

Decision S4 03 106

MAR 21 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of the CITY OF ONTARIO for an)
Order authorizing construction of)
a crossing at separated grades)
between Haven Avenue and the)
tracks of the Southern Pacific)
Transportation Company, sometimes)
referred to as the "Haven Avenue)
Underpass" (PUC Crossing)
No. B-524.42))

Application 83-08-71
(Filed August 30, 1983)

O P I N I O N

The City of Ontario (City) requests authority to construct Haven Avenue at separated grades under the tracks of Southern Pacific Transportation Company's (SPT) Los Angeles-Yuma main line in Ontario, San Bernardino County. Relocation of the main line tracks onto a shoofly (temporary detour trackage) is required to maintain railroad operations during the grade separation construction.

The priority list of grade separation projects for fiscal year 1983-84, as set forth in Decision 83-06-036, dated June 1, 1983, shows this project as Priority No. 3.

The construction of the Haven Avenue Underpass will serve as a major arterial link in the San Bernardino, Orange and Riverside Counties area to the Ontario International Airport and is an integral part of the master plan of the City of Ontario.

City is the lead agency for the project under 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 issued a Negative Declaration and approved the project. On August 9, 1983, a Notice of Determination was filed with the San Bernardino County Clerk which found that, "The project in its approved form will not have a significant adverse effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

Notice of the application was published in the Commission's Daily Calendar on September 1, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Section 1201-12-5 to construct Haven Avenue at separated grades under the tracks of SPT's Los Angeles-Yuma main line in Ontario, San Bernardino County.

2. Railroad operations require temporary construction of shoofly for track relocation north of SPT's existing operating tracks during construction of the grade separation.

3. Haven Avenue is a major arterial link of the surrounding areas to the Ontario International Airport and is an intergral part of the master plan of the City of Ontario.

4. Public convenience and necessity require construction of the Haven Avenue Underpass.

5. Applicant is the lead agency in this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

7. 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 Ontario (City) is authorized to construct Haven Avenue at separated grades under the tracks of the Southern Pacific Transportation Company's (SPT) Los Angeles-Yuma main line in Ontario, San Bernardino County, at the location and substantially shown by the plans attached to the application, to be identified as Crossing B-524.42-B.

2. City is authorized to construct a temporary shoofly for tracks relocation north of the existing operating tracks during construction of the railroad bridge structure, at the location shown by plans attached to the application.

3. Upon completion of the railroad bridge structure and restoration of train traffic to its former alignment, the temporary shoofly shall be closed and physically removed.

4. Clearances shall be in accordance with the General Order (G.O.) 26-D, walkways shall conform to G.O. 118.

5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into among the parties. A copy of the agreement, together with plans of the crossing approved by SPT 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.

6. Within 30 days after the completion of the work under this order, City shall notify the Commission in writing of the completion of the work authorized.

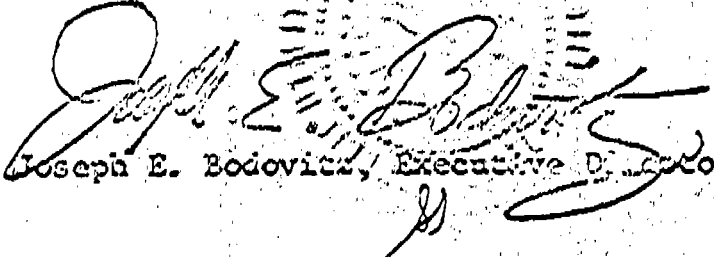
This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated MAR 21 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director