

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

In the Matter of the Petition of)	DOCKET TR-090870
)	
WASHINGTON STATE PARKS)	ORDER 02
AND RECREATION COMMISSION,)	
)	ORDER MODIFYING ORDER 01 -
Petitioner,)	GRANTING PETITION TO
)	CONSTRUCT A PEDESTRIAN/NON-
)	MOTORIZED USE ONLY AT-GRADE
)	RAIL CROSSING AT WILLAPA HILLS
To Construct a Pedestrian/Non-)	TRAIL IN CHEHALIS
motorized Use Only Public Railroad)	
Crossing)	USDOT: 922998T
.....)	

BACKGROUND

- 1 On June 5, 2009, Washington State Parks and Recreation Commission (State Parks) 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 On April 29, 2010, the Commission issued an Order approving the request to construct a pedestrian/non-motorized use only at-grade rail crossing at the Willapa Hills Trail.
- 3 On May 16, 2011, State Parks filed a request to modify Order 01. State Parks requests that the crossing surface be constructed of concrete instead of rubber and the length of the crossing be extended to 16 feet. State Parks also proposes to modify the approach angle to closer to 90 degrees which will minimize the amount of fill needed to construct the new crossing. State Parks will widen both approaches to the crossing from eight to 16 feet which will allow more separation between cyclists and other trail users when moving over the crossing. State Parks will also construct a chain link fence along the trail on the track side to provide a physical barrier between trail users and the tracks.

FINDINGS AND CONCLUSIONS

- 4 (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*
- 5 (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.
- 6 (3) RCW 81.53.060 requires that the Commission grant approval prior to the alteration of public railroad-highway grade crossings within the state of Washington.
- 7 (4) Commission Staff investigated the request to modify Order 01 and recommended that it be granted.
- 8 (5) After reviewing the request filed on May 16, 2011, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request to modify Order 01.

O R D E R

THE COMMISSION ORDERS:

- 9 Washington State Parks and Recreation Commission's request to modify Order 01 is granted.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 26, 2011.

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).