

Decision No. 93154 JUN 2 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
The City of Corona to Construct a)
City Street over the Right of Way)
of The Atchison, Topeka & Santa Fe)
Railway Company at Lincoln Avenue.)

Application No. 60236
(Filed February 3, 1981)

O P I N I O N

As part of the project to extend Lincoln Avenue from Railroad Street to Rincon Street, the City of Corona requests authority to construct Lincoln Avenue at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's Main Line in the City of Corona, Riverside County.

The City of Corona is the lead agency for this project pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code, Section 21000 et seq. After preparation and review of an Initial Study, the City of Corona issued a Negative Declaration and approved the project. On July 15, 1978, a Notice of Determination was filed with the Riverside 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 independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

The extension of Lincoln Avenue, from Railroad Street to Rincon Street, will improve traffic circulation and ease congestion problems on other nearby collector streets. The project is located in a mixed use area which includes residential, agricultural, and industrial uses. Upon completion of the Lincoln Avenue overcrossing, the existing Railroad Avenue grade crossing will be closed.

Notice of the application was published in the Commission's Daily Calendar on February 9, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority pursuant to Sections 1201-1205 of the Public Utilities Code to construct Lincoln Avenue at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's Main Line in the City of Corona, Riverside County.
2. The proposed grade separation is required to improve traffic circulation and relieve congestion on other nearby collector streets.
3. Public convenience, necessity, and safety require construction of the proposed Lincoln Avenue overcrossing and closure of the existing Railroad Avenue grade crossing.
4. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.
5. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.
6. The project will have no significant impact 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 Corona is authorized to construct Lincoln Avenue at separated grades over the tracks of The Atchison, Topeka and Santa Fe Railway Company's Main Line in the City of Corona, Riverside County, at the location and substantially as shown by the plan attached to the application, to be identified as Crossing 2B-25.2-A.

2. Clearances shall conform to General Order 26-D.

3. Walkways shall conform to General Order 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

4. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of the agreement, together with plans of the crossing approved by The Atchison, Topeka and Santa Fe Railway Company, 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. Upon completion of the Lincoln Avenue overcrossing, and its opening to vehicular traffic, the existing Railroad Street grade crossing, Crossing 2B-25.6, shall be closed and physically removed.

6. 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 JUN 2 1981, at San Francisco, California.

John E. Bryan
 President
Richard W. Powell
Lawrence J. ...
Victor ...

Commissioners
 Commissioner Priscilla C. Grew, being
 - 3 - necessarily absent, did not participate
 in the disposition of this proceeding.