

Decision 00-01-012 January 06, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LOS)	
ANGELES COUNTY METROPOLITAN)	Application 99-05-011
TRANSPORTATION AUTHORITY for an)	(Filed May 6, 1999)
order authorizing the construction of a)	
pedestrian grade crossing at Artesia Light Rail)	
Station across a Union Pacific spur track,)	
across the Union Pacific Wilmington Branch)	
track at MP 495.41 and across two Light Rail)	
tracks at MP 13.22 in the City of Compton,)	
<u>County of Los Angeles, California.</u>)	

OPINION

Los Angeles County Metropolitan Transportation Authority (MTA) requests authority to construct a pedestrian grade crossing at Artesia Light Rail Station across a spur track and Wilmington Branch track of Union Pacific Railroad Company (UP), and also across two light rail train (LRT) tracks of the Los Angeles-Long Beach Blue Line being operated by MTA in the City of Compton, Los Angeles County.

MTA was created by the legislature pursuant to PU Code Section 130050.2 to be the successor agency to the Southern California Rapid Transit District (SCRTD) and the Los Angeles County Transportation Commission (LACTC) which two agencies ceased to exist as of April 1, 1993.

The Los Angeles-Long Beach Metro Blue Line has been in operation since 1990 and ridership has increased so that expansion of facilities is required. Pedestrian ingress and egress to the Artesia Station is from the west by a private grade crossing with flashing lights across a UP spur track, the UP Wilmington Branch main track, and across MTA southbound LRT track. City of Compton (City) has requested that the existing pedestrian crossing be extended eastward across MTA's northbound LRT track to provide ingress and egress to

patrons and employees of the adjacent Crystal Park Hotel and Casino and LRT patrons who might utilize parking areas to the east of Artesia Station.

MTA has studied three alternatives to providing access on the east side of Artesia Station: 1) At grade crossing; 2) depressing a pedestrian crossing beneath the tracks; 3) raising the pedestrian crossing above the tracks. MTA has found that Alternatives 2 and 3 would require ramps and/or elevators constructed in accordance with Americans with Disabilities Act (ADA) requirements. Each of these two alternatives was judged to be infeasible by MTA considering conflict with existing installations and facilities; the need for efficient means of pedestrian ingress and egress to and from the station platform; the ADA, environmental and aesthetic requirements and financial resources. Therefore, MTA has chosen the at-grade alternative for construction.

The proposed crossing will be constructed in accordance with the Construction and Maintenance Agreement dated June 19, 1985 between LACTC and Southern Pacific Transportation Company, predecessor in interest to UP, a copy of which is attached to LACTC Application (A.) 86-08-035, filed August 22, 1986.

The cost of construction will be borne by MTA. MTA and UP will maintain their respective tracks, automatic warning devices, crossings, rights-of-way and facilities. The cost of maintenance of the crossing and automatic warning devices will be at the expense of MTA in accordance with an agreement dated December 21, 1989 between LACTC and UP covering maintenance of the crossings where their two rights of way are immediately adjacent.

MTA 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. On March 29, 1985, a Notice of Determination was filed with the Secretary for Resources and with the Los Angeles County Clerk which found that "The project will have a significant impact on the environment." A Statement of Overriding Considerations was adopted for the project.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's EIR and Notice of Determination. The site of the

proposed grade crossing has been inspected in the field and the proposed plans have been reviewed by the Commission's Rail Safety and Carriers Division, Rail Crossings Engineering Staff.

The application was found to be in compliance with the Commission's filing requirements, including Rule 38 of the Rules of Practice and Procedure which relates to the construction of public highway crossings and separations over a railroad. A vicinity map and detailed drawings of the location of the crossing are shown in Appendix A.

In Resolution ALJ-176-3015 dated May 13, 1999, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, public hearing is not necessary, and it is not necessary to alter the preliminary determination made in Resolution ALJ-176-3015.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to PU Code Section 311 (g) (2), the otherwise applicable 30-day period for public review and comment is being waived.

Findings of Fact

1. Notice of the application was published in the Commission Daily Calendar on May 12, 1999. No protests have been received. A public hearing is not necessary.

2. MTA requests authority under Public Utilities Code Sections 1201-1205 to construct a pedestrian grade crossing at Artesia Light Rail Station across a spur track and Wilmington Branch track of UP, and also across two light rail train tracks of the Los Angeles-Long Beach Blue Line being operated by MTA in Compton, Los Angeles County.

3. Construction of the pedestrian grade crossing is required to alleviate passenger congestion at the entrance of Artesia Station.

4. Public convenience and necessity require construction of the pedestrian grade crossing.

5. Public safety requires that the existing Standard No. 8 Flashing Light Signals shall be supplemented with an additional Standard No. 8 Flashing Light Signal (General Order (GO) 75-C) to be installed east of the northbound LRT track. Standard No. 1-D Pedestrian and Bicycle Railroad Grade Crossing Sign (GO 75-C) shall be affixed to the outermost flashing light posts. Swing gates shall be installed as shown in Appendix B.

6. MTA 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 EIR.

8. The Long Beach-Los Angeles Rail Transit Project has had some impact on the environment; however, mitigation measures have eliminated or reduced the severity of the adverse impacts to acceptable levels. No impacts are associated with the pedestrian crossing.

9. A Statement of Overriding Considerations was adopted for the project by MTA, the lead agency. We agree with the statement of overriding considerations.

Conclusion of Law

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

ORDER

IT IS ORDERED that:

1. Los Angeles County Metropolitan Transportation Authority (MTA) is authorized to construct a pedestrian grade crossings at Artesia Light Rail Station across a Union Pacific Railroad Company (UP) spur track to be identified as crossing BBH-495.49-CD, across UP Wilmington Branch track to be identified as crossing BBH-495.41-D, and across two light rail train tracks of the Los Angeles-Long Beach Blue Line to be identified as crossing 84L-13.22-D in Compton, Los Angeles County, at the location and substantially as shown in Appendix A attached to this order.

2. Clearances and walkways shall conform to General Order (GO) 143-A for MTA's light rail tracks.

3. Clearances shall be in accordance with GO 26-D. Walkways shall be in accordance with GO 118, for the UP tracks.

4. Construction of the grade crossing shall be equal or superior to Standard No. 6 of GO 72-B. The cost of construction will be borne by MTA. MTA and UP will maintain their respective tracks, automatic warning devices, crossings, rights-of-way and facilities. The cost of maintenance of the crossing and automatic warning devices will be at the expense of MTA in accordance with an agreement dated December 21, 1989 between LACTC and UP covering maintenance of the crossings where their two rights of way are immediately adjacent. All construction and maintenance work will be done in accordance to GO 72-B.

5. Public safety requires that the existing Standard No. 8 Flashing Light Signals shall be supplemented with an additional Standard No. 8 Flashing Light Signals to be installed east of the northbound LRT track. Standard N. 1-D Pedestrian and Bicycle Railroad Grade Crossing Sign (GO 75-C) shall be affixed to the outermost flashing light posts. Swing gates shall be installed as shown in Appendix B.

6. Within 30 days after completion of the work under this order, MTA shall notify the Commission in writing that the authorized work was completed.

7. 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.

8. The application is granted as set forth above.

9. Application 99-05-011 is closed.

This order is effective 30 days from today.

Dated January 06, 2000 at San Francisco, California.

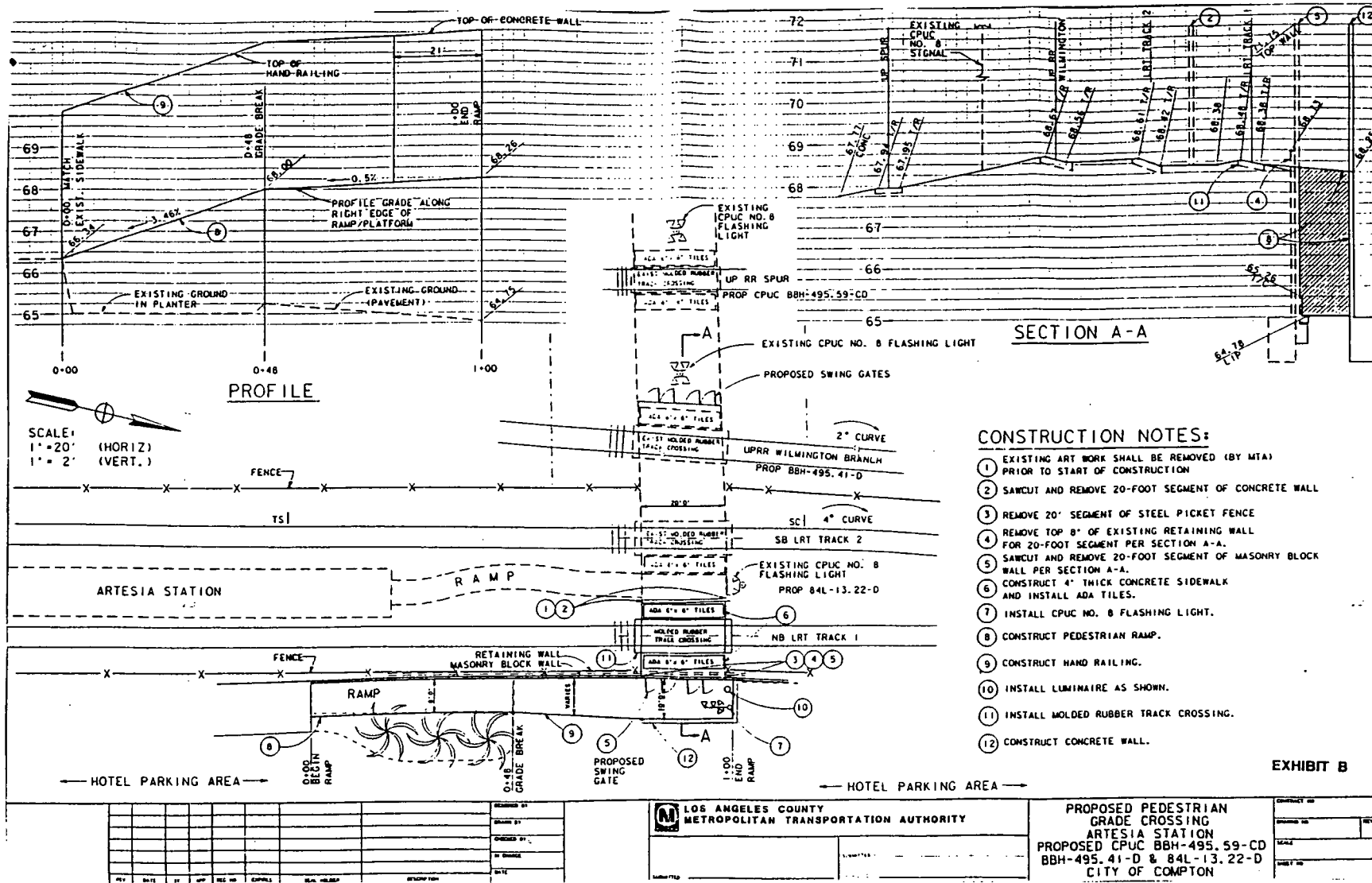
RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
CARL W. WOOD
Commissioners

I abstain
/s/ LORETTA M. LYNCH
Commissioner



Appendix A
Vicinity Map

Artesia Station



- CONSTRUCTION NOTES:**
- 1 EXISTING ART WORK SHALL BE REMOVED (BY MTA) PRIOR TO START OF CONSTRUCTION
 - 2 SAWCUT AND REMOVE 20-FOOT SEGMENT OF CONCRETE WALL
 - 3 REMOVE 20' SEGMENT OF STEEL PICKET FENCE
 - 4 REMOVE TOP 8" OF EXISTING RETAINING WALL FOR 20-FOOT SEGMENT PER SECTION A-A.
 - 5 SAWCUT AND REMOVE 20-FOOT SEGMENT OF MASONRY BLOCK WALL PER SECTION A-A.
 - 6 CONSTRUCT 4" THICK CONCRETE SIDEWALK AND INSTALL ADA TILES.
 - 7 INSTALL CPUC NO. 8 FLASHING LIGHT.
 - 8 CONSTRUCT PEDESTRIAN RAMP.
 - 9 CONSTRUCT HAND RAILING.
 - 10 INSTALL LUMINAIRE AS SHOWN.
 - 11 INSTALL MOLDED RUBBER TRACK CROSSING.
 - 12 CONSTRUCT CONCRETE WALL.

Appendix B
 Detail Plan

EXHIBIT B

REV.	DATE	BY	APP.	DESCRIPTION

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

PROPOSED PEDESTRIAN
 GRADE CROSSING
 ARTESIA STATION
 PROPOSED CPUC BBH-495.59-CD
 BBH-495.41-D & 84L-13.22-D
 CITY OF COMPTON

CONTRACT NO.	
SCALE	
SHEET NO.	