

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Alameda Corridor – East Construction Authority (ACE) for an order authorizing the modification of a grade separated crossing (roadway overpass) at Humane Way, over the Union Pacific Railroad Company’s (UPRR) existing Los Angeles Subdivision main line through an addition of a third track crossing under the Humane Way Bridge to accommodate the Alhambra Subdivision main line, as part of the Temple Avenue Track Diversion Project eliminating two at grade crossings, in the City of Pomona, County of Los Angeles.

Application 02-05-059
(Filed May 31, 2002)

Application of the Alameda Corridor – East Construction Authority (ACE) for an order authorizing the modification of a grade separated crossing (roadway overpass) at SR-57 (Orange Freeway), over the Union Pacific Railroad Company’s (UPRR) existing Los Angeles Subdivision main line through an addition of a third track crossing under the SR-57 Bridge to accommodate the Alhambra Subdivision main line, as part of the Temple Avenue Track Diversion Project eliminating two at grade crossings, in the City of Pomona, County of Los Angeles.

Application 02-05-062
(Filed May 31, 2002)

Application of the Alameda Corridor – East Construction Authority (ACE) for an order authorizing the modification of a grade separated crossing (roadway overpass) at Temple Avenue, over the Union Pacific Railroad Company’s (UPRR) existing Los Angeles Subdivision main line through an addition of a third track crossing under the Temple Avenue Bridge to accommodate the Alhambra Subdivision main line, as part of the Temple Avenue Track Diversion Project eliminating two at grade crossings, in the City of Pomona, County of Los Angeles.

Application 02-05-063
(Filed May 31, 2002)

Application of the Alameda Corridor – East Construction Authority (ACE) for an order authorizing the modification of a grade separated crossing (roadway overpass) at SR-71 (Chino Valley Freeway), over the Union Pacific Railroad Company’s (UPRR) existing Los Angeles Subdivision main line through an addition of a third track crossing under the SR-71 Bridge to accommodate the Alhambra Subdivision main line, as part of the Temple Avenue Track Diversion Project eliminating two at grade crossings, in the City of Pomona, County of Los Angeles.

Application 02-06-005
(Filed June 3, 2002)

Application of the Alameda Corridor – East Construction Authority (ACE) for an order authorizing the modification of a grade separated crossing (roadway overpass) at SR-71 (Chino Valley Freeway), over the Union Pacific Railroad Company’s (UPRR) existing Alhambra Subdivision main line through an addition of a storage track crossing under the SR-71 Bridge, as part of the Temple Avenue Track Diversion Project eliminating two at grade crossings, in the City of Pomona, County of Los Angeles.

Application 02-06-006
(Filed June 3, 2002)

Application of the Alameda Corridor – East Construction Authority (ACE) for an order authorizing the modification of a grade separated crossing (roadway overpass) at Humane Way, over the Union Pacific Railroad Company’s (UPRR) existing Alhambra Subdivision main line through an addition of a storage track crossing under the Humane Way Bridge, as part of the Temple Avenue Track Diversion Project eliminating two at grade crossings, in the City of Pomona, County of Los Angeles.

Application 02-06-056
(Filed June 26, 2002)

OPINION

Summary

Alameda Corridor – East Construction Authority (ACE) requests authority to modify the existing grade-separated highway-rail crossings of Humane Way, State Route (SR) 57 (Orange Freeway), Temple Avenue, and SR-71 (Chino Valley Freeway) over Union Pacific Railroad Company’s (UP) existing Los Angeles

Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line, in the City of Pomona, Los Angeles County.

Discussion

The exact legal name of the Applicant is Alameda Corridor – East Construction Authority of the San Gabriel Valley Council of Governments. The proposed projects described herein are among many ACE projects that will reduce or eliminate train traffic – motor vehicle traffic conflicts in the San Gabriel Valley area of Los Angeles County. ACE proposes to modify the existing grade-separated highway-rail crossings of Humane Way, SR-57, Temple Avenue, and SR-71 over UP's existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line.

ACE projects are related to the original Alameda Corridor project. The Alameda Corridor connects the Ports of Long Beach and Los Angeles to the transcontinental rail network and will consist of grade-separated highway-rail crossings, a railroad “trench” and a railroad – railroad “flyover,” allowing safer, faster, and more efficient rail shipment of internationally-traded goods from the Ports to the transcontinental rail yards east of downtown Los Angeles. From those yards, UP ships most of these goods east on its Los Angeles Subdivision (“3” line) and Alhambra Subdivision (“B” line) main lines. The San Gabriel Valley portions of these two UP main lines comprise ACE's project area.

Without ACE's proposed improvements, ACE estimates that motor vehicle delays will increase by 300 percent for an average vehicle wait at each crossing of 10 to 24 minutes. ACE has projects at 55 at-grade highway-rail crossings within the San Gabriel Valley. The ACE program ultimately will construct 21 grade-separated highway-rail crossings, which will eliminate the hazard of train-vehicle collisions and motor traffic delays due to train movements.

ACE filed six applications to modify the existing grade-separated highway-rail crossings of Humane Way (A.02-05-059), SR-57 (A.02-05-062), Temple Avenue (A.02-05-063), and SR-71 (A.02-06-005) over UP's existing Los Angeles Subdivision main line and of SR-71 (A.02-06-006) and Humane Way (A.02-06-056) over UP's existing Alhambra Subdivision main line. Since the existing grade-separated highway-rail crossings are in the same vicinity, are located either on UP's existing Los Angeles Subdivision main line or existing Alhambra Subdivision main line, and are part of the same project, the six applications involve related questions of fact. Consequently, we will consolidate, pursuant to Rule 55 of the Commission's Rules of Practice and Procedure, the six applications and will prepare one Commission order authorizing modification of the existing grade-separated highway-rail crossings of the above-referenced roadways over the above-referenced UP main lines.

ACE is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended in 1982 and as stated in Public Resources (PR) Code Section 21000 et seq. ACE prepared an Initial Study/Environmental Assessment for the "Alameda Corridor East Project – Temple Avenue Train Diversion or Grade Separation Project – Southern Pacific Line - In Los Angeles County, California". On May 24, 2001, in compliance with PR Code Section 21152, ACE filed a Notice of Determination (NOD) with the Los Angeles County Clerk. The NOD found "that the project will not have a significant effect on the environment." ACE issued a Mitigated Negative Declaration for this project pursuant to the provisions of CEQA. Copies of the NOD, Mitigated Negative Declaration, and Initial Study/Environmental Assessment are included in Appendix C attached to the order.

The Commission is a responsible agency for this project under CEQA. CEQA requires that the Commission consider the environmental consequences of a project subject to its discretionary approval. In particular, to comply with CEQA, a responsible agency must consider the lead agency's Environmental Impact Report or Negative Declaration prior to acting upon or approving the project (CEQA Guideline Section 15050(b)). The specific activities that a responsible agency must conduct are contained in CEQA Guideline Section 15096.

The Commission has reviewed and considered the lead agency's environmental documents and finds them adequate for our decision-making purposes. Safety, security, transportation, and noise are within the scope of the Commission's permitting process. The Mitigated Negative Declaration did not identify environmental impacts related to security and transportation.

The Mitigated Negative Declaration identified one safety impact due to the hazardous waste potential of soil generated by clearing and grading. To mitigate this impact, ACE will prepare and implement prior to construction a health and safety plan, waste management plan, sampling and analysis plan, and work plan for remediation of any hazardous waste encountered.

The Mitigated Negative Declaration identified one noise impact due to increased noise levels at the Lanterman Development Center. ACE proposed measures to mitigate noise impacts at the Lanterman Development Center, including such measures as sound and vibration insulation, relocation of sensitive facilities, and the building of noise walls. ACE also proposed measures to reduce intermittent, localized vibration impacts during construction.

In reviewing the Mitigated Negative Declaration, we find that with respect to issues within the scope of our permitting process, ACE adopted feasible

mitigation measures to lessen the potentially significant environmental impacts to an acceptable level. We will adopt ACE's findings and mitigations for purposes of our approval.

The Commission's Consumer Protection and Safety Division – Rail Crossings Engineering Section (RCES) has inspected the sites of the existing grade-separated highway-rail crossings of Humane Way, SR-57, Temple Avenue, and SR-71 over UP's existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line. After reviewing the need for and the safety of the proposed modifications of the grade-separated highway-rail crossings, RCES recommends that the Commission grant ACE's requests.

The applications are in compliance with the Commission's filing requirements, including Rule 39 of Rules of Practice and Procedure, which relates to the widening, relocation, and alteration of existing highway-rail crossings. Shown in Appendix B attached to the order are site maps and detailed drawings of the proposed modified grade-separated highway-rail crossings of Humane Way, SR-57, Temple Avenue, and SR-71 over UP's existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line.

ACE wishes to commence construction of this project as soon as possible in order to ensure that the project is completed to improve public safety at the existing grade-separated highway-rail crossings of Humane Way, SR-57, Temple Avenue, and SR-71 over UP's existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line. ACE therefore requests that the Commission waive the usual 30-day effective date of an order. Therefore, we will make our order effective immediately.

In Resolution ALJ 176-3090, dated June 27, 2002, and published in the Commission Daily Calendar on June 28, 2002, the Commission categorized preliminarily A.02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, and A.02-06-006 as ratesetting, and determined preliminarily that hearings were not necessary. In Resolution ALJ 176-3092, dated August 8, 2002, and published in the Commission Daily Calendar on August 9, 2002, the Commission categorized preliminarily A.02-06-056 as ratesetting and determined preliminarily that hearings were not necessary. Since the Commission held no hearings, these preliminary determinations remain correct. The Commission's Consumer Protection and Safety Division recommends that the applications be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolutions ALJ 176-3090 and ALJ 176-3092.

These applications are uncontested matters in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), we waive the otherwise applicable 30-day period for public review and comment.

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. The Commission published Notices of A.02-05-059, A.02-05-062 and A.02-05-063, A.02-06-005 and A.02-06-006, and A.02-06-056, respectively, in the Commission Daily Calendar on June 7, 2002; June 11, 2002; June 13, 2002; and July 18, 2002. There are no unresolved matters or protests; a public hearing is not necessary.

2. ACE requests authority, under Public Utilities Code Sections 1201-1205, to modify existing grade-separated highway-rail crossings of Humane Way, SR-57, Temple Avenue, and SR-71 over UP's existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line, in the City of Pomona, Los Angeles County.

3. Public convenience, necessity, and safety require modification of the existing grade-separated highway-rail crossings of Humane Way, SR-57, Temple Avenue, and SR-71 over UP's existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line.

4. The new through main track along UP's Los Angeles Subdivision will not have at-grade highway-rail crossings of public roads.

5. UP's new Los Angeles Subdivision main track, additional turnouts to connect the new main track with the existing UP Los Angeles Subdivision main tracks, and additional storage track and turnouts proposed on the bifurcated UP Alhambra Subdivision will provide UP train dispatchers an alternative outside of the downtown area of Pomona for storing and queuing long, slow trains to reduce the problem of such trains occupying public at-grade highway-rail crossings in downtown Pomona for extended periods of time.

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

7. ACE issued a Mitigated Negative Declaration, making mitigation measures a condition of approval and found that the project will not have a significant effect on the environment.

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's environmental documents. These documents are adequate for our decision-making purposes.

9. Safety, security, transportation, and noise are within the scope of the Commission's permitting process.

10. The lead agency did not identify environmental impacts related to security and transportation.

Conclusions of Law

1. We consolidate A.02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, A.02-06-006, and A.02-06-056, which involve related questions of fact, for purposes of issuing one decision.

2. With respect to potentially significant impacts from safety and noise, we find that the lead agency adopted feasible mitigation measures to lessen the impacts to a less-than-significant level. We will adopt ACE's findings and mitigations for purposes of our approval. We also find that ACE reasonably concluded that with mitigations, the project will not have a significant effect on the environment. We adopt ACE's NOD and Mitigated Negative Declaration for purposes of our approval.

3. We waive the usual 30-day effective date of an order as ACE wishes to commence construction of the project at the earliest possible date.

4. We grant consolidated A.02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, A.02-06-006, and A.02-06-056 as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The Commission authorizes Alameda Corridor – East Construction Authority (ACE) to modify the existing grade-separated highway-rail crossings of Humane Way, State Route (SR) 57 (Orange Freeway), Temple Avenue, and SR-71 (Chino Valley Freeway) over Union Pacific Railroad Company's (UP)

existing Los Angeles Subdivision main line and of SR-71 and Humane Way over UP's existing Alhambra Subdivision main line, in the City of Pomona, Los Angeles County, at the locations and substantially as described in and as shown by plans attached to consolidated Application (A.) 02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, A.02-06-006, and A.02-06-056; as described in Appendix A attached to this order; and as shown by plans in Appendix B attached to this order.

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

3. Walkways shall conform to GO 118. ACE and UP shall maintain walkways adjacent to any trackage subject to rail operations free of obstructions and shall promptly restore walkways to their original condition in the event of damage during construction.

4. Construction and maintenance costs shall be borne in accordance with an agreement that has been entered into between the City of Pomona, ACE, and UP (parties). ACE shall file a copy of the agreement with the Rail Crossings Engineering Section (RCES) prior to construction. Should the parties fail to agree, the Commission shall apportion the costs of construction and maintenance by further order.

5. Within 30 days after completion of the work under this order, ACE shall notify RCES in writing, by submitting a completed standard Commission Form G (Report of Changes at Highway Grade Crossings and Separations), that the authorized work is completed.

6. This authorization shall expire if not exercised within three years unless the Commission extends the time or if the parties do not comply with the above conditions. The Commission may revoke or modify authorization if public convenience, necessity or safety so require.

7. The Commission grants consolidated A.02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, A.02-06-006, and A.02-06-056 as set forth above.

8. Consolidated A.02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, A.02-06-006, and A.02-06-056 are closed.

This order is effective today.

Dated _____, at San Francisco, California.

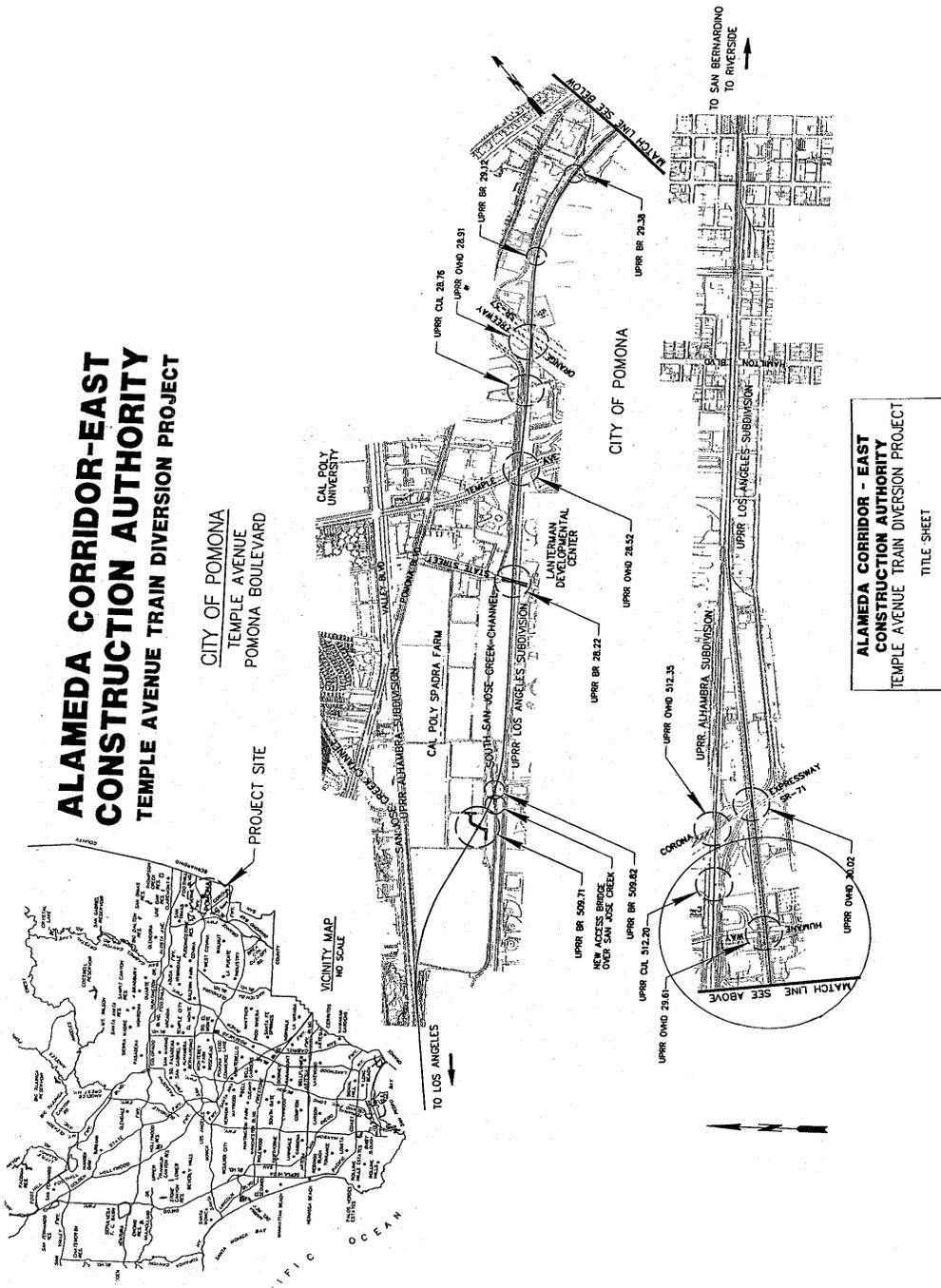
A P P E N D I X A

Alameda Corridor – East Construction Authority (ACE) proposes to modify existing grade-separated highway-rail crossings over Union Pacific Railroad Company’s (UP) existing Alhambra Subdivision and existing Los Angeles Subdivision main lines, in the City of Pomona, Los Angeles County. Consolidated Application (A.) 02-05-059, A.02-05-062, A.02-05-063, A.02-06-005, A.02-06-006, and A.02-06-056 indicate the full details of the proposed modifications and more particularly as set forth below:

1. Modify Humane Way over UP’s existing Los Angeles Subdivision main line through an addition of a third track crossing under the Humane Way Bridge (A.02-05-059), California Public Utilities Commission (CPUC) Crossing Number 3-29.80-A (Federal Department of Transportation Number 810820J).
2. Modify State Route (SR) 57 (Orange Freeway) over UP’s existing Los Angeles Subdivision main line through an addition of a third track crossing under SR-57 Bridge (A.02-05-062), CPUC Crossing Number 3-28.60-A (Federal Department of Transportation Number 810818H).
3. Modify Temple Avenue over UP’s existing Los Angeles Subdivision main line through an addition of a third track crossing under the Temple Avenue Bridge (A.02-05-063), CPUC Crossing Number 3-28.50-A (Federal Department of Transportation Number 810819P).

4. Modify SR-71 (Chino Valley Freeway) over UP's existing Los Angeles Subdivision main line through an addition of a third track crossing under the SR-71 Bridge (A.02-06-005), CPUC Crossing Number 3-30.00-A (Federal Department of Transportation Number 810821R).
5. Modify SR-71 over UP's existing Alhambra Subdivision main line through an addition of a storage track crossing under the SR-71 Bridge (A.02-06-006), CPUC Crossing Number B-512.40-A (Federal Department of Transportation Number 746923K).
6. Modify Humane Way over UP's existing Alhambra Subdivision main line through an addition of a storage track crossing under the Humane Way Bridge (A.02-06-056), CPUC Crossing Number B-512.10-A (no Federal Department of Transportation number).

APPENDIX B PLANS

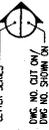


ESTIMATED QUANTITIES		
DESCRIPTION	UNIT	REQUIRED
Structure Excavation (Retaining Wall)	CY	91
Structure Backfill (Retaining Wall)	CY	34
Bar Reinforcing (Retaining Wall)	LB	11811
Structural Concrete (Retaining Wall)	CY	110
30" ODH Concrete Piling	LF	300

GENERAL NOTES:

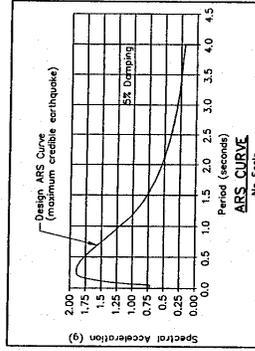
- All work requirements shown on this drawing and not otherwise detailed shall be accomplished as specified in the current edition of the California Building Code, California Engineering and Surveying Act, and the Manual for Railway Engineering, in the event of conflicts between specifications, the more restrictive will apply.
- The new retaining wall is designed in accordance with the provisions of the California Building Code, Chapter 18, Concrete Structures and Foundations, Section 18.01, and the California Building Code, Chapter 18, Concrete Structures and Foundations, Section 18.02, December 2001 (SBC). SBC Flow 2.8.4.5. Design Criteria ($M = 7.25, 0.25$) (with a 20% increase in spectral acceleration for all Type D structures) (spectral acceleration = 0.6g).
- Concrete shall be placed in accordance with the provisions of the California Building Code, Chapter 18, Concrete Structures and Foundations, Section 18.01, and the California Building Code, Chapter 18, Concrete Structures and Foundations, Section 18.02, December 2001 (SBC). SBC Flow 2.8.4.5. Design Criteria ($M = 7.25, 0.25$) (with a 20% increase in spectral acceleration for all Type D structures) (spectral acceleration = 0.6g).
- Construction shall be completed in accordance with the provisions of the California Building Code, Chapter 18, Concrete Structures and Foundations, Section 18.01, and the California Building Code, Chapter 18, Concrete Structures and Foundations, Section 18.02, December 2001 (SBC). SBC Flow 2.8.4.5. Design Criteria ($M = 7.25, 0.25$) (with a 20% increase in spectral acceleration for all Type D structures) (spectral acceleration = 0.6g).
- All concrete shall have a compression strength of 4,000 psi per state with at 28 days ($f_c = 4000$ psi).
- Grade 60 reinforcement bars shall be used.
- Unless noted otherwise, all reinforcing steel shall have 2" minimum clear cover.

INDEX TO STANDARD PLANS



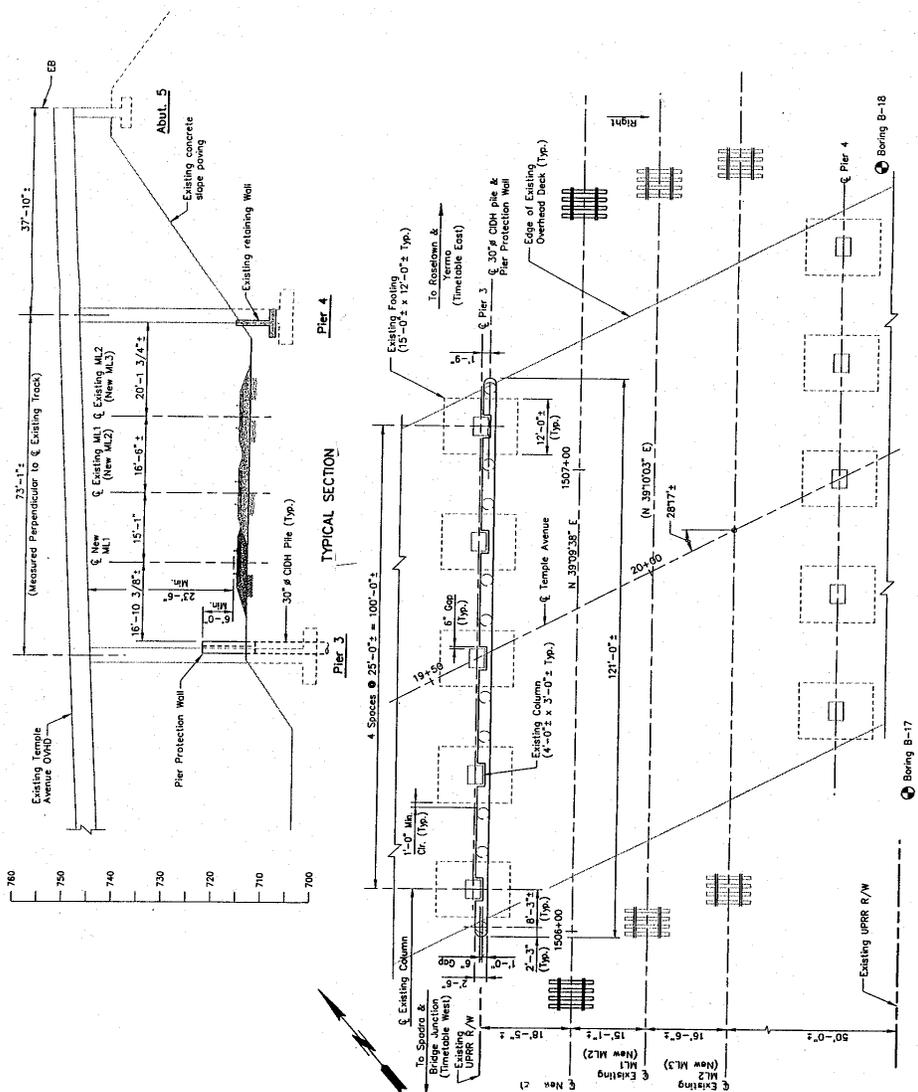
CALTRANS STD PLANS, JULY 1999
LIMITS OF PAYMENT FOR EXCAVATION
AND BACKFILL BRIDGE

SECTION DESIGNATION



DMC NO.	DESCRIPTION
S-8.1	GENERAL ARRANGEMENT
S-8.2	PIER PROTECTION WALL ELEVATION AND SECTIONS
S-8.3	BORING LOSS

**ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY PROJECT
TEMPLE AVENUE 28.52 LOS TEMPLE SUB.
PIER PROTECTION WALL
GENERAL ARRANGEMENT**



NOTE:
Contractor shall verify all field dimensions before ordering or fabricating any material.

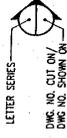
TEMPLE AVENUE - CPUC Crossing Number 3-28.50-A

ESTIMATED QUANTITIES		
DESCRIPTION	UNIT	RECD.
Structural Concrete (Retaining Wall)	CY	51
Structural Excavation (Retaining Wall)	CY	410
Structural Reinbar (Retaining Wall)	LF	328
30" CDH Concrete Piling	LF	170
30" CDH Concrete Piling	LF	638
W24X35 Solder Pile	LF	583
Precast Concrete Lapping	LF	1546
Reinforced Concrete Ditch	CY	8
Color Finishing	LF	170
Bar Reinforcing Steel (Retaining Wall)	LB	6530

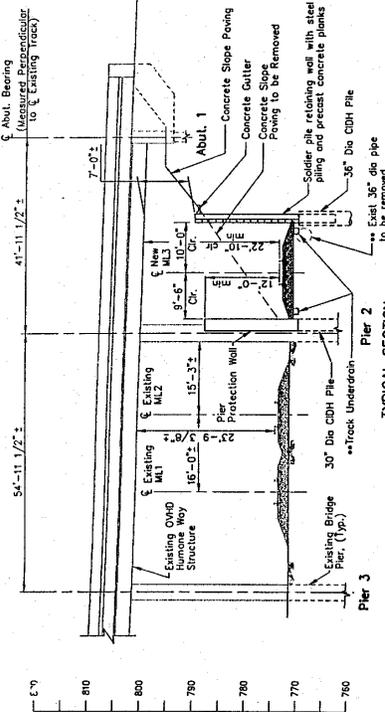
GENERAL NOTES:

- All work requirements shown on these drawings and not otherwise specified shall be accomplished as specified in the Specifications and the most current American Railway Engineering and Maintenance Workers Association Manual for Railway Engineering. In the event of conflicts between specifications, the more restrictive shall apply.
- The new pier protection wall and retaining wall are designed in accordance with the current (AREMA) Manual, Chapter 8, Concrete Structures and Foundations and Chapter 15, Steel Structures.
- Seismic Design is in accordance with California Seismic Design Criteria (CSDC) 10.1.1.1. The design shall be based on the design ground motion (MWD) (MWD 2.25) with a 2% probability of exceedance for a period (peak rock acceleration = 0.6g).
- Contractor shall perform excavation as required for construction and replace the area removed and disturbed in the course of construction to condition equal to or better than existing.
- All reinforcement shall be in accordance with the specifications for bars each of 28 days ($f_c = 4000$ psi).
- Reinforcing steel shall be per current ASTM A706 specifications meeting Grade 60 requirements ($f_y = 60$ ksi).
- Unless noted otherwise, all reinforcing steel shall have 2" minimum clear cover.
- Steel piling shall conform to ASTM A572 grade 50 requirements.

DRAWING SCHEDULE	
DWG. NO.	DESCRIPTION
S-161	GENERAL ARRANGEMENT
S-162	PIER PROTECTION WALL ELEVATION AND SECTIONS
S-163	RETAINING WALL ELEVATION AND SECTIONS
S-164	RETAINING WALL DETAILS
S-165	SOILING (SS)

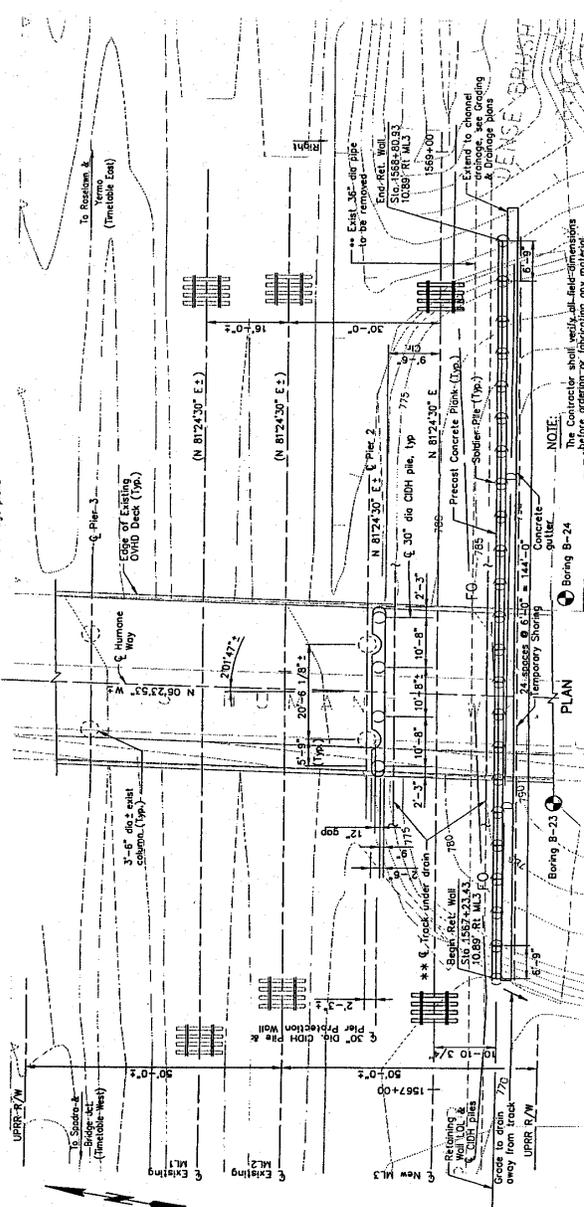


SECTION DESIGNATION



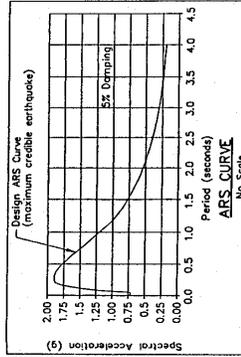
TYPICAL SECTION

** See Grading & Bridge Plans



PLAN

NOTE: The Contractor shall verify all field dimensions before ordering or fabricating any material.



INDEX TO STANDARD PLANS

- CALTRANS STD. PLANS, JULY 1999
- ASBC LIMITS OF PAVEMENT FOR UNIMPAVED SHOULDER BRIDGE
 - B3-9 CONCRETE CURB AND GUTTER
 - B11-47 CABLE RAILING
- STANDARD PLAN SHEET NO. _____
- DETAIL NO. _____

ALAMEDA CORRIDOR - EAST
CONSTRUCTION AUTHORITY
 TEMPLE AVENUE TRAIN DIVERSION PROJECT
 UPRR OVHD 29.61 LOS ANGELES SUB
 PIER PROTECTION/RETAINING WALL AT HUMANE WAY
 GENERAL ARRANGEMENT

HUMANE WAY - CPUC Crossing Number B-512.10-A

APPENDIX C
ENVIRONMENTAL DOCUMENTS

111.300.13

NOTICE OF DETERMINATION

FILED

TO: County Clerk
County of Los Angeles
Environmental Documents
12400 E. Imperial Highway, Room 1007
Norwalk, CA 90650

02513

MAY 24 2001

CONNOR B. MCCORMACK, COUNTY CLERK
I. SHIPP DEPUTY

FROM: Alameda Corridor-East Construction Authority of the San Gabriel Valley Council of Governments

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code

Project Title: Temple Avenue Grade Crossing Elimination Project, Union Pacific Railroad Alhambra Subdivision

State Clearinghouse Number: 2001031110

Contact Person: Mark Christoffels, Senior Project Manager
Alameda Corridor-East Construction Authority
(626) 962-9292

Project Location: Intersection of Temple Avenue with the Alhambra Subdivision of the Union Pacific Railroad tracks in the City of Pomona.

Project Description: The Temple Avenue Grade Crossing Elimination Project would provide a train diversion of the Alhambra subdivision route to the Los Angeles subdivision (already grade separated) which would enable closing of crossings at both Temple Avenue and Pomona Blvd in the City of Pomona, Los Angeles County, California. The project is proposed to reduce vehicular traffic congestion and to improve safety.

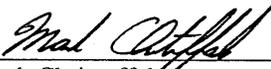
Determination: The Alameda Corridor-East Construction Authority of the San Gabriel Valley Council of Governments approved the above described project on May 21, 2001 and determined that the project will not have a significant effect on the environment. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

The Mitigated Negative Declaration with comments, responses and record of the project approval is available for review by the general public at:

Alameda Corridor-East Construction Authority
4900 Rivergrade Road, Suite A120
Irwindale, CA 91706

THIS NOTICE WAS POSTED
ON MAY 24 2001
UNTIL JUN 25 2001
REGISTRAR-RECORDER/COUNTY CLERK

May 23, 2001
Date


Mark Christoffels
Senior Project Manager
Alameda Corridor-East Construction Authority

ACE Alameda Corridor East Construction Authority

**ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY
NEGATIVE DECLARATION (CEQA)**

Pursuant to: Division 13, Public Resources Code

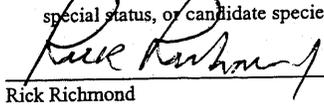
Description

The Temple Avenue Train Diversion Project would virtually eliminate through freight train use of the former Southern Pacific (SP) railroad tracks, now owned by the Union Pacific (UP), at the existing Pomona Boulevard and Temple Avenue grade crossings. The Project is proposed to reduce train noise and vehicular traffic congestion and improve safety at the Temple Avenue grade crossing. Construction of the proposed Project is anticipated to occur over 18 months to two years.

Determination

The Alameda Corridor-East Construction Authority prepared the Initial Study. On the basis of this study, it is determined that the proposed Project will not have a significant effect on the environment for the following reasons:

1. With the elimination of through freight train use of the existing Temple Avenue at-grade rail crossing, the Project will improve vehicular safety and reduce vehicular air emissions.
2. The Project would require the taking of California State Polytechnic University (Cal Poly) at Pomona lands currently under agricultural use. The ACE Construction Authority proposes to mitigate the effects of the taking of University agricultural lands by developing a mitigation and compensation plan in coordination with Cal Poly. A private at-grade crossing would be developed to permit agricultural workers to cross the new rail connection.
3. The Project will incorporate current seismic design standards to withstand seismic ground shaking that would result from a maximum credible earthquake.
4. The Project will reduce the risk of upset or accidents by providing a grade separation between public roadways and an operating rail line or by substantially reducing rail/vehicular at-grade conflicts.
5. Sampling is recommended to characterize hazardous waste potential of soil generated by clearing and grading. A health and safety plan, waste management plan, sampling and analysis plan, and work plan for remediation of any hazardous waste encountered will be prepared and implemented prior to construction.
6. The Train Diversion Project would substantially reduce noise at Cal Poly student housing and residences along Valley Boulevard but increase noise levels at the Lanterman Development Center (LDC). Measures are proposed to mitigate noise impacts at the LDC, including such measures as sound and vibration insulation, relocation of sensitive facilities, and noise walls. Measures are also proposed to reduce intermittent localized vibration impacts during construction.
7. The Project would not result in any displacements of existing residences, businesses or other uses.
8. The Project vicinity is developed and does not include habitat for any species identified as a sensitive, special status, or candidate species.



Rick Richmond
Chief Executive Officer
Alameda Corridor East Construction Authority

7/26/01
Date

**Alameda Corridor East Project
Temple Avenue Train Diversion or Grade Separation Project
Southern Pacific Line
In Los Angeles County, California**

Initial Study / Environmental Assessment

State of California
Department of Transportation

And

U.S. Department of Transportation
Federal Highway Administration

And

Alameda Corridor East Construction Authority

Pursuant to: 42 U.S.C. 4332(2)(c)

And

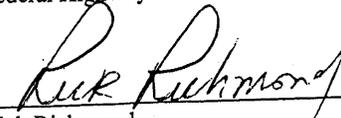
49 U.S.C. 303


for Raja Mitwasi
Deputy District Director
California Department of Transportation

12-28-00
Date


Michael Ritchie
Division Administrator
Federal Highway Administration

3-7-01
Date


Rick Richmond
Chief Executive Officer
Alameda Corridor East Construction Authority

12/20/00
Date