

S/RE/

Decision 91 07 060 JUL 24 1991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Alameda for )  
an Order authorizing construction of an )  
eastbound crossing between the middle )  
pier and the south abutment and the re- )  
construction of the existing road be- )  
tween the north abutment and the middle )  
pier at separated grades between )  
Altamont Pass Road and tracks of the )  
Union Pacific Railroad Company, referred )  
to as P.U.C. No. 4-56.9-B. )

**ORIGINAL**

Application 91-02-091  
(Filed February 26, 1991)

OPINION

As part of the project to construct 1000 feet of roadway for eastbound traffic on Altamont Pass Road, Alameda County (County) requests authority to widen existing Altamont Pass Road at separated grades under Union Pacific Railroad Company's (UP) main line tracks in Alameda County.

The underpass is located in Altamont Pass, near the eastern edge of Alameda County, about five miles east of the City of Livermore. The surrounding terrain is quite hilly and, except for the nearby landfill, mostly undeveloped.

The project will improve motorist safety by providing better visibility and wider shoulders.

The proposed widening will utilize the south half of the existing structure, formerly occupied by Southern Pacific Transportation Company's (SPT) main line tracks, for the eastbound portion of Altamont Pass Road. The westbound portion is to use the north half of the structure, which presently carries both east and west bound traffic. The SPT tracks were removed subsequent to the Niles Canyon track consolidation project of several years ago, which gave SPT authority to use the UP main line for its rail

traffic through Niles Canyon and Altamont Pass, and Alameda County ownership of the SPT right of way.

County 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, County issued a Negative Declaration and approved the project. On April 4, 1991, a Notice of Determination was filed with the Alameda 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 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 39, which relates to the alteration of an existing public highway across a railroad. A sketch of the project vicinity is included as Appendix A.

The site of the proposed project has been inspected by the Commission's Safety Division Traffic Engineering staff. The staff examined the need for and safety of the proposed project, and recommends issuance of an ex parte order authorizing the widening of Altamont Pass Road.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on March 1, 1991. No protests have been received. A public hearing is not necessary.
2. County requests authority under Public Utilities Code Sections 1201-1205 to widen Altamont Pass Road at separated grades under UP's tracks in Alameda County.
3. The crossing is an essential element of Altamont Pass Road.

4. Public convenience, necessity, and safety require widening of existing Altamont Pass Road under UP's tracks.

5. County 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 Initial Study and Negative Declaration.

7. 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. Alameda County (County) is authorized to widen the existing Altamont Pass Road at separated grades under Union Pacific Railroad Company's (UP) main line tracks in Alameda County, at the location and substantially as shown by the plans attached to the application, identified as Crossing 4-56.9-B.

2. Clearances shall be in accordance with General Order (GO) 26-D. 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.

3. 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's Safety Division prior to commencing construction. Should the

parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

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

5. 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.

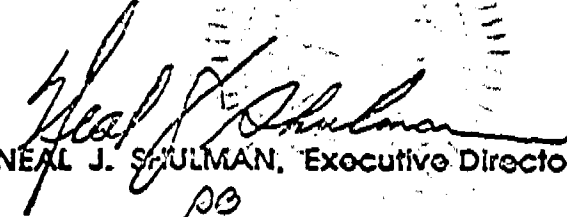
6. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated JUL 24 1991, at San Francisco, California.

PATRICIA M. ECKERT  
President  
G. MITCHELL WILK  
JOHN B. OHANIAN  
DANIEL Wm. FESSLER  
NORMAN D. SHUMWAY  
Commissioners

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

  
NEAL J. SCHULMAN, Executive Director  
PB

