



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

April 16, 2010

Terrel Anderson
Union Pacific Railroad
9451 Atkinson Street
Roseville, CA 95747

RE: TR-100576 - Petition on Behalf of Benton County to Close the Cochran Road Grade Crossing

Dear Mr. Anderson:

On April 9, 2010, Benton County filed a petition with the Washington Utilities and Transportation Commission (Commission), seeking approval to close the Cochran Road grade crossing. The Commission assigned Docket No. TR-100576 to this petition.

Please review the enclosed petition and respond by May 6, 2010. Your response options include:

- Support the petition – Complete the Respondent's Waiver of Hearing form, which serves as your consent for the Commission to issue an order without further notice or hearing.
- Do not support the petition – Reply with your position and include whether you feel a hearing is necessary to resolve the issues or suggest other courses of action, such as further discussion prior to going to hearing.

If you do not respond within 20 days of the date of this letter, we will assume you do not support the petition and will set the matter for hearing. You will be required to attend the hearing and respond to the Commission.

If you have any questions, please contact Kathy Hunter at (360) 664-1257 or khunter@utc.wa.gov.

Sincerely,

David Pratt
Assistant Director, Transportation Safety

Enclosure

cc: Malcolm Bowie, Benton County (without enclosure)



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

)	DOCKET NO. TR-100576
)	
<u>Benton County</u>)	PETITION FOR THE CLOSURE
Petitioner,)	OF A HIGHWAY-RAIL GRADE
)	CROSSING
vs.)	
)	
<u>Union Pacific Railroad</u>)	USDOT CROSSING # TBD
Respondent)	
)	UTC CROSSING #
.....)	
)	

Prior to submitting a Petition for the Closure of a Highway-Rail Grade Crossing to the Washington Utilities and Transportation Commission (UTC), State Environmental Protection Act (SEPA) requirements must be met. Washington Administrative Code (WAC) 197-11-865 (2) requires:

All actions of the utilities and transportation commission under statutes administered as of December 12, 1975, are exempted, except the following:

- (2) Authorization of the openings or closing of any highway/railroad grade crossing, or the direction of physical connection of the line of one railroad with that of another;

Please attach sufficient documentation to demonstrate that the SEPA requirement has been fulfilled. For additional information on SEPA requirements contact the Department of Ecology.

The Petitioner asks the Washington Utilities and Transportation Commission to approve the closure of a public at-grade highway-railroad crossing as described in this petition.

Section 1 – Petitioner’s Information

Petitioner: Benton County
 Street Address: 610 Market St
 City, State and Zip Code: Prosser, WA 99350
 Mailing Address, if different than the street address: PO Box 1001; Prosser, WA 99350
 Contact Person Name: Malcolm Bowie, PE
 Contact Phone Number and E-mail Address: 509-786-5611 malcolm.bowie@co.benton.wa.us

Section 2 – Respondent's Information

_____ Respondent
_____ Street Address
_____ City, State and Zip Code
_____ Mailing Address, if different than the street address
_____ Contact Person Name
_____ Contact Phone Number and E-mail Address

Section 3 – Crossing Location

1. Existing highway/roadway	<u>Cochran Road</u>		
2. Existing railroad	<u>UPRR</u>		
3. USDOT Crossing No.	_____	UTC Crossing No.	_____
4. Located in the <u>NW</u> 1/4 of the <u>SE</u> 1/4 of Sec. <u>23</u> , Twp. <u>8N</u> , Range <u>30E</u> W.M.			
5. GPS location, if known	<u>46° 09' 39.11" N, 119° 01' 05.35" W</u>		
7. Railroad mile post (nearest tenth)	_____		
8. City	_____	County	<u>Benton</u>

Section 5 – Description of Closure

1. Describe in detail the reasons for closing the crossing:

Benton County has applied to construct 4 new grade crossings as a condition for construction of the Piert Road Extension. If the 4 petitions to construct grade crossings are granted, Piert Road will be extended from SR 397 to Bowles Road. This extension will veer easterly far enough to allow Benton County to vacate the portion of Cochran Road where this crossing is located.

2. Describe the area currently served by the crossing, including the approximate number of homes or businesses that might be affected by the closure:

There is only one residence lying east of the existing crossing and it will be served by the new Piert Road extension. The property is designated Industrial and presently functioning as irrigated agricultural land owned by the Port of Kennewick.

3. How far is the nearest alternate access across the tracks from the crossing proposed for closure? 585 feet north or 2600 feet southeast

4. Describe the alternate access route, including distance and driving time:

Drive West on Cochran Road for $\frac{3}{4}$ of a mile to Finley Road for 1.3 minute; Turn North on Finley Road for $\frac{1}{2}$ mile to Bowles Road for 0.9 minute; Turn East on Bowles Road for 0.4 mile to the Piert Road Extension for 0.7 minute; Turn South on the Piert Road Extension for 0.6 mile to the UPRR track for 1.0 minute; for a total distance of 2.25 miles and a total time of 4 minutes. 5 minutes if traffic is bad.

Section 6 – Illustration of Crossing

Attach a diagram, drawing, map or other illustration showing the location of the highway and railroad in the vicinity of the crossing. Include the parcels of private property located on both sides of the highway for a distance of 500' from the crossing and the name and mailing address of each property owner.

Section 7 – Waiver of Hearing by Respondent

Waiver of Hearing

The undersigned represents the Respondent in the closure of the following crossing.

USDOT Crossing No. _____ UTC Crossing No: _____

We have investigated the conditions at the crossing. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree the grade crossing should be closed and consent to a decision by the commission without a hearing.

Dated at _____, Washington, on the _____ day of _____, 20 ____.

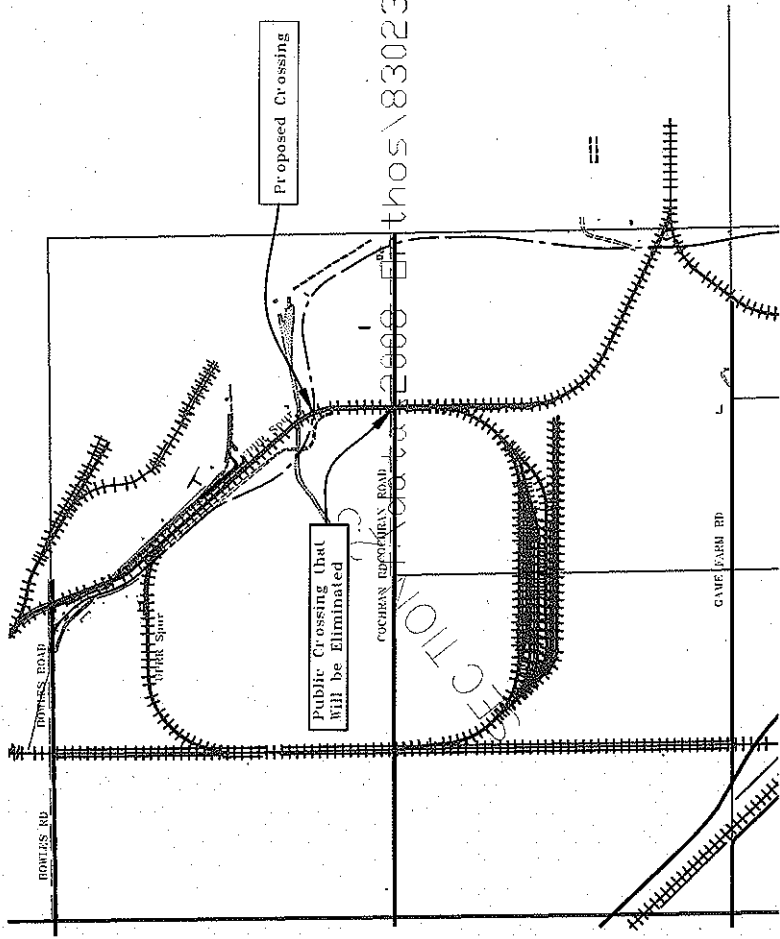
Printed name of Respondent

Signature of Respondent's Representative

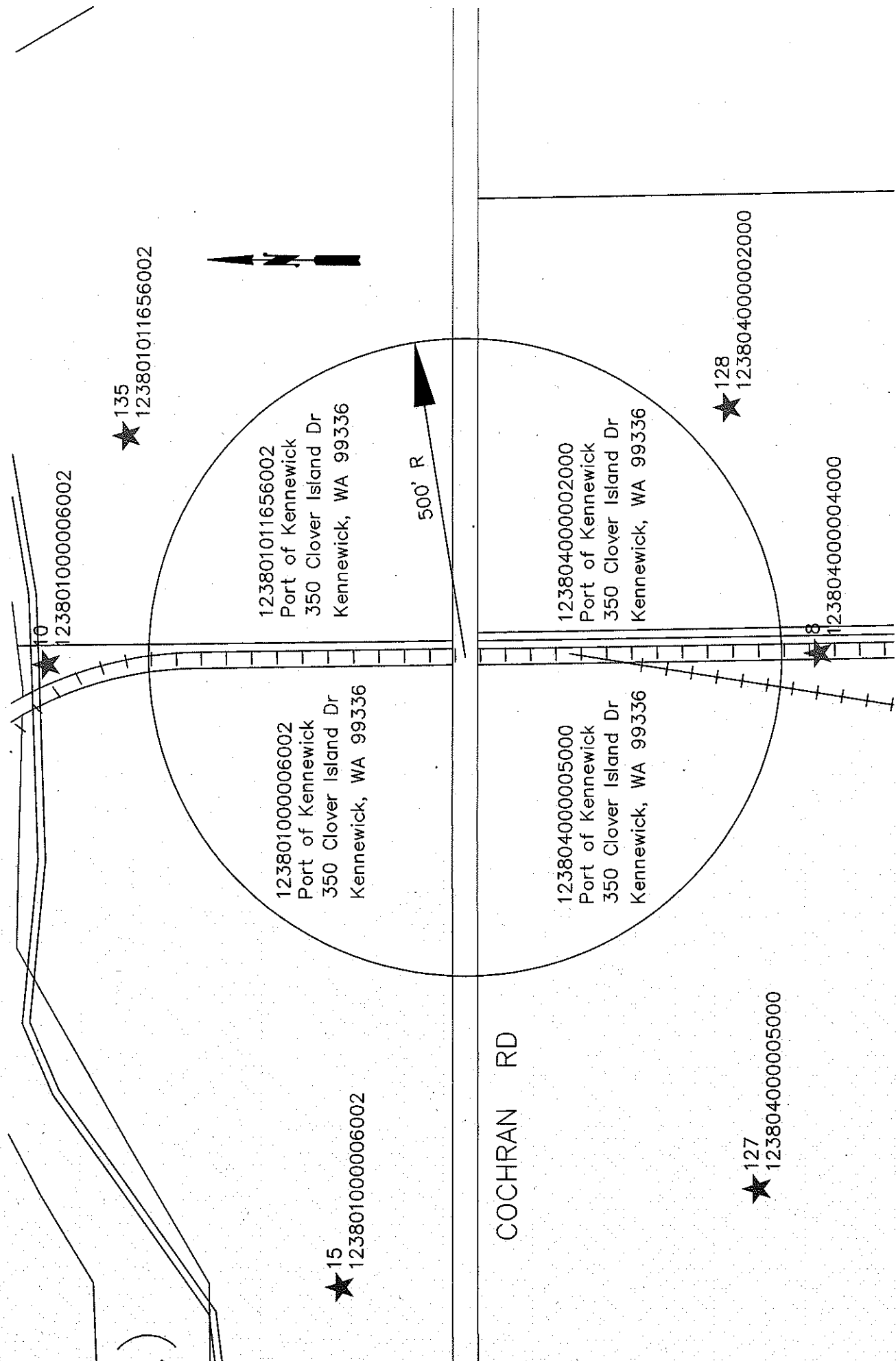
Title

Phone number and e-mail address

Mailing address



C:\Users\ethos\83023.ecw\T:\c



★ 135
12380101656002

10
123801000006002

12380101656002
Port of Kennewick
350 Clover Island Dr
Kennewick, WA 99336

500' R

123801000006002
Port of Kennewick
350 Clover Island Dr
Kennewick, WA 99336

123804000002000
Port of Kennewick
350 Clover Island Dr
Kennewick, WA 99336

★ 128
123804000002000

8
123804000004000

COCHRAN RD

★ 15
123801000006002

★ 127
123804000005000

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The project will begin at the intersection of Piert Road and SR 397 and run northwest approximately 1.6 miles. The proposed work includes designing and reconstructing a portion of Piert and Lechelt Roads, and all new construction and alignment between Lechelt and Bowles Roads. All will be constructed to all-weather standards. The roadway cross section will consist of two 12-foot travel lanes, 6-foot paved shoulders and a walkway on the west wise.

Proponent Benton County Dept. of Public Works
P O Box 1001
Prosser, WA 99350

File No. EA 00-33

Location of proposal: The project site is located in the Northeast Quarter of Section 26, Township 8 North, Range 30 East and the East Half of Section 23, Township 8 North, Range 30 East, W.M.

Lead agency BENTON COUNTY

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This mitigated determination of nonsignificance is issued under WAC 197.11.350(3); the specific mitigation measures which will eliminate significant adverse environmental impacts are: _____

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by August 9, 2000.

Responsible Official TERRY A. MARDEN, Director
Benton County Planning & Building Dept.
Post Office Box 910 PHONE: (509) 786-5612
Prosser, WA 99350-0910 (509) 736-3086

Date July 26, 2000

Signature 

You may appeal this determination to TERRY A. MARDEN, at Post Office Box 910, Prosser, WA 99350, no later than _____ by Written notice.

You should be prepared to make specific factual objections. Contact the planning department to read or ask about the procedures for SEPA appeals.

There is no agency appeal.

DISTRIBUTION:

- Applicant
- News Media (Encl. map or plot plan)
- Benton County Building Office
- Department of Natural Resources - Sheryl Beck*
- Department of Natural Resources - David Dietzman *
- Benton Clean Air Authority*
- Benton-Franklin Dist. Health Department -Kennewick*
- Department of Transportation*
- Washington State Department of Health*
- Department of Ecology - Olympia* Yakima*
- Corps of Engineers*

- Yakima Indian Nation*
- Fire District No. 1*
- Benton County Fire Marshal*
- Finley School District*
- Dept. Fish and Wildlife*
- Dept. of Reclamation*
- Columbia Irrigation District*
- Port of Kennewick*
- Benton County PUD*
- Burlington Northern Sante Fe RR*

Steven W. Becken
Public Works Manager

Malcolm Bowie, P.E.
County Engineer

Area Code 509
Prosser 786-5611
Tri-Cities 736-3084
Ext. 5664
Fax 786-5627

Benton County

Department of Public Works

Post Office Box 1001 - Courthouse
Prosser, Washington 99350-0954

April 09, 2010

Kathy Hunter
Deputy Assistant Director
Washington State Utility Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. box 47250
Olympia WA 98504-7250

Dear Kathy

Benton County is submitting as part of this package four new public crossing petitions and one public crossing closure petition. We have also provided a map to put the big picture into perspective for the commission and staff.

The Piert Road Extension is a selected project of the STIP with secured funding through the States Transportation Improvement Board. This project will provide direct access to the Finley industrial area. Finley is an unincorporated area southeast of Kennewick. The Benton county Comprehensive Land Use Plan designates over 1000 acres as industrial in this area. The Piert Road project will provide over 300 acres of this undeveloped heavy industrial land with direct road access.

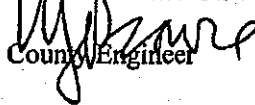
This project will serve local Industries Columbia Colstor Inc. and Agrium Inc. These companies are presently served by the multimodal transportation facilities available in the Finley area moving 5 to 6 million tons of product per day in and out of these facilities.

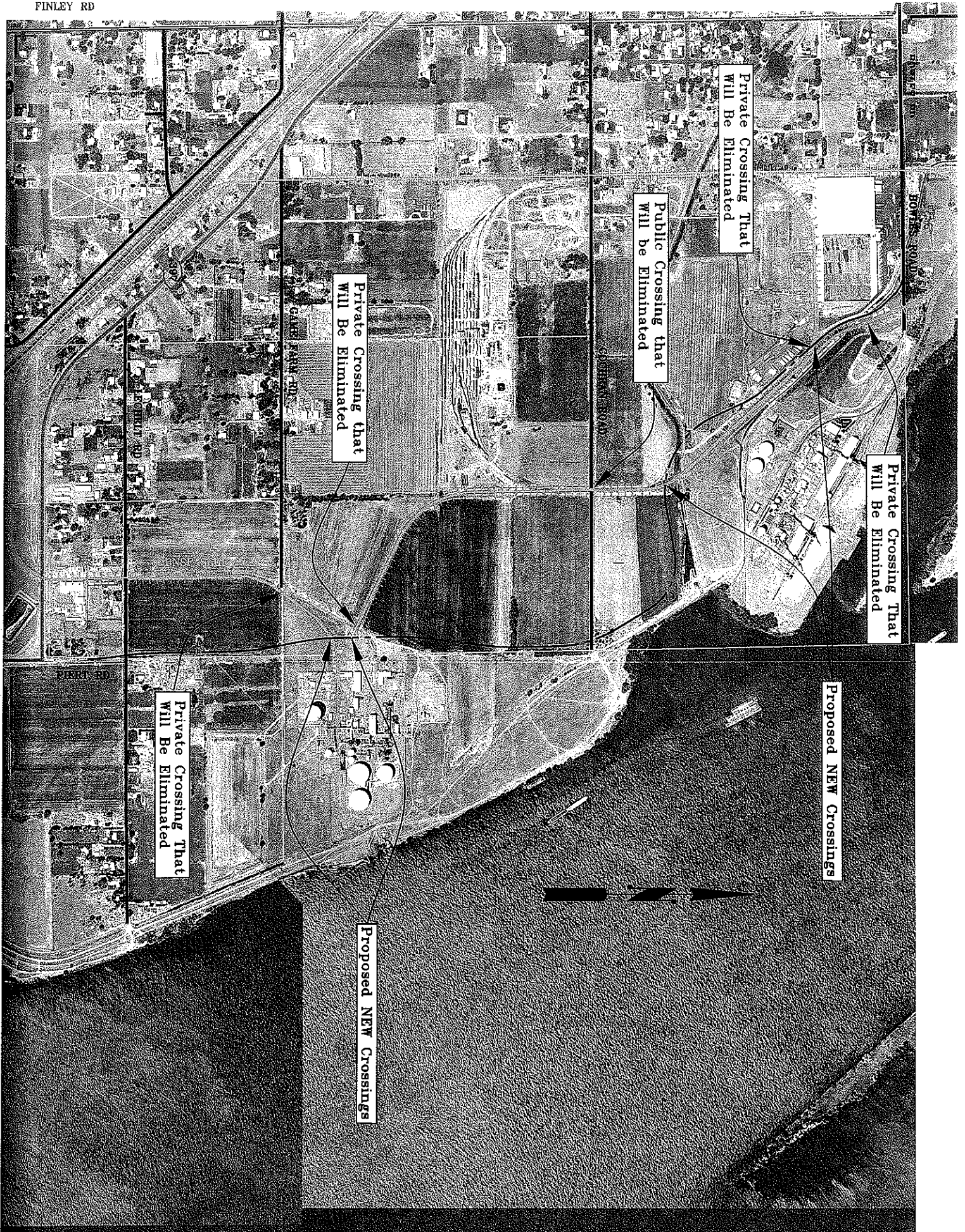
The Finley area is uniquely served by multimodal forms of transportation, including several existing barge slips. One of the unused barge slips in the area is equipped with three dolphins. This existing barge slip is available for lease from the owner and, contingent upon permitting, is available for barge transport on the Columbia River corridor.

This project is the logical planned extension of SR 397 from I-82 and will provide a direct truck route to I-82 from the industrial area.

The reason Benton County is petitioning the Utility Transportation Commission is to get permission to create 4 public at grade crossings for the rail spurs that serve this site. as part of this transportation improvement. Benton County will eliminate 4 private crossing and 1 public crossings as part of this project.

Malcolm Bowie P.E.


County Engineer



Private Crossing That Will Be Eliminated

Public Crossing that Will be Eliminated

Private Crossing that Will Be Eliminated

Private Crossing That Will Be Eliminated

Private Crossing That Will Be Eliminated

Proposed NEW Crossings

Proposed NEW Crossings