

S/RRT/dt

Decision 91 03 017 MAR 13 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the County of Riverside to)
construct Harrel Street and)
Marlatt Street, public streets,)
across the railroad tracks of the)
Union Pacific Railroad in the)
County of Riverside, California)

Application 90-11-029
(Filed November 16, 1990)

O P I N I O N

As part of the project to develop Mira Loma Industrial Park for commercial and industrial use, Riverside County (County) requests authority to construct Harrel and Marlatt streets across Union Pacific Railroad Company's (UP) industrial lead spur tracks in the Mira Loma District of Riverside County.

The proposed at-grade crossings will provide public access to the proposed industrial park. The proposed project, an area of approximately 184 acres, will be subdivided into 15 parcels and is located north and east of the Ford Motor Company Auto Distribution Center. The crossings will also provide significantly reduced response time for fire and other emergency vehicles to the area served by the spur track.

County is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. After preparation and review of an Initial Study, County issued a Negative Declaration. A Notice of Determination was filed on November 2, 1990 with the Riverside 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 independently reviewed and assessed the Initial

Study and Negative Declaration. The sites of the proposed at-grade crossings of the industrial spur track have been inspected by the Safety Division's Traffic Engineering staff. The staff examined the need for and the safety of the proposed at-grade crossings and recommends that approval be granted.

The application was found to be in compliance under the Commission's filing requirements, including Rule 38 of the Rules of Practice and Procedure, which relates to the construction of a public highway across a railroad track. Detailed drawings of the proposed construction are included in the Appendix attached to this order.

Findings of Fact

1. Notice of the Application was published in the Commission's Daily Calendar on November 21, 1990. No protests have been received. A public hearing is not necessary.

2. County requests authority under Public Utilities Code Sections 1201-1205 to construct Harrel and Marlatt Streets at-grade across UP's industrial lead spur tracks in the Mira Loma District of Riverside County.

3. The proposed crossings are required to provide additional public access to the Ford Motor Company Auto Distribution Center and the Mira Loma Industrial Park which is being developed for light manufacturing and commercial use.

4. Public convenience and necessity require construction of the proposed crossings across UP's industrial lead tracks.

5. Public safety requires that each crossing (Harrel Street and Marlatt Street) be protected by two Standard No. 9-A automatic gate-type signals with cantilever arms (General Order (GO) 75-C).

6. County 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 County's Initial Study and

Negative Declaration.

8. This project will not have a significant effect on the environment.

Conclusion of Law

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

ORDER

IT IS ORDERED THAT:

1. Riverside County (County) is authorized to construct Harrel and Marlatt Streets at grade across Union Pacific Railroad Company's (UP) industrial lead spur tracks in the Mira Loma District of Riverside County at the locations and substantially as shown by plans attached to the application and Appendix of this order, to be identified as Crossing 3-45.9-C (Harrel Street) and Crossing 3-46.6-C (Marlatt Street).
2. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.
3. Protection at each crossing (both Harrel Street and Marlatt Street) shall be two Standard No. 9-A automatic gate type signals with cantilever arms (GO 75-C).
4. Construction expense of the crossing and installation cost of the automatic protection shall be borne by County.
5. Maintenance cost of the automatic protection shall be borne by County under PU Code Section 1202.2.
6. Construction plans of the crossing, approved by UP, together with a copy of the agreement entered into between the parties, shall be filed with the Commission's Safety Division prior to commencing construction.
7. Within 30 days after completion of the work under this order, County shall notify the Commission's Safety Division in writing that the authorized work has been done.
8. 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.

9. The application is granted as set forth above.

This order is effective 30 days from today.

Dated MAR 13 1991 at San Francisco, California.

PATRICIA M. ECKERT

President

G. MITCHELL WILK

JOHN B. OHANIAN

DANIEL WM. FESSLER

NORMAN D. SHUMWAY

Commissioners

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

[Handwritten Signature]
NORMAN D. SHUMWAY, Executive Director
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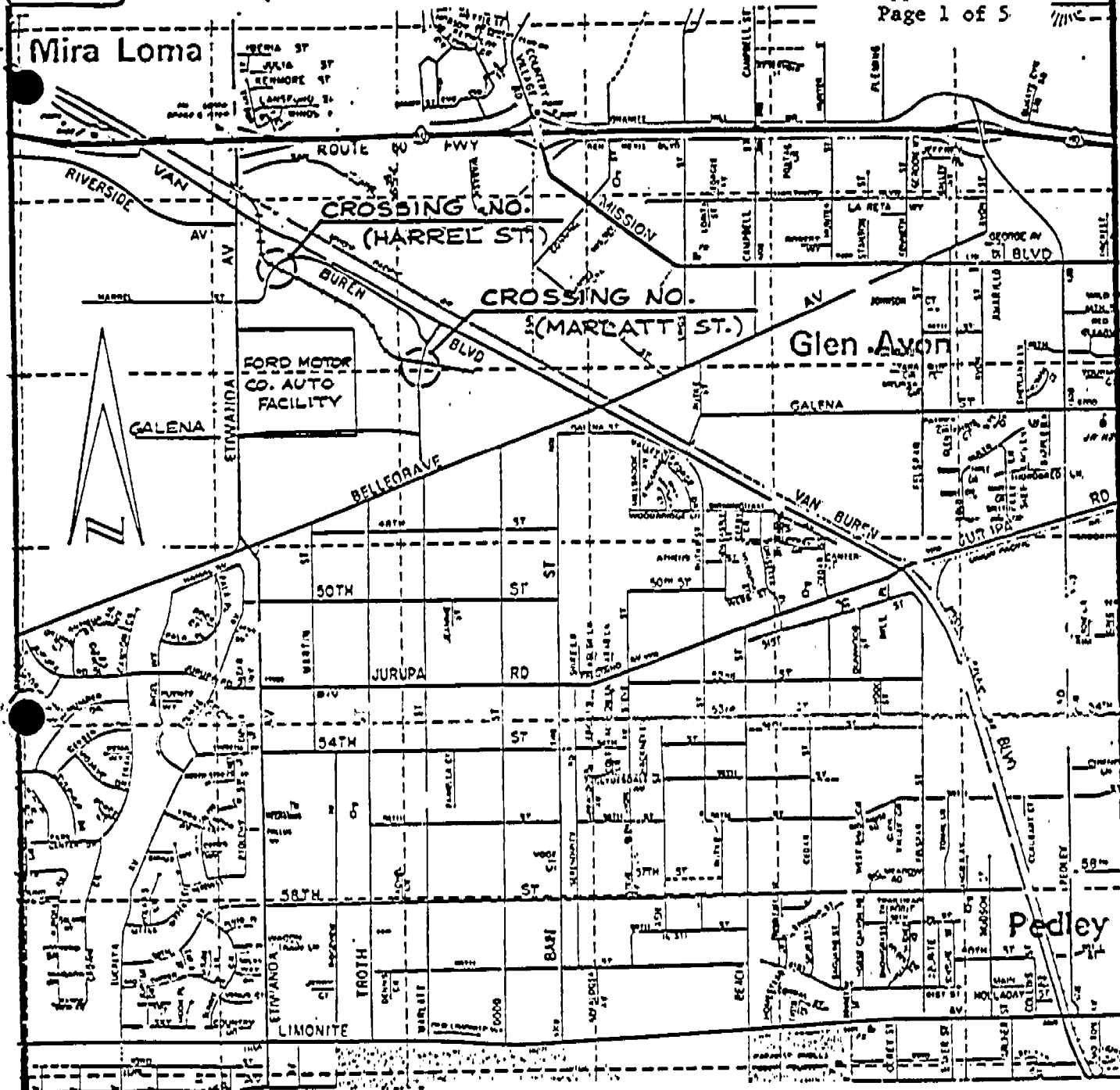
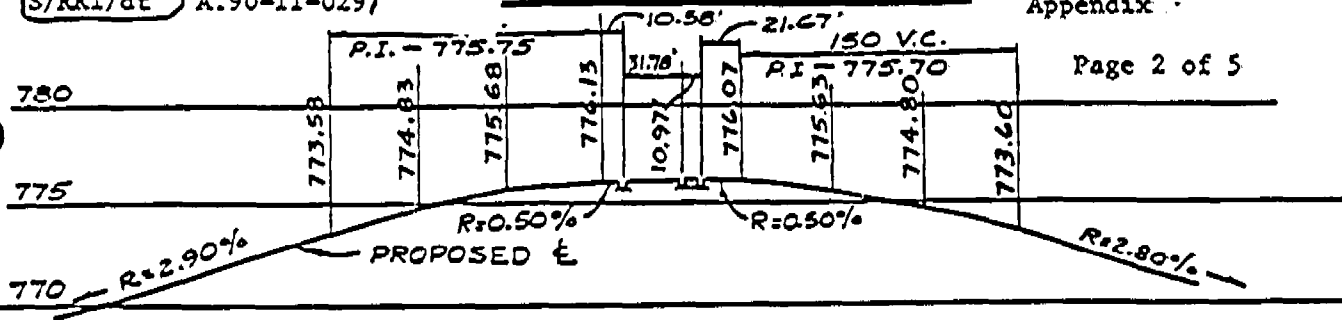
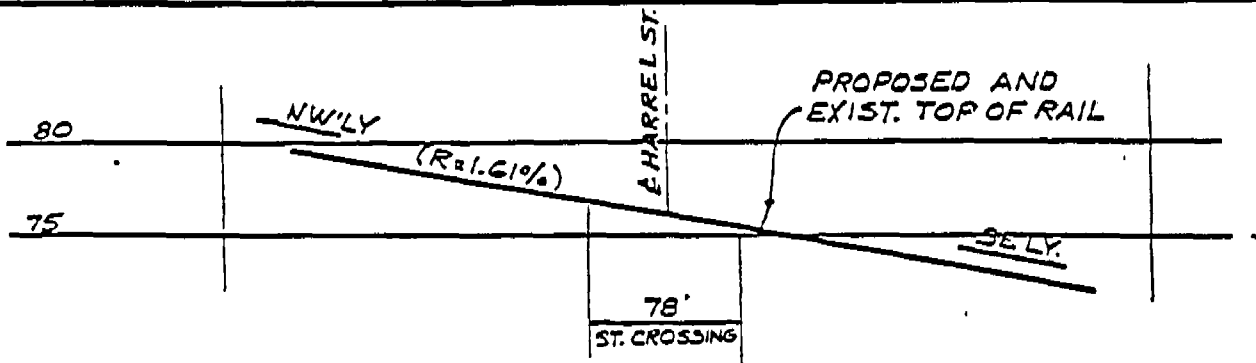


EXHIBIT A



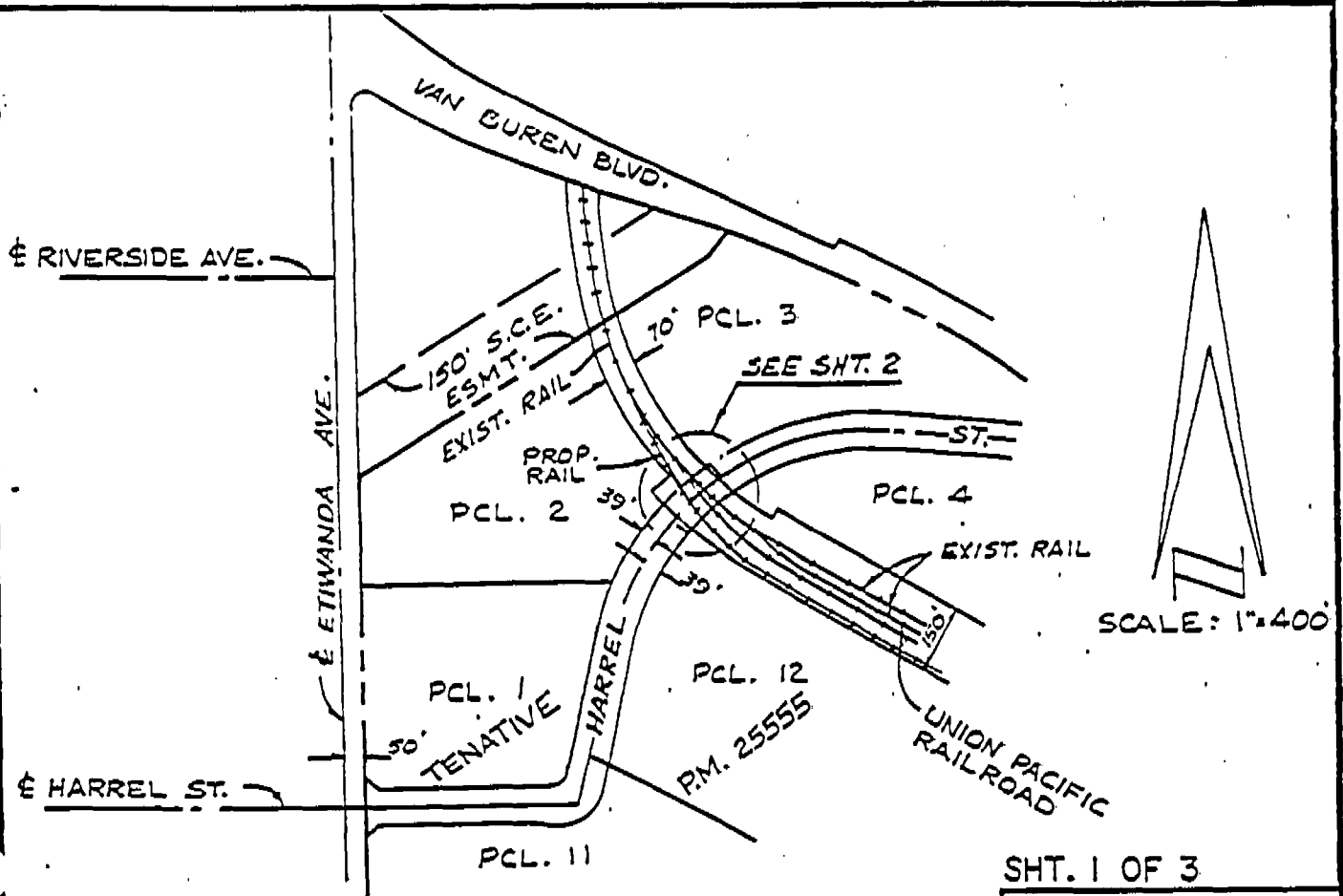
ROADWAY PROFILE

HORIZ. 1"=100'
VERT. 1"=10'



RAILROAD PROFILE (TYPICAL) (TOTAL 3 RAIL'S)

HORIZ. 1"=100'
VERT. 1"=10'

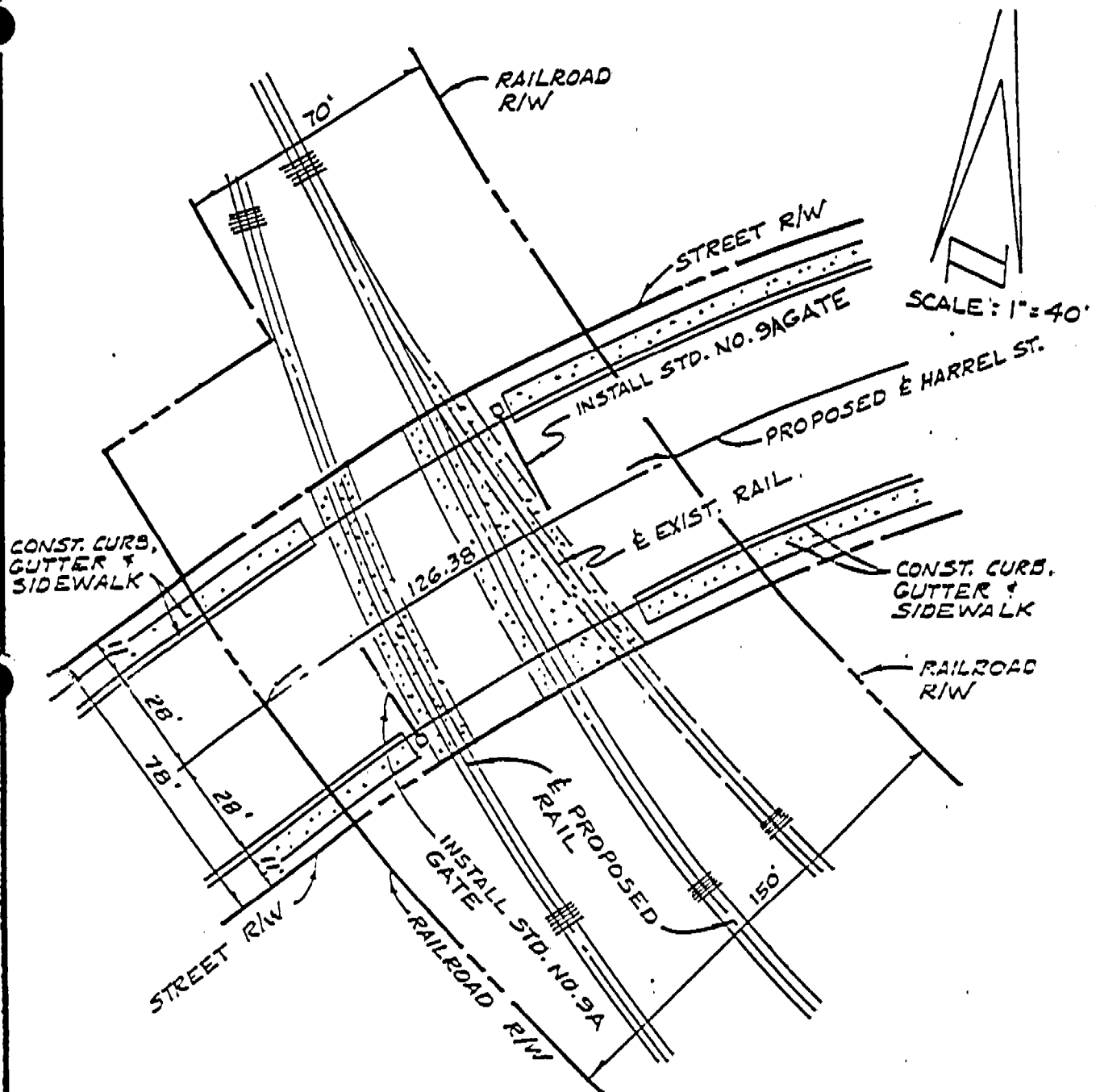


SHT. 1 OF 3

EXHIBIT B-1

COUNTY OF RIVERSIDE

HARREL STREET

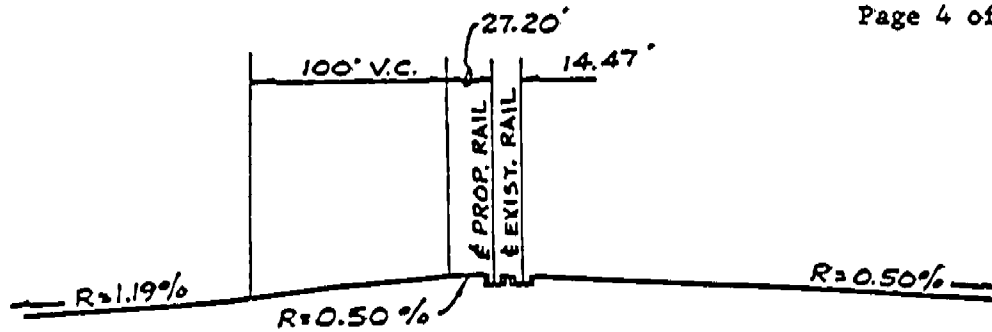


SHT. 2 OF 3

EXHIBIT B-1

COUNTY OF RIVERSIDE

HARREL STREET

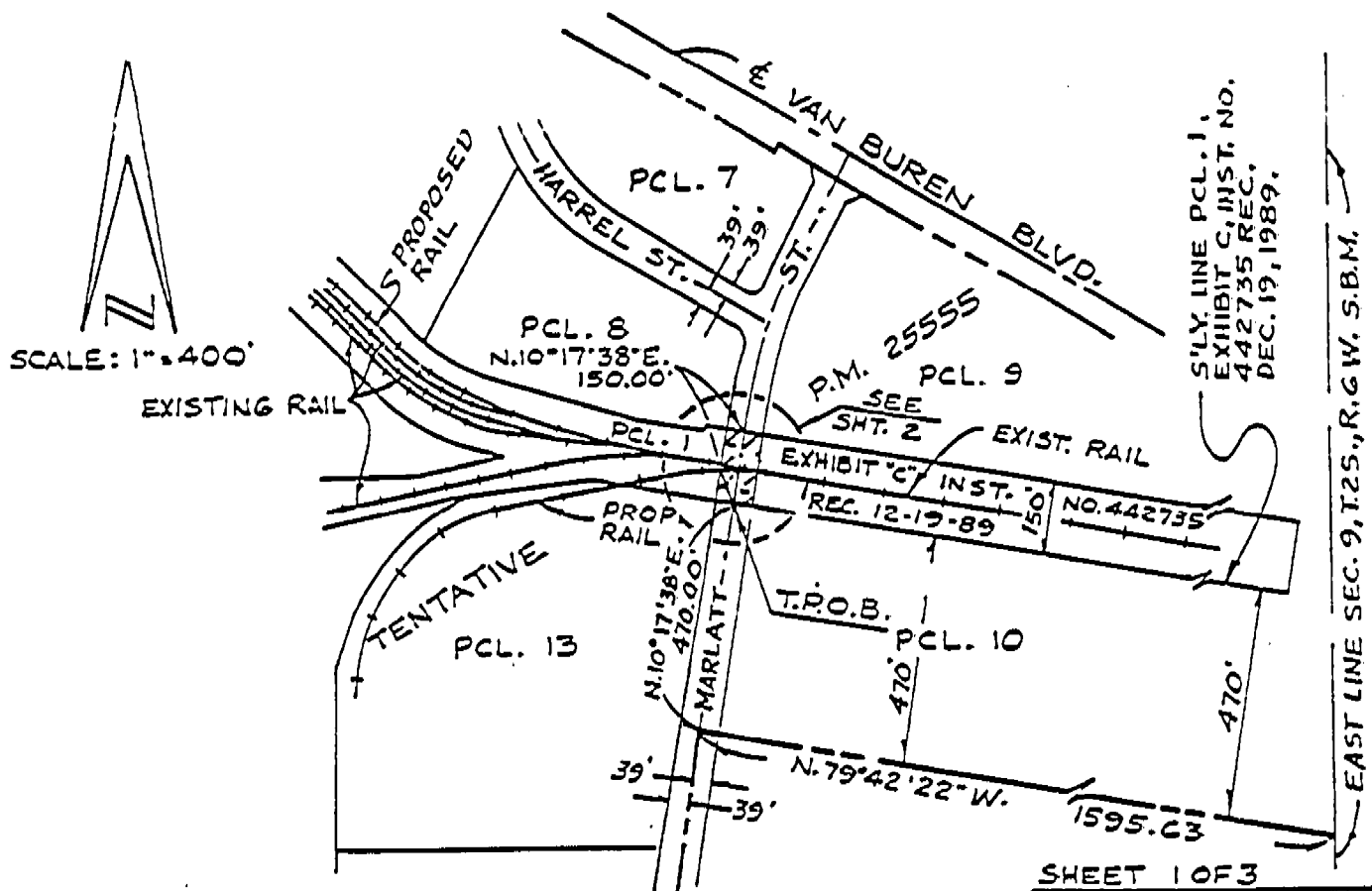


ROADWAY PROFILE

NOTE: SEE EXHIBIT C-2 FOR RAIL PROFILE.

HORIZ.: 1"=100'

VERT.: 1"=10'

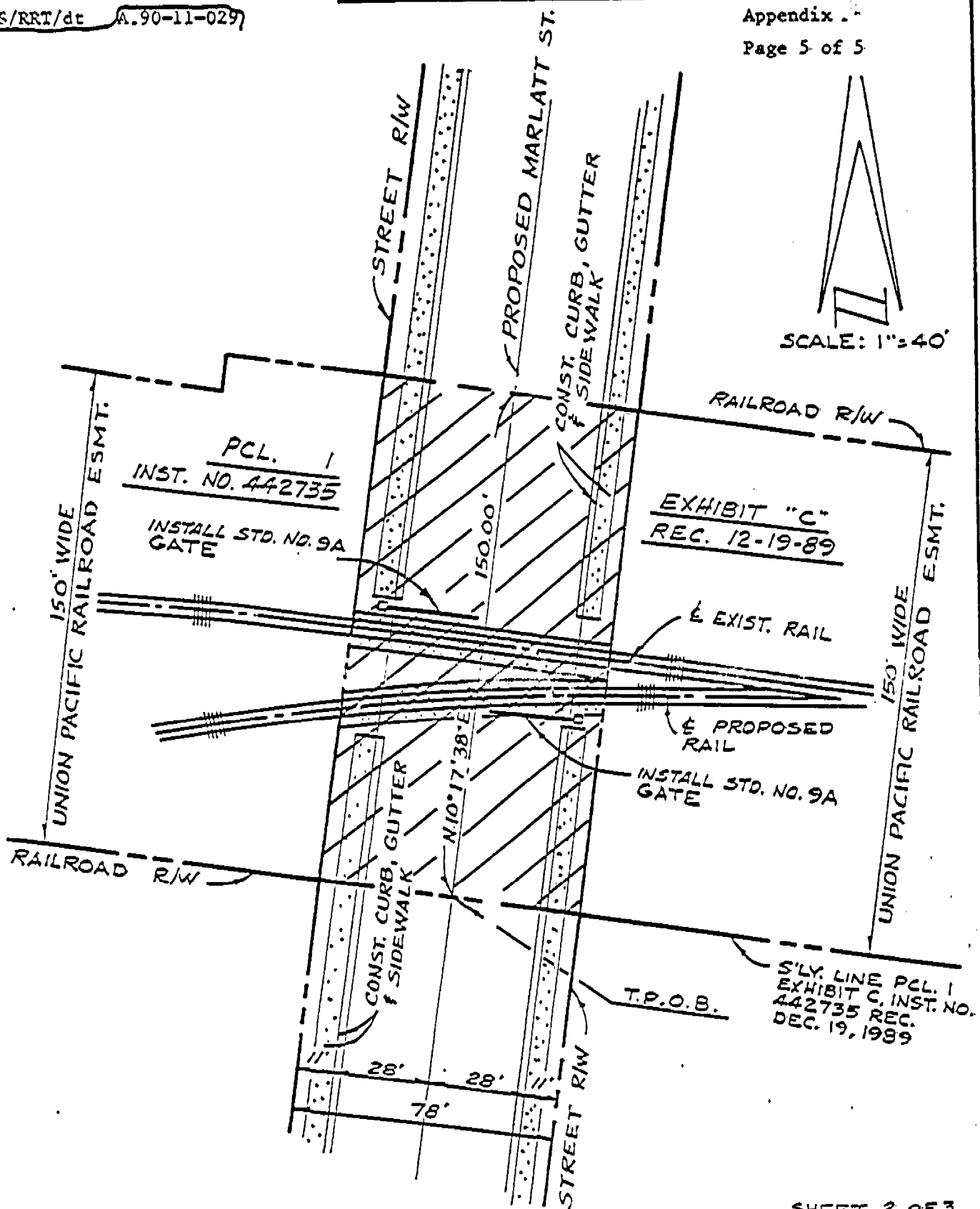


SHEET 1 OF 3

EXHIBIT C-1

COUNTY OF RIVERSIDE

MARLATT STREET



SHEET 2 OF 3

EXHIBIT C-1

COUNTY OF RIVERSIDE

MARLATT STREET