

ORIGINAL

Decision 84 11 108

NOV 21 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the CITY OF LOS ANGELES )  
acting through its Board of Harbor )  
Commissioners to construct a private )  
street over the tracks and property of )  
the UNION PACIFIC RAILROAD COMPANY, a )  
corporation, on Terminal Island in the )  
COUNTY OF LOS ANGELES, STATE OF )  
CALIFORNIA. )

Application 83-12-16  
(Filed December 8, 1983)

O P I N I O N

As part of a project for improvement of Berths 218-221 at Indies Terminal by the Port of Los Angeles, the City of Los Angeles (City), requests authority to relocate New Dock Street at grade across Union Pacific Railroad Company's (UP) tracks in the Terminal Island area of Los Angeles, Los Angeles County.

The project consists of wharf and backland improvements at Berths 218-221 at Indies Terminal on Terminal Island to increase the efficiency of cargo handling and transport. The improvements include widening of an existing wharf and construction of a new wharf. A new entrance to Indies Terminal will be constructed off North Ocean Avenue or realigned New Dock Street.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code Sections 21000, et seq. After preparation and review of an Initial Study, City issued a Negative Declaration

and approved the project. On December 13, 1983, a Notice of Determination was filed with the Los Angeles County Clerk which found that the "Project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Initial Study and Negative Declaration. The site of the proposed project has been inspected by the Commission staff.

Notice of the application was published in the Commission's Daily Calendar on December 14, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities (PU) Code Sections 1201-1205 to relocate New Dock Street at grade across UP's tracks in the Terminal Island area of Los Angeles, Los Angeles County.

2. Realignment of New Dock Street and relocation of the crossing are required to provide safe and convenient access to wharf and backland improvements in the Indies Terminal Area of the Port of Los Angeles.

3. Public convenience, necessity, and safety require relocation of the New Dock Street grade crossing.

4. Public safety requires that protection at the crossing be two Standard No. 8-A automatic flashing-light signals with cantilevers (General Order (GO) 75-C).

5. Pending installation of the automatic flashing-light signals, the requirements of public safety at the crossing may be met by the installation of two Standard No. 1-R crossing signs (GO 75-C) and flagging of the crossing.

6. Upon completion of the new grade crossing and its opening to vehicular traffic, the existing New Dock Street grade crossing should be closed and physically removed.

7. City is the lead agency for this project under CEQA, as amended.

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

9. The project will have no significant impact on the environment.

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. The City of Los Angeles (City), is authorized to relocate New Dock Street at grade across Union Pacific Railroad Company's (UP) tracks in the Terminal Island area of Los Angeles, Los Angeles County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 3A-25.75-C.

2. Construction of the crossing shall be equal or superior to Standard No. 1 of GO 72-B.

3. Clearances shall conform to GO 26-D. Walkways shall conform to GO-118.

4. Protection at the crossing shall be two Standard No. 8-A automatic flashing-light signals with cantilevers (GO 75-C).

5. For a period not to exceed one year from the date of this order, protection at the crossing may be two Standard No. 1-R crossing signs (GO 75-C). No on-rail vehicle shall operate over the crossing unless it is first brought to a stop and traffic on the street protected by a member of the crew, or other competent employee of the railroad, acting as flagman. The flagman shall place a minimum of two fusees on each side of the track prior to entry of the on-rail vehicle into the crossing.

6. Written instructions shall be issued by UP to trainmen, operating over the crossing, to comply with the flagging instructions. A copy of the instructions shall be filed with the Commission within 30 days after installation of the crossing. Suitable signs shall be installed on both sides of New Dock Street calling the attention of trainmen to the flagging instructions.

7. Construction expense of relocating the New Dock Street crossing shall be borne by City.

8. Installation cost of the automatic protection shall be borne in accordance with an agreement to be entered into between the parties. Should the parties fail to agree, the Commission will apportion the cost of installing the automatic protection by further order.

9. Maintenance of the crossing shall conform to GO 72-B. Maintenance cost of the automatic protection shall be shared equally by City and UP under PU Code Section 1202.2.

10. Construction plans of the crossing, approved by UP, together with a copy of the agreement entered into between the parties, shall be filed with the Commission prior to commencing construction.

11. Upon completion of the relocated crossing and its opening to vehicular traffic, the existing New Dock Street grade crossing, Crossing 3A-25.87-C, shall be closed and physically removed.

12. Within 30 days after completion of the work under this order, City shall advise the Commission in writing that the authorized work has been completed.

13. The application is granted as set forth above.

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.

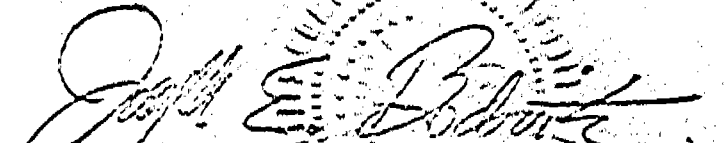
This order becomes effective 30 days from today.

Dated NOV 21 1984, at San Francisco, California.

FRISCILLA C. GREW  
DONALD VIAL  
WILLIAM T. BAGLEY  
Commissioners

Commissioner Victor Calvo,  
being necessarily absent, did  
not participate

I CERTIFY THAT THIS DECISION  
WAS APPROVED BY THE ABOVE  
COMMISSIONERS TODAY

  
Joseph E. Bodovitz, Executive Director