

PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115
SACRAMENTO, CA 95834



August 31, 2010

File Number: G.10-07-010

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 Ely Road Highway-Rail Crossing, CPUC Crossing No. 005-42.20, DOT No. 498680A, in Sonoma County

Dear Mr. Anderson:

This refers to your letter received by us on July 22, 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 County of Sonoma. The crossing is identified as Ely Road Highway-Rail Crossing, CPUC Crossing No. 005-42.20, DOT No. 498680A.

The crossing is currently a single track crossing equipped with one Commission Standard 9 (flashing light signal assembly with automatic gate arm) and one Commission Standard 9-A (flashing light signal assembly with automatic gate arm and additional flashing light signals over the roadway on a cantilevered arm) warning devices. At this location, Ely Road is a two-lane road running generally east/west. 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 Commission Standard 9 warning device in the southwest quadrant shall be replaced with new curb-mounted Commission Standard 9 warning device with 12" LED flashers. The gate assembly for the existing Commission Standard 9A warning device in the northeast quadrant shall also be replaced in kind. A new signal shelter shall be installed and 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 County of Sonoma 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.

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 as outlined on the web page.

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

Sincerely,



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

C: Lillian Hames, SMART
Thomas O'Kane Jr., County of Sonoma