TR-050967(P)

CITY OF KENNEWICK WASHINGTON

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MSENG-PB-05-016

June 23, 2005

Washington Utilities and Transportation Commission
Chandler Plaza
1300 S. Evergreen Park Drive SW
PO Box 47250
Olympia, WA 98504

RE: At-grade crossing of Port of Benton Hanford Industrial Branch
Kennewick Washington

Dear Sir or Madam:

Enclosed are the original and two copies of the completed petition for a proposed silent, at-grade crossing of Center Parkway over the Port of Benton Hanford Industrial Branch west of Richland Junction (MP 18.8 of the former UPRR Yakima Mainline). The Richland Junction is the point of interchange for railcars between UPRR, BNSF and Tri-City and Olympia Railroad (TC&ORR), the short line carrier operating on the Port of Benton branch line. The Cities of Kennewick and Richland have been negotiating in good faith with TC&ORR to perform the interchange with UPRR and BNSF at another location that would actually benefit all carriers operationally. We have been unsuccessful, however, and are seeking to construct the crossing, to the benefit of both cities and without detriment to the Port of Benton or TC&ORR. Due to this, we are requesting that the Commission serve the respondent.

Your support of this important project is appreciated. If you have questions or require additional information, please contact Steve Plummer at (509) 585-4287 or by e-mail at stevep@ci.kennewick.wa.us.

Yours truly,

Peter M. Beaudry

Peter M. Beaudry
Public Works Director

ENCL.

MUNICIPAL SERVICES DEPARTMENT

210 W. 6th Avenue • P.O. Box 6108 • Kennewick, WA 99336-0108
(509) 585-4249 • Fax (509) 585-4451

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

No. _____

PETITION

Petitioner

Road Name **Center Parkway**

vs.

W.U.T.C. Crossing No. _____

Respondent

D.O.T. Crossing No. _____

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 silent** 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)

X **hearing and order** order without hearing

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

[ ] Yes [X] 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
Peter M. Beaudry **Public Works Director**
Print Name Title
210 W. 6th Avenue
Street Address
Kennewick, WA 99336
City-State-Zip Code

INTERROGATORIES

Use additional paper as needed

[1]

State name of highway and railway at crossing intersection:

Existing or proposed highway **Center Parkway** mile post **N/A**

Existing or proposed railway **Port of Benton spur west of Richland Junction** mile post **18.8**

Located in **-** 1/4 of the **SE** 1/4 of Sec. **30** Twp **9N** Range **29E** W.M.

WUTC crossing number **N/A** DOT crossing number **N/A**

Street **Center Parkway (proposed)** (if applicable) City **Kennewick** (if applicable) County **Benton**

[2]

Character of crossing (indicate with X or numbers where applicable):

(a) **X** Common Carrier Logging or Industrial

(b) Main Line **X** Branch Line Siding or Spur

(c) Total number of tracks at crossing **one**
(Note: A track separated 100 feet or more from another track constitutes a separate crossing.)

(d) Operating maximum train speed: Legal maximum train speed:

Passenger **N/A** MPH Passenger **N/A** MPH
Freight **10** MPH Freight **10** MPH

(e) Actual or estimated train traffic in 24 hours:

Passenger Trains **0** Freight Trains **2-6**
(Note: Round trip counted as two trains. Include switch movements.)

[3]

Character of Roadway:

(a) State Highway - Classification _____

(b) County Highway - Classification _____

(c) City Street - Classification **Center Parkway, when constructed, will be a minor arterial.**

(d) Number of traffic lanes existing in each direction: **N/A**
Number of additional traffic lanes proposed: **Two**

(e) Posted vehicle speed limit: Automobiles **30** MPH Trucks **30** MPH

(f) Estimated vehicle traffic in 24 hours: Current total **N/A** including **N/A** trucks and **N/A** school bus trips. Projected traffic in **20** years: total **5,500** including **100** trucks and **0** school bus trips.

[4]

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

N/A

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

N/A

[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.

Columbia Center Blvd. is approximately 2000 feet to the east of the proposed crossing and is an existing grade separated crossing. However, Columbia Center Blvd. is at level of service F and does not provide direct access to this portion of a rapidly growing business district. Steptoe Street is approximately 3000 feet to the west, and is an existing at-grade crossing with active warning devices. This area is a rapidly growing business district. As this area develops, coupled with the future extension of Steptoe Street to the south, traffic volumes over this at-grade crossing are going to increase significantly. The extension of Center Parkway and this at-grade crossing will provide superior traffic circulation within the business district and lessen the opportunity for vehicle/train conflicts.

(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.

The existing siding will be shortened as a part of this project. The Cities of Kennewick and Richland are negotiating with the Union Pacific Rail Road for the elimination of their existing storage tracks and for the relocation of switching operations outside the Kennewick City Limits.

[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.

No. The presence of nearby structures and a PUD electrical sub-station prohibit construction of a grade separated crossing.

(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. The project corridor is very limited.

(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. **Columbia Center Blvd. is approximately 2000 feet to the east of the proposed crossing and is an existing grade separated crossing. Steptoe Street is approximately 3000 feet to the west, and is an existing at-grade crossing with active warning devices.**

(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 project corridor is limited. The extension of Center Parkway is intended to alleviate congestion on the existing corridors. No alternate routes are available.**

(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. **No.**

(e) If this crossing is authorized, do you propose to close any existing crossing or crossings? **No.**

[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 **360** feet
right when on highway 200 feet from crossing of **1000+** 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 **210** feet
left when on highway 200 feet from crossing of **250** feet
left when on highway 100 feet from crossing of **480** 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 **200** 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

[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. **A drawing is attached showing the locations of the proposed silent crossings. The crossings will be constructed in accordance with the latest FRA guidelines. Signing will be installed in accordance with the latest MUTCD guidelines.**

[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? **No.**

(b) If not, state in feet the length of level grade it is feasible to obtain. **The roadway will be in a vertical curve. The existing rails are in a horizontal curve and are not level. Grades will be approximately 0.5% - 1.5% at 25-feet either side of the rails.**

(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. **The northbound approach grade will be 0.4%. Due to the topography and the existing intersection at Tapteal Drive that will need to be met, an approach grade of 6% is required. Please note that this portion of the proposed Center Parkway has already been partially constructed.**

[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.

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[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.)

(b) State an estimate of the cost for installing the signals or other devices proposed, as obtained from the respondent railroad company. . . $ _____

(c) State a cost estimate for maintaining the signals or devices for 12 months, as obtained from the respondent railroad company . . . $_____

(d) If this is an existing crossing, what will the proposed warning devices replace in the way of existing devices?

(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?)

RESPONDENT'S WAIVER OF HEARING

Docket No. _____

Petition of _____

for _____

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 $ _____)

[ ] 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.

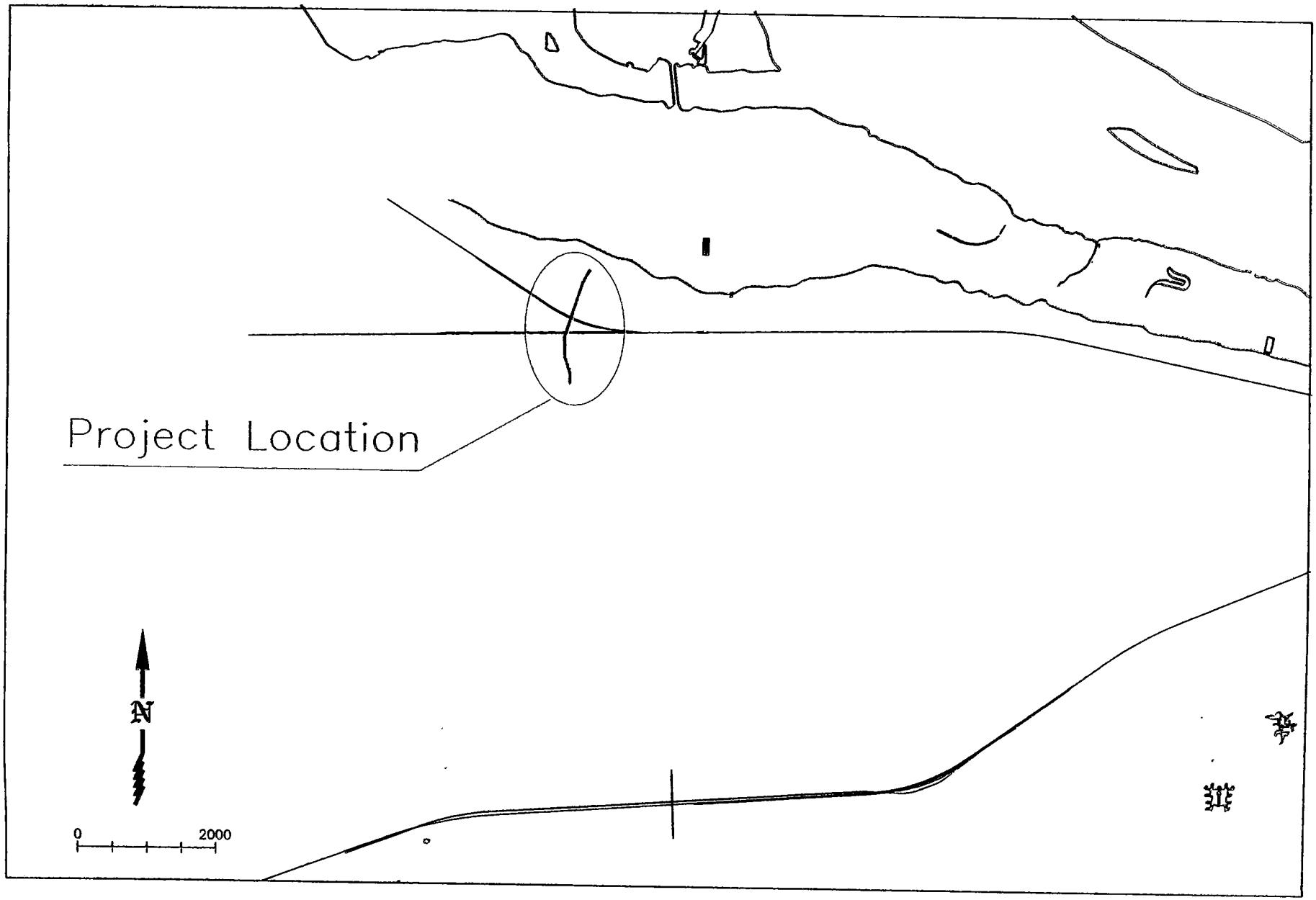
Date at _____, Washington, on this _____ day of _____, 20 _____.

Respondent _____

by _____

Print Name _____

Title _____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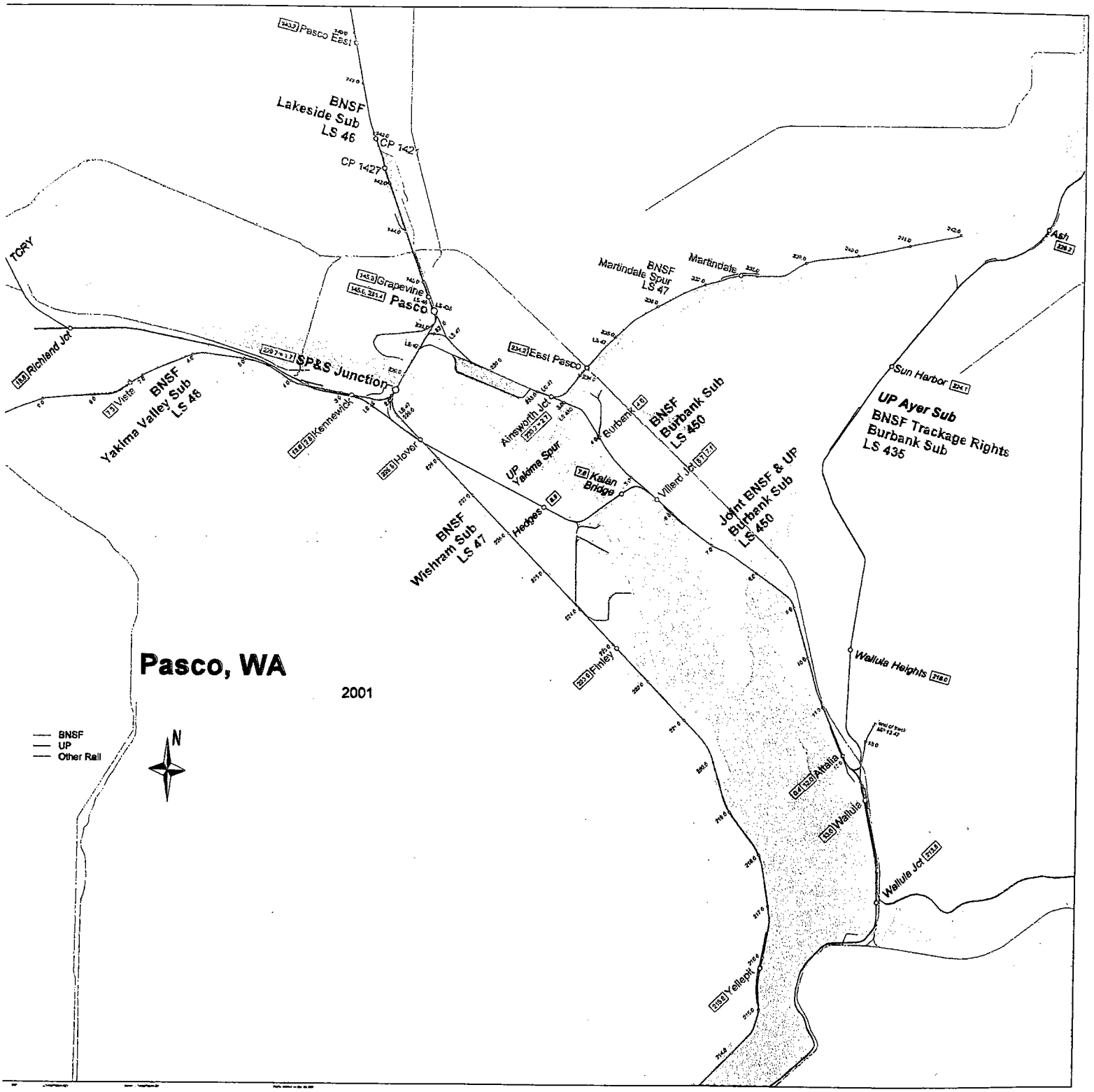
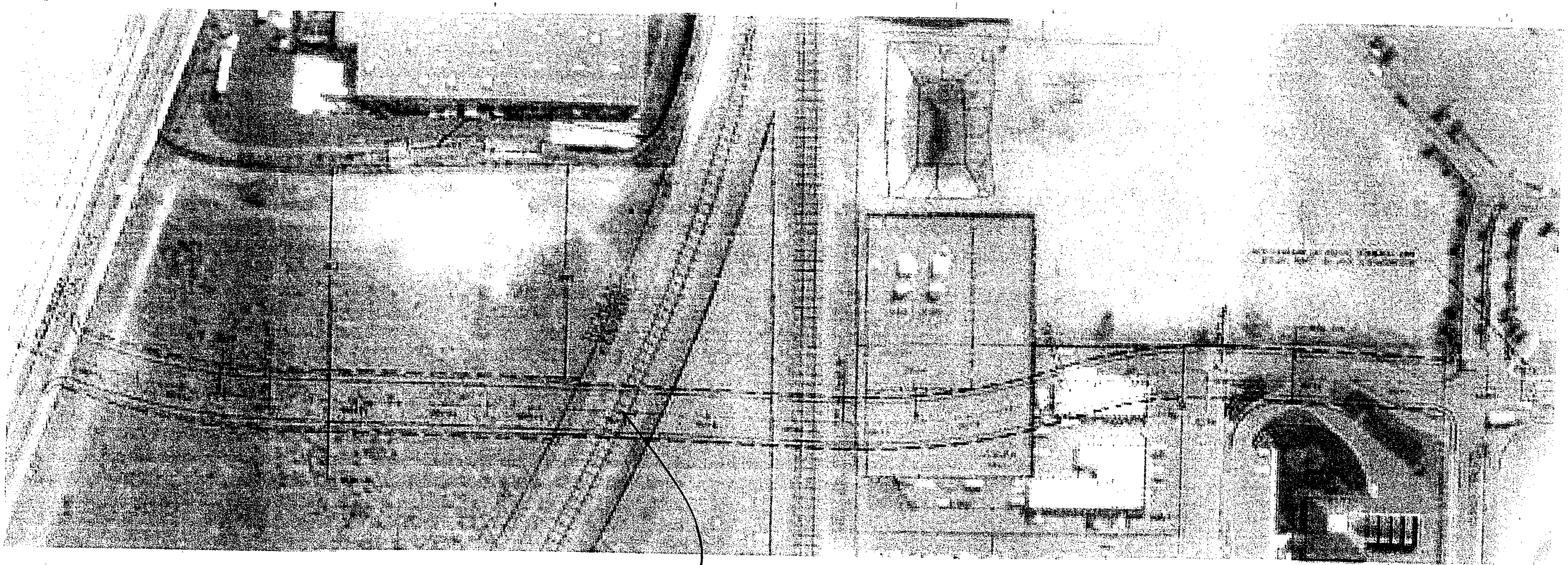

Pasco East
BNSF
Lakeside Sub
LS 46
CP 1421
CP 1427
TORY
Grapevine
Pasco
Richland Jct
Vista
BNSF
Yakima Valley Sub
LS 46
SP&S Junction
Kennewick
East Pasco
Ainsworth Jct
Burbank
BNSF
Burbank Sub
LS 450
Martindale
BNSF
Martindale Spur
LS 47
Ash
Sun Harbor
UP Ayer Sub
BNSF Trackage Rights
Burbank Sub
LS 435
Hover
UP
Yakima Spur
Kaian
Bridge
Villard Jct
Joint BNSF & UP
Burbank Sub
LS 450
Hedges
BNSF
Wishram Sub
LS 47
Finley
Wallula Heights
Attalia
Wallula
Wallula Jct
Yellepit
Pasco, WA
2001
BNSF
UP
Other Rail
N

Richland Junction looking west. Union Pacific spur is to the left, Port of Benton branch line is to the right.


PROPOSED CROSSING
LOCATION