

## PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115  
SACRAMENTO, CA 95834



July 20, 2010

File Number: G.10-06-009

David R. Anderson  
Project Manager  
North Coast Railroad Authority  
419 Talmage Rd., Suite M  
Ukiah, CA 95482

**Re: General Order 88-B Request for Authority to Alter the Rush Creek Place Highway-Rail Crossing, CPUC Crossing No. 005-28.50, DOT No. 863496T, in the City of Novato, Marin County**

Dear Mr. Anderson:

This refers to your letter received by us on June 10, 2010 requesting authorization by the North Coast Railroad Authority (NCRA), pursuant to Commission General Order (GO) 88-B, to alter an at-grade highway-rail crossing of the Sonoma-Marín Area Rail Transit (SMART) track in the City of Novato, County of Marin. The crossing is identified as Rush Creek Place Highway-Rail Crossing, CPUC Crossing No. 005-28.50, DOT No. 863496T.

The crossing is currently a single track crossing equipped with two Commission Standard 8 (flashing light signal assembly) warning devices. At this location, Rush Creek Place is a two-lane road running east/west, which terminates in a cul-de-sac just east of the crossing, serving several businesses located between the tracks and US Highway 101. There is currently no rail service at this crossing. However, freight rail service is expected to begin in Fall 2010, running approximately 6 trains per week at a maximum speed of 45 mph.

The proposed alteration as indicated in the request letter and/or shown in the attachments shall consist of replacing the existing warning devices and track circuitry. The existing two Commission Standard 8 warning devices shall be replaced with new curb-mounted Commission Standard 9 (flashing light signal assembly with automatic gate arm) warning devices with 12" LED flashers in both travel direction. A new signal shelter shall be located to the northeast quadrant and be outfitted with an HXP-3R constant warning time predictor.

NCRA states in its GO88-B request letter that the project will improve public safety.

Staff has investigated NCRA's request, and finds it adequately addresses compliance and safety. As NCRA, SMART and the City of Novato 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.

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Temporary traffic controls shall be provided in compliance with section 8A.05, Temporary Traffic Control Zones, of the California Manual on Uniform Traffic Control Devices (CA MUTCD), published by the California Department of Transportation.

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

This project is categorically exempt from the requirements of the California Environment Quality Act of 1970, as amended [California Public Resources Code 21084].

This authorization shall expire if the above conditions are not complied with or if the work is not completed within two 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 completion of this project, NCRA shall notify RCES that the authorized work is completed, by submitting a completed Commission Standard Form G titled *Report of Changes at Highway Grade Crossings and Separations*. Form G requirements and forms can be obtained at the CPUC web site Form G page at <http://www.cpuc.ca.gov/static/transportation/crossings/formg.htm>. 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,



Daren Gilbert, Supervisor  
Rail Crossings Engineering Section  
Consumer Protection and Safety Division

C: Lillian Hames, SMART  
Jason Nutt, City of Novato