

OCT 16 1987

ORIGINAL

Decision 87 10 022

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of Cali- )  
fornia, Department of Transpor- )  
tation for an order authorizing the )  
Department to: Widen between the )  
existing Pleasanton Industrial Park )  
Overhead left and right structures )  
over the Oakland to Nevada Stato- )  
line track of The Western Pacific )  
Railroad Company in Pleasanton, in )  
Alameda County, California. )

Application 87-05-048  
(Filed May 26, 1987)

O P I N I O N

As part of the project to widen Interstate Route (I)680 from four to six lanes between State Route 238 in Fremont and I-580 near Pleasanton, the State of California, Department of Transportation (Caltrans) requests authority to widen the existing Pleasanton Industrial Park Overhead over the tracks of Union Pacific Railroad Company's (UP) Feather River Division main line in Pleasanton, Alameda County. A merger exemption, Finance Docket No. 31040, was filed with the Interstate Commerce Commission on June 4, 1987 by UP and its wholly owned subsidiaries, one of which was The Western Pacific Railroad Company, notifying the Commission that a corporate family merger would occur on or about June 15-16, 1987. The surviving corporate entity is UP. Therefore, all references of the railroad in this order will be in the name of UP.

The existing overhead was constructed in 1966. It is located approximately one mile west of Pleasanton and consists of two structures, each with two lanes of travel. Caltrans proposes to widen each structure to accommodate three lanes of travel. The widening will be entirely in the existing freeway median and thus within the existing easement area.

Caltrans is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000, et seq. After preparation and review of an Initial Study, Caltrans issued a Negative Declaration and approved the project. On October 27, 1986, a Notice of Determination was filed with the State Office of Planning and Research, which found that "The project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

Notice of the application was published in the Commission's Daily Calendar on June 2, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to widen the existing Pleasanton Industrial Park Overhead over the tracks of UP's main line in Pleasanton, Alameda County.
2. Widening of the crossing is an essential element of the I-680 widening project.
3. Public convenience, necessity, and safety require widening of the existing Pleasanton Industrial Park Overhead.
4. Caltrans is the lead agency for this project under CEQA, as amended.

5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

6. The project will have no significant impact on the environment.

Conclusion of Law

The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation (Caltrans), is authorized to widen the existing Pleasanton Industrial Park Overhead over the tracks of Union Pacific Railroad Company's (UP) Feather River Division main line in Pleasanton, Alameda County, at the location and substantially as shown by plans attached to the application, identified as Crossing 4-40.2-A.

2. Clearances shall conform to General Order (GO) 26-D.

3. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

4. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossing approved by UP, 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.

5. Within 30 days after completion of the work under this order, Caltrans shall advise the Commission in writing that the authorized work has been completed.

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

7. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated OCT 16 1987, at San Francisco, California.

STANLEY W. HULETT  
President

DONALD VIAL  
FREDERICK R. DUDA  
G. MITCHELL WILK  
Commissioners

Commissioner John B. Ohanian, being necessarily absent, did not participate.

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY.

  
Victor Weisser, Executive Director