

ORIGINAL

Decision No. 445

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
TEHAMA COUNTY for construction of)
subway under tracks of Southern)
Pacific Company near Red Bluff on)
the State Highway.)
.....)

Application No. 2845.

N. A. Gernon, for applicant

T. E. Bedford, for State Highway Commission

Geo. D. Squires, for Southern Pacific Company

GORDON, Commissioner,

O P I N I O N

In this application, filed by Tehama County on April 12, 1917, the Commission is asked to determine the necessity for a subway at an existing grade crossing of a county road on the route of the state highway about one mile south of the south boundary of the City of Red Bluff, known as the Willard crossing, and to apportion the expense of its construction, if it should determine that a subway should be constructed, between the railroad company, the county and the Highway Commission. A public hearing was held on this application on April 19, 1917.

There is no doubt that a subway should be constructed at this crossing. About three years ago five people were killed on the existing grade crossing and since the hearing two others have been killed there. The need of a subway is not disputed and negotiations have been carried on between the three interested parties for some time without definite results further than an agreement that a subway should be constructed. The Highway Commission has taken over the county road which reaches this crossing from both sides of the railroad and has planned on a subway to complete its construction, but the portion of the highway which is actually included in the subway is entirely under the control

of the county, and has not been accepted by the Highway Commission.

Although the Highway Commission has no jurisdiction over the portion of the road which will be beneath the subway it is willing to stand a portion of the expense of the subway construction. In a letter to this Commission, dated June 12, 1917, it stated as follows:

"Tehama County has done much in the way of building State highway bridges and in view of such cooperation with us, the Commission had decided that the State should bear one-half of the share of the cost of the subway which would have been assessed upon Tehama County if this Commission had not taken its present action."

At the hearing no plans had been prepared for the structure and the estimates presented were tentative. Since that time both the Highway Commission and the railroad company have made plans and estimates which have been submitted to the Railroad Commission. The plan of the Southern Pacific Company shows a subway making an angle with the track of about 45 deg., with a vertical clearance of 14 feet, and a horizontal clearance of 20 feet between abutments. The estimate for this structure is \$11,000. The plans of the Highway Commission call for a subway making an angle of 30 deg. 42 min. with the track having 21 feet in the clear between abutments and a horizontal clearance of 14 feet, which is the minimum prescribed by the Commission in its General Order 26 on the subject of clearances. The bridge under this plan, with 5% grades of approach, will cost, it has been estimated, about \$16,000.

With the vertical clearances the same and but one foot difference in the distance between abutments there is very little variation between the two plans submitted except for the angle at which the bridge is to be built. The Southern Pacific plan contemplates a structure some \$5,000. cheaper than that of the

Highway Commission but this saving in cost is obtained by sacrificing the alignment of the highway and would necessitate the abandonment of a portion of the highway pavement already laid. This latter objection is not important but the first, in my opinion, is great enough to justify the added expense. To cross the track at an angle of 45 degrees would necessitate a reverse curve on the highway to the east of the track which would obscure the line of sight of drivers of vehicles approaching each other under the bridge. As the highway on the west side of the railroad parallels the track until it turns under at the subway it is apparent that a reverse curve on the east side would make the subway dangerous for highway traffic. The angle of 30 degrees 42 minutes which the Highway Commission propose to use is the angle made by the present highway alignment with the track.

I believe the plan of the Highway Commission should be adopted in preference to the plan of Southern Pacific Company. The alignment is better and the width of 21 feet between abutments is now the standard used by the Highway Commission. There is so little grading to be done that 5% grades of approach seem to be justified in this particular case. I believe further that a fair division of expense is to divide the cost between the county and the railroad, the portion of the cost to be charged to the County to be divided between the Highway Commission and the County in accordance with the letter of the Highway Commission.

I recommend the following form of order:

O R D E R

TEHAMA COUNTY, CALIFORNIA, having applied to the Commission for an order determining the necessity for the construction of a subway at the Willard crossing approximately one mile south of the south boundary of the City of Red Bluff, and having asked the Commission to apportion the cost of same; and a public hearing having been held and the Commission being fully apprised in the premises

IT IS HEREBY ORDERED, That applicant and Southern Pacific Company shall construct a subway beneath the tracks of Southern Pacific Company at the Willard crossing, subject to the following conditions, viz.:-

(1) The subway shall be constructed at an angle of 30 degrees 42 minutes with the track, with a horizontal clearance between abutments of 21 feet; with vertical clearances of not less than 14 feet; and grades of approaches of 5 per cent.

(2) The expense of this construction shall be divided as follows: 50 per cent to Southern Pacific Company; 25 per cent to applicant and 25 per cent to the State Highway Commission.

The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said subway and the existing grade 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.

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 16th day of July, 1917.

Max Thelen

H. Howard

Alex Gordon

Frank P. Deley

Commissioners.