

Decision No. 82733**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,  
Department of Transportation, for an  
order authorizing the construction of  
five crossings at separation of grades  
over the tracks of the Southern Pacific  
Transportation Company at approximately  
P.U.C. mile post 526.2, to be known as  
the "Vina Vista Overheads", which will  
consist of two main structures, two  
outer ramp structures, and a connector  
structure over the Southern Pacific  
Transportation Company's El Paso Road  
main line track, and over one future  
side track on the north and one future  
drill track and maintenance road on the  
south, in San Bernardino County in con-  
nection with the construction of a  
portion of Route 31 on new alignment  
near Vina Vista in San Bernardino  
County from 1.1 miles south of Slover  
Avenue to the Southern Pacific Trans-  
portation Company's railroad tracks.

Application No. 54393  
(Filed October 17, 1973)

### O P I N I O N

The State of California Department of Transportation requests authority to construct five crossings at separated grades to be known as the "Vina Vista Overheads", State Route 31, over the tracks of the Southern Pacific Transportation Company in San Bernardino County. Notice of the application was published in the Commission's Daily Calendar on October 19, 1973. No protests have been received. A public hearing is not necessary.

### F I N D I N G S

1. The State of California Department of Transportation should be authorized to construct five crossings at separated grades to be known as the "Vina Vista Overheads", State Route 31, over the

Southern Pacific Transportation Company tracks near Vina Vista, San Bernardino County, at the location described in the application to be identified as Crossing No. B-526.2-A.

2. Construction and maintenance expense should be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossings approved by Southern Pacific Transportation Company should be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

3. Clearances should be in accordance with General Order No. 26-D, except that during the period of construction a clearance of not less than 21'6" above top of rail is authorized and the Southern Pacific Transportation Company is authorized to operate with such reduced overhead clearances provided that instructions are issued by the railroad and filed with the Commission forbidding the employees to ride on tops of cars.

4. The applicant should notify the Commission and the Southern Pacific Transportation Company at least 15 but not more than 30 days in advance of the date when the temporary impaired clearance will be created.

5. Walkway areas adjacent to the railroad tracks should be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

6. The Department of Transportation, California Highway Commission, State of California, is the lead agency for this project. The California Highway Commission approved the Environmental Statement of the Department on April 9, 1973. In addition thereto, the Federal Highway Administration approved the Environmental Statement of the Department on January 18, 1972.

The Commission has considered the Environmental Impact Report in rendering its decision on this project and certifies that it has reviewed the information contained therein and finds that:

- (a) The environmental impact of this proposed action is insignificant.
- (b) The planned construction is the most feasible and economical that will avoid any environmental impact.
- (c) There are no known irreversible environmental changes involved in this project.

#### CONCLUSIONS

The Commission concludes that the application should be granted.

#### ORDER

IT IS ORDERED that:

1. The application is granted conditioned on the findings and conclusions set forth above.

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 above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

3. The Secretary of the Commission shall file a Notice of Determination with the Secretary for Resources and with the planning agencies of any city, county, or city and county, which will be affected by the project.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of APRIL, 1974.

William J. Symons President  
[Signature]  
[Signature]  
[Signature] Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.