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ORIGINAL ^{TD-8} /27/79

Decision No. 90115 : MAR 27 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF HAYWARD for an Order authorizing construction of a crossing at separated grades between "A" Street and the tracks of the Southern Pacific Transportation Company, sometimes referred to as the "A" Street Underpass)))))))	Application No. 56333 (Filed March 16, 1976) (Amended August 22, 1978)
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O P I N I O N

The City of Hayward requests authority to construct "A" Street at separated grades over the tracks of the Southern Pacific Transportation Company in the City of Hayward, Alameda County. The amendment to the application revised the proposed construction from an underpass to an 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. 19.

The City of Hayward is the lead agency for this project pursuant to the California 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 Hayward approved the project. On February 28, 1979, a Notice of Determination was filed with the Alameda County Clerk, which found that "The project will have a significant impact 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.

Construction of the "A" Street overpass is a part of a larger project of the City of Hayward to improve "A" Street, which is a major arterial street in the City. The present street facilities are substandard, causing severe traffic congestion and unsafe conditions. The proposed project, when completed, should improve traffic flow and safety in the area and reduce congestion and delays. The project is in an area with a mixture of residential, commercial and industrial activities.

Anticipated significant environmental impacts are the displacement of businesses and residential dwelling units and the removal of vegetation and trees. The displacement of businesses and residential dwelling units will be mitigated by providing relocation payments and services. The removal of vegetation and trees will be mitigated by street planting and median strip landscaping.

Notice of the application and the amendment were published in the Commission's Daily Calendar on March 17, 1976, and August 24, 1978, respectively. 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 a grade separation of "A" Street over the tracks of Southern Pacific Transportation Company in the City of Hayward, Alameda County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. D-20.0-A.

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, and a copy of the 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.

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

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

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7. The project may have significant impacts on the environment; however, mitigation measures should adequately offset the adverse impacts.

8. Upon completion of the grade separation and its opening to vehicular traffic, applicant should close and physically remove the existing "A" Street grade crossing, identified as Crossing D-20.0.

C O N C L U S I O N

IT IS ORDERED that:

1. The City of Hayward is authorized to construct a grade separation of "A" Street over the tracks of Southern Pacific Transportation Company in the City of Hayward, Alameda County, as set forth in the findings of this decision.

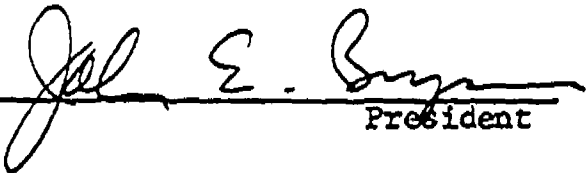
2. Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing.

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.

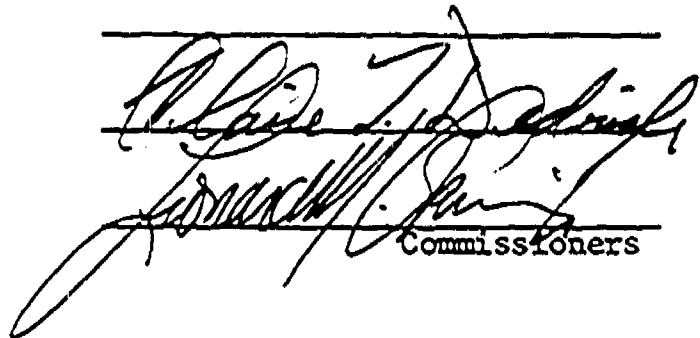
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The effective date of this order shall be thirty days after the date hereof:

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



President



Commissioners

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.