

Decision No. 80830

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into the status, safety,
maintenance, use and protection or
closing of grade crossings over
SOUTHERN PACIFIC TRANSPORTATION
COMPANY'S coastline in the City of
Santa Barbara.)

Case No. 9092
(Filed July 21, 1970)

Harold S. Lentz, Attorney at Law, for
Southern Pacific Transportation Company,
respondent.

Stanley T. Tomlinson, C. William Altman,
Attorney at Law, and R. Dennis Hogle,
for City of Santa Barbara, respondent.

Marvin S. Maltzman, Attorney at Law, for
Bekins Moving & Storage Company;
Howard C. Parke, Attorney at Law, for
Lobster House, Castagnola Seafoods,
Machet of Santa Barbara; and Jack B.
Kisch, for Harbor Boat Sales, inter-
est parties.

William D. Figg-Hoblyn, Attorney at Law,
for the Commission staff.

INTERIM OPINION AND ORDER

The Commission by order of July 21, 1970 instituted a general investigation of the Southern Pacific Transportation Company crossings in the City of Santa Barbara to determine whether such crossings should be modified, closed or receive upgraded protection. The investigation subsequently was expanded by order of August 18, 1970 to include additional crossings.

Hearings were held in Santa Barbara on various dates in 1970, 1971 and 1972, before Examiner Gilman. The proceeding was submitted on June 28, 1972 and reopened and resubmitted for the purpose of receiving a late-filed exhibit sponsored by Southern

Pacific. None of the parties objected to the consideration of the late-filed exhibit.

Discussion

This proceeding was initiated, and all but two days of hearing were conducted, under the assumption that there would be no major change in either street plan or railroad alignment in the City of Santa Barbara. However, it now appears virtually certain that a freeway will be constructed to carry State Highways 1 and 101 through Santa Barbara. Because of this Santa Barbara's street plan will relocate the railroad's mainline closer to the freeway so that grade separations will carry city streets over both freeway and railroad. Completion of this project, according to the best available evidence, will take approximately six years. Thus, whatever mainline crossing protection is ordered herein must be considered temporary in nature.

This influences two aspects of our decision: first, if the public is to obtain the maximum safety benefit from the expenditures necessary to upgrade protection, installation should be commenced as soon as possible. Accordingly, we will now determine what protection is to be installed and we will postpone consideration of cost allocation questions. Second, considering the short useful life of the mainline crossings, expenditures not directly related to safety should be reduced or eliminated.

Five of the seven mainline crossings in Santa Barbara are now protected by automatic flashing light signals, controlled by time-out circuitry. The staff originally recommended that automatic gate arms be added at each ungated mainline crossing, except Helena Avenue, and that the controls be changed to predictor circuitry. Predictor circuitry is a major element of expense. Its function is to sense the actual speed of an on-coming train and to limit signal actuation accordingly. With time-out circuitry, on the other hand, the gates and signals begin to operate at a fixed time prior to the arrival of a train. The time period is governed by the speed of

the fastest train expected and thus will provide excess protection time for slower trains. The Southern Pacific's late-filed exhibit proposed that the gates and other controls should be controlled by time-out rather than predictor circuitry, saving at least \$80,000.

The City opposed the staff proposal primarily on economic grounds. Relying on past accident statistics it contended that the crossings were comparatively safe and that the City's portion of the cost of additional protection could not be justified. The City apparently does not oppose the less expensive plan proposed by Southern Pacific. In view of the urban character of the traffic encountered and of the number of vehicles exposed to double track mainline railroad traffic,¹ we think the installation of automatic gates is justified by the additional safety provided by a traffic barrier.

Past accident statistics are not reliable indicators of hazard in this instance. Until recently all through trains stopped at the Santa Barbara station and consequently passed nearby crossings at speeds less than the 20 miles per hour permitted by timetable rules. The stop at Santa Barbara station has now been eliminated and through trains will normally operate through Santa Barbara at or near maximum permissible speeds. With time-out circuitry and gates, traffic may be unnecessarily delayed up to 60 seconds when actuated by a slow-moving train. Nevertheless, in light of the cost savings, we think the delay and resulting inconvenience to vehicular traffic is not unreasonable. In order to minimize traffic

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Average Daily Vehicular Traffic

Milpas	6,800
Montecito	4,000
Chapala	3,700
Anacapa	3,500
Santa Barbara	1,700
State Street	8,400
Helena	400

Train traffic consists of 12 through trains plus several local train movements.

delays caused by excessive signal actuation, we will order train speeds limited to 20 miles per hour.

The cost of adding gates with time-out circuitry is estimated to be:

<u>Street</u>	<u>Amount</u>
Montecito	\$19,000
Chapala	15,000
Anacapa	18,300
Santa Barbara	15,600
Milpas	16,800
	<u>84,700</u>

State Street

State Street is now protected by automatic gates as well as flashing lights. The staff originally proposed addition of cantilever signals to improve the advance warning aspect. The original estimated cost of the State Street improvements was \$32,000, including predictor circuitry. Eliminating the predictor circuitry would reduce the cost by approximately \$18,300. There is insufficient evidence to indicate that present signals do not provide adequate advance warning to enable vehicles traveling at the 25-mile per hour speed limit to avoid a collision with a train or with the gates themselves. At most the cantilevered signals might provide some additional protection for inattentive motorists or those who were exceeding the speed limit. It does not appear that the expected increase in safety over the short expected life of the recommended improvements warrants an expenditure of \$13,700.

Helena Street

The staff recommended that Helena Street be closed. The recommendation was based on the presence of crossings in close proximity to Helena, and low traffic counts. (See footnote 1.) The staff report also noted that the City apparently tolerated blockage of the street by truck loading and unloading operations. Visibility at the crossing is limited in all four quadrants. The staff further recommended that if Helena were not ordered closed, it should be protected by automatic signals and gates. Even with time-out circuitry, the cost would be approximately \$26,900. The City

opposed both closing and protection. The private parties who appeared operate businesses in the immediate vicinity; they joined in opposing closure.

The crossing is not sufficiently useful to the public to justify the expenditure of \$26,900 plus annual maintenance costs; on the other hand, exposing 400 motorists a day, even temporarily, to the hazards present seems equally unjustified. Therefore, we will order the crossing closed.

The staff recommended that the closing of Helena be accomplished by a barricade and that the barricade be extended beyond the crossing area to prevent trucks serving an adjacent warehouse from parking so as to impair clearances on the railroad's right-of-way. The barricade extension would interfere with a siding serving the warehouse. The staff witness did not consider alternative methods of protecting clearances. In the absence of a showing that this is the only practicable way to maintain required clearances, we will not adopt a proposal which will close a spur, thus possibly reducing the value of private property. Southern Pacific is placed on notice that it has a duty under General Order No. 26-D to prevent impaired clearances along its right-of-way.

Minor Crossings

Some of the spur tracks in the City have only a single crossing sign, usually not reflectorized. The staff recommended that such protection be upgraded to two reflectorized Standard No. 1 crossing signs. This recommendation is not controversial and will be adopted. The recommendations concerning Butterfly Lane (E-373.4-D) were not contested and should be adopted.

Crossing Roughness

The record indicated that the pavement at certain crossings did not conform to the standards prescribed by General Order No. 72-A. To the extent that these conditions have not already been corrected, Southern Pacific should be required to bring the pavement in its Santa Barbara crossings within the standards prescribed by General Order No. 72-A.

Allocation of Costs

Since this is an interim order, allocation of costs for added protection will be left at this time to negotiation between the parties. It may be that such negotiation can eliminate the need for any further consideration of this issue.

Findings

We find that:

1. Freeway construction in Santa Barbara will eliminate all mainline grade crossings in the City in not less than six years.
2. Safety of vehicular traffic and railroad employees require the addition of automatic gates to the Standard No. 8 signals at Montecito, Chapala, Anacapa, Santa Barbara, and Milpas Streets and the addition of a single cantilever flashing light signal at Montecito and Anacapa, and two cantilever flashing light signals at Milpas Street. The Milpas cantilevers can be eliminated if the traffic is channelized.
3. If such signals were controlled by sophisticated predictor circuitry, traffic delay caused by early gate actuation for slow-moving trains would be eliminated.
4. The additional costs of such predictor mechanisms would not be less than \$30,000.
5. Such additional costs are unwarranted for protection which will have a limited useful life of approximately six years.
6. The closing of Helena Street to through traffic would result in minimal inconvenience to vehicular traffic:
7. If the Helena Avenue crossing is not closed the safety of the public and railroad employees would require that it be protected by a new installation consisting of Standard No. 8 flashing lights supplemented by gates, a cantilever, and a no-left-turn sign.
8. Helena Avenue is not a necessary public crossing. The limited public convenience served by its continued use would not justify the cost of adequately protecting the crossing.
9. Standard pedestrian crossing signs, an effective vehicle barricade, a street light, and trackside whistle signs are required

by the public safety and convenience for the pedestrian crossing at Butterfly Lane.

10. Public safety requires the installation of two reflectorized Standard No. 1 signs at each drill or spur track crossing in Santa Barbara.

11. Public safety and convenience require that the paving in each grade crossing in the City of Santa Barbara be upgraded and/or maintained to the standards set forth in General Order No. 72-A.

12. If train speeds over the protected crossings are limited to 20 miles per hour, time-out controls can be set to provide safe, advance warning for the fastest train expected without causing undue delays for slower trains. ✓

13. The evidence is insufficient to show that construction or extension of a barricade to prevent trucks from being parked within clearance distances required by General Order No. 26-D in the vicinity of the Helena Street crossing is the most appropriate means of protecting clearances.

Conclusions

1. Helena Avenue should be closed.
2. The installation of automatic gates and additional cantilever signals should be required, as set forth in ordering paragraph 1, and the requirements for drill and spur track and pedestrian crossings set forth in ordering paragraphs 4 and 5 should be adopted.
3. The staff proposal that Southern Pacific be required to pay the entire cost of protecting an adjacent crossing if Helena Street is closed should be rejected.
4. Other cost allocation questions should be deferred to allow possible settlement between the parties.
5. The questions of whether modifications in street construction at Montecito and Milpas Streets should be undertaken to reduce crossing protection costs should be deferred for possible settlement by the parties.
6. A train speed limit of 20 miles per hour should be established.

O R D E R

IT IS HEREBY ORDERED that:

1. Southern Pacific Transportation Company shall construct and install additional protection at listed crossings as follows:

Montecito Street, E-370.6: One cantilever signal (standard roundels), and automatic gate arms.

Chapala Street, E-370.7: Automatic gate arms.

Anacapa Street, E-370.9: One cantilever signal (standard roundels), and automatic gate arms.

Santa Barbara Street, E-371.0: Automatic gate arms.

Milpas Street, E-371.8: Two cantilever signals (standard roundels), and automatic gate arms.

The cantilevers at Milpas can be eliminated upon agreement of the City of Santa Barbara and the Southern Pacific Railroad for channelization of traffic.

2. Southern Pacific shall reconstruct an effective vehicle barricade at Butterfly Lane, E-373.4-D, install a pedestrian crossing sign at such crossing, and install track side signs bearing the letter "X" one-quarter mile on either side of the crossing. The City of Santa Barbara shall install a street light at the crossing.

3. Southern Pacific shall install barricades within sixty days of the effective date of this order to close the traveled way of Helena Street to vehicular traffic.

4. Southern Pacific shall install and/or maintain two reflectorized Standard No. 1 signs at each active spur and drill track crossing in the City of Santa Barbara.

5. Southern Pacific shall upgrade and/or maintain paving within two feet of the rails on each of its grade crossings in the City of Santa Barbara to the standards set forth in General Order No. 72-A.

6. Southern Pacific shall not operate trains at speeds higher than 20 miles per hour between mileposts 370 and 372 in the city of Santa Barbara until further order of the Commission. ✓

7. The installations required by ordering paragraph 1 shall be completed within one year from the effective date of this order.

8. All motions pending herein are denied.

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

Dated at San Francisco, California, this 12th day of DECEMBER, 1972.

Vernon L. Sturgeon
President
William J. Quione Jr.
Alvin D. ...
...
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.