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APR 2 1980

ORIGINAL

Decision No. \_\_\_\_\_

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 and an industrial spur track in, upon and across Hamilton Court in the City of Menlo Park, County of San Mateo, State of California.

Application No. 59471 (Filed February 25, 1980)

O P I N I O N

As part of the project to rehabilitate and expand an existing industrial complex into a development to be known as the Menlo Industrial Center, the Southern Pacific Transportation Company requests authority to construct an industrial drill track and an industrial spur track at grade across Hamilton Court in the City of Menlo Park, San Mateo County.

The City of Menlo Park is the lead agency for the Menlo Industrial Center development project pursuant to the California Environmental Quality act of 1970, as amended, Public Resources Code, Section 21000, et seq.

After preparation and review of an Environmental Impact Report, the City of Menlo Park approved the project. On August 13, 1979, a Notice of Determination was filed with the Secretary for Resources 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 Environmental Impact Report. The site of the proposed project has also been inspected by the Commission staff.

The proposed Menlo Industrial Center is located approximately 2,000 feet northeasterly of Freeway Route 101 on Willow Road at the approach to the Dumbarton Bridge. The project includes the reuse of 10 existing industrial buildings and the construction of 11 additional structures on a 62 acre parcel of land.

Applicant advises that the industries to be served require rail service at the earliest possible date and, therefore, requests that the usual thirty-day waiting period be waived.

Notice of the application was published in the Commission's Daily Calendar on February 25, 1980. 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 an industrial drill track and an industrial spur track at grade across Hamilton Court in the City of Menlo Park, San Mateo County, at the locations and substantially as shown by the plans attached to the application, to be identified as Crossing DAB-30.8-C.
2. Construction of the crossing 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 crossing 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 crossing may be two Standard No. 1-R crossing signs (General Order 75-C). No on-rail vehicle should 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 a flagman. The flagman should place a minimum of two fuseses on each side of the track prior to entry of the on-rail vehicle into the crossing.
6. Written instructions should be issued by the railroad to trainmen, operating over the crossing, to comply with the flagging instructions. A copy of the instructions should be filed with the Commission within thirty days after installation of the crossing. Suitable signs should be installed on both sides of Hamilton Court, 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 crossing and installation cost of the automatic protection should be borne by the applicant.
8. 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.

9. The City of Menlo Park is the lead agency for this project pursuant to the California Environmental Quality Act of 1970 as amended.

10. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Environmental Impact Report.

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

12. The industries to be served require rail service at the earliest possible date, therefore, the usual thirty-day waiting period should be waived.

### C O N C L U S I O N

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 an industrial drill track and an industrial spur track at grade across Hamilton Court in the City of Menlo Park, San Mateo 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.

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The effective date of this order is the date hereof.

Dated APR 2 1980, at San Francisco, California.

John E. Byron  
President

Vernon L. Stinson

Robert D. Smith

Donald W. Jones  
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.