

Decision 98-01-018 January 7, 1998

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,)
 Department of Transportation, for an)
 order authorizing the Department to:)
 widen the existing crossing at the)
 separated grades known as "North Delano)
 Overhead" (PUC No. B-279.60-A) over the)
 Union Pacific Transportation Company's)
 main line track located in the City of)
 Delano, Kern County, State of)
 California.)

ORIGINAL

Application 97-06-030
(Filed June 19, 1997)

O P I N I O N

As part of the project to widen and improve a portion of State Route (SR) 99, the State of California Department of Transportation (Caltrans) requests authority to widen the existing crossing at separated grades known as "North Delano Overhead" over the tracks of Union Pacific Railroad Company's (UP) Main Line, formerly owned by Southern Pacific Transportation Company (SPT), in the City of Delano, Kern County.

Caltrans proposes to deck over the median between the right and left structures and to widen the outside shoulders. The outside shoulder widening will be a maximum of approximately 7 feet 9 inches on both sides of the bridge. The median widening will be approximately 38 feet 0 inches. The minimum vertical clearance between the widening on the easterly structure and the top of the tracks will be 23 feet 6 inches. The existing structure is being widened to provide additional traffic lanes to handle the anticipated increase in vehicular traffic volume in the near future created by rapid population growth in the Kern County area. A concrete safety barrier and 10-foot inside shoulders are part of the freeway improvement.

Caltrans 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. Caltrans prepared an Initial Study and issued a Negative Declaration. On July 27, 1993, in compliance with the PR Code, Caltrans filed its Negative Declaration approving this project. The project was found to have no significant effect on the environment.

The Commission is a responsible agency for this project under CEQA, and has reviewed and considered the lead agency's Initial Study and Negative Declaration. The existing grade separation has been inspected by the Commission's Rail Safety and Carriers Division - Traffic Engineering Staff. After review of the proposed widening plans, Staff recommends that Caltrans' request be granted.

The Application was found to be in compliance under the Commission's filing requirements, including Rule 39 of the Rules of Practice and Procedure which relates to the widening of existing crossings and separations over railroad track. A site map and detailed drawings of the grade separation Overhead are included in Appendix A.

Findings of Fact

1. Notice of the Application was published in the Commission's Daily Calendar on June 24, 1997. No protests have been received. A public hearing is not necessary.
2. Caltrans requests authority under Public Utilities Code Sections 1201-1205 to widen North Delano Overhead at separated grades over UP's Main Line in the City of Delano, Kern County.
3. The existing structure is being widened to provide additional traffic lanes to handle the anticipated increase in vehicular traffic volume in the near future created by rapid population growth in the Kern County area. A concrete safety barrier and 10-foot inside shoulders are part of the freeway improvement.

4. Public convenience, necessity and safety require widening and improvement of the grade separation Overhead.

5. Caltrans is the lead agency for this project under CEQA, as amended.

6. The Commission is a responsible agency for this project, and has reviewed and considered the lead agency's Initial Study and Negative Declaration.

Conclusion of Law

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

ORDER

IT IS ORDERED THAT:

1. State of California, Department of Transportation (Caltrans), is authorized to widen North Delano Overhead at separated grades over the tracks of Union Pacific Railroad Company's (UP) Main Line, formerly owned by Southern Pacific Transportation Company (SPT) in Delano, Kern County, at the location and substantially as shown by plans attached to the Application and Appendix A of this order, to be identified as Crossing B-279.60-A.

2. Clearances shall be in accordance with General Order (GO) 26-D, except that during the period of construction a temporary vertical construction clearance of not less than 21 feet 6 inches above top of rail and temporary horizontal construction clearance of not less than 8 feet 6 inches during construction of the Overhead will be authorized. UP shall be authorized to operate with such reduced overhead clearance provided that the railroad issues instructions and files them with the Commission's Rail

Safety and Carriers Division, forbidding employees to ride on tops of cars beneath the structure.

3. Caltrans 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 clearances will be created.

4. 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.

5. 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 Division prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

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

7. 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.

8. The application is granted as set forth above.
Application 97-06-030 is closed.
This order becomes effective 30 days from today.
Dated January 7, 1998 at San Francisco, California.

P. GREGÓRY CONLON

President

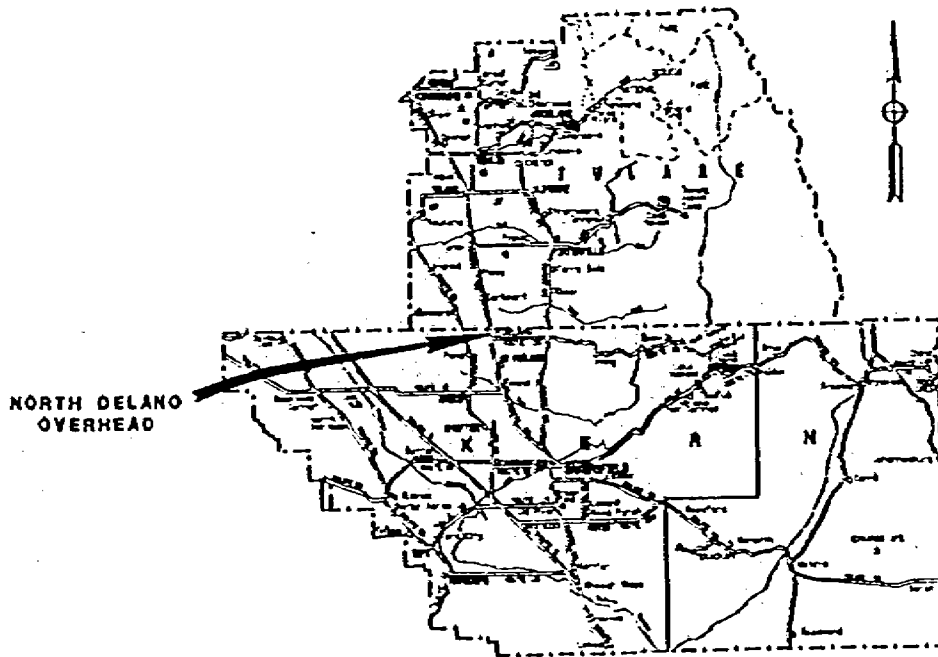
JESSIE J. KNIGHT, JR.

HENRY M. DUQUE

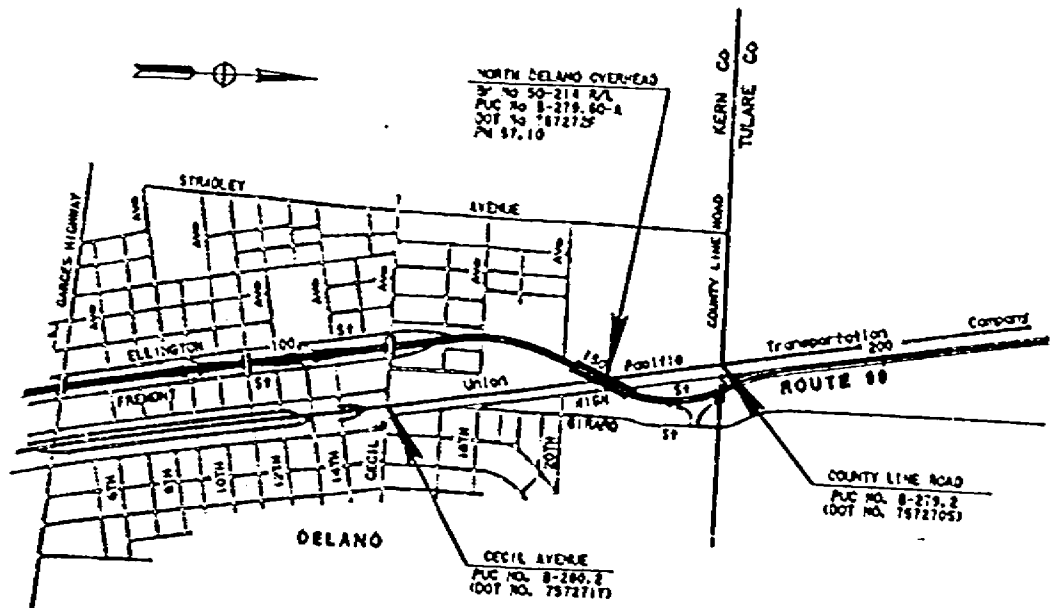
JOSIAH L. NEPPER

RICHARD A. BILAS

Commissioners

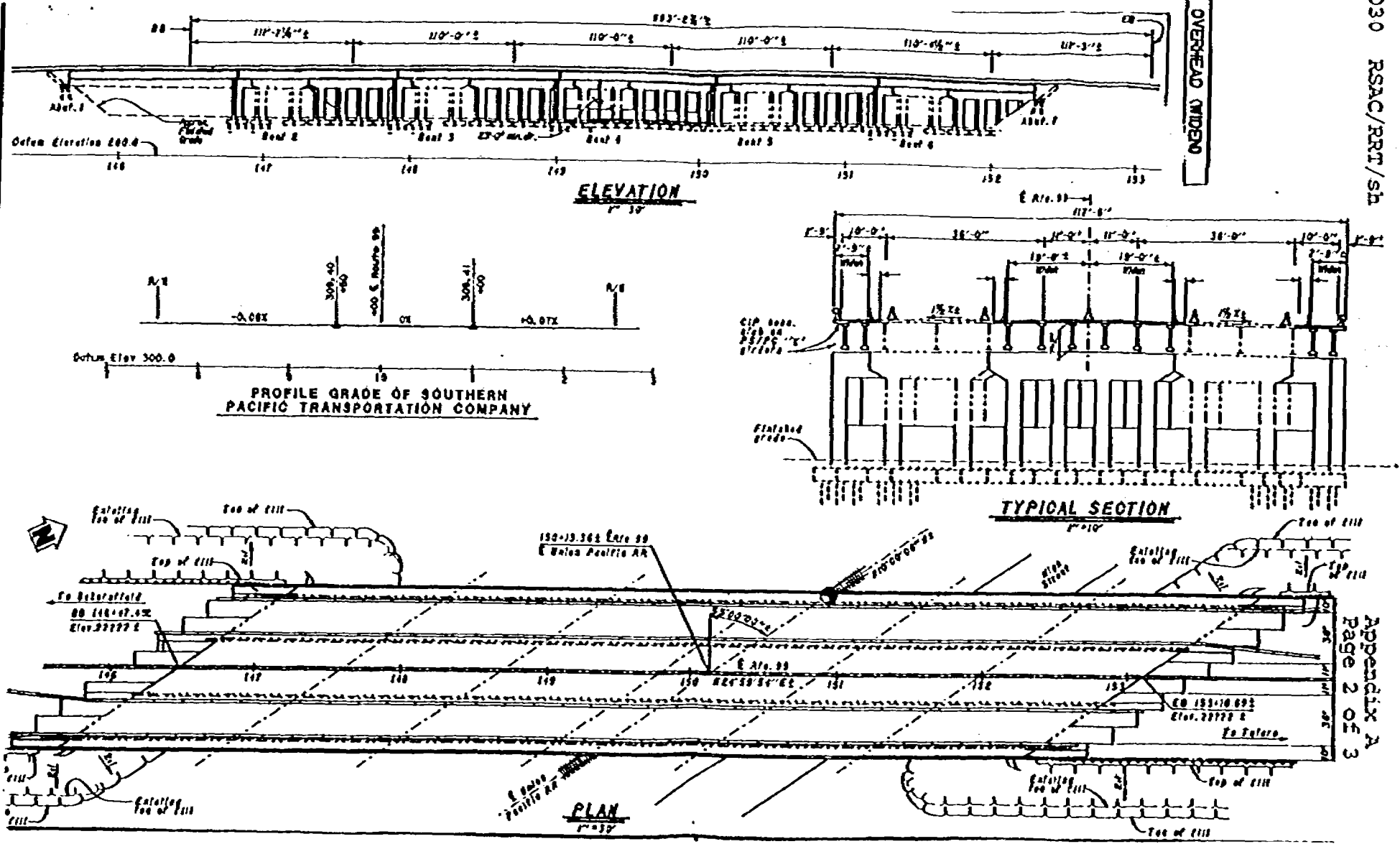


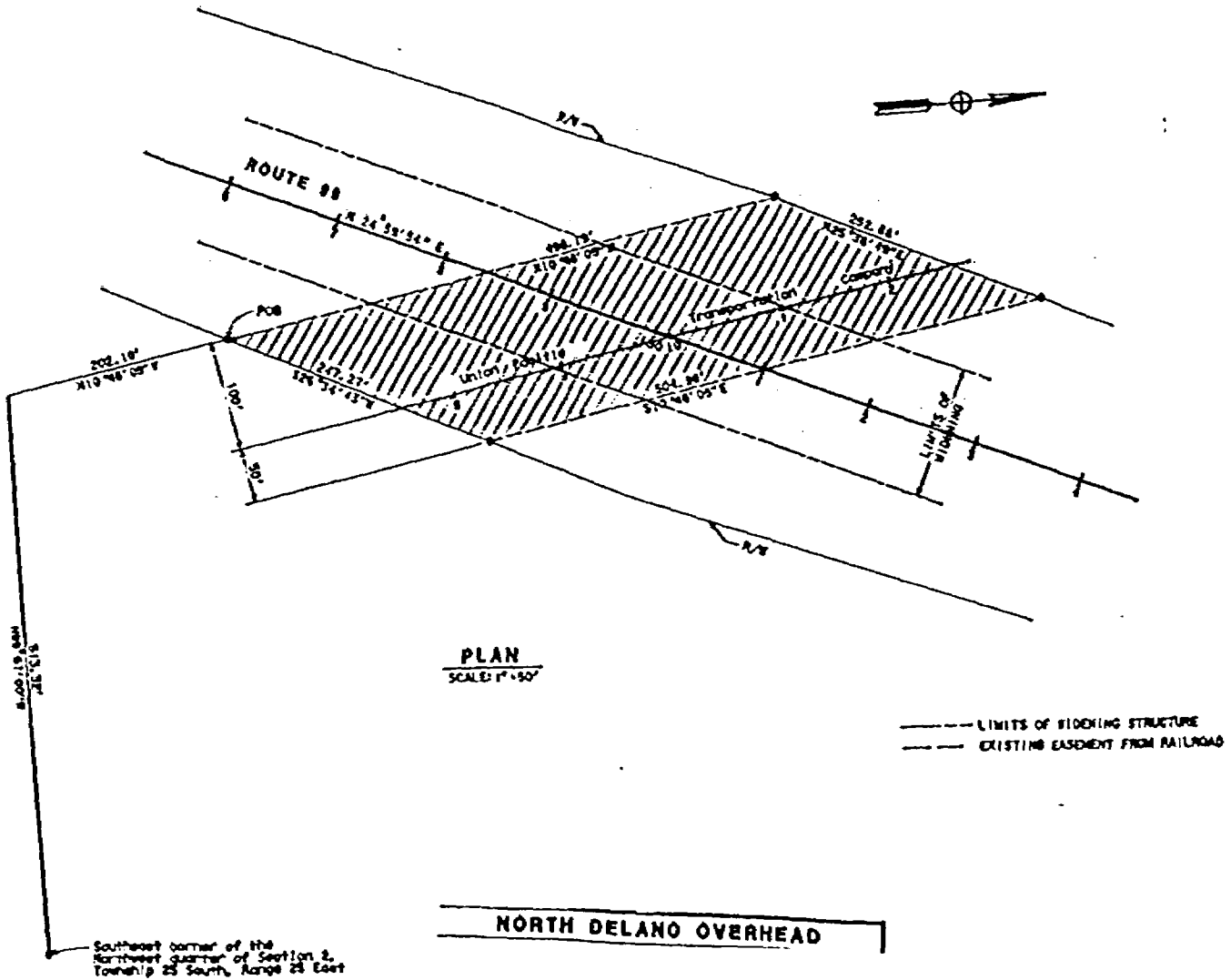
LOCATION MAP



VICINITY MAP

NORTH DELANO OVERHEAD (INDEN)





PLAN
SCALE: 1" = 50'

--- LIMITS OF FLOODING STRUCTURE
- - - EXISTING EASEMENT FROM RAILROAD

NORTH DELANO OVERHEAD

Southeast corner of the Northwest quarter of Section 2, Township 25 South, Range 23 East