

**ORIGINAL**

Decision 95-11-067 November 21, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Los Angeles (Harbor Department) for an Order authorizing construction of three at-grade crossings between Pacific Coast Highway, Pennington Avenue, Terminal Island Freeway On and Off-Ramps and the proposed tracks of the City of Los Angeles, Los Angeles County.

Application 95-06-031  
(Filed June 15, 1995)

O P I N I O N

The City of Los Angeles Harbor Department (City) requests authority to relocate an existing track and construct two additional tracks at Pacific Coast Highway-State Route (SR) 1 Crossing, construct one additional track at Pennington Avenue Crossing, and construct one additional track at Terminal Island Freeway (SR-47) On and Off-Ramps Crossing in the Wilmington District of Los Angeles, Los Angeles County.

The proposed crossings are part of the Anaheim Viaduct Reconstruction Railroad Access project, which would provide direct rail access to Terminal Island for the Southern Pacific Transportation Company (SPT) and The Atchison, Topeka and Santa Fe Railway Company (AT&SF) from Thenard Junction, as well as improve rail access for the Union Pacific Railroad Company (UP) and Harbor Belt Line (HBL) from their junction near the Henry Ford Avenue Bridge crossing the Dominguez Channel. This project is consistent with the planning for the Alameda Corridor Transportation Authority (ACTA) Consolidated Rail Corridor, developed to combine the operations of the three mainline freight railroad carriers into one high-capacity corridor.

The City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. The City filed

a Notice of Exemption with the Los Angeles County Clerk on June 1, 1995. This project is exempt under Article III, Section 21 and 28 of the Los Angeles City CEQA Guidelines. The project involves the development of a regional transportation program, which has been previously evaluated for environmental significance within the Alameda Corridor Environmental Impact Report (EIR), the Terminal Island Container Transfer Facility (TICTF) EIR, and the Pier 300 Container Terminal EIR. Within Caltrans right-of-way, rail access improvement activities in the vicinity of the Terminal Island Freeway (SR-47) ramps and Pacific Coast Highway (SR-1) are categorically exempt under Class 1, Section 1510.1 of Caltrans Environmental Regulations.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency exemption determination. The site of the proposed project has been inspected by the Commission's Safety and Enforcement Division staff. Staff examined the need for and the safety of the proposed grade crossings and recommends that the application be approved.

The application was found to be in compliance with the Commission's filing requirements, including Rule 40 of Rules of Practice and Procedure which relates to the construction of a railroad track across a public highway. A detailed drawing of the proposed construction is included in Appendix A attached to this order.

#### Findings of Fact

1. Notice of the Application was published in the Commission Daily Calendar on June 30, 1995. No protests have been received. A public hearing is not necessary.

2. City requests authority under Public Utilities Code Sections 1201-1205 to relocate an existing track and construct two additional tracks at Pacific Coast Highway (SR-1), construct one additional track at Pennington Avenue, and construct one additional

track at Terminal Island Freeway (SR-47) On and Off-Ramps in the Wilmington District of Los Angeles, Los Angeles County.

3. The proposed crossings are part of the Railroad Access Project, which consolidates the operations of three freight railroad carriers (AT&SF, SPT, and UP) into one high-capacity corridor.

4. Public convenience and necessity require construction of the proposed grade crossings.

5. Public safety requires that protection at the proposed crossings be as follows: Pacific Coast Highway Crossing will be protected by four Standard No. 9 automatic gate-type signals; Pennington Avenue will be protected by two Standard No. 9 automatic gate-type signals; and Terminal Island Freeway On and Off-Ramps will be protected by six Standard No. 9 automatic gate-type signals and six Standard No. 8-A flashing lights with cantilever-type signals (General Order (GO) 75-C).

6. City is the lead agency for this project under CEQA, as amended.

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

#### Conclusions of Law

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

2. The project is categorically exempt from the environmental reporting requirements of CEQA.

#### ORDER

IT IS ORDERED that:

1. The City of Los Angeles Harbor Department (City) is authorized to relocate an existing track and construct two

additional tracks at Pacific Coast Highway-State Route (SR) 1 Crossing 2H-27.90-C, construct one additional track at Pennington Avenue Crossing 3A-22,42, and construct one additional track at Terminal Island Freeway (SR-47) On and Off-Ramps Crossing 3A-22.45 in the Wilmington District of Los Angeles, Los Angeles County.

2. Protection at the proposed crossings are as follows: Pacific Coast Highway (SR-1) Crossing will be protected by four Standard No. 9 automatic gate-type signals; Pennington Avenue will be protected by two Standard No. 9 automatic gate-type signals; and Terminal Island Freeway (SR-47) On and Off-Ramps will be protected by six Standard No. 9 automatic gate-type signals and six Standard No. 8-A flashing lights with cantilever-type signals (General Order (GO) 75-C).

3. Clearances shall be in accordance with GO 26-D. Walkways shall conform to GO 118.

4. Construction of the crossings shall be equal or superior to Standard No. 8 (concrete panels) of GO 72-B.

5. Maintenance of the crossings shall be in accordance with GO 72-B.

6. Construction expense of the crossings and installation cost of the automatic protection shall be borne by City.

7. Maintenance cost of the automatic protection shall be borne by the City under PU Code Section 1202.2.

8. Construction plans of the crossing, approved by the Southern Pacific Transportation Company (SPT), The Atchison, Topeka and Santa Fe Railway Company (AT&SF), the Union Pacific Railroad Company (UP), and Harbor Belt Line (HBL), together with a copy of the agreement entered into between the parties, shall be filed with the Commission's Safety and Enforcement Division prior to commencing construction.

9. Within 30 days after completion of the work under this order, the City shall notify the Commission's Safety and

Enforcement Division in writing that the authorized work has been completed.

10. 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.

11. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated NOV 21 1995, at San Francisco, California.

DANIEL Wm. FESSLER

President

P. GREGORY CONLON

JESSIE J. KNIGHT, JR.

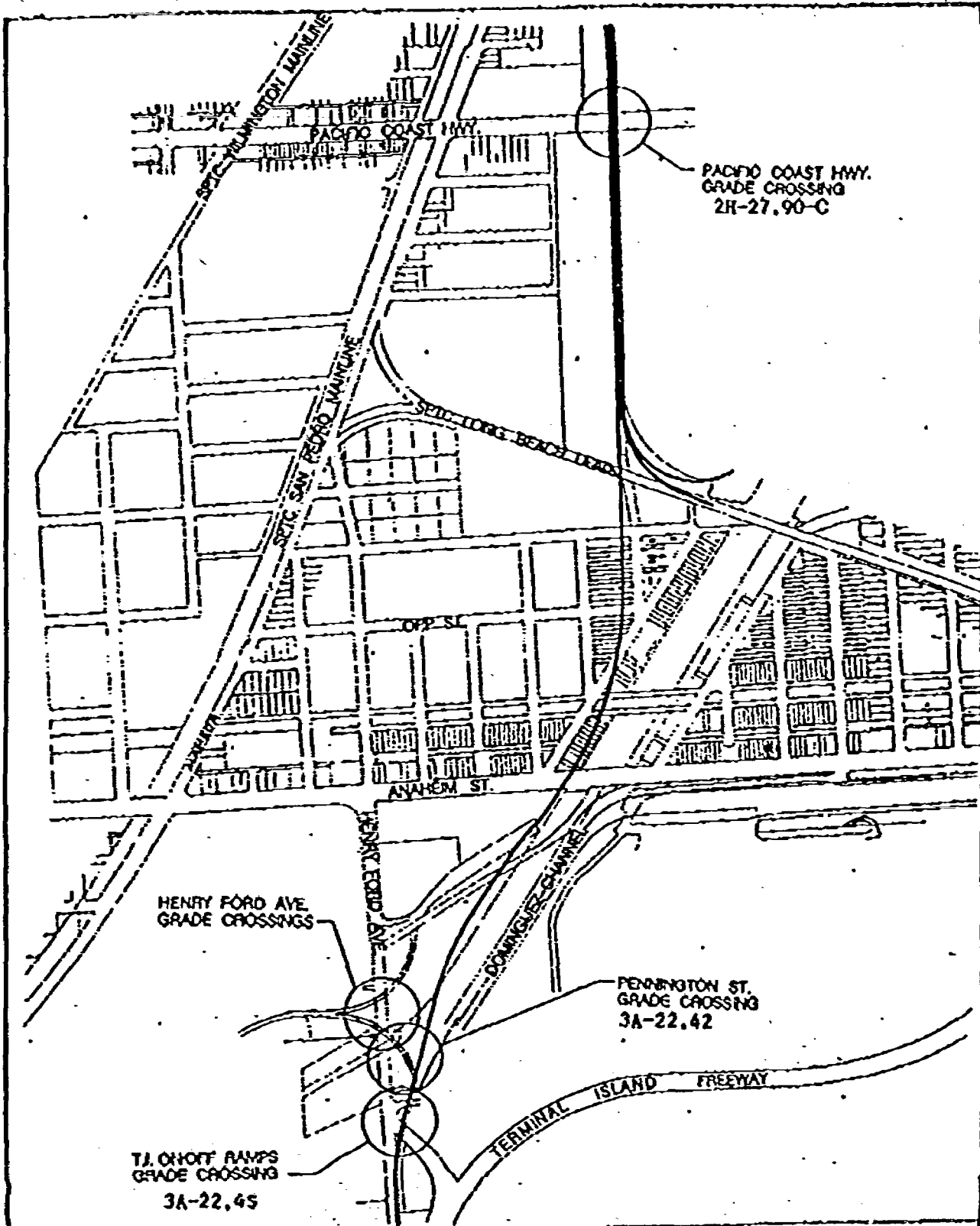
HENRY M. DUQUE

JOSIAH L. NEEPER

Commissioners

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Appendix A  
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RAILROAD FROM LONITA BOULEVARD TO SAGGER AVENUE BRIDGE

VICINITY MAP & KEY PLAN

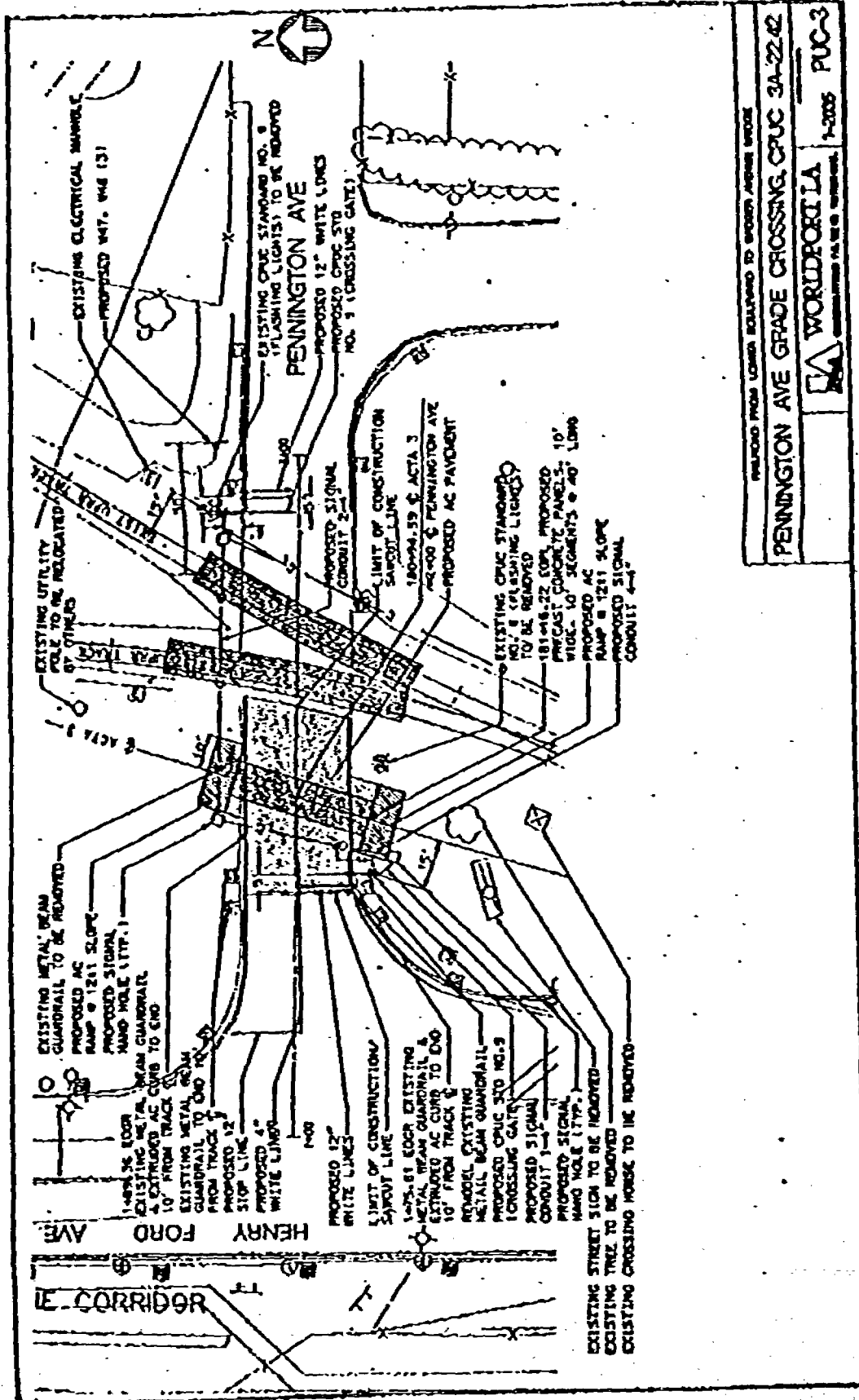
WORLDPORT LA

1-2035 PUC-1



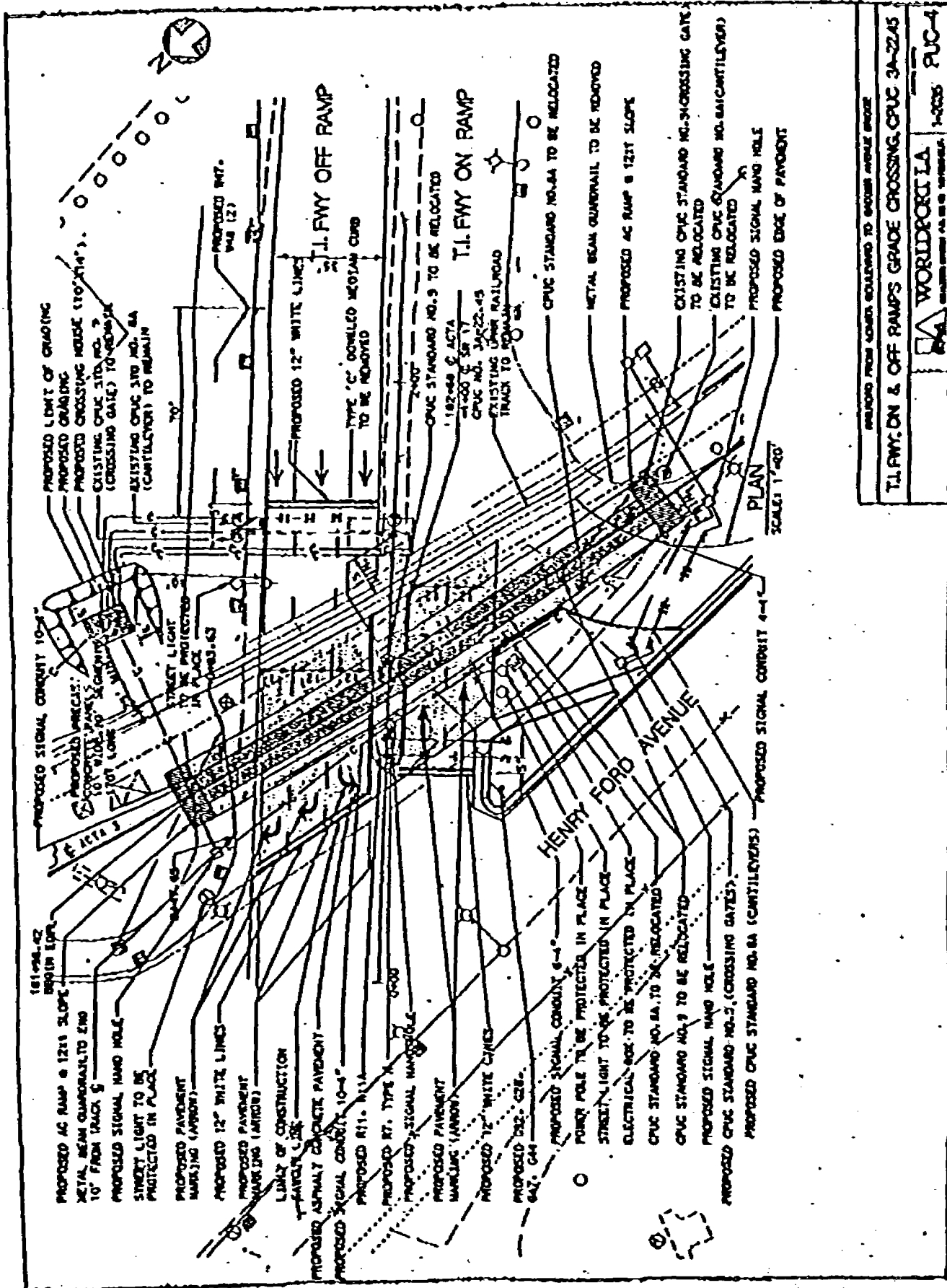
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Appendix A  
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WELDED FROM LOWER RAILROAD TO UPPER RAILROAD BRIDGE  
**PENNINGTON AVE GRADE CROSSING, CPUC 3A-22-42**  
**WORLDPORT LA**  
 1-2005 PUC-3





WORLDFOK LA  
 1-3035 FUC-4

RELAYED FROM ABOVE DRAWING TO SHOW AVENUE CROSSING  
 T.I. FWY ON & OFF RAMP'S GRADE CROSSING CPUC 3A-22A5  
 PLAN  
 SCALE: 1"=40'