

Decision 06-12-028 December 14, 2006

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Riverside for an order authorizing the City to construct a grade separation at the Jurupa Avenue railroad crossing and closure of Mountain View Avenue at the railroad crossing. The concerned tracks are the property of the Union Pacific Railroad Company located in the City of Riverside, Riverside County, State of California.

Application 02-05-043
(Filed May 16, 2002;
Petition for Modification filed
July 10, 2006; Amended
October 23, 2006)

ORDER MODIFYING DECISION 02-11-013

Summary

By a Petition for Modification filed July 10, 2006, and amended on October 23, 2006, the City of Riverside (City) requests authority to modify Decision (D.) 02-11-013, whereby the Commission granted authority to the City to construct Jurupa Avenue grade-separated highway-rail crossing under Union Pacific Railroad Company's (UP) Los Angeles Subdivision Main Line tracks (underpass). The Petition for Modification requests authorization to construct a temporary at-grade crossing at a proposed detour road (temporary detour crossing), which will be constructed to divert traffic from the existing Jurupa Avenue at-grade highway-rail crossing (crossing) during construction of the underpass.

Discussion

The City filed Application (A.) 02-05-043 on May 16, 2002 to request authority to construct the underpass at the location of the existing Jurupa

Avenue crossing, and to close the existing Mountain View Avenue crossing of UP's Los Angeles Subdivision Main Line. The Commission granted the City's request on November 7, 2002 by D.02-11-013. On October 26, 2005 City requested a time extension to exercise the authority granted by D.02-11-013. Resolution TED-207, issued on December 2, 2005, granted the City an extension of time from November 7, 2005 to November 7, 2008.

The City filed the Petition for Modification of D.02-11-013 on July 10, 2006 to request authority to construct the temporary detour crossing, which will be located at Mile Post 53.20 at UP's tracks. The temporary detour road crossing was shown in the plans attached to A.02-05-043 as Appendix B, however it was inadvertently omitted from the text portion of the application. The plans attached to the application only showed the proposed temporary detour crossing, but did not show the details of the crossing (such as the type of warning devices).

The Commission reviewed the City's Mitigated Negative Declaration (MND) for the grade-separated crossing at the time it reviewed the City's Application, and determined it was adequate for CPUC decision-making purposes. Although the Application did not describe the temporary crossing modifications, the MND considered environment impacts of the entire project, including the temporary detour crossings, and D.02-11-013 found the MND adequate for the Commission's decision-making purpose.

City filed an amendment to the Petition for Modification on October 23, 2006, to provide the following additional information:

(A) In addition to W10-1 advance railroad crossing warning signs (as described in the California Manual on Uniform Traffic Control Devices, published by the California Department of Transportation) shown in the Petition

for Modification, a second set of W10-1 signs with yellow flashing beacons will be installed on further approaches to the temporary detour crossing;

(B) Median delineators, extending a minimum of 100 linear feet, will be installed along the roadway centerline on each side of the proposed temporary detour crossing during each phase of rail operations. During the various phases of the project certain tracks will be made active and certain will be made inactive. The delineators will be installed, and moved as necessary, such that they extend the proper distance from the active tracks (typically 12-ft from the centerline of nearest active track); and

(C) City will take appropriate action to require construction flaggers to pay close attention to any queuing on the tracks, and if necessary, stop vehicles from entering the temporary detour crossing to prevent vehicle queues building over the active tracks.

Upon the completion of the temporary detour road and its opening to vehicular traffic, the City and UP will permanently close and physically remove the existing Jurupa Avenue at-grade crossings. Upon the completion of the Jurupa Avenue underpass and its opening to vehicular traffic, the City and UP will permanently close and physically remove the temporary detour crossing and Mountain View Avenue at-grade crossing.

The temporary detour crossing will include three existing UP tracks and three proposed temporary detour (shoofly) tracks. The centerline of the proposed west UP shoofly track will be located 25 feet east of the centerline of the existing east UP track. The warning devices at the temporary detour crossing will consist of four Commission Standard No. 9s (flashing light signal assemblies with an automatic gate, as defined in General Order (GO) 75-D) at the four following locations as shown in the Appendix attached to the order: (1) east of

the proposed east shoofly track on the westbound temporary detour road, (2) west of the existing west UP track on the eastbound temporary detour road, (3) between the existing east UP track and west of the proposed west shoofly track on the eastbound temporary detour road, and (4) between the existing east UP track and west of the proposed west shoofly track on the westbound temporary detour road. Only certain warning devices will be operational during each of the following four train operation phases:

1. Phase I (Shoofly Track Construction Completed): During Phase I, which will occur for a period of two to three weeks, trains may operate on any of the existing UP tracks and proposed UP shoofly tracks. Only warning devices at locations 1 and 2 above will be operational to preclude the queuing of vehicles in both directions of the temporary detour road within the crossing. Warning devices at locations 3 and 4 above, if they are installed, will be inactive.
2. Phase II (Railroad Bridge Construction): During Phase II, which will have duration of approximately six months, trains may operate only on the proposed UP shoofly tracks. The three existing UP tracks will be out-of-service. Only warning devices at locations 1 and 3 above will be operational to preclude the queuing of vehicles in both directions of the temporary detour road within the crossing. Warning devices at locations 2 and 4 above will be inactive.
3. Phase III (Shoofly Removal): Phase III will occur following the completion of the railroad bridge and will have duration of approximately two to three weeks. Trains may operate on any of the tracks to allow shifting of operations from the shoofly tracks back to the existing UP tracks. Only warning devices at locations 1 and 2 above will be operational. Warning devices 3 and 4 will be inactive.

4. Phase IV (Jurupa Ave Under Bridge Construction): Phase IV will occur after the train operations have been fully switched back to the existing UP tracks and will have duration of approximately three months. The three proposed UP shoofly tracks will be out-of-service. Trains will operate only on the existing UP tracks. Only warning devices at locations 2 and 4 will be operational to preclude queuing of vehicles in both directions of the temporary detour road within the crossing. Warning devices 1 and 3 will be inactive and may be removed.

On October 11, 2006, the Commission's Consumer Protection and Safety Division-Rail Crossings Engineering Section (RCES) participated in a field diagnostic review meeting with representatives of the City and UP to discuss the warning devices at the proposed temporary detour crossing. In addition to UP freight trains, Southern California Regional Rail Authority (SCRRA) operates Metrolink commuter trains and the National Passenger Railroad Corporation operates Amtrak passenger trains on this railroad line. SCRRA was unable to attend the meeting, however after the meeting RCES contacted SCRRA and discussed the agreements at the meeting. SCRRA concurred with them.

The following are the items discussed at the diagnostic review meeting:

- The temporary detour crossing will be in use for six to eight months.
- The posted vehicular speed limit at the existing Jurupa Avenue crossing is 45 MPH.
- The vehicular speed limit on the temporary detour road will be 25 MPH.
- The current Jurupa Avenue crossing has four traffic lanes (two lanes in each direction).

- The temporary detour road will have two lanes (one lane in each direction).
- The current Jurupa Avenue crossing is rated at Level of Service A.
- The current average daily traffic (ADT) count on Jurupa Avenue is 13,700. The count was taken in August 2006.
- The temporary detour can support an ADT of 18,000.
- The current train count includes 37 UP freight trains with a speed limit of 60 MPH, and 37 Metrolink commuter trains and 2 Amtrak trains with a speed limit of 79 MPH.
- During the construction period, all train speeds will be restricted to 45 MPH.
- There currently are three railroad tracks at the crossing.
- During construction, there will be six tracks. However, all six tracks will be active only during a three-week to four-week period. During the rest of the time, either only the existing three tracks or the temporary three shoofly tracks will be active.
- There will be construction flaggers during the construction period. Railroad flaggers will be used only when work is being done on or near the tracks.
- The intersection of a local street and Jurupa Avenue to the east of the temporary detour crossing will be eliminated before the opening of the temporary detour crossing.
- Street lighting will be provided at the temporary detour crossing.
- Considering the distance (over a maximum of six tracks) a vehicle must travel to clear the crossing, automatic warning devices must be activated with a sufficient amount of time in advance of the arrival of a

train. A vehicle that has just passed the railroad Stop line must be able to clear the crossing before a train enters the temporary detour crossing. UP has taken the appropriate steps to address this concern.

- The City will provide enhanced law enforcement (policing) at the temporary detour crossing to discourage unsafe maneuvers.

City, in its Amendment to its Petition to Modify, states that due to time constraints relating to start of the project construction, it requests a waiver of any additional 30-day period for public review and comment that may be triggered as a result of the filing. 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 period for public review and comment is being waived.

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. The Petition for Modification of D.02-11-013 was published in the Commission's Daily Calendar on July 17, 2006. No protests have been received. A public hearing is not necessary.

2. The City filed an Amendment to the Petition for Modification on October 23, 2006, to provide additional information.

3. The automatic warning devices at the temporary detour crossing will consist of four Commission Standard No. 9s installed at locations as described in the Discussion section and shown in the plans in the Appendix attached to the order.

4. Upon the completion of the temporary detour crossing and its opening to vehicular traffic, the City and UP will permanently close and physically remove the existing Jurupa Avenue at-grade crossing.

5. Upon the completion of the Jurupa Avenue underpass and its opening to vehicular traffic, the City and UP will permanently close and physically remove the temporary detour crossing and the existing Mountain View Avenue at-grade crossing.

6. The City's MND considered environment impacts of the entire project, including the temporary detour crossing.

Conclusion of Law

1. The City's request to modify D.02-11-013 should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that Decision (D.) 02-11-013 shall be modified as follows:

1. The City of Riverside (City) is authorized to construct a highway-rail crossing of a new temporary detour road and Union Pacific Railroad Company's (UP) Los Angeles Subdivision Main Line (detour road crossing), which will include three existing mainline tracks and three temporary (shoofly) tracks, identified as CPUC Crossing No. 003-53.20, at the location and substantially as shown by the plans attached to the Petition for Modification and the Appendix of this order.

2. The warning devices at the temporary detour crossing shall consist of four Commission Standard No. 9s (flashing light signal assemblies with an automatic gate, as defined in Commission General Order (GO) 75-D) and installed at the locations described in the Discussion section and shown in the plans in the Appendix of this order.

3. The warning devices shall be operational during various phases of the project as described in the Discussion section of the order.

4. The City shall install a W10-1 advance railroad crossing warning sign (as described in the California Manual on Uniform Traffic Control Devices, published by the California Department of Transportation) on both approaches to the temporary detour crossing, and an additional set of W10-1 signs with active yellow flashing beacon in advance of the first set of W10-1 signs . The location of second set of W10-1 signs (with the active yellow flashing beacons) shall be determined by the City.

5. The City shall install median delineators, extending a minimum of 100 linear feet, along the roadway centerline on each side of the proposed temporary detour crossing during each phase of rail operations. During the various phases of the project certain tracks will be made active and certain will be made inactive. The delineators shall be installed, and moved as necessary, such that they extend the proper distance from the active tracks (typically 12-ft from the centerline of nearest active track).

6. City shall take appropriate action to require construction flaggers to pay close attention to any queuing on the tracks, and if necessary, stop vehicles from entering the crossing to prevent vehicle queues building over the active tracks. If necessary, City shall make arrangements to provide railroad flaggers.

7. Upon the completion of the temporary detour crossing and its opening to vehicular traffic, City and UP shall permanently close and physically remove, including all warning devices, the existing Jurupa Avenue at-grade highway-rail crossing, identified as CPUC Crossing No. 003-53.10.

8. Upon the completion of the Jurupa Avenue grade-separated highway-rail crossing, under UP's Los Angeles Subdivision Main Line tracks, and its opening

to vehicular traffic, City and UP will permanently close and physically remove, including all warning devices, the temporary detour crossing, and Mountain View Avenue at-grade crossing identified as CPUC Crossing No. 003-53.30.

9. City and UP shall comply with all applicable rules, including Commission General Orders and the California Manual on Uniform Traffic Control Devices.

10. Within 30 days after opening the temporary detour road crossing to vehicular traffic and closing the existing Jurupa Avenue at-grade crossing, UP shall notify the Commission's Rail Crossing Engineering Section (RCES), by submitting a completed Commission Standard Form G titled *Report of Changes at Highway Grade Crossings and Separation*.

11. Within 30 days after closing temporary detour road crossing and Mountain View Avenue at-grade crossing, UP shall notify RCES by submitting a completed Commission Form G.

12. In all other respects, D.02-11-013 shall remain in full force and effect.

13. The Petition for Modification and amendment are granted as set forth above.

14. Application 02-05-043 is closed.

This order becomes effective 30 days from today.

Dated December 14, 2006, at San Francisco, California.

MICHAEL R. PEEVEY
President
GEOFFREY F. BROWN
DIAN M. GRUENEICH
JOHN A. BOHN
RACHELLE B. CHONG
Commissioners

