

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

**BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION
COMMISSION
FOR THE STATE OF WASHINGTON**

BNSF RAILWAY COMPANY,
Petitioner,

CITY OF MOUNT VERNON,
Respondent

**SKAGIT COUNTY, WASHINGTON
STATE DEPARTMENT OF
TRANSPORTATION, WEST VALLEY
FARMS, LLC,**
Intervenor

Docket No. TR-070696
**PREFILED TESTIMONY OF ESCO
BELL**

Q. Please state your full name, job title and business address.

Edward Esco Bell
Public Works Director
POB 809
1024 Cleveland Avenue
Mount Vernon, WA 98273

Q. What does your job with Mount Vernon Public Works Department entail?

1 *I provide general direction to and oversight of the Public Works Department. I have ultimate*
2 *staff responsibility for all of the department services: engineering, solid waste, street*
3 *maintenance, wastewater treatment, storm water management, capital projects, equipment*
4 *maintenance, public works administration and public works mapping and information resources.*
5 *These general oversight responsibilities include the planning, analysis, construction,*
6 *maintenance, funding, and coordination activities associated with managing the City's surface*
7 *transportation system.*

8
9 **Q. Please explain your background, qualifications, academic training, academic**
10 **degrees or any special training that you have.**

11
12 *Please see Resume Attached as Ex. No. ___ (EB-1)*
13

14 **Q. Are you familiar with the Hickox RR crossing?**

15
16 *Yes*

17
18 **Q. Where is this crossing located?**

19
20 *At the southern boundary of the City limits, several hundred feet westerly of I-5.*

21
22 **Q. Have you physically inspected the Crossing? When?**

23
24 *Yes. I have been to the crossing during the past few years. On November 1, 2007 I conducted a*
25 *physical inspection.*

26
27 **Q. What is the alignment of the roadway approach to the crossing?**

1 *Horizontally, the alignment is straight and crosses the railroad track close to perpendicular.*
2 *Vertically, the roadway rises up to reach the grade of the railroad tracks and descends again to*
3 *the flat grade of the adjacent land.*
4

5 **Q. Is there any vegetation that you witness that would limit a motorist or pedestrian**
6 **view of the tracks as they approach the crossing?**
7

8 *No.*
9

10 **Q. Are there any other obstacles that you witnessed that may limit a motorist or**
11 **pedestrian's view of the tracks as they approach the crossing?**
12

13 *No.*
14

15 **Q. I am showing you a series of photographs marked Exhibit No. ___ (EB-2A-1-7) ,**
16 **Going in Order can you tell me what these are:**
17

- 18 *EB-2A-1? A photograph of Hickox Road looking westerly to the railroad crossing*
19 *EB-2A-2? A photograph of the railroad tracks looking southerly at Hickox Road crossing*
20 *EB-2A-3? A photograph of the Hickox Road railroad crossing looking easterly along Hickox*
21 *Road*
22 *EB-2A-4? A photograph of the railroad tracks looking northerly at Hickox Road crossing*
23 *EB-2A-5? A photograph of Hickox Road on west side of railroad crossing looking easterly along*
24 *Hickox Road*
25 *EB-2A-6: A photograph of Hickox Road on west side of railroad crossing looking easterly along*
26 *Hickox Road*
27 *EB-2A-7: A photograph of the Hickox Road railroad crossing looking westerly along Hickox*
28 *Road*
29

30 **Q. Who took these photos?**

1

2 *I did.*

3

4 **Q.** When were these taken?

5

6 *November 1, 2007*

7

8 **Q.** Are these photos a fair and accurate representation the Crossing?

9

10 *Yes.*

11

12

13 **Q.** Were there any grade changes to the approach either from the West or East that
14 would limit lines of sight?

15

16 *Lines of sight to a train on the railroad tracks are not limited by grade changes. Lines of sight
17 along the road alignment past the railroad tracks are obstructed by the railroad fill.*

18

19 **Q.** Was there a presence of other tracks or siding tracks at the crossing?

20

21 *No.*

22

23 **Q.** What is the number of tracks at the crossing?

24

25 *There is one set of tracks.*

26

27 **Q.** What safety devices did you witness at the tracks?

28

29

30

1 *There are automated crossing guard arms and appurtenant flashing red lights are located at the*
2 *crossing as well as white railroad crossing signs. Yellow railroad warning signs are located on*
3 *the road and white stop bars are painted at the crossing guards.*
4

5 **Q. During your inspection were you able to evaluate the holding capacity on the**
6 **approach between the railroad right of way and Hickox road which intersects the**
7 **approach?**

8
9 *Yes.*
10

11 **Q. What is the holding capacity?**

12
13 *There is approximately 500 feet of lane on Hickox Road easterly from the tracks to Old 99 road.*
14 *This space provides for queuing of more than 20 cars. To the west, there is much more than this*
15 *lane length for holding capacity.*
16

17 **Q. Have you received or are you aware of any complaints about malfunctioning of the**
18 **safety devices at the crossing?**

19
20 *I am not aware of any complaints or concerns.*
21

22 **Q. Does your Department keep records of complaints about roads and safety issues**
23 **coming from citizens?**

24
25 *Yes. We keep records of all complaints and citizen contacts.*
26

27 **Q. Are citizens regularly informed to route complaints of that nature to the Public**
28 **Works Department?**
29
30

1 *Other departments of the City know to refer or route complaints or concerns involving the*
2 *physical configuration, condition and operational characteristics of the City's transportation*
3 *system to the public works department, and contact information by department is posted on the*
4 *City's website. City contact information is also listed in the telephone book.*
5

6 **Q. Were you asked to research the history of the crossing involving complaints from**
7 **citizens?**

8
9 *Yes.*
10

11 **Q. Were you able to discover any complaints about the safety of this crossing and if so**
12 **can you please describe the nature of each complaint and when it was received?**

13
14 *Based on a query of our complaint tracking system, no*

15 **Q. Were you able to discover any complaints about the crossing?**

16
17 *Based on a query of our complaint tracking system, no*

18 **Q. What are the two nearest railroad crossings in relation from the Hickox Crossing?**

19
20 *Blackburn Road crossing to the north and Stackpole Road crossing to the south.*

21
22 **Q. Turning to the Stackpole Crossing, where is this crossing located?**

23
24 *The crossing is located approximately one mile south of Hickox Road (which is the southern*
25 *boundary City limits of Mount Vernon) on Stackpole Road and approximately 800 feet west of I-*
26 *5.*
27

28 **Q. Did you physically inspect the Stackpole Crossing? When?**
29

30 *Yes. November 1, 2007.*

1
2 **Q. What safety features did you witness present at that crossing?**

3
4 *White railroad crossing signs and stop sign control with white stop bars at the crossing. There*
5 *are stop sign ahead warning signs located on Stackpole Road ahead of the crossing.*
6

7
8 **Q. Is there a difference in safety features between the Stackpole crossing and Hickox**
9 **Crossing and if so what are they?**

10
11 *Yes, there are no automated crossing guard arms with flashing red lights at Stackpole.*
12

13 **Q. I am showing you a series of photographs marked Exhibit No. ___(EB-3A-7) can**
14 **you tell me what these are:**

15 *EB-3A-1? A photograph of Stackpole Road looking easterly toward railroad crossing*
16 *EB-3A-2? A photograph of Stackpole Road that is nearer to the railroad looking easterly toward*
17 *railroad crossing*

18 *EB-3A-3? A photograph of Stackpole Road that is nearer to the railroad looking easterly toward*
19 *railroad crossing*

20 *EB-3A-4? A photograph of the railroad tracks on south side of crossing looking northerly along*
21 *tracks*

22 *EB-3A-5? A photograph of the railroad tracks on north side of crossing looking southerly along*
23 *tracks*

24 *EB-3A-6? A photograph of Stackpole Road looking westerly toward railroad crossing*
25 *EB-3A-7? A photograph of Stackpole Road (nearer to railroad) looking westerly toward railroad*
26 *crossing*
27

28
29 **Q. Who took these photos?**

30

1 *I did*

2

3 **Q. When were these taken?**

4

5 *November 1, 2007*

6

7 **Q. Are these photos a fair and accurate representation the Crossing?**

8

9 *Yes*

10

11 **Q. Turning to the Blackburn Road Crossing, where is this crossing located?**

12

13 *The crossing is located about 20 blocks south of the downtown area of Mount Vernon. Two*
14 *roads cross the railroad tracks at this location: east/west Blackburn Road and*
15 *northwest/southeast Old Highway 99 South. The crossing is located approximately 1200 feet*
16 *west of I-5.*

17

18 **Q. Did you physically inspect the Blackburn Crossing? When?**

19

20 *Yes. November 1, 2007*

21

22 **Q. What safety features did you witness present at that crossing?**

23

24 *There is a full signalized intersection that controls traffic flow at this crossing. Flashing red*
25 *warning lights mounted above and alongside of the tracks, yellow warning signs, striping*
26 *warnings, stopping guidance signs, and lane striping are additional safety features at the*
27 *crossing.*

28

29 **Q. How many tracks are at this crossing?**

30

1 *There are two sets of tracks at this crossing.*
2

3 **Q. Is there a difference in grade at the approach to the crossing?**
4

5 *Yes. The railroad tracks are on fill that raises the crossing above the original flat grade of the*
6 *adjacent land by several feet. The crossing roads rise up from the lower flat land to the railroad*
7 *grade and descend back down.*
8

9 **Q. What is the alignment of the roadway approach to the crossing?**
10

11 *The railroad, S. 2nd Street (located on north side of Blackburn Road) and Old Highway 99*
12 *(located on south side of Blackburn Road) all extend generally north/south. A road segment*
13 *(part of S. 2nd Street) connecting S. 2nd Street on the north side of Blackburn Road with Old*
14 *Highway 99 South on the south side of Blackburn Road extends northwest/southeast and crosses*
15 *the railroad obliquely at the location of the east/west crossing of Blackburn Road.*

16 **Q. Are the sight distances to the crossing obstructed?**
17

18 *Yes. Sight distances of the railroad tracks and trains are obstructed. Movement through the*
19 *crossing is controlled by signalized control of all traffic at the crossing.*

20 **Q. I am showing you a series of photographs marked Exhibit No. ___ (EB-4A-17) can**
21 **you tell me what these are:**

22 *EB-4A-1? A photograph taken on S. 2nd Street looking southeasterly toward railroad crossing*
23 *EB-4A-2? A photograph taken on S. 2nd Street looking southeasterly toward railroad crossing.*
24 *EB-4A-3? A photograph taken on S. 2nd Street looking southeasterly toward railroad crossing--it*
25 *is a closer view than the others taken from this direction.*

26 *EB-4A-4? A photograph taken on S. 2nd Street looking southeasterly toward railroad crossing--*
27 *it is a closer view than others from this direction.*

28 *EB-4A-5? A photograph taken on S. 2nd Street looking southeasterly at railroad crossing.*

29 *EB-4A-6? A photograph taken on Old Highway 99 South looking northerly toward railroad*
30 *crossing.*

EB-4A-7? A photograph taken on Blackburn Road looking westerly toward railroad crossing

1 EB-4A-8? A photograph taken on Blackburn Road looking westerly toward railroad crossing--
2 this is a farther view taken from this direction.
3 EB-4A-9? A photogarph taken on Blackburn Road looking westerly toward the railroad
4 crossing--this is a nearer view taken from this direction.
5 EB-4A-10? A photograph taken on Blackburn Road looking westerly toward railroad crossing
6 this is another nearer view taken from this direction.
7 EB-4A-11? A photograph taken on Old Highway 99 South near the crossing. Looking
8 northwesterly toward railroad crossing
9 EB-4A-12? A photograph taken on the railroad looking northerly toward crossing
10 EB-4A-13? A photograph taken on the railroad looking northerly toward crossing
11 EB-4A-14? A photograph taken on Blackburn Road looking easterly toward railroad crossing
12 EB-4A-15? A photograph taken on Blackburn Road looking easterly toward railroad crossing--
13 this is a farther view taken from this direction.
14 EB-4A-16? A photograph taken on the railroad looking southerly toward crossing
15 EB-4A-17? A photograph taken on the railroad looking southerly toward crossing
16

17 **Q. Who took these photos?**

18
19 *I did*

20
21 **Q. When were these taken?**

22
23 *November 1, 2007*

24
25 **Q. Are these photos a fair and accurate representation the Crossing?**

26
27 *Yes*

28
29
30