

ORIGINAL

Decision 93444 AUG 18 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of El Paso de Robles, State of California, for an order authorizing construction of a vehicular bridge at First Street spanning the Southern Pacific Transportation Company tracks in the City of El Paso de Robles.

Application 60432
(Filed April 10, 1981)

O P I N I O N

As part of the project to construct the Niblick Road Bridge across the Salinas River, the City of El Paso de Robles requests authority to construct Niblick Road at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) Coast Route Main Line in El Paso de Robles, San Luis Obispo County.

Applicant is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000 et seq. After preparation and review of an Environmental Impact Report (EIR), applicant approved the project. On March 10, 1981, a Notice of Determination was filed with the San Luis Obispo 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 Final EIR. The site of the proposed project has been inspected by the Commission staff.

The City of El Paso de Robles is roughly bisected from south to north by the Salinas River, U.S. Highway 101, and SPT's tracks. The river is presently crossed by a bridge on the alignment of State Sign

Route 46 in the northerly portion of the community and by a bridge connecting 13th Street and Creston Road in the central portion of the community, both of which are nearing capacity. The proposed Niblick Road Bridge would be located in the southerly portion of the community and would provide improved access between the developing southeast portion of the community and the City's central business district, commercial, and employment centers.

Notice of the application was published in the Commission's Daily Calendar on April 14, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority under Public Utilities Code Sections 1201-1205 to construct Niblick Road at separated grades over the tracks of SPT's Coast Route Main Line in El Paso de Robles, San Luis Obispo County.
2. Construction of the Niblick Road Bridge over the Salinas River is required to provide improved access between the developing southeast portion of El Paso de Robles and the City's central business district.
3. Public convenience and necessity require construction of the Niblick Road Bridge over the Salinas River.
4. Applicant is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Final EIR.
6. This project will have no significant impact on the environment.

Conclusion of Law

The application should be granted as set forth in the following order.

O R D E R

1. The City of El Paso de Robles is authorized to construct Niblick Road at separated grades over the tracks of Southern Pacific Transportation Company's (SPT) Coast Route Main Line in El Paso de Robles, San Luis Obispo County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing E-216.8-A.

2. Clearances shall be in accordance with General Order 26-D. Walkways shall conform to General Order 118.

3. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossing approved by SPT, shall 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.

4. Within 30 days after completion, under this order, applicant shall advise the Commission in writing.

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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.

This order becomes effective 30 days from today.

Dated AUG 18 1951, at San Francisco, California.

John E. Byron
President

Richard P. Hooley

Thomas W. Jones

Victor Calver

Frederic C. Lewis
Commissioners