



## CITY OF FERNDALE

2095 Main Street PO Box 936  
Ferndale, Washington 98248

TR-090434

RECEIVED

MAR 25 2009

WASH. UT. & TP. COMM

March 23, 2009

Ms. Kathy Hunter  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
1300 South Evergreen Park Drive S.W.  
Olympia WA 98504-7250

Re: Petition to Close Highway-Rail Grade Crossing  
Ferndale WA USDOT Crossing #084836B

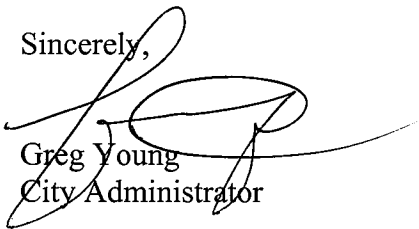
Dear Ms. Hunter

Enclosed please find the petition we discussed the other day. I have received BNSF's signature and have also enclosed a map showing the surrounding property owners as well as their mailing addresses.

As we discussed, the City is currently conducting outreach to these property owners to advise them of our plans so when your office contacts them, they are aware of this petition.

The City looks forward to your work on this effort as we see the closure of this crossing to be in the best interest of the citizens of Ferndale. Should you have any questions, please do not hesitate to give me a call at 360.384.4302. Thank you for your time and attention.

Sincerely,



Greg Young  
City Administrator

Cc: Rick Wagner, BNSF  
Mayor  
file



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	)	DOCKET NO. TR-090434
	)	
<b>City of Ferndale</b>	)	PETITION FOR THE CLOSURE
_____	)	OF A HIGHWAY-RAIL GRADE
Petitioner,	)	CROSSING
	)	
vs.	)	
<b>Burlington Northern Santa Fe Railroad</b>	)	USDOT CROSSING # 084836B
_____	)	
Respondent	)	UTC CROSSING #
	)	
.....	)	
_____	)	

The Petitioner asks the Washington Utilities and Transportation Commission to approve the closure of a public at-grade highway-railroad crossing as described in this petition.

*Section 1 – Petitioner’s Information*

<b>City of Ferndale</b>
Petitioner
<b>2095 Main Street</b>
Street Address
<b>Ferndale WA 98248</b>
City, State and Zip Code
<b>PO Box 936</b>
Mailing Address, if different than the street address
<b>Greg Young</b>
Contact Person Name
<b>360-384-4302 Cityadmin@ci.ferndale.wa.us</b>
Contact Phone Number and E-mail Address

*Section 2 – Respondent's Information*

**Burlington Northern Santa Fe Railroad**

Respondent

**2454 Occidental Avenue South, Suite 1A**

Street Address

**Seattle WA 98134**

City, State and Zip Code

Mailing Address, if different than the street address

**Richard Wagner**

Contact Person Name

**206-625-6152 Richard.Wagner@BNSF.com**

Contact Phone Number and E-mail Address

*Section 3 – Crossing Location*

1. Existing highway/roadway **2nd Avenue**

2. Existing railroad **BNSF**

3. USDOT Crossing No. **084836B**

UTC Crossing No. \_\_\_\_\_

4. Located in the \_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 of Sec. \_\_\_\_\_, Twp. \_\_\_\_\_, Range \_\_\_\_\_ W.M.

5. GPS location, if known \_\_\_\_\_

7. Railroad mile post (nearest tenth) **106.01**

8. City **Ferndale**

County **Whatcom**

**Section 4 – Crossing Traffic**

1. Type of public road at the crossing     State     County    **XX City**  
 Port     State Park     Other \_\_\_\_\_

2. Average daily vehicle traffic over the tracks   150   Vehicle speed limit **25mph**

3. Trucks (commercial vehicles) are what percent of average daily traffic   5%  

4. Number of school buses over the crossing each day   Zero  

5. Name of railroad(s) operating at crossing   BNSF    
\_\_\_\_\_  
\_\_\_\_\_

6. Type of railroad at crossing    **XX Common Carrier**     Logging     Industrial  
 Passenger     Excursion

7. Type of tracks at crossing    **XX Main Line**     Siding or Spur

8. Number of tracks at crossing   one  

9. Average daily train traffic, freight   8    
Authorized freight train speed   40   Operated freight train speed   40  

10. Average daily train traffic, passenger   4    
Authorized passenger train speed   45   Operated passenger train speed   45

*Section 5 – Description of Closure*

1. Describe in detail the reasons for closing the crossing City is rebuilding and extending a nearby road and will no longer need this crossing. This crossing is considered dangerous and is less used than nearby alternative routes

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2. Describe the area currently served by the crossing, including the approximate number of homes or businesses that might be affected by the closure There are approximately five homes that would now be located on a dead end street. There are no businesses served directly and/or exclusively by this crossing.

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3. How far is the nearest alternate access across the tracks from the crossing proposed for closure? Approximately 300 yards

4. Describe the alternate access route, including distance and driving time The alternative crossing (Washington Street) is approximately 300 yards from the 2<sup>nd</sup> Avenue crossing. Alternative access is achieved via Vista Drive to Washington Street – a drive time of approximately three minutes.

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*Section 6 – Illustration of Crossing*

Attach a diagram, drawing, map or other illustration showing the location of the highway and railroad in the vicinity of the crossing. Include the parcels of private property located on both sides of the highway for a distance of 500' from the crossing and the name and mailing address of each property owner. **Please see attached**

*Section 7 – Waiver of Hearing by Respondent*

**Waiver of Hearing**

The undersigned represents the Respondent in the closure of the following crossing.

USDOT Crossing No. 084836B UTC Crossing No.

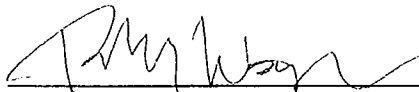
We have investigated the conditions at the crossing. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree the grade crossing should be closed and consent to a decision by the commission without a hearing.

Dated at Seattle, Washington, on the 23<sup>rd</sup> day of

March, 2009

**Richard Wagner**

Printed name of Respondent



Signature of Respondent's Representative

**Manager Public Projects**

Title

**206-625-6152 Richard.Wagner@BNSF.com**

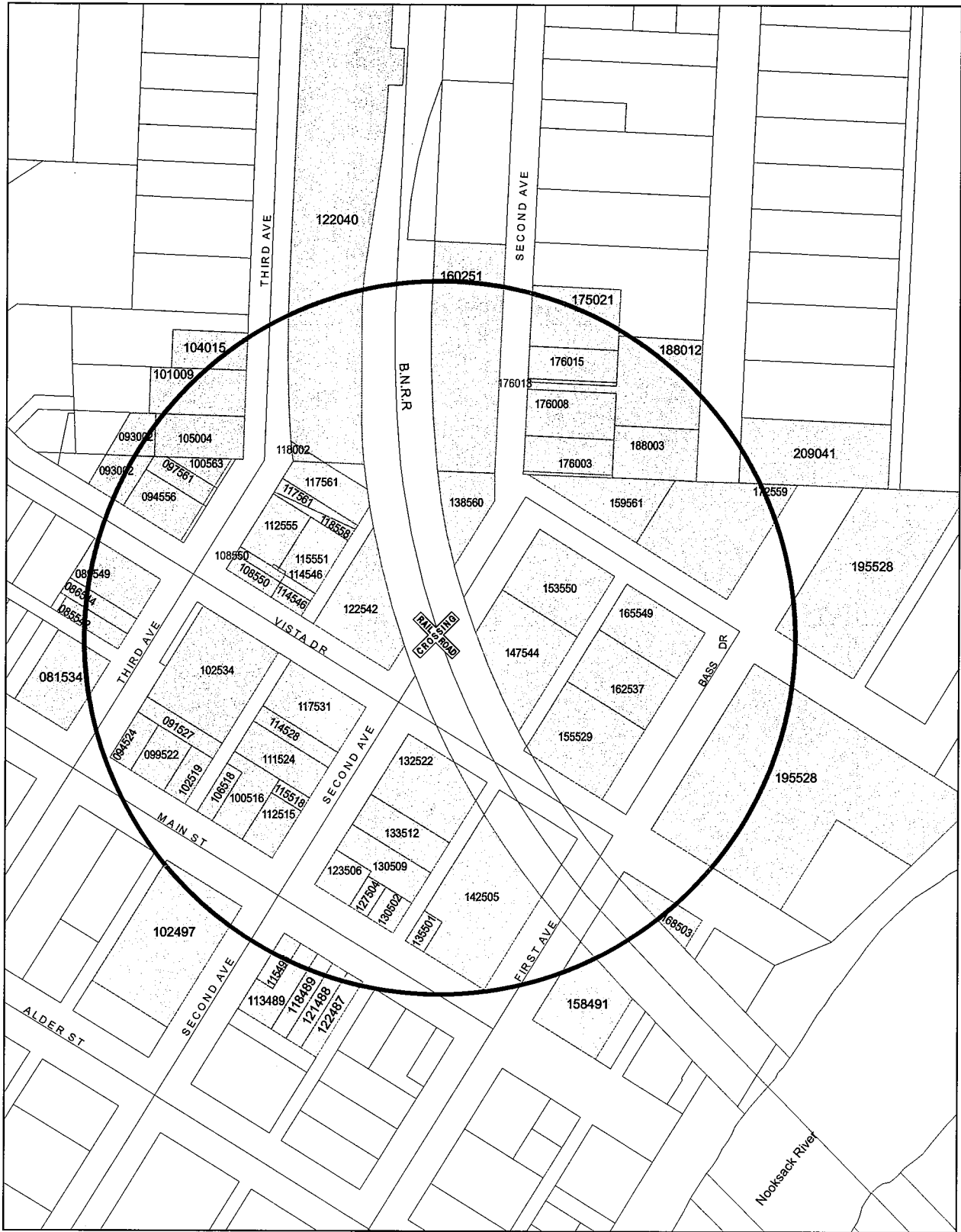
Phone number and e-mail address

**2454 Occidental Avenue South, Suite 1A**

**Seattle, WA 98134**

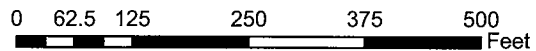
Mailing address

# City of Ferndale BNRR Overcrossing Land within 500 ft of crossing



**DISCLAIMER: USE OF THIS MAP IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:**

The City of Ferndale disclaims any warranty of merchantability or warranty of fitness of the map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold the City of Ferndale harmless from and against any damage, loss, or liability arising from any use of this map.



**City of Ferndale Washington**  
**2nd Avenue RR Crossing - List of Affected Property Owners**

Geocode	Owner Name	Address	City	State	ZIPCODE
390220104015	MICHAEL & JULIE A HAUGEN	P O BOX 2352	FERNDALE	WA	98248-2352
390220101009	ENG HOR GOY & HOR YOU LIM	4730 BEDFORD AVE	BELLINGHAM	WA	98226-1214
390220105004	ROBERT & EVELYN BURNS	4609 SUCIA DR	FERNDALE	WA	98248-9584
390220093002	ARTUR & MARGARET ROJSA PMB 638	250 H STREET	BLAINE	WA	98230-4033
390229100563	SEAFELDT DAN	P O BOX 5324	BELLINGHAM	WA	98227-5324
390229097561	THE OIL CHEMICAL & ATOMIC WORKERS LOCAL I-5	P O BOX 579	FERNDALE	WA	98248-0579
390229094556	UNRUH LEANNE M	6732 OLSON RD	FERNDALE	WA	98248-9638
390220122040	BNSF RAILWAY COMPANY ATTN PROPERTY TAX DEPT	P O BOX 961089	FORT WORTH	TX	76161-0089
390229112555	I FABER & R ZYLSTRA & T LINDE	310 STREMLER DR	LYNDEN	WA	98264-1921
390229118558	WILLAND RONALD M	5816 STORR RD	FERNDALE	WA	98248-9651
390229117561	CARGILL INC REAL PROPERTY TAX DEPT	P O BOX 5626	MINNEAPOLIS	MN	55440-5626
390229117561	CARGILL INC REAL PROPERTY TAX DEPT	P O BOX 5626	MINNEAPOLIS	MN	55440-5626
390229108550	TREB SERVICES INC	P O BOX 1000	FERNDALE	WA	98248-1000
390220175021	HAROLD & ANNE P COLE	8279 GOLDEN VALLEY BLVD	MAPLE FALLS	WA	98266-8279
390229172559	LISA P & PAMELA J WICHMANN	35369 ROCKWELL DR	ABBOTSFORD	BC	CANADA
390229159561	HACKETT JR WAYNE H	5700 SECOND AVE	FERNDALE	WA	98248-9148
390220176003	JOHN F & JEANETTE R MIX	5704 SECOND AVE	FERNDALE	WA	98248-9148
390220188003	HACKETT JR WAYNE H	5700 SECOND AVE	FERNDALE	WA	98248-9148
390220176008	FRANK SCOTT T	5706 SECOND AVE	FERNDALE	WA	98248-9148
390220176013	FRANK SCOTT T	5706 SECOND AVE	FERNDALE	WA	98248-9148
	BETTS CATHERINE	P O BOX 1038	CARSON	WA	98610-1038
390220188012	FRANK SCOTT T	5706 SECOND AVE	FERNDALE	WA	98248-9148
390229165549	MILTON M & SUZANNE JENKINS	505 STATE ROUTE 9	SEDRO WOOLLEY	WA	98284-9291
390229162537	MCLEAN H & LARA G JOHNSON	5697 BASS ST	FERNDALE	WA	98248-9375
390229106518	MCKAY ETHEL M	5785 GOLDEN EAGLE DR	FERNDALE	WA	98248-9109
390229102519	MARTIN A & TERESA HERNANDEZ	6002 CHURCH RD	FERNDALE	WA	98248-9676
390229099522	JEFFREY P LOMBARD & DENORA LOMBARD	2919 SUNSET DR	BELLINGHAM	WA	98225-1839
390229094524	JAMES D & ELLA M PULLMAN	5632 DEER CREEK DR	FERNDALE	WA	98248-9136
390229085542	POSTHUMUS SUPORN	1205 DUPONT ST	BELLINGHAM	WA	98225-3114
390229086544	ROBERT V & MARTA A ANDERSON	2091 DIANE CT	FERNDALE	WA	98248-8315
390229089549	KIMMERON L-GREGORY A POSTER & LYNEA A SANIP	O BOX 1983	FERNDALE	WA	98248-1983
390229130509	DAVID R & BONNIE M WALKER	1248 LATTIMORE RD	FERNDALE	WA	98248-9424
390229142505	BARR FAMILY DECEDENT'S TRUST/PHYLLIS R BARF	P O BOX 797	FERNDALE	WA	98248-0797
390229133512	CITY OF FERNDALE	P O BOX 936	FERNDALE	WA	98248-0936
390229112515	RJLP LLC #372	12345 LAKE CITY WAY NE	SEATTLE	WA	98125-5401
390229122542	CONTEL OF THE NORTHWEST INC GTE SYSTEMS	O P O BOX 152206	IRVING	TX	75015-2206
390229132522	CITY OF FERNDALE	P O BOX 936	FERNDALE	WA	98248-0936



## City of Ferndale Washington

### 2nd Avenue RR Crossing - List of Affected Property Owners

Geocode	Owner_Name	Address	City	State	ZIPCODE
390229135501	LEWIS-LEWIS & LEWIS GP	P O BOX 153	LYNDEN	WA	98264-0153
390229123506	MARINA-EMMANOUEL POLICHRONAKIS	3902 TIMOTHY CT	BELLINGHAM	WA	98226-7809
390229127504	MERRIL & JOANNE D NOLAN	P O BOX 1002	FERNDAL	WA	98248-1002
390229130502	ANDREWS ANTHONY R	P O BOX 1644	BLAINE	WA	98231-1644
390229153550	IPA3 LLC	510 LAKEWAY DR	BELLINGHAM	WA	98225-8225
390229147544	STONEWOOD CONSTRUCTION LLC	P O BOX 2462	BLAINE	WA	98231-2462
390229155529	TERRY L & K RENEE DAWN	5340 MARKET RD	BELLINGHAM	WA	98226-9745
390229102534	MARTIN A & TERESA HERNANDEZ	6002 CHURCH RD	FERNDAL	WA	98248-9676
390229091527	JEFFREY P LOMBARD & DENORA LOMBARD	2919 SUNSET DR	BELLINGHAM	WA	98225-1839
390229111524	MARTIN A & TERESA HERNANDEZ	6002 CHURCH RD	FERNDAL	WA	98248-9676
390229114528	MARTIN A & TERESA HERNANDEZ	6002 CHURCH RD	FERNDAL	WA	98248-9676
390229117531	MARTIN A & TERESA HERNANDEZ	6002 CHURCH RD	FERNDAL	WA	98248-9676
390229100516	KANG RAJINDER K	1114 34TH ST	BELLINGHAM	WA	98229-3140
390229115518	RJLP LLC #372	12345 LAKE CITY WAY NE	SEATTLE	WA	98125-5401
390220160251	BNSF RAILWAY COMPANY/ATTN PROPERTY TAX DEP	P O BOX 961089	FORT WORTH	TX	76161-0089
390229138560	HIGH STEP PROPERTIES LLC	2074 WILLEYS LAKE RD	CUSTER	WA	98240-9706
390229158491	BARR FAMILY DECEDENT'S TRUST/PHYLLIS R BARF	P O BOX 797	FERNDAL	WA	98248-0797
390229168503	MONTE H & SUZAN E HICKS 50% EA	5689 BASS DR	FERNDAL	WA	98248-9375
390229102497	BANC PROPERTIES TERMINAL ANNEX	P O BOX 3588	SPOKANE	WA	99220-3588
390229115495	MARINA-EMMANOUEL POLICHRONAKIS	3902 TIMOTHY CT	BELLINGHAM	WA	98226-7809
390229113489	MARINA-EMMANOUEL POLICHRONAKIS	3902 TIMOTHY CT	BELLINGHAM	WA	98226-7809
390229118489	PIERRE R & SUSAN M CONSTANTIN	4890 MAPLE LN	FERNDAL	WA	98248-1992
390229121488	SETH T & JENNIFER E MURPHY	P O BOX 2783	FERNDAL	WA	98248-2783
390229122487	SETH T & JENNIFER E MURPHY	P O BOX 2783	FERNDAL	WA	98248-2783
390229081534	SCHARBCO ENTERPRISES CORP	429 PEACE PORTAL DR	BLAINE	WA	98230-4014
390220093002	ARTUR & MARGARET ROJSZA PMB 638	250 H STREET	BLAINE	WA	98230-4033
390229195528	CITY OF FERNDAL	P O BOX 936	FERNDAL	WA	98248-0936
390229195528	CITY OF FERNDAL	P O BOX 936	FERNDAL	WA	98248-0936
390229115551	RONALD M WILLAND GARAGE	P O BOX 2797	FERNDAL	WA	98248-2797
390229114546	RONALD M & JANICE M WILLAND	P O BOX 2797	FERNDAL	WA	98248-2797
390229108550	TREB SERVICES INC	P O BOX 1000	FERNDAL	WA	98248-1000
390229114546	RONALD M & JANICE M WILLAND	P O BOX 2797	FERNDAL	WA	98248-2797
390220209041	DAVID & TANYA BRAITHWAITE	5998 S BAKERVIEW PARK DR	FERNDAL	WA	98248-9289
390220118002	CARGILL INC REAL PROPERTY TAX DEPT	P O BOX 5626	MINNEAPOLIS	MN	55440-5626