

BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

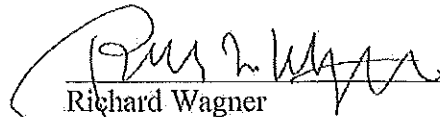
BNSF RAILWAY COMPANY,) DOCKET TR-090121
Petitioner,)
v.) SUPPLEMENTAL NOTICE OF COMPLIANCE
SNOHOMISH COUNTY,)
Respondent.)
.....)

- 1 I, Richard Wagner, under penalty of perjury under the laws of the State of Washington, hereby declare as follows:
2 I am over 18 years of age, and am competent to testify. I swear this declaration on personal knowledge.
3 I am BNSF's Manager of Public Projects for the Logen Road closure.
4 BNSF Railway has fulfilled the conditions required prior to closing the Logen Road railroad crossing as set forth in the Final Order in this matter. See Exhibit A showing the 271st Street crossing improvements to BNSF's first Notice of Compliance.
5 Specifically, BNSF fulfilled and/or worked with the proper jurisdiction to fulfill the diagnostic team recommendations at 271st as follows:
• West side realignment starts at last segment of concrete sidewalk with adjustment of grade (ADA Standards) to crossing panel of main line track with asphalt and asphalt transition to control storm water run-off;
• Pedestrian crossing gate with appropriate signal upgrades installed, with tactile strip 15 feet from the main line track center line;
• Pedestrian crossing continues in straight-line alignment to match the existing Eastside alignment;

- Additional crossing panels installed to allow for adequate crossing width with pavement edge to edge between panels;
- Pedestrian crossing delineated with edge-line striping;
- East sidewalk alignment shares vehicle crossing gate with pedestrians on sidewalk and include tactile strip (2 feet from gate, 8D.04 MUTCD);
- East side crossing gate relocated to the North with adequate clearance for dual use;
- Westbound traffic sign indicating "Do Not Block Tracks" installed; and
- "RR Crossing Ahead" posted on all approaches.

6 I swear that the foregoing is true and correct to the best of my knowledge.

DATED this 20th day of September, 2010, at Vanouver, Washington.


Richard Wagner
BNSF Project Manager, Seattle