

ORIGINAL

Decision No. 85831

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
the CITY OF TUSTIN to construct a )  
public pedestrian walkway across a )  
railroad of the Atchison, Topeka and )  
Santa Fe Railway Company at Sycamore )  
Avenue, Tustin. )

Application No. 56182  
(Filed January 2, 1976)

O P I N I O N

The City of Tustin requests authority to construct a public pedestrian walkway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company at Sycamore Avenue in the City of Tustin, Orange County.

The City of Tustin is the lead agency for this project, pursuant to the Environmental Quality Act of 1970, as amended. On December 31, 1975 a Notice of Determination was filed with the Orange County Clerk which found that "The project will not have a significant effect on the environment".

Notice of the application was published in the Commission's Daily Calendar on January 14, 1976. 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. The City of Tustin should be authorized to construct a pedestrian walkway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company at Sycamore Avenue in the City of Tustin, Orange County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 2-179.1-DC.

2. Construction of the crossing should be equal or superior to Standard No. 2 (General Order 72-B).

3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

4. Protection at the crossing should consist of two Standard No. 10 signals (General Order 75-C).

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

6. Maintenance of the crossing should conform to General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

7. Construction plans of the crossing approved by The Atchison, Topeka and Santa Fe Railway Company, together with a copy of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.

8. The Commission has considered applicant's Notice of Determination and finds with reasonable certainty that this project will not have a significant effect on the environment.

### 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 City of Tustin is authorized to construct a pedestrian walkway at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company at Sycamore Avenue in the City of Tustin, Orange County, as set forth in the findings of this decision.

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 one year 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.

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

Dated at San Francisco, California, this 18<sup>th</sup>  
day of 5 MAY, 1976.

William J. Synovis President  
William L. Sturgeon  
Norm  
Robert Bateman Commissioners