

ORIGINALDecision No. 68810

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the safety, maintenance, operation, use and protection of the following crossings at grade with the line of The Atchison, Topeka and Santa Fe Railway Company in the County of Contra Costa, California: Crossing No. 2-1141.2, Sunset Road; and Crossing No. 2-1142.3 Eden Plains Road.

Case No. 7986

Jayne C. Billey, for The Atchison, Topeka and Santa Fe Railway Company; and Victor J. Westman, for County of Contra Costa, respondents.

David K. Macabee, for the Holiday Park & Marina Project; William R. Smith, Samuel G. Somerhalder and Charles J. Cekola, for the Knightsen Fire Department; William B. Bristow, for the Knightsen School District, interested parties.

Robert C. Marks, for the Commission staff.

O P I N I O N

By its order dated August 18, 1964, this Commission instituted an investigation into the Sunset Road and Eden Plains Road grade crossings which cross the railroad tracks of The Atchison, Topeka and Santa Fe Railway Company in the County of Contra Costa for the following purposes:

1. To determine whether or not the public health, safety and welfare require the installation and maintenance of additional or improved protective devices at any or all of said crossings.
2. To determine whether or not the public health, safety and welfare require the relocation, widening, closing, or other alteration of any or all of said crossings.

3. To prescribe the terms on which any such installation and maintenance of additional or improved protective devices, relocation, widening, closing, or other alterations shall be done, and to make such apportionment of costs, including maintenance costs, among the respondents, or any of them, as may appear just and reasonable.

4. To enter any other order or orders that may be appropriate in the lawful exercise of the Commission's jurisdiction.

A public hearing was held before Examiner Daly on January 26, 1965, at Antioch and the matter was submitted.

The crossings herein considered are adjacent to one another and are located in the northeastern end of Contra Costa County.

The Sunset crossing is sixteen feet wide and a plank crossing. The approaches are graveled to 20 feet in width. It has a 2 percent grade of approach ascending from either side. The view condition of the track when approaching from a distance of 100 feet is obstructed for each quadrant except for the southeast quadrant. Present protection consists of one Standard No. 1 crossing sign (reflectorized) and two reflectorized advance warning signs. A traffic count taken on May 28, 1964, and covering a period of 12 hours, indicated 33 vehicles, 3 passenger trains and 5 freight trains used the crossing. The accident record from January 1, 1926 to September 30, 1964, indicates no fatalities or injuries and only one accident and that occurred in 1953.

The Eden Plains crossing is 15 feet wide and paved. The approach is the same width and is also paved. The grade of approach is 4 percent ascending from the east and 5 percent ascending from the west. The view condition of the tracks when

approaching from a distance of 100 feet is obstructed from the southeast and southwest quadrants and is clear in the other two quadrants. Existing protection consists of two Standard No. 1 crossing signs (reflectorized), two reflectorized advance warning signs and two track signs. The traffic count for a 12-hour period taken on June 4, 1964, was 75 vehicles, 3 passenger trains and 3 freight trains. No accidents have been reported at this crossing.

According to a staff witness a survey committee, consisting of representatives from the County of Contra Costa, The Atchison, Topeka and Santa Fe Railway Company and from this Commission, as the result of a statewide grade crossing survey made in 1949, recommended that the Sunset Road crossing be closed. The same recommendation was made in 1959. In 1963, a subsequent survey party recommended not only that the Sunset Road crossing be closed, but that the Eden Plains Road crossing also be closed. According to the witness informal efforts to close the crossings have not been successful.

In the event of closing, it was pointed out by the staff that the Byron Highway crossing, which is presently protected by two Standard No. 8 crossing signals, is located only .2 of a mile southeasterly from Sunset Road and the Delta Road crossing, which is also protected by two Standard No. 8 crossing signals, is located only .4 of a mile northwesterly from Eden Plains Road. It was further pointed out by the staff that the intersection of Byron Highway and Byron-Knightesen Road should be widened in order to accommodate southbound vehicles desiring to turn west after having crossed the Byron Highway crossing.

Because of the small amount of vehicular traffic presently using the Sunset Road and Eden Plains Road crossings the staff made the following recommendations:

1. Sunset Road and Eden Plains Road crossings be abolished by physical closing.

2. The intersection of Byron Highway and Byron-Knightsen Road be improved so as to permit the convenient turning of vehicles.

Public opposition was expressed by representatives from the Knightsen Fire Department, the Holiday Park & Marina Project, and from the Knightsen School District.

Representatives from the Fire Department testified that the department as a matter of policy objects to the closing of all crossings, but in particular to the closing of the Eden Plains crossing. According to the witness the Eden Plains crossing has been designated by the department as an alternate crossing to the Delta Road crossing, which the department normally uses in responding to fires east of the tracks. On cross-examination, it was determined that the department has never had occasion to make use of the Eden Plains crossing.

According to the representative from the Holiday Park & Marina Project, it is contemplated that a major 10-year, industrial residential and recreational development will encompass much of the area within the vicinity of the crossings herein considered. He was of the opinion that within two years there will be a greater need for said crossings. The proposed project, however, is only in the planning stage and nothing as yet has been finalized.

The representative from the Knightsen School District testified that closing of the Sunset Road crossing would create

a hazard for school buses, which would have difficulty in making the sharp turn in order to use the Byron Highway crossing. If the intersection were made wider he admitted that the hazard would be eliminated. Because the school is located close to the Eden Plains Road crossing, he was of the opinion that it would provide the fastest and most direct access in the event of an emergency.

After consideration the Commission finds as follows:

1. Sunset Road and Eden Plains Road crossings are located in the County of Contra Costa and cross at grade the tracks of The Atchison, Topeka and Santa Fe Railway Company.

2. Said crossings have been made the subject of grade crossing surveys conducted by committees consisting of representatives from the County of Contra Costa, The Atchison, Topeka and Santa Fe Railway Company and the California Public Utilities Commission. It has been the recommendation of these committees that the crossings be closed.

3. The study conducted pursuant to this investigation indicates that the area in the vicinity of Sunset Road and Eden Plains Road crossings is at present sparsely populated and that there is very little vehicular use of said crossings.

4. In the event said crossings are closed the traveling distance to the alternate crossings would be so slight as to constitute neither a public inconvenience nor a hazard in the event of an emergency.

5. The intersection of Byron Highway and Byron-Knightsen Road should be widened to better facilitate turning by long vehicles; however, this is a matter to be decided by the County of Contra Costa. This Commission has no authority to order the County to make the improvements recommended by the staff.

The Commission therefore concludes that the Sunset Road and Eden Plains Road crossings should be closed.

ORDER

IT IS ORDERED that within thirty days after the effective date hereof, The Atchison, Topeka and Santa Fe Railway Company shall abolish by physically closing Sunset Road (Crossing No. 2-1141.2) and Eden Plains Road (Crossing No. 2-1142.3).

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

Dated at San Francisco, California, this 30th day of March, 1965.

Fredrick B. Holdhoff
President

George H. Hoover
Auditor

William W. Bennett
Commissioners