

ORIGINAL

Decision 84 03 103

MAR 21 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of The City of Rancho Cucamonga to)
Construct a City Street across the)
Right of Way of the Atchison,)
Topeka and Santa Fe Railway)
Company at Maple Place in the)
central Rancho Cucamonga area.)

Application 83-08-01
(Filed August 1, 1983)

O P I N I O N

As part of the project for development of Rancho Cucamonga Business Center, the City of Rancho Cucamonga (City) requests authority to construct Maple Place at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company (ATSF) in the City of Rancho Cucamonga, San Bernardino County.

The project involves improvement of existing facilities and future development of the Rancho Cucamonga Business Center bounded on the north by Foothill Boulevard, on the south by Arrow Highway, on the east by Milliken Avenue and on the west by Haven Avenue. The construction of Maple Place crossing is necessary to provide additional access to the business complex and to improve vehicular traffic circulation in the area.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000 et seq. After preparation and

review of an Environmental Impact Report (EIR), City approved the project. On February 8, 1980, a Notice of Determination was filed with the San Bernardino County Clerk which found that "The project will have a significant effect on the environment, but that pursuant to the provisions of CEQA, mitigation measures were adopted to reduce the impact on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIR. The site of the proposed project has been inspected by the Commission staff.

Notice of the application was published in the Commission's Daily Calendar on August 2, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201 to 1205 to construct Maple Place at grade across the tracks of ATSF in the City of Rancho Cucamonga, San Bernardino County.
2. The proposed crossing is required to provide additional access to the Rancho Cucamonga Business Center and to improve vehicular traffic circulation in the area.

3. Public convenience and necessity require construction of the proposed railroad-highway crossing.

4. Public safety requires that protection at the crossing be one Standard No. 8-A flashing-light signal with cantilever on the north side and one Standard No. 8 flashing-light signal on the south side, (General Order (GO) 75-C).

5. Pending installation of the automatic flashing-light signals, the requirements of public safety at each crossing may be met by the installation of two Standard No. 1-R crossing signs (GO 75-C) and flagging of the crossing.

6. City 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 EIR.

8. The project will have a significant impact on the environment, but mitigation measures adopted will reduce such impact to acceptable levels.

9. The EIR identifies no significant environmental impact that will be caused by the construction of the proposed crossing.

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. The City of Rancho Cucamonga (City) is authorized to construct Maple Place at grade across the tracks of The Atchison, Topeka and Santa Fe Railway Company (ATSF) in the City of Rancho Cucamonga, San Bernardino County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 2-96.91-C.

2. Construction of the crossing shall be equal or superior to Standard No. 1 of GO 72-B.

3. Clearances shall conform to GO 26-D. Walkways shall conform to GO 118.

4. Protection at the crossing shall be one Standard No. 8-A flashing-light signal with cantilever on the north side and one Standard No. 8 flashing-light signal on the south side (GO 75-C).

5. For a period not to exceed one year from the date of this order, protection at each crossing may be two Standard No. 1-R crossing signs (GO 75-C). No on-rail vehicle shall operate over the crossings unless it is first brought to a stop and traffic on the street protected by a member of the crew, or other competent

employee of the railroad, acting as flagman. The flagman shall place a minimum of two fusees on each side of the track prior to entry of the on-rail vehicle into the crossing.

6. Written instructions shall be issued by ATSF to trainmen operating over the crossing to comply with the flagging instructions. A copy of the instructions shall be filed with the Commission within 30 days after installation of the crossing. Suitable signs shall be installed on both sides of Maple Place calling the attention of trainmen to the flagging instructions.

7. Construction expense of the crossings and installation cost of the automatic protection shall be borne by City.

8. Maintenance of the crossing shall conform to GO 72-B. Maintenance cost of the automatic protection shall be borne by City under PU Code Section 1202.2.

9. Construction plans of the crossing, approved by ATSF, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

10. 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.

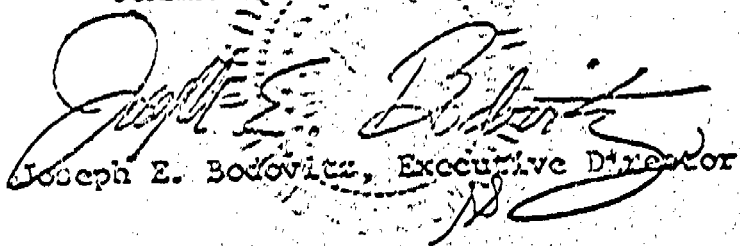
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated MAR 21 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
FRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director