

Decision 97-06-018 June 11, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Ontario for)
an Order authorizing partial reconstruction)
and widening of the existing underpass at)
Grove Avenue and the tracks of the Southern)
Pacific Transportation Company, sometimes)
referred to as the "Grove Avenue Underpass")
(PUC No. B-521.40B)

Application 97-03-040
(Filed March 20, 1997)

ORIGINAL

O P I N I O N

As part of the project to widen Grove Avenue, City of Ontario (City) requests authority to partially reconstruct and widen Grove Avenue Underpass grade separation structure under Union Pacific Railroad Company's (UP) Los Angeles-Yuma Main Line, formerly owned by Southern Pacific Transportation Company (SPT), in Ontario, San Bernardino County.

Grove Avenue Underpass was built in 1973. The existing grade separation structure will be reconstructed on its current alignment and widened from four lanes to six lanes through the underpass to Holt Boulevard, thereby improving traffic circulation on Grove Avenue, a major arterial, providing access to and from Ontario International Airport.

The Grove Avenue Underpass projects ranks number 6 in the 1996-1997 and the 1997-1998 Grade Separation Priority Lists of Decision (D.) 96-06-041, dated June 19, 1996, in Order Instituting Investigation (I.) 95-07-003.

City is the lead agency for this project under California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. City has determined that this project, the reconstruction an existing grade separation, is categorically exempt from the reporting requirements of CEQA under Public Resources 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 existing grade separation has been inspected by the Commission's Rail Safety and Carriers Division - Traffic Engineering Staff. Staff examined the need for and the safety of the partially reconstructed and widened grade separation Underpass and recommends that City's request 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 relates to the construction of public highways and separations under a railroad. A site map and detailed drawings of the Underpass structure are shown in Appendix A.

Findings of Fact

1. Notice of the Application was published in the Commission's Daily Calendar on March 26, 1997. No protests have been received. A public hearing is not necessary.

2. City requests authority, under Public Utilities Code Sections 1201-1205, to partially reconstruct and widen Grove Avenue Underpass grade separation structure under UP's Los Angeles-Yuma Main Line, formerly owned by SPT, in Ontario, San Bernardino County.

3. Reconstruction and widening of Grove Avenue Underpass grade separation will improve traffic circulation on Grove Avenue, a major arterial, providing access to and from Ontario International Airport.

4. Public convenience, necessity and safety require reconstruction of the grade separation Underpass.

5. City is the lead agency for 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 exemption determination.

Conclusions of Law

1. Under Public Resources Code Section 21080.13 the activity is exempted from the requirements set forth in CEQA; therefore the guidelines (14 Cal. Admin. Code - Division 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

2. The application should be granted as set forth in the following order.

ORDER

IT IS ORDERED THAT:

1. City of Ontario (City) is authorized to partially reconstruct and widen Grove Avenue Underpass at separated grades under the tracks of Union Pacific Railroad Company's (UP) Los Angeles-Yuma Main Line, formerly owned by Southern Pacific Transportation Company (SPT), in Ontario, San Bernardino County, at the location and substantially as shown by plans attached to the Application and Appendix A of this order, identified as Crossing B-521.40-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 to be entered into between the parties. A copy of the agreement, together with plans approved by UP, shall be filed with the Commission's Rail Safety and Carriers Division 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.

7. Application 97-03-040 is closed.

This order becomes effective 30 days from today.

Dated June 11, 1997, at San Francisco, California.

P. GREGORY CONLON

President

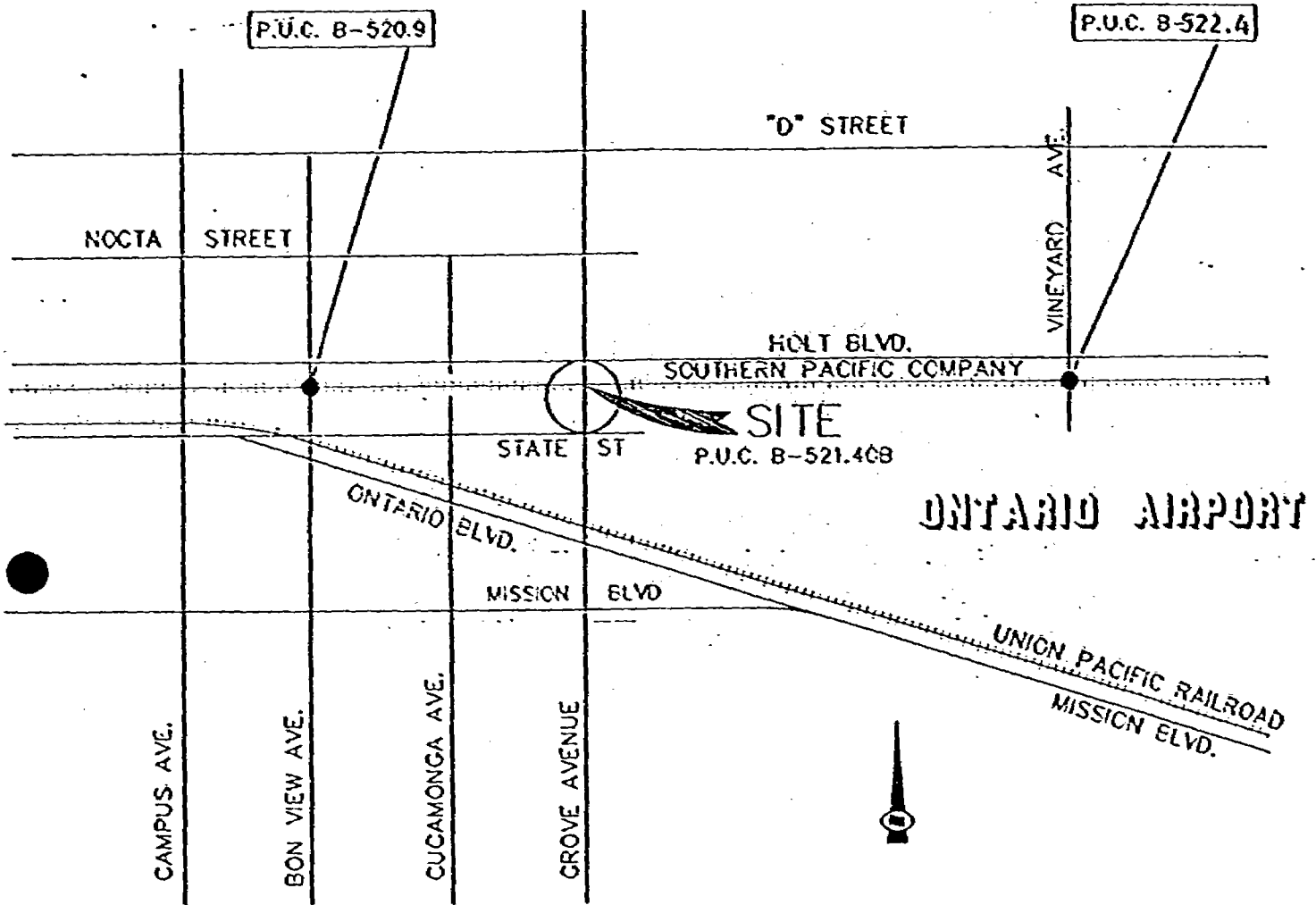
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEPPER

RICHARD A. BILAS

Commissioners

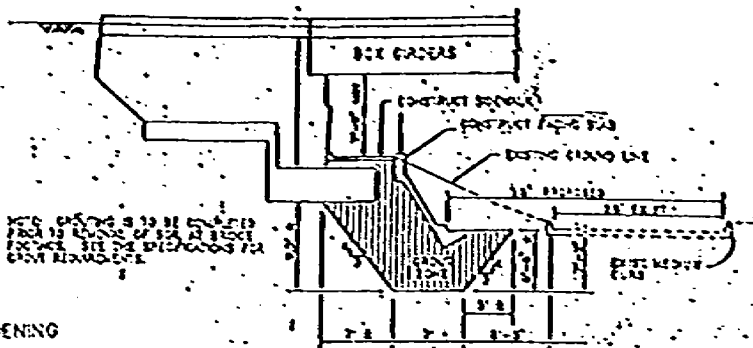


GROVE AVENUE UNDERPASS WIDENING
AT S.P.T.C.O. P.U.C. B-521.40B

CITY OF ONTARIO

DETAIL A

STREET WIDENING AT BRIDGE

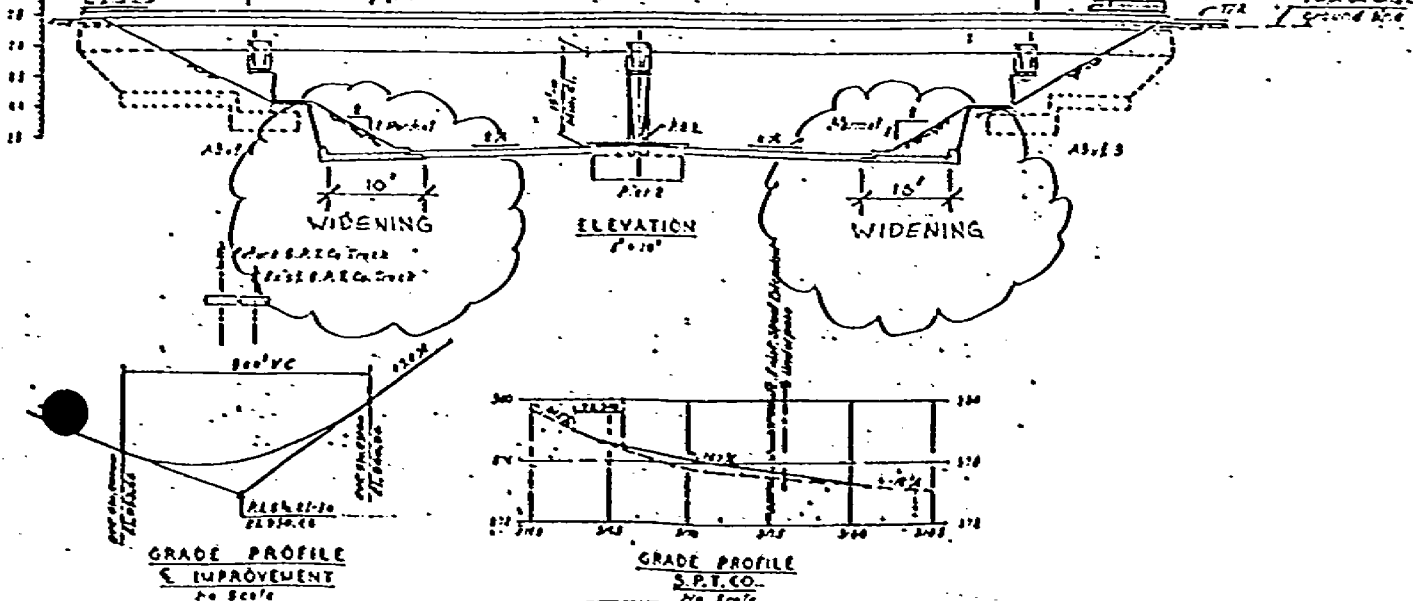
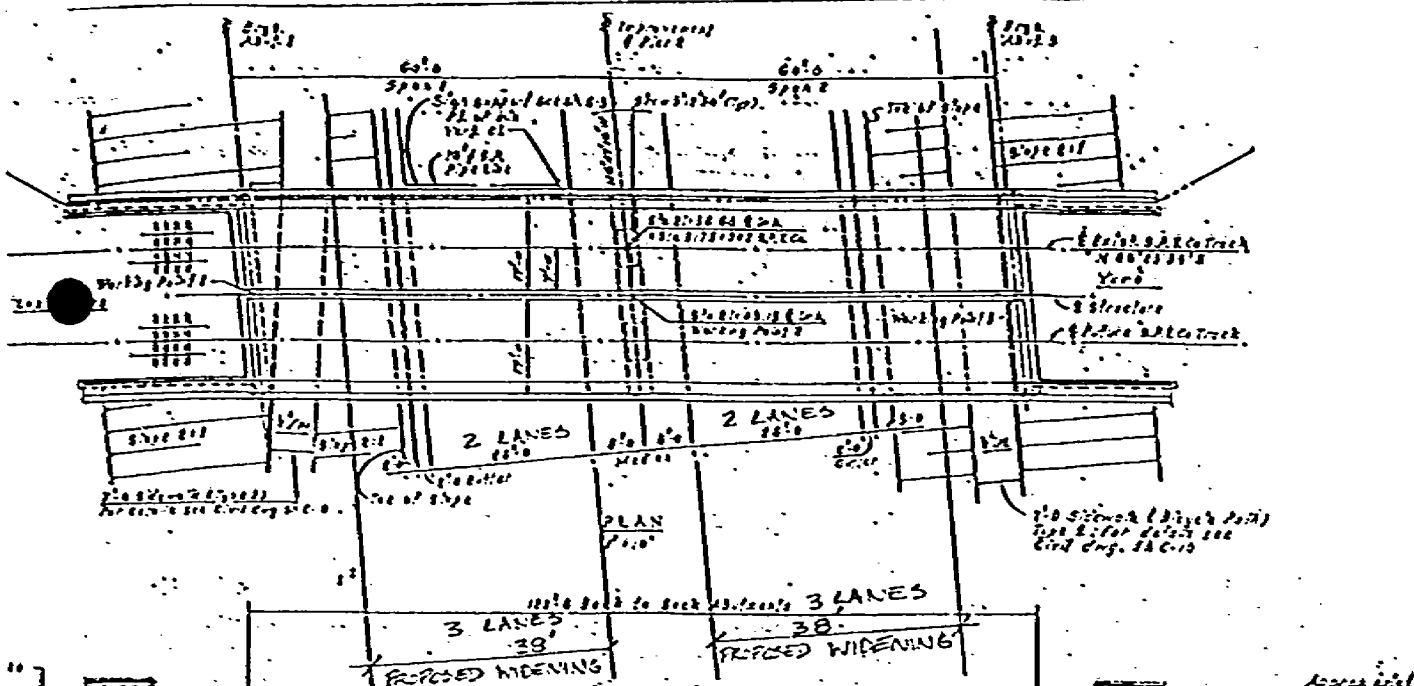


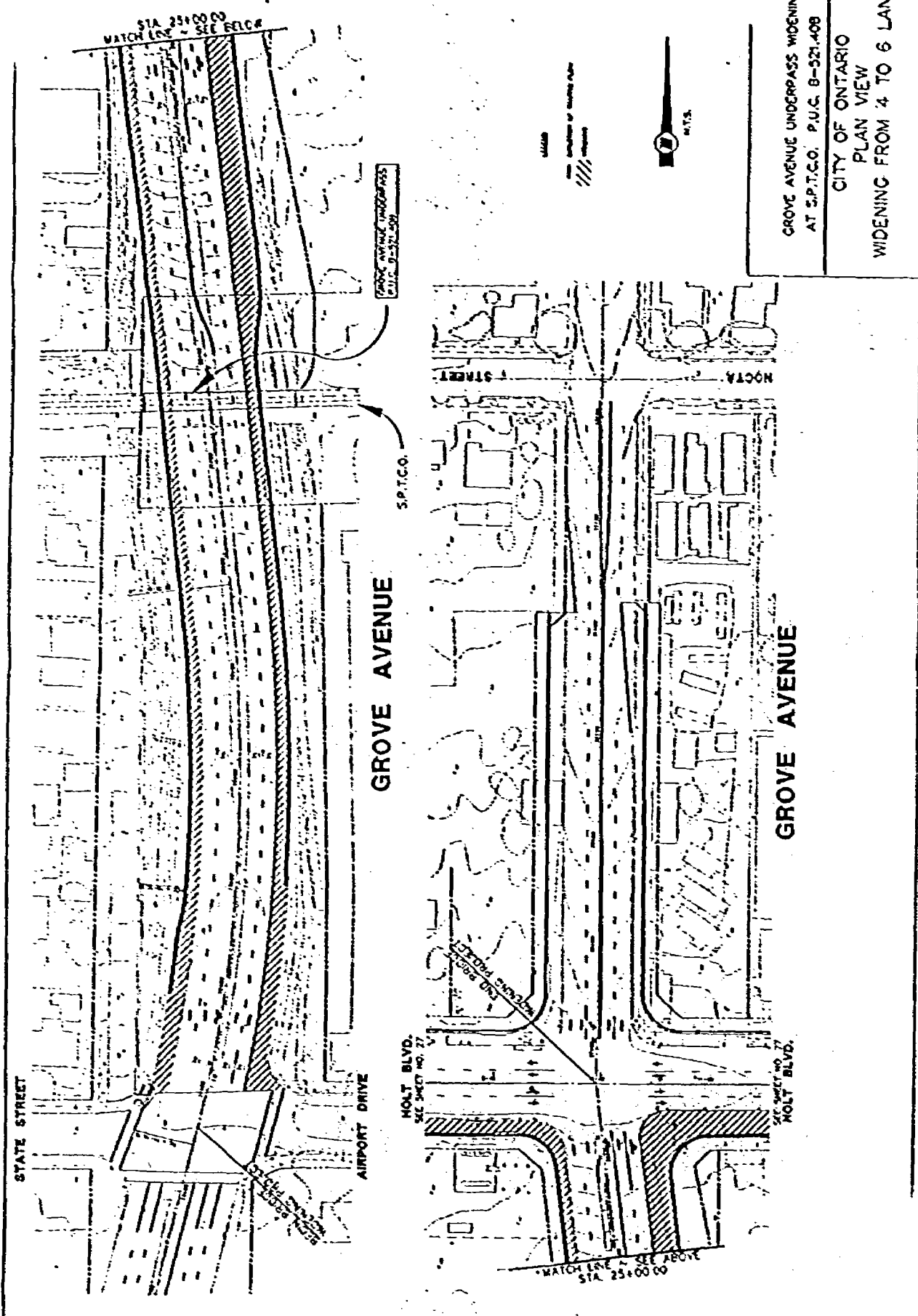
N.T.S.

Existing street width for 2 lanes = 28'
Proposed street width for 3 lanes = 33'

REDUCED PLAN
1/4" = 1'-0"
3 PAGES ON OTHER PLAN

GROVE AVENUE UNDERPASS WIDENING
AT S.P.T.C.O. P.U.C. 8-521,409
CITY OF ONTARIO
STRUCTURAL MODIFICATIONS
WIDENING FROM 4 TO 6 LANES





GROVE AVENUE UNDERPASS WIDENING
 AT S.P.T.C.O. P.U.C. B-521.408

CITY OF ONTARIO
 PLAN VIEW
 WIDENING FROM 4 TO 6 LANES