

Exhibit No. \_\_\_\_\_  
Docket No. TR-100127  
Witness: Dan Penrose

**BEFORE THE WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION**

WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION,

Petitioner,

CENTRAL PUGET SOUND REGIONAL  
TRANSPORTATION AUTHORITY; and  
CITY OF LAKEWOOD,

Respondents.

Docket No. TR-100127, TR-100128, and TR -  
100129 (*Consolidated*)

**WRITTEN DIRECT TESTIMONY OF**

**Dan Penrose**

**Project Manager – OEA Grants  
City of Lakewood**

**May 5, 2010**

1 DAN PENROSE, Senior Planner, testifies as follows:

2 I submit this testimony in opposition to the petitions of the Washington State  
3 Department of Transportation in the above-referenced dockets.

4 **Q. Please state your name and business address.**

5 **A.** My name is Dan Penrose, and my business address is 6000 Main Street SW, Lakewood,  
6 WA 98499. My business email address is [dpenrose@cityoflakewood.us](mailto:dpenrose@cityoflakewood.us).

7 **Q. Who is your employer?**

8 **A.** The City of Lakewood.

9 **Q. Describe your position with the City of Lakewood including your duties and**  
10 **responsibilities.**

11 **A.** I am the project manager for the Office of Economic Adjustment (OEA) grants. The  
12 purpose of the grants is to provide planning dollars in the form of grants to study changes at the  
13 military bases as it impacts the surrounding community. My job is to bring together seven  
14 school districts, seven municipalities, two counties, the military and others to properly plan for  
15 base-related growth.  
16  
17  
18

19 **Q. How does your background and experience qualify you to hold this position?**

20 **A.** My bachelor's degree is from Occidental where I earned a BA in Politics in 1997. I  
21 also have a Masters Degree in Urban Regional Planning from Eastern Washington University  
22 in 2000. I have worked for the City of Lakewood in increasingly responsible planning  
23 positions since February of 2001.

24 **Q. Are you familiar with the "Point Defiance Bypass" project?**

25 **A.** Yes.

26 **Q. What is the "Point Defiance Bypass" project?**

1 A. This project is designed to re-route passenger rail run by Amtrak running from Eugene  
2 through Seattle and Everett and north off the Point Defiance spur to the inland route through  
3 Lakewood and then rejoin the original line at Nisqually.

4  
5 **Q. What is your experience with this project?**

6 A. I was an Associate Planner at the time assigned to the environmental review and  
7 transportation planning aspects of the project. I have also worked on the Sound Transit Rail  
8 Station.

9  
10 **Q. Do both the OEA grant and Amtrak Point Defiance Bypass projects involve**  
11 **working with WSDOT?**

12 A. Yes, but different divisions. I have worked with two regional offices in relation to the  
13 OEA grants – the Northwest Region/Urban Planning Office and the Olympic Region. I've also  
14 met with the the Rail Division on our Interstate 5 alternatives analysis project. It became  
15 apparent during a coordination meeting I had set up between the Urban Planning Office and the  
16 Rail Division, that the individuals responsible for those areas did not know each other.

17  
18 **Q. What was the purpose of bringing them together?**

19 A. We were trying to engage UPO and Rail on interchange design concepts for Thorne  
20 Lane, Berkeley Avenue, 41<sup>st</sup> Division and DuPont-Steilacoom Rd.

21  
22 **Q. The divisions did not otherwise coordinate?**

23 A. Not from what I could see.

24 **Q. What are your observations of the coordination between WSDOT and City staff as**  
25 **relates to this project?**

1 A. With the Regional Office's it's been good. We work well together and it's a close  
2 working relationship. As I said, the Rail Division does not seem to be "in the loop" with the  
3 road division.

4 Additionally, the Documented Categorical Exclusion that WSDOT obtained in this  
5 process has created a significant problem in terms of community outreach. There is the feeling  
6 that the DCE was obtained in order to avoid community outreach because it time-consuming  
7 and would highlight potentially problematic issues. In fact, the FRA checklist for a DCE asks  
8 "Is the proposal likely to generate intense public discussion or concern, even though it may be  
9 limited to a relatively small subset of the community?" Additionally, any time there is a  
10 significant acquisition of right-of-way the expectation is that the project doesn't qualify for the  
11 DCE. My understanding is that WSDOT had already done some of the perfunctory technical  
12 parts of an EA but opted to take the DCE route before having to deal with our community.

13 **Q. Given your opportunity to work with WSDOT from both the road and rail**  
14 **perspectives, do you have concerns about the crossings at issue in this case?**

15 A. My overall concern is that once the PDB project is approved, the tracks will be brought  
16 up to a standard that can support significant increases in rail traffic. The tracks are proximate  
17 to I-5 interchanges at both Berkeley and North Thorne Lane and thus increases in traffic on the  
18 tracks can impact delays in the interchange.

19 The physical changes to the tracks themselves and related rail equipment is not the  
20 problem. The problem is that you are essentially taking the current tracks, which are the  
21 functional equivalent of a potholed country road, and improving them to the equivalent of a  
22 free flowing highway. This improvement supports more trains and higher speeds without the  
23

1 related safety adjustments to the roadways that cross the tracks. If the increase in train traffic  
2 were off peak time it might not matter but some of those trains will coincide with current peak  
3 hour congestion, particularly from vehicles accessing and leaving Madigan Army Medical  
4 Center. Users of this facility are not likely to take the train, thus the vehicle congestion does  
5 not decrease while the rail traffic increases dramatically.  
6


7       Once the improved rails go in, there is no opportunity for Lakewood to address the  
8 increased rail volume. As it stands we are going from a train or two per week at a very slow  
9 speed to Sounder service north of these three crossings. The PDB project proposes to add  
10 much faster trains at an increased frequency to at-grade crossings that have not had significant  
11 upgrades. The combination of the existing traffic volumes through this interchange and the  
12 increased train speed and frequency result in unsafe crossings.  
13

14 **Q. Does this conclude your testimony?**

15 **A. Yes it does.**  
16

17 I declare under penalty of perjury under the laws of the State of Washington that the  
18 foregoing is true and correct to the best of my knowledge.

19 DATED this 5<sup>th</sup> day of May, 2010 at Lakewood, Washington.  
20

21   
22 \_\_\_\_\_  
23 DAN PENROSE, Project Manager – OEA Grants  
24 City of Lakewood  
25  
26  
27