

Decision No. SS138 NOV 22 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 permission to)
construct new railroad crossings by)
way of constructing a public high-)
way across existing railroad at the)
Port of Oakland Outer Harbor, in the)
City of Oakland.)

Application No. 57036
(Filed January 27, 1977)

O P I N I O N

As part of the project for redevelopment of the Oakland Outer Harbor Terminal, the City of Oakland, acting by and through its Board of Port Commissioners, requests authority to construct Petroleum Street at grade across existing trackage adjacent to Ferry Street and to Maritime Street in the Port of Oakland Outer Harbor area in the City of Oakland, Alameda County. The City also requests that these crossings be declared exempt from provisions of Section 22452 of the California Vehicle Code.

Construction of Petroleum Street between Maritime Street and Ferry Street will provide alternate ingress and egress to the Outer Harbor Terminal and provide relief from traffic congestion on other heavily traveled streets in the area.

Applicant is the lead agency for the project to redevelop the Oakland Outer Harbor Terminal, pursuant to the Environmental Quality Act of 1970, as amended. After review of an Environmental Impact Report, applicant approved the project for redevelopment of the Oakland Outer Harbor, and on February 14, 1974, filed a Notice of Determination with the Alameda County Clerk which found that "the proposed redevelopment will not have a significant adverse impact on the environment".

Notice of the application was published in the Commission's Daily Calendar on January 28, 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 Petroleum Street at grade across an existing spur track adjacent to Maritime Street (Crossing A-4.59-C) and across two existing spur tracks adjacent to Ferry Street (Crossing A-4.65-C) in the Port of Oakland Outer Harbor area in the City of Oakland, Alameda County, at the locations and substantially as shown by plans attached to the application.
2. Construction of the crossings should be equal or superior to Standard No. 1 of General Order 72-B.
3. Clearances should be in accordance with General Order 26-D. Walkways should conform to General Order 118.
4. Protection at Crossing A-4.59-C (adjacent to Maritime Street) should be two Standard No. 8 automatic signals and one Standard No. 8-A automatic signal (General Order 75-C). Protection at Crossing A-4.65-C (adjacent to Ferry Street) should be two Standard No. 1-R crossing signs (General Order 75-C).
5. For a period not to exceed six months from the date of this order, the protection at Crossing A-4.59-C may be three Standard No. 1-R crossing signs.
6. Construction cost of the crossings and installation cost of the automatic protection and crossing signs should be borne by the applicant.
7. Maintenance of the crossings should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.
8. Crossings A-4.59-C and A-4.65-C should be declared "exempt" under the provisions of Section 22452 of the California Vehicle Code.
9. Applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and on February 6, 1974 approved its final Environmental Impact Report which has been filed with the Commission. The Commission has considered the final EIR 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.

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 Petroleum Street at grade across existing trackage adjacent to Ferry Street and to Maritime Street in the Port of Oakland Outer Harbor area 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 two years 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 shall be twenty days after the date hereof.

Dated at San Francisco, California, this 22nd day of NOVEMBER, 1977.

Robert Bateman
President
William J. Quinn
George L. Sturgeon
Charles D. Swale
David L. Deitch
Commissioners