

ORIGINAL

60295

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the County of San Bernardino for permission to improve a grade crossing by construction of an overhead structure and to construct a temporary crossing over the tracks of the Southern Pacific Company at Waterman Avenue near the communities of Loma Linda, Colton and San Bernardino, in the County of San Bernardino, State of California.

Application No. 41605

- Stephen M. Friedman, Deputy Counsel, County of San Bernardino, for applicant.
- Randolph Karr, E. D. Yeomans, H. S. Lentz, and James W. Obrien, by James W. Obrien, for Southern Pacific Company; Thomas C. Webster, for H. F. Ahmanson (property owner); John B. Surr, for Indian Knolls Farm & Dairy; and Lynan H. Cozad, for the City of Colton; protestants.
- Howard S. Vandeman, for property owner, interested party.
- W. F. Hibbard, for the Commission staff.

O P I N I O N

By the application herein, filed on October 26, 1959, the County of San Bernardino seeks authority to construct Waterman Avenue over the tracks of the Southern Pacific Company (Crossing No. B-541.6-A) in San Bernardino County, California, and to construct a temporary crossing over said tracks at grade during the construction of the permanent structure.

Public hearings on the application were held in San Bernardino on April 19 and 20, 1960, before Examiner Kent C. Rogers. Prior to the first day of hearing, notice thereof was published as requested by the Commission.

The streets and highways involved are depicted on Exhibit No. 1 herein. The plan of the temporary crossing is depicted on Exhibit No. 2 herein. The plan of the permanent bridge structure is shown on Exhibit No. 3 herein.

The cost of the entire project, including the temporary crossing, is estimated to be \$590,000. The cost of the bridge structure is estimated to be \$222,000, the detour \$166,000, the roadway \$55,600, contingencies \$22,200, engineering \$47,000, and rights of way \$77,200. The applicant stated that these approximate costs would be apportioned \$40,800 to the railroad, \$398,200 to the Federal Government, and \$151,000 to the County of San Bernardino. The railroad agreed to the apportionment but objected to any order which does not close the adjacent Hunt's Lane crossing, a distance of 0.6 of a mile west of Waterman Avenue. To facilitate the closing of Hunt's Lane, the railroad offered to contribute approximately \$48,000 toward the cost of an access road parallel to and south of the tracks between Hunt's Lane and Waterman Avenue.

The commencement of work on Waterman Avenue will be six to nine months after the work is contracted. The Federal funds will not be available unless the advertising for bids has commenced by October 1, 1960.

Waterman Avenue traffic has increased over 100 percent in the past ten years and it is estimated that the traffic in 1961 will be 15,330 vehicles per day. Waterman Avenue is an important link between San Bernardino, Norton Air Force Base and Loma Linda. A 24-hour traffic count made in 1958 showed that 7,010 vehicles crossed the tracks at Waterman Avenue. There are 42 daily train movements, and it is not expected that the number of movements will decrease. The

basis for the request for the separated grades are the existing and expected volumes of traffic and the fact that this is a major highway.

The only objection to the proposal was by the railroad which desires that, as a condition to the construction of the overpass on Waterman Avenue, Hunt's Lane be closed.

Hunt's Lane extends from San Bernardino on the north across U. S. Highway No. 99 and the railroad tracks to Barton Road where it veers slightly to the west and becomes Reche Canyon Road. The combination of these roads provides a short route between developing residential areas in Reche Canyon, Riverside County and San Bernardino. It is approximately one-half mile between Hunt's Lane and Riverside Freeway on the west and Waterman Avenue on the east. U. S. Highway No. 99 is to be completed as a full freeway within a year. Hunt's Lane will then pass under the freeway into San Bernardino with ingress and egress ramps at or near Hunt's Lane. The county does not desire that Hunt's Lane be closed inasmuch as the adjacent area on both sides of the roadway south of the railroad is being considered for industrial development.

The planning director of San Bernardino County testified that the area on each side of Hunt's Lane between Highway No. 99 and Barton Road is being considered for industrial uses and that prospective industries will need Hunt's Lane for both north and south traffic over the tracks.

A San Bernardino County traffic engineer testified that in twenty years 14,000 vehicles per day would use the Hunt's Lane crossing. This estimate is based upon 60 vehicles per day per acre of industrial development.

A commercial real estate evaluator of business properties testified that the highest and best use of the property along both sides of Hunt's Lane is as industrial property, and that access across the railroad via Hunt's Lane is necessary. He stated that if the railroad crossing were closed it might be impossible to get construction loans due to lack of adequate fire protection, and lack of reasonable access would make it difficult to secure industrial labor. The witness estimated that closing the Hunt's Lane crossing would lower the value of the industrial property by \$2,500 per acre.

Property owners in the area desire that the crossing remain open to enable them to develop the property commercially. The Board of Supervisors of San Bernardino County presented a resolution opposing the closing of the Hunt's Lane crossing (Exhibit No. 7).

The railroad's contention was that the amount of traffic on Hunt's Lane does not justify a crossing at this point. This contention was based on a traffic count made on April 14, 1960, which showed that 383 passenger cars and 106 trucks crossed the tracks at Hunt's Lane in a 24-hour period. During this time there were 41 train movements which blocked the crossing for a total of one hour and five minutes (Exhibit No. 5). The witness stated that a road should be constructed between Hunt's Lane and Waterman Avenue south of the tracks and that the crossing should be closed. He expressed his opinion that the capacity of the proposed overpass of Waterman Avenue would be adequate to handle the traffic from Hunt's Lane. This opinion was based upon the traffic count referred to above and traffic counts on Waterman Avenue (Exhibit No. 4).

The Commission having considered all of the evidence presented at the hearings hereon, is of the opinion and finds that

the County of San Bernardino should be authorized to improve the Waterman Avenue Crossing (No. B-541.6) by a separation of grades as requested, and be authorized to construct a temporary crossing at grade during the construction of said grade separation.

The evidence presented does not justify the closing of Hunt's Lane as a prerequisite to approval of the Waterman Avenue grade separation. This matter may be brought before the Commission as a separate matter.

O R D E R

The County of San Bernardino, State of California, is authorized to construct Waterman Avenue at separated grades over the tracks of the Southern Pacific Company, to be identified as Crossing No. B-541.6-A, and to construct a temporary grade crossing adjacent to said separated grade for use during the construction of said overpass. Construction shall be in the manner described in Exhibits Nos. 2 and 3 herein. Construction and maintenance costs shall be borne in accordance with agreements to be entered into between the parties, and copies of said agreements, together with plans of said crossings, approved by the railroad, 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.

Within thirty days after completion of the temporary crossing, and within thirty days after completion of the overpass, applicant shall advise the Commission in writing. This authorization shall expire if not exercised within one year, unless time be extended. If above conditions are not complied with, authorization

may be revoked or modified as public convenience and necessity or safety might require.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 20th day of June, 1960.

[Signature]
President

[Signature]

[Signature]

[Signature]

Theodore J. Deane
Commissioners