

PUBLIC UTILITIES COMMISSION

515 L Street, Suite 1119
Sacramento, CA 95814



April 30, 2007

File No. Q.06-01-004

Mr. Carlos Privat
Assistant City Attorney
City of Richmond
1401 Marina Way South
Richmond, CA 94804

Re: Comments – Quiet Zone Notice of Establishment (NOE) – South One Quiet Zone in the City of Richmond

Dear Mr. Privat:

We received the above-referenced Notice dated April 10, 2007 in our office on April 16, 2007. Please note, Notices of Intent or Establishment under the Train Horn Rule in 49 CFR Part 222 Section 222.43 require that such Notices be sent via Certified Mail, return receipt requested. This allows tracking of the mailing and receipt of the Notices to assure the rule requirements on timing and distribution are met.

We acknowledge that you have run the Federal Railroad Administration (FRA) Quiet Zone calculator for the South One Quiet Zone which involves Marina Way South (DOT# 751656U), Regatta Boulevard (DOT# 926139T), and Marina Bay Parkway (DOT# 926138L) crossings. We have also run the FRA Calculator for these very same crossings, using the traffic data supplied by the City, and have similarly determined that together these crossings have apparently qualified as a Quiet Zone according to the FRA Train Horn Final Rule (49 CFR, Section 222.39(a)(3)) by having a Quiet Zone Risk index below the Risk Index with Horns. We also note that as part of your NOE, you submitted Grade Crossing Inventory Forms for each of these crossings. Our Staff reviewed those Inventory Forms and corrected a few minor errors. The corrected Inventory Forms will be sent to the FRA so that the FRA Database can be updated.

Prior to submittal of your NOE, you submitted a Notice of Intention (NOI) to Create New Quiet Zones on January 5, 2006, and then followed this with a corrected NOI for the South One Quiet Zone on April 26, 2006. Diagnostic reviews of the crossing were subsequently held. Our Staff have reviewed both of those NOIs, (we note that the Harbour Way Crossing has been eliminated as one of the crossings for this quiet zone and is not listed in your NOE), and provided comments to the City after our review. Our Staff noticed during a recent on-site inspection of the crossings noted in your NOE, that through improvements to these crossings, you have generally responded to our earlier comments made on your NOIs. We found that generally, in regards to quiet zone issues, you have adequately addressed our identified concerns.

In regards to the previously offered comments, along with your recent General Order (GO) 88-B project approval for these crossings, as well as other concerns that are important for the overall safety of the crossings, which are not necessarily quiet zone issues, please see the attached comments. Because several of the items are compliance issues, we are requesting that you address these concerns as soon as possible. All

the items are compliance issues, we are requesting that you address these concerns as soon as possible. All items shall be in compliance with the California Manual on Uniform Traffic Control Devices (CAMUTCD) as adopted and published by Caltrans. Our concerns are listed as follows for each of the three crossings:

A. Marina Bay Parkway:

1. A Railroad Advance Warning (W10-1) sign for the southbound approach, installed on the shoulder of the roadway in a location corresponding with the Railroad Pavement Markings (RXR) is required by CAMUTCD. Please install this sign prior to implementation of the quiet zone.



W10-1

2. The new CPUC Standard 8 (flashing light signal assembly) in the southwest quadrant should be made operational prior to implementation of the quiet zone. The lights are currently turned toward each other in a non-operational, storage position.
3. The "Load Limit Ahead" sign in the southwest quadrant is in a position where drivers headed southbound have their view of this sign partially blocked by the CPUC Standard 8 warning device. Conversely, pedestrians headed in the northbound direction, from a distance, have their view of this warning device partially blocked by this sign. Please relocate the sign so that it and the warning device are unobstructed from the normal pedestrian and motorist approaches.
4. Install the CAMUTCD "NO U-Turn" (R3-4) signs in the medians near the crossing as indicated in your recent GO 88-B request letter.



R3-4

5. Remove the W10-1 sign for westbound traffic just east of the Pierson Avenue/ Marina Bay Parkway intersection, as there is no longer a track directly west of this sign.

B. Marina Way South:

1. The City should finish improving and extending the sidewalk across the track on the west side of the crossing as required in its recent GO 88-B authorization.

2. The W-48 signs indicating "2 TRACKS" which are located under the W10-1 signs should be removed on both approaches, as there are no longer two tracks at this crossing (only one).



W48 (CA)

3. The stop lines for the highway-rail crossing warning devices are in the wrong locations. The CAMUTCD requires they be located approximately 8 feet in advance of the gate arm when railroad warning devices are in place. Please repaint the stop line (single bar) in the appropriate location as required by CAMUTCD.

C. Regatta Boulevard:

1. RXR pavement markings are required on the roadway for the eastbound approach, corresponding to the location of the W10-1 sign. Please apply the pavement markings prior to implementing the quiet zone.

We note that you indicated in your NOE submittal that "routine locomotive horn use at the above-named crossing will cease at 12:01 a.m. on May 1, 2007." For help with the affected railroad's compliance with this directive, please consult the FRA.

Lastly, we would like to remind you that when installing the "NO TRAIN HORN" signs, they should be installed as noted in CA MUTCD, Part 8, Section 8B.14, which in this case would be just below the advance warning signs, W10-1 on the approaches to each of the three crossings. They must be in place prior to the establishment date.



W10-9

Please respond in writing by May 7, 2007, specifying which items have been addressed, and a schedule for addressing any remaining items. If you have any questions, please contact Marvin Kennix at (916) 324-7135.

Sincerely,

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

Cc: Rich Davidson, City Engineer
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