

SD

Decision No. 91474

MAR 18 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Fresno,
 a Municipal Corporation in the
 State of California, for Authority
 to Construct a Grade Separation at
 Ashlan Avenue and the Southern
 Pacific Crossing No. B-119.9,
 Located in Northwest Fresno.

Application No. 59427
 (Filed February 4, 1980)

O P I N I O N

The City of Fresno requests authority to construct Ashlan Avenue at separated grades over the tracks of Southern Pacific Transportation Company's Main Line in the City of Fresno, Fresno County.

The priority list of grade separation projects for the fiscal year 1979-80, as set forth in Decision 90399, dated June 5, 1979, shows this project as Priority No. 17.

The City of Fresno 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 Fresno issued a Negative Declaration and approved the project. On February 29, 1980, a Notice of Determination was filed with the Fresno County Clerk which found that "The project will not 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 Initial Study and Negative Declaration. The site of the proposed project has also been inspected by the Commission staff.

Ashlan Avenue, a major arterial connector to Freeway Route 99, is experiencing severe congestion at its grade crossing of Southern Pacific Transportation Company's tracks just north of the railroad's Fresno yard. An anticipated forty percent increase in vehicular traffic resulting from additional industrial development in the area will further aggravate the congestion problems in the near future. The proposed project will materially improve traffic circulation in the area and thereby minimize traffic congestion and delays.

Notice of the application was published in the Commission's Daily Calendar on February 6, 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 construct Ashlan Avenue at separated grades over the tracks of Southern Pacific Transportation Company's Main Line in the City of Fresno, Fresno County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing B-119.9-A.

2. Upon completion of the grade separation and its opening to vehicular traffic, the existing Ashlan Avenue grade crossing, Crossing B-119.9, should be closed and physically removed.

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

4. 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.

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 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.

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

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

8. 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 City of Fresno is authorized to construct Ashlan Avenue at separated grades over the tracks of Southern Pacific Transportation Company's Main Line in the City of Fresno, Fresno 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. Bryson
President

Henry L. Stinson
Robert D. Howell

[Signature]
Commissioners

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