

From: [Karl Heisler](#)
To: [Smialek, Anthony \(FRA\)](#)
Cc: [Hill, Shannon](#); [Downtown West Project](#)
Subject: RE: Your Phone Message from Yesterday
Date: Friday, October 16, 2020 12:30:02 PM
Attachments: [Northern EVA.pdf](#)

Mr. Smialek: I have forwarded your contact information to Shannon Hill of the San José Department of Planning, Building, and Code Enforcement, who is working on the environmental impact report for the Downtown West Mixed-Use Plan in San José. This is a proposal by Google to construct a large mixed-use (office, residential, retail, and other uses) project in the vicinity of Diridon Station, which is served by Caltrain, Altamont Corridor Express, and Amtrak Capitol Corridor trains. The tracks through Diridon Station are also used by a small number of Union Pacific Railroad trains, and UPRR owns a segment of track that runs through the project site and another that runs along the site's northern border; both of these connect to UPRR's Milpitas yard.

Where the UPRR tracks pass through the project site, there is only a single at-grade street crossing. The project applicant will likely have to undertake some sort of improvements to allow for adequate emergency vehicle access. This aspect of the project is described in the EIR project description (excerpt attached), which states that FRA approval may be required, depending on what is ultimately proposed. I also attach a map from the EIR showing the project site location (I have labeled the UPRR tracks).

Shannon Hill will send you the City's official notification, but the full EIR is available on the City's website, here:

<https://www.sanjoseca.gov/your-government/department-directory/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/active-eirs/downtown-west-mixed-use-plan>

Thank you.

Karl F. Heisler

ESA | Environmental Science Associates

Note that I am working remotely – call or text my mobile at (415) 377-5303.

550 Kearny Street, Suite 800

San Francisco, CA 94108-2512

phn 415.896.5900 | fax 415.896.0332

From: Smialek, Anthony (FRA) <anthony.smialek@dot.gov>

Sent: Friday, October 16, 2020 11:22 AM

To: Karl Heisler <KHeisler@esassoc.com>

Subject: RE: Your Phone Message from Yesterday

Also, be advised I may be on jury duty over the next two weeks. I'll still come into the office every morning to check mail and messages before heading to the courthouse (if I'm selected).

From: Smialek, Anthony (FRA)

Sent: Friday, October 16, 2020 7:17 AM

To: kheisler@esassoc.com

Subject: Your Phone Message from Yesterday

Good morning, sir. I'm a chief inspector for the organization formerly known as FRA Region 7 and is now known as Safety Management Team 7 (SMT-7) here in Sacramento. We're still doing the same jobs as before but our territory has expanded considerably. I come into the office daily to check mail, phone messages and to distribute anything out to the field.

You're welcomed to send to me the Notice of Availability for the San Jose project and I will forward it for you. However, I would like some idea in advance of what the project is and whether it's something FRA needs to know about or would have an interest in.

You can contact me by replying to this e-mail and/or mailing your notice to:

Federal Railroad Administration
801 I Street, Ste. 466
Sacramento, CA 95814

Cheech

Cheech Smialek
Chief Inspector
(916) 947-8914 (main ofc)
(916) 414-2330 (ofc)
anthony.smialek@dot.gov

Southerly Cahill Street Extension

To extend Cahill Street south of West San Fernando Street to Park Avenue, the project would require access easements from PG&E and Caltrain. The extension of Cahill Street would traverse about 6,650 square feet of a PG&E-owned parcel (APN 261-35-002) immediately south of West San Fernando Street at Cahill Street and an adjacent strip of Caltrain-owned land (about 1,680 square feet of APN 261-35-030). South of these two parcels, the Cahill Street extension would cross property owned by the project applicant. The southerly Cahill Street extension would also necessitate relocation of two high-voltage PG&E power poles that serve the existing PG&E San Jose A Substation, which occupies the remainder of APN 261-35-02.

Northern Emergency Vehicle Access

The proposed project would establish the required emergency vehicle access at the northern end of the site before occupancy of the portion of the site north of the UPRR tracks, to allow emergency vehicles to enter the site by going across or under the railroad tracks. The project applicant has evaluated a range of options for a new at-grade crossing of the tracks or new grade separation under the railroad tracks. Grade separation options considered by the project include an underpass at Lenzen Avenue or North Montgomery Street. A grade separation over the railroad is not being considered because the elevations required for rail clearance would not be feasible given current roadway geometry.

The project applicant currently proposes to modify the existing North Montgomery Street at-grade railroad crossing to provide adequate emergency vehicle access. A dedicated lane could be provided for use emergency vehicles. Also, the circulation option lost by the removal of Cinnabar Street west of North Montgomery Street would be replaced by a new private street connection between North Montgomery Street and Lenzen Avenue along the southern and western perimeter of the block, and a new north-south connection between Cinnabar Street and Lenzen Avenue along the eastern perimeter of the block. The applicant could instead, or additionally, construct a new at-grade crossing of the northern of two UPRR tracks in this area, to connect the project site with the San Jose Market Center, the retail center northeast of the site. However, it is possible that North Montgomery Street could continue to serve as the sole emergency vehicle access point, with the introduction of new technologies, such as remotely controlled bollards/gates, and integrated communications between building fire alarm systems and rail and/or mass notification systems.

The specific proposal for emergency vehicle access has not been finalized, given the need to coordinate with other efforts that affect the feasibility of certain options. The City is applying to the Federal Railroad Administration for a quiet zone on the Warm Springs corridor from North Montgomery Street to Horning Street, which may include improvements to the North Montgomery Street at-grade railroad crossing. In addition, as described in Section 2.2.8, *Existing and Planned Transportation Facilities*, the DISC partner agencies have endorsed a Concept Layout that would elevate the railroad tracks that currently limit access to the project site.⁵⁴ Elevating the tracks consistent with the Concept Layout would allow for at-grade or nearly at-

⁵⁴ As noted in Section 2.2.8, *Existing and Planned Transportation Facilities*, the Concept Plan is inconsistent with the California High-Speed Rail Authority's preferred alternative for service to Diridon Station.

grade reconnections of streets to the north end of the site. These streets could include North Autumn Street, Cinnabar Street, and/or Lenzen Avenue.

Any new emergency vehicle access proposed by the project applicant at the northern end of the site could be reconfigured, replaced, or supplemented by alternative access options at the time that the railroad is elevated as proposed by the DISC partner agencies. The new at-grade or grade-separated crossing ultimately proposed by the project would require coordination with the City, the California Public Utilities Commission and/or **Federal Railroad Administration**, and Caltrain and UPRR as applicable.

2.7.2 Mid-block Pedestrian Passages and Roadway Improvements

The project applicant proposes to construct publicly accessible mid-block pedestrian passages at several locations to facilitate pedestrian and bicycle access through the project site and break up the scale of larger blocks. The project would enhance sidewalks and implement removal and reconfiguration of lanes along Park Avenue, and South Montgomery Street south of Park Avenue. Implementing these changes would also entail changing South Autumn and South Montgomery Streets from one-way to two-way operation and removing vehicular access from South Montgomery Street south of San Fernando Street, and from Delmas Avenue between West Santa Clara and West San Fernando Streets.

2.7.3 Streetscape Improvements

The proposed project would enhance streetscape and intersection designs and implement new and improved pedestrian and bike facilities throughout the project area to prioritize pedestrian and bicyclist safety and expand linkages to Downtown San José and surrounding communities. Additionally, streetscapes would be enhanced with green infrastructure to treat stormwater runoff before it flows through outfalls into Los Gatos Creek and the Guadalupe River. Other improvements would be aimed at enhancing access to transit by leveraging the site's proximity to Diridon Station, which is currently served by multiple transit agencies, and where existing and new transit providers are planning new or enhanced services in the future.

2.7.4 Transportation Demand Management

The project's location is intended to leverage the multiple existing and planned transit options serving Diridon Station and the surrounding area and minimize vehicle trips for employees, residents, and visitors to the site. The proposed project includes a TDM program to reduce the use of single-occupancy vehicles to and from the project site, thereby reducing the demand for on-site commercial parking. The TDM program would exceed the 15 percent transportation efficiency requirement of Assembly Bill (AB) 900, achieve additional vehicle trip reductions and reduce criteria pollutant emissions. The program would include project features and TDM measures, a monitoring and reporting program, and a process for revisions as needed over time. The features of the proposed TDM program are summarized below. The full TDM program is included as