

**ORIGINAL**

Decision 90 06 054 JUN 20 1990

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 southbound light rail )  
track at grade across northbound light )  
rail track at LACTC mile post 20.45 in )  
median of Long Beach Boulevard in the )  
City of Long Beach, California. )

Application 90-03-044  
(Filed March 29, 1990)

O P I N I O N

As part of the project to construct a light rail transit (LRT) system, the Los Angeles County Transportation Commission (LACTC) requests authority to construct the southbound light rail track across the northbound light rail track at Milepost (MP) 20.45 in the median of Long Beach Boulevard in the City of Long Beach, California.

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 Section 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's Rail Transit Safety Branch staff who, after review of the proposed crossing and drawings (portions of which have been incorporated in the appendix attached to this order) of the track layout showing the crossing and the signals governing light rail train movements, recommend that LACTC's request be granted as set forth below.

LACTC wishes to complete construction and commence testing of trains over the crossing during the second quarter of 1990. It is, therefore, requested that the usual 30-day effective date on an order be waived. Construction, maintenance and operation of the tracks, track crossings, and all appurtenances will be performed and costs borne by LACTC.

Notice of the application was published in the Commission's Daily Calendar on March 29, 1990. No protests have been received. A public hearing is not necessary.

#### Findings of Fact

1. LACTC requests authority under Public Utilities Code Sections 99152 and General Order 143 to construct the southbound light rail track at grade across the northbound light rail track in the median of Long Beach Boulevard in the City of Long Beach, California.

2. Construction of the Light Rail Vehicle (LRV) track is an essential element in construction of the LRT system.

3. Construction, maintenance and operation of the tracks, track crossings, and all appurtenances will be performed and costs borne by LACTC.

4. Public convenience, necessity and safety require construction of the LRV track.

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 expects to complete construction of the crossing and plans to begin operating test trains over the crossing during the second quarter of 1990.

O R D E R

IT IS ORDERED that:

1. The Los Angeles County Transportation Commission (LACTC) is authorized to construct the southbound LRV track at grade across the northbound LRV track at MP 20.45 in the median of Long Beach Boulevard in the City of Long Beach, California.

2. Construction of the crossing shall be in accordance with the plans attached to the application as Exhibit A and B.

3. Construction, maintenance and operation costs of the tracks, track crossings, and all appurtenances shall be performed and costs borne by LACTC.

4. Within 15 days of the completion of the work under this order, LACTC shall notify the Commission's Safety Division in writing that the authorized work has been completed.

5. 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.

6. The application is granted as set forth above.

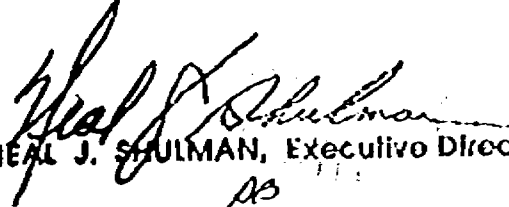
This order becomes effective today.

Dated JUN 20 1990, at San Francisco, California.

FREDERICK R. DUDA  
STANLEY W. HULETT  
JOHN B. OHANIAN  
PATRICIA M. ECKERT  
Commissioners

President G. Mitchell Wilk,  
being necessarily absent, did  
not participate.

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

  
NEAL J. SHULMAN, Executive Director