

Decision No. 87140

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Irvine, Orange County, California, a municipal corporation, to construct grade crossings for Westwood and Eastwood across The Atchison, Topeka and Santa Fe Railway Company's right-of-way within the City of Irvine.

Application No. 56817
(Filed October 15, 1976)

O P I N I O N

As part of its North Irvine Precise Land Use Plan, the City of Irvine requests authority to construct Eastwood and Westwood at grade across the Venta Spur of The Atchison, Topeka and Santa Fe Railway Company in the City of Irvine, Orange County.

The City of Irvine is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of the Environmental Impact Report, the City of Irvine approved the North Irvine Land Use Plan and on February 2, 1977 filed a Notice of Determination 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 October 20, 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. Applicant should be authorized to construct Eastwood and Westwood at grade across the Venta Spur of The Atchison, Topeka and Santa Fe Railway Company in the City of Irvine, Orange County, at the locations and substantially as shown by the plans attached to the application, to be identified as Crossings 2-183.5-C and 2-182.8-C respectively.

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

3. The width of the crossings should be not less than 34 feet and the grades of approach should not exceed three percent.

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

5. Protection at each of the two crossings should be two Standard No. 9 signals (General Order 75-C) at edges of roadways and two Standard No. 8 signals (General Order 75-C) mounted on median islands.

6. Construction expense of the crossings and installation cost of the automatic protection should be borne by the applicant.

7. Maintenance of the crossings 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.

8. Construction plans of the crossings 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.

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

10. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on June 25, 1975 approved its Environmental Impact Report which has been filed with the Commission. The Commission has considered the Environmental Impact Report 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 City of Irvine is authorized to construct Eastwood and Westwood at grade across the Venta Spur of The Atchison, Topeka and Santa Fe Railway Company in the City of Irvine, 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 29th day of MARCH, 1977.

Ralut B. [Signature]
 _____ President
William [Signature]

[Signature]

Richard D. [Signature]
 _____ Commissioners