

Decision No. 85362**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 the City of Los Angeles, a municipal
 corporation, by and through its Board
 of Harbor Commissioners, for authority
 to construct a grade crossing across
 Southern Pacific Transportation Company
 track at Wilmington and San Pedro Road
 adjacent to John S. Gibson Boulevard
 in the Wilmington District of said
 City of Los Angeles, County of
 Los Angeles, State of California.

Application No. 55567
 (Filed March 13, 1975)
 (Amended October 10, 1975)

O P I N I O N

The City of Los Angeles, by and through its Board of Harbor Commissioners, requests authority to construct Wilmington and San Pedro Road at grade across the tracks of the Southern Pacific Transportation Company's San Pedro Branch Line adjacent to John S. Gibson Boulevard in the Wilmington District of the City of Los Angeles, Los Angeles County.

The proposed crossing is a portion of the project for development of the West Basin of the Port of Los Angeles. The project includes the construction of John S. Gibson Boulevard to replace a portion of Wilmington and San Pedro Road, relocation of a portion of Wilmington and San Pedro Road, and relocation of a portion of the San Pedro Branch Line. In conjunction with this portion of the project, two existing crossings will be eliminated.

The City of Los Angeles is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Report, the City of Los Angeles, Board of Harbor Commissioners, approved the project for the West Basin Development of the Port of Los Angeles, and on October 15, 1973 filed a Notice of Determination with the Los Angeles County Clerk which found that "This project will have a significant effect on the environment".

The Environmental Impact Report notes that the West Basin Development project will create certain short term adverse impacts on the environment during the period of construction. Mitigation measures are recommended which should minimize these potentially adverse impacts.

Notices of the application and amendment thereto were published in the Commission's Daily Calendar on March 18, 1975 and October 15, 1975, respectively. 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 Los Angeles, by and through its Board of Harbor Commissioners, should be authorized to construct Wilmington and San Pedro Road at grade across the relocated tracks of the Southern Pacific Transportation Company's San Pedro Branch Line adjacent to John S. Gibson Boulevard in the Wilmington District of the City of Los Angeles, Los Angeles County.
2. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plan attached to the application, as amended, 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 automatic protection should be borne by the applicant.
5. Existing Wilmington and San Pedro Road Crossing No. BG-504.88-C and Sun Lumber Company Crossing No. BG-504.98 will be eliminated as a result of the relocation of the Southern Pacific Transportation Company's San Pedro Branch Line.
6. The Commission has considered the applicant's Environmental Impact Report and Notice of Determination in rendering its decision on this project and finds that the benefits of the project involved in this proceeding outweigh any adverse 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, as amended, should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:


1. The City of Los Angeles, by and through its Board of Harbor Commissioners, is authorized to construct Wilmington and San Pedro Road at grade across the relocated tracks of the Southern Pacific Transportation Company's San Pedro Branch Line adjacent to John S. Gibson Boulevard in the Wilmington District of the City of Los Angeles, Los Angeles County, at the location and substantially as shown by the plan attached to the application, as amended, to be identified as Crossing No. BG-505.36.
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. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 113.
5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by the applicant.
6. 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.
7. Existing Wilmington and San Pedro Road Crossing No. BG-504.88-C and Sun Lumber Company Crossing No. BG-504.98 shall be eliminated in conjunction with relocation of the Southern Pacific Transportation Company's San Pedro Branch Line.
8. 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, shall be filed with the Commission prior to commencing construction.

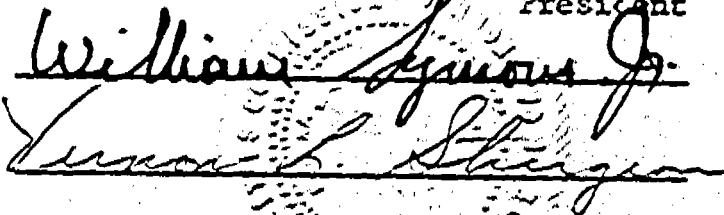
9. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.


This authorization shall expire if the above conditions are not complied with or within two years unless time be extended. 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 20th day of JANUARY, 1976.



President




Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.