

ORIGINAL

Decision 82 01 75 JAN 19 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Rich-)
mond, a Municipal Corporation for)
an order authorizing two at-grade)
crossings for a temporary public)
access road across the Point)
Isabel lead track (Track No. 255))
and one at-grade crossing across a)
spur track (Track No. 257) of the)
Atchison, Topeka and Santa Fe)
Railway Company in the City of)
Richmond, Contra Costa County.)

Application 60624
(Filed June 3, 1981;
amended September 8, 1981)

O P I N I O N

As part of Sohio Construction Company's project to establish a temporary Module Fabrication Facility, the City of Richmond (City) requests authority to construct a temporary access road at grade across The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Point Isabel lead track and an adjacent spur track in Richmond, Contra Costa County.

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 4, 1980, a Notice of Determination was filed with the Contra Costa 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 evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

The Module Fabrication Facility will be used by Sohio Construction Company for a period of four to six years to fabricate and assemble oil field process equipment modules for use by Sohio in the North Alaskan Slope Oil Field. The facility is located in the south peninsula area of the Richmond Marina Project. Parcels in this area are included in the latter phases of a 10-to 12-year planned development of the marina. The temporary access road and crossing will permit development of public access to a shoreline strip along the southwestern boundary of the Module Fabrication Facility.

By protest filed July 8, 1981, AT&SF stated that, while it did not object to construction of the two temporary crossings then proposed, it did object to the terms and conditions set forth in the application. In particular, it was the position of AT&SF that the two temporary crossings should be protected by automatic flashing light signals rather than by fixed signs and that the crossing areas should be asphalt paved rather than being gravel paved.

City filed an amended application on September 8, 1981, which eliminated one of the two originally proposed crossings and modified City's proposal to provide for asphalt paving of the crossing area.

By letter of October 9, 1981, AT&SF indicated that it was agreeable to the installation of two Standard No. 1-R (General Order 75-C) signs as protection for the remaining crossing provided that City also agreed to the installation of two Standard No. W10-1 advance warning signs (Manual on Uniform Traffic Control Devices for Streets and Highways). Subject to City's agreement and a decision of the Commission authorizing the proposed crossing for a maximum period of five years, AT&SF withdrew its protest. By letter of October 29, 1981, City agreed to AT&SF's conditions for withdrawal of its protest.

There are no unresolved protests to the application. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to construct a temporary access road at grade across AT&SF's Point Isabel lead track and an adjacent spur track in Richmond, Contra Costa County.

2. The proposed crossing is required to provide public access to the bay shoreline.

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

4. The proposed crossing should be authorized for a maximum period of five years.

5. In consideration of the minimal train and vehicular traffic, the requirements for public safety at the crossing may be met by the installation of two Standard No. 1-R crossing signs (General Order 75-C) and two Standard W10-1 advance warning signs (Manual on Uniform Traffic Control Devices for Streets and Highways).

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 independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

8. The project will have no significant effect 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 Richmond (City) is authorized to construct a temporary access road at grade across The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Point Isabel lead track and an adjacent spur track in Richmond, Contra Costa County, at the location and substantially as shown by plans attached to the application, to be identified as crossing 2K-2.9-C.

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

3. Clearances shall conform to General Order 26-D.
Walkways shall conform to General Order 118.

4. Protection at the crossing shall be two Standard No. 1-R crossing signs (General Order 75-C).

5. The crossing is authorized for a period not to exceed five years from the effective date of this order.

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

7. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the signs shall be borne by City.

8. Construction plans of the crossing, approved by AT&SF, 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, under this order, City shall advise the Commission in writing.

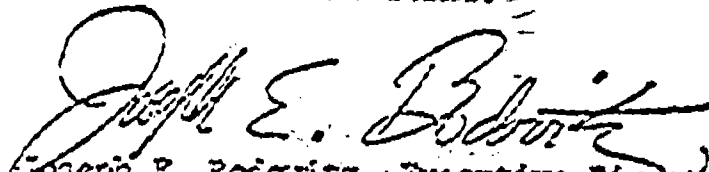
This authorization shall expire if not exercised within two years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated JAN 19 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

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


Joseph E. Bolovitz, Executive Director