

ORIGINAL

Decision No. 92964 APR 21 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of The City of Long Beach to construct a City Street across the Right of Way of the Southern Pacific Transportation Company at DeForest Avenue between Chester Place and 12th Street.

Application No. 60017
(Filed October 21, 1980)

O P I N I O N

The City of Long Beach requests authority to construct DeForest Avenue at grade across Southern Pacific Transportation Company's tracks in the City of Long Beach, Los Angeles County.

The City of Long Beach is the lead agency for this project pursuant to the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code, Section 21000 et seq. After preparation and review of an Initial Study, the City of Long Beach issued a Negative Declaration and approved the project. On October 7, 1980, a Notice of Determination was filed with the Los Angeles County Clerk which found that: "Project will NOT HAVE significant adverse environmental impacts".

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 been inspected by the Commission staff.

The City of Long Beach's project to construct DeForest Service Road between Chester Place and 12th Street is in an industrial area adjacent to the Drake Park Landmark District, a residential area. The project will provide access to commercial businesses which generate heavy truck traffic and to a Southern California Rapid Transit District bus repair and parking facility. The new roadway

will provide access to Anaheim Street through an existing industrial area and thereby eliminate the need for trucks and buses to travel through the adjacent residential area.

Notice of the application was published in the Commission's Daily Calendar on October 28, 1980. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. Applicant requests authority pursuant to Section 1201-1205 of the Public Utilities Code to construct DeForest Avenue at grade across Southern Pacific Transportation Company's tracks in the City of Long Beach, Los Angeles County.

2. The proposed extension of DeForest Avenue across Southern Pacific Transportation Company's tracks will provide access to and through an industrial area and thereby eliminate the need for trucks and buses to travel through a residential area.

3. Public convenience and necessity require construction of the proposed railroad-highway crossing.

4. Public Safety requires that protection at the crossing be two Standard No. 9 automatic gate-type signals (General Order 75-C).

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

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

7. The project will have no significant impact on the environment.

Conclusion of Law

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

O R D E R

IT IS ORDERED that:

1. The City of Long Beach is authorized to construct DeForest Avenue at grade across Southern Pacific Transportation Company's tracks in the City of Long Beach, Los Angeles County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing No. BE-504.4-C.

2. Construction of the crossing shall be equal or superior to Standard No. 2 of General Order 72-B.

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

4. Protection at the crossing shall be two Standard No. 9 automatic gate-type signals (General Order 75-C).

5. Construction expense of the crossing and installation cost of the automatic protection shall be borne by the applicant.

6. Maintenance of the crossing shall be in accordance with General Order 72-B. Maintenance cost of the automatic protection shall be borne by applicant pursuant to the provisions of Section 1202.2 of the Public Utilities Code.

7. Construction plans of the crossing, approved by Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, shall be filed with the Commission prior to commencing construction.

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

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This authorization shall expire if not exercised within two 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 dated hereof.

Dated APR 21 1981, at San Francisco, California.

John S. Bryan
President
Charles W. Goebel
James W. [unclear]
Walter [unclear]
Pres. C. Chen
Commissioners