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Mailed: 7/26/99

Decision 99-07-042 July 22, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
Alameda Corridor Transportation Authority)	
for an order authorizing the construction)	
of a two-track grade separation above)	Application A.99-01-027
Washington Boulevard, a five-track grade)	(Filed January 22, 1999
separation above Washington Boulevard , and a)	Amended February 18, 1999)
grade separation for Santa Fe Avenue above)	
three tracks, a crossover, a turnout and above)	
an industrial spur in the City of Los Angeles,)	
<u>County of Los Angeles.</u>)	

OPINION

Alameda Corridor Transportation Authority (ACTA) requests authority to construct:

(1) A grade separation above Washington Boulevard, for the relocation of The Burlington Northern and Santa Fe Railway Company (BNSF) two existing main tracks; (2) a second grade separation above Washington Boulevard for four ACTA tracks and a Union Pacific Railroad Company (UP) track; and (3) a grade separation for Santa Fe Avenue above two ACTA tracks, one UP track, a crossover and a turnout and above an industrial spur track in the City of Los Angeles, Los Angeles County, as set forth in Appendices A and B, and as more fully described and indicated by text and plans attached to the application.

ACTA was created in 1989 as a Joint Power Organization as a result of studies and planning activities that showed the need for a consolidated railroad link between the Ports of Los Angeles and Long Beach (Ports) and the regional and national railroad systems. Construction of a twenty mile, two track railroad link is planned upon former Southern Pacific Transportation Company San Pedro Branch right-of-way that ACTA has acquired.

The fundamental purpose of the Alameda Corridor project is to provide improved goods movement without the adverse consequences of increased future freight rail traffic

while at the same time sustaining economic growth. In addition to facilitating access to the Ports and accommodating the Ports' growth, the planned corridor will reduce highway congestion, air pollution and noise which is most beneficial in residential areas. It will also reduce delays at an existing at-grade railroad crossings and will provide enhanced safety. Through train operations over ninety miles of existing trackage will be consolidated into the new corridor which will be entirely grade separated and will greatly reduce present vehicular delays along existing San Pedro Branch Line Corridor.

The entire Alameda Corridor Program has forty railroad-highway crossings along its three major sections:

1. The North End consists of several segments and ten public crossings. The Redondo Junction Grade Separation is one of these segments and extends from a point south of Olympic Boulevard along the west bank of the Los Angeles River, then continues southeasterly to the intersection of The Burlington Northern Santa Fe Railway Company (BNSF) right-of-way, east of Soto Street. PUC authority for construction of the Redondo Junction Grade Separation was requested in application (A.) 98-04-047, filed April 23, 1998. Another segment consists of the connection of the railroad tracks from the Ports to the BNSF San Bernardino Subdivision and to the Union Pacific Railroad Company (UP) tracks.

By Decision (D.) 98-10-015, dated October 8, 1998, the Commission granted authority to construct the railroad-railroad grade separation for the tracks of the Southern California Regional Rail Authority (SCRRA) to pass over the tracks of ACTA, the Union Pacific Railroad Company (UP) and BNSF. The structure when completed will also go over Washington Boulevard; and the Soto Street Separation will be altered and reconstructed.

2. The Mid-Corridor along Alameda Street between Santa Fe Avenue in Los Angeles and State Highway 91 in Compton will be a ten-mile, thirty-three feet deep, fifty-foot wide, depressed double-track railroad with twenty-nine road crossings and three railroad crossings above and across the depressed railroad.

Included in this Mid-Corridor will be a 5.6 mile, at-grade UP by-pass track parallel to the depressed railroad along the East Side of the ACTA right-of-way. This at-grade connection has 17 grade crossings, two grade separations, and one separated railroad crossing, between the existing tracks at the State Highway 91 overpass and the track's connection to the UP Santa Ana Branch, north of Firestone Boulevard. The Mid-Corridor extends from Los Angeles through the Cities of Los Angeles, Vernon, Huntington Park, South Gate, Lynwood, Compton, and the unincorporated County of Los Angeles. PUC authority for construction of this by-pass track is sought in application A.98-11-010, filed November 2, 1998.

By D.99-04-019, dated April 1, 1999, the Commission granted authority to relocate 17 single-track highway grade crossings; two single-track grade-separated highway crossings, and one grade-separated railroad crossing between Firestone Boulevard grade crossing and Auto Drive South, inclusive, in the County of Los Angeles, Cities of South Gate, Lynwood, and Compton.

3. The South End Corridor trackage extends at-grade along Alameda Street through unincorporated County of Los Angeles, City of Carson, and City of Los Angeles to the Ports and serves Dolores Yard, the Intermodal Container Facility (ICF) and various industries en route. Planning is ongoing to grade separate existing grade crossings that will result in the filing of subsequent applications to the Commission. PUC authority for the South End Corridor is sought in application A.99-02-013, filed February 8, 1999.

This project involves another segment of the North End Corridor, and consists of the connection of the railroad tracks from the Ports to the BNSF San Bernardino Subdivision and to the UP tracks. ACTA will construct a grade separation structure for two BNSF tracks to be located above Washington Boulevard at substantially the same location as the Harbor Branch grade separation opened and maintained by BNSF and owned by LACMTA, known

as Washington Boulevard Underpass 2H – 0.1-B. Construction of this structure is required for BNSF's connection to the Corridor and involves the permanent, cessation of BNSF's railroad operations on the west leg of the Harbor Branch Wye and removal of the existing of Washington Boulevard Underpass 2H – 0.1-B.

As part of the Washington Boulevard project, a grade separation structure for four ACTA tracks and a UP track will also be constructed over Washington Boulevard. Two tracks of the four ACTA tracks will connect the Corridor to BNSF's relocated San Bernardino Subdivision. The southerly half of the grade separation structure, will be constructed while an existing track at grade across Washington Boulevard remains in service with existing Standard No. 9 automatic gate-type signal (GO 75-C). Following construction of the southerly half of the structure and relocation of a track to the structure, crossing numbers 3-1.56-C and 2-143.31-C will be closed and removed.

ACTA will also construct a grade separation structure for Santa Fe Avenue above two ACTA tracks, one UP track, a crossover, a turnout, and one UP industrial spur track. The existing Santa Fe Avenue grade crossings will be closed upon completion of the grade separation structure.

ACTA 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 June 27, 1997, the State of California Clearinghouse advised ACTA, that it had complied with State Clearinghouse review requirements for "draft environmental documents, pursuant to the California Environmental Quality Act (CEQA)." The United States Department of Transportation issued a Record of Decision approving Alameda Corridor Project. ACTA had previously prepared an Environmental Impact Report (EIR) on January 1993, and an Environmental Impact Statement (EIS) in February 1996.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered ACTA's environmental documentation. The site of the project has been inspected by the Commission's Rail Safety and Carrier Division – Rail Crossings Engineering Section staff. Staff examined the need for and the safety of the proposed grade separations and related railroad construction and recommends that the application be approved.

The application was found to be in compliance under the Commission's filing requirements, including Rules 39 and 40 of the Rules of Practice and Procedure, which relates to the construction and widening of public highway crossings and separations over a railroad. A site map of the grade crossing and separations is as shown on plans attached to the application and Appendix B.

By letter dated February 4, 1999, ACTA advised Commission staff of deficiencies in the original application. On February 18, 1997, ACTA filed an Amended Application, which incorporated the deficient items. There are no other unresolved matters.

In Resolution ALJ 176-3009, dated February 4, 1999, and published in the Commission Daily Calendar on February 8, 1999, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. 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 disturb the preliminary determinations made in Resolution ALJ 176-3009.

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 comments is being waved.

Findings of Fact

1. Notice of the application and amendment were published in the Commission Daily Calendar on January 27, 1999 and February 22, 1999, respectively. No protests have been received. A public hearing is not necessary.

2. ACTA requests authority to construct (1) a grade separation above Washington Boulevard, for the relocation of The Burlington Northern and Santa Fe Railway Company (BNSF) two existing main tracks; (2) a second grade separation above Washington Boulevard for four ACTA tracks and a Union Pacific Railroad Company (UP) track; and (3) a grade separation for Santa Fe Avenue above two ACTA tracks, one UP track, a crossover and a turnout and above an industrial spur track in the City of Los Angeles, as set forth in Appendices A and B, and as more fully described and indicated by text and plans attached to the application.

3. The Alameda Corridor and related rail projects are required to provide improved goods movement, to accommodate the Ports of Long Beach and Los Angeles growth, reduce highway congestion, reduce air pollution and noise, which will benefit adjacent residential and industrial areas.

4. Public convenience and necessity require relocation of the grade crossings and construction of the by-pass track and other related rail work, in connection with the Alameda Corridor project, as set forth in Appendices A and B, and as more fully described in the application.

5. ACTA is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's EIR, EIS, and U.S. Department of Transportation Record of Decision.

Conclusion of Law

1. The application should be granted as set forth in the following order.
2. The usual 30-day effective date on an order should be waived as ACTA wishes to commence construction of the project at the earliest possible date, to meet construction schedules.

ORDER

IT IS ORDERED that:

1. Alameda Corridor Transportation Authority (ACTA) is authorized to construct a grade separation above Washington Boulevard, for the relocation of The Burlington Northern and Santa Fe Railway Company (BNSF) two existing main tracks, to be identified as Crossing 2-143.2-B. A second grade separation will be constructed above Washington Boulevard for four ACTA tracks and a Union Pacific Railroad Company (UP) track, to be identified as 114-0.28-B. ACTA is also authorized to construct a grade separation for Santa

Fe Avenue above two ACTA tracks, one UP track, a crossover and a turnout, to be identified as 114-0.41-A, and above an industrial spur track, to be identified as BG-486.26-AC, in the City of Los Angeles, Los Angeles County, as set forth in Appendices A and B, and as more fully described and indicated by text and plans attached to the application.

2. Upon construction of the grade separations, existing BNSF Washington Boulevard Underpass 2-143.2-B will be closed and vacated. Existing Washington Boulevard grade crossings, 3 - 1.56-C and 2 - 143.31-C will be closed and removed. Existing Santa Fe Avenue grade crossings, 3 - 1.50-C and 2 - 143.29-C will be closed upon completion of the Santa Fe Avenue Overpass.

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

4. Clearances shall be in accordance with GO 26-D. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

5. Construction and maintenance costs shall be borne in accordance with an agreement entered into between parties. A copy of the agreement shall be filed by ACTA with the Commission's Rail Safety and Carriers Division prior to commencing construction.

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

7. 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.

The application is granted as set forth above.

Application 99-01-027 is closed.

This order is effective today.

Dated July 22, 1999, at San Francisco, California.

RICHARD A. BILAS

President

HENRY M. DUQUE

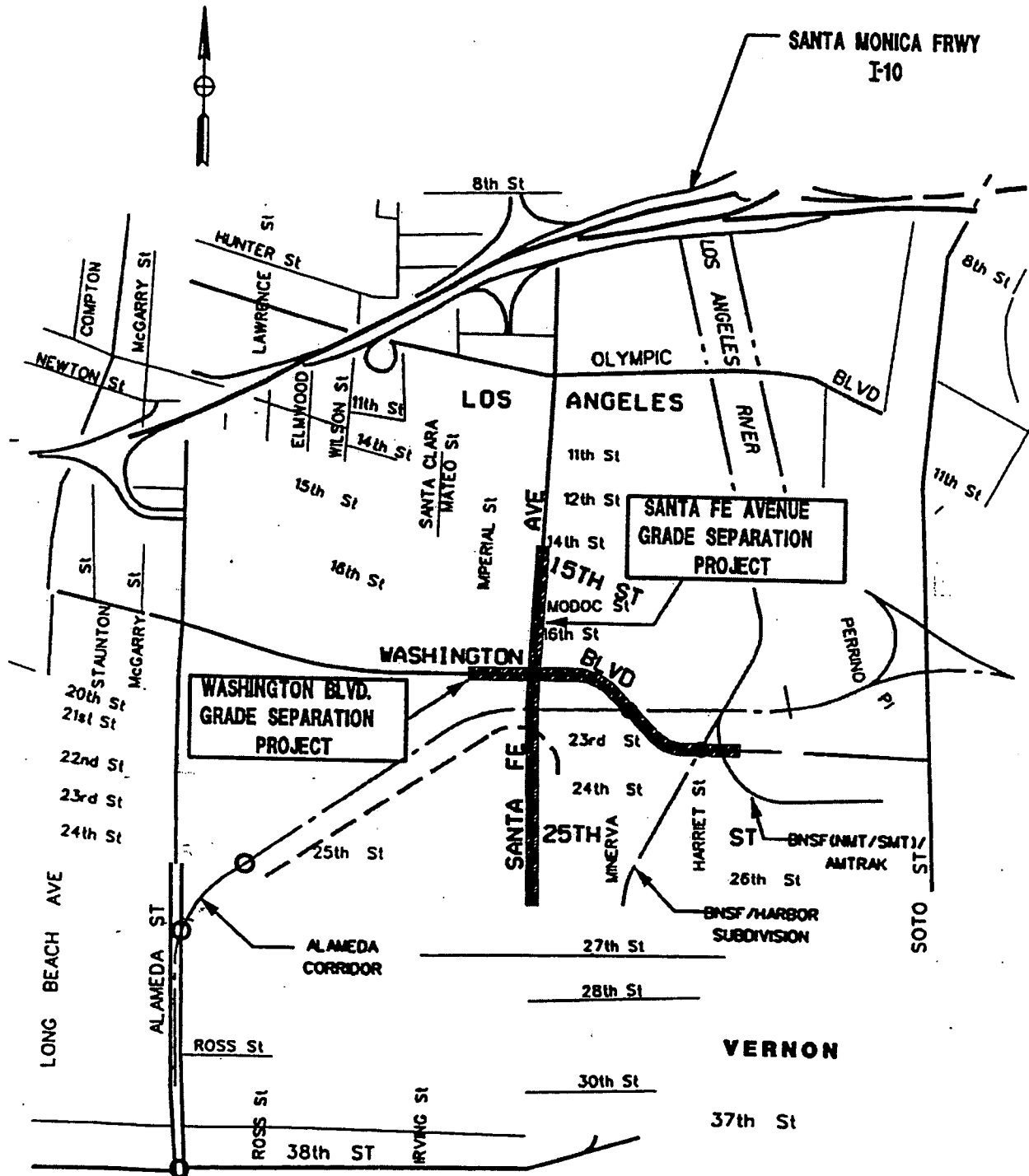
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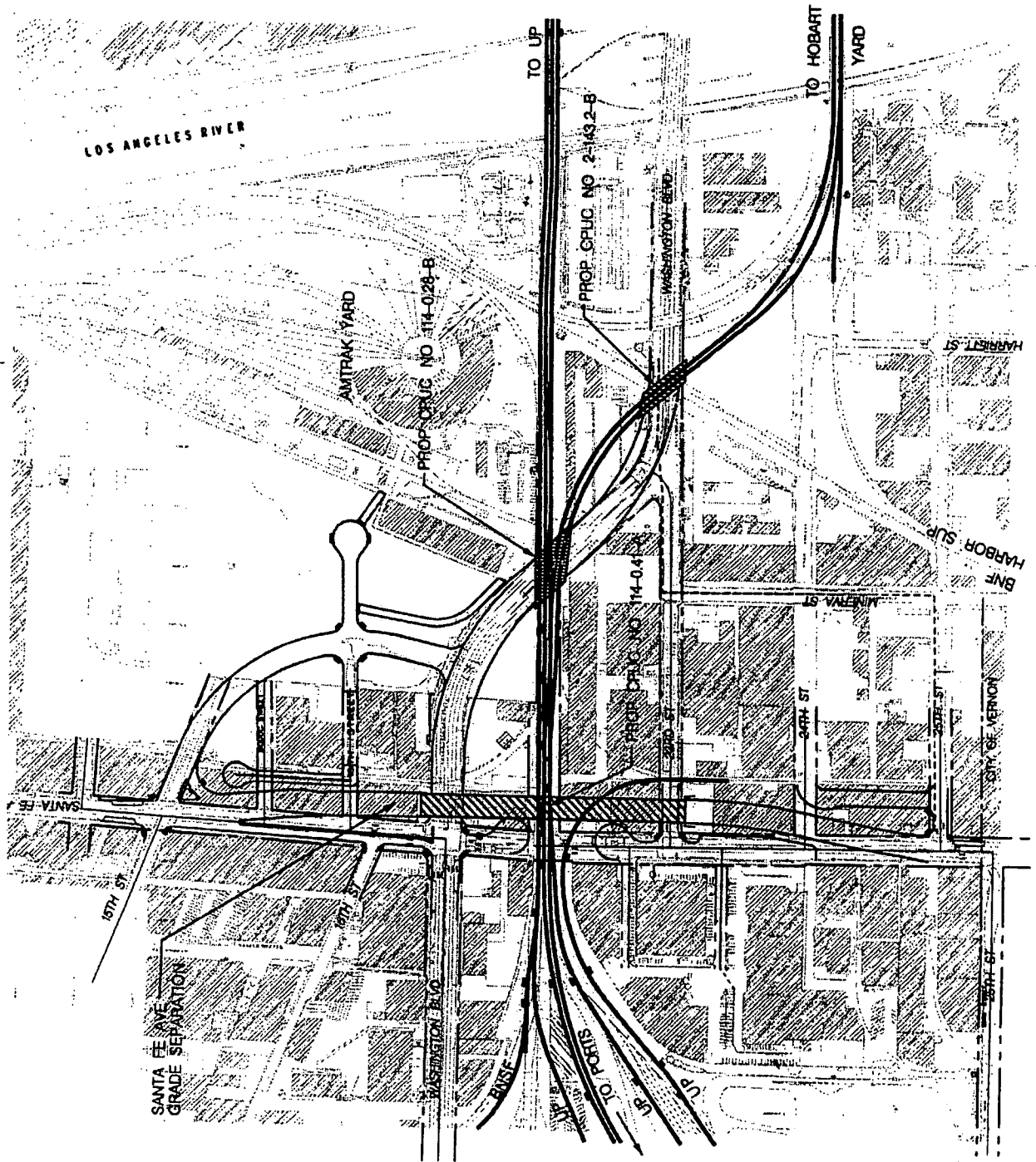
JOEL Z. HYATT

CARL W. WOOD

Commissioners

APPENDIX A





APPENDIX B

As part of the project to construct the Alameda Corridor, the Alameda Corridor Transportation Authority (ACTA) proposes to construct (1) a grade separation above Washington Boulevard, for the relocation of The Burlington Northern and Santa Fe Railway Company (BNSF) two existing main tracks; (2) a second grade separation above Washington Boulevard for four ACTA tracks a Union Pacific Railroad Company (UP) track; and (3) a grade separation for Santa Fe Avenue above two ACTA tracks, one UP track, a crossover and a turnout and above an industrial spur track in the City of Los Angeles, Los Angeles County, as set forth below:

- (1) To construct a grade separation above Washington Boulevard, for the relocation of The Burlington Northern and Santa Fe Railway Company (BNSF) two existing main tracks:**

	<u>Name of Crossing</u>	<u>PUC Crossing No.</u>	<u>DOT Crossing No.</u>	<u>Type of Change</u>
1.	Washington Boulevard Underpass	2 - 143.2 - B	027629D	Relocate Underpass
2.	Washington Boulevard Underpass	2H - 0.1-B	027900U	Closed

- (2) To construct a grade separation above Washington Boulevard for four ACTA tracks and a UP track:**

	<u>Name of Crossing</u>	<u>PUC Crossing No.</u>	<u>DOT Crossing No.</u>	<u>Type of Change</u>
1.	Washington Boulevard Underpass	114 - 0.28-B	-	New Underpass
2.	Washington Boulevard grade crossing	3 - 1.56-C	027732R	Closed
3.	Washington Boulevard grade crossing	2 - 143.31-C	027730C	Closed

- (3) To construct a grade separation for Santa Fe Avenue above two ACTA tracks, one UP track, a crossover and a turnout and above an industrial spur track:**

	<u>Name of Crossing</u>	<u>PUC Crossing No.</u>	<u>DOT Crossing No.</u>	<u>Type of Change</u>
1.	Santa Fe Avenue Overpass	114 - 0.41-A	-	New Overpass
2.	Santa Fe Avenue Overpass	BG - 486.26-AC	-	New Overpass
3.	Santa Fe Avenue grade crossing	3 - 1.50-C	027731J	Closed
4.	Santa Fe Avenue grade crossing	2 - 143.29-C	027731J	Closed