

Decision 87124**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California. )  
 Department of Transportation, for an )  
 order authorizing the construction of )  
 Railroad Avenue Overhead, Public )  
 Utilities Commission 1976-77 Grade )  
 Separation Priority Number 3, State ) Application No. 56946  
 Route 17 (Standard Avenue), over the ) (Filed December 15, 1976)  
 tracks of The Atchison, Topeka & Santa )  
 Fe Railway Company and the elimination )  
 of Grade Crossing Public Utilities )  
 Commission Number 2-1190.2, City of )  
 Richmond, County of Contra Costa. )

O P I N I O N

The State of California, Department of Transportation requests authority to construct a grade separation structure, to be known as the "Railroad Avenue Overhead" (State Route 17 - Standard Avenue) over The Atchison, Topeka and Santa Fe Railway Company's tracks in the City of Richmond, Contra Costa County.

The Priority List of Grade Separation Projects for the fiscal year, 1976-77, as set forth in Decision 85991 dated June 22, 1976, shows this project as Priority No. 3. In order that this project may qualify for fiscal year 1976-77 grade separation funds, applicant requires an order of the Commission authorizing construction of the project which is effective prior to April 1, 1977. Applicant has, therefore, requested that the usual 20-day waiting period be waived.

Applicant is the lead agency for this project pursuant to the National Environmental Policy Act of 1969 and on February 14, 1977 approved its Negative Declaration. Pursuant to the National Environmental Policy Act of 1969, applicant has submitted its Negative Declaration to the Federal Highway Administration for approval, which approval was obtained on March 8, 1977.

Notice of the application was published in the Commission's Daily Calendar on December 16, 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. Applicant should be authorized to construct the "Railroad Avenue Overhead" (State Route 17 - Standard Avenue) over the tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Richmond, Contra Costa County, at the location and substantially as shown by plans attached to the application. The northerly overcrossing, which will carry westbound vehicular traffic, is to be identified as Crossing 2-1190.15-A, and the southerly overcrossing, which will carry eastbound vehicular traffic, is to be identified as Crossing 2-1190.2-A.
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. The existing at-grade crossing of Standard Avenue (Crossing 2-1190.2) should be abandoned and physically closed upon completion of the grade separation and its opening to vehicular traffic.
5. Construction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto. A copy of said agreement, together with plans of the crossing approved by The Atchison, Topeka and Santa Fe Railway Company, should 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.
6. Applicant is the lead agency for this project pursuant to the National Environmental Policy Act of 1969 and on February 14, 1977 approved its Negative Declaration which has been filed with the Commission. The Commission has considered the Negative Declaration 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.

7. In order to qualify for fiscal year 1976-77 grade separation funds, applicant requires an order of the Commission authorizing construction of the project which is effective prior to April 1, 1977; therefore, the usual 20-day waiting period should be waived.

#### 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 Transportation, is authorized to construct the "Railroad Avenue Overhead" (State Route 17 - Standard Avenue) over The Atchison, Topeka and Santa Fe Railway Company's tracks in the City of Richmond, Contra Costa 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 is the date hereof.

Dated at San Francisco, California, this  
22<sup>nd</sup> day of MARCH, 1977

Robert Belmont  
President  
William S. Quayle, Jr.  
Vernon J. Stinson  
Robert  
Richard D. Small  
Commissioners