

ORIGINAL

Decision 84 04 089

APR 18 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Oxnard to)
construct a City Street across the)
Right-of-Way of the Ventura County)
Railway Company, north of Hueneme)
Road at "New" Arcturus Avenue Within)
the City of Oxnard, County of)
Ventura, State of California)

Application 83-10-46
(Filed October 26, 1983)

O P I N I O N

As part of the project to extend Arcturus Avenue north of Hueneme Road, the City of Oxnard (City) requests authority to construct Arcturus Avenue at grade across Ventura County Railway Company's (VCR) spur track in Oxnard, Ventura County.

The project is located in the southerly portion of Oxnard north of Hueneme Road. Arcturus Avenue will be extended to provide circulation through proposed industrial developments which will be located on both sides of the spur track.

City 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, City issued a Negative Declaration and approved the project. On February 8, 1984, a Notice of Determi-

nation was filed with the Ventura 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 reviewed and considered the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

Notice of the application was published in the Commission's Daily Calendar on October 28, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201-1205 to construct Arcturus Avenue at grade across the tracks of VCR's spur track in Oxnard, Ventura County.
2. The crossing is required to provide traffic circulation through proposed industrial developments.
3. Public convenience and necessity require construction of the proposed railroad-highway crossing.
4. Public safety requires that protection at the crossing be two Standard No. 9 automatic gate-type signals (General Order 75-C).
5. City is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

7. 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 Oxnard (City) is authorized to construct Arcturus Avenue at grade across the tracks of Ventura County Railway Company's (VCR) spur track in Oxnard, Ventura County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing 45-3.42-C.

2. Construction of the crossing shall be equal or superior to Standard No. 1 of General Order (GO) 72-B.

3. Clearances shall conform to GO 26-D. Walkways shall conform to GO 118.

4. Protection at the crossing shall be two Standard No. 9 automatic gate-type signals (GO 75-C).

5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by city.

6. Maintenance of the crossing shall conform to GO 72-B. Maintenance cost of the automatic protection shall be borne by City under PU Code Section 1202.2.

7. Construction plans of the crossing, approved by VCR, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

8. Within 30 days after completion of the work under this order, City shall notify the Commission in writing that the authorized work has been completed.

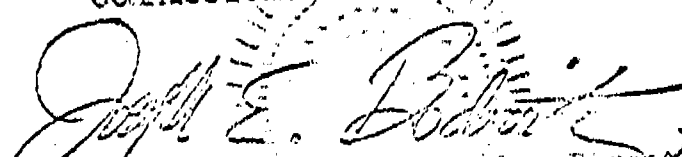
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated APR 18 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director