

Decision 00-04-022 April 06, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Novato to construct one)	Application 99-09-034
at-grade crossing of the Golden Gate Bridge,)	(Filed September 14, 1999)
Highway, and Transportation District's Marin)	
County Rail Line at North Hamilton Parkway within)	
the former Hamilton Army Airfield in said City of)	
Novato, State of California.)	
_____)	

OPINION

The City of Novato (City) requests authority to construct a new at-grade crossing at the Golden Gate Bridge, Highway, and Transportation District's (District) single mainline track along North Hamilton Parkway in said City of Novato, County of Marin. The crossing will henceforth be referred to as California Public Utilities Commission (CPUC) Crossing No. 1085-23.96.

North Hamilton Parkway enters and exits the crossing from the east and west direction. North Hamilton Parkway will be utilized as a major ingress and egress for vehicles and pedestrians for the Hamilton Field Development Project. This project has been under construction since 1995. The crossing approach includes two vehicular lanes, two bicycle lanes, and a walkway. The crossing will be equipped with two CPUC standard #9 gate-type signals and one pedestrian gate-type signal (similar to a CPUC standard #9 gate-type signal). The pedestrian gate-type signal will protect movement along the sidewalk for pedestrians entering the crossing from the west direction. A sketch of the project area is set forth as Appendix A of the Decision.

City has informed Commission staff that there are no trains using the track. The start of train service is not known at this time. City has also indicated that they will install the gate-type signals just prior to train service.

Preemption shall be made a condition of approval for all nearby signalized intersections. Preemption, if warranted, will be utilized to provide adequate warning time for vehicles that might be sitting over the tracks of an oncoming train. The preemption will allow vehicles to exit the track area before trains arrive at the crossing.

Approval from the CPUC will be on the basis of the warning devices specified in this Decision. CPUC shall be notified of any subsequent changes, in writing, prior to train service.

City is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code 21000, et. seq. After preparation and review of an Environmental Impact Report dated March 1993, City approved the project. On June 23, 1993, City filed a Notice of Determination with the County Clerk of Marin stating that "the project will have a significant effect on the environment, and mitigation measures were made a condition of the approval of this project".

A major environmental impact is increased traffic congestion along Highway 101 and other local street networks resulting from a proposed increase in the work force and new residential developments. Possible future improvements for traffic include: the possibility of commuter rail transit service on District's track, the construction of a multi-lane parkway to alleviate highway congestion, and additional lanes along both directions of Highway 101.

The Commission is a responsible agency for this project under CEQA and has reviewed and considered the lead agency's Environmental Impact Report and Notice of Determination.

The Commission's Rail Safety and Carriers Division, Rail Crossings Engineering staff has inspected the site of the existing project. Staff examined the need for and safety of the crossing and recommends that the sought authority be granted.

Application 99-09-034 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a railroad.

In Resolution ALJ 176-3024 dated October 7, 1999, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearing were not necessary. No protests have been received. The Commission's Rail Safety and Carriers Division recommends that this application be granted. Given these developments, a public hearing is not

necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3024.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to PU Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comments is being waived.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on September 21, 1999. No protests have been filed.

2. City requests authority, under Public Utilities Code Sections 1201 - 1205, to construct a new at-grade crossing at the Golden Gate Bridge, Highway, and Transportation District's (District) single mainline track along North Hamilton Parkway in said City of Novato, County of Marin.

3. Public convenience, necessity, and safety require the construction of the at-grade crossing.

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 Environmental Impact Report and Notice of Determination.

6. The project will have a significant effect on the environment. Mitigation measures were made a condition of approval.

7. City will postpone the installation of the gate-type signals until just prior to train service.

Conclusions of Law

1. The application is uncontested and a public hearing is not necessary.

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

ORDER

IT IS ORDERED that:

1. The City of Novato (City) is authorized to construct a new at-grade crossing at the Golden Gate Bridge, Highway, and Transportation District's (District) single mainline track along North Hamilton Parkway in said City of Novato, County of Marin at the location and substantially as shown on the plans attached to this Decision, to be identified as California Public Utilities Commission (CPUC) Crossing No. 1085-23.96.
2. Clearances shall be in accordance with General Order (GO) 26-D.
3. 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.
4. City is authorized to install the gate-type signals specified in this Decision just prior to train service. City shall submit a written statement prior to the commencement of train service to the Commission indicating the warning devices have been installed.
5. Preemption at nearby signalized intersections, if warranted, shall be made a condition of approval. City shall provide a written statement in regards to preemption use to the Commission staff prior to its usage.
6. This authorization shall expire if not exercised within three (3) 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.

7. This application is granted as set forth above.
8. Application 99-09-034 is closed.

This order becomes effective thirty (30) days from today.

Dated April 06, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners

A.99-09-034 RSAC/EMG

APPENDIX A

MAP OF PROJECT AREA

LINE	DIRECTION	DISTANCE
L1	S 72°01'6" W	57.74'
L2	S 47°58'44" E	106.43'
L3	S 72°01'6" W	57.74'
L4	N 47°58'44" W	106.43'



HAMILTON FIELD
PHASE 2 DEVELOPMENT
(CITY OF NOVATO)

Point Of Beginning

Point Of Commencing
3" Brass Cap N/W
corner Record of
Survey 18 Maps 21

HAMILTON FIELD
PHASE 2 DEVELOPMENT
(NHFD)

APPROXIMATE
LOCATION OF
CROSSING

L4 N 64°11'04" W 5356.32'

NORTH HAMILTON PARKWAY

GGBL&TD
DN 90-0038197

HAMILTON FIELD
PHASE 2 DEVELOPMENT
(NHFD)

LANDS OF THE
UNITED STATES OF AMERICA
COMMISSARY SITE
(US NAVY)

05/14/96 13:59

CSW

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SCALE 1"=50'
14 MAY 1996

JOB NO. 84100019

HAMILTON FIELD
NORTH HAMILTON PARKWAY