

ORIGINAL

Decision No. 70988

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 crossing at grade for a public highway known as "Elm Street" over the tracks and right of way of the Southern Pacific Railroad Company.

Application No. 48193
(Filed January 19, 1966)

Investigation into the status, safety, maintenance, use and protection or closing of the crossing at grade of the tracks of the SOUTHERN PACIFIC COMPANY at Broadway in the City of Cabazon, said crossing designated as Crossing No. B-574.0

Case No. 8374
(Filed March 22, 1966)
(Amended April 19, 1966)

Tilden L. Brooks, for County of Riverside, applicant in Application No. 48193, and respondent in Case No. 8374.
Randolph Karr and Walt A. Steiger by Walt A. Steiger, for Southern Pacific Company, protestant in Application No. 48193 and respondent in Case No. 8374.
Carl T. Rimbaugh, for City of Cabazon, Charles R. Larkin, for Desert Floors and Canyon View Association, Inc., and E. O. McFall, for Sunrise Real Estate Corporation, interested parties.
W. F. Hibbard, for the Commission staff.

O P I N I O N

The above entitled matters were consolidated for hearing and a public hearing thereon was held before Examiner Rogers in Riverside on April 25, 1966 and they were submitted for decision.

Case No. 8374 was instituted by the Commission to determine, among other things:

1. Whether or not the public health, safety and welfare require relocation, widening, closing or other alteration of Crossing No. B-574.0 (Broadway in the City of Cabazon) and/or Crossing No. B-572.6 (Apache Trail in the County of Riverside), or require installation and maintenance of additional or improved protective devices at said crossings;

2. Whether, if any of the above should be done, on what terms such shall be done, and to make such apportionment of costs among the affected parties as may appear just and reasonable;

3. Whether any other order or orders that may be appropriate in the lawful exercise of the Commission's jurisdiction should be issued.

By Application No. 48193 the County of Riverside seeks an order authorizing the construction of a crossing at grade on Elm Street over the Southern Pacific Company's tracks in the vicinity of the City of Cabazon.

The factual matters relative to the three crossings are summarized in the staff's report (Exhibit 1) and are briefly summarized as follows:

The two existing crossings and the proposed crossing are located in and near the City of Cabazon (Cabazon) and south of Interstate Highway 10 (freeway) which is approximately parallel to and north of the Southern Pacific Company's tracks. The area is predominantly a sparsely-settled residential area of permanent and mobile homes. All three crossings involve a high speed main line track,

and a passing track used by approximately 47 trains per day. In addition the Broadway crossing has a side track. The physical characteristics and accident records at the existing crossings and the physical characteristics at the proposed Elm Street crossing are as follows:

ELM STREET

1. Number of tracks	1 Main Track 1 Passing Track
2. Width of crossing	30 Feet
3. Width of approaches	24 Feet
4. Angle of crossing	85 Degrees
5. Approach grades:	
South approach	+ 1 Percent
North approach	- 1 Percent
6. Illumination	None
7. Protection devices (proposed)	2 Std. No. 8 flashing light signals with automatic gates
8. Maximum train speeds	50 M.P.H.
9. Maximum vehicle traffic per day (estimated 3/22/66)	110*
10. Number of trains per day	47
11. Drivers' visibility when 100 feet north or south of main track	Unrestricted

*This assumes that all traffic to and from the Elm Street area would use the new crossing.

BROADWAY, CROSSING NO. B-574.0

1. Number of tracks
1 Main Track
1 Passing Track
1 Side Track
2. Width of crossing and approaches
30 Feet
3. Angle of crossing
80 Degrees
4. Approach grades:
 South approach + 5 Percent
 North approach - 3 Percent
5. Illumination
None
6. Protection devices (existing)
1 Std. No. 1 Crossing sign
7. Advance warning signs and surface markings
Yes
8. Maximum train speeds
50 M.P.H.
9. Posted maximum vehicle speed
35 M.P.H.
10. Vehicle traffic per day (3/31/66)
666
11. Number of trains per day
47
12. Drivers' visibility when:

	<u>To the Right</u>	<u>To the Left</u>
100 feet north of main track	2,300 feet	Unrestricted
230 feet south of main track	850 feet	150 feet
13. Accident record since January 1, 1960:

<u>Date</u>	<u>Number Killed</u>	<u>Number Injured</u>
9-24-60	None	1
7-21-63	None	None

APACHE TRAIL, CROSSING NO. B-572.6

1. Number of tracks	1 Main Track 1 Passing Track	
2. Width of crossing and approaches	24 Feet	
3. Angle of crossing	90 Degrees	
4. Approach grades:		
South approach	+ 5 Percent	
North approach	- 3 Percent	
5. Illumination	None	
6. Protection devices (existing)	2 Std. No. 1 Crossing signs	
7. Advance warning signs and surface markings	Yes	
8. Maximum train speeds	50 M.P.H.	
9. Posted maximum vehicle speed	35 M.P.H.	
10. Vehicle traffic per day (estimated 3/22/66)	206	
11. Number of trains per day	47	
12. Drivers' visibility when	<u>To the Right</u>	<u>To the Left</u>
100 feet north of main track	1,700 feet	2,100 feet
150 feet south of main track	Unrestricted	2,100 feet
13. Accident record	None	

In Application No. 48193 it is alleged that the proposed Elm Street crossing will serve a public need by providing an alternate emergency crossing for Cabazon and improving the poor crossing situation now existing in the center of the community. It is also stated that the nearest existing public crossings to the proposed crossing are Crossing No. B-571.3 to the west and Crossing No. B-582.6 to the east. The Commission records reveal that there is no public crossing at B-571.3, but there are two crossings west of the proposed crossing at B-572.6, Apache Trail, and B-574.0, Broadway.

Access to Cabazon from the freeway is through interchanges situated near the center of the town (Main Street interchange) and west of the town (Apache Trail). Apache Trail is approximately 1.5 miles west of Broadway. Broadway is approximately one-half mile west of the Main Street interchange. Vehicles destined to points north of the freeway, west of Cabazon, or east to Palm Springs must pass through one of these two interchanges.

The crossing at Elm Street would be 1.38 miles east of the Main Street interchange. At present, Elm Street could not be joined to the freeway; however, a new freeway is presently under construction on approximately the same alignment, but north thereof, and when this highway is completed the Division of Highways will relinquish the present freeway to the County as a parallel branch road. At such time it will be possible for Elm Street to intersect the branch road which will terminate in the west at the Main Street interchange and 3.87 miles to the east at an existing interchange (Verbenia Avenue). The Elm Street crossing site is in unincorporated territory.

The city limits of Cabazon at Elm Street are approximately one-fifth of a mile south of the proposed crossing site. The staff witness stated that persons desiring to go east from Elm Street, principally to Palm Springs, would benefit in that it would not be necessary for them to go west to Broadway to cross the tracks. He stated persons desiring to go west to Cabazon or Banning would be required to travel over either of the existing roads, Broadway or Apache Trail. To determine the beneficial use of the proposed Elm Street crossing, an origin-destination study was made by the staff to ascertain how many vehicles presently traversing the Broadway crossing and originating east of Broadway are going to points east of Elm Street and vice versa. He said this study indicated that between the hours of 12 Noon and 6:00 P.M. 51 percent of the vehicles originated at or were destined to points west of the Apache Trail interchange, 33 percent originated at or were destined for Cabazon, and 16 percent, or 3 vehicles, originated at or were destined for parts east of the Main Street interchange in Cabazon.

The staff witness further stated that Broadway is the only crossing of the tracks from the center of Cabazon which provides access to the residential area south of the tracks and that, other than occasional commercial delivery trucks and school buses, the vehicle traffic consists of personal automobiles and light trucks. He further stated that northbound motorists' visibility of approaching trains is restricted in both directions; that in the east quadrant there is an olive grove and a row of low bushy trees adjacent to the roadway restricting views of the tracks; that in the west

quadrant a row of houses parallel to the tracks block the motorists' view; that southbound motorists' visibility is adequate; and that, since the crossing has three tracks, there is the possibility of a standing train on the siding or passing track further restricting motorists' view of a second train.

The staff witness also testified that the Apache Trail crossing serves the area south of the tracks and provides access to the freeway; that use of the crossing includes loaded buses from Banning Unified School District and Cabazon School District and sand-gravel trucks hauling material from the sand-gravel pit southwest of the crossing to the Banning-Beaumont area; and that because of the ascending grade on the south approach the loaded gravel trucks must cross the tracks very slowly. He also testified that the crossing is a double track crossing, which creates the possibility of two train accidents and that motorists' visibility is unrestricted in all quadrants at this crossing.

The County of Riverside presented evidence that Cabazon and the Cabazon School District have requested that a crossing at grade over the Southern Pacific Company's tracks be constructed at Elm Street. The County witness agreed that the existing crossings (Broadway and Apache Trail) are adequate for the volume of traffic involved and that there has been no increase in vehicular traffic over the established crossings since 1957.

Cabazon presented evidence that the two existing crossings are on occasion both blocked by trains at the same time and for fairly long periods of time; that if Elm Street were open across the tracks, all three crossings would very rarely be blocked at the

same time; that a new freeway is being constructed north of the existing freeway and that the existing freeway will become a frontage street and any local streets, including Elm Street, could then be directly connected to the frontage street; that the Broadway crossing is very rough and difficult for trailers to traverse; and that improvements are required at the Apache Trail crossing. The witness further stated that the Elm Street crossing would provide an alternate crossing for emergency vehicles, all of which originate north of the tracks, in the event existing crossings were blocked by trains; that there are approximately 600 residents in Cabazon, most of whom reside south of the tracks; and that if the Elm Street crossing is constructed the witness would recommend that the city share in the costs of the crossing.

The Assistant Division Engineer for the Southern Pacific Company testified that the line from Cabazon is a main line; that both existing crossings are protected by Standard No. 1 crossing signs; that he recommends that they be protected with Standard No. 8 flashing light signals supplemented with automatic crossing gates; that a separation of grades would be recommended at the Elm Street crossing, but that the space between the tracks and Main Street is too short for a separation of grades; that the Southern Pacific Company opposes a new grade crossing at Elm Street; and that at the site of the Elm Street crossing there is one main line and one passing track. He further stated that at this crossing site the east and west-bound trains have rolling meets and that in this area passenger trains travel at 50 miles an hour and freight trains 25 miles

per hour east-bound, and each type of train travels 50 miles per hour west-bound.

One resident of Cabazon testified that 300 persons reside in the southeast portion of Cabazon; that in that area there are approximately 81 permanent mobile homes; that 15 to 20 of these people work in Palm Springs; that such workers have to go to Broadway to cross the tracks or to a temporary crossing approximately 1,000 feet east of the site of the Elm Street crossing; and that some ore trains are long enough to block both of the existing crossings at the same time.

Another resident of the southeast portion of Cabazon testified that on many occasions access to and from said area is blocked by trains on both existing crossings.

Findings

Upon the evidence of record the Commission finds that:

1. The principal residential area of the City of Cabazon is south of the Southern Pacific Company's tracks. The only accesses to and from said area south of the tracks are via two crossings; namely, Broadway and Apache Trail, which are protected by Standard No. 1 crossing signs.

2. The Southern Pacific Company has one main line of track and one passing track at each of said named crossings, plus a siding track at the site of the Broadway crossing. There are approximately 50 trains per day using the tracks of said crossings. The permitted train speeds at said crossings vary from 25 miles per hour for freight trains east-bound to 50 miles per hour for all

passenger trains and freight trains west-bound. All emergency services for the City of Cabazon are located north of the tracks. There are approximately 300 residents south of the tracks residing in approximately 81 mobile trailer homes.

3. The majority of the residents in the southern portion of Cabazon work or have business in the City of Cabazon, or points west of the City. Said persons use and can use emergency vehicles in Cabazon and use and can use the existing crossings to cross the tracks.

4. Fifteen to twenty of the residents south of the tracks work or have business in Palm Springs or points east of Cabazon. Such persons can use the existing crossings, but would be benefited by the proposed Elm Street crossing.

5. On occasions, long trains block both existing crossings; an additional crossing at Elm Street would provide an additional route for emergency vehicles from north of the tracks to south of the tracks.

6. The existing crossings need better crossing protection.

7. A crossing at Elm Street is not justified by the number of persons desiring to use said crossing.

8. Neither public health, safety nor welfare require the construction of a crossing at grade at Elm Street. Public health, safety and welfare require that the Broadway crossing and the Apache Trail crossing be protected as set forth in the order herein.

9. A separation of grades is not warranted at either crossing.

Conclusion

The Commission concludes that the Apache Trail crossing and the Broadway crossing should be protected as set forth in the order herein, and that authority to establish a new crossing at grade at Elm Street in Riverside County should be denied.

O R D E R

IT IS ORDERED that:

1. Application No. 48193 of the County of Riverside to construct a new crossing at Elm Street is denied.
2. The Southern Pacific Company shall protect the Broadway crossing, Crossing No. B-574.0 with two Standard No. 8 flashing light signals (General Order No. 75-B), supplemented with automatic crossing gates. The work of installation of the protection shall be done by the Southern Pacific Company. The costs of the installation and the costs of the maintenance of the crossing protection shall be apportioned 50 percent to the City of Cabazon and 50 percent to the Southern Pacific Company.
3. The Southern Pacific Company shall protect the Apache Trail Crossing, No. B-572.6, with two Standard No. 8 flashing light signals (General Order No. 75-B), supplemented with automatic crossing gates. The work of installation of the protection shall be done by the Southern Pacific Company. The costs of the installation and the costs of the maintenance of the crossing protection shall be apportioned 50 percent to the County of Riverside and 50 percent to the Southern Pacific Company.

4. The work required to be done at each crossing shall be completed within twelve months of the effective date of this order. Within 30 days after completion of said work, the Southern Pacific Company shall notify the Commission in writing of its compliance with the conditions hereof.

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

Dated at SAN FRANCISCO, California, this
19th day of JULY, 1966.

President

George A. Grover

Fredrick B. Holbrook

Augustine

William M. Arnold
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.