

Decision No. 85047

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of the City of Oxnard, Ventura  
County, California, for an order  
granting permission to the City  
of Oxnard for the construction  
and Maintenance of a Public Street  
Crossing over the Ventura County  
Railway between existing Public  
Railway Crossings on said Rail  
road No. 45C-0.57 and 45C-0.78

Application No. 55308  
(Filed July 14, 1975)

O P I N I O N

As part of the project for the realignment of "A" Street and the widening of Wooley Road between Oxnard Boulevard and "C" Street, the City of Oxnard requests authority to construct a new one-way roadway for Wooley Road at grade across an existing spur track of the Ventura County Railway Company in the City of Oxnard in Ventura County.

The City of Oxnard is the lead agency for the project to re-zone an area north of Wooley Road east of "C" Street, south of Ninth Street and west of "A" Street containing approximately ten acres, pursuant to the Environmental Quality Act of 1970, as amended. On September 17, 1974, the Oxnard City Council passed and adopted Resolution No. 6339 certifying the Environmental Impact Report and approving the re-zoning project. The widening of Wooley Road is within the scope of the re-zoning project and was given consideration in the Environmental Impact Report. In approving the re-zoning project, the Oxnard City Council found that "The project proposed will have a significant effect on the environment."

Notice of the application was published in the Commission's Daily Calendar on July 16, 1975. 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. The City of Oxnard should be authorized to construct Wooley Road at grade across a spur track of the Ventura County Railway Company, at the location and substantially as shown on Exhibits A, B and C attached to the application, in the City of Oxnard, Ventura County.
2. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans attached to the application and comply with applicable rules and general orders of the Commission.
3. Cost of the crossing and installation of automatic protection should be borne by the applicant.
4. Maintenance of the crossing should conform to General Order No. 72-B. Maintenance cost of the automatic protection should be borne by the applicant.
5. Traffic signals at the nearby intersection of Wooley Road and "C" Street should be coordinated with the automatic protection.
6. The Commission has considered the City of Oxnard's Environmental Impact Report in rendering its decision on this project and finds that the benefits of the project involved in this proceeding outweigh any adverse environmental effects and that it should be approved in view of the public benefits to be derived.

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

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 Oxnard is authorized to construct Wooley Road at grade across a spur track of the Ventura County Railway Company in the City of Oxnard, Ventura County, at the location and substantially as shown on Exhibits A, B and C attached to the application, to be identified as Crossing No. 45C-0.30-C.

2. Construction of the crossing shall be equal or superior to Standard No. 2 (General Order No. 72-B).

3. Protection at the crossing shall be two Standard No. 9 signals (General Order No. 75-C).

4. 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 signs (General Order No. 75-C) and no on-rail vehicle shall be operated over said crossing unless it shall first be 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. Written instructions shall be issued by the railroad to trainmen, operating over said crossing, to comply with said flagging instructions. Copy of said instructions shall be filed with the Commission thirty days after installation of said crossing. Flagging procedures outlined herein shall remain in full force until the automatic protection required herein is installed.

5. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 113.

6. Construction expense of the crossing and installation cost of the automatic protection shall be borne by the applicant.

7. Maintenance of the crossing shall be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection shall be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

8. Traffic signals at the nearby intersection of Wooley Road and "C" Street shall be coordinated with the automatic protection pursuant to the provisions of General Order No. 75-C.


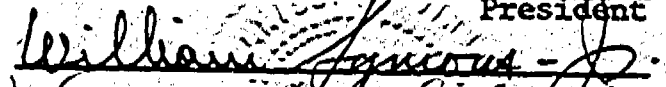
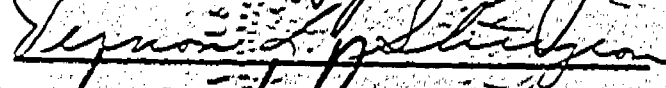

9. Construction plans of the crossing approved by the Ventura County Railway Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

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 one year unless time be extended or if the above conditions are not complied with. This authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 28th  
day of OCTOBER, 1975.

  
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William J. Lyons - J. President  
  
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Vernon L. Peterson  
  
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Leonard L. Brown  
  
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Howard K. Smith  
Commissioners