

ORIGINAL

Decision No. 86197

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of )  
 SOUTHERN PACIFIC TRANSPORTATION COMPANY )  
 for an order authorizing the construction ) Application No. 56482  
 at grade of an industrial spur track in, ) (Filed May 17, 1976)  
 upon and across North Motel Drive in the )  
 County of Fresno, State of California. )

O P I N I O N

The Southern Pacific Transportation Company requests authority to construct an industrial spur track at grade across North Motel Drive near the City of Fresno, Fresno County.

Unclassified Conditional Use Permit Application 1251 requesting authorization to construct the proposed spur track has been approved by Fresno County Board of Supervisors Resolution 74-1229 and Fresno County Planning Commission Resolution 6458. Approvals were granted after consideration of a "Staff Report to the Fresno County Planning Commission" which included an environmental determination that "The proposed project was determined to be an activity of a type which would not have a significant effect on the environment and is, therefore not subject to the provisions of the California Environmental Quality Act."

Notice of the application was published in the Commission's Daily Calendar on May 18, 1976. 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 spur track at grade across North Motel Drive near the City of Fresno, Fresno County, at the location and substantially as shown by the plan attached to the application, to be identified as Crossing B-197.10-C.

2. Protection at the crossing should be two Standard No. 9-A automatic gate-type signals with cantilever arms (General Order 75-C).

3. For a period not to exceed one year from date of this order, protection at the crossing may be two Standard No. 1-R crossing signs (General Order 75-C). The signs should be lettered both sides on reflectorized white background. No on-rail vehicle should be operated over said crossing unless it shall first be 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.

4. Written instructions should be issued by the railroad to trainmen, operating over said crossing, to comply with said flagging instructions. A copy of said instructions should be filed with the Commission within thirty days after installation of said crossing. Suitable signs should be installed on both sides of North Motel Drive, calling attention of trainmen to the flagging instructions. Flagging procedures outlined herein should remain in full force until the required automatic protection is installed and operative.

5. Construction of the crossing should be equal or superior to Standard No. 3 (General Order 72-B).

6. Width of the crossing should be not less than 48 feet and grades of approach should not exceed two percent.

7. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

8. Construction cost of the crossing and installation cost of the automatic protection should be borne by the applicant.

9. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant.

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

C O N C L U S I O N S

We conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

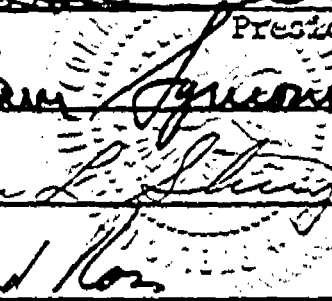
1. The Southern Pacific Transportation Company is authorized to construct an industrial spur track at grade across North Motel Drive near the City of Fresno, Fresno County, as set forth in the findings of this decision.

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 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 shall be twenty days after the date hereof.

Dated at ~~San Francisco~~ AUGUST, California, this 3rd day of \_\_\_\_\_, 1976.

  
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President  
William J. Aguirre  
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Vernon L. Sturgeon  
\_\_\_\_\_  
Leonard Ross

\_\_\_\_\_  
Commissioners

Commissioner Robert Batinevich, being necessarily absent, did not participate in the disposition of this proceeding.