

TRANSMITTAL COVER SHEET

Date: February 10, 2021

TO: Name of Recipient:

Betty Young Rail Safety Program Advisor Utilities and Transportation Commission PO Box 47250 Olympia, WA 98504 RECEIVED FEB 16 2021 WASH. UT. & TP. COMM

FROM: Name of Sender:

Sam Zimbabwe Director Department of Transportation P.O. Box 34996 Seattle, WA 98124-4996

Message:

Please find enclosed copies of the following documentation for your records:

- City of Seattle Terminal 5 Quiet Zone Letter to the Administrator
- City of Seattle Terminal 5 Quiet Zone Notice of Intent
- City of Seattle Terminal 5 Quiet Zone 60-day Comment Form
- City of Seattle Terminal 5 Quiet Zone relevant plan sheets

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February 10, 2021

Mr. Karl Alexy Associate Administrator & Chief Safety Officer Federal Railroad Administration Mail Stop 25 1200 New Jersey Avenue SE Washington, DC 20590

Dear Mr. Alexy,

The City of Seattle is pursuing the establishment of a quiet zone along industry track controlled by BNSF Railway Company. This quiet zone, herein referred to as the Terminal 5 Quiet Zone, is being established in advance of required mitigation detailed in the Port of Seattle Terminal 5 Cargo Wharf Rehabilitation, Berth Deepening, and Improvements Final EIS. Following the procedures established by *Title 49 Subtitle B, Chapter 2, Part 222, Use of Locomotive Horns at Public Highway-Rail Grade Crossings*, please find attached the City of Seattle's Notice of Intent to Establish a New 24-Hour Quiet Zone by Public Authority Designation.

In accordance with 49 CFR § 222.43 (b)(3)(i) the City of Seattle will accept comments related to the proposed Quiet Zone for 60 days following the certified mailing date of this Notice of Intent. A comment form and contact information for comment submission is included.

Should you have any questions or concerns regarding this Notice of Intent, please feel free to contact Ms. Treysea M. Tate, Associate Civil Engineer, Rail - Seattle Department of Transportation at Treysea.Tate@seattle.gov or (206) 684-8163.

Sincerely,

Sam Zimbabwe Director City of Seattle Department of Transportation Seattle Municipal Tower P.O. Box 34996 Seattle, WA 98124-4996

Enclosure

CC: Jeffrey Stewart, Federal Railroad Administration Betty Young, Utilities and Transportation Commission Mike Turcott, Utilities and Transportation Commission Connie Raezer, Washington State Department of Transportation Stephen Semenick, BNSF Railway Company

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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

DATE: February 10, 2021

SUBJECT: Terminal 5 Quiet Zone, BNSF Railway Company Industry Track Notice of Intent to Establish a Railroad Quiet Zone by Public Authority Designation Title 49 Code of Federal Regulations 222.39 (a)(1)

Notice is hereby given that the City of Seattle, in King County, Washington intends to apply to the Associate Administrator for Railroad Safety of the Federal Railroad Administration for the creation of a New 24-Hour Quiet Zone by Public Authority Designation on BNSF Railway Company industry tracks in accordance with regulatory provisions contained within Title 49 of the Code of Federal Regulations (CFR), Part 222 Use of Locomotive Horns at Public Highway-Rail Grade Crossings, Final Rule pursuant to 49 CFR 222.39 (a)(1).

Pursuant to 49 CFR § 222.43 (b)(3)(i), parties receiving this Notice of Intent may submit information or comments regarding the proposed Terminal 5 Quiet Zone to the City of Seattle during the 60-day period after the date which the Notice of Intent was mailed.

49 CFR 222.43(b)(2)(i) - AFFECTED HIGHWAY RAIL CROSSINGS

CROSSING NUMBER	USDOT CROSSING INVENTORY ID NUMBER	RAILROAD MILEPOST	STREET/OWNER NAME
1	096202N	182.533	CHELAN AVE SW
2	096201G	182.449	PS TERMINAL FRT
3	096197U	182.315	SEATTLE STL XNG
4	977570M	182.283	PRIVATE
5	977571U	182.199	PRIVATE
6	096199H	RR UNDER	SPOKANESTBR
7	095992T	RR UNDER	WEST SEATTLE BR

There are five (5) at-grade highway crossings, one (1) public crossing, four (4) private industry crossings and two public (2) grade-separated crossings within the proposed Terminal 5 Quiet Zone.

49 CFR 222.43(b)(2)(ii) – TIME RESTRICTION

The new Terminal 5 Quiet Zone is proposed to be in effect 24 hours per day, seven days per week with the exception of emergency and other situations as described in 49 CFR 222.23.

49 CFR 222.43(b)(2)(iii) - PROPOSED SAFETY IMPROVEMENTS

DOT# 096202N (Crossing 1) is the public highway-rail grade crossing to be permanently closed to vehicular traffic. The at-grade pedestrian crossing will be protected by an active warning system that will include gate arms, flashing lights, one warning bell and signage and pavement markings per MUTCD Section 8. First responder access will be allowed via removable bollards.

DOT# 096201G (Crossing 2) is a private at-grade crossing that will be permanently closed to all traffic modes including bicycles and pedestrians. The existing crossing surface will be removed and entrance through or across the railroad right-of-way will be restricted by chain link fencing.

DOT# 096197U (Crossing 3) is a private crossing that will be upgraded to a public at-grade crossing protected by a four-quadrant gate system with flashing lights and interconnected with the highway traffic control system at the intersection with W. Marginal Way SW.

DOT# 977570M (Crossing 4) is a private crossing that will be closed to all traffic modes. The existing crossing surface will be removed and entrance through or across the railroad right-of-way will be restricted by chain link fencing.

DOT# 977571U (Crossing 5) will remain a private crossing owned by United Motor Freight/Riverside Mills (UMF/RM) with controlled access limited to UMF/RM employees and customers, BNSF Railway Company employees and their service contractors. Entrance through or across the railroad right-of-way in this location will be one-way in and controlled by chain link fence and locked gates outside of UMF/RM regular operating hours.

The two grade-separated crossings, DOT# 096199H – Spokane Ave Overpass (Crossing 6) and DOT# 095992T – West Seattle Bridge (Crossing 7) will not receive crossing safety upgrades.

The entire railroad right-of-way within the designated quiet zone will be protected from trespassing, intended or accidental, by perimeter chain link fencing along either side of the tracks.

All Supplemental Safety Measures (SSM's) designed for Crossings 1 and 3 will comply with the requirements of Appendix A of Title 49 CFR Part 222 and the current Manual on Uniform Traffic Control Devices (MUTCD).

CROSSING NUMBER	USDOT CROSSING INVENTORY ID	RAILROAD MILEPOST	STREET OR OWNER NAME	P ROPOSED SSM INSTALLATION
1	096202N	182.533	CHELAN AVE SW	 Permanent closure of Public highway rail grade crossing to vehicular traffic (Part 222, Appendix A.5).
2	096201G	182.449	PS TERMINAL FREIGHT	 Permanent closure of private highway rail grade crossing to vehicular traffic.
3	096197U	182.315	SEATTLE STL XNG	 Four-Quadrant gate system (Part 222. Appendix A.2). Presence detection with 60-ft of traffic (Part 222, Appendix A.2)
4	977570M	182.283	GEN CONSTR XING	 Permanent closure of private highway rail grade crossing to vehicular traffic.

In addition to the Supplemental Safety Measures (SSM's) to be installed, additional improvements (Non SSM's) will be made at all at-grade crossings:

CROSSING NUMBER	USDOT CROSSING INVENTORY ID	RAILROAD MILEPOST	STREET OR OWNER NAME	PROPOSED NON SSM INSTALLATION
1	096202N	182.539	CHELAN AVE SW	 Installation of fixed and removable bollards. Installation of 6-ft chain link fence (City of Seattle Standard Plan 450a, Type 6 and 450c). MUTCD Section 8 advance warning signage and pavement markings.
3	096197U	182.315	SEATTLE STL XNG	 Installation of 6-ft chain link perimeter fence (City of Seattle Standard Plan 450a, Type 6 and 450c). MUTCD Section 8 advance warning signage and pavement markings.
5	977571U	182.199	PRIVATE	 Installation of 6-ft chain link fence and gate (City of Seattle Standard Plan 450a, Type 6 and 450c). MUTCD Section 8 advance warning signage and pavement markings.

These improvements have been initially coordinated during diagnostic site reviews with representatives from BNSF, the FRA the Port of Seattle, Northwest Seaport Alliance and Seattle Department of Transportation on November 16, 2017 and November 11, 2019.

The City will not be installing any Alternative Safety Measures (ASM's) at any of the crossings within the quiet zone.

49 CFR 222.43(b)(2)(iv) - POINT OF CONTACT

QUIET ZONE NAME:	Terminal 5 Quiet Zone
CONTACT NAME:	Treysea M. Tate
CONTACT TITLE:	Associate Civil Engineer, Rail
ORGANIZATION: ADDRESS:	City of Seattle, Department of Transportation P.O. Box 34996 Seattle, WA 98124-4996
PHONE:	206-684-8163
FAX:	206-684-3272
EMAIL:	Treysea.Tate@seattle.gov

49 CFR 222.43(b)(2)(v) – PARTIES TO RECEIVE NOTICE OF INTENT

The following parties will receive this Notice of Intent in accordance with 49 CFR 22.43(a)(1):

1. Railroads operating over the highway-rail at-grade crossings

Stephen Semenick Manager of Public Projects BNSF Railway Company 2454 Occidental Ave S, Suite 1A Seattle, WA 98134

2. State agencies responsible for highway and road safety and State agency responsible for at-grade crossing safety

Betty Young Rail Safety Program Advisor WA Utilities and Transportation Commission 621 Woodland Square Loop SE PO Box 47250 Olympia, WA 98504-7250

Mike Turcott Transportation Planning Specialist WA Utilities and Transportation Commission 621 Woodland Square Loop SE PO Box 47250 Olympia, WA 98504-7250

3. Federal Railroad Administration

Karl Alexy Associate Administrator for Railroad Safety Federal Railroad Administration Mail Stop 25 1200 New Jersey Avenue SE Washington, DC 20590 Jeffrey P. Stewart Region 8 Grade Crossing Inspector Federal Railroad Administration 500 E. Broadway, Suite 240 Vancouver, WA 98660

49 CFR 222.43(b)(3)(ii) - ACTION DURING 60-DAY COMMENT PERIOD

Parties receiving a copy of this Notice of Intent for the proposed Terminal 5 Quiet Zone may submit information about the above noted quiet zone to the City of Seattle during the 60-day period after the date on which the Notice of Intent was mailed.

The 60-day comment period will terminate when the City of Seattle obtains written comments or written statements that there are no comments from all parties receiving this Notice of Intent.

Connie Raezer WSDOT Railroad Liaison 310 Maple Park Avenue SE, 2B PO Box/Mailstop 47329 Olympia, WA 98504-7329 Attached for your convenience is a comment form to facilitate your response. Please forward all comments and concerns on the provided form to: Treysea Tate, Associate Civil Engineer, Rail, Seattle Department of Transportation.

Sincerely,

Sam Zimbabwe Director City of Seattle Department of Transportation

Enclosure: Notice of Intent Response Form Terminal 5 Quiet Zone At-Grade Crossing Exhibits • ν. Enclosure

Date:_____

- Return to: Treysea M. Tate, Associate Civil Engineer, Rail City of Seattle, Department of Transportation P.O. Box 34996 Seattle, WA 98124-4996
- SUBJECT:Terminal 5 Quiet ZoneNotice of Intent to Establish a Railroad Quiet Zone by Public Authority DesignationTitle 49 Code of Federal Regulations 222.39 (a) (1)

We have received your Notice of Intent Dated February 10, 2021 and offer the following:

No Comment

Comment

Signature

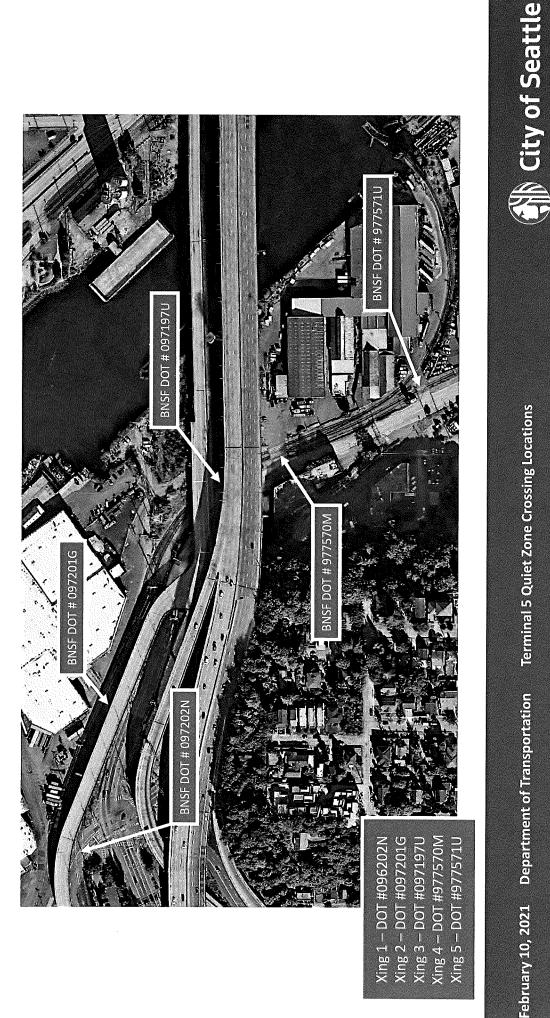
From: (Please Print)

Name

Organization

Address

City, State, Zip Code

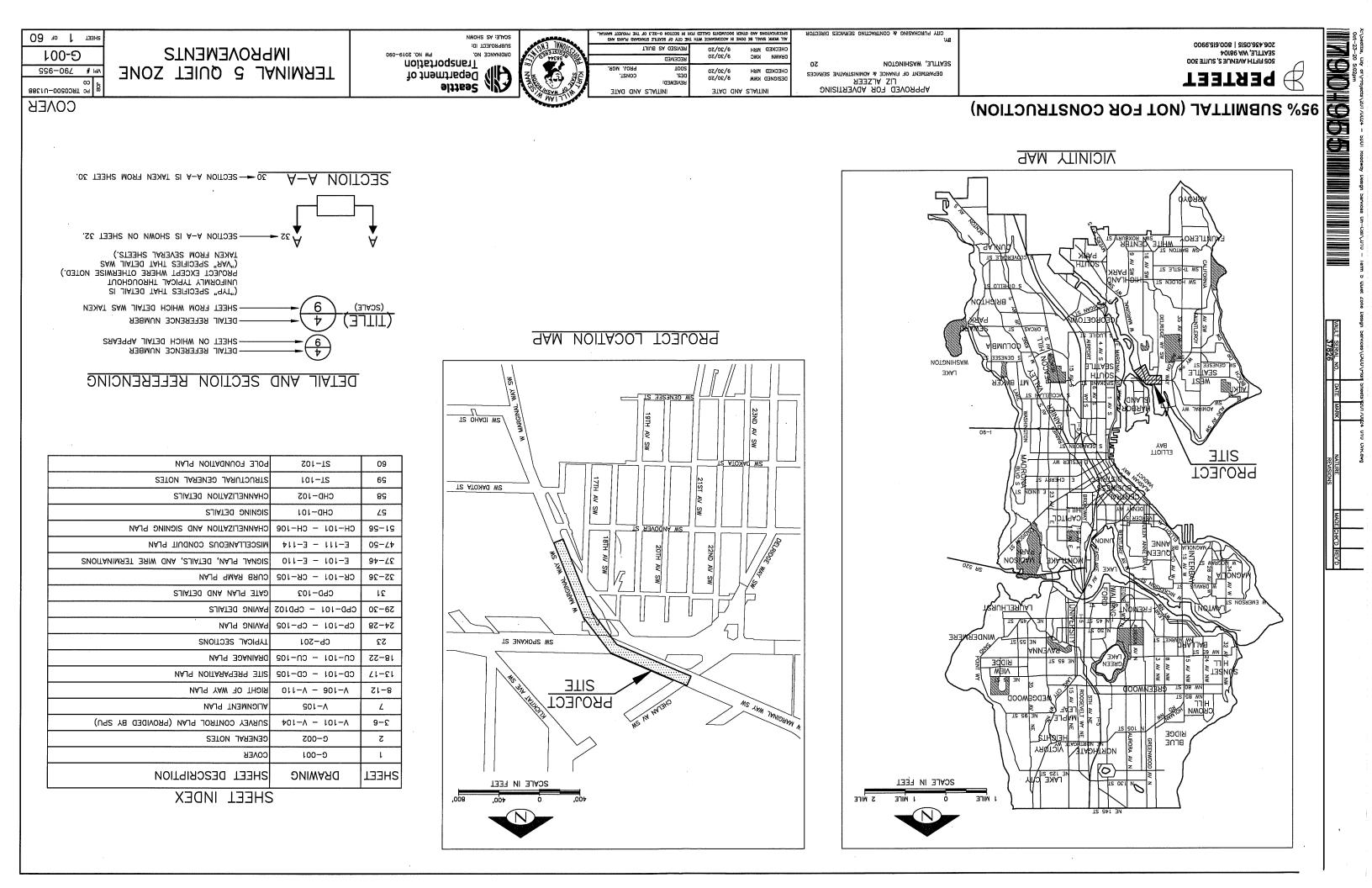


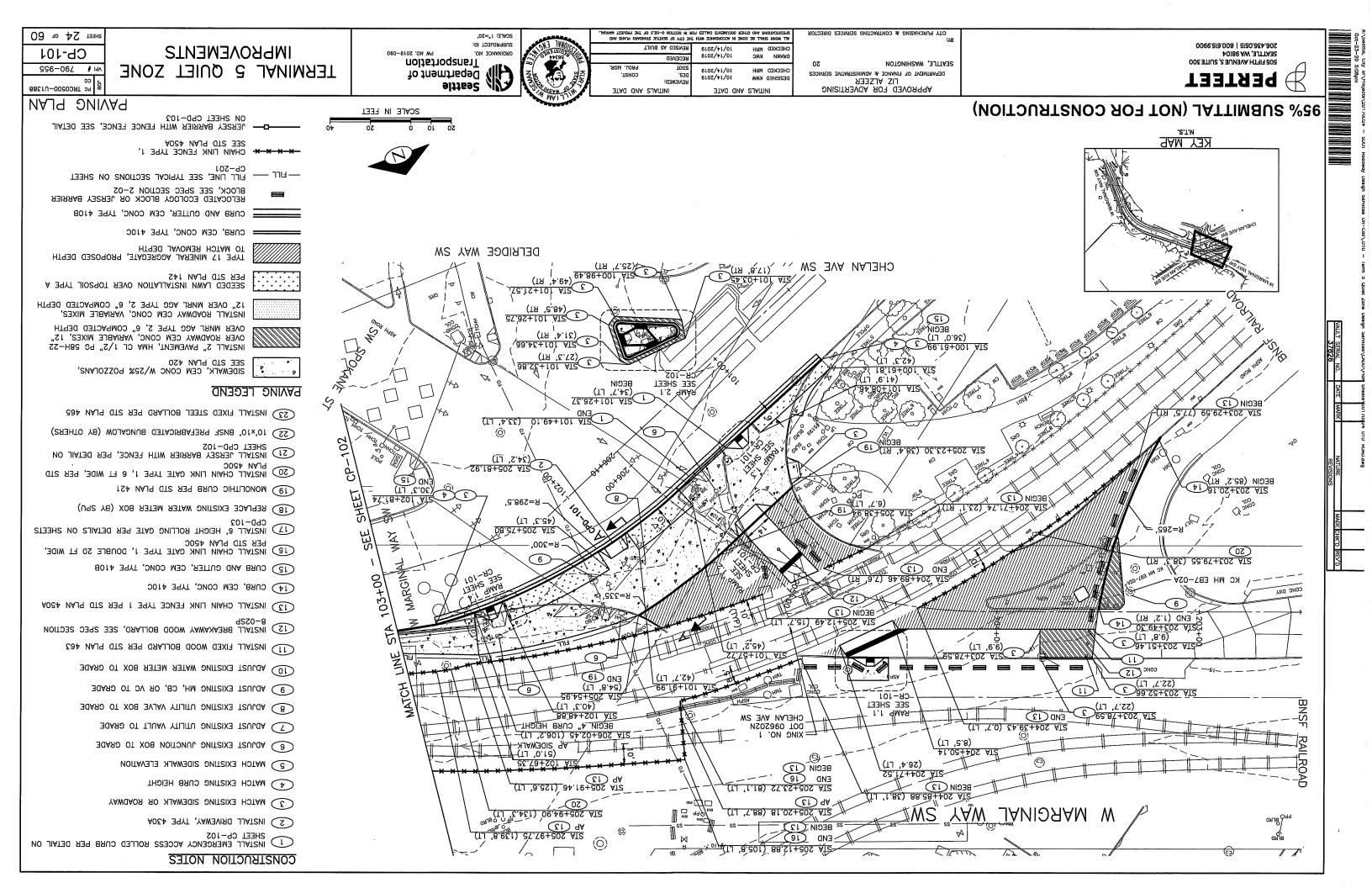
Terminal 5 Quiet Zone Crossing Locations **Department of Transportation**

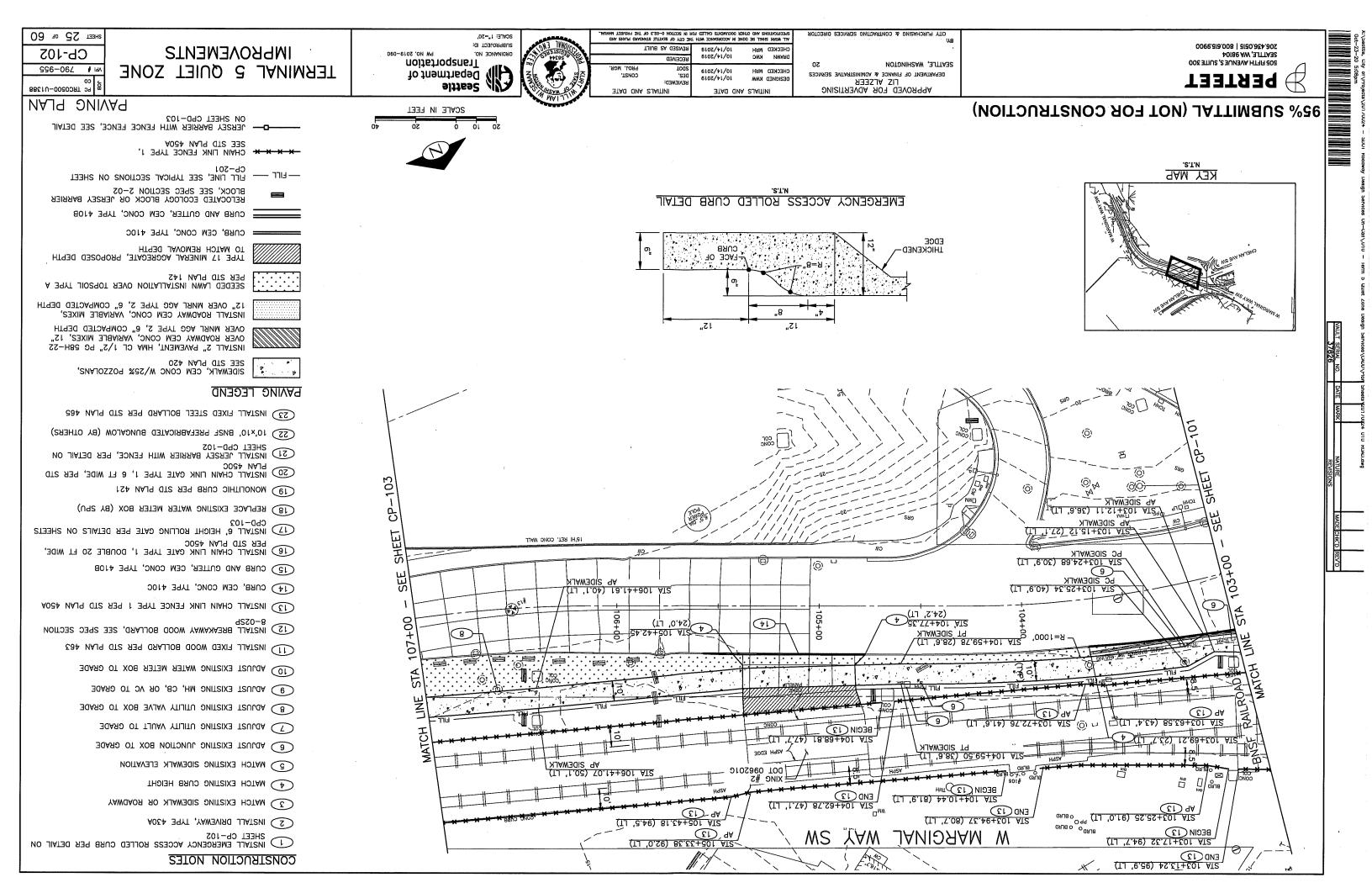
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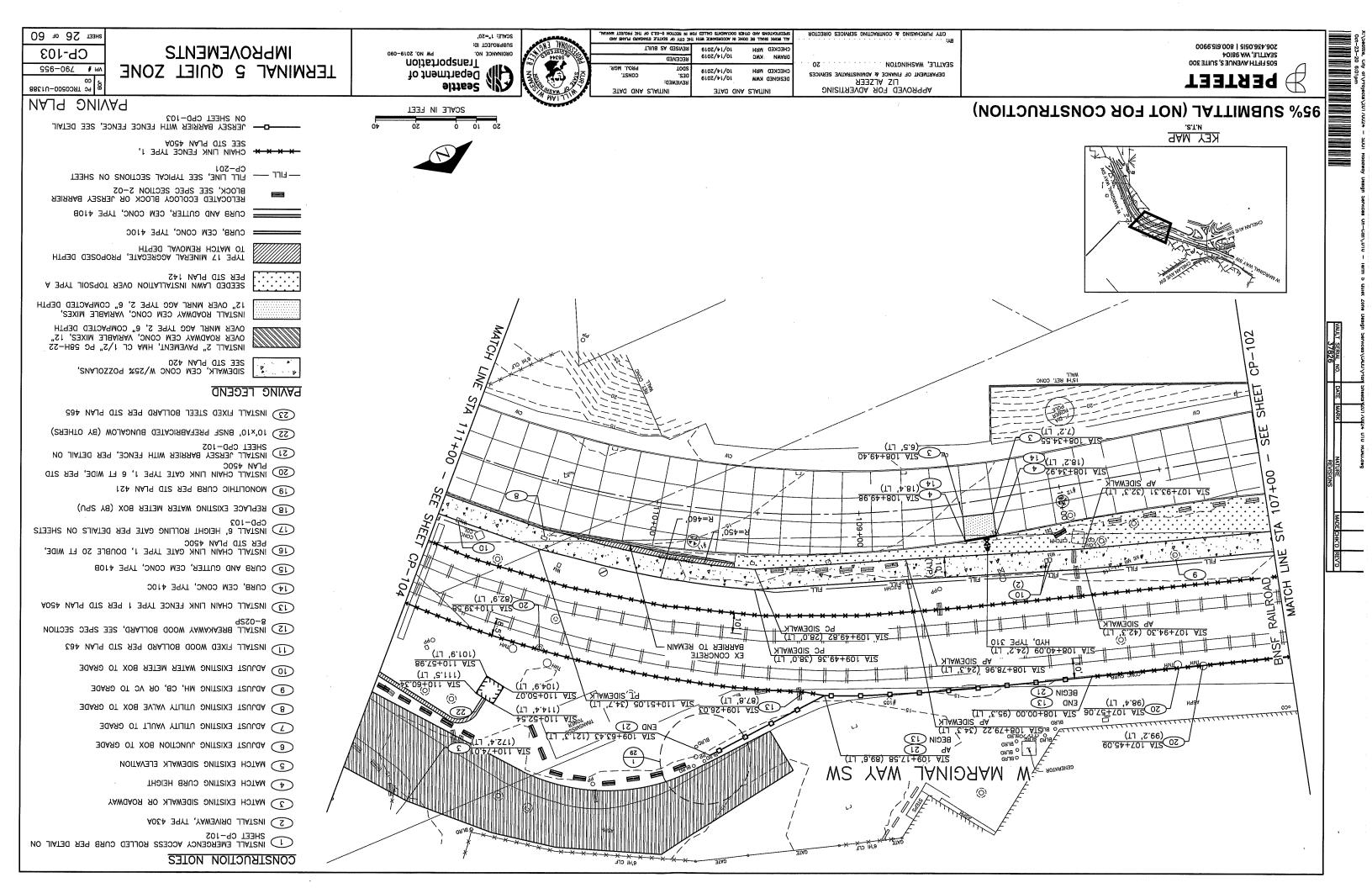
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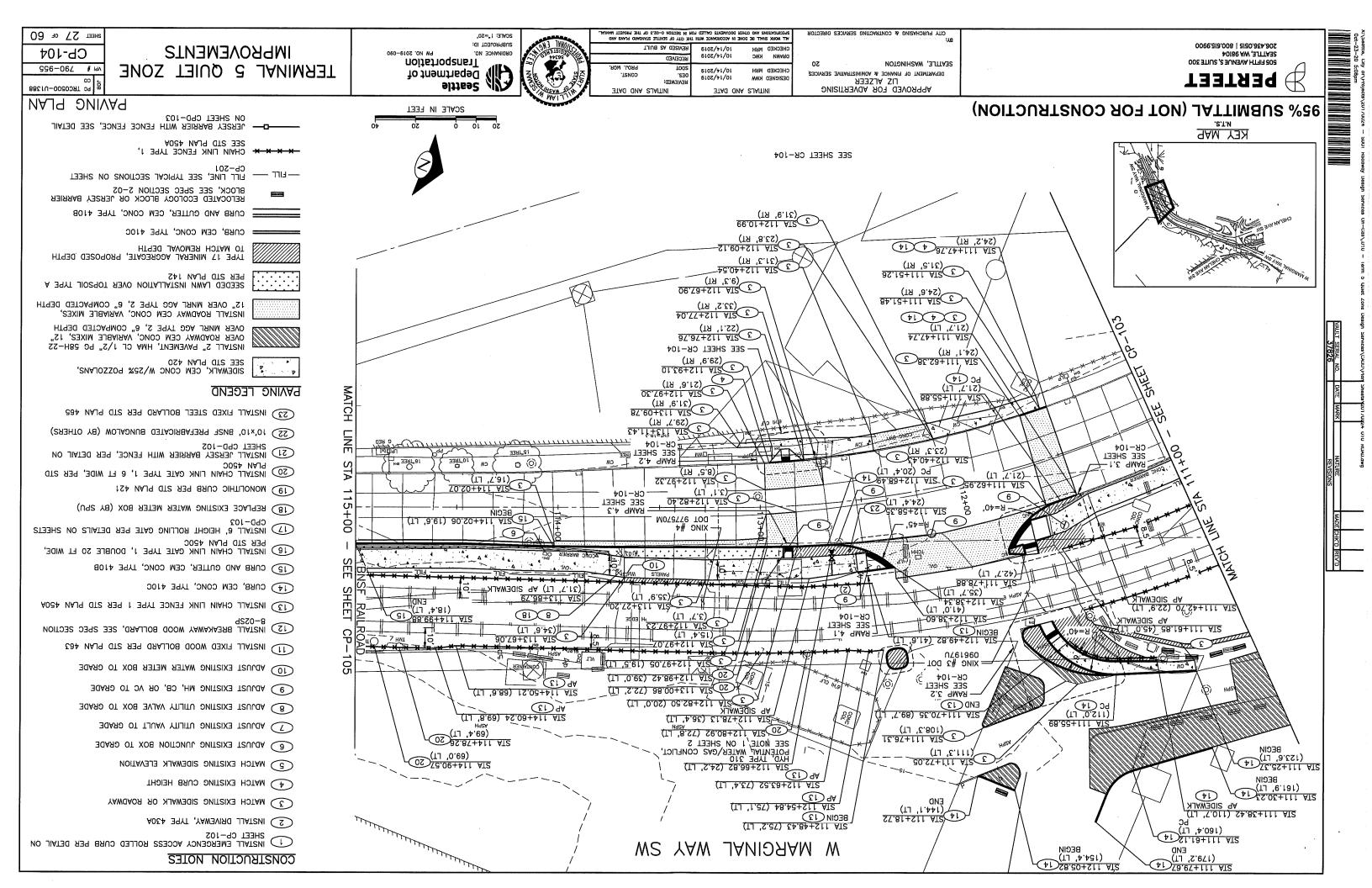
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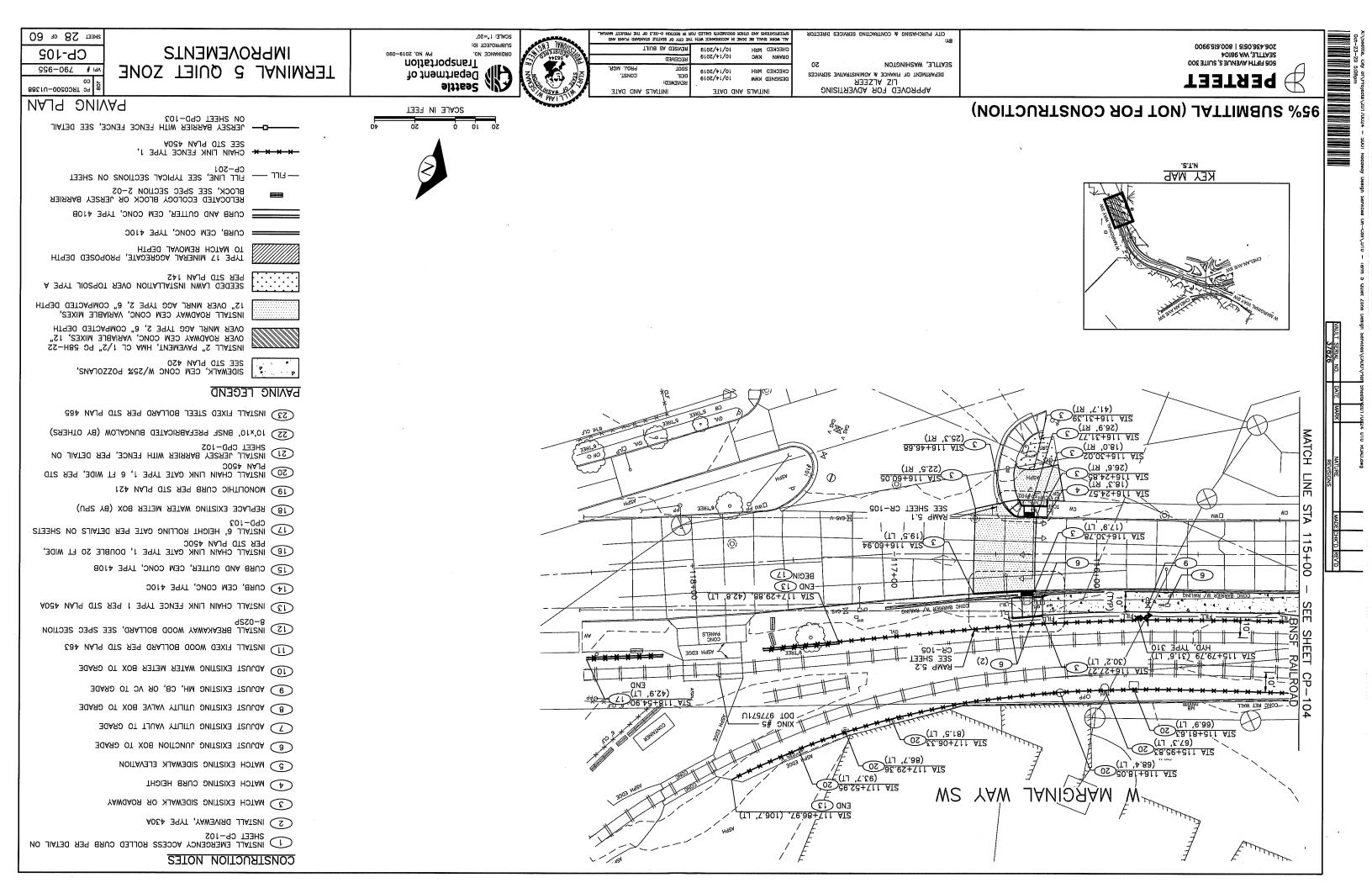


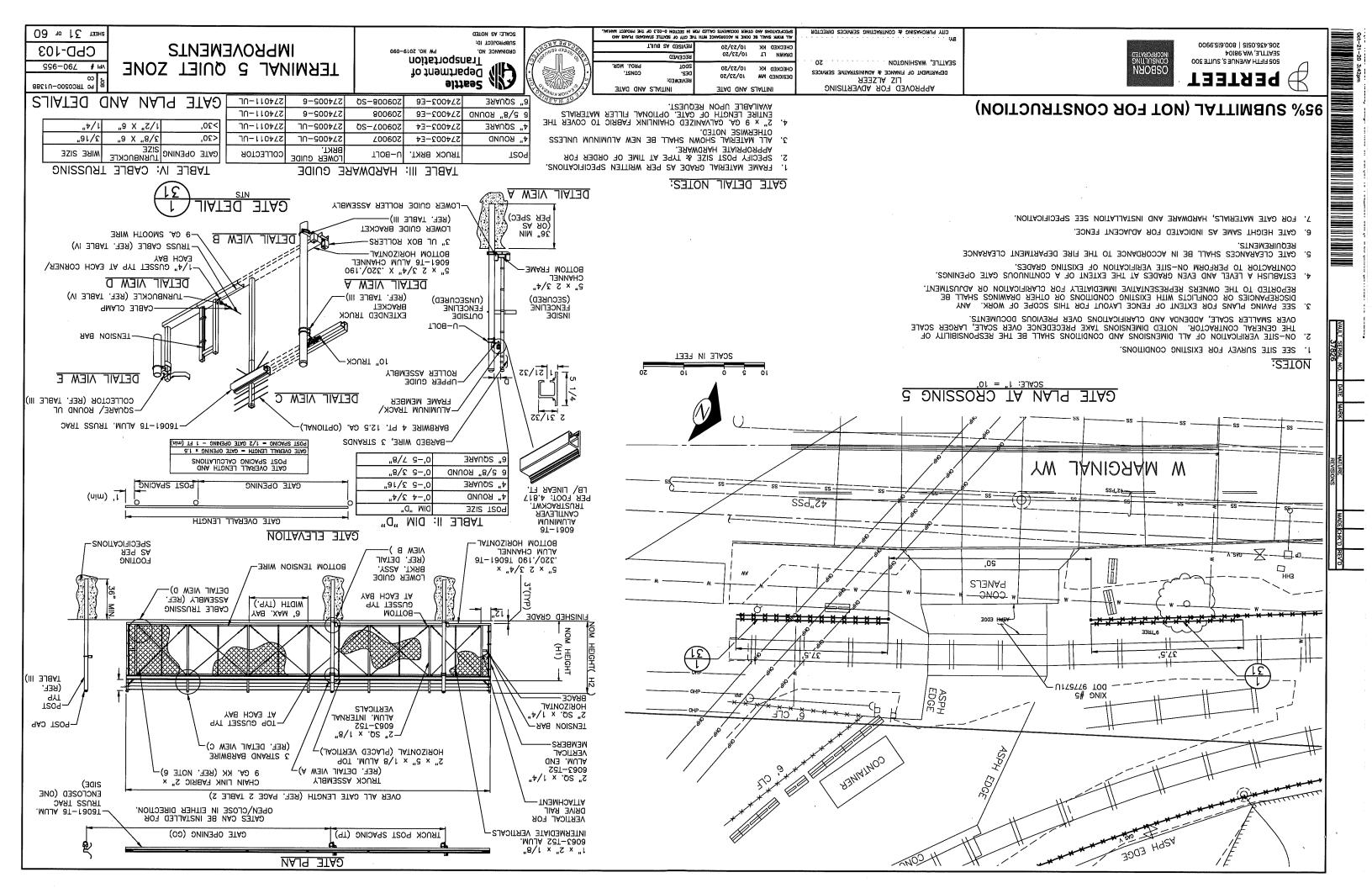


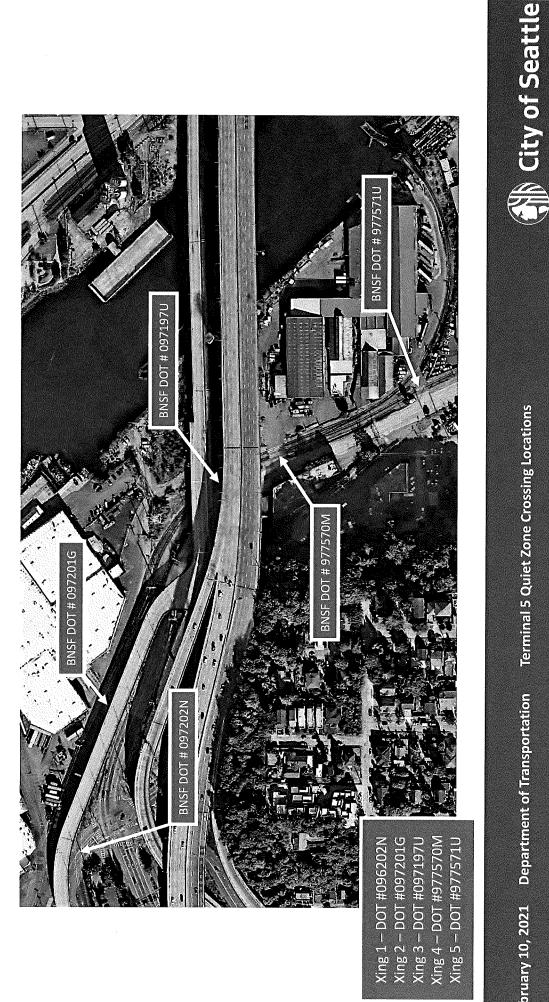












Terminal 5 Quiet Zone Crossing Locations Department of Transportation February 10, 2021