

Decision 02-11-018 November 7, 2002

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Alameda Corridor-East Construction Authority for authority to relocate the Mission Drive grade crossing over Union Pacific Railroad Company's Alhambra subdivision main line, to eliminate an acute skew angle grade crossing, in the City of San Gabriel, County of Los Angeles.

Application 01-12-035
(Filed December 27, 2001)

O P I N I O N

Summary

Alameda Corridor – East Construction Authority (ACE) requests authority to relocate the existing Mission Drive at-grade crossing approximately 190 feet easterly along Union Pacific Railroad Company's (UP) Alhambra Subdivision main line track in the City of San Gabriel, Los Angeles County.

Discussion

ACE is the joint powers authority created in 1998 by the San Gabriel Valley Council of Governments. ACE, with a governing board to include representatives from Cities of El Monte, Industry, Montebello, Pomona, and San Gabriel, and County of Los Angeles, was formed to implement a comprehensive railroad corridor improvement program to address existing safety and mobility issues and respond to major anticipated increase in rail traffic along and vehicular traffic across two UP main lines: the Los Angeles Subdivision and the Alhambra Subdivision.

The ACE improvement projects are related to the Alameda Corridor Project which provides rail service of to and from the Port of Los Angeles and Long Beach. ACE projects include various safety improvements at 54 public grade crossings, including the elimination of 20 grade crossings through construction of grade separations.

As part of its Phase 1 “Jump Start” grade crossing improvement project, ACE proposes to relocate the existing Mission Drive at-grade crossing about 190 feet easterly along the Alhambra Subdivision in San Gabriel, Los Angeles County. The centerline of the existing roadway intersects the UP track at a 62-degree angle of skew. The relocation will reduce hazards associated with very skewed, acutely angled grade crossings of streets with railroads by improving motorists’ sight-line visibility, and reducing the potential of motorists on small wheeled-vehicles to be trapped in the flangeway, resulting in a loss of steering control. Upon the opening of the new Mission Drive at-grade crossing, the existing crossing at railroad milepost 490.30 will be closed.

The existing railroad warning devices at this crossing include two Standard No. 9 automatic gate-type signals (Commission General Order (G.O.) 75-C). The proposed railroad warning devices at the new crossing are four Standard No. 9 automatic gate-type signals, of which two Standard No. 9s will be mounted on new raised island medians and two Standard No. 9s on the shoulders.

Additionally, the existing northwest –bound Standard No. 9 signal (southeast of the tracks) has an adjacent vehicular traffic signal, electrically interconnected and synchronized with traffic signals on the other side of the track area at the Mission Drive – Junipero Serra Drive street-street intersection. This existing adjacent traffic signal faces northwest-bound along Mission Drive

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which motorists see upstream of the tracks as they enter the grade crossing. This upstream signal shows the same aspect (red, yellow, or green) as the traffic

signals facing these motorists at the downstream street-street intersection. All of these existing traffic signals are electronically interconnected to the grade crossing warning signal control system to provide railroad preemption of the traffic signals. Railroad preemption of adjacent traffic signals coordinates both systems to avoid presenting conflicting aspects to motorists.

The Mission Drive relocation project will include installation of a similarly situated upstream traffic signal. The phasing relationship between the upstream signal and the downstream intersection signal will be improved, to further encourage motorists stopped for a red light to wait outside of the railroad track area. The project will also include full signalization of the new Mission Drive-Junipero Serra Drive street-street 'T'-intersection and railroad preemption of these traffic signals. Additionally, the new downstream traffic signals will include both left- and right-turn arrows to provide fully protected movements out of the track area upon initiation of railroad preemption.

The MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS (1988 Edition), published by the United States Department of Transportation Federal Highway Administration, states, "When highway intersection traffic control signals are within 200 feet of a grade crossing, control of the traffic flow should be designed to provide the vehicle operators using the crossing a measure of safety at least equal to that which existed prior to the installation of such signals." Since the adjoining traffic signals are within 200 feet of Mission Drive Crossing, ACE is justified in installing traffic signals at the crossing, thereby precluding motor vehicles from queuing across the railroad tracks during daily peak hours.

Commission G. O. 75-C, Section 7.10 ("Traffic Signals Near Grade Crossings.") states, "At some street and highway intersections, railroad tracks

pass in or near the intersection and are protected by traffic signals. At such intersections preemption of the traffic signals by the railroad signals to avoid conflicting aspects of the traffic signals and the railroad crossing signals should be provided.” Consequently, to avoid conflicting aspects between the traffic signals and activated railroad crossing signals at Mission Drive crossing, traffic signal preemption will be provided at the intersection of Mission Drive at Junipero Serra Drive by actuated railroad crossing signals.

The California Department of Transportation (Caltrans) is the lead agency for the project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resource Code Section 21000 et. seq. On April 21, 2000, Caltrans determined that the project is categorically exempt under CEQA (CEQA Guideline Section 15061 (b) (3)). Caltrans also determined that this project was exempt under the National Environmental Protection Act (NEPA) guidelines on April 21, 2000. On April 25, 2000, the Federal Highway Administration (FHWA) determined that this project was properly classified as a categorical exclusion.

The Commission is a responsible agency for this project under CEQA. CEQA requires that the Commission consider that portion of the environmental consequences of a project within its area of expertise that is subject to its discretionary approval. In particular, to comply with CEQA, a responsible agency must consider the lead agency’s Environmental Impact Report or Negative Declaration prior to acting upon or approving the project (CEQA Guideline Section 15050 (b)). The specific activities that must be conducted by a responsible agency are contained in CEQA Guideline Section 15096.

The Commission has reviewed the lead agency Categorical Exemption/Categorical Exclusion determination. We find the CEQA Categorical Exemption and NEPA Categorical Exclusion documents are adequate for our

decision making purposes. We are not aware of any information which would suggest Caltrans' and FHWA's exemption/exclusion classifications was inappropriate in this instance. We adopt the determination of exemption/exclusion for purposes of our approval.

The site of the project has been inspected by the Commission's Consumer Protection and Safety Division — Rail Crossings Engineering Section staff. Staff examined the need for and the safety of the proposed at-grade crossing relocation and recommends that the application be approved.

The application was found to be in compliance under the Commission's filing requirements, including Rule 39 of the Rules of Practice and Procedure, which relates to the widening, relocation or otherwise alteration of an existing crossing. A site map of the grade crossings is as shown on plans attached to the application and Appendix A.

In Resolution ALJ 176-3079, dated January 10, 2002, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. Since no hearings were held, this preliminary determination remains accurate. The Commission's Consumer Protection and Safety Division recommends that this application be granted. Given these developments, public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176 -3079.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day effective period for public review and comment is being waived.

Findings of Fact

1. Notice of the application was published in the Commission Daily Calendar on January 2, 2002. No protests have been received. A public hearing is not necessary.

2. ACE requests authority, under Public Utilities Code Sections 1201-1205, to relocate the existing Mission Drive at-grade crossing across UP's Alhambra Subdivision main line track in San Gabriel, Los Angeles County. Upon the opening of the new Mission Drive at-grade crossing, the existing crossing at railroad milepost 490.30 will be closed.

3. The proposed crossing relocation will serve public need by providing a safe access route across the railroad track.

4. Public convenience, necessity and safety require the relocation of Mission Drive at-grade crossing.

5. Caltrans is the lead agency for this project under CEQA, as amended. On April 21, 2000, Caltrans determined that this project was exempted under both CEQA and NEPA. The FHWA determined that this project was properly classified as a categorical exclusion on April 25, 2000.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Categorical Exemption/Categorical Exclusion determination.

7. The Commission finds that the CEQA Categorical Exemption and NEPA Categorical Exclusion documents are adequate for our decision making purposes and we adopt these determinations for purposes of our approval.

Conclusions of Law

1. This order should be effective immediately as ACE wishes to commence construction of the project at the earliest possible date

2. The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. Alameda Corridor – East Construction Authority (ACE) is authorized to relocate the Mission Drive at-grade crossing, to be identified as CPUC Crossing No. B-490.35, approximately 190 feet easterly along Union Pacific Railroad Company's (UP) Alhambra Subdivision main line track in San Gabriel, Los Angeles County. Upon the opening of the new Mission Drive at-grade crossing, the existing crossing at railroad milepost 490.30 will be closed.

2. Clearances shall be in accordance with General Order (G.O.) 26-D and walkways shall conform to G.O. 118.

3. Protection at the Mission Drive crossing shall be four Standard No. 9 automatic gate-type signals (G.O. 75-C), two mounted on the shoulders and two mounted on raised island medians.

4. Construction and maintenance of the crossing shall be in accordance with the provision of G.O. 72-B.

5. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between parties. A copy of the agreement, together with plans of the project approved by UP, shall be filed with the Commission by ACE prior to construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

6. Within 30 days after completion of the work under this order, ACE shall notify the Commission in writing that the authorized work was completed.

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

8. The application is granted as set forth above.

9. Application 01-12-035 is closed.

This order is effective today.

Dated November 7, 2002, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
CARL W. WOOD
GEOFFREY F. BROWN
MICHAEL R. PEEVEY
Commissioners



GENERAL NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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100% SUBMITTAL
ALAMEDA CORRIDOR-EAST
CONSTRUCTION AUTHORITY
GRADE CROSSING SAFETY IMPROVEMENT PROJECT
 EMISSION DRIVE - CITY OF ALAMEDA
 CIVIL ENGINEER: JAMES H. HARRIS
 CPUC CROSSING NO. 0018 - 480-38

NO.	DESCRIPTION	DATE	BY
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 DRAWN BY: **JPH**
 CHECKED BY: **JPH**
 APPROVED BY: **JPH**
 WORKING TITLE: **ISSUED FOR PERMIT**

