



**Snohomish County**  
**Public Works**

P 1 of 9

**Aaron Reardon**  
County Executive

3000 Rockefeller Ave., M/S 607  
Everett, WA 98201-4046

(425) 388-3488  
FAX (425) 388-6449

May 30, 2007

Lori Halstead, Transportation Specialist-Rail  
Utilities & Transportation Commission  
1300 S. Evergreen Park Drive SW  
Olympia, WA 98504-7250

Dear Ms. Halstead:

**RE: NOTICE OF INTENT FOR A QUIET ZONE  
LOGEN ROAD (292<sup>ND</sup> STREET NW), CROSSING NO. 084713P**

Snohomish County as the public authority seeks approval of a Quiet Zone approximately one-quarter mile north and south of the Logen Road Crossing (292<sup>nd</sup> Street NW, Crossing No. 084713P) located approximately two miles northwest of the city of Stanwood, Washington. This request is being made on behalf of homeowners in the vicinity of the Logen Road Crossing. This request is in accordance with the Federal Railroad Administration (FRA), Department of Transportation (DOT) 49 CFR Parts 222 and 229, Use of Locomotive Horns at Highway-Rail Grade Crossings, Final Rule.

The Logen Road Crossing is the only public or private crossing within the one-half mile section of the rail system in this area. This crossing is equipped with automatic gates. There are a reported 13 train trips a day along this section of the rail system, with seven of those trips occurring during daylight hours. There are 60 average daily automobile trips that occur on Logen Road.

This information for the Logen Road Crossing was entered into the Quiet Zone Calculator and received a risk index of 7,070.92 with no supplementary safety measures (SSMs) proposed. The calculated risk index is below the Nationwide Significant Risk Threshold of 17,030. Based on the low calculated risk index, Snohomish County requests that this length of track located one-quarter mile north and south of the intersection with Logen Road be established as a 24-hour continuous quiet zone in accordance with Section 222.39 (a)(2)(i). Attached is the Quiet Zone Designation Information created through the Quiet Zone Calculator.

Comments for this proposed quiet zone are being accepted for the next 60 days. If you have any questions, you may contact Andrew Smith at 425-388-3183.

Sincerely,

James H. Bloodgood, P.E.  
SNOHOMISH COUNTY TRAFFIC ENGINEER

JHB:AS:fn

Attachments: Quiet Zone Designation Information  
Photographs of Crossing

cc: Mr. Steven Mills, BNSF  
Mr. John Li, BNSF  
Associate Administrator for Safety, Federal Railroad Administration



Federal Railroad Administration

### Quiet Zone Designation Information

<b>Name</b> Andrew Smith	<b>Job Title</b> Engineer II, Traffic Operations	<b>Organization</b> Snohomish County	
<b>Address</b> 3000 Rockefeller, M/S 607	<b>City</b> Everett	<b>State</b> WA	<b>Zip Code</b> 98201
<b>Phone</b> 425-388-3183	<b>Fax</b> 425-388-6449	<b>Email</b> andrew.smlth@co.snohomish.wa.us	

<b>D84713P</b> 292ND ST NW	<b>Proposed Warning Device</b> Gates	<b>Estimated Cost</b> 0.00	<b>Wayside Horn</b> No	<b>Risk Index</b> 7,070.92
<b>Crossing Type</b> Public	<b>SSM</b> None		<b>Pre-Existing SSM</b> None	

Note: If zone is a partial new quiet zone, gates are not required if the crossing is to be closed during partial quiet zone period, permanently closed, or grade separated.

Zone ID : 12186		Scenario ID : 19468		
Date : 12/5/2006 6:52:46 PM				
Railroad BNSF	Pre Rule? NO	Partial? NO	Time of Partial Quiet Zone	Total Traffic 60
Estimated Total Cost \$0.00	Nationwide Significant Risk Threshold 17030		Risk Index with Horns 4,239.16	Quiet Zone Risk Index 7,070.92

**Basis for Establishment or Continuation of Quiet Zone**

This quiet zone is being established in compliance with the following (check one)

- § 222.39(a)(1), implementation of SSMs at every public crossing in the New Quiet Zone or New Partial Quiet Zone;
- § 222.39(a)(2)(i), the QZRI is at or below the NSRT without installation of any SSMs at the New Quiet Zone or New Partial Quiet Zone;
- § 222.39(a)(2)(ii), SSMs were implemented at some crossings in the New Quiet Zone or New Partial Quiet Zone to bring the QZRI to a level at or below the NSRT;
- § 222.39(a)(3), SSMs were implemented at some crossings in the New Quiet Zone or New Partial Quiet Zone to bring the QZRI to a level at or below the RIWH; or
- § 222.39(b), public authority application to the FRA for a New Quiet Zone or New Partial Quiet Zone.
- § 222.41(a)(i) Pre-Rule Quiet Zones that qualify for automatic approval because every crossing is equipped with an SSM,
- § 222.41(a)(ii) Pre-Rule Quiet Zones that qualify for automatic approval because  $QZRI \leq NSRT$ ,
- § 222.41(a)(iii) Pre-Rule Quiet Zones that qualify for automatic approval because  $NSRT < QZRI < 2 * NSRT$ , and there have been no relevant collisions within the 5 years preceding April 27,2005
- § 222.41(a)(iv) Pre-Rule Quiet Zones that qualify for automatic approval because  $NSRT < RIWH$ .
- § 222.41(b)(i) Pre-Rule Partial Quiet Zones that qualify for automatic approval because every crossing is equipped with an SSM,
- § 222.41(b)(ii) Pre-Rule Partial Quiet Zones that qualify for automatic approval because  $QZRI \leq NSRT$ ,
- § 222.41(b)(iii) Pre-Rule Partial Quiet Zones that qualify for automatic approval because  $NSRT < QZRI < 2 * NSRT$ , and there have been no relevant collisions within the 5 years preceding April 27,2005.
- § 222.41(b)(iv) Pre-Rule Partial Quiet Zones that qualify for automatic approval because  $NSRT < RIWH$ .
- § 222.41(c) Pre-Rule Quiet Zones and Pre-Rule Partial Quiet Zones that do not qualify for automatic approval

§ 222.41(d) Pre-Rule Partial Quiet Zones that will be converted to 24-hour New Quiet Zones

§ 222.42(a) Intermediate Quiet Zones or Intermediate Partial Quiet Zones

§ 222.42(b) Intermediate Partial Quiet Zones that will be converted to 24-hour New Quiet Zones.

Applicant Signature Andrew P. R.

Date 5-30-07

**Chief Executive Officer Statement.**

I hereby certify that the information submitted in this notification is accurate and complete to the best of my knowledge and belief.

Signature [Handwritten Signature]

Date 5/30/07

Note: A copy of this report along with other required contents (see § 222.43(e)(2)) must be sent to all of the parties required in § 222.43(a)(4). FRA's notification should be mailed to:

Associate Administrator for Safety  
Federal Railroad Administration  
1120 Vermont Avenue, N.W., MS-25  
Washington, DC 20590



Federal Railroad Administration

### Quiet Zone Designation Information

#### Public At-grade Open Crossing Information

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Crossing:	084713P	Urban(U)/Rural(R):	R.Local
Warning Device:	Gates	Highway Paved:	yes
aadt:	60	Maximum Timetable Speed :	79
Total Trains:	13	Highway Lanes:	2
Day Through Trains:	7	No. of Accident Data Years:	5
Main Tracks:	1	No. of Accidents:	0
Other Tracks:	0	Total Switching Trains:	

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Photo 1: View looking north at intersection with Logen Road.

Photo 2: View looking south at intersection with Logen Road.



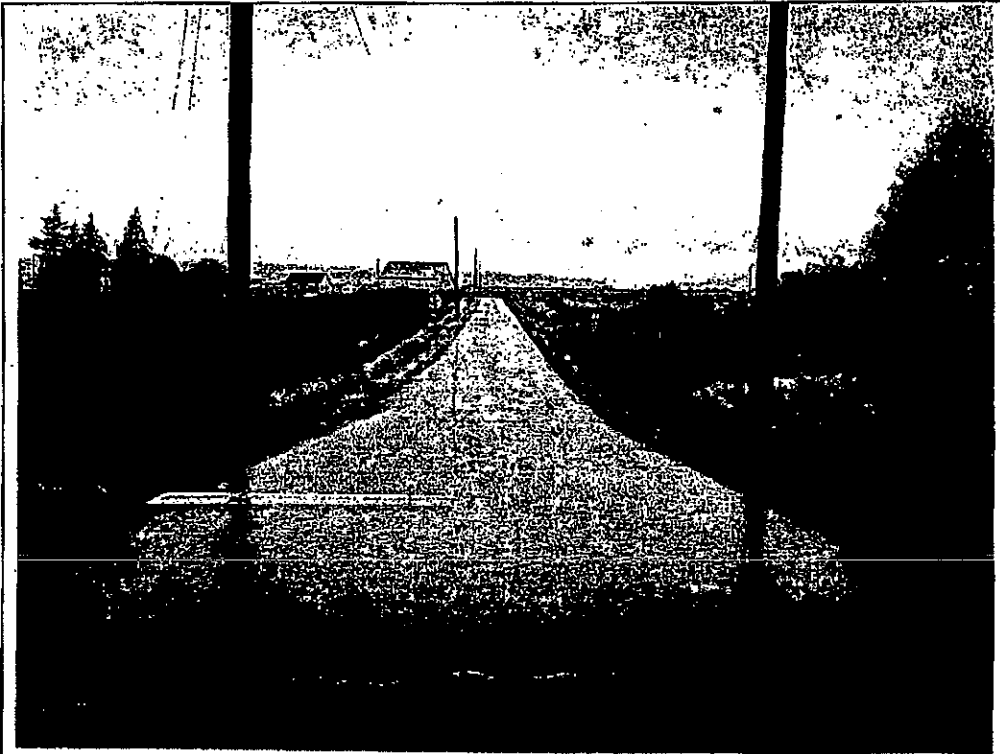


Photo 3: View looking west at intersection of railroad and Logen Road.

Photo 4: View looking west at intersection of railroad and Logen Road.



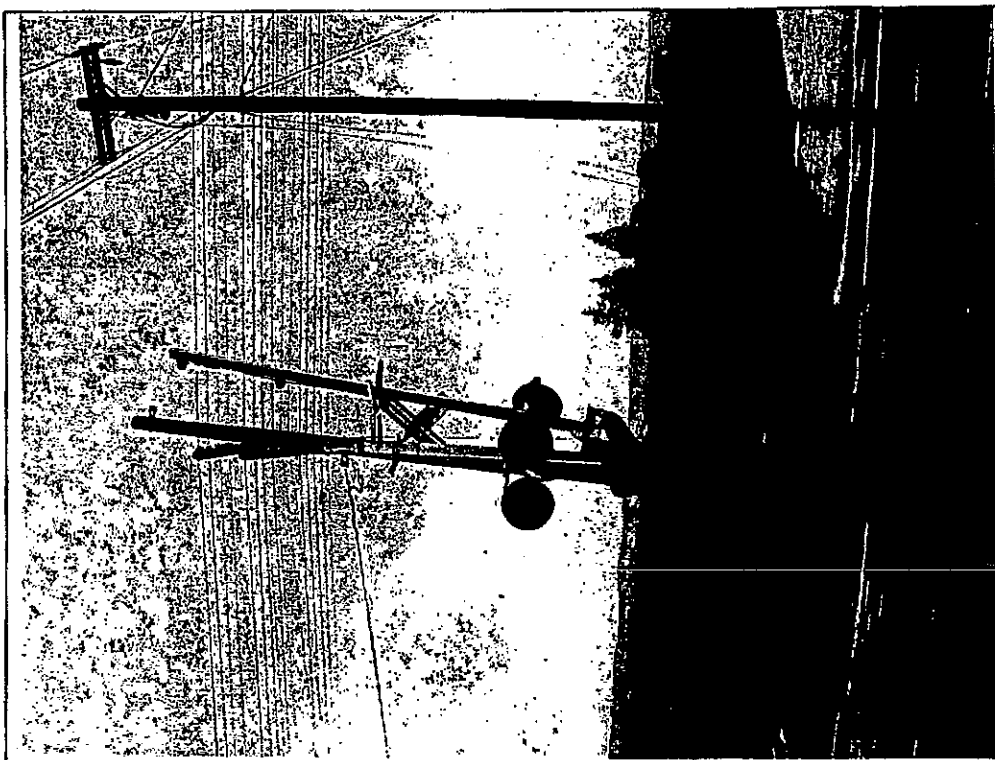


Photo 5: View of signal at intersection of railroad and Logen Road.

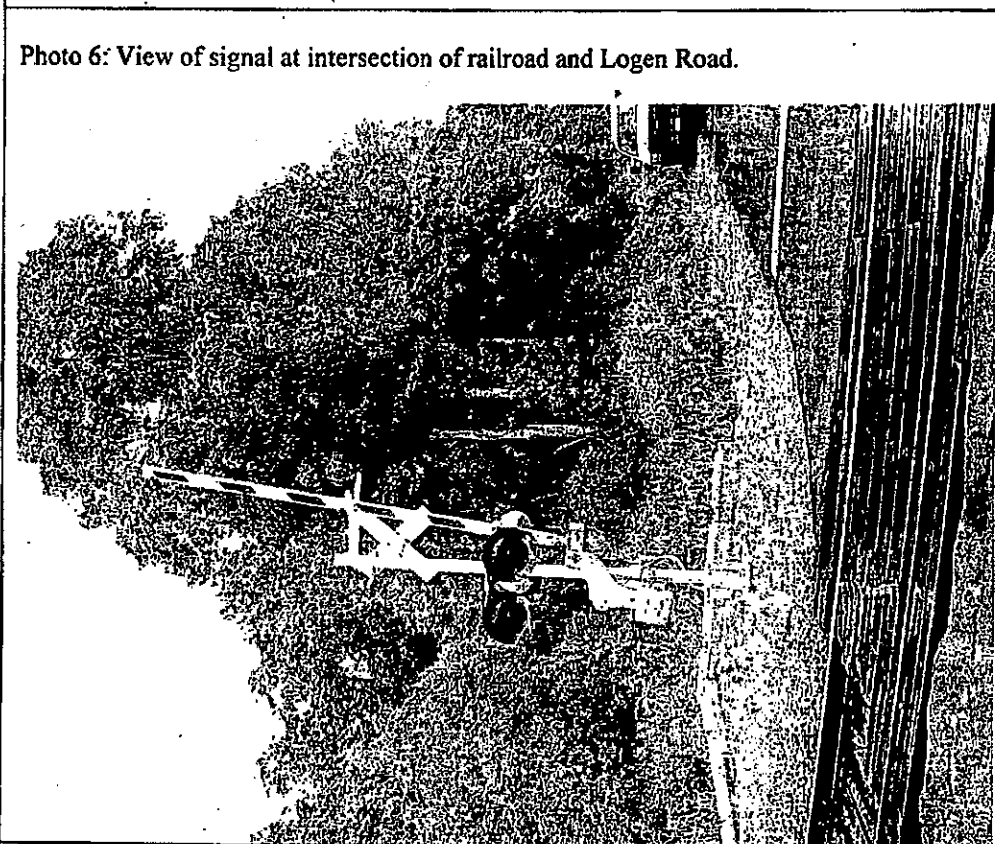


Photo 6: View of signal at intersection of railroad and Logen Road.



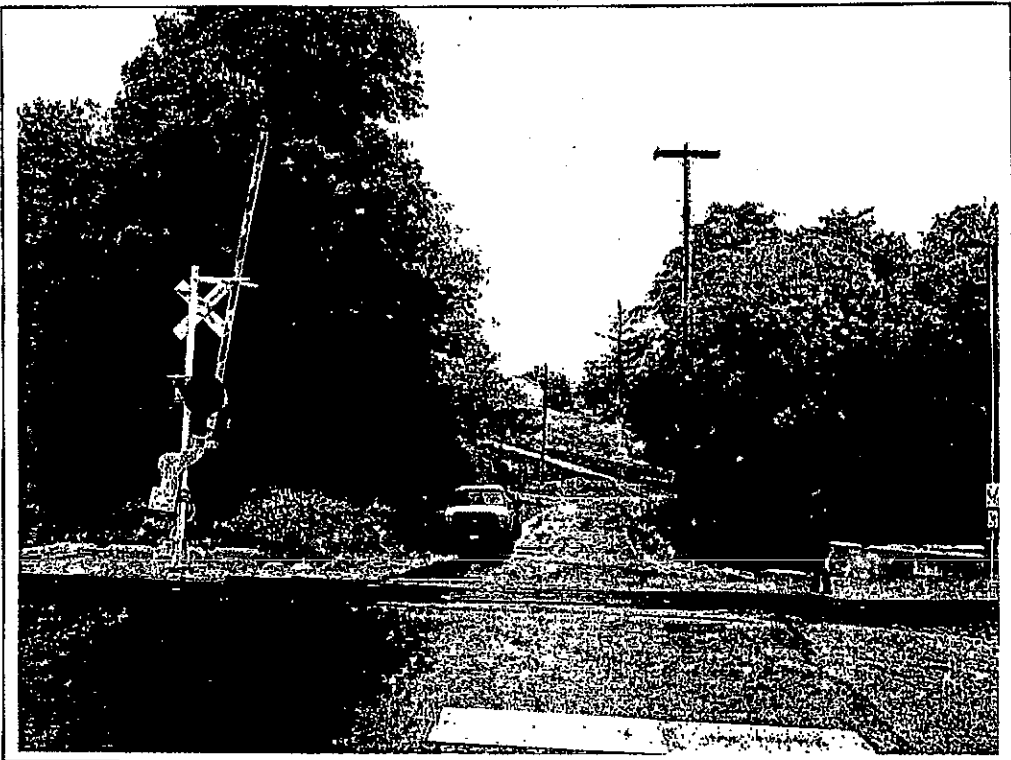


Photo 7: View of signal at intersection of railroad and Logen Road.

Docket No. TR-090121

Good Morning/Afternoon

My name is Lynn Logen

*I would like to have that my 10 exhibits be accepted.*

I plan to limit my testimony to the three issues described in the Prehearing Conference Order which are:

- Requirements of Public Safety
- Convenience and Necessity of Use of Logen Road Crossing
- Alternatives to Closure

**Public Safety**

In regards to the requirements of Public Safety I would like to first describe the use of Logen Road at the point it is crossed by the railroad. The Logen family owns farm property North and West of the intersection of Logen Road and the railroad as well as South and East of that intersection. We use the crossing to move equipment such as tractors, with various implements and trailers between these two pieces of property by using the Logen Road crossing. Logen Road is posted as a "Farming Area" with a sign showing a tractor.

With the proposed closing of the Logen Road crossing the alternatives would be to travel on Old Pacific Highway and Pioneer Highway, both of which are heavily traveled (See Exhibit No.      LFL-4) and are posted at 50 MPH and cross the railroad to the North of Logen Road at 102<sup>nd</sup> Street or Dettling Road.

*Talk about each exhibit*

The only data I was able to locate in regards the safety of the tractor driver and for other drivers when either of our two tractors traveling at 11 MPH or at 15 MPH (see Exhibit No. 18 LFL-1) ~~are~~ on a heavily traveled 50 MPH highway is a table of Stopping Distance (see Exhibit No. 19 LFL-2). However, I am sure that traveling on these highways at slow speeds will cause people to pass the tractor when it is not appropriate and cause drivers to take other risks. In some on places on the Pioneer Highway and perhaps on the Old Pacific Highway the stopping distance at 50 MPH exceeds the sight distance. In addition there are sections of Old Pacific Highway and Pioneer Highway where there is no shoulder, (as shown in Mr. Norris's graphics which I have labeled as my Exhibit No.      LFL-3) thereby requiring a tractor to travel fully within the driven lane.

*Point out MAP LFL-3*

The other option is to travel via the Old Pacific Highway crossing the railroad at 271<sup>st</sup> Street NW which is South of Logen Road and then on Pioneer Highway. In regards to traveling on Old Pacific Highway and Pioneer Highway to use the 271<sup>st</sup> Street NW crossing the safety issues regarding the streets would be the same as I described earlier to utilize the crossings North of Logen Road except the distance is greater, thereby increasing the risk.

Point of Map LFL-3

The choices of crossing streets are 102<sup>nd</sup> Street, Dettling Road and 271<sup>st</sup> Street NW. Dettling Road has the least amount of traffic, but the steep grade can make it impassible and curves and grade result in very short sight distances. Travelling through the City of Stanwood and then using 271<sup>st</sup> Street is a much longer distance and 271<sup>st</sup> Street is fairly busy but has shoulders and a lower speed limit – however, this is really not an option due to the distances on Old Pacific Highway and Pioneer Highway. The last alternative is to use 102<sup>nd</sup> Street which is the same as traveling on Old Pacific Highway.

The intersections involved in these alternative crossings offer another way to look at the Public Safety. I asked that Snohomish County provide all studies regarding the safety or accidents regarding the crossing at Old Pacific Highway and at Dettling Road. In their response to my Data Request No. 13 they provided an extensive study of the Pioneer Highway and Old Pacific Highway intersection. Due to the number of accidents, severity of those accidents and projected fatalities as shown in Exhibit Z of Snohomish County on a sheet titled "Determination Of Possible Inadequate Road Condition" the location was very close to being classified as inadequate and it was suggested that Old Pacific Highway be closed, among other options to improve the Public Safety. (See Exhibit 10 LFL-5) The intersection of Old Pacific Highway and Pioneer Highway could not be closed because Old Pacific Highway is a freight route and truck turning radius is not available at Old Pacific Highway and Dettling Road, plus Dettling road would need to be widened and curves improved for truck traffic. (See Exhibit 20 LFL -6).

In a similar study provided by Snohomish County and labeled as Exhibit AA regarding Dettling Road (see Exhibit 11 LFL-7) it reports three accidents at Pioneer Highway.

I did not research the Public Safety of traveling on Pioneer Highway and Old Pacific Highway South of Logen Road due to the distances involved in traveling on these two highways.

I am not aware of any accidents at the intersection of Logen Road and Old Pacific Highway.

I next looked at the Public Safety in regards to crossing the railroad at the three optional crossings and BNSF provide a partial response to my data requests 24 and 25 a portion of which are included as Exhibit 21 LFL-8 (8 pages). These reports of accidents include accidents involving vehicles and trains at all 3 of the alternate crossings to Logen Road, but none at Logen Road.

Also, the Commission has received a comment from the Fire Chief of the North County Regional Fire Authority who has concerns about closing Logen Road and states that Public Safety could be affected by longer response times and limited access to the Old Pacific Highway area.

Summary regarding Public Safety:

The railroad has provided an extensive amount of data regarding the GENERAL safety of grade crossings and the horrific accidents that can result when a train strikes something. I am well aware of this from first hand experience when a train struck and killed a herd of registered Holstein cattle on the tracks bordering our farm. I have also seen a several presentations by the railroad regarding safety. I do not dispute the fact that in GENERAL grade crossings and trains are dangerous to the public.

However, there has been <sup>I question</sup> ~~nothing~~ presented to show that this specific crossing would be unsafe and must be closed. ~~Other~~ option

In fact, I believe that I have shown that closing Logen Road would serve to degrade the public safety in general and one result would be that traffic would be forced to travel on the highways, intersections and crossings that are less safe than Logen Road. I understand that the added siding can possibly degrade the public safety at the Logen Road crossing, but that can be addressed as I describe in the Alternatives to Closure.

Convenience and Necessity of Use of Logen Road Crossing

<sup>Mr. Norris assumed that Starwood F.D. will respond, # do not think that has been established as a fact.</sup>  
As I described earlier the Logen family has farm property on both sides of the railroad and adjacent to Logen Road. The use of the Logen Road crossings is the most convenient way to access these properties without being exposed to the hazards of <sup>And exposing the public to hazards of slow moving vehicles</sup> traveling on two highways (Old Pacific Highway and Pioneer Highway). Traveling on these highways will also impede the traffic on both of these highways causing inconvenience for many people, possibly for hours at a time. BNRR has refused to consider a convenient private crossing as a replacement so that the inconvenience for the Logen's and the public can be avoided.

In addition there have been many members of the public that have submitted comments explaining their use of Logen Road and the inconvenience closure will have on them and I expect that you will hear from many more people at the public hearing tonight.

In summary, closure will cause the Logen family the need to acquire additional equipment, and will cause a number of people inconvenience.

Alternatives to Closure:

The proposed new siding will result in one main track and one siding track at the Logen Road crossing. I note that the crossing at 271<sup>st</sup> Street already has a total of three tracks, yet it is not being proposed for closure.

There are several alternatives to closure, including leaving the crossing open and grade separation, but the present use of the Logen Road crossing is insufficient to warrant the expense of grade separation. However, I believe that mountable medians with reflective

*It there is a flood closing Old Pacific Highway Niles Starwood access, for emergency vehicles, to the ~~area~~ area along old Pacific Highway will be limited to the 10200/O.P.H./Pioneer highway intersection - which is dangerous. ~~area~~*  
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traffic channelization devices are a viable option along with non-traversable curb medians with or without channelization devices and four-quadrant gates.

I looked first at four-quadrant gates and found a paper on the U.S Department of Transportation/Federal Highway Administration web site titled "Guidance on Traffic Control Devices at Highway-Rail Grade Crossings. See Exhibit 22 LFL-9 which includes the executive summary, information on four-quadrant gate systems and Table 2, Clearing Sight Distance. These documents include the statement that "Unlike two-quadrant gate systems, four-quadrant gates provide additional visual constraint and inhibit nearly all traffic movements over the crossing after the gates have been lowered". I also found on the Federal Transit Administration web site the document I have submitted as Exhibit 23 LFL-10 which shows that safety was enhanced by a four-quadrant gate, but suggests on page 3 that "Other viable alternatives, such as the extension of gate arms and the use of roadway medians should be considered during the preliminary engineering phase of the project." Finally, from the Transportation Research Board of the Nation Academies, Exhibit 24 LFL-11 states that "The four-quadrant gate system had no effect on the level of service at the crossing but had a positive effect on driver behavior at the crossing by eliminating risky and illegal behavior as well as violations at the crossing, thus producing superb improvements in safety MOEs." (Measures Of Effectiveness) And goes on to state that "Such benefits are especially important at crossings with limited sight distance, high-speed trains, and multiple tracks."

To further examine the safety and alternatives I next went to the Quiet Zone Calculator on the Federal Railroad Administration web site. Snohomish County provided a response to a data request showing that the Quiet Zone calculation at the Logen Road crossing, as it exists today with just the main line, and determined that the risk index was 7,070.92. I then entered the addition of one siding track at the Logen Road crossing and the calculator resulted in a risk index of 8,565.58 (see Exhibit 25 LFL-12) which is still below the Nationwide Significant Risk Threshold of 17,610. I then added four-quadrant gates to the crossing (with one main track and one siding track) and the resulting risk index was 1,478.5 (See Exhibit 26 LFL-13). Then I entered option 12 (Mountable medians with Reflective Traffic Channelization Devices) and option 13 (Non-Traversable Curb Medians with or without Channelization Devices) and obtain risk indexes of 2,141.4 and 1,713.12 respectively. Exhibit 27 (LFL-14)

#### Summary of Alternatives

I believe that there are 4 or more viable alternatives to the closing of the Logen Road crossing: (1) leaving the crossing open, (2) installing four-quadrant gates, (3) installing Mountable medians with Reflective Traffic Channelization Devices and (4) installing Non-Traversable Curb Medians with or without Channelization Devices.

Public Safety will be harmed by the closing of the Logen Road crossing and leaving the crossing open results in a crossing that is still well below the Nationwide Significant Risk Threshold. The last 3 options result in a crossing that is more safe for the public than the present crossing.

Summary:

I believe that I have shown that Public Safety will be harmed by the closing of the Logen Road crossing, that convenience and necessity of the public requires leaving the crossing open and that there are viable options to closing the crossing. Leaving the crossing open also preserves the options for the public in the future. Therefore the Logen Road crossing should not be closed but instead an alternative to closing should be ordered.

Department of Transportation v Snohomish County  
There was a safer alternative to  
the crossing that was closed.