

Decision No. 93083 MAY 19 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF LODI, A MUNICIPAL CORPORATION, TO CONSTRUCT A CITY STREET ACROSS A SPUR TRACK OF ROBERT L. GRIFFIN AT THE EXTENSION OF LODI AVENUE, EAST OF CLUFF AVENUE

Application No. 60160  
(Filed December 26, 1980)

O P I N I O N

The City of Lodi requests authority to construct Lodi Avenue at grade across Central California Traction Company's spur track in the City of Lodi, San Joaquin County.

The City of Lodi 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 Lodi issued a Negative Declaration and approved the project. On December 12, 1980, a Notice of Determination was filed with the San Joaquin 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 been inspected by the Commission staff.

The project will extend Lodi Avenue eastward from Cluff Avenue across a spur track of the Central California Traction Company that serves Wickes Forest Industries. This will provide additional access, improve traffic circulation and increase convenience for existing and projected industrial development in the area.

Notice of the application was published in the Commission's Daily Calendar on January 5, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority pursuant to Sections 1201-1205 of the Public Utilities Code to construct Lodi Avenue at grade across Central California Traction Company's spur track in the City of Lodi, San Joaquin County.

2. The proposed spur track crossing is required to provide access and improve traffic circulation patterns in the area.

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

4. Public safety requires that protection at the crossing be two Standard No. 1-R crossing signs (General Order 75-C) and that traffic on the roadway be protected by a member of the train crew acting as flagman.

5. The City of Lodi is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

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

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

Conclusion of Law

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 Lodi is authorized to construct Lodi Avenue at grade across Central California Traction Company's spur track in the City of Lodi, San Joaquin County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing No. 61B-0.65-C.

2. Construction of the crossing 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 crossing shall be two Standard No. 1-R crossing signs (General Order 75-C).

5. No on-rail vehicle shall operate over the crossing unless it is first brought to a stop and traffic on the roadway protected by a member of the train crew, or other competent employee of the railroad, acting as a flagman. The flagman shall place a minimum of two fuses on each side of the track prior to entry of the on-rail vehicle into the crossing.

6. Written instructions shall be issued by the railroad to trainmen, operating over the crossing, to comply with the flagging instructions. A copy of the instructions shall be filed with the Commission within thirty days after installation of the spur track crossing. Suitable signs shall be installed on both sides of Lodi Avenue, calling the attention of trainmen to the flagging instructions.

7. Construction expense of the crossing and installation cost of the crossing signs shall be borne by applicant.

8. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the crossing signs shall be borne by applicant.

9. Construction plans of the crossing approved by Central California Traction Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

10. 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 MAY 19 1981, at San Francisco, California.

John E. Bryson  
President  
Richard D. Powell  
Leland J. Amick  
Walter C. Brown  
James C. Green  
Commissioners