

The 54<sup>th</sup> Ave and UPRR have not been vacated. The at-grade railroad crossing of 54th Ave E. and the UPRR has been closed to routine public traffic but the railroad crossing is open to emergency vehicles and is routinely used for such. The City of Fife has the construction of a grade separated crossing in its Comprehensive Plan but neither the design nor construction of that grade separation is currently funded. I am responding from home, as I prepare to leave for the three-day IACC conference in Wenatchee, so I don't have case numbers or exact dates, but the following brief history of the crossing may be useful to Secretary MacDonald and could be supplemented by case numbers and exact dates if necessary.

In the mid 1990's, the UPRR planned to expand operations of their Fife switchyard, located just west of Frank Albert Road, approximately 1/2 mile west of 54th Avenue East. As part of those expanded operations, the UPRR anticipated building a second track eastward from its yard and across 54th Avenue and using the track to assemble mile-long trains. During such assembly, rail cars would block the street for hours at a time, so the UPRR petitioned the UTC to close the crossing. Fife initially fought the closure, but recognized that it was likely to be approved and changed its position to seek mitigation for the closure and the UTC approved the closure subject to a number of conditions, including the UPRR's provision of acreage adjacent to the closed crossing for municipal park use.

The City of Fife entered into an interlocal agreement with the Fife School Board for joint development of a Junior High School and a municipal park.

The Fife School District then began a lengthy planning, programming, and funding process, culminating in a public vote and approval of a bond issue to build what has become Columbia Junior High School. With the crossing scheduled to be closed, the plans circulated with bond promotion materials included a soccer field across the 54th Avenue right-of-way, with soccer field construction a second phase of school site development, after the UPRR extended their yard track.

In 2001, as the District was preparing to issue its construction package to potential bidders, they or the City of Fife contacted the UPRR to check on the railroad's schedule for track construction and crossing closure. The UPRR said that the project priority had changed and that it was no longer immediately planned. The future track expansion continues to be out six years on the UPRR capital plan. The School District then (still 2001) petitioned the Fife City Council to restrict general public access to the crossing, that they were concerned that public access to the grade crossing would increase the likelihood of rail accidents with cars which impact school safety.

In November, 2001, the Fife City Council voted to close the crossing to general public access until such time as a safer crossing could be built, such as grade separation. The council recognized that the Fife School District has an interest in what this design should be and that the district would be provided with design approval for the new crossing. The school was built, the crossing was closed to general public access in August, 2003, and the school was opened at the end of that month. The soccer field across the road was not built concurrent with the school building because the road had remained open to general traffic during school construction. The City of Fife and the Fife School district had memorialized their agreement regarding the closure into an amendment to their interlocal agreement on shared use of the

real estate provided by the UPRR; this amendment deferred construction of the soccer field for another year, during which the City of Fife rebuilt that portion of 54th Avenue East immediately north of the school.

During that first year of school operations, experience with the closure of the rail crossing to general public use, and reconstruction of the street, it became apparent to an electorily-revised Fife City Council that it would be worthwhile to reopen the street. The School District had a contractual right to insist that general public access to an at-grade crossing be prohibited, and they had a political commitment to their voters to build a high quality soccer field suitable for year-round play. Over the next two years, agreements were negotiated and executed through which the Puyallup Tribe provided funding to the City of Fife, and the City forwarded such funding to the Fife School District, for the incremental \$600,000 cost of a soccer field at an alternate site. This preserved the possibility of building and underpass that would have been much more difficult if the soccer field was build over the proposed site. The City and District then amended their interlocal agreement a second time, to relieve the District of the obligation to build the soccer field at this site and to recognize that an underpass to carry 54th Avenue beneath the UPRR tracks was an appropriate design. Fife amended its comprehensive plan, in December, 2005, to include underpass construction. 54th Avenue East will be reopened to general public traffic when the underpass is built. But the underpass is not funded. A cost of \$15-20 million will be needed to complete the project. It's likely over a decade away, as our Council has made improvements to 70th Avenue East, which is a parallel route through an industrial zone, a higher priority.