

Decision 89 09 018 SEP 7 1989

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
the San Diego Metropolitan Transit )  
Development Board, for an order )  
authorizing the construction of two )  
light rail vehicle tracks at-grade )  
at Cedar Street, Beech Street, Ash )  
Street, Broadway and Kettner Boulevard/ )  
G Street, in the City of San Diego, )  
County of San Diego )

Application 89-05-068  
(Filed May 30, 1989)

O P I N I O N

As part of the Bayside light rail transit (LRT) project the San Diego Metropolitan Transit Development Board (MTDB) requests authority to construct two tracks at grade across Cedar Street, Beech Street, Ash Street, Broadway, and the intersection of Kettner Boulevard and "G" Street. MTDB also requests authority to alter existing crossings of these streets over relocated tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) San Diego subdivision, as set forth in the appendix, in San Diego, San Diego County.

As proposed in the application, the relocated AT&SF tracks and the new Bayside LRT tracks would share a divided right-of-way. The five new LRT grade crossing and the five altered AT&SF grade crossings would be joint crossings, and utilize shared automatic grade crossing protection.

The proposed addition of LRT tracks, for the exclusive use of light rail vehicles (LRV), is required for MTDB's Bayside light rail line, which will provide service between the County Administration Building, San Diego Harbor and the Convention Center, and City Centre, El Cajon, La Mesa, and the International border.

The relocation of AT&SF track, construction of the crossing surfaces, and the signals work at the five joint crossings would be coordinated between AT&SF and MTDB under a construction and maintenance agreement dated December 21, 1988. This document,

on file with the Commission staff, includes assignment of responsibilities for project safety during construction.

The Commission has previously authorized construction of Bayside LRT-AT&SF joint grade crossings at First and Front Streets by Decision (D.) 89-02-055 in Application (A.) 88-09-026, and at Market Street by D. 89-05-050 and D. 89-01-036 in A. 88-10-045. The Commission also previously authorized alteration, for Bayside LRT operation, of existing MTDB-AT&SF joint grade crossings at Fifth and Eighth Streets under General Order (GO) 88-A on March 6, 1989.

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 (EIR), 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 impact 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 Safety Division staff. The staff discussed this matter with the City of San Diego, MTDB, and AT&SF engineering staffs, and has also reviewed the plans for the proposed joint crossings. Pertinent portions of these plans are incorporated in the appendix attached to this order. Grade separations at these crossings are not feasible. Closure of grade crossings was an alternative investigated by MTDB when planning the Bayside LRT project, and the project will close existing crossings of "E", "F", and India Streets over AT&SF tracks as authorized by the Commission. 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 40, which relates to the construction of railroad tracks across a public highway. Detailed drawings of the crossing street geometrics are included in the appendix.

MTDB requests a deviation from GO 72-B to allow the installation of rubber crossing material within the AT&SF track areas of the joint crossings. MTDB also requests a deviation from Section 7.8 of GO 75-C at the Kettner Boulevard/"G" Street intersection crossing to allow the bells to remain silent when the gates are in the down position (for LRT operations only) to avoid the annoyance to adjacent residents of continuously ringing bells. The bells would sound during the initial and descent stages until the gates are within 10 degrees of the horizontal position for LRT operations, and would sound continuously as required by Section 7.8 during AT&SF operations. The four other crossings would function normally as specified by GO 75-C. The Commission staff has reviewed the request for the deviations from GO 72-B and GO 75-C and recommends that they be granted.

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 June 5, 1989. No protests have been received. A public hearing is not necessary.

#### Findings of Fact

1. MTDB requests authority under Public Utilities Code Sections 1201-1205 to construct the Bayside Line project LRV tracks and to reconstruct and alter AT&SF's tracks at Cedar Street, Beech Street, Ash Street, Broadway and the intersection of Kettner Boulevard and "G" Street (five joint crossings) in San Diego, San Diego County, as set forth in the appendix.

2. Construction of two LRV tracks at grade and the necessary alteration and relocation of AT&SF tracks at the five joint crossings is an essential element in the construction of MTDB's Bayside Line, as set forth in the appendix.

3. Public convenience and necessity require construction of the tracks at grade and other necessary alterations at the five joint crossings as set forth in the appendix.

4. Public safety requires that protection at the five crossings be automatic type signals as set forth in the appendix.

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 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. This deviation applies only at the Kettner Boulevard/"G" Street intersection crossing.

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

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 crossings.

3. An exception should also be granted at the Kettner Boulevard/"G" Street crossing 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 Metropolitan Transit Development Board (MTDB) is authorized to construct two LRV tracks at grade at Cedar Street, Beech Street, Ash Street, Broadway and the intersection of Kettner Boulevard and "G" Street and in connection therewith alter and relocate tracks of The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) San Diego subdivision (five joint crossings) in San Diego, San Diego County, as set forth in the appendices.

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

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

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

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

6. Protection at the crossings shall be as set forth in the appendix.

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. This exemption applies only at the Kettner Boulevard/"G" Street intersection crossing.

8. 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 SEP 7 1989, at San Francisco, California.

G. MITCHELL WILK  
President  
FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

I CERTIFY THAT THIS ORDER  
WAS APPROVED BY THE  
COMMISSIONERS

*Wesley Franklin*

WESLEY FRANKLIN, Acting Executive Director

APPENDIX A

As part of the project to construct a light rail system in San Diego, the San Diego Metropolitan Transit Development Board (MTDB) proposes to construct two LRV tracks at grade and in connection therewith alter street and crossing geometrics in such a manner that the LRV tracks will occupy part of the recently acquired AT&SF railroad right-of-way. The Bayside Line will be approximately two miles in length, extending south of Grape Street, through the Santa Fe Depot, continuing south along railroad right-of-way (generally parallel to Harbor Drive), to the Imperial & 12th Transfer Station. The LRT system will operate within the exclusive MTDB right-of-way at the five joint crossing locations as shown on plans attached to the application and this order and more particularly as set forth below:

1. Cedar Street; one Standard No. 9 automatic gate-type signal for eastbound traffic and one Standard No. 9-A automatic gate-type signal with cantilevered flashing lights (General Order (GO) 75-C) for westbound traffic. Traffic signals at the intersection of Pacific Highway and Cedar Street should be preempted by train and LRV movements at this crossing as indicated in the application. This joint crossing is identified as 2-267.2 (AT&SF) and 81B-0.44 (MTDB), pages 2 and 7 of Appendix "B".

2. Beech Street; one Standard No. 9-A automatic gate-type signal with cantilevered flashing lights for eastbound traffic and one Standard No. 9 automatic gate-type signal (GO 75-C) for westbound traffic. This joint crossing is identified as 2-267.25 (AT&SF) and 81B-0.37 (MTDB), pages 3 and 8 of Appendix "B".

3. Ash Street: one Standard No. 9-A automatic gate-type signal with cantilevered flashing lights and one median-mounted Standard No. 9 automatic gate-type signal for eastbound traffic and one median-mounted Standard No. 9-A automatic gate-type signal with cantilevered flashing lights (GO 75-C) for westbound traffic. Traffic signals at the intersection of Pacific Highway and Ash Street and at the intersection of Ash Street and Kettner Boulevard should be preempted by train and LRV movements at this crossing as indicated in the application. This joint crossing is identified as 2-267.3 (AT&SF) and 81B-0.29 (MTDB), pages 4 and 9 of Appendix "B".

4. Broadway: two Standard No. 9 automatic gate-type signals for eastbound traffic (one median-mounted) and two Standard No. 9 automatic gate-type signals (GO 75-C) for westbound traffic (one median mounted). Traffic signals at the intersection of Broadway and Kettner Boulevard and at the intersection of Broadway and Pacific Highway should be preempted by train and LRV movements at this crossing as indicated in the application. This joint crossing is identified as 2-267.6 (AT&SF) and 81-0.15 (MTDB), pages 5 and 10 of Appendix "B".

5. The intersection of Kettner Boulevard and "G" Street; one Standard No. 9 automatic gate-type signal and one Standard No. 9-A automatic gate-type signal with cantilevered flashing lights for eastbound traffic on "G" Street, one Standard No. 9-A automatic gate-type signal with cantilevered flashing lights for southbound traffic on Kettner Boulevard, and one Standard No. 9-A automatic gate-type signal with cantilevered flashing lights for northbound traffic on Kettner Boulevard. Traffic signals at this intersection should be preempted by train and LRV movements at this crossing as indicated in the application. This joint crossing is identified as 2-267.8 (AT&SF) and 81-0.37 (MTDB), pages 6 and 11 of Appendix "B".



Note: Traffic signals at the intersections of Pacific Highway and Cedar Street, Pacific Highway and Ash Street, Ash Street and Kettner Boulevard, Broadway and Kettner Boulevard, and Broadway and Pacific Highway shall be preempted by train and LRV movements at adjacent crossings as indicated in the application. Traffic signals at the intersection of Kettner Boulevard and "C" Street shall be preempted by train and LRV movements at this crossing as indicated in the application.

**THE NEXT** 11

**DOCUMENTS ARE**

**POOR ORIGINALS**

**MICROFILMING SERVICES**

*will not assume responsibility  
for the image quality*



### Notes for Pages 2 through 6 of Appendix A:

\* AT&SF Cables to be located 12" from exterior of track to exterior of gas main and 4" from curb to exterior of track.

\* MTOS gas to be located 12" from exterior of track to exterior of gas main and 4" from curb to exterior of track.

\* AT&SF equipment shall be located no less than 12" from exterior of track to curb boundaries and no less than 12" from curb to curb boundaries.

\* MTOS equipment shall be located no less than 12" from exterior of track to curb boundaries and no less than 12" from curb to curb boundaries.

\* Cables to be located 7" from exterior of gas main to exterior of track.

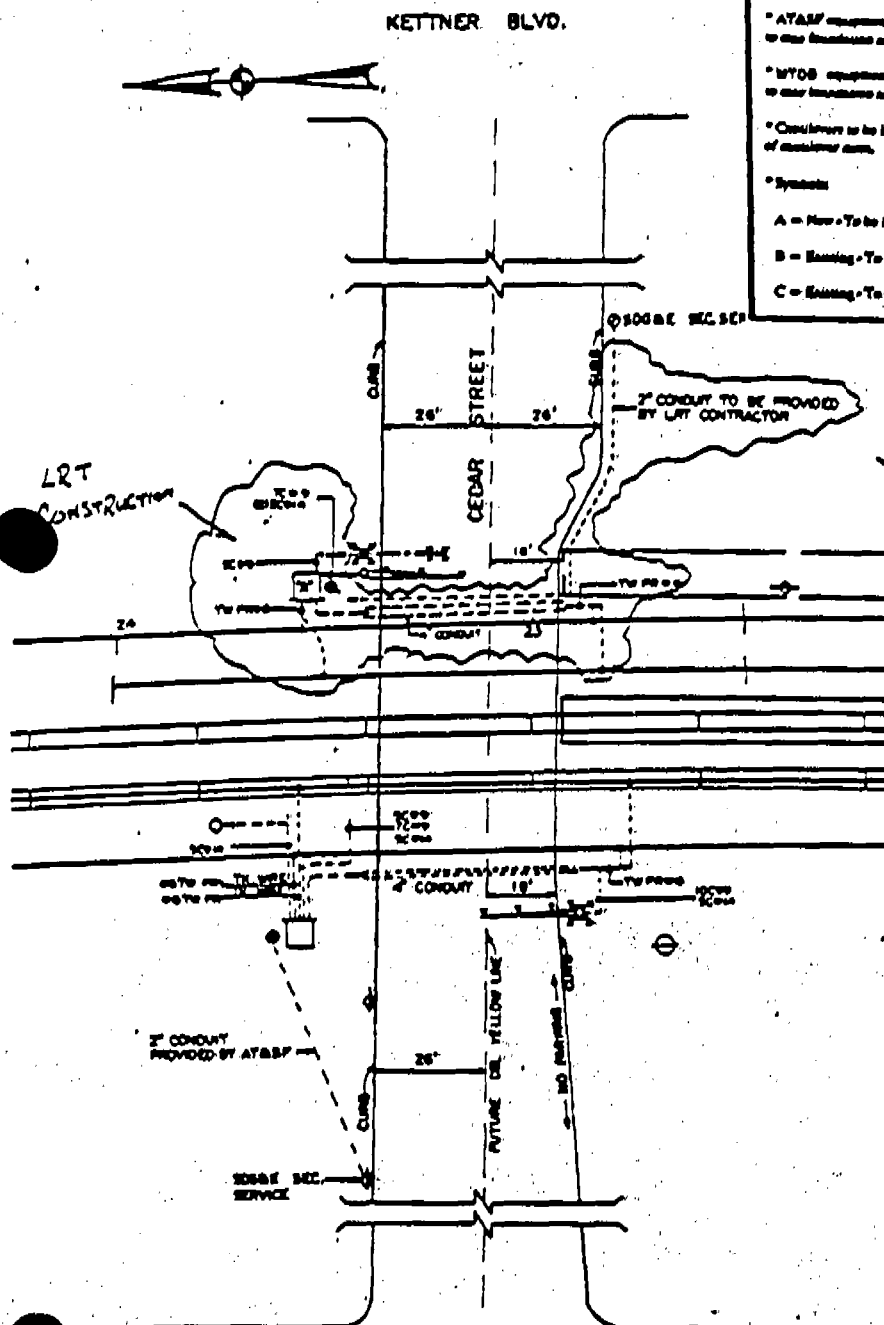
\* Symbols

A = New - To be installed

B = Existing - To be retained

C = Existing - To be retained

	CABLES WITH FLASHING LIGHTS ON BOTH SIDES
	CROSSING GATE WITH FLASHING LIGHTS ON BOTH SIDES
	FLASHING LIGHT, SIGNAL ONLY



PACIFIC HWY.

