

Decision No. 83206

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
THE CITY OF PORT HUENEME, for authority)
to construct a public pedestrian over-)
crossing at separated grades over the)
Ventura County Railway Company's tracks.)

Application No. 54855
(Filed May 6, 1974)

O P I N I O N

The City of Port Hueneme requests authority to construct a pedestrian overcrossing at separated grades over the Ventura County Railway Company's tracks in the City of Port Hueneme, Ventura County.

The City of Port Hueneme is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on May 2, 1974 adopted Resolution No. 1371 which states that said project will have no substantial impact on the environment.

Notice of the application was published in the Commission's Daily Calendar on May 7, 1974. 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. Applicant should be authorized to construct the pedestrian overpass over the Ventura County Railway Company's tracks in the City of Port Hueneme, Ventura County at the location and substantially as shown by plans attached to the application to be identified as Crossing No. 45-5.09-AD.

2. Construction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto. .

The Commission has considered and adopts the applicant's determination that said project will have no substantial impact on the environment.

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 Port Hueneme is authorized to construct at separate grades a pedestrian overpass over the tracks of the Ventura County Railway Company in the City of Port Hueneme, Ventura County in the location and substantially as shown by plans attached to the application, to be identified as Crossing No. 45-5.09-AD.
2. The pedestrian bridge shall be equipped with "Chain Link Railing" similar to type 3 or type 4 as shown in Figure 7-211.10C of the State of California Department of Transportation Highway Design Manual.
3. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.
4. Walkway areas adjacent to the Ventura County Railway Company's tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.
5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said overcrossing approved by the Ventura County Railway Company shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the cost of construction and maintenance by further order.

6. 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.

7. 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 three years 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 30th day of JULY, 1974.

Vernon L. Sturges
President
William J. Lyons
[Signature]
[Signature]
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.