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Decision 87 12 020

DEC 9 1987

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE SAN DIEGO METROPOLITAN)	
TRANSIT DEVELOPMENT BOARD FOR AN ORDER)	
AUTHORIZING THE REMOVAL OF AN EXISTING)	Application 87-06-029
UNDERPASS STRUCTURE OVER THE TRACKS OF)	(Filed June 18, 1987)
SAN DIEGO AND IMPERIAL VALLEY RAILROAD AND)	
FUTURE SAN DIEGO TROLLEY AND CONSTRUCTION)	
OF A NEW STRUCTURE AT THE SAME LOCATION)	

O P I N I O N

The San Diego Metropolitan Transit Development Board (MTDB) requests authority to remove the existing Murray Drive Overcrossing and to replace it with a new improved grade separation structure over the tracks of the San Diego and Imperial Valley Railroad Company's East Urban Line (SD&IV) La Mesa Branch Line and San Diego Trolley, Inc.'s (SDTI) East Urban Line in La Mesa, San Diego County.

MTDB owns the right-of-way and the operating rights of the former San Diego & Arizona Eastern Railway Company which is presently operated by and as SD&IV. SDTI is a wholly owned subsidiary of MTDB.

The Murray Drive grade separation project is an essential element in MTDB's plans to construct the SDTI Urban Line. The project is adjacent to and provides access to Grossmont High School.

MTDB is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. MTDB has determined that the project is exempt from CEQA under PR Code Section 21080.13.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's exemption determination.

The site of the proposed project has been inspected by the Commission's Traffic Engineering staff. The staff has examined the need to reconstruct the existing inadequate structure and recommends that the new improved overhead grade separation be approved.

Notice of the application was published in the Commission's Daily Calendar on June 25, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. MTDB requests authority under Public Utilities Code Section 1201-1205 to remove the existing Murray Drive Overcrossing and to replace it with a new improved grade separation structure over the tracks of SD&IV's La Mesa Branch Line and SDTI's East Urban Line in La Mesa, San Diego County.

2. Removal of the existing Murray Overcrossing and construction of a new improved grade separation structure is required to reduce traffic delay and to improve safety for railroad operations.

3. Public convenience, necessity, and safety require construction of the overcrossing.

4. MTDB is the lead agency for this project under CEQA, as amended.

5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's exemption determination.

6. The project will have no significant impact on the environment.

Conclusions 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 Metropolitan Transit Development Board (MTDB) is authorized to remove the existing Murray Drive Overcrossing and to construct a new improved grade separation structure over the tracks of San Diego and Imperial Valley Railroad Company's La Mesa Branch Line and San Diego Trolley, Inc.'s East Urban Line in La Mesa, San Diego County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 36-15.3-A.

2. Clearances shall be in accordance with General Order (GO) 26-D; except that during the period of construction a clearance of not less than 20'-0" above top of rail shall be authorized and SD&IV shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars beneath the structure.

3. MTDB shall notify the Commission & SD&IV at least 15, but not more than 30, days in advance of the date when the temporary impaired clearance will be created.

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

5. 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 of the crossing approved by SD&IV, 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 completion of the work under this order, MTDB shall notify the Commission in writing that the authorized work has been completed.

7. 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.

8. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated DEC 9 - 1987 at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

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


Victor Weissor, Executive Director