

Decision No. 14231

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the COUNTY OF SAN BERNARDINO for)
permission to construct a crossing)
at grade over the Southern Pacific)
Railroad near Bloomington, San)
Bernardino County, California.)

ORIGINAL

Application No. 10253.

M. O. Hert, Deputy District Attorney for applicant.
H. H. Gogarty, for Southern Pacific Company.

BY THE COMMISSION:

O P I N I O N

This is an application from the County of San Bernardino asking permission to construct an unpaved county road known as Locust Avenue, at grade across the main track and passing track of the Los Angeles-Yuma Line of the Southern Pacific Company.

A public hearing was held in this matter before Examiner Satterwhite at San Bernardino October 10, 1924.

The proposed crossing is located one half mile west of the Town of Bloomington, which lies between the Cities of Colton and Ontario. Locust Avenue is one of many north and south streets of a rather large subdivision designated on the official county map as "Semi Tropic Land and Water Company" which includes Bloomington, Rialto and Fontana.

The proposed crossing is located on that part of Locust Avenue extending from Colton Avenue to Slover Avenue, two parallel east and west highway arteries, which are one half mile apart, and approximately equally distant from the railroad which runs parallel between them. Colton Avenue is an important paved highway extending beyond Colton and Ontario. Slover Avenue is an oiled dirt

county road, which carries a rather large local vehicular traffic. The nearest public crossings to the one proposed herein are at Lindon Avenue on the east and at Alder Avenue on the west, both of which are north and south streets located one half mile on either side of Locust Avenue.

The abutting property on Locust Avenue between Slover and Colton Avenues is as yet devoid of houses and is now being cultivated with gardens and orchards. This property is divided into ten acre tracts fronting on either Colton Avenue or Slover Avenue.

Southern Pacific Company opposed the granting of this application. They contend that the crossing would seriously interfere with the operation of their line; that it is not required by the public convenience, and that it would create a hazardous condition. These tracks are part of the Southern Pacific Company's main line between Los Angeles and New Orleans over which ten regular passenger trains, fourteen regular freight trains and several extra freight trains are normally operated each day. Many of these trains travel at high speed in the vicinity of the proposed crossing. In addition to the main track, the proposed crossing passes over a passing track which, according to Southern Pacific testimony, is frequently used by passing trains. The view of trains at the proposed crossing would be seriously impaired by a row of eucalyptus trees south of the track and by an orchard north of the track and west of Locust Avenue.

The evidence shows that this crossing, if constructed, would act as a local convenience to the parties cultivating the land adjacent to Locust Avenue on either side of the track but that there is little public necessity for the same, as it would not shorten the distance for any traffic originating on Locust Avenue bound for points east or west thereof or vice versa. It was shown, however, that the crossing, if installed, would permit northbound traffic

on Locust Avenue south of Slover Avenue to continue north and reach the pavement on Colton Avenue and thereby save travel over one-half mile on oiled dirt road, which at present this traffic is required to do by traveling east or west one half mile on Slover Avenue to the existing north and south roads which cross the railroad on each side of Locust Avenue. This slight public convenience, however, does not appear to justify the granting of this application, as the opening of Locust Avenue across the railroad would create a hazardous grade crossing on an important main line railroad.

The application should be denied.

O R D E R

Hearing having been held on the above entitled application and the matter now standing submitted and ready for decision, for reasons set forth in the foregoing Opinion,

IT IS HEREBY ORDERED that the above entitled application be and it is hereby denied.

Dated at San Francisco, California, this 31st day of October, 1924.

C. J. Seaver
H. B. Brundage
Irving Martin

J. F. Whittney
Commissioners.