

ORIGINAL

Decision No. 88773 MAY 2 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Transportation, for authority to construct a crossing at separation of grade of Interstate Route 15 over the Elsinore Branch tracks of the Atchison, Topeka and Santa Fe Railway Company at approximate Railroad Station 2T-14.40 and Highway Station 431+64.8, to construct a new crossing at grade over the Elsinore tracks of the Atchison, Topeka and Santa Fe Railway Company at railroad mile post 2T-14.52 and Highway Station 15+49.5, to construct a new crossing at grade over the Elsinore tracks of the Atchison, Topeka and Santa Fe Railway Company at railroad mile post 2T-13.38 and Highway Station 25+21.0, and to eliminate the private crossing known as Hostettler Road at railroad mile post 2T-14.33, all in the County of Riverside.

Application No. A. 57589
(Filed September 26, 1977)

O P I N I O N

As part of the project to relocate Interstate Route 15 between 2.2 miles north of Nicols Road and Indian Trails Road in Riverside County, the State of California, Department of Transportation, requests authority to construct a grade separation structure to be known as the "Alberhill Overhead" (Alberhill Road) over and to construct Hostettler Road and Horsethief Road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company's Elsinore Branch Line in Riverside County. After completion of the Hostettler Road crossing, an existing private crossing at railroad Milepost 2T-14.33 will be abandoned and physically closed.

The California Highway Commission (1) is the lead agency for the project to relocate Interstate Route 15 between 2.2 miles north of Nicols Road and Indian Trails Road in Riverside County, pursuant to the California Environmental Quality Act of 1970, as amended. After

(1) AB402 which became law on January 1, 1978 established the California Transportation Commission as successor to the California Highway Commission effective February 1, 1978.

review of an Environmental Impact Report, the California Highway Commission approved the project and on June 14, 1973, filed a Notice of Determination with the Secretary for Resources which found that "The project will have a significant effect on the environment."

Unavoidable adverse environmental effects of the freeway project largely involve the process of constructing cuts and fills which will unavoidably change the land form or remove agricultural crops and native vegetation. However, the only long-term vegetation loss will be in the area of the maintained roadway. Mitigation measures include selective planting to blend aesthetically with the surrounding environment and replenishment of vegetation removed during freeway construction.

Notice of the application was published in the Commission's Daily Calendar on September 27, 1977. 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 the "Alberhill Overhead" (Crossing 2T-14.4-A) over and to construct Hostettler Road (Crossing 2T-14.5) and Horsethief Road (Crossing 2T-12.38) at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company's Elsinore Branch Line in Riverside County, at the location and substantially as shown by plans attached to the application.
2. Construction of the grade crossings should be equal or superior to Standard No. 2 of General Order 72-B.
3. Clearances should be in accordance with General Order 26-D. Walkways should conform to General Order 118.
4. Protection at the Horsethief Road Crossing should be two Standard No. 1-R crossing signs (General Order 75-C).
5. Protection at the Hostettler Road crossing should be two Standard No. 9 automatic gate type signals (General Order 75-C).

6. After completion of the Hostettler Road crossing, and its opening to vehicular traffic, the existing private crossing at railroad Milepost 2T-14.33 should be abandoned and physically closed.

7. Construction expense of the grade crossings and installation cost of the crossing signs and automatic protection should be borne by the applicant.

8. Maintenance of the grade crossings should be in accordance with General Order 72-B. Maintenance cost of the automatic protection to be installed at the Hostettler Road crossing should be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

9. Construction and maintenance cost of the "Alberhill Overhead" should be borne in accordance with an agreement to be entered into between the parties relative thereto, and copies of the agreement, together with plans of the crossings approved by The Atchison, Topeka and Santa Fe Railway Company, should be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the construction and maintenance costs for the "Alberhill Overhead" by further order.

10. The California Highway Commission is the lead agency for the project to relocate Interstate Route 15 between 2.2 miles north of Nicols Road and Indian Trails Road in Riverside 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 Public Utilities Commission has considered the California Highway Commission's final Environmental Impact Report and Notice of Determination 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:

ORDER

IT IS ORDERED that:

1. The State of California, Department of Transportation, is authorized to construct the "Alberhill Overhead" over and to construct Hostettler Road and Horsethief Road at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company's Elsinore Branch Line 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 three 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 thirty days after the date hereof.

Dated at San Francisco, California, this 2nd day of MAY 1, 1978.

Robert Bateman
President

William Synrow, Jr.

Vernon L. Sturgeon

Robert D. Hooley

Clair J. Delaney
Commissioners