

Decision No. 86721

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Department of)
 Water Resources, a California)
 State Agency, to construct a public)
 pedestrian and bicycle trail across)
 the Western Pacific Railroad)
 Company Right of Way in the County)
 of San Joaquin)

Application No. 56246
 (Filed January 30, 1976)

O P I N I O N

The State of California, Department of Water Resources, requests authority to convert the existing private crossing of its service road across the tracks of The Western Pacific Railroad Company to a public at-grade pedestrian and bicycle crossing along the California Aqueduct right-of-way in San Joaquin County.

The State of California, Department of Water Resources, is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended and on October 3, 1974, filed a Notice of Exemption with the Secretary for Resources. Applicant alleges that this project is a minor modification of an existing facility and is categorically exempt from the requirements of CEQA pursuant to Title 14 (Natural Resources), Division 6, Section 15101 of the California Administrative Code.

Notice of the application was published in the Commission's Daily Calendar on February 3, 1976. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. The State of California, Department of Water Resources, should be authorized to convert the existing private crossing of its service road across the tracks of The Western Pacific Railroad Company to a public at-grade pedestrian and bicycle crossing along the

California Aqueduct right-of-way in San Joaquin County at the location and substantially as shown by plans attached to the application, to be identified as Crossing 4-67.6-D.

2. Construction of the crossing should be equal or superior to Standard No. 1 of General Order 72-B.

3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

4. Protection at the crossing should be two Standard No. 1-D signs (General Order 75-C) and two bicycle barriers as shown on Exhibit C attached to the application. Two 24-inch by 36-inch caution signs with black letters two inches high on a white background reading as follows may also be installed.

CAUTION
Railroad Crossing
Dismount and Walk
Bicycle Across Tracks

5. Construction expense of the crossing and installation cost of the protection should be borne by the applicant.

6. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of the protection should be borne by the applicant.

7. Construction plans of the crossing approved by The Western Pacific Railroad Company, together with a copy of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.

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

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that 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 Water Resources, is authorized to convert the existing private crossing of its service road across the tracks of The Western Pacific Railroad Company to a public at-grade pedestrian and bicycle crossing along the California Aqueduct right-of-way in San Joaquin County, as set forth in the findings of this decision.

2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.

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

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th
day of DECEMBER, 1976.

 President
William J. Harrison

Leonard R. Kon
 Commissioners