

Mailed: 10/8/99

Decision 99-10-020 October 7, 1999**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of the City of Belmont for an order to: construct a new crossing at separated grades to be known as "Pedestrian Undercrossing at F Street" under tracks of Peninsula Corridor Joint Powers Board Commuter Service main line south of Harbor Boulevard in the City of Belmont, County of San Mateo, State of California

Application 98-12-007  
(Filed December 10, 1998)

**O P I N I O N**

The City of Belmont (Belmont) requests authority to construct a new, grade-separated pedestrian undercrossing, to be known as the "Pedestrian Undercrossing at F Street", under the raised mainline tracks of the Peninsula Corridor Joint Powers Board (PCJPB) in Belmont, San Mateo County. The proposed pedestrian undercrossing will be part of the Ralston/Harbor/Holly Grade Separation Project, which was authorized by the California Public Utilities Commission in Decision 95-09-071. Construction has begun on the pedestrian undercrossing and the project is expected to be completed within three years.

Belmont is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Section 21100, et seq. On November 18, 1998, Belmont filed its Notice of Determination, attached to the Application as Exhibit D. The project was to have a significant effect upon the environment, but the Final Environmental Impact Report (FEIR) completed on October 19, 1992 states that the project will not have a significant effect when the appropriate mitigation measures

described in the FEIR are taken. These mitigation measures were made a condition for approval and the project is approved by the lead agency.

The Commission is a responsible agency for the project under CEQA and has reviewed the lead agency's FEIR and Notices of Determination. While the project will have a significant effect on the environment, mitigation measures will reduce impacts to acceptable levels.

The site of the proposed project has been inspected by the Commission's Rail Safety and Carriers Division's Rail Engineering Safety staff. The staff examined the need for and safety of the proposed crossing and recommends that the sought authority be granted.

Application 98-12-007 meets the filing requirements of the Commission's Rules of Practice and Procedure. A sketch of the crossing area is set forth as Appendix A.

In Resolution ALJ 176-3006 dated December 17, 1998, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. RSAC recommends that this application be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3006.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to PU Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waved.

**Findings of Fact**

1. Notice of the application was published in the Commission's Daily Calendar on December 21, 1998. No protests have been received
2. Belmont requests authority under Public Utilities Code Sections 1201-1205 to construct the Pedestrian Undercrossing at F Street under the mainline tracks of PCJPB in Belmont, San Mateo County.

3. Public convenience and necessity require construction of the undercrossing.

4. Belmont is the lead agency for this project under CEQA, as amended.

5. The Commission is a responsible agency for the project and has considered the lead agency's FEIR and Notice of Determination.

6. The mitigation measures adopted by Belmont will reduce the severity of adverse environmental impacts to acceptable levels.

**Conclusions of Law**

1. The application is uncontested and a public hearing is not necessary.

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

**ORDER**

IT IS ORDERED that:

1. The City of Belmont (Belmont) is authorized to construct the Pedestrian Undercrossing at "F" Street under the mainline track of the Peninsula Corridor Joint Powers Board (PCJPB), in Belmont, San Mateo County, at the location and substantially as shown on the plans attached to the application to be identified as Crossing 1E-22.6-BD

2. Clearances shall be in accordance with GO 26-D

3. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction

4. 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 PCJPB shall be filed with the Commission's Safety and Carriers Division. Should the parties

fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

5. Within thirty (30) days after completion of the work under this order, Belmont shall advise the Commission's Rail Safety and Carriers Division in writing that the authorized work has been completed.

6. This authorization shall expire if not exercised within three (3) years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

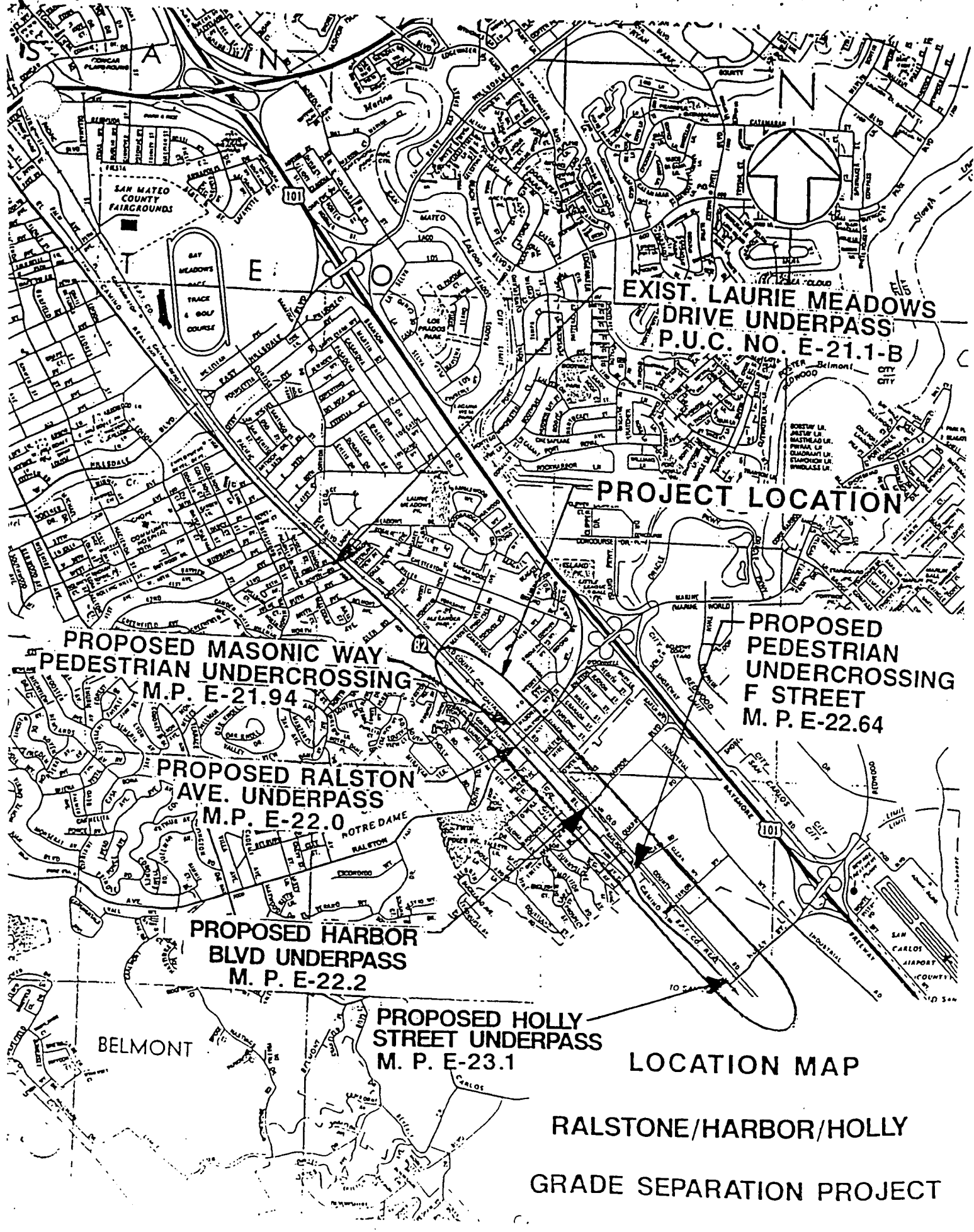
7. The application is granted as set forth above.

8. Application A98-12-007 is closed.

This order becomes effective thirty (30) days from today.

Dated October 7, 1999, at San Francisco, California.

RICHARD A. BILAS  
President  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
JOEL Z. HYATT  
CARL W. WOOD  
Commissioners



**EXIST. LAURIE MEADOWS  
DRIVE UNDERPASS  
P.U.C. NO. E-21.1-B**

**PROJECT LOCATION**

**PROPOSED MASONIC WAY  
PEDESTRIAN UNDERCROSSING  
M.P. E-21.94**

**PROPOSED  
PEDESTRIAN  
UNDERCROSSING  
F STREET  
M. P. E-22.64**

**PROPOSED RALSTON  
AVE. UNDERPASS  
M.P. E-22.0**

**PROPOSED HARBOR  
BLVD UNDERPASS  
M. P. E-22.2**

**PROPOSED HOLLY  
STREET UNDERPASS  
M. P. E-23.1**

**LOCATION MAP**

**RALSTONE/HARBOR/HOLLY  
GRADE SEPARATION PROJECT**