

T/SD

Decision No. 92140

AUG 19 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE CITY OF SAN BUENAVENTURA  
FOR THE CONSTRUCTION OF A GRADE SEPARATION  
OF TELEPHONE ROAD, A NEWLY PROPOSED PUBLIC  
STREET, OVER THE RAILROAD TRACKS OF THE  
SOUTHERN PACIFIC TRANSPORTATION COMPANY IN  
THE CITY OF SAN BUENAVENTURA, COUNTY OF  
VENTURA.

**ORIGINAL**

Application No. 59589  
(Filed April 14, 1980)

O P I N I O N

As part of the project for development of the Vencom Industrial Park, the City of San Buenaventura requests authority to construct the first phase of a grade separation project to carry Telephone Road over the tracks of Southern Pacific Transportation Company's Coast Main Line in the City of San Buenaventura, Ventura County. The first phase of the project will consist of one forty-foot traffic way and a seven-foot sidewalk.

The City of San Buenaventura 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 City of San Buenaventura approved the project. On March 19, 1980, a Notice of Determination was filed with the Ventura County Clerk which found that: "The project will 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 Environmental Impact Report. The site of the proposed project has been inspected by the Commission staff.

The Vencom Industrial Park is a 51-lot industrial park development on 80 acres of land located south of Valentine Road, east of Palma Drive and north of Southern Pacific Transportation Company's tracks in the Arrundell Community area of the City of San Buenaventura.

The project is being developed as a controlled industrial complex which will provide business and employment opportunities for residents of the area.

Adverse environmental impacts which cannot be avoided include: Elimination of 80 acres of prime agricultural land, increased air pollution, increased traffic in a congested area, a change in the visual character of the area, increased water and energy consumption and increased demand for public services and facilities. The project will be controlled through the use of covenants, codes and restrictions, architectural guidelines and zoning. Mitigation measures will be implemented to eliminate or substantially reduce the severity of the anticipated adverse impacts.

Notice of the application was published in the Commission's Daily Calendar on April 15, 1980. No protests have been received. A public hearing is not necessary.

#### Findings of Fact

1. Applicant should be authorized to construct the first phase (a forty-foot traffic way and a seven-foot sidewalk) of a grade separation project to carry Telephone Road over 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 plans attached to the application, to be identified as Crossing E-401.6-A.

2. Clearances should be in accordance with General Order 26-D, except that during the period of construction a clearance of not less than 21'-6" should be authorized and Southern Pacific Transportation Company should be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars beneath the structure.

3. Applicant should notify the Commission and Southern Pacific Transportation Company at least 15, but not more than 30 days in advance of the date when the temporary impaired clearance will be created.

4. Walkways should conform to General Order 118. Walkways adjacent to any trackage subject to rail operations should be maintained free of obstructions and should be promptly restored to their original condition in the event of damage during construction.

5. 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.

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

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

8. This project will have a significant impact on the environment; however, the adopted mitigation measures will either eliminate or reduce the severity of the adverse impacts.

#### 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. The City of San Buenaventura is authorized to construct Telephone Road at separated grades over 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.

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This authorization shall expire if not exercised within three 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 AUG 19 1980, at San Francisco, California.

John E. Byron  
President

Vernon L. Sturgeon

Clare J. Sedwick

Lawrence J. ...  
Commissioners

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