

Decision 89 04 012

APR 12 1989

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 two light rail vehicle tracks at separated grade above Slauson Avenue in the County of Los Angeles.

Application 88-12-029
(Filed December 14, 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 light rail vehicle (LRV) tracks at separated grades over Slauson Avenue in 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

impact 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's Traffic Engineering staff, who after review of the proposed grade separation plans, portions of which have been incorporated in Appendix "A" 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, 87-12-034, 88-08-005 et al). 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 SPT 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 previously been authorized to alter and improve the Slauson Avenue at grade crossing of the Southern Pacific Transportation Company's Wilmington Branch Line (Crossing BBH-487.42) by Commission letter dated April 10, 1987, pursuant to General Order 88-A. The SPT at grade crossing is adjacent and parallel to the proposed LACTC grade separation.

The application was found to be in compliance under the Commission's filing requirements including Rule 40 of the Rules of Practice and Procedure, which rule relates to the construction of a railroad track across a public highway. Detailed drawings of the grade separation and street geometrics are included in Appendix "A" 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 December 21, 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 at separated grades over Slauson Avenue in Los Angeles County.

2. Construction of the LRV tracks at separated grades over Slauson Avenue is an essential element in the construction of the LRT system.

3. Public convenience, necessity, and safety require construction of the two LRV tracks at separated grades over Slauson Avenue as set forth in Appendix "A" attached to this order.

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, over Slauson Avenue, to be identified as Crossing 84L-5.2-B, in Los Angeles County, at the location and substantially as shown

by plans attached to the application and Appendix "A" of this order.

2. Clearances and walkways shall be in accordance with General Order (GO) 143.

3. 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.

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

5. 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.

6. 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.

7. The application is granted as set forth above.
This order is effective today.
Dated APR 12 1989, at San Francisco, California.

G. MITCHELL WILK
President
STANLEY W. HULETT
JOHN B. OHANIAN
PATRICIA M. ECKERT
Commissioners

Commissioner Frederick R. Duda
being necessarily absent, did
not participate.

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

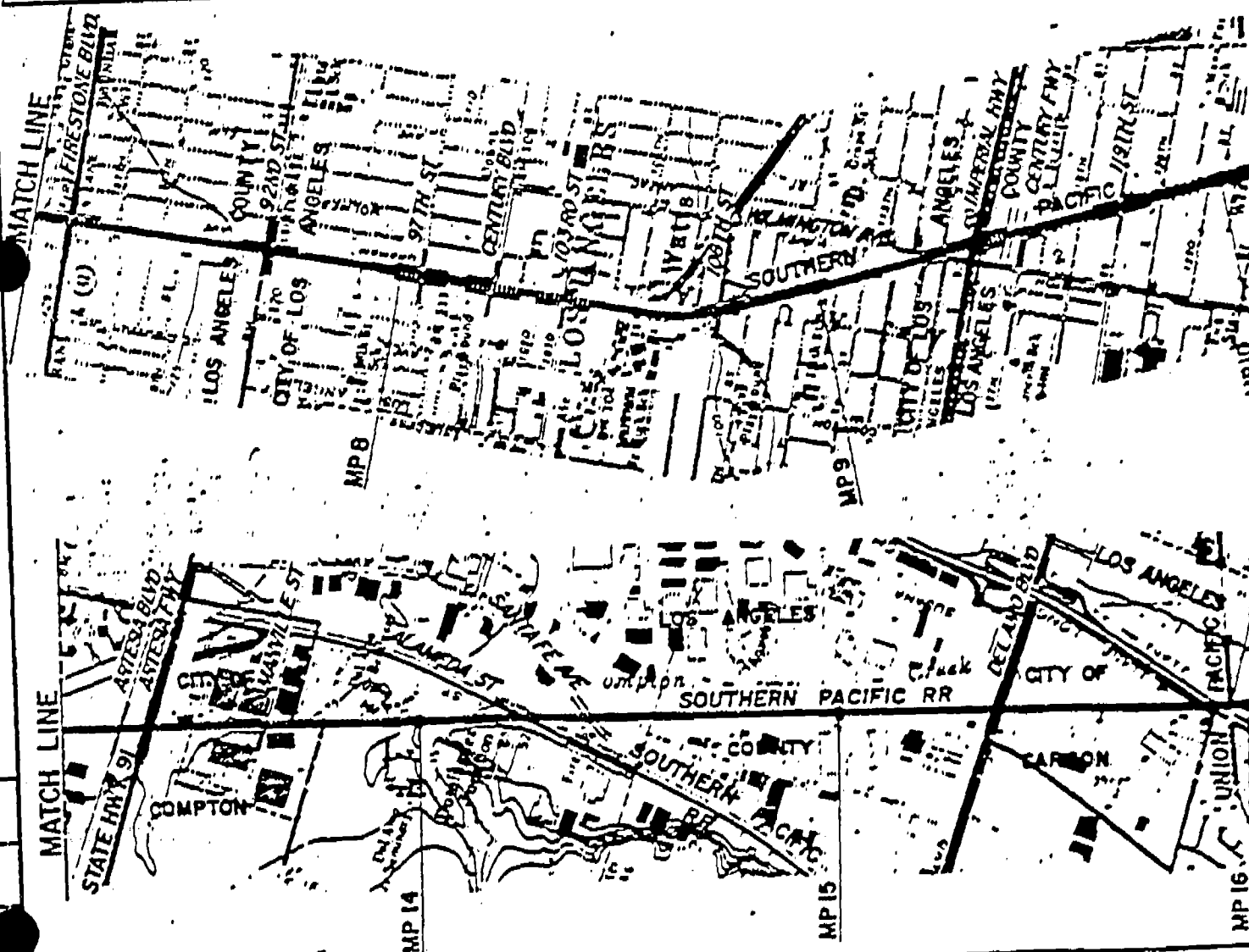
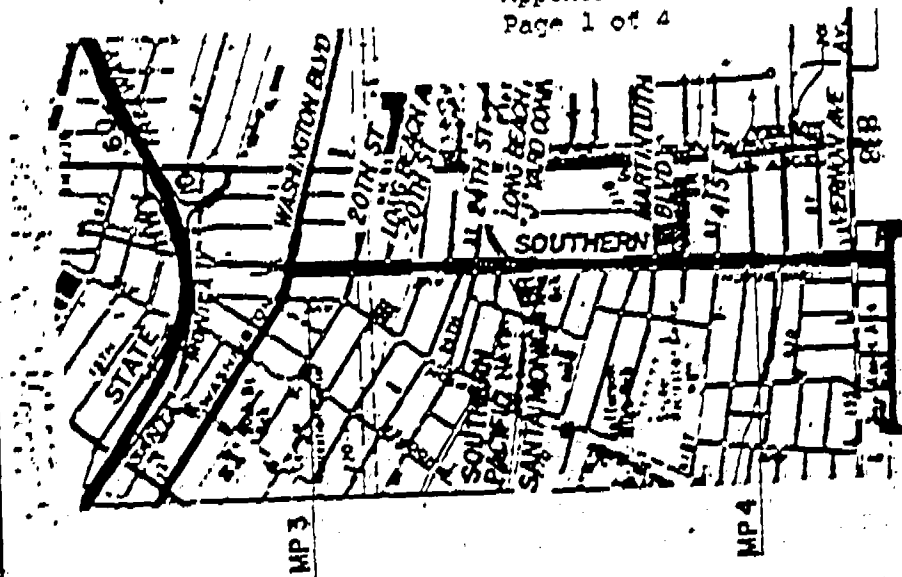
Victor Weisser

Victor Weisser, Executive Director

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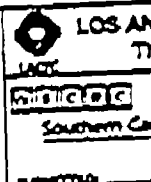
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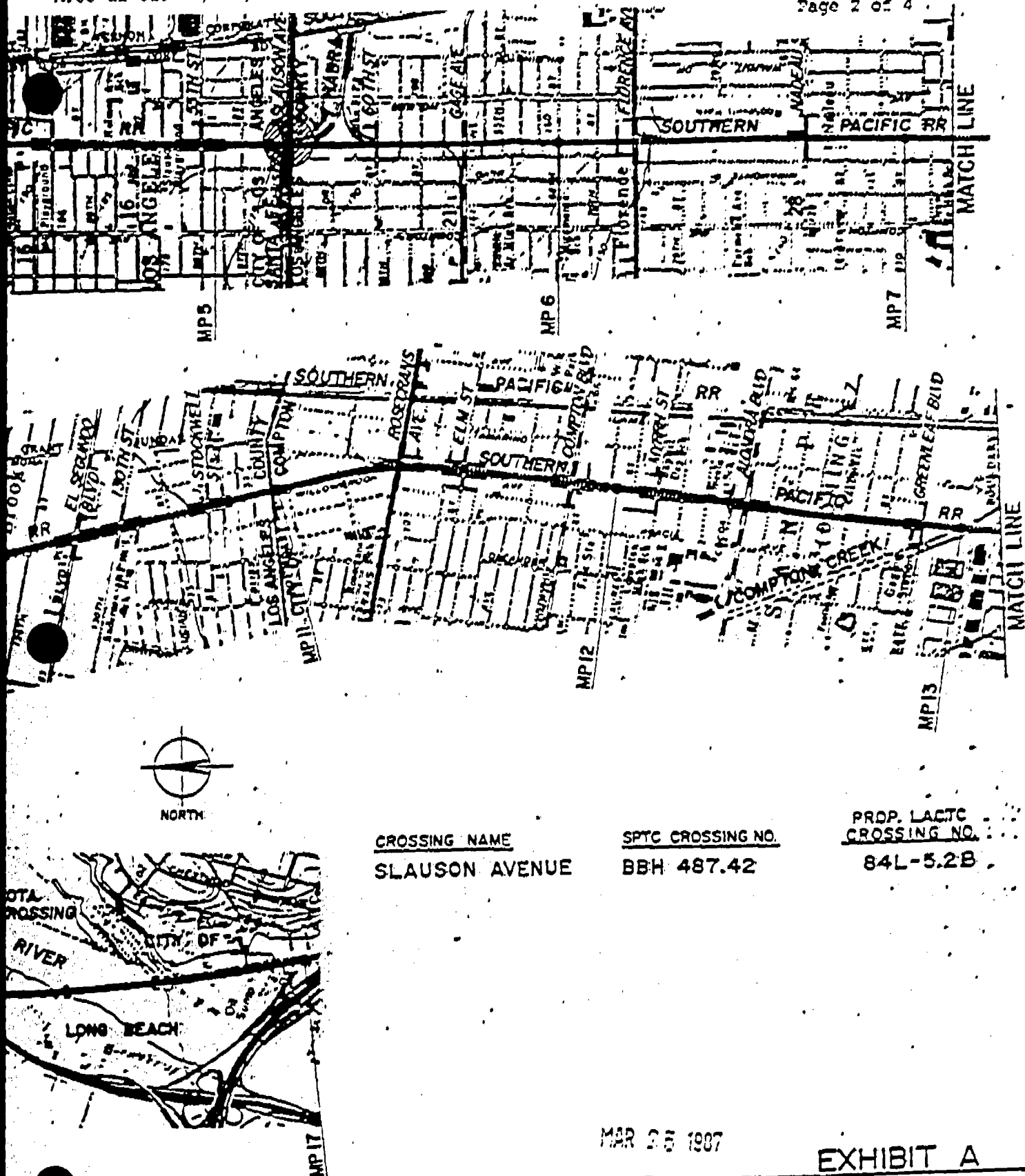


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<p>interviews conducted at home, schools, public places, under varying conditions, especially with reference to the identity of the person interviewed. These interviews have been made by such confidential sources who are known to the person and are conducted under circumstances that are known to the person and are conducted by such confidential sources.</p>	<p>SEARCHED BY _____</p> <p>SERIALIZED BY _____</p> <p>INDEXED BY _____</p> <p>FILED BY _____</p> <p>DATE _____</p>
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S. COUNTY TRANSPORTATION COMMISSION
Long Beach-Los Angeles Rail Transit Project

PROPOSED TRACK RELOCATION AND ALTERATION AT
ROAD CROSSINGS
KEY PLAN

Southern California Rail Consultants

Rail Consultants

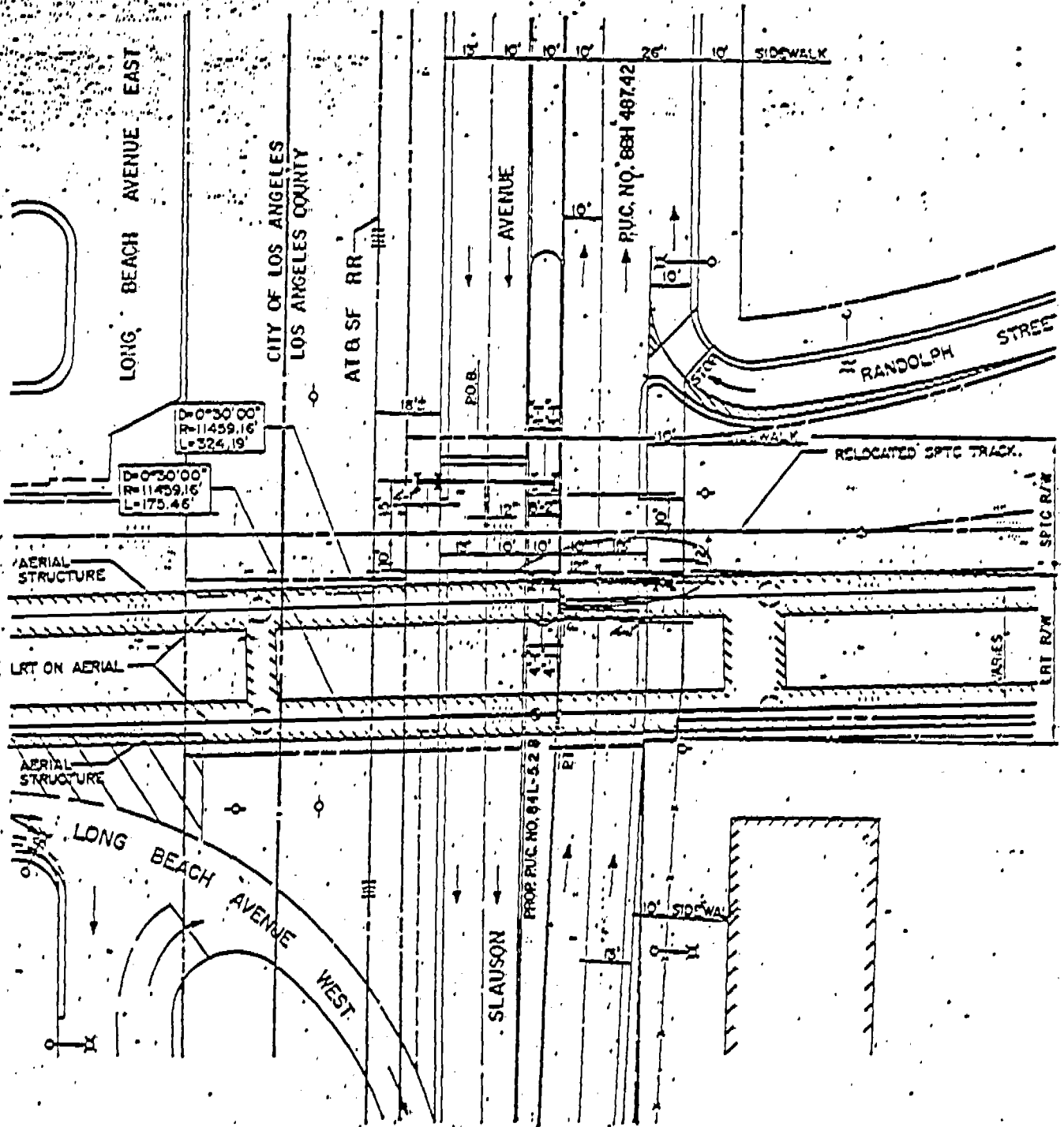
Approved by:
Project Engineer
Project Engineer
Project Engineer

APPROVED

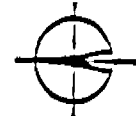
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DRAWING NO.

REV. SHEET NO.

SCALE
APPROX. 1" = 1000'



SLAUSON AVENUE
PLAN

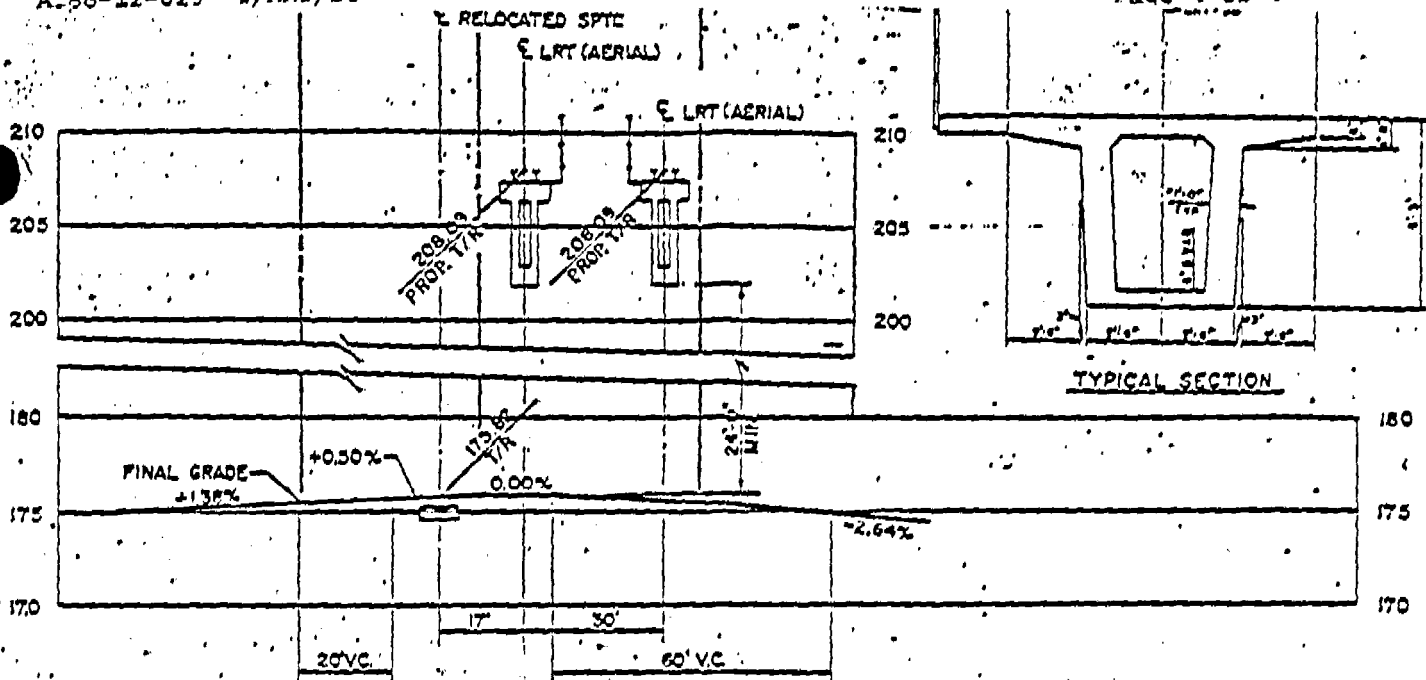
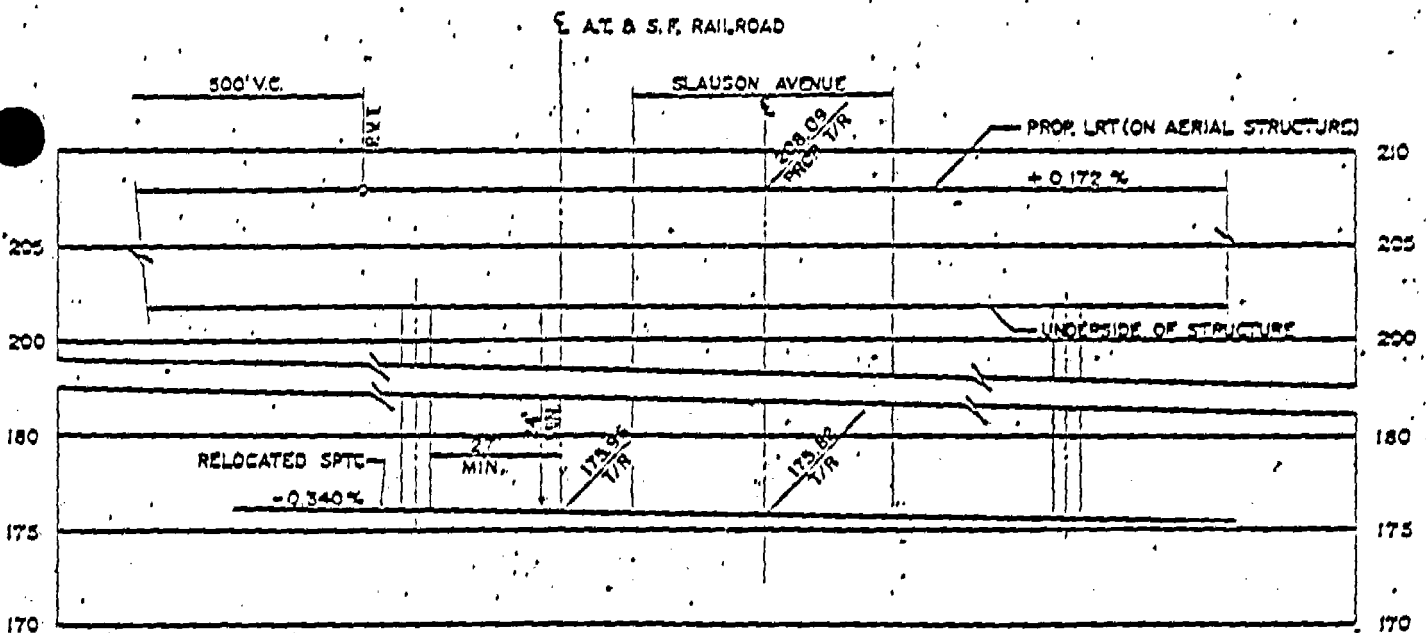
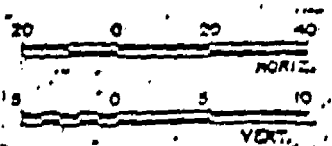


LEGEND

- CPUC STANDARD NO. 9
- STREET LIGHT
- POWER POLE

- FINAL CUTTER
- FINAL CURB
- EXISTING BUILDING

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HIGHWAY PROFILERAILROAD PROFILEEXHIBIT BS C COUNTY TRANSPORTATION COMMISSION
g. Board Los Angeles Rail Transit Project

Rail Consultants

Southern California Rail Consultants

A. J. Jaramila, President
B. Jaramila, Vice President
C. Jaramila, Secretary
D. Jaramila, Treasurer
E. Jaramila, Assistant Secretary
F. Jaramila, Assistant Treasurer
G. Jaramila, Assistant Secretary
H. Jaramila, Assistant Treasurer
I. Jaramila, Assistant Secretary
J. Jaramila, Assistant Treasurer

APPROVED:

SPTC TRACK RELOCATION AND CONSTRUCTION
OF LACTC LRT TRACK GRADE SEPARATION
AT SLAUSON AVENUEC.P.U.C. CROSSING No. 88H 487.42, D.O.T. CROSSING No. 747839F
PROPOSED LACTC CROSSING NO. 84L-5.2 B
COUNTY OF LOS ANGELES

CONTRACT NO.

DRAWING NO.

REV.

SHEET NO.

JUN 17 1988

impact 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's Traffic Engineering staff, who after review of the proposed grade separation plans, portions of which have been incorporated in Appendix "A" 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