

ORIGINAL

Decision 93554 SEP 15 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of the CITY OF COACHELLA to con- )  
struct a city street across the )  
right of way of the Southern )  
Pacific Transportation Company )  
at Avenue 54 in the City of )  
Coachella area. )

Application 60047  
(Filed October 31, 1980)

Gregory T. Meyer, for City of Coachella,  
applicant.

Anthony P. Parrille, Attorney at Law, for  
Southern Pacific Transportation Company,  
protestant.

Ivan J. Ramirez, for himself and Cattle Valley  
Farms, Transco Land and Cattle, Inc.,  
Southern Diversified Properties, Hyer Boot  
Co., Joseph R. Solomon, Nettie Grossman,  
and Barbara Solomon, interested parties.  
Robert W. Stich, for the Commission staff.

O P I N I O N

Public hearing was held before Administrative Law Judge Norman Haley at Coachella on February 25, 1981. The matter was submitted on June 5, 1981 with the filing of reply brief of protestant, Southern Pacific Transportation Company (Southern Pacific).

Testifying on behalf of the City of Coachella (Coachella) were Gregory T. Meyer, city manager and district manager of the Coachella Fire Protection District and the Coachella Sanitary District; John Rios, fire chief; Arnold Jimenez, police chief; William Fitch, city engineer; and Fred G. Lange, general manager for the California operations of Treesweet Products Company (Treesweet).

Testifying on behalf of Southern Pacific were William M. Kessinger, trainmaster of the area that includes Coachella; and Kent V. Gale, public projects engineer for the railroad.

Testifying on behalf of the interested parties who are affiliated with real estate lying east of the railroad in the general vicinity of Avenue 54 was Ivan J. Ramirez.

Presentation of Coachella

Following is a summary of Coachella's presentation:

1. Coachella seeks to have a protected public at-grade crossing over Southern Pacific's double-track main line at Avenue 54. Coachella is ready to proceed with construction of the grade crossing and intends to use on-hand moneys for that purpose. Coachella considers the proposed project essentially to be a realignment (about 600 feet) of an existing private crossing, with addition of automatic protection and dedication to public use.
2. Southern Pacific's main line parallels Highway 111 through the area involved in a northwesterly-southeasterly direction. Avenues 52, 54, and 56 (Airport Boulevard) lie parallel to each other in an east-west direction about a mile apart from each other. Highway 111 and the railroad are substantially diagonal to Avenues 52, 54, and 56. Avenues 52 and 56 cross Highway 111 and the railroad. There are protected grade crossings at each of these two locations. Avenue 54 intersects Highway 111 from the west, but does not cross the railroad. Avenue 54 is a major thoroughfare to the west of the railroad and an improved road to the east.

3. The purpose of the proposed grade crossing is to provide needed public access at Avenue 54 to a newly incorporated area of Coachella on the east side of the railroad which is zoned for industry (Coachella Industrial Park). Coachella's general plan includes further development of the industrial park between Avenues 52 and 54 on the north and south; the railroad on the west; and the Coachella Valley Stormwater Channel (storm channel) on the east. The general plan now contemplates a grade crossing at Avenue 54. Several large plants, principally the feedlot of Transco Land and Cattle, Inc. (Transco), a packing plant, and the food processing plant of Treesweet are now located within the industrial park. In addition, the Coachella Sanitary District sewer treatment facility (sewer plant) is located on the south side of Avenue 54, east of the railroad. Emergency vehicles and trucks bringing chlorine and other essential supplies service the sewer plant. All of these plants, with the exception of Transco, are essentially landlocked in that they have no direct access to Highway 111. The internal road structure within the industrial park is not well-developed. Direct access to Highway 111 is gained only through the private grade crossing at Transco, or by proceeding north through a circuitous route over unimproved roads to Avenue 52, turning left on Avenue 52, and crossing the railroad before turning south or north on Highway 111.
4. Transco's private railroad crossing is located about 600 feet northwesterly of Avenue 54. It is used by trucks, automobiles, and emergency vehicles to gain access to the industrial park and areas to the east of the storm channel. There is no train-activated warning or protection equipment at the Transco private crossing, and Coachella considers that crossing to be dangerous. Exhibit 8 is a letter from the Riverside County fire department. That agency

supports the application because a protected crossing at Avenue 54 would be beneficial when it responds to an incident east of the railroad. The Riverside County fire department considers the Transco private crossing to be very dangerous. Exhibit 9, which is a letter from the Coachella Valley Unified School District to the city manager supporting the application, states that the private crossing has been the scene of several accidents, including fatalities. If a protected public grade crossing is authorized, the private crossing would be permanently closed.

5. The Coachella fire and police departments need alternative entrance routes to the entire area east of Highway 111 and south of Avenue 52, including the area east of the storm channel. The fire department now relies upon the private crossing as an alternative route when answering calls that involve structures, rescue service, and medical aid. Even if all the proposed streets in Exhibit 4 were in place, the fire department would still need an alternative entrance to the area other than Avenues 52 and 56. There have been several instances where the fire department has had to stop and cut the cable or padlock on the Transco private crossing in order to gain rapid access to fires. The police department cannot provide quick response to businesses, facilities, and farms located east of Highway 111 at Avenue 54. Police must use either the Transco private crossing or one of two circuitous routes to and from Avenues 52 or 56. Sometimes pursuit of a suspect is frustrated because the Transco crossing is locked. Police cars have lower clearances than fire vehicles and must stay on paved roads, which further limits access routes over unimproved roads to points in the industrial park.

6. The storm channel crossing east of the industrial park at Avenue 54 is in the bottom of the channel, but is better and more frequently maintained than the ones at Avenues 52 and 56 and therefore is open more often. After a storm, at a time when increased demands are placed upon safety services, the only access across the storm channel may be Avenue 54 because Avenues 52 and 56 may be washed out. In the interest of traffic circulation, Avenue 54 should be accessible directly from Highway 111 over the railroad. Access should not be restricted to unimproved and sometimes impassable dirt roads inside the industrial park.
7. Treesweet now receives 25 to 30 trailerloads of fruit a day, and ships 40 to 50 trailerloads of products a day. Coachella estimates that by 1990 there will be 25,000 daily vehicle movements within the industrial park. A high percentage will be truck and trailer movements. For this traffic to enter and exit over the existing Avenue 52 grade crossing and the internal network of proposed improved roads for the 1990s would require trucks to enter Avenue 52 by turning left across traffic on their return to Highway 111, and making a possible left turn at the traffic light just west of the Avenue 52 crossing. Left-hand turns by trucks would be executed slowly, would block traffic in two or more lanes, and would create an aggravated queuing problem. No matter how wide Avenue 52 may be made at the crossing, it would be congested by truck traffic holding for left-hand turns onto Highway 111. Avenue 52, east of the grade crossing, would be congested by truck traffic attempting to enter Avenue 52 westbound for Highway 111.

8. The congestion and safety problems inherent in mixing a controlled highway signal, a controlled and gated grade crossing, and an uncontrolled intersection with most of the traffic turning left onto Avenue 52 from the industrial park can be avoided by constructing the proposed grade crossing at Avenue 54. That would permit truck traffic to flow through the crossing at Avenue 52 into the industrial park and out by way of Avenue 54. Most of the left-hand turns across or against traffic would be eliminated. The traffic circulation would be safer for the public and faster for the truckers. The proposed crossing at Avenue 54 would contribute to both traffic safety and the efficient use of existing roadways and crossings by reducing the necessity for heavy trucks and trailers to make left-hand turns across traffic to gain access to Highway 111 and Interstate 10.
9. The industrial park is ideally located for many industries. It is close to Interstate 10, has rail access to Los Angeles, Texas, and Kansas, and is located next to Highways 89 and 111 which are direct shipping routes for produce from the Imperial Valley. The development and financial success of the industrial park and of food processing and other firms that are now there and otherwise will locate there will have a direct economic impact upon Coachella and the residents of that city and of Mecca and Thermal who are likely to be employed within the industrial park. Progress and development generally will be held up, or at least delayed, if the proposed crossing is not authorized.

10. The double-track main line now has five crossings in nine miles. Two of these crossings are overhead grade separations. Three of them at Monroe Street, Avenue 52, and Avenue 56 are grade crossings. The track is uncrossed or crossed by a grade separation for at least 3.3 miles from Monroe Street in Indio to Avenue 52 in Coachella. There is adequate space between the Monroe Street grade crossing and the Avenue 52 grade crossing for a complete train to be accommodated without breaking (separating).

Presentation of Southern Pacific

Following is a summary of Southern Pacific's presentation:

1. The proposed grade crossing at Avenue 54 would be unsafe and unnecessary and would have an adverse impact upon the operations of the railroad. Coachella did not address the issue of adverse impact on the railroad. The resulting burden on the railroad would outweigh any prospective benefits of the crossing. The proposed crossing is not needed. In any event, Coachella has options available to it which should be pursued.
2. The railroad is a double-track main line at the site of the proposed grade crossing at Avenue 54. It is a high-speed, high-volume portion of Southern Pacific's system linking Los Angeles to New Orleans. The maximum allowable speed on the westbound track is 70 mph and on the eastbound track it is 65 mph. Many trains along this stretch average 55 mph. The effect of a collision between a high-speed train and a motor vehicle would be total demolition of the motor vehicle. Emergency braking of a train can cause a derailment. Between 20 and 30 through freight and passenger trains pass daily. This number expands up to 35 trains daily during certain times of the year to accommodate certain shippers. This is an average of more than one train per hour.

In addition to the daily through trains, Southern Pacific performs switching operations between Avenues 52 and 56 in the area of the proposed crossing. There also is a potential for increased traffic on the main line due to increased coal shipments, use of the Rock Island line, and increased numbers of cargo containers.

3. Southern Pacific's double-track main line narrows to a single-track main line northeast of Monroe Street in Indio and southeast of Thermal. When trains are meeting or passing, one is required to sit on one of the double tracks to permit the other to go around on its way to the single-track right-of-way at either end. Because there is a sufficient distance of about 12,000 feet between Avenue 52 and Avenue 56, an 8,000- to 10,000-foot train with up to 120 cars and four locomotive units rarely blocks one of these crossings. A crossing at Avenue 54, being in between, would be blocked frequently by standing trains. Motor vehicles would experience substantial numbers of delays, and Southern Pacific would be required to separate trains to allow vehicular traffic to pass. This would cause additional train delay and increased operating costs. There is a Commission rule requiring railroads to separate trains at public crossings after they have been standing 10 minutes. The problems with separating a train are that the air in the braking system must be built up before the train can resume movement; trainmen must exit the train to recouple; some time is lost; the potential for theft and vandalism increases; and there is greater potential for injury to persons around the train.



4. The single-track main line on both ends of the double-track section is on Southern Pacific's Centralized Traffic Control (CTC) system. The double-track section between Monroe Street in Indio and Thermal does not have CTC. The train dispatcher only knows when a train has completed its journey over the double-track section when the CTC signal system is actuated as the result of the train entering the single CTC track. Should the proposed crossing at Avenue 54 be built over the double track, and a problem should occur there, the dispatcher would have to rely on other communication facilities to find out about it. There is nothing in the record to indicate when Southern Pacific will fund and install CTC on the double-track section. The Avenue 54 crossing could be built, but it would be many years before a central dispatcher would have control of the operation of trains along this portion of the railroad.
5. If Coachella's estimate of 25,000 vehicles using the Avenue 54 crossing daily by the year 1995 is correct, then a grade separation should be constructed instead of a grade crossing. This number would mean that almost nine cars and trucks a minute would be crossing over the tracks. During an average 10-minute wait for a train blocking the crossing, there would be 180 vehicles stopped and waiting. Traffic on Highway 111 would be forced to queue up in both directions waiting for an opportunity to cross. It is realistic to picture rush-hour traffic attempting to enter or exit the industrial park with Avenue 54 blocked by a train waiting to go on the single track. In other situations, over-anxious drivers would try to beat the drop gates.

Presentation of Ramirez

Ramirez testified concerning the background of development in the industrial park up to this time. He also explained problems that occur when there is flooding and Avenue 52 has to be closed. His testimony on that subject was substantially the same as that presented by Coachella. He said that since easy access between Highway 111 and existing and prospective industries cannot be guaranteed, some escrows involving new plant sites are being held up.

Discussion

The record is clear that Coachella needs better access to industrial and other properties east of the railroad in the vicinity of Avenue 54. Periodic flooding is a big problem. Avenue 52 and internal roads in the industrial park sometimes are flooded or washed out. The internal roads are not well-developed. Existing and prospective industry, as well as present and future employees, need better access. The Coachella fire and police departments, the Riverside County fire department, and employees working at and supply vehicles servicing the sewer plant also need better access.

The only feasible alternatives to a grade crossing at Avenue 54 would be (1) a rather elaborate grade-separated crossing of both the railroad and Highway 111 at Avenue 54 or (2) a vastly improved road system east of the railroad connecting Avenues 52, 54, and 56. Either of these alternatives would be several times more expensive than a grade crossing. Coachella is quite a small city. It is reasonable to assume it could not afford either alternative.

The proposed grade crossing at Avenue 54 would include installation of the most current grade crossing protection devices available and approved by this Commission to provide the maximum degree of safety, short of construction of a grade separation. In addition, Coachella would be required to install traffic signals at the intersection of Avenue 54 and Highway 111 to be integrated with the train signal circuits. Should Coachella and Southern Pacific be unable to agree on any aspect of the proposed crossing, this proceeding can be reopened to resolve any unsettled issues.

The area involved is zoned for industry on both sides of Avenue 54. On the east side of the railroad the industrial zoning extends northwesterly as far as Avenue 48. The record shows clearly that the industrial park is in need of substantial refurbishment and further development. The proposed crossing can only improve the quality of the environment in the area by assisting Coachella to reach these goals, and by improving traffic circulation, lessening congestion, and reducing the consumption of fuel.

Findings of Fact

1. Coachella seeks authority to construct a protected public grade crossing at Avenue 54 over the Southern Pacific double-track main line that runs between Los Angeles and New Orleans.

2. Coachella is prepared to pay the entire cost of the proposed crossing.

3. There are up to 35 train movements a day along the tracks in the vicinity of Avenue 54.

4. The maximum train speed at Avenue 54 is 70 mph. Many trains operate at 55 mph.

5. The double-track portion of Southern Pacific's main line in the area involved does not have CTC. The single track on both ends of the double track does have CTC.

6. A grade crossing at Avenue 54 could be blocked periodically by trains standing while waiting for other trains to go around, unless trains are parked on the 3.3-mile stretch of double track between Monroe Street and Avenue 52 where there are no grade crossings.

7. There would be some cost to Southern Pacific to break and separate trains if they are left standing across Avenue 54 to permit vehicles to pass in the event of a wait of more than 10 minutes.

8. There now are protected grade crossings at Avenues 52 and 56 which are about one mile on either side of Avenue 54.

9. Should Southern Pacific ever install CTC on the double-track section involved, high-speed trains would be passing each other at protected grade crossings at Monroe Street and at Avenues 52, 54, and 56.

10. The internal road structure within the industrial park east of the railroad between Avenues 52 and 56, on the one hand, and Avenue 54, on the other hand, is not well-developed. Access to the area around Avenue 54, east of the railroad, presently is time-consuming. Access to that area sometimes is not possible due to periodic flooding and washout of Avenue 52 and other roads.

11. The proposed protected grade crossing at Avenue 54 would provide direct public access to existing plants in the industrial park east of the railroad, to the sewer plant, and to farms east of the storm channel.

12. The Transco private grade crossing is about 600 feet northwest of Avenue 54. There is no train-activated warning or protection equipment at the private crossing.

13. There is periodic usage of the Transco private crossing by various persons, including personnel of the Coachella fire and police departments and the Riverside County fire department. The proposed protected grade crossing at Avenue 54 would be of assistance to those agencies in providing safety services to points east of the railroad.

14. The proposed grade crossing would provide for improved traffic circulation in and out of the industrial park which is needed now and which would be needed to accommodate increased numbers of vehicle movements in the future.

15. When there is flooding, Avenue 54 sometimes can be the only route available to cross the storm channel.

16. Construction of a grade-separated crossing of the railroad and Highway 111 at Avenue 54 would not be feasible.

17. Public convenience and necessity require that Coachella be authorized to construct a protected public at-grade crossing at Avenue 54 in accordance with the Commission's General Orders.

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

19. Should Coachella and Southern Pacific be unable to agree on any aspect of the proposed crossing, this proceeding can be reopened to resolve any unsettled issues.

20. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

21. Protection at the crossing should be four Standard 9 automatic gate-type signals (General Order 75-C).

22. All work in connection with construction between lines two feet outside of the rails should be performed under the supervision of the railroad.

23. Southern Pacific should install the automatic protection equipment.

24. The cost of constructing the grade crossing, the cost of the automatic protection equipment, and the cost of installing and maintaining that equipment should be borne by Coachella.

25. It should be the responsibility of Southern Pacific to maintain the grade crossing area between lines two feet outside of the rails, and to maintain the automatic crossing protection.

26. It should be the responsibility of Coachella to maintain the approaches and those portions of the grade crossing not included under Southern Pacific's responsibility specified in Finding 25.

27. Coachella should be required to install traffic signals at the intersection of Avenue 54 and Highway 111 which are integrated with the railroad signal circuits prior to opening the authorized crossing to traffic.

28. The Transco private crossing should be permanently closed upon completion of the authorized protected grade crossing and its opening to traffic.

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

Conclusion of Law

Coachella should be authorized to construct the railroad crossing identified in the foregoing findings of fact in accordance with the ensuing order and its terms and conditions.

O R D E R

IT IS ORDERED that:

1. The City of Coachella (Coachella) is authorized to construct a protected grade crossing over the Southern Pacific Transportation Company's (Southern Pacific) right-of-way at Avenue 54 in accordance with the Commission's General Orders, subject to the conditions specified below, to be identified as Crossing B-616.6.

2. The authorized grade crossing and the automatic crossing protection equipment shall be constructed, installed, and maintained by Southern Pacific at Coachella's entire expense.

3. Coachella shall install traffic signals at the intersection of Avenue 54 and Highway 111 which are integrated with the railroad signal circuits prior to opening the authorized crossing to traffic.

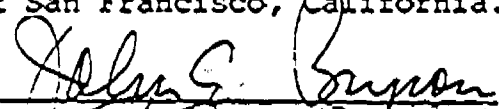
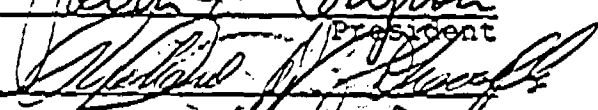
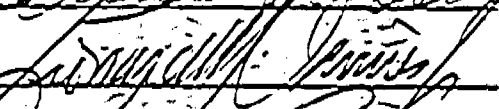


4. The existing private crossing of Transco Land and Cattle, Inc. shall be abandoned and physically closed upon completion of the authorized grade crossing and its opening to traffic.

5. Within 30 days after completion of the authorized grade crossing, Coachella shall notify this Commission, in writing, of that fact and of compliance with the conditions of this decision.

6. The authorization granted shall expire within 3 years after today if not exercised within that time, unless time be extended, or if the above conditions are not complied with. Authorizations may be revoked or modified if public convenience, necessity, or safety so require.

This order becomes effective 30 days from today.

Dated SEP 15 1981, at San Francisco, California.

  
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President  
  
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Commissioners