

ORIGINAL

Decision No. 4669.

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of COUNTY OF CONTRA COSTA for an order authorizing the opening of a public road in District No. 1, S.D. No. 4, across the tracks of The Atchison, Topeka and Santa Fe Railway Company, east of Pittsburg.

Application No. 2815.

In the matter of the application of COUNTY OF CONTRA COSTA for an order authorizing the opening of a public road in Road District No. 1, S.D. No. 4, across the tracks of Southern Pacific Company and The Atchison, Topeka and Santa Fe Railway Company, west of Pittsburg.

Application No. 2816.

In the matter of the safety of the crossing of the tracks of The Atchison, Topeka & Santa Fe Railway Company over Railroad Avenue in the City of Pittsburg.

Case No. 1120.

In the matter of the investigation of the safety of the crossing of the tracks of Southern Pacific Company over Railroad Avenue in the City of Pittsburg.

Case No. 1121.

- T. D. Johnston for Contra Costa County,
- Geo. D. Squires for Southern Pacific Company.
- J.W. Walker for The Atchison, Topeka & Santa Fe Railway Company.
- R. M. Jones for City of Pittsburg.

GORDON, Commissioner.

O P I N I O N.

The two applications considered in this opinion and order were filed together and, as they cover crossings on the same proposed highway, were heard together and can be decided together. After the first hearing it appeared possible that an alternative route for the highway, involving grade separation projects elsewhere than at the points planned, might be

preferable to the location proposed by the County, and in order to bring the whole situation under consideration, and to bring the City of Pittsburg, which would be effected by a change of plan, into the matter formally, the two above cases were instituted on the Commission's own motion.

Contra Costa County is engaged in building a highway through the county which will shorten the automobile route from Oakland to Stockton by sixteen miles. The crossings asked for are on this proposed road. It leaves an existing county road about one and one-quarter miles west of the city limits of Pittsburg, crosses the tracks of the Southern Pacific and the Santa Fe at a point where they are parallel to and about one hundred feet from each other, and continues in a generally easterly direction until it joins Tenth Street at the city limits of Pittsburg. It follows West Tenth Street to the easterly limits of Pittsburg, then swings south, crosses the tracks of the Santa Fe and joins a portion of the same road which has already been constructed north of the tracks of the Southern Pacific Company.

In Application No. 2815 the County asks permission to construct a subway under the Santa Fe tracks at the crossing east of the town, and in Application No. 2816 it asks authority to open a road, either above or below grade, across the tracks of both the Southern Pacific and the Santa Fe. Both of these crossings are outside the incorporated limits of Pittsburg. Between the two subways there will be one main line grade crossing on the tracks of both railroads, Railroad Avenue, a north and south street running south from Pittsburg for some distance into the country. In addition to these crossings there will also be a crossing with a spur track of the Santa Fe which serves several industries on the north side of Pittsburg.

It was in the hope of avoiding these grade crossings that the two cases were instituted. The alternative location suggested was the use of an existing county highway on the south side of the Southern Pacific's tracks from the westerly crossing, as proposed, to or near Railroad Avenue where an overhead crossing of the Southern Pacific would be built, from the east end of which the highway would continue on the north side of the Southern Pacific's tracks, and close to them, until it joined that portion of the highway now constructed. One grade crossing would have been necessary with a track connecting the Southern Pacific and the Santa Fe, to the east of Railroad Avenue, but as plans are under way for the removal of that track this route would eventually have been without a grade crossing. As far as through traffic is concerned this route would have been ideal, but traffic to and from Pittsburg would still have had to cross at grade the main line track of the Santa Fe on Railroad Avenue, and to make the two construction schemes comparable, as far as safety is concerned, it would have been necessary to construct also a subway on Railroad Avenue beneath the tracks of the Santa Fe.

At the final hearing estimates were presented showing the costs of the viaduct over the Southern Pacific and the subway under the Santa Fe on this alternative scheme, and it clearly appeared that the construction would cost about twice what it would cost on the other, that is the original, route. Both separations under the alternate scheme, furthermore, would have fallen within the limits of the City of Pittsburg, which is without money to assume any expense of grade separation work, and it is the policy of the supervisors of Contra Costa County to spend no money for highways within the limits of incorporated cities. Even if the financial difficulties could have been overcome, the

latter scheme would not have been satisfactory to Pittsburg, as it would have resulted in a subway in the town and through traffic would have been diverted from it.

The only objections to the original scheme are the crossing of the spur track of the Santa Fe and the crossings on the main lines of the two railroads at Railroad Avenue. When the new county road is built, however, the traffic on Railroad Avenue will be comparatively light and it is not a difficult matter to safeguard a crossing of a spur track; but this spur track crossing, it appears, may be more or less temporary, as a project is now under way to relocate it so it will leave the main line at a point east of the east subway and will consequently not cross the new highway. On the whole I believe the original scheme should be followed both on account of the difficulties I have mentioned and because the advantages of the alternative scheme are not great enough to warrant the additional cost even if they could be overcome.

The County plans to construct the subway east of the town at once and to defer the construction of the crossing west of the town until next year. It is necessary, however, for it to know definitely whether it can secure permission to make this crossing at separated grades and what portion of the expense will be assessed against the railroad companies. The County expressed a willingness to assume half the expense of both grade separation projects, and this appears to me to be a fair division. Definite plans for the subway east of town have been drawn and the cost will be approximately \$17,000. At the crossing west of town the engineering studies are not yet complete enough to decide whether the crossing should be made by building the highway over the tracks or under them. The topography of the country lends itself readily to either type of construction. It is possible to build a subway or a viaduct of

concrete, wood or steel, and although estimates have been made which are close enough to show that a separation is entirely reasonable and feasible, prices of material are changing so rapidly that it is impossible to determine now what the most economical construction will be when the County is ready to build a year from now.

The crossing east of Pittsburg can be disposed of at once, and permission can be given the County to make the crossing west of town at separated grades, the details of which can be reserved for a supplemental order. I have already indicated how I think the expense of these two grade separations should be divided. I recommend the following form of order:

O R D E R.

COUNTY OF CONTRA COSTA having applied to the Commission for permission to construct a highway over the tracks of The Atchison, Topeka & Santa Fe Railway Company and the Southern Pacific Company, as shown by the maps attached to the application and discussed in the foregoing opinion; and the Commission having instituted an investigation, on its own motion, of the grade crossing situation around Pittsburg, and being fully apprised in the premises;

IT IS HEREBY ORDERED, That Cases No. 1120 and No. 1121 be and the same hereby are dismissed.

IT IS HEREBY FURTHER ORDERED, That permission be and the same hereby is granted the County of Contra Costa to construct its highway beneath the tracks of The Atchison, Topeka & Santa Fe Railway Company at the point and in the manner shown by the map attached to Application No. 2815; the expense of this construction to be borne fifty (50) per cent by Contra Costa

County and fifty (50) per cent by The Atchison, Topeka & Santa Fe Railway Company. All clearances shall be made in accordance with this Commission's General Order No. 26.

IT IS HEREBY FURTHER ORDERED, That permission be and the same hereby is granted County of Contra Costa to construct its highway at separated grades, either above or below the tracks of The Atchison, Topeka & Santa Fe Railway Company and Southern Pacific Company in a manner to be determined hereafter by the Commission and covered by a supplemental order; the expense of this construction shall be borne fifty (50) per cent by Contra Costa County, twenty-five (25) per cent by Southern Pacific Company and twenty-five (25) per cent by The Atchison, Topeka & Santa Fe Railway Company.

IT IS HEREBY FURTHER ORDERED, That, after the construction of the subway east of town (Application No. 2815) all engines, trains and cars operating over The Atchison, Topeka & Santa Fe's spur track across this highway shall stop before crossing the same and shall not proceed until it has been ascertained that it is safe to do so.

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

Dated at San Francisco, California, this 24th day of September, 1917.

Max Thelen

Alex Gordon

Edwin O. Edgerton

Commissioners.