

S/RRT/rm

Decision 92 04 076 April 22, 1992

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of the City of Santa Paula to)
alter a railroad crossing)
across the tracks of the)
Southern Pacific Transportation)
Company in the City of Santa Paula,)
County of Ventura)

Application 91-10-043
(Filed October 11, 1991)

O P I N I O N

As part of the project to construct a 150-unit senior apartment project, the City of Santa Paula (City), requests authority to convert the existing vehicular at grade crossing of 4th Street into a pedestrian only crossing across the tracks of Southern Pacific Transportation Company's (SPT) Santa Paula Branch Line in Santa Paula, Ventura County.

City proposes to construct a cul-de-sac and close the 4th and Main Streets intersection to vehicular traffic to preclude any unsafe conditions that would be created at the railroad tracks by the construction of the senior apartment project and the additional traffic that would be generated by such construction.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code § 21000, et seq. City has determined that the alteration project is categorically exempt from CEQA under § 15301(c) of CEQA Guidelines (14 Cal. Admin. Code-Div. 6). § 15301 applies to activities involving minor alteration of existing facilities, with subsection (c) being applicable to existing streets and sidewalks.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's exemption determination.

The Commission's Safety Division (Traffic Engineering staff) has inspected the existing 4th Street at grade crossing and has also reviewed the City's engineering plans to convert the vehicular crossing to a pedestrian only crossing. After an analysis of vehicular, pedestrian and train traffic in the area, the staff recommends that approval be granted to convert the crossing for pedestrian use only.

The application was found to be in compliance under the Commission's filing requirements including Rule 39 of the Rules of Practice and Procedure, which relates to the widening, relocating or otherwise altering an existing crossing. Detailed drawings of the proposed construction are included in Appendix A attached to this order.

By Motion filed November 27, 1991, SPT requested additional time in which to review the application. This motion was granted by Examiner's Ruling dated December 30, 1991. On March 3, 1992, the railroad advised the Commission's Executive Director that SPT had completed its investigation and the application could now be handled ex-parte.

Findings of Fact

1. SPT filed a Motion on November 27, 1991 requesting additional time in which to review and investigate the proposed conversion of 4th Street Crossing into a pedestrian only crossing as presented in the City of Santa Paula's application and attached plans.
2. Examiner's Ruling, dated December 30, 1991, granted the railroad additional time in which to complete its review of the application. By letter dated March 3, 1992, SPT advised the Commission's Executive Director, that it had concluded its investigation and the matter could now be handled ex-parte. There are no other unresolved matters.
3. City requests authority under Public Utilities Code §§ 1201-1205 to convert the existing at-grade vehicular crossing of

4th Street, across the tracks of SPT's Santa Paula Branch Line, into a pedestrian only crossing, in Santa Paula, Ventura County.

4. Alteration and conversion of the at-grade crossing is an essential element of the senior apartment project, and will alleviate unsafe traffic conditions at the 4th and Main intersection.

5. Public convenience and necessity require the alteration and conversion of the 4th Street at-grade crossing at SPT's Santa Paula Branch Line.

6. Public safety requires that the two existing Standard No. 9 automatic gate-type signals protecting the vehicular crossing be modified and converted into two Standard No. 10 automatic flashing light pedestrian type signals (General Order (GO) 75-C) to protect pedestrian foot traffic.

7. City is the lead agency for this project under CEQA, as amended.

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's exemption determination.

Conclusions of Law

1. There is no opposition to this application, a public hearing is not necessary.

2. 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 Santa Paula (City) is authorized to alter and convert the existing 4th Street vehicular crossing across the tracks of the Southern Pacific Transportation Company's (SPT) Santa

Paula Branch Line in Santa Paula, Ventura County, into a pedestrian only crossing, to be identified as Crossing BE-414.1-D. The proposed pedestrian project is at the location and substantially as shown by the plans attached to the application and Appendix A of this order.

2. Construction of the crossings shall be equal or superior to standard No. 6 of General Order (GO) 72-B.

3. Maintenance of the crossings shall conform to GO 72-B.

4. Clearances shall be in accordance with GO 26-D. Walkways shall conform to GO 118.

5. Protection at the crossing shall be two Standard No. 10 automatic flashing light pedestrian-type signals (GO 75-C).

6. Construction expense of the alteration and conversion of 4th Street, including closure of the vehicular crossing and modification costs of the automatic protection shall be borne by City.

7. Maintenance costs of the automatic protection shall be borne equally by both City and SPT under PU Code § 1202.2.

8. Within 30 days after completion of the work under this order, Santa Paula shall notify the Safety Division in writing that the authorized work has been completed.

9. This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

10. The application is granted as set forth above.

This order is effective 30 days from today.

Dated APR 22 1992, at San Francisco, California.

DANIEL Wm. FESSLER
President

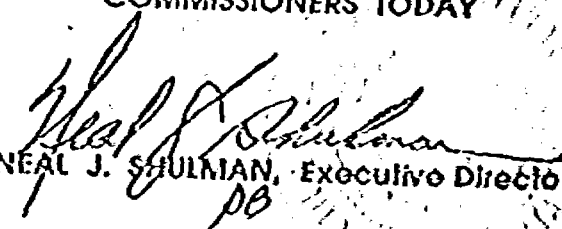
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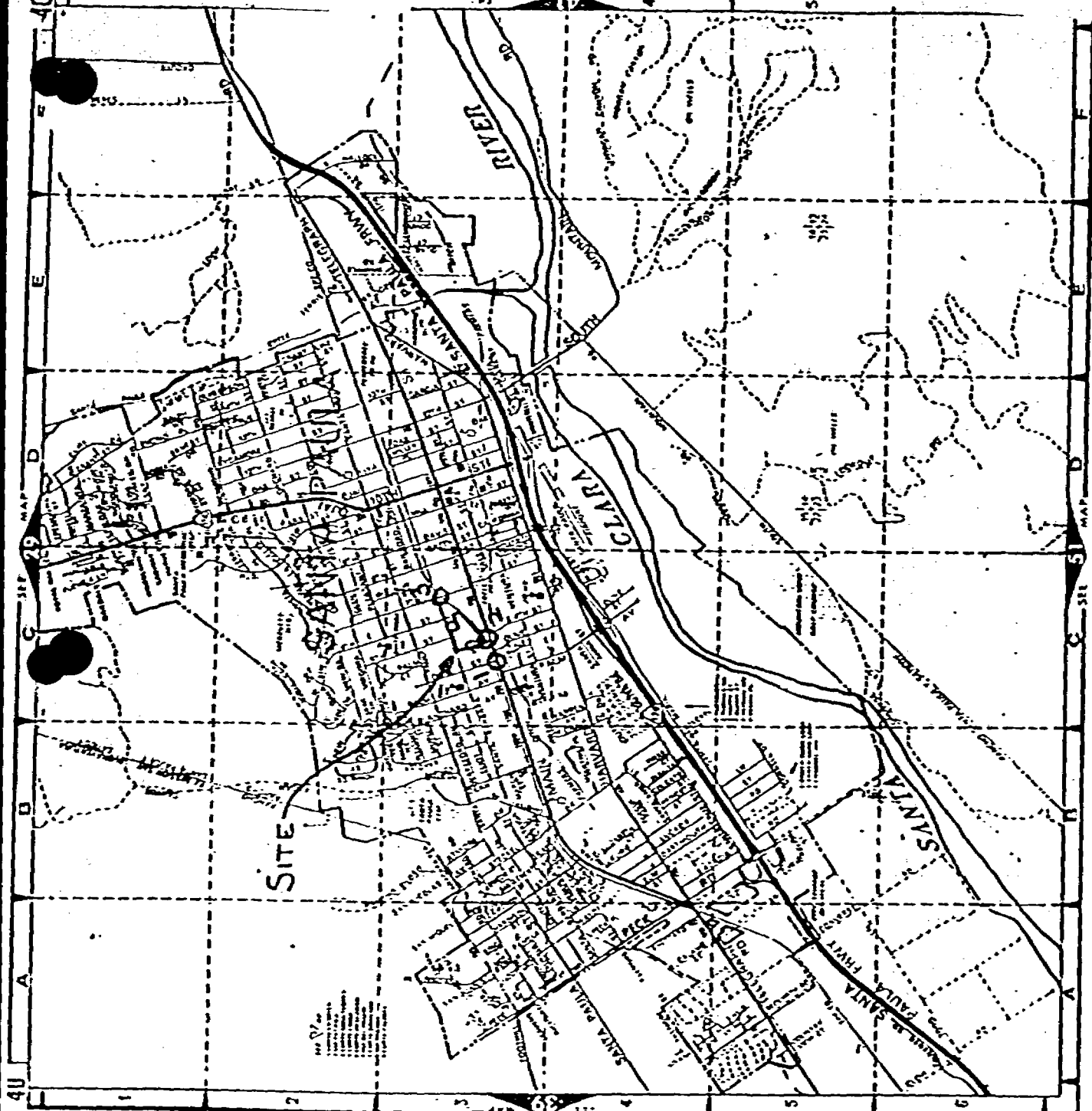
PATRICIA M. ECKERT

NORMAN D. SHUMWAY

Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY


NEAL J. SHULMAN, Executive Director



1. BE414.0
2. BE414.1
3. BE414.2

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