

Decision No. 89147 JUL 25 1978

**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 widening of the Down Street Overhead and Connector Road Bridge, PUC No. 2B-8.7-A, over the tracks of The Atchison, Topeka and Santa Fe Railway Company's mainline tracks, and the widening of the Chicago Avenue Overhead, PUC No. BJ-544.7-A, over the branch mainline track of the Southern Pacific Transportation Company and Chicago Avenue, both in the City of Riverside, California.

Application No. 57803  
(Filed January 16, 1978)  
(Amended March 24, 1978)

O P I N I O N

The State of California, Department of Transportation, requests authority to widen the existing Down Street Overhead and Connector Road Bridge over the tracks of The Atchison, Topeka and Santa Fe Railway Company's Main Line and to widen the existing Chicago Avenue Overhead over the tracks of the Southern Pacific Transportation Company's Riverside Branch Line in the City of Riverside, Riverside County.

Applicant is the lead agency for this project pursuant to the Environmental Quality Act of 1970, as amended. Applicant alleges that this project is categorically exempt from the requirements of CEQA pursuant to Title 21, Chapter 2, Section 1510.1(c) of the California Administrative Code. 1/

Notice of the application was published in the Commission's Daily Calendar on January 17, 1978. No protests have been received. A public hearing is not necessary.

1/ Title 21, Chapter 2, Section 1510.1 of the California Administrative Code provides for the categorical exemption of Class 1 activities (Existing Facilities). Subsection (c) includes "Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails and similar facilities....."

F I N D I N G S

After consideration the Commission finds:

1. Applicant should be authorized to widen the existing Down Street Overhead and Connector Road Bridge (Crossing 2B-8.7-A) over the tracks of The Atchison, Topeka and Santa Fe Railway Company's Main Line and to widen the existing Chicago Avenue Overhead (Crossing BJ-544.7-A) over the tracks of Southern Pacific Transportation Company's Riverside Branch Line in the City of Riverside, Riverside County, at the locations and substantially as shown by plans attached to the application, as amended.

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

3. Walkways should conform to General Order 118. Walkways 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 agreements to be entered into between the parties relative thereto, and copies of the agreements, together with plans applicable to each crossing approved by the affected railroad, 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 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 Down Street Overhead and Connector Road Bridge over the tracks of The Atchison, Topeka and Santa Fe

Railway Company's Main Line and to widen the existing Chicago Avenue Overhead over the tracks of Southern Pacific Transportation Company's Riverside Branch Line in the City of Riverside, Riverside 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 25<sup>th</sup> day of June, 1978.

Robert Butner  
 President

William S. Jones, Jr.

Verne L. Stinson

Charles R. Howell

Clare T. DeWitt  
 Commissioners