

ORIGINAL

Decision 83 03 056 MAR 16 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Irvine)
for the Construction of Two Grade)
Separations at Culver Drive and)
Jeffrey Road over The Atchison,)
Topeka and Santa Fe Railway Company))
Track, Crossings No. 2-180.5 and)
No. 2-182.0, in the City of Irvine)
and in the County of Orange.)

Application 82-12-60
(Filed December 24, 1982)

O P I N I O N

The City of Irvine (City) requests authority to construct Culver Drive and Jeffrey Road at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line in Irvine, Orange County.

The priority lists of grade separation projects for fiscal year 1982-83, as set forth in Decision 82-06-053, dated June 15, 1982, shows this project as Priority No. 6.

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. City has determined that the project is categorically exempt from CEQA under PR Code Section 21080.13.^{1/}

^{1/} Section 21080.13 was added to the PR Code by Chapter 58, Statutes 1982, as an urgency statute effective February 18, 1982.

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's categorical exemption determination. The site of the proposed project has been inspected by the Commission staff.

The proposed railroad-highway grade separation projects are an integral part in the development of two Orange County Master Plan Major Highways which are considered to be the most important north-south arterial roads in Irvine. The two routes connect and interchange with the San Diego (Interstate Route 405) and the Santa Ana (Interstate Route 5) Freeways.

Notice of the application was published in the Commission's Daily Calendar on December 28, 1982. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct Culver Drive and Jeffrey Road at separated grades over the tracks of AT&SF's main line in Irvine, Orange County.

2. Construction of the overpasses is required to improve the safety of rail operations and reduce vehicular traffic delay.

A.82-12-60 T/RWS/FS/WPSC *

3. Upon completion of the Culver Drive and Jeffrey Road overpasses and their opening to vehicular traffic, the existing Culver Drive and Jeffrey Road grade crossings should be closed and physically removed.

4. Public convenience, necessity, and safety require construction of the Culver Drive and Jeffrey Road overpasses.

5. City is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's categorical exemption determination. ✓

7. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

8. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusion 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 Irvine (City) is authorized to construct Culver Drive and Jeffrey Road at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line in Irvine, Orange County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 2-180.5-A (Culver Drive) and Crossing 2-182.0-A (Jeffrey Road).

2. Upon completion of the Culver Drive and Jeffrey Road overpasses and their opening to vehicular traffic, the existing Culver Drive (Crossing 2-180.5) and Jeffrey Road (Crossing 2-182.0) grade crossings shall be closed and physically removed.

3. Clearances shall be in accordance with General Order 26-D. Walkways shall conform to General Order 118.

4. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossings approved by AT&SF, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

5. Within 30 days after completion of the work under this order, City shall notify the Commission in writing of the completion of the work authorized.

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.

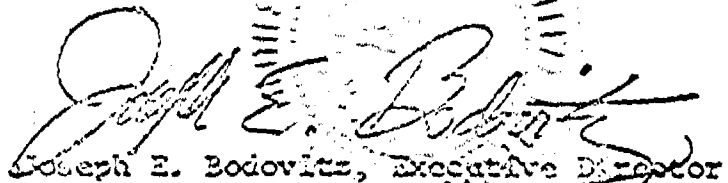
This order becomes effective 30 days from today..

Dated MAR 16 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director