

Decision 99-04-017 April 1, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of)
Transportation, for an order authorizing the Department)
To: construct the widening project at the Redlands Loop)
Overhead, Bridge Number 54-489, over the tracks and)
right of way of The Burlington Northern and Santa Fe)
Railway Company located in the City of San Bernardino,)
County of San Bernardino, State of California.)
_____)

ORIGINAL
Application 98-02-007
(Filed February 4, 1998)

OPINION

As part of the project to widen Interstate (I) 215 from Inland Center Drive to Second Street in the City of San Bernardino, the State of California, Department of Transportation (Caltrans) requests authority to widen Redlands Loop Overhead at separated grades over San Bernardino Associated Governments' (SANBAG) Redlands Branch Line tracks, formerly owned by The Burlington Northern and Santa Fe Railway Company (BNSF), in San Bernardino, San Bernardino County.

Caltrans proposes to widen the I-215 Redlands Loop Overhead at separated grades, as indicated by Appendix A attached to this order, this part of the auxiliary lane widening project in the northerly and southerly portions of I-215. The northerly and southerly widening will accommodate a 15-foot wide auxiliary lane and a 10-foot wide shoulder in each direction. The additional auxiliary lanes will provide additional capacity and improve traffic flow, thereby reducing peak hour traffic delay and congestion. The structural widening over the tracks will consist of precast/prestressed concrete girders. During the I-215 Redlands Loop Overhead widening project, vehicular traffic will continue to use the grade separation Overhead structure.

Caltrans 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. Caltrans has determined that this project, the reconstruction of 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 – Rail Crossing Engineering Section Staff. After reviewing the need for and the safety of the proposed widening, Staff recommends that Caltrans' request be granted.

The application is in compliance with the Commission's filing requirements, including Rule 39 of the Rules of Practice and Procedure which relates to the widening of existing crossings and separations over railroad track. A site map and detailed drawings of the grade separation Overhead are shown in Appendix A.

In Resolution ALJ-176-2987 dated February 19, 1998, the Commission preliminarily categorized this application as ratesetting and preliminarily determined that hearings were not necessary. By protest filed March 2, 1998, BNSF stated that Caltrans and BNSF were not yet in agreement as to the proposed project's construction method and terms. During several months of negotiations, the parties were able to resolve their differences and on December 21, 1998, BNSF withdrew its protest to the proposed widening of the Redlands Loop Overhead. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ-176-2987.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to PU Code Section 311 (g) (2), the otherwise applicable 30-day Period for public review and comment is being waived.

Findings of Fact

1. BNSF filed a protest to the application on March 2, 1998, stating that applicant and BNSF were not yet in agreement with respect to the method of construction of the overhead widening project.

2. By motion filed December 21, 1998, BNSF withdrew its protest on the basis that Caltrans and BNSF were now in agreement as to the terms and method of construction of the Redlands Loop Overhead. There are no other unresolved matters.

3. Caltrans requests authority under Public Utilities Code Section 1201-1205 to widen the Redlands Loop Overhead at separated grades over SANBAG's Redlands Branch Line tracks, formerly owned by BNSF, in San Bernardino, San Bernardino County.

4. Widening of the Redlands Loop Overhead is required to construct additional auxiliary lanes and shoulders in the northerly and southerly directions of I-215 to provide additional capacity and improve traffic flow, thereby reducing peak hour traffic delay and congestion on I-215 between Inland Center Drive and Second Street.

5. Public convenience, necessity and safety require widening of the grade separation Overhead.

6. Caltrans is the lead agency for this project under CEQA, as amended.

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

Conclusions of Law

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

2. 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.

3. There is no opposition to the application, and a public hearing is not necessary.

ORDER

IT IS ORDERED that:

1. The State of California, Department of Transportation (Caltrans) is authorized to widen the Redlands Loop Overhead at separated grades over San Bernardino Associated Governments' (SANBAG) Redlands Branch Line tracks, formerly owned by The Burlington Northern and Santa Fe Railway Company (BNSF), in San Bernardino, 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 2U-0.6-A.

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, together with plans approved by SANBAG and BNSF, shall be filed with the Commission's Rail Safety and Carriers Division Staff 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, Caltrans 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.

Application 98-02-007 is closed.

This order becomes effective 30 days from today.

Dated April 1, 1999, at San Francisco, California.

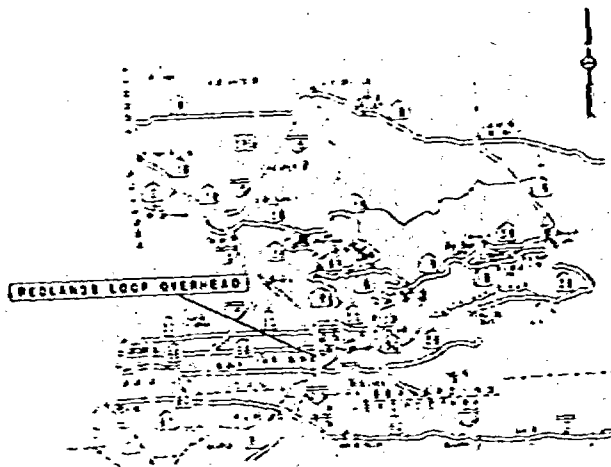
RICHARD A. BILAS

President

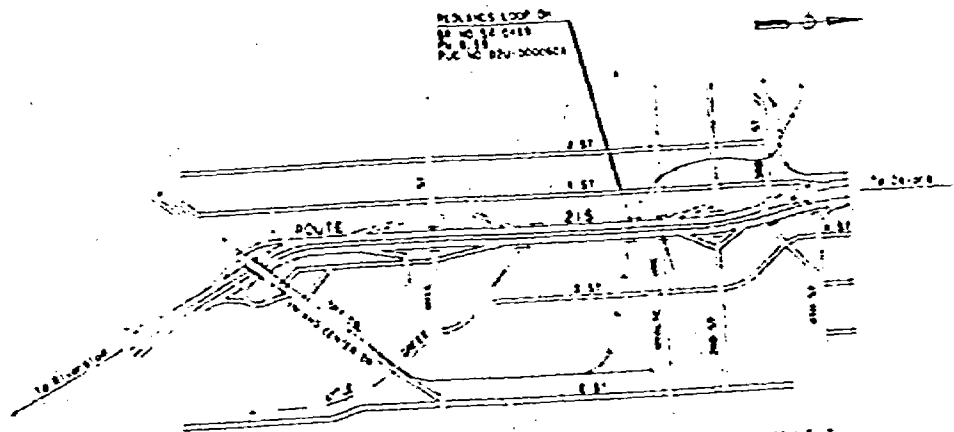
HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners



LOCATION MAP
@ SCALE



VICINITY MAP
@ SCALE

