

Decision No. 19179

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the BOARD OF SUPERVISORS OF KERN COUNTY for an order authorizing the construction of a crossing by the County of Kern over the tracks of the Southern Pacific Company at the point of intersection of the northerly extension of H Street and the right of way of the Southern Pacific Company.

ORIGINAL

Application  
No. 14045

W. A. Mc Ginn, Deputy District Attorney,  
for Applicant.

H. W. Hobbs, for Southern Pacific Company.

BY THE COMMISSION -

O P I N I O N

The Board of Supervisors of Kern County has petitioned the Railroad Commission for an order authorizing the construction of "H" Street at grade across the tracks of Southern Pacific Company. The proposed crossing is located near the intersection of 34th Street, extended west, and lies immediately north of the north boundary line of Bakersfield, Kern County, California.

A public hearing on this application was conducted by Examiner Handford at Bakersfield at which time the matter was duly submitted for decision.

"H" Street runs parallel with Chester Avenue, the main north and south highway of the City of Bakersfield, and is located two blocks west thereof. It is now improved as far north as 28th Street. Chester Avenue crosses the tracks of Southern Pacific Company at 32nd Street and connects at 34th Street with the State Highway which extends north through the San Joaquin Valley. All the above is shown by the map, Exhibit No. 1, filed in this proceeding.

The Kern County Fair Grounds are located west of Chester Avenue and north of the railroad tracks. Chester Avenue affords the only highway entrance to this property. It is proposed to extend "H" Street to the north, thereby providing another automobile entrance to the fair grounds.

At times when no special events are in progress at the Fair Grounds, the existing crossing at Chester Avenue is ample to accommodate the vehicular traffic across the railroad. It appears, however, when the County Fair is in progress, covering a period of about five days each year, that there is considerable congestion on Chester Avenue near the Fair Grounds, occasioned by through traffic on the highway and the local traffic turning into and out of the Fair Grounds. To relieve this condition the extension of "H" Street, from Bakersfield across the railroad to the Fair Grounds, is proposed.

At the point of proposed crossing, the railroad maintains and operates four tracks; to-wit, beginning at the most southerly one, one main line track, one passing track, one ice house track and one spur track. The respective distances between these tracks are as follows: 18.2 feet, 14.2 feet and 60 feet. The tracks are on different levels, the ice track being nearly two feet lower than the main line and it would be necessary to raise the passing track and the ice house track to the same elevation as the main line before a desirable crossing could be constructed. Furthermore, there is in place a 36-inch concrete siphon under the tracks which would have to be lengthened. The total cost, as estimated by the railroad company, of constructing the crossing, including the above mentioned improvements and installing a wig-wag signal, amounts to \$3500. In addition to the cost of the crossing, it would be necessary to grade and pave "H" Street from 28th Street to the Fair Grounds. The cost of such work has not been estimated.

The record shows that during the time the Fair is in operation, through traffic from the north can be diverted east and south by way of 40th Street and Jewett Avenue into Bakersfield. By this route, the traffic would cross the railroad at the existing crossing at "M" and 30th Streets. By the improvement of the "M" Street crossing and diverting of through traffic to it, a large amount of the congestion could be avoided. Owing to the fact that the proposed crossing is only two blocks northwesterly from the Chester Avenue crossing; that there is an alternate route available to detour traffic during the time that the Fair is in session; and that it would result in a crossing which would be comparatively hazardous as well as expensive to construct and serving a useful purpose/only for a few days during each year, we conclude and hereby find as a fact that public convenience and necessity do not justify the granting of this application.

O R D E R

The Board of Supervisors of the County of Kern, having made application for permission to construct a public highway at grade across the tracks of Southern Pacific Company at "H" Street, a public hearing having been held, the matter having been duly submitted and the Commission being now fully advised and basing its order on the finding of fact as appearing in the foregoing opinion,

IT IS HEREBY ORDERED that this application be and the same hereby is denied.

Dated at San Francisco, California, this 23rd day of December, 1927.

*Ernest D. ...*  
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COMMISSIONERS.