

T/AA/SR/WPSC

ORIGINAL

Decision S3 03 060 MAR 16 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF
LIVERMORE for an order authori-
zing construction of crossing
at separated grades between
Murrieta Boulevard and the track
of The Western Pacific Railroad
Company, and for the elimination
of two railroad grade crossings;
P.U.C. No. D-46.0 SPT Co and
4-46.7 WPRR (Murrieta Blvd.
Underpass).

Application 58626
(Filed January 25, 1979)

O P I N I O N

The City of Livermore (City) requests authority to construct Murrieta Boulevard at separated grades under the tracks of The Western Pacific Railroad Company's (WP) main line in Livermore, Alameda County.

The priority list of grade separation projects for fiscal year 1982-1983, as set forth in Decision 82-06-053, dated June 15, 1982, shows this project as Priority No. 11.

City is the lead agency for the project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000 et seq. After preparation and review of an Environmental Impact Report, City approved the

project. On January 19, 1979, a Notice of Determination was filed with the Alameda County Clerk which found that "the project will have a significant effect on the environment."

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

The project is related to the track consolidation project of Southern Pacific Transportation Company (SPT) and WP between Sunol and Livermore. The existing SPT tracks, located approximately 250 feet south of WP's tracks, will be removed as part of the consolidation project. The existing Murrieta Boulevard grade crossings of both SPT's and WP's tracks will be eliminated upon completion of the grade separation.

Major impacts involve change in ground surface relief features and increase in flood hazards. Mitigation measures include landscaping, aesthetic bridge design, and careful maintenance of a storm water pumping system.

Notice of the application was published in the Commission's Daily Calendar on January 26, 1979. 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 Murrieta Boulevard at separated grades under the tracks of WP's main line in Livermore, Alameda County.
2. Railroad operations require temporary WP track relocations during the construction of the railroad structure.
3. Construction of the Murrieta Boulevard underpass is required to reduce vehicular traffic delay and improve safety for railroad operations.
4. Public convenience and necessity require construction of the proposed underpass.
5. Since Commission authority is required prior to April 1, 1983 for this project to receive funding, the ten day notice on the public agenda required for Commission action should be waived as this is an emergency action.
6. Applicant is the lead agency for this project under CEQA, as amended.
7. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Final Environmental Impact Report.

8. The project will have a significant impact on the environment; however, the proposed mitigation measures will either eliminate or reduce the severity of the adverse impacts.

Conclusion of Law

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

O R D E R

1. The City of Livermore (City) is authorized to construct Murrieta Boulevard at separated grades under the tracks of The Western Pacific Railroad Company's (WP) main line in Livermore, Alameda County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 4-46.7-B.

2. Upon completion of the underpass and its opening to vehicular traffic, the existing Murrieta Boulevard grade crossings (Crossings D-46.0 and 4-46.7) shall be closed and physically removed.

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

4. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into among the parties. A copy of the agreement, together with plans of the crossing

approved by WP, 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 of the completion of the work authorized.

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.

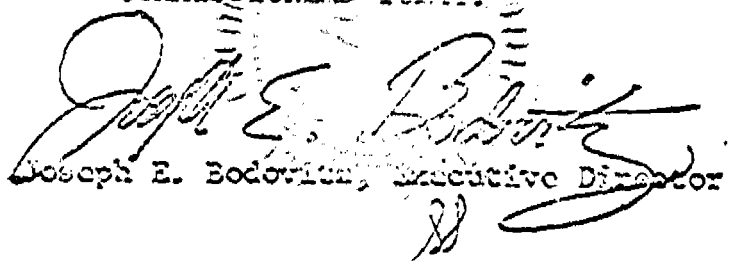
This order is effective today.

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. Bodovian, Executive Director