

Decision 93343 JUL 22 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Application of the County of Kings, California, a Political Subdivision under the laws of the State of California, for the construction of a Railroad Grade Crossing by a Proposed County Road Over the Southern Pacific Transportation Company's Railroad in the vicinity of Armona, California.

Application 60168  
(Filed January 5, 1981;  
amended March 16, 1981)

O P I N I O N

The County of Kings requests authority to realign Hanford-Armona Road at grade and to close the existing Hanford-Armona Road and 14½ Avenue crossings at grade across the tracks of Southern Pacific Transportation Company's (SPT) Coalinga Branch Line near Armona, Kings County.

The County of Kings is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000 et seq. After preparation and review of an Initial Study, the County of Kings issued a Negative Declaration and approved the project. On April 22, 1980, a Notice of Determination was filed with the Kings 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.

Hanford-Armona Road presently crosses SPT's tracks at a very flat angle resulting in a hazardous condition at the crossing. Realignment of the roadway will allow the crossing to be constructed at a more advantageous angle and permit closure of the adjacent 14½ Avenue crossing as well as the existing Hanford-Armona Road crossing.

Notice of the application and the amendment were published in the Commission's Daily Calendar on January 7, 1981, and March 19, 1981, respectively. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority under Public Utilities (PU) Code Sections 1201-1205 to realign Hanford-Armona Road at grade and to close the existing Hanford-Armona Road and 14½ Avenue crossings at grade across the tracks of SPT's Coalinga Branch Line near Armona, Kings County.
2. The proposed realignment of Hanford-Armona Road at grade across SPT's tracks will improve the crossing alignment and sight distance and thereby reduce crossing safety hazards.
3. Public convenience and necessity require realignment of Hanford-Armona Road across SPT's tracks.
4. Public safety requires that protection at the crossing be two Standard No. 9 automatic gate-type signals (General Order 75-C).
5. Applicant is the lead agency for this project under CEQA, 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. The 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 County of Kings is authorized to realign Hanford-Armona Road at grade across the tracks of Southern Pacific Transportation Company's (SPT) Coalinga Branch Line near Armona, Kings County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing BD-257.05.
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. 9 automatic gate-type signals (General Order 75-C) with additional flashing lights aimed at traffic on Front Street.
5. Construction expense of the crossing shall be borne in accordance with an agreement entered into between the parties involved.
6. The automatic protection shall be installed under a California Department of Transportation Service Contract which has been entered into between the parties.
7. Maintenance of the crossing shall conform to General Order 72-B. Maintenance cost of the automatic protection shall be shared equally by applicant and SPT under PU Code Section 1202.2
8. Upon completion of the realigned Hanford-Armona Road crossing, and its opening to vehicular traffic, the existing Hanford-Armona Road (Crossing BD-257.1) and 14½ Avenue (Crossing BD-257.0) grade crossings shall be closed and physically removed.
9. Construction plans of the crossing, approved by SPT, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

10. Within 30 days after completion, under 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.

This order becomes effective 30 days from today.

Dated                     JUL 22 1987                    , at San Francisco, California.

                    John E. Cuyler                      
President  
                    William O. Hoar                      
                    Leonard W. Smith                      
                    Victor Calio                      
                    Rena C. Green                      
Commissioners