

T/SD

Decision No. 92385 NOV 4 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF COMMERCE,
A GENERAL LAW CITY, TO CONSTRUCT A
PUBLIC GRADE CROSSING AT TRIANGLE
DRIVE OVER A DRILL TRACK OF THE MAIN
LINE OF THE SOUTHERN PACIFIC TRANSPOR-
TATION COMPANY IN THE CITY OF COMMERCE

ORIGINAL

Application No. 59535
(Filed March 21, 1980)

O P I N I O N

As part of the project for development of an 11.5 acre industrial park, the City of Commerce requests authority to construct Triangle Drive at grade across Southern Pacific Transportation Company's tracks in the City of Commerce, Los Angeles County.

The City of Commerce is the lead agency for this project pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code, Section 21000 et seq.

After preparation and review of an Initial Study, the City of Commerce issued a Negative Declaration and approved the project. On February 11, 1980, a Notice of Determination was filed with the Los Angeles County Clerk which found that "the project will not have a significant impact 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 area to be developed is the site of several former substandard industrial buildings. The area surrounding the project site has been developed for a variety of manufacturing uses. The new street (Triangle Drive) will permit access to the previously landlocked rear portion of the site and allow flexibility in future development.

Notice of the application was published in the Commission's Daily Calendar on March 26, 1980. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant should be authorized to construct Triangle Drive at grade across Southern Pacific Transportation Company's tracks in the City of Commerce, Los Angeles County, at the location and substantially as shown by the plans attached to the application, to be identified as crossing BBJ-493.8-C.

2. Upon completion of the Triangle Drive grade crossing and its opening to vehicular traffic, the City's two existing private grade crossings, located approximately 250 feet and 850 feet easterly of the centerline of the proposed Triangle Drive crossing as shown on Southern Pacific Transportation Company's Los Angeles Division Drawing No. B-6692, Sheet No. 1, dated May 13, 1980, should be closed and physically removed.

3. Construction of the crossing should be equal or superior to Standard No. 2 of General Order 72-B.

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

5. Protection at the crossing should be two Standard No. 8-A automatic flashing light signals with cantilevers (General Order 75-C).

6. 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). The signs should be lettered, both sides, on reflectorized white background. 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 fuses on each side of the track prior to entry of the on-rail vehicle into the crossing.

7. 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 Triangle Drive, calling the attention of trainmen to the flagging instructions. The

flagging procedures outlined herein should remain in full force until the required automatic protection is installed and operative.

8. Construction expense of the crossing and installation cost of the automatic protection should be borne by the applicant.

9. 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 pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

10. Construction plans of the crossing, approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.

11. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

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

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

Conclusion of Law

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 City of Commerce is authorized to construct Triangle Drive at grade across Southern Pacific Transportation Company's tracks in the City of Commerce, Los Angeles 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.

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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 NOV 4 1980, at San Francisco, California.

John S. Bryan
President

Thomas L. Stevenson

Richard D. Givels

W. Louis T. Harding

Samuel M. Jones
Commissioners