

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
the CALIFORNIA HIGHWAY COMMISSION
for an order authorizing the cross-
ing of the tracks of the Sacramento
Northern and the installation and
construction of a structure to
carry the tracks of the Sacramento
Northern over the State Highway in
the Town of Washington, Yolo County.

ORIGINAL

Application No. 10356.

Paul F. Fratessa, for Applicant.
Chas. R. Detrick and Theodore W. Chester,
for Sacramento Northern Railroad.

WHITTESEY, COMMISSIONER:

O P I N I O N

In this application, the California Highway Commission asks for an order authorizing the construction of a State Highway under the track of Sacramento Northern Railroad, in the Town of Washington, Yolo County, and apportioning the cost thereof.

A public hearing was held on this application in Sacramento, September 16th, 1924.

The proposed undergrade crossing is located as shown in Applicant's Exhibit "A" under the Woodland Branch of said railroad, about 800 feet northerly from the existing timber subway under said railroad at Fifth Street in the Town of Washington, through which the State Highway traffic at present is routed. The proposed crossing is also about 2000 feet westerly from the west end of the "M" Street bridge across the Sacramento River.

The proposed crossing is on the State Highway Route 6 between Sacramento and Davis. This route carries the major portion of the travel between the bay cities and Sacramento. In entering Sacramento, State Highway traffic traverses the causeway and pave-

ment from Davis to a point south of the proposed under-crossing, where it turns easterly parallel to the railroad to Fifth Street in the Town of Washington, where it again turns at right angles northerly along Fifth Street through the existing subway under said railroad and thence easterly to a connection with the Southern Pacific Company's Sacramento River Bridge and the so-called "I" Street entrance into Sacramento.

The proposed relocation of the highway will start at the end of highway tangent westerly of the proposed undercrossing. This tangent is to be extended across the railroad track where it turns easterly and runs parallel, adjacent to and north of the railroad right-of-way to the "M" Street bridge which is to be used as an entrance into Sacramento in lieu of the "I" Street entrance mentioned above. The "M" Street bridge across the Sacramento River is of the draw span type with a single track of the Sacramento Northern in the center and a one-way roadway on each side of the track.

This proposed location of the highway will materially shorten the distance and eliminate numerous right-angle curves on entering or leaving Sacramento.

The existing subway is a timber structure built in about 1911 and is in such poor condition that its renewal is necessary in the immediate future. Not only is it in need of renewal, but it is entirely inadequate to handle the present volume of highway traffic of from 2500 to 4500 vehicles per day, as it is only about 14 ft. wide in the clear. To accommodate the present vehicular traffic and to make reasonable allowance for increase in future traffic growth, it should be replaced by a subway such as the one proposed by the Highway Commission.

It is a fact that the public convenience and necessity require a crossing of increased capacity, and the question immediately arises as to whether it will be better to relocate the subway or to

enlarge it at its present location. By relocating the subway, the alignment of the highway will be very materially bettered and the hazard to the users of the highway will be very greatly reduced.

In this application, it is proposed to substitute a permanent, adequate structure of concrete and steel construction, having a clear width of 55 ft. for the existing structure which is inadequate for present highway traffic and which also needs immediate renewal. It was estimated by applicant that the cost of the subway, as proposed, would be approximately \$27,750, exclusive of roadway paving. The accuracy of this estimate was not questioned.

The evidence clearly indicates that public convenience and necessity require that the subway be constructed at the location proposed, replacing the existing structure.

The division of cost of the project will now be considered. In view of the testimony introduced in this proceeding, it is very probable that if this application had not been filed by the Highway Commission, formal action as to the condition and adequacy of the existing grade separation would of necessity have been inaugurated either by the Commission through its own motion or by formal complaint on the part of other parties. Under a similar proceeding, such as the renewal of the grade separation near Willits on the Northwestern Pacific Railroad (Application No. S354, Decision No. 11543) the cost of installing an adequate and suitable subway was assessed on the basis of original work, 50% to the railroad company and 50% to the Highway Commission. Such an apportionment would appear equally reasonable in this case, except for the following factor:

Evidence was introduced showing that on September 11, 1924, 59 vehicles, and on September 15, 1924, 80 vehicles, using the existing subway in an eastbound direction, crossed the "K" Street bridge and the existing grade crossing at the west end of the bridge, in reaching Sacramento. It is contended by the railroad that if the

highway is changed to the proposed location, a very decided increase in eastbound traffic will develop over its tracks at the west end of "M" Street bridge and that an ultimate increase in hazard will accrue to the railroad. This condition as a probable result of the relocation of the highway should be considered as having practically the same effect on the apportionment of the cost as has been considered in proceedings where existing grade crossings have not been closed to travel upon the construction of new subways in their vicinity.

It is expected, however, that this condition will be relieved in a few years, either by the opening of an additional road along the south side of the track to the highway, or the building of a new and different type of bridge across the Sacramento River at "M" Street.

Considering all the conditions in this case, it appears equitable that the railroad should pay 25% of the cost of the new structure and the applicant 75% of the cost exclusive of the cost of paving the roadway, which should be paid for by the applicant.

The following form of Order is recommended:

O R D E R

The California Highway Commission, having applied to the Commission for an order authorizing the construction of an undergrade crossing under the tracks of Sacramento Northern Railroad, in the Town of Washington, Yolo County, and dividing the cost thereof, a public hearing having been held, the matter being under submission and ready for decision;

IT IS HEREBY ORDERED, that the California Highway Commission be and they are hereby authorized to construct an undergrade crossing under the tracks of Sacramento Northern Railroad in the Town of Washington, County of Yolo, State of California, substantially in accordance with the plan marked Exhibit "A", attached to

the application, subject to the following conditions, and not otherwise.

(1) All clearances shall conform with the Commission's General Order Number twenty-six.

(2) Applicant shall, within thirty (30) days thereafter, notify the Commission of the installation of said crossing.

(3) If said crossing shall not have been installed within one year from the date of this order the authorization herein granted shall then lapse and become void, unless further time is granted by subsequent order.

IT IS HEREBY FURTHER ORDERED that seventy-five (75%) of the cost of constructing said undergrade crossing, excluding paving, shall be borne by applicant, and that the Sacramento Northern shall pay twenty-five (25%) per cent of the cost of construction. Cost of roadway paving shall be borne by applicant.

IT IS HEREBY FURTHER ORDERED, that the Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it, in its judgment, may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

This order shall become effective ten (10) days after the making thereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 29 day of November, 1924.

C. L. Seaver
H. R. Rudige

J. T. Whittier
Commissioners. 1927