

Decision 88 07 006

JUL 8 1988

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 Department to:
Build new crossings at separated grades)
and to widen an existing overhead over)
The Atchison, Topeka and Santa Fe Rail-)
way Company's yard tracks in Richmond,)
Contra Costa County, California.)

Application 88-03-028
(Filed March 11, 1988)

O P I N I O N

As part of the project to improve the seven-mile Interstate Route 580 (I-580) (State Route 17) transportation corridor to six-lane freeway standards between Interstate Route 80 in Albany and Richmond - San Rafael Bridge, the State of California, Department of Transportation (Caltrans), requests authority to construct I-580 on two new structures at separated grades and widen an existing adjacent overhead over The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) yard tracks in the City of Richmond, Contra Costa County.

The proposed overheads, to be known as "Railroad Avenue Overhead", will be located between two existing overheads which will be re-classified as Outer Right Overhead, Crossing 2-1190.15-A, and Outer Left Overhead, Crossing 2-1190.2-A. Each new structure will accommodate three one-way freeway lanes with an eastbound off-ramp diverging from the southerly overhead. The widening of the re-classified Outer Right Overhead will consist of construction of a contiguous roadway surface on the northerly side.

Major impacts of the project include a cost expenditure of \$190 million, dislocation of 450 people, a 2.5 acre taking from the East Yard Historical District, and a 1.3 acre taking from the Hoffman Marsh and mud flat. Mitigation measures include relocation assistance for involved residents and businesses, addition of landscape screening, and enhancement of remaining marsh areas.

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 Environmental Impact Report (EIR), Caltrans approved the project. On August 28, 1981, a Notice of Determination was filed with the Secretary for Resources, which found that "The project will 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 EIR. The site of the proposed project has been inspected by the Commission's Traffic engineering staff. The staff examined the need for and safety of the crossings. The staff recommends that the sought authority be granted.

Application 88-03-028 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a railroad. A sketch of the crossings is set forth as Appendix A.

Notice of the application was published in the Commission's Daily Calender on March 21, 1988. 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 construct I-580 at separated grades over AT&SF's yard tracks in Richmond, Contra Costa County.
2. Authority is also requested to widen the existing adjacent overhead, Crossing 2-1190.15-A over AT&SF's yard tracks.
3. Construction and widening of the Railroad Avenue overheads are essential elements in construction of I-580.
4. Public convenience, necessity, and safety require the construction and widening of the overheads.
5. Caltrans is the lead agency for this project under CEQA, as amended.
6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's EIR.
7. The I-580 transportation corridor improvement project will have a significant effect on the environment; however, the adopted mitigation measures will reduce the severity of the adverse impacts to acceptable levels.
8. The EIR identifies no significant environmental impact which will be caused by construction of the I-580 grade separation structures and widening of the existing overhead.

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 construct I- 580 at separated grades over The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) yard tracks in Richmond, Contra Costa County, at the location and substantially as shown by plans attached to the application, to be identified as Railroad Avenue Overhead, Crossing 2-1190.17-A.

2. Caltrans is further authorized to widen the existing adjacent Outer Right Overhead, Crossing 2-1190.15-A.

3. Clearances shall be in accordance with General Order (GO) 26-D; except that during the period of construction a clearance of not less than 21 feet 6 inches above top of rail shall be authorized and AT&SF shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on top of cars beneath the structure.

4. Caltrans shall notify the Commission and AT&SF at least 15, but not more than 30, days in advance of the date when the temporary impaired clearance will be created.

5. 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.

6. 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 crossings approved by 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, Caltrans 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.

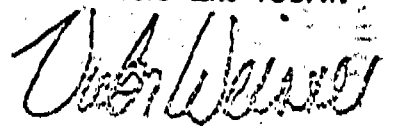
This order becomes effective 30 days from today.

Dated JUL 8 1988, at San Francisco, California.

STANLEY W. HULETT
President
DONALD VIAL
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

Commissioner Frederick R. Duda
being necessarily absent, did not
participate.

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


Victor Weiss, Executive Director

