



## Memorandum March 11, 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-100131- Petition to Modify Existing Highway-Rail Grade Crossing

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 – 41<sup>st</sup> Division Drive, USDOT #085830N. The Joint Base Lewis-McChord is the road authority. The Waiver of Hearing forms have been filed and an order was issued on March 10, 2010, to approve 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 requested an extension of time on February 23, 2010, to respond with a statement of position until after the next City Council meeting scheduled for March 9, 2010. Staff agreed to the request.

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. The docket numbers assigned to the previously approved petitions are: TR-081229, TR-081230, TR-081231, and TR-081232.

On March 1, 2010, the City of Lakewood (City) filed a written response objecting to the proposed modifications of the Clover Creek, Berkeley and North Thorne Lane crossings. UTC issued a Notice of Prehearing Conference on March 2, 2010, to set the matter for hearing. The City supplemented their objection on March 9, 2010. The other stakeholders, Tacoma Rail and Sound Transit filed signed Waiver of Hearing forms documenting support for the proposed modifications to the crossings.

On March 10, 2010, the City of DuPont filed a written response objecting to the proposed modifications of the Barksdale Avenue crossing. Staff is recommending that Docket No. TR-100131 is set for hearing based on the City of DuPont’s March 10, 2010, opposing the modification of the Barksdale Avenue railroad highway-grade crossings. WSDOT Staff have communicated to me their desire for an expedited hearing process, if possible.

Attachment 1 – Petition TR-100131

Attachment 2 – Letter dated February 2, 2010, to Jodi Mitchell, Peter Zahn and Dale King from David Pratt

Attachment 3 – E-mail dated February 23, 2010, to Kathy Hunter from Peter Zahn

Attachment 3 – Letter dated March 10, 2010, to David Danner from Peter Zahn

Cc: File ( no attachments)