

ORIGINAL

Decision 89 01 036 JAN 27 1989

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of the)
San Diego Unified Port District and the)
San Diego Metropolitan Transit Develop-)
ment Board to partially relocate the)
existing Market Street crossing, a public)
street, across the railroad tracks of)
the Atchison, Topeka and Santa Fe Railway)
Company in the City of San Diego, County)
of San Diego.)

Application 88-10-045
(Filed October 25, 1988)

O P I N I O N

As part of the Bayside light rail transit (LRT) project, the San Diego Unified Port District (SDUPD) and the San Diego Metropolitan Transit Development Board (MTDB) request authority to perform the following items: 1) partially relocate Market Street, 2) Close India Street across the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line, 3) remove one freight track, and 4) add two light rail vehicle (LRV) tracks for exclusive use of the LRT system, in San Diego, San Diego County.

The proposed relocated crossing will improve traffic circulation and vehicular and pedestrian access to existing and proposed development in San Diego's Centre City and Bayside areas, including the future San Diego Convention Center. The proposed addition of two tracks for exclusive LRV use is required for MTDB's Bayside LRT system, which will provide service between the San Diego Harbor, the Convention Center, City Centre, El Cajon, La Mesa, and the International border.

The relocation project will also eliminate the diagonally skewed grade crossing of the intersection of Market and India Streets, replacing it with a near-perpendicular grade crossing of

Market Street 140 feet to the southeast. India Street will retain a sidewalk for pedestrian access into the Seaport Village light rail station adjacent to the relocated Market Street crossing.

MTDB is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000, et seq. After preparation and review of an Environmental Impact Report, MTDB approved the project. On August 28, 1987, a Notice of Determination was filed with the San Diego County Clerk which found "That the project would not have a significant effect on the environment".

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIR and Notice of Determination.

The site of the project has been inspected by the Commission's Traffic Engineering staff. The staff has discussed this matter with the City of San Diego, SDUPD, MTDB, and AT&SF engineering staffs, and has also reviewed the plans for the proposed crossing relocation. Pertinent portions of these plans are incorporated in the appendix attached to this order. The staff recommends the Commission grant the sought authority.

MTDB has met the filing requirements of the Commission's Rules of Practice and Procedure including Rule 39, which relates to the widening or relocation of an existing crossing.

To improve the riding quality and durability of the AT&SF crossing, MTDB requests an exemption from General Order (GO) 72-B to permit the installation of a rubber grade crossing surface, which crossing surface is not included within the standards of GO 72-B. Since there appears to be ample justification for the installation of a rubber crossing surface in this instance, an exemption from GO 72-B to permit the installation will be granted.

MTDB proposes to install ceramic warning bells at the crossing to mitigate excessively loud and constant noise which will be generated by the increased traffic of the LRT system. For the

LRT track operation only, the ceramic bells will be activated only for the approach and during gate lowering and will cease to ring when gates are in the down position. (This method has been utilized by other California LRT systems). During the use of the crossing by AT&SF, the warning bells will be actuated during the complete operating cycle.

MTDB wishes to commence construction of this portion of its LRT system at the earliest possible date. It is, therefore, requested that the usual 30-day effective date on an order be waived. We will make our order effective immediately.

Notice of the application was published in the Commission's Daily Calendar on October 31, 1988. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. SPUPD and MTDB request authority under Public Utilities Code Sections 1201-1205 to relocate the Market Street at-grade crossing over AT&SF's main line tracks, to remove one freight track, and to add two tracks for exclusive LRV use by MTDB in San Diego, San Diego County.

2. Construction of the two LRV tracks and other related crossing work is an essential element in construction of MTDB's Bayside LRT system.

3. Public convenience and necessity require the relocation of Market Street, the addition of two LRV tracks and other related work at the grade crossing.

4. Public safety requires that protection at the relocated Market Street crossing be two Standard No. 9 automatic gate-type signals for northeast-bound traffic and one Standard No. 9 automatic gate-type signal and one Standard No. 9-A automatic gate-type signal with cantilever (General Order (GO) 75-C) for southwest-bound traffic.

5. Public Convenience requires that MTDB be permitted to deviate from the provisions of Section 7.8 (warning aspect) of

GO 75-C by modifying the mechanism that allows constant ringing of bells at a crossing from the time gates begin descending until the ascent of the gates after the train has left the crossing. The bells will sound only during the initial warning and descent stage of the gates at the LRV crossing. During use of the crossing by AT&SF, the warning bells will be actuated during the complete operating cycle.

6. The public and the railroad will benefit from installation of a rubber crossing surface at the proposed AT&SF crossing.

7. MTDB is the lead agency for this project under CEQA, as amended.

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's EIR and Notice of Determination.

9. The project will have no significant impact on the environment.

Conclusions of Law

1. The application should be granted as set forth in the following order.

2. The exception from GO 72-B should be granted to permit the installation of a rubber grade crossing surface at the AT&SF crossing.

3. An exception should also be granted from GO 75-C by modifying the mechanism that allows constant ringing of the bells at the MTDB LRV track crossings only. During use by AT&SF the mechanisms will operate in their usual manner.

4. The usual 30-day effective date on an order should be waived as MTDB wishes to commence construction at the earliest possible date.

O R D E R

IT IS ORDERED that:

1. The San Diego Unified Port District (SDUPD) and the San Diego Metropolitan Transit Development Board (MTDB) are authorized to perform the following items: 1) relocate Market Street across the tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line, 2) close India Street, 3) remove one freight track, 4) construct two LRV tracks for exclusive use of the MTDB LRT system, all at-grade, to be identified as joint crossing 2 - 267.9 (AT&SF) and 82 - 0.5 (MTDB) in San Diego, San Diego County at the location and substantially as shown by plans attached to the application and the appendix to this order.

2. MTDB is granted an exemption from GO 72-B to permit the installation of rubber crossing surface material at the AT&SF crossing.

3. Construction of the crossing shall be in accordance with the provisions of GO 72-B except that rubber grade crossing surface shall be installed at the AT&SF crossing.

4. Clearances shall be in accordance with GO 26-D, and walkways shall conform to GO 118, at the AT&SF crossing.

5. Clearances and walkways shall conform to GO 143 at the MTDB crossing.

6. Protection at the crossing shall be two Standard No. 9 automatic gate-type signals for northeast-bound traffic and one Standard No. 9 automatic gate-type signal and one Standard No. 9-A automatic gate-type signal with cantilever (GO 75-C) for southwest-bound traffic.

7. MTDB is granted an exemption from the provisions of Section 7.8 (warning aspect) of GO 75-C to allow the bells to ring for the approach and during gate lowering and to cease ringing when the gates are fully down. However, during use by AT&SF the bells will ring during the complete operating cycle.

3. Construction and maintenance costs of the automatic protection shall be borne in accordance with an agreement which has been entered into between the parties. A copy of the agreement shall be filed with the Commission prior to construction.

9. Within 30 days after completion of the work under this order MTDB shall notify the Commission in writing that the authorized work has been done.

10. This authorization shall expire if not exercised within three years unless time is extended or the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.


11. The application is granted as set forth above.

This order is effective today.

Dated JAN 27 1989, at San Francisco, California

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. CHANIAN
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


VICTOR WEISSOR, Executive Director

THE NEXT
DOCUMENTS ARE
POOR ORIGINALS

MICROFILMING SERVICES
will not assume responsibility
for the image quality

