

CITY OF HELENA

Railroad Quiet Zone Preliminary Feasibility Study

March, 2011

Kadmas
Lee &
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Engineers Surveyors
Planners

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1.0 INTRODUCTION

Throughout most of the state of Montana, railroad locomotives are required to sound a horn 15-20 seconds prior to a train's arrival at every public crossing, but not more than ¼ mile in advance of the crossing. Locomotive horns, which are required to reach a sound level of 96 decibels, create disruptions to local residents and businesses in many communities throughout the country.

The Federal Railroad Administration (FRA) now allows communities to develop areas named Railroad Quiet Zones in which trains do not sound their horns. A Quiet Zone is a section of rail line at least one half mile in length that contains one or more consecutive public roadway – rail grade crossing at which locomotive horns are not routinely sounded.

The Montana Rail Link (MRL) railroad mainline bisects the City of Helena and train horns are heard throughout the community. There are five (5) railroad crossings within the City limits, and the purpose of this report is to provide options for silencing the train horns at those crossings. The report will also provide options for increasing the safety of pedestrian traffic within the Quiet Zone. Public safety followed by economics will be the focus of the report.

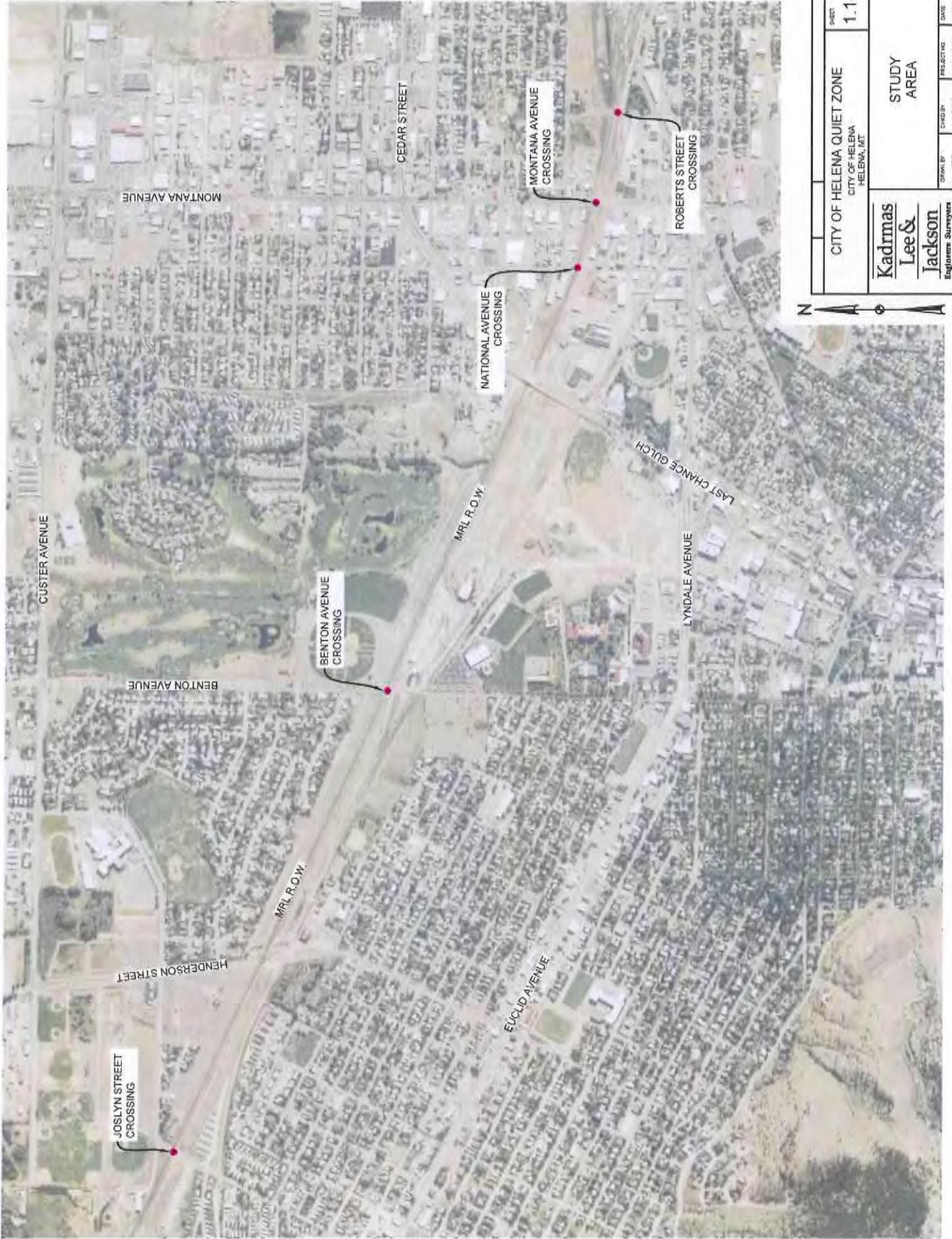
Information for this report was obtained from the FRA website and conversations with City of Helena personnel, FRA personnel, MDT personnel, and MRL personnel.

1.1 Study Area

The study area will be limited by the Helena City limits and extend through the following crossings:

<u>Street Name</u>	<u>Railroad Crossing ID</u>
Joslyn Street	098 742 R
Benton Avenue	060 199 F
National Avenue	086 375 B
Montana Avenue	060 193 P
Roberts Street	060 192 H

Figure 1.1-A shows a diagram of the study area.



SHEET
1.1-A

CITY OF HELENA QUIET ZONE
 CITY OF HELENA
 HELENA, MT

Kadmas
Lee &
Jackson
 Engineers Surveyors
 Planners

STUDY
 AREA

DATE	02/28/2011
PROJECT NO.	4410014
CLIENT	BLK
DRAWN BY	ADE

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2.0 JOSLYN STREET CROSSING (098 742 R)

Figure 2.0-A



2.1 Existing Crossing Conditions

The Joslyn Street crossing consists of two (2) lanes at an approximate total width of 32 feet. Each approach lane is controlled by a single quadrant gate. A sidewalk runs along the east side of the Street on the north and south sides of the crossing but terminates prior to reaching either main rail. A trailer park access road runs parallel to the rail line and intersects Joslyn Street approximately 400 feet from the crossing. **Table 2.1-A** below lists additional non-roadway intersections with Joslyn Street near the crossing:

Table 2.1-A

<i>Additional Intersections</i>	<i>Side of Joslyn</i>	<i>Side of Crossing</i>	<i>Distance</i>
Business Access Drive	West	North	110'
Storage Access Drive	West	South	210'
Storage Access Drive	East	South	340'

Figure 2.1-A follows Section 2.0 and includes a diagram of the existing conditions at the Joslyn Street Crossing.

2.2 Traffic Volumes and Speed

Vehicle Traffic data for the Joslyn Street Crossing was obtained from the Federal Railroad Administration (FRA) Quiet Zone Calculator, the Greater Helena Area Transportation Plan 2004 Update, and signage in the field. **Table 2.2-A** below identifies the average daily vehicular traffic volumes and speed limits for the Joslyn Street Crossing:

Table 2.2-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>2003 ADT</u>	<u>Speed Limit</u>
098 742 R	Joslyn Street	1,600	25 mph

Based on the Greater Helena Area Transportation Plan 2004 Update, the estimated Annual Average Daily Traffic (ADT) in 2025 is 9,000. An ADT of 9,000 was therefore used in quiet zone calculations related to this crossing.

2.3 Train Volumes and Speed

Train volume and speed data for the Joslyn Street Crossing was obtained from the FRA Quiet Zone Calculator and conversations with Montana Rail Link personnel, and is displayed in **Table 2.3-A** below. The train volumes are determined by the number of trains passing in a 24 hour period. As per the City of Helena ordinance 8-8-369, any train traveling within the corporate limits of the City shall not exceed 45 mph, however, between Roberts Street and Benton Avenue the ordinance requires that trains not exceed 25 mph.

Table 2.3-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Train Vol.</u>	<u>Speed Limit</u>
098 742 R	Joslyn Street	36	45 mph

2.4 At Grade Crossing Collision Data

Crash data for the Joslyn Street Crossing was obtained from the FRA website which was updated September 30, 2010. The information provided accident reports for each incident and is included in **Appendix 2.4-A**. Following **Table 2.4-A** includes a summary of the number of crashes since 1976 at the crossing:

Table 2.4-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Crashes Since 1976</u>
098 742 R	Joslyn Street	0



RYAN PARK

CROSSING NO. 098 742 R
MILEPOST 2.3

BRADY STREET

MRL R.O.W.

JOSLYN STREET

HUDSON STREET

LEGEND

CROSSING SIGNAL/GATE

PEDESTRIAN WALKWAY



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT		SHEET 2.1-A
Kadmas Lee & Jackson Engineers Surveyors Planners		JOSLYN STREET CROSSING
DRAWN BY ADE	CHECKED BY BJK	PROJECT NO. 4410014
		DATE 02/28/2011

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3.0 BENTON AVENUE CROSSING (060 199 F)

Figure 3.0-A



3.1 Existing Crossing Conditions

The Benton Avenue crossing is two (2) lanes at an approximate total width of 38 feet. Each approach lane is controlled by a single quadrant gate. A sidewalk parallels Benton Avenue along the west side and uses a widened shoulder to cross the tracks. A pedestrian path parallels the tracks to the south and at its closest point is 35 feet from the crossing. A private, uncontrolled spur line is located approximately 78 feet south of the main tracks. Oakwood Lane to the north intersects Benton Avenue 380 feet from the crossing while the access road to the Helena Solid Waste Transfer Station intersects Benton Avenue 330 feet south of the crossing. **Table 3.1-A** below lists additional non-roadway intersections with Benton Avenue near the crossing:

Table 3.1-A

<u><i>Additional Intersections</i></u>	<u><i>Side of Benton</i></u>	<u><i>Side of Crossing</i></u>	<u><i>Distance</i></u>
Batch Memorial Park Access	East	North	90'
Business Access Drive	East	South	116'
Snow Dump Access	West	South	116'
Power/Rail Access 2-Track	West	North	150'
Business Access Drive	East	South	250'
Pedestrian Path	East	South	300'

Figure 3.1-A follows Section 3.0 and includes a diagram of the existing conditions at the Benton Avenue Crossing.

3.2 Traffic Volumes and Speed

Vehicle Traffic data for the Benton Avenue Crossing was obtained from the Federal Railroad Administration (FRA) Quiet Zone Calculator, the Greater Helena Area Transportation Plan 2004 Update, and signage in the field. **Table 3.2-A** below identifies the average daily vehicular traffic volumes and speed limits for the Benton Avenue Crossing:

Table 3.2-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>2003 ADT</u>	<u>Speed Limit</u>
060 199 F	Benton Avenue	10,000	35 mph

Based on the Greater Helena Area Transportation Plan 2004 Update, the estimated Annual Average Daily Traffic (ADT) in 2025 is 12,100. An ADT of 12,100 was therefore used in quiet zone calculations related to this crossing.

3.3 Train Volumes and Speed

Train volume and speed data for the Benton Avenue Crossing was obtained from the FRA Quiet Zone Calculator and conversations with Montana Rail Link personnel, and is displayed in **Table 3.3-A** below. The train volumes are determined by the number of trains passing in a 24 hour period. As per the City of Helena ordinance 8-8-369, any train traveling within the corporate limits of the City shall not exceed 45 mph; however, between Roberts Street and Benton Avenue the ordinance requires that trains not exceed 25 mph.

Table 3.3-A

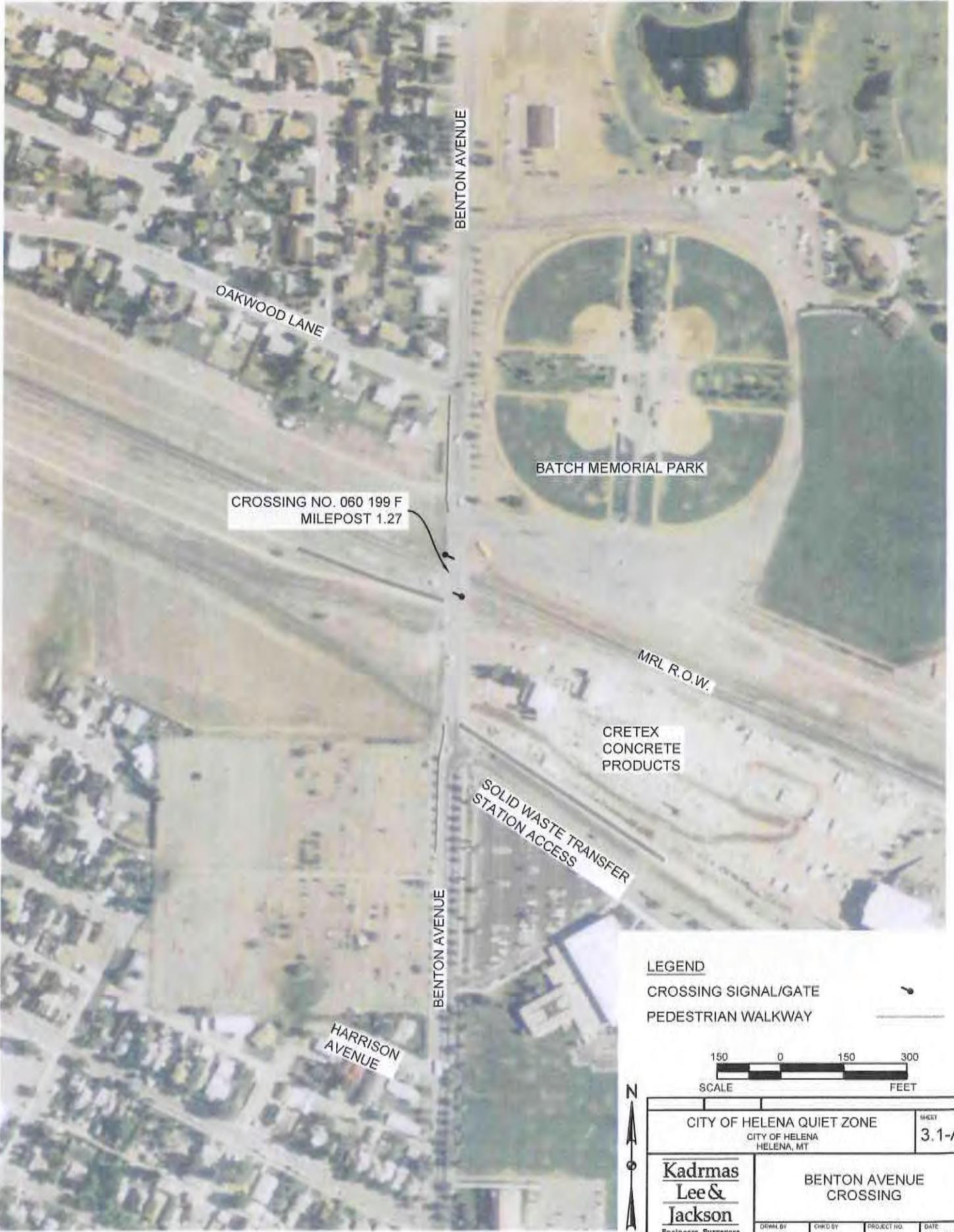
<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Train Vol.</u>	<u>Speed Limit</u>
060 199 F	Benton Avenue	36	25 mph

3.4 At Grade Crossing Collision Data

Crash data for the Benton Avenue Crossing was obtained from the FRA website which was updated September 30, 2010. Accident reports are provided for each incident and are included in **Appendix 3.4-A**. **Table 3.4-A** includes a summary of the number of accidents since 1976 at the crossing:

Table 3.4-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Crashes Since 1976</u>
060 199 F	Benton Avenue	3



CROSSING NO. 060 199 F
MILEPOST 1.27

BENTON AVENUE

OAKWOOD LANE

BATCH MEMORIAL PARK

MRL R.O.W.

CRETEX
CONCRETE
PRODUCTS

SOLID WASTE TRANSFER
STATION ACCESS

BENTON AVENUE

HARRISON
AVENUE

LEGEND

CROSSING SIGNAL/GATE



PEDESTRIAN WALKWAY



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT		SHEET 3.1-A
Kadmas Lee & Jackson Engineers Surveyors Planners		BENTON AVENUE CROSSING
DRWN BY ADE	CHRD BY BJK	PROJECT NO. 4410014
		DATE 02/28/2011

Appendix 3.4 – A

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Burlington Northern RR Co. [BN]		1a. BN	1b. RM486
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Burlington Northern RR Co. [BN]		3a. BN	3b. RM486
4. U.S. DOT-AAR Grade Crossing ID No. 060199F		5. Date of Accident/Incident 12/16/84	6. Time of Accident/Incident 01:00 AM
7. Nearest Railroad Station HELENA		8. Division	9. County LEWIS AND CLARK
		10. State Abbr. 30	Code MT
11. City (if in a city) HELENA		12. Highway Name or No. BENTON AVE	
		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle Code A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		17. Equipment 4. Car(s) (moving) 8. Other (specify) Code 1. Train (units pulling) 5. Car(s) (standing) A. Train pulling- RCL 2. Train (units pushing) 6. Light loco(s) (moving) B. Train pushing- RCL 3. Train (standing) 7. Light loco(s) (standing) C. Train standing- RCL	
14. Vehicle Speed (est. mph at impact) 35		18. Position of Car Unit in Train	
15. Direction (geographical) Code 1. North 2. South 3. East 4. West		19. Circumstance 1. Rail equipment struck highway user Code 2. Stopped on Crossing 4. Trapped	
16. Position 1. Stalled on crossing 3. Moving over crossing Code 2. Stopped on Crossing 4. Trapped		2. Rail equipment struck by highway user Code	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? Code 1. Highway User 2. Rail Equipment 3. Both 4. Neither		20b. Was there a hazardous materials release by Code 1. Highway User 2. Rail Equipment 3. Both 4. Neither	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) -4 °F		22. Visibility (single entry) Code 1. Dawn 2. Day 3. Dusk 4. Dark	
		23. Weather (single entry) Code 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow	
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect. car		25. Track Type Used by Rail Equipment Involved Code 1. Main 2. Yard 3. Siding 4. Industry	
		26. Track Number or Name SINGLE MAIN TRACK	
27. FRA Track Class 2		28. Number of Locomotive Units 3	
29. Number of Cars 0		30. Consist Speed (Recorded if available) Code R. Recorded 22 mph E. Estimated	
		31. Time Table Direction Code 1. North 2. South 3. East 4. West	
32. Type of Crossing Warning 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None		33. Signaled Crossing Warning	
Code(s) 04		34. Whistle Ban Code 1. Yes 2. No 3. Unknown	
35. Location of Warning Code 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		36. Crossing Warning Interconnected with Highway Signals Code 1. Yes 2. No 3. Unknown	
		37. Crossing Illuminated by Street Lights or Special Lights Code 1. Yes 2. No 3. Unknown	
38. Driver's Age		39. Driver's Gender Code 1. Male 2. Female	
40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train Code 1. Yes 2. No 3. Unknown		41. Driver Code 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop	
42. Driver Passed Standing Highway Vehicle Code 1. Yes 2. No 3. Unknown		43. View of Track Obscured by (primary obstruction) Code 1. Permanent Structure 3. Passing Train 5. Vegetation 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed 7. Other (specify)	
Casualties to:		44. Driver was Code 1. Killed 2. Injured 3. Uninjured	
Killed		45. Was Driver in the Vehicle? Code 1. Yes 2. No	
Injured			
46. Highway-Rail Crossing Users 0		47. Highway Vehicle Property Damage (est. dollar damage) \$3,500	
		48. Total Number of Highway-Rail Crossing Users (include driver) 1	
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew)	
52. Passengers on Train 0		51. Is a Rail Equipment Accident / Incident Report Being Filed Code 1. Yes 2. No	
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	
		57. Date	

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of				Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Burlington Northern RR Co. [BN]				1a. BN	1b. RM380
2. Other Railroad Involved in Train Accident/Incident				2a.	2b.
3. Railroad Responsible for Track Maintenance Burlington Northern RR Co. [BN]				3a. BN	3b. RM380
4. U.S. DOT-AAR Grade Crossing ID No. 060199F		5. Date of Accident/Incident 09/05/83		6. Time of Accident/Incident 02:33 AM	
7. Nearest Railroad Station HELENA		8. Division		9. County LEWIS AND CLARK	
11. City (if in a city) HELENA		12. Highway Name or No. BENTON AVE		10. State Code Abbr. 30 MT	
Highway User Involved			Rail Equipment Involved		
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)			Code B		
14. Vehicle Speed (est. mph at impact) 10			15. Direction (geographical) 1. North 2. South 3. East 4. West Code 1		
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped Code 3			17. Equipment 1. Train (units pulling) 4. Car(s) (moving) 2. Train (units pushing) 5. Car(s) (standing) 3. Train (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing)		
18. Position of Car Unit in Train 1			19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user Code 1		
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code 4			20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither Code		
20c. State the name and quantity of the hazardous materials released, if any					
21. Temperature (specify if minus) 55 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark Code 4		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow Code 1	
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect. car Code 1			25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry Code 1		26. Track Number or Name NORTH MAIN
27. FRA Track Class 4	28. Number of Locomotive Units 2	29. Number of Cars 87	30. Consist Speed (Recorded if available) R. Recorded 12 mph E. Estimated		31. Time Table Direction 1. North 2. South 3. East 4. West Code 4
32. Type of Crossing Warning 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wig wags 5. Hwy. traffic signals 6. Audible 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (specify) 12. None Code(s) 03			33. Signaled Crossing Warning 20 sec warn min (1);		34. Whistle Ban 1. Yes 2. No 3. Unknown Code
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach Code 1		36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown Code 2		37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown Code 2	
38. Driver's Age	39. Driver's Gender 1. Male 2. Female Code	40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown Code 1		41. Driver 1. Drove around or thru the gate 2. Stopped and then proceeded 3. Did not stop 4. Stopped on crossing 5. Other (specify) Code 2	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown Code 2		43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 2. Standing railroad equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicles 7. Other (specify) 8. Not Obstructed Code 3			
Casualties to:		Killed	Injured	44. Driver was 1. Killed 2. Injured 3. Uninjured Code 3	
46. Highway-Rail Crossing Users 0		0	47. Highway Vehicle Property Damage (est. dollar damage) \$1,000		45. Was Driver in the Vehicle? 1. Yes 2. No Code 1
49. Railroad Employees 0		0	50. Total Number of People on Train (include passengers and crew)		48. Total Number of Highway-Rail Crossing Users (include driver) 1
52. Passengers on Train 0		0	51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No Code 2		
53a. Special Study Block			53b. Special Study Block		
54. Narrative Description					
55. Typed Name and Title		56. Signature			57. Date

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

**DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)**

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Burlington Northern RR Co. [BN]		1a. BN	1b. RM668
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Burlington Northern RR Co. [BN]		3a. BN	3b. RM668
4. U.S. DOT-AAR Grade Crossing ID No. 060199F		5. Date of Accident/Incident 10/02/78	6. Time of Accident/Incident 09:05 PM
7. Nearest Railroad Station HELENA		8. Division	9. County LEWIS AND CLARK
		10. State Abbr. 30	Code MT
11. City (if in a city) HELENA		12. Highway Name or No. BENTON AVENUE	
		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		17. Equipment 1. Train (units pulling) 4. Car(s) (moving) 2. Train (units pushing) 5. Car(s) (standing) 3. Train (standing) 7. Light loco(s) (standing)	
Code A		Code 6	
14. Vehicle Speed (est. mph at impact) 35		15. Direction (geographical) 1. North 2. South 3. East 4. West	
Code 1		18. Position of Car Unit in Train 1	
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user	
Code 3		Code 1	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither	
Code 4		Code	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 49 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark	
Code 4		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow	
Code 2			
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./Inspect. car		25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry	
Code 8		Code 1	
26. Track Number or Name NORTH			
27. FRA Track Class 3		28. Number of Locomotive Units 1	
29. Number of Cars 0		30. Consist Speed (Recorded if available) R. Recorded E. Estimated 30 mph	
Code E		31. Time Table Direction 1. North 2. South 3. East 4. West	
Code 3			
32. Type of Crossing 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) Warning 3. Standard FLS 6. Audible 9. Watchman 12. None		33. Signaled Crossing Warning	
Code(s) 03		Code 20 sec warn min (1);	
34. Whistle Ban 1. Yes 2. No 3. Unknown		Code	
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown	
Code 1		Code 3	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown		Code 1	
38. Driver's Age		39. Driver's Gender 1. Male 2. Female	
Code		Code	
40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown		41. Driver 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop	
Code 2		Code 3	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown		43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed	
Code 2		Code 8	
Casualties to:		44. Driver was 1. Killed 2. Injured 3. Uninjured	
Killed		Code 3	
Injured			
0		0	
46. Highway-Rail Crossing Users 0		47. Highway Vehicle Property Damage (est. dollar damage) \$500	
48. Total Number of Highway-Rail Crossing Users (include driver) 1			
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew)	
51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No		Code 2	
52. Passengers on Train 0			
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	
		57. Date	

4.0 NATIONAL AVENUE CROSSING (086 375 B)

Figure 4.0-A



4.1 Existing Crossing Conditions

The National Avenue crossing is two (2) lanes at an approximate total width of 38 feet. Each approach lane is controlled by a single quadrant gate. A sidewalk is located along the west side of National Avenue but terminates approximately 150 feet from the crossing. A private, uncontrolled spur line is located approximately 137 feet south of the main tracks. Phoenix Avenue intersects National Avenue 160 feet to the north while Argyle Street intersections National Avenue approximately 500 feet to the south of the crossing. **Table 4.1-A** below lists additional non-roadway intersections with National Avenue near the rail crossing:

Table 4.1-A

<i>Additional Intersections</i>	<i>Side of National</i>	<i>Side of Crossing</i>	<i>Distance</i>
Business Access Drive	West	South	50'
Business Access Drive	East	South	50'
Business Access Drive	West	North	132'
Business Access Drive	West	South	145'
Business Access Drive	West	North	235'
Non-Profit Access Drive	East	South	250'
Non-Profit Access Drive	West	North	300'

Figure 4.1-A follows section 4.0 and includes a diagram of the existing conditions at the National Avenue Crossing.

4.2 Traffic Volumes and Speed

Vehicle Traffic data for the National Avenue Crossing was obtained from the Federal Railroad Administration (FRA) Quiet Zone Calculator and signage in the field. **Table 4.2-A** below identifies the average daily vehicular traffic volumes and speed limits for the National Avenue Crossing:

Table 4.2-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>ADT</u>	<u>Speed Limit</u>
086 375 B	National Avenue	1,865	35 mph

4.3 Train Volumes and Speed

Train volume and speed data for the National Avenue Crossing was obtained from the FRA Quiet Zone Calculator and Montana Rail Link personnel, and is displayed in **Table 4.3-A** below. The train volumes are determined by the number of trains passing in a 24 hour period. As per the City of Helena ordinance 8-8-369, any train traveling within the corporate limits of the City shall not exceed 45 mph; however, between Roberts Street and Benton Avenue the ordinance requires that trains not exceed 25 mph.

Table 4.3-A

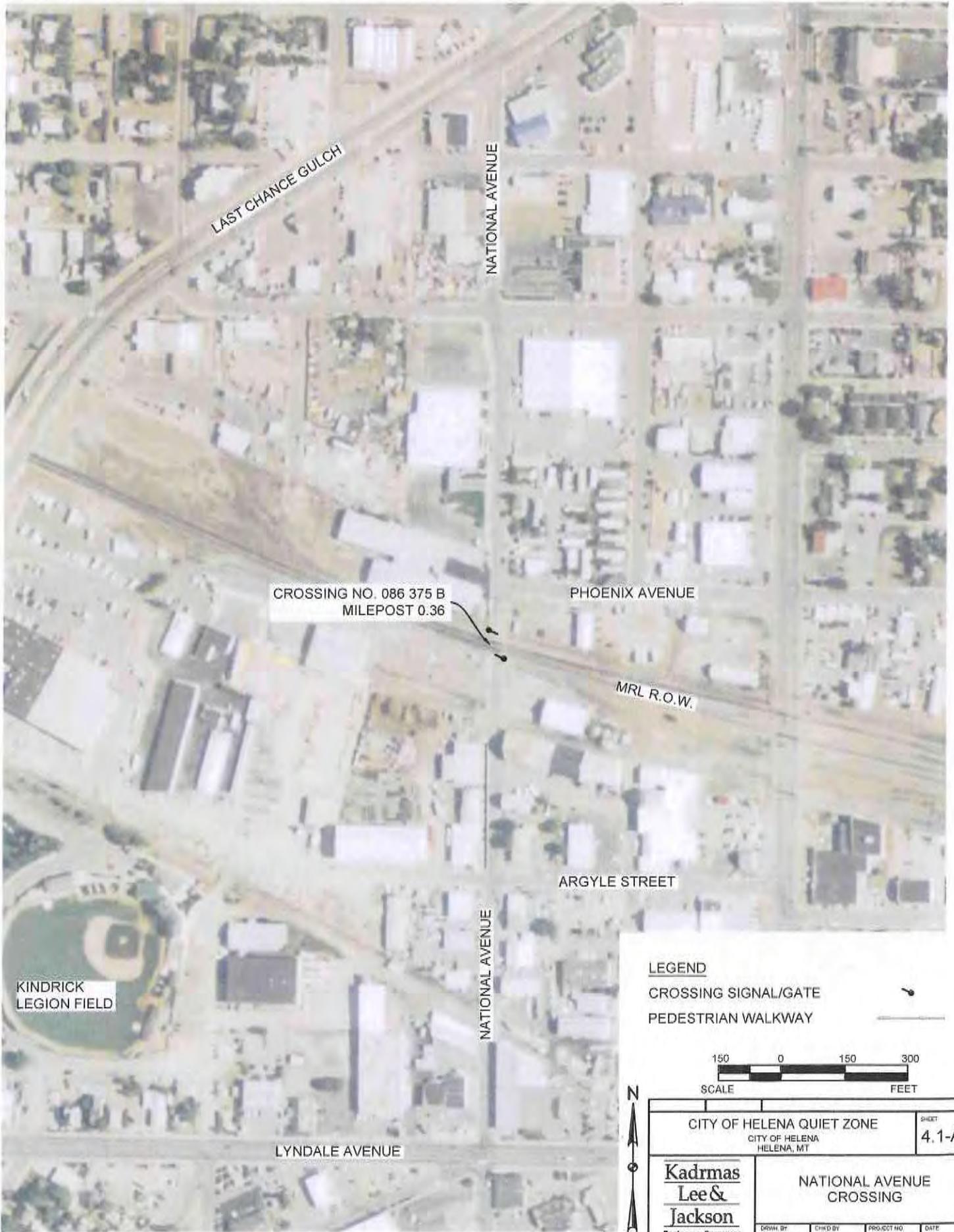
<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Train Vol.</u>	<u>Speed Limit</u>
086 375 B	National Avenue	40	25 mph

4.4 At Grade Crossing Collision Data

Crash data for the National Avenue Crossing was obtained from the FRA website which was updated September 30, 2010. The information provided accident reports for each incident and is included in **Appendix 4.4-A**. Following **Table 4.4-A** includes a summary of the number of accidents at the crossing since 1976:

Table 4.4-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Crashes Since 1976</u>
086 375 B	National Avenue	1



LAST CHANCE GULCH

NATIONAL AVENUE

CROSSING NO. 086 375 B
MILEPOST 0.36

PHOENIX AVENUE

MRL R.O.W.

ARGYLE STREET

KINDRICK
LEGION FIELD

NATIONAL AVENUE

LYNDALE AVENUE

LEGEND

CROSSING SIGNAL/GATE

PEDESTRIAN WALKWAY



CITY OF HELENA QUIET ZONE		SHEET	
CITY OF HELENA HELENA, MT		4.1-A	
Kadmas Lee & Jackson		NATIONAL AVENUE CROSSING	
DRWN BY ADE	CHKD BY BJK	PROJ/CDT NO 4410014	DATE 02/28/2011
© Kadmas, Lee & Jackson 2011			

Appendix 4.4 – A

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

**DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)**

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Montana Rail Link [MRL]		1a. MRL	1b. 2002152
2. Other Railroad Involved in Train Accident/Incident		2a.	2b. 2002152
3. Railroad Responsible for Track Maintenance Montana Rail Link [MRL]		3a. MRL	3b. 2002152
4. U.S. DOT-AAR Grade Crossing ID No. 086375B		5. Date of Accident/Incident 10/15/02	6. Time of Accident/Incident 01:00 PM
7. Nearest Railroad Station HELENA		8. Division SYSTEM	9. County LEWIS AND CLARK
		10. State Abbr. 30	Code MT
11. City (If in a city) HELENA		12. Highway Name or No. NATIONAL AVENUE	
		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		17. Equipment 1. Train (units pulling) 4. Car(s) (moving) 2. Train (units pushing) 5. Car(s) (standing) 3. Train (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing)	
Code A		Code 2	
14. Vehicle Speed (est. mph at impact) 25		15. Direction (geographical) 1. North 2. South 3. East 4. West	
Code 2		Code 1	
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user	
Code 3		Code 1	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither	
Code 4		Code	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 50 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark	
Code 2		23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow	
Code 1		Code	
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect. car		25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry	
Code 7		Code 4	
26. Track Number or Name PACHIDE SPUR			
27. FRA Track Class 1	28. Number of Locomotive Units 1	29. Number of Cars 1	30. Consist Speed (Recorded if available) R. Recorded E. Estimated 5 mph
Code E		Code E	
31. Time Table Direction 1. North 2. South 3. East 4. West		Code 4	
32. Type of Crossing Warning 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None		33. Signaled Crossing Warning 20 sec warn min (1);	
Code(s) 01 10		Code 2	
34. Whistle Ban 1. Yes 2. No 3. Unknown		Code 2	
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown	
Code 1		Code 2	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown		Code 2	
38. Driver's Age 33	39. Driver's Gender 1. Male 2. Female	40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown	41. Driver 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop
Code 1		Code 2	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown		43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed	
Code 2		Code 8	
Casualties to:		44. Driver was 1. Killed 2. Injured 3. Uninjured	45. Was Driver in the Vehicle? 1. Yes 2. No
Killed		Code 3	Code 1
Injured			
46. Highway-Rail Crossing Users 0	0	47. Highway Vehicle Property Damage (est. dollar damage) \$3,000	48. Total Number of Highway-Rail Crossing Users (include driver) 1
49. Railroad Employees 0	0	50. Total Number of People on Train (include passengers and crew) 3	
52. Passengers on Train 0	0	51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No	
Code 2		Code	
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description MOTORIST RAN GATES AT NATIONAL AVENUE SOUTHBOUND AND WAS STRUCK BY MRL 42013.			
55. Typed Name and Title		56. Signature	
		57. Date	

5.0 MONTANA AVENUE CROSSING (060 193 P)

Figure 5.0-A



5.1 Existing Crossing Conditions

The Montana Avenue crossing is four (4) lanes at an approximate total width of 58 feet. There is no pedestrian infrastructure provided across or near the crossing. The two (2) main rail lines are controlled by two (2) single quadrant gates with flashing signal lights and two (2) overhead flashing warning lights. A secondary spur crosses Montana Avenue to the south 115 feet from the main lines and is controlled with a single quadrant gate and flashing warning signal. Phoenix Avenue intersects Montana Avenue 240 feet north of the crossing on the east and west sides of the road. Argyle Street intersects Montana Avenue on the west side, 315 feet south of the crossing, while Bozeman Street intersects the east side, 380 feet south of the crossing. **Table 5.1-A** below lists additional non-roadway intersections with Montana Avenue near the crossing:

Table 5.1-A

<i>Additional Intersections</i>	<i>Side of Montana</i>	<i>Side of Crossing</i>	<i>Distance</i>
Business Access Drive	East	North	60'
Business Access Drive	East	North	160'
Business Access Drive	East	South	180'
Business Access Drive	West	South	180'
Business Access Drive	East	South	260'

Figure 5.1-A follows Section 5.0 and includes a diagram of the existing conditions at the Montana Avenue Crossing.

5.2 Traffic Volumes and Speed

Vehicle Traffic data for the Montana Avenue Crossing was obtained from the Federal Railroad Administration (FRA) Quiet Zone Calculator, the Greater Helena Area Transportation Plan 2004 Update, and signage in the field. **Table 5.2-A** below identifies the average daily vehicular traffic volumes and speed limits for the Montana Avenue Crossing:

Table 5.2-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>2003 ADT</u>	<u>Speed Limit</u>
060 193 P	Montana Avenue	15,100	30 mph

Based on the Greater Helena Area Transportation Plan 2004 Update, the estimated Annual Average Daily Traffic (ADT) in 2025 is 17,400. An ADT of 17,400 was therefore used in quiet zone calculations related to this crossing.

5.3 Train Volumes and Speed

Train volume and speed data for the Montana Avenue Crossing was obtained from the FRA Quiet Zone Calculator and Montana Rail Link personnel, and is displayed in Table 4.3-A below. The train volumes are determined by the number of trains passing in a 24 hour period. As per the City of Helena ordinance 8-8-369, any train traveling within the corporate limits of the City shall not exceed 45 mph; however, between Roberts Street and Benton Avenue the ordinance requires that trains not exceed 25 mph.

Table 5.3-A

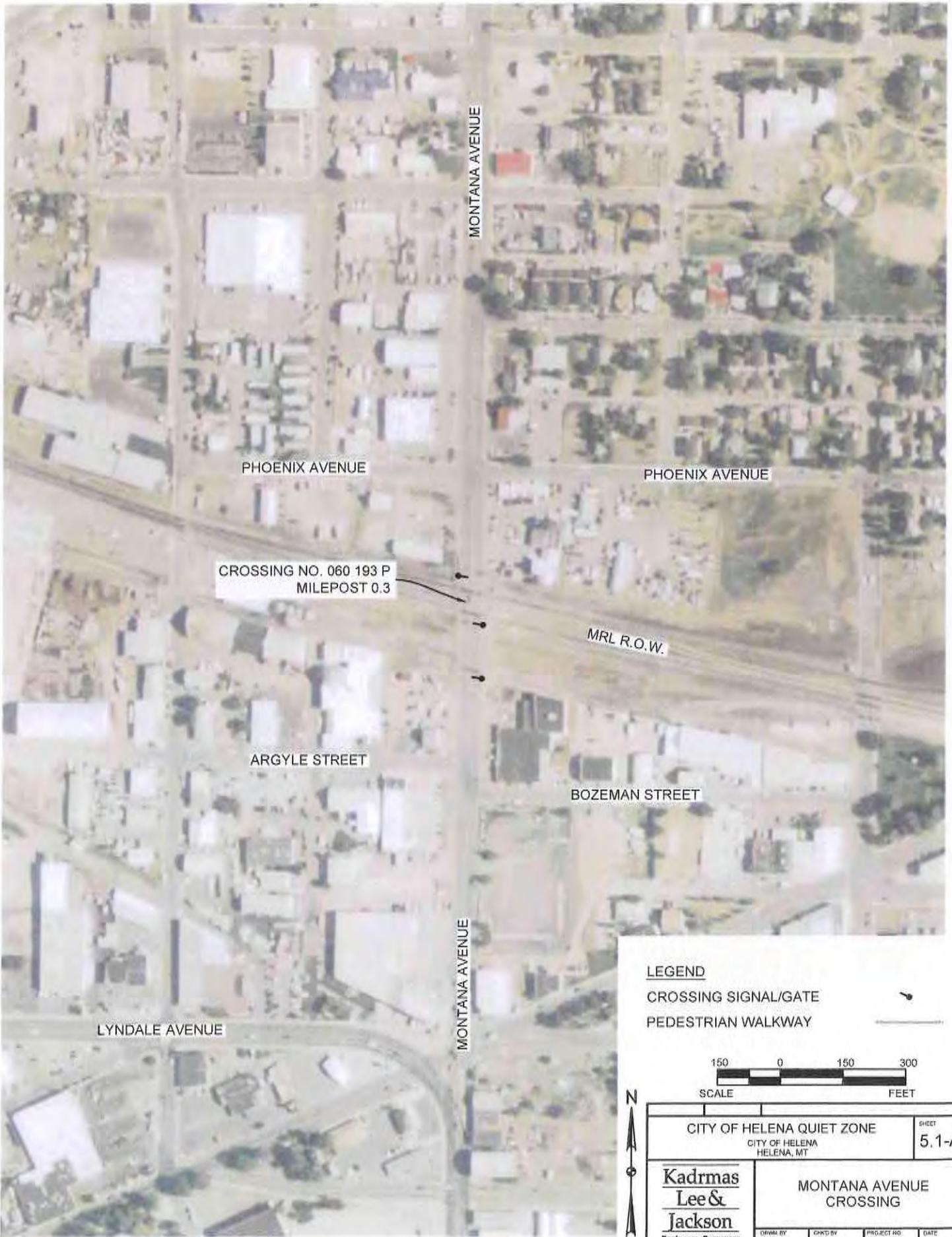
<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Train Vol.</u>	<u>Speed Limit</u>
060 193 P	Montana Avenue	40	25 mph

5.4 At Grade Crossing Collision Data

Crash data for the Montana Avenue Crossing was obtained from the FRA website which was updated September 30, 2010. The information provided accident reports for each incident and is included in **Appendix 5.4-A**. Following **Table 5.4-A** includes a summary of the number of accidents since 1976 at the crossing:

Table 5.4-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Crashes Since 1976</u>
060 193 P	Montana Avenue	5



LEGEND

CROSSING SIGNAL/GATE

PEDESTRIAN WALKWAY



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT		SHEET 5.1-A
Kadmas Lee & Jackson Engineers Surveyors Planners		MONTANA AVENUE CROSSING
DRAWN BY ADE	CHKD BY BLJK	PROJECT NO. 4410014
		DATE 02/28/2011

Appendix 5.4 –A

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of				Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Montana Rail Link [MRL]				1a. MRL	1b. 2004003
2. Other Railroad Involved in Train Accident/Incident				2a.	2b.
3. Railroad Responsible for Track Maintenance Montana Rail Link [MRL]				3a. MRL	3b. 2004003
4. U.S. DOT-AAR Grade Crossing ID No. 060193P		5. Date of Accident/Incident 01/05/04		6. Time of Accident/Incident 05:45 AM	
7. Nearest Railroad Station HELENA		8. Division SYSTEM	9. County LEWIS AND CLARK		10. State Abbr. 30 Code MT
11. City (if in a city) HELENA		12. Highway Name or No. MONTANA AVENUE			<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private
Highway User Involved			Rail Equipment Involved		
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)			Code A	17. Equipment 1. Train (units pulling) 4. Car(s) (moving) 2. Train (units pushing) 5. Car(s) (standing) 3. Train (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing) 8. Other (specify) A. Train pulling- RCL B. Train pushing- RCL C. Train standing- RCL	
14. Vehicle Speed (est. mph at impact) 5			15. Direction (geographical) 1. North 2. South 3. East 4. West	Code 1	18. Position of Car Unit in Train 9
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped			Code 3	19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither			Code 2	20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither	
20c. State the name and quantity of the hazardous materials released, if any					
21. Temperature (specify if minus) -21 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark		Code 4	23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main /inspect. car			A. Spec. MoW Equip Code 1	25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry	
27. FRA Track Class 1		28. Number of Locomotive Units 3	29. Number of Cars 21	30. Consist Speed (Recorded if available) R. Recorded E. Estimated 5 mph	Code E
31. Time Table Direction 1. North 2. South 3. East 4. West			Code 4	26. Track Number or Name WEST YARD LEAD	
32. Type of Crossing Warning 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None			Code(s) 01		33. Signaled Crossing Warning 20 sec warn min (1);
34. Whistle Ban 1. Yes 2. No 3. Unknown			Code 2		
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach			Code 1	36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown			Code 2		
38. Driver's Age 24	39. Driver's Gender 1. Male 2. Female	Code 1	40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown		Code 2
41. Driver 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop			Code 1		
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown			Code 2	43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed	
44. Driver was 1. Killed 2. Injured 3. Uninjured			Code 3	45. Was Driver in the Vehicle? 1. Yes 2. No	
46. Highway-Rail Crossing Users 0 Killed 0 Injured			47. Highway Vehicle Property Damage (est. dollar damage) \$1,000		48. Total Number of Highway-Rail Crossing Users (include driver) 1
49. Railroad Employees 0 Killed 0 Injured			50. Total Number of People on Train (include passengers and crew) 0		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No
52. Passengers on Train 0 Killed 0 Injured			Code 2		
53a. Special Study Block			53b. Special Study Block		
54. Narrative Description CAR SLID INTO CROSSING AND HIT RAILROAD CAR. NO INJURIES.					
55. Typed Name and Title			56. Signature		57. Date

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Montana Rail Link [MRL]		1a. MRL	1b. 90
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Montana Rail Link [MRL]		3a. MRL	3b. 90
4. U.S. DOT-AAR Grade Crossing ID No. 060193P		5. Date of Accident/Incident 03/30/93	
6. Time of Accident/Incident 02:00 AM			
7. Nearest Railroad Station HELENA		8. Division	9. County LEWIS AND CLARK
		10. State Abbr. 30	Code MT
11. City (if in a city) HELENA		12. Highway Name or No. MONTANA AVENUE	
		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		Code A	
14. Vehicle Speed (est. mph at impact) 40		15. Direction (geographical) 1. North 2. South 3. East 4. West 1	
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		Code 3	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code 2	
20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 39 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark Code 4	
23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow		Code 2	
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect. car		A. Spec. MoW Equip Code 1	
25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry		Code 1	
26. Track Number or Name OLD MAIN			
27. FRA Track Class 1	28. Number of Locomotive Units 3	29. Number of Cars 100	30. Consist Speed (Recorded if available) R. Recorded E. Estimated 12 mph
31. Time Table Direction 1. North 2. South 3. East 4. West		Code 4	
32. Type of Crossing 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) Warning 3. Standard FLS 6. Audible 9. Watchman 12. None		33. Signaled Crossing Warning 20 sec warn min (1);	
34. Whistle Ban 1. Yes 2. No 3. Unknown		Code	
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		Code 1	
36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown		Code 2	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown		Code 2	
38. Driver's Age	39. Driver's Gender 1. Male 2. Female	40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown	Code 2
41. Driver 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop		Code 1	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown		Code 1	
43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed		Code 8	
Casualties to:		Killed	Injured
44. Driver was 1. Killed 2. Injured 3. Uninjured		1	1
45. Was Driver in the Vehicle? 1. Yes 2. No		Code 1	
46. Highway-Rail Crossing Users 1		47. Highway Vehicle Property Damage (est. dollar damage) \$2,200	
48. Total Number of Highway-Rail Crossing Users (include driver) 1			
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew) 0	
51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No		Code 2	
52. Passengers on Train 0			
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	
		57. Date	

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Burlington Northern RR Co. [BN]		1a. BN	1b. RM71
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Burlington Northern RR Co. [BN]		3a. BN	3b. RM71
4. U.S. DOT-AAR Grade Crossing ID No. 060193P		5. Date of Accident/Incident 03/01/83	
6. Time of Accident/Incident 06:55 PM			
7. Nearest Railroad Station HELENA		8. Division	9. County LEWIS AND CLARK
		10. State Abbr. 30	Code MT
11. City (if in a city) HELENA		12. Highway Name or No. MONTANA AVE	
		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle Code A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		17. Equipment 4. Car(s) (moving) 8. Other (specify) Code 1. Train (units pulling) 5. Car(s) (standing) A. Train pulling- RCL 2. Train (units pushing) 6. Light loco(s) (moving) B. Train pushing- RCL 3. Train (standing) 7. Light loco(s) (standing) C. Train standing- RCL	
14. Vehicle Speed (est. mph at impact) 5		18. Position of Car Unit in Train 1	
15. Direction (geographical) Code 1. North 2. South 3. East 4. West		19. Circumstance 1. Rail equipment struck highway user Code 2. Rail equipment struck by highway user	
16. Position 1. Stalled on crossing 3. Moving over crossing Code 2. Stopped on Crossing 4. Trapped		20a. Was the highway user and/or rail equipment involved Code in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither	
20b. Was there a hazardous materials release by Code 1. Highway User 2. Rail Equipment 3. Both 4. Neither		20c. State the name and quantity of the hazardous materials released, if any	
21. Temperature (specify if minus) 35 °F		22. Visibility (single entry) Code 1. Dawn 2. Day 3. Dusk 4. Dark	
		23. Weather (single entry) Code 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow	
24. Type of Equipment A. Spec. MoW Equip Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect. car		25. Track Type Used by Rail Code Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry	
27. FRA Track Class 4		28. Number of Locomotive Units 3	
29. Number of Cars 0		30. Consist Speed (Recorded if available) Code R. Recorded 10 mph E. Estimated	
31. Time Table Direction Code 1. North 2. South 3. East 4. West		32. Type of Crossing 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) Warning 3. Standard FLS 6. Audible 9. Watchman 12. None	
Code(s) 01		33. Signaled Crossing Warning 20 sec warn min (1);	
34. Whistle Ban Code 1. Yes 2. No 3. Unknown		35. Location of Warning Code 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach	
36. Crossing Warning Interconnected with Highway Signals Code 1. Yes 2. No 3. Unknown		37. Crossing Illuminated by Street Lights or Special Lights Code 1. Yes 2. No 3. Unknown	
38. Driver's Age		39. Driver's Gender Code 1. Male 2. Female	
40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train Code 1. Yes 2. No 3. Unknown		41. Driver Code 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop	
42. Driver Passed Standing Highway Vehicle Code 1. Yes 2. No 3. Unknown		43. View of Track Obscured by (primary obstruction) Code 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed	
Casualties to:		44. Driver was Code 1. Killed 2. Injured 3. Uninjured	
Killed		45. Was Driver in the Vehicle? Code 1. Yes 2. No	
Injured		46. Highway-Rail Crossing Users 0	
47. Highway Vehicle Property Damage (est. dollar damage) \$800		48. Total Number of Highway-Rail Crossing Users (include driver) 1	
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew)	
52. Passengers on Train 0		51. Is a Rail Equipment Accident / Incident Report Being Filed Code 1. Yes 2. No	
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	
		57. Date	

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Burlington Northern RR Co. [BN]		1a. BN	1b. RM132
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Burlington Northern RR Co. [BN]		3a. BN	3b. RM132
4. U.S. DOT-AAR Grade Crossing ID No. 060193P		5. Date of Accident/Incident 02/14/79	6. Time of Accident/Incident 08:35 AM
7. Nearest Railroad Station HELENA		8. Division	9. County LEWIS AND CLARK
11. City (If in a city) HELENA		10. State Code Abbr. 30 MT	
12. Highway Name or No. MONTANA		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		17. Equipment 1. Train (units pulling) 4. Car(s) (moving) 8. Other (specify) 2. Train (units pushing) 5. Car(s) (standing) A. Train pulling- RCL 3. Train (standing) 6. Light loco(s) (moving) B. Train pushing- RCL 7. Light loco(s) (standing) C. Train standing- RCL	
14. Vehicle Speed (est. mph at impact) 5		15. Direction (geographical) 1. North 2. South 3. East 4. West	
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		18. Position of Car Unit in Train 1	
19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user		Code 3 1	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 20 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark	
23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow		Code 2 6	
24. Type of Equipment Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main /Inspect. car		25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry	
27. FRA Track Class 4		28. Number of Locomotive Units 3	
29. Number of Cars 67		30. Consist Speed (Recorded if available) R. Recorded 10 mph E. Estimated	
31. Time Table Direction 1. North 2. South 3. East 4. West		Code 3	
32. Type of Crossing Warning 1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None		33. Signaled Crossing Warning 20 sec warn min (1);	
34. Whistle Ban 1. Yes 2. No 3. Unknown		Code 3	
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown		Code 3	
38. Driver's Age		39. Driver's Gender 1. Male 2. Female	
40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown		41. Driver 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown		43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed	
44. Driver was 1. Killed 2. Injured 3. Uninjured		45. Was Driver in the Vehicle? 1. Yes 2. No	
Code 2 3 1		Code 1	
46. Highway-Rail Crossing Users 0 0		47. Highway Vehicle Property Damage (est. dollar damage) \$100	
48. Total Number of Highway-Rail Crossing Users (include driver) 1		49. Railroad Employees 0 0	
50. Total Number of People on Train (include passengers and crew)		51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No	
52. Passengers on Train 0 0		Code 2	
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	
		57. Date	

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Burlington Northern RR Co. BN 		1a. BN	1b. RM155
2. Other Railroad Involved in Train Accident/Incident		2a.	2b.
3. Railroad Responsible for Track Maintenance Burlington Northern RR Co. BN 		3a. BN	3b. RM155
4. U.S. DOT-AAR Grade Crossing ID No. 060193P		5. Date of Accident/Incident 04/03/76	6. Time of Accident/Incident 03:20 AM
7. Nearest Railroad Station HELENA		8. Division	9. County LEWIS AND CLARK
		10. State Abbr. 30	Code MT
11. City (If in a city) HELENA		12. Highway Name or No. MONT AVE	
		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		Code B	
14. Vehicle Speed (est. mph at impact)		15. Direction (geographical) 1. North 2. South 3. East 4. West	
		Code 2	
16. Position 1. Stalled on crossing 2. Stopped on Crossing 3. Moving over crossing 4. Trapped		Code 3	
17. Equipment 1. Train (units pulling) 2. Train (units pushing) 3. Train (standing)		4. Car(s) (moving) 5. Car(s) (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing)	
		8. Other (specify) A. Train pulling-RCL B. Train pushing-RCL C. Train standing-RCL	
		Code 1	
18. Position of Car Unit in Train		1	
19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user		Code 2	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code 4	
20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 24 °F		22. Visibility (single entry) 1. Dawn 2. Day 3. Dusk 4. Dark	
		Code 4	
23. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow		Code 2	
24. Type of Equipment Consist 1. Freight train 2. Passenger train 3. Commuter train 4. Work train 5. Single car 6. Cut of cars 7. Yard/Switching 8. Light loco(s) 9. Main./inspect. car		A. Spec. MoW Equip Code 1	
25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Sidling 4. Industry		Code 2	
26. Track Number or Name OLD 6N MAIN			
27. FRA Track Class 1		28. Number of Locomotive Units 4	
29. Number of Cars 26		30. Consist Speed (Recorded if available) R. Recorded 12 mph E. Estimated	
		Code E	
31. Time Table Direction 1. North 2. South 3. East 4. West		Code 3	
32. Type of Crossing Warning 1. Gates 2. Cantilever FLS 3. Standard FLS 4. Wig wags 5. Audible 6. Watchman 7. Crossbucks 8. Stop signs 9. Watchman 10. Flagged by crew 11. Other (specify) 12. None		33. Signaled Crossing Warning 20 sec warn min (1);	
Code(s) 01 03		34. Whistle Ban 1. Yes 2. No 3. Unknown	
35. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		Code 1	
36. Crossing Warning Interconnected with Highway Signals 1. Yes 2. No 3. Unknown		Code 3	
37. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown		Code 3	
38. Driver's Age		39. Driver's Gender 1. Male 2. Female	
Code		40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown	
		Code 2	
41. Driver 1. Drove around or thru the gate 2. Stopped and then proceeded 3. Did not stop		4. Stopped on crossing 5. Other (specify)	
		Code 1	
42. Driver Passed Standing Highway Vehicle 1. Yes 2. No 3. Unknown		Code 3	
43. View of Track Obscured by (primary obstruction) 1. Permanent Structure 2. Standing railroad equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicles 7. Other (specify) 8. Not Obstructed		Code 8	
Casualties to:		Killed	
		Injured	
44. Driver was 1. Killed 2. Injured 3. Uninjured		Code 3	
45. Was Driver in the Vehicle? 1. Yes 2. No		Code 1	
46. Highway-Rail Crossing Users 0		47. Highway Vehicle Property Damage (est. dollar damage) 50	
48. Total Number of Highway-Rail Crossing Users (include driver) 2			
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew) 0	
51. Is a Rail Equipment Accident / Incident Report Being Filed 1. Yes 2. No		Code 2	
52. Passengers on Train 0			
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description			
55. Typed Name and Title		56. Signature	
		57. Date	

6.0 ROBERTS STREET CROSSING (060 192 H)

Figure 6.0-A



6.1 Existing Crossing Conditions

The Roberts Street crossing is two (2) lanes at an approximate total width of 32 feet. Each approach lane is controlled by a single quadrant gate with flashing signal lights and overhead flashing warning lights. An uncontrolled private spur crosses Roberts Street 10' south of the warning gate. A sidewalk runs along the east side of Roberts Street and crosses the railroad tracks on the east side of the signal gate. Phoenix Avenue intersects Roberts Street 440 feet north of the crossing on the east and west sides of the road. Bozeman Avenue intersects the east side of Roberts Street 190 feet south of the crossing. Helena Avenue intersects both sides of Roberts Street 340 feet south of the crossing. **Table 6.1-A** below lists additional non-roadway intersections with Roberts Street near the crossing:

Table 6.1-A

<u>Additional Intersections</u>	<u>Side of Roberts</u>	<u>Side of Crossing</u>	<u>Distance</u>
RR Access Drive	East	North	20'
RR Access Drive	West	North	20'
Business Access Drive	West	South	80'

Figure 6.1-A follows Section 6.0 and includes a diagram of the existing conditions at the Roberts Street Crossing.

6.2 Traffic Volumes and Speed

Vehicle Traffic data for the Roberts Street Crossing was obtained from the Federal Railroad Administration (FRA) Quiet Zone Calculator, the Greater Helena Area Transportation Plan 2004 Update, and signage in the field. **Table 6.2-A** below identifies the average daily vehicular traffic volumes and speed limits for the Roberts Street Crossing:

Table 6.2-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>2003 ADT</u>	<u>Speed Limit</u>
060 192 H	Roberts Street	4,300	25 mph

Based on the Greater Helena Area Transportation Plan 2004 Update, the estimated Annual Average Daily Traffic (ADT) in 2025 is 4,300, the same as the 2003 ADT. An ADT of 4,300 was therefore used in quiet zone calculations related to this crossing.

6.3 Train Volumes and Speed

Train volume and speed data for the Roberts Street Crossing was obtained from the FRA Quiet Zone Calculator and Montana Rail Link personnel, and is displayed in **Table 6.3-A** below. The train volumes are determined by the number of trains passing in a 24 hour period. As per the City of Helena ordinance 8-8-369, any train traveling within the corporate limits of the City shall not exceed 45 mph; however, between Roberts Street and Benton Avenue the ordinance requires that trains not exceed 25 mph.

Table 6.3-A

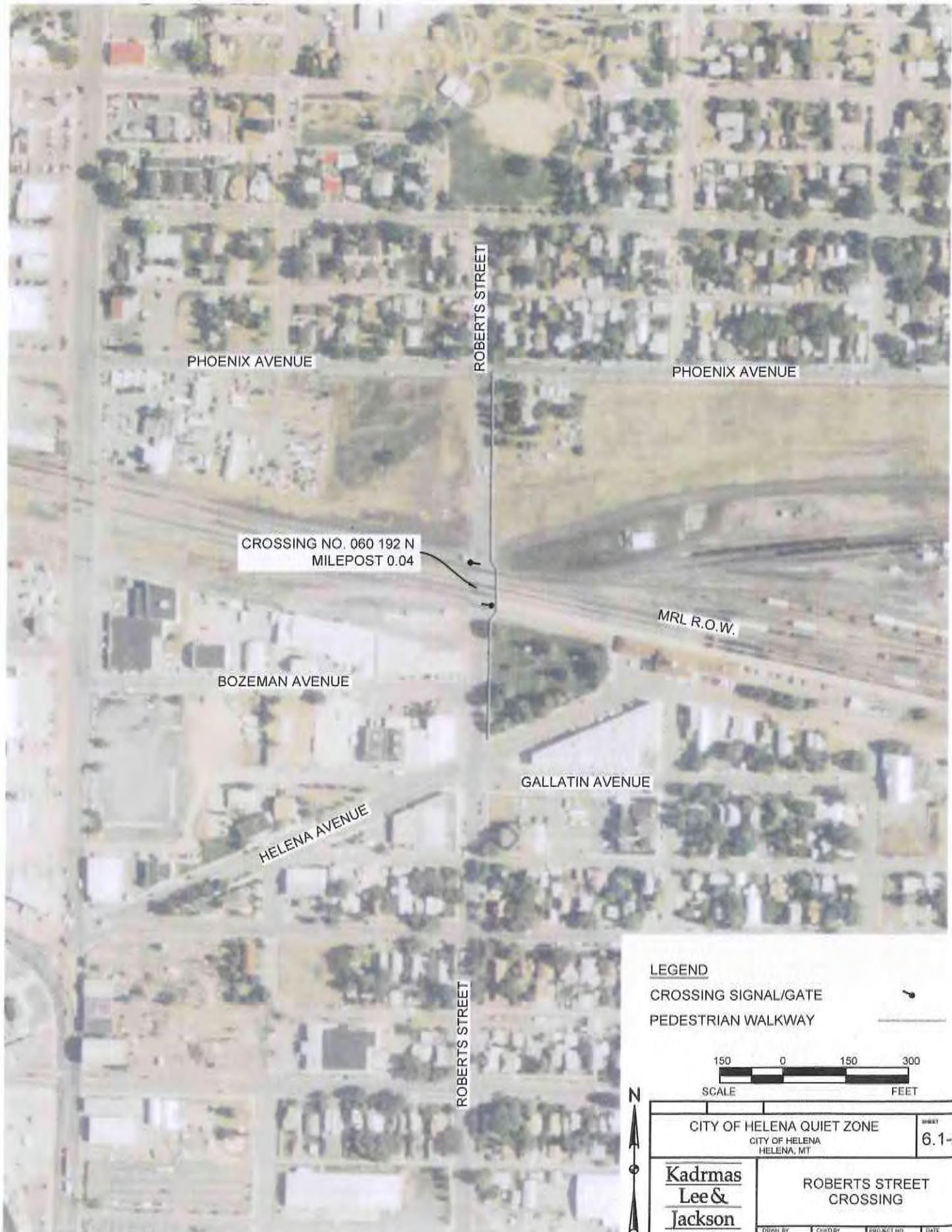
<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Train Vol.</u>	<u>Speed Limit</u>
060 192 H	Roberts Street	51	25 mph

6.4 At Grade Crossing Collision Data

Crash data for the Roberts Street Crossing was obtained from the FRA website which was updated September 30, 2010. The information provided accident reports for each incident and is included in **Appendix 6.4-A**. Following **Table 6.4-A** includes a summary of the number of accidents since 1976 at the crossing:

Table 6.4-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Crashes Since 1976</u>
060 192 H	Roberts Street	2



LEGEND

CROSSING SIGNAL/GATE

PEDESTRIAN WALKWAY



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT		SHEET 6.1-A	
Kadmas Lee & Jackson Engineers Surveyors Planners		ROBERTS STREET CROSSING	
<small>DRAWN BY</small> ADE	<small>CHECKED BY</small> B.R.	<small>PROJECT NO.</small> 4410014	<small>DATE</small> 02/28/2011
<small>© Kadmas, Lee & Jackson 2011</small>			

Appendix 6.4 – A

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)

OMB Approval No. 2130-0500

Name Of		Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Montana Rail Link [MRL]		1a. MRL	1b. 2002110
2. Other Railroad Involved in Train Accident/Incident		2a.	2b. 2002110
3. Railroad Responsible for Track Maintenance Montana Rail Link [MRL]		3a. MRL	3b. 2002110
4. U.S. DOT-AAR Grade Crossing ID No. 060192H		5. Date of Accident/Incident 08/12/02	6. Time of Accident/Incident 12:30 AM
7. Nearest Railroad Station HELENA		8. Division SYSTEM	9. County LEWIS AND CLARK
11. City (if in a city) HELENA		10. State Abbr. 30 Code MT	
12. Highway Name or No. ROBERTS ST		<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	
Highway User Involved		Rail Equipment Involved	
13. Type C. Truck-trailer F. Bus J. Other Motor Vehicle Code A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		17. Equipment (specify) Code 1. Train (units pulling) 4. Car(s) (moving) 2. Train (units pushing) 5. Car(s) (standing) 3. Train (standing) 6. Light loco(s) (moving) 7. Light loco(s) (standing) 8. Other (specify) A. Train pulling- RCL B. Train pushing- RCL C. Train standing- RCL	
14. Vehicle Speed (est. mph at impact) 15		18. Position of Car Unit in Train 1	
15. Direction (geographical) 1. North 2. South 3. East 4. West		19. Circumstance 1. Rail equipment struck highway user 2. Rail equipment struck by highway user	
16. Position 1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		Code 3	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code 4	
20b. Was there a hazardous materials release by 1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code	
20c. State the name and quantity of the hazardous materials released, if any			
21. Temperature (specify if minus) 52 °F		23. Weather (single entry) Code 1. Clear 2. Cloudy 3. Rain 4. Fog 5. Sleet 6. Snow	
22. Visibility (single entry) Code 1. Dawn 2. Day 3. Dusk 4. Dark		Code 4	
24. Type of Equipment A. Spec. MoW Equip Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main./inspect. car		25. Track Type Used by Rail Equipment Involved Code 1. Main 2. Yard 3. Siding 4. Industry	
Code 8		Code 2 WEST LEAD	
27. FRA Track Class 1	28. Number of Locomotive Units 3	29. Number of Cars 0	30. Consist Speed (Recorded if available) Code R. Recorded 3 mph E E. Estimated
31. Time Table Direction Code 1. North 2. South 3. East 4. West		Code 3	
32. Type of Crossing Warning 1. Gates 4. Wlg wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) 3. Standard FLS 6. Audible 9. Watchman 12. None		33. Signaled Crossing Warning Allgd. warn < 20 sec (3);	
Code(s) 01 02 06		Code 2	
34. Whistle Bar Code 1. Yes 2. No 3. Unknown		Code 2	
35. Location of Warning Code 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		Code 1	
36. Crossing Warning Interconnected with Highway Signals Code 1. Yes 2. No 3. Unknown		Code 2	
37. Crossing Illuminated by Street Lights or Special Lights Code 1. Yes 2. No 3. Unknown		Code 1	
38. Driver's Age 21	39. Driver's Gender Code 1. Male 1 2. Female	40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train Code 1. Yes 2. No 3. Unknown	
Code 2		Code 2	
41. Driver Code 1. Drove around or thru the gate 4. Stopped on crossing 2. Stopped and then proceeded 5. Other (specify) 3. Did not stop		Code 1	
42. Driver Passed Standing Highway Vehicle Code 1. Yes 2. No 3. Unknown		Code 2	
43. View of Track Obscured by (primary obstruction) Code 1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed		Code 8	
Casualties to:		Killed	Injured
44. Driver was Code 1. Killed 2. Injured 3. Uninjured		0	0
Code 3		45. Was Driver in the Vehicle? Code 1. Yes 2. No	
Code 1		Code 1	
46. Highway-Rail Crossing Users 0		47. Highway Vehicle Property Damage (est. dollar damage) \$400	
48. Total Number of Highway-Rail Crossing Users (include driver) 1		Code 1	
49. Railroad Employees 0		50. Total Number of People on Train (include passengers and crew) 2	
51. Is a Rail Equipment Accident / Incident Report Being Filed Code 1. Yes 2. No		Code 2	
52. Passengers on Train 0		Code 2	
53a. Special Study Block		53b. Special Study Block	
54. Narrative Description CREW ATTEMPTING TO ENTER ROUNDHOUSE TRACK AT ROBERTS ST IN HELENA, VEHICLE DRIVING SOUTHBOUND ENTERED CROSSING AND WAS STRUCK BY THE EAST LOCOMOTIVE OF THE CONSIST.			
55. Typed Name and Title		56. Signature	
		57. Date	

**HIGHWAY-RAIL GRADE CROSSING
ACCIDENT/INCIDENT REPORT**

**DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION (FRA)**

OMB Approval No. 2130-0500

Name Of				Alphabetic Code	RR Accident/Incident No.
1. Reporting Railroad Montana Rail Link [MRL]				1a. MRL	1b. MRL332
2. Other Railroad Involved in Train Accident/Incident				2a.	2b.
3. Railroad Responsible for Track Maintenance Montana Rail Link [MRL]				3a. MRL	3b. MRL332
4. U.S. DOT-AAR Grade Crossing ID No. 060192H		5. Date of Accident/Incident 11/23/88		6. Time of Accident/Incident 05:30 PM	
7. Nearest Railroad Station HELENA		8. Division		9. County LEWIS AND CLARK	
11. City (if in a city) HELENA		12. Highway Name or No. ROBERTS ST		10. State Code Abbr. 30 MT	
13. Type		14. Vehicle Speed		15. Direction	
C. Truck-trailer F. Bus J. Other Motor Vehicle A. Auto D. Pick-up truck G. School Bus K. Pedestrian B. Truck E. Van H. Motorcycle M. Other (specify)		15. Direction (geographical) 1. North 2. South 3. East 4. West		Code A	
14. Vehicle Speed (est. mph at impact) 35		15. Direction (geographical)		Code 2	
16. Position		17. Equipment		18. Position of Car Unit in Train	
1. Stalled on crossing 3. Moving over crossing 2. Stopped on Crossing 4. Trapped		17. Equipment 1. Train (units pulling) 4. Car(s) (moving) 2. Train (units pushing) 5. Car(s) (standing) 3. Train (standing) 7. Light loco(s) (standing)		18. Position of Car Unit in Train 3	
Code 3		19. Circumstance		Code	
19. Circumstance		1. Rail equipment struck highway user 2. Rail equipment struck by highway user		Code 2	
20a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials?		20b. Was there a hazardous materials release by		Code	
1. Highway User 2. Rail Equipment 3. Both 4. Neither		1. Highway User 2. Rail Equipment 3. Both 4. Neither		Code 4	
20c. State the name and quantity of the hazardous materials released, if any					
21. Temperature (specify if minus) 42 °F		22. Visibility (single entry)		23. Weather (single entry)	
Code 3		1. Dawn 2. Day 3. Dusk 4. Dark		Code 2	
24. Type of Equipment		25. Track Type Used by Rail		26. Track Number or Name	
Consist 1. Freight train 4. Work train 7. Yard/Switching (single entry) 2. Passenger train 5. Single car 8. Light loco(s) 3. Commuter train 6. Cut of cars 9. Main/Inspect. car		25. Track Type Used by Rail Equipment Involved 1. Main 2. Yard 3. Siding 4. Industry		Code 2	
Code 7		26. Track Number or Name MAINLINE #2		Code	
27. FRA Track Class		28. Number of Locomotive Units		29. Number of Cars	
1		1		2	
30. Consist Speed (Recorded if available)		31. Time Table Direction		Code	
R. Recorded E. Estimated 10 mph		1. North 2. South 3. East 4. West		Code 3	
Code E		32. Type of Crossing		33. Signaled Crossing	
1. Gates 4. Wig wags 7. Crossbucks 10. Flagged by crew 2. Cantilever FLS 5. Hwy. traffic signals 8. Stop signs 11. Other (specify) Warning 3. Standard FLS 6. Audible 9. Watchman 12. None		Code(s) 01		Warning	
Code(s) 01		34. Whistle Ban		Code	
35. Location of Warning		36. Crossing Warning Interconnected with Highway Signals		37. Crossing Illuminated by Street Lights or Special Lights	
1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach		Code 1		Code 2	
Code 1		37. Crossing Illuminated by Street Lights or Special Lights		Code 1	
38. Driver's Age		39. Driver's Gender		40. Driver Drove Behind or in Front of Train and Struck or was Struck by Second Train	
Code		Code		Code	
1. Male 2. Female		1. Yes 2. No 3. Unknown		Code 2	
Code 1		41. Driver		Code	
42. Driver Passed Standing Highway Vehicle		43. View of Track Obscured by (primary obstruction)		Code	
1. Yes 2. No 3. Unknown		1. Permanent Structure 3. Passing Train 5. Vegetation 7. Other (specify) 2. Standing railroad equipment 4. Topography 6. Highway Vehicles 8. Not Obstructed		Code 8	
Code 2		44. Driver was		45. Was Driver in the Vehicle?	
Killed Injured		1. Killed 2. Injured 3. Uninjured		Code 3	
Code 3		45. Was Driver in the Vehicle?		Code 1	
Code 1		46. Highway-Rail Crossing Users		47. Highway Vehicle Property Damage (est. dollar damage)	
0 0		Code \$0		Code 1	
48. Total Number of Highway-Rail Crossing Users (include driver)		49. Railroad Employees		50. Total Number of People on Train (include passengers and crew)	
Code 1		Code 0		Code 0	
Code 2		51. Is a Rail Equipment Accident / Incident Report Being Filed		Code	
51. Is a Rail Equipment Accident / Incident Report Being Filed		1. Yes 2. No		Code 2	
Code 2		53a. Special Study Block		53b. Special Study Block	
53a. Special Study Block		53b. Special Study Block		Code	
54. Narrative Description					
55. Typed Name and Title		56. Signature		57. Date	

7.0 METHODS OF SILENCING TRAIN HORNS

There are three (3) methods of silencing train horns and depending on the number of rail crossings included within a Quiet Zone, one or all of the methods can be used.

7.1 Supplementary Safety Measures (SSM)

A Supplementary Safety Measure (SSM) is a safety system or procedure which is provided by the appropriate traffic control authority that is determined to be an effective substitute for the locomotive horn in the prevention of highway-rail casualties.

Approved SSMs include:

- Temporary Closure of Public Rail Grade Crossing
- Four-Quadrant Gate System
- Gates with Medians or Channelization Devices
- Permanent Closure of a Public Highway Rail Grade Crossing

7.1.1 Temporary Closure of Public Rail Grade Crossing

This SSM includes closure of a crossing to highway traffic during designated quiet periods (i.e., during night time hours). This SSM can only be implemented within a partial Quiet Zone (a Quiet Zone which only silences train horns during certain hours of the day). This is very effective at the specified crossing because it completely eliminates interaction of vehicle traffic with train traffic during quiet times. However, vehicle traffic which would have used the crossing will be forced to find a different route and may cause problems in another area. Also, the trains will still be allowed to use their horns during daytime hours.

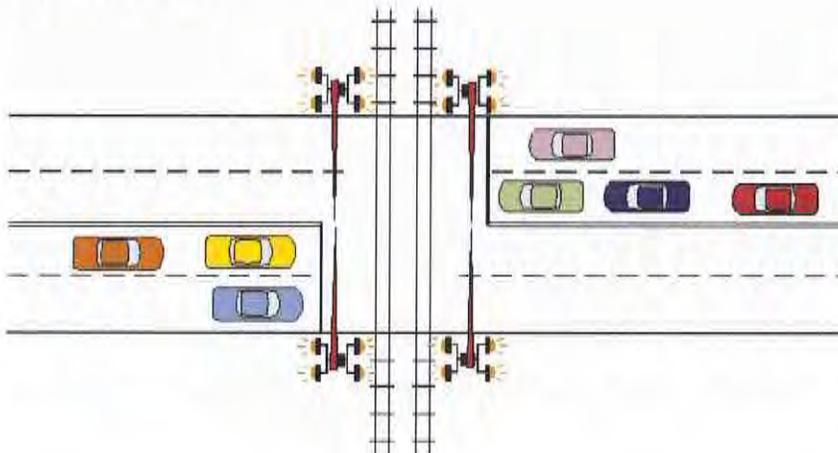
7.1.2 Four-Quadrant Gate System

This SSM includes installation of gates at a crossing of sufficient size to fully block highway traffic from entering the crossing when the gates are lowered, including at least one gate for each direction of traffic on each approach. **Figure 7.1.2-A** and **Figure 7.1.2-B** below show a four-quadrant gate crossing.

Figure 7.1.2-A



Figure 7.1.2-B



When a train is approaching, all highway approach and exit lanes on both sides of the highway-rail crossing must be spanned by gates, thus denying to the highway user the option of circumventing the conventional approach lane gates by switching into the opposing (oncoming) traffic lane in order to enter the crossing and cross the tracks. The crossing warning systems must be activated by use of constant warning time devices and power-out indicators. The gap between the ends of the entrance and exit

gates (on the same side of the railroad tracks) when both are in the fully lowered position must be less than two (2) feet.

Vehicle presence detectors are devices used to open or keep open the exit gates until all vehicles are clear of the crossing. These can have both a positive and negative affect on the safety of the crossing. While allowing a vehicle time to leave the tracks, it also creates a situation where the gates stay up longer allowing other vehicles to enter the crossing. According to FRA and BNSF personnel, vehicle presence detectors are not commonly used.

7.1.3 Gates with Medians or Channelization Devices

This SSM includes installation of medians or channelization devices on both highway approaches to a public highway-rail grade crossing denying to the highway user the option of circumventing the approach lane gates by switching into the opposing traffic lane and driving around the lowered gates to cross the tracks. **Figure 7.1.3-A** and **Figure 7.1.3-B** below show a crossing with two (2) quadrant gates and channelization devices.

Figure 7.1.3-A

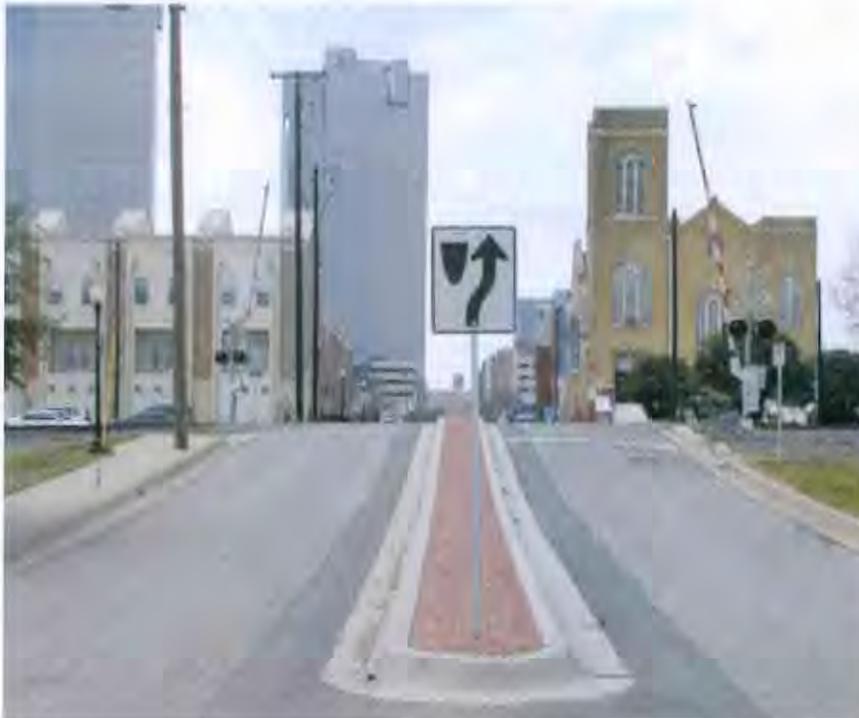


Figure 7.1.3-B



Medians or channelization devices must extend at least 100 feet from the gate arm, or if there is an intersection within 100 feet of the gate, the median or channelization device must extend at least 60 feet from the gate arm. Intersections of two (2) or more streets, or a street and an alley, that are within 60 feet of the gate arm must be closed or relocated if this SSM is used. Crossing warning systems must be activated by use of constant warning time devices and power out indicators.

7.1.4 Permanent Closure of Public Rail Grade Crossing

As is the case with a temporary closure, this completely eliminates interaction of vehicle traffic with train traffic. However, vehicle traffic which would have used the crossing will be forced to find a different route and may cause problems in another area.

7.2 Alternative Safety Measures (ASM)

An Alternative Safety Measure (ASM) is a safety system or procedure other than a SSM provided by the appropriate traffic control authority which, after individual review and analysis, is determined by the FRA to be an effective substitute for the locomotive horn at specific highway rail grade crossings. ASMs may be applied such that the combination of measures at one or more highway rail grade crossings reduces the average risk index by the required amount across the Quiet Zone.

- Any Modified Supplementary Safety Measure (i.e., barrier gate and median; Shorter Channelization)
- Education and/or Enforcement Programs with Verification of Effectiveness
- Engineering Improvements Other than Modified SSMs
- Combination of the Above

7.3 *Wayside Horn*

A wayside horn consists of a horn system mounted at a railroad crossing, rather than on the locomotive, to direct an audible warning to motorists and pedestrians. Installation of a wayside horn at an intersection is considered a one-for-one substitute for a locomotive train horn and it is not required to develop a Quiet Zone if a wayside horn is installed.

Figure 7.3-A below shows a diagram of a Wayside horn assembly.

Figure 7.3-A



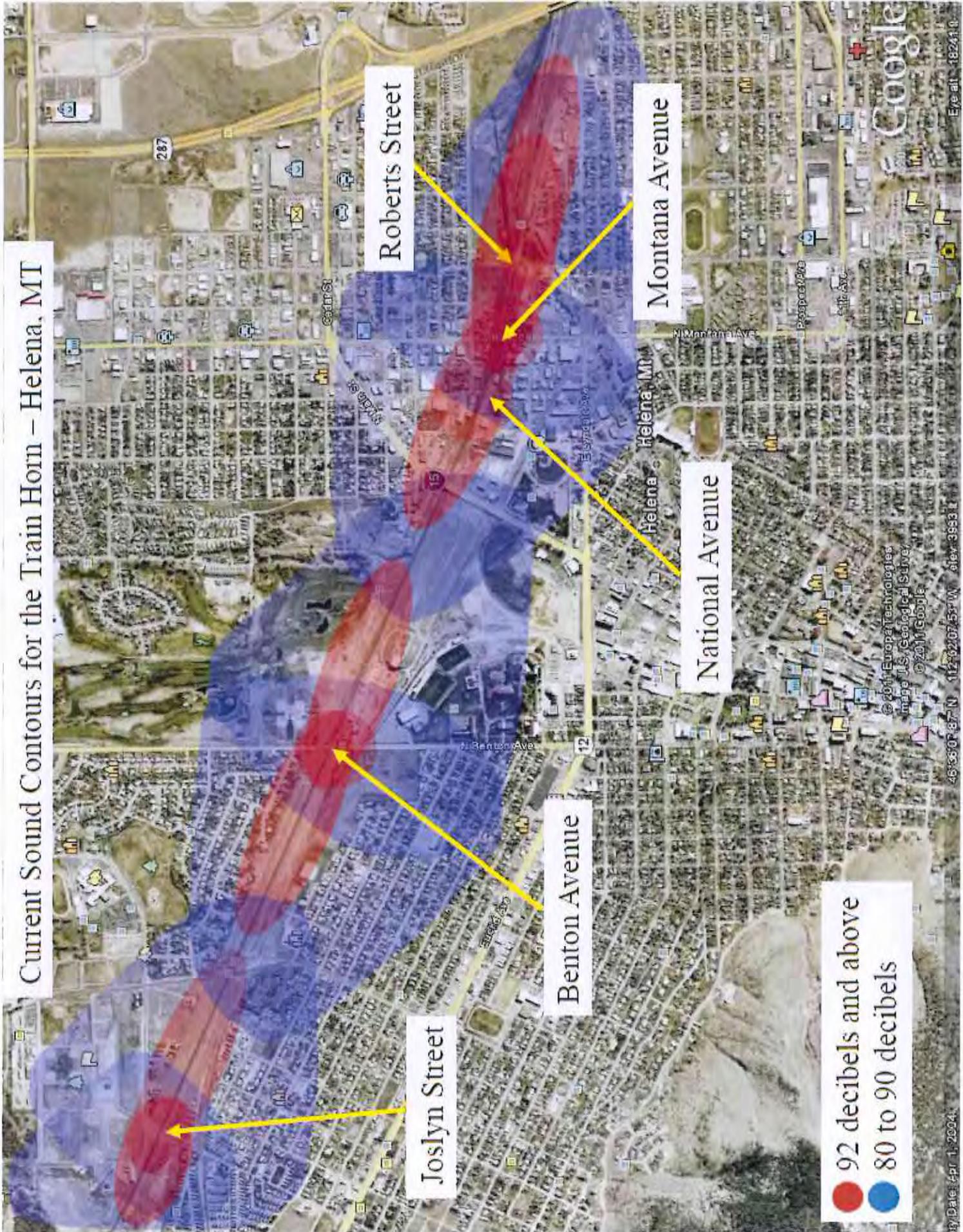
Because the wayside horn is stationary at the crossing and directs the audible warning toward the traffic, the surrounding area affected by the horn is much smaller than the area affected by a locomotive horn. Quiet Zone Technologies is the Automated Horn System (Wayside Horn) and performed a sound level comparison between the train horn and the Automated Horn System for the study area within the City of Helena. The comparison is included in **Appendix 7.3-A** and includes a diagram of the entire study area and diagrams for each of the five (5) crossings separately.

Appendix 7.3 – A

Sound Level Comparisons Between the
Train Horn and the
Automated Horn System
Helena, MT



Current Sound Contours for the Train Horn – Helena, MT



- 92 decibels and above
- 80 to 90 decibels

Automated Hom System Sound Contour - Helena, MT

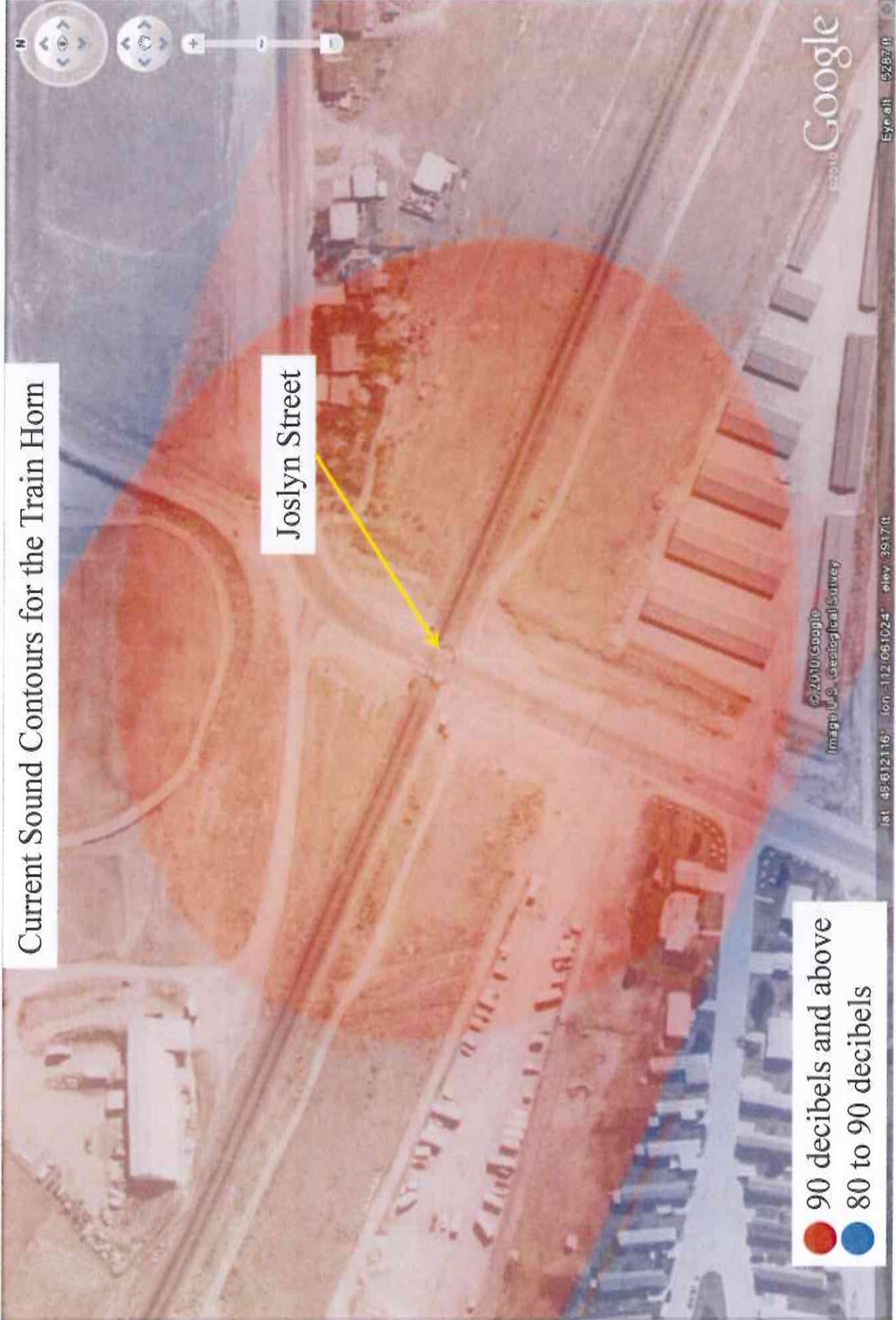


- 92 decibels and above
- 80 to 90 decibels

Current Sound Contours for the Train Horn

Joslyn Street

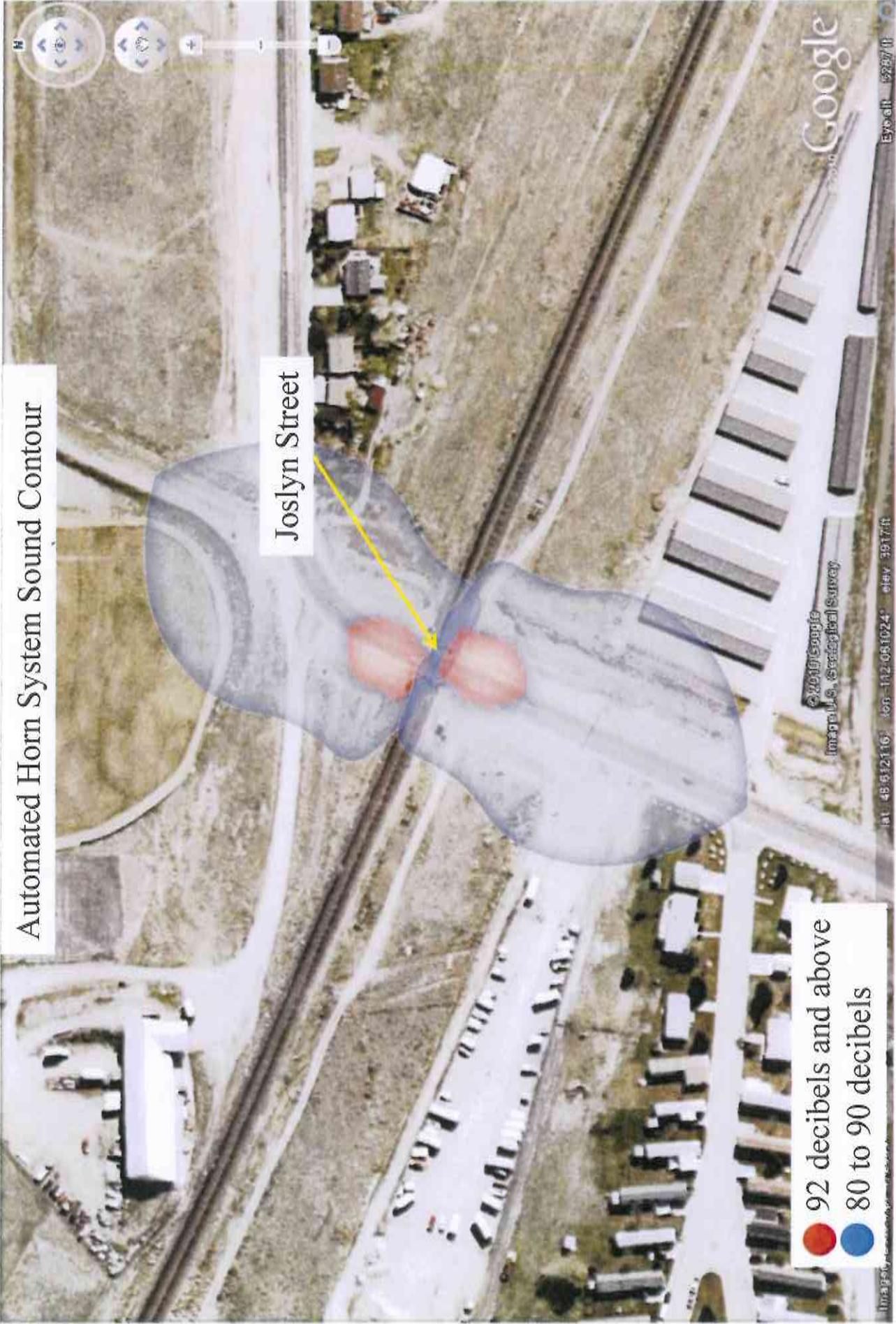
● 90 decibels and above
● 80 to 90 decibels



Automated Horn System Sound Contour

Joslyn Street

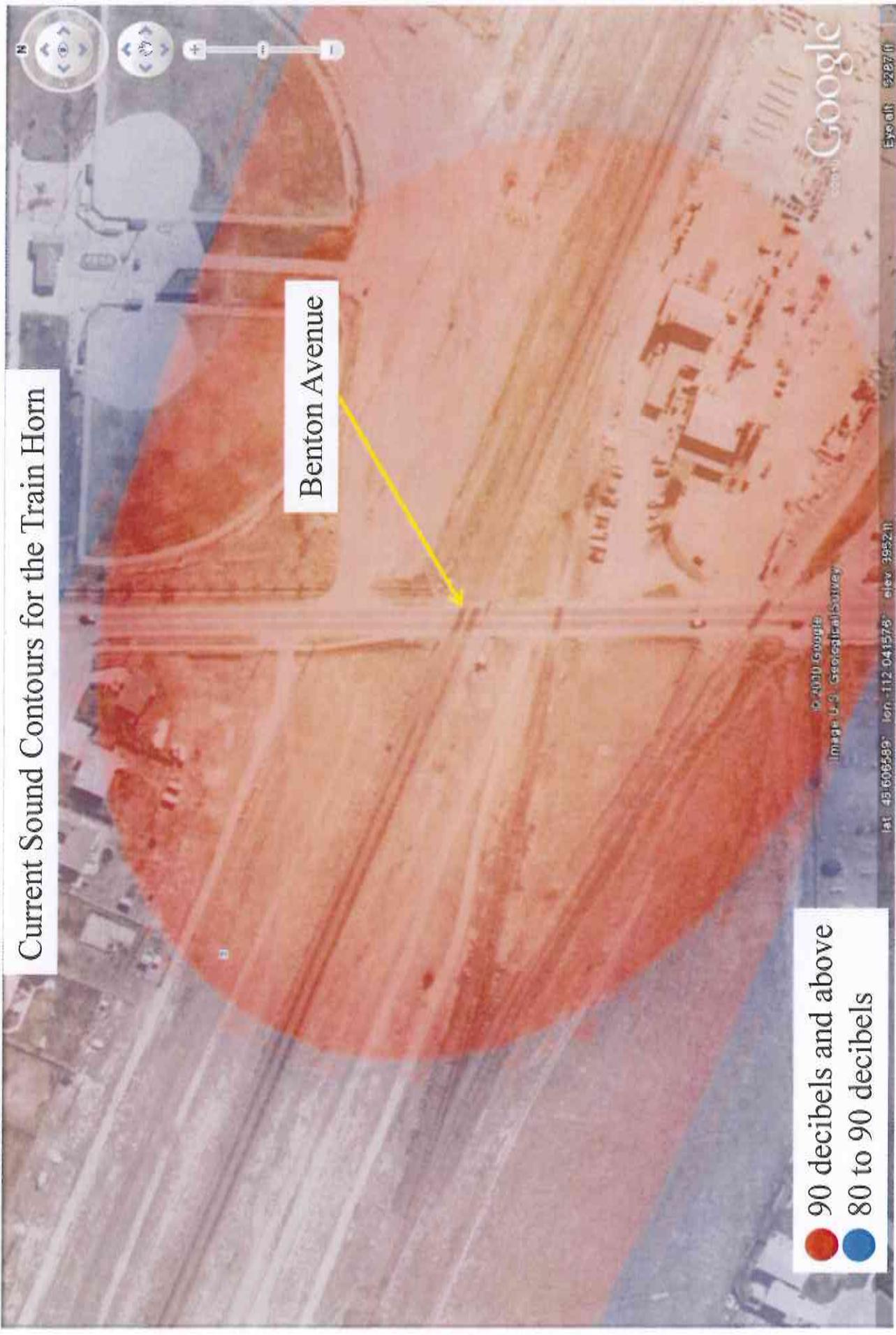
92 decibels and above
80 to 90 decibels



Current Sound Contours for the Train Horn

Benton Avenue

- 90 decibels and above
- 80 to 90 decibels



Automated Horn System Sound Contour

Benton Avenue

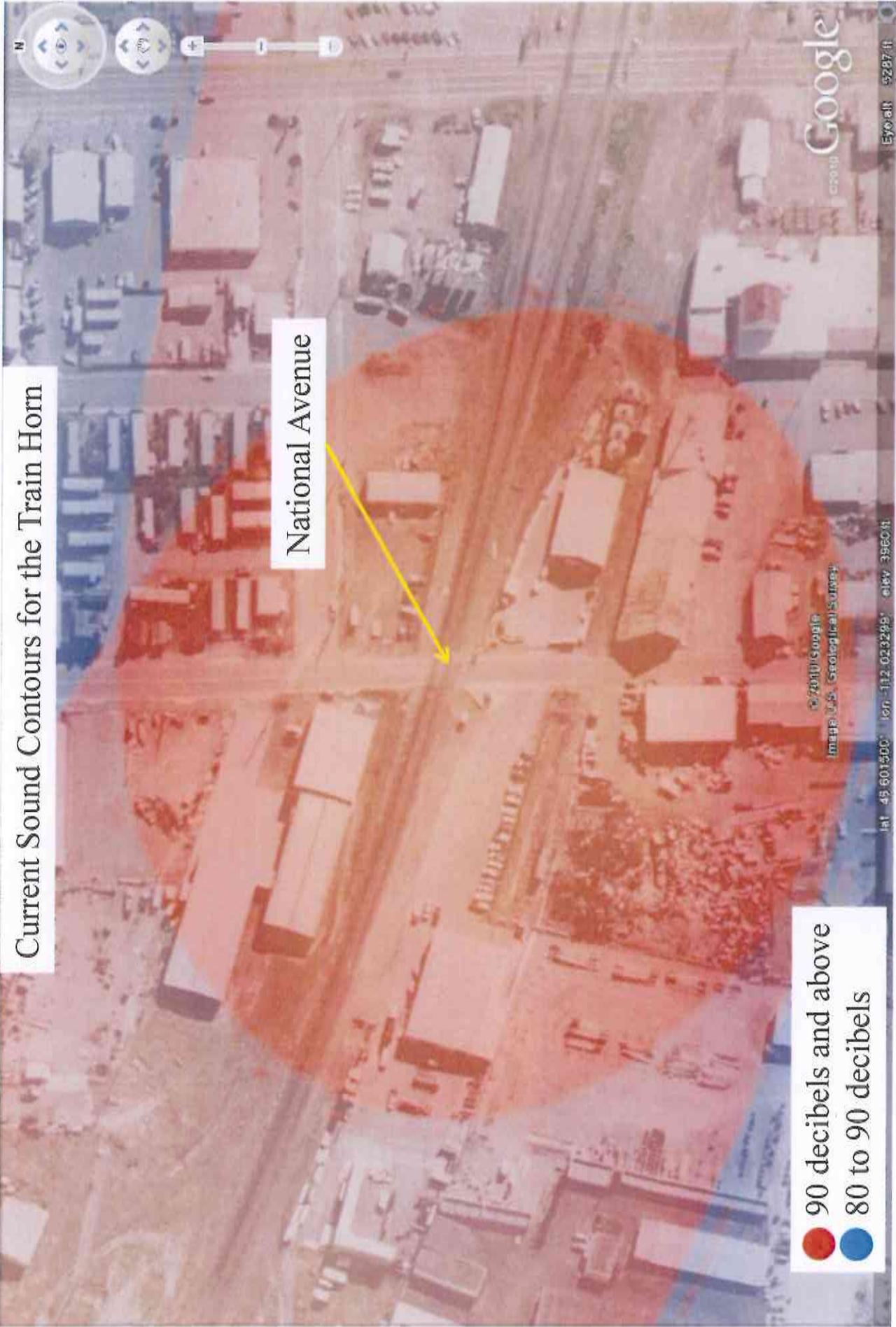
- 92 decibels and above
- 80 to 90 decibels



Current Sound Contours for the Train Horn

National Avenue

- 90 decibels and above
- 80 to 90 decibels

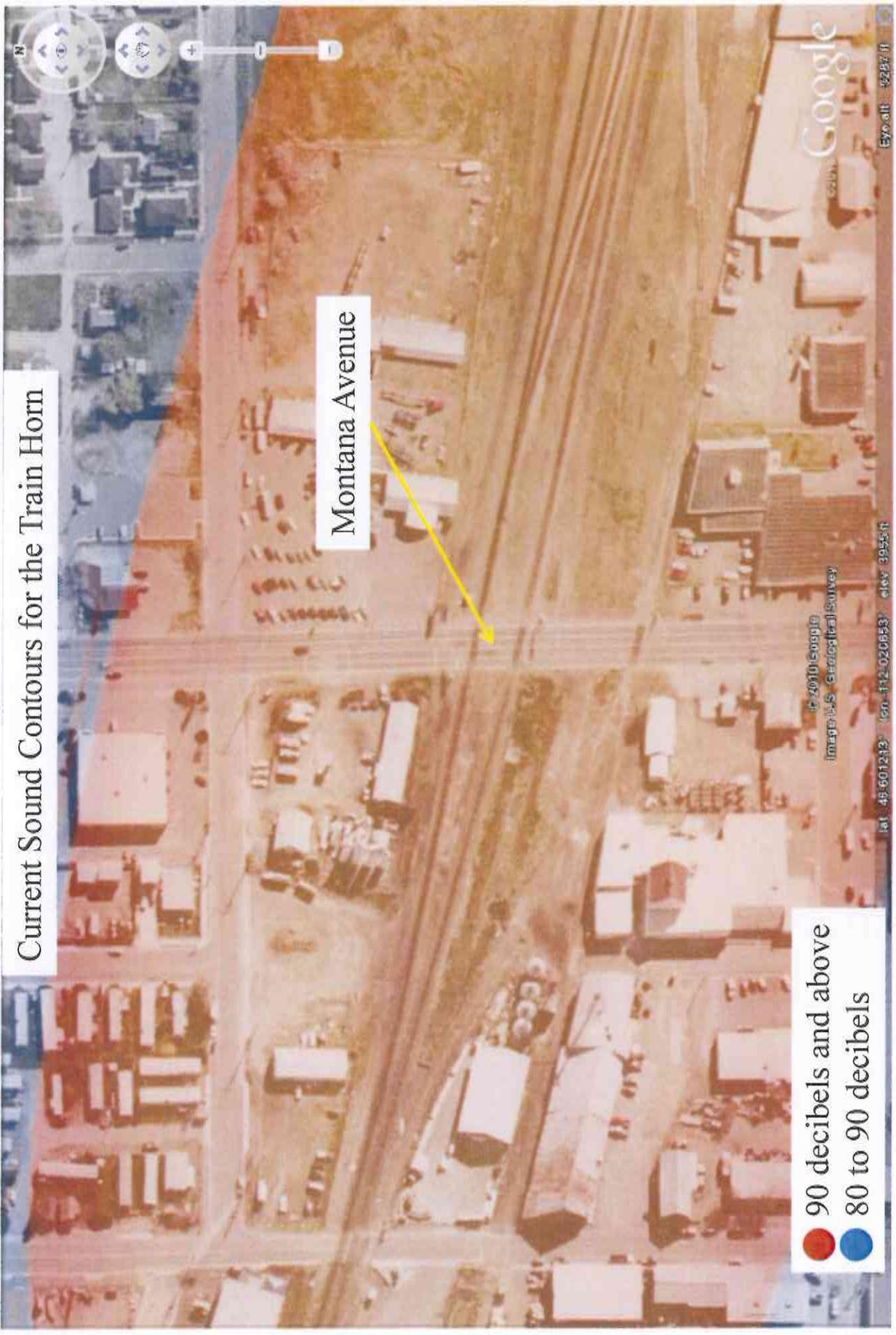


Automated Horn System Sound Contour



- 92 decibels and above
- 80 to 90 decibels

Current Sound Contours for the Train Horn



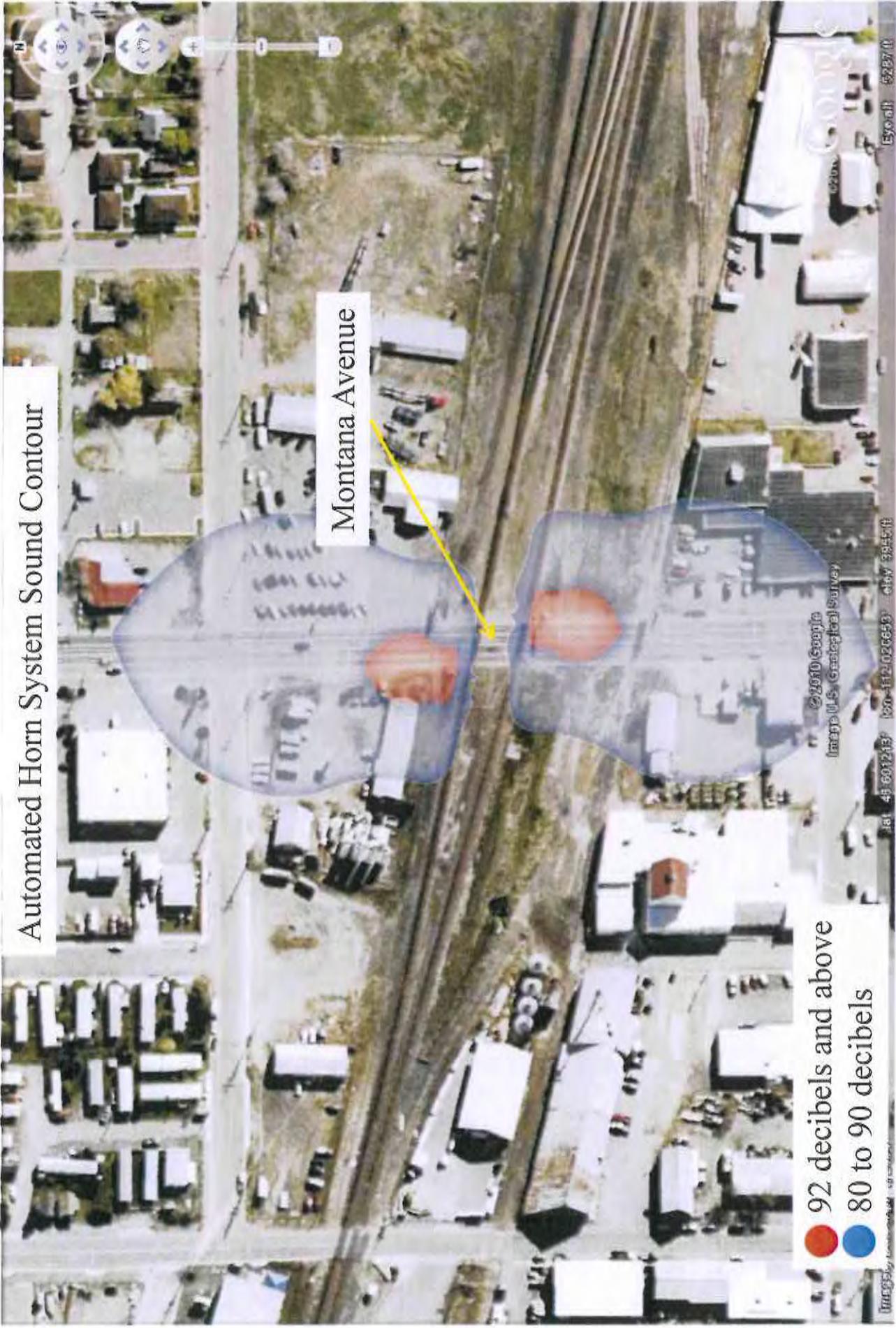
Montana Avenue

- 90 decibels and above
- 80 to 90 decibels

Automated Horn System Sound Contour

Montana Avenue

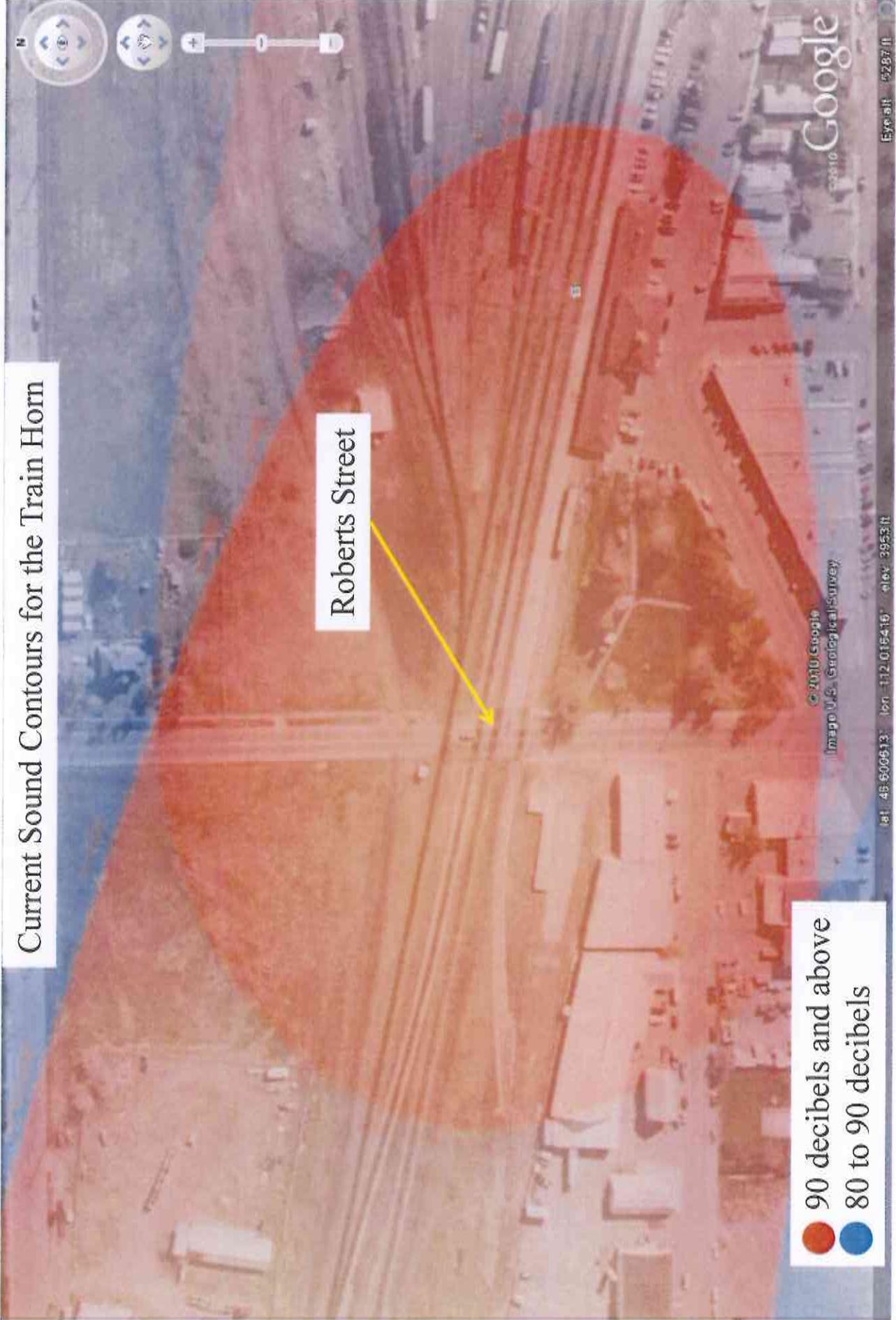
● 92 decibels and above
● 80 to 90 decibels



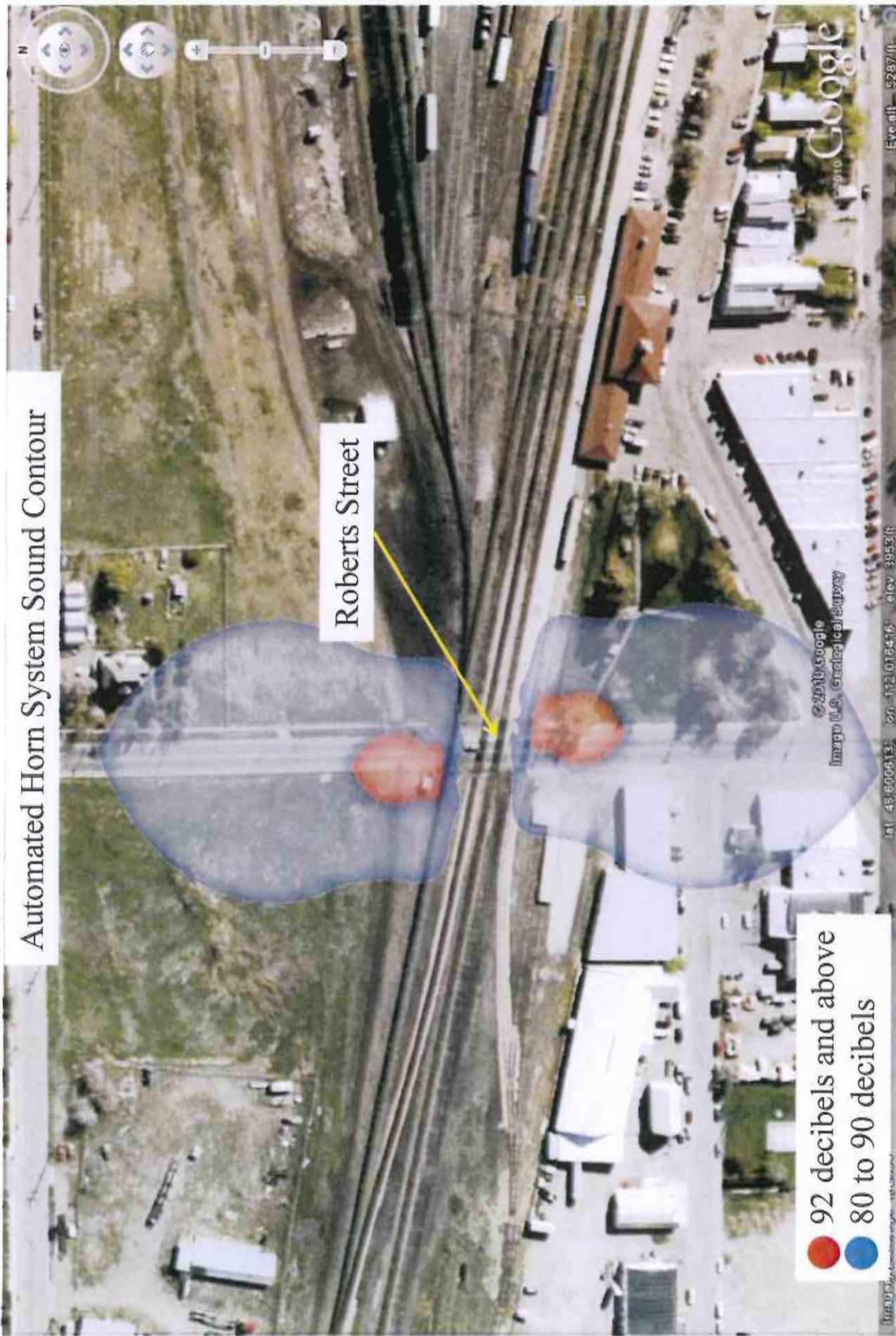
Current Sound Contours for the Train Horn

Roberts Street

- 90 decibels and above
- 80 to 90 decibels



Automated Horn System Sound Contour



Roberts Street

- 92 decibels and above
- 80 to 90 decibels

©2010 Google
Image U.S. Geological Survey
Google

lat: 48.600613 lon: -112.019416 elev: 3953ft

8.0 OPTIONS FOR SILENCING TRAIN HORNS IN HELENA

There are multiple options for silencing train horns within the City of Helena. The primary objective used in determining options was safety and the secondary objective was cost. The Federal Railroad Administration (FRA) has established a system for developing Quiet Zones based on use of Supplementary Safety Measures (SSMs) and Alternate Safety Measures (ASMs) as described in Section 7.0.

If each public crossing in a proposed Quiet Zone is equipped with one or more SSM, the Quiet Zone qualifies for automatic approval. If not every public crossing within a Quiet Zone is equipped with at least one SSM, it can automatically qualify if its numeric Quiet Zone Risk Index (QZRI) is less than or equal to the level of risk that would be present if the train horn were still sounding (RIWH). The RIWH for all five (5) crossings within the Helena study area is 27,163.74. The QZRI is based on a variety of criteria including train traffic volumes, train speed, vehicle traffic volumes, vehicle speed, accident history, and crossing control devices. The QZRI for the Quiet Zone can be calculated using FRA's Quiet Zone Calculator, a web based tool that can be found at <http://safetydata.fra.dot.gov/quiet/>.

If not every public crossing is equipped with at least one SSM and the QZRI is not less than the RIWH, then the Quiet Zone can automatically qualify if its QZRI is less than or equal to the Nationwide Significant Risk Threshold (NSRT). However, Quiet Zones that are established in this manner are subject to annual review by FRA. The FRA has set a numeric NSRT of 14,007.00. The presence of a wayside horn within a Quiet Zone shall be considered in the same manner as a grade crossing treated with an SSM. However, a grade crossing equipped with a wayside horn shall not be considered in calculating the QZRI.

Before a Quiet Zone will be considered, all crossings within the proposed Quiet Zone must have, at a minimum, 2-quadrant gates. The quiet zone study area within the City of Helena already meets this requirement however the QZRI without horns is 45,309.12. This is greater than the NSRT and the RIWH therefore additional control measures will need to be implemented in order for the proposed Quiet Zone to be approved.

Prior to preparing options, we spoke with the FRA to determine preferences that they may have with regard to the types of SSMs that are installed. When Quiet Zones were first introduced, the FRA and railroad companies believed that four quadrant gates were the most effective SSM. Since that time, multiple Quiet Zones have been implemented and medians are now the preferred SSM by both the FRA and most railroad companies. Medians have been a very effective safety measure, are much less expensive to install, and require much less maintenance.

On Benton Avenue, National Avenue, Montana Avenue, and Roberts Street, there are private spur lines in addition to the main rail line. It would require considerable modifications and expense to modify the crossings to include these spurs in the Quiet Zone. We have therefore excluded these spurs from the Quiet Zone and trains will be required to use their train horns when these spurs are used. Based on conversations with MRL officials, utilization of these spurs occurs between once per week and once per month. This configuration is acceptable to FRA and MRL officials.

Following is a description of five (5) options including a **preliminary** cost estimate for each option.

8.1 Option One

Option One is shown in **Figure 8.1-A**. **Table 8.1-A** below includes a summary of the improvements at each crossing along with an estimated preliminary cost of the upgrade.

Table 8.1-A

Crossing	SSM Option	Est. Price
Joslyn St.	Mountable Medians with Reflective Traffic Channelization	\$30,000
Benton Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
National Ave.	None	\$0
Montana Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
Roberts St.	None	\$0
Estimated Construction Cost		\$130,000

The QZRI for this option is 20,484.62, which is higher than the NSRT, but lower than the RIWH. Therefore this option meets the criteria for automatic approval and would not be subject to annual review by FRA. This is the least expensive option that meets the requirements for establishment of a Quiet Zone. It does not include installation of any SSM at National Avenue, or Roberts Street. Also, please note that the Non-Traversable Curb Medians on Benton Avenue and Montana Avenue are located between the mainline and the spur on the south side of the tracks because there is not room to place medians on the south side of the spur. This configuration is acceptable to FRA and MRL officials. The Montana Avenue crossing is the only crossing where the MDT has jurisdiction and MDT officials are willing to consider this option as long as the necessary impacts are addressed.

Pros

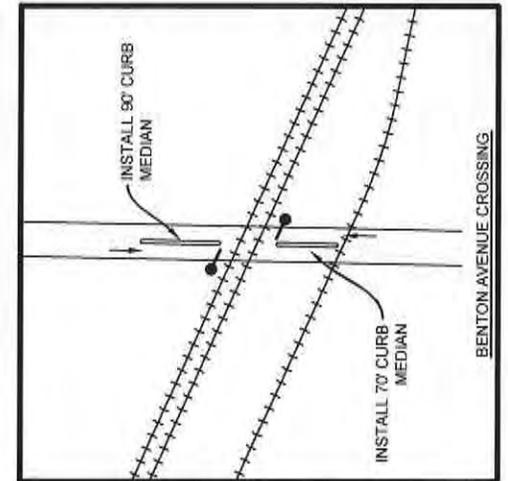
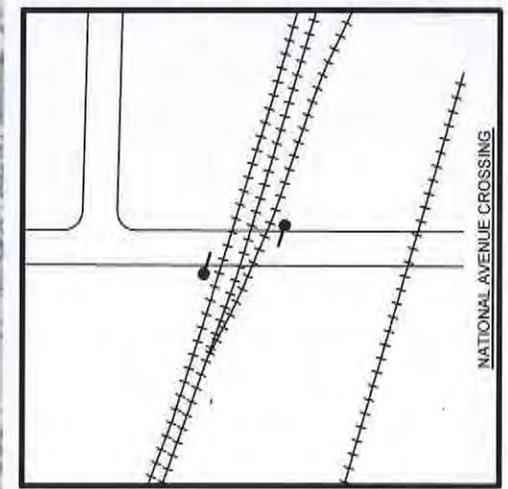
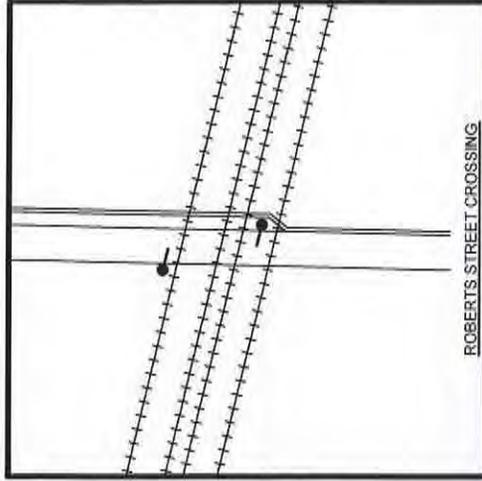
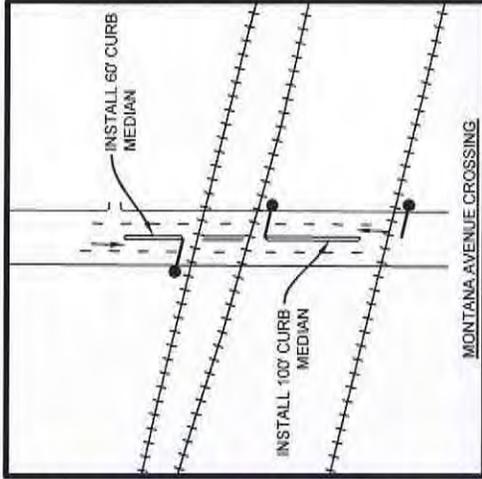
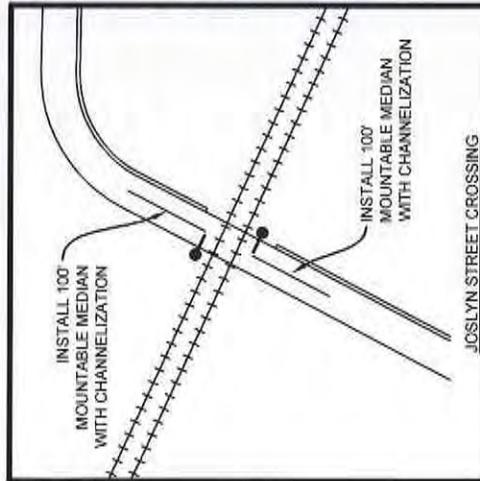
- Least Expensive
- Meets Quiet Zone Requirements without Annual Review

Cons

- Higher QZRI
- No SSM at National Avenue
- No SSM at Roberts Street
- Possible Snow Removal Issues at Crossings with Medians



JOSLYN STREET CROSSING



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT	8.1-A	DATE	02/28/2011
	Kadmas Lee & Jackson Engineers Surveyors Planners	PROJECT NO.	4410014
DESIGN BY		BAK	
OPTION ONE		DRAWN BY	ADE
© Kadmas, Lee & Jackson, 2011			

8.2 Option Two

Option Two is shown in **Figure 8.2-A**. **Table 8.2-A** below includes a summary of the improvements at each crossing along with an estimated preliminary cost of the upgrade.

Table 8.2-A

Crossing	SSM Option	Est. Price
Joslyn St.	Mountable Medians with Reflective Traffic Channelization	\$30,000
Benton Ave.	Four-Quadrant Gate Upgrade	\$300,000
National Ave.	Four-Quadrant Gate Upgrade	\$300,000
Montana Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
Roberts St.	Four Quadrant Gate Upgrade	<u>\$300,000</u>
Estimated Construction Cost		\$980,000

The QZRI for this option is 9,101.64, which is lower than the NSRT and the RIWH. It applies for automatic approval based on these criteria and the fact that an SSM is included at all of the crossings within the Quiet Zone. This is the option with the lowest QZRI. It is also the most expensive option. Four-quadrant gate upgrades are included at National Avenue, Benton Avenue, and Roberts Street. At National Avenue and Roberts Street, four-quadrant gates and wayside horns are the only feasible SSMs due to intersecting driveways in close proximity to the tracks and intersecting spur lines which do not allow for use of medians. Four quadrant gates at Benton Avenue address concerns about difficulties with snow removal if medians or channelization devices were installed.

Pros

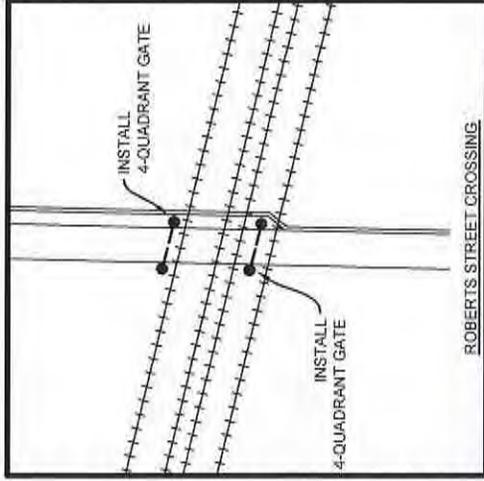
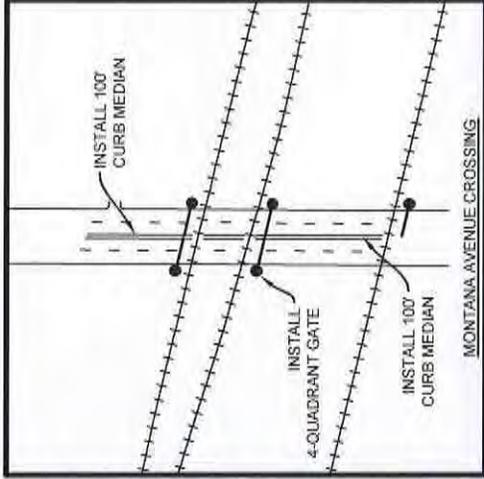
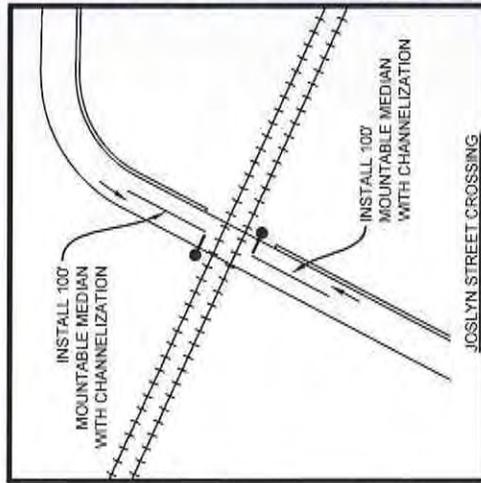
- Lowest Risk Index
- There are SSMs at all crossings
- Meets Quiet Zone Requirements without Annual Review
- No Median or Channelization on Benton Avenue

Cons

- Most Expensive Option
- High Maintenance Requirements for Four Quadrant Gates at 3 crossings
- Possible Snow Removal Issues at Crossings with Medians



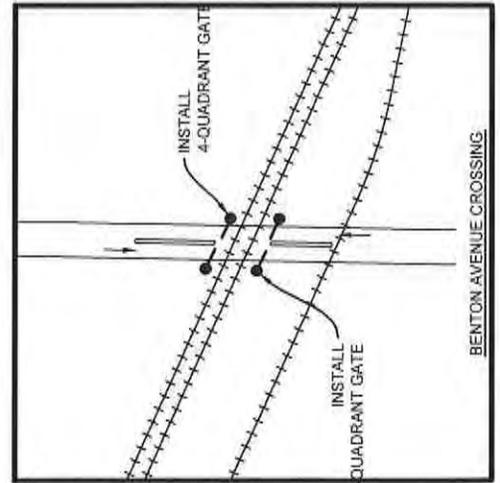
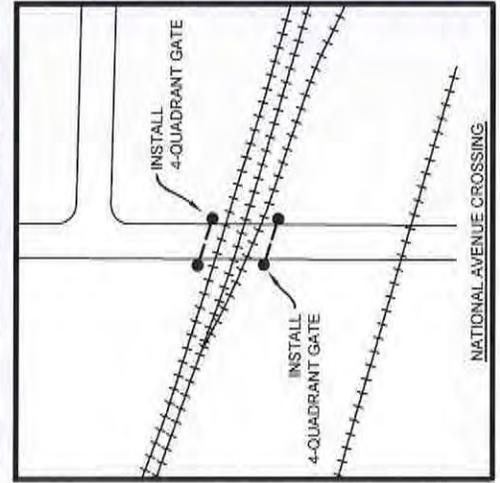
JOSLYN STREET CROSSING



NATIONAL AVENUE CROSSING

MONTANA AVENUE CROSSING

ROBERTS STREET CROSSING



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT	8.2-A	DATE	02/28/2011
	Kadmas Lee & Jackson Engineers Surveyors Planners	PROJECT NO.	4410014
OPTION TWO		CONC BY	SLK
		DRAWN BY	ADE
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8.3 Option Three

Option Three is shown in **Figure 8.3-A**. **Table 8.3-A** below includes a summary of the improvements at each crossing along with an estimated preliminary cost of the upgrade.

Table 8.3-A

Crossing	SSM Option	Est. Price
Joslyn St.	Mountable Medians with Reflective Traffic Channelization	\$30,000
Benton Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
National Ave.	Wayside Horn	\$100,000
Montana Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
Roberts St.	Wayside Horn	\$100,000
Estimated Construction Cost		\$330,000

The QZRI for this option is 20,484.62, which is higher than the NSRT, but lower than the RIWH. It applies for automatic approval based on these criteria and the fact that an SSM or wayside horn is included at all of the crossings within the Quiet Zone. This is the least expensive option that provides an SSM or Wayside Horn at every crossing.

Pros

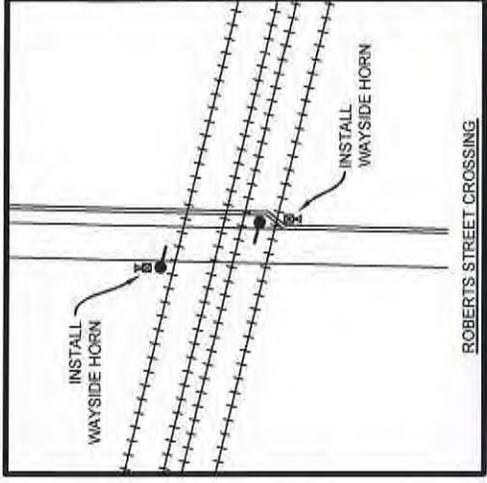
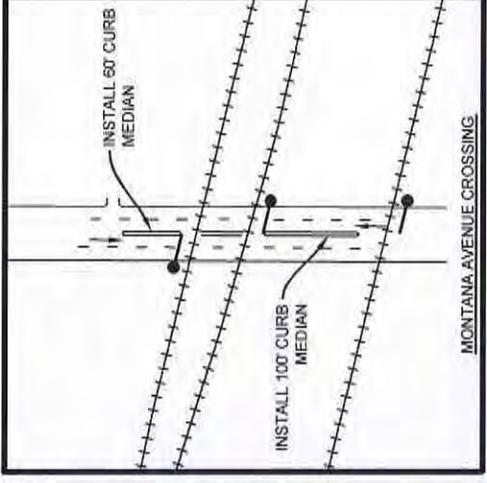
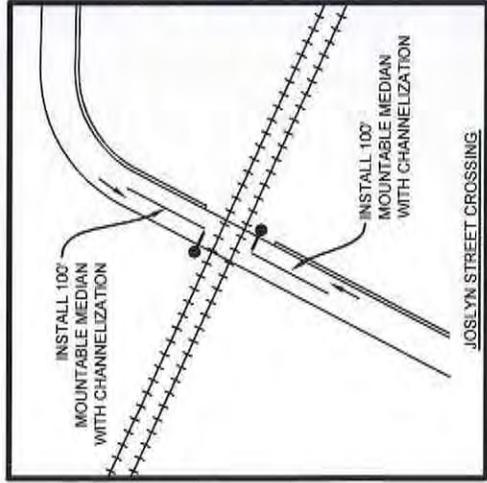
- SSM or Wayside Horn at Every Crossing
- Meets Quiet Zone Requirements without Annual Review
- Moderate Cost

Cons

- There will be Some Local Crossing Noise from the Wayside Horns
- Possible Snow Removal Issues at Crossings with Medians
- Wayside Horn Crossings will Sound 36 to 50 Times Per Day at Two Crossings



JOSLYN STREET CROSSING

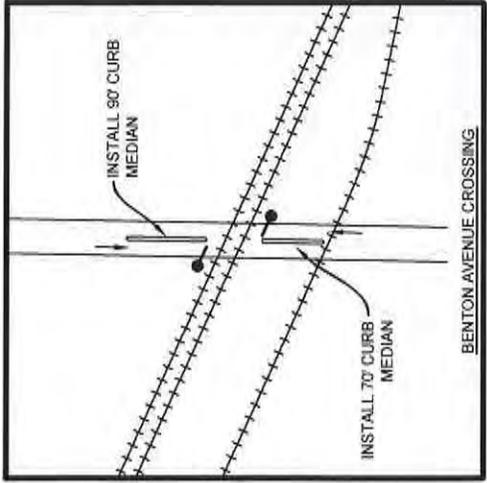
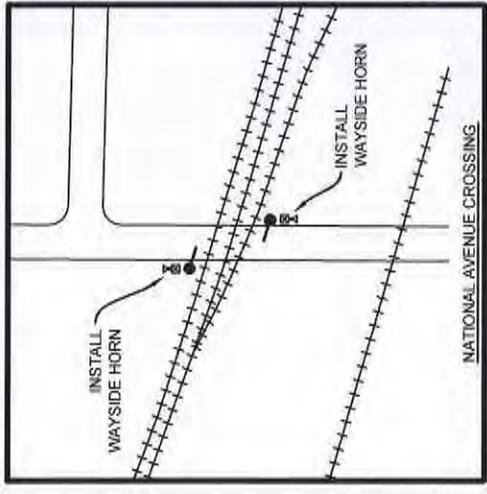
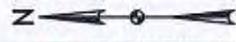


NATIONAL AVENUE CROSSING

NATIONAL AVENUE CROSSING

MONTANA AVENUE CROSSING

ROBERTS STREET CROSSING



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT	8-3-A	DATE	02/28/2011
	Kadimas Lee & Jackson Engineers Surveyors Planners	PROJECTING	4/1/2014
GROUP		BK	
DATE	02/28/2011		
OPTION THREE			

8.4 Option Four

Option Four is shown in **Figure 8.4-A**. **Table 8.4-A** below includes a summary of the improvements at each crossing along with an estimated cost of the upgrade.

Table 8.4-A

Crossing	SSM Option	Est. Price
Joslyn St.	Mountable Medians with Reflective Traffic Channelization	\$30,000
Benton Ave.	Four-Quadrant Gate Upgrade	\$300,000
National Ave.	None	\$0
Montana Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
Roberts St.	None	<u>\$0</u>
Estimated Construction Cost		\$380,000

The QZRI for this option is 20,290.39, which is higher than the NSRT, but lower than the RIWH. Therefore this option meets the criteria for automatic approval and would not be subject to annual review by FRA. This option meets the quiet zone requirements and does not include medians at Benton Avenue. Four quadrant gates at Benton Avenue address concerns about difficulties with snow removal if medians or channelization devices were installed.

Pros

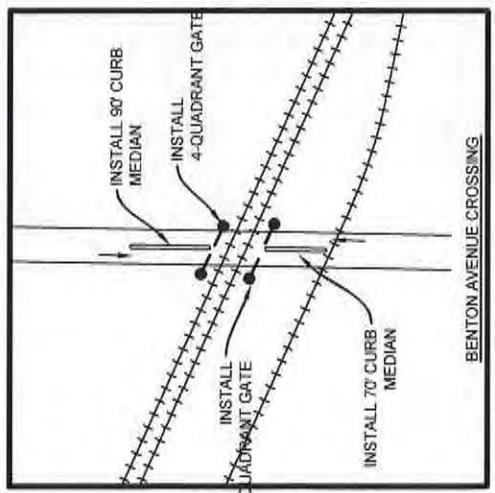
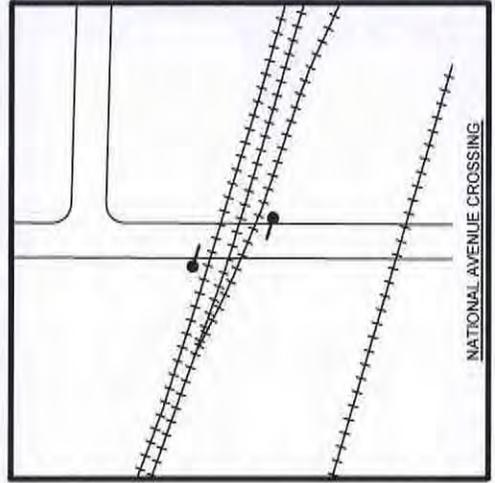
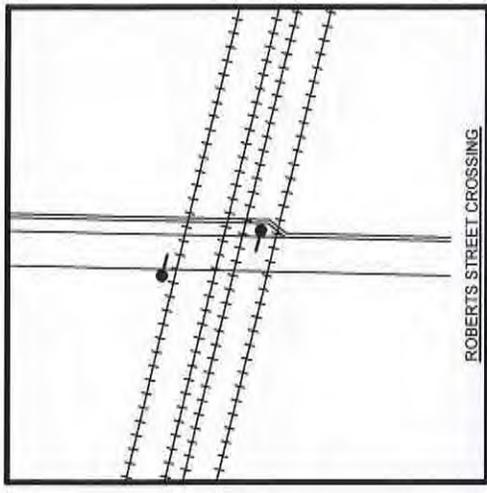
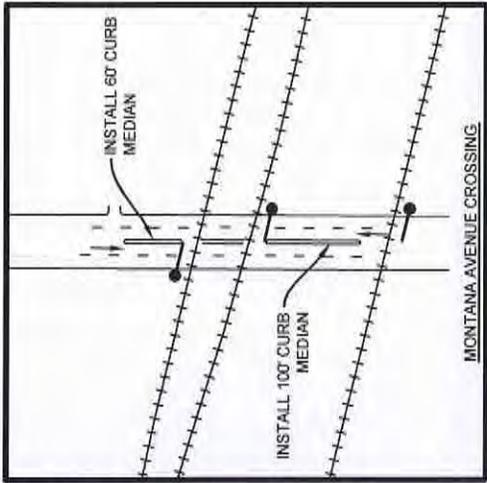
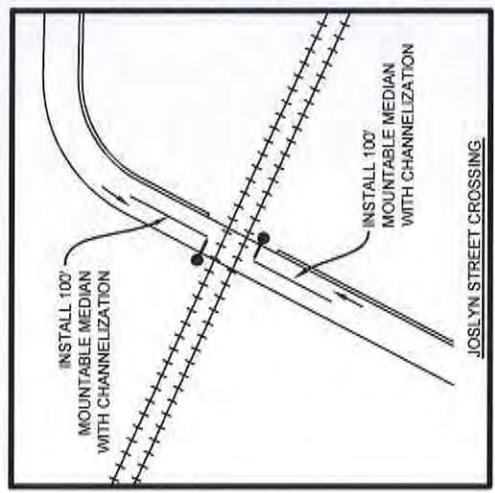
- Moderate Cost
- Meets Quiet Zone Requirements without Annual Review
- No Median or Channelization on Benton Avenue

Cons

- No SSM at National Avenue
- No SSM at Roberts Street
- Possible Snow Removal Issues at Crossings with Medians
- High Maintenance Requirements for Four Quadrant Gates at Benton Avenue



JOSLYN STREET CROSSING



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT	8.4-A	Kadmas Lee & Jackson Engineers Surveyors Planners	DATE	02/28/2011
	OPTION FOUR		PROJECT NO.	4410014
		CHD BY	BLK	4410014
		DATE		

8.5 Option Five

Option Five is shown in **Figure 8.5-A**. **Table 8.5-A** below includes a summary of the improvements at each crossing along with an estimated cost of the upgrade.

Table 8.5-A

Crossing	SSM Option	Est. Price
Joslyn St.	Non-Traversable Curb Medians with Channelization Devices	\$30,000
Benton Ave.	Wayside Horn	\$100,000
National Ave.	Wayside Horn	\$100,000
Montana Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
Roberts St.	Wayside Horn	\$100,000
Estimated Construction Cost		\$380,000

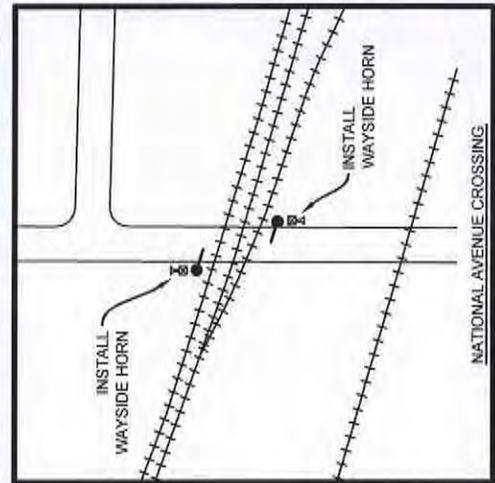
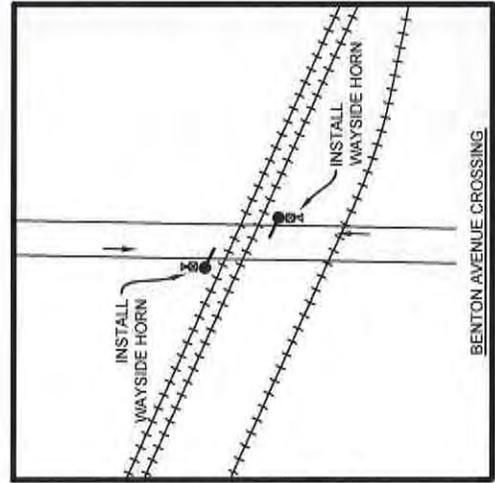
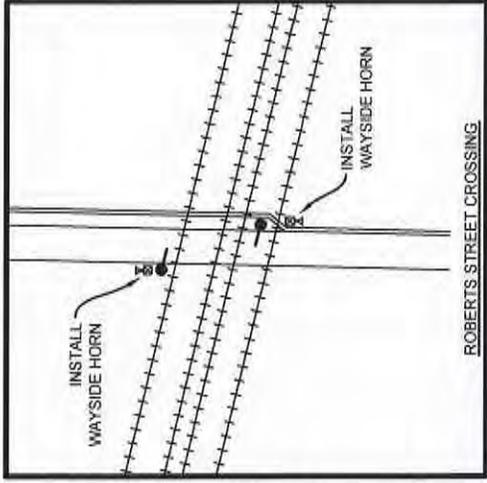
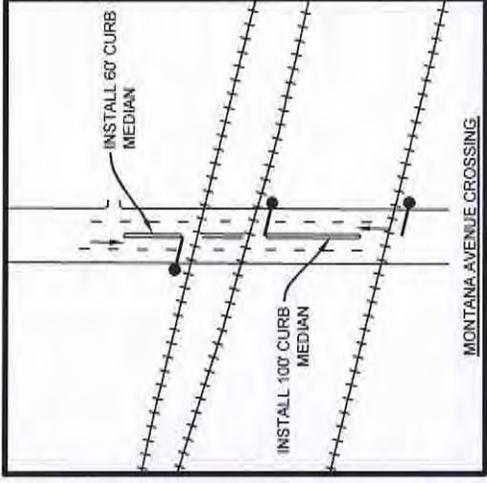
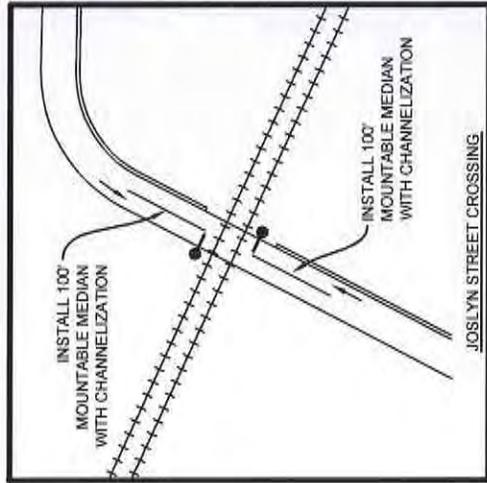
The QZRI for this option is 28,253.63, which is higher than the NSRT and slightly higher than the RIWH. However, it applies for automatic approval based on the fact that an SSM or wayside horn is included at all of the crossings within the Quiet Zone. Wayside Horns at Benton Avenue address concerns about difficulties with snow removal if medians or channelization devices were installed.

Pros

- Moderate Cost
- SSM or Wayside Horn at Each Crossing
- No Median or Channelization on Benton Avenue

Cons

- Wayside Horn Crossings will Sound 36 to 50 Times Per Day
- Possible Snow Removal Issues at Crossings with Medians



CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT	8.5-A	OPTION FIVE	DATE	02/28/2011
	Kadrmass Lee & Jackson		PROJECT NO.	4410014
Kadrmass Lee & Jackson Engineers Surveyors Planners		DRAWN BY: SJK CHECKED BY: ADE		

9.0 QUIET ZONE APPLICATION PROCESS SUMMARY

Following is a summary of the Quiet Zone application process:

9.1 Diagnostic Review

The first step in application for a new Quiet Zone includes completion of a diagnostic review of the Quiet Zone. This includes a visit to the site by City Officials, the Railroad Company, the Federal Railroad Administration (FRA), Highway or traffic control authorities, and state agencies responsible for grade crossing safety to discuss options for creating a Quiet Zone and determine the most desirable improvement to each crossing.

9.2 Notice of Intent

Following completion of the diagnostic review, a Notice of Intent is issued. The purpose of the Notice of Intent is to provide notice that the City is planning to create a new Quiet Zone and to provide an opportunity for the railroad and agencies to provide input during the Quiet Zone development process. The City will be required to provide written notice by certified mail, return receipt requested, to the following:

1. All railroads operating within the proposed Quiet Zone.
2. The Highway or traffic control authority or the law enforcement authority with jurisdiction over motor vehicle traffic at the Quiet Zone crossing.
3. State agency responsible for grade crossing safety.

The Notice of Intent must contain the following information:

1. A list of each public highway-rail grade crossing, private highway-rail grade crossing, and pedestrian crossings within the proposed Quiet Zone.
2. A statement of the time period which the restrictions would be in effect.
3. A brief explanation of the public authority's tentative plans for implementing improvements within the proposed Quiet Zone.
4. The name and title of the person who will act as the point of contact during the Quiet Zone development process and how that person can be contacted.

The entities listed above will be given sixty (60) days to provide information and comments to the City. The City is not required to conform to the comments if the Quiet Zone complies with all rules and regulations. However, the comments will be of record and may be used later if an issue arises.

9.3 Install Quiet Zone Infrastructure

Once all of the comments from the Notice of Intent are addressed, the pre determined infrastructure including SSMs, ASMs, or wayside horns are installed.

9.4 Notice of Quiet Zone Establishment

Following installation of the Quiet Zone infrastructure, the City will send a Notice of Quiet Zone Establishment to the following parties:

1. All railroads operating within the proposed Quiet Zone.
2. The Highway or traffic control authority, or the law enforcement authority with jurisdiction over motor vehicle traffic at the Quiet Zone crossing.
3. Landowners having control over any private crossings within the Quiet Zone.
4. State agency responsible for grade crossing safety.
5. The FRA Associate Administrator

The purpose of the Notice of Quiet Zone Establishment is to provide a means for the City to formally advise affected parties that a Quiet Zone is being established.

The Notice of Quiet Zone Establishment must contain the following:

1. A list of each public highway-rail grade crossing, private highway-rail grade crossing, and pedestrian crossing within the Quiet Zone.
2. A specific reference to the regulatory provision that provides the basis for Quiet Zone establishment.
3. A statement affirming the state agency responsible for crossing safety and railroad companies were provided an opportunity to participate in the diagnostic team review.
4. A list of recommendations made by the diagnostic team.
5. A statement of the time period within which restrictions on the routine sounding of the locomotive horn will be imposed.
6. An accurate and complete grade crossing inventory form for each crossing.
7. A statement affirming that the Notice of Intent was provided in accordance with the rule.
8. The name and title of the person responsible for monitoring compliance with the requirements of the rule.
9. A list of the names and addresses of each party that is receiving a copy of the Notice of Quiet Zone Establishment.
10. A statement signed by the chief executive officer of the City certifying that the information submitted is accurate and complete.

The time period required to implement a Quiet Zone could vary considerably depending on FRA, MDT, and Montana Rail Link comments. Use of SSMs instead of ASMs will likely decrease the time period, because the SSMs have already been determined to be accepted practice.

10.0 PEDESTRIAN TRAFFIC

10.1 *Pedestrian Traffic at Vehicular Crossings*

Although it is not required to implement pedestrian safety measures with the implementation of a Quiet Zone, it is important to consider. Following are some of the options for addressing pedestrian traffic at a vehicle railroad crossing:

1. Utilize the existing vehicular gate arm to control pedestrian traffic
2. Install a separate pedestrian crossing gate arm adjacent to the vehicular crossing
3. Install a “zigzag” pedestrian approach adjacent to the vehicular crossing

Per discussions with FRA officials, pedestrian gate crossings that have been installed in Quiet Zones have proven to be ineffective. Pedestrians can duck under or lift the gate and walk under. Pedestrian gates are also expensive and require a considerable amount of maintenance. Pedestrians can also walk under vehicular crossing arms.

FRA officials have indicated that the most effective measure for improving pedestrian safety at railroad crossings is a “zigzag” pedestrian approach. This forces pedestrian traffic to look both directions when approaching the train tracks.

10.2 *Pedestrian Traffic at Non Designated Vehicular Crossings*

Although pedestrian traffic is not allowed in railroad right of way in non designated crossing locations, the rules are not always followed. Within a Quiet Zone, there is no warning of approaching trains for pedestrians in non designated crossing locations. If there is a designated pedestrian crossing with a crossing number within a proposed railroad Quiet Zone, a diagnostic review is required to determine if additional measures will be required to improve safety for pedestrians with the implementation of a Quiet Zone. If it is desired to add a pedestrian crossing, it is required to submit a proposal to the railroad company for approval. There are no designated pedestrian crossings within the City of Helena Study area.

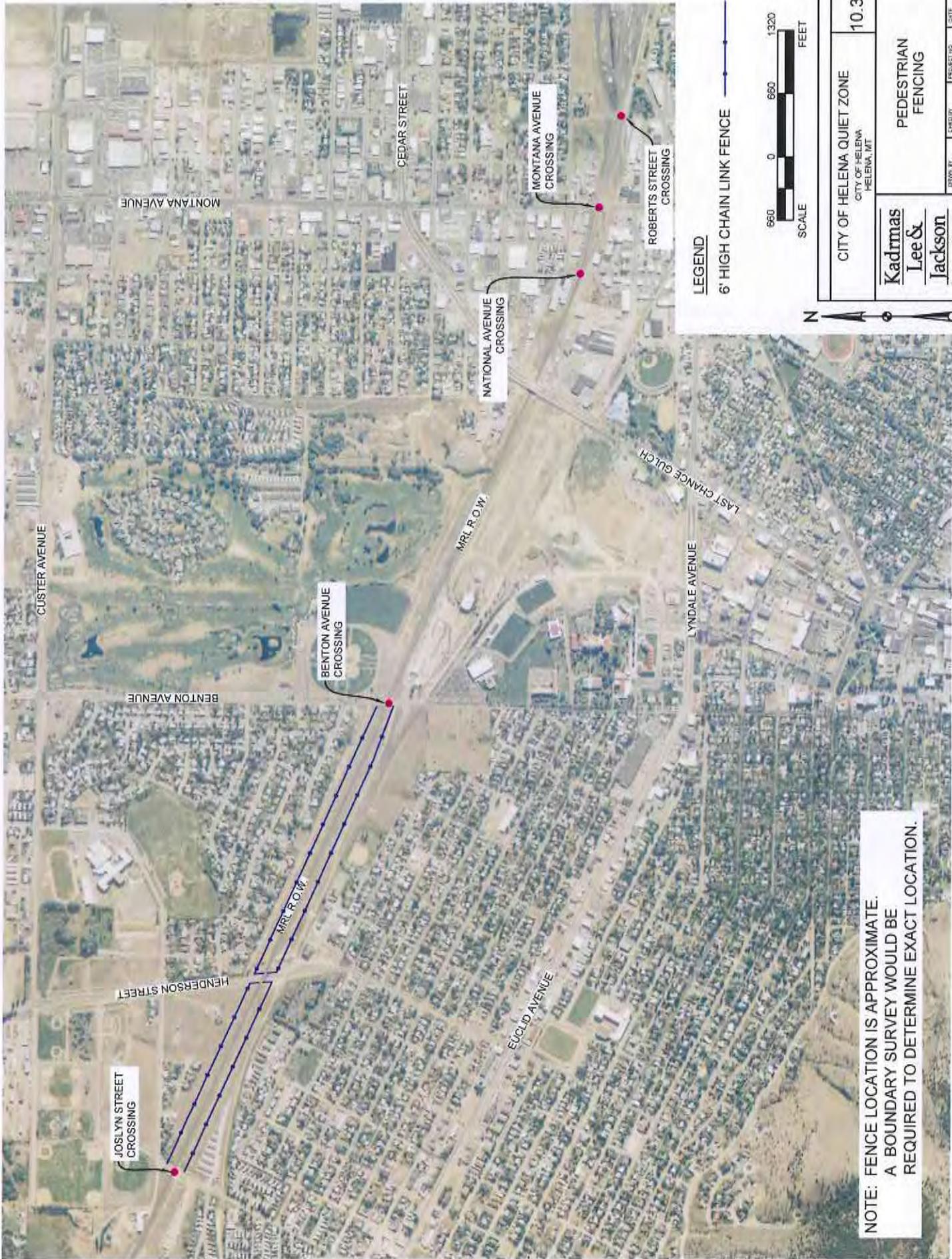
10.3 *Pedestrian Traffic Options*

The ideal method for keeping pedestrian traffic out of undesignated areas is to install fencing. Based on a review of the study area, the rail line between the Joslyn Street and Benton Avenue Crossings is primarily residential and expected to receive the highest levels of pedestrian traffic. **Figure 10.3-A** includes a diagram showing the approximate location of 6-foot high chain link fencing along both sides of the rail line in this location. Please note that the location of the fencing is approximate and would require a survey of the area to determine property boundary locations. This option includes construction of approximately 10,750 lineal feet of fencing. The approximate length of fencing required to fence both sides of the rail line for the entire length of the study area between Joslyn Street and Roberts Street, is 22,500 lineal feet. Another less expensive option would be to install additional signage along the length of the Quiet Zone, warning pedestrians that

locomotives do not use horns in this area. The spacing of the signs could vary, but a recommended spacing would be 100 feet. **Table 10.3-A** provides an estimated cost of each option.

Table 10.3-A

<u>RR Crossing ID</u>	<u>Length(ft)</u>	<u>Cost/ft</u>	<u>Cost</u>
Fencing Joslyn to Benton	10,750	\$25	\$268,750
Fencing Entire Quiet Zone	22,500	\$25	\$562,500
Signage Joslyn to Benton (100' Spc.)	10,750	\$0.30	\$3,225
Signage Entire Quiet Zone (100' Spc.)	22,500	\$0.30	\$6,750



LEGEND
 6' HIGH CHAIN LINK FENCE



**NOTE: FENCE LOCATION IS APPROXIMATE.
 A BOUNDARY SURVEY WOULD BE
 REQUIRED TO DETERMINE EXACT LOCATION.**

CITY OF HELENA QUIET ZONE CITY OF HELENA HELENA, MT		10.3-A
Kadmas Lee & Jackson Engineers, Surveyors Planners		
PEDESTRIAN FENCING		
DRAWN BY AGE	CHECKED BY BLK	PROJECT NO. 44-10014
		DATE 02/28/2011
© Kadmas, Lee & Jackson 2011		

11.0 FUNDING OPTIONS

KL&J's Government Affairs Group conducted a basic funding search to identify potential state and federal funding opportunities for project implementation. The funding search examines potential funding options and classifies them in three categories: not recommended; limited opportunity and potential funding source. Each option has its advantages and disadvantages. In addition, the funding search briefly examined Quiet Zone projects successfully implemented at the state level.

11.1 Projects Successfully Implemented at the State Level

Location:	Billings, Montana
Number of Crossings Addressed:	3
Total Project Cost:	\$1,470,000.00
Funding Source:	Tax Increment Financing (TIF) District
Existing Infrastructure:	Dual quadrant gates on the approach lanes at all three crossings, flashing lights and bells
New Infrastructure Installed:	MUTCD-approved NO TRAIN HORN signs, four quadrant automatic flashing light signals with cantilever assemblies, vehicular and pedestrian gate arms, vehicle detection, constant warning time and chain link fencing.
Quiet Zone Calculator:	Risk Index went from 63,690.35 with horns to 24,434.17 without horns.
Other Sources of Funding Pursued?	Yes, the City of Billings had initial discussions with the Montana Department of Transportation (MDT) regarding the possibility of obtaining Highway Safety Improvement Program (HSIP) funds for railroad grade crossing safety improvements. However, none of the City's crossings were ranked high enough on MDT's priority index to be funded in a reasonable amount of time.
Other Source of Funding Obtained?	No
Recommendations:	Keep in constant contact with everyone involved and hire a good contractor. The biggest challenge for the Billings Public Works Department was that Montana Rail Link (MRL) was in charge of the construction and MRL hired a subcontractor for the work. The Public Works Department had no control over the contractor. Communication lines between the City, MRL and the contractor became crossed and caused frustrations.
Contact Information:	Erin Claunch – (406) 657-8242 claunche@ci.billings.mt.us

Location:	Glendive, Montana
Number of Crossings Addressed:	1
Total Project Cost:	\$12,000.00
Funding Source:	Budgeted Gas Tax Funds
Existing Infrastructure:	Dual quadrant gates, pavement markings (stop bars and RXR symbols) and other signage (RXR posted signs)
New Infrastructure Installed:	6-foot non-traversable modular lane separation yellow curb medians with 36-inch tall vertical reflectorized channelization devices, vertical signpost with an MUTCD-approved R4-7 KEEP RIGHT symbol, vertical signposts with MUTCD-approved signs stating "TRAINS DO NOT SOUND HORN" and chain link fencing
Quiet Zone Calculator:	Risk Index went from 11,723.39 with horns to 4,888.65 without horns.
Other Sources of Funding Pursued?	No
Other Source of Funding Obtained?	No
Recommendations:	A responsible person must be named in the Notice of Establishment. That person will be responsible for monitoring compliance with the requirements of the rule and must send a letter to the FRA Associate Administrator between 4.5 and 5 years after the Date of Establishment affirming that the installed SSM's continue to conform to the requirements.
Contact Information:	Jack Rice—(406) 377-3318, ext. 15 ricej@midrivers.com
Additional information:	Glendive obtained free, recycled curb from MDT and used recycled 6-foot chain link fencing that had been removed from a city park.

Location:	Whitefish, Montana
Number of Crossings Addressed:	2
Total Project Cost:	\$30,000.00
Funding Source:	General Fund
Existing Infrastructure:	Dual gate systems, flashing lights, constant warning time circuitry and power-out indicators
New Infrastructure Installed:	Traffic channelization devices, security cameras
Quiet Zone Calculator:	Risk Index went from 22,370.16 with horns to 9,328.35 without horns.
Other Sources of Funding Pursued?	No
Other Source of Funding Obtained?	No
Recommendations:	Utilize FRA website and FRA Seattle office staff. The most difficult part of the process was working through the paperwork process with the FRA, Amtrak and MDT. Any information communicated to one entity needs to be copied to every other entity involved.
Contact Information:	John Wilson — (406) 863-2400 jwilson@cityofwhitefish.org

11.2 Potential Funding Options

11.2.1 Montana Rail Link

MRL, in conjunction with MDT, offers “incentive payments” to communities for permanent crossing closures. MDT and MRL could each provide \$7,500 to the City of Helena (\$15,000 total) for this purpose. The program enables communities to permanently close redundant crossings.

MRL offers additional funding to communities for rail improvements and permanent closures when crossings are identified as “detrimental” to MRL service. According to Steve Werner, Public Works Engineer for MRL, \$50,000 to \$100,000 or more could be provided in extreme cases although that is the rare “high end” estimate.

MRL *does not* currently have a grant program or funding source available to assist public or private entities in funding the installation or upgrade of electronic warning signals at railroad crossings on its system.

Moreover, MRL has a policy which *prohibits* the use of safety funds to install SSMs such as raised medians, wayside horns, signalization, quadrant gates and signage. Consistent with this policy, *MRL does not provide any funding for use in creating a railroad Quiet Zone.*

MRL may have funding available to help the City of Helena install safety improvements such as warning signals and pedestrian fencing. But these types of improvements are very site specific and dependent on specific conditions, problems and deficiencies found at a given location.

MRL will not make a comment on the level of assistance which may be available, if any, until the “specifics of the problem and/or location are fully studied and defined [by MRL].”

Contact information:

John Althoff, MDT, (406) 444-7247, jalthof@mt.gov
 Steve Werner, MRL, 406-523-1551, swerner@montanarail.com

Advantages:	Disadvantages:
<p>MRL has funds available for permanent closures and <i>may</i> have funding available for safety improvements such as pedestrian fencing and warning signals.</p>	<p>MRL prohibits the use of safety funds to install SSMs. MRL also does not provide any funding for use in creating a railroad Quiet Zone.</p> <p>Permanent closure of a rail crossing within Helena city limits may not be an appropriate solution.</p>
Recommendation:	
<p>If the permanent closure of a rail crossing in Helena is something that the City would like to consider, the Public Works Department may want to request a meeting with John Althoff and Steve Werner to discuss the incentive program in more detail.</p> <p>The City’s Public Works Department may also want to consider submitting a written request to Steve Werner asking MRL to assess the City’s five crossings and determine the amount of funding, if any, that MRL could provide for crossing safety improvements. The letter should be sent to Steve Werner, MRL, Inc., 101 International Drive, Post Office Box 16390, Missoula, Montana 59808.</p>	

Appendix 11.2.1-A Letter from Montana Rail Link to Kadrmas, Lee & Jackson.

11.2.2 TIGER III

According to the TIGER II Discretionary Grant Program Manager Robert Mariner, there will not be a TIGER III unless Congress appropriates funding for the program. The Montana congressional delegation’s consensus opinion is that Congress is not likely to provide funds for this program. TIGER III funds are not expected to be included in the fiscal year (FY) 2012 Transportation-HUD Appropriations Bill or the next Surface Transportation Reauthorization Bill.

Contact information:

Robert Mariner, (202) 366–8914, robert.mariner@dot.gov.

Advantages:	Disadvantages:
None.	This program is not likely to be funded in the near future.
Recommendation:	
The City of Helena may want to monitor federal legislation that could fund another round of TIGER grants but the current economic and political landscape is not expected to be supportive of a TIGER III program. Therefore, the City should not rely on this funding source for the Quiet Zone initiative.	

11.2.3 Section 130 Federal Funding for Safety Upgrades

The Federal Section 130 Railway-Highway Crossings program funds MDT’s Highway Safety Improvement Program (HSIP), which is used to implement railroad grade crossing safety improvement projects, mainly grade crossing signals.

MDT does not solicit grant applications for these rail improvements. Instead, MDT utilizes a priority index, based on risk, to identify crossings that are in most need of improvement. All public rail crossings in Montana are on MDT’s priority index. Projects at the top of the priority index are funded as monies become available. MDT is willing to meet with project sponsors to inform them of how their crossings rank.

HSIP funds *cannot* be used for SSMs. HSIP funds can be used for:

- Crossing elimination by new grade separations, relocation of highways, relocation of roadways, relocation of railroads and crossing closure without other construction.
- Reconstruction of existing grade separations.
- Crossing improvement by:

- Installation of standard signs and pavement markings.
- Installation of STOP signs.
- Installation or replacement of active traffic control devices, including track circuit improvements and interconnection with highway intersection traffic signals.
- Crossing illumination.
- Crossing surface improvements.
- General site improvements.

In addition, MDT has adopted a policy where they will provide 50% of the funding required to install electronic warning signals at public railroad crossings if the local road authority will match the 50% state funding, dollar for dollar. This allows local entities to have warning signals installed outside of MDT’s normal priority index.

Contact information:

John Althoff, (406) 444-7247, jalthof@mt.gov

Advantages:	Disadvantages:
HSIP provides funding for railroad grade crossing safety improvement projects, with a special focus on new grade crossing warning signals or upgrades of existing electronic warning signals. Once installed, it is the railroad’s responsibility to maintain and operate these signals at its cost in perpetuity.	MDT has issued a policy which <i>prohibits</i> the use of safety funds to install SSMs, such as quadrant gates, wayside horns and raised medians. Funds for the program are dependent on congressional action. MDT’s normal priority funding may take years to obtain depending on where Helena’s crossings are ranked on the MDT priority index.
Recommendation:	
City staff may want to meet with John Althoff to find out how the City’s crossings rank on MDT’s priority index and how long it may take for the crossings to receive funding for improvements under the normal priority program. If the City wishes to install new electronic warning signals at any of the crossings, the City may want to inquire about the availability of 50% state matching funds for this purpose.	

11.2.4 FRA Safety Technology Grant Program

The FRA’s Safety Technology Grant program provides up to \$50 million in grant funding each year to eligible entities for projects that improve railroad safety and efficiency, based upon the availability of federal funding. A minimum 20 percent grantee cost share (cash or in-kind) is required.

According to the Program Manager, David Blackmore, it is “highly unlikely that the FRA would fund SSMS for the purpose of a railroad Quiet Zone designation.” Under this grant program, there are three tiers of priorities and SSMS would fall under Tier 3, the lowest priority. Last year, even with \$50 million in funding, the FRA did not have enough funding to award grants to all of the projects in Tier 1 (which focused on resolving issues related to the interoperability of positive train control collision avoidance systems). Tier 2 and Tier 3 priorities were not even considered for funding. This year the FRA anticipates that they will receive the same amount of funding—or less—than last year. Therefore, it is highly unlikely that any Tier 2 and Tier 3 priorities will be funded in 2011.

Contact information:

David Blackmore, (312) 835-3903, david.blackmore@dot.gov

Advantages:	Disadvantages:
The City of Helena is an eligible applicant. The project is technically eligible.	The project is highly unlikely to receive funding under this program based upon FRA’s funding priorities. Funding for this program is contingent upon congressional action.
Recommendation:	
Based upon the feedback received from the FRA, the City of Helena may want to avoid spending staff time and resources to develop a grant application for this program.	

Appendix 11.2.4 includes a Notice of Funding Availability of FRA Safety Technology Grant Program

11.2.5 Federal National Highway Traffic Safety Administration Funding

There are 14 active National Highway Traffic Safety Administration federal grant and loan programs. However, none of the programs fund construction activities.

The National Highway Traffic Safety Administration funds safety *programs*, not projects. This is not a viable funding source for the implementation of a railroad Quiet Zone.

Advantages:	Disadvantages:
None.	This program is not a viable funding source for the implementation of a railroad Quiet Zone.
Recommendation:	
The City of Helena should avoid spending staff time and resources to pursue Highway Safety Administration funding options for the purposes of a Quiet Zone designation.	

11.2.6 FRA Rail Line Relocation and Improvement Capital Grant Program

The FRA Rail Line Relocation and Improvement Capital Grant program funds construction projects that improve the route or structure of a rail line and 1) involve a lateral or vertical relocation of any portion of the rail line, or 2) is carried out for the purpose of mitigating the adverse effects of rail traffic on safety, motor vehicle traffic flow, community quality of life or economic development.

Quiet Zones and stand-alone grade crossing improvement projects are *not eligible* for funding under this program.

Advantages:	Disadvantages:
None.	Quiet Zone and stand-alone grade crossing improvement projects are <i>not eligible</i> for funding under this program.
Recommendation:	
The City of Helena should avoid spending staff time and resources to develop a grant application for this program.	

Appendix 11.2.6 FRA Rail Line Relocation and Improvement Capital Grant Program Notice of Funding Availability.

11.2.7 FRA Railroad Rehabilitation and Improvement Financing Program

The FRA Administrator is authorized to provide direct loans and loan guarantees up to \$35 billion for eligible projects. Up to \$7 billion is reserved for projects that benefit freight railroads other than Class I carriers.

Direct loans can fund up to 100% of a railroad project with repayment periods of up to 35 years. Interest rates are equal to the cost of government borrowing.

Eligible borrowers include railroads, state and local governments, government-sponsored authorities and corporations, joint ventures that include at least one railroad and limited option freight shippers who intend to construct a new rail connection.

Funding may be used to:

- Acquire, improve, or rehabilitate intermodal or rail equipment or facilities, including track, components of track, bridges, yards, buildings and shops
- Refinance outstanding debt incurred for the purposes listed above
- Develop or establish new intermodal or railroad facilities

Contact information:

Barbara Amani, (202) 493-6051, Barbara.Amani@dot.gov

<p>Advantages:</p> <p>The City of Helena is an eligible borrower. Direct loans can fund up to 100% of a railroad project with repayment periods of up to 35 years. Interest rates are low.</p>	<p>Disadvantages:</p> <p>The City of Helena would need to repay the loan. The application process can involve a substantial amount of work for potential applicants, particularly for smaller railroads or entities proposing projects that might require additional levels of review.</p>
<p>Recommendation:</p> <p>Regulations governing the RRIF Program include provisions for pre-application discussions between the FRA and potential applicants, which provide a foundation to better address expectations about both the timing and ultimate outcome of the process. If the City of Helena is interested in exploring this financing option, city staff may wish to schedule a pre-application meeting or conference call to discuss the proposed Quiet Zone project and request clarification on specific terms of the program. The FRA is also available to assist potential applicants in the development of a project outline.</p>	

11.2.8 Congressionally Directed Funding

FY 2012 congressionally directed funding is not a viable option for the implementation of a Quiet Zone. Congress is currently operating under a two-year earmark moratorium.

Some congressional offices are willing to communicate funding priorities to federal agencies (most congressionally directed funding accounts have federal agency grant program counterparts). It would then be up to the federal agency to

select projects for funding. However, the deadline for submitting project information to congressional offices for FY 2012 consideration was March 4, 2011.

Federal support in FY 2013 is a possibility but several uncertainties exist. First, the earmark moratorium could continue into FY 2013. Second, the funding account is currently in limbo. Congress proposed to eliminate funding for the non-competitive FRA Rail Line Relocation and Improvement (RLRI) account of the FY 2011 Transportation-HUD Appropriations Bill. That particular account had been used in FY 2008, FY 2009 and FY 2010 to fund rail improvement projects. When Congress proposed to eliminate funding for that account, FY 2011 FRA projects were transferred to the Federal Highway Administration (FHWA) STP account and project sponsors were instructed by appropriations committee staff to “work out the kinks with FHWA” once the bill was enacted. The bill was never enacted and uncertainty still remains about which account is the most funding source for a rail project.

Advantages:	Disadvantages:
<p>The application process is relatively straightforward.</p>	<p>FY 2012 funding is not an option.</p> <p>The possibility of the City securing FY 2013 funding is highly questionable due to several uncertainties with the federal appropriations process.</p> <p>If successful, FY 2013 funding for the project would not become available until the spring of 2013 at the very earliest.</p> <p>A 20% non-federal match is required by FHWA (10% if funds come through the FRA).</p>
Recommendation:	
<p>The City of Helena may want to monitor the FY 2013 federal appropriations process for potential opportunity but it is not recommended that the City rely on this funding source for the Quiet Zone initiative.</p>	

11.2.9 Tax Increment Financing (TIF) Options

TIF is a financing mechanism that leverages future gains in taxes to finance current improvements. For example, when a development project is carried out, there is often an increase in the value of surrounding commercial and residential real estate and an increase in new investments and improvements. This increased

site value and development can generate increased tax revenues for the community in which the project is located. These new, increased tax revenues are the tax increment.

Tax Increment Financing dedicates those tax increments *within a certain defined district* to finance debt issued to pay for the project *within that district*. TIF is designed to channel funding toward improvements in blighted, distressed or underdeveloped areas where development might not otherwise occur. TIF creates funding for "public" projects that may otherwise be unaffordable to localities, by borrowing against future property tax revenues.

According to legal counsel, however, the City of Helena *"could not create a TIF district for the sole purposes of financing the infrastructure necessary to enable the City of Helena to apply for a Quiet Zone designation as the conditions of blight do not exist because of the train horn."*

The implementation of a Quiet Zone *could potentially* be part of a larger, pre-established TIF district in an appropriate, defined area such as a distressed or underdeveloped ward that has commercial development opportunities.

State enabling legislation authorizes the City of Helena to designate TIF districts. The City could either wait for the taxes to accumulate before breaking ground or obtain a TIF bond and start the project. The TIF district usually lasts 20 years or just long enough to pay back the bonds issued to fund the improvements.

Most jurisdictions only allow bonds to be floated based upon a portion of the assumed increase in tax revenues (usually capped at 50%). For example, if a \$5 million annual tax increment is expected in a development, which would cover the financing costs of a \$50 million bond, only a \$25 million bond would be typically allowed. Providing that the project is moderately successful, this would mean that a good portion of the expected annual tax revenues (in this case over \$2 million) would be dedicated to other public purposes other than paying off the bond.

Advantages:	Disadvantages:
<p>Rail improvements could be a part of larger redevelopment efforts but only within a specific, distressed or undeveloped area with commercial development opportunities.</p>	<p>The majority of the property surrounding Helena's railroad crossings does not meet TIF conditions.</p> <p>Utilizing TIF to make rail improvements at one railroad crossing would not reduce the City's risk index sufficiently enough to obtain a Quiet Zone designation.</p>
Recommendation:	
TIF is not a recommended funding source for a Quiet Zone designation.	

11.2.10 Special Improvement District Financing

A Special Improvement District (SID) is a group of properties that become a legal entity in order to construct public improvements. Improvement costs are carried by property owners within the SID boundaries. A city must follow specific guidelines established by state law to create a SID. The typical process is outlined below.

After review by appropriate city departments, a report is forwarded to the City Commission regarding cost estimates, boundaries, district maps, ownership, and assessment and bonding data. The City Commission bases their decision to adopt the Resolution of Intent to Create upon this information.

If the City Commission adopts the Resolution of Intent to Create, the City would then publish a notice in a local newspaper and mail notices to all affected property owners within the proposed district. A public hearing date is also scheduled after the conclusion of the 15-day protest period.

State law gives all property owners within a proposed district the right to protest. The 15-day protest period allows property owners to submit formal written protest to the City Clerk. A 50% protest from affected property owners can “kill” a district.

Because the City of Helena’s General Fund is not designed to subsidize the costs of special improvements, it is necessary that those receiving the benefit of the improvements bear the costs, which would likely include construction, design engineering, inspections, SID administration, finance administration, advertising and notices and bonds. The district’s overhead costs may be as much as 40% of the construction costs. One challenge with using a SID could be selecting the manner of identifying and assessing affected property owners.

Assessments are spread upon the affected properties as provided by state law. The City would determine the method of assessment. Options include assessing based on area, assessed value, frontage, utility service connections or off-street parking. Assessment options under SID are somewhat limited and would not allow for the assessment based on other methods, such as identifying the properties most affected by train noise and then assessing accordingly.

Once construction bids are awarded, notices would be mailed to property owners providing the option of paying the entire amount within 30 days from the date of the notice. If the SID is not paid on the due date, it would be automatically placed on the individual property tax rolls. The property owner would then pay off the SID over a period of years, generally 12 to 15 years. Interest is determined by the bond sale and is charged against the unpaid principle.

After construction is complete, the final costs would be tabulated. If they are lower than originally assessed, the City could adopt a resolution amending the cost and lowering the costs of the properties. Any property that paid early would receive a refund and others would have future assessments lowered.

Advantages:	Disadvantages:
<p>A SID could be used to establish a railroad Quiet Zone.</p>	<p>SID financing does not continue beyond the term of the loan. After the loan is paid off, the City would be responsible for maintenance costs.</p> <p>The SID's overhead costs may be as much as 40% of the construction costs.</p> <p>Assessment options under SID are limited.</p> <p>It would cost approximately \$6,500 to mail public hearing notices.</p>
Recommendation:	
<p>The City of Helena may want to consider the following factors before moving forward with SID financing: affordability, public support and whether Montana Code Annotated 7-12-4162 through 7-12-4165 provides for an appropriate method of assessing project costs.</p>	

11.2.11 Special District Financing

Special District (SD) financing is similar to SID financing, with the exception that SD financing would provide the City of Helena with more latitude in terms of assessing the costs of the project to affected properties.

Montana Code Annotated 7-11-1024 authorizes the governing body of the SD to make assessments or impose fees for the costs and expenses of the SD based upon a budget proposed by the governing body or separate board administering the district pursuant to 7-11-1021.

As described in 7-11-24, a wide variety of assessment options are available to the governing body, including (3)(b)(ii), a calculated basis for the program or service.

A train horn decibel contour map is one tool that could be used to calculate the basis for the program or service. The train horn decibel map would essentially chart the “noise footprint” of the area impacted by the sound of the train horn. The train horn decibel contour map typically identifies multiple tiers of decibels,

beginning with the origin of the noise (the loudest point) and gradually phasing outward. The train horn decibel contour map could terminate at the point where the train horn decibel complies with Helena’s Noise Ordinance 5-7-3. Affected properties within the boundaries of the map could be assessed the costs of the project. The City may wish to charge tiered assessments based on data from the train horn decibel contour map.

This method of assessment is consistent with the rationale used to establish the City of Helena’s Noise Ordinance 5-7-3 which limits noise levels by decibel criteria.

Advantages:	Disadvantages:
<p>A SD could be used to create a program to address locomotive train horn noise, with assessments paid only by all city residents or just those who are impacted by the noise.</p> <p>The City is familiar with using SD financing; it was used to establish a Tree Maintenance District and a Landfill Monitoring and Maintenance District.</p>	<p>Affordability could be an issue depending on the total project cost and number of affected properties assessed.</p> <p>Pursuant to Montana Code Annotated 7-11-1006, the boundaries of the proposed special district must be mapped and clearly described before the district may be approved. The governing body or petitioners would be required to consult with a professional land surveyor, as defined in 37-67-101, to prepare a legal description of the boundaries for the proposed special district.</p>
Recommendation:	
<p>Before moving forward with SD financing, the City may want to consider the following factors: affordability, assessment options and public support for the creation of a SD.</p>	

11.2.12 General Obligation Bonds

A General Obligation bond is a bond backed by the taxing power and credit of the issuing state or local government. As described in Montana Code Annotated 7-7-4101, the City Commission has the power to contract a debt on behalf of the City of Helena for a variety of purposes. Pursuant to 7-7-4103, registered electors of the City of Helena may vote on any proposal to create or increase any indebtedness of the City.

Advantages:	Disadvantages:
A General Obligation bond could be a viable funding source for the designation of a Quiet Zone.	It is possible that voters may not approve of a proposal to create city indebtedness.
Recommendation:	
Before moving forward with a General Obligation bond, the City may want to consider the following factors: public support and total project cost.	

11.2.13 Street Maintenance Assessment

The City administers a Street Maintenance assessment that is placed on tax bills. The assessment pays for the operation of the City street and traffic divisions. These divisions routinely provide services such as street repair, cleaning, sweeping, snow removal, traffic signals, data collection, signs and pavement markings.

Funds from the Street Maintenance assessment can be set aside for maintenance-related improvements but funds *cannot* be used to pay for new construction.

Advantages:	Disadvantages:
The Street Maintenance assessment is already established. Street repair, traffic signals, signs and pavement markings are eligible expenditures.	Street Maintenance funds cannot be used for new construction.
Recommendation:	
This is not a viable funding source for a Quiet Zone designation.	

11.2.14 Gas Tax Fund

The City of Helena receives \$500,000 per year in gas taxes from the state and funds are typically used for road projects. The City of Helena could budget money from the Gas Tax Fund to pay for the infrastructure necessary for a Quiet Zone designation.

Advantages:	Disadvantages:
The Gas Tax Fund is an available financing mechanism.	Utilizing the Gas Tax Fund could delay other projects.
Recommendation:	
The City may want to consider budgeting Gas Tax Funds the infrastructure necessary for a Quiet Zone designation.	

Appendix 11.2.1 – A



Montana Rail Link

Montana Rail Link, Inc.
101 International Drive
Post Office Box 16390
Missoula, Montana
USA 59808

(406) 523-1500
(406) 523-1493 fax
www.montanarail.com

January 28, 2011

Melissa Lewis, Government Affairs Manager
Kadrmas Lee & Jackson
2969 Airport Road, Suite 18
P.O. Box 1567
Helena, MT 59624-1567

Subject: Your letter of January 25, 2011

Installation of new grade crossing warning signals or upgrades of existing electronic warning signals in Montana are almost exclusively authorized under the federal aid rail-highway crossing program as described in the United States Code Title 23, Section 130. The Montana Department of Transportation (MDT) under its Administrative Rules 18.6 Subchapter 3 administers use of these federal funds within the State of Montana.

Under this program, public funds are used to install, and when needed upgrade, electronic warning signals at railroad grade crossings. Once installed it is the railroad's responsibility to maintain and operate these signals at its cost in perpetuity. Given this ever increasing funding mandate for maintenance and operation of electronic warning signals, Montana Rail Link (MRL) does not currently have a grant program or funding resource available to assist private or public entities in funding installation or upgrade of electronic warning signals at railroad crossings on its system.

I should point out that MDT has adopted a policy where they will supply 50% of the funding required to install electronic warning signals at public railroad grade crossings if the local road authority will match the 50% state funding, dollar for dollar. This allows local entities to have warning signals installed outside of MDT's normal priority funding. For more specific information regarding this policy please contact John Althof with MDT's Highway-Rail Safety Program at 406-444-7247 (or by email jalthof@mt.gov).

SW/C-405....Quiet Zone

Melissa Lewis, Government Affairs Manager

January 28, 2011

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In your letter of January 25, 2011 you specifically mention quadrant gates, raised medians, wayside horns, signalization and signage. Use of these terms seems to imply that your specific question relates to the creation of railroad "Quiet Zones" and use of train horns at railroad grade crossings as mandated in 49 CFR Parts 222 thru 229 (Train Horn Rule). The Train Horn Rule recognizes the improvement in safety available when train horns are sounded at railroad grade crossings and mandates their use.

Recognizing the desire of certain communities to silence train horns within defined geographic limits, the Train Horn Rule provides methods of maintaining the minimum level of safety provided by the use of train horns at crossings in an area where normal train horn operation is restricted, i.e. a railroad Quiet Zone. The infrastructures mentioned in your letter such as quadrant gates, raised medians, etc. are defined as Supplemental Safety Measures (SSMs) under the Train Horn Rule.

It's important to understand that the use of SSMs is not meant to enhance safety at railroad grade crossings but to maintain a threshold level of safety at crossings where train horn use is restricted. As installation of SSMs is not considered a safety enhancement all railroads and some state departments of transportation, including MDT, have issued policies which prohibit use of safety funds to install SSMs. Consistent with this policy MRL does not provide any funding for use in creation of railroad Quiet Zones.

Your question regarding MRL assistance available for construction and installation of safety improvements, outside of the installation of crossing warning signals, is more difficult to answer. These type of safety improvements, such a pedestrian fencing and sight distance improvements, are very site specific. Assistance from MRL in these types of safety projects would be entirely dependent on the specific conditions, problems and deficiencies found at a given location. We cannot make a comment on the level of assistance which may be available, if any, until the specifics of the problem and/or location are fully studied and defined. MRL is always willing to discuss situations of concern to local officials, especially those which involve public safety, but I cannot make a blanket statement regarding the level of assistance which could be provided by MRL without knowing the specifics of a given situation.

SW/C-405....Quiet Zone

Melissa Lewis, Government Affairs Manager

January 28, 2011

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There is a joint MRL/MDT program to provide funding to local governments upon closure of a public grade crossing. MDT and MRL will provide a total of \$15,000 to a local government to offset their cost in permanently closing an existing public grade crossing. There are some requirements and restrictions on the availability and use of these funds but they are relatively simple and easy to satisfy. Outside of this blanket program there have been instances where MRL provided additional funding to facilitate the permanent closure of a public grade crossing. These situations are very similar to safety improvements at crossings outside of MDT's signal program in that the funding available from MRL is completely site specific. Funding assistance above the \$15,000 level would depend on the conditions, problems, and deficiencies found at a given crossing location. We are always anxious and very willing, to discuss closure of a railroad grade crossing with any entity, public or private, and would encourage those counties and cities that have a candidate for closure to contact us.

I hope this answers all of your questions. Please contact me at 406-523-1551 or by email at swerner@mtrail.com if you have additional concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Werner', with a long horizontal flourish extending to the right.

Steven Werner
Public Works Engineer

tjm

Appendix 11.2.4 – A

DEPARTMENT OF STATE**(Public Notice 6934)****Waiver of Restriction on Assistance to the Central Government of Uzbekistan Related to Budget Transparency**

Pursuant to section 7086(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Division F, Pub. L. 111-117) ("the Act"), and Department of State Delegation of Authority Number 245-1, I hereby determine that it is important to the national interest of the United States to waive the requirements of section 7086(c)(1) of the Act with respect to the Government of Uzbekistan, and I hereby waive such restriction.

This determination shall be reported to the Congress, and published in the **Federal Register**.

Dated: March 22, 2010,

Jacob J. Lew,

Deputy Secretary of State for Management and Resources,

[FR Doc. 2010-6910 Filed 3-26-10; 8:45 am]

BILLING CODE 4710-46-P

DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****(Docket No. FRA-2010-005-N-5)****Railroad Safety Technology Program Grant Program**

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of Funds Availability, Solicitation of Applications.

SUMMARY: The Rail Safety Technology Program is a newly authorized program under the Rail Safety Improvement Act of 2008 (RSIA) (Pub. L. 110-432; October 16, 2008). The program authorizes the Department of Transportation to provide grants to passenger and freight rail carriers, railroad suppliers, and State and local governments for projects that have a public benefit of improved railroad safety and efficiency. The program makes available \$50,000,000 in Federal funds. This grant program has a maximum 80 percent Federal and minimum 20 percent grantee cost share (cash or in-kind) match requirement.

DATES: FRA will begin accepting grant applications 10 days after publication of this Notice of Funding Availability in the **Federal Register**. Applications may be submitted until July 1, 2010. Reviews will be conducted immediately

following the solicitation close date. Selection announcements will be made on or around September 3, 2010.

ADDRESSES: Applications for grants under this Program must be submitted electronically to Grants.gov (<http://www.grants.gov>) following the detailed procedures in the grant application package online. The Grants.gov Web site allows organizations to find and apply electronically for competitive grant opportunities from all Federal grant-making agencies. Any entity wishing to submit an application pursuant to this notice should immediately initiate the process of registering with Grants.Gov.

FOR FURTHER INFORMATION CONTACT: Those interested in responding to this solicitation are strongly encouraged to first call Dr. Mark Hartong, FRA, Senior Electronics Engineer (Phone: (202) 493-1332; e-mail: Mark.Hartong@dot.gov), or Mr. David Blackmore, FRA, Program Manager-Advanced Technologies (Phone: (312) 835-3903, e-mail: David.Blackmore@dot.gov), to discuss the prospective idea, its potential responsiveness to the solicitation, and potential for FRA interest. Taking this action could forestall costly efforts by interested parties whose proposed work may not be of interest to FRA under this grant. Non-technical inquiries should be directed to the Grants Officer, Ms. Jennifer Capps (Phone: (202) 493-0112, e-mail: Jennifer.Capps@dot.gov).

SUPPLEMENTARY INFORMATION:

Authority and Funding: The Railroad Safety Technology Program (RSTP) authorized under section 105 of the RSIA (Division A, Pub. L. 110-432) (49 U.S.C. 20158), authorizes the appropriation of \$50 million annually for fiscal years (FY) 2009 through 2013. The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2010 provided \$50 million for this purpose.

Eligible Organizations: Title 49 U.S.C. 20158 provides that "Grants shall be made under this section to eligible passenger and freight railroad carriers, railroad suppliers, and State and local governments for projects * * * that have a public benefit of improved safety and network efficiency."

To be eligible for assistance, entities must have either received approval of the Technology Implementation Plans (TIP) and Positive Train Control Implementation Plans (PTCIP) required by 49 U.S.C. 20156(e)(2) and 20157, or demonstrate to the satisfaction of FRA that they are currently developing the required plans. Preference will be given in the following order:

1. Entities that have completed and received FRA approval of both their TIP and PTCIP.

2. Entities that have completed and received FRA approval of their PTCIP.

3. Entities that have submitted their PTCIP to FRA for approval.

4. Entities that have certified to FRA progress towards completion of their PTCIP and TIP.

5. All other entities.

Collaborative project submissions by freight and passenger carriers, suppliers, and State and local governments on eligible projects will be evaluated more favorably.

Eligible Projects: Grant awards will focus on using technologies or methods that are ready for deployment, or of sufficient technical maturity that they can be made ready for deployment within the 24 months of the grant award. FRA will give preference to collaborative projects by multiple railroads that have active railroad carrier and sponsoring public authority participation in the following order:

Priority 1: Projects that:

(a) Support the resolution of Northeast Corridor Positive Train Control (PTC) interoperability issues,

(b) Support the resolution of mixed freight and passenger PTC interoperability issues in the Los Angeles Basin, or

(c) Facilitate sharing of PTC communications infrastructure and spectrum.

Priority 2: Projects that:

(a) Support high-speed passenger operations using general freight PTC technologies,

(b) Optimize PTC deployment on the core 2015 PTC territory, or

(c) Support PTC deployment on non-2015 core PTC territory.

Priority 3: All other projects.

Selection Criteria: Applications will be evaluated and ranked based on both technical and cost/price factors.

Technical Factors (75% overall weighting):

1. Responsiveness to Solicitation Intent and Requirements (20%): Degree to which proposal meets the conceptual intent and submission requirements of the solicitation.

2. Significance for Implementing Interoperable PTC Deployment and Fit with FRA Mission (30%): Degree to which successful implementation of proposed idea would make interoperable PTC deployment more technically or economically practical (includes contribution to cost effectiveness, reliability, safety, availability, or maintainability), and fit within FRA's primary mission of ensuring the safety of the Nation's approximately 700 railroads.

3. Technical Merit (20%): Degree to which proposed ideas exhibit a sound

scientific and engineering basis; how well the proposed ideas could be practically applied in, and would be compatible with, the railroad environment; and perceived likelihood of technical and practical success.

4. **Key Personnel and Supporting Organization (15%):** The technical qualifications and demonstrated experience of key personnel proposed to lead and perform the technical efforts; qualifications of primary and supporting organizations to fully and successfully execute proposal plan within proposed timeframe and budget.

5. **Collaborative Efforts (15%):** The degree to which proposed effort is supported by multiple entities and the applicability and availability of results to the larger railroad industry.

Cost/Price Factor (25% overall weighting):

1. **Affordability and degree to which proposed effort appears to be a good value for the amount of funding requested.** This includes the reasonableness and realism of the proposed costs (60%).

2. **The extent of proposed cost sharing or cost participation under the proposed effort (exclusive of the applicant's prior investment) (40%).**

All evaluation factors other than cost or price, when combined, are significantly more important than cost or price alone. Technical evaluation is appreciably more important than cost or price and, as such, greater consideration shall be given to technical excellence rather than cost or price alone. An offer must be found acceptable under all applicable evaluation factors to be considered eligible for award. Awards will be made to responsible applicants whose offers provide the best value to the Government in terms of technical excellence, cost or price, and performance risk to include consistency and accord with the objectives of the solicitation and FRA's expressed areas of interest.

Requirements and Conditions for Grant Applications: Detailed application requirements and conditions may be found in the grant application guidance (RSS-RSTG-FY2010-1) for this solicitation on Grants.gov.

Information Collection: The Office of Management and Budget (OMB), under emergency clearance procedures, has approved the information collection associated with the Rail Safety Technology Program for 6 months. The approval number for this collection of information is OMB No. 2130-0587, and the expiration date is September 30, 2010. FRA will be publishing a Notice in the **Federal Register** shortly in which

the agency will be seeking regular OMB Clearance for this collection of information. Such approvals are normally good for 3 years. FRA will publish a Notice for this second OMB approval once it is obtained.

Issued in Washington, DC, on March 23, 2010.

Brenda Moscoso,

Acting Associate Administrator for Railroad Safety/Chief Safety Officer.

[FR Doc. 2010-6889 Filed 3-26-10; 8:45 am.]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket ID PHMSA-2010-0097]

Pipeline Safety: Workshop on Guidelines for Integrity Assessment of Cased Pipe

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

ACTION: Notice of workshop.

SUMMARY: PHMSA is holding a workshop on the integrity assessment of cased pipe for pipelines subject to integrity management program requirements. The workshop is intended to discuss PHMSA's recently issued guidance "Guidelines for Integrity Assessment of Cased Pipe in Gas Transmission Pipelines" and related Frequently Asked Questions (FAQs). The latest guidelines and FAQs are available online at: <http://primis.phmsa.dot.gov/gasimp/documents.htm>. The workshop focus will be for the public, pipeline operators, trade associations, and others to address ideas and concerns with using External Corrosion Direct Assessment integrity evaluation methods and use of other technologies to assess pipelines in casings located within high consequence areas.

The workshop will be held at the Sheraton Inner Harbor, 300 South Charles Street, Baltimore, MD 21201 on April 28, 2010.

ADDRESSES: The April 28, 2010, cased pipe workshop will be held at the Sheraton Inner Harbor, 300 South Charles Street, Baltimore, MD 21201. The meeting room will be posted at the hotel on the day of the workshop.

FOR FURTHER INFORMATION CONTACT: Max Kieba at (202) 493-0595, or by e-mail at max.kieba@dot.gov.

SUPPLEMENTARY INFORMATION:

Registration: Members of the public may attend this free workshop. The

workshop will not be webcast. Hotel reservations under the "U.S. Department of Transportation" room block for the night of April 27, 2010, can be made by contacting the hotel directly at 1-800-325-3535. A daily base rate of \$161.00 is available for the night of April 27, 2010. For this rate, room reservations must be made by April 13, 2010.

To help assure that adequate space is provided, all attendees are encouraged to register for the workshop at: <https://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=64>. Name badge pick-up and on-site registration will be available starting at 7:30 a.m. with the workshop taking place from 8:30 a.m. until approximately 5 p.m. Refer to the meeting Web site for updated agenda and times at <http://primis.phmsa.dot.gov/meetings/MtgHome.mtg?mtg=64>. All workshop presentations will be available on the meeting Web site within 30 days following the workshop.

Comments: Members of the public may also submit written comments, either before or after the workshop. Comments should reference Docket ID PHMSA-2010-0097. Comments may be submitted in the following ways:

- *E-Gov Web Site:* <http://www.regulations.gov>. This site allows the public to enter comments on any **Federal Register** notice issued by any agency. Follow the instructions for submitting comments.
- *Fax:* 1-202-493-2251.
- *Mail:* Docket Management System, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590.
- *Hand Delivery:* DOT Docket Management System, Room W12-140, on the ground floor of the West Building, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: Identify the Docket ID at the beginning of your comments. If you submit your comments by mail, please submit two copies. If you wish to receive confirmation that PHMSA has received your comments, include a self-addressed stamped postcard. Internet users may submit comments at <http://www.regulations.gov>. **Note:** Comments will be posted without changes or edits to <http://www.regulations.gov> including any personal information provided.

Please see the Privacy Act heading in the Regulatory Analyses and Notices section of the **SUPPLEMENTARY INFORMATION** for additional information.

Privacy Act Statement: Anyone may search the electronic form of all comments received for any of our dockets. You may review DOT's complete Privacy Act Statement in the

Appendix 11.2.6 – A

463; 5 U.S.C. app. 2), notice is given of an ARAC meeting to be held October 06, 2010.

The agenda for the meeting is as follows:

- Opening Remarks, Review Agenda and Minutes.
- FAA Report.
- ARAC Executive Committee Report.
- Transport Canada Report.
- Airworthiness Assurance

Harmonization Working Group (HWG) Report.

- Avionics HWG Report.
- Materials Flammability Working Group Formation.
- Any Other Business.
- Action Items Review.

Attendance is open to the public, but will be limited to the availability of meeting room space. Please confirm your attendance with the person listed in the **FOR FURTHER INFORMATION CONTACT** section no later than September 22, 2010. Please provide the following information: Full legal name, country of citizenship, and name of your industry association, or applicable affiliation. If you are attending as a public citizen, please indicate so.

The FAA will arrange for teleconference service for individuals wishing to join in by teleconference if we receive notice by September 22, 2010. For persons participating by telephone, please contact Ralen Gao by email or phone for the teleconference call-in number and passcode. Anyone calling from outside the Arlington, VA, metropolitan area will be responsible for paying long-distance charges.

The public must make arrangements by September 22, 2010, to present oral statements at the meeting. Written statements may be presented to the ARAC at any time by providing 25 copies to the person listed in the **FOR FURTHER INFORMATION CONTACT** section or by providing copies at the meeting. Copies of the documents to be presented to ARAC may be made available by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

If you need assistance or require a reasonable accommodation for the meeting or meeting documents, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section. Sign and oral interpretation, as well as a listening device, can be made available if requested 10 calendar days before the meeting.

Issued in Washington, DC, on September 3, 2010.

Dennis R. Pratte, II,

Acting Director, Office of Rulemaking,

[FR Doc. 2010-22631 Filed 9-9-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2010-40]

Petition for Exemption; Summary of Petition Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petition for exemption received.

SUMMARY: This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

DATES: Comments on this petition must identify the petition docket number involved and must be received on or before September 30, 2010.

ADDRESSES: You may send comments identified by Docket Number FAA-2010-0765 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.

- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.

- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy: We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

Docket: To read background documents or comments received, go to

<http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Mark Forseth, ANM-113, (425) 227-2796, Federal Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98057-3356, or Katherine Haley, (202) 493-5708, Office of Rulemaking (ARM-203), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on September 7, 2010.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

Petition for Exemption

[Docket No.: FAA-2010-0765]

Petitioner: Airbus S.A.S.
Section of 14 CFR Affected: 14 CFR 26.33 (d),(e),(f) and (h).

Description of Relief Sought:

Temporary exemption from compliance with timely issuance of service bulletins and instructions for continued airworthiness. These documents will be ready for release to airplane operators approximately one year after their part 26 compliance deadline.

[FR Doc. 2010-22595 Filed 9-9-10; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Program for Capital Grants for Rail Line Relocation and Improvement Projects

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of funding availability.

SUMMARY: Under this Notice, the FRA encourages eligible applicants to submit applications for grants to fund eligible rail line relocation and improvement projects. This Notice of Funds Availability (NOFA) does not apply to the 27 projects specifically enumerated in the Consolidated Appropriations Act, 2010 (Pub. L. 111-117 (December 16, 2009)) or the 23 projects specifically enumerated in the Omnibus Appropriations Act, 2009 (Pub. L. 111-8 (March 11, 2009)).

DATES: Applications for funding under this solicitation are due no later than 5 p.m. EDT, October 29, 2010 and must

be submitted via Grants.gov. See Section 3 for additional information regarding the application process. FRA reserves the right to modify this deadline.

FOR FURTHER INFORMATION CONTACT: For further information regarding this notice and the grants program, please contact John Winkle via e-mail at John.Winkle@dot.gov, or by mail: U.S. Department of Transportation, Federal Railroad Administration, 1200 New Jersey Avenue, SE., MS-20, Washington, DC 20590 Attn: John Winkle.

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Section 1: Financial Assistance Description

1.1 Authority

The authority for the Program can be found in 49 U.S.C. 20154 and at 49 CFR Part 262.

1.2 Program Description and Legislative History

To assist State and local governments, Congress in the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, August 10, 2005) authorized the Program for Capital Grants for Rail Line Relocation and Improvement Projects (Program). Section 9002 of SAFETEA-LU amended chapter 201 of Title 49 of the United States Code by adding § 20154, which authorized, but did not appropriate, \$350,000,000 per year for each of the fiscal years 2006 through 2009 for the purpose of funding the Program (Catalog of Federal Domestic Assistance (CFDA) Program Number 20.320). SAFETEA-LU also directed FRA to promulgate a regulation that establishes the Program. That final rule was published on July 11, 2008 and can be found at 73 FR 39875 (49 CFR Part 262).

In Fiscal Year (FY) 2009, Congress appropriated \$25,000,000 and directed that \$17,100,000 be awarded to 23 specific projects, with \$7,900,000 left over for discretionary grants. Subsequently, in FY 2010, Congress appropriated \$34,532,000 for the Program, and directed that \$24,519,200 go to 27 specifically enumerated

projects. The remaining \$10,012,800 will be combined with the \$589,700 remaining from the FY 2008 competition, \$2,000,000 that was awarded to one of the FY 2008 projects but which the project sponsors ultimately turned down, and the \$7,900,000 in FY 2009 discretionary funding. As a result, FRA has a total of \$20,502,500 available for the FY 2010 competition. This NOFA does not apply to the 23 specific projects identified in FY 2009 or the 27 specific projects identified in FY 2010.

1.3 Funding Approach

The Omnibus Appropriations Act, 2009, provided \$7,900,000 for discretionary grants. Likewise, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010, provided \$10,012,800. As discussed above, FRA is combining these amounts with \$589,700 remaining from the FY 2008 competition and \$2,000,000 that was awarded under the FY 2008 competition to a project that ultimately was declined by the project sponsors, and will award up to \$20,502,500 in discretionary grants. The funding provided under these grants will be made available to grantees on a reimbursement basis. As in FY 2008, FRA expects that the available funding will support multiple project applications. FRA may choose to award a grant or grants within the available funds in any amount.

An approved applicant, or other non-Federal party, must pay at least 10 percent of the costs of any project funded by a grant awarded through the Program. Applicants should indicate whether funding made available through grants provided under this Program, together with committed funding from other sources, including the required match, will be sufficient to complete the overall project or a discrete portion of the project. FRA expects to award grants to multiple eligible participants.

Section 2: Eligibility Information

Applications for rail line relocation and improvement projects will be required to meet minimum requirements related to applicant eligibility, project eligibility, and the fulfillment of other prerequisites. To the extent that an application's substance exceeds the minimum eligibility requirements described below, such qualifications will be considered in evaluating the merits of an application.

2.1 Eligible Applicant Types

Only States, political subdivisions of States, and the District of Columbia are

eligible for grants under the Program (see 49 CFR 262.3 and 262.7). FRA considers political subdivisions of States to be entities such as cities, counties, townships, boroughs, and villages. If an applicant is not one of these traditional political subdivisions, then the applicant must prove to FRA's satisfaction that, *under the applicable State law*, the applicant is a political subdivision of the State.

In making this determination, FRA will look primarily to the intent of the State legislature when creating the entity. Thus, FRA will likely find persuasive enabling legislation establishing the entity if the legislation states clearly that the entity is a political subdivision of the State. Similarly, FRA will also consider State appellate court opinions where the court finds that the entity is a political subdivision of the State. Opinions from the State Attorney General also may be used to bolster the above authorities. If nothing conclusively states that the entity is a political subdivision of the State, FRA will review all submitted information and attempt to determine legislative intent. If applicant eligibility is a potential issue, the applicant is encouraged to contact FRA before submitting an application and FRA will make an eligibility determination.

2.2 Cost Sharing and Matching

An approved applicant, or other non-Federal party, must pay at least 10 percent of the costs of any project funded by a grant awarded through the Program. Applicants must specify the match amount in their application.

2.3 Eligible Projects

In accordance with SAFETEA-LU, eligible projects are construction projects undertaken for the improvement of the route or structure of a rail line that either: (1) Are carried out for the purpose of mitigating the adverse effects of rail traffic on safety, motor vehicle traffic flow, community quality of life, or economic development; or (2) involve a lateral or vertical relocation of any portion of the rail line (see 49 CFR 262.7).

FRA wants to emphasize that in order for the project to be eligible, *the rail line must be the element that is moved or improved*. Grade separation projects that involve raising or lowering the road, for example are not eligible. Similarly, quiet zone and stand-alone grade crossing improvement projects are not eligible. Likewise, station improvement projects where there is little or no related track work are not eligible. As explained in the Final Rule, if station or grade crossing improvements are part of

an otherwise eligible rail line relocation or improvement project, then the costs associated with the grade crossing or station work may be eligible (*see* 73 FR 39879). The majority of the work must involve relocating or improving a rail line. Finally, if an applicant is undertaking a larger project that would be eligible, but is applying to FRA for funding for a small portion that is not eligible (e.g., an applicant is undertaking a large rail improvement involving upgrading grade crossing equipment and applies to FRA for funds to cover the grade crossing improvements), the fact that the larger project would be eligible does not mean that FRA can fund the smaller, ineligible project. If project eligibility is a potential issue, applicants are encouraged to contact FRA before submitting an application and FRA will make an eligibility determination.

Pre-construction activities, such as preliminary engineering and design work and project-level environmental compliance, are considered part of the overall construction project (*see* 49 CFR 262.3(6)). Because section 9002 of SAFETEA-LU directs that only construction costs are eligible costs, *activities such as planning studies and feasibility analyses are not eligible costs.*

Section 3: Application and Submission Information

3.1 Applying Online

Applications for these funds must be submitted through Grants.gov by 5 p.m. EDT on October 29, 2010. Applicants are strongly encouraged to apply early to ensure that all materials are received before this deadline.

To apply for funding through Grants.gov, applicants must be properly registered. Complete instructions on how to register and submit an application can be found at Grants.gov.

Registering with Grants.gov is a one-time process; however, it can take up to several weeks for first-time registrants to receive confirmation and a user password. FRA recommends that applicants start the registration process as early as possible to prevent delays that may preclude submitting an application package by the application deadline. Applications will not be accepted after the due date. Delayed registration is not an acceptable justification for an application extension.

In order to apply for funding under this announcement and to apply for funding through Grants.gov, all applicants are required to complete the following:

1. *Acquire a DUNS Number.* A Data Universal Numbering System (DUNS) number is required for Grants.gov registration. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for Federal assistance applicants, recipients, and sub recipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Applicants may obtain a DUNS number by calling 1-866-705-5711 or by applying online at <http://www.dnb.com/us>.

2. *Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.* All applicants for Federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about Federal financial assistance applicants, recipients, and sub recipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status, so it is critical to check registration status well in advance of the application deadline. Information about CCR registration procedures can be accessed at <http://www.ccr.gov>.

3. *Acquire an Authorized Organization Representative (AOR) and a Grants.gov Username and Password.* Applicants must complete an AOR profile on Grants.gov and create a username and password. Applicants must use the organization's DUNS number to complete this step. Additional information about the registration process is available at http://www.grants.gov/applicants/get_registered.jsp.

4. *Acquire Authorization for your AOR from the E-Business Point of Contact (E-Biz POC).* The Applicant's E-Biz POC must log in to Grants.gov to confirm a representative as an AOR. Please note that there can be more than one AOR at an organization.

5. *Search for the Funding Opportunity on Grants.gov.* The Catalog of Federal Domestic Assistance (CFDA) number for this opportunity is 20.320. It is titled "Rail Line Relocation and Improvement."

6. *Submit an Application Addressing All of the Requirements Outlined in this Funding Availability Announcement.* Within 24 to 48 hours after submitting an electronic application, an applicant should receive an e-mail validation message from Grants.gov. The validation message will explain whether the application has been received and validated or rejected, with an explanation. Applicants are urged to submit an application at least 72 hours prior to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

If you experience difficulties at any point during this process, please call the Grants.gov Customer Center Hotline at 1-800-518-4726, 24 hours a day, 7 days a week (closed on Federal holidays).

Note: Please use generally accepted formats such as .pdf, .doc, .docx, .xls, .xlsx and .ppt, when uploading attachments. While applicants may embed picture files, such as .jpg, .gif, and .bmp, in document files, please do not submit attachments in these formats. Additionally, the following formats will not be accepted: .com, .bat, .exe, .vbs, .cfg, .dat, .db, .dbf, .dll, .ini, .log, .ora, .sys, and .zip.

3.2 Address To Request/Submit Application Package

To request a hard copy of the application package, please contact John Winkle, Office of Railroad Policy and Development (RPD-11), Federal Railroad Administration, 1200 New Jersey Avenue, SE., Room W38-311, Washington, DC 20590. Phone: (202) 493-6360; Fax: (202) 493-6333; E-mail: John.Winkle@DOT.gov.

Any additional required attachments that an applicant is unable to submit via Grants.gov, such as oversized engineering drawings, may be submitted to the above address. Applicants should submit one original and two (2) copies of the material. However, due to delays caused by enhanced screening of mail delivered via the U.S. Postal Service, applicants are advised to use other means of conveyance (such as courier service) to assure timely receipt of materials.

3.3 Content of Application

3.3.1 On-Line Application

The on-line application must be completed and submitted using Grants.gov after Central Contractor

Registry (CCR) registration is confirmed. The on-line application includes the following required forms and submissions:

- Construction Projects:*
- Standard Form 424, Application for Federal Assistance
 - Standard Form 424C, Budget Information—Construction
 - Standard Form 424D, Assurances—Construction Programs
 - FRA's Additional Assurance and Certifications, available at <http://www.fra.dot.gov/downloads/admin/assurancesandcertifications.pdf>
- Project Narrative/Statement of Work (described in 3.4.1 below)
- Detailed Budget (described in 3.4.2 below)
- NEPA Documentation, as applicable
- Non-Construction Projects:*
- Standard Form 424, Application for Federal Assistance
 - Standard Form 424A, Budget Information—Non-Construction Programs
 - Standard Form 424B, Assurances—Non-Construction Programs
 - FRA's Additional Assurance and Certifications, available at <http://www.fra.dot.gov/downloads/admin/assurancesandcertifications.pdf>
- Project Narrative/Statement of Work (described in 3.4.1 below)
- Detailed Budget (described in 3.4.2 below)

Any additional required attachments (for application materials that an applicant is unable to submit via Grants.gov), such as oversized engineering drawings, applicants may submit an original and two (2) copies to the Federal Railroad Administration, Attention: John Winkle, Office of Railroad Policy and Development (RPD-11), Room W38-311, 1200 New Jersey Avenue, SE., Washington, DC 20590.

3.4 Detailed Application Requirements

3.4.1 Project Narrative/Statement of Work

The following points describe the minimum content which will be required in the project narrative/statement of work elements of grant applications. These requirements may be satisfied through a narrative statement submitted by the applicant, supported by spreadsheet documents, tables, drawings, and other materials, as appropriate. FRA recommends that applicants read this section carefully and submit all required information. *If an application does not address each of these requirements to FRA's satisfaction, the application will be considered incomplete and will not be scored.* Applicants should send an

e-mail message to paxrail@dot.gov confirming that an application was submitted. Each grant application must:

1. Designate a point of contact for the applicant and provide his or her name and contact information, including phone number, mailing address and e-mail address. The point of contact must be an employee of an eligible applicant (*i.e.*, a State employee, or an employee of a political subdivision of a State, or an employee of the District of Columbia).
2. Include a detailed project description with an explanation of how the project is an eligible project.
3. Include a thorough discussion of how the project meets all of the selection criteria. Applicants should note that FRA evaluates applications based upon the selection criteria. If an application does not sufficiently address the selection criteria, FRA will have little or no basis on which to evaluate the application; thus, it will likely not be a competitive application. The selection criteria are described in detail in Section 4.1, below.
4. Explain how the applicant is an eligible applicant. For a full discussion of how an applicant can meet this burden, see Eligible Participants, above.
5. Provide a detailed scope of work for the proposed project and include the anticipated project schedule. Describe the proposed project's physical location (as applicable), and include any drawings, plans, or schematics that have been prepared relating to the proposed project. If the funding from the Program is only going to be a component of the overall funding for the project, describe the complete project and specify which component will involve FRA funding. Applications should include feasibility determinations and cost estimates, if completed. FRA will more favorably consider applications that include these types of studies, as they demonstrate that an applicant has a definite understanding of the scope and cost of the project. In submitting applications, applicants should be mindful that the Program, as created by Congress and, as further described in the Final Rule, is focused upon construction projects (see 49 CFR §§ 262.3 and 262.7). If FRA approves a project for funding, allowable costs (*i.e.*, costs that can qualify for reimbursement from Federal funds or as part of the required non-Federal match) will have to directly support project construction. Section 262.3 identifies the types of activities that are associated with "construction" and thus are potentially allowable. In terms of project development, FRA will consider as potentially allowable any costs associated with the preparation of

architectural and engineering plans, project cost estimates, and project-specific construction-related costs (including costs associated with securing environmental clearance as described in § 262.15 of the Final Rule). As discussed above under "Eligible Projects," FRA will not consider as potentially allowable any costs associated with planning studies and similar analyses. For approved projects, construction-related expenditures may qualify as allowable, even if they are incurred in advance of the execution of the grant agreement between the applicant and FRA, provided they otherwise satisfy eligibility standards.

6. Describe proposed project implementation and project management arrangements. Include descriptions of expected arrangements for project contracting, contract oversight, change-order management, risk management, and conformance to Federal requirements for project progress reporting.

7. Describe the anticipated public and private benefits associated with the proposed project and the applicant's assessment of how those benefits outweigh the costs of the proposed project (see 49 CFR 262.11(b)). Identify any financial contributions or commitments the applicant has secured from private entities that are expected to benefit from the project. Although FRA will weigh all of the selection criteria, potential applicants should be aware that FRA is seeking the maximum public benefit from these limited funds. Moreover, in directing FRA to establish the Program, Congress instructed FRA to consider the feasibility of seeking financial contributions or commitments from private entities involved with projects in proportion to the expected benefits that would accrue to those entities. As FRA explained in the preamble to the Final Rule, however, FRA will apply all the selection criteria and will not disfavor one application over another because of the amount requested.

8. Describe anticipated environmental or historic preservation impacts associated with the proposed project, any environmental or historic preservation analyses that have been prepared, and progress toward completing any environmental documentation or clearance required for the proposed project under the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), section 4(f) of the DOT Act, the Clean Water Act, or other applicable Federal or State laws. Refer to 49 CFR § 262.15 for further guidance.

Generally, grant recipients may not expend any of the funds provided in an award on construction or other activities that represent an irretrievable commitment of resources to a particular course of action affecting the environment until after all environmental and historic preservation analyses required by the NEPA, the NHPA (16 U.S.C. 470(f)), and related laws and regulations have been completed and FRA has provided the grant recipient with a written notice authorizing them to proceed.

In instances where NEPA approval has not been secured at the time of grant award, grant recipients are required to assist FRA in its compliance with the provisions of NEPA, the Council on Environmental Quality's regulations implementing NEPA (40 CFR part 1500 *et seq.*), FRA's "Procedures for Considering Environmental Impacts" (45 FR 40854, June 16, 1980, as revised May 26, 1999, 64 FR 28545), Section 106 of the NHPA, and related environmental and historic preservation statutes and regulations. As a condition of receiving financial assistance under an award, grant recipients may be required to conduct certain environmental analyses and to prepare and submit to FRA draft documents required under NEPA, NHPA, and related statutes and regulations.

No publicly-owned land from a park, recreational area, or wildlife or waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials shall be used by grant recipients without the prior written concurrence of FRA. Grant recipients shall assist FRA in complying with these requirements of 49 U.S.C. 303(c).

Applicants are advised to consult with the FRA's Office of Railroad Policy and Development before initiating any NEPA, NHPA or Section 4(f) environmental or historic preservation reviews.

9. Format: Excluding spreadsheets, drawings, and tables, the Project Narrative/Statement of Work for grant applications may not exceed 35 pages in length. FRA will not consider any application that includes a narrative that exceeds 35 pages. With the exclusion of oversized engineering drawings (which may be submitted in hard copy to the FRA at the address above), all application materials should be submitted as attachments through Grants.Gov. Spreadsheets consisting of budget or financial information should be submitted via Grants.Gov as

Microsoft Excel (or compatible) documents.

3.4.2 Detailed Budget

Applicants must present a detailed budget for the proposed project that includes both Federal funds and matching funds. Items of cost included in the budget must be reasonable, allocable and necessary for the project.

For a construction project, at a minimum, the budget should separate total cost of the project into the following categories, if applicable: (1) Administrative and legal expenses; (2) Land, structures, rights-of-way, and appraisals; (3) Relocation expenses and payments; (4) Architectural and engineering fees; (5) Project inspection fees; (6) Site work; (7) Demolition and removal; (8) Construction labor, supervision, and management; (9) Materials, by type (e.g. ties, rail, signals, switches); (10) Miscellaneous; and (11) Contingencies.

For a non-construction project, at a minimum, the budget should separate total cost of the project into the following categories, if applicable: (1) Personnel; (2) Fringe Benefits; (3) Travel; (4) Equipment; (5) Supplies; (6) Consultants/Contracts; (7) Other; and (8) Indirect Costs.

See Appendix 3 of this solicitation for more information on project budgets.

3.4.3 Submission Dates and Times

Complete applications must be submitted to Grants.gov (as specified in Section 3.1) no later than 5 p.m. EDT, October 29, 2010. Grants.gov will send the applicant an automated e-mail confirming receipt of the application. Supporting documentation that cannot be submitted electronically may be sent by courier service with a waybill receipt stamped no later than 5 p.m. EDT, October 29, 2010. FRA will e-mail the applicant to confirm receipt of supporting documentation sent by courier service.

Subject to demonstration of unanticipated extenuating circumstances, FRA may, but is not obligated to, consider application materials submitted after the deadlines prescribed above.

FRA reserves the right to contact applicants with any concerns, questions, or comments related to applications.

3.4.4 Intergovernmental Review

Executive Order 12372 requires applicants from State and local units of government or other organizations providing services within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if

one exists, and if this program has been selected for review by the State.

Applicants must contact their State SPOC to determine if the program has been selected for State review. Executive Order 12372 can be referenced at <http://www.fws.gov/policy/library/rgeo12372.pdf>. The names and addresses of the SPOCs are listed on OMB's home page available at <http://www.whitehouse.gov/omb/grants/spoc.html>.

Section 4: Application Review Information

4.1 Selection Criteria

FRA will consider the following selection factors in evaluating applications for grants under this program (see 49 CFR 262.9):

1. The capability of the applicant to fund the project without Federal grant funding;
2. The effects of the rail line, relocated or improved as proposed, on motor vehicle and pedestrian traffic, safety, community quality of life, and area commerce;
3. The effects of the rail line, relocated, or improved as proposed, on the freight rail and passenger rail operations on the line;
4. Equitable treatment of the various regions of the United States;
5. Any other factors FRA determines to be relevant in assessing the effectiveness and/or efficiency of the grant application, including the cost-effectiveness of the proposed project in terms of benefits achieved in relation to the funds expended. In the preamble to the Final Rule, FRA provided an extensive, but not exhaustive, list of possible data items that could be used to support a cost-effectiveness determination. That list can be found at 73 FR 39875.

Section 5: Award Administration Information

5.1 Award Notices

Should FRA select a project for funding, notification of application approval is made through the GrantSolutions (GS) system. Selectees should follow the directions in the notification and log into GS to access the award document. The authorized grantee official should carefully read the award and terms/conditions documents. The grantee must either *accept* or *decline* the award in GS.

The period of performance for this grant program is dependent on the project. However, any unobligated funds will be deobligated at the end of the 90 day close-out period, provided for in Appendix 2.4. Extensions to the period

of performance will be considered only through written requests to FRA with specific and compelling justifications why an extension is required.

5.2 Administrative and National Policy Requirements

The grantee and any subgrantee shall comply with all applicable laws and regulations. For a non-exclusive list of regulations commonly applicable to FRA grants refer to Appendix 1.

5.3 General Requirements

Grant recipients must comply with reporting requirements. All post-award information pertaining to reporting, auditing, monitoring, and the close-out process is detailed in Appendix 2.

Appendix 1: Administrative and National Policy Requirements

Appendix 1.1 Standard Financial Requirements

Administrative Requirements

- 49 CFR Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 49 CFR Part 19, Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

Cost Principles

- 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
- 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
- 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB A-122)
- Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

Audit Requirements

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

Appendix 1.2 Administrative and National Policy Requirements

Grant recipients must follow all administrative and national policy requirements including: procurement standards, compliance with Federal civil rights laws and regulations, disadvantaged business enterprises (DBE), debarment and suspension, drug-free workplace, FRA's and OMB's Assurances and Certifications, Americans with Disabilities Act (ADA), Buy America, environmental protection, National Environmental Policy Act (NEPA), and environmental justice.

Appendix 1.3 Freedom of Information Act (FOIA)

As a Federal agency, FRA is subject to the Freedom of Information Act (FOIA) (5 U.S.C. 552), which generally provides that any person has a right, enforceable in court, to

obtain access to Federal agency records, except to the extent that such records (or portions of them) are protected from public disclosure by one of nine exemptions or by one of three special law enforcement record exclusions. Grant applications and related materials submitted by applicants pursuant to this guidance will become agency records, and thus are subject to the FOIA and to public release through individual FOIA requests. FRA also recognizes that certain information submitted in support of an application for funding in accordance with this guidance could be exempt from public release under FOIA as a result of the application of one of the FOIA exemptions, most particularly Exemption 4, which protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential (5 U.S.C. 552(b)(4)). In the context of this grant program, commercial or financial information obtained from a person could be confidential if disclosure is likely to cause substantial harm to the competitive position of the person from whom the information was obtained (*see National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765, 770 (D.C. Cir. 1974)). Entities seeking exempt treatment must provide a detailed statement supporting and justifying the request and should follow FRA's existing procedures for requesting confidential treatment in the railroad safety context found at 49 CFR 209.11. As noted in the Department's FOIA implementing regulation (49 CFR part 7), the burden is on the entity requesting confidential treatment to identify all information for which exempt treatment is sought and to persuade the agency that the information should not be disclosed (*see* 49 CFR 7.17). The final decision as to whether the information meets the standards of Exemption 4 rests with FRA.

Appendix 2: Additional Information on Award Administration and Grant Conditions

Appendix 2.1 Reporting Requirements

Reporting requirements must be met throughout the life of the grant (refer to the program guidance and the special/general provisions found in the award package for a full explanation of these requirements).

- Progress Reports—Progress reports are to be submitted quarterly. These reports must relate the state of completion of items in the Statement of Work to expenditures of the relevant budget elements. The grant recipient must furnish the quarterly progress report to the FRA on or before the 30th calendar day of the month following the end of the quarter being reported. Grantees must submit reports for the periods: January 1–March 31, April 1–June 30, July 1–September 30, and October 1–December 31. Each quarterly report must set forth concise statements concerning activities relevant to the project, and should include, but not be limited to, the following: (a) An account of significant progress (findings, events, trends, etc.) made during the reporting period; (b) a description of any technical and/or cost problem(s) encountered or anticipated that will affect completion of the grant within the time and fiscal

constraints as set forth in the agreement, together with recommended solutions or corrective action plans (with dates) to such problems, or identification of specific action that is required by the FRA, or a statement that no problems were encountered; and (c) an outline of work and activities planned for the next reporting period.

- Quarterly Federal Financial Report (SF-425)—The Grantee must submit a quarterly Federal financial report electronically in the GrantSolutions system, on or before the thirtieth (30th) calendar day of the month following the end of the quarter being reported (e.g., for quarter ending March 31, the SF-425 is due no later than April 30). A report must be submitted for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. The Grantee must use SF-425, Federal Financial Report, in accordance with the instructions accompanying the form, to report all transactions, including Federal cash, Federal expenditures and unobligated balance, recipient share, and program income.
- Interim Report(s)—If required, interim reports will be due at intervals specified in the Statement of Work and must be submitted to FRA.
- Final Report(s)—Within 90 days of the Project completion date or termination by FRA, the Grantee must submit a Summary Project Report in the GrantSolutions system. This report should detail the results and benefits of the Grantee's improvement efforts.
- Reports, Presentations and Other Deliverables—Whether for technical examination, administrative review, or publication, all submittals shall be of a professional quality and suitable for their intended purpose. Due dates for submittals shall be based on the specified intervals or days from the effective date of the agreement.

Appendix 2.2 Audit Requirements

Grant recipients that expend \$500,000 or more of Federal funds during their fiscal year, combined from all sources, are required to submit an organization-wide financial and compliance audit report. The audit must be performed in accordance with U.S. General Accountability Office, Government Auditing Standards, located at <http://www.gao.gov/govaud/ybk01.htm>, and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. Currently, audit reports must be submitted to the Federal Audit Clearinghouse no later than nine months after the end of the recipient's fiscal year. In addition, FRA and the Comptroller General of the United States must have access to any books, documents, and records of grant recipients for audit and examination purposes. The grant recipient will also give FRA or the Comptroller, through any authorized representative, access to, and the right to examine all records, books, papers or documents related to the grant. Grant recipients must require that sub-grantees comply with the audit requirements set forth in OMB Circular A-133. Grant recipients are responsible for ensuring that sub-recipient audit reports are received and for resolving any audit findings.

Appendix 2.3 Monitoring Requirements

Grant recipients will be monitored periodically by FRA to ensure that the project goals, objectives, performance requirements, timelines, milestones, budgets, and other related program criteria are being met. FRA will conduct monitoring activities through a combination of office-based reviews and onsite monitoring visits. Monitoring will involve the review and analysis of the financial, programmatic, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed. The recipient is responsible for monitoring award activities, including sub-awards and sub-grantees, to provide reasonable assurance that the award is being administered in compliance with Federal requirements. Financial monitoring responsibilities include the accounting of recipients and expenditures, cash management, maintaining of adequate financial records, and refunding expenditures disallowed by audits.

Appendix 2.4 Closeout Process

Project closeout occurs when all required project work and all administrative procedures described in 49 CFR section 262.19, as applicable, have been completed, and when FRA notifies the grant recipient and forwards the final Federal assistance payment, or when FRA acknowledges the grant recipient's remittance of the proper refund. Project closeout should not invalidate any continuing obligations imposed on the Grantee by an award or by the FRA's final notification or acknowledgment. Within 90 days of the Project completion date or termination by FRA, grantees agree to submit a final Federal Financial Report (SF-425), a certification or summary of project expenses, a final report, and third party audit reports, as applicable.

Appendix 3: Additional Information on Applicant Budgets

The information contained in this appendix is intended to assist applicants with developing the SOW budget and OMB Standard Forms 424A: Budget Information—Non-Construction Programs and 424C: Budget Information—Construction Programs, as described in Section 3.3.1.

Appendix 3.1 Non-Construction Project Budgets

Applicants must present a detailed budget for the proposed project that includes both Federal funds and matching funds. Items of cost included in the budget must be reasonable, allocable, and necessary for the project. At a minimum, the budget should separate total cost of the project into the following categories and provide a basis of computation for each cost:

- **Personnel:** List each position by title and name of employee, if available, and show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

- **Fringe Benefits:** Fringe benefits should be based on actual known costs or an

established formula. Fringe benefits are for personnel listed in the "Personnel" budget category and only for the percentage of time devoted to the project.

- **Travel:** Itemize travel expenses of project personnel by purpose (training, interviews, and meetings). Show the basis of computation (e.g., X people to Y-day training at \$A airfare, \$B lodging, \$C subsistence).

- **Equipment:** List non-expendable items that are to be purchased. Nonexpendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000.) Expendable items should be included either in the "Supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

- **Supplies:** List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000.) Generally, supplies include any materials that are expendable or consumed during the course of the project.

- **Consultants/Contracts:** Indicate whether applicant's written procurement policy (see 49 CFR 16.36) or the Federal Acquisition Regulations (FAR) are followed. **Consultant Fees:** For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and the estimated time on the project. **Consultant Expenses:** List all expenses to be paid from the grant to the individual consultants in addition to their fees (travel, meals, and lodging). **Contracts:** Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

- **Other:** List items (rent, reproduction, telephone, janitorial or security services) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide the monthly rental cost and how many months to rent.

- **Indirect Costs:** Indirect costs are allowed only if the applicant has a Federally-approved indirect cost rate. A copy of the rate approval (a fully executed, negotiated agreement) must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization.

Appendix 3.2 Construction Project Budgets

Applicants must present a detailed budget for the proposed project that includes both

Federal funds and matching funds. Items of cost included in the budget must be reasonable, allocable, and necessary for the project. At a minimum, the budget should separate total cost of the project into the following categories and provide a basis of computation for each cost:

- **Administrative and Legal Expenses:** List the estimated amounts needed to cover administrative expenses. Do not include costs which are related to the normal functions of government. Allowable legal costs are generally only those associated with the purchases of land which is allowable for Federal participation and certain services in support of construction of the project. This may include:

- Hours/Rate and total cost of local government staff

- Hours/Rate and total cost of outside counsel fees

- Hours/Rate and total cost of consultants

- **Land, structures, rights-of-way, appraisals, and related items:** List the estimate site and right(s)-of-way acquisition costs (this includes purchase, lease, and/or easements). If possible, include details of number of acres, acre cost, square-footage, and square footage cost.

- **Relocation expenses and payments:** List the estimated costs relation to relocation advisory assistance, replacement of housing, relocation payments to displaced persons and businesses, etc. This may include:

- The gross salaries and wages of employees for the grantee who will be directly engaged in performing demolition or removal of structures from developed land

- **Architectural and engineering fees:** List the estimated basic engineering fees related to construction (this includes start-up services and preparation of project performance work plan).

- **Other architectural and engineering fees:** List the estimated engineering costs, such as surveys, tests, soil borings, etc.

- **Project inspection fees:** List the estimated engineering inspection costs. This may include:

- Rate of project inspector

- Construction monitoring

- Audit or construction programs

- **Site Work:** List the estimated costs of site preparation and restoration which are not included in the basic construction contract. This may include:

- Clearing

- Erosion control

- Reseeding

- **Demolition and removal:** List the estimated costs related to demolition activities.

- **Construction:** List the estimated cost of the construction contract. This may include costs for:

- Labor costs, e.g., associated with site preparation and installation of grade crossings, highway warning signs, etc.

- Equipment rental/purchase, e.g., an excavator or bulldozer

- Materials, e.g., Rail anchors, retaining walls, etc.

- **Equipment:** List the estimated cost of office, shop, laboratory, safety equipment, etc. to be used at the facility, if such costs are not included in the construction contract.

- **Miscellaneous:** List the estimated miscellaneous costs.
- **Contingencies:** List the estimated contingency costs.

Issued in Washington, DC on September 7, 2010.

Mark Yachmetz,
Associate Administrator.

[FR Doc. 2010-22652 Filed 9-9-10; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request To Release Airport Property at the Dallas/Fort Worth International Airport, DFW Airport, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of request of release for permanent easement of airport property.

SUMMARY: The FAA proposes to rule and invite public comment on the request for permanent easement at the Dallas/Fort Worth International Airport under the provisions of Section 125 of the Wendell H. Ford Aviation Investment Reform Act for the 21st Century (AIR 21).

DATES: Comments must be received on or before October 12, 2010.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Mr. Mike Nicely, Manager, Federal Aviation Administration, Southwest Region, Airports Division, Texas Airports Development Office, ASW-650, Fort Worth, Texas 76137-0650.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Jeff Fegan, Chief Executive Office, at the following address: Dallas/Fort Worth International Airport, Executive Office, P.O. Box 619428, DFW Airport, Texas 75261.

FOR FURTHER INFORMATION CONTACT: Mr. Rodney Clark, Program Manager, Federal Aviation Administration, Texas Airports Development Office, ASW-651, 2601 Meacham Boulevard, Fort Worth, Texas 76137-0650, Telephone: (817) 222-5659, e-mail: Rodney.Clark@faa.gov, fax: (817) 222-5989.

The request to release property may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release property at the Dallas/Fort Worth International Airport under the provisions of the AIR 21.

On August 23, 2010, the FAA determined that the request for permanent easement at Dallas/Fort Worth International Airport, submitted by the Airport, met the procedural requirements of the Federal Aviation Regulations, Part 155. The FAA may approve the request, in whole or in part, no later than October 23, 2010.

The following is a brief overview of the request:

The Dallas/Fort Worth International Airport requests the release for permanent easement of 0.501 acres of non-aeronautical airport property. The land was acquired by the Cities of Dallas and Fort Worth for use as an airport. The funds generated by the release will be used to improve the Airport's roadway system.

Any person may inspect the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents relevant to the application in person at the Dallas/Fort Worth International Airport, telephone number (972) 973-5200.

Issued in Fort Worth, Texas, on August 31, 2010.

Joseph G. Washington,
Acting Manager, Airports Division.

[FR Doc. 2010-22542 Filed 9-9-10; 8:45 am]

BILLING CODE M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Request To Release Airport Property at the Air Park South Airport (2K2), Ozark, MO

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Request To Release Airport Property.

SUMMARY: The FAA proposes to rule and invites public comment on the release of land at the Air Park South Airport (2K2) under the provisions of 49 U.S.C. 47107(h)(2).

DATES: Comments must be received on or before October 12, 2010.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Nicoletta S. Oliver, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE-610C, 901 Locust, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Gary A. Cyr,

Sr., A.A.E., Director of Aviation, Springfield-Branson National Airport, 5000 West Kearney, Suite 15, Springfield, MO 65803, (417) 869-0300.

FOR FURTHER INFORMATION CONTACT: Nicoletta S. Oliver, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE-6100, 901 Locust, Kansas City, MO 64106, (816) 329-2642, nicoletta.oliver@faa.gov.

The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release approximately 235 acres of property known as the Air Park South Airport (2K2) under the provisions of 49 U.S.C. 47107(h)(2). On September 25, 2007, the Director of Aviation at the Springfield-Branson National Airport notified the FAA that because of the Sponsor's inability to acquire land necessary to safely and effectively operate the airport, he requested full release of the affected property from Federal obligations. On March 16, 2010, the FAA determined that the request to release property at Air Park South Airport (2K2) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this Notice.

The following is a brief overview of the request:

Air Park South Airport (2K2) is proposing the release of the entire airport property and associated facilities. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow Federally acquired airport property to be used for non-aviation purposes. The sale and permanent abandonment of the subject property will result in the lands of the Air Park South Airport (2K2) being changed from aeronautical to nonaeronautical use and release the lands from the conditions of the AIP Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation facilities at the Springfield-Branson National Airport.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the

12.0 EXECUTIVE SUMMARY AND RECOMMENDATIONS

This section will summarize the information provided in chapters above and provide recommendations for pursuing a Quiet Zone in the City of Helena.

12.1 Study Area (Ref. Section 1.0 for More Detail)

The study area for the report is limited by the Helena City limits and extends through the following crossings:

Table 12.1-A

<u>Street Name</u>	<u>Railroad Crossing ID</u>
Joslyn Street	098 742 R
Benton Avenue	060 199 F
National Avenue	086 375 B
Montana Avenue	060 193 P
Roberts Street	060 192 H

12.2 Vehicular Traffic (Reference Section 2.0 – 6.0 for More Detail)

Table 12.1-B identifies the average daily vehicular traffic volumes for year 2025 and current speed limits for the each of the crossings within the study area:

Table 12.2-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>2025 ADT</u>	<u>Speed Limit</u>
098 742 R	Joslyn Street	9,000	25 mph
060 199 F	Benton Avenue	12,100	35 mph
086 375 B	National Avenue	1,865	25 mph
060 193 P	Montana Avenue	17,400	30 mph
060 192 H	Roberts Street	4,300	25 mph

It is likely that a new one-week traffic volume inventory will be required at the crossings if the City decides to proceed with a Quiet Zone application. However, because the calculations were based on estimated traffic volumes for the year 2025, the risk index values in this report are likely conservative.

12.3 Train Traffic Volumes (Reference Section 2.0 – 6.0 for More Detail)

Table 12.3-A includes the train traffic volumes and identifies the number of trains passing the crossing in a 24 hour period. As per the City of Helena ordinance 8-8-369, any train traveling within the corporate limits of the City shall not exceed 45 mph; however, between Roberts Street and Benton Avenue the ordinance requires that trains not exceed 25 mph.

Table 12.3-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Train Vol.</u>	<u>Speed Limit</u>
098 742 R	Joslyn Street	36	45 mph
060 199 F	Benton Avenue	36	25 mph
086 375 B	National Avenue	40	25 mph
060 193 P	Montana Avenue	40	25 mph
060 192 H	Roberts Street	51	25 mph

12.4 Crash Data (Reference Sections 2.0 – 6.0 for More Detail)

Crash data was obtained from the FRA website which was updated September 30, 2010. The information provided accident reports for each incident and is included in **Appendix 2.0-A**. There have been eleven (11) total accident reports filed for all crossings since December of 1976. Eight accidents involved cars while three involved trucks. One accident resulted in fatality, one with injury, and the remaining resulted in no injury. The most recent accident was reported in 2004 at the Montana Avenue Crossing. Following **Table 12.4-A** includes a summary of the number of accidents since 1976 at each crossing:

Table 12.4-A

<u>RR Crossing ID</u>	<u>Street Name</u>	<u>Accidents Since 1976</u>
098 742 R	Joslyn Street	0
060 199 F	Benton Avenue	3
086 375 B	National Avenue	1
060 193 P	Montana Avenue	5
060 192 H	Roberts Street	2

12.5 Methods for Silencing Train Horns (Ref. Section 7.0 for More Detail)

Following is a summary of the methods for silencing train horns within a quiet zone:

12.5.1 Supplementary Safety Measures (SSMs)

A Supplementary Safety Measure (SSM) is a safety system or procedure which is provided by the appropriate traffic control authority that is determined to be an effective substitute for the locomotive horn in the prevention of highway-rail casualties.

Approved SSMs include:

- Temporary Closure of Public Rail Grade Crossing
- Four-Quadrant Gate System
- Gates with Medians or Channelization Devices

- Permanent Closure of a Public Highway Rail Grade Crossing

12.5.2 Alternate Safety Measures (ASMs)

An Alternative Safety Measure (ASM) is a safety system or procedure other than a SSM provided by the appropriate traffic control authority which, after individual review and analysis, is determined by the FRA to be an effective substitute for the locomotive horn at specific highway rail grade crossings. ASMs may be applied such that the combination of measures at one or more highway rail grade crossings reduces the average risk index by the required amount across the Quiet Zone.

- Any Modified Supplementary Safety Measure (i.e., barrier gate and median; shorter channelization)
- Education and/or Enforcement Programs with Verification of Effectiveness
- Engineering Improvements Other than Modified SSMs
- Combination of the Above

12.5.3 Wayside Horn

A wayside horn consists of a horn system mounted at a railroad crossing, rather than on the locomotive, to direct an audible warning to motorists and pedestrians. Installation of a wayside horn at an intersection is considered a one-for-one substitute for a locomotive train horn and it is not required to develop a Quiet Zone if a wayside horn is installed.

12.6 Quiet Zone Application Process (Ref. Section 9.0 for More Detail)

Following is a summary of the process for applying for a Quiet Zone. A diagnostic review of the proposed Quiet Zone is first performed with interested parties to identify options for implementing Quiet Zone improvements (SSMs, ASMs, or Wayside Horns) at each crossing. A Notice of Intent is then completed and sent to all interested parties. The interested parties have 60 days to provide comments. Once the comments have been addressed, the improvements (SSMs, ASMs, or Wayside Horns) are installed at each crossing. Once the improvements have been installed, a Notice of Quiet Zone Establishment is sent to interested parties. 21 days later train horns are silenced.

12.7 Pedestrian Traffic (Ref. Section 10.0 for More Detail)

It is not required to implement additional safety measures for pedestrian traffic when a Quiet Zone is implemented unless there is a designated pedestrian crossing only crossing. There are no pedestrian only crossings within the study area.

Following are some options for increasing pedestrian safety:

1. Utilize the existing vehicular gate arm to control pedestrian traffic
2. Install a separate pedestrian crossing gate arm adjacent to the vehicular crossing
3. Install a “zigzag” pedestrian approach adjacent to the vehicular crossing

Fencing or signage of the areas between vehicular crossings is also an option for keeping pedestrian traffic away from the railroad tracks.

12.8 Funding (Ref. Section 11.0 for More Detail)

KL&J’s Government Affairs Group conducted a basic funding search to identify potential state and federal funding opportunities for project implementation.

The funding search briefly examines potential funding options and classifies them in three categories: not recommended (salmon); limited opportunity (yellow) and potential funding source (green). See **Table 12.8-A**, Summary of Funding Sources Examined at the end of this section for a quick review of the results.

12.9 Recommendations

Five (5) options were described in Section 8.0 with risk indexes ranging from 9,101.64 to 28,253.63 and approximate costs ranging from \$130,000 to \$980,000. These are all viable options and would meet the criteria for development of a Quiet Zone. Multiple criteria were considered in preparation of a recommendation including review of safety measures, review of costs, review of existing conditions, and discussions with FRA, MDT, and MRL officials.

When Quiet Zones were first introduced, most railroad and FRA officials only wanted to consider Quiet Zones if four quadrant gates were installed. Discussions with FRA officials revealed that this tone has changed and most communities and railroad companies that utilize four quadrant gates are not satisfied. Besides being the most expensive SSM to install, they are also very expensive and labor intensive to maintain. Based on experiences of the past few years, communities have been most pleased with medians and channelization devices. It is good that the City of Helena is considering a Quiet Zone now, after the trial and error period has been completed by other communities.

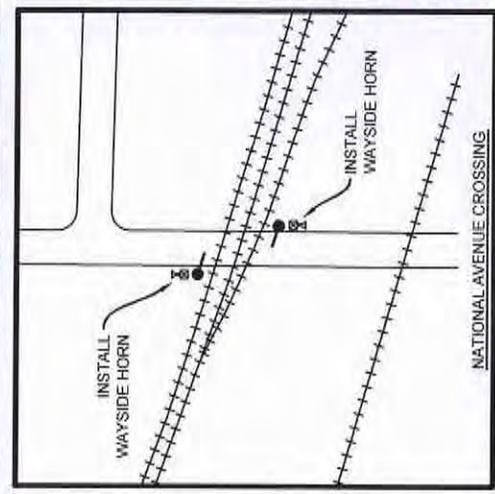
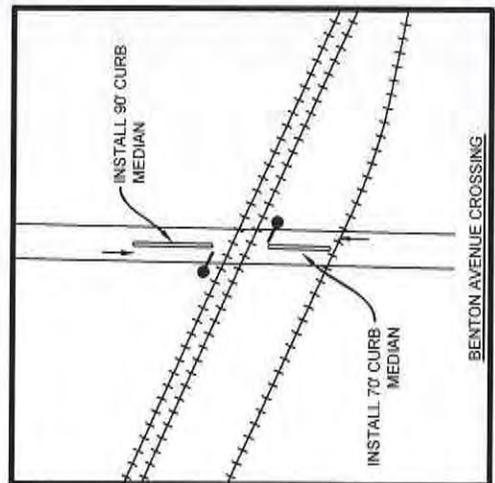
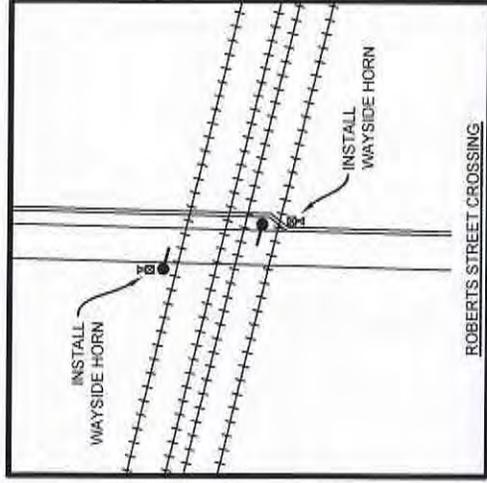
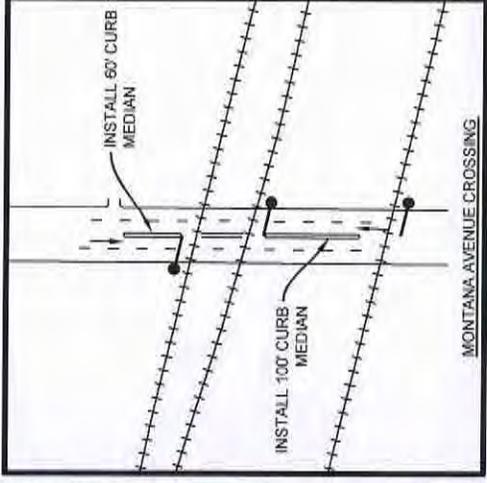
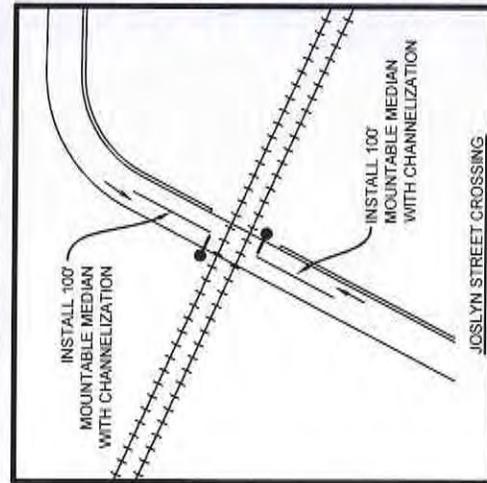
Based on the above information and the preliminary information that we have at this point, we recommend option 3 included in section 8.3. The approximate cost is \$330,000 and the Quiet Zone Risk Index (QZRI) is 20,484.62. **Figure 12.9-A** includes a diagram of the recommended option. **Table 12.9-A** below includes a summary and the same information that was provided in Section 8.3.

Table 12.9-A

Crossing	SSM Option	Est. Price
Joslyn St.	Mountable Medians with Reflective Traffic Channelization	\$30,000
Benton Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
National Ave.	Wayside Horn	\$100,000
Montana Ave.	Non-Traversable Curb Medians with Channelization Devices	\$50,000
Roberts St.	Wayside Horn	<u>\$100,000</u>
Estimated Construction Cost		\$330,000

Although the QZRI is higher than the Nationwide Significant Risk Threshold (QZRT), it is lower than the Risk Index With Horns (RIWH) and includes either a Supplementary Safety Measure (SSM) or wayside horn at every crossing within the proposed Quiet Zone. We believe this provides a good balance between safety and affordability. Please note that this option will require train horns to be sounded when spur tracks are utilized. Based on discussions with Montana Rail Link (MRL) officials, this occurs approximately once per week.

If the City decides to pursue a quiet zone, a diagnostic review is the first item to be completed. Upon completion of the diagnostic review, the estimated costs should be weighed and a desired funding source selected. Based on the estimated cost of the recommended option, a likely source of funds may be the City's gas tax fund or general fund. A Notice of Intent (NOI) is then filed, putting interested parties on notice and providing an opportunity for comment. Once comments from the NOI are addressed, it is time to install the infrastructure. The Notice of Quiet Zone Establishment is then provided to interested parties and 21 days later train horns are silenced.



CITY OF HELENA QUIET ZONE
CITY OF HELENA
HELENA, MT

Kadmas
Lee & Jackson
Engineers Surveyors
Planners

PREFERRED
OPTION

12.9-A

DATE	02/28/2011
PROJECT NO	4410014
CHK'D BY	SJK
DATE	4/10/14
DRW'G NO	4410014
DATE	02/28/2011

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Table 12.8-A, Summary of Funding Sources Examined

Source	Possible Award Amount	Project Specific Eligible Activities	Advantages	Disadvantages
MRL/MDT	\$15,000 for permanent crossing closure	Permanent closure of rail crossing	Could be used to pay for a portion of the project	Funds only available to close a crossing
TIGER III	To be determined	To be determined	None	This program is not likely to be funded in the near future
Federal Section 130 Program	50-100% of eligible activities	Crossing improvements, mainly used for grade crossing signals	Could pay for certain crossing improvements	Cannot be used for SSIMs or quiet zone designation
FRA Safety Technology Grant Program	80% of total project	All necessary rail infrastructure and improvements	The project is technically eligible	The project is highly unlikely to receive funding
Federal National Highway Traffic Safety Administration Funding	0% of total project	None	None	Construction is not eligible Not a viable funding source
FRA Rail Line Relocation & Improvement Capital Grant Program	0% of total project	None	None	Quiet zone and stand-alone grade crossing improvements are not eligible
FRA RRIF Loan Program	100% of total project	All necessary rail infrastructure and improvements	Could pay for project in its entirety	City would need to repay loan. Difficult application process—might not be worth the effort due to project size
Congressionally Directed Funding	80-90% of total project	All necessary rail infrastructure and improvements	Easy application process	FY 2012 Earmark moratorium Uncertainty for FY 2013
Tax Increment Financing	100% of project in TIF District	Rail improvements if part of a larger redevelopment effort	Rail improvements could be a part of larger redevelopment efforts but only within a specific, distressed or undeveloped area with commercial development opportunities	Overall project area does not meet TIF conditions. Improvements at one railroad crossing would not reduce the city's risk index sufficiently enough to obtain a quiet zone designation
Special Improvement District Financing	100% of total project	All necessary rail infrastructure and improvements	Could be used to implement quiet zone	Affordability City would need to maintain improvements Limited assessment options
Special District Financing	100% of total project	All necessary rail infrastructure and improvements	Flexible assessment options, city is familiar with SD financing	Affordability Professional land surveyor required
General Obligation Bond	100% of total project	All necessary rail infrastructure and improvements	Could pay for project in its entirety	Water approval required
Street Maintenance Assessment	100% of eligible costs	Street repair and maintenance of traffic signals, signs and pavement markings	Could be used to pay for a portion of the project	Funds should be geared toward maintenance not new construction
Gas Tax	100% of eligible costs	All necessary rail infrastructure and improvements	Could pay for project in its entirety	Could delay other projects