



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

February 28, 2017

Richard Wagner, Public Projects Manager  
BNSF Railway Co.  
2454 Occidental Ave. S. Suite 1A  
Seattle, WA 98134

Sent via email and First Class mail

**RE: TR-170122 – Petition on Behalf of the Whatcom County Public Works to Install Median Barriers at the Yacht Club Road Highway-Rail Grade Crossing (USDOT 084796F)**

Dear Mr. Wagner:

On February 27, 2017, Whatcom County Public Works (County) filed a petition with the Washington Utilities and Transportation Commission (commission) seeking approval to install median barriers at the Yacht Club Road railroad crossing, identified as USDOT 084796F, as part of a quiet zone improvement. The commission assigned docket number TR-170122 to the petition.

You must respond with your position related to this petition within 20 days of the date of this letter. Please review the enclosed petition and respond by March 20, 2017. Your response options include:

- **Support the petition** – Complete the Respondent’s Waiver of Hearing form, which serves as your consent to the commission to issue an order without further notice or hearing, and submit to the commission.
- **Do not support the petition** – Reply with your position and include whether you feel a hearing is necessary to resolve the issues or suggest other courses of action, such as further discussion prior to going to hearing.

Richard Wagner  
February 28, 2017  
Page 2

If you have any questions, please contact Betty Young, Transportation Planning Specialist, at (360) 664-1202 or [byoung@utc.wa.gov](mailto:byoung@utc.wa.gov).

Sincerely,



David Pratt  
Assistant Director, Transportation Safety

Enclosure

cc: James Karcher, Whatcom County Public Works (without enclosures)  
Kathy Hunter, UTC Rail Safety Manager

TR-170122



**WHATCOM COUNTY**  
**Public Works Department**  
 322 N. Commercial Street, Ste 301  
 Bellingham, WA 98225-4042  
 Phone (360) 778-6210  
 Fax (360) 778-6211

**LETTER OF TRANSMITTAL**

**TO:** Kathy Hunter  
 Washington Utilities and Transportation Commission - Rail Safety Manager  
 1300 S. Evergreen Park Dr. SW  
 Olympia, WA 98504-7250

RECEIVED  
 RECORDS MANAGEMENT  
 2017 FEB 27 AM 11:42  
 STATE OF WASH.  
 UTIL. AND TRANSP.  
 COMMISSION

**FROM:** James P. Karcher, P.E. - Engineering Manager *gpk*

**DATE:** February 21, 2017

**RE:** Petition to the Washington Utilities and Transportation Commission to construct quiet zone improvements at the U.S.D.O.T. Crossing #084796F at Yacht Club Rd., Whatcom County.

COPY(S)	DATE	DESCRIPTION
1 - 5 pgs.	2017-02-21	Petition to the Washington Utilities and Transportation Commission
1 - 1 pg.	2017-02-21	Preliminary plan for the proposed improvements at the Yacht Club Road railway crossing
1 - 2 pgs.	2017-01-31	Whatcom County resolution for Public Works to proceed with the Petition to Washington UTC

**WE ARE SENDING YOU:**

<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Under separate cover via:
<input type="checkbox"/> Return 1 Original	<input type="checkbox"/> With noted changes <input type="checkbox"/> Resubmit
<input checked="" type="checkbox"/> For approval	<input type="checkbox"/> Approved as submitted <input type="checkbox"/> Return
<input type="checkbox"/> For your use	<input type="checkbox"/> For review and comment <input type="checkbox"/> Returned for corrections
<input type="checkbox"/> As requested	


**Remarks:**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	)	DOCKET NO. TR-
	)	
<u>Whatcom County Council</u>	)	PETITION FOR INSTALLATION OF
Petitioner,	)	MEDIAN BARRIERS AT A
	)	HIGHWAY-RAIL GRADE
	)	CROSSING
vs.	)	
<u>Burlington Northern Santa Fe Railway</u>	)	
Respondent	)	
	)	USDOT CROSSING NO.: #084796F
.....	)	

The Petitioner asks the Washington Utilities and Transportation Commission to approve installation of median barriers at a highway-rail grade crossing.

***Section 1 – Petitioner’s Information***

<u>Whatcom County</u>
Petitioner
<u></u>
Signature
<u>322 North Commercial Street, Suite 301</u>
Street Address
<u>Bellingham, WA 98225</u>
City, State and Zip Code
<u></u>
Mailing Address, if different than the street address
<u>James P. Karcher, P.E. – Engineering Manager</u>
Contact Person Name
<u>(360)778-6271 jkarcher@co.whatcom.wa.us</u>
Contact Phone Number and Email Address

*Section 2 – Respondent's Information*

Burlington Northern Santa Fe Railway

Respondent

2454 Occidental Avenue South, Suite 2D

Street Address

Seattle, WA 98134

City, State and Zip Code

Mailing Address, if different than the street address

Mr. Richard Wagner- Manager Public Projects

Contact Person Name

(206)685-6152 Richard.Wagner@BNSF.com

Contact Phone Number and Email Address

*Section 3 – Crossing Location*

1. Name of highway/roadway Yacht Club Road

2. Name of railroad BNSF Railway

3. USDOT Crossing No. 084796F

4. Located in the      1/4 of the      1/4 of Sec. 24 , Twp. 37N , Range 2E W.M.

5. GPS location, if known 48.6755733, -122.4892095

6. Railroad mile post (nearest tenth) 89.4

7. City Bellingham County Whatcom

**Section 4 – Current 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 222    Vehicle speed limit 35
3. Number of lanes 2
4. Trucks (commercial vehicles) are what percent of average daily traffic 1%
5. Number of school buses over the crossing each day 0
6. Name of railroad(s) operating at crossing BNSF, AmTrak  
\_\_\_\_\_  
\_\_\_\_\_
7. Type of railroad at crossing     Common Carrier     Logging     Industrial  
 Passenger     Excursion
8. Type of tracks at crossing     Main Line     Siding or Spur
9. Number of tracks at crossing 1
10. Average daily train traffic, freight 20  
Authorized freight train speed 59    Operated freight train speed 50
11. Average daily train traffic, passenger 2  
Authorized passenger train speed 79    Operated passenger train speed 79

**Section 5 – Justification**

1. Provide the following information:

a. Describe in detail the why this crossing should have median barriers installed.

Yacht Club Road is a no outlet road that accesses 32 residences. The majority of these residents make up the average daily traffic (ADT) of 111 motorists each way. The residents have been the principal driving force for the implementation of this safety measure and have organized funds for the construction of the median. This community using the crossing is involved, educated and astutely aware of the safety measures being installed and the potential hazards of circumventing the existing and proposed safety measures. The medians will provide a physical deterrent in the absence of the train horn which only provides a warning to motorists. The crossing will maintain the existing warning devices consisting of: two (2) entrance gates, advanced warning signs, bells and the 12 flashing lights. The Federal Railroad Administration (FRA) has calculated the risk, using the their method for calculating potential risk of incident at grade crossings, and the risk index has decreased by nearly 40% with the additions of medians and discontinuation of the train horn.

b. Provide a description of the type of median barriers proposed.

The mountable median is constructed of a high strength composite material. It is 10-5/8 inches wide and has a dome shape that is 4 inches tall. The 44 inch sections fasten together and are anchored to the pavement using a nylon expansion molly and 5/8 inch by 6 inch lag screws. The reflective traffic channelization devices are attached to the curb using a rubber boot that slides into a machined groove in the curb at 80 inch intervals. These reflective traffic channelization devices are 40 inches by 8-3/4 inches with 232 square inches of type III reflective sheeting on both sides. The break away reflective traffic channelization devices provide an effective deterrent for the typical motorists.

c. Describe who will maintain the barriers.

The proposed barriers will be maintained by Whatcom County Public Works' Maintainance and Operations Division. The barriers will be maintained at the original installed condition and all damage compromising the functionality of the barrier will be corrected immediately. A thorough annual inspection will be conducted to ensure that there is no degradation of the material and the inspection will be documented and provided to the UTC, FRA, or BNSF upon request. After installation of the proposed barrier Whatcom County intends to monitor the site and maintain a clear line of communication to identify and address any violations that may occur during this time. If violations become an issue, Whatcom County recognizes that adjustments may need to be made.

d. Attach a proposed diagram or design of the crossing and median barriers.

Please see the attached plan of the proposed improvements.

**Section 6 – Waiver of Hearing by Respondent**

**Waiver of Hearing**

The undersigned represents the Respondent in the petition to install median barriers at the following crossing.

USDOT 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 installation of median barriers should be made 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

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Phone number and email address

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



PROPOSED BY: Public Works

INTRODUCTION DATE: \_\_\_\_\_

RESOLUTION NO. 2017-007

AMENDING CRP No. 916008, AND AUTHORIZING PUBLIC WORKS TO: 1)  
PROCEED WITH PETITIONING THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION FOR IMPROVEMENTS TO THE YACHT CLUB  
ROAD AT-GRADE RAILROAD CROSSING; AND 2) CONSTRUCT IMPROVEMENTS  
USING PUBLIC WORKS DEPARTMENT'S "COUNTY FORCES".

WHEREAS, it is the recommendation of the Whatcom County Public Works Department that alteration in the method and manner of the existing Yacht Club Road at-grade crossing and its approaches is required by public safety and should occur in the form of additional safety measure improvements; and

WHEREAS, Washington Utilities and Transportation Commission requires a petition for such alteration of the Yacht Club Road at-grade railroad crossing, per Revised Code of Washington (RCW) 81.53.060; and,

WHEREAS, said RCW 81.53.060 requires legislative authority be invoked as a condition of the petition process, and the Whatcom County Council is said legislative authority; and,

WHEREAS, the Whatcom County Council unanimously adopts the position that the alteration in the method and manner of the existing crossing and its approaches is required by public safety, supports the plans for the proposed improvements at the said crossing, and desires that the Whatcom County Public Works Department submit the required petition on its behalf to the Washington Utilities and Transportation Commission; and

WHEREAS, the Whatcom County Public Works Department is required to inform and receive approval from the Whatcom County Council before utilizing "County Forces" in capital construction project; and,

WHEREAS, the Whatcom County Public Works Department desires to have the option to utilize "County forces" in the construction of additional safety measures at the Yacht Club Road at-grade crossing; and,

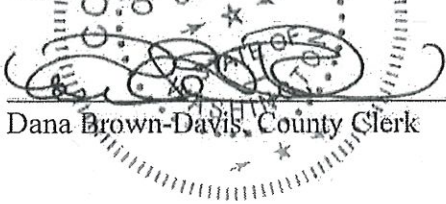
WHEREAS, upon the request of the Whatcom County Public Works Department and the recommendation of the County Executive, the Whatcom County Council, in a separate Council Action, will also be supplementing the project budget for the additional funds needed for construction of the proposed improvements;

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council as the legislative authority of the County to request that Public Works submit a petition on its behalf to the Utilities and Transportation Commission for the Yacht Club Road at-grade railroad crossing improvements; and,

BE IT FURTHER RESOLVED that Whatcom County Public Works Department's forces are authorized to perform the proposed railroad crossing improvements.

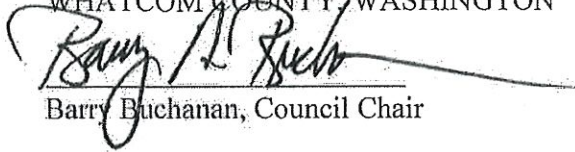
APPROVED this 7<sup>th</sup> day of February, 2017.

ATTEST:

The seal of the Whatcom County Council is circular with a dotted border. Inside the border, the words "WHATCOM COUNTY" are written in a circle. In the center, there are stars and the words "COUNCIL OF COUNTY". A signature is written across the seal.

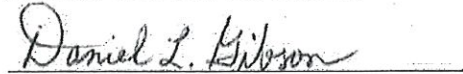
Dana Brown-Davis, County Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

A handwritten signature in cursive script, appearing to read "Barry Buchanan", is written over a horizontal line.

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Daniel L. Gibson", is written over a horizontal line.

Chief Civil Deputy Prosecutor