

Decision 84 02 038

FEB 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of the City of Sacramento for the)
construction of a proposed grade)
crossing across the Right of Way)
of the Central California Traction)
Company at Belvedere Avenue in)
the City of Sacramento.)

Application 83-09-87
(Filed September 30, 1983)

O P I N I O N

As part of the project to construct the Florin-Perkins Industrial Park, the City of Sacramento (City) requests authority to construct Belvedere Avenue at grade across Central California Traction Company's (CCT) industrial lead track and spur track in Sacramento, Sacramento County.

The street improvement project will extend Belvedere Avenue from Power Inn Road to Florin-Perkins Road. The project will improve traffic circulation patterns, reduce emergency response time, and improve access to the projected development in the area. At the crossing location, the spur track is approximately 100 feet easterly of the lead track. Although the lead track is used daily, the spur track is only used occasionally.

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 November 8, 1983, a Notice of Determination was filed with the Sacramento 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 application was published in the Commission's Daily Calendar on October 5, 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 Belvedere Avenue at grade across CCT's industrial lead track and spur track in Sacramento, Sacramento County.
2. The proposed crossing is required to provide improved access to the Florin-Perkins Industrial Park.
3. Public convenience and necessity require construction of the proposed railroad-highway crossing.
4. Public safety requires that protection at the industrial lead track be two Standard No. 9-A automatic gate-type signals with cantilevers (General Order (GO) 75-C).

5. The requirements of public safety at the spur track crossing may be met by the installation of one Standard No. 1-R crossing sign (GO 75-C) and flagging of the crossing.

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

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

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

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. The City of Sacramento (City) is authorized to construct Belvedere Avenue at grade across Central California Traction Company's (CCT) industrial lead track and spur track in Sacramento, Sacramento County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 61-45.1-C.

2. Construction of the crossing 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 the industrial lead track crossing shall be two Standard No. 9-A automatic gate-type signals with cantilevers (GO 75-C).

5. Protection at the spur track crossing shall be one Standard No. 1-R crossing sign (GO 75-C) in the northeast quadrant. No on-rail vehicle shall operate over the spur track 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 fusees on the east side of the spur track crossing prior to entry of the on-rail vehicle into the crossing. The west side of the spur track crossing will be protected by the automatic signal installed in the southwest quadrant of the industrial lead track crossing.

6. Written instructions shall be issued by CCT to trainmen, operating over the spur track 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 Belvedere Avenue calling the attention of trainmen to the flagging instructions.

7. Construction expense of the crossing and installation cost of the automatic protection and crossing sign shall be borne by City.

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

9. Construction plans of the crossing, approved by CCT, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

10. 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.

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.

Dated FEB 1 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.

President

VICTOR CALVO

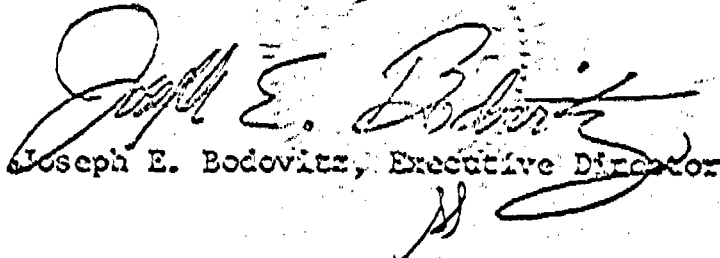
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director