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U.S. Department  
of Transportation

**Federal Railroad  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

TR-160319

JUN 07 2019

Received  
Records Management

06/19/19 15:23

Joseph P. Rutan, P.E.  
County Engineer/Assistant Director  
Whatcom County Public Works Department  
322 North Commercial Street, Suite 301  
Bellingham, WA 98225-4042

State Of WASH.  
UTIL. AND TRANSP.  
COMMISSION

**Re: THR-000000440001 (U.S. DOT National Highway-Rail Crossing Inventory Number 084796F)**

Dear Mr. Rutan:

The Federal Railroad Administration (FRA) reviewed the amended public authority application you submitted on behalf of Whatcom County, Washington (County), under Title 49 Code of Federal Regulations (CFR) Section 222.39(b).

The County is seeking FRA's approval of the suggested effectiveness rate for the proposed alternative safety measure (ASM) at the Yacht Club Road crossing. The County asserts that the proposed ASM at the Yacht Club Road crossing will consist of a 100-foot non-traversable curb with channelization devices on the east side of the crossing.<sup>1</sup> The west side of the crossing will be equipped with a 30-foot non-traversable curb with channelization devices due to an intersecting street. The County suggested a 50 percent reduction in risk. However, FRA has determined that an effectiveness rate of 0.60 is more appropriate due to the lengths of the curbs.

After recalculating the risk index using the revised effectiveness rate, FRA approves the County's amended application. FRA has determined that implementation of the proposed ASM, as described in the County's amended application, will result in a Quiet Zone Risk Index of 6,943. This index is below the Risk Index with Horns (the risk that would be present if the horns were still sounding) of 10,406 and the current Nationwide Significant Risk Threshold of 13,811.

The County may submit a revised Notice of Quiet Zone Establishment consistent with 49 CFR § 222.43, *What notices and other information are required to create or continue a quiet zone?* after implementation of the proposed ASM, as described in the amended application, and compliance with all applicable quiet zone requirements in 49 CFR §§ 222.25, *How does this rule affect private highway-rail grade crossings?*; 222.27, *How does this rule affect pedestrian grade crossings?*; and 222.35, *What are the minimum requirements for quiet zones?* Please note this

<sup>1</sup> The County stated in the amended application that there are three gaps measuring one foot or less in the non-traversable curb to allow for drainage.

letter supersedes FRA's December 19, 2016, decision letter regarding the County's original public authority application for this quiet zone.

If you have any questions or need additional information, please contact Mr. Larry Woolverton, Acting Staff Director, Highway-Rail Crossing and Trespasser Programs Division, at (202) 493-6212 or [larry.woolverton@dot.gov](mailto:larry.woolverton@dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl Alexy', with a stylized flourish at the end.

Karl Alexy  
Acting Associate Administrator for Railroad Safety

cc:

Kathy Hunter, Washington Utilities and Transportation Commission  
Stephen M. Pugsley, Amtrak  
Stephen Semenick, BNSF Railway

Addresses:

Kathy Hunter  
Deputy Assistant Director, Transportation Safety  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive, SW  
Olympia, WA 98504-7250

Stephen M. Pugsley, Senior Manager- Emergency Management  
Emergency Management and Corporate Security  
Amtrak  
1 South Station, 2nd Floor  
Boston, MA 02110

Stephen Semenick  
Manager Public Projects  
BNSF Railway  
2454 Occidental Avenue South, Suite 2D  
Seattle, WA 98134