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Decision No. 83647

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the City of Fullerton for an
Order Authorizing the Construction
of an Underpass Grade Crossing in
lieu of the Existing Surface Grade
Crossing over THE ATCHISON, TOPEKA
& SANTA FE RAILWAY COMPANY and the
UNION PACIFIC RAILROAD COMPANY
tracks at LEMON STREET in the City
of Fullerton.

Application No. 54770
(Filed April 1, 1974)
(Amended June 26, 1974)

O P I N I O N

The City of Fullerton requests authority to construct Lemon Street at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company and the Union Pacific Railroad Company, to construct Walnut Avenue at grade across a branch track and a spur track of the Union Pacific Railroad Company and to construct temporary detours and closures as shown on Appendix A attached hereto in the City of Fullerton, Orange County.

The priority list of grade separation projects for the fiscal year 1974-75 as set forth in Decision No. 83066 shows this project as Priority No. 7.

The City of Fullerton is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on August 7, 1973 approved an Environmental Impact Report.

Notice of the application and amendment was published in the Commission's Daily Calendar on April 3, 1974 and July 1, 1974. No protests have been received. A public hearing is not necessary.

F I N D I N G S

1. Applicant should be authorized to do the work as indicated on Appendix A attached hereto at the locations and substantially as shown by plans attached to the application as amended in the City of Fullerton, Orange County.

2. Dimensions, configurations, clearances, and walkways should be substantially in accordance with the plan set forth in the application and comply with applicable rules and general orders of the Commission.

3. Construction and maintenance expenses should be borne in accordance with an agreement to be entered into between the parties.

4. The City of Fullerton is the lead agency for this project and on August 7, 1973 approved an Environmental Impact Report.

The Commission has considered the applicant's environmental findings in rendering its decision on this project, and finds that:

- a. The planned construction is the most feasible and economical that will avoid any long term environmental impact.
- b. There are no known irreversible environmental changes involved in this project.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application as amended should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The City of Fullerton is authorized to do the work as indicated on Appendix A attached hereto at the locations and substantially as shown by plans attached to the application, as amended, in the City of Fullerton, Orange County.

2. Construction of the temporary detour crossings as well as the Walnut Avenue crossings shall be as indicated on Appendix A.

3. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 113.

4. The existing at grade crossings and the temporary detour crossings shall be abandoned and physically removed upon completion of the Lemon Street underpass.

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 crossings approved by The Atchison, Topeka and Santa Fe Railway Company and the Union Pacific Railroad 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 29th day of OCTOBER, 1974.

Vernon L. Sturgeon
President
William J. ...
...
Robert E. McLeod
Commissioners

A P P E N D I X A

Location	PUC Crossing Number	Proposed Construction	Xing Std. (G072-B)	Propsd Prot. (G075-C)
<u>Temporary Detours</u>				
Lemon Street and ATSF tracks	2-165.0	48 ft. wide grade crossing	#1	2 Std. No. 9
Lemon Street and existing UP track	3Y-17.58	48 ft. wide grade crossing	#1	2 Std. No. 9
Lemon Street and relocated UP track	3Y-17.59	48 ft. wide grade crossing	#1	2 Std. No. 9
<u>Separated Crossing</u>				
Lemon Street and ATSF	2-165.2-B	Underpass	-	Seprtn
Lemon Street and relocated UP track	3Y-17.6-B	Underpass	-	Seprtn
<u>Grade Crossing</u>				
Walnut Avenue and relocated UP branch track	3Y-17.48	28 ft. wide grade crossing	#2 or super- ior	2 Std. No. 9
Walnut Avenue and relocated UP spur	3Y-17.74-C	50 ft. wide grade crossing	#1	2 Std. No. 1R
<u>Crossings Closed</u>				
Detour - Lemon Street	2-165.0	Physically Remove		Closure
Detour - Lemon Street	3Y-17.58	Physically Remove		Closure
Detour - Lemon Street	3Y-17.59	Physically Remove		Closure
Lemon Street	2-165.1	Physically Remove		Closure
Lemon Street	3Y-17.6	Physically Remove		Closure
South Pomona Avenue	3Y-17.45	Physically Remove		Closure