

Decision No. 88017 OCT 18 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF )  
OAKLAND, a municipal corporation,) )  
acting by and through its Board )  
of Port Commissioners, for per- )  
mission to relocate existing )  
Port of Oakland railroad crossing) )  
across Edgewater Drive in the )  
Oakland Airport Business Park, )  
in the Port Area, City of )  
Oakland. )

Application No. 57253  
(Filed April 25, 1977)

O P I N I O N

The City of Oakland, acting by and through its Board of Port Commissioners, requests authority to relocate the existing trackage across Edgewater Drive to a point approximately 250 feet to the southeast of the location of the existing crossing of Edgewater Drive in the Oakland Airport Business Park area of the Port of Oakland, in the City of Oakland, Alameda County. The City of Oakland was, however, authorized by Resolution 1186, dated July 9, 1974, to close the existing crossing which was identified as Crossing D-12.55-C.

The City of Oakland is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. After review of a Negative Declaration, the City of Oakland approved the project and on August 16, 1977 filed a Notice of Determination with the Alameda County Clerk which found that "The project will not have a significant effect on the environment."

The Port of Oakland has major tenants who require rail service at the earliest possible date. It has, therefore, been requested that the usual twenty-day waiting period be waived.

Notice of the application was published in the Commission's Daily Calendar on April 26, 1977. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to construct an industrial drill track at grade across Edgewater Drive in the City of Oakland, Alameda County, at the location and substantially as shown by the plan attached to the application, to be identified as Crossing D-12.60-C.

2. Construction of the crossing should be equal or superior to Standard No. 1 of General Order 72-B.

3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

4. Protection at the crossing should be four Standard No. 8 flashing light signals (General Order 75-C).

5. Construction cost of the crossing and installation cost of the automatic protection should be borne by the applicant.

6. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant pursuant to Section 1202.2 of the Public Utilities Code.

7. The City of Oakland is the lead agency, pursuant to the California Environmental Quality Act of 1970, as amended, and on August 16, 1977 approved its Negative Declaration which has been filed with the Commission. The Commission has considered the Negative Declaration and Notice of Determination in rendering its decision on this project and finds that:

- a. The environmental impact of the proposed action is insignificant.
- b. The planned construction is the most feasible and economical that will avoid any possible environmental impact.
- c. There are no known irreversible environmental changes involved in this project.

8. In view of the applicant's need to commence construction at the earliest possible date, the usual twenty-day waiting period should be waived.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The City of Oakland is authorized to construct an industrial drill track at grade across Edgewater Drive in the City of Oakland, Alameda County, as set forth in the findings of this decision.

2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.

This authorization shall expire if not exercised within one year unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 18 day of OCTOBER, 1977.

Robert Bateman  
President  
William Lyons, Jr.  
Leon L. Ferguson  
Richard D. Howell  
Carroll T. DeWitt  
Commissioners