

ORIGINAL

Decision 82 09 099 SEP 22 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
of SOUTHERN PACIFIC TRANSPORTATION )  
COMPANY for an order authorizing )  
the construction at grade of an )  
industrial drill track in, upon )  
and across Poindexter Avenue in )  
the City of Moorpark, County of )  
Ventura, State of California. )

Application 82-06-30  
(Filed June 11, 1982)

O P I N I O N

Southern Pacific Transportation Company (SPT) requests authority to construct an industrial drill track at grade across Poindexter Avenue in the community of Moorpark, Ventura County.

The Commission 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. The site of the proposed project has been inspected by the Commission staff.

The proposed industrial drill track will provide rail service to the Moorpark Industrial Square which is being developed by Carlsberg (Carlsberg) Development Company. The area is being developed for light industrial use and is bounded by SPT's mainline tracks on the north, Gabbert Avenue on the west, Gisler Avenue on the east, and Los Angeles Avenue on the south.

SPT states that Carlsberg desires to receive rail service in the very near future. It is, therefore, requested that the usual 30-day waiting period on an order be waived, which we will do.

Notice of the application was published in the Commission's Daily Calendar on June 15, 1982. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. SPT requests authority under Public Utilities Code Sections 1201 to 1205 to construct an industrial drill track at grade across Poindexter Avenue in the community of Moorpark, Ventura County.
2. The proposed industrial drill track crossing of Poindexter Avenue is required to provide rail service to an industrial area being developed by Carlsberg.
3. Public convenience and necessity require construction of the proposed industrial drill track crossing.
4. Public safety requires that protection at the crossing be two Standard No. 9 automatic gate-type signals (General Order 75-C).
5. Pending installation of the automatic gate-type signals, the requirements of public safety at the crossing may be met by the installation of two Standard No. 1-R crossing signs (General Order 75-C) and flagging of the crossing.

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

7. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

8. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

Conclusions of Law

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

2. The usual 30-day effective date on an order should be waived as Carlsberg desires to receive rail service in the very near future.

O R D E R

IT IS ORDERED that:

1. Southern Pacific Transportation Company (SPT) is authorized to construct an industrial drill track at grade across Poindexter Avenue in the community of Moorpark, Ventura County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing E-426.3-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. 9 automatic gate-type signals (General Order 75-C).

5. For a period not to exceed one year from the date of this order, protection at the crossing may be two Standard No. 1-R crossing signs (General Order 75-C). No on-rail vehicle shall operate over the 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 each side of the track prior to entry of the on-rail vehicle into the crossing.

6. Written instructions shall be issued by SPT to trainmen, operating over the 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 Poindexter Avenue, calling the attention of trainmen to the flagging instructions.

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

8. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the automatic protection shall be borne by SPT.

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9. Within 30 days after completion, under this order, SPT shall advise the Commission in writing.

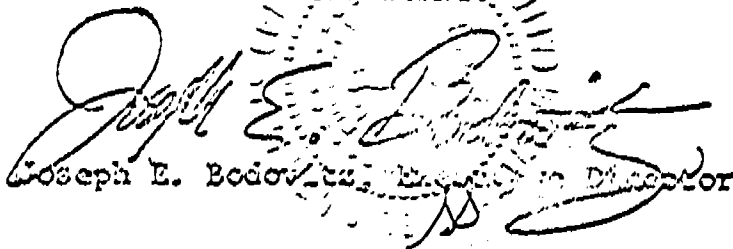
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order is effective today.

Dated SEP 22 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. Bodovick, Executive Director