

ORIGINAL

Decision No. 14259.

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 installation of a proposed highway under-pass under The Western Pacific Railroad Company near North Sacramento, Sacramento County.

Application No. 10226.

In the matter of the application of the CALIFORNIA HIGHWAY COMMISSION for an order authorizing the installation of a proposed highway under-pass under the Sacramento Northern Railroad near North Sacramento, Sacramento County.

Application No. 10227.

Paul F. Fratessa, for applicant.  
James S. Moore, Jr., for The Western Pacific Railroad Company.  
Charles R. Detrick and Theodore W. Chester, for Sacramento Northern Railroad.

WHITTLESEY, COMMISSIONER:

O P I N I O N

The California Highway Commission in Application 10226 asks for an order authorizing the construction of a State Highway under the track of The Western Pacific Railroad Company, hereinafter called Western Company, and in Application 10227 asks for an order authorizing the construction of a State Highway under the track of Sacramento Northern Railroad, hereinafter called Northern Company. In both applications the Highway Commission asks the Railroad Commission to apportion the costs of the two subways between the interested parties. Both subways are located at North Sacramento, Sacramento County.

A public hearing was held on these applications in Sacramento September 16, 1924.

The proposed crossing under the track of Western Company is located as shown in Exhibit "A" attached to Application 10226, and the proposed crossing under the track of Northern Company as shown in Exhibit "A" attached to Application 10227. The State Highway, on which these proposed subways are located, extends from the north end of Twelfth Street, Sacramento, across the American River to North Sacramento, Roseville and points east and north. Between the American River Bridge and North Sacramento the highway is now carried on a trestle eighteen feet wide which crosses the two railroads at grade. These grade crossings are protected by automatic flagmen. The Highway Commission proposes to construct their highway at ground level parallel to and north of the existing trestle and crossing under the tracks of the two railroad companies.

In certain years during the rainy or flood season, the ground on which this highway is to be built has been inundated for short periods, and it is reasonable to expect recurrences of these same conditions. At a time when this condition exists, the proposed stretch of highway will be useless for travel. Two detour routes can be available for use during flood times; first, by using the existing trestle; second, by turning to the north near the easterly end of the American River Bridge on an existing county road known as the Natomas Boulevard to the Natomas Levee, thence turning easterly and along the Natomas Levee and thence east along El Camino Avenue across the tracks of both railroads at grade to a connection with the State Highway in North Sacramento. This detour would be approximately sixty-five hundredths of a mile longer than the route by the existing trestle.

Plans are in a preliminary stage for the reclamation of this flooded territory, but it appears that it will be many years

before this reclamation will be actually effected.

The existing trestle is only eighteen feet wide and carries a daily traffic of from 8000 to 10,000 vehicles, a volume of traffic for which it is inadequate. The inadequacy of this trestle has already been discussed by the Commission in its Decision 7829 which dealt with the complaint of the City of Sacramento against the Southern Pacific Company in regard to the dangerous and congested traffic conditions in the 12th Street Subway. In its Decision, (18 C.R.C. 525) the Commission states: "Analysis of the evidence shows that the entire distance from the south end of the subway to the north end of the highway trestle is a throat through which all this traffic must pass. The physical measurements show that the wooden trestles, rather than the subway (the Twelfth Street subway) and the intervening roadway, determine the traffic congestion."

As it is reasonable to expect that this vehicular traffic will increase in the future, the Highway Commission has designed a highway thirty feet wide with subways under the two railroads, having thirty foot clear openings, to replace the existing trestle. This highway is parallel and adjacent to the trestle, and the two subways will therefore cross the railroads on a skew. The highway pavement and subway structures are so designed that, if vehicular traffic increases beyond their capacity, the highway and subways may be doubled in width.

The existing highway trestle is in such poor condition that the maintenance engineer makes an inspection every day and makes renewals where necessary; and, therefore, it would not be advantageous and safe to use it as an emergency detour, or to continue its use as a highway, assuming it were adequate to handle the vehicular traffic.

Plans for a subway structure with two fifteen foot roadways at a skew with the railroads and also for structures at right-

angles with the railroads were introduced in order to show that they could be built more cheaply than the structure proposed in the application.

The chief aim in constructing grade separations is the elimination of hazard and it is not desirable, therefore, to build a subway structure of center pier design with divided roadways for heavy traffic at high speed on account of the hazard of collision which the center pier creates. In this instance, a structure of a clear width of thirty feet justifies its additional cost due to this feature alone. If the subways were built at right angles to the railroad tracks, not only would the length of highway be increased somewhat, but two sharp right angle curves must be provided, and in addition, a materially increased amount of right of way must be acquired. Even if the cost of the subway structures be thus reduced, the cost of the additional amount of right of way and the increased length of highway pavement required will partially offset this decrease, and in addition the traveling public will be materially inconvenienced.

Balancing all elements that enter into this problem, it is a fact that the public at large will be more conveniently and more economically served by constructing the highway on a straight line parallel to the existing road, thus requiring the building of the subways at a skew with the tracks of the two railroad companies.

At such times as the ground level highway may be flooded and vehicular traffic, therefore, forced to detour by way of the Natomas Boulevard and El Camino Avenue, the grade crossings of these two railroad companies on that route should be protected by human flagmen continuously until the emergency is over.

It was estimated by applicant that the cost of the subway structure, thirty feet wide, proposed to carry the tracks of Western

Company, would be approximately \$2,840, and that the cost of the subway structure proposed to carry the tracks of the Northern Company would be approximately \$23,600. The cost of paving is excluded in both cases. The accuracy of these estimates was not disputed by the railroad companies, but they contended that they should not bear 50 per cent of the cost as was requested by applicant.

The Western Company set forth that it should not bear any of the expense caused by the increase of roadway width from eighteen feet to thirty feet, and that it should only share 25 per cent of the cost of a structure of eighteen feet clear opening.

By moving the vehicular traffic from these grade crossings to a separated grade crossing, important hazards will be removed. Furthermore, the railroads will be relieved of the maintenance and depreciation of timber structures displaced at the points of crossing and the maintenance and depreciation of the automatic flagmen released.

In the vicinity of Sacramento, practically all railways are on high fills or trestles which act as barriers to the safe and convenient flow of traffic and to free growth of the surrounding country areas. Even under ordinary conditions, the long, narrow right of way of a railroad with its high speed trains acts, to a certain extent, as such a barrier. The railroads have thus incurred an obligation to participate in the cost of providing reasonably safe and convenient means of allowing the public to travel across their lines. It appears reasonable in these two instances, to apportion the cost of adequate grade separations equally between the applicant and the respective railroads.

The applicant should pay the cost of the human flagmen to be located at the grade crossings of both railroads with El Camino Avenue during such time as the highway traffic is detoured over this route due to flood conditions.

The following form of order is recommended:

O R D E R

The California Highway Commission having applied to this Commission for an order authorizing the construction of an undergrade crossing under the tracks of The Western Pacific Railroad Company (Application 10226) and for an order authorizing the construction of an under-grade crossing under the tracks of Sacramento Northern Railroad (Application 10227), both near North Sacramento, Sacramento County, and for an order 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 it is hereby authorized to construct an under-grade crossing under the tracks of The Western Pacific Railroad Company near North Sacramento, Sacramento, substantially in accordance with the plan marked Exhibit "A" attached to Application 10226, subject to the following conditions:

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

(2) The public grade crossing adjacent to the location of under-grade crossing shall be abolished and closed to public use and travel.

(3) At times of flood when highway traffic is routed via Matones Boulevard and El Camino Avenue, a human flagman shall be placed at the crossing of El Camino Avenue with said Western Pacific Railroad Company's tracks at the sole expense of applicant.

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

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

IT IS HEREBY FURTHER ORDERED that the cost of constructing said under-grade crossing shall be borne as follows:

(a) Fifty (50%) per cent of the cost of constructing the crossing exclusive of paving shall be borne by applicant.

(b) Fifty (50%) per cent of the cost of constructing the crossing exclusive of paving shall be borne by The Western Pacific Railroad Company.

(c) The entire cost of paving the roadway shall be borne by applicant.

IT IS HEREBY FURTHER ORDERED that the California Highway Commission be and it is hereby authorized to construct an under-grade crossing under the tracks of Sacramento Northern Railroad near North Sacramento, Sacramento, substantially in accordance with the plan marked Exhibit "A" attached to Application 10227, subject to the following conditions:

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

(2) The public grade crossing adjacent to the location of the under-grade crossing shall be abolished and effectively closed to public use and travel.

(3) At times of flood when highway traffic is routed via Natomas Boulevard and El Camino Avenue, a human flagman shall be placed at the grade crossing of El Camino Avenue with the tracks of said Sacramento Northern Railroad at the sole expense of applicant.

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

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

IT IS HEREBY FURTHER ORDERED that the cost of constructing

said under-grade crossing shall be borne as follows:

(a) Fifty (50%) per cent of the cost of constructing the crossing exclusive of paving shall be borne by applicant.

(b) Fifty (50%) per cent of the cost of constructing the crossing exclusive of paving shall be borne by Sacramento Northern Railroad.

(c) The entire cost of paving the roadway 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 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 17<sup>th</sup> day of November, 1924.

Clavery  
H. P. Brundage  
J. W. Martin  
Egerton Shore  
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Commissioners.