

Decision No. 82205**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
Application of City of Montebello)
to construct a Public Highway }
across a railroad } Application No. 54328
(Filed September 14, 1973)

O P I N I O N

The City of Montebello requests authority to construct Union Street at grade across a spur track of The Atchison, Topeka and Santa Fe Railway Company. Notice of the application was published in the Commission's Daily Calendar on September 19, 1973. No protests have been received. A public hearing is not necessary.

FINDINGS AND CONCLUSIONS

The request is in the public interest and should be granted. The City of Montebello should be authorized to construct Union Street at grade across The Atchison, Topeka and Santa Fe Railway Company spur track in Montebello, Los Angeles County, at the location described in the application, to be identified as Crossing No. 2-150.05-C.

Width of the crossing should be not less than 44 feet and grades of approach not greater than one percent. Crossing construction should be equal or superior to Standard No. 2 (General Order No. 72-B). Protection should be two Standard No. 1R signs (General Order No. 75-C). Clearances, including any curbs, should conform to General Order No. 26-D. Walkways adjacent to the crossing should conform to General Order No. 118.

Construction cost of the crossing and installation of crossing protection should be borne by the applicant. Maintenance

cost of the crossing outside of lines two feet outside of rails should be borne by the applicant and the railroad should bear maintenance cost of the crossing between such lines.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on July 20, 1973 approved an Environmental Impact Report. The Commission has considered the Environmental Impact Report in rendering its decision on this project.

The Commission accepts the applicant's Environmental Impact Report and finds that:

- (a) The environmental impact of this proposed action is insignificant.
- (b) The planned construction is the most feasible and economical that will avoid any environmental impact.
- (c) There are no known irreversible environmental changes involved in this project.

O R D E R

1. The application is granted conditioned on the findings and conclusions set forth above.

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 above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

3. The Secretary of the Commission shall file a Notice of Determination with the Secretary for Resources and with the planning agencies of any city and county which will be affected by the project.

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

Dated at San Francisco, California, this 4th day of DECEMBER, 1973.

Verma L. Stacey
President
William J. Suggs Jr.
William L. -
Arthur H. -
Robert L. -
Commissioners