

ORIGINAL

Decision No. 87437 June 7, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Clovis  
for a Public Grade Crossing at  
Barstow Avenue, an 80-foot Street  
Over the Southern Pacific Trans-  
portation Company Line (Clovis  
Branch) in the City of Clovis,  
County of Fresno.

Application No. 55937  
(Filed September 16, 1975)

Leon P. Lancaster and Allen L. Goodman,  
for City of Clovis, applicant.  
Harold S. Lentz, Attorney at Law, for  
Southern Pacific Transportation  
Company, interested party.  
Robert W. Stich, for the Commission staff.

O P I N I O N

The city of Clovis (Clovis), located about 8 miles north-  
east of downtown Fresno, requests approval for construction of a  
public grade crossing at Barstow Avenue across the tracks of the  
Southern Pacific Transportation Company (SP). Appendix A attached  
hereto is a map of the general vicinity of the proposed crossing.

Clovis proposes an 80-foot, four-lane street at the point  
of crossing. The crossing protection would consist of two Standard  
No. 9-A automatic signals with gates and cantilever arms (General  
Order No. 75-C). The nearest public grade crossings to the proposed  
crossing are at Hoblitt Avenue to the south and Jefferson Avenue to  
the north. Each of these is approximately 660 feet from the proposed  
crossing. The staff proposes that the Hoblitt and Jefferson crossings  
be closed.

A hearing in this matter was held before Examiner Albert  
C. Porter on April 13, 1977 in Fresno and the matter was submitted.  
Testimony and exhibits were received from Clovis, SP, and the  
Commission staff (staff).

Clovis Presentation

In addition to the information presented in the application, Clovis offered direct testimony through its Director of Public Works.

The area east of the proposed crossing for approximately one mile is rapidly developing from rural agricultural use to residential and industrial uses, and traffic in the area is expected to greatly increase in the near future. Applicant proposes to use this crossing as access to a new industrial subdivision as well as to new residential subdivisions being developed one-half mile to the east, Clovis High School one mile to the east, an elementary school one-eighth mile to the west, and California State University, Fresno, two miles to the west.

Clovis Avenue (State Highway 168) intersects Barstow Avenue west of the proposed crossing adjacent to the SP right-of-way. Clovis Avenue is a fully developed, four-lane, undivided collector street. Portions of Barstow Avenue in the vicinity of the proposed crossing have been widened to the ultimate width of 80 feet, and widening will be completed in the vicinity of the crossing after its installation. Opening of the crossing would provide a continuous east-west route between Chestnut Avenue on the boundary of the state university and Fowler Avenue one mile to the east of the crossing. In conjunction with the opening, Clovis would place traffic signals at the intersection of Clovis and Barstow Avenues.

The present crossings closest to the proposed crossing are Hoblitt to the south and Jefferson to the north. The next closest crossings are Shaw Avenue to the south and Fifth Street to the north, each approximately one-half mile from the proposed crossing. Clovis requests that even with the opening of Barstow the crossings at Hoblitt and Jefferson remain open. These crossings have no automatic protection. Under cross-examination by the staff the witness for Clovis said that Barstow could handle the Jefferson/

Hoblitt traffic but that there could be an additional two to three minutes added to the trip time for some traffic.

There are two trains per day on the Clovis Branch, one northbound and one southbound. Clovis estimates that after Barstow is open for a reasonable period there will be 6,000 to 8,000 vehicles per day using the crossing. The traffic at Jefferson will be about 1,000 to 1,500 per day and at Hoblitt, 1,000 per day. When last measured by Clovis in March 1976, the traffic per day at the Jefferson crossing was about 4,100 and at Hoblitt about 2,300.

Clovis introduced a Local Agency Negative Declaration executed by it and filed with the County Clerk on September 18, 1975 which contains a finding that the proposed project will not have a significant impact on the environment.

Clovis maintains that a grade separation structure at the proposed crossing site is not economically feasible or physically practical due to the rail traffic of only two train movements per day coupled with the expected nominal vehicle traffic and because of the proximity of Clovis Avenue to the SP right-of-way.

#### Staff Presentation

An associate transportation engineer testified and presented an exhibit for the staff. The engineer's recommendation is to open Barstow as requested by Clovis but at the same time close Jefferson and Hoblitt primarily because their potential usage is minimal. Whereas under the proposal of Clovis the city would be responsible for 100 percent of the cost of the installation, the staff witness took the position that the Barstow Avenue crossing should be considered as a relocation of the existing Hoblitt crossing. Under the usual method of allocation the cost would therefore be shared equally by Clovis and SP.

The staff vehicle counts at Jefferson and Hoblitt coincided closely with those of Clovis, i.e., about 4,300 per day at Jefferson and 2,100 at Hoblitt.

The present protection at Jefferson and Hoblitt, two No. 1-R "Crossbuck" signs, is the minimum required by the Commission.

The engineer estimated that about half of the traffic now crossing Jefferson would incur 2/10 of a mile more circuitous routing than at present if Jefferson were closed. The Hoblitt Avenue traffic would not be affected to any significant degree. The projected traffic at Jefferson and Hoblitt with Barstow open is so minor and can be handled so easily by the four lanes at Barstow that there is no necessity to keep them open. Reducing the exposure to one location would be highly desirable.

If Hoblitt and Jefferson are to remain open, the staff recommends the installation of automatic protection including gates at both locations. It is staff policy to try not to have a mix of different types of protection at crossings in close proximity.

The engineer, through a review of Commission records, could find only one accident at Jefferson and Hoblitt in recent years. This was at Jefferson on October 19, 1975 and apparently resulted in only property damage.

Clovis posed the question to the engineer of what his recommendation would be for Jefferson and Hoblitt if they were made one-way streets. He testified that he still would recommend automatic protection if they are left open.

The following is a summary of the staff recommendations. These differ from those contained in the staff exhibit after being modified through oral testimony of the staff witness.

1. Construction of the Barstow Avenue crossing with automatic protection of Commission Standard No. 9-A signals, gates, and cantilevers with approach grades not greater than five percent should be authorized.

2. If the Barstow crossing is constructed, the crossings at Jefferson and Hoblitt Avenues should be closed.

3. Traffic signals should be installed at the Barstow-Clovis intersection if the Barstow crossing is constructed and these signals should be subject to preemption by the automatic crossing signals at Barstow (paragraph 7.10, General Order No. 75).

4. The city should consider street improvements to facilitate use of the Fifth Street crossing.

5. Since the Barstow crossing can be considered as a relocation of the Hoblitt crossing the installation and maintenance cost of the automatic protection at Barstow should be shared equally by Clovis and SP.

#### SP Presentation

SP sponsored three witnesses and two exhibits. The train-master for the Clovis area testified that there are times when the two trains per day that would pass the proposed crossing could have 35 to 40 cars and be 1,750 to 2,000 feet in length; he also said that trains in that vicinity generally travel between 20 and 30 miles per hour. A public projects engineer for SP testified that the automatic protection recommended at Barstow would cost about \$46,350, and similar protection at Jefferson and Hoblitt would be about \$40,000 to \$42,000 for each crossing. An assistant engineer for SP offered exhibits showing traffic counts at the Hoblitt and Jefferson crossings. These were taken on February 24, 1977 for Hoblitt and on March 23, 1977 for Jefferson and totalled, respectively, 1,134 and 2,914 vehicles per day. The engineer could offer no explanation of the differences between these and the ones taken by Clovis and the staff in 1976 except the possibility of some changes in school locations and attendance.

Through a statement of counsel SP supported the staff recommendations.

Although referenced in the staff report one possibility not considered by the parties was proposed by the examiner for comment. This would entail closing either Jefferson or Hoblitt, preferably Hoblitt but not both. Clovis was firm in their desire to have all three crossings and felt their representatives would have to present any other position to the city council for consideration. They were willing to do this if necessary. As another alternative Clovis posed the possibility of keeping Jefferson and Hoblitt open but making them/one-way crossings. We know of no precedent for the Commission to order such a condition since it would mandate the institution of specific traffic controls on streets not under our jurisdiction. The staff was firm too in standing on its recommendation that both Jefferson and Hoblitt be closed if Barstow is opened. SP could see no economic reason or public necessity for more than one crossing in the area.

Findings

1. Clovis should be authorized to construct a grade crossing at Barstow Avenue in the city of Clovis across the tracks of SP.
2. Concurrently with the opening of a crossing at Barstow Avenue the present grade crossings nearby at Hoblitt and Jefferson Avenues should be closed because there is no economic reason nor public necessity for keeping them open.
3. If the Barstow Avenue crossing is opened, and if Clovis installs traffic signals at the intersection of Clovis and Barstow Avenues, such signals should be subject to preemption by the grade crossing signals at Barstow as provided for in Subsection 7.10 of General Order No. 75-C.

4. Clovis is the lead agency for this project and on September 18, 1975 filed a negative declaration with the Fresno County Clerk. The Commission accepts the negative declaration and adopts the findings contained therein as particularly set out in Appendix B attached hereto.

On the basis of the foregoing findings we conclude that the application should be granted to the extent set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The city of Clovis is authorized to construct Barstow Avenue at grade across the tracks of the Southern Pacific Transportation Company to be identified as Crossing No. BS-216.7 and more particularly described in Exhibit C attached to Application No. 55937; construction shall be substantially in accord with the plans attached to the application as Exhibit A and equal or superior to Standard No. 4-C of General Order No. 72- B.

2. If the crossing described in Ordering Paragraph 1 is constructed, then concurrently with its opening the crossings adjacent thereto and identified as Hoblitt Avenue, Crossing No. BS-216.6, and Jefferson Avenue, Crossing No. BS-216.8, shall be abandoned and physically removed.

3. If the city of Clovis installs traffic signals at the Clovis-Barstow Avenues intersection, they shall be subject to preemption by any grade crossing signals at the Barstow Avenue crossing as provided for in Subsection 7.10 of General Order No. 75-C.

4. Protection at the Barstow Avenue crossing shall be two Standard No. 9-A automatic gate type signals with cantilevers (General Order No. 75-C). Grades of approach shall not be greater than five percent.

5. Clearances shall conform to General Order No. 26-D and walkways shall conform to General Order No. 118.

6. Construction expense of the crossing shall be borne by the applicant. Installation cost of the automatic protection shall be shared equally by applicant and the railroad.

7. Maintenance of the crossing shall be in accordance with General Order No. 72-B. Maintenance cost of the automatic protection shall be shared equally by applicant and the railroad pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

8. Construction plans of the crossing, approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

9. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing.

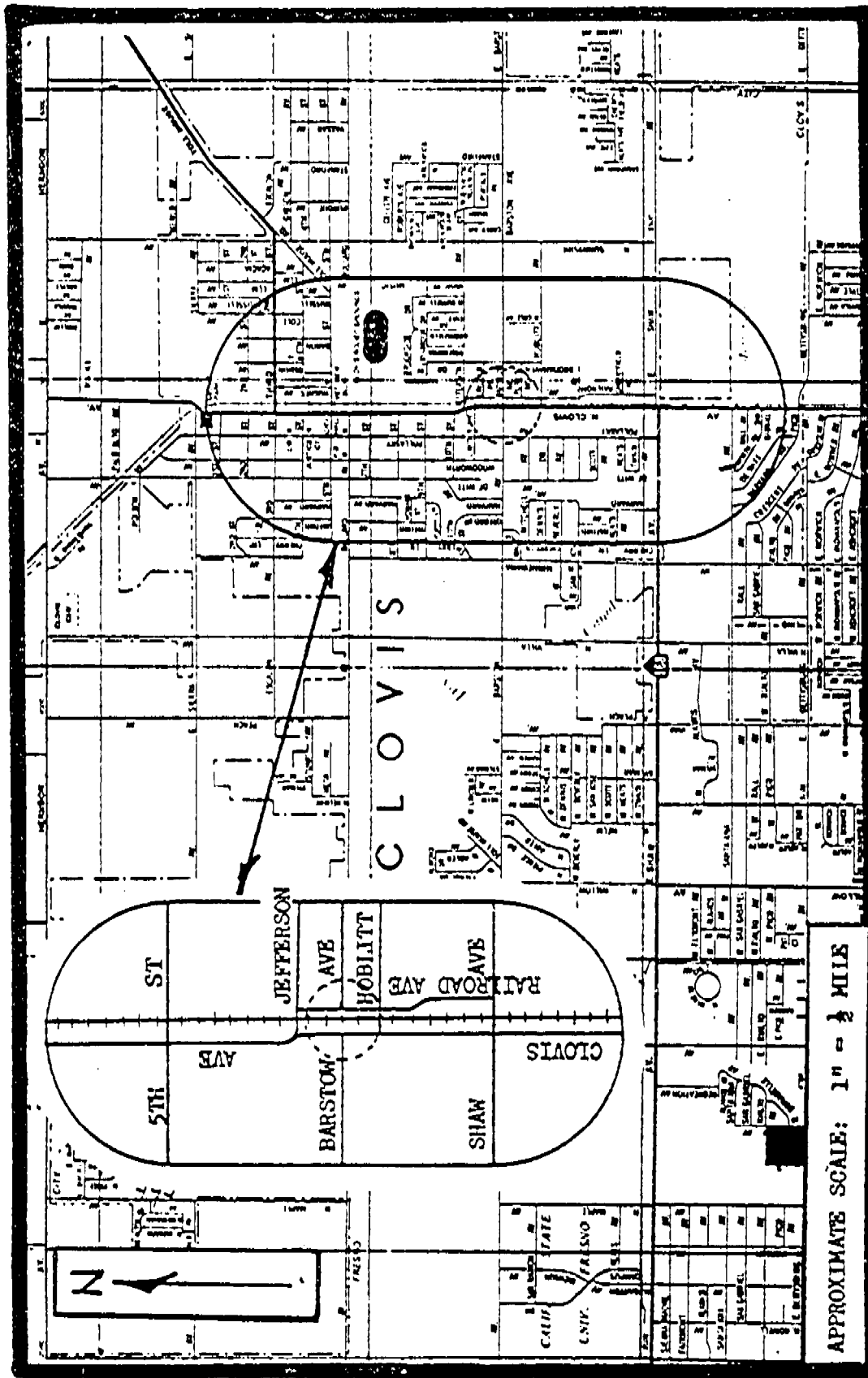


10. This authorization shall expire if not exercised within three years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

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

Dated at San Francisco, California, this 7th day of JUNE, 1977.

Ralut Bafuinaud  
President  
William Squares Jr.  
Vernon L. Spurgeon  
Richard D. Cavalle  
Commissioners



File original and one copy with:

H. L. MASINI  
County Clerk, Fresno County Clerk  
Room 501, Courthouse  
110 S. Main  
Fresno, California 93721  
Mailing Address:  
P.O. Box 1523  
Fresno, California 93717

Space Below For County Clerk Only.

App. Case No. 557  
Exhibit No.  
Witness  
Date  
Comm. or Exp.

**FILED**

SEP 16 1975

H. L. MASINI, CLERK

By: [Signature]

CLK-3003.00 E04-73 R00-00

Agency File No.:

EA-55 120

LOCAL AGENCY  
NEGATIVE DECLARATION

County Clerk File No.:

1183

Responsible Agency (Name):

Address (Street and P.O. Box):

City:

Zip Code:

City of Clovis

533 Pollasky Avenue

Clovis

93612

Agency Contact Person (Name and Title):

Area Code:

Telephone Number:

Extension:

Leon P. Lancaster, Director of Public Works

209

299-4341

35

Applicant (Name):

Project Title:

City of Clovis

Barstow Avenue-Southern Pacific Railroad Grade

Project Description:

Crossing

A public grade crossing will be constructed across the Southern Pacific Transportation Company right of way (Clovis Branch). The proposed project will improve the traffic safety and the operational characteristics of Barstow Avenue. The surrounding terrain is flat. Future land use is not expected to change.

An investigation of archaeological and historical resources is not warranted as the project is an improvement across an existing facility in an urban area on previously disturbed lands.

Justification for Negative Declaration:

It is the finding that the proposed project will provide a safer travel way for existing traffic and have a positive effect on air pollution. The project will not affect any rare or endangered species of animal or plant or habitat of such species nor will it interfere with the movement of any resident or migratory fish or wildlife species. The project will not cause any detrimental effects on the ambient noise levels for adjoining areas and will not adversely affect the public water supply or ground water table and will not cause substantial flooding, erosion or siltation. This project will not cause any substantial increase on the energy demand because the amount necessitated by the crossing protection equipment will be minimal in comparison to the provision and ease of direct automobile traffic flow.

FINDING:

The proposed project will not have a significant impact on the environment.

Newspaper and Date of Publication:

Review Date Deadline:

Clovis Independent & Tribune

September 16, 1975

September 30, 1975

Date:

Type of Print Signature:

Submitted by (Signature):

9/15/75

Leon P. Lancaster

[Signature]

LOCAL AGENCY  
NEGATIVE DECLARATION  
(Not to Exceed One Page)

1183

County Clerk File No.