

ORIGINAL

Decision No. 88724 APR 18 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation into the status, safety, maintenance, operation, use, and protection or closing of the following crossings at grade with the "A" Line of the Southern Pacific Transportation Company in the City of Berkeley:
Crossing No. A-9.1, Addison at 3rd Street; Crossing No. A-9.7, Cedar at 3rd Street; Crossing No. A-9.8, Page at 3rd Street; and Crossing No. A-9.9, Camelia at 3rd Street.

Case No. 10385 (Filed August 2, 1977)

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

B. R. Garcia, for Garcia Traffic Service, interested party.

Sara Steck Myers, Attorney at Law, for the Commission staff.

O P I N I O N

This investigation was instituted to determine whether the concerned crossings constitute a hazard to the using public and to decide what measures would improve the crossings. A public hearing was held on November 3, 1977 in San Francisco before Administrative Law Judge Fraser. Testimony and documentary evidence were presented by the Commission staff and by Southern Pacific Transportation Company. The city of Berkeley was notified of the hearing but was not represented. A staff member telephoned the city director of transportation on the morning of the hearing and was advised that no one would appear for the city. The crossings are in an area bound on the north by the city of Albany, San Francisco Bay to the west, San Pablo Avenue to the east, and the city of Emeryville to the south. The area is industrial and the tracks extend north and south along Third Street, with all crossings intersecting the tracks at a right angle. The tracks are parallel to Interstate 80 freeway, which is one block to the west.

Six AMTRAK and twenty freight trains use the tracks daily and there are numerous switching operations. Through trains move at 50 to 60 miles per hour; switching movements at less than ten miles per hour. Vehicular traffic varies from 2,700 a day at Cedar Street to less than 150 at Page Street. Cars move about 25 miles per hour on the streets, but no more than ten miles per hour over the tracks due to a lack of surfacing and pavement. The Commission staff checked and evaluated the crossings in 1973. There have been numerous meetings attended by the staff and representatives of the railroad and the city of Berkeley. The parties have agreed that Page Street should be closed and the other two crossings protected by automatic gate arms. No action was taken and this formal proceeding was instituted to obtain an order to direct that the necessary work be done.

Addision Street Crossing

This crossing is no longer in issue. A service contract was executed on or about November 2, 1977, wherein the California Department of Transportation authorized the railroad to proceed with the installation of improvements and protection at the crossing on the basis of a previous agreement.

Cedar Street

This crossing is 56 feet wide with 40-foot approaches: 2 mainline, 2 sidings, and 4 spur tracks cross the roadway. The view is obstructed in all four quadrants. Protection consists of 2 Standard No. 8 flashing light signals, advance warning signs, and pavement markings. There have been seven accidents at the crossing since 1966, with three deaths. The Commission staff recommends that 2 Standard No. 9 automatic gate signals be installed within two years and that the crossing be resurfaced to eliminate bumps and holes. The staff suggests that the city of Berkeley apply for federal funds to complete the project, and if funds are not available, that the city and railroad participate on a 50/50 basis on the cost of installation. The railroad provided an exhibit (No. 3) which specifically detailed all work and improvements to be completed at the crossing. The need for a barricade to block access to a right-of-way east of the tracks was noted on the exhibit.

Page Street

This crossing is 20 feet wide with 36-foot approaches: 2 mainline, 2 sidings, and 1 spur track cross the roadway. The view is obscured in three quadrants. Protection consists of 2 standard crossing signs and 1 advance warning sign. There have been two accidents at the crossing since 1963, with two injured and one death. The parties recommend that the Page Street crossing be closed within six months. The railroad placed an exhibit (No.4) in evidence which details the work to be done, including the installation of two barricades between Jones and Cedar Streets to prevent vehicles from using a dirt road on the east side of the tracks. A study completed by the Commission staff indicated 150 vehicle movements daily, which can easily be absorbed by the Camelia Street crossing, or by Cedar Street, one-tenth of a mile to the south.

Camelia Street

This crossing is 48 feet wide with 36-foot approaches: 2 mainline, 2 sidings, and 2 spur tracks cross the roadway. The view is obstructed in three of four quadrants. Protection consists of 2 No. 3 wigwags and advance warning signs. The staff recommends the same action as suggested at the Cedar Street crossing. Exhibit 5, presented by the railroad, illustrates the need for a barricade to be erected 120 feet south of the intersection, across the access road which extends along the east side of the tracks.

Findings

1. The city of Berkeley should apply for federal funding to provide necessary improvements in the automatic protection at the Cedar Street and Camelia Street crossings, and to close the Page Street crossing.
2. If federal funding is not available the cost of improving the automatic protection and blocking the Page Street crossing should be borne equally by the city and the railroad.
3. Improvements and automatic protection to be installed at the crossings, and the barricades at Page Street, should be constructed as described or illustrated in the exhibits.

4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

On the basis of the findings, we conclude that the following order should be issued.

O R D E R

IT IS ORDERED that:

1. Page Street, Crossing A-9.8, shall be closed within six months after the effective date of this order.

2. The crossing protection at Addison Street, Crossing A-9.1, shall be improved to two Standard No. 9 automatic gate-type signals (General Order No. 75-C) and the crossing shall be rehabilitated to provide for a smooth, even ride over the track area. This shall be done within one year after the effective date of this order.

3. The crossing protection at Cedar Street, Crossing A-9.7, and Camelia Street, Crossing A-9.9, shall be improved to Standard No. 9 automatic gate-type signals (General Order No. 75-C) within two years after the effective date of this order. If federal funding is not made available to the city of Berkeley, then the city and the railroad shall bear the costs of installation on a 50/50 basis. The railroad shall schedule rehabilitation of these two crossings to effect a smooth, even ride over the track area, within two years after the effective date of this order.

4. Maintenance costs of the automatic protection to be installed at Cedar Street, Crossing A-9.7, and Camelia Street, Crossing A-9.9, shall be borne equally by the city of Berkeley and the railroad pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

4. The city of Berkeley shall notify the Commission in writing within thirty days after the completion of work at each of the three crossings.

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

Dated at San Francisco, California, this 18th day of APRIL, 1978.

Robert Bateman
President
William Sproull Jr
Terrence L. Sturgeon
Clare J. DeBrock
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.