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Decision No. 90143 MAR 29 1979

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION OF THE COUNTY OF
LOS ANGELES FOR THE CONSTRUCTION OF A)
GRADE SEPARATION OF GREENWOOD AVENUE)
UNDER THE ATCHISON, TOPEKA AND)
SANTA FE RAILWAY COMPANY'S MAIN LINE,)
CROSSING NO. 2-149.5, IN THE CITY OF)
MONTEBELLO, COUNTY OF LOS ANGELES)

Application No. 57902
(Filed February 28, 1978)
(Amended November 20, 1978)

O P I N I O N

The County of Los Angeles requests authority to construct Greenwood Avenue at separated grades under the main line tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Montebello, Los Angeles County.

The priority list of grade separation projects for the fiscal year 1978-79, as set forth in Decision No. 88956, shows this project as Priority No. 22.

The County of Los Angeles is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq.

After preparation and review of an Initial Study, the County of Los Angeles issued a Negative Declaration and approved the project and on March 28, 1978, filed a Notice of Determination with the Los Angeles County Clerk, which found that "The project will not have a significant impact on the environment."

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

Greenwood Avenue is classified as a major highway in the Los Angeles County Plan. It is experiencing severe traffic congestion, and anticipated increase in vehicular traffic will further aggregate the problem in the near future. The proposed project, when completed, should improve traffic flow in the area and reduce congestion and delays.

The project is in an area with a mixture of dwellings and industrial/commercial facilities. On the north side of the tracks are residential homes, apartments, and some commercial businesses. South of the tracks, the adjacent property, zoned M-2, is developed with various heavy manufacturing establishments. Right-of-way acquisition will result in the removal of some residential, commercial and manufacturing structures; however, relocation assistance will be available for all affected parties.

Notice of the application and its amendment was published in the Commission's Daily Calendar on March 2, 1978, and on November 29, 1978, respectively. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to construct Greenwood Avenue at separated grades under the main line tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Montebello, Los Angeles County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 2-149.5-B.
2. A detour will be required for the Greenwood Avenue traffic, and a shoofly around the underpass bridge construction area will be required for the railroad tracks. The detour will cross the main line tracks and the shoofly tracks at grade crossings that should be protected by relocating the gates from the existing Greenwood Avenue (Crossing 2-149.5) to the detour crossings. Upon completion of the underpass, the existing Greenwood Avenue at grade crossing, the detour, and the shoofly tracks should be abandoned and removed.
3. Clearances should be in accordance with General Order 26-D.
4. Walkway areas should conform to General Order 118. Walkway areas adjacent to any trackage subject to rail operations should be maintained free of obstructions and should promptly be restored to their original condition in the event of damage during construction.

5. Consturction and maintenance costs should be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of said agreement, together with plans of the crossings approved by The Atchison, Topeka and Santa Fe Railway Company, should 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.

6. Applicant is the lead agency for the project pursuant to the California Environmental Quality Act of 1970, as amended.

7. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Inital Study and Negative Declaration.

8. This project will have no significant impact on the environment.

9. This project has a deadline of April 2, 1979, imposed by CALTRANS in order to qualify for funds from the 1978-79 Priority List. To meet this deadline, authority from this Commission to construct the project is required. Because of the unforeseen emergency occasioned by this imposed deadline, this order will be issued without the notification pursuant to Section 11125 of the Government Code.

C O N C L U S I O N

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The County of Los Angeles is authorized to construct Greenwood Avenue at separated grades under the main line tracks of The Atchison, Topeka and Santa Fe Railway Company in the City of Montebello, Los Angeles County, as set forth in the findings of this decision.

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2. Within thirty days after completion pursuant to this order, applicant shall so advise the Commission in writing.

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

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 27th day of MARCH, 1979.

John E. Coyle
President
Damon L. Sturgeon

Philip J. DeLoach
Richard D. Gravelle
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.