

PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

June 25, 2003

Agenda ID #2424

TO: PARTIES OF RECORD IN INVESTIGATION 01-07-008

This is the draft decision of Administrative Law Judge (ALJ) Henderson. It will appear on the Commission's July 10, 2003 agenda. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Pursuant to Rule 77.7(f)(8), comments on the draft decision must be filed within ten days of its mailing and no reply comments will be accepted.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's "Rules of Practice and Procedure." These rules are accessible on the Commission's website at <http://www.cpuc.ca.gov>. In addition to service by mail, parties should send comments in electronic form to those appearances and the state service list that provided an electronic mail address to the Commission, including ALJ Henderson at kkh@cpuc.ca.gov. Finally, comments must be served separately on the Assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail, or other expeditious methods of service.

/s/ ANGELA K. MINKIN by PSW
Angela K. Minkin, Chief
Administrative Law Judge

ANG:tcg

Attachment

Decision **DRAFT DECISION OF ALJ HENDERSON** (Mailed 6/25/2003)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Investigation for the purpose of establishing a list for the fiscal years 2002-2003 and 2003-2004 of existing and proposed crossings at grade of city streets, county roads or state highways in need of separation, or projects affecting the elimination of grade crossings by removal or relocation of streets or railroad tracks, or existing separation in need of alterations or reconstruction in accordance with Section 2452 of the Streets and Highways Code.

Investigation 01-07-008
(Filed July 12, 2001)

**FINAL OPINION ESTABLISHING PRIORITY LIST
FOR 2003 – 2004 FISCAL YEAR**

Summary

This Final Order adopts the California Grade Separation Priority List for fiscal year 2003-2004, as required by Streets and Highways Code Section 2452. The 2002-2003 Priority List, established by Decision (D.) 02-06-041, dated June 27, 2002, was revised by the staff to exclude projects that were allocated funds, by California Department of Transportation (Caltrans), under the Grade Separation Program in 2002-2003. This Order also closes Investigation 01-07-008.

Background and Procedural History

By D.02-06-041, dated June 27, 2002, we adopted the State Grade Separation Program Priority List for fiscal years 2002-2003 and 2003-2004. The Priority List established the relative priorities for funding qualified projects to eliminate or alter hazardous highway-rail crossings. Projects for construction of

new grade separations, alteration of existing grade separations, and elimination of highway-rail at-grade crossings by removal or relocation of streets or railroad tracks are included in the Priority List.

Section 190 of the Streets and Highways Code requires the State annual budget to include \$15 million for funding of these projects. Section 2450 *et seq.* of the Code sets out the procedure for administering these funds, and Section 2453 gives the California Transportation Commission (CTC) responsibility for allocating (distributing) the funds to qualified projects. Section 2452 requires that the Commission, by July 1 of each year, establish the Priority List for qualified projects for use by CTC for the new fiscal year.

The Fiscal Year 2003–2004 Priority List

By D.02-06-041, we established a two-year Grade Separation Priority List. Caltrans notified the Commission that the following three projects received allocated funds for fiscal year 2002-2003.

PRIORITY RANK ¹	PROJECT	LEAD AGENCY	RR	PROJECT COST	STATE SHARE
14	Jurupa Road	City of Riverside	UPRR	\$14,000,000	\$6,000,000
38	7 th Standard Road	City of Shafter	BNSF	\$8,199,000	\$5,000,000
52	Mohawk Street	Kern County/City of Bakersfield	BNSF	\$10,231,000	\$5,000,000

¹ Based on index number see D.02-06-041, dated June 27, 2002 Appendix B for details.

Staff prepared the 2003-04 Priority List by removing the above crossings from the 2002-03 Priority List. To meet the July 1 statutory deadline, on June 27, 2003, the Director of the Consumer Protection and Safety Division forwarded to CTC the 2003-04 Priority List as attached to this order.

Assignment of Proceeding

Geoffrey F. Brown is the Assigned Commissioner and Ken K. Henderson is the assigned Administrative Law Judge in this proceeding.

Comments on Draft Decision

In order to adhere to the statutory deadline established in the California Streets and Highway Code as closely as possible, we reduce the comment period on this draft decision to 10 days, pursuant to Rule 77.7(f)(8). No reply comments will be accepted.

Findings of Fact

1. Caltrans informed the Commission that three projects received allocations from the fiscal year 2002–2003 Priority List.
2. Staff revised the list for the second year by excluding projects for which funds were allocated in fiscal year 2002–2003.
3. CTC will use the Priority List to allocate funds to qualified projects in fiscal year 2003-2004.

Conclusion of Law

Appendix A should be adopted by our Final Order as the Fiscal Year 2003-2004 Grade Separation Priority List in this proceeding.

FINAL ORDER**IT IS ORDERED** that:

1. Pursuant to California Streets and Highways Code Section 2452, the Grade Separation Priority List attached as Appendix A is established for fiscal year 2003–2004, in order of priority, of projects which the Commission determines to be most urgently in need of separation or alteration.

2. The Executive Director shall furnish a certified copy of this decision to the California Department of Transportation and the California Transportation Commission.

3. Investigation 01-07-008 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

Grade Separation Priority List I.01-07-008 for Fiscal Year 2003-2004 by Rank

Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	COST	AH/ WC	BD/ HC	VS/ SR	RS/ /AS	CG/ POF	PT/ AP	OF/ DE	TOT SCF/ SF	Final Priority Index
1	City of Los Angeles	Valley Blvd.	B-485.8	746859N	UPRR	25259	70	0	5000	9	5	2	1	12.16	1	10.5	31.7	3567.9
2	Los Angeles County DPW	Valley View Avenue	2-158.4	027657G	BNSF/ SCRRA	35994	129	0	5000	2	2	2	3	0	6	12	36.4	2822.3
3	Los Angeles County DPW	Nogales Street	3-22.4	811479J	UPRR/S CRRRA	50945	45	0	5000	5	2	1	5	10.3	4	12	34.3	2785.4
4	Los Angeles County DPW	Norwalk Blvd/Los Nietos	BBJ-497.28 & 2-153.1	027649P & 027650J	BNSF/ SCRRA	34616	129	0	10000	4	2	3	3	25.8	6	9	48.8	2281.5
5	San Mateo County Transportation Authority	San Bruno Avenue (City of San Bruno)	105E-11.0	754869P 027607D	PCJPB	31546	82	0	5,000	3	1	0	4	30.2	10	8.5	53.7	2123.1
6	City of Los Angeles	North Main Street	101VY-1.17 & 101EB-481.7	811040M	SCRRA	14240	178	0	5000	3	3	1	0	21.52	9	10	44.5	2072.3
7	City of Irvine	Sand Canyon Ave	101OR-182.9	026765A	SCRRA	21244	71	0	5000	5	3	4	7	8	8	9	39	1849
8	Los Angeles County DPW	Fairway Drive	3-23.4	810883N	UPRR/ SCRRA	31891	45	0	5000	5	3	2	5	9.5	4	10	33.5	1755.6
9	San Mateo County Transportation Authority	Linden Avenue (City of South San Francisco)	105E-10.2	754866U	PCJPB	8412	82	0	3000	5	1	0	4	13.2	10	5	33.2	1412.8
10	San Bernardino Associated Governments	University Parkway	2-76.6	026106V	BNSF	15815	96	0	5000	3	4	1	2	11	1	7.5	26.5	1241.1
11	San Joaquin County	West Lane	D-92.8	752897L	UPRR	23774	30	0	5000	7	3	1	2	8.8	2	7.5	25.3	1166.5
12	Los Angeles County DPW	Sierra Hwy	VY-69.33	750604Y	UPRR/ SCRRA	23269	27	0	5000	8	2	3	5	7.8	4	9	30.8	1161.7
13	City of Fresno	Shaw Ave	B-198.5	757316D	UPRR	37476	35	0	5000	3	3	2	4	11.92	0	9	29.9	1079.2
14	City of Ontario	Miliken Avenue	B-525.4	746964P	UPRR	23,229	42	0	5000	4	3	1	4	6	1	7	22	997.6

Grade Separation Priority List I.01-07-008 for Fiscal Year 2003-2004 by Rank

Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	COST	AH/ WC	BD/ HC	VS/ SR	RS/ /AS	CG/ POF	PT/ AP	OF/ DE	TOT SCF/ SF	Final Priority Index
15	San Mateo County Transportation Authority	Poplar Avenue (City of San Mateo)*	105E-17.2-B	754896L	PCJPB	11800	82	0	1000	6	8	0	0.6	4	6	5	29.6	997.2
16	City of Palmdale	Palmdale Boulevard	001B-413.70	750603S	UPRR/ SCCRA	33260	23.8	0	5000	4	2	2	5	9.2	3	9	30.2	821.8
17	City of Montclair	Monte Vista Avenue	B-517.4 & 3- 35.0	746936L & 810896P	UPRR	11638	96	0	5000	2	3	2	5	11	4	4	29	699.3
18	San Mateo County Transportation Authority	Ravenswood Avenue (City of Menlo Park)	105E-29.0	754991G	PCJPB	25090	84	0	10000	2	2	1	5	11.2	10	7	36.2	668.5
19	City of Lathrop	Lathrop Road	4-84.80	833920D	UPRR	12741	38	0	5000	5	5	3	4	7	3	9	31	612
20	Los Angeles County DPW	Avenue S	VY-66.92	750601D	UPRR/ SCRRA	26032	27	0	5000	3	2	5	3	11	4	8	33	595.3
21	Los Angeles County DPW	Turnbull Cyn Road	3-17.2	810867E	UPRR/S CRRA	15141	45	0	5000	3	3	1	5	10.56	4	5.5	29.1	574.1
22	City of Bakersfield	Beale-Truxton-Baker	2-885.6 2- 885.75 2-885.77 2-885.95 2- 886.2 2-886.4	028281T 028283G 028284N 028285V 028288R 028289X	BNSF	19864	52	0	14812	6	1	3	0	53.4	0	6.5	63.9	552
23	Los Angeles County DPW	Bandini Blvd.	3A-3.4 & 2- 147.1C	810924R	UPRR/ LAJR	23195	30	0	5000	2	2	2	5	10.9	2	6	27.9	445.4
24	City of Los Angeles	North Spring Street*	101VY-1.36A & 101EB-481.48A	027606W &811042B	SCRRA	17,71 3	117	0	5000	10	0	5	0	4	4	3	26	440.5
25	City of Lathrop	Lathrop Road	D-82.1	752781K	UPRR	12741	25	0	5000	4	5	3	4	11	2	9	34	352.5
26	City of San Jose	Bailey Avenue	E-64.0	755148T	UPRR	6424	20	0	5018	10	1	3	6	20.2	3	7	40.2	321.9
27	City of Rancho Cucamonga	Haven Avenue	101SG-41.1	026157F	SCRRA	38,42 8	36	0	5000	0	5	4	6	7	6	9	37	313.7
28	County of	Bellegrave	3-47.10 & 3-	810977P	UPRR	13214	49	0	20000	7	2	3	4	20.6	4	9	42.6	301.6

Grade Separation Priority List I.01-07-008 for Fiscal Year 2003-2004 by Rank

Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	COST	AH/ WC	BD/ HC	VS/ SR	RS/ /AS	CG/ POF	PT/ AP	OF/ DE	TOT SCF/ SF	Final Priority Index
	Riverside- Transportation	Ave/Rutile Street	47.30	& 810978W														
29	City of Camarillo	Adolfo Road	E-417.9	753765E	UPRR	18019	39	0	5400. 22	1	3	2	4	7	4	5	25	285.3
30	San Bernardino Associated Governments	Hunts Lane	B-541.0	747168J	UPRR	14716	41	0	5000	1	5	3	3	8	1	5.5	25.5	266.8
31	San Mateo County Transportation Authority	25th Avenue (City of San Mateo)	105E-19.7	754910E	PCJPB	12625	82	0	5000	0	1	1	5	11.6	10	9.5	38.1	245.2
32	City of Santa Clarita	Golden Valley Road	Proposed	Proposed	SCRRA	44000	25	0	5000	0	2	5	5	2	4	6	24	244
33	Tehama County Public Works	Aramayo Way	C-210.1	762275L	UPRR	5172	21	0	3228. 28	5	3	5	1	8.6	1	6	24.6	226.5
34	City of Fremont	Paseo Padre Pkwy, High St, Main St, Washington Blvd	DA-32.1&4G- 2.6,SA- 32.65,DA- 32.7,DA- 32.8&4G-3.2	750056N& 833878G, 750057V, 750058C, 750059J& 833879N,	UPRR	62178	14	0	5000	0	5	1	0	30.1	0	8	45.1	219.2
35	San Bernardino County	Glen Helen Pkwy	BB-480.1 & 2- 71.0	747017U & 026103A	UPRR & BNSF	2280	99	0	5000	3	5	5	2	11.72	2	4	29.7	210.3
36	Kern County	Olive Drive	B-308.9	756945M	UPRR	18200	44	0	5000	0	3	3	4	7.6	0	7	24.6	184.8
37	City of Fremont	Warren Avenue	DA-36.2 & 4G- 6.7	750073E& 833885S	UPRR	13388	17	0	5000	2	5	0	1	13	0	7	26	162.6
38	San Bernardino County	National Trails Hwy @Oro Grande*	2-30.6B	new	BNSF	6391	86	0	5000	6	8	5.9	3	8	6	0	36.9	146.8
39	Santa Clara Valley Transportation Authority	Hamilton Ave/Creekside Way	1L-50.0	750165S	VTA/UPR R	70000	6	210	5000	0	1	1	0	5.7	10	14	31.7	145.1
40	City of Camarillo	Las Posas Road	E-419.0	912013V	UPRR	18046	39	0	6121. 36	0	3	3	4	7	4	5	26	141

Grade Separation Priority List I.01-07-008 for Fiscal Year 2003-2004 by Rank

Rank	Agency	Crossing Location	PUC ID	DOT ID	Railroad	VEH	TRN	LTRN	COST	AH/ WC	BD/ HC	VS/ SR	RS/ /AS	CG/ POF	PT/ AP	OF/ DE	TOT SCF/ SF	Final Priority Index
41	Los Angeles County DPW	El Segundo Blvd.	BBH-492.6	747868R	UPRR/LA CMTA	15452	2	232	5000	2	1	1	2	12	10	11	37	77
42	City of Bakersfield	Q Street	B-311.8	757241G	UPRR	7175	36	0	5000	0	4	1	3	10.6	0	5	23.6	75.3
43	City of Bakersfield	Hageman Street	2-893.5B	Proposed	BNSF	15000	6	0	1545	0	3	5	0	3.5	0	4	15.5	73.7
44	Tehama County Public Works	South Avenue	C-202.3	762257N	UPRR	5244	21	0	3228. 28	0	3	5	5	5	2	7	27	61.1
45	Tehama County Public Works	Bowman Road	C-238.3	762306H	UPRR	4418	21	0	2939. 02	0	2	5	5	6.8	1	5	24.8	56.4
46	Los Angeles County DPW	Firestone Blvd	3A-7.8	810958K	UPRR	67517	2	0	5000	0	2	1	0	10	0	12	25	52
47	City of Vista	Vista Village Drive, Main St, Guajome St	106E-9.15, 9.2 & 9.6	917847T,0 27566B,0 27568P	SDNR/ NCTD	34934	1	0	20,00 0	3	4	2	0	23.5	0	10.5	40	47
48	Tehama County Public Works	San Benito Ave (Rivera)	C-215.8	762283D	UPRR	3666	21	0	3534	0	2	5	4	5.6	1	5	22.6	44.4
49	Los Angeles County DPW	Flores Street	3A-9.7	Proposed	UPRR	10850	13	0	5000	0	2	1	0	3.1	2	3	11.12	39.3
50	Los Angeles County DPW	Slauson Avenue	BBH- 487.42&2H-2.83	747839F & 027952L	UPRR/B NSF/LAC MTA	31396	2	0	5000	0	3	1	0	9	0	11	24	36.6
51	City of Vista	Escondido Avenue	106E-10.1	027569W	SDNR/ NCTD	42390	1	0	5000	0	4	1	0	8.6	0	7.5	21.1	29.6
52	City of Vista	N. Melrose Drive	106E-7.5	026993M	SDNR/ NCTD	23573	1	0	5000	0	0	3	0	9	0	8.5	24.5	29.2
53	City of Vista	Mar Vista Drive	106E-11.2	027570R	SDNR/ NCTD	7999	1	0	5000	0	4	1	0	9.9	0	5	19.9	21.5

Grade Separation Priority List I.01-07-008 for Fiscal Year 2003-2004 by Rank

Note: VEH- Vehicle, TRN – Train, LTRN – Light Rail Trains, COST – Project Cost

Formula For Crossing Nominated For Separation Or Elimination:

AH – Accident History

BD – Crossing Blocking Delay

VS – Vehicular Speed Limit

RS – Rail Speed Limit

CG – Crossing Geometrics

PT – Passenger trains

SCF- Special Conditions Factor

OF-Other Factors (Passenger Buses, School Buses, Hazmat Trains/Trucks, Community Impact)

**Formula For Existing Separations Nominated For Alteration or Reconstruction:*

WC – Width Clearance

HC-Height Clearance

SR – Speed Reduction

AS – Accidents Near Structure

POF – Probability of Failure

AP – Accident Potential

DE – Delay Effects

SF - Separation Factor

Railroad Abbreviations:

BNSF: The Burlington Northern Santa Fe Railroad Company

LACMTA: Los Angeles County Metropolitan Transportation Authority

LAJR: Los Angeles Junction Railroad

NCTD: North (San Diego) County Transit Development Board

PCJPB: Peninsula Corridor Joint Powers Board (Caltrain)

SCRRA: Southern California Regional Rail Authority (Metrolink)

SDNR: San Diego Northern Railway (Coaster)

UPRR: Union Pacific Railroad Company

VTA: Santa Clara Valley Transportation Authority

(END OF APPENDIX A)