

ORIGINAL

Decision 88 06 016 JUN 8 1988

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 the City of San Leandro to abandon)
 a public street across a railroad of)
 the Southern Pacific Transportation)
 Company at Thornton Street and to) Application 88-01-014
 abandon a public street across a) (Filed January 15, 1988)
 railroad of the Southern Pacific)
 Transportation Company at West)
 Estudillo Avenue and to construct)
 a public street across a railroad of)
 the Southern Pacific Transportation)
 Company at Alvarado Street, San Leandro,)
 California.)

O P I N I O N

As part of the project to construct Alvarado Street between West Estudillo Avenue and Thornton Street, the City of San Leandro (City) requests authority to construct Alvarado Street at grade across the tracks of Southern Pacific Transportation Company's (SPT) main line in San Leandro, Alameda County. The project includes closure of the existing nearby public grade crossings of the same rail line at Thornton Street and West Estudillo Avenue.

The project will provide improved traffic circulation by allowing direct access between the developing industrial area surrounding the crossing location and major arterial streets with freeway ramp connections. Appendix A is a sketch of the proposed crossing location.

City 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, City issued a Negative Declaration for the project. On April 14, 1986, a Notice of Determination was filed with the County Clerk 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 application complies with Rule 38 of the Commission's Rules of Practice and Procedure pertaining to construction of a public highway across a railroad. Due to extensive development immediately adjacent to the proposed crossing location, and the proximity of other public streets with which Alvarado intersects, a grade separation is not practical.

The site of the proposed project has been inspected by the Commission staff. Field conditions substantially agree with details shown on the plans and described in the application. The staff examined the need for and safety of the proposed new rail crossing, and recommends issuance of an ex parte order authorizing the proposed crossing subject to installation of automatic gate-type signals with cantilever lights as protection, and closure of the existing grade crossings at Thornton Street and West Estudillo Avenue.

City wishes to begin construction of the crossing at the earliest possible date. It is, therefore, requested that the usual 30-day effective date on an order be waived. We will make our order effective immediately.

Notice of the application was published in the Commission's Daily Calendar on January 21, 1988. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201-1205 to construct Alvarado Street at grade across the tracks of SPT's main line in San Leandro, Alameda County.

2. The proposed crossing is required to provide improved traffic circulation.

3. Public convenience and necessity require construction of the Alvarado Street crossing.

4. Public safety requires installation of two Standard No. 9-A automatic gate-type signals with cantilevers (General Order (GO) 75-C) at the Alvarado Street crossing.

5. Upon completion of the new grade crossing and its opening to vehicular traffic, the existing nearby public grade crossings at Thornton Street and West Estudillo Avenue are to be closed and physically removed.

6. City 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 Initial Study and Negative Declaration.

8. The project will not have a significant impact on the environment.

Conclusions of Law

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

2. The usual 30-day effective date on an order should be waived as City wishes to begin construction of the crossing at the earliest possible date.

O R D E R

IT IS ORDERED that:

1. The City of San Leandro (City) is authorized to construct Alvarado Street at grade across the tracks of Southern Pacific Transportation Company's (SPT) main line in San Leandro, Alameda County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing D-14-96.

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

3. Clearances shall conform to GO 26-D. Walkways shall conform to GO 118.

4. Protection at the crossing shall be two Standard No. 9-A automatic gate-type signals with cantilevers (GO 75-C).

5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by City.

6. Maintenance of the crossing shall conform to GO 72-B. Maintenance cost of the automatic protection shall be borne by City under PU Code Section 1202.2.

7. Construction plans of the crossing, approved by SPT, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

8. Upon completion of the new Alvarado Street grade crossing and its opening to vehicular traffic, the existing nearby public grade crossings at Thornton Street and West Estudillo Avenue (Crossings D-15.1 and D-14.8, respectively), shall be closed and physically removed.

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

10. This authorization shall expire if not exercised within two 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.

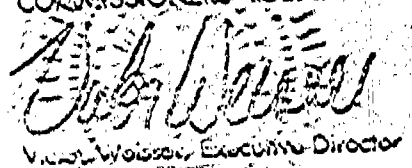
11. The application is granted as set forth above.
This order is effective today.

Dated JUN 8 1988, at San Francisco, California.

STANLEY W. HULETT
President

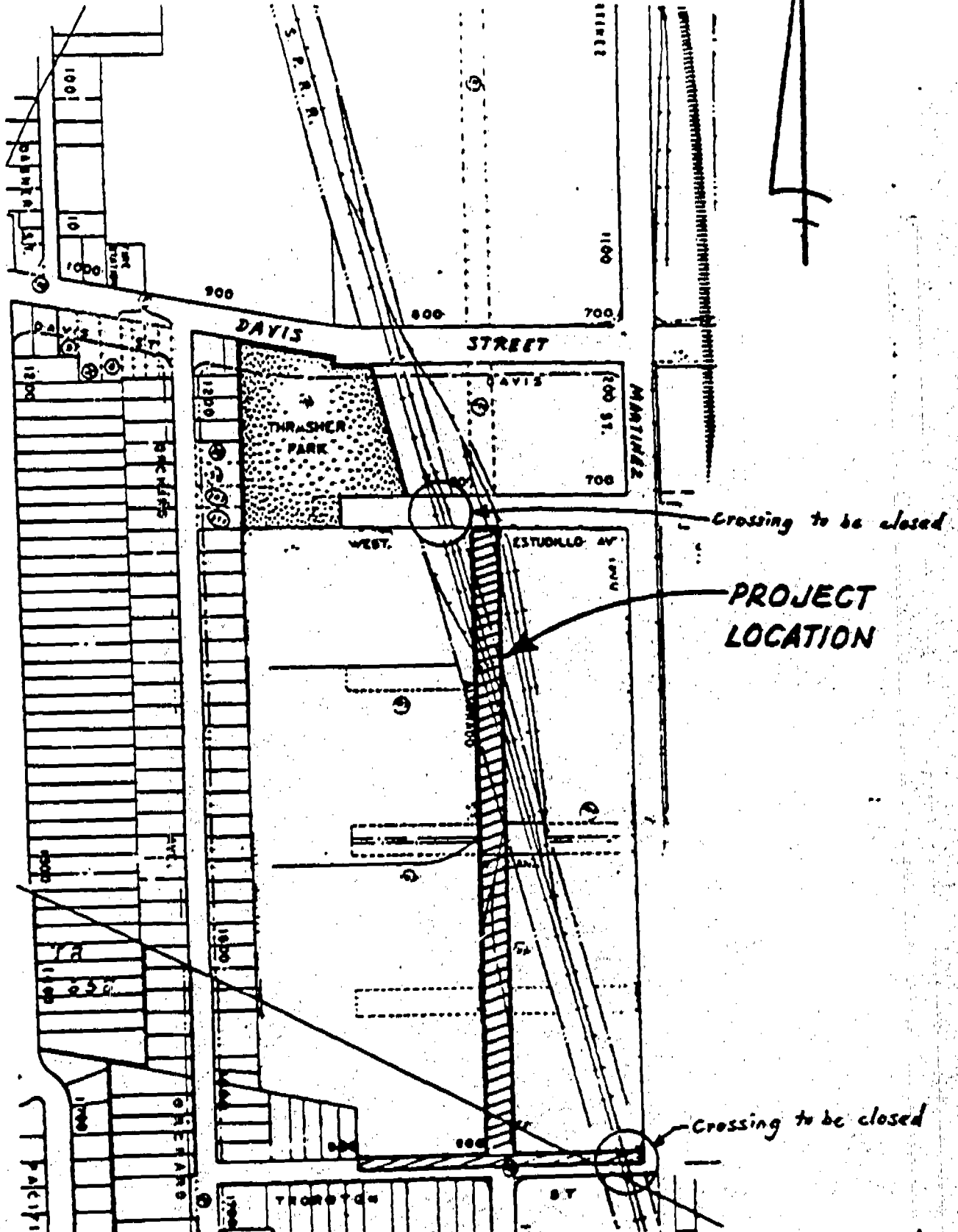
DONALD VIAL
FREDERICK R. DUDA
C. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

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


Victor Weissert, Executive Director

PROJECT LIMITS

ALVARADO STREET EXTENSION WEST ESTUDILLO AVE. TO THORNTON ST.



Crossing to be closed

PROJECT LOCATION

Crossing to be closed