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ORIGINAL

Decision 88 12 008 DEC 9 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF OAKDALE for )  
an Order authorizing construction of a )  
new Grade Crossing across the tracks of ) Application 88-06-056  
the Southern Pacific Transportation ) (Filed June 30, 1988)  
Company and Kaufman Road in the City of )  
Oakdale, County of Stanislaus. )  
\_\_\_\_\_ )

O P I N I O N

The City of Oakdale (City) requests authority to construct Kaufman Road at grade across the tracks of Southern Pacific Transportation Company's (SPT) Oakdale Branch Line in Oakdale, Stanislaus County.

The proposed crossing will provide a more direct access from South Yosemite Avenue to some 70 acres of industrially zoned land which will be annexed to the city.

Upon completion of the new grade crossing and its opening to vehicular traffic, the existing public crossing of Kaufman Road, Crossing DC-123.0, will be abandoned.

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 1, 1987, a Notice of Determination was filed with the Stanislaus 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 application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38 relative to construction of a public highway across a railroad. Due to the few train movements and projected light vehicular traffic, a grade separation at this location is not practical. A sketch of the project vicinity is set forth as Appendix A.

The site of the proposed project has been inspected by the Commission's Traffic Engineering staff. The staff examined the need for and safety of the proposed rail crossing, and recommends issuance of an ex parte order authorizing the proposed crossing subject to the installation of automatic gate-type signals with cantilevers as protection, and abandonment of the existing public crossing of Kaufman Road.

Notice of the application was published in the Commission's Daily Calendar on July 6, 1988. 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 Kaufman Road at grade across the tracks of SPT's Oakdale Branch in Oakdale, Stanislaus County.
2. The proposed grade crossing is required to provide a more direct access to an industrially zoned parcel.
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. 9-A automatic gate-type signals with cantilevers (General Order (GO) 75-C).

5. Upon completion of the new grade crossing and its opening to vehicular traffic, the existing public crossing of Kaufman Road will be abandoned.

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 Oakdale (City) is authorized to construct Kaufman Road at grade across the tracks of Southern Pacific Transportation Company's (SPT) Oakdale Branch Line in Oakdale, Stanislaus County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing DC-123.23.

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

3. Clearances shall be in accordance with GO 26-D. Walkways shall conform to GO 118.

4. Protection at the crossing shall be two Standard No. 9-A automatic gate-type signals with cantilevers (GO 75-C).

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

6. 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.

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

8. Upon completion of the new Kaufman Road grade crossing and its opening to vehicular traffic, the existing public crossing of Kaufman Road, Crossing DC-123.0, shall be abandoned.

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.

10. 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.

11. The application is granted as set forth above.

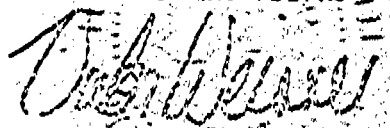
This order becomes effective 30 days from today.

Dated DEC 9 1988, at San Francisco, California.

STANLEY W. HULETT  
President

DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
JOHN B. OHANIAN  
Commissioners

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

  
Victor Weissert, Executive Director

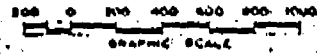
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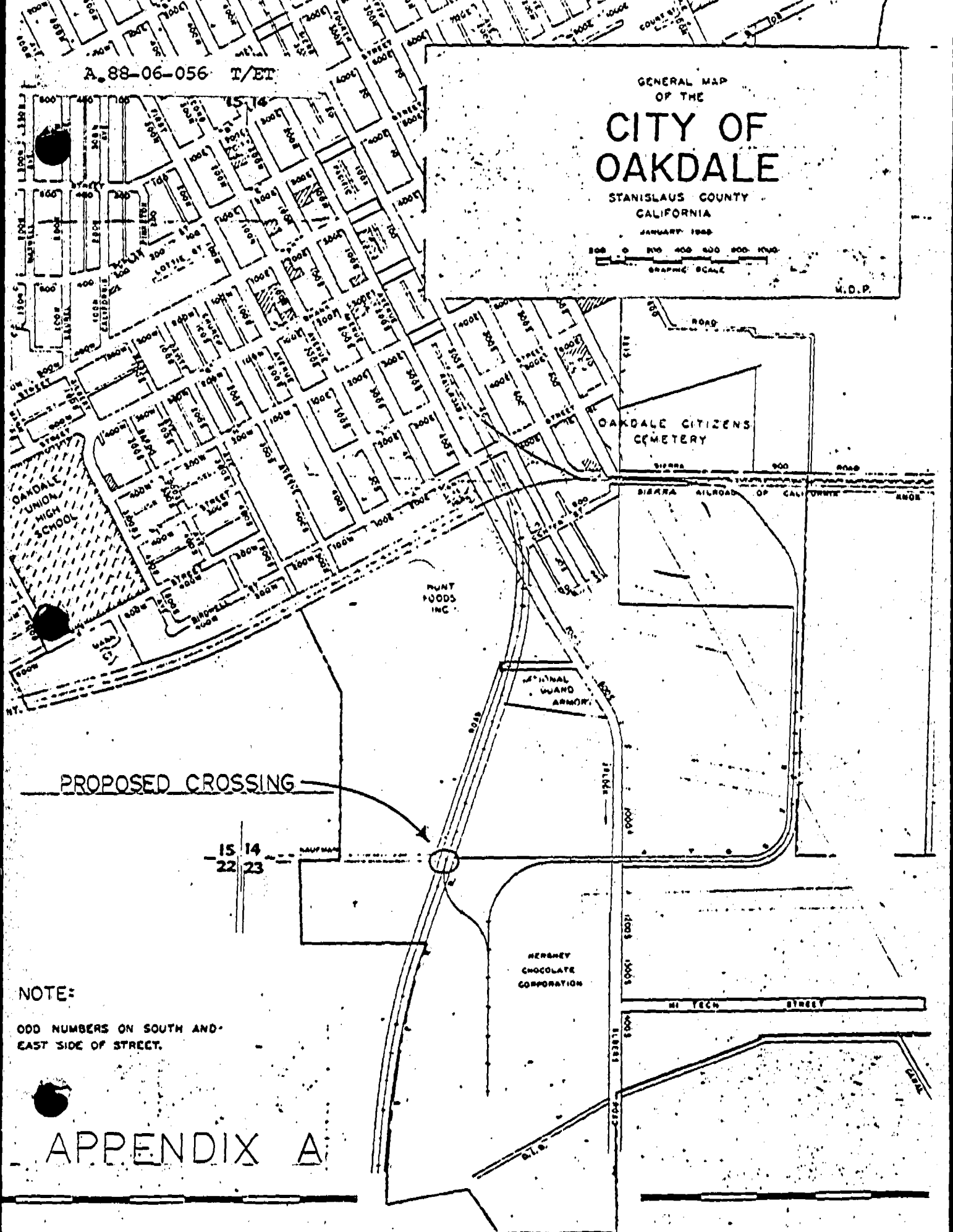
# GENERAL MAP OF THE CITY OF OAKDALE

STANISLAUS COUNTY  
CALIFORNIA

JANUARY 1968



M.D.P.



PROPOSED CROSSING

15 14  
22 23

NOTE:  
ODD NUMBERS ON SOUTH AND  
EAST SIDE OF STREET.

## APPENDIX A