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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)
)
 Intervenor.)
)

DOCKET NO. TR-070696

WRITTEN TESTIMONY OF:
VICTOR L. BENSON
FIRE COMMISSIONER

///
///

WRITTEN TESTIMONY OF:
COMMISSIONER V. BENSON

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

3 A. My name is Victor L. Benson, 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 the Chair of the Board of Fire Commissioners for Skagit County Fire
9 Protection District No. 3.

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

12
13 A. I have been an elected Fire Commissioner for the past ten years, and have been
14 Chair of the Board of Fire Commissioners for the past two years.

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

18
19 A. The Board is the chief administrative and policy making authority for the Fire
20 District. As the Chair, I preside at meetings of the Commissioners, and in collaboration with
21 the other Commissioners and the Fire Chief, review and develop District policy and
22 procedures, review and approve budgets and strategic plans, authorize expenses and capital
23 expenditures, and review personnel decisions.
24

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

3
4 **A. Yes. I have been an active volunteer Fire Fighter in Skagit County Fire**
5 **Protection District No. 3 for over thirty years.**

6
7 **Q. As the Chair of the Board of Fire Commissioners, do you have knowledge of**
8 **the pending petition of BNSF Railroad petition to close the railroad grade crossing at**
9 **Hickox Road?**

10
11 **A. Yes. I am personally quite familiar with that area and the crossing, and I have**
12 **reviewed a number of documents related to the BNSF petition in this proceeding.**

13
14 **Q. Have you reviewed the written testimony of Chief David Skrinde that is being**
15 **submitted in these proceedings? If so, do you concur with Chief Skrinde's testimony?**

16 **A. Yes, I have reviewed the Chief's testimony. I can state that the entire Board of**
17 **Fire Commissioners is in complete agreement with his concerns and conclusions.**

18
19 **Q. Are there any additional factors regarding the proposed closure which would**
20 **affect the public safety and which have not been addressed in Chief Skrinde's**
21 **testimony? If so, what are these factors?**

22
23 **A. Yes. The Conway fire station, which currently provides access to the area**
24 **directly affected by the Hickox Road closing from the south, needs to be relocated out of the**
25

1 flood plain which will require that the station be moved further away from the affected area.
2 That station is an aging facility that is located in the flood plain of the Skagit River. In fact,
3 the building is situated approximately one hundred feet from one of the dikes on the Skagit
4 River. The Skagit is one of the largest rivers in the State of Washington, and well-known
5 for its regular flood threat. The Fire District intends to relocate the Conway fire station to
6 higher ground, approximately 2 miles East, well above the river's flood plain. This would
7 result in an even larger increase in emergency response time if the Hickox Road crossing is
8 closed.
9

10
11 **Q. At what stage are the relocation plans at this point in time?**

12
13 **A.** There is agreement among the Commissioners and staff that re-locating the
14 Conway fire station is one of our long-range priorities, depending upon financial resources
15 available to purchase property and construct the facility. The relocation is going to happen;
16 the big question is "When?" I have been researching available properties and located some
17 appropriate parcels, but there are no purchase commitments at this time.
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CERTIFICATION

I, Victor L. Benson, do hereby declare under penalty of perjury of the laws of the State of Washington that the foregoing DIRECT WRITTEN TESTIMONY is true and correct to the best of my information, knowledge and belief.

SIGNED AT Mount Vernon, WA, this ___ day of _____, 2007

See Attached

Victor L. Benson, Commissioner

CERTIFICATION

I, Victor L. Benson, do hereby declare under penalty of perjury of the laws of the State of Washington that the foregoing DIRECT WRITTEN TESTIMONY is true and correct to the best of my information, knowledge and belief.

SIGNED AT Mount Vernon, WA, this 5 day of NOV., 2007

Victor L. Benson

Victor L. Benson, Commissioner

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BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

BNSF RAILWAY COMPANY,)
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Petitioner,)
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v.)
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CITY OF MOUNT VERNON,)
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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
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Email - stephenf@co.skagit.wa.us

DECLARATION OF SERVICE - 1

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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

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