

Decision 84 02 039

FEB 1 1984

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the City of Commerce to)
construct a City Street across)
1 New Spur Track of the)
Los Angeles Junction Railway)
Company at Rickenbacker Road in)
City of Commerce.)

Application 61132
(Filed December 14, 1981;
amended October 19, 1983)

O P I N I O N

As part of the project to develop a 105-acre industrial site, the City of Commerce (City) requests authority to construct Rickenbacker Road at grade across Los Angeles Junction Railway Company's (LAJR) industrial spur track in Commerce, Los Angeles County.

The project site is located in a highly developed industrial area. It is proposed to develop the 105-acre site with 17 industrial buildings, two office/commercial structures and a city fire station. Construction of the crossing is an essential element in providing access to and adequate traffic circulation for the development.

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 December 7, 1981, a Notice of Determination was filed with the Los Angeles 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 and amendment were published in the Commission's Daily Calendar on December 17, 1981 and October 21, 1983, respectively. 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 Rickenbacker Road at grade across LAJR's industrial spur track in Commerce, Los Angeles County.
2. The proposed crossing is required to provide access to and adequate traffic circulation for an industrial development in the southwestern portion of Commerce.
3. Public convenience and necessity require construction of the proposed railroad-highway crossing.

4. Public safety requires that protection at the crossing be two Standard No. 8 automatic flashing-light signals (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 application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The City of Commerce (City) is authorized to construct Rickenbacker Road at grade across Los Angeles Junction Railway Company's industrial spur track in Commerce, Los Angeles County, at the location and substantially as shown by the plans attached to the amended application, to be identified as Crossing 25C-3.07-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 crossing shall be two Standard No. 8 automatic flashing-light signals (GO 75-C).

5. Parking on Rickenbacker Road shall be prohibited within 100 feet of the crossing.

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

7. 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.

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

9. 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.

A.61132 T/RWS/TCG/WPSC

This order becomes effective 30 days from today.

Dated FEB 1 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO

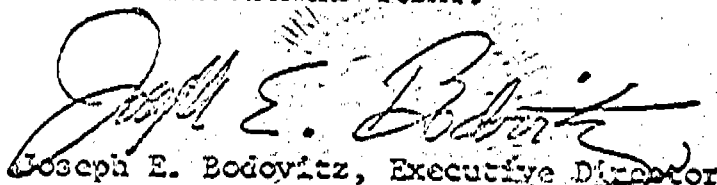
PRISCILLA C. GREW

DONALD VIAL

WILLIAM T. BAGLEY

Commissioners

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


Joseph E. Bodovitz, Executive Director