

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

PIERCE COUNTY,)	DOCKET NO. TR-041562
)	
Petitioner,)	ORDER NO. 01
)	
v.)	
)	ORDER GRANTING PETITION TO
THE MEEKER SOUTHERN)	CONSTRUCT A NEW TRAIL-
RAILROAD,)	RAILROAD GRADE CROSSING IN
)	PIERCE COUNTY, WASHINGTON
Respondent.)	(Station 213)
.....)	

BACKGROUND

- 1 On August 27, 2004, Pierce County filed a petition with the Commission, seeking approval to construct a mixed use (pedestrian, bicycle, and equestrian) trail-railroad crossing. The crossing would be located at the intersection of the Foothills Trail and tracks of the Meeker Southern Railroad, in the NW ¼ of the NE ¼ of Section 13, Township 19 N., Range 4 E., W.M., in Pierce County, Washington.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing. The consent was conditioned on the petitioner not opposing improvement of an existing access road across the trail into railroad property at 13700 80th Street East.
- 3 Pierce County is currently constructing a 4.3-mile shared use trail along right-of-way that generally parallels the Meeker Southern tracks. The trail will be 21 feet-wide, including 12 feet of pavement, two-foot gravel shoulders on either side of the pavement, and a five-foot equestrian section. Right-of-way availability, wetland issues, and efforts to incorporate the existing roadway system when possible have resulted in a design where the trail crosses the Meeker Southern line at four points.

- 4 Respondent maintains one main-line track at the proposed trail crossing locations. Average train traffic includes six freight trains per week traveling at a maximum speed of 10 mph.
- 5 The proposal in this docket involves the construction of a trail crossing at a location identified by the petitioner as Station 213+80 along the rail line, and station 16+25 along the trail. From south to north, the trail would approach the Meeker Southern tracks at a point where the rail line curve from east to north. The northbound trail approach to the crossing curves to the west in order to cross the tracks at a 90-degree angle. The 90-degree crossing is desirable for optimal sight distance, and for crossing surface safety. After crossing the tracks, the trail would continue north, parallel to the west side of the tracks. The trail approaches the tracks along +5% grades on both sides, although the crossing itself is flat.
- 6 Pierce County proposes to install passive warning devices at the crossing, including crossbuck signs, stop signs, railroad advance warning signs, railroad pavement markings, and stop lines. In addition, Pierce County will install a series of three five-foot high posts on each crossing approach to force trail users – especially cyclists - to slow down and cross the tracks safely. As proposed, the trail will be equipped with all of the minimum devices required at all public grade crossings.

FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW.*
- 8 (2) The proposed trail-railroad crossing constitutes a public railroad-highway grade crossing within the state of Washington, as defined in RCW 81.53.010.

- 9 (3) RCW 81.53.030 requires that the Commission grant approval prior to constructing public railroad-highway grade crossings within the state of Washington.
- 10 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 11 (5) This matter was brought before the Commission at its regularly scheduled meeting on September 14, 2005.
- 12 (6) After examination of the petition filed by Pierce County on August 27, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 13 The petition of Pierce County to construct a shared use trail-railroad grade crossing, located at the intersection of the Foothills Trail and the tracks of the Meeker Southern Railroad, at the location described above, is granted, subject to the following conditions:
- (1) The crossing's construction and installation of warning devices must conform to the plans filed in this proceeding.
 - (2) The crossing must be hard-surfaced between the rails and for a distance of at least one foot outside of each rail for the full width of the trail plus two feet.
 - (3) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.

- (4) Pierce County and the Meeker Southern Railroad must keep clear any vegetation in each of the crossing's four quadrants to the extent that adequate sight distance of approaching trains is provided for trail users.
- (5) Upon completion of the construction and installations authorized herein, petitioner must notify the Commission. Acceptance of the crossing is subject to inspection by Commission Staff, verifying that it is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.030, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 14th day of September, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary