

Decision No. 85009**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of THE STOCKTON TERMINAL
AND EASTERN RAILROAD COMPANY, a corp-
oration, for authority to construct,
maintain and operate, an industrial
lead track across Arata Road, in the
County of San Joaquin, State of
California.

)
)
) Application No. 55716
) (Filed June 2, 1975)
)
)
)

O P I N I O N

The Stockton Terminal and Eastern Railroad requests authority to construct an industrial lead track across Arata Road in San Joaquin County.

The proposed industrial lead track will provide service to a developing industrial area, known as Fairchild Industrial Park, which is located approximately two miles east of the City of Stockton in San Joaquin County. The track will serve an existing industry which desires rail service at the earliest possible date.

The County of San Joaquin is the lead agency for development of the Fairchild Industrial Park pursuant to the Environmental Quality Act of 1970, as amended. After review and approval of an Environmental Impact Report, the Board of Supervisors of San Joaquin County passed and adopted Resolution R-74-3310 on November 14, 1974. By this resolution, the Map of the Land Use Element of the General Plan of San Joaquin County was amended to change the agricultural designation to restrictive light industrial, in an area east of Stockton, located between State Route 88 and Stockton Terminal and Eastern Railroad tracks, east of White Lane and west of Arata Road. The Fairchild Industrial Park lies within the area covered by the General Plan Amendment.

The Environmental Impact Report adopted by the County notes that "An important consideration for industrial location is the proximity of the area to major transportation routes. For this reason the amendment area has merit for industrial purposes; it fronts on both a State Highway and a small railroad."

Notice of the application was published in the Commission's Daily Calendar on June 5, 1975. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to construct an industrial lead track, at grade, across Arata Road in San Joaquin County, at the location and substantially as shown by plans attached to the application.
2. Costs of constructing the crossing should be borne by the applicant.
3. Installation and maintenance costs of the automatic protection should be borne by the applicant.
4. The industry to be served desires rail service at the earliest possible date. Applicant should, therefore, be authorized to construct the crossing with interim protection consisting of two Standard No. 1-R signs (General Order No. 75-C).
5. Dimensions, configurations, clearances and walkways should be substantially in accordance with plans attached to the application and comply with applicable rules and general orders of the Commission.
6. It can be seen with reasonable certainty that this project will not have a significant effect on the environment.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The Stockton Terminal and Eastern Railroad is authorized to construct an industrial lead track, at grade, across Arata Road in San Joaquin County to be identified as Crossing No. 41-13.8-C.

2. Protection at the new industrial lead track crossing of Arata Road, Crossing No. 41-13.8-C, shall be one Standard No. 8 Signal (General Order No. 75-C) installed at the easterly side of the crossing. The signal shall be activated only by train movements across the lead track.

3. Protection at the existing main line crossing of Baldwin Road, Crossing No. 41-13.8, shall be two Standard No. 8 Signals (General Order 75-C). Additional heads shall be installed on the signal to be located at the southwest corner of the intersection of Baldwin and Arata Roads for traffic on Arata Road. The signals to be installed at this crossing shall be interconnected to provide for warning of train movements on both tracks.

4. Construction of the crossing shall be equal or superior to Standard No. 1 (General Order No. 72-B). Crossing width shall conform to the existing roadway with tops of rails flush with the roadway surface.

5. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

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

7. Maintenance cost of the crossing shall be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection shall be borne by the applicant.

8. For a period not to exceed one year from the date of this order, protection at the two crossings may be two Standard No. 1-R signs each (General Order No. 75-C), and no on-rail vehicle shall be operated over said crossings unless it shall first be


brought to a stop and traffic on the streets protected by a member of the crew or other competent employee of the railroad acting as a flagman. Written instructions shall be issued by the railroad to trainmen, operating over said crossings, to comply with said flagging instructions. A copy of said instructions shall be filed with the Commission within thirty days after installation of the Arata Road crossing. Flagging procedures, outlined herein, shall remain in full force until the required automatic protection is installed.

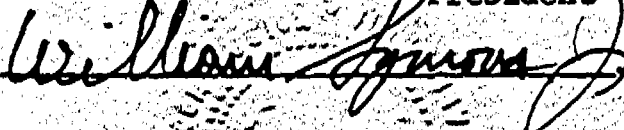
9. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.


This authorization shall expire if not exercised within 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.


The effective date of this order is the date hereof.

Dated at San Francisco, California, this 15th
day of OCTOBER, 1975.



President






Commissioners

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