



Public Works Department

Divisions: Administrative Services
Engineering Services Waste Management
Real Estate Services Traffic Engineering
Road Maintenance and Operations

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February 11, 2011

Washington Utilities and Transportation Commission
Attn: David Danner, Executive Director and Secretary
1300 S. Evergreen Park Drive SW
PO BOX 47250
Olympia, Washington 98504

RE: TR-1101158 – Petition on Behalf of Puget Sound and Pacific Railroad to close the Foron Road Grade Crossing in Lewis County, WA

Dear Mr. Danner:

Lewis County has received the petition for the closure of Foron Road as referenced herein. As a correction to the letter dated January 26, 2011, Lewis County is the road authority at the crossing being petitioned, and not the City of Centralia. This area of the County is in the City's UGA (Urban Growth Area), but road jurisdiction within the UGA is retained by the County.

Lewis County has previously explored options for the closure of Foron Road at this crossing and generally supports the proposal outlined in the petition. However, the County is not willing to sign the Respondent's Waiver of Hearing form that was sent to us for the following reasons:

1. Kuper Road is a private road and any properties that do not currently have legal access would need a perpetual access easement that meets their requirements and the requirements of the County.
2. The north end of Foron Road, where it intersects with Kuper Road, is the end of the County Road system in that area. If the crossing is closed, Lewis County would have no legal access for maintenance of that remnant piece of Foron Road between the crossing and Kuper Road. Lewis County would either need perpetual access across Kuper Road; or Foron Road north of the crossing would need to be vacated and reestablished as a private road.
3. Puget Sound and Pacific Railroad would be responsible for all costs to construct Lewis County standard cul-de-sacs both north and south of the proposed crossing closure including right-of-way and administrative costs.

4. To support this closure, the County would require that the all physical construction of any modifications to the road needed to facilitate the closure be in accordance with the review and approval by Lewis County per the Lewis County Road Standards LCC 12.60.

While Lewis County fully supports a well thought out and executed crossing closure, we believe that for this closure to proceed, a full public hearing process is necessary. The County reserves the right to provide further comments, conditions, and/or requirements as it pertains to this petition as it moves forward through process as outlined by the WUTC and RCW 81.53.

The Lewis County SEPA official has stated that the petitioner will need to make a formal application for SEPA with the County to initiate the process. As of the date of this letter, this application has not been submitted.

Please feel free to contact me at 360-740-1123 or Tim.Elsea@lewiscountywa.gov if you have any questions or would like to discuss these comments further.

Sincerely,



Tim Elsea, PE
Public Works Director / County Engineer
Lewis County Public Works

cc: Jan Stemkoski, PE; City of Centralia
Kyle Heaton, Port of Centralia
Lewis County Board of County Commissioners
Lynn Deitrick, Lewis County SEPA Official
File