

## PUBLIC UTILITIES COMMISSION

180 PROMENADE CIRCLE, SUITE 115  
SACRAMENTO, CA 95834



May 11, 2012

File Number: G.12-03-014

Patrick Coggins  
Senior Right of Way Agent  
California Department of Transportation  
111 Grand Avenue  
Oakland, CA 94612

**Re: General Order 88-B Request for Authority to Alter the California Department of Transportation US 101/North Novato 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 March 27, 2012 and received by us on March 29, 2012 requesting authorization pursuant to California Public Utilities Commission (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, Marin County. The crossing is identified as the US Route 101 North Novato Overhead Highway-Rail Crossing, CPUC Crossing No. 005-28.90-A, DOT No. 859329M.

This is a single track grade separated crossing over the SMART tracks in the City of Novato. Northwestern Pacific Railroad Company (NWP) runs approximately 6 freight trains per week at a maximum speed of 25 mph over the crossing.

The California Department of Transportation (Caltrans) states in its GO 88-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."

During construction, Caltrans is requesting a temporary impaired vertical clearance of 20 feet 6 inches. Commission 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 NWP 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 25 feet 7 inches.

Also, during construction, Caltrans is requesting a temporary horizontal clearance of 9 feet 6 inches west and 11 feet 6 inches east. Since this is within the requirements of Commission GO 26-D, Section 3, a temporary deviation is not needed.

In a letter dated March 21, 2012, SMART stated that they approved the proposed temporary horizontal and vertical clearances. In a letter dated March 26, 2012, NWP stated that they do not oppose the proposed temporary horizontal and vertical clearances.

Caltrans failed to include a request for temporary impaired vertical clearance during construction of 20 feet 6 inches in its GO 88B request. Commission staff identified the need through the letters of concurrence from NWP and SMART, and uses them as the basis for the impaired vertical clearance during construction.

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

- Widening the left side of northbound US Route 101 Franklin Avenue Overhead in order to provide a High Occupancy Vehicle lane in the median.
- The width of the bridge will be approximately 74 feet instead of the existing width of approximately 53 feet.

Commission staff has investigated the Caltrans' request, and finds it adequately addresses compliance and safety. As Caltrans, NWP 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 Pubic 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 North Novato Overhead structure, CPUC Crossing No. 005-28.90-A, DOT No. 859329M. in the County of Marin.

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

1. Caltrans shall notify SMART, NWP 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 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 North Novato 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.

At the conclusion of the project, SMART should submit an updated FRA inventory form to the Federal Railroad Administration, reflecting the changes. Commission requests a concurrent copy of the updated inventory form be submitted to [rces@cpuc.ca.gov](mailto:rces@cpuc.ca.gov) .

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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