

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
CITY OF SPOKANE VALLEY,  
  
Petitioner.

BNSF RAILWAY COMPANY,  
  
Respondent.

DOCKET TR-200262  
  
ORDER 01

GRANTING PETITION TO CLOSE A  
HIGHWAY-RAIL GRADE CROSSING  
AT FLORA ROAD IN SPOKANE  
VALLEY

USDOT: 066245A

**BACKGROUND**

- 1 On March 24, 2020, the City of Spokane Valley (Spokane Valley or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to close an at-grade highway-railroad crossing. The crossing is identified as USDOT 066245A and is located at the intersection of Flora Road and the BNSF Railway Company’s (BNSF or Respondent) tracks in Spokane Valley.
- 2 The Respondent consented to entry of an Order by the Commission without further notice or hearing.
- 3 Flora Road is a two-lane local roadway with a posted vehicle speed limit of 35 miles per hour. Average annual daily vehicle traffic through the crossing is estimated at 2,000 vehicles, which includes 19 percent commercial motor vehicles. Flora Road is not part of an established school bus route. There is one mainline track at this location. Approximately 50 freight trains per day travel over the existing crossing at up to 60 miles per hour. Two passenger trains per day travel over the crossing at up to 79 miles per hour.
- 4 Railroad warning devices at the Flora Road crossing consist of advance warning signs, pavement markings, reflectorized crossbucks, ENS signs, mast and cantilever-mounted warning lights, bell, and gates. Once the crossing closes, BNSF will remove these devices.

- 5 Pursuant to the procedure specified in RCW 81.53.060, Commission staff (Staff) posted notice of the proposed crossing closure at the crossing. Staff also arranged for publication of a legal notice in the Spokesman-Review, the newspaper of general circulation in the Spokane Valley area. Publication occurred on July 5, 2020. Both notices directed any person wishing to comment on the Petition to respond by email or in writing to the Commission. The Commission did not receive comments or objections regarding the proposed crossing closure within the comment period.
- 6 Spokane Valley, as State Environmental Policy Act lead agency for the proposal, has issued a Determination of Non-Significance for the proposal, thereby satisfying state environmental requirements for the project.
- 7 Closing the Flora Road crossing is part of the “Bridging the Valley” project, which proposes to separate rail and vehicle traffic in the 42-mile corridor between Spokane, Washington, and Athol, Idaho. Traffic will use a new grade-separated crossing to be constructed to the east at Barker Road. Utilizing Euclid Avenue as an alternate route south of the crossing, the driving distance from Flora Road to the Barker Road grade separation is approximately 2.6 miles. As part of this project, the Petitioner recently constructed Garland Avenue to direct traffic from Flora Road to Barker Road, reducing the travel distance to 1.5 miles.
- 8 The Flora Road at-grade crossing will remain open for public use until the Barker Road grade separation is completed. Once Barker Road is open, traffic will be re-routed to the new overcrossing and access to the Flora Road at-grade crossing will be removed. At that time, the existing crossing surface and signal equipment at Flora Road will be removed.
- 9 Staff has investigated the Petition and recommends that it be granted subject to the following conditions: (1) the project must conform to the description in the Petition, (2) upon completion of the project authorized herein, Spokane Valley must notify the Commission with 60 days. Acceptance is subject to inspection by Staff, who will verify that the project is in full compliance with applicable laws, regulations, and the conditions specified herein.

## **DISCUSSION**

- 10 RCW 81.53.060 requires that the Commission grant approval prior to closing a public railroad-highway grade crossing within the state of Washington. We find that the

proposed closure will improve overall safety for roadway users. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

- 11 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 12 (2) The Flora Road grade crossing, identified as USDOT 066245A, is a public railroad-highway grade crossing within the state of Washington.
- 13 (3) RCW 81.53.060 requires that the Commission grant approval prior to closing a public railroad-highway grade crossing within the state of Washington. See also WAC 480-62-150.
- 14 (4) Staff investigated the petition and recommends that it be granted with the conditions set out in paragraph 9, above.
- 15 (5) This matter was brought before the Commission at its regularly scheduled meeting on August 13, 2020.
- 16 (6) After examination of the petition filed by Spokane Valley on March 24, 2020, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

### ORDER

#### THE COMMISSION ORDERS:

- 17 The City of Spokane Valley's Petition to close an at-grade railroad-highway crossing at the intersection of Flora Road and the Respondents' tracks in Spokane Valley, Washington, is granted subject to the following conditions:
- (1) The project must conform to the description in the Petition.
  - (2) Upon completion of the project authorized herein, City of Spokane Valley must notify the Commission with 60 days. Acceptance is subject to inspection by Staff, who will verify that the project is in full compliance with applicable laws, regulations, and the conditions specified herein.

- 18 The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.060, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective August 13, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary