

Decision No. 86852**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Davis,
 Yolo County, California, requesting
 an Order Authorizing the
 Construction of a Bicycle-
 Pedestrian Tunnel Adjacent and
 Parallel to the Existing Richards
 Boulevard Underpass at Milepost
 A-75.4B, on the Oakland-Sacramento
 Line of the Southern Pacific
 Transportation Company.

Application No. 56127
 (Filed December 17, 1975)

O P I N I O N

The City of Davis requests authority to construct a bicycle-pedestrian underpass adjacent and parallel to the existing Richards Boulevard Underpass under the tracks of the Southern Pacific Transportation Company's Ogden Route Main Line in the City of Davis, Yolo County.

The priority list of grade separation projects for the fiscal year 1976-77, as set forth in Decision 85991 (Case 10019), shows this project as Priority Number 1.

The City of Davis is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Report, the Davis City Council approved the project and on October 22, 1976 filed a Notice of Determination with the Yolo County Clerk which found that "The project will not have a significant effect on the environment".

Notice of the application was published in the Commission's Daily Calendar on December 18, 1975. 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. Applicant should be authorized to construct a bicycle-pedestrian underpass adjacent and parallel to the existing Richards Boulevard Underpass under the tracks of the Southern Pacific Transportation Company in the City of Davis, Yolo County, at the location and substantially as shown by the plans attached to the application, to be identified as a portion of Crossing A-75.4-B.

2 Clearances should be in accordance with General Order 26-D.

3. Walkway areas should conform to General Order 118. Walkway areas adjacent to any trackage subject to rail operations should be maintained free of obstructions and should promptly be restored to their original condition in the event of damage during construction.

4. Construction and maintenance costs should be borne in accordance with the agreement which has been entered into between the parties. A copy of the agreement, signed by the Southern Pacific Transportation Company, has been filed with the Commission.

5. Construction plans of the bicycle-pedestrian underpass, approved by the Southern Pacific Transportation Company should be filed with the Commission prior to commencing construction.

6. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on January 14, 1976 approved its final Environmental Impact Report which has been filed with the Commission. The Commission has considered the final EIR and Notice of Determination in rendering its decision on this project and finds that:

- a. The environmental impact of the proposed action is insignificant.
- b. The planned construction is the most feasible and economical that will avoid any possible environmental impact.
- c. There are no known irreversible environmental changes involved in this project.

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 City of Davis is authorized to construct a bicycle-pedestrian underpass, adjacent and parallel to the existing Richards Boulevard Underpass under the tracks of the Southern Pacific Transportation Company in the City of Davis, Yolo 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 three years 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 11th day of JANUARY, 1977.

Robert Bateman

President

William J. Givens

Leonard R. R.

Commissioners

- 3 Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.