

ORIGINAL

Decision 83 07 033 JUL 20 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
the County of Los Angeles for the)
construction of bikeway crossing on)
upper Los Angeles River West Levee,)
under the Southern Pacific Transpor-)
tation Company La Habra Branch Line)
proposed crossing No. BBJ-491.41 in)
the City of Bell, County of Los)
Angeles.)

Application 83-03-53
(Filed March 21, 1983)

O P I N I O N

As part of a project to construct a two-mile extension of the Los Angeles River Bikeway, the County of Los Angeles (County) requests authority to construct a bikeway crossing at separated grades under the tracks of Southern Pacific Transportation Company's (SPT) La Habra Branch Line in Bell, Los Angeles County.

County 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. County has determined that this project is categorically exempt from CEQA under Class 4: Minor Alterations to Land, as the creation of a bicycle lane on an existing right-of-way, under Section 15104(h) of the CEQA Guidelines (14 Cal. Admin. Code - Div. 6).

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's categorical exemption determination. The site of the proposed project has been inspected by the Commission staff.

The proposed crossing is part of a project to construct a two-mile extension of the Los Angeles River Bikeway using the existing paved Los Angeles County Flood Control District maintenance road atop the west levee of the Los Angeles River. The extension project will complete another segment of the bikeway and provide a continuous path for bicyclists from Atlantic Boulevard to the ocean, a distance of 17 miles.

County states that it wishes to begin construction at the earliest possible date so the project can be completed by October 1983. It is, therefore, requested that the usual 30-day waiting period 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 March 24, 1983. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. County requests authority under Public Utilities Code Sections 1201-1205 to construct a bikeway crossing at separated grades under the tracks of SPT's La Habra Branch Line in Bell, Los Angeles County.

2. The proposed crossing is required to extend the bikeway an additional two miles, thus providing a continuous 17-mile bikeway between Atlantic Boulevard and the ocean.

3. Public convenience and necessity require construction of the proposed bikeway crossing at separated grades.

4. County is the lead agency for this project under CEQA, as amended.

5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's categorical exemption determination.

6. It can be seen with certainty that there is no possibility that the activity in question may have a significant impact on the environment.

7. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code - Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

Conclusions of Law

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

2. This order shall be effective today as County wishes to begin construction of the crossing at the earliest possible date.

O R D E R

IT IS ORDERED that:

1. The County of Los Angeles (County) is authorized to construct a bikeway crossing at separated grades under the tracks of Southern Pacific Transportation Company's (SPT) La Habra Branch Line in Bell, Los Angeles County, at the location and substantially as shown on the plans attached to the application, to be identified as Crossing BBJ-491.4-BD.

2. Clearances shall conform to General Order 26-D. Walkways shall conform to General Order 118.

3. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into among the parties. A copy of the agreement, together with plans of the crossing approved by SPT, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

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

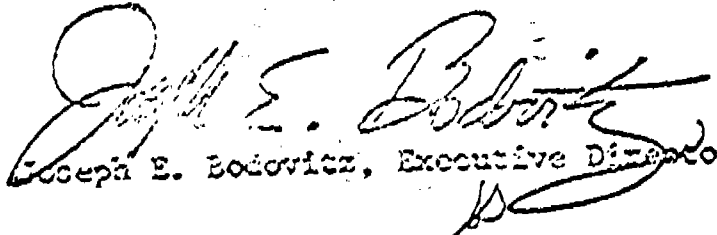
This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

This order is effective today.

Dated JUL 20 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. CREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director