

Memorandum
February 26, 2010

To: Ann Rendahl, Director, Administrative Law Division

Thru: David Pratt, Assistant Director, Transportation Safety

From: Kathy Hunter, Deputy Assistant Director, Transportation Safety

Subject: Staff Recommendation to Set the Matter for Hearing
TR-100127, TR-100128 and TR-100129 – Petitions to Modify Existing
Highway-Rail Grade Crossings

On January 19, 2010, Washington State Department of Transportation (WSDOT) filed petitions with the Utilities and Transportation Commission (UTC) to modify five highway-rail grade crossings.

- TR-100127 – Clover Creek Drive SW, USDOT #085822W. The City of Lakewood is the road authority.
- TR-100128 – Berkeley Street SW, USDOT #085829U. The City of Lakewood is the road authority.
- TR-100129 – North Thorne Lane SW, USDOT #085828M. The City of Lakewood is the road authority.
- TR-100130 – 41st Division Drive, USDOT #085830N. The Joint Base Lewis-McChord is the road authority. The Waiver of Hearing forms have been filed and staff is preparing an order approving the proposed upgrades to this crossing.
- TR-100131 – Barksdale Avenue, USDOT #085836E. The City of Dupont is the road authority. The City of Dupont is actively working with WSDOT staff and a Resolution will be considered at the next City Council meeting on March 9, 2010. I anticipate a decision by the City of Dupont on their position by March 12. At this point, I am not recommending that this case be set for hearing.

Modifying these crossings is part of the Point Defiance Bypass project. The Point Defiance Bypass project is a partnership between Sound Transit and WSDOT to improve reliability of the Amtrak Cascades passenger service between Portland, Oregon, and Seattle, and to extend commuter rail service to Lakewood. Currently, passenger trains slow down to maneuver on the curved tracks along southern Puget Sound and share the track with freight trains. Once

construction of the project is complete in 2010, passenger trains will travel on an 18-mile inland "bypass" route that runs along the west side of Interstate 5, from south Tacoma through Lakewood and DuPont. Most freight trains will continue to use the existing tracks along Puget Sound.

In September 2008, UTC approved changes to four crossings in Lakewood related to the Point Defiance Bypass project. It is my understanding that the City of Lakewood will be requesting that UTC reconsider including these dockets in the upcoming proceeding. The docket numbers assigned to the previously approved petitions are: TR-081229, TR-081230, TR-081231, and TR-081232.

The City of Lakewood did not file a formal written response within 20 days to UTC's official notification of WSDOT's petitions. Staff did receive verbal notification from Desiree Winkler, Transportation Division Manager for the City of Lakewood, who stated that the City is opposed to the proposed modifications to the crossings. The other stakeholders, Tacoma Rail and Sound Transit filed signed Waiver of Hearing forms documenting support for the proposed modifications to the crossings.

Staff is recommending that Docket Nos. TR-100127, TR-100128 and TR-100129 are set for hearing based on the City of Lakewood's lack of a written response to the formal notification and verbal objection to staff of the proposed modifications of the Clover Creek Drive SW, Berkeley Street SW and North Thorne Lane railroad highway-grade crossings. WSDOT Staff have communicated to me their desire for an expedited hearing process, if possible.

Attachment 1 – Petitions TR-100127, TR-100128 and TR-100129 from WSDOT, received at UTC on January 19, 2010.

Attachment 2 – Letters dated February 2, 2010, to Jodi Mitchell, Desiree Winkler and Dale King from David Pratt.

Cc: File (no attachments)