



Confederated Tribes and Bands
Of the Yakama Nation

Established by the
Treaty of June 9, 1855

March 24, 2014

David Danner, Executive Director and Secretary
Utilities & Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Re: BNSF Railway Co.'s Petition to Close Barnhart and N Stevens Roads

Dear Mr. Danner:

It has come to the attention of the Yakama Nation (YN) Tribal Council that petitions were filed by BNSF Railway Company to the Utilities and Transportation Commission (UTC) for the closure of highway-rail crossings on the Yakama Reservation. The petitions for Barnhart Road (USDOT Crossing # 104526P, RR MP 62.40) and N Stevens Road (USDOT Crossing # 104516), were recently received by your office.

For the second time, Yakama Nation will not support these actions and objects to the closure of the rail crossings. If there is any consideration to approve this proposal, Yakama Nation requests that UTC, BNSF and Yakima County stop any further action on said petitions until all parties involved meet with the YN Tribal Council.

These actions can result in substantial impacts to the social, health and economic welfare of tribal members. We know maintenance costs and safety are issues associated with the proposed closures, but as stated previously closing the Barnhart Road crossing could have greater consequences. Emergency response time to tribal homes in the area would be increased and could account for significant loss of property or life. Additionally, ceremonial activities at the Satus Longhouse are better served by the Barnhart Road access to SR 22.

For any questions or to schedule a meeting, please contact Al Pinkham, Engineering Planner, at (509)865-5121 extension 6735 or email apinkham@yakama.com.

Sincerely,


Harry Smiskin, Chairman
Yakama Nation Tribal Council

Cc: Kent McHenry, Yakima County Public Services
Richard Wagner, BNSF Railway Co.
Phil Rigdon, DNR Superintendent