

Decision 99-09-022 September 2, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Montclair for an)	
Order authorizing construction of a crossing)	
at separated grades between Ramona Avenue)	Application 99-02-008
and the tracks of the Union Pacific Railway)	(Filed February 5, 1999)
Company, sometimes referred to as the)	
"Ramona Avenue Overhead" [PUC No. B-516.9)	
and 3-34.5])	

OPINION

City of Montclair (City) requests authority to construct Ramona Avenue Overhead at separated grades over the tracks of Union Pacific Railroad Company's (UP) Main Line, formerly owned by Southern Pacific Transportation Company (SPT), from Los Angeles to Yuma, and UP's former Main Line, with certain facilities leased to Los Angeles County Metropolitan Transportation Authority (LACMTA), from Los Angeles to Riverside Junction, in Montclair, San Bernardino County.

City proposes to construct a grade separation overhead, consisting of a five-span reinforced concrete structure which will carry Ramona Avenue over UP's Main Line and former Main Line tracks and State Street. The bridge will be approximately 315 feet, measured back-to-back of abutments. Abutments and bents will be of reinforced concrete. Four 12-foot vehicular lanes, two 4-foot shoulders, and two 5-foot sidewalks will be carried on the proposed overhead structure across the railroad and State Street. Total width of the bridge structure will be 76 feet 0 inches. Ramona Avenue at-grade crossings may or may not remain open to public traffic during construction depending on the configuration of the detours and proximity to footing excavations. Upon completion of the grade separation overhead, public vehicular traffic will be rerouted from the existing Ramona Avenue at-grade crossings, which will be closed, to the grade separation overhead. One or both former Ramona Avenue at-grade crossings may remain as private crossings for the sole use of UP and its tenants as access for railroad and utility maintenance vehicles.

Ramona Avenue Overhead project ranks number 6 in the 1998-1999 Grade Separation Priority List of Decision (D.) 98-06-072, dated June 18, 1998, in Order Instituting Investigation (I.) 97-07-014.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (Pub. Res.) Code Sections 21000, et. seq. City has determined that this project, the elimination of existing at-grade crossings, is categorically exempt from the reporting requirements of CEQA under Pub. Res. 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 Ramona Avenue at-grade crossings and adjacent areas have been inspected by the Commission's Rail Safety and Carriers Division – Rail Crossings Engineering Section Staff. After reviewing the need for and safety of the proposed Ramona Avenue Overhead, Staff 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 Rules of Practice and Procedure which relates to the construction of public highway crossings and separations over railroads. A site map and detailed drawings of the overhead structure are shown in Appendix A.

In Resolution ALJ-176-3010 dated February 18, 1999, 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, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ-176-3010.

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

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on February 9, 1999. No protests have been received. A public hearing is not necessary.

2. City requests authority, under Pub. Util. Code Sections 1201 - 1205, to construct Ramona Avenue Overhead at separated grades over the tracks of UP's Main Line, formerly owned by SPT, from Los Angeles to Yuma, and UP's former Main Line, with certain facilities leased to LACMTA, from Los Angeles to Riverside Junction, in Montclair, San Bernardino County.

3. Ramona Avenue Overhead grade separation will improve traffic circulation and public safety and reduce traffic impacts of frequent freight and Metrolink commuter trains to and from the Los Angeles Basin and heavy rail traffic generated by the Ports of Long Beach and Los Angeles.

4. Ramona Avenue Overhead grade separation is required to carry vehicular traffic over the tracks of the heavily used UP (formerly SPT) freight Main Line from Los Angeles to Yuma and the UP former Main Line, with certain facilities leased to LACMTA for Metrolink commuter trains, from Los Angeles to Riverside Junction.

5. Public convenience, necessity, and safety require construction of the proposed grade separation overhead.

6. Upon completion of Ramona Avenue Overhead and its opening to public vehicular traffic, Ramona Avenue grade crossings will be closed to public vehicular traffic.

7. City is the lead agency for this project under CEQA, as amended.

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

Conclusion of Law

1. Under Pub. Res. 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 Montclair (City) is authorized to construct Ramona Avenue at separated grades over the tracks of Union Pacific Railroad Company's (UP) Main Line, formerly owned by Southern Pacific Transportation Company (SPT), from Los Angeles to Yuma, and UP's former Main Line, with certain facilities leased to Los Angeles County Metropolitan Transportation Authority (LACMTA), from Los Angeles to Riverside Junction, in Montclair, San Bernardino County, at the location and substantially as shown by the plans attached to the application and Appendix A of this order, identified as Crossings B-516.9-A (Los Angeles to Yuma) and 3-34.5-A (Los Angeles to Riverside Junction).
2. Upon completion of the grade separation overhead and its opening to public vehicular traffic, Ramona Avenue at-grade crossings, Crossings B-516.9 (Los Angeles to Yuma) and 3-34.5 (Los Angeles to Riverside Junction) shall be closed to and vacated by public vehicular traffic.
3. Portions of the existing crossing may remain in place as private crossings only, to provide access to railroad off-track maintenance vehicles and to pipeline companies and other tenants to which longitudinal easements have been granted by the railroad. Fences shall be erected along both sides of the railroad right-of-way. Protection at such private crossings shall be two Standard No. 9 automatic gate-type signals (General Order (GO) 75-C) with one each at the private roadway approaching from the South the former UP Main Line (Los Angeles to Riverside Junction at Mile Post (M.P.) 34.5) and at the private roadway approaching from the North the UP Main Line, formerly owned by SPT (Los Angeles to Yuma at M.P. 516.9).
4. During the period of construction, the Ramona Avenue grade crossings may or may not be open to public traffic, depending on the configuration of the detour layouts and proximity to footing excavations as determined during final design.
5. Clearances shall be in accordance with GO 26-D; except that during the period of construction a clearance of not less than 21 feet 6 inches above top of rail shall be authorized and UP and Metrolink shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroads and filed with the Commission's Rail Safety and Carriers Division forbidding employees to ride on tops of cars beneath the structure.

6. City shall notify the Commission's Rail Safety and Carriers Division, UP and LACMTA at least 15, but not more than 30, days in advance of the date when the temporary impaired overhead clearance will be created.

7. 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.

8. 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 UP and LACMTA, shall be filed with the Commission prior to commencing construction.

9. 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.

10. 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.

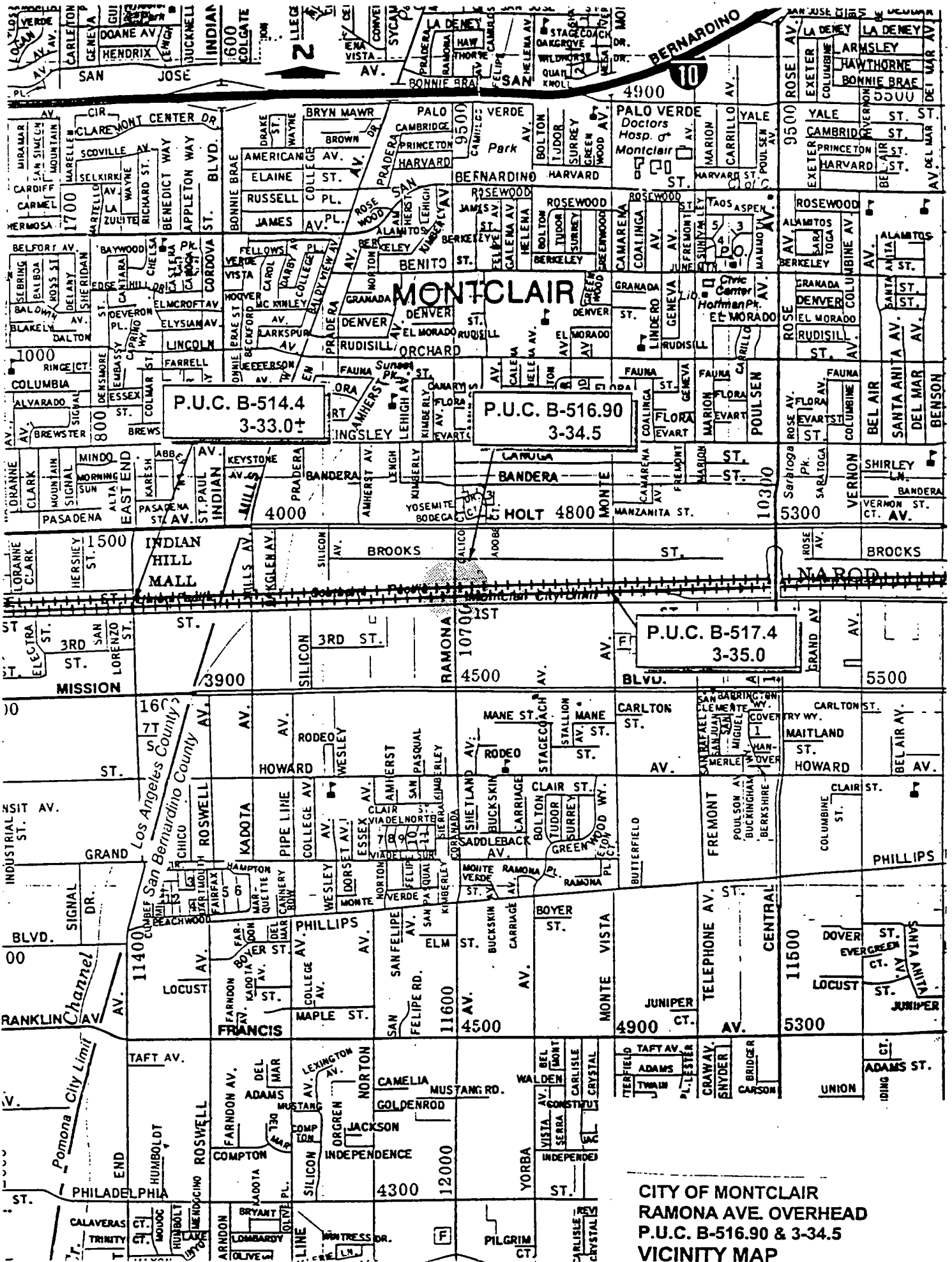
11. The application is granted as set forth above.

Application 99-02-008 is closed.

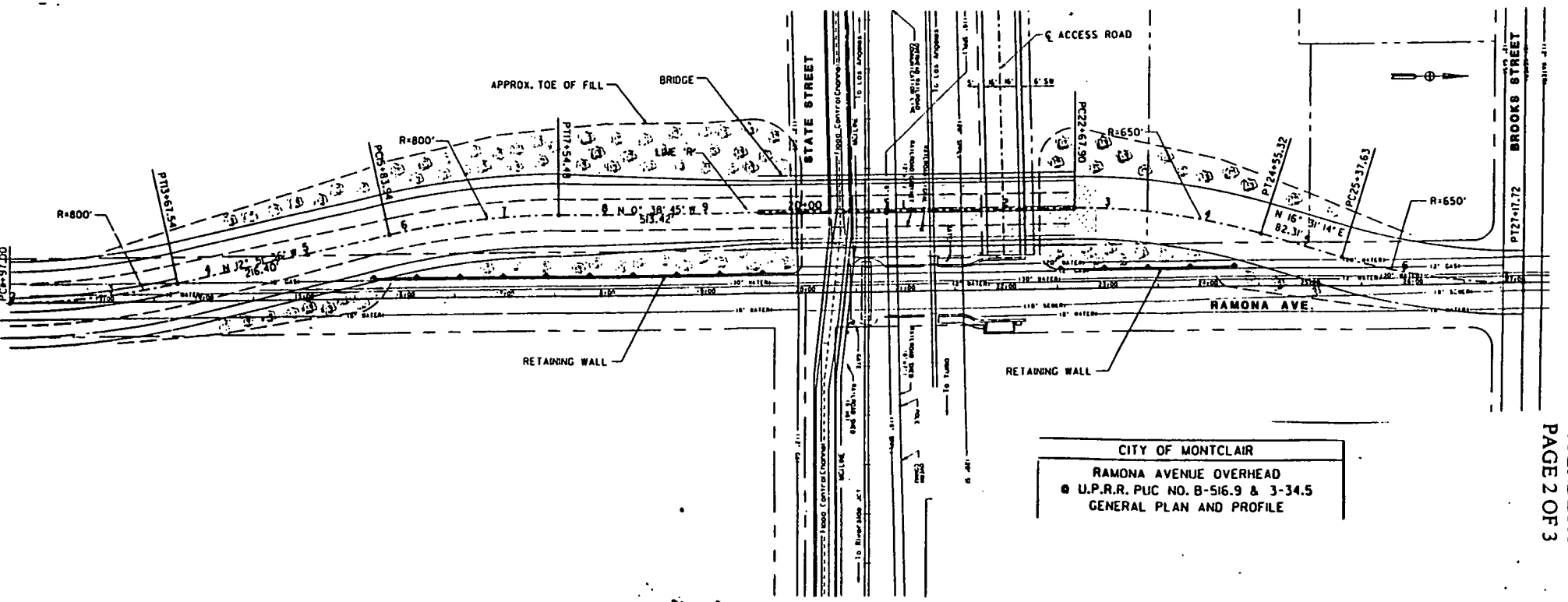
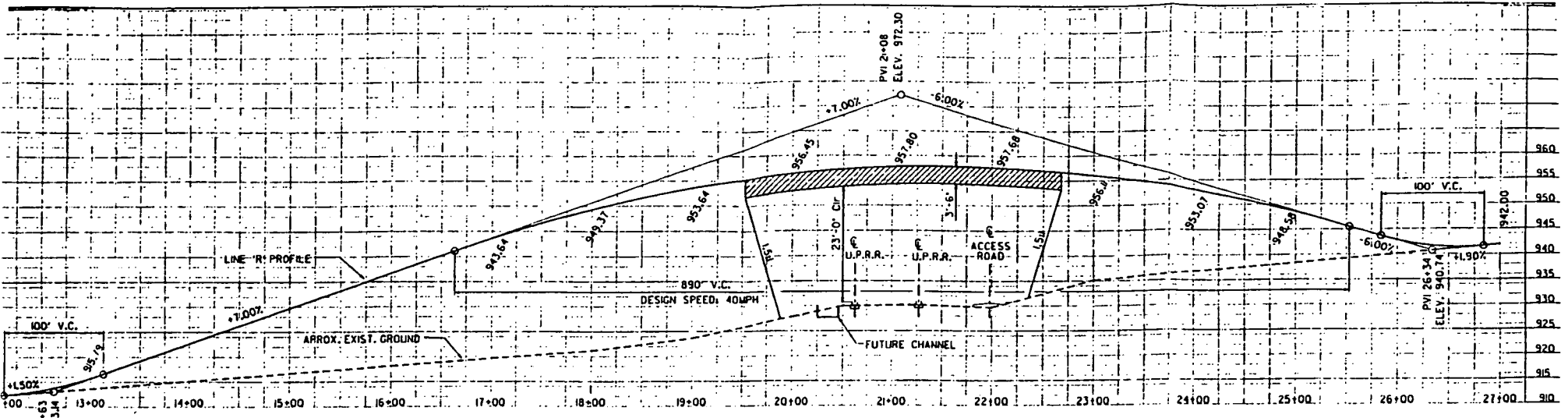
This order becomes effective 30 days from today.

Dated September 2, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
JOEL Z. HYATT
CARL W. WOOD
Commissioners



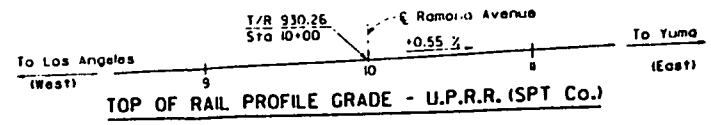
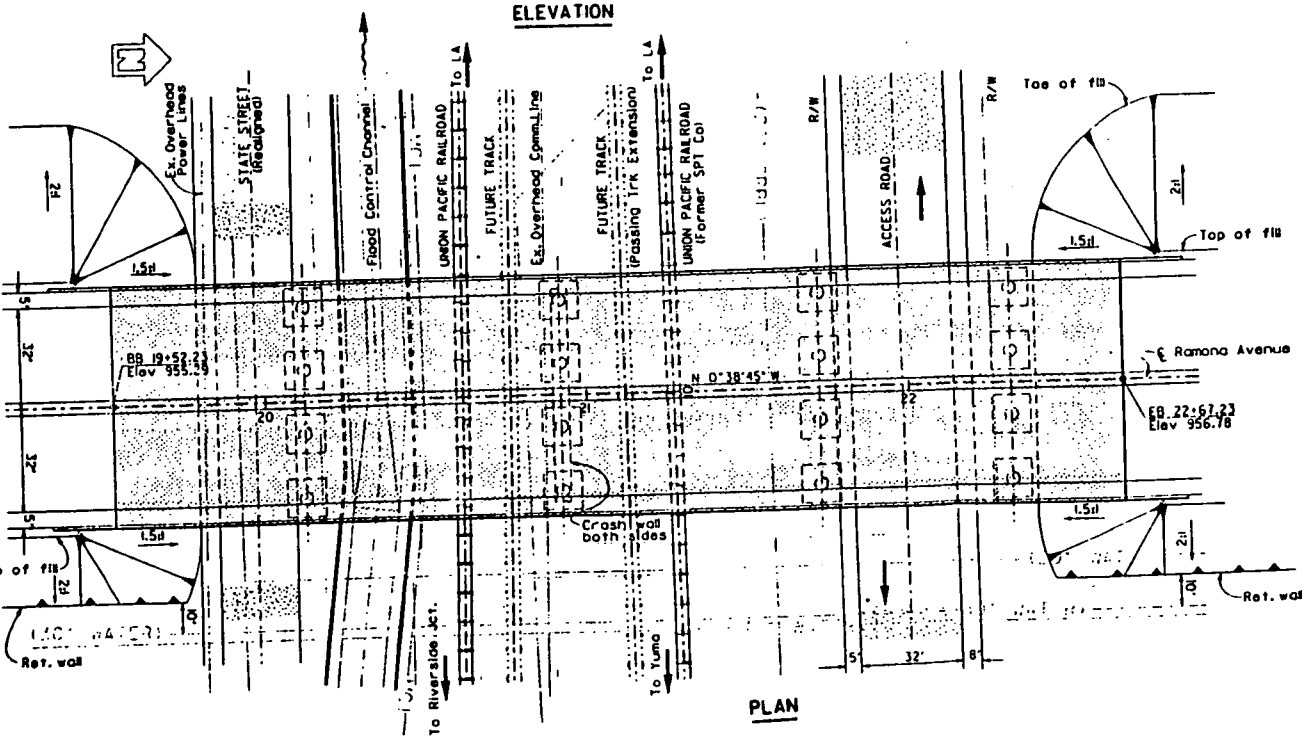
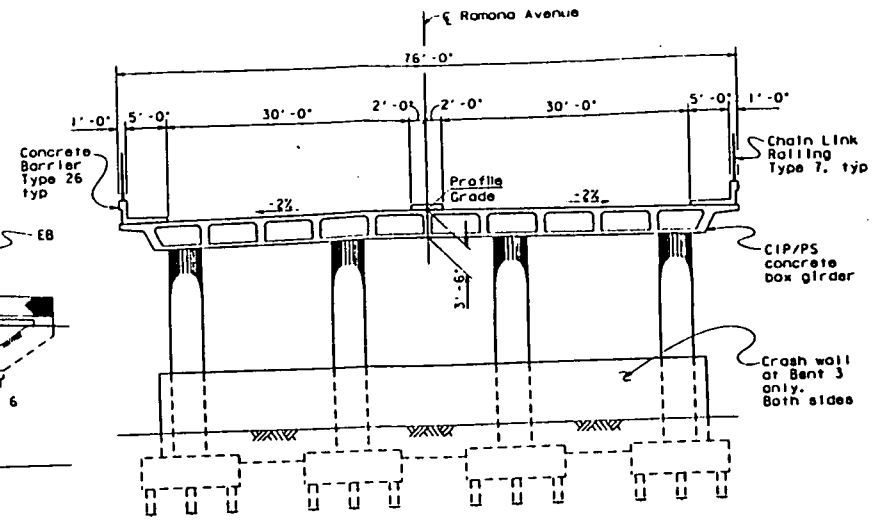
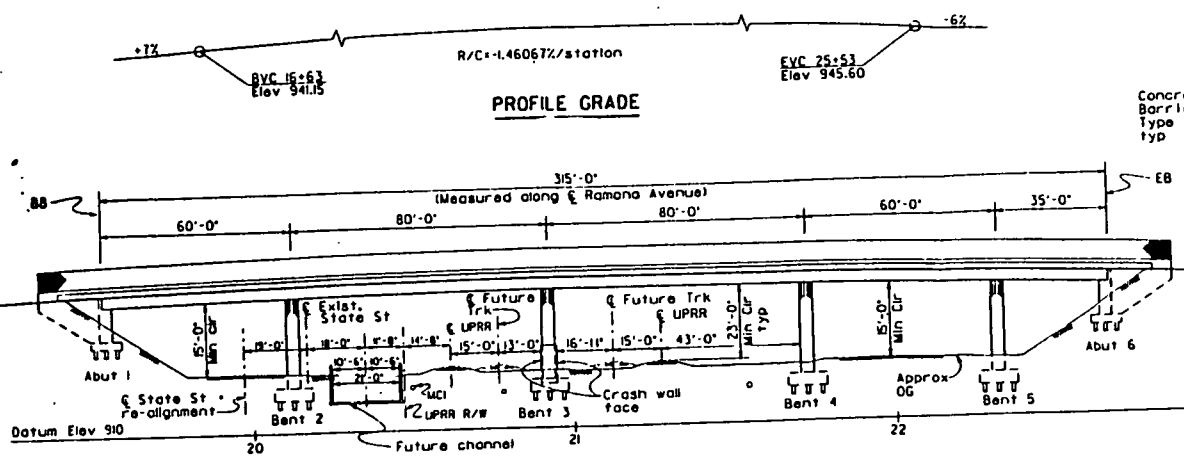
**CITY OF MONTCLAIR
RAMONA AVE. OVERHEAD
P.U.C. B-516.90 & 3-34.5
VICINITY MAP**



A.99-02-008 RSAC/RR/ISH

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APPENDIX A
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CITY OF MONTCLAIR
RAMONA AVENUE OVERHEAD
U.P.R.R. PUC NO. B-516.9 & 3-34.5
PLAN AND ELEVATION