

**From:** [Smialek, Anthony \(FRA\)](#)  
**To:** [Karl Heisler](#)  
**Cc:** [Hill, Shannon](#); [Downtown West Project](#)  
**Subject:** RE: Your Phone Message from Yesterday  
**Date:** Friday, October 16, 2020 12:33:54 PM

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Thanks, sir... and please, call me Cheech.

I'll read up on it today. I'm assuming UP and Caltrain are among the interested parties receiving the plans?

Cheech

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**From:** Karl Heisler [mailto:[KHeisler@esassoc.com](mailto:KHeisler@esassoc.com)]  
**Sent:** Friday, October 16, 2020 12:30 PM  
**To:** Smialek, Anthony (FRA) <[anthony.smialek@dot.gov](mailto:anthony.smialek@dot.gov)>  
**Cc:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>; Downtown West Project <[downtownwest@esassoc.com](mailto:downtownwest@esassoc.com)>  
**Subject:** RE: Your Phone Message from Yesterday

**CAUTION:** This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

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

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

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

**To:** Karl Heisler <[KHeisler@esassoc.com](mailto: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).

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**From:** Smialek, Anthony (FRA)

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

**To:** [kheisler@esassoc.com](mailto: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](mailto:anthony.smialek@dot.gov)