

Cupp John (UTC)

From: Wyse, Lisa (UTC)
Sent: Wednesday, May 16, 2007 1:19 PM
To: UTC DL Consumer Affairs
Subject: FW: Docke t#070696 BNSF proposal to close Hickox Crossing
Importance: High

From: dndseed [mailto:dndseed@cnw.com]
Sent: Wednesday, May 16, 2007 12:15 PM
To: UTC DL Records Center
Cc: Larsen, Rick; haugen.marymargaret@leg.wa.gov; strow.chris@leg.wa.gov; bailey.barbara@leg.wa.gov; commish@co.skagit.wa.us; danp@scog.net
Subject: Docke t#070696 BNSF proposal to close Hickox Crossing
Importance: High

D&D Seed Co., Inc.
David Christianson, President
18754 Pederson Lane
Mount Vernon, WA 98273
360 424-9181

May 15, 2007

Carole Washburn
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA. 98504

Docket #TR-070696

BNSF Railway proposal to close the Hickox Rd. crossing:

As one of the property owner's on Hickox Road we are **strongly** against the proposed closure, we purchased our property with the understanding we would have quick access to emergency services, to I-5, and to the city of Mt. Vernon. We feel our safety as well as the safety of others on this road will be at risk by delayed response times from emergency vehicles . In case of disaster Hickox Rd. is also another emergency access to I-5 for the city of Mt. Vernon.

The study by the WSDOT and BNSF is inaccurate and misleading.

The traffic usage study for this crossing was conducted in the middle of winter showing 17 cars a day used this crossing, this is farm area, traffic usage greatly increases during spring, summer and fall. This

5/21/2007

study does not accurately show year round traffic usage on Hickox Road.

This crossing closing does not just affect the people living on Hickox Rd. but the people living on the Dike Rd., and the Britt Rd.

The study cites Hickox is a redundant crossing – Hickox Rd. is a main crossing, with Stackpole Rd. being the redundant crossing. Hickox has direct access to a freeway interchange. The easy access to I-5 is advantageous with getting our crops to market.

Also contrary to what this study states, there are businesses on this road. Our business D&D Seed Co., a dairy farm and other working farms. When the traffic usage study was done the dairy farm was not in operation, it is now fully operational and that business alone makes over 17 trips a day over that crossing. The additional cost of wear and tear on farm equipment and the additional cost of fuel to use the alternative routes if Hickox is closed will be detrimental to the farmers in this area. Why does this study not list all the property owners on Hickox road that will be affected by this crossing closure? There also is substantial Class 8 truck traffic (truck/trailer combination) due to easy access to I-5, Blackburn and Stackpole are not conducive to truck/trailer traffic.

Impact on Passenger Operations – We can see the Amtrak trains every morning and night, they have never waited more than 10 minutes for an opposing train to pass. We have been told at numerous meetings that this expansion is **not** to be used for parking of railroad cars, if that is actually the truth than the crossing does not need to be closed to stay within the guidelines of train/car crossings with crossing arms. Has there been a change in the intended usage? There are other crossings nearby that have 2 sets of tracks, there should not be problem with leaving this crossing open if indeed it is not to be used as a parking lot.

In addition, Senate Bill #5108 Farmland Preservation Office recently passed the 2007 Legislature and will soon go into effect, since it attempts to protect farms, this action seems in direct conflict with the legislative intent.

It seems as though between the interrogatories from the study and the public meetings, the information being shared is conflicting.

I would appreciate clarification as to what the intent is of the closure of the Hickox Road. How the state (?) intends to address delayed emergency response times, and you justify the conflict between the closure and the establishment of the Farmland Preservation Office.

Please keep me informed by email dndseed@cnw.com of any upcoming meetings or information regarding this issue.

Sincerely,

David Christianson
D&D Seed Co. Inc. / D&D Farms, LLC.

18754 Pederson Lane
Mt. Vernon, Wa. 980273
360-661-5722

May 12, 2007

John Cupp,

This letter is in response to the BNSF petition to close the Hickox Road railroad crossing, Docket #: 070696. Please refer to the Interrogatories enclosed.

As one of the property owner's on Hickox Road we are **strongly** against the proposed closure, we purchased our property with the understanding we would have quick access to emergency services, to I-5, and to the city of Mt. Vernon. We feel our safety as well as the safety of others on this road will be at risk by delayed response times from emergency vehicles .

Responding to Interrogatory 3. 2);

Redundancy crossing – Hickox Rd. is a main crossing, with Stackpole Rd. being the redundant crossing. Hickox has direct access to a freeway interchange. The easy access to I-5 is advantageous with getting our crops to market.

Interrogatory 3. 3);

Impact on Passenger Operations – We can see the Amtrac trains every morning and night, they have never waited more than 10 minutes for an opposing train to pass. We have been told at numerous meetings that this expansion is **not** to be used for parking of railroad cars, if that is actually the truth than the crossing does not need to be closed to stay within the guidelines of train/car crossings with crossing arms. Has there been a change in the intended usage? There are other crossings nearby that have 2 sets of tracks, there should not be problem with leaving this crossing open if indeed it is not to be used as a parking lot.

Interrogatory 3. 4);

The traffic study done by BNSF was conducted in the middle of winter when vehicle usage is less, since this is farm land; our heavy traffic is in the spring, summer and fall. This study does not accurately show year round traffic usage on Hickox Road.

Interrogatory 4.1);

Contrary to what this study states, there are businesses on this road. D&D Seed Co., a dairy farm and other working farms. When the traffic usage study was done the dairy farm was not in operation, it is now fully operational and that business alone makes over 17 trips a day over that crossing. The additional cost of wear and tear on farm equipment and the additional cost of fuel to uses the alternative routes if Hickox is closed will be detrimental to the farmers in that area. Why does this study not list all the property owners on Hickox road that will be affected by this crossing closure? There also is substantial Class 8 truck traffic (truck/trailer combination) due to easy access to I-5, Blackburn and Stackpole are not conducive to truck/trailer traffic.

In addition, Senate Bill #5108 Farmland Preservation Office recently passed the 2007 Legislature and will soon go into effect, since it attempts to protect farms this action seems in direct conflict with the legislative intent.

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Please keep me informed by email dndseed@cnw.com of any upcoming meetings regarding this issue

Sincerely,

D&D Seed Co. Inc. / D&D Farms, LLC.
David Christianson

18754 Pederson Lane
Mt. Vernon, Wa. 980273
360-661-5722

INTERROGATORIES

1.

State name of highway and railway at crossing intersection:

Existing highway Hickox Road

Existing railway The BNSF Railway Company

State Crossing No: 084 737D

Located in the ___ 1/4 of the ___ 1/4 of Sec. 06, Twp. 33, Range 04 W.M.

Railway mile post (nearest tenth): 65.60 (BNSF LS 50, Bellingham Subdivision)

City: Mount Vernon

County: Skagit

2.

(a) Type of highway at crossing (Indicated with X):

() State, () County, () City Street

Average Daily Traffic over the tracks: 391 AADT

(b) Type of railroad at crossing (Indicate with X):

() Common Carrier, () Logging, () Industrial

() Main Line, () Branch Line, () Spur

Average Daily Train Traffic: 17

3.

State fully the reasons for seeking authority to close and abandon the public use of the grade crossing described:

- 1) Safety - Elimination of this crossing will improve the safety of the highway and railway system as it removes the potential modal conflict point from both systems. As part of the crossing closure plan, petitioner also provides to signalize the passive crossing at Stackpole Rd. This upgrade will improve the safety measurement of the alternate access.
- 2) Redundancy - Hickox Road is a redundant crossing. There are two existing alternate accesses to the area located beyond the existing crossing. In specifics, Stackpole Rd is about 1 mile south and Blackburn Rd is 1.5 miles north to the crossing in subject. The extra mileage for the crossing users to take is negligible if the alternate accesses would be used. See Section 4.3, list of extra mileage to different destinations via alternate routes.

- 3) **Impact on Passenger Operations** – Hickcox Road is located within the proposed expansion of the Mt. Vernon Siding. This expansion is part of the State of Washington's Passenger Rail Program. Removal of this crossing will allow construction of the project as set forth by the legislature. Passenger Rail operations and reliability will be improved by the removal of this crossing and the improvement of the Mt. Vernon Siding.
- 4) **Recommended by WSDOT's Study** -The traffic impact study of Hickox Rd crossing closure, which is sponsored by Washington State Department of Transportation, recommends closing the crossing. See "Hickox Road Railway Crossing Closure Traffic Impact Analysis"

4.

Describe the area or site that is served by the crossing, including the approximate number of homes or businesses that might be affected by the closure.

- 1) **West side of the Hickox Road crossing:**
The west end of Hickox Rd intersects with Dike Rd. The distance between Dike Rd intersection and the railroad crossing in subject is about 0.8 mile. Most of this area is farmer land. There are 12 homes and no merchants in this area.
- 2) **East side of the Hickox Rd crossing:**
Hickox Rd intersects with Old HWY 99 at about 0.1 mile east of the railway crossing in subject, and is dead-ended at about 0.15 mile east of the Old HWY 99 intersection. There are several businesses along Hickox Rd at the east side of Old HWY 99, including Carpenter Training Center, PAPE Machinery and Timberland Homes.
- 3) **The Distance from the Hickox Crossing to Different Destinations:**

Destinations from the Middle Point of the East Side of Hickox Xing	Miles to the Destination Via Hickox Xing	Miles to the Destination Via Alternate Access	Extra Mileage by Taking the Alternate Access
I-5 South Bound Access	0.65	3.1	2.5
I-5 North Bound Access	1.6	3.3	1.7
Intersection of Old HWY 99 and Blackburn Rd	2	2.9	0.9
Intersection of Old HWY 99 and Slackpole Rd	1.5	2.3	0.8
Skagit County Fire District Three	1.7	4.7	3
Skagit Valley Hospital	3.2	4.8	1.6
The School Bus Station at Cleveland Rd	2.2	2.7	0.5