

SD

Decision No. 90114 ; MAR 27 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF SUNNYVALE)
FOR THE CONSTRUCTION OF A GRADE SEPA-)
RATION OF WOLFE ROAD OVER THE SOUTHERN)
PACIFIC TRANSPORTATION COMPANY'S MAIN)
LINE, CROSSING NO. E-39.7(Sc.), IN THE)
CITY OF SUNNYVALE, COUNTY OF SANTA CLARA)

Application No. 58649
(Filed February 1, 1979)

O P I N I O N

The City of Sunnyvale requests authority to construct Wolfe Road at separated grade over the main line tracks of the Southern Pacific Transportation Company in the City of Sunnyvale, Santa Clara County. Authority is also requested to close and physically remove the at-grade crossing of Wolfe Road (E-39.7) upon completion of the overpass.

The priority list of grade separation projects for the fiscal year 1978-79, as set forth in Decision 88956, shows this project as Priority No. 26.

The City of Sunnyvale is the lead agency for this project pursuant to the Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq.

After preparation and review of an Environmental Impact Report, the City of Sunnyvale approved the project. On January 2, 1979, a Notice of Determination was filed with the Santa Clara County Clerk, which found that "The project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's Environmental Impact Report. The site of the proposed project has also been inspected by the Commission staff.

Wolfe Road, a major vehicular route in the city, is experiencing severe traffic congestion where it crosses the railroad tracks at grade. Anticipated increases in vehicular traffic on Wolfe Road will further aggravate the problem in the near future.

The proposed project, when completed, should improve traffic flow in the area and reduce congestion and delays. The project is adjacent to an industrial/commercial area.

Notice of the application was published in the Commission's Daily Calendar on February 2, 1979. No protests have been received. A public hearing is not necessary.

F I N D I N G S

1. Applicant should be authorized to construct Wolfe Road at separated grade over the main line tracks of the Southern Pacific Transportation Company in the City of Sunnyvale, Santa Clara County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing E-39.7-A.

2. Upon completion of the grade separation, the at-grade crossing of Wolfe Road (E-39.7) should be closed and physically removed.

3. Clearances should be in accordance with General Order No. 26-D.

4. Walkway areas 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.

5. 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.

6. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

7. The Commission is the responsible agency and has independently evaluated and assessed the lead agency's Environmental Impact Report.

8. The project will have no significant impact 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 City of Sunnyvale is authorized to construct Wolfe Road at separated grade over the main line tracks of the Southern Pacific Transportation Company in the City of Sunnyvale, Santa Clara 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.

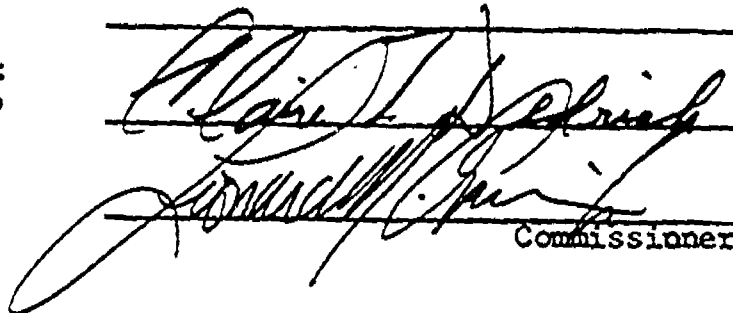
Dated at San Francisco, California, this 27th day of MARCE, 1979.



President

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

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



Commissioners