

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	)	DOCKET NO. TR-100576
	)	
<u>Benton County</u>	)	PETITION FOR THE CLOSURE
Petitioner,	)	OF A HIGHWAY-RAIL GRADE
	)	CROSSING
vs.	)	
	)	
<u>Union Pacific Railroad</u>	)	USDOT CROSSING # TBD
Respondent	)	
	)	UTC CROSSING #
.....	)	
	)	

Prior to submitting a Petition for the Closure of a Highway-Rail Grade Crossing to the Washington Utilities and Transportation Commission (UTC), State Environmental Protection Act (SEPA) requirements must be met. Washington Administrative Code (WAC) 197-11-865 (2) requires:

**All actions of the utilities and transportation commission under statutes administered as of December 12, 1975, are exempted, except the following:**

**(2) Authorization of the openings or closing of any highway/railroad grade crossing, or the direction of physical connection of the line of one railroad with that of another;**

Please attach sufficient documentation to demonstrate that the SEPA requirement has been fulfilled. For additional information on SEPA requirements contact the Department of Ecology.

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*

Petitioner: Benton County  
 Street Address: 610 Market St  
 City, State and Zip Code: Prosser, WA 99350  
 Mailing Address, if different than the street address: PO Box 1001; Prosser, WA 99350  
 Contact Person Name: Malcolm Bowie, PE  
 Contact Phone Number and E-mail Address: 509-786-5611 malcolm.bowie@co.benton.wa.us

**Section 2 – Respondent's Information**

Respondent	<u>Terrel Anderson, UPRR</u>
Street Address	<u>9451 Atkinson St.</u>
City, State and Zip Code	<u>Roseville, CA 95747</u>
Mailing Address, if different than the street address	_____
Contact Person Name	_____
Contact Phone Number and E-mail Address	_____

**Section 3 – Crossing Location**

1. Existing highway/roadway	<u>Cochran Road</u>		
2. Existing railroad	<u>UPRR</u>		
3. USDOT Crossing No.	_____	UTC Crossing No.	_____
4. Located in the	<u>NW</u>	1/4 of the	<u>SE</u> 1/4 of Sec. <u>23</u> , Twp. <u>8N</u> , Range <u>30E</u> W.M.
5. GPS location, if known	<u>46° 09' 39.11" N, 119° 01' 05.35" W</u>		
7. Railroad mile post (nearest tenth)	_____		
8. City	_____	County	<u>Benton</u>

**Section 4 – Crossing Traffic**

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

2. Average daily vehicle traffic over the tracks 559    Vehicle speed limit 35

3. Trucks (commercial vehicles) are what percent of average daily traffic 30%

4. Number of school buses over the crossing each day 0

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

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

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

8. Number of tracks at crossing 1

9. Average daily train traffic, freight 1  
      Authorized freight train speed 10    Operated freight train speed 10

10. Average daily train traffic, passenger 0  
      Authorized passenger train speed \_\_\_\_\_    Operated passenger train speed \_\_\_\_\_

***Section 5 – Description of Closure***

1. Describe in detail the reasons for closing the crossing:

Benton County has applied to construct 4 new grade crossings as a condition for construction of the Piert Road Extension. If the 4 petitions to construct grade crossings are granted, Piert Road will be extended from SR 397 to Bowles Road. This extension will veer easterly far enough to allow Benton County to vacate the portion of Cochran Road where this crossing is located.

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 is only one residence lying east of the existing crossing and it will be served by the new Piert Road extension. The property is designated Industrial and presently functioning as irrigated agricultural land owned by the Port of Kennewick.

3. How far is the nearest alternate access across the tracks from the crossing proposed for closure? 585 feet north or 2600 feet southeast

4. Describe the alternate access route, including distance and driving time:

Drive West on Cochran Road for  $\frac{3}{4}$  of a mile to Finley Road for 1.3 minute; Turn North on Finley Road for  $\frac{1}{2}$  mile to Bowles Road for 0.9 minute; Turn East on Bowles Road for 0.4 mile to the Piert Road Extension for 0.7 minute; Turn South on the Piert Road Extension for 0.6 mile to the UPRR track for 1.0 minute; for a total distance of 2.25 miles and a total time of 4 minutes. 5 minutes if traffic is bad.

***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.

**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. \_\_\_\_\_ 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 \_\_\_\_\_, Washington, on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20 \_\_\_\_.

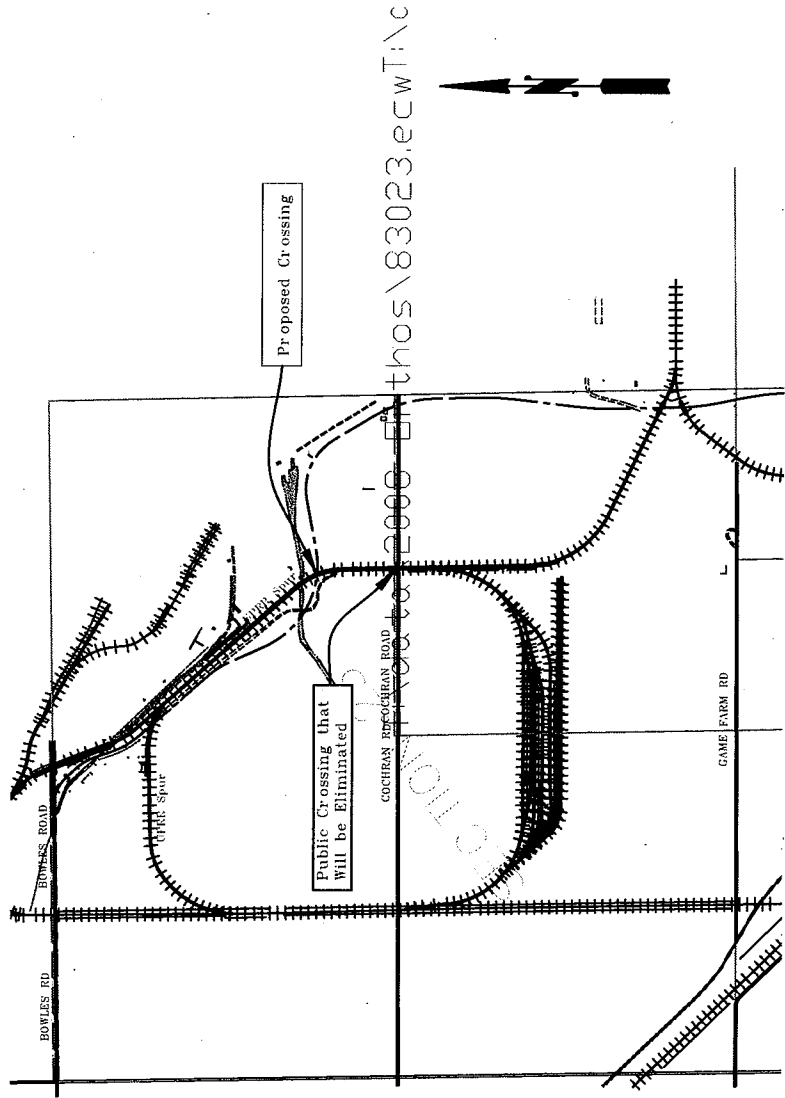
\_\_\_\_\_  
Printed name of Respondent

\_\_\_\_\_  
Signature of Respondent's Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone number and e-mail address

\_\_\_\_\_  
\_\_\_\_\_  
Mailing address



Proposed Crossing

Public Crossing that will be Eliminated

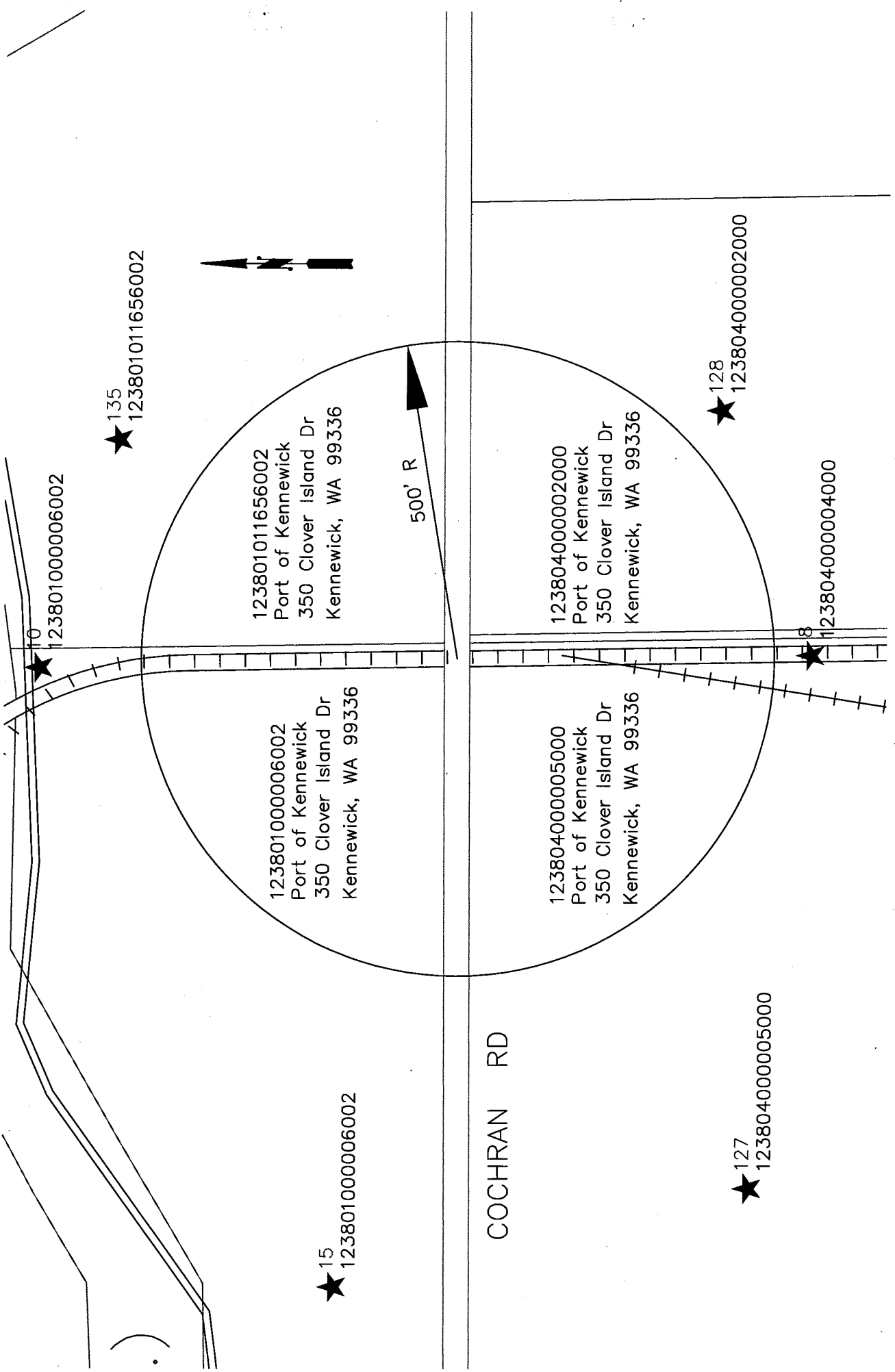
COCHRAN RESEARCH ROAD

BOWLES ROAD

GAME FARM RD



NOT FOR CONSTRUCTION



★ 135  
123801011656002

★ 10  
123801000006002

123801011656002  
Port of Kennewick  
350 Clover Island Dr  
Kennewick, WA 99336

123801000006002  
Port of Kennewick  
350 Clover Island Dr  
Kennewick, WA 99336

123804000002000  
Port of Kennewick  
350 Clover Island Dr  
Kennewick, WA 99336

123804000005000  
Port of Kennewick  
350 Clover Island Dr  
Kennewick, WA 99336

★ 128  
123804000002000

★ 8  
123804000004000

★ 15  
123801000006002

COCHRAN RD

★ 127  
123804000005000

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The project will begin at the intersection of Piert Road and SR 397 and run northwest approximately 1.6 miles. The proposed work includes designing and reconstructing a portion of Piert and Lechelt Roads, and all new construction and alignment between Lechelt and Bowles Roads. All will be constructed to all-weather standards. The roadway cross section will consist of two 12-foot travel lanes, 6-foot paved shoulders and a walkway on the west wise.

Proponent Benton County Dept. of Public Works  
P O Box 1001  
Prosser, WA 99350

File No. EA 00-33

Location of proposal: The project site is located in the Northeast Quarter of Section 26, Township 8 North, Range 30 East and the East Half of Section 23, Township 8 North, Range 30 East, W.M.

Lead agency BENTON COUNTY

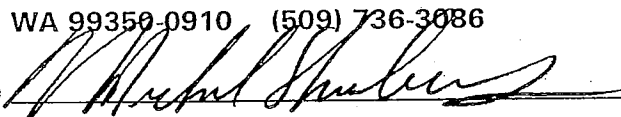
The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This mitigated determination of nonsignificance is issued under WAC 197.11.350(3); the specific mitigation measures which will eliminate significant adverse environmental impacts are: \_\_\_\_\_

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by **August 9, 2000**.

Responsible Official: **TERRY A. MARDEN, Director**  
Benton County Planning & Building Dept.  
Post Office Box 910 PHONE: (509) 786-5612  
Prosser, WA 99350-0910 (509) 736-3086

Date July 26, 2000

Signature 

You may appeal this determination to **TERRY A. MARDEN**, at Post Office Box 910, Prosser, WA 99350, no later than \_\_\_\_\_ by **Written notice**.

You should be prepared to make specific factual objections. Contact the planning department to read or ask about the procedures for SEPA appeals.

There is no agency appeal.

DISTRIBUTION:

- Applicant
- News Media (Encl. map or plot plan)
- Benton County Building Office
- Department of Natural Resources - Sheryl Beck\*
- Department of Natural Resources - David Dietzman \*
- Benton Clean Air Authority\*
- Benton-Franklin Dist. Health Department -Kennewick\*
- Department of Transportation\*
- Washington State Department of Health\*
- Department of Ecology - Olympia\* Yakima\*
- Corps of Engineers\*

- Yakima Indian Nation\*
- Fire District No. 1\*
- Benton County Fire Marshal\*
- Finley School District\*
- Dept. Fish and Wildlife\*
- Dept. of Reclamation\*
- Columbia Irrigation District\*
- Port of Kennewick\*
- Benton County PUD\*
- Burlington Northern Sante Fe RR\*



Steven W. Becken  
Public Works Manager

Malcolm Bowie, P.E.  
County Engineer

Area Code 509  
Prosser 786-5611  
Tri-Cities 736-3084  
Ext. 5664  
Fax 786-5627

# Benton County

## Department of Public Works

Post Office Box 1001 - Courthouse  
Prosser, Washington 99350-0954

April 09, 2010

Kathy Hunter  
Deputy Assistant Director  
Washington State Utility Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. box 47250  
Olympia WA 98504-7250

Dear Kathy

Benton County is submitting as part of this package four new public crossing petitions and one public crossing closure petition. We have also provided a map to put the big picture into perspective for the commission and staff.

The Piert Road Extension is a selected project of the STIP with secured funding through the States Transportation Improvement Board. This project will provide direct access to the Finley industrial area. Finley is an unincorporated area southeast of Kennewick. The Benton county Comprehensive Land Use Plan designates over 1000 acres as industrial in this area. The Piert Road project will provide over 300 acres of this undeveloped heavy industrial land with direct road access.

This project will serve local Industries Columbia Colstor Inc. and Agrium Inc. These companies are presently served by the multimodal transportation facilities available in the Finley area moving 5 to 6 million tons of product per day in and out of these facilities.

The Finley area is uniquely served by multimodal forms of transportation, including several existing barge slips. One of the unused barge slips in the area is equipped with three dolphins. This existing barge slip is available for lease from the owner and, contingent upon permitting, is available for barge transport on the Columbia River corridor.

This project is the logical planned extension of SR 397 from I-82 and will provide a direct truck route to I-82 from the industrial area

The reason Benton County is petitioning the Utility Transportation Commission is to get permission to create 4 public at grade crossings for the rail spurs that serve this site. as part of this transportation improvement. Benton County will eliminate 4 private crossing and 1 public crossings as part of this project.

Malcolm Bowie P.E.

  
County Engineer



ALL CROSSINGS TO BE CLOSED & NEW CROSSINGS

Private Crossing That Will Be Eliminated

Proposed NEW Crossings

Private Crossing That Will Be Eliminated

Public Crossing that Will be Eliminated

Private Crossing that Will Be Eliminated

Private Crossing That Will Be Eliminated

Proposed NEW Crossings