

Decision No. 87316

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of )  
California, Department of Trans- )  
portation, for an order author- )  
izing the alteration of the )  
eastbound structure of the Pismo )  
Overhead, Public Utilities Com- )  
mission No. E-263.0-A, Bridge )  
No. 49-16 L, by the construction )  
of an auxiliary traffic lane and )  
a pedestrian/bike lane over the )  
tracks of the Southern Pacific )  
Transportation Company, State )  
Route 101, County of San Luis )  
Obispo. )

Application No. 57070  
(Filed February 11, 1977)

O P I N I O N

The State of California, Department of Transportation, requests authority to alter the eastbound structure of the Pismo Overhead, State Route 101, by the construction of an auxiliary traffic lane and a pedestrian/bicycle lane over the tracks of the Southern Pacific Transportation Company's Coast Main Line in San Luis Obispo County.

Applicant is the lead agency for this project pursuant to the California Environmental Quality Act 1970, as amended. Applicant alleges that this project is categorically exempt from the requirement of CEQA pursuant to Title 21 (Public Works), Sub-division 19 of the California Administrative Code.<sup>1</sup>

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<sup>1</sup>Title 21, Chapter 2, Section 1510.1 of the California Administrative Code provides for the categorical exemption of Class 1 activities (Existing Facilities). The specific project activity covered by Subsection (c) (19) is "Alteration or widening of existing structure where the primary function and utility remains unaltered".

Notice of the application was published in the Commission's Daily Calendar on February 15, 1977. 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 alter State Route 101 "Pismo Overhead" over the tracks of the Southern Pacific Transportation Company's Coast Main Line in San Luis Obispo County, at the location and substantially as shown by the plans attached to the application, identified as Crossing E-263.0-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. 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.
5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

C O N C L U S I O N

IT IS ORDERED that:

1. The State of California, Department of Transportation is authorized to alter the eastbound structure of the Pismo Overhead, State Route 101, by the construction of an auxiliary traffic lane and a pedestrian/bicycle lane over the tracks of the Southern Pacific Transportation Company's Coast Main Line in San Luis Obispo 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 10<sup>th</sup> day of May, 1977.

Robert Bateman

President

William Agnew, Jr.

Yunus L. Sturgeon

Richard D. Howell

Commissioners