

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
CITY OF WOODLAND,  
  
Petitioner,  
  
v.  
  
BNSF RAILWAY CO.,  
  
Respondent.

DOCKET TR-220258  
  
ORDER 01  
  
GRANTING PETITION TO MODIFY  
A PUBLIC HIGHWAY-RAIL GRADE  
CROSSING AT WEST SCOTT  
AVENUE IN WOODLAND,  
COWLITZ COUNTY  
  
USDOT: 092437K

**BACKGROUND**

- 1 On April 12, 2022, the City of Woodland (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify a railroad-highway grade crossing located at West Scott Avenue in Woodland, Cowlitz County, identified as USDOT 092437K.
- 2 Respondent BNSF Railway Co. (BNSF or Respondent) consented to entry of a Commission order without further notice or hearing.
- 3 West Scott Avenue is a two-lane roadway with a posted vehicle speed limit of 35 miles per hour. Average annual daily traffic through the crossing is estimated at 3,045 vehicles. West Scott Avenue is part of an established truck route with approximately 24 percent commercial vehicle traffic. West Scott Avenue is also part of an established school bus route with 10 school buses using the crossing each school day.
- 4 Warning devices at the West Scott Avenue crossing consist of pavement markings, advance warning signs, reflectorized crossbucks, median barriers, Emergency Notification System signs, mast-mounted flashing warning lights, gates, and bells. BNSF operates 46 freight trains per day over this crossing at up to 60 miles per hour. Eight passenger trains per day operate over the crossing at up to 79 mph.
- 5 The Petitioner proposes to install new sidewalks on both shoulders of West Scott Avenue and replace the existing median barriers with a total of 190 lineal feet of 12-inch wide and six-inch tall dual-faced concrete curb with delineators to separate the east and westbound traffic lanes. BNSF will upgrade the gate mechanisms, rehabilitate the tracks

through the crossing, and extend the concrete crossing surface panels an additional eight feet to the north.

6 These improvements are intended to improve public safety at the crossing, particularly for pedestrians.

7 According to the Petition, the City and BNSF confirmed that the parties have reached an agreement related to apportionment of costs for the proposed upgrades.

8 Commission staff (Staff) has investigated the Petition and recommends that it be granted subject to the following conditions: (1) the modifications must conform to those described in and attached to the Petition, (2) traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices, (3) the City must complete the proposed modifications within three years, and (4) the City must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with the conditions specified herein.

### DISCUSSION

9 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users. When the Commission directs the installation of the active warning devices, it will apportion installation and maintenance costs in accordance with the applicable statutes.<sup>1</sup> RCW 81.53.261 provides that the parties may 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. The parties to this Petition confirmed that they have reached an agreement related to cost apportionment. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

10 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.

11 (2) The West Scott Avenue grade crossing, identified as USDOT 092437K, is a public railroad-highway grade crossing within the state of Washington.

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<sup>1</sup> See RCW 81.53.261-.295.

- 12 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also WAC 480-62-150.
- 13 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 8, above.
- 14 (5) After examining the Petition filed by the City on April 12, 2022, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

## ORDER

### THE COMMISSION ORDERS:

- 15 The City of Woodland's Petition to modify active warning devices at a railroad-highway grade crossing located at West Scott Avenue is granted and the parties are directed to proceed with the modifications described in the Petition, subject to the following conditions:
- (1) The modifications must conform to those described in and attached to the Petition.
  - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
  - (3) The City must complete the modifications within three years of the effective date of this order.
  - (4) The City must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with the conditions specified herein.

- 16 The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Lacey, Washington, and effective May 6, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL,  
Executive Director and Secretary

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**