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Railroad Crossing Quiet Zones: Worth the Wait

Fountain, Colo. – Railroad quiet zones at each of the City of Fountain’s eight railroad crossings account for one of ten major transportation capital improvement projects to be paid for by the November 2009 voter-passed Transportation Sales Tax. The high volume of rail traffic through the City makes it nearly impossible for nearby residents to go a day or night without hearing the whistle of a train horn. Once established these quiet zones will reduce the necessity of train engineer’s use of horns while passing through town.

The process of implementing quiet zones can be complex requiring planning, coordination, and the construction of modified crossing control equipment, raised median barriers and approach signage. Quiet zones require cooperation with state and federal authorities and both the Union Pacific Railroad (UPRR) and the Burlington Northern & Santa Fe Railroad (BNSF). The process for a project of this magnitude can take multiple years to plan, construct, and implement. Given that the plans are for the establishment of *eight* crossing quiet zones, the level of complexity will only increase.

The process of working with two different railroads, federal, state and multiple other regulators, as well as working with limited annual revenue allocations for ten specific capital projects, takes patience along with skilled coordination to execute. Due to limited Engineering staff, some design work has been contracted out to local engineering firms.”

So what has the City been doing regarding this project since the passage of the Transportation Sales Tax in November 2009? The first step has been to finalize plans for the relocation of the two Mesa Road at-grade public street crossings to a point southerly near the Duckwood Road entrance to the El Paso County Fountain Creek Regional Park. The Colorado Public Utilities Commission (PUC) crossing relocation application process including public hearings was initiated in 2010. The two railroad companies made numerous legal challenges. However, the City of Fountain ultimately prevailed although these legal challenges caused significant delays and added some costly railroad facility improvements to the overall project in order to ultimately obtain railroad settlements. The PUC order authorizing the City to relocate the Mesa Road railroad crossings to Duckwood Road was finalized in May 2013.

The City Attorney Office has diligently been working with both the UPRR and the BNSF to finalizing right-of-way easements and crossing relocation construction/maintenance agreements that were supposed to have been filed with the PUC by June 2013. BNSF finally provided the City with a final draft of their desired construction/maintenance agreement in March 2015. The City is now waiting to receive the UPRR final draft construction/maintenance agreement. The City is also working with the Colorado Department of Transportation to obtain a new Duckwood Road/Highway 85 Intersection Access Permit. Unfortunately, the CDOT Access Permit cannot be finalized without the aforementioned railroad agreements in place. UPRR & BNSF have essentially been hindering City efforts to move forward with the quiet zone improvements in a timely manner.

The Duckwood Road crossing improvements alone will take at least five years of accumulated transportation sales tax capital improvement revenue to complete the crossing improvements including new roadway connections. Duckwood railroad crossing improvement construction will likely not begin until 2016 and possibly extend into 2017.

A quiet zone must include federally mandated safety measures at each crossing. While working on the Mesa Road crossings relocation efforts City staff also completed design work for safety improvements at the other six railroad crossings. These safety measures include enhanced constant time train activation control equipment, gates, lights, cant bells, long raised median barriers, pavement markings and crossing warning signs. Similar improvements are installed at the existing El Paso County jurisdiction train horn quiet zone crossings in Security at Main Street and in Widefield at Fontaine Boulevard. However, new federal regulations no longer require such high median barriers as installed for the aforementioned existing quiet zone crossings. Other considerations for quiet zones typically include pedestrian sidewalk crossing safety improvements.

The City Street Division already constructed most of the required pedestrian and median approach upgrades in 2011 at the two Comanche Village Drive railroad crossings except for pavement markings & signage upgrades. The City Street Division completed East Ohio Avenue UPRR Crossing Safety Improvements in Fall 2013. In 2013 the City obtained PUC approvals for West Ohio Avenue/BNSF and Link Road/UPRR Crossing Safety Improvements. The City Street Division constructed the Link Road UPRR Crossing Safety Improvements in Fall 2014. BNSF provided the City required construction agreements late Summer 2014. Due to BNSF delays the West Ohio Avenue Crossing Safety Improvements could not begin until Summer 2015. The City is in the process of acquiring necessary right-of-way and plans to relocate the existing Illinois Avenue Crossing southerly to Indiana Avenue in 2015. The City is also waiting to receive a Federal Highway Grant Reimbursement Agreement from CDOT before the Indiana Avenue improvements can begin. The Indiana Avenue crossing project will include federal mandated quiet zone crossing safety upgrades. Thankfully the City already has PUC & BNSF railroad approvals for the Indiana Avenue improvements.

Additionally, under current Federal Railroad Administration rules each railroad company could potentially require significant upfront reimbursement payment by the City for their respective quiet zone upgrades to railroad tracks and control equipment. The railroads typically take up to one year to complete their portion of the crossing improvements after which point the City can then complete street approach safety improvements. Upon completion of all improvements for each respective crossing the City can proceed with preparation and filing of a formal application for quiet zone designations along with required public hearings.

City staff is also participating in a statewide coalition of local governmental agencies to get the federal legislative support to ultimately force the Federal Railroad Administration to reconsider existing train horn rules to make it somewhat easier to establish train horn quiet zones. Unfortunately, processing such changes through Washington D.C. will take some time.

Factoring all of the aforementioned hurdles to establish quiet zones is why it is taking a few years for our citizens to see the full fruits of their tax dollars in reducing train horn noise throughout our community. Despite the long timeframe, there is much to gain from being patient. Railroad quiet zones will ultimately improve quality of life for residents, reduce negative health effects from train horn noise, increase safety at rail crossings, and spur development along the train track.

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