

Decision 88 01 041 JAN 28 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
the City of Yorba Linda to construct)	Application 87-07-004
the Camino de Bryant Underpass under)	(Filed July 2, 1987)
and across the railroad tracks of The)	(Amended September 24, 1987)
Atchison, Topeka and Santa Fe Railway)	
Company in the City of Yorba Linda,)	
County of Orange)	

OPINION

The City of Yorba Linda (City) requests authority to construct the Camino de Bryant Underpass at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) San Bernardino to Fullerton main line in Yorba Linda, Orange County.

The proposed crossing is required to provide improved public access to developing residential and industrial areas which are located on both side of AT&SF's tracks. The project is located in the Southeastern part of Yorba Linda and will be of particular benefit to the Lomas de Yorba Linda residential development which is bounded generally by AT&SF's tracks on the south and west and the San Bernardino County line on the north and east.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. After preparation and review of an Initial Study, City issued a Negative Declaration and approved the project. 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."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

The site of the proposed project has been inspected by the Commission's Traffic Engineering staff. After a review and analysis of future vehicular traffic volume and street geometrics of the area, the staff recommends that approval be granted to construct the grade separation at Camino de Bryant.

Notice of the application and amendment were published in the Commission's Daily Calendar on July 13, 1987 and September 24, 1987 respectively. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Section 1201-1205 to construct the Camino de Bryant Underpass at separated grades under the tracks of AT&SF's San Bernardino to Fullerton main line in Yorba Linda, Orange County.
2. The proposed crossing is required to provide improved public access to developing residential and industrial areas in the southeastern portion of Yorba Linda.
3. Public convenience, necessity and safety require construction of the Camino de Bryant Underpass.
4. City is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.
6. The project will have no significant impact on the environment.

Conclusions of Law

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 Yorba Linda (City) is authorized to construct the Camino de Bryant Underpass at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) San Bernardino to Fullerton main line in Yorba Linda, Orange County, at the location and substantially as shown on plans attached to the application, to be identified as Crossing 2B-32.4-B.

2. Clearances shall conform to General Order (GO) 72-B. Walkways shall conform to GO 118.

3. Construction and maintenance costs shall be borne in accordance with an agreement which has been entered into between the parties. A copy of the agreement was attached to the application.

4. Within 30 days after completion of the work under this order, City shall notify the Commission in writing that the authorized work has been completed.

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

6. The application is granted as set forth above.
This order is effective 30 days from today.
Dated JAN 28 1983, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

Victor Weiss
Victor Weiss, Executive Director

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