

Decision No. 82870

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the
CITY OF MADERA to construct a crossing
at grade at Avenue 13½ and the railroad
tracks of the Southern Pacific Railroad
Company in the vicinity of Schnoor Street.)

} Application No. 54374
}(Filed October 10, 1973)

O P I N I O N

The City of Madera requests authority to construct a crossing at grade of Avenue 13½ across the tracks of the Southern Pacific Transportation Company in the City of Madera, Madera County. Notice of the application was published in the Commission's Daily Calendar on October 12, 1973. No protests have been received. A public hearing is not necessary.

F I N D I N G S

1. The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and Rule 17.1(n)(1)(B)2 of the Commission's Rules of Practice and Procedure. The applicant, by letter of October 2, 1973, submitted a motion requesting a Negative Declaration pursuant to Rule 17.1(d)(2)(A) of the Commission's Rules of Practice and Procedure, together with an Environmental Data Statement supported by a Final Environmental Impact Report on the Madera Industrial Park. The Final Environmental Impact Report on the Madera Industrial Park was introduced and duly adopted on October 9, 1973 at a public hearing of the City of Madera's Planning Commission and filed with the County Clerk on February 15, 1974. The Commission has considered the final Environmental Impact Report and finds that the requested grade crossing will not have a significant effect on the environment. Therefore, the motion for a Negative Declaration is not necessary and should be denied.

2. Construction of the proposed crossing at grade is not adverse to the public interest.

3. The City of Madera should be authorized to construct Avenue 13½ at grade across the track of the Southern Pacific Transportation Company in the City of Madera, at the location described in the application, to be identified as Crossing No. B-185.96-C.

4. The width of the crossing should be not less than 30 feet (the northerly half width of an ultimate 60-foot roadway) and grades of approach not greater than two percent.

5. Crossing construction should be equal or superior to Standard No. 2 (General Order 72-B).

6. The spur track, over which Avenue 13½ will cross at grade, presently serves one industrial plant (namely Leslie-Locke Company). Avenue 13½ presently exists on both sides of the spur track between Schnoor Avenue and Road 25 but does not cross the track. Vehicular traffic is expected to be moderate with a large portion being commercial vehicles. Rail traffic is expected to be light. Crossing protection consisting of two Standard No. 1R Signs (General Order 75-C), together with appropriate advance warning signs and pavement markings as indicated in the application, should be installed.

7. Clearances, including any curbs, should conform to General Order No. 26-D.

8. Walkways adjacent to the crossing should conform to General Order No. 112.

9. Construction cost of the crossing should be borne by the applicant. Maintenance cost of the crossing outside of lines two feet outside of rails should be borne by the applicant and the railroad should bear the maintenance cost of the crossing between such lines.

10. The crossing should not be open to vehicular traffic until the construction is completed and the crossing

protection installed.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the request is in the public interest and the application should be granted.

O R D E R

IT IS ORDERED that:

1. The application is granted conditioned on the findings and conclusions set forth above.
2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing. This authorization shall expire if not exercised within one year unless time be extended or if above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 15th day of MAY, 1974.

William J. ... President
William A. ...
Frank ...
Donald ... Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.