

Decision 88 03 074 MAR 23 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application for the City of Montclair for)	
an Order authorizing construction of a)	
crossing at separated grades between)	Application 87-09-004
Monte Vista Avenue and the track of The)	(Filed September 3, 1987)
Atchison, Topeka & Santa Fe Railway)	
Company, Second District, sometimes)	
referred to as the "Monte Vista Avenue)	
Underpass", PUC 2-103.74B.)	

O P I N I O N

The City of Montclair (City) requests authority to construct the Monte Vista Avenue Underpass at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Main Line in Montclair, San Bernardino County.

The priority list of grade separation projects for fiscal year 1987-1988, as set forth in Decision 87-06-016 dated June 15, 1987, shows this project as priority No. 10.

The proposed railroad-highway grade separation project is an essential element in the City of Montclair's Master Plan of Major Street Improvement Program. Monte Vista Avenue is a principal north-south arterial, connecting the San Bernardino Freeway Interstate Route 10 (I-10), Montclair Plaza Shopping Mall, John F. Kennedy Park with other vital areas of the city. The Claremont Colleges are also located nearby.

City 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. After preparation and review of an Initial Study, City issued a Negative Declaration and approved the project. On October 22, 1987 a Notice of Determination was filed with the San Bernardino County Clerk

which found that "The project will not have a significant 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's Traffic Engineering staff. The staff examined the need for and public safety of the proposed underpass of Monte Vista Avenue Undercrossing and recommends that the sought authority be granted.

The application was found to be in compliance under the Commission's filing requirements, including Rule 38 of the Rules of Practice and Procedure which Rule relates to the construction of public highways across railroads. Detailed drawings of the undercrossing are shown on Exhibit "A" and "B" attached to the application.

By protest filed October 7, 1987, AT&SF objected to the City's application stating that it was not sufficiently specific with respect to the issue of construction and maintenance cost allocation. By letter dated February 18, 1988, the City of Montclair furnished a copy of Resolution 88-1730-"Approving the execution of an agreement with The Atchison, Topeka and Santa Fe Railway Company for construction and maintenance of a grade separation of Monte Vista Avenue."

There are no other protests. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct the Monte Vista Avenue Underpass at separated grades under the tracks of the AT&SF's Main Line in Montclair, San Bernardino County.
2. Construction of Monte Vista Avenue Undercrossing is required to provide improved public access to developing

residential and industrial areas in the northern portion of Montclair.

3. Public convenience, necessity and safety require construction of the Monte Vista Avenue Underpass.

4. City 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 Initial Study and Negative Declaration.

6. 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 Montclair (City) is authorized to construct the Monte Vista Avenue Underpass at separated grades under the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Main Line in Montclair, San Bernardino County, at the location and substantially as shown on plans attached to the application and this order, to be identified as Crossing 2-103.74-B.

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 which has been entered into between the parties. A copy of the agreement, together with plans of the crossing approved by AT&SF, 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.

4. Within 30 days after completion of the work under this order, City 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.

This order is effective 30 days from today.

Dated MAR 23 1988, at San Francisco, California

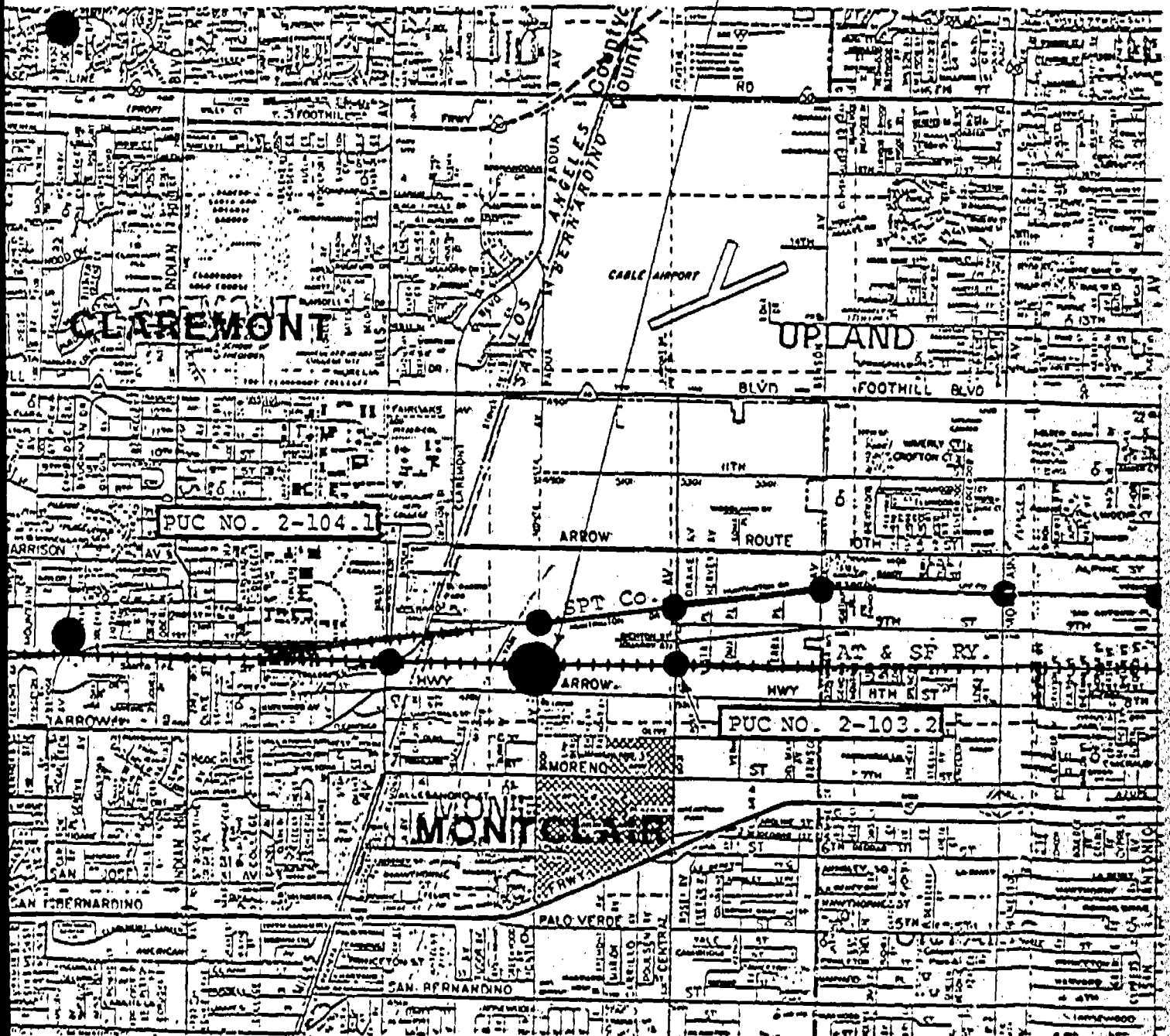
STANLEY W. HULETT
President

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 Weisser, Executive Director

PUC NO. 2-103.74B
Proposed Underpass



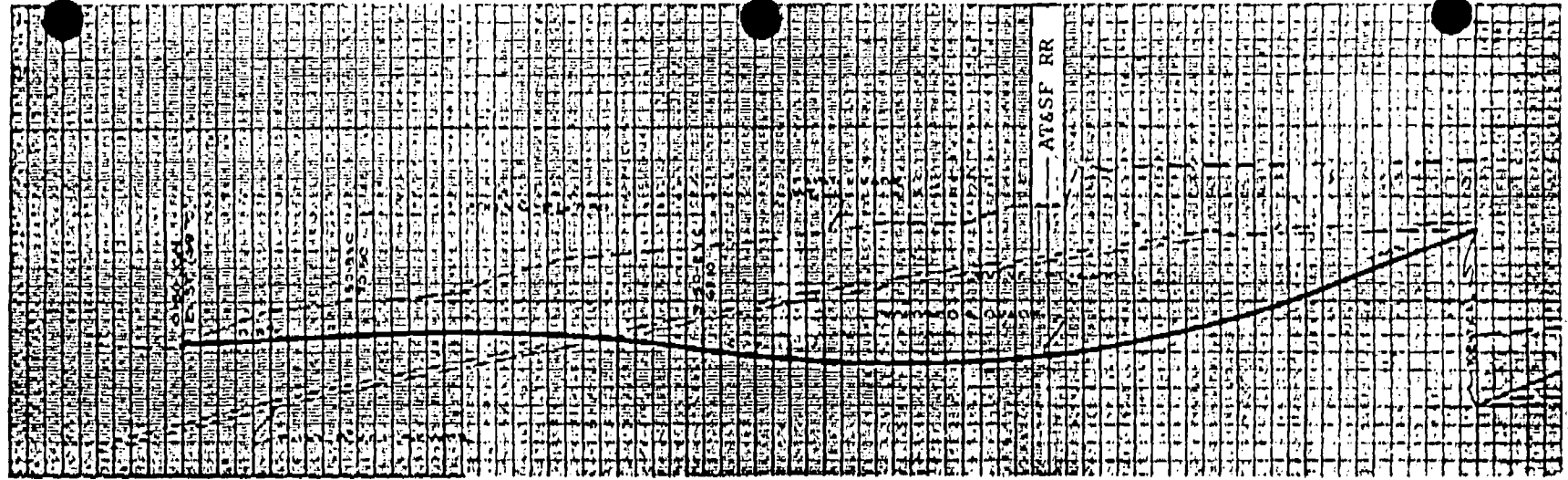
PUBLIC UTILITIES COMMISSION SHT.
EXHIBIT "B" SHEET 1

City of Montclair

VICINITY MAP

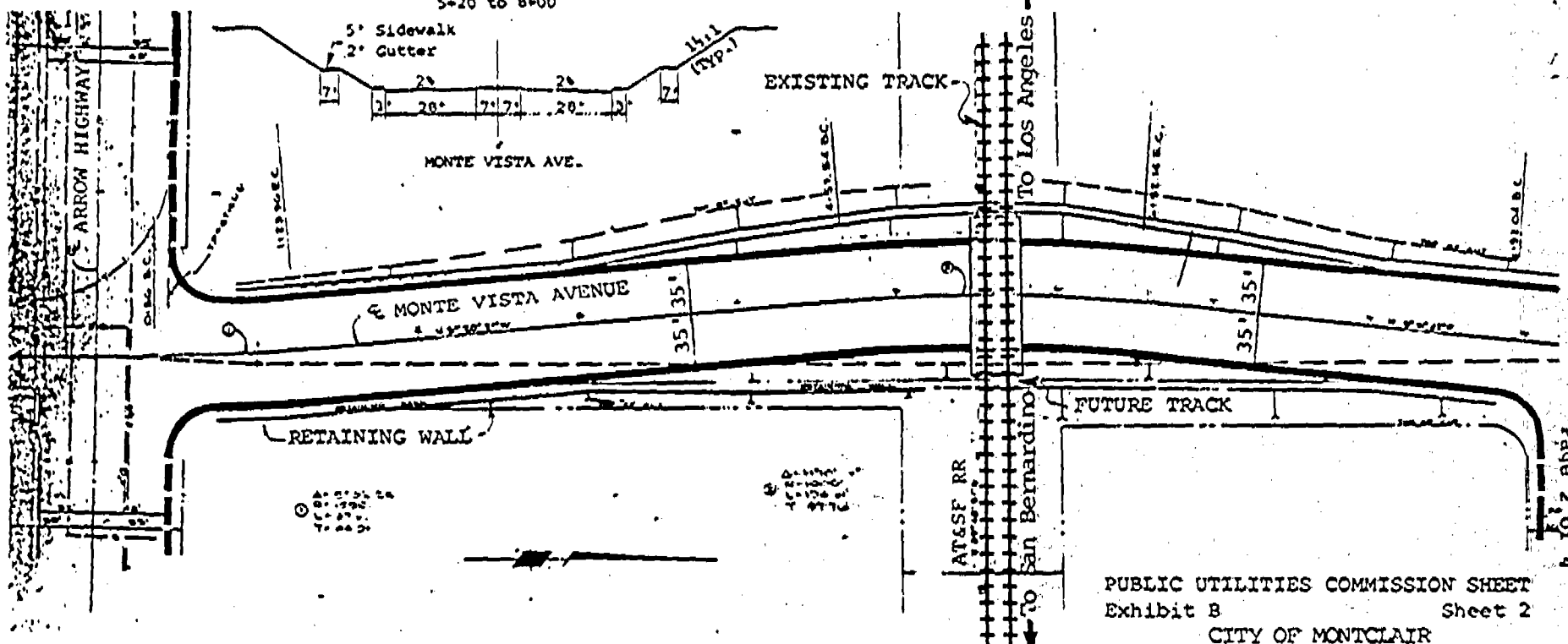
Monte Vista Avenue Underpass
at AT & SF Railway
P.U.C. No. 2-103.74B

De Leuw, Cather & Company - Engineers & Planners
L. O. King, Inc. - Engineers/Planners

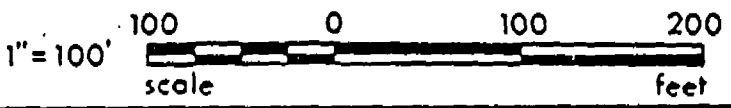


PROFILE

TYPICAL SECTION
5=20 to 8=00

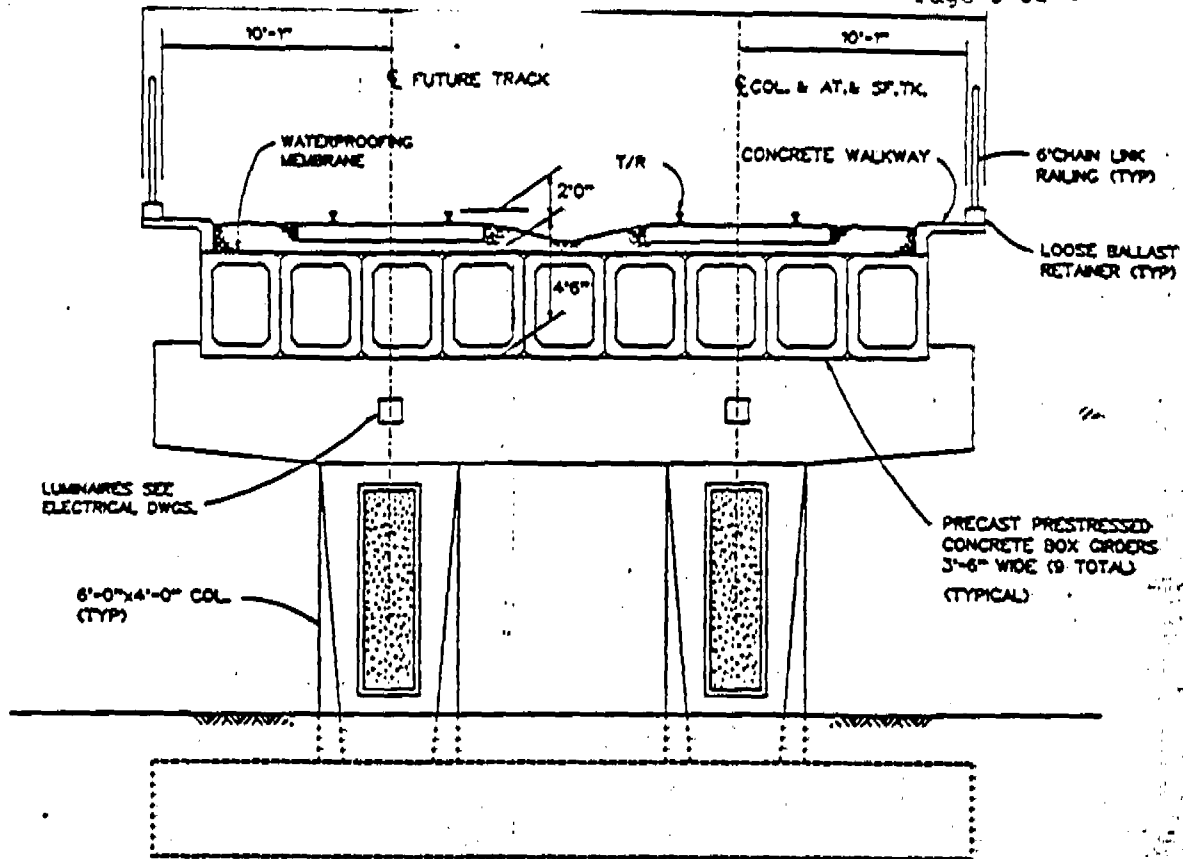


PLAN

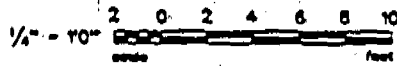


PUBLIC UTILITIES COMMISSION SHEET
Exhibit B Sheet 2

CITY OF MONTCLAIR
Monte Vista Ave. Underpass at AT & SF Ry.
PRELIMINARY PLAN & PROFILE
De Louw, Cather & Company 8/13/87



TYPICAL SECTION (LOOKING EAST)



ARDING

N TRACK

TOP OF RAIL

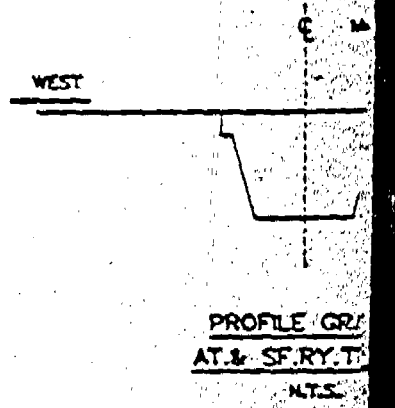
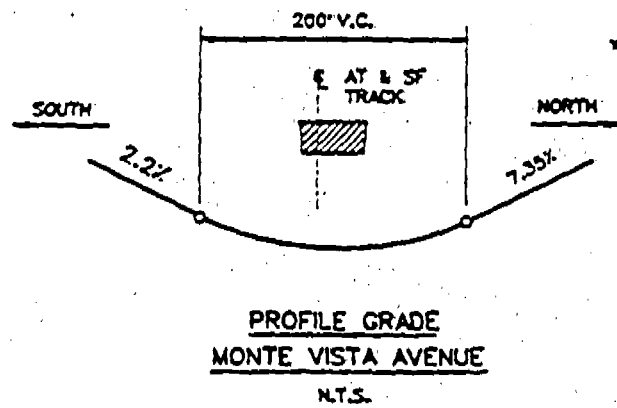
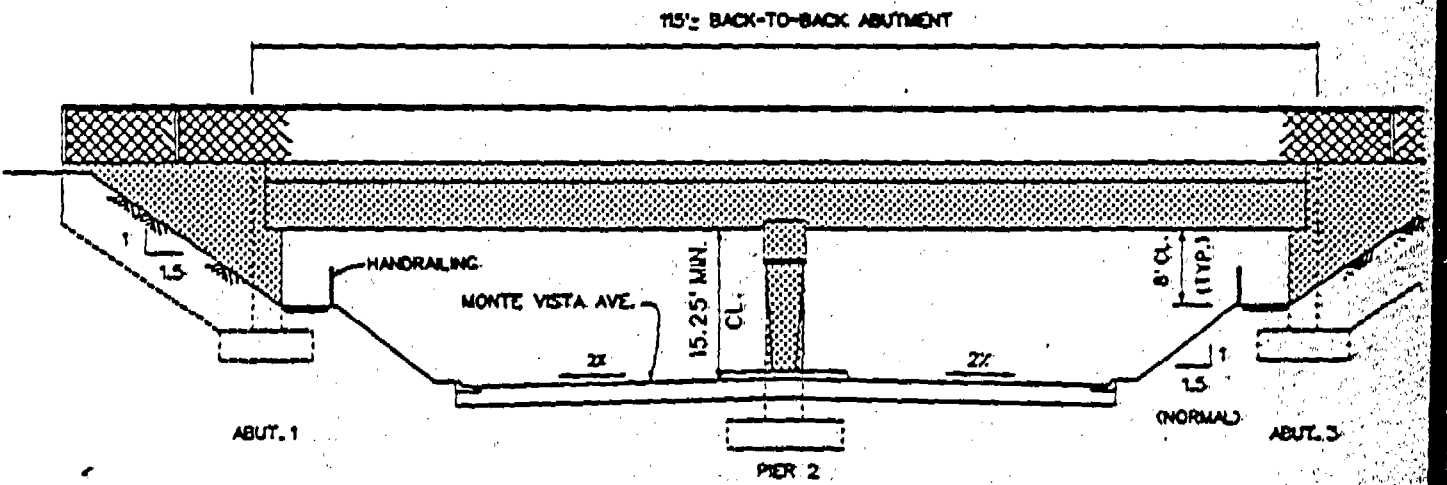
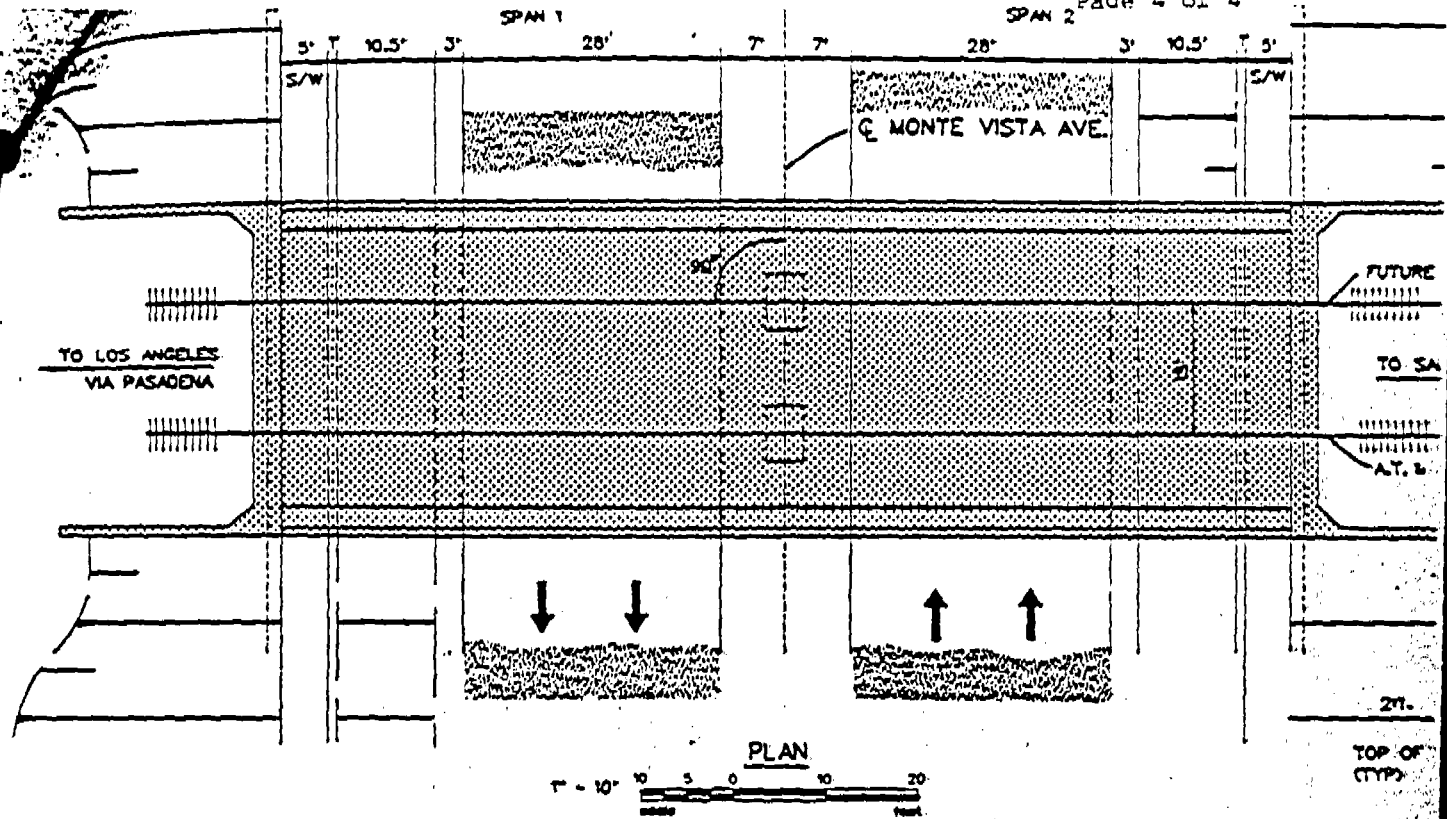
A AVE

T/R

EAST

PUBLIC UTILITIES COMMISSION SH.T.	
EXHIBIT "B"	SHEET 3
CITY OF MONTCLAIR	
MONTE VISTA AVENUE UNDERPASS	
@ AT & SF RY. M.P. 103.7	
GENERAL PLAN & ELEVATION	
ENGINEER [Signature]	AS NOTED 9-10-64
CHECKED [Signature]	DATE: 9-10-64
REV. 1 DESCRIPTION:	XS-1

AGREED PROVISIONS FOR THIS TRACK: 3/8/67
DATE: 3/8/67
DESCRIPTION: [Blank]
DATE: [Blank]



DATE: 11/20/08