

Decision No. 87175

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE COUNTY OF)
SANTA BARBARA TO CONSTRUCT AND)
MAINTAIN A RECREATIONAL TRAIL)
UNDER THE SOUTHERN PACIFIC RAIL-)
ROAD AT MARIA YGNACIA CREEK.)

Application No. 56724
(Filed September 1, 1976)

O P I N I O N

The County of Santa Barbara requests authority to construct a recreational trail at separated grades under the Southern Pacific Transportation Company's existing railroad bridge over Maria Ygnacia Creek near the Town of Goleta in Santa Barbara County.

The County of Santa Barbara is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of a Negative Declaration, the County of Santa Barbara approved the project and on January 18, 1977, filed a Notice of Determination with the Santa Barbara 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 September 2, 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 a recreational trail at separated grades under the Southern Pacific Transportation Company's existing railroad bridge over Maria Ygnacia Creek near the Town of Goleta in Santa Barbara County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing E-363.66-BD.

2. Construction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of the crossing approved by the Southern Pacific Transportation 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.

3. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on October 21, 1976, approved its Negative Declaration which has been filed with the Commission. The Public Utilities Commission has considered the Negative Declaration 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 County of Santa Barbara is authorized to construct a recreational trail at separated grades under the Southern Pacific Transportation Company's existing railroad bridge over Maria Ygnacia Creek near the Town of Goleta in Santa Barbara 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.

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This authorization shall expire if not exercised within two 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 Sacramento, California, this 5th day of APRIL, 1977.

Robert Bateman

President

William L. Lauer Jr.

Vernon L. Stanger

W. W. ...

Richard A. ...

Commissioners