

Decision No. 90068 MAR 13 1979.**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE ATCHISON, )  
 TOPEKA AND SANTA FE RAILWAY )  
 COMPANY, a corporation, for )  
 authority to construct, maintain )  
 and operate spur track over )  
 Evans Street in the City of )  
 Riverside, County of Riverside, )  
 State of California )

Application No. 58486  
 (Filed November 24, 1978)

O P I N I O N

As part of the E. R. Carpenter Company Redevelopment Proposal, The Atchison, Topeka and Santa Fe Railway Company requests authority to construct a spur track at grade across Evans Street in the City of Riverside, Riverside County.

The Redevelopment Agency of the City of Riverside is the lead agency for the E. R. Carpenter Company Redevelopment Proposal pursuant to the California Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq. After preparation and review of an Initial Study, the City Council of the City of Riverside issued a Negative Declaration and approved the project. On June 6, 1978, a Notice of Determination was filed with the Riverside 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 also been inspected by the Commission staff.

The proposed spur track across Evans Street is part of the E. R. Carpenter Company Redevelopment Proposal which includes installation of a railroad spur to serve the 250,000+ square foot industrial building to be constructed on the site. The project site is presently vacant but this project will allow industrial development in accord with the plan of the city's Redevelopment Agency.

Notice of the application was published in the Commission's Daily Calendar on November 28, 1978. 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 a spur track at grade across Evans Street in the City of Riverside, Riverside County at the location and substantially as shown by the plan attached to the application, to be identified as Crossing 2B-14.18-C.
2. Construction of the crossing should be equal or superior to Standard No. 2 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 crossing should be two Standard No. 8-A automatic signals with cantilevers (General Order 75-C).
5. Construction cost of the crossing and installation cost of the automatic protection should be borne by the applicant.
6. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant.

7. The Redevelopment Agency of the City of Riverside is the lead agency for the E. R. Carpenter Company Redevelopment Proposal pursuant to the California Environmental Quality Act of 1970, as amended.

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

9. This project will have no significant impact on the environment.

#### 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 Atchison, Topeka and Santa Fe Railway Company is authorized to construct a spur track at grade across Evans Street in the City of Riverside, Riverside 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 thirty days after the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of MARCH, 1979.

John E. Bryan  
President  
Leslie L. Sturgeon  
Richard D. Goble  
Paul J. Decker  
Samuel J. Smith  
Commissioners