02-50 T/AA/TCG/WPSC

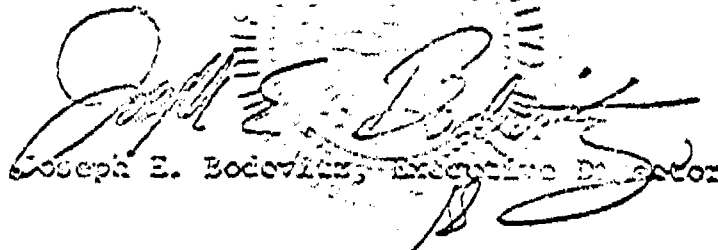
This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated MAR 16 1983, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director