

S/RRT/lw

Decision 89 11 047 NOV 2 2 1989

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
UNION PACIFIC RAILROAD COMPANY for an)
Order Authorizing Construction of a)
Spur Track at Grade Over and Across)
Vintage Avenue near Mile Post 49.6,)
in the City of Ontario (San)
Bernardino County), State of)
California.)

Application 89-03-011
(Filed March 9, 1989)

OPINION

The Union Pacific Railroad Company(UP) requests authority to construct an industrial spur track crossing at grade across Vintage Avenue, in Ontario, San Bernardino County.

The proposed spur track will provide rail service to the Vintage Industrial Park which will be composed of light manufacturing facilities and other commercial enterprises. The industrial park, a parcel of land consisting of approximately 1,530 acres is generally located in the southwest portion of the city and is bounded by Milliken Avenue on the west, Philadelphia Street on the south, Etiwanda Avenue on the east and the Southern Pacific Transportation Company's main line on the north.

The City of Ontario(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. A Notice of Determination was filed on July 25, 1989 with the San Bernardino 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 reviewed and assessed the Initial Study and Negative Declaration. The site of the proposed UP

industrial spur track at-grade crossing across Vintage Avenue has been inspected by the Safety Division's Traffic Engineering staff. The staff examined the need for and the safety of the proposed at-grade crossing and recommends that approval be granted.

The application was found to be in compliance under the Commission's filing requirements including Rule 40 of the Rules of Practice and Procedure, which rule relates to the construction of a railroad track across a public highway. Detailed drawings of the proposed construction are included in Appendix "A" attached to this order.

Notice of the Application was published in the Commission's Daily Calendar on March 14, 1989. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. UP request authority under Public Utilites Code Sections 1201-1205 to construct an industrial spur track at grade across Vintage Avenue in Ontario, San Bernardino County.
2. The proposed industrial spur track crossing is required to provide rail service to the Vintage Industrial Park which is being developed for light manufacturing and commercial use.
3. Public convenience and necessity require construction of the proposed industrial spur track crossing.
4. Public safety requires that protection of the crossing be two Standard No. 8-A flashing light signals with cantilever arms (General Order (GO) 75-C).
5. City is the lead agency for this project under CEQA, as amended.
6. The Commission is a responsible agency for this project and has reviewed and considered City's Initial Study and Negative Declaration.
7. This project will not have a significant effect on the environment.

Conclusion of Law

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

O R D E R

IT IS ORDERED THAT:

1. Union Pacific Railroad Company(UP) is authorized to construct an industrial spur track at grade across Vintage Avenue in Ontario, San Bernardino County, at the location and substantially as shown by the plan attached to the application and Appendix "A" of this order, to be identified as Crossing 3-49.65-C.

2. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.

3. Protection at the Vintage Avenue Crossing shall be two Standard No. 8-A automatic flashing light signals with cantilever arms(GO 75-C).

4. Construction expense of the crossing and installation cost of the automatic protection shall be borne by UP.

5. Maintenance of the crossing shall conform to GO 72-B. Maintenance cost of the automatic protection shall be borne by UP.

6. Within 30 days after completion of the work under this order, UP shall notify the Commission in writing that the authorized work has been completed.

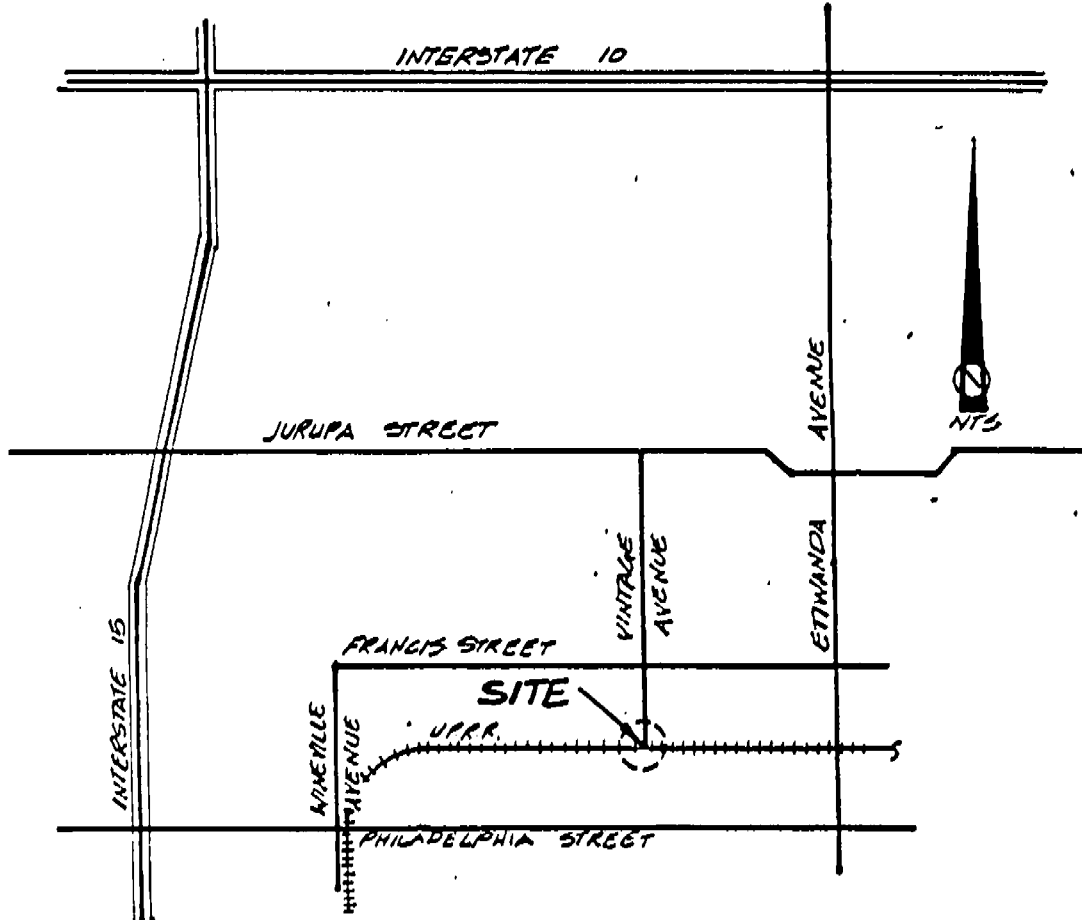
7. This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

8. The application is granted as set forth above.
This order becomes effective 30 days from today.
Dated NOV 22 1989 at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

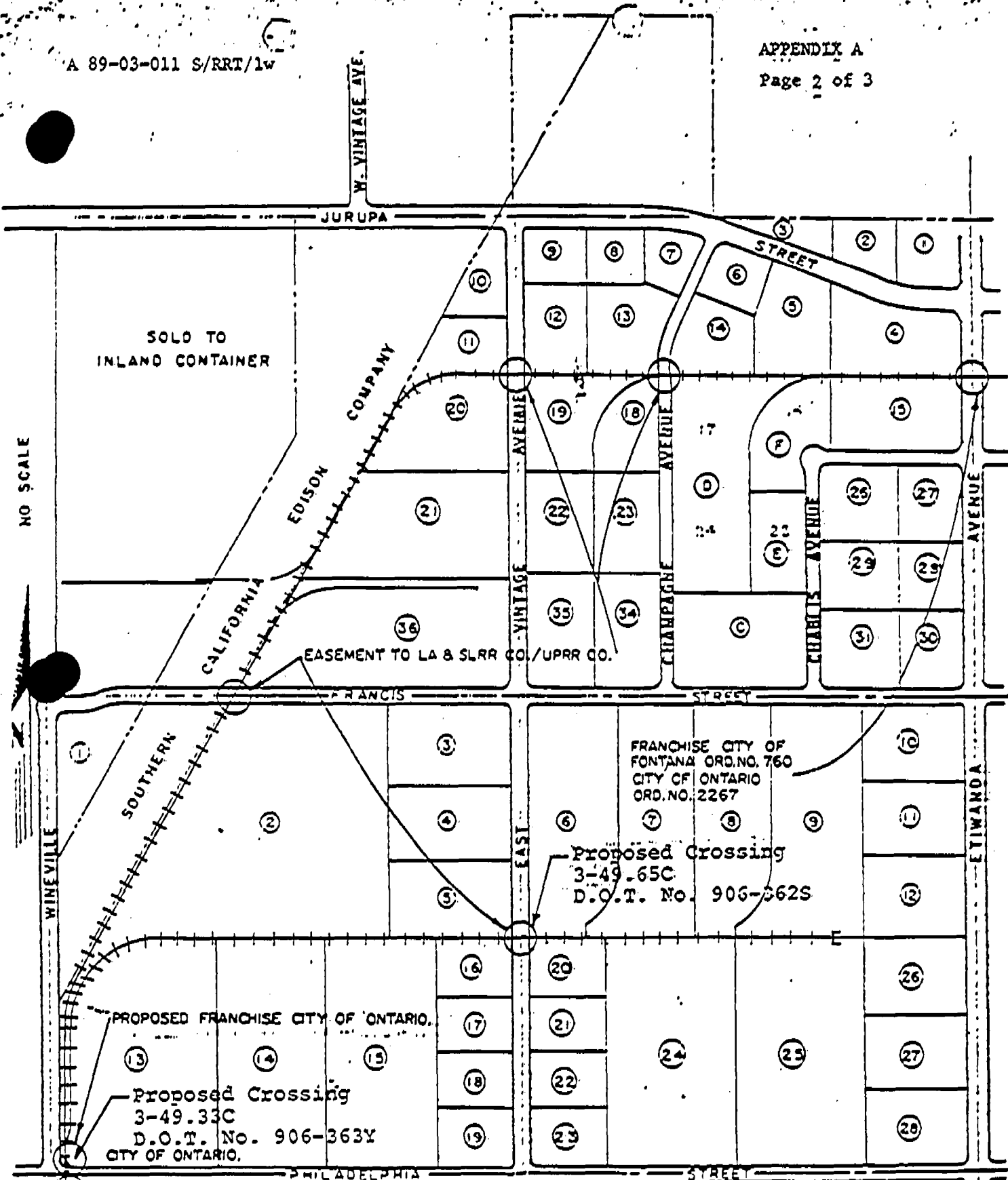
I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.

Wesley Franklin



VICINITY MAP

Exhibit "C"				
ONTARIO, CALIFORNIA P.U.C. DRAWING FOR GRADE CROSSING AT VINTAGE AVENUE P.U.C.				
UNION PACIFIC REALTY CO.				SHEET /
DATE	DESIGNED	DRAWN	CHECKED	OF /



SOLD TO
INLAND CONTAINER
COMPANY

NO SCALE

EASEMENT TO LA & SLRR CO./UPRR CO.

FRANCHISE CITY OF
FONTANA ORD. NO. 760
CITY OF ONTARIO
ORD. NO. 2267

Proposed Crossing
3-49.65C
D.O.T. No. 906-262S

PROPOSED FRANCHISE CITY OF ONTARIO.

Proposed Crossing
3-49.33C
D.O.T. No. 906-363Y
CITY OF ONTARIO.

COUNTY OF RIVERSIDE.

VINTAGE INDUSTRIAL PARK ONTARIO, CALIFORNIA

Exhibit "S"

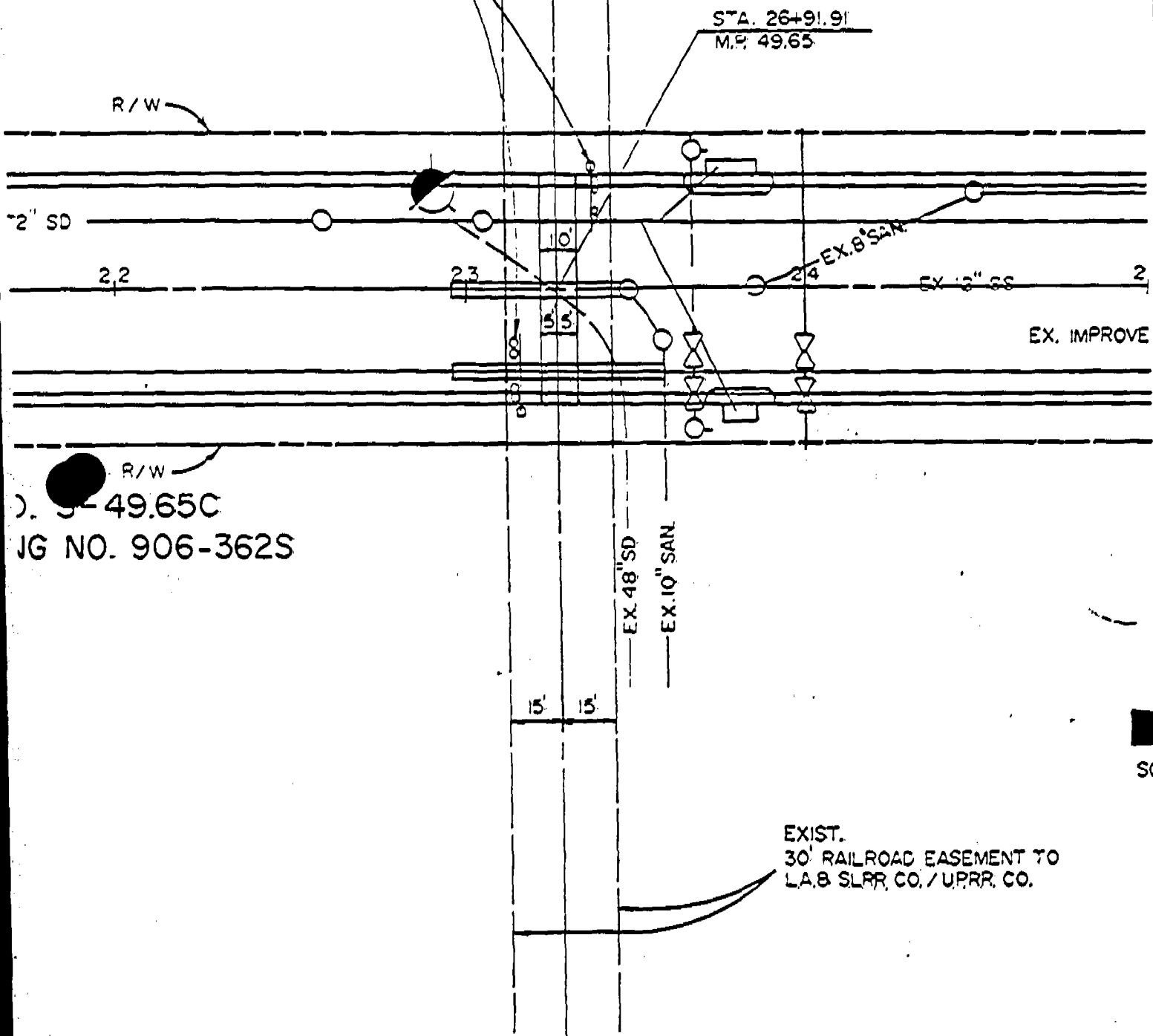
PROPOSED FRANCHISE COUNTY OF RIVERSIDE.

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APPENDIX A

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PROPOSED X-ING WITH
2 NO. 8A. CANTILEVERED
FLASHING LIGHT SIGNALS,



R/W

J-49.65C
JG NO. 906-362S

EXIST.
30' RAILROAD EASEMENT TO
L.A.B. SLRR CO. / UPRR CO.

SC