

ORIGINAL

Decision No. 62096

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Riverside, a political subdivision of the State of California, having corporate powers, for an order to construct a grade crossing known as 62nd Avenue Crossing across the tracks and right of way of the Southern Pacific Railroad Company.

Application No. 42802

Robert Devins and Ray T. Sullivan, Jr., for County of Riverside, applicant.
E. D. Yeomans, James W. O'Brien, and Randolph Karr, for Southern Pacific Company; and Robert R. McIver, for self; protestants.
Richard Bagdasarian, for Mr. Grape Vineyards, Inc., and Richard Bagdasarian, Inc.; Albert F. Zimmerman, for Imperial Truck Lines;
Mrs. A. R. A. White, for Oilpure Farms;
Paul Ames, for Ames Management Service, Inc.;
Robbins Russel, for Russel & Alexander;
Jack Izu, for I.K.I. Farms; Joe Casillas, for Tri-Valley Transportation, Inc.; Roy Bender, for Charles M. Beckman; Ben T. Laflin, for Laflin & Laflin and Paul Constantino, and Walter F. Franklin, Woodrow J. Monk, Leonard Alexander, Mrs. Kenneth Gigoux, Forrest F. Poore, and L. J. Cougot, for selves; interested parties.
William R. Kendall, for the Commission staff.

O P I N I O N

The County of Riverside requests authority to construct a public highway, at grade, across tracks of the Southern Pacific Company at 62nd Avenue in the vicinity of the community of Mecca, situated in the Coachella Valley in the County of Riverside.

A public hearing was held in Coachella on March 2, 1961, before Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

Applicant contends that the crossing is necessary to provide the residents and farmers in the area with direct access across the Southern Pacific Company's tracks. Protestant's position is that present conditions in the area surrounding the proposed crossing do not justify the establishment of an additional grade crossing, and that it is not necessary in view of the existing crossings.

The record shows and we find the facts to be as hereinafter set forth.

The main line of the Southern Pacific Company crosses Coachella Valley, generally, in a northwest-southeast direction, and State Highway No. 111 adjoins and is parallel with said tracks on the west. The proposed 62nd Avenue crossing would cross said main line and highway a short distance (approximately 1/4 mile) southerly of the mid-point between the community of Thermal on the north and Mecca on the south. The rail and highway distance between Thermal and Mecca is approximately 5.7 miles. At present there are crossings at Thermal (at 56th Avenue), at Mecca (at 66th Avenue, also known as the Mecca Road crossing), and two additional crossings between said communities, one at 58th Avenue and the other at 60th Avenue. The latter crossing is approximately midway of the two communities, being approximately 2.28 miles southeasterly of Thermal and 3.42 miles northwesterly of Mecca. The proposed crossing would be approximately 1.14 miles southeasterly of the 60th Avenue crossing and approximately 2.28 miles from the Mecca Road crossing. Except for Highway No. 111, all the roads in the area between Thermal and Mecca are laid out in a north-south and east-west direction. In the area between Thermal and Mecca the principal roads are laid out at

mile intervals. The principal north-south roads west of the tracks and highway are Pierce Street, Fillmore Street, and Polk Street, and east of the tracks the principal north-south roads are Pierce Street, Buchanan Street, Lincoln Street and Johnson Street. The principal east-west roads are at 56th, 58th, 60th, 62nd, 64th and 66th Avenues. Most of said roads are only partially improved.

The immediate area that would be served by the proposed crossing is partially developed farm land. There are very few residences or commercial establishments between Thermal and Mecca, particularly in the vicinity of the 60th Avenue and proposed 62nd Avenue crossings. It was testified that there are approximately 30 structures within a six-square-mile area between 58th Avenue and 62nd Avenue easterly of the railroad right of way. The evidence clearly shows that the present traffic pattern, private and commercial, easterly of the highway and tracks consists of movement either northerly and westerly to Thermal, or to the highway, or southerly to Mecca, or to the highway. The movement from points westerly of said highway similarly moves to the north to Thermal, or to the highway, or southeasterly to Mecca, or to the highway. The record also shows that except for seasonal movements of farm labor from a camp situated several miles west of the proposed crossing to farms situated on the east side of said railroad right of way, there is little traffic between points situated on opposite sides of said highway and tracks. Said farm labor groups are moved to various places throughout the valley over and along any available convenient roads and crossings, and any inconvenience due to the use of existing crossings is negligible.

Some witnesses testified that the crossing at 60th Avenue is not desirable or entirely safe at present due to the unimproved condition of 60th Avenue. The preponderance of the evidence shows that this crossing is not dangerous but that it is not used too frequently because 60th Avenue has not been black-topped such as the other roads in the immediate vicinity. It was not explained why such improvement has not been undertaken. Black-topping of this road is a desirable improvement for the movement of vehicles in the area surrounding the 60th Avenue crossing and the area southerly thereof.

Although the testimony of the several witnesses indicates that a crossing at 62nd Avenue would be more desirable than the present one at 60th Avenue, the evidence is clear and convincing, and we find, that there is no present general need for a crossing at both locations. Furthermore, an additional crossing would unnecessarily add a hazard. Protestant daily operates many freight and passenger trains at high speed through the crossings in this area.^{1/}

The Commission finds and concludes that the establishment of a crossing at 62nd Avenue, as proposed, and the simultaneous closing of the 60th Avenue crossing, would meet the public convenience and necessity as evidenced in this proceeding, for the present and near future. Therefore the Commission will make an order in accordance with such conclusion.

^{1/} There are 14 to 16 train movements in each direction, and the maximum speed varies between 60 and 79 miles per hour.

O R D E R

A public hearing having been held in the above-entitled matter, the Commission being fully advised in the premises and having made its findings and conclusions as hereinabove set forth,

IT IS ORDERED:

1. That the County of Riverside is authorized to construct 62nd Avenue at grade across Southern Pacific Company's El Paso Route near the community of Mecca, in Riverside County, at the location described in the application to be identified as Crossing No. B-621.6, subject to the hereinafter specified conditions.

2. That applicant shall bear entire construction expense, also maintenance cost outside of lines two feet outside of rails. Southern Pacific Company shall bear maintenance cost between such lines. Width of crossing shall not be less than 24 feet, with grades of approach not to exceed three percent. Construction shall be equal or superior to Standard No. 2 of General Order No. 72. Protection shall be by two Standard No. 8 flashing light signals as prescribed in General Order No. 75-B.

3. That concurrently with the completion of 62nd Avenue (Crossing No. B-621.6) and its being opened to use by the public, applicant shall effectively barricade and close 60th Avenue (Crossing No. B-620.4) to vehicular traffic.

4. That within thirty days after completion of the grade crossing and crossing closure, 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 above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

5. That except as authorized in paragraphs 1, 2 and 3 of this order, Application No. 42802 be, and it hereby is, denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 6th day of June, 1961.

Edward W. Rose
 President

Edna E. Mitchell

E. L. ...

George T. Hoover

Fredrick B. Holoboff
 Commissioners