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Decision No. 92842 MAR 17 1981**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 railroad grade separations over the two lines of the Atchison, Topeka and Santa Fe at two locations approximately one-half mile west of the junction of Highway 138 and Interstate Route 15 in the Cajon Pass area in San Bernardino County. Such structures are identified as Pine Lodge East, Br. No. 54-1057, PUC Crossing No. 2-60.9 and Pine Lodge West Overhead, Br. No. 54-1056, PUC Crossing No. 2-61.7.

Application No. 60281  
(Filed February 17, 1981)

O P I N I O N

The State of California, Department of Transportation, requests authority to construct the Pine Lodge West Overhead and the Pine Lodge East Overhead (State Route 138) over The Atchison, Topeka and Santa Fe Railway Company's (Santa Fe) two parallel main line tracks in San Bernardino County. Authority is also requested to construct a temporary detour crossing northerly of each separation structure to serve the needs of traffic during the period of construction.

The priority list of grade separation projects for the fiscal year 1980-81, as set forth in Decision No. 91887, dated June 3, 1980, shows this project as Priority No. 10.

Applicant is the lead agency for this project pursuant to 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, applicant prepared a Negative Declaration and approved the project. On January 26, 1979, a Notice of Determination was filed with the Secretary for Resources 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 independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

The Pine Lodge Grade Separation Project is located on State Route 138 in Cajon Pass approximately 18 miles northwesterly of the City of San Bernardino and four miles southwesterly of Cajon Summit. The project includes two separation structures, one of which will be constructed over Santa Fe's westbound main line track located approximately one-half mile westerly of the junction of State Route 138 and Interstate Route 15. The second separation structure will be constructed over Santa Fe's eastbound main line, which is one-half mile farther west. The area is removed from any population center. The proposed separations will improve safety and traffic flow on State Route 138, which is the major connector between the San Bernardino-Ontario Metropolitan Area and the Antelope Valley Area.

Notice of the application was published in the Commission's Daily Calendar on February 25, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority pursuant to Sections 1201-1205 of the Public Utilities Code to construct the Pine Lodge West Overhead and the Pine Lodge East Overhead (State Route 138) at separated grades over Santa Fe's two parallel main line tracks in San Bernardino County.
2. Authority is also requested to construct a temporary detour crossing northerly of each separation structure to serve the needs of traffic during the period of construction.
3. The proposed overcrossings are required to reduce accident hazards and improve traffic flow.
4. Public convenience, necessity and safety require construction of the proposed overcrossings and closure of the two existing State Route 138 grade crossings.
5. Public safety requires that protection at each temporary detour crossing be two Standard No. 9 automatic gate-type signals (General Order 75-C).

6. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

7. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

8. 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 State of California, Department of Transportation, is authorized to construct the Pine Lodge West Overhead and the Pine Lodge East Overhead (State Route 138) over the tracks of The Atchison, Topeka and Santa Fe Railway Company's two parallel main line tracks in San Bernardino County, to be identified as Crossings 2-61.7-A and 2-60.9-A, respectively. ✓  
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2. The State of California, Department of Transportation, is further authorized to construct a temporary detour crossing northerly of the Pine Lodge West Overhead and northerly of the Pine Lodge East Overhead to be identified as Crossings 2-61.69 and 2-60.89, respectively.

3. Protection at each temporary detour crossing shall be two Standard No. 9 automatic gate-type signals (General Order 75-C).

4. Upon opening of each temporary detour crossing to vehicular traffic, the respective grade crossings, Crossing 2-61.7 adjacent to Pine Lodge West Overhead and Crossing 2-60.9 adjacent to Pine Lodge East Overhead, shall be closed and physically removed.

5. Upon completion of each separation structure and its opening to vehicular traffic, the respective temporary detour crossings, Crossing 2-61.69 northerly of Pine Lodge West Overhead and Crossing 2-60.89 northerly of Pine Lodge East Overhead, shall be closed to public use.

6. Clearances shall be in accordance with General Order 26-D, except that during the period of construction a clearance of not less than 22' 3" shall be authorized and Santa Fe 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 structures.

7. Applicant shall notify the Commission and Santa Fe at least fifteen, but not more than thirty, days in advance of the date when the temporary impaired overhead clearance will be created.

8. Walkways shall conform to General Order 118. Walkways adjacent to any ~~trackage~~ <sup>trackage</sup> subject to rail operations shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction. ✓  
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9. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of the agreement, together with plans of the crossings approved by The Atchison, Topeka and Santa Fe Railway Company, 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.

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

The effective date of this order shall be thirty days after the date hereof. **MAR 17 1981**

Dated \_\_\_\_\_, at San Francisco, California.

*John E. Byrne*  
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 President

*Richard J. ...*  
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*Terrence J. ...*  
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*Walter ...*  
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Commissioners