

Decision 97-03-044 March 18, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Kern for an)
Order authorizing construction of a)
crossing at separated grades between)
Seventh Standard Road and the tracks of the)
Southern Pacific Transportation Company,)
sometimes referred to as the "Seventh)
Standard Road Overhead," (PUC No. B-305.9A))

ORIGINAL

Application 97-02-007
(Filed February 5, 1997)

O P I N I O N

The County of Kern (County), in cooperation with the Greater Bakersfield Separation of Grade District (District), requests authority to construct Seventh Standard Road Overhead at separated grades over the tracks of Union Pacific Railroad Company's (UP) Fresno-Bakersfield Main Line, formerly owned by Southern Pacific Transportation Company (SPT), near Bakersfield in Kern County.

County proposes to construct a grade separation Overhead, consisting of a three-span reinforced box girder concrete structure, which will carry Seventh Standard Road over two existing tracks and over Golden State Highway. The total length of the bridge will be approximately 312 feet, measured back-to-back of abutments. Abutments and bents will be of reinforced concrete. Four 12-foot vehicular lanes and one sidewalk will be carried on the proposed overhead structure across the railroad and Golden State Highway. Total width of the bridge structure will be 79 feet 9 inches. During construction, vehicular traffic will be carried on the present traveled way and across the present Seventh Standard Road at-grade crossing. Upon completion of the grade separation Overhead, vehicular traffic will be rerouted from the existing Seventh Standard Road at-grade crossing, which will be closed, to the grade separation Overhead.

The Seventh Standard Road Overhead project ranks number 13 in the 1996-1997 Grade Separation Priority List of Decision (D.) 96-06-041, dated June 19, 1996, in Order Instituting Investigation (I.) 95-07-003.

County 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. County 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 Seventh Standard Road at-grade crossing and adjacent areas have been inspected by the Commission's Rail Safety and Carriers Division - Traffic Engineering Staff. After reviewing the need for and safety of the proposed Seventh Standard Road Overhead, Staff recommends that County's request be granted.

The application was found to be in compliance with 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.

County plans to file an application for grade separation funds prior to filing date of April 1, 1997 therefore, this order should be effective immediately.

Findings of Fact

1. Notice of the Application was published in the Commission's Daily Calendar on February 11, 1997. No protests have been received. A public hearing is not necessary.

2. County requests authority under Public Utilities Code Sections 1201-1205 to construct Seventh Standard Road Overhead grade separation over the tracks of UP's Fresno-Bakersfield Main

Line, formerly owned by SPT, and over Golden State Highway in Kern County.

3. The Seventh Standard Road grade separation Overhead will improve traffic circulation and reduce traffic impacts from rail freight traffic between Fresno and Bakersfield.

4. The grade separation Overhead is required to carry vehicular traffic over the heavily used UP (formerly SPT) railroad freight line.

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

6. Upon completion of the Seventh Standard Road Overhead and its opening to vehicular traffic, the existing at-grade crossing at Seventh Standard Road will be closed.

7. County 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.

O R D E R

IT IS ORDERED that:

1. County of Kern (County), in cooperation with the Greater Bakersfield Separation of Grade District (District), is authorized to construct Seventh Standard Road Overhead at separated grades over the tracks of Union Pacific Railroad Company's (UP) Fresno-Bakersfield Main Line, formerly owned by Southern Pacific Transportation Company (SPT), 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-305.9-A.

2. Upon completion of the overhead and its opening to vehicular traffic, the existing Seventh Standard Road at-grade Crossing B-305.9 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 UP shall be authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission's Rail Safety and Carriers Division forbidding employees to ride on tops of cars beneath the structure.

4. County shall notify the Commission's Rail Safety and Carriers Division and UP 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 UP, shall be filed with the Commission's Rail Safety and Carriers

A. 97-02-007 RSAC/RRT/sh

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, County shall notify the Commission's Rail Safety and Carriers Division 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.
This order becomes effective today.

10. Application 97-02-007 is closed.

Dated March 18, 1997, at San Francisco, California.

P. GREGORY CONLÓN

President

JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

JOSIAH L. NEEPER

RICHARD A. BILAS

Commissioners



