

T/SD

Decision No. 92138 AUG 19 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 a Pedestrian Bikeway  
Underpass beneath the existing  
Trestle No. 396.47 of the Southern  
Pacific Transportation Company,  
Station 2861 + 55.4 to 2862  
+ 00.4, at Emma Wood State Beach  
in Ventura County, California.

Application No. 59562  
(Filed April 1, 1980)

O P I N I O N

As a part of the project for development of Emma Wood State Beach, the State of California, Department of Parks and Recreation, requests authority to construct a pedestrian and bikeway crossing at separated grades under the tracks of Southern Pacific Transportation Company's Coast Main Line at railroad milepost E-396.47 in Ventura County.

Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended Public Resources Code, Section 21000 et seq.

After preparation and review of an Environmental Impact Report, the State of California, Department of Parks and Recreation, approved the project and on December 10, 1976, filed a Notice of Determination 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 Final Environment Impact Report. The site of the proposed project has been inspected by the Commission staff.

Emma Wood State Beach is located in Ventura County in close proximity to the City of Ventura. The park development is being designed to provide camping, beach combing, swimming and other water oriented activities. The proposed pedestrian and bikeway undercrossing is an integral part of the park development plan and will provide safe access for pedestrians and bicyclists between the parking areas and the beach.

Notice of the application was published in the Commission's Daily Calendar on April 3, 1980. No protests have been received. A public hearing is not necessary.

Findings of Fact'

1. Applicant should be authorized to construct a pedestrian and bikeway crossing at separated grades under the tracks of Southern Pacific Transportation Company's Coast Main Line, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing E-396.5-BD.

2. Clearances should be in accordance with General Order Order 26-D. Walkways should conform to General Order 118.

3. Construction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of the agreement, together with plans of the crossing approved by the Southern Pacific Transportation Company, should be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

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4. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

5. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Final Environmental Impact Report.

6. This project will have no significant impact on the environment.

Conclusion of Law

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. Applicant is authorized to construct a pedestrian and bikeway crossing at separated grades under the tracks of Southern Pacific Transportation Company's Coast Main Line in 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.

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

Dated AUG 19 1980, at San Francisco, California.

John E. Byrne  
President  
Thomas L. Sturgeon

Clayton J. Pedraza  
Donald W. Smith  
Commissioners

Commissioner Richard D. Gravello, being necessarily absent, did not participate in the disposition of this proceeding.