

Decision 96-02-067 February 23, 1996

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Greater Bakersfield Separation of Grade District for an Order authorizing construction of a crossing at separated grades between Morning Drive and the tracks of the Southern Pacific Transportation Company, sometimes referred to as the "Morning Drive Overhead" (PUC No. B-317.5A

ORIGINAL

Application 95-12-018
(Filed December 8, 1995)

O P I N I O N

The Greater Bakersfield Separation of Grade District (District), in cooperation with the County of Kern (County), requests authority to construct a grade separation of Morning Drive (State Route (SR) 184) over the tracks of Southern Pacific Transportation Company's (SPT) Bakersfield-Mojave Main Line near Bakersfield in Kern County. The tracks are used jointly with The Atchison, Topeka and Santa Fe Railway Company (AT&SF).

District proposes to construct a grade separation Overhead, consisting of a four-span reinforced concrete structure, which will carry Morning Drive (SR-184) over two jointly used SPT and AT&SF tracks and Edison Highway. The bridge will be approximately 290 feet long, measured back-to-back of abutments. Abutments and bents will be of reinforced concrete. Four 12-foot vehicular lanes and two sidewalks will be carried on the proposed overhead structure across the railroad and Edison Highway. Total width of the bridge structure will be 81 feet 0 inches. During construction, vehicular traffic will be carried on the present traveled way and across the present Morning Drive (SR-184) at-grade crossing. Upon completion of the grade separation Overhead, vehicular traffic will be rerouted from the existing Morning Drive (SR-184) at-grade crossing, which will be closed, to the grade separation Overhead.

District is the lead agency for this project under California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources (PR) Code Sections 21000, et seq. District has determined that this project, the elimination of an existing at-grade crossing, is categorically exempt from the reporting requirements of 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 existing Morning Drive (SR-184) at-grade crossing and adjacent areas have been inspected by the Commission's Safety and Enforcement Division - Traffic Engineering Staff. After reviewing the need for and safety of the proposed Morning Drive Overhead, Staff recommends that District's request be granted.

The application was found to be in compliance under the Commission's filing requirements, including Rule 38 of Rules of Practice and Procedure which relates to the construction of public highway crossings and separations over a railroad. A site map and detailed drawing of the Overhead structure are shown in Appendix A.

Findings of Fact

1. Notice of the Application was published in the Commission's Daily Calendar on December 13, 1995. No protests have been received. A public hearing is not necessary.

2. District requests authority under Public Utilities Code Sections 1201-1205 to construct Morning Drive Overhead grade separation (SR-184) over the tracks of SPT's Bakersfield-Mojave Main Line and over Edison Highway in Kern County.

3. The Morning Drive Overhead grade separation (SR-184) will improve traffic circulation and reduce traffic impacts of high-volume, slow moving eastbound and westbound rail freight traffic leaving and entering the SPT and AT&SF yards. Eastbound trains of both railroads move particularly slow as these trains begin their ascent over the Tehachapi Mountains.

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4. The grade separation Overhead is required to carry vehicular traffic over the heavily used SPT - AT&SF railroad freight line.

5. Public convenience, necessity and safety require construction of the proposed grade separation Overhead.

6. Upon completion of the Morning Drive Overhead (SR-184) and its opening to vehicular traffic, the existing at-grade crossing at Morning Drive (SR-184) will be closed.

7. District is the lead agency for this project under CEQA, as amended.

8. The Commission is a responsible agency for this project, and has reviewed and considered the lead agency's exemption determination.

Conclusions of Law

1. Under Public Resources Code Section 21080.13 the activity is exempted from the requirements set forth in CEQA; therefore the guidelines (14 Cal. Admin. Code - Division 6) concerning the evaluation of projects and the preparation and review of environmental documents do not apply.

2. The application should be granted as set forth in the following order.

ORDER

IT IS ORDERED that:

1. The Greater Bakersfield Separation of Grade District (District), in cooperation with the County of Kern (County), is authorized to construct Morning Drive Overhead (State Route (SR) 184) over the tracks of Southern Pacific Transportation Company's (SPT) Bakersfield-Mojave Main Line and over Edison Highway in Kern County, at the location and substantially as shown by plans attached to the Application and Appendix A of this order, identified as Crossing B-317.5-A. The tracks are used jointly with The Atchison, Topeka and Santa Fe Railway Company (AT&SF).

2. Upon completion of the overhead and its opening to vehicular traffic, the existing Morning Drive (SR-184) at-grade crossing, Crossing B-317.5, shall be closed and physically removed.

3. Clearances shall be in accordance with General Order (GO) 26-D; except that during the period of construction a clearance of not less than 21 feet 6 inches above top of rail shall be authorized and SPT and AT&SF shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroads and filed with the Commission's Safety and Enforcement Division forbidding employees to ride on tops of cars beneath the structure.

4. District shall notify the Commission's Safety and Enforcement Division, SPT and AT&SF at least 15, but not more than 30, days in advance of the date when the temporary impaired overhead clearance will be created.

5. 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.

6. 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 approved by

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SPT, shall be filed with the Commission's Safety and Enforcement Division Staff prior to commencing construction. 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, District shall notify the Commission in writing that the authorized work has been completed.

8. 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.

9. The application is granted as set forth above.

10. Application 95-12-018 is closed.

This order becomes effective 30 days from today.

Dated FEB 23, 1996 at San Francisco, California.

DANIEL Wm. FESSLER
President

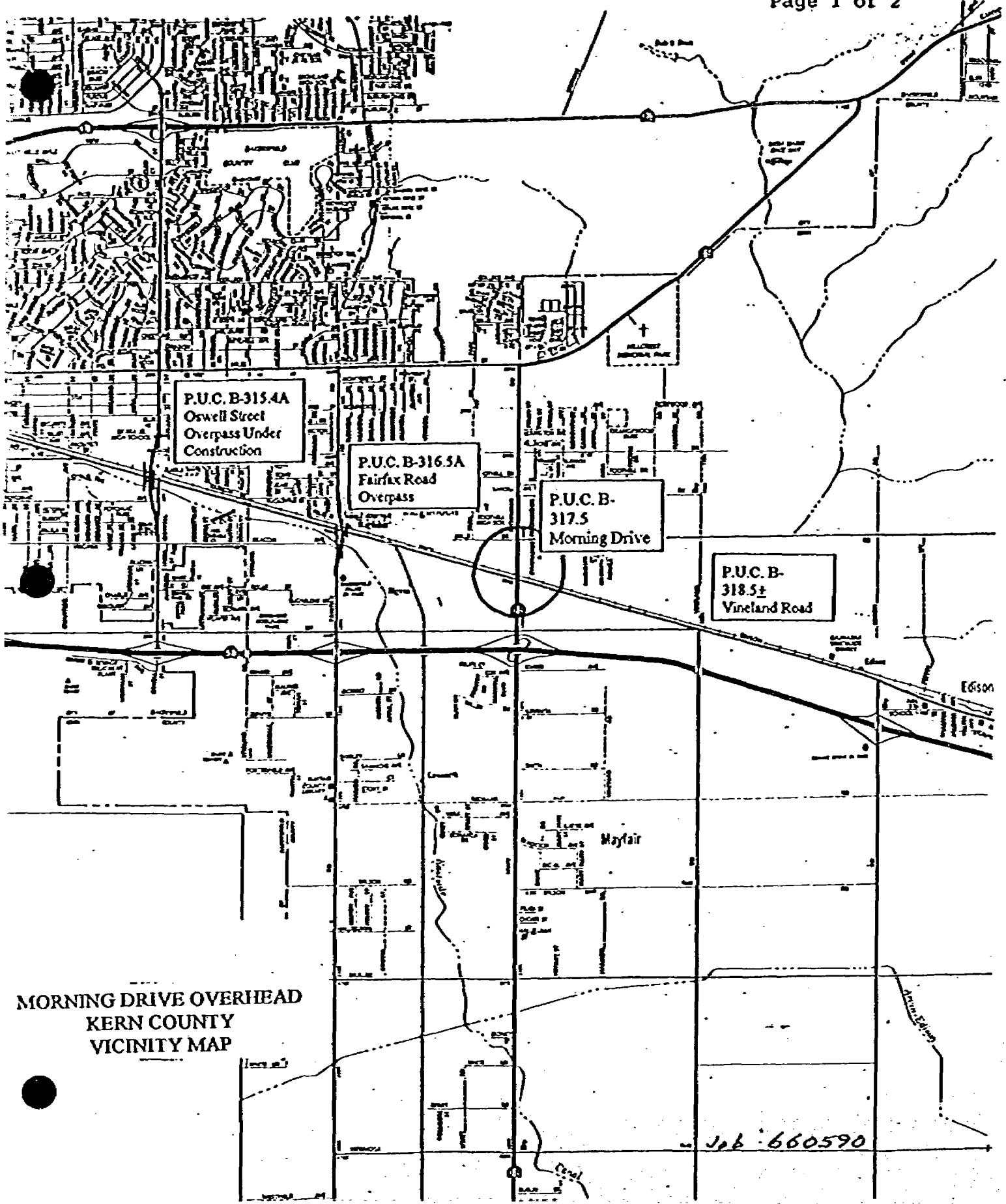
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Commissioners



MORNING DRIVE OVERHEAD
KERN COUNTY
VICINITY MAP

Job 660590

