

Decision 88 04 022 APR 13 1988

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Contra)
Costa for an Order authorizing)
reconstruction of the crossing at)
separated grades between Nichols)
Road and the tracks of the Southern)
Pacific Transportation Company)
(adjacent to an existing grade)
crossing with the tracks of)
The Atchison, Topeka & Santa Fe)
Railway), sometimes referred to as)
the Nichols Road Overhead, Port)
Chicago area, (PUC Crossing Nos.)
B-43.2A and 2-1161.5).)

Application 87-11-007
(Filed November 5, 1987)

O P I N I O N

The County of Contra Costa (County) requests authority to reconstruct the Nichols Road Overhead at separated grades over Southern Pacific Transportation Company's (SPT) main line tracks near Port Chicago, Contra Costa County.

Authority is also requested to alter the existing Nichols Road grade crossing of the Atchison, Topeka & Santa Fe Railway Company's (AT&SF) main line tracks by widening slightly the west side of the crossing and relocating the automatic crossing protective devices.

The existing timber trestle over SPT's tracks is deteriorating and provides the only vehicular access to the General Chemical Plant located north of the tracks. The proposed concrete replacement structure will provide a wider and safer roadway. The grade crossing of AT&SF's tracks is located adjacent to the south abutment of the overpass structure.

County is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA) as amended, Public Resources (PR) Code Sections 21000, et seq. County has determined that the project is categorically exempt from CEQA Section 15302 of the CEQA Guidelines (14 Cal. Admin. Code - Div.6). Section 15302 applies to Class 2-Replacement or reconstruction of existing structures.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's exemption determination.

The site of the proposed project has been inspected by the Commissions's Traffic Engineering staff. The staff examined the need for and safety of the proposed project. The staff recommends authority be granted to reconstruct the existing overpass structure over SPT's tracks and to alter the existing grade crossing of AT&SF's tracks.

The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 39, which relates to widening or relocating existing crossings. A sketch of the project vicinity is set forth as Appendix A.

Notice of the application was published in the Commission's Daily Calendar on November 16, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. County requests authority under Public Utilities Code Sections 1201-1205 to reconstruct the Nichols Road Overhead at separated grades over SPT's main line tracks near Port Chicago, Contra Costa County.

2. Authority is also requested to alter the existing Nichols Road grade crossing of AT&SF's main line tracks by widening the west side of the crossing and relocating the Standard No. 9 automatic gate-up signal (General Order(GO) 75-C) located on the west side of the road.

3. Reconstruction of the Nichols Road Overhead is required to provide a safe and structurally adequate overcrossing of SPT's tracks.

4. Proposed widening of the Nichols Road Overhead requires widening of the adjacent grade crossing of AT&SF's tracks and relocation of the automatic protective devices on the west side of the road.

5. Public convenience, necessity and safety require reconstruction of the Nichols Road Overhead over SPT's tracks and alteration of the Nichols Road grade crossing of AT&SF's tracks.

6. County is the lead agency for this project under CEQA, as amended.

7. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's categorical exemption determination.

8. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

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

2. The activity is not covered by the requirements set forth in CEQA and, therefore, the guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

O R D E R

IT IS ORDERED that:

1. The County of Contra Costa (County) is authorized to reconstruct the Nichols Road Overhead at separated grades over Southern Pacific Transportation Company's (SPT) main line tracks near Port Chicago, Contra Costa County, at the location and substantially as shown by plans attached to the application, identified as Crossing B-43.2-A.

2. County is further authorized to alter the existing Nichols Road grade crossing of The Atchison, Topeka & Santa Fe Railway Company's (AT&SF) main line tracks, Crossing 2-1161.5, by widening the west side of the crossing and relocating the Standard No. 9 automatic gate-type signal (GO 75-C) located on the west side of the road.

3. Construction of the grade crossing shall be equal or superior to Standard No. 1 of GO 72-B.

4. Clearances shall be in accordance with GO 26-D.

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

6. Construction and maintenance costs shall be borne in accordance with agreements to be entered into between the parties. A copy of the agreements, together with plans of the crossings approved by SPT and AT&SF, 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.

7. Within 30 days after completion of the work under this order, County shall notify the Commission in writing that the authorized work has been completed.

8. 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.

9. The application is granted as set forth above.

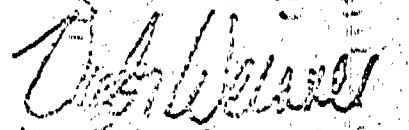
This order becomes effective 30 days from today.

Dated APR 13 1988, at San Francisco, California.

STANLEY W. HULETT
President
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

Commissioner Donald Vial, being necessarily absent, did not participate.

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


Victor Weiss, Executive Director

