

Exhibit No. ____ (BT-1T)
Docket TR-100572
Witness: Bryan Thorp

2018 NOV - 1 AM 9:00

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

BENTON COUNTY,

DOCKET TR-100572

Petitioner,

**PREPARED TESTIMONY OF BRYAN
THORP**

v.

BNSF RAILWAY COMPANY,

Respondent.

Q. Please state your name and business address.

A. My name is Brian Thorp, and my business address is 620 Market Street, Courthouse, Prosser, Washington 99350.

Q. What is the purpose of your testimony today?

A. I am testifying to the public need for the proposed railway crossing, including the public safety and economic development benefits served by the extension of Piert Road.

Q. Where do you work?

A. The Benton County Public Works Department, in the Engineering and Construction Division.

Q. What is your current title?

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BENTON COUNTY PROSECUTING ATTORNEY
7122 West Okanogan Place, Bldg. A
Kennewick, Washington 99336
(509) 735-3591

1 A. Project Engineer.

2 **Q. Please describe your work duties.**

3 A. I manage the design and construction of civil projects, mainly
4 roads. I participate in every stage of a project, including
5 the evaluation and analysis of public needs, securing funds,
6 project design, assessing environmental impacts, overseeing
7 the purchase of rights-of-way, production of bid documents,
8 and overseeing construction.

9
10 **Q. Please describe your training, education, and experience.**

11 A. I have a bachelor of science in Civil Engineering from the
12 Oregon Institute of Technology. I am licensed as professional
13 land surveyor. I have 26 years in County government planning,
14 evaluating, and overseeing civil construction projects. This
15 includes many projects involving railway crossings.

16
17 **Q. Are you familiar with the proposed railway crossing?**

18 A. Yes. I have visited the site of the proposed crossing three
19 times, and I have been involved in the underlying Piert Road
20 extension project for several years.

21
22 **Q. What is the purpose of the Piert Road extension project?**

23 A. The purpose of the road extension is to provide a more direct
24 route for trucks entering and exiting the Finley industrial
25 area on the way to I-82 via State Route 397. It also has the
26 benefit of opening up a large amount of land in the Finley
27

28 PREPARED TESTIMONY OF BRYAN THORP

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1 industrial area that is presently difficult to access, and
2 allows for better use and development of that land.

3 **Q. What public benefits would result from the proposed extension**
4 **of Piert Road?**

5
6 A. The extension of Piert Road would be the fulfillment of a
7 commitment by Benton County to the residents of Finley to re-
8 route truck traffic out of populated areas. Presently, trucks
9 passing from the Finley industrial area on route to I-82 via
10 the newly constructed SR-397 have to navigate through a
11 residential area and past a middle school and high school.
12 This includes chemical trucks leaving an Agrium facility. The
13 completion of the Piert Road extension project, including the
14 petitioned crossing, will provide a more direct route for
15 truck traffic and thus mitigate the problems and dangers of
16 trucks passing through residential areas and school zones.

17
18 I participated in producing a study which documents how
19 the extension of Piert Road made possible by the petitioned
20 crossing will mitigate the dangers of truck traffic passing
21 from the Finley industrial area by re-directing that traffic
22 to a more direct route to I-82. Exhibit No. _____ (BT-2).

23
24 A further advantage of the Piert Road extension is that
25 it opens up a great deal of land in the Finley industrial area
26 that is presently difficult to access, and allows
27

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1 construction, development, and job creation. This is
2 documented in another study I helped produce, which evaluated
3 the public necessity of the I-82-SR397 Intertie Project.
4 Exhibit No. _____ (BT-3). The Piert Road extension is the
5 final phase of that project.
6

7 **Q. Does that conclude your testimony?**

8 A. Yes.
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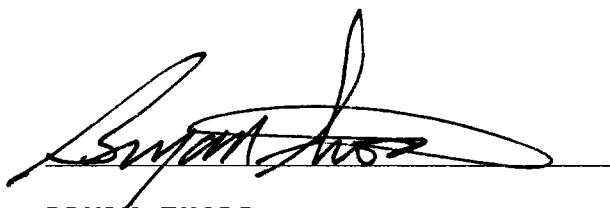
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BENTON COUNTY PROSECUTING ATTORNEY
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DECLARATION

I, Bryan Thorp, declare under penalty of perjury under the laws of the State of Washington that the foregoing PREPARED TESTIMONY OF BRYAN THORP is true and correct to the best of my knowledge and belief.

DATED this 28th day of October, 2010, at Kennewick, Washington.



BRYAN THORP

EXHIBIT LIST

Exhibit No. ____ (BT-2) Final Combined SEPA study

Exhibit No. ____ (BT-3) 1995 Need Study

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BENTON COUNTY PROSECUTING ATTORNEY
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CERTIFICATE OF SERVICE

I certify that I served, in the manner indicated below, a true and correct copy of the foregoing document as follows:

Bradley P. Scarp
MONTGOMERY SCARP MACDOUGALL, PLLC
2700 Seattle Tower
1218 Third Avenue
Seattle, WA 98101

- U.S. Regular Mail, Postage Prepaid
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DATED this 29th day of October, 2010, at Kennewick, Washington.


SHANNON C. SLAGHT

PREPARED TESTIMONY OF BRYAN THORP
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BENTON COUNTY PROSECUTING ATTORNEY
7122 West Okanogan Place, Bldg. A
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**Final Combined
SEPA Supplemental Environmental Impact Statement
NEPA Revised Environmental Assessment**

**I-82 to SR397 Intertie Project
Benton County, Washington**

Benton County, Washington;
Washington State Department of Transportation, Yakima Washington
U.S. Department of Transportation
Federal Highway Administration

Exhibit No. _____ (BT-2)
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October, 2002

EIS (Figure 1.1-1 EIS) in order to examine potential variations of Alternative 2 that do not appear in the EIS. The outcome of such examinations is the analysis of Alternatives 2F, 2G and 2H herein (see on file, Memoranda: *Rating Alternative Routes for the I-82 Intertie*, Ross Dunfee to Terry A. Marden, September 19, 2000, and *Intertie Alternatives 2G and 2H*, Dec. 2001, for processes used to identify alternatives for analysis herein).

All project alternatives except the No-build would replace the at-grade railroad crossing at the eastern end of the project with a bridge spanning the track. The bridge would be 15 m (50 ft) wide and span between 30 and 45 m (100-150 ft) between abutments. It would provide at least 7.2 m (23.5 ft) of clearance above the tracks.

Roadway Sections

As currently envisioned, the eastern portion of any of the "build" alternatives would be constructed to an urban roadway standard while the western portion of the route would have a rural roadway section. Both types of roadway would have two 3.7 m (12 ft) wide lanes. Urban sections would be bordered by a 1.5 m (5 ft) bike lane; rural sections with 8' paved shoulders, all paved in asphaltic concrete. Curb and gutters and 1.5 m (5 ft) sidewalks would be constructed for the urban section. Unpaved shoulders would be constructed for the rural section. A 3 m (10 ft) equestrian trail would be located on one side of the project road, except along Riek Road, where existing residences constrain available right-of-way.

All project alternatives would benefit from a planned road project that would provide a direct connection from Piert Road to Bowles Road through Port

Industrial lands (Figure 3.3-1). The effect of this road connection would be to provide a separate truck route, internal to the industrial zoned lands that would be a direct connection between the Intertie and SR397. This route would enable truck traffic serving the industrial area to avoid passing by the Finley Middle School and Finley High School at the intersections of SR397 and Finley Road. If the Intertie were not constructed, the Piert Road project would still serve the "No-build" alternative relative to avoiding these schools and reducing industrial truck traffic on existing SR397 south of Bowles Road.

The No-build alternative

Neither the Intertie route nor the bridge over the railroad tracks would be constructed. SR397 would remain the principal travel corridor. Since the EIS was certified in 1997, left turn lanes and street illumination improvements programmed by WSDOT for 3.2 km (2 mi.) of SR397 south of Kennewick to Bowles Road have been completed, including a five lane expansion of a section of SR397 within Kennewick.

Combined SEIS/REA

Benton County is the Lead Agency for this Supplemental Environmental Impact Statement (SEIS), prepared in conformance with the State Environmental Policy Act (SEPA). The Federal Highway Administration (FHWA Olympia, Washington) is acting as the Lead Federal Agency. FHWA has elected to review the project with a Revised Environmental Assessment (REA) prepared in conformance with the National Environmental Policy Act (NEPA). This document is a combined SEIS/REA.

DRAFT REPORT

I82-SR397 Intertie Project

NEEDS, ISSUES AND ANALYSES

**BENTON COUNTY,
WASHINGTON**

Prepared for:

**BENTON COUNTY
BOARD OF COUNTY COMMISSIONERS
P.O. Box 190
Prosser, Washington 99350-0190**

May 1, 1995

Prepared by:



J-U-B ENGINEERS, Inc.
Engineers Surveyors Planners
2810 W. Clearwater Avenue
Kennewick, WA 99336-2982

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FINLEY LAND USE EXISTING AND BUILD-OUT ACREAGES					
LAND USE - Designated Acres of Use					
	Rural Residential	Commercial	Industrial	Public/ Open Space	Total Acres
Existing	10,200	200	1,280	1,383	12,976
Preferred Alternative	10,261	109	1,341	865	12,576
Source: Benton County Planning Department, April 1995					

School District Land Uses

The Finley School District's Middle School, River View High School and the Head Start facility are located at Game Farm Road and Finley Road. The new Finley Elementary School is located at approximately Terril Road and Nine Canyon Road, about 1.5 miles south of Game Farm Road. Since early published sketches of the intertie project showed Game Farm Road as one of the considered alignments, the Finley community and the school district immediately became concerned.

FINLEY SCHOOL DISTRICT ENROLLMENTS 1995-2010										
Year	1994-95	1995-96	1997-98	1998-99	1999- 2000	2000-01	2001-02	2002-03	2003-04	2004-05
District Total	1,163	1,250	1,305	1,288	1,270	1,267	1,271	1,283	1,317	1,346
Student Increase	115	202	257	240	227	219	223	235	269	298
Source: Finley school District, February 1995										

Industrial land uses

The Intertie route was envisioned 30 years ago primarily to provide truck access to the Port of Kennewick and other industrial sites in Finley. It has always been a planning objective to reduce the truck and vehicular traffic traveling through the City of Kennewick to the Port and Finley areas. Until recently, port traffic was insufficient to justify an additional access, and Finley development was minimal.

Today, the port owns 700 acres which is located generally to the east of the Burlington Northern railroad tracks. Much of the land remains in agricultural use at this time, although the land is presently zoned for industrial use. Since the Port's primary responsibility as a municipal corporation is job creation, the Port actively markets its property to industrial uses in need of railroad or river access. Nearly, all the industrial users depend on trucking services which must use Chemical Drive.

Discussion - Residential Land Use

Population projections for the area are based on existing land uses, historic growth trends, and permitted densities. Land use for the rural Finley area is proposed to be 2.5 acres and 5.0 acres per dwelling unit - standards dictated as much by a lack of sewer to the area as an interest in maintaining a rural lifestyle. The Urban Growth Boundary (UGA) separating the urban City of Kennewick from the rural Finley area, assures that the designated Finley land uses will remain - unless the comprehensive plan is amended.

Discussion - School District Land Use

The TAC has repeatedly been concerned with the issue of safety for the school children. Recent school data shows an increasing enrollment over the planning period. Since the only bussed children are those in elementary school, there is an understandable concern for the well-being of middle and high school age children traveling to and from school. Potential hazardous spills from industrial truck and train traffic, and railroad crossing interface dangers are issues that will have to be addressed.

Discussion - Industrial Land Use

An informative meeting with six representatives of Finley industries in January, 1995 suggested a picture of good economic growth and future business expansion. Furthermore, agricultural trucking from the southern agriculture areas has been recently expanding. Increased trucking, expanded rail car usage and expansion of work force was a comment heard repeatedly.

In discussions regarding freight and shipping needs of the industrial businesses, safety was a principal theme that all business representatives agreed was of primary concern. "Too much traffic mix" on Chemical Drive was a repeated comment. Truck, train, vehicular, pedestrian safety and safety from hazardous materials spills were discussed. All agreed that any road alignment should remain away from the schools.

Clearly, Finley area will continue to develop, especially with the attraction of rural lifestyle. Today, Finley is approximately 70% built out for residential uses; but only approximately 40% of the industrial area has been built out. Housing, schools, and industry and commercial areas will expand, all creating new vehicle trips for the inadequate existing road network to absorb.

Conclusions - Land Use

1. *Finley's future growth pattern is well established. The Urban Growth Boundary, separating urban and rural areas is established, defining areas and densities of future growth.*