

Decision No. SS139 NOV 22 1977**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 alteration of an)
 existing grade separation on Interstate) Application No. 57376
 Route 80 at highway post mile 1.9 to) (Filed June 14, 1977)
 2.8, inclusive, over the mainline tracks)
 of The Atchison, Topeka and Santa Fe)
 Railway Company's tracks in the City of)
 Richmond, County of Contra Costa)

O P I N I O N

The State of California, Department of Transportation, requests authority to alter the existing grade separation on Interstate Route 80 at highway Milepost 1.9 to 2.8, inclusive, over the main line tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Richmond, Contra Costa County.

Applicant is the lead agency for this project pursuant to the National Environmental Policy Act of 1969 and on July 12, 1976 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 September 22, 1976.

Notice of the application was published in the Commission's Daily Calendar on June 14, 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 the existing grade separation over the tracks of The Atchison, Topeka and Santa Fe Railway Company's 2K Line in the City of Richmond, Contra Costa County, identified as Crossing 2K-3.1-A, at the location and substantially as shown by the plan attached to the application.
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. 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.

5. Applicant is the lead agency for this project pursuant to the National Environmental Policy Act of 1969 and on July 12, 1976 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.

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 alter the existing grade separation over the tracks of The Atchison, Topeka and Santa Fe Railway Company's 2K Line in the City of Richmond, Contra Costa County, identified as Crossing 2K-3.1-A 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 22nd day of NOVEMBER, 1977.

Robert Bateman
 President

William J. ...

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 Commissioners