

Decision 84 02 037 FEB 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
THE CITY OF STOCKTON)
for authority to construct Perlman)
Drive at grade over and across The)
Western Pacific Railroad Company)
track TIP 92-130 in the City of)
Stockton, County of San Joaquin,)
State of California)

Application 83-09-78
(Filed September 29, 1983)

In the Matter of the Application of)
THE CITY OF STOCKTON)
for authority to construct Perlman)
Drive at grade over and across The)
Western Pacific Railroad Company)
track TIP 92-140 in the City of)
Stockton, County of San Joaquin,)
State of California)

Application 83-09-79
(Filed September 29, 1983)

O P I N I O N

As part of the project to develop the Western Pacific Industrial Park, the City of Stockton (City) requests authority to construct Perlman Drive at grade across two Union Pacific Railroad Company (UP) spur tracks in Stockton, San Joaquin County.

Development of the Western Pacific Industrial Park, located near Stockton's southern city limits, is in conformance with City's General Plan. Perlman Drive will be extended northward from Zephyr Street across two UP spur tracks. This will provide

access to the Industrial Park via Ralph Avenue and Airport Way on the north and via Producers Drive and Industrial Drive on the south.

City 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. After preparation and review of an Initial Study, City issued a Negative Declaration and approved the project. On August 29, 1983, a Notice of Determination was filed with the San Joaquin 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 reviewed and considered the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

Notice of the applications was published in the Commission's Daily Calendar on October 3, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201-1205 to construct Perlman Drive at grade across two UP spur tracks in Stockton, San Joaquin County.

2. The proposed crossings are required to provide additional access and improve traffic circulation for an industrial development.

3. Public convenience and necessity require construction of the proposed railroad-highway crossings.

4. Public safety requires that protection at each crossing be two Standard No. 8-A automatic flashing-light signals with cantilevers (General Order (GO) 75-C).

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

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

7. The project will have no significant impact on the environment.

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. The City of Stockton (City) is authorized to construct Perlman Drive at grade across two Union Pacific Railroad Company (UP) spur tracks in Stockton, San Joaquin County, at the locations

and substantially as shown by plans attached to the applications, to be identified as Crossings 4-91.05-C (A.83-09-78) and 4-91.18-C (A.83-09-79), respectively.

2. Construction of the crossings shall be equal or superior to Standard No. 1 of GO 72-B.

3. Clearances shall conform to GO 26-D. Walkways shall conform to GO 118.

4. Protection at each crossing shall be two Standard No. 8-A automatic flashing-light signals with cantilevers (GO 75-C).

5. Construction expense of the crossings and installation cost of the automatic protection shall be borne by City.

6. Maintenance of the crossings shall conform to GO 72-B. Maintenance cost of the automatic protection shall be borne by City under PU Code Section 1202.2.

7. Construction plans of the crossings, approved by UP, together with a copy of the agreements entered into between the parties, shall be filed with the Commission prior to commencing construction.

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

A.83-09-78, A.83-09-79 T/ET/AV/WPSC

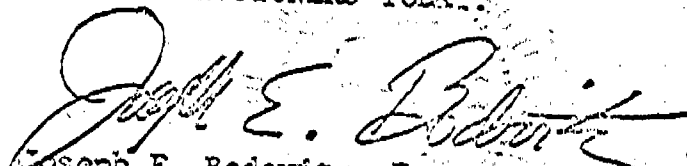
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Date FEB 1 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director