

RAIL CORRIDOR COORDINATION

Appendix I



Transportation Services

2401 South 35th Street, Room 150
Tacoma, Washington 98409-7485
(253) 798-7250 • FAX (253) 798-2740

September 19, 2001

Mr. Bob Boileau
Chief Engineer North
Burlington Northern and Santa Fe Railway
4515 Kansas Avenue
Kansas City, MO 66106

Mr. Ray Stephens
AVP Seattle Service Region
Burlington Northern and Santa Fe Railway
2454 Occidental Avenue South, Suite 1-A
Seattle, WA 98134-1451

Re: Pierce County Cross-Base Highway Project
(Lakeview Spur - BNSF MP 0.0 to MP 11.5)

Dear Mr. Boileau and Mr. Stephens:

On August 30, 2001, we met with your staff at Burlington Northern and Santa Fe Railway's (BNSF) Occidental Avenue office to brief them on the final stages of Pierce County's Supplemental Draft Environmental Impact Statement (SDEIS) for the Cross-Base Highway project. The SDEIS is scheduled to be published in the 4th Quarter of 2001. This project is located approximately between BNSF mileposts 2.0 and 3.1 on the Lakeview Spur in the City of Lakewood, Washington.

As we discussed with Mike Cowles and Don Fyffe, for the project to become a reality, a one-way, southbound roadway is required between the Thorne Lane and Gravelly Lake interchanges. This will serve to mitigate project impacts to Interstate 5 as required by the Federal Highway Administration. As a result of the discussion with Mr. Cowles and Mr. Fyffe, we have subsequently ascertained that we can fully separate the nonmotorized access requested by the City of Lakewood from the roadway requirements. This allows us to focus our efforts solely on the vehicular roadway within the most westerly 20 feet of the existing BNSF right-of-way.

As was suggested by Mr. Cowles and Mr. Fyffe, we met with WSDOT Rail office staff on September 12, 2001, regarding the future of high-speed rail (HSR) and the potential for Sound Transit Commuter rail in this corridor. We learned from Kevin Jeffers and Finn Posner, of WSDOT, that the section of track in discussion for the Cross-Base project is unique to the planned HSR system. According to Mr. Jeffers and Mr. Posner, HSR operational requirements only plan for upgrading the existing single BNSF track in this segment. HSR plans do not anticipate double tracks on the Lakeview Spur segment, as HSR planning provides for train meeting locations on the multiple track segments north and south of the Cross-Base project.

WSDOT indicated potential Sound Transit operations on the Lakeview Spur might prompt the need for an additional track through the subject area. WSDOT indicated, however, that any Sound Transit Commuter Rail service on the Lakeview Spur would most likely occur on the eastside of the existing track, since the Sound Transit Draft EIS placed the preferred location of the Lakewood Station, north of this area, on the eastside of the existing track.



Mr. Bob Boileau
Burlington Northern and Santa Fe Railway
Mr. Ray Stephens
Burlington Northern and Santa Fe Railway
September 19, 2001
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WSDOT Rail staff personnel indicated that the westerly 25 feet (and even more so, the westerly 20 feet of the BNSF right-of-way if used for a one-way roadway as described above) could be compatible with future HSR and, probably, Sound Transit Commuter rail. We also believe the opportunity exists for providing some vertical positive separation between the roadway and the rail in the north end of the alignment given the topographic relief in the area. We will make every effort to do so.

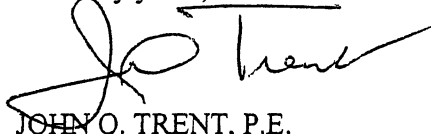
It is our understanding that the existing BNSF right-of-way is 100 feet in width for approximately the northerly two-thirds of the alignment between the interchanges and that it widens to 150 feet at the southerly one-third. We would like to pursue an option with BNSF that would permit the roadway section to be widened to include a pedestrian/bikeway through the 150-foot-wide area.

As such, we would propose a 30-foot easement adjacent to the westerly BNSF right-of-way in this area and 20 feet elsewhere. We fully understand from your staff that all nonmotorized activity must be fully secured and precluded from accessing the railroad operations at all locations along this segment.

We are on a time-sensitive schedule and would greatly appreciate your earliest comment, direction, or further discussion(s) on this proposal. As the time constraints have become significant, please concur in principle with the above-stated proposal regarding the use of BNSF right-of-way so that we can publish the SDEIS this fall. We are, of course, aware that much more detailed discussion will be required to secure the necessary agreements with BNSF to implement the proposal. We are committed to working closely with BNSF as we go about preparing the Final EIS to be published in mid-2002, the subsequent Record of Decision ("ROD"), and, ultimately, the necessary agreements with BNSF to carry the proposal forward.

Please contact Patrick Baughman, P.E, Engineering/ Environmental Supervisor, at (253) 798-7250, or Mike Mariano, P.E., at (425) 603-1859, with your response or clarification/modification to this letter.

Sincerely yours,



JOHN O. TRENT, P.E.
Public Works and Utilities Director

JOT:iih

cc: - Patrick Baughman PE, Pierce County Engineering/ Environmental Supervisor
Mike Mariano PE, M&A Consulting, PLLC
Mike Cowles, BNSF Public Projects Engineer
Don Fyffe, BNSF Contracts and Joint Facilities
Jim Slakey, WSDOT State Rail Office (Director)
Kevin Jeffers, WSDOT State Rail Office (HSR Program)
Finn Posner, WSDOT State Rail Office (Sound Transit Program)
File

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BNSF



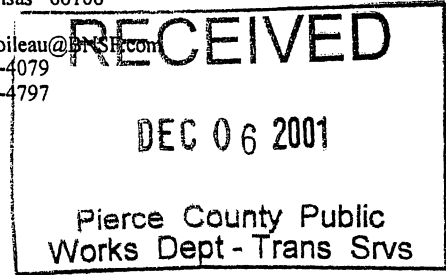
ROBERT J. BOILEAU, P.E.

Assistant Vice President
Engineering Services

Burlington Northern Santa Fe

4515 Kansas Avenue
Kansas City, Kansas 66106

E-Mail: robert.boileau@BNSF.com
Phone: 913-551-4079
Fax: 913-551-4797



December 3, 2001

John O. Trent, P.E.
Public Works Director
Pierce County Public Works
2401 South 35th Street, Rm 150
Tacoma, WA. 98409-7485

Dear Mr. Trent:

I have reviewed your letter of September 9, 2001 concerning the Pierce County Cross-Base Highway Project near Lakewood, WA.

It is my understanding the Cross-Base Highway project involves the construction of a parallel frontage road from where Gravelly Lake Drive crosses over BNSF tracks at RR milepost 1.99 and Thorne Lane where it crosses at grade at RR milepost 3.04 along the Lakeview Spur.

As you may be aware, the BNSF Lakeview Sub has been designated as a Federally recognized high-speed rail corridor. The future of this line and the service it will provide (speed and number of trains) must be considered in the proposal and evaluation of the one-way Southbound roadway connecting Gravelly Lake Drive and Thorne Lane. Additionally, comments to the Sound Transit project have suggested that a portion of this right-of-way be considered for an alternate commuter layover facility.

If the future requires additional track, it would likely be constructed at 25' track centers. Additional facilities such as a layover yard might require the entire right of way in places: Not knowing the magnitude of all facilities, or which side of the existing track we would construct the second track, makes it difficult to comment on this proposal. Constructing the proposed roadway within the outer 20' of our right-of-way would require us to build between the existing track and Interstate 5. The second track as proposed would then be about 33' from the traveled edge of Interstate 5 which is highly undesirable from a safety standpoint.

Our position is that whatever is considered must, at this point, allow BNSF the ability to expand our facilities. Therefore, definition of WSDOT and Sound Transit future plans must be made before we can comment further concerning your proposal. Development of these plans is ongoing, and is scheduled to be completed shortly, at which time we will respond to your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert J. Boileau".

Robert J. Boileau, P.E.
AVP - Engineering Services

jmc

Cc: Mike Cowles
Glen Haug
Trent Hudak
Don Maze
Read Fay

File: Lakewood, WA. - Cross base highway project



Pierce County

Public Works and Utilities

Sounder Commuter Rail

RECEIVED

JOHN O. TRENT, P.E.
Director

Transportation Services
2401 South 35th Street, Room 150
Tacoma, Washington 98409-7485
(253) 798-7250 • FAX (253) 798-2740

FEB 04 2002

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December 20, 2001

RECEIVED PT&R

DEC 31 2001

DEPT OF TRANSPORTATION

Mr. Jim Slakey, Director
Public Transportation and Rail Division
Washington State Department of Transportation
PO Box 47387
Olympia, Washington 98504-7387

Mr. David Beal, Director (Acting)
Sound Transit-Commuter Rail
401 S Jackson
Seattle, Washington 98104

Re: Pierce County Cross Base Highway Project

Dear Sirs;

Over the last few months our staff in consultation with yours have engaged Burlington Northern Santa Fe (BNSF) in conversations to reach an accord on the use of the westerly most 20 feet of its rail right of way between Gravelly Lake and Thorne Lane Interchanges along and west of Interstate 5. Thanks to your cooperation, we are now closer to reaching that accord.

Use of BNSF right of way is essential to the United States Department of Transportation Federal Highway Administration's (FHWA) approval of the Added Access Report. The report, in part, facilitates completion of the Supplemental Environmental Impact Statement. This action is necessary to advance the construction of the new highway across Mc Chord AFB and Fort Lewis military lands connecting State Route 7 and Interstate 5 (Thorne Lane Interchange). As you may be aware, Pierce County Executive John Ladenburg has also gone on record making this the highest priority roadway project for Pierce County.

The conversations with BNSF have led to the issuance of their attached December 3, 2001 letter. It outlines a number of concerns needed by BNSF in order for them to further consider and approve the use of its right of way for a roadway purpose. Summarily, the concerns are as follows:

1. **IPR and CR Program Elements:** Your collective concurrence and acceptance is needed that the remaining 80 feet of BNSF right of way is sufficient to meet the current and planned objectives of your Intercity Passenger Rail (IPR) and Commuter Rail (CR) programs. This concurrence includes the anticipated IPR and CR train volumes and speeds for this section of track.
2. **A Second Track:** Should a future second track be required, it is expected to be placed to the east of the existing track. In this configuration, the combined operational needs of IPR and CR can be safely accommodated with the current BNSF standard 25 foot track centerline separations and within the 80 feet rail right of way.



3. **Design Criteria and Safety:** The IPR and CR operational needs now and in the future can be accommodated along with concurrent BNSF freight operations in this area, without compromising BNSF design or operating criteria or standards. The terrain in this area provides for a positive vertical separation between the track and the roadway profiles. In effect this provides a basis for a crash wall design if needed in the future to accommodate higher operating speeds. While the section varies in width, the 33 feet noted in the BNSF letter is to the edge of the shoulder pavement. As such, the distance to the edge of the mainline Interstate 5 traffic lane at this location is closer to 41-43 feet. Since this section of Interstate 5 has ramp lanes, it effectively further separates the mainline freeway traffic from the easterly rail right of way line. Additionally, the opportunity exists to place a crash wall at the easterly rail right of way.

4. **CR Layover Facility:** Commuter Rail needs for layover facilities would occur outside of this section of track. Currently, they are planned for and reflected in the Sound Transit EIS for the Camp Murray area to the south.

It is my understanding that these points have all been discussed among the affected parties and that WSDOT and ST recognize their obligations to cover any additional program costs arising out of a decision by BNSF to relinquish the requested 20 feet of railroad right of way. And finally, BNSF will not be obligated to relax their current standards to meet any WSDOT or ST program needs within the remaining 80 feet of right of way.

We are in a time critical phase of the project development and would greatly appreciate your acknowledgement of the BNSF concerns and the above points by simply signing a faxed copy of this letter in the space provided below. **Please fax the signed letter to me at (253) 798-2740** and mail the original at your convenience. Should you have any questions or need more detail on our proposal or background on the BNSF letter, please give me a call or Mr. Patrick Baughman, PE at (253) 798-7250.

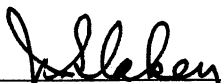
Very truly yours,



JOHN O. TRENT, PE
Public Works and Utilities Director

cc: Patrick Baughman, PE, Consultant Engineering/Environmental Supervisor
Mike Cowles, BNSF, Manager Public Projects (WA, ID, MT, BC)

CONCUR WITH THE POINTS AND STATEMENTS NOTED ABOVE:



Mr. Jim Slakey (WSDOT)
Dated:



Mr. David Beal (Commuter Rail)
Dated:

BNSF



ROBERT J. BOILEAU, P.E.

AVP-Engineering Services

Burlington Northern Santa Fe

4515 Kansas Avenue
Kansas City, Kansas 66106

E-Mail: Robert.Boileau@BNSF.com
913-551-4079 phone
913-551-4797 fax

April 26, 2002

John O. Trent, P.E.
Public Works Director
Pierce County Public Works
2401 South 35th Street, Rm 150
Tacoma, WA. 98409-7485

Dear Mr. Trent:

We received your letter of February 11, 2002 confirming acceptance from Sound Transit and WSDOT Rail on the proposed construction of the Cross-Base Highway Project.

Thank you for taking the time to obtain the signatures of Mr. Slakey, WSDOT Rail, and Mr. Beal, Sound Transit. Before we could accept the Cross Base Highway Project as proposed, their understanding and acceptance of the project was vital. If the Cross Base Project moves forward, any further expansion required for Sound Transit and/or WSDOT Rail will be severely limited in this area, which will increase the costs of this expansion.

It is clear, by the letter from WSDOT Rail and Sound Transit dated 12-20-2001, that the Cross Base Highway Project is acceptable to the Rail and Transit programs. Therefore, The Burlington Northern and Santa Fe Railway Company has no objection to the Cross Base Highway Project as currently proposed.

The net result of the Cross Base project is the elimination of the Thorne Road at-grade crossing. Thorne Road is to become grade separated as part of this project. It is to everyone's benefit when an at-grade crossing can be eliminated. BNSF looks forward to working cooperatively with Pierce County on the Cross Base Project.

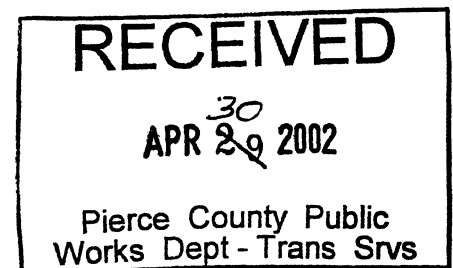
As the project progresses, Mike Cowles, Manager Public Projects, will continue to be your point of contact. He can be reached at (206) 625-6146.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Boileau".

Robert Boileau, P.E.
AVP-Engineering Services

jmc



Cc: Don Maze
Read Fay
Lyn Hartley
 John Shurson
 Mike Cowles
 Walt Smith
 Glen Haug
 Trent Hudak

File: Lakeview, WA. - Cross-Base Highway Project



Transportation Services

2401 South 35th Street, Room 150
Tacoma, Washington 98409-7485
(253) 798-7250 • FAX (253) 798-2740

February 11, 2002

Mr. Robert Boileau
Chief Engineer North
BNSF Railway
4515 Kansas Ave.
Kansas City MO 66106

Re: Cross Base Highway Project (Use of BNSF Right of Way)

Dear Mr. Boileau:

Thank you for your letter of December 3, 2001 with regards to our Cross Base Highway Project. It was very helpful in understanding and developing our response to BNSF's issues and concerns regarding the relinquishment of the westerly 20 feet of the existing BNSF right of way. As stated in my September 19, 2001 letter to you, this right of way is located on the west side of Interstate 5 between the Gravelly Lake and Thorne Lane interchanges in the City of Lakewood. The need for this right of way is both critical and essential to meeting Federal and State requirements imposed through the project's "Added Access Study" and the Supplemental Draft Environmental Impact Statement (SDEIS) for the project connecting Interstate 5 to State Route 7 in Spanaway.

I trust that the attached letter jointly signed by WSDOT (State Rail Office) and Sound Transit (Commuter Rail) addresses the near and long term issues and concerns raised in your letter. We worked closely with your local staff (Mike Cowles, Trent Hudak, and Glen Haug) to help assure the letter was as direct and comprehensive as possible to the points you raised. Their cooperation was both very helpful and greatly appreciated.


We continue to move forward with our SDEIS process in the first half of 2002. We anticipate being in the Final SDEIS process in the last half of 2002, with a Record of Decision by yearend. Understanding the BNSF decision making process and timeframe is critical to meeting these key project milestones. Of immediate interest is the timing and process by which the decision to relinquish the requested westerly 20 feet of BNSF right of way would be made. It would add significant credibility to the environmental process if that decision could be in place and documented in during the March comment period for the SDEIS. Subsequently, understanding the process and timing for negotiating and executing the agreement for the relinquishment of the right of way would become critical as we prepare to publish the Final EIS in early Summer 2002.



Letter to Robert Boileau
February 11, 2002
Page Two

I look forward to your early response and guidance on reaching an agreement on this critical portion of the Cross Base Highway project. This is especially timely as our County Executive continues to press forward with the implementation strategies needed to make this high priority project a reality. Please call me, or Patrick Baughman at (253) 798-7250 if we can be of any assistance to BNSF.

Very truly yours,



JOHN O. TRENT, P.E.
Director

JOT:PDB:drs
Attachment

cc: Patrick Baughman, PE, Consultant Engineering/Environmental Supervisor
Mike Cowles, BNSF Manager of Public Projects
Jim Slakey, WSDOT
David Beal, Sound Transit
Mike Mariano, Mariano & Associates
file