

Decision No. 87629 JUL 19 1977**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)
industrial drill tracks in, upon)
and across Seventh Street,)
Zwissig Way and Bradford Way in)
Union City, County of Alameda,)
State of California.)

Application No. 56861
(Filed November 12, 1976)

O P I N I O N

As part of the project for development of the Union City Industrial Park, the Southern Pacific Transportation Company requests authority to construct industrial drill tracks at grade across Seventh Street, Zwissig Way and Bradford Way in the City of Union City, Alameda County.

The City of Union City is the lead agency for the project to develop the Union City Industrial Park pursuant to the California Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Report, the City of Union City approved the Union City Industrial Park Development Project and on March 31, 1977 filed a Notice of Determination with the Alameda County Clerk which found that "The project will have a significant effect on the environment."

The adverse environmental effects which cannot be avoided if the project is implemented will occur during both the short-term (construction) and long-term (operating) phases of the project. Construction impacts will be generally of short duration and not necessarily of significant magnitudes. Observance of proper construction practices should mitigate most of these short-term effects.

In view of the already disturbed nature of the site, adverse effects on wildlife and vegetation should not be significant.

Mitigation of visual, aesthetic and related impacts can largely be accomplished by strict adherence to the requirements of the Union City Zoning Ordinance.

Notice of the application was published in the Commission's Daily Calendar on November 12, 1976. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to construct industrial drill tracks at grade across Seventh Street, Zwissig Way and Bradford Way in the City of Union City, Alameda County, at the locations and substantially as shown by the plan attached to the application, to be identified as Crossings D-27.61-C (Seventh Street), D-27.63-C (Zwissig Way) and D-27.95-C (Bradford Way).
2. Construction of the Seventh Street crossing should be equal or superior to Standard No. 3 of General Order 72-B. Construction of the Bradford Way and Zwissig Way crossings should be equal or superior to Standard No. 1 of General Order 72-B.
3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.
4. Protection at the Seventh Street crossing should be two Standard No. 9-A automatic gate-type signals with cantilevers (General Order 75-C). Protection at the Bradford Way and Zwissig Way crossings should be two Standard No. 8-A automatic flashing light signals with cantilevers (General Order 75-C).
5. For a period not to exceed one year from the date of this order, protection at the Bradford Way and Zwissig Way crossings may be two Standard No. 1-R crossing signs (General Order 75-C). The signs should be lettered both sides on reflectorized white background. No on-rail vehicle should be operated over the crossings unless it shall first be 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 a flagman.

6. Written instructions should be issued by the railroad to trainmen, operating over the crossings, to comply with the flagging instructions. A copy of the instructions should be filed with the Commission within thirty days after installation of the crossings. Suitable signs should be installed on both sides of Bradford Way and Zwissig Way, calling the attention of trainmen to the flagging instructions. Flagging procedures outlined herein should remain in full force until the required automatic protection is installed and operative.

7. Construction cost of the crossings and installation cost of the automatic protection should be borne by the applicant.

8. Maintenance of the crossings should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant.

9. The City of Union City is the lead agency for the project to develop the Union City Industrial Park pursuant to the California Environmental Quality Act of 1970, as amended, and on October 17, 1973 approved its final Environmental Impact Report which has been filed with the Commission. The Commission has considered the City of Union City's final Environmental Impact Report and Notice of Determination and finds that the benefits of the proposed project outweigh any adverse effects and that the proposed project should be approved.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The Southern Pacific Transportation Company is authorized to construct industrial drill tracks at grade across Seventh Street, Zwissig Way and Bradford Way in the City of Union City, Alameda County, as set forth in the findings of this decision.

2. Within thirty days after completion pursuant to this order, applicant shall so 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.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 19th day of JULY, 1977.

Robert Bateman
President
William Sycous J.
Vernon L. Sturgeon
Richard D. Howell

Commissioners

Commissioner CLAIRE T. DEDRICK

Present but not participating.