

T/RWS/AFM/WPSC

Decision 83 10 077 OCT 19 1983**ORIGINAL**

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 two)
(2) industrial spur tracks in,)
upon and across Alameda Street in)
the City of Los Angeles, County of)
Los Angeles, State of California.)

Application 83-04-25
(Filed April 11, 1983)

O P I N I O N

Southern Pacific Transportation Company (SPT) requests authority to construct two industrial spur tracks at grade across Alameda Street in Los Angeles, Los Angeles County.

The proposed industrial spur tracks will provide rail service to the new Los Angeles Wholesale Produce Market. This is a redevelopment project involving a cooperative agreement among the City of Los Angeles, the Federal Government, and Birtcher Pacific Company. The area being redeveloped as a produce market is bounded by Seventh Street on the north, Alameda Street on the east, Olympic Boulevard on the south, and Central Avenue on the west.

The City of Los Angeles (City), Department of Transportation, 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 July 15, 1983, a Notice of Determination was filed with the Los Angeles County Clerk which found that "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 site of the proposed project has been inspected by the Commission staff.

Birtcher Pacific Company, developer of the project, desires that rail service be provided to the produce market in the very near future. It is, therefore, requested that the usual 30-day waiting period on an order be waived. We will make our order effective immediately.

Notice of the application was published in the Commission's Daily Calendar on April 12, 1983. 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 two spur tracks at grade across Alameda Street in Los Angeles, Los Angeles County.

2. The proposed industrial spur track crossings are required to provide rail service to the new Los Angeles Wholesale Produce Market being developed by Birtcher Pacific Company.

3. Public convenience and necessity require construction of the proposed industrial spur track crossings.

4. The spur track crossings will be within 200 feet of the intersection of Eighth and Alameda Streets, therefore, the traffic control signals at the intersection should be preempted upon the approach of a train.

5. Public safety requires that protection at the crossings be one Standard No. 8-A automatic flashing-light signal with cantilever (General Order 75-C).

6. Pending installation of the automatic flashing-light signal, the requirements of public safety at the crossing may be met by the installation of one Standard No. 1-R crossing sign (General Order 75-C) at each crossing and flagging of the crossings.

7. City is the lead agency for this project under CEQA, as amended.

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

9. 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. The usual 30-day effective date on an order should be waived as Birtcher Pacific Company, developer of the project, desires that rail service be provided to the produce market in the very near future.

O R D E R

IT IS ORDERED that:

1. Southern Pacific Transportation Company (SPT) is authorized to construct two industrial spur tracks at grade across Alameda Street in Los Angeles, Los Angeles County, at the locations and substantially as shown by plans attached to the application, to be identified as follows: Spur Track "A" (the southerly track) as Crossing BG-484.57-C and Spur Track "B" (the northerly track) as Crossing BG-484.52-C.

2. Construction of the crossings 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 crossings shall be one Standard No. 8-A automatic flashing-light signal with cantilever (General Order 75-C) to be located north of spur track "B".

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

6. Written instructions shall be issued by SPT to trainmen, operating over the crossings, to comply with the flagging instructions. A copy of the instructions shall be filed with the Commission within 30 days after installation of the crossings. Suitable signs shall be installed on both tracks calling the attention of trainmen to the flagging instructions.

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

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

9. Traffic control signals which are located at the adjacent intersection of Eighth and Alameda Streets shall be preempted upon the approach of a train.

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

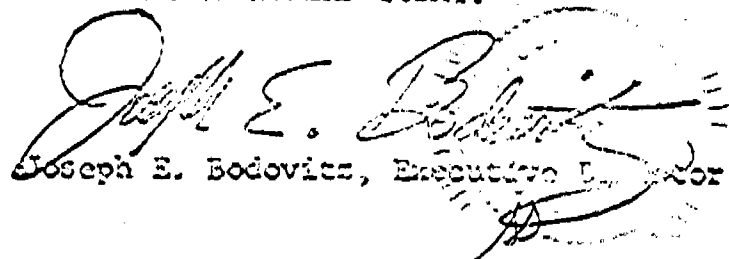
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order is effective today.

Dated OCT 19 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
FRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director