



Stephen W. McCullough
City Manager

June 13, 2005

Mr. Daniel C. Smith
Associate Administrator-Safety
Federal Railroad Administration
RRS-1, Mail Stop 25
1120 Vermont Avenue, NW
Washington, D.C. 20590

Re: Notice of Quiet Zone Establishment

Dear Mr. Smith,

Pursuant to the recently published "Final rule" (49 CFR Parts 222 and 229) covering the "Use of Locomotive Horns at Highway-Rail Grade Crossings" and specifically as it pertains to the creation and establishment of whistle-ban (i.e. "Quiet Zone") railroad grade crossings, the City of Irving, Texas intends to establish a New Quiet Zone for a segment of the DFW Subdivision, TRE Railroad, from MP 635.03 through MP 636.53 inclusive involving four (4) existing and successive public grade crossings. The particulars as required by the Final Rule are contained in the attached material.

Whereas this "Notice of Quiet Zone Establishment" pertains to a New Quiet Zone with Supplemental Safety Measures (SSM's) implemented at each and every public crossing, the basis for establishing this Quiet Zone shall be Section 222.39(a)(1) of the "Final rule" as published in the Federal Register, Vol. 70, No. 80, Wednesday, April 27, 2005.

Under State of Texas Home Rule Law, as Chief Executive Officer of the City of Irving, Dallas County, Texas, I attest and certify that responsible officials of this City have reviewed the relevant documentation and have examined and witnessed the improvements described by this documentation, and do concur that this New Quiet Zone can and should be established with the full support of the City of Irving.

Thank you for your assistance and cooperation in this matter.

Yours truly,

A handwritten signature in cursive script that reads "Stephen W. McCullough".

Stephen W. McCullough
City Manager

Atch:

1. New Quiet Zone Description
2. Grade Crossing Inventory Forms (FRA Form F6180.71)
3. Notice of Intent Documentation
4. List of Those Notified of This "Notice of Quiet Zone Establishment"

City Manager's Office

NOTICE OF QUIET ZONE ESTABLISHMENT
Description and 49 CFR Section 222.43(e) Information

The City of Irving, Dallas County, Texas is making notification of the Establishment of A New Railroad Crossing Quiet Zone (i.e. "whistle ban") within its corporate limits. This Notice of Quiet Zone Establishment is made in accordance with the Final Rule of the Federal Railroad Administration published in the *Federal Register*, Vol. 70, No. 80 on Wednesday, April 27, 2005 pertaining to 49 CFR Parts 222 and 229.

Quiet Zone Description

QUIET ZONE SEGMENT: A 1.48 mile segment of the Trinity Railway Express Railroad (TRE), DFW Subdivision, from M.P. 635.02 to M.P. 636.50, is being established as a whistle-ban Quiet Zone within the City of Irving, Dallas County, Texas. Four (4) public highway/railroad crossings are included; no other public crossings, no private crossings and no exclusively pedestrian crossings exist within the Quiet Zone segment. All railroad crossings are of city streets, owned and maintained by the City of Irving; likewise, traffic law enforcement and EMS services are provided by the City at all locations.

CROSSING SUPPLEMENTAL SAFETY MEASURES (SSMs) IMPLEMENTED: Each of the four (4) crossings has the following SSM devices installed and currently operational:

- Traffic signs and pavement markings in accordance with latest provisions of the MUTCD
- Flashing lights
- Four-quadrant gates with presence detection and exit gate escape feature
- Constant warning time circuitry
- Audible electronic bells (2 each)
- Automated stationary horns (one each direction) for backup only
- Quiet Zone indicator (confirmation signal)

In addition, crossing 598848C Nursery Road features non-traversable medians at both approaches to the crossing for a distance in excess of one hundred feet (100').

Pursuant to 49 CFR §222.43(e), the following information is provided:

49 CFR §222.39(a)(1) – Basis for New Quiet Zone Establishment through implementation of SSMs at every public crossing within the New Quiet Zone for the railroad line segment TRE Railroad, DFW Subdivision, M.P. 635.03 to 636.53 (1.50 miles) inclusive and continuous.

49 CFR §222.43(e)(1)(i) – EFFECTIVE DATE Under FRA Regulation: Wednesday, July 13, 2005

49 CFR §222.43(e)(1)(ii) – Confirmation that affirmative or "no comment" responses have been received from all parties required to be notified under the Notice of Intent provisions of 49 CFR §222.43(a)(1), including the State agency responsible for grade crossing safety and highway safety in accordance with 49 CFR §222.43(b)(2)(ii); please refer to Attachment 3 for documentation.

49 CFR §222.43(e)(2) – Copies of all required documents are being provided to all parties listed in 49 CFR §222.43(a)(4); please refer to Attachment 4 for the list of parties being provided this Notice of Establishment.

49 CFR §222.43(e)(2)(i) – Following public highway/railroad grade crossings are included within this Quiet Zone:

<u>D.O.T. No.</u>	<u>Street Name</u>	<u>Mile Post Location</u>
597746V	Britain Road	635.02
597747C	Nursery Road	635.47
597748J	Irving Heights Drive	636.00
597751S	Wildwood Drive	636.50

Note that all railroad crossings are of local streets under the control, maintenance, and traffic law enforcement of the City of Irving, Texas

49 CFR §222.43(e)(2)(iv) – Time period of whistle-ban restriction: 24 hours

49 CFR §222.43(e)(2)(v) and 49 CFR §222.43(e)(2)(vi) – Updates and corrections of Grade Crossing Inventory Forms (FRA Form F6180.71), and printouts of current FRA data base records for all four (4) crossings are provided in Attachment 2. Updates and corrections have been provided by the TRE Railroad, except that Part V of FRA Form F6180.71 has been completed by the City of Irving. SSM's have been in place and operational at least since April 1, 2005.

49 CFR §222.43(e)(2)(vii) – Confirmation that the required Notice of Intent was sent by certified mail, return receipt requested, in accordance with 49 CFR §222.43(a)(1) between May 6 and May 25, 2005, and that affirmative or “no comment” responses have been received from all parties is documented by Attachment 3.

49 CFR §222.43(e)(2)(x) – Person responsible for monitoring compliance:

James C. Cline, Jr., P.E.
Director of Public Works and Transportation
City of Irving
825 W. Irving Blvd.
Irving, TX 75060-2845
Telephone: 972-721-2646
Fax: 972-721-3720
Email: jcline@ci.irving.tx.us

49 CFR §222.43(e)(2)(xi) – List of parties, complete with names and addresses, notified of this Establishment of Quiet Zone is provided by Attachment 4.

49 CFR §222.43(e)(2)(xii) – Statement from the City Manager in his capacity as the chief executive officer of the City of Irving, Texas, is provided by the cover letter of this submittal.

**QUIET ZONE RAILROAD SEGMENT
HIGHWAY-RAIL CROSSING INVENTORY DATA
(16 Pages Attached)**

- 49 CFR §222.43(e)(2)(v) Printouts of current FRA data base records for all four (4) crossings.
- 49 CFR §222.43(e)(2)(vi) Updates and corrections using Grade Crossing Inventory Forms (FRA Form F6180.71); all Parts completed by TRE Railroad except Part V completed by City of Irving, Texas.