

S/RE/

Decision 92 05 060 MAY 20 1992

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:
Widen Distribution Structure at
Louise Street Overhead. This structure
crosses The Oakland Terminal track at
the referenced PUC Crossing in the City
of Oakland, County of Alameda, State of
California.

ORIGINAL

Application 91-08-037
(Filed August 12, 1991)
(Amended October 3, 1991)

O P I N I O N

As part of a project to make operational improvements to Interstate Route 580 (I-580) in Oakland, the State of California, Department of Transportation (Caltrans), requests authority to widen the existing Louise Street Overhead on I-580 at separated grades over Oakland Terminal Railroad Company's (OTR) tracks in Oakland, Alameda County.

The existing overhead is located between the San Francisco-Oakland Bay Bridge Distribution Structure and the "MacArthur Maze". The Distribution Structure is the junction of Interstate Routes 80, 580, and 880. The MacArthur Maze is the junction of Interstate Routes 580 and 980 and State Route 24. The terrain surrounding the overhead is flat, as is the rail profile grade.

The widening will reduce recurrent traffic congestion on eastbound I-580. The congestion is caused in large part by traffic using I-580 to divert from I-880 to I-980, since I-880 is no longer a freeway between the Distribution Structure and downtown Oakland, whereas the I-580/I-980 route is.

The existing minimum vertical clearance is 19'-5", which is 3'-1" less than the minimum specified in General Order (GO) 26-D. The existing crossing was constructed in 1954 with the

approved impaired vertical clearance. The proposed minimum vertical clearance will not be less than existing.

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. Caltrans has determined that the project is an emergency repair to public service facilities necessary to maintain services and is, therefore, statutorily exempt from CEQA under Public Resources Code Section 21080(b)(2)(3)(4).

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's categorical exemption determination. The application meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 39, which relates to the widening of an existing crossing. A sketch of the crossing area is included as Appendix A.

The Commission's Safety Division Traffic Engineering staff inspected the site of the proposed project. After reviewing the need for and safety of the proposed construction, the staff recommends issuance of an ex parte order authorizing the widening of the existing overhead.

Findings of Fact

1. Notice of the amended application was published in the Commission's Daily Calendar on October 29, 1991. No protests have been received.

2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to widen the existing Louise Street Overhead on I-580 at separated grades over OTR's tracks in Oakland, Alameda County.

3. The crossing widening is an essential element of the I-580 traffic relief project.

4. Public convenience, necessity, and safety require widening of the existing Louise Street Overhead.

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 categorical exemption determination.

Conclusions of Law

1. The application is uncontested, and a public hearing is not necessary.

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

3. 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 State of California, Department of Transportation (Caltrans), is authorized to widen the existing Louise Street Overhead on Interstate Route 580 at separated grades over Oakland Terminal Railroad Company's (OTR) tracks in Oakland, Alameda County, at the location and substantially as shown by the plans attached to the application, identified as Crossing 16-1.72-A.

2. Horizontal clearances shall be in accordance GO 26-D. Vertical clearance shall be not less than the existing clearance of 19'-5" above top of rail.

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 OTR, 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.

5. 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.

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 MAY 20 1992, at San Francisco, California.

DANIEL Wm. FESSLER
President
JOHN B. CHANIAN
NORMAN D. SHUMWAY
Commissioners

Commissioner Patricia M. Eckert,
being necessarily absent, did not
participate.

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

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NEAL J. SHULMAN, Executive Director

