

Decision 93700 NOV 3 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application  
of the City of Fairfield to construct  
a city street across the Right of  
Way of the Sacramento Northern  
Railroad at Portland Road in the  
Eastern Fairfield area.

Application 60723  
(Filed July 8, 1981)

OPINION

As part of the project for construction of the Strassberger Industrial Park, the City of Fairfield requests authority to construct Portland Road at grade across the tracks of Sacramento Northern Railway's (SN) Willotta Branch Line in Fairfield, Solano County.

The City of Fairfield 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 City of Fairfield issued a Negative Declaration and approved the project. On December 24, 1980, a Notice of Determination was filed with the Solano 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 proposed industrial park project provides for the subdivision of 54 acres located northeast of downtown Fairfield which lie mostly within the undeveloped 100-year flood plain of McCoy Creek. Any loss of wetland areas will be mitigated by creating an on-site pond and by planting native trees. Construction will provide for administrative facilities, research institutions, and light industrial uses.

The existing Willotta Branch Line west of Peabody Road has been out of service for several years due to the lack of business. Commission Resolution ET-1229, dated May 10, 1977, authorized removal of crossing protection from Milepost 7.6 to Milepost 9.9 until such time as rail operations are resumed on this portion of the Willotta Branch.

Notice of the application was published in the Commission's Daily Calendar on July 13, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority under Public Utilities Code Sections 1201-1205 to construct Portland Road at grade across the tracks of SN's Willotta Branch Line in Fairfield, Solano County.
2. The proposed crossing is required to provide access to a new industrial subdivision.
3. Public convenience and necessity require construction of the proposed railroad-highway crossing.
4. No protection is required at the crossing since the Willotta Branch Line is out of service.
5. At such time as rail operations may be resumed on this portion of the Willotta Branch Line, the requirements for public safety at the crossing may be met by the installation of two Standard No. 1-R crossing signs (General Order 75-C).
6. Applicant is the lead agency for this project under CEQA, as amended.
7. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.
8. 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 City of Fairfield is authorized to construct Portland Road at grade across the tracks of Sacramento Northern Railway's (SN) Willotta Branch Line in Fairfield, Solano County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 8F-9.3.
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. At such time as rail operations may be resumed on this portion of the Willotta Branch Line, two Standard No. 1-R crossing signs (General Order 75-C) shall be installed as protection for the crossing.
5. Construction expense of the crossing and installation cost of the crossing signs required at such time as rail operations may be resumed shall be borne by applicant.
6. Maintenance of the crossing shall conform to General Order 72-B.
7. Construction plans of the crossing approved by SN, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

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8. Within 30 days after completion, under this order, applicant shall 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 NOV 3 1981, at San Francisco, California.

JOHN E. BRYSON  
President  
RICHARD D. GRAVELLE  
LEONARD M. GRIMES, JR.  
VICTOR CALVO  
PRISCILLA C. GREW  
Commissioners

*I certify that this decision was approved by the above Commissioners today.*

*John E. Bryson*  
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