

Decision 93221

JUN 15 1981

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Transportation for an order authorizing the construction of a crossing at separated grade adjacent to Interstate Route 80 near Hercules, south of the intersection of Interstate Route 80 and State Sign Route 4, in Contra Costa County.

Application 60252
(Filed February 10, 1981)

O P I N I O N

As part of the project for reconstruction of the westbound on-ramp to Interstate Highway 80 on a new alignment between State Sign Route 4 and the Pinole Valley Road off-ramp, the State of California, Department of Transportation, requests authority to construct the "Hercules On-Ramp Overhead" over the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Main Line in the City of Hercules, Contra Costa County.

Applicant is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code, Section 21000 et seq. On November 9, 1978, applicant approved a Categorical Exemption Determination which found that the project is categorically exempt from the provisions of CEQA under Class 1: Existing Facilities, under Title 21, (Department of Transportation) California Administrative Code, Section 1510.1 (c).

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's Categorical Exemption Determination. The site of the proposed project has been inspected by the Commission staff.

The acceleration lane on the existing westbound on-ramp, which carries traffic from State Sign Route 4 to Interstate Highway 80, is inadequate in both length and width to permit the on-ramp traffic to safely merge with the traffic on Interstate Highway 80. Construction of the proposed 0.9 mile auxiliary lane will enhance safety by providing traffic with a more adequate area for acceleration and merging.

Notice of the application was published in the Commission's Daily Calendar on February 17, 1981. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority under Public Utilities Code Sections 1201-1205 to construct the "Hercules On-Ramp Overhead" over the tracks of AT&SF's Main Line in the City of Hercules, Contra Costa County.
2. Reconstruction of the westbound on-ramp to Interstate Highway 80 is required to provide a more adequate area for acceleration and merging of traffic.
3. Public convenience, necessity, and safety require reconstruction of the westbound on-ramp to Interstate Highway 80.
4. Applicant is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Categorical Exemption Determination.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect 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. The State of California, Department of Transportation, is authorized to construct the "Hercules On-Ramp Overhead" over the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) Main Line in the City of Hercules, Contra Costa County, at the location and substantially as shown by plans attached to the application, to be identified as a part of existing Crossing 2-1180.4-A.

2. Clearances shall be in accordance with General Order 26-D; except that during the period of construction a clearance of not less than 21' - 0" above top of rail shall be authorized and AT&SF shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars beneath the structure.

3. Applicant shall notify the Commission and AT&SF at least 15, but not more than 30, days in advance of the date when the temporary impaired clearance will be created.

4. Walkways shall conform to General Order 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall promptly be 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 AT&SF, 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, under this order, applicant shall so advise the Commission in writing.

This authorization shall expire if not exercised within three 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.

This order becomes effective 30 days from today.

Dated JUN 16 1981, at San Francisco, California.

John S. Coyne President
Richard D. Sample
Samuel W. ...
Antonio ...
Priscilla C. ... Commissioners