

Decision No. 88149 NOV 22 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Santa Clara
a municipal corporation of the State of
California for permission to accept dedi-
cation of a private crossing over the
Southern Pacific Transportation Company
Railroad spur tracks at Charles Street,
in the City of Santa Clara, County of
Santa Clara, State of California, to
public use, and to accept installation
of two Standard No. IR signs (60-75-C)
at said crossing as a condition of said
conversion

Application No. 57528
(Filed August 22, 1977)

O P I N I O N

The City of Santa Clara requests authority to convert the existing private crossing of Charles Street at grade across a spur track of the Southern Pacific Transportation Company to a public grade crossing in the City of Santa Clara, Santa Clara County.

The City of Santa Clara is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on August 16, 1977 filed a Notice of Exemption with the Santa Clara County Clerk which stated that the project was categorically exempt from the requirements of CEQA pursuant to Sections 15101 (c) and (f) of the California Administrative Code, Title 14 (Natural Resources), Division 6. Reasons why the project is exempt were stated as: "There will be no physical change to the roadway or crossing and only the installation of safety equipment."

Notice of the application was published in the Commission's Daily Calendar on August 24, 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 convert the existing private crossing of Charles Street at grade across a spur track of the Southern Pacific Transportation Company to a public grade crossing in the City of Santa Clara, Santa Clara County, to be identified as Crossing L-42.40-C.

2. Construction of the crossing should be equal or superior to Standard No. 1 of General Order 72-B.

3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

4. Protection at the crossing should be two Standard No. 1-R Crossing Signs (General Order 75-C).

5. Construction expense of the crossing and installation cost of the signs should be borne by the applicant.

6. Maintenance of the crossing should be in accordance with General Order 72-B.

7. Construction plans of the crossing, approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.

8. After conversion of the Charles Street crossing to public use has been completed, the existing private crossing at Milepost 42.47 on the Southern Pacific Transportation Company's "L" line should be abandoned and physically removed.

9. 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 S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

ORDER

IT IS ORDERED that:

1. The City of Santa Clara is authorized to convert the existing private crossing of Charles Street at grade across a spur track of the Southern Pacific Transportation Company in the City of Santa Clara, Santa Clara County, to a public grade crossing 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 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 San Francisco, California, this 22nd day of NOVEMBER, 1977.

Robert Batimic
President

William S. ...

Vernon L. ...

Richard D. ...

Clare T. ...
Commissioners