

S/RRT/jae

ORIGINAL

Decision 90 01 002 JAN 9 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SOUTHERN PACIFIC)
 TRANSPORTATION COMPANY for)
 Authority to Construct, Maintain)
 and Operate an Industrial Drill)
 Track at Grade In, Upon and)
 Across Ramona Avenue and Norton)
 Avenue, City of Chino, County of)
 San Bernardino, State of)
 California.)

Application 89-07-044
(Filed July 27, 1989)

O P I N I O N

The Southern Pacific Transportation Company (SPT) requests authority to construct an industrial drill track at grade across Ramona Avenue and Norton Avenue, in Chino, San Bernardino County.

The proposed industrial drill track will provide service to Majestic Spectrum. This drill track, and the drill track being applied for under Application (A.) 89-07-043, are designed to serve the industrial area known as the Majestic Spectrum Project, which is being developed by the Majestic Realty Company. Majestic Realty Company is in the process of completing the first phase of three buildings consisting of 475,000 square feet, 400,000 square feet of which are to be rail serviced. Further development will include the construction of a 350,000 square foot distribution facility for Southern California Distribution Services, with construction and occupancy to be in the mid 1990's.

The City of Chino (City) is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) 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

September 20, 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 SPT industrial drill track at-grade crossings across Ramona Avenue and Norton 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 crossings 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.

By Resolutions No. 88-92 and 88-93 the City granted permission to construct the drill track. SPT states that certain conditions contained in the resolutions may be within the exclusive jurisdiction of the Commission and therefore void as a matter of law. Both parties are in agreement as to the need to construct the crossings now. In the future should the City and SPT be unable to resolve their differences, they will seek resolution by further application to the Commission.

Notice of the application was published in the Commission's Daily Calendar on August 1, 1989. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. SPT requests authority under Public Utilities Code Sections 1201-1205 to construct an industrial drill track at grade

across Ramona Avenue and Norton Avenue in Chino, San Bernardino County.

2. The proposed industrial drill track crossings of Ramona Avenue and Norton Avenue are required to provide rail service to the Majestic Spectrum Project which is being developed for commercial use, including a 350,000 square foot distribution facility for Southern California Distribution Services.

3. Public convenience and necessity require construction of the proposed industrial drill track crossings.

4. Public safety requires that protection of the crossings be: two Standard No. 9 automatic gate-type signals and two Standard No. 8 automatic flashing light signals at Ramona Avenue, and two Standard No. 9 automatic gate-type signals (General Order (GO) 75-C) at Norton Avenue.

5. Because of the urgency for rail service, SPT may operate over the crossing with interim crossing protection of two Standard No. 1-R crossing signs (GO 75-C) and flagging the crossing, for a period of time not to exceed one year from the effective date of this order, pending the installation of automatic crossing protection.

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 Initial Study and Negative Declaration.

8. The project will not have a significant effect on the environment.

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. Southern Pacific Transportation Company (SPT) is authorized to construct an industrial drill track across Ramona Avenue and Norton Avenue in Chino, San Bernardino County, at the locations and substantially as shown by plans attached to the application and Appendix A of this order. The Ramona Avenue crossing is to be identified as Crossing No. BAB-521.82-C. The Norton Avenue Crossing is to be identified as Crossing No. BAB-522.07-C.
2. Clearances shall conform to GO 26-D. Walkways shall conform to GO 118.
3. Protection at the Ramona Avenue crossing shall be two Standard No. 9 automatic gate-type signals and two Standard No. 8 automatic flashing light signals and at the Norton Avenue crossing, two Standard No. 9 automatic gate type signals (GO 75-C).
4. For a period not to exceed one year from the effective date of this order, protection at the crossings may be two Standard No. 1-R crossing signs (GO 75-C). No on-rail vehicle shall operate over the crossings until 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 a flagman. The flagman shall place a minimum of two fuses on each side of the track prior to entry of the on-rail vehicle into the crossings.
5. Written instructions shall be issued by the railroad to trainmen, operating over the crossings, to comply with the flagging instructions. A copy of the instructions shall be filed with the Commission's Safety Division within 30 days after installation of the crossing. Suitable signs shall be installed on both sides of Ramona Avenue and Norton Avenue calling the attention of trainmen to the flagging instructions. The flagging procedures

shall remain in full force until the required automatic protection is installed and operative

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

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

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

9. 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.

10. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated JAN 9 1990, at San Francisco, California.

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

Commissioner Stanley W. Hulett,
being necessarily absent, did
not participate.

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

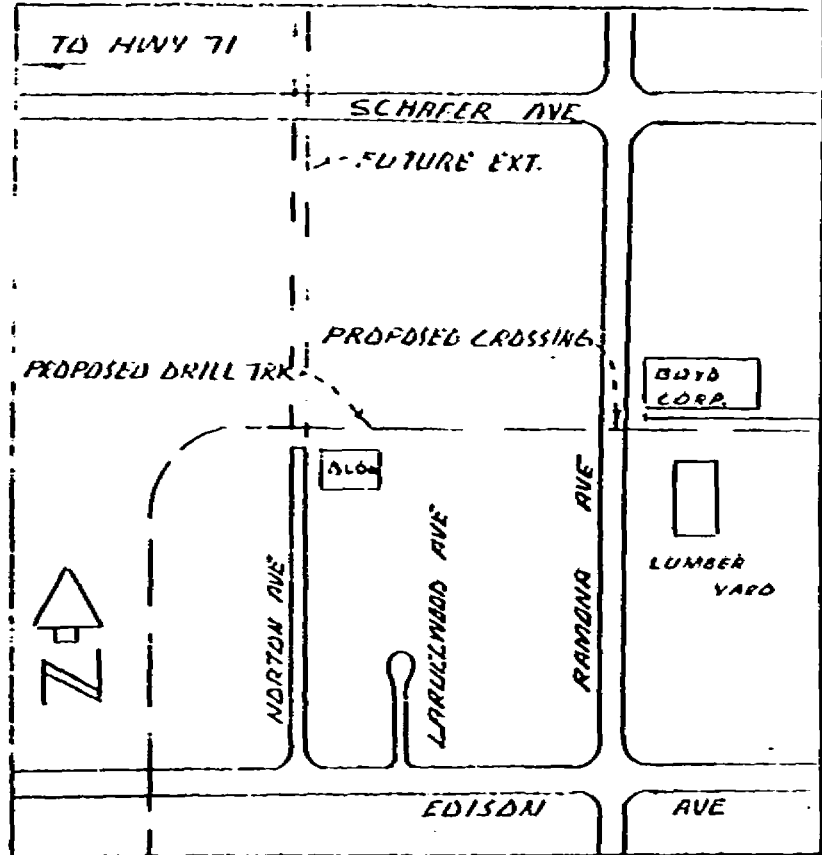
Wesley Franklin

WESLEY FRANKLIN, Acting Executive Director

DP

1/2" INCH OF DRILL TRACK

TO HWY 71



SCALE 1" = 800'

Southern Pacific
Transportation Company

CHINO

PROPOSED TRACK ACROSS
RAMONA AVE.

SCALE 1" = 50'		
VAL. SEC. 36	SHEET Z-B	DRAWN BY ND CHECKED BY
ROUTE NO. BAB	N.P. 521.82-C	DRAWING NO. B-7045
DATE 5-13-87		SHEET NO. 1
REVISED TO JUNE 26, 1989		FILE DRAWER

521.82-C

RACK

LOT 21
RANCHO SANTA ANA
1/15 121 47-42

LOT 12
DEL CHINO

PARCEL 1
SALNO 499-0
SMB. 66/ 74-77

- RAMONA -

1/1/1 ST. R/W
2' CONC. CIG.

IDENTICAL POINTS

EXIST C.B. 10' MIN.

PROP C.B.

INSTALL 2 - NO. 9 WARNING DEVICES
PER P.U.C. GEN. ORD. NO. 75-C
OR SUPERIOR AS REQUIRED BY P.U.C.

INSTALL 2 - NO. 9 WARNING DEVS.
PER P.U.C. GEN. ORD. NO. 75-C
OR SUPERIOR AS REQUIRED BY P.U.C.

~~BAB 526A-C~~

CONSTRUCT STD. NO. 1 CROSSING
PER P.U.C. GEN. ORD. NO. 72-B
OR SUPERIOR AS REQUIRED BY P.U.C.

EXIST C.B.

PROP C.B.

0" CURB FIVE 10' MIN. FROM E' TERMA

E'LY ST. R/W
2' CONC. CIG.

PROP DRILL TCR.

15'

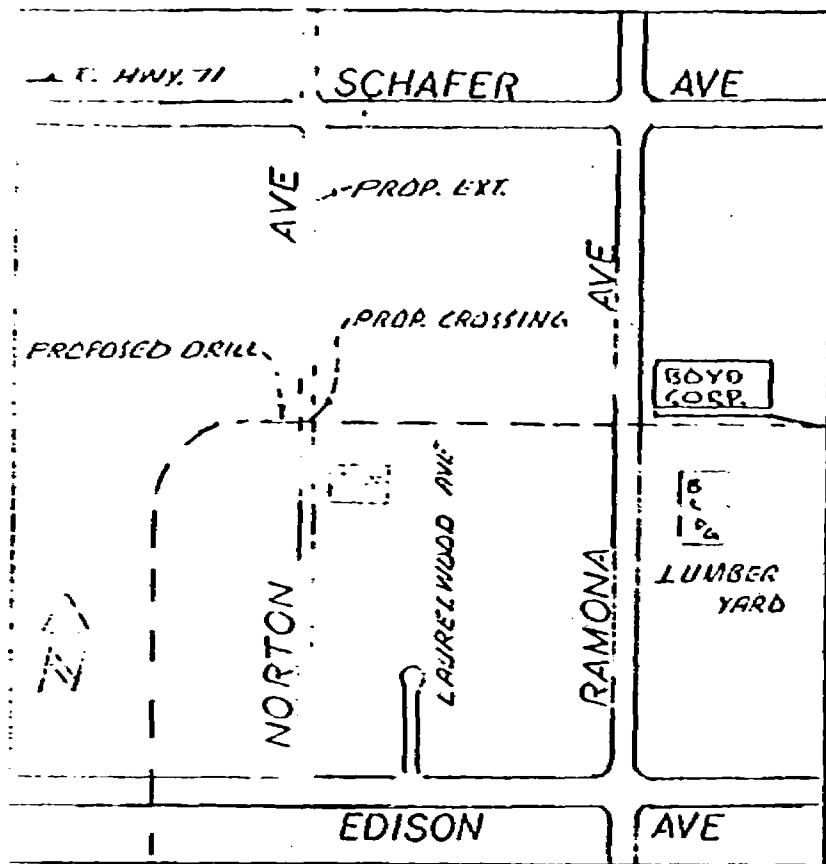
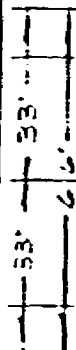
LUMBER -
-YARD-

LOT 20

-BOYD-
CJRP.
-BLDG.-

LOT 13

N. 80° 58' 36" E
TO CHINO BR.



CO.

SCALE 1" = 800'

Southern Pacific
Transportation Company
 Office of Division Engineer
 610 South Main Street, Los Angeles, California, 90014

CHINO
 PROPOSED TRACK ACROSS
 NORTON AVE

SCALE 1" = 50'	LOS ANGELES DIVISION
DRAWN BY VID CHECKED BY	VAL. SEC. 36 SHEET 2-8
ROUTE NO. BRB MR 522 JK	DRAWING NO. B-7046
DATE 5-28-87	SHEET NO.
REVISED TO JUNE 26, 1989	FILE CRAWER

JITON AVE
NO DRILL TRK.

1
2" W'LY

1
1

-NORTON-

0' 0" E 10' MIN. FROM E TRK

5' STREET R/W
2' CONC. C/G.

IDENTICAL POINTS

1
E'LY LI

15'

15'

INSTALL 2 STD. NO. 9 WARNING DEVICES
PER. PUL. GEN. ORD. NO. 75 C

88852207-C

CONSTRUCT STD. NO. 1 CROSSING
PER. PUL. GEN. ORD. NO. 72-B OR SUPERIOR

0" CURB FACE 10' MIN. FROM
& TRK.

2' CONC. C/G.
STREET

-AVE-

15'

N. 89° 57' 50" E
TO CHINU BRANCH
TO RAMONA AVE

VACANT

FIELD

FEED

LAWRENCE

PLANTING



PLAN SCALE 1" = 50'

