

Decision No. 23852.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of the
State of California, acting by and through
its State Park Commission, for permission
to construct a public park vehicular under-
pass beneath the railroad tracks and trestle
of the Southern Pacific Railroad Company, a
corporation, or Southern Pacific Company, a
corporation.

Application No. 20959.

U. S. Webb, Attorney General, by Neil Cunningham, Deputy,
for applicant.

Newton B. Drury, for California State Park Commission.

E. W. Hobbs, for Southern Pacific Company.

BY THE COMMISSION:

O P I N I O N

ORIGINAL

In this proceeding the State of California, acting by and through its State Park Commission, seeks permission to construct a public vehicular undergrade crossing under the tracks of Southern Pacific Company's Santa Cruz Branch at New Brighton Beach State Park, in Santa Cruz County.

A public hearing was held in this matter by Examiner Hall in San Francisco, May 1, 1937, at which time the matter was submitted.

The State Park Commission is developing New Brighton State Park on the shore of Monterey Bay east of Capitola, Santa Cruz County. This park is separated from the public highway system by the Santa Cruz Branch of Southern Pacific Company. Parallel to and north of the railroad right of way is located the Capitola highway which runs northeasterly from Capitola to a connection with the Santa Cruz-Watsonville highway.

At present the only means of ingress and egress to or from the park is by way of a private crossing at grade over the railroad at a point marked "B" on a map of New Brighton State Park and filed as Exhibit 1.

It is the proposal of applicant to take advantage of an existing trestle located approximately 700 feet northeast of the private crossing, through which the park entrance road could be built, thus eliminating the use of the private grade crossing.

The record shows that the existing crossing is hazardous and unsatisfactory for public use and travel, due to the existence of relatively deep excavation banks on either side of the crossing. In other words, a vehicle when approaching the crossing must be almost upon the tracks before the driver gets a view along the track in either direction.

The trestle through which it is proposed to construct the road under the tracks is of three spans on approximately 15-foot centers and consists of pile bents and timber with ballast deck. It is proposed to use two of the spans for the roadway and the third for a waterway. A pile bent is to remain in the center of the roadway which will separate the traffic. The crossing is proposed to have an overhead clearance of 14 feet, which conforms to the provisions of our General Order No. 26-C.

Each opening is proposed to be $11\frac{1}{2}$ feet wide. The width of roadway is restricted due to the fact that it will be necessary to place a masonry wall on the bulkhead bent to protect the pile and place a narrow sidewalk in the opposite opening. Protection planking on either side of the center bent is necessary. This protection will restrict the effective width of roadway to 10 feet.

The traffic to and from New Brighton Beach will almost all be for recreational purposes, and the vehicles used will be

largely automobiles. It is expected that few, if any, trucks will have occasion to use this subway. If general highway traffic were expected to use this undergrade crossing, it would not be prudent to have a restricted roadway width, but in view of the class of traffic, it appears to be reasonably safe, provided, however, that the structure is adequately flood-lighted during the hours of darkness; that the pile bents be painted with alternate black and white diagonal stripes; and that vehicular speed be restricted upon entering the structure. Applicant is agreeable to installing and maintaining these protective measures.

Southern Pacific Company, although it is opposed to the construction of a divided roadway undergrade crossing, did not seriously oppose the granting of the application, provided the existing private grade crossing is closed, and that adequate protection is placed at the underground crossing as outlined above.

It appears from the record that the public making use of the New Brighton State Park would be better served by the proposed undergrade crossing than by the existing private crossing at grade and that the application should be granted.

O R D E R

A public hearing having been held, the matter having been submitted and being now ready for decision,

IT IS HEREBY ORDERED that the State of California, acting by and through its State Park Commission, is hereby authorized to construct a public road at separated grades under the Santa Cruz Branch track of Southern Pacific Company in the vicinity of New Brighton Beach State Park, County of Santa Cruz,

State of California, at the location more particularly described in the application and substantially in accordance with and as shown by the plan (C. E. Drawing 14411) attached to the application, subject to the following conditions:

- (1) The above crossing shall be identified as Crossing No. EC-34.7-B.
- (2) The entire expense of constructing and thereafter maintaining the crossing in good and first-class condition for safe and convenient use of the public shall be borne by applicant.
- (3) Said grade separation shall be constructed substantially in accordance with the plan (C.E. Drawing No. 14411) attached to the application.
- (4) Said crossing shall be constructed with vertical clearances conforming to the provisions of our General Order No. 26-C. Each lane of the roadway may be constructed of a width not less than ten (10) feet.
- (5) Applicant shall, at its own expense, paint the trestle bents on each side of and in the middle of the roadway with alternate black and white diagonal stripes; shall adequately flood-light said grade separation during the hours of darkness; and shall post signs on the approaches notifying the public to restrict speed of vehicles to 10 miles per hour in passing through said grade separation.
- (6) Upon the opening of said grade separation to public use and travel, applicant shall close and effectively barricade to vehicular use and travel the existing private grade crossing located approximately 700 feet southwest thereof.
- (7) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing and of its compliance with the conditions hereof.
- (8) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 14th day of June, 1937.

William W. W.
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Frederick W. W.
Commissioners