

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

SKAMANIA COUNTY PUBLIC  
WORKS,

Applicant,

Seeking Approval to Upgrade Signals at  
a Railroad-Highway Grade Crossing

DOCKET TR-170087

ORDER 01

ORDER GRANTING PETITION TO  
UPGRADE HIGHWAY-RAIL GRADE  
CROSSING ACTIVE WARNING  
DEVICES AT BUTLER ROAD AND  
AUTHORIZING EXPENDITURE FROM  
THE GRADE CROSSING PROTECTIVE  
FUND

USDOT #090135B

**BACKGROUND**

- 1 On July 15, 2015, the Washington Utilities and Transportation Commission (Commission) sent to various interested parties a “Notice of Opportunity to Apply for Grant Monies” from the Grade Crossing Protective Fund (GCPF).
- 2 On February 10, 2017, Skamania County Public Works (County or the Applicant) filed with the Commission a petition requesting a disbursement of \$447,346 from the GCPF to pay for a project related to upgrading active warning devices at the Butler Road, also known as Skamania Landing Road, railroad crossing, identified as USDOT 090135B, in Skamania county.
- 3 In the 2014 Marine and Rail Oil Transportation Study, Commission Staff identified the Butler Road crossing as an under-protected crossing along an oil route, based on identified risk factors and existing levels of protection at the crossing. Commission Staff conducted an on-site safety diagnostic review of the crossing with representatives from the BNSF Railway Company (BNSF) and the County. As a team, the participants agreed on a future course of action to improve safety, including interim and long-term upgrades. In November 2016, the last interim improvement was completed which included upgrading the incandescent lights to LEDs. Prior to the LED upgrade, the Washington State Department of Transportation expanded the vehicle containment space for vehicles entering State Route 14 from Butler Road and BNSF installed additional signage at the crossing. This project addresses the long-term safety improvements at the crossing.

4 BNSF consented to entry of an order by the Commission without further notice or  
hearing.

5 Butler Road is a two-lane road with a posted speed limit of 25 miles per hour. The  
average annual daily traffic over the crossing is over 100 vehicles. Butler Road is neither  
part of an established school bus route nor an established truck route. The south approach  
grade to the crossing is seven percent, which limits sight distance down the tracks and  
makes it difficult for some vehicles (e.g., large trucks and vehicles towing trailers) to  
stop, restart, and quickly clear the crossing, and may cause some vehicles to high-center  
and get stuck on the tracks.

6 Current railroad warning devices at the Butler Road crossing consist of flashing lights,  
crossbucks, "Do Not Stop on Tracks" and "Multiple Tracks" signage, and advance  
warning signs. BNSF operates up to 30 freight trains per day at 55 miles per hour over  
this double-track crossing. Two passenger trains per day operate over the crossing at 60  
miles per hour.

7 As part of the project, the County proposes to install new active warning devices,  
including shoulder-mounted LED flashing lights and gates, and a bungalow which will  
house batteries, chargers, an event recorder, and a constant warning train detection  
system.

8 This is a two-track crossing with no visual or physical barrier between vehicles and  
trains. Double-track crossings also present a unique safety hazard for motorists due to the  
"second train" dynamic. Motorists may think it's safe to proceed over a crossing once a  
train has passed, even if the signal system is activated. Installing gates at the Butler Road  
crossing reduces the opportunity for vehicles to proceed over the crossing when the  
signal system is activated and the gates are in the down position.

9 The County seeks \$447,346 to pay for the cost of upgrading the active warning devices.  
There currently are funds available to pay for the project. The total estimated cost of the  
project is \$447,346. The Applicant is responsible for all additional costs over the grant  
amount.

### FINDINGS AND CONCLUSIONS

1. (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, and authority to approve and administer

disbursements from the Grade Crossing Protective Fund. RCW 81.53;  
RCW 81.53.271; RCW 81.53.281.

2. (2) The grade crossing at Butler Road, identified as USDOT 090135B, is a public railroad-highway grade crossing within the state of Washington.
3. (3) RCW 81.53.261 requires the Commission grant approval prior to any changes to public railroad-highway grade crossings within the state of Washington. *See also* WAC 480-62-150.
4. (4) The project for which the County seeks disbursement from the Grade Crossing Protective Fund is eligible for funding consideration under Commission rules and complies with the requirements of RCW 81.53.271, RCW 81.53.281, and WAC 480-62.
5. (5) RCW 81.53.281 allows the Commission to disburse funds from the Grade Crossing Protective Fund to pay for rail safety projects, including upgrading grade crossing protective devices.
6. (6) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
7. (7) After reviewing the County's petition filed on February 10, 2017, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition and request for disbursement of funds.

## O R D E R

### THE COMMISSION ORDERS:

8. Skamania County Public Works' petition to upgrade active warning devices at a railroad-highway grade crossing, located at Butler Road, is granted. The cost of upgrading active warning devices shall be paid from the Grade Crossing Protective Fund. Approval of the petition is subject to the following conditions:
  - (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$447,346.



- (2) Payment will be made upon presentation of claim for reimbursement for materials and labor, and verification by Commission Staff that the work has been satisfactorily completed.
- (3) The County must sign and return the attached project agreement.
- (4) The project must be completed no later than December 31, 2018.
- (5) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (6) The County must notify the Commission on completion of the upgrades authorized in this Order. Acceptance of the upgrades is subject to inspection by Commission Staff, and verification that the crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective March 8, 2017.

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 website 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 website.

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