



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Public Works Director

DATE: July 18, 2024

RE: Consideration of filing a Notice of Intent with the Federal Rail Administration to establish a railroad Quiet Zone.

SUMMARY:

The City of Palm Bay has three railroad crossings at Hessey Avenue, Palm Bay Road and Port Malabar Blvd. All three railroad crossings were recently upgraded with the Brightline Service to include Supplemental Safety Measures (SSM) with the double tracking of the rail corridor.

1. 272146T Hessey Avenue
2. 272147A Palm Bay Road
3. 272148G Port Malabar Blvd

These SSMs include the installation of added gates and a median island to not allow vehicles to cross the railroad tracks when the gates are down. Brightline has commenced running passenger service with 32 high speed trains daily from Miami to Orlando. In addition to the Brightline trains, FEC continues to run freight trains along the same FEC and Brightline railroad tracks.

Per the Federal Rail Administration (FRA), a local agency can request and establish a quiet zone along a railroad corridor. A Quiet Zone (QZ) is a segment of a railroad corridor where the train operator has the option to not sound its horn. The establishment of a QZ fall under the Federal Railroad Administration (FRA). The requirements for a QZ:

- Zone is at least half mile in distance.
- Update the FRA Inventory and conduct site survey.
- Zone may require upgrades with Supplemental Safety Measures (SSMs) or Alternative Safety Measures (ASMs)
- The QZ qualifies to be "self-established" as the QZRI will be below the Risk Index with Horns (RIWH) because of installed SSMs at crossings (Title 49 CFR Part 222.39(a)(1)).

- Use Quiet Zone Calculator to determine the QZRI.
- Conduct a field review to identify and confirm implemented SSM
- Notice of Establishment (NOE) is the final document with FRA.

In discussions with FRA, the three Palm Bay railroad crossings meet the required SSM and based on the Quiet Zone calculator findings, the crossings meet the Quiet Zone requirements. The initial step for establishing the quiet zone is the filing of a Notice of Intent (NOI). After the filing of the NOI, the city will schedule a field diagnostic of all three crossings with representatives from Brightline, FEC and FRA to ensure all SSM in place. If no additional safety measures are required at the crossings from the field diagnostic review, then allow 60 days from NOI to file the Notice of Establishment (NOE). The QC becomes effective 21 days after the filing the NOE.

It is important to emphasize that the locomotive engineer has the sole judgment to sound the horn for any non-routine reason. A Quiet Zone is not a total silencing of the train horns. Trains will still make train noises, frequently, and at any time of the day or night. A Quiet Zone only ceases the routine sounding of the train horn at grade crossings.

REQUESTING DEPARTMENTS:

Public Works

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Motion to approve filing a Notice of Intent with the FRA for a Quiet Zone for the three railroad crossings within the City of Palm Bay.

ATTACHMENTS:

1. Quiet Zone Presentation