

From: [Hill, Shannon](#)
To: [Downtown West Project](#)
Subject: FW: Your Phone Message from Yesterday
Date: Tuesday, October 20, 2020 1:56:53 PM

From: Karl Heisler <KHeisler@esassoc.com>
Sent: Friday, October 16, 2020 1:20 PM
To: Hill, Shannon <Shannon.Hill@sanjoseca.gov>
Cc: Downtown West Project <downtownwest@esassoc.com>
Subject: FW: Your Phone Message from Yesterday

[External Email]

Shannon: Mr. Smialek indicates he does not have a UPRR contact. The mailing address is below:

Union Pacific Railroad
1400 Douglas Street
Omaha, NE 68179

The railroad also has a Public Projects Inquiry Form that it appears you could use to upload a NOA if desired:

<https://benesch.quickbase.com/db/bpqhu6hqy?a=dbpage&pageid=13>

(The latitude and longitude on the NOC, converted to decimal form, is: 37.332, -121.901.)

We also might want to send the NOA to the Rail Crossings and Engineering Branch of the California Public Utilities Commission. Based on this [map](#), the engineer for Santa Clara County is Ade Sogbesan, whose e-mail is: ES3@cpuc.ca.gov.

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: Karl Heisler
Sent: Friday, October 16, 2020 12:44 PM
To: Smialek, Anthony (FRA) <anthony.smialek@dot.gov>

Cc: Hill, Shannon <Shannon.Hill@sanjoseca.gov>; Downtown West Project
<downtownwest@esassoc.com>

Subject: RE: Your Phone Message from Yesterday

Thank you. I know that Caltrain has received notice. I will double-check about UP; that is a good point. Because we do not typically deal with UP, are you able to provide an appropriate contact e-mail and/or address for this sort of notice?

Thank you.

Karl F. Heisler

ESA | Environmental Science Associates

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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 12:34 PM

To: Karl Heisler <KHeisler@esassoc.com>

Cc: Hill, Shannon <Shannon.Hill@sanjoseca.gov>; Downtown West Project
<downtownwest@esassoc.com>

Subject: RE: Your Phone Message from Yesterday

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

From: Karl Heisler [<mailto:KHeisler@esassoc.com>]

Sent: Friday, October 16, 2020 12:30 PM

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

Cc: Hill, Shannon <Shannon.Hill@sanjoseca.gov>; Downtown West Project
<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.

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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

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