

Decision 97-12-021 December 3, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION )  
OF THE CITY OF SAN BUENAVENTURA )  
FOR THE CONSTRUCTION OF A PROPOSED )  
GRADE SEPARATION OF JOHNSON DRIVE )  
UNDER THE UNION PACIFIC RAILROAD )  
COMPANY, CROSSING NO. E-404.24-B, )  
IN THE CITY OF SAN BUENAVENTURA, )  
COUNTY OF VENTURA. )

Application 97-09-017  
(Filed September 12, 1997)

**ORIGINAL**

O P I N I O N

City of San Buenaventura (City) requests authority to construct Johnson Drive Underpass at separated grades under the tracks of Union Pacific Railroad Company's (UP) Coast mainline, formerly owned by the Southern Pacific Transportation Company, in San Buenaventura, Ventura County.

The proposed project would eliminate the existing Auto Center Drive at-grade crossing. The existing non-standard freeway ramps, at Johnson Drive and U.S. Highway 101, would be reconfigured to reduce congestion and accidents in the area.

The proposed grade separation will be approximately 19 feet in width and will carry UP's mainline track across the depressed Johnson Drive. The total structure length is approximately 190 feet, measured from back-to-back of abutments. The proposed Johnson Drive will provide for one sidewalk and two northbound and one southbound vehicular lanes. A raised median will be constructed to accommodate future widening of the underpass.

During construction, vehicular traffic will be maintained, except for various short term closures of Johnson Drive and the U.S. Highway 101 ramps. Rail traffic will be suspended for a period not to exceed seven days.

The Johnson Drive Undercrossing project ranks number 15 in the 1996-1997 Grade Separation Priority List of Decision (D.) 96-06-041, dated June 19, 1996, in Order Instituting Investigation (I.) 95-07-003.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. City has determined that this project, the elimination of an existing at-grade crossing, is categorically exempt from the reporting requirements of CEQA under PR Code Section 21080.13.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency exemption determination. The site of the proposed project has been inspected by the Commission's Rail Safety and Carriers Division staff. Staff examined the need for and the safety of the proposed grade separation and recommends that the application be approved.

The application was found to be in compliance under the Commission's filing requirements, including Rule 38 of the Rules of Practice and Procedure which relates to the construction of public highway crossings and separations over or under a railroad. A site map and detailed drawings of the Underpass structure are shown in Appendix A.

#### Findings of Fact

1. Notice of the Application was published in the Commission Daily Calendar on September 16, 1997. No protests have been received. A public hearing is not necessary.
2. City requests authority under Public Utilities Code Sections 1201-1205 to construct Johnson Drive Underpass grade separation under the tracks of UP's mainline in San Buenaventura, Ventura County.
3. The proposed underpass is required to eliminate the possibility of accidents between trains and vehicles, and vehicle

delays and congestion by reconfiguring the existing non-standard freeway ramps at Johnson Drive and U.S. Highway 101.

4. Public convenience, necessity and safety require construction the Johnson Drive Underpass.

5. Upon completion of new grade separation, the existing at-grade crossing at Auto Center Drive will be removed and closed permanently.

6. City is the lead agency for this project under CEQA, as amended.

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's exemption determination.

#### Conclusions of Law

1. Under Public Resources Code Section 21080.13, the activity is exempted from the requirements set forth in CEQA; therefore the guidelines (14 Cal. Admin. Code - Division 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

2. The application should be granted as set forth in the following order.

#### O R D E R

IT IS ORDERED that:

1. City of San Buenaventura (City) is authorized to construct Johnson Drive Underpass at separated grades under the tracks of Union Pacific Railroad Company's (UP) Coast mainline, formerly owned by the Southern Pacific Transportation Company, in San Buenaventura, Ventura County, at the location and substantially as shown by plans attached to the application and Appendix "A" of this order, to be identified as Crossing No. E - 404.24-B.

2. The existing Auto Center Drive Crossing will be closed and physically removed, upon completion of the railroad grade separation structure.

3. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans approved by UP, shall be filed with the Commission's Rail Safety and Carriers Division staff prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

4. Within 30 days after completion of the work under this order, City shall notify the Commission's Rail Safety and Carriers Division in writing that the authorized work has been completed.

5. This authorization shall expire if not exercised within three 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.

6. The application is granted as set forth above.

7. Application 97-09-017 is closed.

This order becomes effective 30 days from today.

Dated December 3, 1997, at San Francisco, California.

P. GREGORY CONLON  
President

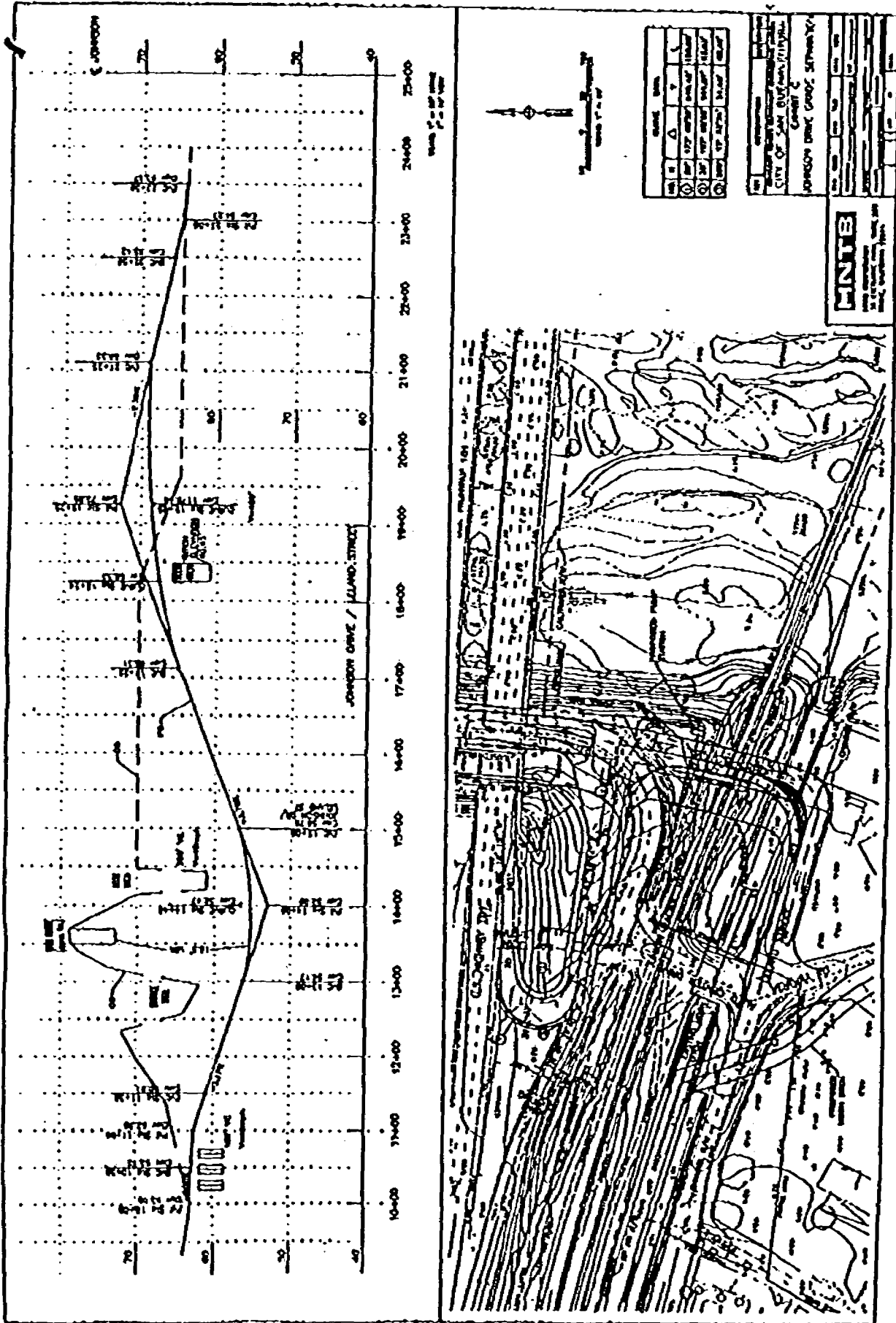
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners



NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	11/14/07	ENR	ENR
2	REVISED PER COMMENTS	11/14/07	ENR	ENR
3	REVISED PER COMMENTS	11/14/07	ENR	ENR
4	REVISED PER COMMENTS	11/14/07	ENR	ENR

PROJECT NO. \_\_\_\_\_  
 CITY OF SAN BERNARDINO  
 COUNTY OF \_\_\_\_\_  
 JOHNSON DRIVE CORP. STREETLY

**LINE**  
 THE BOUNDARY BETWEEN THE PROJECT AND THE ADJACENT PROPERTY IS SHOWN BY A DASHED LINE.

