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ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LOS ANGELES COUNTY TRANSPORTATION)
 COMMISSION)
 for an order authorizing the)
 construction of a two light rail)
 transit tracks at separated grade)
 above Southern Pacific Transportation)
 Company spur track at LACTC MP 11.34)
 City of Compton, State of California,)
 and for an exemption during construct-)
 ion from overhead clearance specified)
 in General Order 26D Section 2.1)

Application 88-08-005
(Filed August 3, 1988)

INTERIM OPINION

As part of the project to construct a light rail transit (LRT) system, the Los Angeles County Transportation Commission (LACTC) requests authority to construct two LRT tracks at separated grades over the relocated Southern Pacific Transportation Company's (SPT) Owens Corning spur track in Compton, Los Angeles County.

The Long Beach-Los Angeles Rail Transit project is part of an on-going transit development process in which the Long Beach-Los Angeles Corridor and thirteen other corridors have been identified as candidates for transit improvements. The project is being planned as a conventional LRT system from downtown Los Angeles to downtown Long Beach to serve between 54,000 and 76,000 passengers per day. A variety of impacts were identified, both beneficial and adverse. Mitigation measures will either eliminate or reduce the severity of the adverse impacts to acceptable levels.

LACTC 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 Environmental Impact Report (EIR), LACTC approved the project. On March 29, 1985, a Notice of Determination was

filed with the Secretary for Resources and with the Los Angeles County Clerk which found that "The Project will have a significant effect on the environment." A Statement of Overriding Considerations was adopted for the project.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIR. The site of the project has been inspected by the Commission staff, who after review of the proposed crossing improvement plans, portions of which have been incorporated in the appendix attached to this order, recommend that LACTC's request be granted.

During the course of planning and review the Commission's Rail/Transit Planning and Policy Branch was initially of the opinion that consideration should be given to the installation of railings and walkways on LRV aerial structures, at such locations where installation might appear desirable on the Long Beach-Los Angeles Rail Transit Project. After several meetings by all the concerned parties during a two year time frame, LACTC advised the Commission that it believed it could successfully satisfy the individual concerns of the affected agencies along the corridor. It was their intention to address and resolve each issue with each agency on a case by case, agency by agency basis.

LACTC further believes that because of the unique and diverse circumstances associated with each segment of the project, that their proposed course of action would satisfactorily resolve any concerns of the transit corridor agencies as well as reservations that the Commission staff may have had initially concerning the issue of handrail/walkways for the Long Beach - Los Angeles Rail Transit Project aerial structures.

Because of the urgency of this project and the need for LACTC to move ahead with the construction of this important segment of LRT system, we will issue an order granting interim authority for the construction of LRV tracks as requested by applicant in the instant application. A later final order will be issued addressing

the question of aerial structures in this proceeding and in those other proceedings where this question has been raised (Applications 86-08-035 and 87-12-034). This will allow for a more comprehensive and consistent treatment of these several related matters, without unduly delaying LACTC's necessary construction work at the Owens Corning site now. The Commission's Traffic Engineering Section has studied the need for the proposed grade separation and recommends that one be granted at this location.

LACTC has met the filing requirements of the Commission's Rules of Practice and Procedure including Rule 41, which relates to the construction of a railroad or street railroad across a railroad or street railroad. Detailed drawings of the grade separation and street geometrics are in the appendix attached to this order.

LACTC wishes to commence construction of this portion of its LRT system at the earliest possible date. It is therefore requested that the usual 30-day effective date on an order be waived. We will make our order effective immediately.

Notice of the application was published in the Commission's Daily Calendar on August 8, 1988. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. LACTC requests authority under Public Utilities Code Sections 1201-1205 to construct two LRV tracks over SPT's Owens Corning spur track at separated grades in Compton, Los Angeles County.
2. Construction of the LRV tracks at separated grades over the SPT's relocated Owens Corning spur track is an essential element in the construction of the LRT system.
3. Public convenience, necessity and safety require the construction of two LRV tracks at separated grades over SPT's relocated Owens Corning spur track as set forth in Appendix A attached to this application.

4. The need for railings and walkways on LRV aerial structures will be dealt with by further order of the Commission.

5. LACTC is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's EIR.

7. The Long Beach-Los Angeles Rail Transit Project will have a significant impact on the environment; however, mitigation measures will either eliminate or reduce the severity of the adverse impacts to acceptable levels.

8. A Statement of Overriding Considerations was adopted for the project.

Conclusions of Law

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

2. The usual 30-day effective date on an order should be waived as LACTC wishes to commence construction of the project at the earliest possible date.

INTERIM ORDER

IT IS ORDERED that:

1. The Los Angeles County Transportation Commission (LACTC) is authorized to construct two LRV tracks at separated grades to be identified as Crossing 84L-11.34-A, over the relocated Southern Pacific Transportation Company's (SPT) Owens Corning spur track to be identified as Crossing BBH-493.56-C in Compton, Los Angeles County, at the location and substantially as shown on the appendix plans attached to the application and this order.

2. Clearances shall be in accordance with General Order (GO) 26-D; except that during the period of construction temporary falsework clearances of 21'-6" vertical shall be authorized, and SPT shall be authorized to operate with such reduced overhead

clearances provided instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars beneath the structures.

3. LACTC shall notify the Commission and SPT at least 15, but not more than 30, days in advance of the date when the temporary impaired clearances will be created.

4. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

5. Construction and maintenance costs shall be borne in accordance with an agreement which has been entered into between the parties. A copy of the agreement has been filed with the Commission.

6. The Commission will issue a final order concerning railings and walkways on aerial structures at a later date.

7. Within 30 days after completion of the work under this order, LACTC shall notify the Commission in writing that the authorized work has been completed.

8. This authorization shall expire if not exercised within three 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.

9. The application is granted as set forth above.

This order is effective today.

Dated DEC 9 1988, at San Francisco, California

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
JOHN B. OHANIAN
Commissioners

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



Victor Weisner, Executive Director