

## PUBLIC UTILITIES COMMISSION

320 W. 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013



April 21, 2016

File: QTZN 2016030002

Michael Kashiwagi, P.E.  
Community Services Director  
Town of Atherton  
91 Ashfield Road  
Atherton, CA 94027

**Subject: Notice of Intent to Establish a 24 Hour Quiet Zone in the Town of Atherton, San Mateo County**

Dear Mr. Kashiwagi:

Referring to the subject Town of Atherton (Town) Notice of Intent (NOI) dated March 21, 2016, the California Public Utilities Commission's (Commission) Rail Crossings and Engineering Branch staff (RCEB) offers the following comments to the proposed Atherton Fair Oaks 24 Hour Quiet Zone:

- The Town proposes to include the Fair Oaks Lane highway-rail at-grade crossing (crossing) within the Atherton Fair Oaks Quiet Zone. The crossing is identified as CPUC Crossing No. 105E-27.70 and DOT No. 754986K. The crossing has a risk index of 68,026.66 using 96 trains per day.

Summary	Existing
<b>Proposed Quiet Zone:</b>	Atherton Fair Oaks
<b>Type:</b>	New 24-hour QZ
<b>Nationwide Significant Risk Threshold:</b>	14347 .00
<b>Risk Index with Horns:</b>	177319.01
<b>Quiet Zone Risk Index:</b>	<b>68026.66</b>

- The Federal Railroad Administration (FRA) quiet zone calculator does not include the train vs. vehicle incident (incident), which occurred at the crossing on December 16, 2014. Caltrain did not report this incident to the FRA as a crossing incident and it does not include in the FRA's accident database. Union Pacific Railroad Company's (UPRR) preliminary report indicates that this incident occurred within 50 feet of the crossing, and Caltrain should report it to the FRA. Inclusion of this incident in the (FRA) quiet zone calculator may alter the Quiet Zone Risk Index.
- The NOI does not include the five Atherton Caltrain station pedestrian at-grade crossings identified under the single DOT No. 922738A. CFR §222.27(a) requires pedestrian crossings located within the quiet zone boundaries to be included in the quiet zone and states:

*Pedestrian grade crossings located within the boundaries of a quiet zone must be included in the quiet zone.*

The Table below lists the Atherton Station Pedestrian Crossings with CPUC and DOT numbers:

CPUC No.	DOT No.	Crossing Name
105E-27.75-D	722738A	ATHERTON STATION PED XING
105E-27.80-D	722738A	ATHERTON STATION PED XING
105E-27.85-D	722738A	ATHERTON STATION PED XING
105E-27.87-D	722738A	ATHERTON STATION PED XING
105E-27.90-D	722738A	ATHERTON STATION PED XING

- The Town is not in compliance with CFR §222.27(b) and (c) which require diagnostic meetings be held at the pedestrian at-grade crossings. The RCEB did not attend any diagnostic meetings at the pedestrian crossings.

CFR §222.27 (b) and (c) state:

*(b) Pedestrian grade crossings that are located in New Quiet Zones or New Partial Quiet Zones must be evaluated by a diagnostic team and equipped or treated in accordance with the recommendations of such diagnostic team.*

*(c) The public authority shall provide the State agency responsible for grade crossing safety and all affected railroads an opportunity to participate in diagnostic team reviews of pedestrian grade crossings.*

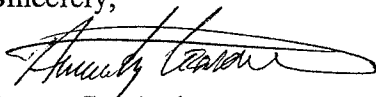
Accordingly, the NOI is incomplete because no diagnostic meetings occurred. Diagnostic meetings are required to include representative from RCEB, Caltrain, UPRR, the Town, and FRA. CFR §222.27(b) requires that the diagnostic party recommendations be implemented in order pedestrian crossings be included within the quiet zone.

The Atherton Caltrain Station pedestrian crossings do not have any active or passive warning devices. A combination of no warning devices and no sounding train horns creates a major safety concern. Sounding train horns aids pedestrians in determining the direction of oncoming trains. RCEB recommends automatic warning devices be installed at the pedestrian crossings.

As a result of the NOI being incomplete and the Town not scheduling the required diagnostic reviews, RCEB requests that the Town withdraws its NOI until these issues and concerns are resolved and the NOI reissued in compliance with 49 CFR Part 222. Furthermore, the Town should schedule a diagnostic review meeting for the pedestrian and highway-rail at-grade crossings that will be included within the proposed quiet zone by inviting all the interested parties. Until all these matters are resolved, Notice of Establishment should not be issued and the railroads that operate within the proposed quiet zone must continue sounding the train horns.

If you have any questions, please contact Felix Ko at (415) 703-3722, or at [felix.ko@cpuc.ca.gov](mailto:felix.ko@cpuc.ca.gov)

Sincerely,



Anton Garabetian, P.E.  
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Rail Crossings and Engineering Branch  
Safety and Enforcement Division

CC:

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Page 4 of 4

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