

Decision 95-11-069 November 21, 1995

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of the Port of Los Angeles to)
construct various public streets)
across the right-of-ways of the)
Port of Los Angeles and the Port)
of Long Beach at New Dock Street)
and Henry Ford Avenue in both)
the City of Long Beach and the)
City of Los Angeles.)

Application 95-05-052
(Filed May 19, 1995
Amended August 30, 1995)

OPINION

As part of the Terminal Island Intermodal Container Transfer Facility (TICTF) project, the City of Los Angeles, Harbor Department (Port), also acting on behalf of the Port of Long Beach, requests authority to make improvements to the railroad trackage between the Badger Avenue Bridge at Cerritos Channel and Brighton Beach Yard. Port proposes to construct a temporary ladder track in Brighton Beach Yard. Port also proposes to construct grade separations at New Dock Street and Henry Ford Avenue, close four existing grade crossings, modify three existing grade crossings, construct two new permanent grade crossings, and construct four temporary grade crossings in the City of Los Angeles and the City of Long Beach, Los Angeles County.

The Port of Los Angeles is currently embarking on a major program known as the 2020 Plan which creates substantial new port facilities on landfills in the outer harbor south of and contiguous to Terminal Island. New port facilities are expected to generate a substantial increase in railroad traffic on Terminal Island.

The proposed project will provide multi-user, double-stack unit train access and service to terminal facilities in the Terminal Island district of Los Angeles through the addition of an intermodal container transfer facility that would meet planned cargo growth, while maintaining existing street traffic flows. Rail access to Terminal Island will be improved through enhanced rail connections within the vicinity of the project site.

Furthermore, a level of service that will meet future projected rail transportation needs can be maintained at Brighton Beach Rail Yard.

The proposed crossings, including New Dock Street and Henry Ford Underpasses, as set forth by Appendix A through D, are necessary to provide improved public access to and from terminal facilities.

Port 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. An Environmental Impact Report (EIR) was prepared for Terminal Island Intermodal Container Transfer Facility Project. On March 8, 1993, Port filed a Notice of Determination with the Los Angeles County Clerk. Mitigation measures were made a condition of approval of the project. Port has also determined that constructing Henry Ford Avenue Grade Separation is categorically exempt from the reporting requirements of CEQA under PR Code Section 21080.13.

The Commission is a responsible agency for this project under CEQA and has independently reviewed and considered the lead agency's EIR and Notice of Determination. The site of the proposed project has been inspected by the Commission's Safety and Enforcement Division staff - Traffic Engineering Section.

The application was found to be in compliance with the Commission's filing requirements, including Rules 38 and 40 of the Rules of Practice and Procedure which relate to the construction of public highways across railroads, and the construction of railroad tracks across public highways. Detailed drawings of the proposed construction are included in the appendices of this order.

Findings of Fact

1. Notice of the Application was published in the Commission Daily Calendar on June 6, 1995. Notice of the Amendment to Application was published in the Commission Daily Calendar on September 27, 1995. No protests have been received. A public hearing is not necessary.
2. Port requests authority under Public Utilities Code Sections 1201-1205 to construct a temporary track in Brighton Beach

Yard, construct grade separations at New Dock Street and Henry Ford Avenue, close four existing grade crossings, modify three existing grade crossings, construct two new permanent grade crossings, and construct four temporary grade crossings in the City of Los Angeles and the City of Long Beach, Los Angeles County.

3. Construction of the grade crossings is required to provide train access and service to terminal facilities in the Terminal Island District of Los Angeles through the addition of an intermodal container transfer facility that would meet planned cargo growth while maintaining existing street traffic flows.

4. Public convenience and necessity require construction of the proposed crossings, in connection with the TICTF project, as set forth in the appendices.

5. Public safety requires that New Dock Street and Henry Ford Avenue be grade separated at the location indicated by Appendices A through D of this order.

6. Public safety also requires that all crossings that are not grade separated be protected by automatic warning devices as set forth by Appendices A through D attached to this order.

7. Port is the lead agency for this project under CEQA, as amended.

8. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Environmental Impact Report and Notice of Determination.

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 Los Angeles, Harbor Department (Port), also acting on behalf of the Port of Long Beach, is authorized to construct New Dock Street and Henry Ford Avenue Underpasses, to be identified as Crossing Nos. 3A-23.52-B and 3A-23.64-B,

respectively, at separated grades and to perform other rail related projects as indicated in Appendices A through D in Los Angeles and Long Beach, Los Angeles County, at the location and substantially as shown by plans attached to the application.

2. Port shall construct a temporary ladder track connecting the turnouts of the proposed Shoofly No. 1 to Brighton Beach Yard tracks, as indicated in appendices of this order.

3. Construction of the crossings shall be in accordance with the provisions of General Order (GO) 72-B.

4. Crossing warning devices shall be in accordance with the provisions of GO 75-C.

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

6. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans approved by the railroad, shall be filed with the Commission's Safety and Enforcement Division Staff prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

7. Within 30 days after completion of the work under this order, Port shall notify the Commission's Safety and Enforcement Division in writing that the authorized work has been completed.

8. 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.

9. 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

Appendix A

The ship-to-rail transfer of containers has become a major focus for the Port of Los Angeles (Port) and its tenants as rail becomes a major mode of container transport in the Los Angeles Basin. The continuing and steady growth of containerized intermodal shipments through the Port's container terminal, has prompted the Port to plan for construction and operation of a new intermodal container transfer facility adjacent to Port operations.

As part of the Terminal Island Intermodal Container Transfer Facility (TICTF), the Port is currently embarking on a major program known as the 2020 Plan which creates substantial new port facilities on landfills in the outer harbor south of and contiguous to Terminal Island. New port facilities are expected to generate a substantial increase in railroad traffic on Terminal Island. The authority requested in this application begins at Badger Avenue Bridge at Cerritos Channel and ends at Brighton Beach Yard. The project includes: (a) construction of two grade-separated crossings, (b) closure of four existing grade crossings, (c) modification of three existing grade crossings, (d) construction of two new permanent grade crossings, and (e) construction of four temporary grade crossings, and (f) construction of a temporary ladder track connecting the turnouts of the proposed Shoofly No. 1 and Brighton Beach Yard, as set forth below and other appendices:

- (a) Construction of Two Grade-Separated Crossings:
 - a. New Dock Street 3A-23.52-B
 - b. Henry Ford Avenue 3A-23.64-B

- (b) Closure of Four Existing Grade Crossings
 - a. Henry Ford Avenue
(Between Old Dock Street
and New Dock Street) 3A-23.42
 - b. New Dock Street 3A-23.51
 - c. Henry Ford Avenue
(South of New Dock Street) 3A-23.65
 - d. New Dock Street 3A-23.73-C

- (c) Modification of Three Existing Grade Crossings
 - a. Off-Ramp from Terminal

- Island Freeway 3A-23.47-C
- b. New Dock Street 3A-23.48-C
- c. SERRF North Entrance 3A-23.68-C

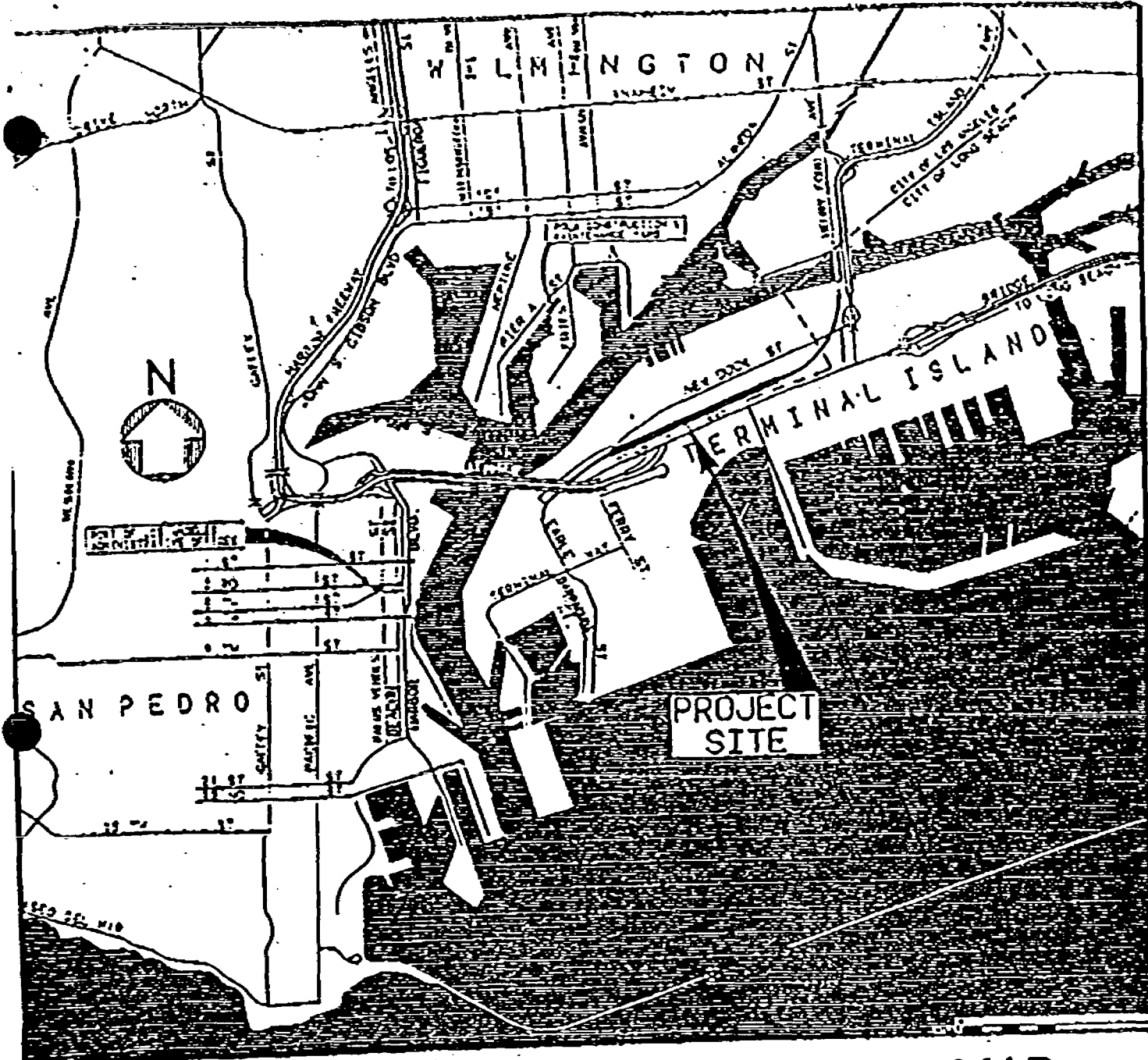
- (d) Construction of Two Permanent Grade Crossings
 - a. New Dock Street 3A-23.69-C
 - b. Access Road 3A-23.66-C

- (e) Construction of Four Temporary Grade Crossings
 - a. New Dock Street 3A-23.49-C
 - b. Henry Ford Avenue Detour 3A-23.70-C
 - c. Henry Ford Avenue Detour 3A-23.72
 - d. New Dock Street Detour 3A-23.57-C

- (f) Construction of a Temporary Track
The connection will be made with turnouts of the proposed Shoofly No. 1 in Brighton Beach Yard. This ladder track connection would be made on an interim basis pending construction of the proposed Terminal Island Container Transfer Facility (TICTF).

Appendix B

<u>Street Name/ Crossing Number</u>	<u>Existing Warning Device</u>	<u>Proposed Warning Devices</u>
Henry Ford Avenue (Between Old Dock Street and New Dock Street) 3A-23.42	1 No. 3	Closed
Off-Ramp From Terminal Island Freeway 3A-23.47-C	1 No. 8-A	1 No. 9 1 No. 9-A
New Dock Street 3A-23.48-C	1 No. 8-A	1 No. 9 1 No. 9-A
New Dock Street 3A-23.49-C	New & Temporary	2 No. 8
New Dock Street 3A-23.51	2 No. 8-A's	Closed
New Dock Street Underpass 3A-23.52-B	New Grade Separation	
New Dock Street Detour 3A-23.57-C	New & Temporary	2 No. 8-A's
Henry Ford Avenue 3A-23.64-B	New Grade Separation	
Henry Ford Avenue (South of New Dock Street) 3A-23.65	2 No. 8-A's	Closed
Access Road 3A-23.66-C	New	2 No. 9-A's
SERRF North Entrance 3A-23.68-C	2 No. 1-R's	2 No. 9's 1 No. 9-A
New Dock Street 3A-23.69-C	New	3 No. 9-A's
Henry Ford Avenue Detour 3A-23.70-C	New & Temporary	2 No. 8-A's 1 No. 9-A
Henry Ford Avenue Detour 3A-23.72	New & Temporary	2 No. 8-A's
New Dock Street 3A-23.73-C	2 No. 8-A's	Closed



LOS ANGELES HARBOR VICINITY MAP

TERMINAL ISLAND CONTAINER TRANSFER FACILITY

A.95-05-052 SEE/RRR/02

Appendix C
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**TABLE 1
EXISTING RAILROAD CROSSINGS
NEW DOCK STREET/HENRY FORD AVENUE GRADE SEPARATION**

CROSSING NUMBER	LOCATION	1993 TRAFFIC		PROTECTION			RAIL	COMMENTS
		RAIL (1)	VEHICULAR (2)	Warning Device	Manufactured By	Material		
3A-22-02	Henry Ford Avenue Between 04 Dock Street and New Dock Street	4-6		One (1) Wg Wg on West Side of Henry Ford Avenue	Union Pacific Railroad	Asphalt	Main Line - West Leg of Wye	Close Crossing
3A-22-01	Dock Street Extension to Terminal Island Freeway	4-6		Two (2) Standard No. 8-A Crossing Signals	Union Pacific Railroad	Asphalt	Main Line - West Leg of Wye	Close Crossing Replace with Grade Separation (Crossing No. 3A-22-02 B)
3A-22-06	Henry Ford Avenue South of New Dock Street	8-10		Two (2) Standard No. 8-A Crossing Signals	Union Pacific Railroad	Concrete	Main Line - West Leg of Wye	Close Crossing Replace with Grade Separation (Crossing No. 3A-22-02 B)
3A-22-04-0	SEFFF North Entrance	5		Two (2) Standard No. 1-R Crossing Signals	Union Pacific Railroad	Concrete	Dow Chemical Spur - South Leg of Wye	Full-Size Track - Multiple Same Number of Crossings
3A-22-03-0	New Dock Street	4		Two (2) Standard No. 8-A Crossing Signals	Union Pacific Railroad	Concrete	Dow Chemical Spur	Close Crossing Replace with (Crossing No. 3A-22-02 C) (Fish St)
3A-22-03-0	Dock Street	4		Two (2) Standard No. 1-R Crossing Signals	Union Pacific Railroad	Asphalt	Dow Chemical Spur	No Change - Fish St Crossing
3A-22-07-0	Oil Ramp from Terminal Island Freeway	2		One (1) Standard No. 8-A Crossing Signal	Union Pacific Railroad	Asphalt	East Leg of Wye	Moddy Crossing
3A-22-09-0	Oil-Ramp to Terminal Island Freeway	2		One (1) Standard No. 8-A Crossing Signal	Union Pacific Railroad	Concrete	East Leg of Wye	Moddy Crossing
3A-22-05-0	Terminal Island Freeway	N/A	N/A	None			South Leg of WYE	Grade Separated Adjust Vertical Alignment Maintain Min. Clearance
3A-22-05-0	Terminal Island Freeway	N/A	N/A	None			East Leg of WYE	Grade Separated Adjust Vertical Alignment Maintain Min. Clearance

(1) Number of Train Crossings Per Day
(2) All-Other Peak Hour Volume
N/A Not Applicable

000187

**TABLE 2
PROPOSED RAILROAD CROSSINGS
NEW DOCK STREET/HENRY FORD AVENUE GRADE SEPARATION**

CROSSING NUMBER	LOCATION	TRAFFIC		PROTECTION			RAIL	COMMENTS
		Rail (1)	Vehicle (2)	Warning Device	Maintained By	Material		
3A-23.63-C	New Dock Street (Existing)	4	290(390)	Four (4) Standard No. 8-A Crossing Signals	Port of Los Angeles	Concrete with rubber insert	Dow Lead	Relocation of Crossing No. 3A-23.73-C
3A-23.70-C	Henry Ford Avenue Detour	4	290(390)	Two (2) Standard No. 8-A Crossing Signals	Port of Los Angeles	Concrete with rubber insert	Dow Lead	Temporary Crossing Length of Service: 313 Days
3A-23.37-C	New Dock Street Detour	4	290(390)	Two (2) Standard No. 8-A Crossing Signals	Port of Los Angeles	Asphalt	Dow Lead and Dow Spur	Temporary Crossing Length of Service: 310 Days
3A-23.17-C	Oil Ramp from Terminal Island and Freeway (Existing)	"	200(35)	One (1) Standard No. 8-A Crossing Signal, and One (1) Standard No. 8 Crossing Signal	Port of Long Beach	Concrete with rubber insert	East Leg of Wye	Reconstruction of Existing Crossing
3A-23.48-C	New Dock Street (Existing)	"	70(300)	One (1) Standard No. 8-A Crossing Signal, and One (1) Standard No. 8 Crossing Signal	Port of Long Beach	Concrete with rubber insert	East Leg of Wye	Reconstruction of Existing Crossing
3A-23.72	Henry Ford Avenue Detour (Proposed)	4-8	290(390)	Two (2) Standard No. 8-A Crossing Signals	Port of Los Angeles	Asphalt	Shoo By No. 5	Temporary Crossing Length of Service: 311 Days
3A-23.68-C	SEAPF North Entrance (Existing)	"	"	Two (2) Standard No. 8 Crossing Signals One (1) Standard No. 8-A Crossing Signal	Port of Long Beach	Concrete with rubber insert	South Leg of Wye	Relocation of Crossing No. 3A-23.68-C
3A-23.52-B	New Dock Street (Proposed)	4-8	290(390)	None	Port of Los Angeles	-	Main Tracks	Grade Separation - Rail Over Street
3A-23.64-B	Henry Ford Avenue (Proposed)	4-8	290(390)	None	Port of Los Angeles	-	Main Tracks	Grade Separation - Rail Over Street
3A-23.69-C	Access Road (Proposed)	2	"	Two (2) Standard No. 8-A Crossing Signals	Port of Los Angeles	Concrete with rubber insert	Dow Lead	New Crossing
3A-23.44-C	New Dock Street (Existing)	"	200(75)	Two (2) to three (3) Standard No. 8 Crossing Signals	Port of Los Angeles	Asphalt	Shoo By No. 4	Temporary Crossing Length of Service: 184 Days



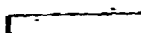

(1) Number of Train Crossings Per Day
Negligible Volume
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(2) AMPM Peak Hour Volumes
Infrequent Traffic - Less Than One Train Per Day

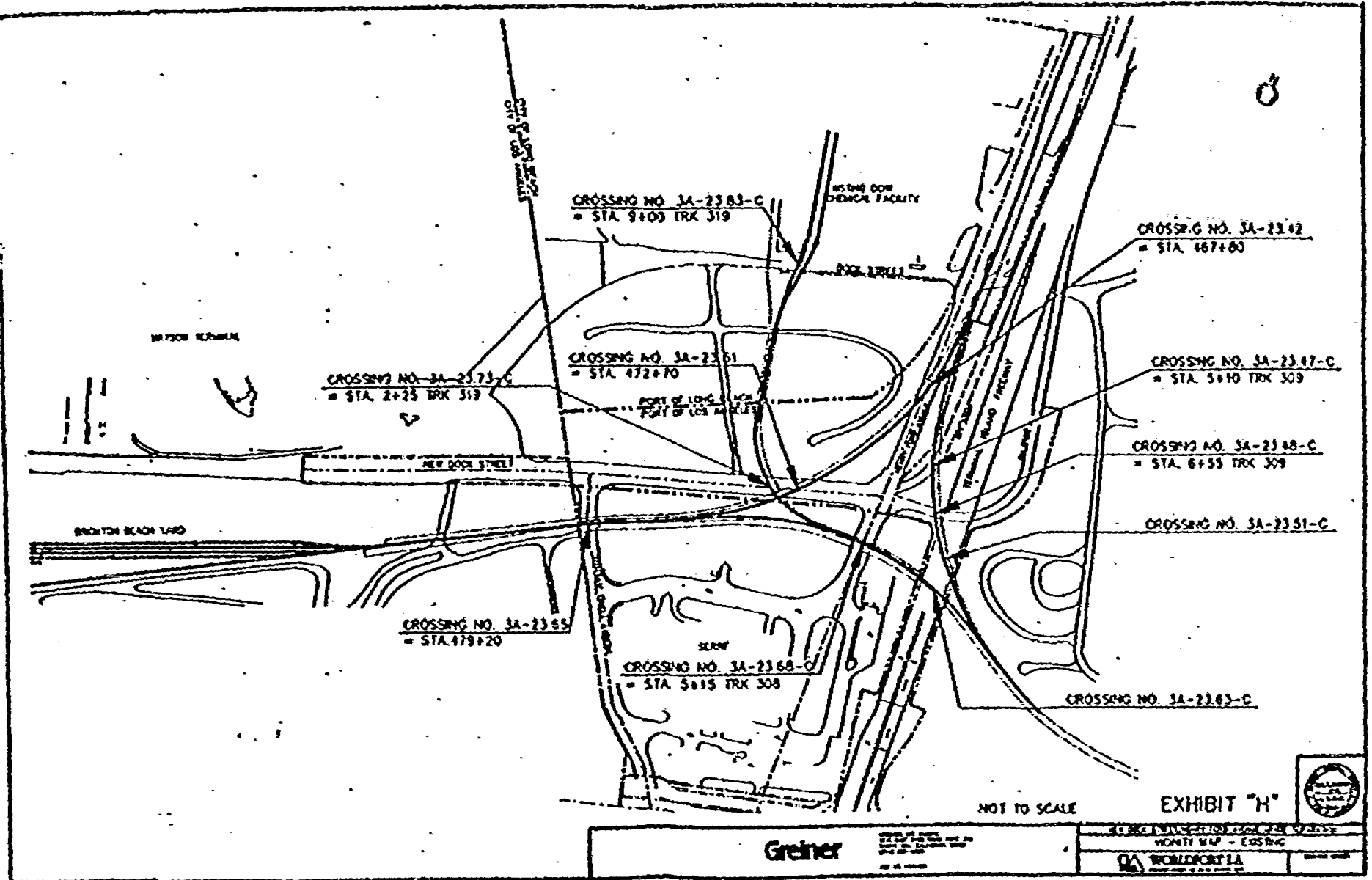
TABLE 3

**PHASING OF CONSTRUCTION OF PROPOSED CROSSINGS AND CLOSING OF EXISTING CROSSINGS
NEW DOCK STREET/HENRY FORD AVENUE GRADE SEPARATION**

CROSSING NUMBER	PHASE					COMMENTS
	1	2	3	4	5	
EXISTING CROSSINGS						
3A-23.42						Close Crossing
3A-23.51						Replace Crossing with Grade Separation (Crossing No. 3A-23.52-B)
3A-23.65						Replace Crossing with Grade Separation (Crossing No. 3A-23.64-B)
3A-23.68-C						Realign Track - Maintain Some Number of Crossings
3A-23.73-C						Replace Crossing with (Crossing No. 3A-23.71-C) (Future)
3A-23.47-C						Modify Crossings
3A-23.46-C						Modify Crossings
PROPOSED CROSSINGS						
3A-23.69-C						Relocation of Crossing No. 3A-23.73-C
3A-23.70-C						Temporary Crossing Length of Service: 311 Days
3A-23.72						Temporary Crossing Length of Service: 311 Days
3A-23.52-B						Underpass - Rail Over Street
3A-23.64-B						Underpass - Rail Over Street
3A-23.66-C						New Crossing
3A-23.57-C						Temporary Crossing Length of Service: 160 Days
3A-23.49-C						Temporary Crossing Length of Service: 154 Days

-  CROSSING CLOSED
-  CROSSING UNDER CONSTRUCTION
-  CROSSING IN SERVICE
-  CROSSING NOT IN SERVICE

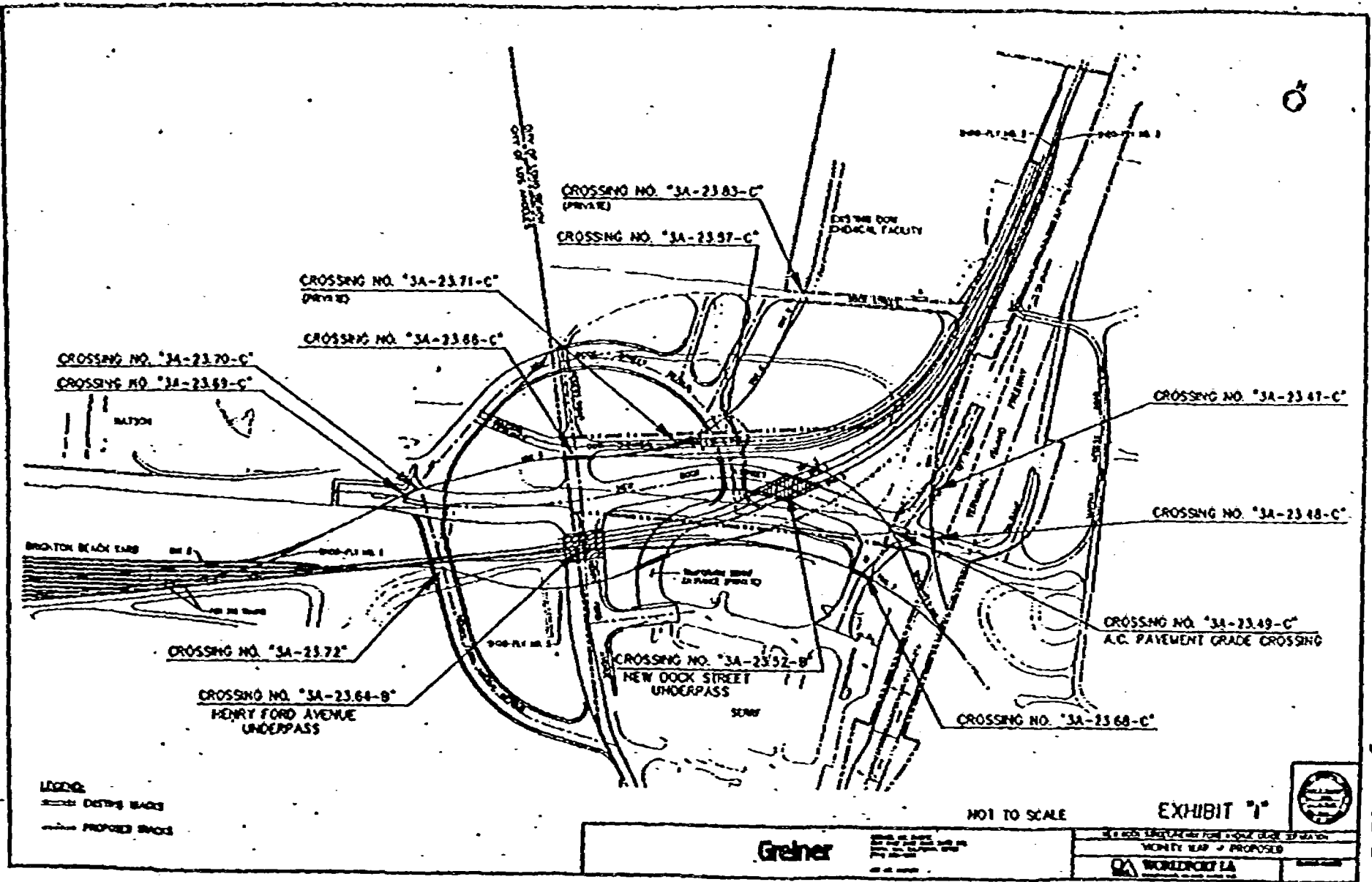
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NOT TO SCALE

EXHIBIT "H"

	ENGINEERING 12345 GARDEN STREET LOS ANGELES, CA 90001 TEL: (213) 555-1234 FAX: (213) 555-5678	40000 10000 20000 30000 40000 NORTH MAP - EXISTING	
	WORLDPORT LA A Division of the Port of Los Angeles		



LEGEND:
 --- EXISTING ROAD
 --- PROPOSED ROAD

NOT TO SCALE

EXHIBIT 'I'

Greiner

	WORLDPOINT LA 1000 W. 10TH STREET, SUITE 100 LOS ANGELES, CA 90057
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