

S/RRT/jae

Decision 96-02-045 February 23, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of The Atchison, Topeka)
and Santa Fe Railway Company for)
order authorizing construction)
of crossings at separated grades at)
(1) Via Lomas de Yorba West, PUC NO.)
2B-34.5-B; D.O.T. No. 026552P; and)
(2) Camino de Bryant, PUC No.)
2B-32.7-B; D.O.T. No. 027185M, all in)
the City of Yorba Linda, California.)

Application 95-09-023
(Filed September 28, 1995)

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O P I N I O N

As part of the project to expand the Metrolink commuter rail system, The Atchison, Topeka and Santa Fe Railway Company (AT&SF) requests authority to construct a third track at separated grade above two streets, Via Lomas de Yorba West and Camino de Bryant, in the City of Yorba Linda, Orange County.

Metrolink has secured trackage rights along AT&SF's right-of-way for the Inland Empire line. The Inland Empire-Orange County Line is the newest Metrolink Line, currently running fifty-nine miles from Riverside (Riverside County) to Irvine in Orange County. The proposed third track will add capacity for this line and future commuter rail lines to run more efficiently along the AT&SF right-of-way.

The Metrolink Commuter Rail system is part of the legislative mandate to meet the demand for an efficient public transportation system in Southern California. Metrolink ground breaking began in 1990, and rail service started in 1992. Metrolink now operates trains on six lines, totalling over 400 miles of trackage.

AT&SF is the moving party for this project. The addition of passenger commuter rail service to existing rail rights-of-way

is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(10) of the California Resources Code. The Board of Directors of the Southern California Regional Rail Authority (SCRRA) authorized the filing of a Notice of Exemption from CEQA on September 17, 1991. The Commission is a responsible agency for this project under CEQA, and has reviewed and considered the SCRRA Notice of Exemption. The site of the proposed project has been inspected by the Commission's Safety and Enforcement Division Traffic Engineering Staff. Staff examined the need to construct one additional track at separated grades above two streets in the City of Yorba Linda (Via Lomas de Yorba West and Camino de Bryant), Orange County, and recommends that approval be granted.

The Application was found to be in compliance with the Commission's filing requirements, including Rule 40 of the Rules of Practice and Procedure, which relates to the construction of a railroad track across a public highway. Detailed drawings of proposed construction are included in Appendix A attached to this order.

Findings of Fact:

1. Notice of the Application was published in the Commission Daily Calendar on October 3, 1995. No protests have been received. A public hearing is not necessary.
2. AT&SP requests authority under Public Utilities Code Sections 1201-1205 to construct one additional track at separated grades above Via Lomas de Yorba West and Camino de Bryant in the City of Yorba Linda, Orange County.
3. Construction of one additional track at separated grades above Via Lomas de Yorba West and Camino de Bryant, is an essential element in the construction of the Metrolink Southern California commuter rail system.

4. Public convenience, necessity and safety require construction of one additional track at separated grades.

5. The Commission is a responsible agency for this project, and has reviewed and considered the lead agency's Notice of Exemption from CEQA.

6. The Inland Empire-Orange County Metrolink commuter rail line is an integral part of the Metrolink commuter rail system.

7. Transit improvements are an integral part of the Regional Air Quality Management Plan.

Conclusion of Law:

1. The application should be granted as set forth in the following order.

2. The project is exempt from the environmental reporting requirements of CEQA.

ORDER

IT IS ORDERED that:

1. The Atchison, Topeka and Santa Fe Railway Company (AT&SF) is authorized to construct one additional track at separated grades above two streets, to be identified as Crossing 2B-34.5-B Via Lomas de Yorba West, and as Crossing 2B-32.7-B Camino de Bryant, in the City of Yorba Linda, Orange County, as shown by plans attached to the Application and as more fully indicated in Appendix A of this order.

2. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.

3. 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 approved by City of Yorba Linda, shall be filed with the Commission's Safety

and Enforcement Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

4. Within 30 days after completion of the work under this order, AT&SF shall notify the Commission in writing that the authorized work has been completed.

5. 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.

6. The Application is granted as set forth above.

7. Application 95-09-023 is closed.

This order is effective 30 days from today.

Dated FEB 23, 1996 at San Francisco, California.

DANIEL Wm. FESSLER
President

P. GREGORY CONLON

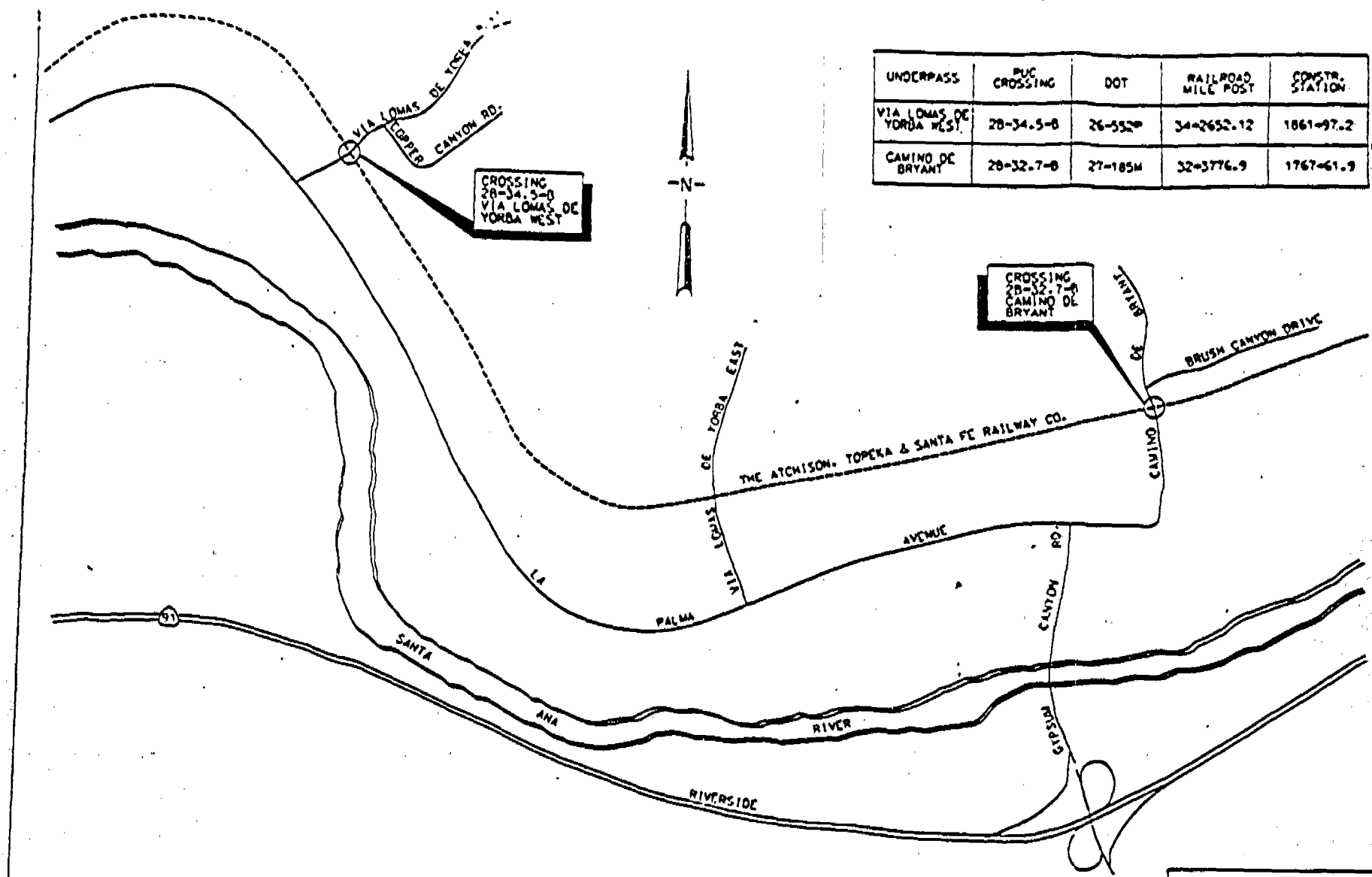
JESSIE J. KNIGHT, JR.


HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners

UNDERPASS	PUC CROSSING	DOT	RAILROAD MILE POST	CONSTR. STATION
VIA LOMAS DE YORBA WEST	28-34.5-8	26-552P	34-2652.12	1861-97.2
CAMINO DE BRYANT	28-32.7-8	27-185M	32-3776.9	1767-61.9



 MORRISON KNUDSEN CORPORATION
INCORPORATED IN THE STATE OF CALIFORNIA
 2000 MARKET STREET, SUITE 1000, SAN FRANCISCO, CALIFORNIA 94102


 THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

EXHIBIT A
 VICINITY MAP
 CITY OF YORBA LINDA

A.95-09-023

S&E/RRT/jae

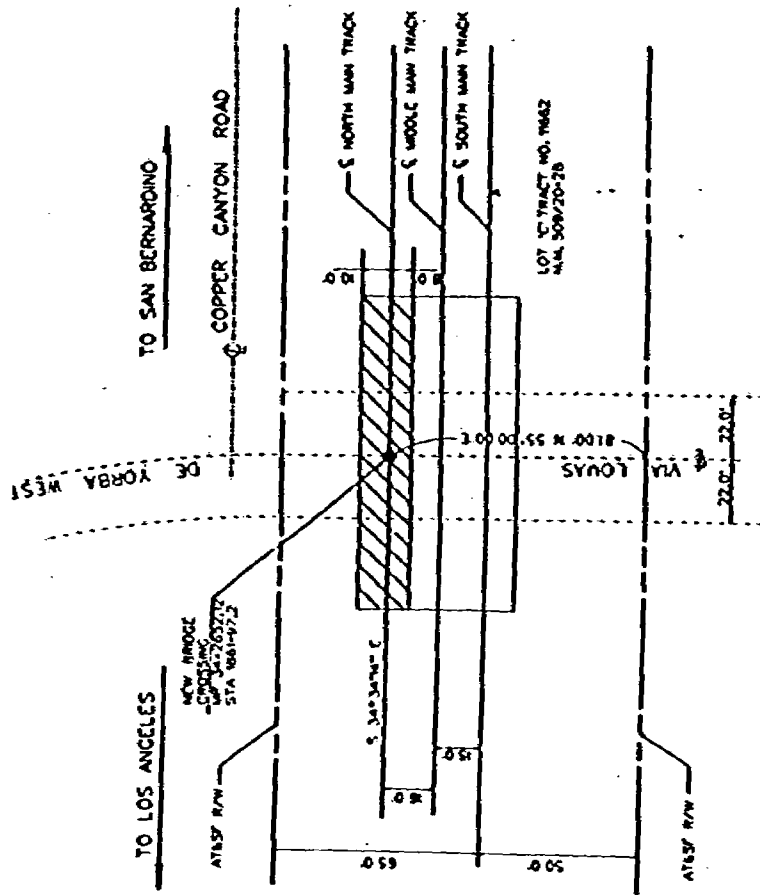
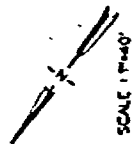
Appendix A
Sheet 2 of 3

EXHIBIT B1

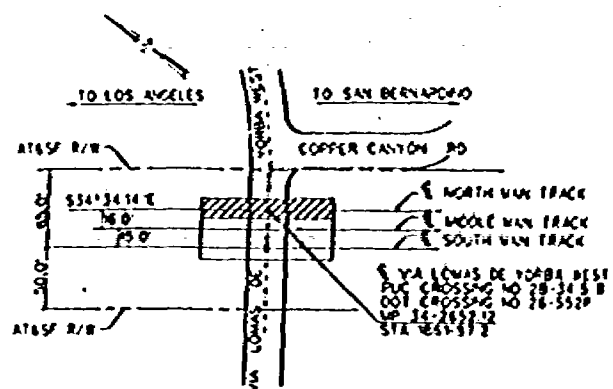
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UNDERPASS
CITY OF YORBA LINDA

THE ATCHAFALAYA TOPEKA AND SANTA FE
RAILWAY COMPANY

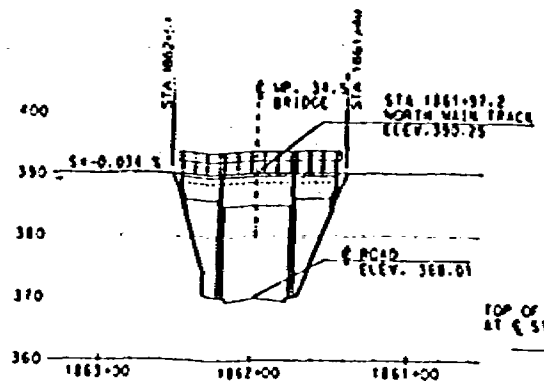
MORRISON KNUDSEN CORPORATION
ENGINEERS AND ARCHITECTS
10000 Wilshire Blvd., Suite 1000, Los Angeles, CA 90024



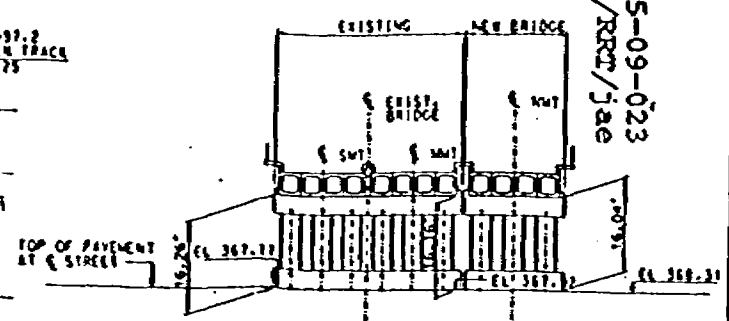
SHEET ONE OF TWO



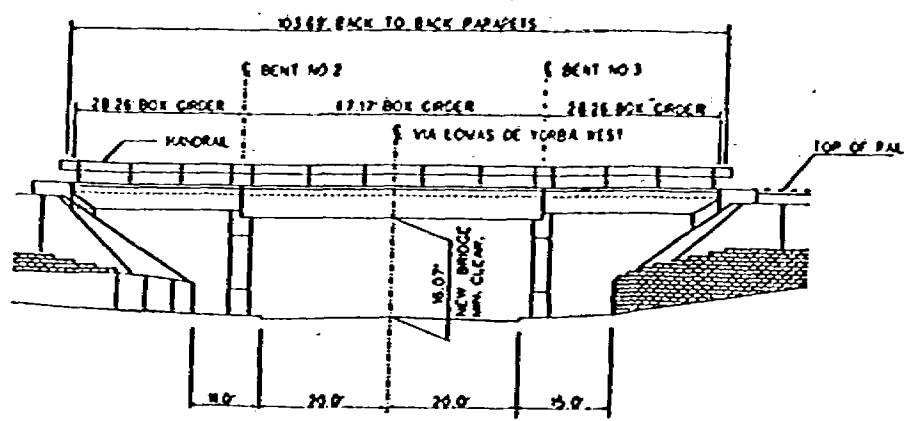
PLAN
SCALE = 1"=20'



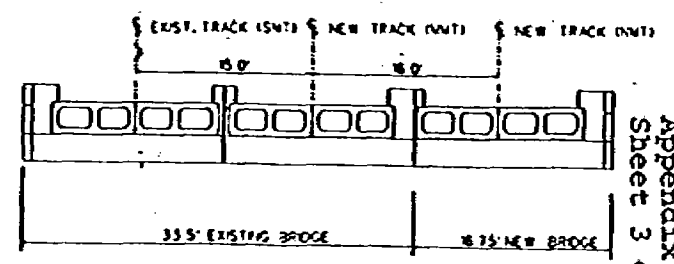
RAILROAD PROFILE
SCALE: HORIZ. 1"=40'
VERT. 1"=20'



ROADWAY PROFILE
SCALE = 1"=20'



ELEVATION
SCALE = 1"=20'



SECTION A-A
SCALE = 1"=10'

Appendix A
Sheet 3 of 3

MORRISON BRIDGES CORPORATION
100 CALIFORNIA STREET, SAN FRANCISCO, CALIFORNIA 94111

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

EXHIBIT B2
VIA LOMAS DE YORBA WEST
UNDERPASS
CITY OF YORBA LINDA