

Decision 83 11 122 November 30, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
Department of Transportation for an)
order to construct the South Oroville)
Underpass (Bridge No. 12-185) and to)
remove the Oroville Boulevard Underpass)
Bridge No. 12-187 located in Butte)
County.)

Application 83-06-42
(Filed June 21, 1983)

O P I N I O N

Tracks of Southern Pacific Transportation Company and
Western Pacific Railroad Company cross State Route 162 (Oroville Dam
Boulevard) in the City of Oroville. The overpasses are less than 250
feet apart.

This application, filed by California Department of
Transportation (applicant), proposes to eliminate both existing
overpass structures and replace them with a new structure at the
location of the Western Pacific crossing.

The application was protested by Union Pacific Railroad
Company, successor to the Western Pacific Railroad Company. The
question raised was whether the spans of the bridge should be steel
or cast-in-place concrete.

It now appears that the parties are in agreement and are
willing to construct whichever type of bridge costs the least. An ex
parte order can therefore be issued authorizing either type of
construction. It is anticipated that the entire project will be
financed with State and Federal funds and that the allocation of
costs will be determined by agreement between the parties.

Applicant, as CEQA (Public Resources Code § 2100 et seq.)
lead agency, has adopted a Negative Declaration for this project.
The Commission, as a responsible agency, has reviewed and considered
the Declaration.

Findings of Fact

1. No public hearing is necessary.
2. Public convenience and necessity require the replacement of two existing overpasses by a new structure carrying the tracks of both railroads over Oroville Dam Boulevard.
3. Applicant is the lead agency for this project under CEQA, as amended.
4. The Commission is a responsible agency for this project and has reviewed and considered the Negative Declaration.
5. The project will have no significant impact on the environment.

Conclusion of Law

The application should be granted subject to the requirements of the following order.

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation, is authorized to reconstruct the South Oroville Underpass under the tracks of Union Pacific Railroad Company's main line (Bridge No. 12-185) in Oroville, Butte County, to continue to be identified as Crossing 4-204.0-B.
2. Upon completion of the South Oroville Underpass, the adjacent Oroville Dam Underpass under the tracks of Southern Pacific Transportation Company's Oroville Branch Line, Crossing CA-147.4-B (Bridge No. 12-187) shall be removed.
3. Construction shall provide clearances in conformity with General Order (G.O.) 26-D.
4. Walkways shall conform to G.O. 118. Walkways adjacent to any trackage used for rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.
5. 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 affected railroads, 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.

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

7. 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.

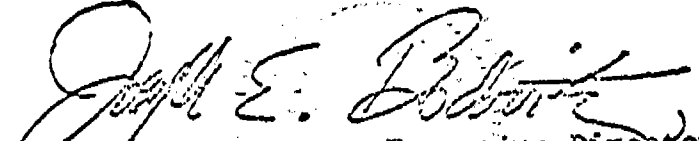
This order becomes effective 30 days from today.

Dated NOV 30 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
WILLIAM T. BAGLEY
Commissioners

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

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


Joseph E. Boicovitz, Executive Director

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It now appears that the parties are in agreement and are
willing to construct whichever type of bridge costs the least. An ex
parte order can therefore be issued authorizing either type of
construction. It is anticipated that the entire project will be
financed with State and Federal funds and that the allocation of
costs will be determined by agreement between the parties.

Findings of Fact

- 1. No public hearing is necessary.
2. Public convenience and necessity require the replacement of
two existing overpasses by a new structure carrying the tracks of
both railroads over Oroville Dam Boulevard.

3. Applicant is the lead agency for this project under the California Environmental Quality Act and has issued a Negative Declaration which has been filed with the Commission. The Commission has considered the Negative Declaration on this project and finds that the environmental impact of the proposed action is insignificant.

Conclusion of Law

The application should be granted subject to the requirements of the following order.

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation, is authorized to reconstruct the South Oroville Underpass under the tracks of Union Pacific Railroad Company's main line (Bridge No. 12-185) in Oroville, Butte County, to continue to be identified as Crossing 4-204.0-B.

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