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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

BNSF RAILWAY COMPANY)
)
Petitioner,)
)
v.)
)
THE CITY OF MOUNT VERNON)
)
Respondent,)
)
)
)
SKAGIT COUNTY, WASHINGTON; and)
)
SKAGIT COUNTY FIRE DISTRICT #3; and)
)
WASHINGTON STATE DEPARTMENT OF)
)
TRANSPORTATION; and)
)
WEST VALLEY FARMS, LLC)
)
Intervenors.)
)

DOCKET NO. TR-070696

WRITTEN TESTIMONY OF:

CHIEF DAVID SKRINDE

///

///

WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

1 **Q. Please state your name and business address.**

2
3 A. My name is David Skrinde, and my business address is Skagit County Fire
4 Protection District No. 3, P.O. Box 753, Conway, Washington 98238
5

6 **Q. By whom are you employed and what is your position?**

7
8 A. I am employed as the volunteer Fire Chief of Skagit County Fire Protection
9 District No. 3.

10 **Q. How long have you held the position of Fire Chief with Skagit County Fire**
11 **Protection District No. 3?**

12
13 A. I have served as Fire Chief for 11 years.

14
15 **Q. What are the general nature of your duties and responsibilities in your**
16 **position as Fire Chief?**

17
18 A. I oversee the day to day operations, supervising staff, responding to incidents,
19 developing budgets, planning and finance.

1 **Q. Prior to becoming Fire Chief for Fire District No. 3, what administrative or**
2 **supervisory positions and experience have you had in providing fire protection and**
3 **emergency medical service, beginning with your position immediately prior to become**
4 **Fire Chief?**

5
6 A. Immediately prior to Fire Chief, I served as the Assistant Fire Chief for two
7 years and Lieutenant for two years supervising personnel assigned. In addition, I have been
8 certified as an Emergency Medical Technician for 13 years. I served four years on Skagit
9 County EMS Counsel; the counsel was the governing body overseeing ALS and BLS
10 Services County wide. The last two years on the council, I served as Vice President of the
11 Council. I worked three years for Affiliated Health Services as an EMT, providing BLS and
12 ALS responses County Wide. I worked two years as an Emergency Room Technician for
13 United General Hospital. I worked two years as full time paid Fire Captain for North
14 Whatcom Fire and Rescue supervising 20 full time line personnel and 200 volunteers.
15 Currently I am working part time as a firefighter EMT for Stanwood / Camano Fire and
16 Rescue.
17
18

19 **Q. Have you had any experience as a Fire Fighter or Emergency Medical**
20 **Services provider? If so, where and for how long?**

21
22 A. Yes, 17 years as a volunteer with Fire District 3, Two years Paid fulltime
23 Captain with North Whatcom Fire and Rescue and two years as a part time paid firefighter
24 with Stanwood / Camano Fire and Rescue. I served the last 13 years as an EMT Fire
25

1 Fighter. Two years as EMT for Affiliated Health Services and two years Emergency Room
2 Technician with United General Hospital.
3
4

5 **Q. What education and training have you received for your career in the fire**
6 **service?**
7

8 A. I am working for an Associate Degree in Fire Command and Administration
9 through Bellevue Community College and completed 70 credits towards the degree. I am
10 EMT, EVAP Certified, NFPA Fire Fighter I, NFPA Fire Officer I and II certified, NFPA
11 Instructor I, NFPA Hazmat Technician, High Angle Rope Rescue Technician, Washington
12 State Burn to Learn, Search and Rescue, LPG fire certified. Washington State Health Care
13 Provider. Washington State Evaluator for Firefighter I, Hazmat Operations, NFPA
14 Instructor I, and the past three years served as chair of Region 3 Fire Training covering
15 Whatcom County, Skagit County and Island County. I have instructed at the State Fire
16 Training Facility in North Bend WA. Instructor for Skagit County Fire Academy, Water
17 Rescue Technician and Red Card FFII for Wildland Fires working to the Crew Boss
18 certification. Successfully completed NIMS ICS 100, 200, 300, 400, 700, and 800.
19
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1 **Q. Have you taught any courses or seminars relating to providing fire**
2 **suppression or emergency medical services?**

3
4 **A. Yes, I have taught Burn to Learn, Search and Rescue, Fire fighter**
5 **fundamentals, CPR, First Aid, Hazmat awareness and operations, EVAP, Air Awareness and**
6 **many others.**

7
8 **Q. Have you authored, in whole or in part, any publications relating to providing**
9 **fire suppression or emergency medical services?**

10
11 **A. No**

12 **Q. Are you a member of any professional organizations? If so, please identify**
13 **them.**

14
15 **A. Washington State Fire Chiefs Association, Washington State Training & Safety**
16 **Officers Association, Region 3 Fire Training, Regional Fire Defense Board, International**
17 **Association of Fire Fighters, Washington State Department of Emergency Management.**

18
19 **Q. Have you testified as an expert witness in any court or administrative**
20 **hearings? If so, please identify the court or administrative body, and the general**
21 **nature of your testimony.**

22
23 **A. No**

1 **Q. What is general organization and structure of Skagit County Fire District No. 3?**

2
3 **A.** Skagit County Fire Protection District No. 3 is an all-volunteer fire district
4 whose volunteers respond out of two fire stations, "Cedardale" and "Conway", to provide
5 fire suppression and emergency medical services to residents and visitor within the District.
6 The volunteer Fire Fighters respond to a call in case emergency services are needed; there
7 are no personnel assigned to either fire station on a 24 hour basis.
8

9 **Q. What is a "response time", as you use that term in the Fire District?**

10
11 **A.** The "response time" to a turnout, or dispatch call for services, refers to a
12 defined period of time that begins when 911 dispatch receives a call and sends out a
13 mobilization call, including when fire or aid units are en route to the emergency incident,
14 and ends when the fire or aid equipment actually arrives on the scene.
15

16 **Q. Is the "response time" important to providing fire suppression services, and, if**
17 **so, why is it important?**

18
19 **A.** Yes, the "response time" is a critical factor in preventing a fire, or smoldering
20 material, from reaching a "flash-over" point. The "flash-over" point is a standard reference
21 within the fire service to indicate when the combustible material in a room burst into flame,
22 and the fire spreads rapidly. This is different from the "ignition" point of the fire, which is
23 the time when actual combustion begins in some flammable substance. For example, an
24 ignition point of a house fire may be an electrical heater that ignites adjacent fabric drapery.
25

1 There is a relatively short window of time, measured in minutes, before that fire will spread
2 about the room and reach a "flash-over" point, where the room is fully involved and there is
3 unrestrained fire growth. There is also the corresponding danger of smoke and toxic gases
4 from the fire injuring any persons who may be occupying the structure involved.
5

6 It is well established in the fire service that a typical source point of ignition in a
7 residential house will "flash-over" at some time between five and ten minutes after ignition.
8 This means that a fairly typical "room and contents" fire will turn into a structural fire of
9 some significance within that time. At that point, the increased risk of damage and danger to
10 occupants, responding emergency personnel, and neighboring properties is very substantial.
11 A difference of merely two or three minutes in the response time of fire suppression units
12 can mean an enormous increase in the danger to life and property at a fire scene.
13

14
15 **Q. Is the "response time" important to providing emergency medical services,**
16 **and, if so, why is it important?**

17
18 **A.** Yes, the "response time" is also a critical factor in providing emergency
19 medical services to a victim of a life-threatening event. Serious motor vehicle accidents,
20 farm or home accidents, cardiac arrests, and other serious medical events are all directly
21 affected by the time it takes for emergency personnel to respond and provide the initial
22 assessment and appropriate care.
23

24 For example, the "brain death", or irreversible death of brain cells associated with a
25 cardiac arrest begins within four to six minutes after the event. The survivability of a
26

WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

1 cardiac arrest is directly influenced by the amount of time before CPR and other life support
2 is provided. The American Heart Association has recommended that basic CPR and
3 defibrillation services should be available within four minutes of the event, and that
4 advanced, paramedic services should be available within eight minutes or less.
5

6 **Q. What is the Fire District's experience with "response time" to emergency call**
7 **out?**
8

9 **A.** In 2005, the Fire District responded to 12 service calls in the area affected
10 by the closure with an average response time of 13 minutes (*See Exhibit A*). The closure of
11 Hickox Road will increase that response time to a minimum of 15 to 17 minutes (*See below*
12 *Tables 1 and 2, Exhibit A*). This increase will bring the District below the National Fire
13 Protection Association, NFPA, recommended response time standards for rural fire districts.
14

15 The *WSDOT Study* cites to NFPA rural standards that establish a goal of responding
16 with six people in 14 minutes 80 percent of the time, *WSDOT Study*, at 62. The District
17 currently meets this standard (*See below Tables 1 and 2, Exhibit A*). With the closure of the
18 road, however, the District will no longer meet this standard. (*See below Tables 1 and 2,*
19 *Exhibit A*). While a delay of 2 to 4 minutes may not seem exceptional, any delay could be
20 fatal in a fire, or serious medical emergency response.
21

22
23 In 2005, the Washington State Legislature adopted HB 1756 which mandated
24 response objectives for all substantially career fire departments and districts in Washington
25 State. Although the planning requirements are not currently mandatory for a volunteer
26

WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

1 district such as Skagit County Fire Protection District No. 3, the standards on which the law
2 was based, establish a standard of performance that all fire protection districts must work
3 toward meeting. The response time standards underlying HB 1756 were developed by the
4 Commission on Fire Accreditation International, CFAI, and are attached as Exhibit B.
5

6 Under the CFAI guidelines, the critical time for fire responses is tied to the concept
7 of flashover, the time in which a typical point source of ignition in a residential house will
8 turn into a structural fire of some magnitude. The CFAI establishes this critical time period
9 as some time between 5 and 10 minutes following ignition. Accordingly, under this
10 standard, a 2 to 4 minute delay equates to a 20% to 80% reduction in the District's ability to
11 respond effectively to a fire incident.
12

13 The CFAI guidelines also establish a standard for responses to Cardiac Arrest
14 responses. Under this guideline basic life support is ideally responding within 4 minutes of
15 the event and advanced life support within 8 minutes. Once again, even a 2 to 4 minute
16 delay in a cardiac response situation represents a 50-100% reduction in the District's
17 effective response abilities for providing basic life support.
18

19
20 **Q. Does the Fire District have any concerns that closing the Railroad Grade at**
21 **Hickox Crossing will affect the District's response time for providing fire suppression**
22 **and emergency medical services in the area?**
23

24 **A. Yes, the District is very concerned that such a closure will have a serious**
25 **impact on the District's ability to respond to emergency calls in a timely manner.**
26

WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

BURKE LAW OFFICE, INC.
612 SOUTH 227TH STREET
DES MOINES, WASHINGTON 98198

(206) 824-5830
Fax: (206) 824-9096

1 **Q. What is the basis for the District's concerns?**

2
3 **A.** A 2-4 minute increase in response times will further limit the Fire District's
4 ability to meet State and National response time standards and may directly result in an
5 increase in the loss of life and property within the District.

6
7 Prior to the completion of the final *Hickox Road Railway Crossing Closure Traffic*
8 *Impact Analysis "WSDOT Study"* dated January 2007, the District investigated the response
9 times with fire apparatus and provided a Response Time Summary to WSDOT's consultant
10 documenting that the closure of Hickox Road would cause a 2 to 4.5 minute minimum
11 increase in response times to those areas of the District currently accessed by Hickox Road.
12 A true copy of the Response Time Summary is attached as Exhibit A.

13
14 I have reviewed the *WSDOT Study*, and despite the information we provided, the
15 *Study* understates the impact of the closure on fire protection and emergency medical
16 services by referencing only a .6 minute increase in response time with no explanation of
17 how this conclusion was derived.

18
19 In addition, and subsequent to preparing the Response Time Summary, the Fire
20 District, on May 14, 2007, had a typical fire response in the area affected by the closure. The
21 information contained in Exhibit A and the actual response times from the May 14th incident
22 are summarized in the following tables:
23
24
25
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TABLE I
Distance and Driving Time at Speed Limit

Responding Station	Distance/Driving Time to Dike Road S Curves <i>Hickox Road Open</i>	Distance/Driving Time to Dike Road S. Curves <i>Hickox Road Closed</i>	Distance/Driving Time Increase
Cedardale	3.2 miles/ 4.5 minutes	Via Blackburn Road 4.4 Miles/9 minutes	1.2 miles/ 4.5 minutes
Cedardale	3.2 miles/4.5 minutes	Via Stackpole Road 5.2 miles/9 minutes	2 miles/ 4.5 minutes
Conway	4.5 miles/ 8 minutes	No Change	1.3 miles 3.5 minutes

TABLE 2

Actual Response Time Summary (Based on May 14, 2007 fire response)
(Response time includes dispatch time, mobilization of volunteers and drive time, the primary variable affected by the Hickox Road closing is the drive time variable.)

Responding Station	Response Time <i>Hickox Road Open</i>	Est. Response Time <i>Hickox Road Closed</i>	Response Time Increase
Cedardale	13 minutes (5 minute drive time)	17 minutes (9 minute drive time)	4 minutes
Conway	14 minutes (7 minute drive time)	No Change	2 minutes

- The above tables confirm that the closure of Hickox Road will increase the response times of the District a minimum of 2 minutes based on current response times from the Conway Station and a minimum of 4 minutes from the Cedardale Station.

1 2. The two minute delay reflected in Table 2 is somewhat misleading as the following
2 factors could substantially increase the response time from the Conway Station.

3
4 a. A closure of Hickox Road will increase farm machinery traffic on Dike Road
5 and Stackpole Road which will potentially further reduce response times from
6 the current Conway Station.

7
8 b. The Conway Station is located in the flood plain. The District's five-year plan
9 is to relocate the Conway Station out of the flood plain. This will necessarily
10 move the Conway Station a further distance from the affected area and will
11 significantly increase the response time from Conway. Once the relocation is
12 completed, Cedardale will remain the station with the initial response
13 responsibilities for the affected area.

14
15 **Q. Why is the presence of "farm machinery" on Dike Road and Stackpole**
16 **road a factor which would influence response time?**

17
18 **A.** The area accessed by those roads includes several large commercial farms.
19 Between March and November of each year, the farm machinery uses the roads to travel
20 from one field to another. This equipment is so large that pilot vehicles are used front and
21 back to warn approaching traffic. Even when driven as far to the right as possible, traffic is
22 unable to pass, and has to wait until there is an adequate shoulder or driveway for the
23 machinery to move to the right. Since the farm equipment only travels at ten to fifteen miles
24 per hour, it has a very real impact on the ability of fire equipment to respond to a call. This
25

26
12

WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

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1 would be especially true if the Railroad Grade is closed, since it would add three miles of
2 travel time, and limit the fire equipment to one access road.

3
4 **Q. In addition to the agricultural area, what is the general nature of the other**
5 **structures in that geographical area, and what is your experience with the type of**
6 **emergency service provided?**

7
8 **A.** In addition to the farms, there are well-established residential areas with
9 older residents as well as some business operations. There are approximately sixty to
10 seventy business or residential structures in a three to four square mile area that would be
11 directly affect by closing Hickox Road. The residents include a number of older persons
12 who have documented medical conditions, and have needed aid response in the past. I would
13 anticipate that there would be more need for emergency medical service because of cardiac
14 arrests and other serious medical conditions. Again these medical events are very time-
15 sensitive and require the earliest possible response.
16

17
18 **Q. If the Railroad Grade at Hickox Road were closed, are there resources**
19 **from neighboring fire departments that could respond more quickly than the Fire**
20 **District?**

21
22 **A.** No, not reliably. There is a fire station on McLean Road, but that station is
23 thirty minutes away. It might serve as a back-up or additional responder, but would not be
24 able to provide an adequate response time. The City of Mount Vernon has a fire department,
25 but they are primarily committed to responding to calls within the City limits. The reality is
26

1 that the Fire District has been called to aid them far more often than the City has assisted us.
2 There is no reliable, effective alternative to Fire District service as the primary responder.
3

4 **Q. Are you concerned that if the rail crossing remains open, there is some risk**
5 **that District personnel operating aid or fire equipment would disregard warning**
6 **devices such as lights, bells, or gates at the railroad crossing, and attempt to cross the**
7 **railroad tracks despite the warning? What is the basis of your answer?**
8

9 A. No. The District personnel who are qualified to operate aid and fire
10 equipment are trained to operate the apparatus within District guidelines. While emergency
11 vehicles may be exempt from some traffic regulations, District policy and operator training
12 mandate that all vehicles obey railroad crossing warning devices.
13

14 **Q. From the viewpoint of the Fire District, are there other public safety**
15 **concerns that would be impacted by a closure of the Hickox Road crossing?**
16

17 A. Yes. While one hopes that disaster will never strike, this roadway is an
18 evacuation route from the City of Mount Vernon. If there is a need to evacuate some portion
19 of the City, there would only one road, and that would be blocked with traffic. Given the
20 Fire District's ability and history of assisting the City, it is likely that our fire or aid
21 equipment would need to utilize the same, single roadway to travel in the opposite direction
22 of the evacuation, or take time-consuming detours to reach the affected areas.
23
24
25
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1 on the driving time, the Fire District requests that BNSF be required to mitigate the driving
2 time impacts by supporting the District's planned volunteer sleeper program. A sleeper
3 program would place volunteers at the station and would dramatically reduce the volunteer
4 mobilization time in a manner that would offset the drive time impacts. Based on the
5 District's initial estimates, the District will need to incur capital expenses in excess of
6 \$600,000 to improve its station facilities to accommodate a sleeper program. If BNSF were
7 to agree or be required to mitigate the impact of the closing by funding these capital
8 improvements the District would be in a position to withdraw its objection to the closing.
9

10
11 **CERTIFICATION**

12 I, David Skrinde, do hereby declare under penalty of perjury of the laws of the State
13 of Washington that the foregoing DIRECT WRITTEN TESTIMONY is true and correct to
14 the best of my information, knowledge and belief.
15

16 SIGNED AT Mount Vernon, WA, this ____ day of _____, 2007
17

18 See Attached
19 David Skrinde, Chief of Skagit County
20 Fire Protection District No. 3.
21
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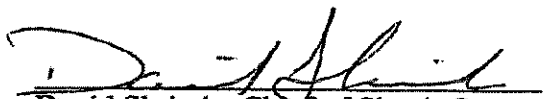
WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

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 6 \$600,000 to improve its station facilities to accommodate a sleeper program. If BNSF were
 7 to agree or be required to mitigate the impact of the closing by funding these capital
 8 improvements the District would be in a position to withdraw its objection to the closing.
 9

10
 11 **CERTIFICATION**

12 I, David Skrinde, do hereby declare under penalty of perjury of the laws of the State
 13 of Washington that the foregoing DIRECT WRITTEN TESTIMONY is true and correct to
 14 the best of my information, knowledge and belief.
 15

16 SIGNED AT Mount Vernon, WA, this 4 day of November, 2007

17
 18 
 19 David Skrinde, Chief of Skagit County
 20 Fire Protection District No. 3.
 21
 22
 23
 24
 25

WRITTEN TESTIMONY OF:
 CHIEF DAVID SKRINDE

BURKE LAW OFFICE, INC.
 812 SOUTH 227TH STREET
 DES MOINES, WASHINGTON 98198
 (206) 824-6630
 Fax: (206) 824-9096

Response Time Summary
Hickox Rd Closure Study

Station 1 (Conway)

- Response time and distance from station 1 traveling north on Dike Road to Hickox Road, 3.2 miles – 8 minutes at posted speed limit.
- Response time and distance from station 1 to S curves on Dike Road, 4.5 miles – 8 minutes at posted speed limit.

Station 2 (Cadardale)

- Station 2 to west Hickox Rd and Dike Road, 2 miles – 4 minutes at posted speed limit.
- Station 2 to Hickox Road west to Dike Road, north to S curves, 3.2 miles – 4.5 minutes at posted speed limit.
- Station 2 north on Hwy 99 south to Blackburn Road, west to Dike Road, South to S curves, 4.4 miles – 9 minutes at posted speed limit.
- Station 2 south to Stack pole Road, west to Dike Road, North to S curves, 5.2 miles – 9 minutes at posted speed limit.

Results:

With the elimination of Hickox Road, response times to service area affected either by north through Mount Vernon or south around Stack pole Road has a 9 minute travel time at posted speed limit. Maintaining Hickox Road access, travel time is cut in half to 4.5 minutes.

In 2005, SCFD 3 responded to 12 services calls with a response average of 13 minutes of the first arriving engine company. Add 4.5 minutes to the 13 minute average response time, and the projected response time average would be 17.5 minutes.

Respectfully submitted,

Chief David Skrinde

EXHIBIT A

WRITTEN TESTIMONY OF:
CHIEF DAVID SKRINDE

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BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY,)
)
Petitioner,)
)
v.)
)
CITY OF MOUNT VERNON,)
)
Respondent.)
)
)
SKAGIT COUNTY, WASHINGTON)
STATE DEPARTMENT OF)
TRANSPORTATION, WEST VALLEY)
FARMS LLC, and SKAGIT COUNTY,)
)
Intervenors)

DOCKET NO. TR-070696
DECLARATION OF SERVICE

Nancy Catalano declares I am a citizen of the United States of America, over 18 years old and competent to testify to the matters herein. On November 5, 2007, I served by email and first class mail, postage prepaid, a true and correct copy of the foregoing document on the following:

Stephen R. Fallquist
Skagit County Deputy Prosecuting Attorney
605 S 3rd St. - Courthouse Annex
Mount Vernon, WA 98273
Email - stephenf@co.skagit.wa.us

DECLARATION OF SERVICE - 1

1
2 Scott Lockwood, AAG
3 Office of the Attorney General
4 P.O. Box 40113
5 Olympia, WA 98504-0113
6 Email - ScottL@atg.wa.gov

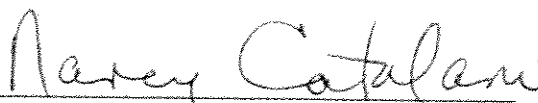
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19 Gary T. Jones
20 Jones & Smith
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22 Mount Vernon, WA 98273
23 Email - gjones@jonesandsmith.com

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25 Kevin Rogerson, City Attorney
26 City of Mount Vernon
P.O. Box 809
910 Cleveland Avenue
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Email - kevinr@ci.mount-vernon.wa.us

DATED this 5th day of November, 2007 at Des Moines, Washington.

23
24 
25 Nancy Catalano
26 Legal Assistant to Brian K. Snure

DECLARATION OF SERVICE - 2

SNURE LAW OFFICE, PSC
612 SOUTH 227TH STREET
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