



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

October 12, 2016

Paul Randall-Grutter, County Engineer
Skagit County Public Works
1800 Continental Place
Mt. Vernon, WA 98274

Re: TR-160989 - Notice of Intent to Establish Blanchard Quiet Zone – Skagit County

Dear Mr. Randall-Grutter:

The Washington Utilities and Transportation Commission (commission) received notice on August 1, 2016, from the Skagit County Public Works Department (County) of its intent to establish a quiet zone, which includes the following public at-grade railroad-highway crossings:

1. Colony Road – USDOT 084787G
2. South Blanchard Road – USDOT 084788N
3. South Legg Road - USDOT 084789V
4. North Legg Road – USDOT 084791W

The proposed quiet zone would be in effect 24 hours per day, seven days per week. The notice provided to the commission did not specify the length of the proposed quiet zone. Commission staff assumes that the County is proposing a quiet zone extending one-quarter mile on each side of the crossings, which is the minimum length required by Title 49, Code of Federal Regulations, Part 222.35.

The County previously filed a Notice of Intent to create the Blanchard quiet zone in 2007 (Docket TR-070618). On May 24, 2007, commission staff provided comments to the County (copy enclosed for your reference). It is unclear if the 2007 Notice of Intent was officially withdrawn; however, the quiet zone was not established at that time.

The County utilized information in the Federal Railroad Administration (FRA) database for each railroad-highway crossing to calculate the Quiet Zone Risk Index (QZRI). The QZRI is one tool available to help determine whether a given location qualifies for quiet zone establishment. As each of the four crossings now stand, the QZRI for the intended quiet zone without horns is

17,976.43, which exceeds the current Nationwide Significant Risk Threshold of 14,347. In its notice, the County committed to Supplemental Safety Measure (SSM) upgrades at the Colony Road crossing to include installation of non-mountable medians with reflective traffic channelization devices, which reduce the possibility of motorists driving around downed gates when a train is approaching. This supplemental safety measure has a positive effect on the overall QZRI, lowering it to 12,848.81. The County did not recommend any SSM upgrades to the other three crossings in the proposed quiet zone.

Commission staff participated in onsite assessments of the crossings within the intended quiet zone on September 21, 2016. Representatives from the Federal Railroad Administration and BNSF Railway also participated in the meeting. Staff supports the SSM upgrades at the Colony Road crossing (USDOT 084787G) and recommends that the County review the FRA's publication, "Guidance on the Use of Traffic Channelization Devices at Highway-Rail Grade Crossings," prior to installing the channelization devices. The devices selected should meet all FRA requirements.

Staff has concerns, however, about the lack of planned SSM upgrades at the other three crossings in the proposed quiet zone. Staff acknowledges that these crossings qualify for designation as a quiet zone as proposed by the County; however, staff recommends that the County consider mitigating the issues identified in these comments. As you know, under current federal rules, the commission may comment on quiet zones but it does not have the authority to approve or disprove them.

Participants in the onsite assessments, including staff, recommend that median barriers be installed at each crossing to improve safety, for the following reasons:

- The South Blanchard Road crossing (USDOT 084788N) has limited sight distance in the northwest quadrant, due to the approach grades and vegetation.
- The South Legg Road crossing (USDOT 084789V) has very limited sight distance due to the skew of the tracks, vegetation growth, and the location of the bungalow. The crossing gates are located further back from the crossing, resulting in a larger space between the crossing gates. This increases the likelihood of drivers driving around descending or downed gates when the signals are activated by an on-coming train. Median barriers would discourage this unsafe motorist behavior. Non-traversable medians provide a greater disincentive for drivers because of the potential damage to the vehicle if traversed.
- Staff's main concerns at the North Legg Road crossing (USDOT 084791W) were the curved approaches and the narrow road width. Due to the location of the gate arms, median barriers would greatly improve safety at this crossing. However, median barriers may present problems for commercial vehicles using this crossing. If median barriers are

Paul Randall-Grutter

October 12, 2016

Page 3

not feasible, it was suggested that the road be restricted to non-truck traffic. The participants also discussed the possibility of closing the crossing, which would eliminate the need for a train horn.

Thank you for the opportunity to provide comments. Please feel free to contact Kathy Hunter at (360) 664-1257 or by email at khunter@utc.wa.gov if you would like additional information.

Sincerely,



Steven V. King

Executive Director and Secretary

Enclosure

cc: Richard Wagner, BNSF Railway Co.
FRA Office of Safety, Washington DC
Christine Adams, Federal Railroad Administration



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May 24, 2007

Ann Marie Gutwein, Programs Manager
W. Eugene Sampley, PE, Director of Public Works
Skagit County Public Works Department
1800 Continental Place
Mount Vernon, WA 98273

RE: Docket TR-070618, Proposed Blanchard Quiet Zone, Skagit County

Dear Ms. Gutwein and Mr. Sampley:

Thank you for the opportunity to comment on Skagit County's Notice of Intent to create the Blanchard Quiet Zone, dated March 26, 2007.

On May 1, 2006, Ray Gardner, railroad staff for the Utilities and Transportation Commission participated in a diagnostic review which includes the crossings named in this most recent notice. Attached is a copy a letter that we previously filed, which still accurately reflect our comments.

Commission staff supports the county's proposal to install a supplemental safety measure, mountable medians with reflective traffic channelization devices, at the Colony Road crossing.

If you have questions or comments, you may contact Kathy Hunter, Transportation Safety Compliance Manager, at (360) 664-1257 or by e-mail khunter@utc.wa.gov.

Sincerely,

Carole J. Washburn
Executive Secretary

Attachment





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1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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May 15, 2006

Chal Martin
PE, Director of Public Works
Skagit County Public Works Department
1800 Continental Place
Mount Vernon, WA 98273

Re: Docket ~~TR-060095~~^{TR-060386}, Proposed Quiet Zone, Skagit County

Dear Mr. Martin:

Thank you for the opportunity to comment the Skagit County proposed quiet zone, as described in Docket TR-060095.

On May 1, 2006, Ray Gardner, railroad staff for the Utilities and Transportation Commission (commission) participated in a diagnostic review for a quiet zone proposed by Skagit County, which includes five crossings north of Mt. Vernon. The crossings would be silent from 10 p.m. and 7 a.m. daily for all five crossings.

The diagnostic team included Skagit County Program Manager Ann Marie Gutwein and Traffic Engineer Given Kutz, BNSF Manager of Public Projects Danniell MacDonald, and Mr. Gardner, representing the commission. The purpose of the diagnostic review was to determine if the proposed quiet zone meets the requirements outlined by the Federal Railroad Administration (FRA). As you know, the commission may comment on the quiet zone proposal, but may not approve or disapprove the proposal since states have been preempted in this area by federal rule. The crossings within the proposed quiet zone are:

1. Bow Hill Road, DOT# 84785T
2. Colony Road, DOT# 84787G
3. Blanchard Road, DOT# 084788N
4. South Legg Road, DOT# 84789V
5. North Legg Road, DOT# 84791W

The diagnostic team found the Bow Hill Road crossing did not qualify under the FRA requirements as a quiet zone. The average daily traffic count requires that median

Chal Martin
May 15, 2006
Page 2

separators be installed at this crossing. With the current physical configuration of the Bow Hill Road crossing, median separators are not possible. Because of an intersecting road located close to the crossing, there is insufficient room to install the separators. The county stated that it would revise the request and remove Bow Hill Road from the proposal.

The diagnostic team found the other four crossings currently meet the criteria required under FRA rules for inclusion in a quiet zone; however, the county must install signage to indicate the quiet zone.

Dan McDonald informed the county that if it qualified the four crossings under the "exception of national average" criteria available under federal rules, it would be subject to annual approval. The county stated it was aware of this requirement. Mr. MacDonald stated that BNSF would not support the quiet zone request at these four crossings unless median separators were installed, even though he acknowledged that the crossings qualify under the federal rules. The county is prepared to go forward with the request of the quiet zone on these four crossings and does not plan to install median separators.

Again, thank you for the opportunity to comment. Based on our comments, we expect the county to refile its notice at the commission to remove Bow Hill Road from the proposed quiet zone. If you have questions or comments, you may contact Vicki Elliott, Assistant Director, Transportation Safety, at 360-664-1100 or by e-mail at velliott.wutc.wa.gov.

Sincerely,



Carole J. Washburn
Executive Secretary