

T/SD

Decision 93399 AUG 4 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE ATCHISON, TOPEKA
AND SANTA FE RAILWAY COMPANY for
Authority to Construct, Maintain,
and Operate a Spur Track Across
8th Street in the City of Rancho
Cucamonga, County of San Bernardino,
State of California.

Application 60436
(Filed April 10, 1981)

O P I N I O N

The Atchison, Topeka and Santa Fe Railway Company requests authority to construct a spur track at grade across 8th Street in Rancho Cucamonga, San Bernardino County.

The Commission 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. The site of the proposed project has been inspected by the Commission staff.

The proposed spur track will provide rail service to a new industrial park known as Rancho Cucamonga Industrial Center. The surrounding area is largely vineyards that are being converted into industrial tracts.

Applicant states that industries which are locating in the new industrial park will have an immediate need for rail service. It is therefore requested that the usual 30-day effective date on an order be waived, which we will do.

Notice of the application was published in the Commission's Daily Calendar on April 14, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority under Public Utilities Code Sections 1201-1205 to construct a spur track at grade across 8th Street in Rancho Cucamonga, San Bernardino County.

2. The proposed spur track crossing of 8th Street is required to provide rail service to the Rancho Cucamonga Industrial Center.

3. Public convenience and necessity require construction of the proposed spur track crossing.

4. In consideration of the minimal train and vehicular traffic, the requirements for public safety at the crossing may be met by the installation of two Standard No. 1-R crossing signs (General Order 75-C) and flagging of the crossing.

5. The Commission is the lead agency for this project under CEQA, as amended.

6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

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

2. The usual 30-day effective date on an order should be waived as industries which are locating in the new industrial park will have an immediate need for rail service. SS

O R D E R

IT IS ORDERED that:

1. Applicant is authorized to construct a spur track at grade across 8th Street in Rancho Cucamonga, San Bernardino County, at the location and substantially as shown by the plan attached to the application, to be identified as Crossing 2-95.7-C.

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

3. Clearances shall conform to General Order 26-D. Walkways shall conform to General Order 118.

4. Protection at the crossing shall be two Standard No. 1-R crossing signs (General Order 75-C). No on-rail vehicle shall operate over the crossing 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 fuses on each side of the track prior to entry of the on-rail vehicle into the crossing.

5. Written instructions shall be issued by the railroad 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 8th Street, calling the attention of trainmen to the flagging instructions.

6. Construction expense of the crossing and installation cost of the signs shall be borne by applicant.

7. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the signs shall be borne by applicant.

8. Within 30 days after completion, under this order, applicant shall advise the Commission in writing.

A.60436 T/SD

This authorization shall expire if not exercised within two years unless time be 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 is effective today.

Dated AUG 4 1981, at San Francisco, California.

John E. Cayo
President
Richard D. Howell
James W. Smith
Walter C. ...
Franklin C. ...
Commissioners