

SD

Decision No. 91808

MAY 20 1980

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF SARATOGA )  
 TO CONSTRUCT A PEDESTRIAN-BIKE )  
 CROSSING, VICINITY GUAVA COURT AND )  
 FREDERICKSBURG DRIVE, SARATOGA, AT )  
 SOUTHERN PACIFIC TRANSPORTATION )  
 COMPANY MAINLINE, PROPOSED CROSSING )  
 MP. 44.12 (EN LINE) IN THE CITY OF )  
 SARATOGA, SANTA CLARA COUNTY. )

Application No. 59020  
(Filed July 23, 1979)

O P I N I O N

As part of the project to construct a pedestrian and bicycle path between Guava Court and Fredericksburg Drive, the City of Saratoga requests authority to construct a pedestrian and bicycle path at grade across the tracks of Southern Pacific Transportation Company's Vasona Branch Line in the City of Saratoga, Santa Clara County.

Applicant 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 Saratoga issued a Negative Declaration and approved the project. On September 11, 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 Initial Study and Negative Declaration. The site of the proposed project has also been inspected by the Commission staff.

Construction of the pedestrian and bicycle path will provide a safer route for students and pedestrians living on either side of the tracks. The land on both sides of the tracks has been developed for single family residences.

Notice of the application was published in the Commission's Daily Calendar on July 27, 1979. 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 and bicycle path at grade across the tracks of Southern Pacific Transportation Company's Vasona Branch Line in the City of Saratoga, Santa Clara County, at the location and substantially as shown by plans attached to the application to be identified as Crossing EN-44.1-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. 1-D pedestrian crossing signs (General Order 75-C). The pedestrian crossing signs should be modified to read "RAILROAD CROSSING--BICYCLES AND PEDESTRIANS ONLY."
4. Construction of the crossing should be equal or superior to Standard No. 1 of General Order 72-B.
5. Bollards should be installed on each side of the crossing to prevent use by motorcycles and automobiles.
6. Construction cost of the crossing and installation cost of the crossing signs and bollards should be borne by the applicant.
7. Maintenance of the crossing should be in accordance with General Order 72-B.
8. Construction plans of the crossing, approved by the Southern Pacific Transportation Company, together with copies of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.
9. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.
10. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.
11. 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 Saratoga is authorized to construct a pedestrian and bicycle path at grade across the tracks of Southern Pacific Transportation Company's Vasona Branch Line in the City of Saratoga, 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 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 requires.

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

Dated           MAY 20 1980          , at San Francisco, California.

John E. Guyon  
President

Verian L. Sturgeon

Richard D. Howell

Clare J. Padgett

Thomas W. Smith  
Commissioners