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Decision No. 84497

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
Department of Transportation, for an
order authorizing the alteration and
relocation of PUC Crossing
No. BO-40.7 by the construction of
the Solano Way Overhead and the North
Frontage Road at-grade crossing in-
cluding the alteration of PUC
Crossing No. BO-40.8, all over the
Southern Pacific Transportation
Company's San Ramon Branch track in
the County of Contra Costa.

Application No. 55398
(Filed December 19, 1974)
(Amended February 14, 1975)

O P I N I O N

The State of California Department of Transportation requests authority to construct, as part of the project to improve State Route 4 to freeway standards in Contra Costa County, a crossing at separated grades to be known as "Solano Way Overhead", to close the existing at-grade crossing of existing State Route 4, to alter and improve the existing at-grade crossing of Olivera Road and to construct a new at-grade crossing of the road to be known as North Frontage Road, all across the tracks of the Southern Pacific Transportation Company's San Ramon Branch Line, in the County of Contra Costa.

The California Highway Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on October 16, 1974, approved a Negative Declaration and Environmental Study.

Notice of the original application and amendment was published in the Commission's Daily Calendar on December 19, 1974, and on February 18, 1975, respectively. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration the Commission finds:

1. Applicant should be authorized to construct the "Solano Way Overhead" at separated grades, to close the existing at-grade crossing of existing State Route 4, to alter and improve the existing at-grade crossing of Olivera Road and to construct a new at-grade crossing of the road to be known as North Frontage Road, all across the tracks of the Southern Pacific Transportation Company's San Ramon Branch Line in the County of Contra Costa.
2. Construction and maintenance expense of the overhead, construction expense of the grade crossings, and installation costs of their automatic protection should be borne in accordance with an agreement to be entered into between the parties relative thereto.
3. Maintenance expense of the automatic protection at the Olivera Road crossing should be shared equally by the railroad and the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred.
4. Maintenance expense of the automatic protection at the North Frontage Road crossing should be borne by the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred.
5. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans set forth in the application and comply with applicable rules and general orders of the Commission.
6. The Commission has considered the California Highway Commission's Negative Declaration and Environmental Study and finds with reasonable certainty that this project will not have a significant effect on the environment.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The California Department of Transportation is authorized to construct State Route 4 at separated grades over the tracks of the Southern Pacific Transportation Company in the County of Contra Costa, at the location and substantially as shown by plans attached to the application to be identified as "Solano Way Overhead" Crossing No. BO-40.7-A.

2. Clearances shall be in accordance with General Order No. 26-D, except that during the period of construction a clearance of not less than 21' 6" above top of rail is authorized and the Southern Pacific Transportation Company is authorized to operate with such reduced overhead clearances provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars.

The applicant shall notify the Commission and the affected railroad at least 15 but not more than 30 days in advance of the date when temporarily impaired clearances will be created.

Walkway areas adjacent to the railroad tracks shall be maintained free of obstructions and shall promptly be restored to their original condition in the event of damage during construction.

3. The California Department of Transportation is authorized to construct North Frontage Road and to alter and improve Olivera Road, both at grade, across the tracks of the Southern Pacific Transportation Company in the County of Contra Costa at the location and substantially as shown by plans attached to the application to be identified as Crossings Nos. BO-40.6 and BO-40.8, respectively.

4. Construction of the Olivera Road and North Frontage Road grade crossings shall be equal or superior to Standard No. 2 (General Order No. 72-B).

5. Widths of the crossings and grades of approach shall be as shown on plans attached to the application.

6. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

7. Crossing protection at Olivera Road shall be two Standard No. 9-A automatic gate-type signals and one Standard No. 9 automatic gate-type signal (General Order No. 75-C).

8. Crossing protection at the new North Frontage Road crossing shall be one Standard No. 9 automatic gate-type signal, two Standard No. 9-A automatic gate-type signals with cantilevers, and one Standard No. 8 flashing light-type signal (General Order No. 75-C).

9. Construction and maintenance expense of the overhead, and construction and alteration expense of the grade crossings and installation costs of their automatic protection, shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of said crossings approved by the Southern Pacific Transportation Company, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

10. Maintenance costs of the automatic protection at Olivera Road, Crossing No. B0-40.8, shall be shared equally by the railroad and the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

11. Maintenance costs of the automatic protection at North Frontage Road, Crossing No. BO-40.6, shall be borne by the governmental body having jurisdiction over the crossing at the time said maintenance costs are incurred pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

12. Maintenance of the Olivera Road and North Frontage Road crossings shall be in accordance with General Order No. 72-B.

13. Upon completion of the "Solano Way Overhead", the existing grade crossing at existing State Route 4, Crossing No. BO-40.7, shall be abandoned and physically closed.

14. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing.

This authorization shall expire if not exercised within four years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 31
day of JUNE, 1975.

Verma L. Stanger
President
William J. ...
...
Leonard ...
John ...
Commissioners