

Decision No. 86196

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 of the)
 existing Atchison, Topeka and Santa Fe)
 Railway Company's At-Grade Crossing)
 No. 2-777.7, and the relocation and)
 alteration of the automatic grade)
 crossing protection on the west side)
 of said crossing on Route 395 at)
 intersection with Route 58 about 6.2)
 miles east of Boron, San Bernardino)
 County.)

Application No. 56434
 (Filed April 26, 1976)

O P I N I O N

The State of California, Department of Transportation requests authority to widen and improve the State Route 395 crossing of the main line of The Atchison, Topeka and Santa Fe Railway Company, as shown by the plan attached to the application, east of Boron in the County of San Bernardino.

The California Highway Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of a Negative Declaration, the California Highway Commission approved the project to widen and improve State Route 395 and on March 19, 1976, filed a Notice of Determination with the Secretary for Resources 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 April 28, 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 State of California, Department of Transportation should be authorized to widen and improve the State Route 395 crossing of the main line of The Atchison, Topeka and Santa Fe Railway Company

east of Boron, County of San Bernardino, at the location and substantially as shown by the plan attached to the application, identified as Crossing 2-777.7.

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

3. Protection at the crossing should be one Standard No. 9-A signal (General Order 75-C) to the west and the existing Standard No. 9 signal (General Order 75-C) to the east.

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

5. Construction expense of widening the crossing and installation cost of the automatic crossing protection to the west, should be shared in accordance with an existing service contract between the parties relative thereto.

6. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance costs of the automatic protection should be shared equally between the governmental body having jurisdiction at the time said costs are incurred and the railroad 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 California Highway Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on March 19, 1976 approved its Negative Declaration which has been filed with the Commission. The Commission has considered the Negative Declaration and Notice of Determination in rendering its decision on this project and finds that:

- a. The environmental impact of the proposed action is insignificant.
- b. The planned construction is the most feasible and economical that will avoid any possible environmental impact.
- c. 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 should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

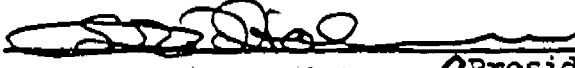
1. The State of California, Department of Transportation is authorized to widen and improve State Route 395 at grade across the main line of The Atchison, Topeka and Santa Fe Railway Company as set forth in the findings of this decision.

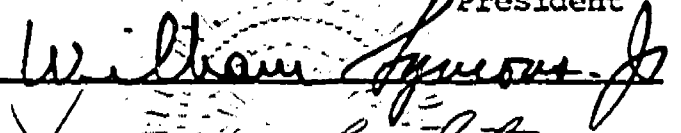
2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.


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

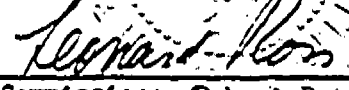
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 3rd
day of AUGUST, 1976.



President






Commissioner Robert Batimovich, being
necessarily absent, did not participate
in the disposition of this proceeding.

Commissioners