

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

BNSF RAILWAY CO.,)	DOCKET TR-140301
)	
Petitioner,)	ORDER 01
)	
)	ORDER GRANTING PETITION TO
)	RECONSTRUCT A PUBLIC
WHATCOM COUNTY,)	HIGHWAY-RAIL GRADE CROSSING
)	AT LOOMIS TRAIL ROAD IN
Respondent.)	WHATCOM COUNTY
)	
)	USDOT: 084848V
.....)	

BACKGROUND

- 1 On February 25, 2014, BNSF Railway Co. (BNSF or Petitioner) filed a petition with the Utilities and Transportation Commission (Commission) seeking approval to reconstruct a railroad-highway grade crossing at Loomis Trail Road in Whatcom County. The crossing is identified as USDOT 084848V and is located at the intersection of Loomis Trail Road and BNSF’s tracks. BNSF proposes to construct three miles of new mainline track between Custer and Ferndale. The new track will be located on the west side of the existing main line track. These upgrades are part of Washington State Department of Transportation’s (WSDOT) Blaine-Swift Customs Facility project.
- 2 Whatcom County (County) consented to entry of an Order by the Commission without further notice or hearing.
- 3 Loomis Trail Road is a two-lane rural minor collector road with one lane in each direction. Average daily vehicle traffic over the crossing is estimated at 965 which includes six school bus trips. No commercial motor vehicles use this road on a regular basis. The posted legal speed limit is 35 miles per hour.
- 4 BNSF currently maintains one main line track at this location. The authorized and operated speed limit for freight trains is 60 and passenger trains is 79 miles per hour. Up to 11 freight trains and four passenger trains operate over the crossing on a daily basis.
- 5 Railroad warning devices at the Loomis Trail Road crossing consist of cantilever-mounted lights and gates, crossbucks and constant warning train detection.

- 6 Inspections at the U.S. Customs inspection area near Blaine often cause delays to Amtrak Cascades service. WSDOT's Blaine-Swift Customs Facility project involves the construction of a new 9,000 foot main track and conversion of the existing main track into a second siding, which will alleviate congestion and improve the reliability of the Amtrak Cascades rail passenger service. The new second siding will allow freight trains awaiting customs inspections to clear the main line, thus providing unimpeded movement for Amtrak Cascades. The existing siding track will be extended through the crossing to provide increased capacity of the multiple sidings at this location.
- 7 The two new tracks will be constructed west of the existing mainline track. As part of the crossing reconstruction, BNSF will improve the east-bound approach to the crossing by reducing the grade two and one-half percent, bringing the approach grade below five percent, which is a more desirable standard and provides for a smoother ride for motorists.
- 8 There will be no change to the type of railroad warning devices at the crossing. However, the existing equipment will be replaced with new equipment, concrete crossing panels will be installed for the new track crossing surfaces and constant warning train detection will be added to the new tracks. "Do Not Stop on Tracks" and "3 Tracks" signs will also be posted on both approaches to the crossing.
- 9 As part of the project BNSF proposes to widen the roadway travel lanes to ten feet and install four foot shoulders and a traffic safety barrier between the roadway and stream in the southwest quadrant of the crossing.
- 10 The proposed upgrades are in the interest of improving Amtrak Cascades service and safety and convenience for roadway users.

FINDINGS AND CONCLUSIONS

- 11 (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.*
- 12 (2) The proposed reconstruction of a crossing involves a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 13 (3) RCW 81.53.261 and WAC 480-62-150 require that the Commission grant approval prior to reconstructing a public railroad-highway grade crossing within the state of Washington.

- 14 (4) Commission staff investigated the petition and recommends that it be granted. All traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices*.
- 15 (5) After examination of the petition filed by BNSF Railway Co. on February 25, 2014, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 16 The petition of BNSF Railway Co. to reconstruct a railroad-highway grade crossing at Loomis Trail Road and the Respondent's tracks in Whatcom County is granted, as follows:
- (1) The modifications must conform to those described in the petition.
 - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices*.
 - (3) Petitioner must notify Commission Staff within 30 days upon completion of this modification project.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 03 in Docket A-090485. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective March 31, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).