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Decision No. 90067 . MAR 13 1979

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
The City of San Buenaventura to )  
construct a City Street across the )  
Right of Way of the Southern Pacific )  
Transportation Company at Johnson )  
Drive in the East San Buenaventura )  
area. )

Application No. 58358  
(Filed September 13, 1978)

O P I N I O N

The City of San Buenaventura requests authority to construct Johnson Drive at grade across the tracks of Southern Pacific Transportation Company's Santa Paula Branch Line in the City of San Buenaventura, Ventura County.

The City of San Buenaventura is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq.

After preparation and review of an Initial Study, the City of San Buenaventura issued a Negative Declaration and approved this project. On January 24, 1979, a Notice of Determination 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 independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has also been inspected by the Commission staff.

The construction of Johnson Drive across the tracks of Southern Pacific Transportation Company will provide additional access, improve traffic circulation, and increase convenience to existing and projected developments in the area. The project site is in an area that is principally agricultural but is rapidly changing to commercial and light manufacturing. Rail service is presently being provided to some industrial facilities in the area.

Notice of the application was published in the Commission's Daily Calendar on September 18, 1978. 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 Johnson Drive at grade across the tracks of Southern Pacific Transportation Company's Santa Paula Branch Line in the City of San Buenaventura, Ventura County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing BE-403.88.
2. Construction of the crossing should be equal or superior to Standard No. 2 of General Order 72-B.
3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.
4. Protection at the crossing should be four Standard No. 9 automatic gate-type signals (General Order 75-C).
5. Construction expense of the crossing and installation cost of the automatic protection should be borne by the applicant.
6. Maintenance of the crossing should conform to General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.
7. 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, should be filed with the Commission prior to commencing construction.
8. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.
9. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.
10. This project will have no significant 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 San Buenaventura is authorized to construct Johnson Drive at grade across the tracks of Southern Pacific Transportation Company's Santa Paula Branch Line in the City of San Buenaventura, Ventura County, as set forth in the findings of this decision.

2. 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 two years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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

Dated at San Francisco, California, this 13<sup>th</sup> day of MARCH, 1979.

John E. Bryan  
President  
Hermon L. Sturgeon  
Richard D. Howell  
Alvin L. DeBrieff  
Leonard W. Gentry  
Commissioners