

OCT 16 1987 ORIGINAL

Decision 87 10 124

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Bakersfield)	
to widen the existing crossing at)	Application 87-07-014
separated grades known as "Oak Street)	(Filed July 13, 1987)
Overpass" over the Atchison, Topeka)	
and Santa Fe Railway Company train)	
yard in Bakersfield.)	

O P I N I O N

The City of Bakersfield (City) requests authority to widen the existing Oak Street Overpass over The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line tracks and train yard in Bakersfield, Kern County.

The existing structure width provides only two lanes in each direction without shoulders which limits the length of turning lanes. The proposed widening of the existing overpass consists of widening 12 feet on both the east and west sides of the structure. The widening will provide four lanes of through travelway, extended turning lanes and pedestrian walkways. The proposed widening will improve roadway capacity and safety at the overpass.

City 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. City has determined that the project is exempt from CEQA under PR Code Section 21080.13.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's exemption determination. The site of the proposed project has been inspected by the Commission staff.

Notice of the application was published in the Commission's Daily Calendar on July 21, 1987. No protests have been received. A public hearing is not necessary.

Findings of Fact

1. City requests authority under Public Utilities Code Sections 1201-1205 to widen existing Oak Street Overpass over AT&SF's main line tracks and train yard in Bakersfield, Kern County.
2. Widening of the overpass is required to extend turning lanes and improve roadway capacity.
3. Public convenience, necessity, and safety require widening of the Oak Street Overpass.
4. City is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's exemption determination.
6. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Conclusions of Law

1. The application should be granted as set forth in the following order.
2. The activity is not covered by the requirements set forth in CEQA and, therefore, the Guidelines (14 Cal. Admin. Code-Div. 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

O R D E R

IT IS ORDERED that:

1. The City of Bakersfield (City) is authorized to widen the existing Oak Street Overpass over The Atchison, Topeka and Santa Fe Railway Company's (AT&SF) main line tracks and train yard in Bakersfield, Kern County, at the location and substantially as shown by plans attached to the application, identified as Crossing 2-888.5-A.

2. Clearances shall be in accordance with General Order (GO) 26-D. Walkways shall conform to GO 118.

3. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement, together with plans of the crossing approved by AT&SF, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

4. Within 30 days after completion of the work under this order, City shall notify the Commission in writing that the authorized work has been completed.

5. 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.

6. The application is granted as set forth above.

This order becomes effective 30 days from today.

Dated OCT 16 1987, at San Francisco, California.

STANLEY W. HULETT
President

DONALD VIAL
FREDERICK R. DUDA
G. MITCHELL WILK
Commissioners

Commissioner John B. Ohanian, being necessarily absent, did not participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.



Victor Weisser, Executive Director

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