

**ORIGINAL**Decision 84 11 073

NOV 7 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the )  
 City of Industry for an at grade )  
 crossing of a City Street across the )  
 Right-of-Way of the Southern Pacific )  
 Transportation Company, and construction) )  
 of the proposed crossing No. B-503.91. )

Application 84-07-021  
 (Filed July 6, 1984)

O P I N I O N ✓

As part of the project to extend Fullerton Road from the Pomona Freeway to Valley Boulevard, the City of Industry (City) requests authority to construct Fullerton Road at grade across the tracks of Southern Pacific Transportation Company's (SPT), El Paso Main Line in Industry, Los Angeles County.

The proposed extension of Fullerton Road will reduce traffic volumes and congestion on Nogales Street and Azusa Avenue by providing another North-South route between Valley Boulevard and the full interchange of the Pomona Freeway (State Route 60). The street extension project is in accordance with the provisions of the Los Angeles County Master Plan of highways.

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 Initial Study, City issued a Negative Declaration

and approved the project. On July 23, 1984, a Notice of Determination was filed with the Los Angeles County Clerk which found that "The project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

Because of the high volume of vehicular traffic which is anticipated at the crossing, City has proposed the installation of a rubber crossing surface which will provide a smooth and relatively maintenance-free crossing surface over an extended period of time. A rubber crossing surface is not, however, included within the standards of the Commission's General Order (GO) 72-B. Since there appears to be ample justification for the installation of a rubber crossing surface in this instance, an exemption from GO 72-B to permit the installation will be granted.

Notice of the application was published in the Commission's Daily Calendar on July 11, 1984. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201-1205 to construct Fullerton Road at grade across the tracks of SPT's El Paso Main Line in Industry, Los Angeles County.

2. The proposed crossing is required to provide improved traffic circulation and emergency vehicle response in the area by providing another North-South route between Valley Boulevard and the full interchange of the Pomona Freeway.

3. Public convenience and necessity require construction of the proposed Fullerton Road grade crossing.

4. Public safety requires that protection at the crossing be two Standard No. 9-A automatic gate-type signals with cantilevers (GO 75-C).

5. The proposed grade crossing will be within 200 feet of the intersection of Valley Boulevard and Fullerton Road; therefore, the traffic control signals at the intersection should be preempted upon the approach of trains.

6. The public and the railroad will benefit from installation of a rubber grade crossing surface at the crossing.

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 Initial Study and Negative Declaration.

9. The project will have no significant impact on the environment.

Conclusions of Law

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

2. An exemption from GO 72-B should be granted to permit installation of a rubber grade crossing surface at the crossing.

O R D E R

IT IS ORDERED that:

1. The City of Industry (City) is authorized to construct Fullerton Road at grade across the tracks of Southern Pacific Transportation Company's (SPT) El Paso Main Line in Industry, Los Angeles County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing B-503.9.

2. City is granted an exemption from the provisions of GO 72-B to permit installation of a rubber grade crossing surface at the crossing.

3. Construction of the crossing shall be in accordance with the provisions of GO 72-B except that a rubber grade crossing surface shall be installed at the crossing.

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

5. Protection at the crossing shall be two Standard No. 9-A automatic gate-type signals with cantilevers (GO 75-C).

6. Construction expense of the crossing and installation cost of the automatic protection shall be borne by City.

7. 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.

8. Traffic control signals at the adjacent intersection of Valley Boulevard and Fullerton Road shall be preempted upon the approach of trains.

9. Construction plans of the crossing, approved by SPT, 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 advise the Commission in writing.

11. 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.

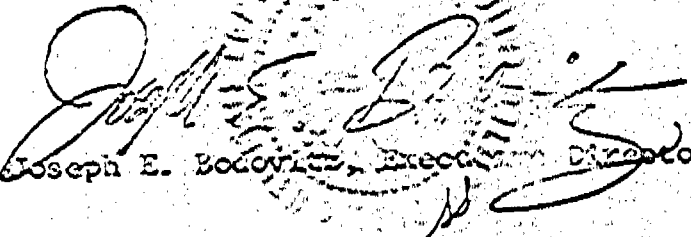
12. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated NOV 7 1984, at San Francisco, California.

VICTOR CALVO  
PRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

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

  
Joseph E. Bodovick, Director