

TR 180234



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May 16, 2018

Joseph P Rutan, PE
County Engineer/Assistant Director
322 N. Commercial St, Suite 301
Bellingham, WA 98225

Cody Swan
Project Engineer, Design and Construction Section
Whatcom County Public Works
322 N. Commercial St, Suite 301
Bellingham, WA 98225

RE: Whatcom County NOI Cove Rd Letter BNSF Response

Messrs. Rutan and Swan:

BNSF is in receipt of the Whatcom County ("County") Notice of Intent ("Notice") dated March 16, 2018 for a proposed quiet zone ("Quiet Zone") at the crossing listed below. At the outset of this letter, BNSF would like to be clear that we believe that if not properly accounted for with appropriate safety enhancements, the elimination of the train horn can be detrimental to safety. BNSF writes this comment letter based in part upon requirements set by FRA in the Train Horn Rule ("Rule") at 49 CFR 222.

DOT#	Crossing Name	RR Milepost	Safety Measure /ASM
084795Y	Cove Road	87.65	100' traversable median east side of crossing/ traversable median 25' on west side of crossing

The train horn is intended to alert the motoring and pedestrian public of train movement. The County should use the Rule as a minimum guideline in its approach to creating a situation where the train horn is eliminated as a safety measure. For any quiet zone implemented on BNSF-owned track, we strongly recommend each crossing receive appropriate enhanced safety devices to accommodate for removal of the horn prior to the establishment of the quiet zone.

BNSF acknowledges and appreciates the County's efforts to install Alternative Safety Measures ("ASM") at this single-crossing Quiet Zone. BNSF understands the County plans to use traversable medians with traffic channel devices on the east and west sides of the crossing with lengths of 100' and 25', respectively. Please note that we do not support the use of traversable medians and strongly encourage the County to use non-mountable concrete center medians with a minimum height of 7" instead. Posts or delineators used on the channelization devices can bend or break; please note that the County is responsible for the cost and maintenance of these devices. Further, additional signage and enhancements were discussed at the diagnostic meeting, including those regarding the hiking trailhead adjacent to the southeast quadrant. Please ensure these are implemented in accordance with the diagnostic notes. Additionally, BNSF understood from the County that the County was going to build up the northwest quadrant of the crossing with gravel, as BNSF parks vehicles in that vicinity.


Due to the median installation, BNSF will no longer be able to use a three-point turn to maneuver around the crossing and the gravel build up is necessary.

BNSF asks that FRA, in reviewing this proposed Quiet Zone, please note that there is a public-use boat-ramp accessed directly from Cove Road.

Please review the requirements, specifically with regard to median length and height requirements as well as allowance of driveways, and confirm if the safety measures will qualify as an ASM under Appendix B. Due to the use of ASMs, the County is required to submit an application to FRA for the approval of the ASM and this Quiet Zone.

The County is required to issue a Notice of Establishment for the Quiet Zone implementation. In the Notice of Establishment ("NOE"), the City should certify that the ASMs have been constructed and comply with the requirements set forth in Appendix B of the Rule. Please ensure all proper advanced warning signage ("NO TRAIN HORN", etc.) will be installed. Whatcom County, by issuing the NOE, certifies that it has proper jurisdiction to establish the Quiet Zone, and that the Quiet Zone meets or exceeds federal requirements. If BNSF can be of further assistance, please feel free to contact me or French Thompson, Public Projects Director for BNSF, 2600 Lou Menk Drive, OOB3, Fort Worth, TX 76131 (Office phone 817-352-1549).

Regards,


Stephen Semenick
Manager Public Projects, BNSF Railway

cc: Union Pacific Railroad
Engineering Department
Re: Quiet Zone Establishment
1400 Douglas St, STOP 0910
Omaha, NE 68179

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cc via electronic mail:

Megan McIntyre, BNSF Railway; French Thompson, BNSF Railway; Nicole Hightower, BNSF Railway; Jennifer Willingham, BNSF Railway