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Decision No. 83498

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
Department of Transportation, for an)
order authorizing the widening and)
alteration of Brookhurst Street Over-)
head by means of constructing a bridge)
adjacent to the existing Brookhurst)
Street Overhead in connection with)
the improvement of Route 5 between)
0.2 miles south to 0.2 miles north of)
Brookhurst Street in the City of)
Anaheim, Orange County.)

Application No. 55029
(Filed July 12, 1974)

O P I N I O N

The State of California, Department of Transportation, requests authority to widen and alter the existing grade separation at Brookhurst Street (Crossing No. BK-507.2-A) over the tracks of the Southern Pacific Transportation Company in the City of Anaheim, Orange County.

The California Highway Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on June 20, 1974 filed a "Notice of Determination" with the Secretary of Resources which advises that a Negative Declaration was prepared for this project. This declaration finds that the project has no significant effect on the environment.

Notice of the application was published in the Commission's Calendar on July 15, 1974. 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 widen and alter Brookhurst Street at separated grades over the Southern Pacific Transportation Company tracks in the City of Anaheim, County of Orange, at the location and substantially as shown by plans attached to the application.

2. Construction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto.

3. The Commission finds that the environmental impact of this proposed action is not significant.

C O N C L U S I O N S

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 State of California, Department of Transportation, is authorized to alter and widen Brookhurst Street at separated grades over the tracks of the Southern Pacific Transportation Company in the City of Anaheim, County of Orange, at the location and substantially as shown by plans attached to the application, identified as Crossing No. BK-507.2-A.

2. Clearance shall be in accordance with General Order 26-D, except that during the period of construction, a clearance of not less than 20' 6" above top of rail is authorized, and the Southern Pacific Transportation Company is authorized to operate with such reduced vertical clearances, provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars.

3. The applicant shall notify the Commission and the railroad at least 15 but not more than 30 days in advance of the date when the temporary impaired clearance will be created.

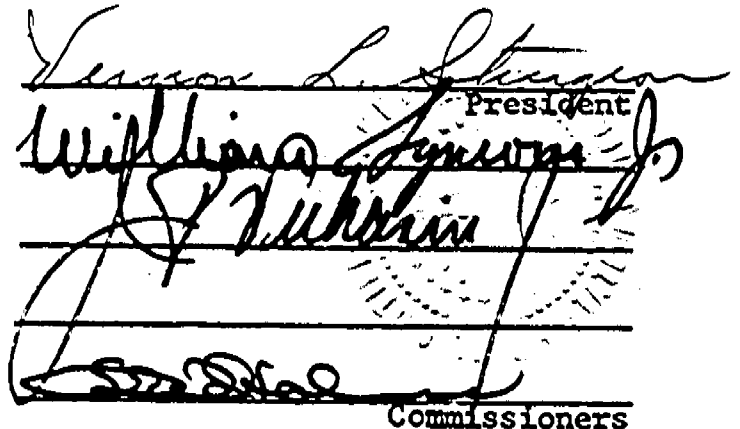
4. Walkway areas adjacent to the railroad tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossing approved by the Southern Pacific Transportation Company shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

6. 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. This authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 24th
day of SEPTEMBER, 1974.


President
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.