

ORIGINAL

Decision 82 12 080 DEC 15 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the City of Industry for the)
Realignment of a City Street)
across the Right of Way of the)
Southern Pacific Transportation)
Company, causing the abandonment)
of the existing crossing)
No. B-505.7 and construction of)
the proposed crossing)
No. B-505.75.)

Application 82-01-32
(Filed January 15, 1982)

O P I N I O N

As part of a project to widen and realign Fairway Drive between the Pomona Freeway and Valley Boulevard, the City of Industry (City) requests authority to relocate Fairway Drive at grade across the tracks of Southern Pacific Transportation Company's (SPT) El Paso Main Line in Industry, Los Angeles 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 August 19, 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 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 proposed Fairway Drive widening and realignment project is located partly within the City of Industry and partly within the unincorporated area of Los Angeles County. Fairway Drive will be widened from a two-lane, 40-foot-wide paved roadway to four lanes within a 100-foot-wide right-of-way. The roadway will be relocated approximately 300 feet easterly at the point where it crosses SPT's tracks and intersects Valley Boulevard. The proposed realignment will provide a smooth and safe transition from Camino de Teodoro, which intersects the north side of Valley Boulevard, to Fairway Drive.

Because of the high volume of heavy truck traffic which is anticipated at the crossing, City has proposed the installation of a rubber crossing surface, which will provide a smooth and relatively maintenance-free crossing surface over an extended period of time. A rubber crossing surface is not, however, included within the standards of the Commission's General Order 72-B. Since there appears to be ample justification for the installation of a rubber crossing surface in this instance, an exemption from General Order 72-B to permit the installation will be granted.

By motion filed March 8, 1982, SPT requested that it be permitted to late-file a protest to Application 82-01-32. SPT's motion to permit late-filing of its protest was granted by Examiner's Ruling dated April 8, 1982. By letter dated August 6, 1982, SPT stated that it would not be submitting a protest to Application 82-01-32 with the stipulation that any Commission order authorizing the crossing provide that: Four Standard No. 9 automatic gate-type signals be installed at the crossing; the cost of installing and maintaining the signals be shared equally between SPT and City; and that all costs of constructing the crossing be borne by City.

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

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201-1205 to relocate Fairway Drive at grade across the tracks of SPT's El Paso Main line in Industry, Los Angeles County.

2. Relocation of the crossing is required to provide a smooth and safe transition from Camino de Teodoro, which intersects the north side of Valley Boulevard, to Fairway Drive.

3. Public convenience and necessity require relocation of the Fairway Drive grade crossing.

4. The relocated grade crossing will be within 200 feet of the intersection of Valley Boulevard and Fairway Drive; therefore, the traffic control signals at the intersection should be preempted upon the approach of trains.

5. Public safety requires that the protection at the crossing be four Standard No. 9 automatic gate-type signals (General Order 75-C).

6. The public and the railroad will benefit from installation of a rubber crossing surface.

7. Upon completion of the relocated crossing, and its opening to vehicular traffic, the existing Fairway Drive grade crossing should be closed and physically removed.

8. Applicant is the lead agency for this project under CEQA, as amended.

9. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

10. The project will have no significant impact on the environment.

Conclusions of Law

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

2. An exemption from General Order 72-B should be granted to permit installation of a rubber crossing surface.

O R D E R

IT IS ORDERED that:

1. The City of Industry (City) is authorized to relocate Fairway Drive at grade across the tracks of Southern Pacific Transportation Company's (SPT) El Paso Main Line in Industry, Los Angeles County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing B-505.75.

2. City is granted an exemption from General Order 72-B to permit installation of a rubber crossing surface.

3. Construction of the crossing shall be in accordance with the standards of General Order 72-B except that a rubber crossing surface shall be installed.

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

5. Protection at the crossing shall be four Standard No. 9 automatic gate-type signals (General Order 75-C).

6. Construction cost of relocating the Fairway Drive grade crossing shall be borne by City.

7. Installation cost of the automatic protection shall be shared equally by City and SPT.

8. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the automatic protection shall be shared equally by City and SPT under PU Code Section 1202.2.

9. 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.

10. Upon completion of the relocated crossing and its opening to vehicular traffic, the existing Fairway Drive grade crossing, Crossing B-505.7, shall be closed and physically removed.

11. Traffic control signals at the adjacent intersection of Valley Boulevard and Fairway Drive shall be preempted upon the approach of trains.

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

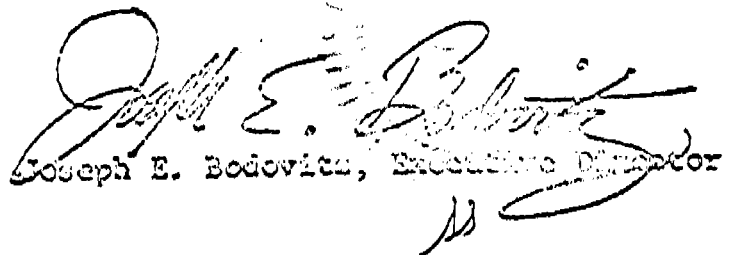
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated DEC 15 1982, at San Francisco, California.

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

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


Joseph E. Bodovitz, Executive Director