

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

CITY OF RICHLAND and)	DOCKET TR-070818
BENTON COUNTY,)	
)	ORDER 01
Petitioners,)	
)	ORDER GRANTING PETITION TO
)	RECONSTRUCT A PUBLIC
)	HIGHWAY-RAIL GRADE CROSSING
BNSF RAILWAY CO.,)	AT LESLIE ROAD IN BENTON
)	COUNTY
Respondent.)	
)	
)	USDOT: #104566M
)	
.....)	

BACKGROUND

- 1 On April 27, 2007, the City of Richland (City) filed a petition with the Utilities and Transportation Commission (Commission) seeking approval to reconstruct a railroad-highway grade crossing at Leslie Road in Benton County. On November 15, 2010, the City and Benton County (County) filed a revised petition. The reconstruction of the crossing is part of a joint project among the Cities of Richland and Kennewick and Benton County to widen Leslie Road. The project also involves upgrading the nearby intersection of Leslie Road and Clearwater Avenue. The partnership is necessary because portions of Leslie Road lie within both the County and the City of Richland. The intersection of Leslie Road and Clearwater Avenue is within the city limits of Kennewick. The City of Richland has agreed to be the lead agency on the Leslie Road improvements and is primarily responsible for all aspects of the project.
- 2 On November 15, 2010, Respondent BNSF Railway Company, (BNSF) has consented to entry of an Order by the Commission without further notice or hearing.
- 3 Leslie Road is a two-lane minor arterial with one lane in each direction. The City estimates average daily vehicle traffic over the crossing at 8,700 with approximately one percent commercial motor vehicle traffic. No school buses travel over the crossing. The posted legal speed limit is 40 miles per hour.
- 4 BNSF maintains one mainline track through the crossing. Average daily train traffic consists of six trains per day traveling at a maximum speed of 53 miles per hour. No passenger trains use this crossing.

- 5 Railroad warning devices at the Leslie Road crossing consist of cantilever mounted lights and gates. The crossing surface is asphalt and there are no sidewalks at the crossing.
- 6 The City and County propose to add two additional travel lanes to Leslie Road as part of their roadway project. Cantilever mounted lights and longer gates are proposed as the warning devices at the reconstructed crossing. In addition, a roundabout will be installed at the intersection of Clearwater Avenue and Leslie Road which is 150 feet east of the crossing.
- 7 The new roundabout will replace a four-way stop intersection and will provide a safer intersection and relieve congestion. The City and County propose to install median barriers on both approaches to the crossing and a sidewalk on the west side of the road and crossing to accommodate pedestrians. The existing crossing surface will be replaced with concrete panels and expanded to 74 feet to accommodate the additional travel lanes and sidewalk. In addition, the City and County will install a “Do Not Stop on Tracks” sign to warn motorists not to block the crossing.
- 8 Because of the uniqueness of a roundabout located in close proximity to a railroad crossing, the stakeholders and Commission staff agree that regular monitoring of queuing at the Leslie Road and Clearwater Avenue intersection is needed. Every five years the cities of Richland and Kennewick will prepare updated 20 year traffic volumes and 95th percentile queuing analysis reports for the intersection. In addition, Commission staff will monitor collision and near hit data on the Leslie Road crossing which is routinely provided to Commission staff from BNSF. Evaluations of queuing and collision/near hit data will be performed regularly to ensure that the presence of a nearby roundabout does not adversely affect the crossing.
- 9 The proposed upgrades are in the interest of improving safety and convenience for roadway and pedestrian users.

FINDINGS AND CONCLUSIONS

- 10 (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.*
- 11 (2) The proposed reconstruction of a crossing involves a public railroad-highway grade crossing, as defined in RCW 81.53.010.

- 12 (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.
- 13 (4) Commission staff investigated the petition and recommends that it be granted with the conditions identified below. 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*.
- 14 (5) The City or County must install a “Do Not Stop on Tracks” sign R8-8 to warn motorists not to stop on the tracks.
- 15 (6) Every five years the City of Richland and the City of Kennewick will prepare updated 20 year traffic volumes and 95th percentile queuing analysis reports for the intersection of Leslie Road and Clearwater Avenue. A copy of the report will be provided to BNSF Railway and the Commission.
- 16 (7) After examination of the petition filed by the City of Richland on April 27, 2007, and revised on November 15, 2010, by the City of Richland and Benton County, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 17 The petition of the City of Richland and Benton County to reconstruct a railroad-highway grade crossing at Leslie Road and the Respondent’s tracks in the Benton County is granted, as follows:
- (1) The modifications must conform to those described in the petition and revised 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) The City or County must install a “Do Not Stop on Tracks” sign R8-8 to warn motorists not to stop on the tracks.
 - (4) Every five years the City of Richland and the City of Kennewick will prepare updated 20 year traffic volumes and 95th percentile queuing

analysis reports for the intersection of Leslie Road and Clearwater Avenue. A copy of the report will be provided to BNSF Railway and Commission Staff.

- (5) Petitioner must notify Commission Staff within 30 days upon completion of this modification project.

The Commissioners have delegated authority to the Secretary to enter this Order pursuant to RCW 80.01.030 and WAC 480-07-904((1)(b)).

DATED at Olympia, Washington, and effective November 30, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, 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).