

PUBLIC UTILITIES COMMISSION

320 W 4th Street Suite 500
Los Angeles, CA 90013



September 23, 2021

Meghna Khanna, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 99-22-7
Los Angeles, CA 90012
Khannam@metro.net

Governor's Office of Planning & Research

September 23 2021

STATE CLEARINGHOUSE

SUBJECT: SCH# 2017061007; West Santa Ana Branch Transit Corridor Project - Draft Environmental Impact Statement/Environmental Impact Report

Dear Ms. Khanna,

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) and rail transit projects in California. All rail fixed guideway systems are subject to the Commission's Safety Oversight Program requirements. Safety Certification Plan (SCP) approval and Safety Certification Verification Report (SCVR) approval is required for rail transit projects to be placed in revenue service. In addition, the California Public Utilities Code requires Commission approval for construction or alteration of crossings and grants the Commission exclusive power on design, alteration, and/or closure of crossings in California. The Commission's Rail Transit Safety Branch (RTSB) will review rail transit project matters and the Rail Crossings and Engineering Branch (RCEB) will review crossing matters. The Commission has received a copy of the *Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR)* from the Los Angeles County Metropolitan Transportation Authority (Metro), who is the lead agency for the proposed West Santa Ana Branch Transit Corridor Project (WSAB Project).

Commission staff has been coordinating with Metro on crossing design requirements, and we welcome the opportunity to formally comment on the DEIS/EIR. According to the DEIS/EIR, the WSAB Project is a light rail transit (LRT) project that would extend from four possible northern termini in downtown Los Angeles through southeast Los Angeles County to a southern terminus (Pioneer Station) in the City of Artesia. The WSAB Project would transport riders from the downtown Los Angeles area to the Gateway Cities subregion of Los Angeles County. The region to be served includes 20 cities: Los Angeles, Vernon, Maywood, Huntington Park, Commerce, Bell, Cudahy, Bell Gardens, South Gate, Lynwood, Compton, Downey, Paramount, Bellflower, Long Beach, Lakewood, Norwalk, Artesia, Cerritos, and Hawaiian Gardens, as well as portions of unincorporated LA County. Alternatives studied include a No Build Alternative and four Build Alternatives, as follows:

- Alternative 1: Los Angeles Union Station to Pioneer Station
- Alternative 2: 7th Street/Metro Center to Pioneer Station
- Alternative 3: Slauson A (Blue) Line to Pioneer Station (Staff Preferred Alternative)
- Alternative 4: I-105/C (Green) Line to Pioneer Station

The WSAB Project described in the DEIS/EIR is subject to several rules and regulations involving the Commission. These may include, but are not limited to:

- California Public Utilities Code, Sections 1201 et al, which requires Commission authority to construct rail crossings,
- California Public Utilities Code, Section 99152; rail transit safety,
- Commission's Rules of Practice and Procedure, which detail the Formal Application process for construction or modification of public crossings. These are available on the CPUC web site. www.cpuc.ca.gov

The design criteria of the proposed ITC Project must comply with Commission General Orders (GOs), such as:

- GO 26-D, Clearances on Railroads and Street Railroads as to Side and Overhead Structures, Parallel Tracks and Crossings,
- GO 72-B, Construction and Maintenance of Crossings – Standard Types of Pavement Construction at Railroad Grade Crossings (if any),
- GO 75-D, Warning Devices for At-Grade Railroad Crossings (if any),
- GO 88-B, Rules for Altering Public Highway-Rail Crossings (if any),
- GO 95, Overhead Electric Line Construction (if catenary is used),
- GO 128, Construction of Underground Electric Supply and Communication Systems,
- GO 143-B, Design, Construction and Operation Safety Rules and Regulations Governing Light-Rail Transit, and
- GO 164-E, Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems

The project must ensure compliance with federal regulations including:

- 49 CFR Part 674, State Safety Oversight

The following link provides resources on the Commission's rules and regulations regarding rail safety: <https://www.cpuc.ca.gov/regulatory-services/safety/rail-safety>

The DEIS/EIR identifies significant and adverse impacts to traffic operations due to construction of crossings at grade or street level. The impacts consist of roadway intersections where operations deteriorate because LRT tracks are constructed either through or adjacent to the intersections, and vehicle queues build up when crossing gates are down. Alternatives 1-3 would impact 20 intersections, while Alternative 4 would impact 7 intersections. Alternatives 1-3 would continue to have adverse impacts at 12 intersections, after implementing mitigation measures such as signalization strategies to minimize traffic queuing impacts and intersection modifications at specific locations.

The WSAB Project would also cause noise impacts at sensitive land uses due to LRT pass-by operations, ancillary facilities, and relocated freight train operations even after implementation of mitigation measures such as sound walls, low-impact frogs, wheel squeal noise monitoring, crossing signal bells, gate-down-bell stop variance, and Traction Power Sub-Station (TPSS) noise reduction. Approximately 120 – 225 sensitive land uses would remain adversely impacted.

In addition, the WSAB Project would cause ground borne vibration that would exceed Federal Transit Administration (FTA) impact criteria at a varying number of sensitive land uses. Identified mitigation measures such as ballast mat or resilient rail fasteners, and low-impact frogs would not eliminate the number of sensitive land uses impacted. Depending on the Build Alternative selected, significant and unavoidable vibration impacts would remain at between 11-14 sensitive land uses.

Finally, the DEIS/EIR identifies that the WSAB Project would have significant cumulative impacts. Specifically, during operation, transportation, land use, noise, vibration, parklands, and community facilities would result in significant cumulative impacts that would be cumulatively considerable.

The four Build Alternatives studied contain segments proposed to operate at-grade or street level. Alternatives 1 -3 contain approximately 12 miles of at-grade operations with 31 proposed crossings, while Alternative 4 contains an at-grade operational segment of 5.6 miles with 11 proposed crossings. At-grade operations, as detailed in the DEIS/EIR, would disrupt the heavily used roadway network within the densely populated communities of the Gateway Cities subregion of Los Angeles County, as well portions of unincorporated Los Angeles County. Furthermore, the WSAB Project results in significant and adverse impacts to traffic operations, noise and ground borne impacts to sensitive land uses, and significant cumulative impacts due to its operation. Therefore, Commission staff recommend Metro further evaluate additional grade separations and/or elimination and consolidation of proposed at-grade crossing locations. Commission staff will not support at-grade designs at crossing locations where significant and adverse impacts cannot be mitigated.

We understand that this is a complex and challenging project with funding, design, and environmental approval considerations for Metro. Assuming the project advances in some form, the Commission will need to provide applicable regulatory oversight for the WSAB Project. Oversight activities include approval of the WSAB Project SCP and SCVR, selected document reviews, sampling inspections, participation in fire-life safety and safety certification related meetings, and pre-revenue testing observations. Commission staff will provide the WSAB Project team a project-specific Safety and Security Certification Oversight Plan (SSCOP) after Commission approval of WSAB Project's SCP. The SSCOP will detail Commission staff's oversight process and activities prior to the Project's proposed revenue service date.

We encourage early coordination between Commission staff and Metro personnel in order to provide consultation on proposed design and engineering of the WSAB Project prior to Metro filing applications seeking Commission authorization to construct.

Thank you for the opportunity to comment on the Metro's DEIR for the WSAB Project. We look forward to working with Metro. Please feel free to contact me at (916) 928-6858 or daren.gilbert@cpuc.ca.gov or contact our lead staff on this project: Madeline Ocampo at (213) 503-5243 or madeline.ocampo@cpuc.ca.gov for transit safety matters, and Jose Pereyra at (213) 576-7083 or jose.pereyra@cpuc.ca.gov for crossing matters.

Sincerely,

A handwritten signature in black ink that reads "Daren Gilbert". The signature is written in a cursive, flowing style.

Daren Gilbert, Manager
Rail Transit Safety Branch
Rail Safety Division

cc: State Clearinghouse
Roger Clugston, Director, Rail Safety Division, CPUC
Anton Garabetian, Manager, RCEB, CPUC
Stephen Artus, Program and Project Supervisor, RTSB, CPUC
Matthew Bond, Program and Project Supervisor – Southern California, RCEB, CPUC
Ainsley Kung, Senior Utilities Engineer Supervisor, RTSB, CPUC
Madeline Ocampo, Utilities Engineer, RTSB, CPUC
Jose Pereyra, Utilities Engineer, RCEB, CPUC