

BNSF



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April 2, 2004

WUTC

1300 Evergreen Park Dr. So.
P.O. Box 47250
Olympia, WA. 98504-7250
Attn: Ahmer Nizam

RECEIVED
RECORDS MANAGEMENT
04 APR -5 AM 8:19
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

File: DOT 104-567U (WUTC 1C 8.30) – Columbia Center Blvd.

Attached is the original and 3 copies of a petition for the construction of a detour road crossing. The detour road crossing will be temporarily constructed in order to facilitate the grade separation of the Columbia Center Boulevard. The detour will include cantilevered railroad signals with gates, as does the existing crossing.

Please review the fully executed petition and if you have no objections please prepare and issue an Order for the construction of the detour road, designated as Columbia Center Boulevard.

Sincerely,

J.M. (Mike) Cowles
Mgr. Public Projects

JMC

Cc: Steve Plummer
Project Engineer
City of Kennewick
210 W. 6th Avenue
Kennewick, WA. 99336

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

No. _____

KENNEWICK, WA,

Petitioner

PETITION

Road Name Columbia Center Boulevard

vs.
THE BURLINGTON NORTHERN
& SANTA FE RY. CO. Respondent

W.U.T.C. Crossing No. IC 8.30

D.O.T. Crossing No. 104-567U

Application is hereby made to the Washington Utilities and Transportation Commission for an order (check one or more of the following)

directing the construction of a temporary grade crossing;
(construction-reconstruction-relocation)

directing installation of automatic grade crossing signal or other warning device (other than crossbucks) at a new crossing;

directing installation of warning devices at an existing crossings;
(replacement-change-upgrade)

allocating funds from the "grade crossing protective fund" for _____
_____ of active warning devices; (installation and/or
maintenance)

authorizing the construction of the project, funding to be pursuant to the Intermodal Surface Transportation Efficiency Act (ISTEA) in cooperation with the Washington State Department of Transportation Local Programs Division;

at the railroad grade crossing identified above and described in this petition. This application seeks the relief specified above by (check one of the following)

hearing and order

order without hearing

Yes No Has application for funding, pursuant to Intermodal Surface Transportation Efficiency Act been made to the Local Programs Division for this project?

Yes No If the answer is yes to the question above, has the funding requested under the Intermodal Surface Transportation Efficiency Act been denied?

I certify under penalty of perjury that the information provided in and with this petition is true and correct.

City of Kennewick

Petitioner

Stephen R. Plummer Project Engineer

Print Name

Title

210 W. 6th Avenue

Street Address

Kennewick, WA 99336

City-State-Zip Code

- (a) If temporary, state for what purpose crossing is to be used and for how long.

The crossing will be in service for approximately 14 months during the construction of a grade-separated crossing.

- (b) If temporary grade crossing, will you remove the crossing at completion of the activity requiring the temporary crossing?

Yes. The existing at-grade crossing will be closed during construction. The existing at-grade crossing and the temporary at-grade crossing will be removed upon completion of the project.

[5]

- (a) State whether or not a safer location for a grade crossing exists within a reasonable distance in either direction from the proposed point of crossing, and if so, what reason, if any, why this safer location should not be adopted, even though in doing so, it may be necessary to relocate a portion of the highway or railway.

This temporary crossing will be located approximately 120 feet east of the existing at-grade crossing. The existing at-grade crossing will be closed during construction of a grade-separated crossing. Both crossings will be removed at project completion.

- (b) Are there any hillsides, earth, or other embankments, buildings, trees, orchards, side tracks (on which cars might be spotted), loading platforms, etc., in the vicinity not feasible to move, which may obstruct the view and which can be avoided by relocating the proposed crossing. Would it be practical to do so? Please describe.

No.

[6]

- (a) Is it feasible to construct and use an over or under crossing at the intersection of said railway and highway? If not, state why.

The project is for the construction of a grade-separated crossing. The existing at-grade crossing and the temporary at-grade crossing will be removed at project completion.

- (b) Does the railway line at any point in the vicinity of the proposed crossing pass over a fill or trestle or through a cut where it is feasible to construct an under or over crossing, even though it may be necessary to relocate a portion of the highway to reach that point?

No.

- (c) If a suitable place for an under - or over - crossing exists in the vicinity of the proposed crossing, state the distance and direction from the proposed crossing; the approximate cost of construction; and what, if any, reason exists why it should not be constructed. **Please see 6 (a) and (b) above.**

[7]

- (a) State approximate distance to nearest public or private crossing in each direction of railroad involved herein. **The Leslie Road at-grade crossing is approximately 2.5 miles to the west; the Kellogg Street at-grade crossing is approximately 1.2 miles to the east.**

- (b) If there is an existing crossing in near vicinity, or if more than one crossing is proposed, is it feasible to divert highways served and to be served by existing and proposed crossings, thus eliminating the need for more than once crossing? **No. The existing crossings are not on facilities constructed for the existing traffic volumes and would create unacceptable delays for emergency vehicle responses.**
- (c) If so, state approximate cost of highway relocation to effect such changes.
N/A
- (d) Will the proposed crossing eliminate the need for one or more existing crossings in the vicinity? If so, state direction and approximate distance to the crossing or crossings. **Yes. The project will ultimately eliminate an existing at-grade crossing.**
- (e) If this crossing is authorized, do you propose to close any existing crossing or crossings? **Yes. The project will ultimately eliminate an existing at-grade crossing.**

[8]

State the lengths of views which are now available along the line of railway to travelers on the highway when approaching the crossing from either side of the railway and when at points on the highway as follows:

Approaching crossing from **northbound** (direction) an unobstructed view to
 right when on highway 300 feet from crossing of **50** feet (this is the intersection of Columbia Center Blvd and Clearwater Ave – signalized)
 right when on highway 200 feet from crossing of **180** feet
 right when on highway 100 feet from crossing of **1000+**feet
 right when on highway 50 feet from crossing of **1000+**feet
 right when on highway 25 feet from crossing of **1000+**feet
 left when on highway 300 feet from crossing of **270** feet
 left when on highway 200 feet from crossing of **300** feet
 left when on highway 100 feet from crossing of **1000+**feet
 left when on highway 50 feet from crossing of **1000+**feet
 left when on highway 25 feet from crossing of **1000+**feet

Approaching crossing from **southbound** (opposite direction) an obstructed view to
 right when on highway 300 feet from crossing of **1000+**feet (may change with development)
 right when on highway 200 feet from crossing of **1000+**feet (may change with development)
 right when on highway 100 feet from crossing of **1000+**feet
 right when on highway 50 feet from crossing of **1000+**feet
 right when on highway 25 feet from crossing of **1000+**feet
 left when on highway 300 feet from crossing of **1000+**feet
 left when on highway 200 feet from crossing of **1000+**feet
 left when on highway 100 feet from crossing of **1000+**feet
 left when on highway 50 feet from crossing of **1000+**feet
 left when on highway 25 feet from crossing of **1000+**feet

[9]

Attach one or more prints showing a vicinity map and a layout of railway and highway, as well as profiles of each, also showing percent of grade, 500 feet of highway and railway when approaching crossing from all four directions. On the prints, spot and identify obstructions of view located in all four quadrants. Provide a traffic control layout showing the location of the existing and proposed signing of the intersection. **Attached.**

[10]

- (a) Is it feasible to provide a 25 foot level grade crossing on both sides from center line of railway at point of crossing? **Yes. See attached drawing S6.**
- (b) If not, state in feet the length of level grade it is feasible to obtain. **N/A.**
- (c) Is it feasible to obtain an approach grade, prior to the level grade of five percent or less? If not, state why, and state the percent approach grade possible. **Yes. See attached drawing S6.**

[11]

Do you know of any reason not appearing in any of the answers to these interrogatories why the proposed crossing should not be made at grade or at the point proposed by you? If so, please state same fully. **No.**

Interrogatories 12 and 13 are to be completed only if this petition involves installation, replacement or changing of automatic grade signal or other warning device, other than sawbucks.

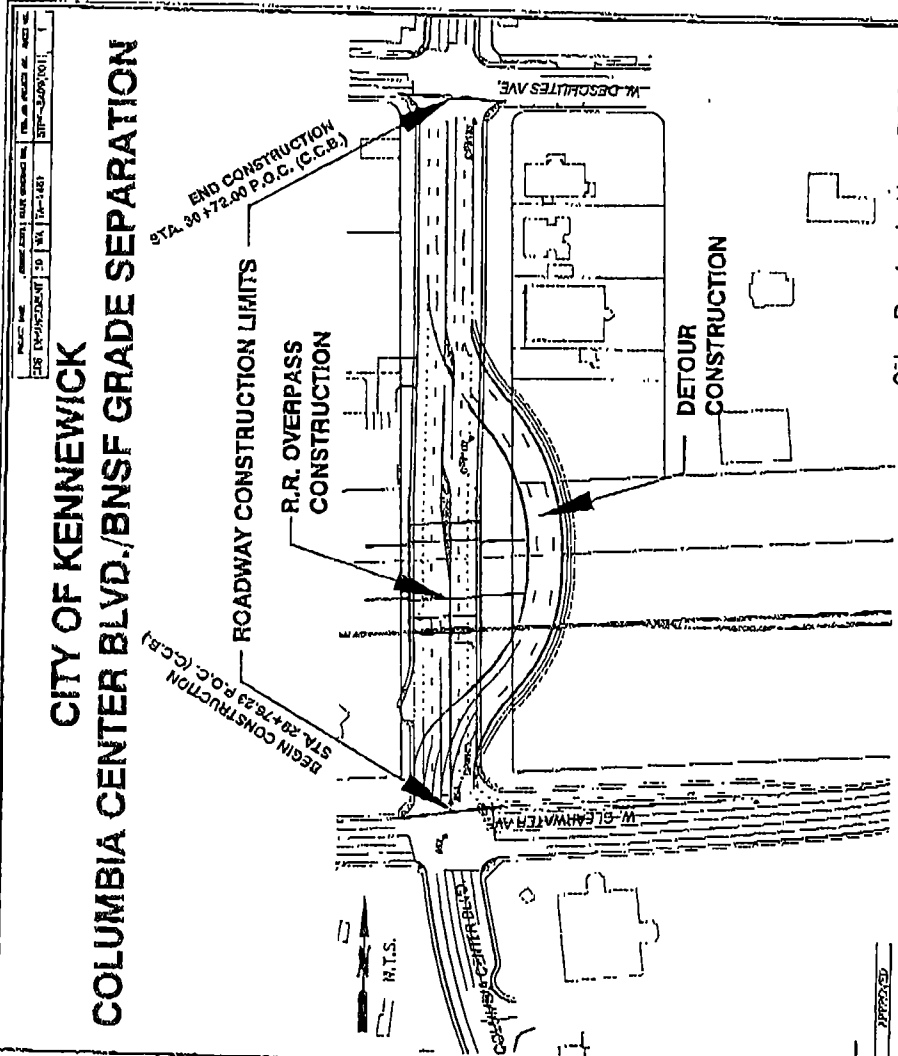
[12]

- (a) State in detail, the number and type of automatic signals or other warning devices (other than sawbucks) proposed to be installed. (This portion should be filled in only after conference between the railroad and the petitioning local governmental agency.) **Constant warning, cantilevers and flasher with gates.**
- (b) State an estimate of the cost for installing the signals or other devices proposed, as obtained from the respondent railroad company. . . **\$335,115 (attached).**
- (c) State a cost estimate for maintaining the signals or devices for 12 months, as obtained from the respondent railroad company . . . **Included with 12(a)**
- (d) If this is an existing crossing, what will the proposed warning devices replace in the way of existing devices? **Same. Both will be removed upon completion of the project.**
- (e) As the petitioner, are you prepared to pay or will you promise to pay to the respondent railroad company, your share of the cost of installing the warning devices proposed as provided by law?

Yes No

[13]

Provide any additional information supporting the proposal (i.e. what public benefits would be derived from its implementation?) **This is a temporary crossing that will be removed, along with the existing at-grade crossing, upon completion of the project. They will be replaced by a grade-separated crossing.**



**CITY OF KENNEWICK
COLUMBIA CENTER BLVD./BNSF GRADE SEPARATION**

City Project No. P0201

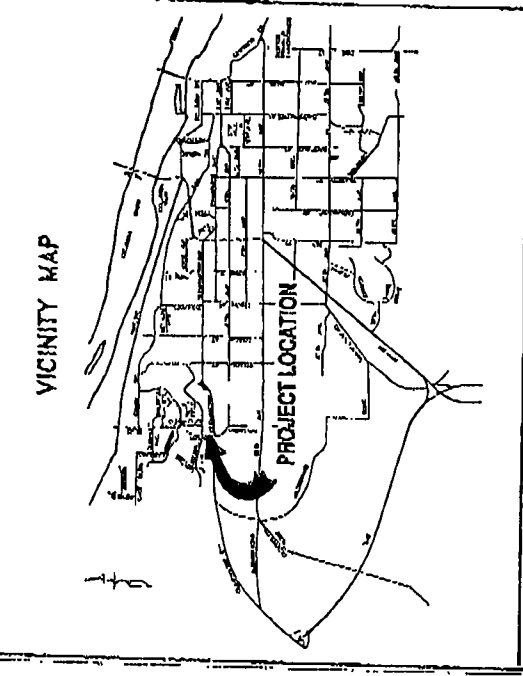
CITY OF KENNEWICK
ENGINEERING DEPARTMENT

COVER SHEET

APPROVED FOR BID:

[Signature]
CITY ENGINEER

DATE



ONE SHEET DATA

FEEDBACK ASSIGNED (MARK)	STREET NAME	DATE
WATER MAIN	TYPE	DATE
SEWER	TYPE	DATE
STORM SERVICE	TYPE	DATE
STORM PIPE	TYPE	DATE
STORM SIZE	TYPE	DATE

UTILITIES

UTILITY	CLASS	DEPTH	APPROVED
POWER	1	18"	[Signature]
TELEPHONE	1	18"	[Signature]
TELEPHONE	2	18"	[Signature]
TELEPHONE	3	18"	[Signature]
TELEPHONE	4	18"	[Signature]
TELEPHONE	5	18"	[Signature]
TELEPHONE	6	18"	[Signature]
TELEPHONE	7	18"	[Signature]
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NO.	DESCRIPTION	DATE	BY
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SURVEY CONTROL

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RESPONDENT'S WAIVER OF HEARING

Docket No. _____

Petition of City of Kennewick

for a temporary crossing of BNSF Yakima Valley main line

I have investigated the conditions existing at and in the vicinity of the proposed crossing changes. As a result, [check one or more of the following, as appropriate:]

I am satisfied that conditions are as represented in the petition and the interrogatories and that the petition should be granted.

The cost of installation (estimated at **\$335,115**)

subject to approval and apportionment pursuant to the Intermodal Surface Transportation Act by the Washington State Department of Transportation Local Programs Division.

as apportioned between the parties.

to be paid by petitioner.

Other conditions to waiver of hearing:

The undersigned hereby waives hearing and further notice. The Washington Utilities and Transportation Commission may enter a final order without further notice of hearing.

Date at _____, Washington, on this _____ day of _____, 20 _____.

Respondent _____

by _____

Print Name _____

Title _____

INSTRUCTIONS

General

Petition forms with the Interrogatories fully and correctly answered should be filed with the Washington Utilities and Transportation Commission, Chandler Plaza, 1300 S. Evergreen Park Drive SW, PO Box 47250, Olympia, Washington, 98504. Blank forms may be obtained from the same address. All pleadings herein shall conform with WAC 480-09-420 and 425 of the Commission's Rules and Practice and Procedure.

Number of Copies

File the original and one copy if the "Waiver of Hearing by Respondent" is filled out. If petitioner intends that the Commission serve the respondent, the original and two copies should be filed. If the petitioner serves the respondent, a certificate of service in conformity with the requirements of WAC 480-09-120 of the Commission's Rules of Practice and Procedure must be filed.

Parties Who May Petition or Respond

In general, the following persons may file or respond to a petition: highway authorities (city, county, or state), railroad companies, and state agencies with lawful authority to construct and maintain public highways (RCW 81.53.030 and 060). In situations where there may be more than one party of interest as either a petitioner or a respondent, all parties should be joined.

Waiver of Hearing by Respondent

The proceeding can usually be expedited by submitting the application to the respondent and securing the execution of the "Waiver of Hearing by Respondent." As an alternative, respondent may file a separate "Answer." If the pleadings show that the respondent has no objection, an order may be entered without hearing at the discretion of the Commission, unless the public interest appears to require hearing and unless hearing is required under the terms of RCW 81.53.030 or 060. In all other cases, the petition will be set for hearing.

Crossing Construction

Applications for crossing state highways should be submitted in duplicate to the District Highway Engineer in the locality for his recommendation to be attached and forwarded to the State Department of Transportation Secretary, Olympia.

A party, after having been granted authority by the Commission to construct a crossing, must acquire right of way or easement because the order of the Commission merely relates to public safety and grants only the right to cross, subject to acquiring a right of way easement.

Time for Replying to a Petition

A petition not answered within 20 days of the date of service, shall be deemed denied and may be set for hearing. If a qualified or conditional answer is filed by the respondent, the petitioner may file a "Reply" within 10 days of the date the "Answer" is served.

(PLEASE REMOVE THIS SHEET BEFORE FILING PETITION)