

**ORIGINAL**Decision No. 71701

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation for the purpose of establishing a list for the year 1967 of railroad grade crossings of city streets or county roads most urgently in need of separation, or existing separations in need of alteration or reconstruction as contemplated by Section 189 of the Streets and Highways Code.

Case No. 8496

(Appearances are listed in Appendix A)

O P I N I O N

On August 9, 1966, the Commission issued an order instituting an investigation to establish the 1967 annual priority list of railroad grade crossings of city streets or county roads most urgently in need of separation and of existing grade separations in need of alteration or reconstruction. Thereafter, such list is to be furnished to the Department of Public Works. Such a list is in conformity with Sections 189-191 of the Streets and Highways Code, which provides that the annual budget of the Department of Public Works shall include the sum of \$5,000,000 for allocations to grade separations or alterations made to existing grade separations. The actual allocation of money from State Highway Division funds is made by the Department of Public Works and the California Highway Commission.

Public hearings were held in Los Angeles and San Francisco before Examiner Daly and the matter was submitted on October 21, 1966.

Copies of the order instituting this investigation were served upon each city, county and city and county in which there is a railroad grade crossing or separation; each railroad corporation; the Department of Public Works; the California Highway Commission; the Greater Bakersfield Separation of Grade District; the League of California Cities; the County Supervisors Association; and other persons who might have an interest in the proceeding.

In response to the Order Instituting Investigation, various public bodies desiring to nominate crossings or separations for inclusion on the 1967 priority list filed with the Commission the following information:

For Crossings at Grade  
Proposed for Elimination

1. Identification of crossing, including name of street or road, name of railroad and crossing number.
2. Twenty-four-hour vehicular traffic volume count, by either 60- or 30-minute periods.
3. Number of train movements for one typical day segregated by type, i.e., passenger, through freight, or switching.
4. Type of separation proposed (overpass or underpass).
5. Preliminary cost estimate of project.
6. Statement as to the amount of money available for construction of the project.
7. Statement as to need for the proposed improvement.

For Grade Separations  
Proposed for Alteration

1. Identification of crossing, including name of street or road, name of railroad and crossing number.
2. Twenty-four-hour vehicular traffic volume count, by either 60- or 30-minute periods.
3. Description of existing separation structure, with principal dimensions.
4. Type of alteration proposed.
5. Preliminary cost estimate of project.
6. Statement as to the amount of money available for construction of the project.
7. Statement as to the need for the proposed improvement.

During the course of hearing, Exhibit 1 was introduced by the Commission staff. Said exhibit considered the nominations and pertinent data filed pursuant to the Order Instituting Investigation in relation to certain tangible and intangible factors. These factors were used for the purpose of comparing the relative importance of one crossing with another in order to assign priorities. Considered among the tangible factors were traffic, cost, accidents and state of readiness. The intangible factors considered were potential traffic, position and relation to city street pattern, relationship to railroad operations, available alternate routes, accident potential and vehicular delay. Also considered was elimination of existing grade crossings, located at or within a reasonable distance from the point of crossing of the grade separation as required by Section 1202.5(a) of the Public Utilities Code.

In addition to the nominations filed, the staff also nominated various crossings which it felt were in need of separation. Many so nominated were not sponsored by the public body affected thereby. Staff recommendations which were not sponsored by the public bodies involved will not be included in the list; unless the public body concerned urges a particular nomination there is no reasonable probability that the project could be financed during the year in which the priority list is in effect.

Representatives of various cities and counties introduced evidence in support of their nominations.

Many of the crossings nominated either will not be placed on the list or will be placed low on the list where the record indicates that construction would not commence within the year 1967, or where the record indicates there would be no possibility of financing said construction within the provisions of the Streets and Highways Code during said year. The law provides that the Commission include in its list only the crossings or separations which, in its judgment, are most urgently in need of separation or alteration, taking into consideration the possibility of construction and financing. Certain crossings will be either eliminated or placed low on the list because the record indicates that such separation would not result in the elimination of an existing grade crossing, located at or within a reasonable distance from the point of the grade separation.

The Bay Area Rapid Transit District (BART) appeared in support of certain crossings placed in nomination by the Cities of Hayward and Richmond.

In determining the order of priority for the nominations, 37th Street in the City of Richmond and Norwalk Boulevard in the City of Whittier were assigned first and second positions, respectively, as they were considered by the Highway Commission at its last meeting but were not granted an allocation because of certain technicalities. The Commission considers these two crossings to meet all of the necessary requirements, including the maximum state of readiness.

With respect to the position of the remainder of the grade crossings or separations nominated, consideration was given first to the availability of funds, ability to commence construction in 1967 and whether or not an application had been filed with this Commission. The record indicates that the construction proposed on 21 crossings could commence in 1967, and these were immediately grouped in the top half of the priority list. Construction relating to eleven of said crossings would constitute new separations, which would result in the elimination of an equal number of crossings. The proposed construction on the remaining ten crossings would result in the alteration of existing separations.

The relative positions of the eleven new separations were then ranked according to the factors enumerated in the staff's exhibit, viz: traffic factor, cost factor and accident factor. They were also varied in position according to any special conditions which include the intangible factors. In the case of the ten separations to be altered or widened, the primary factor was determined by dividing the daily traffic per existing lane in each separation (constriction to traffic flow) by the cost of the project.

This list was then modified according to the impaired clearances existing at each separation. Preference was given to the ones with the more serious impairments.

The two lists (new separations and alteration of existing separations) were then combined. No special consideration was given to projects involving BART construction.

The relative positions of the twenty-one remaining nominations which would not be ready for construction in 1967 were similarly determined. These included only four separations to be altered or widened.

The City of San Dimas' nomination for San Dimas Avenue was placed last on the list since the city did not include all the necessary information required to determine a relative position for this crossing on the priority list.

San Diego County's nomination for construction of a separation at Manchester Avenue was not included in the attached priority list as the county proposed closing The Atchison, Topeka and Santa Fe's Montgomery Avenue grade crossing, which had previously been ordered closed by the Commission in its Decision No. 71344, in Case No. 8326.

The Commission, after considering all of the nominations, establishes the following priority list for 1967:

PRIORITY LIST OF GRADE SEPARATION PROJECTS OR ALTERATIONS  
YEAR 1967  
PURSUANT TO SECTION 189 OF THE STREETS AND HIGHWAYS CODE

<u>Priority No.</u>	<u>Crossing No.(s)</u>	<u>Street</u>	<u>Agency</u>	<u>RR</u>
1	2K-2.5	37th St.	Richmond	AT&SF
2*	3Y-0.9-B	Norwalk Blvd.	Whittier	UP
3	A-14.5, 2K-1.8-B	23rd St.	Richmond	SP, AT&SF
4*	E-398.4-B	Sanjon Rd.	San Buenaventura	SP
5	E-453.9	Sepulveda Blvd.	Los Angeles	SP
6*	EC-116.1-B	Capitola Ave.	Capitola	SP
7	DA-40.3, 4G-10.8	Calaveras Rd.	Milpitas	SP, WP
8*	3-29.7-B	Roselawn Ave.	Pomona	UP
9	E-460.8	Hollywood Way	Burbank	SP
10*	4-23.9-B	Industrial Pkwy.	Hayward	WP
11	4-23.2	Tennyson Rd.	Hayward	WP
12*	E-48.4-B	Willow St.	San Jose	SP
13	4-21.9	Harder Rd.	Hayward	WP
14*	E-102.0-A	Elkhorn Rd.	Monterey Co.	SP
15	4-20.4	"C" St.	Hayward	WP
16*	E-47.1-B	Park Ave.	San Jose	SP
17	4-21.3	Orchard Ave.	Hayward	WP
18*	E-107.9-A	Dolan Rd.	Monterey Co.	SP
19	A-99.9	Walerga Rd.	Sacramento Co.	SP
20*	2H-24.4-A	Vermont Ave.	Los Angeles Co.	AT&SF
21	3-19.3	Anaheim-Puente Rd.	Los Angeles Co.	UP
22*	E-47.1-B	Bird Ave.	San Jose	SP
23	4-12.0	73rd Ave.	Oakland	WP
24	B-487.4	Fremont St.	Alhambra	SP
25	E-0.13	4th St.	San Francisco	SP
26	A-13.8	Cutting Blvd.	Richmond	SP
27	E-9.3	Grand Ave.	So. San Francisco	SP
28*	EC-116.2-B	Wharf Rd.	Capitola	SP
29	E-15.2	Broadway	Burlingame	SP
30	B-48.9, 2-1155.7	Railroad Ave.	Pittsburg	SP, AT&SF
31	2-887.6	"F" St.	Bakersfield	AT&SF
32	E-22.0	Ralston Ave.	Belmont	SP
33*	2-975.8-B	Latonia Ave.	Fresno Co.	AT&SF
34	E-29.0	Ravenswood Ave.	Menlo Park	SP
35	E-23.2	Holly St.	San Carlos	SP
36	B-609.7	Monroe St.	Indio	SP
37	4-9.7	Fruitvale Ave.	Oakland	SP
38*	E-5.9-A	Adeline St.	Oakland	SP
39	2-131.1	Walnut St.	Pasadena	AT&SF
40	E-58.6	Cottle Rd.	San Jose	SP
41	EG-498.8, 6M-15.98	223rd St.	Los Angeles Co.	SP
42	2-249.1	Edelweiss St.	San Diego	AT&SF
43*	2-252.9-A	Miramar Rd.	San Diego	AT&SF
44	2-110.1	San Dimas Ave.	San Dimas	AT&SF

\* Alteration projects for existing separation structures.

ORDER

IT IS ORDERED that the Secretary shall furnish a full, true and correct copy of this decision and order to the State Highway Commission and the State Department of Public Works.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup> day of DECEMBER, 1966.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners

Frederick B. Holoboff  
Commissioner \_\_\_\_\_ did  
not participate in the disposition  
of this proceeding.



## APPENDIX A

LIST OF APPEARANCESFOR RESPONDENTS

John G. Moffatt, for the City of Anaheim; Lynn Stewart, for the City of Alhambra; William Devitt, for the City of Anaheim; A. Keith Gilbert, for the City of San Diego; Ray K. Hamilton, for the City of Indio; George W. Bullock, for the City of Burbank; Hugh L. Berry, for the City of Fullerton; Gary Dysart, for the City of Fullerton; Harold S. Lentz, for Southern Pacific Company, Northwestern Pacific Railroad Company and San Diego and Arizona Eastern Railway Company; Neal W. McCrory, for The Atchison, Topeka and Santa Fe Railway Company; George H. Kamrath, for the City of Riverside; James R. Callens, for the City of Pasadena; Rudolph J. Massman, for the County of San Diego; Raymond W. Schneider, for the County of Los Angeles; Omer H. Brodie, for the County of San Bernardino; Charles E. Mattson, for the City of Los Angeles; J. Raymond Abicht, for the City of Capitola; Myron A. Johnson, for the City of Hayward; James P. O'Drain, for the City of Richmond; James E. McCarty and William C. Sharp, for the City of Oakland; Robert M. Barton, for the City of Pomona; James C. Ray, for Sacramento County Highways and Bridges Division; Herman H. Beneke, for the City and County of San Francisco; Stanley Twardus, for the City of San Jose; Louis H. Goss, for the City of South San Francisco; Howard A. York, for the City of San Bruno; Harold F. Durham, for County of Fresno; Edward L. Ebaugh, Jr., for the City of Menlo Park; Richard B. De Long, for the City of Milpitas; George E. Cook, for City of San Carlos; Bruce W. McClain, for the County of Monterey; E. C. Marriner, for the City of Pittsburg.

FOR INTERESTED PARTIES

James E. Howe, for California Legislative Board, Brotherhood of Railroad Trainmen AFL-CIO; Joseph C. Easley, for the State Department of Public Works; Warren P. Marsden and Thomas Jackson, for San Francisco Bay Area Rapid Transit District.

FOR THE COMMISSION STAFF

William L. Oliver and M. E. Getchel.