

ORIGINAL

Decision No. 88738 APR 18 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
Department of Transportation, for an)
order authorizing the widening of)
existing Imperial Avenue Overhead, PUC)
No. 36D-3.5A over the San Diego and)
Arizona Eastern Railway Company's)
La Mesa Branch track in the County of)
San Diego.)

Application No. 57835
(Filed January 26, 1978)

O P I N I O N

The State of California, Department of Transportation, requests authority to widen the existing grade separation structure, known as the "Imperial Avenue Overhead" (Crossing 36D-3.5-A), over the tracks of the San Diego and Arizona Eastern Railway Company's La Mesa Branch Line in the City of San Diego, San Diego County.

The State of California, Department of Transportation, is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. Applicant alleges that this project is categorically exempt from the requirements of CEQA, pursuant to Title 21 (Public Works), Chapter 2, Section 1501.1 subsections (c) and (f) (3) of the California Administrative Code.

Notice of the application was published in the Commission's Daily Calendar of January 30, 1978. 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 widen the existing Imperial Avenue Overhead (Crossing 36D-3.5-A) over the tracks of the San Diego and Arizona Eastern Railway Company's La Mesa Branch Line in the City of San Diego, San Diego County, at the location and substantially as shown by plans attached to the application.

2. Clearances should be in accordance with General Order 26-D. Walkways should conform with General Order 118.

3. 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 San Diego and Arizona Eastern 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.

4. 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:

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation, is authorized to widen the existing Imperial Avenue Overhead over the tracks of the San Diego and Arizona Eastern Railway Company's La Mesa Branch Line in the City of San Diego, San Diego 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 thirty days after the date hereof.

Dated at San Francisco, California, this 18th day of APRIL, 1978.

Robert Batistich
President

William S. Quinn

James L. Sturgeon

Oliver J. DeBrie
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.