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## PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115  
SACRAMENTO, CA 95834



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File Number: G.10-05-009

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**Re: General Order 88-B Request for Authority to Alter the California Department of Transportation Franklin Avenue Overhead Highway-Rail Crossing, CPUC Crossing No. 005-28.90-A, DOT No. 859329M in the City of Novato, Marin County**

Dear Mr. Coggins:

This refers to your letter dated May 12, 2010 and received by us on May 14, 2010 requesting authorization pursuant to Commission General Order (GO) 88-B to modify the grade-separated highway-rail crossing of the Sonoma Marin Area Rail Transit (SMART) track in the City of Novato (City), Marin County. The crossing is identified as the US Route 101 Franklin Avenue Overhead Highway-Rail Crossing, CPUC Crossing No. 005-28.90-A, DOT No. 859329M.

This is a grade separated crossing over the SMART tracks in the City of Novato. This SMART track is currently out of service but is expected to receive freight trains in mid 2010 and SMART passenger trains in 2014.

The California Department of Transportation (Caltrans) states in its GO88-B request letter that “The public will benefit from the improvements. The inside widening will accommodate the addition of a northbound HOV lane which will reduce congestion and increase safety. The outside widening will facilitate the installation of sound walls. These sound walls will provide freeway traffic noise attenuation for residents in the area.”

During construction, Caltrans is requesting a temporary impaired vertical clearance of 20 feet 6 inches. Commission General Order (GO) 26-D, Section 2.1, requires a minimum vertical clearance of 22 feet 6 inches. Caltrans requests a temporary deviation from the vertical clearance requirements of GO 26-D. The Rail Crossings Engineering Section (RCES) of the Commission’s Consumer Protection and Safety Division contacted SMART and the North Coast Railroad Authority (NCRA) regarding the temporary deviation, and their representatives indicated they do not oppose the request. The minimum permanent vertical clearance above top of rail will be 23 feet 11 inches.

Also, during construction, Caltrans is requesting a temporary horizontal clearance of 9 feet. Since this is within the requirements of Commission General Order (GO) 26-D, Section 3, a temporary deviation is not needed. The minimum permanent horizontal clearance will be 15 feet 9 inches.

In a letter dated May 7, 2010, SMART stated that they approved the proposed temporary horizontal and vertical clearances of 9 feet and 20 feet 6 inches respectively. In a letter dated May 28, 2010, Northwestern Pacific Railroad Company (NWP Co.) stated that they do not oppose the proposed temporary horizontal and vertical clearances of 9 feet and 20 feet 6 inches respectively.

The proposed alteration as indicated in the request letter and/or shown in the attachments shall consist of:

- Widening the left and right sides of northbound US Route 101 Franklin Avenue Overhead in order to provide a High Occupancy Vehicle lane in the median and a 12' 4" high sound wall on the right side of the bridge barrier.
- Widening the left side of southbound US Route 101 Franklin Avenue Overhead in order to provide a 12' 4" high sound wall on the left side of the bridge barrier and also to provide a standard shoulder width.

Staff has investigated the Caltrans' request, and finds it adequately addresses compliance and safety. As Caltrans and SMART are in agreement as to the design and apportionments of the cost under the provisions of GO 88-B, you may proceed with the improvements as described in your request letter and attachments, and summarized above.

All parties shall comply with all applicable rules, including Commission General Orders and CA MUTCD.

This project is statutorily exempt from the requirements of the California Environment Quality Act of 1970, as amended [California Public Resources Code 21080.13].

Pursuant to Commission Resolution SX-76 and Section 16.2 of General Order (GO) 26-D, Caltrans is granted a temporary deviation from GO 26-D, Section 2.1 and is authorized a temporary overhead clearance of not less than 20 feet 6 inches above the top of the highest rail to the lowest of point on the overhead structure, during the period of construction of the Franklin Avenue Overhead structure, CPUC Crossing No. 005-28.90-A, DOT No. 859329M in the City of Novato, Marin County.

The following requirements shall apply to the temporary deviation to GO 26-D, Section 2.1:

1. Caltrans shall notify SMART, NCRA and the Sacramento office of the Commission's Consumer Protection and Safety Division – Rail Operations Safety Branch (ROSB) and Rail Crossings Engineering Section at least 15 days but not more than 30 days in advance of the date when the Caltrans will create the temporary reduced overhead clearance. Commission notification may be made to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov).
2. SMART shall issue instructions to all individuals responsible for operation of trains over these tracks of the temporary reduced clearance of 20 feet 6 inches beneath the Franklin

Avenue Overhead structure, and shall submit the instructions in advance of the date when Caltrans will create the temporary reduced overhead clearance to the Sacramento office of ROSB and RCES. Notification may be made to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov) .

This authorization shall expire if the above conditions are not complied with or if the work is not completed within three years of the date of this letter. Upon written request to this office, the time to complete the project may be extended. Any written request for a time extension must include concurrence letters by involved parties in support of the time extension. If an extension is requested, the Commission's Rail Crossings Engineering Section (RCES) may reevaluate the crossing prior to granting an extension.

Within 30 days after final completion of this project, Caltrans shall notify RCES that the authorized work is completed, by submitting a completed Commission Standard Form G. Form G requirements and forms can be obtained at the CPUC web site Form G page at <http://www.cpuc.ca.gov/formg>. This report may be submitted electronically to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov) as outlined on the web page.

If you have any questions, please contact David Stewart at (916) 928-2515 or [atm@cpuc.ca.gov](mailto:atm@cpuc.ca.gov) .

Sincerely,



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