

SD

Decision No. 91468

MAR 18 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Oroville for
 an Order authorizing widening of the
 existing crossing at separated grades
 between Bridge Street and the tracks of
 The Western Pacific Railroad Company,
 sometimes referred to as the "Bridge
 Street Overhead," FUC No. 4-205.3A.

Application No. ~~59407~~
 (Filed January 28, 1980)

O P I N I O N

The City of Oroville requests authority to widen the Bridge Street Overhead over The Western Pacific Railroad Company's Main Line in the City of Oroville, Butte County.

The City of Oroville 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 Initial Study, the City of Oroville issued a Negative Declaration and approved the project. On February 20, 1980, 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.

Widening of the Bridge Street Overhead is an essential element of an overall program to create a major four-lane, north-south by-pass route around the easterly side of the Oroville metropolitan area. Presently, Bridge Street is experiencing heavy traffic and the proposed project, which is located in an established residential area, will alleviate the vehicular congestion.

Notice of the application was published in the Commission's Daily Calendar on January 29, 1980. 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 widen the Bridge Street Overhead over The Western Pacific Railroad Company's Main Line in the City of Oroville, Butte County, at the location and substantially as shown by plans attached to the application, identified as Crossing 4-205.3-A.

2. Clearances should be in accordance with General Order 26-D; except that during the period of construction, a clearance not less than that currently existing should be authorized.

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 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 Western Pacific Railroad 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. The City of Oroville is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

6. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

7. 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:

ORDER

IT IS ORDERED that:

1. The City of Oroville is authorized to widen the Bridge Street Overhead over The Western Pacific Railroad Company's Main Line in the City of Oroville, 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 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 MAR 18 1980, at San Francisco, California.

John E. Byrne
President

Hermon L. Stevenson

Charles W. Wood

Donald W. Jones
Commissioners

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