



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Douglas County

Petitioner,

vs.

Burlington Northern Railway Company

Respondent

DOCKET NO. TR-

PETITION TO INSTALL HIGHWAY-  
RAIL GRADE CROSSING ACTIVE  
WARNING DEVICES

USDOT NO.: 065809D

The Petitioner asks the Washington Utilities and Transportation Commission (UTC) to approve installation of highway-rail grade crossing active warning signals.

*Section 1 – Petitioner’s Information*

Douglas County Transportation and Land Services

Petitioner

Signature

140 19<sup>th</sup> Street NW

Street Address

East Wenatchee, WA 98802

City, State and Zip Code

Mailing Address, if different than the street address

Jennifer Lange

Contact Person Name

(509) 884-7173; jlange@co.douglas.wa.us

Contact Phone Number and Email

**Section 2 – Respondent's Information**

<b>BNSF Railway Company</b> Respondent
<b>2454 Occidental Ave S, Suite 1A</b> Street Address
<b>Seattle, WA 98134</b> City, State and Zip Code
 Mailing Address, if different than the street address
<b>Stephen Semenick</b> Contact Person Name
<b>(817) 422-2486; stephen.semenick@bnsf.com</b> Contact Phone Number and Email

**Section 3 – Crossing Location**

1. Existing highway/roadway <b>Spanish Castle Road</b>
2. Existing railroad <b>BNSF Railway Company</b>
3. USDOT Crossing No. <b>065809D</b>
4. GPS location <b>Lat: 47.2431646 Long:-120.084397</b>
5. Railroad mile post (nearest tenth) <b>1631.12</b>
6. City <b>Rock Island</b> County <b>Douglas County</b>

***Section 4 – Roadway Information***

---

1. Type of public road at the crossing      Δ State      X County      Δ City  
      ┘ Port      Δ State Park      Δ Other \_\_\_\_\_
2. Name of public road Spanish Castle Road
3. Road authority Douglas County
4. Average daily vehicle traffic over the crossing 49 Vehicle speed limit 25 MPH
5. Number of lanes 2
6. Trucks (commercial vehicles) are what percent of average daily traffic 0
7. Number of school buses over the crossing each day 0
8. Describe any changes to the information in 1 through 7, above, expected within ten years:

Improvements are conditions of an approved Master Planned Resort that includes properties on both sides of the BNSF Crossing. The Spanish Castle Master Planned resort is a recreational/residential master planned community consisting of up to 1,200 homes (approximately 500 detached single family homes with the remainder as condominium and townhouse units). Most will be second-home or vacation dwellings. Also planned is a 100 room hotel, mixed use commercial, recreational amenities, that may include golf, equestrian center, sports park or other outdoor facilities, spa and related infrastructure and services including public water system, onsite waste water treatment and a fire station.

Site-Generated Traffic Volumes utilizing the BNSF Crossing is projected to be 693 PM Peak Trips.

The Grant County Public Utility District (PUD) operates an improved boat launch (Apricot Orchard Boat Launch) on the Columbia River, which is accessed by crossing the BNSF track.



**Section 5 – Railroad Information**

---

1. Name of railroad(s) operating at crossing

BNSF Railway Company

---

2. Type of railroad at crossing     Common Carrier        ] Logging        ] Industrial  
     Passenger            ] Excursion

3. Type of tracks at crossing     Main Line        ] Siding or Spur

4. Number of tracks at crossing   1  

5. Average daily train traffic, freight   27  

Authorized freight train speed 65 MPH  
Operated freight train speed 55 MPH (50 mph per inspection report)

6. Average daily train traffic, passenger   2  

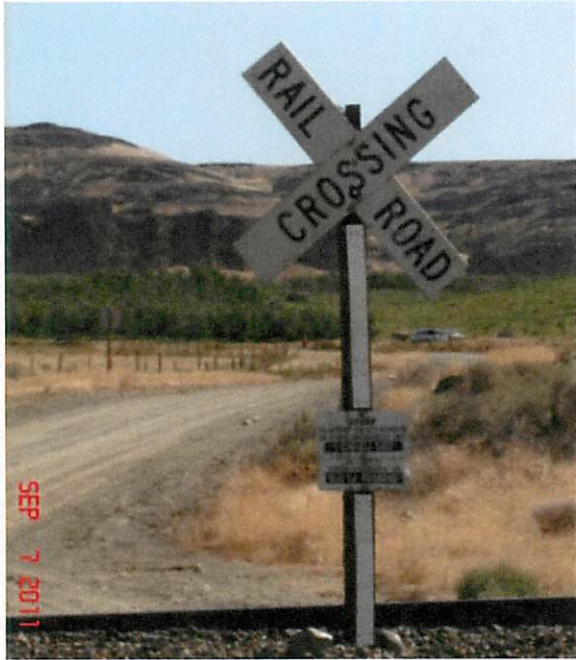
Authorized passenger train speed 65 MPH  
Operated passenger train speed 65 MPH (60 mph per inspection report)

---

*Section 6 – Current Warning Devices*

Provide a complete description of any passive warning devices currently located at the crossing, including signage.

Prior to this project the only warning devices located at the crossing were two Cross buck Assemblies Railroad Crossing Signage (MUTCD R15-1) on each side of the crossing (photos below):



## **Section 7 – Description of Proposed Changes**

Describe in detail the number and type of proposed automatic signals, gates, other warning devices, train detection circuitry, and any other changes. (RCW 81.53.271)

At Grade Crossing improvements, include:

- 6 Sets of Mast mounted flashing lights for Vehicular and pedestrian Traffic.
- ENS Signs installed on xing masts
- Concrete Crossing panels were installed by BNSF 65' length, which widens the crossing to 65' to accommodate the asphalt travel lanes, median, paved pedestrian path, drainage swale and shoulders which comprise approximately 61.5 feet of improved road/path surface crossing the BNSF tracks.
- 13' Asphalt Travel Lane plus 4' Paved Shoulder separated by 8.5' wide 4" Concrete Curb Median, with an 8' wide Paved Pedestrian Path on the east side.
- Railroad crossing signage will include two W10-1 signs on each side of the railroad crossing. A solar yellow warning beacon will be included on one sign on each side of the crossing (2 total).
- Automated crossing gates and inter-related pedestrian crossing arms.
- Gates and fencing within BNSF property will be included to preclude unauthorized access to BNSF siding/maintenance roads.

**BNSF Railway active grade warning devices:**

2 automatic entrance gates with flashing signals and Bells, one for each direction of travel. Two pedestrian gates with flashing signals and bells, one for each direction of travel. Crossing is equipped with XP4 predictor crossing detection circuitry, and designed to provide appropriate warning time for train traffic traveling up to 79MPH. All Active grade warning lamps to be LED's. Location is to be established as a quiet zone.

BNSF designed and has installed an instrument house and the associated circuitry needed for installation of the gates and flashers and constant warning devices. Bases have been installed; gates and flashers will be erected upon completion of the flat worker (road improvements).

**Section 8 – Description of Public Safety Need**

Describe and support the public safety need for the proposed active warning devices. (RCW 81.53.261, 271)

Due to the increase in traffic and public use associated with the Spanish Castle Master Planned Resort, BNSF Railway Company required mitigation in the form of safety improvements to be installed at the crossing.

Improvements include provisions for vehicular and pedestrian usage.

The Spanish Castle Master Planned resort is a recreational/residential master planned community consisting of up to 1,200 homes (approximately 500 detached single family homes with the remainder as condominium and townhouse units). Most will be second-home or vacation dwellings. Also planned is a 100 room hotel, mixed use commercial, recreational amenities, that may include golf, equestrian center, sports park or other outdoor facilities, spa and related infrastructure and services including public water system, onsite waste water treatment and a fire station.

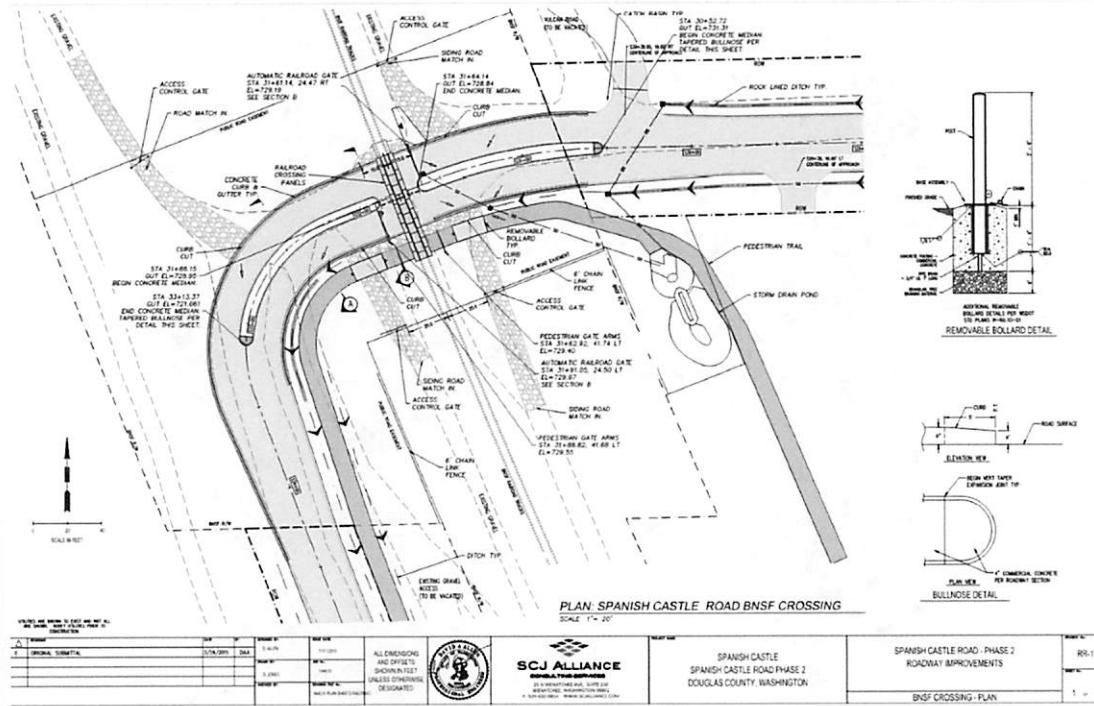
Site-Generated Traffic Volumes utilizing the BNSF Crossing is projected to be 693 PM Peak Trips.

The Grant County Public Utility District (PUD) operates an improved boat launch (Apricot Orchard Boat Launch) across the BNSF Crossing.

## Section 9 – Illustration of Crossing

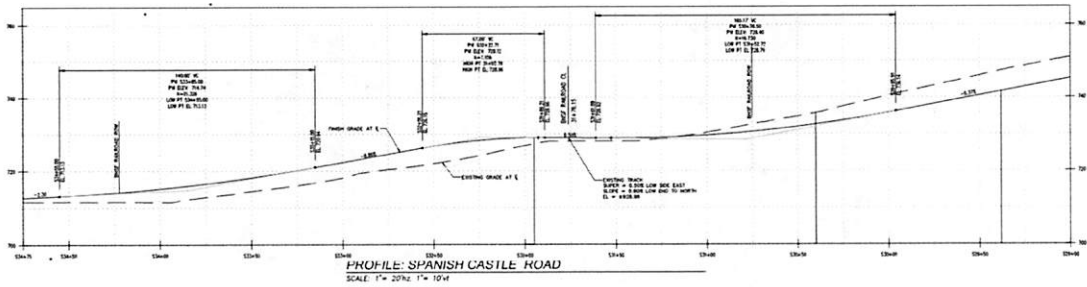
Attach a detailed diagram, drawing, map, or other illustration showing the current and proposed layout of the road, crossing surface, and railway in the vicinity of the crossing, including shoulders, sidewalks, lanes of travel, bike lanes, warning devices, pavement markings and any other applicable crossing conditions.

**The BNSF Crossing plans (8/23/2018) are provided as an attachment.**





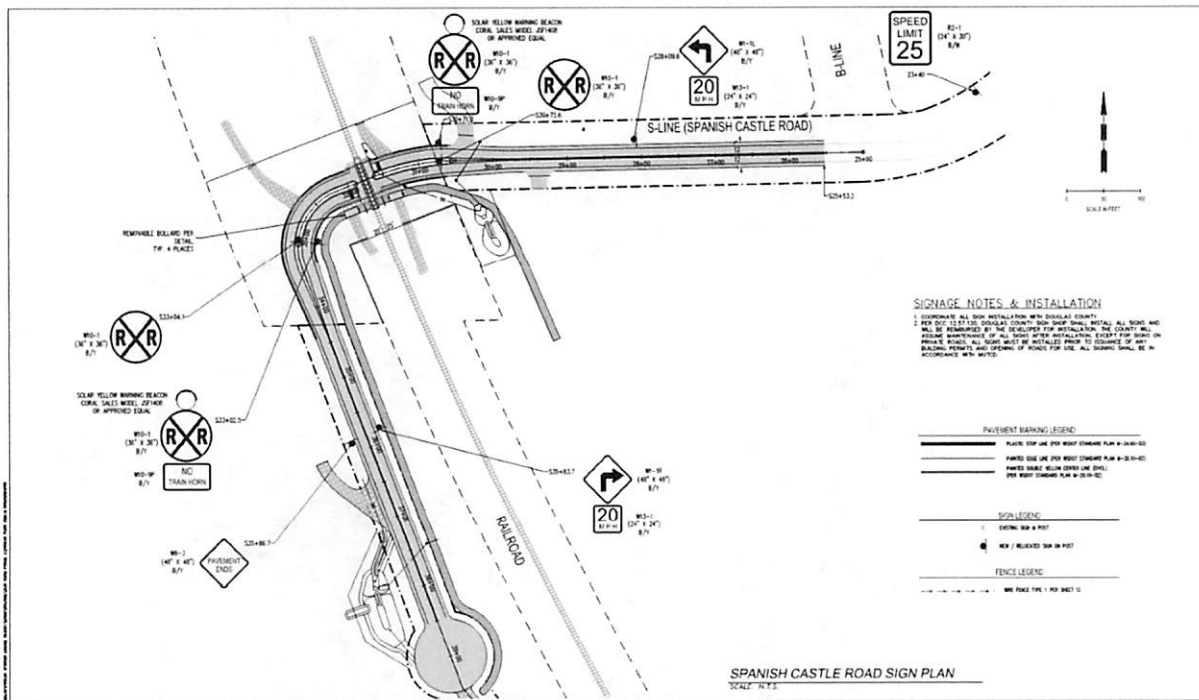




PROFILE: SPANISH CASTLE ROAD  
SCALE: V = 20% H = 10'

UNLESS SHOWN TO CONTRARY AND NOT ALL  
ARE SHOWN, VERIFY EXISTING ROAD &  
CONSTRUCTION

DATE	BY	APP'D BY	REV	DESCRIPTION	SCALE	PROJECT	DATE	BY	APP'D BY	REV	DESCRIPTION
02/01/2015	SAK		1	ORIGINAL SUBMITTAL		SPANISH CASTLE ROAD PHASE 2 ROADWAY IMPROVEMENTS	02/01/2015	SAK		1	ORIGINAL SUBMITTAL



**SIGNAGE NOTES & INSTALLATION**

- COORDINATE ALL SIGN INSTALLATION WITH DOUGLAS COUNTY.
- PER DOT 12.13.13, DOUGLAS COUNTY SIGN SHOP SHALL INSTALL ALL SIGNS AND SHALL BE RESPONSIBLE FOR THE FOLLOWUP FOR INSTALLATION, THE COUNTY WILL FURNISH SIGNAGE OF ALL SIGNS AT THE INSTALLATION. (DOT 12.13.13 SIGN SHOP SIGNAGE) ALL SIGNS MUST BE INSTALLED PRIOR TO COMMENCEMENT OF ANY ROADWAY CONSTRUCTION. VERIFY ALL SIGNAGE IS IN ACCORDANCE WITH WA-100.

**PAVEMENT MARKING LEGEND**

- PAVING STRIP LINE PER ROAD SIGNAGE PLAN # 20-01-02
- PAVING STRIP LINE PER ROAD SIGNAGE PLAN # 20-01-02
- PAVING STRIP LINE PER ROAD SIGNAGE PLAN # 20-01-02

**SIGN LEGEND**

- EXISTING SIGN & POST
- NEW / RELOCATED SIGN & POST

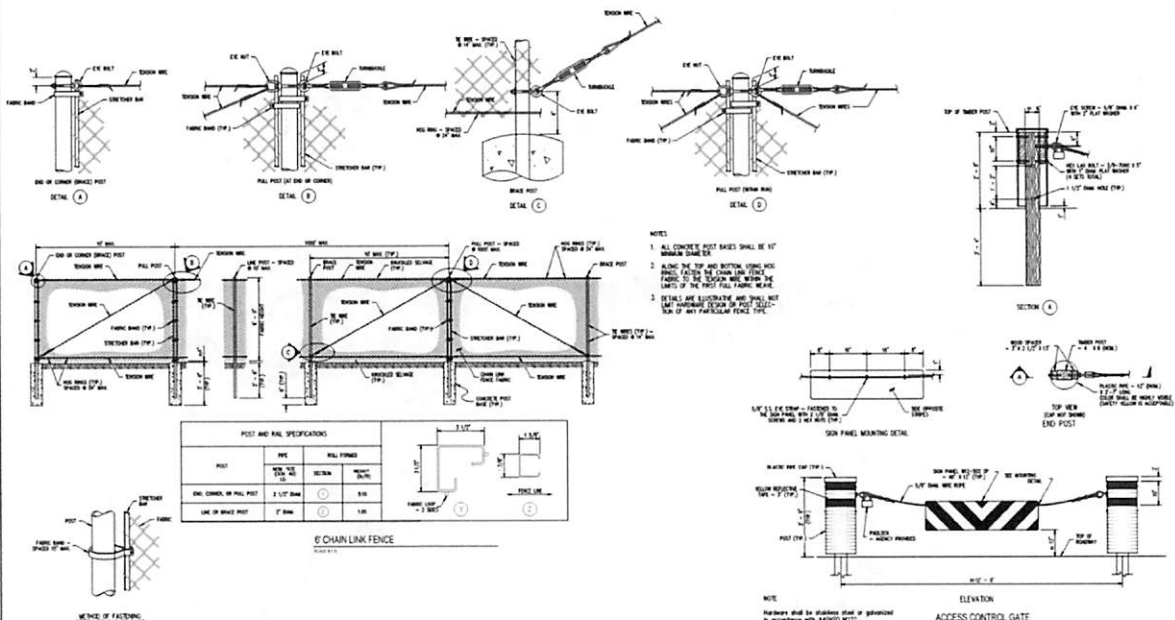
**FENCE LEGEND**

- NEW FENCE TYPE 1 PER WA-100

SPANISH CASTLE ROAD SIGN PLAN  
SCALE: 1" = 10'

DATE	BY	APP'D BY	REV	DESCRIPTION	SCALE	PROJECT	DATE	BY	APP'D BY	REV	DESCRIPTION
02/01/2015	SAK		1	ORIGINAL SUBMITTAL		SPANISH CASTLE ROAD PHASE 2 ROADWAY IMPROVEMENTS	02/01/2015	SAK		1	ORIGINAL SUBMITTAL

**\*NO TRAIN HORN signage will be incorporated ONLY upon approval of a Quiet Zone.**



DATE	BY	CHKD BY	APP'D BY	SCALE	PROJECT NAME	PROJECT LOCATION	PROJECT NUMBER
02/20/20	SAK				SPANISH CASTLE ROAD PHASE 2 ROADWAY IMPROVEMENTS	DOUGLAS COUNTY, WASHINGTON	RR-6
							6 of 6

***Section 10 – Approximate Cost of Installation and Related Work***

Provide the approximate cost of installation and related work for the proposed active warning devices. (RCW 81.53.271)

Since 2012 through January of 2021, \$425,925.60 has been paid to BNSF to facilitate improvements at the crossing. \$4,618.72 for design, \$32,000 for perfection of the road easement and \$389,306.88 for construction activities performed by BNSF or a contractor working on behalf of BNSF. The construction estimate provided by BNSF was \$425,142.00, meaning it is estimated that \$35,835.12 remains in outstanding work to be performed by BNSF.

*The estimated total billable construction cost is provided in Exhibit D of the GRADE CROSSING CONSTRUCTION AND MAINTENANCE AGREEMENT (BNSF File No.: BF10004475), executed July 17, 2017 and amended September 18, 2018.*

The County has remitted payments to BNSF utilizing funds held in ESCROW provided by the private developer of the Spanish Castle Master Planned Resort.

The private Spanish Castle Master Planned Resort developer is required to do the road improvements outside of that performed by BNSF forces or contractors. The estimated cost of that work is: \$437,696.00 (excluding design and construction engineering/inspection).

**Section 11 – Approximate Cost of Annual Maintenance**

Provide the approximate cost of annual maintenance for the active warning devices. (*RCW 81.53.271*)

Approximate cost of annual maintenance is unspecified.

*As outlined within GRADE CROSSING CONSTRUCTION AND MAINTENANCE AGREEMENT (BNSF File No.: BF10004475), executed July 17, 2017, Article IV Joint Obligations, Section 9:*

Douglas County will be responsible for:

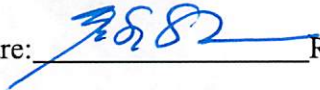
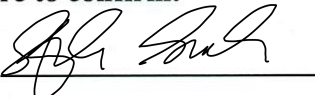
- Repairs, maintenance, future construction or reconstruction of Spanish Castle Road.
- Maintenance of the advance railroad crossing warning signs and pavement markings in accordance with the requirements contained within the MUTCD.

BNSF will at its sole cost and expense, operate and maintain the Crossing Signal Equipment, Crossing Signal Control House, and the new crossing surfaces, from end-of-tie to end-of-tie, in proper condition.

**Section 12 – Cost Apportionment**

If the commission directs the installation of the active warning devices requested in this petition, it will apportion installation and maintenance costs in accordance with the applicable statutes. (*RCW 81.53.261-.295*)

The parties to the petition have the right to enter into an agreement providing for the installation of signals or other warning devices or for the apportionment of the cost of installation and maintenance. (*RCW 81.53.261*) **If the parties to this petition have reached an agreement related to apportionment of costs, please sign here to confirm:**

Petitioner Signature:  Respondent Signature: 

**Section 13 – Waiver of Hearing by Respondent**

**Waiver of Hearing**

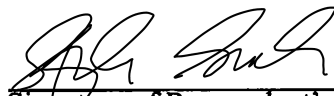
The undersigned represents the Respondent in the petition to install active warning devices at the following crossing:

USDOT Crossing No. 065809D

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 the active warning devices should be installed and consent to a decision by the UTC without a hearing.

Dated at Seattle, Washington, on the 10th day of  
March, 20 21.

BNSF Railway Company  
Printed name of Respondent



Signature of Respondent's Representative  
Stephen Semenick

Manager Public Projects – WA & BC  
Title

(206) 625-6152 stephen.semenick@bnsf.com  
Phone number and email

2454 Occidental Ave S., Suite 1A, Seattle, WA 98134  
Mailing address

**Checklist prior to submitting the petition:**

- ✓ Ensure all petition fields are completed.
- ✓ Ensure parties sign Section 12 regarding any Cost Apportionment agreement, if applicable.
- ✓ Obtain signature on Waiver of Hearing (Section 13). *If respondent fails to sign Waiver, advise UTC staff upon submission.*
- ✓ Attach copies of:
  - Illustration of crossing (described in Section 9).
  - Any other relevant documents to support the petition, including but not limited to support of public need, project information, etc.

**Submitting the petition:** To officially file the petition, send the petition form and supporting documents to [Records@utc.wa.gov](mailto:Records@utc.wa.gov).

---

**Questions:** For questions, please contact:

<p><b>Mike Turcott</b> Transportation Planning Specialist <a href="mailto:mike.turcott@utc.wa.gov">mike.turcott@utc.wa.gov</a> (360) 764-0572</p>	<p><b>Betty Young</b> Rail Safety Program Advisor <a href="mailto:betty.young@utc.wa.gov">betty.young@utc.wa.gov</a> (360) 292-5470</p>
---	---