

Decision No. 87651 JUL 26 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Transportation, for an order authorizing a new at-grade crossing of the Atchison, Topeka and Santa Fe Railway Company, Elsinore Branch Line at station 636+61, railroad mile post 2T-11.85+, in conjunction with the upgrading of the existing State Route 71 (I-15) on new alignment to freeway standards, County of Riverside. (Amended Title)

Application No. 57159 (Filed March 18, 1977) (Amended April 8, 1977)

O P I N I O N

As part of the project to construct State Route 15 between the San Diego/Riverside County Line and Devore in San Bernardino County along the general alignment of existing State Route 71/31, the State of California, Department of Transportation, requests authority to construct Indian Trail Road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company's Elsinore Branch in Riverside County.

The California Highway Commission is the lead agency for the project to construct State Route 15 pursuant to the California Environmental Quality Act of 1970, as amended. A "Certification of Environmental Clearance" has been filed with the Public Utilities Commission which states that the California Highway Commission approved a portion of the project which includes the "railroad grade crossing at Indian Trail Road" on July 29, 1976. The Certification further states that an Environmental Impact Report was prepared for this project and that "The project will have a significant effect on the environment". By its letter of May 27, 1977 to the Commission, the Department of Transportation has stated that "The enviromental clearance by the

CHC necessarily means that the advantages of the project will outweigh any potential detrimental effects upon the environment."

Notice of the application and amendment were published in the Commission's Daily Calendar on March 22, 1977 and April 11, 1977, respectively. 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 Indian Trail Road at grade across the Elsinore Branch of The Atchison, Topeka and Santa Fe Railway Company in Riverside County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 2T-11.8.
2. Construction of the crossing should be equal or superior to Standard No. 3 of 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 be two Standard No. 9-A Signals (General Order 75-C).
5. Construction expense 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 California Highway Commission is the lead agency for the project to construct State Route 15 from the San Diego/Riverside County line to Devore in San Bernardino County pursuant to the California Environmental Quality Act of 1970, as amended, and in January of 1972 approved its final Environmental Impact Report.

which has been filed with the Commission. The Commission has considered the final Environmental Impact Report and "Certification of Environmental Clearance" and finds that the benefits of the proposed project outweigh any adverse effects and that the proposed project should be approved.

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 construct Indian Trail Road at grade across the Elsinore Branch of The Atchison, Topeka and Santa Fe Railway Company in Riverside 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 two years 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 26th
day of JULY, 1977.

President

