

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

In the Matter of the Application of)	DOCKET NO. TR-040281
)	
THE CITY OF STEVENSON, WASHINGTON)	ORDER NO. 01
)	
Petitioner,)	
)	ORDER DENYING REQUEST FOR
Requesting Disbursement from the)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund)	CROSSING PROTECTIVE FUND
.....)	

BACKGROUND

- 1 On December 12, 2003, the Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” to various interested parties from the public and private sectors that were either directly eligible to apply for Grade Crossing Protective Fund (GCPF) grants, or represented local agencies that were eligible. The notice directed interested parties to submit applications for funding consideration to the Commission by February 17, 2004.
- 2 On February 17, 2004, the city of Stevenson filed an application with the Commission, requesting disbursement from the GCPF to pay for improvements to a crossing surface at a public railroad-highway grade crossing located at the intersection of Russell Street and the tracks of the Burlington Northern Santa Fe Railway Company (BNSF), in Stevenson, Washington.
- 3 The Russell Street grade crossing, identified as USDOT 090148C, consists of a two-lane roadway crossing three sets of BNSF tracks at a 90-degree angle. The southbound approach grade through the crossing is approximately -4%. This descending roadway grade across three relatively level tracks creates a “step-like” effect due to the roadway descending southbound, leveling-off at the tracks, and continuing to descend immediately after the tracks.

- 4 Russell Street serves as the primary route between SR-14 and the Columbia River front area. The area immediately south of the grade crossing is the boarding area for major ferryboat excursion tours, as well as the location of a boat launch and other waterfront recreation facilities. Average daily traffic through the crossing is estimated at 1,000 vehicles, including frequent truck traffic and tour buses destined for the riverfront area. Warning devices at the crossing include cantilever-mounted flashing light signals with gates.
- 5 The city of Stevenson is concerned that the profile of the grade crossing, and settling of the crossing surface have created rough crossing conditions at Russell Street that will continue to deteriorate over time. The application also states that the tracks have “settled unevenly” and that BNSF has to continually realign the track, thereby disrupting traffic using Russell Street.
- 6 Stevenson seeks to reconstruct the grade crossing, including installing new concrete crossing surfaces and improving the profile of the grade crossing in order to improve safety and convenience through the Russell Street grade crossing. The cost of the improvements is estimated at \$125,818, of which BNSF has agreed to pay 50%. The application requests that \$62,905 be disbursed from the GCPF to pay for the balance.
- 7 During a field review of the crossing, Commission Staff observed that the unevenness of the crossing was more a function of the roadway grade than the condition of the crossing surfaces. The “step-like” effect mentioned above, coupled with the fact that the pavement between the three sets of tracks was slightly higher than the plane created by the rails (resulting in two minor humps), were the primary contributors to the roughness at the crossing.
- 8 WAC 480-62-225 requires railroads to ensure that grade crossing surfaces are “convenient and safe” for public use. Accordingly, Commission Staff issued a notice to BNSF on April 28, 2004, requesting that the pavement between to rails be adjusted to the plane of the rails.

9 After a review of the application and prioritization of the merits of the project against other projects for which GCPF disbursements are sought, and in consideration of the limited GCPF funds available and the railroad's existing maintenance responsibility regarding the grade crossing surface, Commission Staff recommended denying disbursement from the GCPF.

FINDINGS AND CONCLUSIONS

- 10 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington having authority to approve and administer disbursements from the Grade Crossing Protective Fund. *Chapter 81.53.271 RCW and 81.53.281 RCW.*
- 11 (2) The project for which disbursement from the Grade Crossing Protective Fund is sought is eligible for funding consideration under the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and complies with the requirements of RCW 81.53.271 and RCW 81.53.281.
- 12 (3) Commission Staff investigated the request based on the review criteria specified in the Grade Crossing Protective Fund Policy and Interpretive Statement in Docket No. TR-031384, and recommended that it be denied.
- 13 (4) This matter was brought before the Commission at its regularly scheduled meeting on June 9, 2004.
- 14 (5) After examination of the application filed by the city of Stevenson, on February 17, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission denies the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 15 (1) The request of the city of Stevenson, seeking disbursement from the Grade Crossing Protective Fund for reconstruction of the Russell Street grade crossing in Stevenson, Washington is denied.

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

DATED at Olympia, Washington, and effective this 9th day of June, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary