

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET TR-090870
)	
WASHINGTON STATE PARKS)	ORDER 01
AND RECREATION COMMISSION,)	
)	ORDER GRANTING PETITION TO
Petitioner,)	CONSTRUCT A PEDESTRIAN/NON-
)	MOTORIZED USE ONLY AT-GRADE
)	RAIL CROSSING AT WILLAPA HILLS
)	TRAIL IN CHEHALIS
To Construct a Pedestrian/Non-)	
motorized Use Only Public Railroad)	
Crossing)	USDOT: 922998T
.....)	

BACKGROUND

- 1 On June 5, 2009, Washington State Parks and Recreation Commission (State Parks or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to construct an at-grade crossing that will be used by pedestrians, bicyclists, equestrians, and horse drawn wagons at Willapa Hills Trail. The crossing is identified as USDOT 922998T. The crossing will be located at milepost 1.5 along the Port of Chehalis, Curtis line in Chehalis, Washington.
- 2 The decision to construct an at-grade crossing at this location is part of a project by State Parks to build a 56-mile recreational trail from Chehalis to South Bend. The trail will be built in phases. The phase that includes the new crossing is the five mile segment from Chehalis to Adna. The trail will be used by pedestrians and non-motorized users which will include bicyclists, equestrians, and horse drawn wagons. State Parks anticipates that the trail will attract users from all over the state, which will increase tourism in the local communities and provide the public with safe recreational opportunities.
- 3 The Port of Chehalis owns the tracks and the Chehalis-Centralia Railroad and Museum operate on the line. The Chehalis-Centralia Railroad and Museum and Port of Chehalis, Respondents, consented to entry of an Order by the Commission without further notice or hearing.

- 4 The crossing cannot be constructed below grade because the proposed location of the crossing is located within a floodplain which would result in flooding of the under-crossing during fall and winter months. Construction of an over-crossing is not practicable because of the estimated construction cost of over one million dollars and the infrequent train usage.
- 5 An excursion passenger train travels the tracks twice daily on Saturday and Sundays from May to September. The passenger train travels speeds up to 15 miles per hour. There is additional excursion passenger train service on holidays and special events. Currently, no freight trains use this track but the Port of Chehalis hopes freight service will eventually be restored along this line.
- 6 The crossing will intersect the railroad tracks at-grade. State Parks does not propose to install active warning devices because of infrequent and slow moving train traffic at the crossing. The crossing will be protected by advance warning signs, cross-bucks, stop signs and pavement markings. In addition, emergency notification signs will be posted. The crossing surface will be made of rubber and flangeway filler will be installed in the flanges to reduce the possibility of any objects getting caught in the flangeway of the crossing. State Parks estimates that during peak summer months up to 50 users per day will use the crossing once it is constructed. The use of the trail and crossing will be significantly less during the winter months.
- 7 Washington State Parks and Recreation Commission, as State Environmental Policy Act lead agency for the proposal, has issued a Determination of Non-significance thereby satisfying state environmental requirements for the opening of the grade crossing.
- 8 Examination of the petition and consideration of relevant facts support granting State Parks' petition subject to the following conditions:
- In addition to installing cross-bucks, State Parks must install a standard “stop sign” on the same sign post.¹
 - Install advance railroad warning sign W10-1, which tells travelers a crossing is approaching in advance of the cross-bucks.

¹ All signage must be in compliance with requirements in the 2009 U.S. Department of Transportation, Manual on Uniform Traffic Control Devices, Part 8.

- Install a stop line on both approaches to instruct users where to stand when a train is approaching the crossing.
- Install emergency notification sign I-13 to provide emergency notification information.
- Install look sign R15-8 to provide a reminder to users to look both ways before entering the crossing.
- Install flangeway filler the entire length of the crossing.
- Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- The Petitioner must notify the Commission upon completion of the construction. The crossing is subject to inspection by Commission Staff, to verify that it is in full compliance with applicable laws, regulations and this order.

FINDINGS AND CONCLUSIONS

- 9 (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. *RCW 81.53*
- 10 (2) The proposed at-grade pedestrian crossing located at Willapa Hills Trail, which is identified as USDOT 922998T, is a public railroad-highway at-grade crossing within the state of Washington.
- 11 (3) *RCW 81.53.030* requires that the Commission grant approval prior to the construction of public railroad-highway grade crossings within the state of Washington.
- 12 (4) Commission Staff investigated the petition and recommended that it be granted subject to State Parks fulfilling the following conditions:
- In addition to the cross-bucks State Parks must install a standard “stop” sign on the same post.

- Install advance railroad warning sign W10-1, which tells travelers a crossing is approaching in advance of the cross-bucks.
 - Install a stop line on both approaches to instruct users where to stand when a train is approaching the crossing.
 - Install emergency notification sign I-13 or to provide emergency notification information.
 - Install a look sign R15-8 to provide a reminder to users to look both ways before entering the crossing.
 - Install flangeway filler the entire length of the crossing.
 - Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
 - The Petitioner must notify the Commission upon completion of the construction. The crossing is subject to inspection by Commission Staff, to verify that it is in full compliance with applicable laws, regulations and this order.
- 13 (5) After reviewing the petition filed on June 5, 2009, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 14 Washington State Parks and Recreation Commission's petition to construct a pedestrian/non-motorized us only at-grade crossing, located at Willapa Hills Trail and over the Port of Chehalis' tracks is granted, subject to the following conditions:
- In addition to installing cross-bucks, State Parks must install a standard "stop" sign on the same sign post.

- Install advance railroad warning sign W10-1, which tells users a crossing is approaching in advance of the cross-bucks.
- Install a stop line on both approaches to instruct users where to stand when a train is approaching the crossing.
- Install emergency notification sign I-13 to provide emergency notification information.
- Install a look sign R15-8 to provide a reminder to users to look both ways before entering the crossing.
- Install flangeway filler the entire length of the crossing.
- Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- The Petitioner must notify the Commission upon completion of the construction. The crossing is subject to inspection by Commission Staff, to verify that it is in full compliance with applicable laws, regulations and this order.

The Commissioners have delegated authority to the Secretary to enter this Order pursuant to RCW 81.53.030 and WAC 480-07-904((1)(a)).

DATED at Olympia, Washington, and effective April 29, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary