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JAN 29 1988

ORIGINAL

Decision No. \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE COUNTY OF BUTTE  
 TO CONSTRUCT A PEDESTRIAN-BIKE  
 CROSSING, VICINITY STATE ROUTE 32  
 AND CALIFORNIA STATE UNIVERSITY, CHICO )  
 AT SOUTHERN PACIFIC TRANSPORTATION )  
 COMPANY MAINLINE, PROPOSED CROSSING )  
 NO. C-184.7 IN THE CITY OF CHICO, )  
 COUNTY OF BUTTE )

Application No. 58151  
(Filed June 16, 1978)

O P I N I O N

As part of the project to construct a paved pedestrian-bike path from State Route 32 to California State University, Chico, the County of Butte requests authority to construct a pedestrian-bike crossing at grade across the tracks of Southern Pacific Transportation Company's Main Line near Chico, Butte County.

Applicant 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 Initial Study, the County of Butte issued a Negative Declaration and approved this project. On November 2, 1979, a Notice of Determination was filed with the Butte 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 Initial Study and Negative Declaration. The site of the proposed project has also been inspected by the Commission staff.

Construction of the pedestrian-bike path will provide a safe route for students and pedestrians living west of the tracks who commute on foot or bicycle to California State University, Chico, and other areas east of the tracks. Nearby land uses include California State University, Chico, tennis courts, an apartment building and a single family residence.

Notice of the application was published in the Commission's Daily Calendar on June 20, 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 construct a pedestrian-bike path at grade across the tracks of Southern Pacific Transportation Company's Main Line near the City of Chico, Butte County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing C-184.7-D.
2. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.
3. Protection at the crossing should be two Standard No. 10 automatic flashing light pedestrian signals (General Order 75-C). The pedestrian crossing signs should be modified to read "RAILROAD CROSSING - BICYCLE AND PEDESTRIANS ONLY."
4. Construction of the crossing should be equal or superior to Standard No. 1 of General Order 72-B.
5. Construction cost of the crossing and installation cost of the automatic protection should be borne by the applicant.
6. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.
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. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.
9. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.
10. This project will have no significant impact on the environment.

C O N C L U S I O N

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 County of Butte is authorized to construct a pedestrian-bike path at grade across the tracks of Southern Pacific Transportation Company's MainLine near the City of Chico, Butte 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 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 thirty days after the date hereof.

Dated JAN 29 1988 at San Francisco, California.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.

John E. Bayon President

William L. Stinson

Richard G. Howard

Leonard J. [Signature] Commissioners