

Decision 98-08-028 August 6, 1998

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Riverside County Transportation)
 Commission for authority to construct a)
 pedestrian overpass at railroad milepost 18.37,)
 of the BNSF Railroad Company's San Bernardino)
 subdivision main line, as an addition to the)
 existing Riverside La Sierra Metrolink station)
 in the City of Riverside, County of Riverside.)
 _____)

Application 98-03-010
(Filed March 9, 1998)

OPINION

Riverside County Transportation Commission (RCTC) requests authority to construct a pedestrian overcrossing above tracks of The Burlington Northern and Santa Fe Railway Company (BNSF) at the Riverside La Sierra Metrolink Station, a regional intermodal transportation center, in the City of Riverside, Riverside County.

RCTC proposes to construct a pedestrian overpass over BNSF's tracks to connect the existing south platform and parking facilities to the existing north platform. The existing signalized at-grade pedestrian crossing at the west-end of the station will be taken out of service but will be retained for emergency and maintenance use only.

The pedestrian overcrossing will serve the public need by allowing safe access between the platforms. Pedestrians will not have to contend with train traffic as they cross between platforms.

RCTC 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. On September 12, 1994, City of Riverside filed a Notice of Determination regarding this project with the Riverside County Clerk's Office. The Notice found that this project is statutorily exempt under PR Code Section 21080 (b) (11), which states that a project for the increase of passenger or commuter service on rail or highway rights-of-way already in use, including the

modernization of existing stations and parking facilities, shall be exempted from the filing requirements of CEQA.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the City's exemption determination. The site of the project has been inspected by the Commission's Rail Safety and Carrier Division staff - Traffic Engineering Section. Staff examined the need for and the safety of the pedestrian overcrossing, and recommends that the construction be approved.

The application was found to be in compliance with the Commission's filing requirements, including Rule 38 of Rules of Practice and Procedure which relates to the construction of public highways across railroad tracks. A location map and details from the project plans are shown in Appendix A.

In Resolution ALJ-176-2988 dated March 12, 1998, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-2988.

Findings of Fact

1. Notice of the application was published in the Commission Daily Calendar on March 11, 1998. No protests have been received. A public hearing is not necessary.
2. RCTC requests authority, under Public Utilities Code Sections 1201-1205, to construct a pedestrian overcrossing above BNSF's tracks at the Riverside La Sierra Metrolink Station in Riverside, Riverside County.
3. Public convenience, necessity, and safety require construction of the pedestrian overcrossing.
4. RCTC 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 Notice of Determination.

Conclusions of Law

1. Under Public Utilities 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. Riverside County Transportation Commission (RCTC) is authorized to construct a pedestrian overcrossing over The Burlington Northern and Santa Fe Railway Company's (BNSF) main line tracks, identified as Crossing 2B-18.37-AD, at the Riverside La Sierra Metrolink Station in Riverside, Riverside County.

2. Clearances shall be in accordance with General Order (GO) 26-D. 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.

3. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between parties. A copy of the agreement shall be filed with the Commission's Rail Safety and Carrier Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of the construction and maintenance by further order.

4. The RCTC shall contact the Rail Safety and Carriers Division Traffic Engineering Section no less than thirty (30) days before the scheduled opening, to conduct a final inspection of the project. Any deficiencies found shall be corrected by the RCTC.

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. The issues presented in Application (A.) 98-03-010 are resolved.
8. Application 98-03-010 is closed.

This order is effective 30 days from today.

Dated August 6, 1998 at San Francisco, California.

RICHARD A. BILAS

President

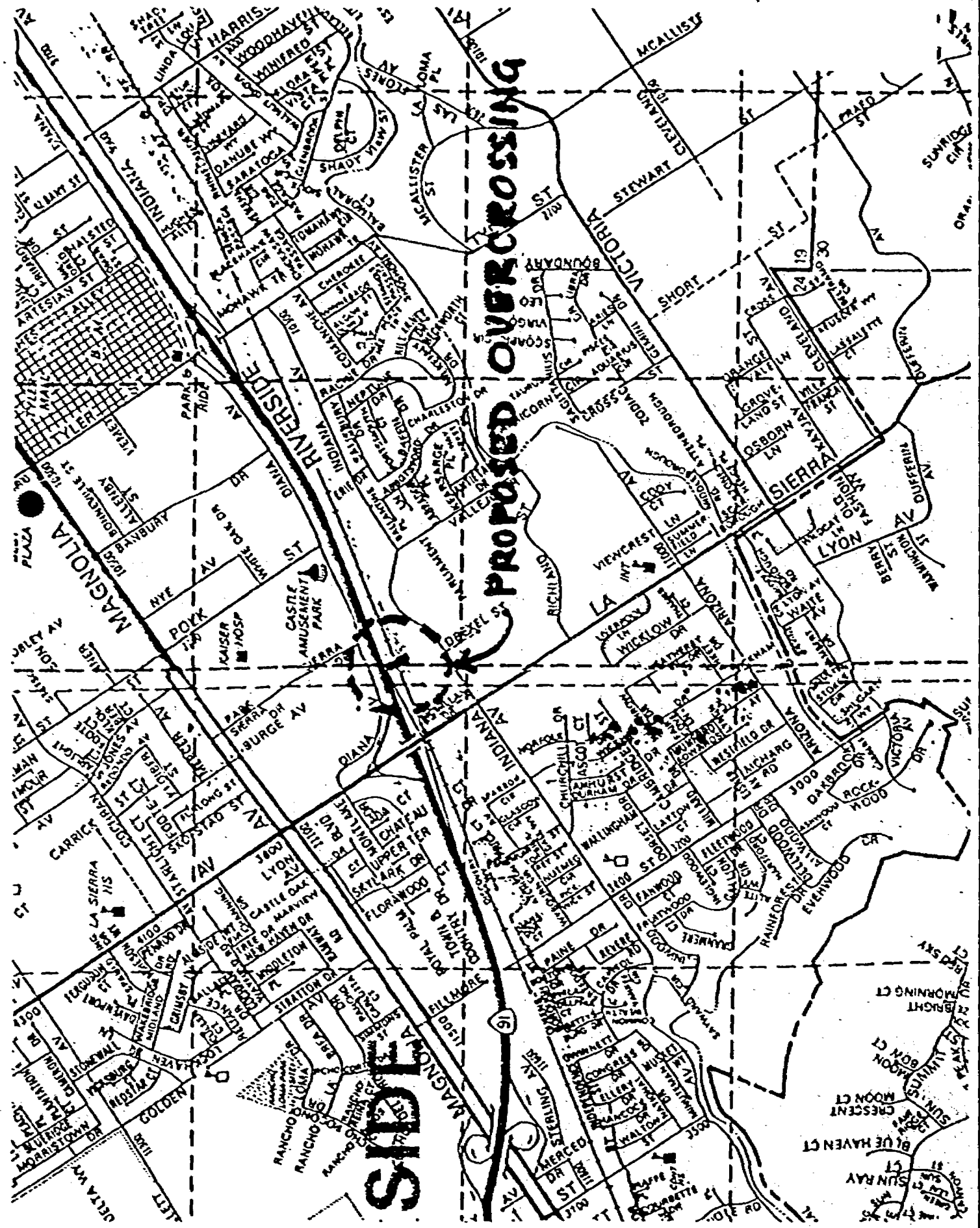
P. GREGORY CONLON

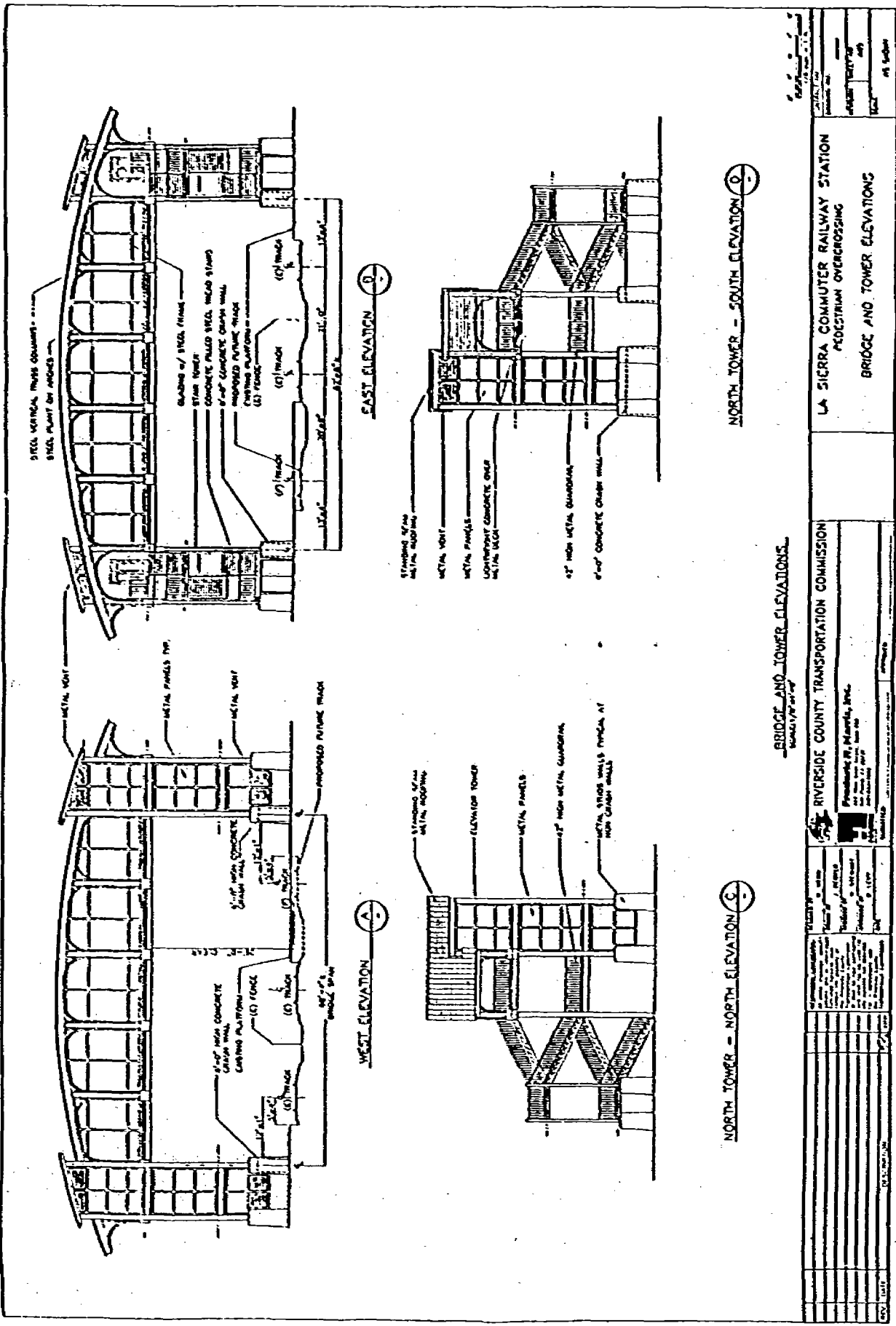
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

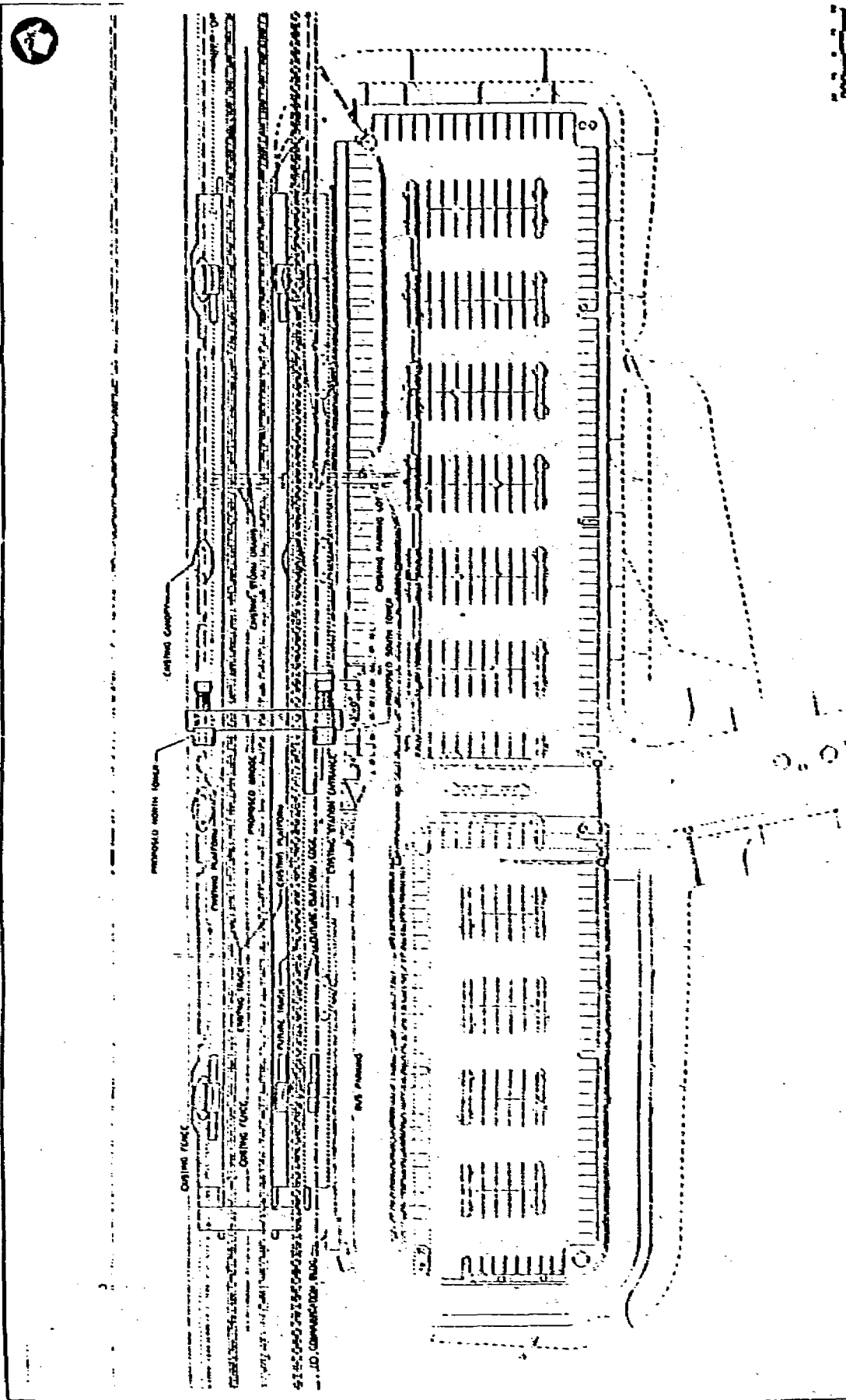
JOSIAH L. NEEPER

Commissioners





BRIDGE AND TOWER ELEVATIONS RIVERSIDE COUNTY TRANSPORTATION COMMISSION Planning & Materials, Inc. 2200 Main St., Suite 200 Riverside, CA 92501 Phone: (951) 514-1100 Fax: (951) 514-1101 Website: www.rctrans.com		PROJECT NO. DATE DRAWN BY CHECKED BY IN CHARGE
LA SIERRA COMMUTER RAILWAY STATION PEDESTRIAN OVERCROSSING BRIDGE AND TOWER ELEVATIONS		PROJECT NO. DATE DRAWN BY CHECKED BY IN CHARGE



PROJECT NO.	
DATE	
DRAWN BY	
CHECKED BY	
SCALE	
SHEET NO.	
TOTAL SHEETS	

LA SIERRA COMMUTER RAILWAY STATION
PEDESTRIAN OVERCROSSING
SITE PLAN



RIVERSIDE COUNTY TRANSPORTATION COMMISSION
 President: R. Morris, Jr.
 Vice President: J. Morris, Jr.
 Secretary: J. Morris, Jr.
 Treasurer: J. Morris, Jr.
 Board Members: J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr., J. Morris, Jr.

NO.	DATE	DESCRIPTION
1	1/1/00	INITIAL DESIGN
2	2/1/00	REVISED DESIGN
3	3/1/00	FINAL DESIGN
4	4/1/00	CONSTRUCTION
5	5/1/00	COMPLETION
6	6/1/00	MAINTENANCE
7	7/1/00	REPAIRS
8	8/1/00	UPDATES
9	9/1/00	MODIFICATIONS
10	10/1/00	REVISIONS