

SD

Decision No. 91809 MAY 20 1980

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of the State of California, acting by and through the Director of Parks and Recreation, to construct Ventura Oceanfront Bikeway Crossing, a State Recreational Trail, across the track and right of way of the Southern Pacific Transportation Company, in Ventura County, Ca.

Application No. 59276
(Filed November 16, 1979)

O P I N I O N

As part of the project to construct the Ventura Oceanfront Bikeway between Emma Wood State Beach and San Buenaventura State Beach, the State of California, Department of Parks and Recreation, requests authority to construct the Ventura Oceanfront Bikeway at grade across the tracks of Southern Pacific Transportation Company's Coast Main Line in the City of San Buenaventura, Ventura County.

Applicant 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 State of California, Department of Parks and Recreation, issued a Negative Declaration and approved the project. On December 8, 1978, a Notice of Determination was filed with the Secretary for Resources 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 proposed Ventura Oceanfront Bikeway will be an integral segment of the coastal recreational bicycling and hiking trail which is designed to supplement CALTRANS' Pacific Coast Bicycle Route. The 1.5 mile Class I bikeway will provide the public with an opportunity to experience the coastline away from highway noise, fumes,

and hazards in a manner that is both harmonious with the environment and beneficial to public health.

Notice of the application was published in the Commission's Daily Calendar on November 19, 1979. 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 Ventura Oceanfront Bikeway at grade across the tracks of Southern Pacific Transportation Company's Coast Main 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 E-397.9-D.
2. Construction of the crossing should be equal or superior to Standard No. 1 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 two Standard No. 10 automatic flashing-light type pedestrian crossing signals augmented with automatic gates. (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.
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

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 State of California, Department of Parks and Recreation, is authorized to construct the Ventura Oceanfront Bikeway at grade across the tracks of Southern Pacific Transportation Company's Coast Main 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 MAY 20 1980, at San Francisco, California.

John E. Byron
President

Norman L. Sturgeon

Robert W. Howell

Clair J. ...

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Commissioners