

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY to Modify Decision 99-06-014 [A.99-02-013] and for authority to install No. 9 (gate and signal device) on the northbound lanes of Henry Ford Avenue, at the intersection of Henry Ford Avenue and the Pier A Way, and the relocation of an existing No. 9 (gate and signal device) on Henry Ford Avenue.

Application 04-06-028
(Filed June 22, 2004)

OPINION**Summary**

This decision grants Alameda Corridor Transportation Authority's (ACTA) request to modify Decision (D.) 99-06-014 and to authorize installation of additional traffic signals, installation of one additional CPUC Standard No. 9 warning device (flashing light signals with automatic gates, as defined in Commission General Order (GO) 75-C), and relocate an existing Standard No. 9 warning device near the at-grade highway-rail crossing of Henry Ford Avenue over one track of ACTA in City of Los Angeles (City), Los Angeles County.

Discussion

ACTA was created in 1989 as a Joint Powers 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. The Alameda Corridor was constructed by ACTA upon the former Southern Pacific Transportation Company's San Pedro Branch

right-of-way and was opened in April 2002. ACTA now operates and maintains the corridor from the Ports to downtown Los Angeles 20 miles to the north.

Multiple rail lines that serve the Ports, among them two tracks of the Alameda Corridor, intersect near the south end of the corridor. Many of these tracks come together near the intersection of Henry Ford Avenue, Pier A Way, and the ramps of State Route (SR) 103. As part of the larger Alameda Corridor grade-separation project, ACTA completed in June 2002 full reconstruction of the intersection and highway-rail crossings in order to grade-separate two ACTA tracks.

D.99-06-014, dated June 3, 1999, granted ACTA authority to (1) construct a two-track grade separation above a reconstructed intersection of Henry Ford Avenue with the on- and off-ramps of the SR-103 Freeway and a Union Pacific Railroad (UP) track; (2) reconstruct said intersection across a UP track and ACTA track number 3; (3) relocate the West Basin Lead track across the reconstructed and widened Henry Ford Avenue; and (4) construct a Transfer Yard Connection Track (TYCT) across Henry Ford Avenue. The plans attached to D.99-06-014 showed one CPUC Standard No. 9-A warning device (flashing light signals with automatic gates and additional flashing light signals on a cantilevered mast arm, as defined in GO 75-C) for the northbound lanes of Henry Ford Avenue at its intersection with the ramps of SR-103.

Subsequent to the authorization of D.99-06-014, it was determined that the Standard No. 9-A warning device, in combination with the proposed traffic signal operation and train detection circuitry, would have the potential to trap vehicles on the tracks at the TYCT crossing and would also limit visibility of the traffic signals at the intersection. Due to these safety concerns, the Standard No. 9-A was not installed as required by D.99-06-014.

Due to the extensive changes brought about through the ACTA grade-separation project in this area, the crossing identification numbers have gone through multiple revisions. The TYCT crossing, located along Henry Ford Avenue southwest of its intersection with the ramps of SR-103, was identified in D.99-06-014 as CPUC Crossing No. 114-18.45-C. The identification number was then changed to 114A-17.46-C by ACTA's submission of the CPUC Form G (Report of Changes at Highway Grade Crossings and Separations) in July 2002. Most recently, ACTA submitted a CPUC Form G in February 2003 changing the identification number to CPUC Crossing No. 114A-17.58-C.

The Commission's Consumer Protection and Safety Division – Rail Crossings Engineering Section (RCES), ACTA, and City discussed the crossing configuration at length. It was concluded that a Standard No. 9 warning device should be installed at the limitline along northbound Henry Ford Avenue at its intersection with SR-103 (northeast of the TYCT crossing). The Standard No. 9 will allow better visibility of the intersection traffic signals than would a Standard No. 9-A, while providing a clear warning to motorists when a train is approaching the intersection.

In order to mitigate the potential for vehicles to queue on the tracks or become trapped by the Standard No. 9, it is necessary to modify the existing railroad wayside signals, at-grade highway-rail crossing warning devices, and the roadway traffic signals. The existing railroad wayside signal for trains along ACTA 3, presently installed on the northern side of the channel bridge, will be relocated south to the side of the bridge adjacent to the crossing. Additionally, the existing CPUC Standard No. 9 warning device south of the TYCT crossing will be relocated approximately 55 feet closer to the crossing.

Additional traffic signals will be installed on the northbound lanes of Henry Ford Avenue at the TYCT crossing. These traffic signals will operate as “pre-signals” and will stop motorists prior to the TYCT crossing. The signals will also clear vehicles from the area in between TYCT crossing and the intersection on each phase cycle (“slot clearance”), thereby reducing the probability that a vehicle would be queued onto the tracks during activation of the crossing warning devices or under the solid red traffic signal indication. The details of the proposed traffic signal operations are discussed in the Application and shown in the plans attached as Appendix A-2 attached to the order. The changes to the overall configuration of crossing warning devices and traffic signals will reduce the necessary traffic signal preemption time to approximately 30 seconds in advance of an approaching train.

ACTA is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA, as amended in 1982), as stated in Public Resources Code Section 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 the Alameda Corridor Project. ACTA had previously prepared an Environmental Impact Report (EIR) in January 1993, and an Environmental Impact Statement (EIS) in February 1996.

The Commission authorized the project at Henry Ford Avenue in D. 99-06-014, stating as a Finding of Fact that the Commission “reviewed and considered the lead agency’s EIR, EIS, and U.S. Department of Transportation Record of Decision.” The proposed modification will not have any new

significant adverse effects on the environment, and does not otherwise fall within the circumstances of Public Resources Code Section 21166. No subsequent EIR or supplement to the prior EIR is required. In addition, CEQA Guideline Section 15301(f) provides that the addition of safety devices in conjunction with existing structures, facilities or mechanical equipment is exempt from CEQA.

RCES staff inspected the site of the crossing. After reviewing the need for and the safety of the proposed warning device configuration, RCES recommends that the Commission grant ACTA's request.

Categorization and Need for Hearings

In Resolution ALJ 176-3136, dated July 8, 2004, and published in the Commission Daily Calendar on July 9, 2004, the Commission preliminarily categorized this Application as ratesetting, and preliminarily determined that hearings were not necessary. Since no protests were filed, this preliminary determination remains correct. Given these developments, it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3136.

Waiver of Comment Period

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

Assignment of Proceeding

Richard Clark is the assigned Examiner in this proceeding.

Findings of Fact

1. Notice of the Application was published in the Commission Daily Calendar on June 23, 2004. There are no unresolved matters or protests; a public hearing is not necessary.

2. ACTA requests authority, under Public Utilities Code Sections 1201-1205, to install and modify the warning devices and traffic signaling for northbound Henry Ford Avenue near the at-grade highway-rail crossing of ACTA's TYCT track, CPUC Crossing No. 114A-17.58-C, as set forth in the Application.

3. Public safety requires the installation and modification of highway traffic signals and at-grade highway-rail crossing warning devices as set forth in Appendix A-2, and as more fully described in the Application.

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

5. The Commission reviewed ACTA's environmental review documents and approved the project at Henry Ford Avenue in D.99-06-014.

6. CEQA Guideline Section 15301(f) exempts from CEQA review the addition of safety devices to existing structures, facilities and mechanical equipment.

Conclusions of Law

1. The Application is uncontested and a public hearing is not necessary.

2. The addition of safety devices authorized by this decision is exempt from CEQA pursuant to CEQA Guideline Section 15301(f).

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

O R D E R

IT IS ORDERED that:

1. Alameda Corridor Transportation Authority (ACTA) and the City of Los Angeles (City) are authorized to modify the warning devices and traffic signals near the Henry Ford Avenue at-grade highway-rail crossing, identified as CPUC Crossing No. 114A-17.58-C, and ACTA's Transfer Yard Connection Track (TYCT) in City of Los Angeles, Los Angeles County, at the location and substantially as

described in and as shown by plans attached to the Application, and as shown by plans in Appendix A-2 attached to this order.

2. ACTA shall install one additional CPUC Standard No. 9 warning device (flashing light signals with automatic gate, as described in Commission General Order (GO) 75-C). Decision 99-06-014 is modified to require a Standard No. 9, in place of a Standard No. 9-A (flashing light signals with automatic gate and additional flashing light signals mounted on a cantilever mast arm, as described in GO 75-C), between the TYCT crossing and the intersection of Henry Ford Avenue and the ramps of State Route 103.

3. ACTA shall relocate the existing Standard No. 9 warning device closer to the crossing on the northbound roadway approach to the TYCT crossing.

4. The City, in cooperation with ACTA, shall install additional traffic signals for northbound lanes of Henry Ford Avenue.

5. All modifications shall be as described in the Application and as shown in the plans attached as Appendix A-2 of this order.

6. ACTA and City (parties) shall bear construction and maintenance costs in accordance with an agreement between the parties. 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, ACTA shall notify the Commission's Consumer Protection and Safety Division – Rail Crossings Engineering Section in writing, by submitting a completed standard Commission Form G (Report of Changes at Highway Grade Crossings and Separations), of the completion of the authorized work.

8. This authorization shall expire if not exercised within two years unless time is extended or if the above conditions are not complied with. The

Commission may revoke or modify authorization if public convenience, necessity or safety so require.

9. The Application is granted as set forth above.

10. Application 04-06-028 is closed.

This order becomes effective 30 days from today.

Dated _____, at San Francisco, California.

