

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

THE BURLINGTON NORTHERN)	DOCKET NO. TR-021231
SANTA FE RAILWAY)	
COMPANY,)	
)	
Petitioner,)	
)	
v.)	
)	
CITY OF MOUNT VERNON,)	ORDER GRANTING PETITION TO
)	ESTABLISH A NEW RAILROAD-
Respondent.)	HIGHWAY GRADE CROSSING AT
)	MONTGOMERY STREET
.....)	

BACKGROUND

- 1 On September 26, 2002, The Burlington Northern Santa Fe Railway Company filed a petition with the Commission, seeking approval to establish a new public railroad-highway grade crossing. If approved, the crossing would be located at the intersection of the Petitioner’s tracks and Montgomery Street, in the NW ¼ of the SW ¼ of Section 20, Township 34 N., Range 4 E., W.M., in Mount Vernon, Washington.
- 2 Respondent has consented to an entry of an Order by the Commission without further notice or hearing.
- 3 Montgomery Street previously crossed the tracks at the same location, but the crossing was closed in 1975 due to the close proximity of alternative routes. Currently, Montgomery Street, which runs generally east-west, dead-ends on either side of the Burlington Northern Santa Fe Railway tracks, which run generally north-south. The proposal to re-establish the Montgomery Street grade crossing is related to the construction of a multi-modal transportation facility that is to be constructed immediately south of the proposed crossing. The facility

will serve as a station for both transit bus service and passenger rail (AMTRAK). Another railroad-highway grade crossing exists one block south of the proposed crossing at the intersection of the petitioner's tracks and Gates Street. A portion of the multi-modal facility is planned for construction at the location of the Gates Street crossing, thereby necessitating its closure. The closure of the Gates Street railroad-highway grade crossing is docketed as TR-021232. Because of the associated closure, there will be no net gain of railroad-highway grade crossing resulting from the proposal. The Montgomery Street crossing will serve as access into and out of the transit facility on its north side. The station will also be accessible on its south side via Kincaid Street.

- 4 After construction of the crossing and the transit facility, Montgomery Street will be classified as a local access road with a vehicle speed limit of 25 mph. The roadway will consist of three lanes: one west-bound dedicated right-turn lane, one west-bound dedicated left-turn lane, and one east-bound through lane. In addition, a sidewalk will be constructed along the south side of Montgomery Street, including the portion crossing the tracks. The plans indicate that both roadway approaches to the tracks consist of ascending grades that result in a high-profile or "humped" crossing, however, the roadway grade for six feet on either side of the tracks will be level. The crossing would be located approximately 30 feet east of the Montgomery Street/Third Street roadway intersection. As part of the project, the City of Mount Vernon will install highway traffic signals at the roadway intersection to regulate traffic to and from the station. Average daily traffic through the crossing after the station becomes operational is estimated to be 900 vehicles, including several transit bus trips.
- 5 Petitioner maintains one main-line track through the crossing. Average daily train traffic includes 10 freight trains and four passenger trains traveling at maximum speeds of 45 mph and 50 mph respectively.
- 6 Petitioner proposes to install shoulder-mounted signals with a gate in the southwest quadrant of the crossing, and a cantilever-mounted signal with a gate

in the northeast quadrant. The difference in signal hardware is due to the east-bound approach having one lane and the west-bound approach having multiple lanes. The railroad warning signals will be interconnected to the previously mentioned highway traffic signals at the Montgomery Street/Third Street roadway intersection. Whenever a signalized roadway intersection is located near a railroad-highway grade crossing, the possibility exists that vehicle queues may back up over the tracks when the highway signal displays a red light. Motorists who are stopped on the tracks are in danger of being trapped in the event that a train is approaching the crossing. The proximity of the Montgomery Street/Third Street intersection to the proposed Montgomery Street grade crossing (30 feet) suggests that the likelihood of vehicles stopping on the tracks is high, especially during peak hours and when long wheel-base vehicles use the crossing. When the signals are interconnected, activation of the railroad warning signals by an approaching train will preempt the highway traffic signals, causing them to display a green light to clear vehicle queues originating from the roadway intersection and extending back over the tracks. While the queue is being cleared, the proposed railroad warning signals and gates will prevent more vehicles from entering the grade crossing. In addition to the interconnection, the City of Mount Vernon will require transit buses that use the crossing to stop in advance of the tracks when stopping for a red highway traffic signal.

- 7 The City of Mount Vernon has also agreed to take additional measures for the benefit of pedestrians that will use the crossing, as well as install signs related to the high-profile nature of the crossing. It is expected that the crossing will be used frequently by pedestrians that travel to and from the transit facility. For this reason, Commission Staff recommended that a stop line and accompanying signage be installed on the west-bound sidewalk approach to the crossing. The stop line will specify a safe distance that pedestrians must stand from the tracks when a train is occupying or approaching the crossing. The opposite sidewalk approach will be covered by the shoulder-mounted signal and gate. Also, W10-5

“Hump Crossing” signs will be placed on the same posts as the W10-3 advance warning signs to be located on both Third Street approaches to Montgomery Street. The supplemental signs will advise drivers of low-clearance vehicles that they should not use the crossing.

FINDINGS AND CONCLUSIONS

- 8 (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.*
- 9 (2) The proposed Montgomery Street crossing will be a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 10 (3) RCW 81.53.030 and WAC 480-62-150(1)(a) require that the Commission grant approval prior to establishing new public railroad-highway grade crossings within the state of Washington.
- 11 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 12 (5) This matter was brought before the Commission at its regularly scheduled meeting on April 9, 2003.
- 13 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on September 26, 2002, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 14 The petition of the Burlington Northern Santa Fe Railway Company for establishing a new public railroad-highway grade crossing located at the intersection of Montgomery Street and the Petitioner's tracks, in Mount Vernon, Washington, is granted, subject to the following conditions:
- (1) All construction and installations must conform to the plans filed in this proceeding.
 - (2) The crossing must be hard-surfaced between the rails and for a distance of at least one foot outside each rail for the full width of the traveled roadway, including the sidewalk.
 - (3) Traffic control devices must comply with applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
 - (4) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances for both rail and vehicular traffic.
 - (5) The City of Mount Vernon must ensure that the timing of each railroad preemption phase for the highway traffic signal is sufficient to clear vehicle queues that may extend from the Montgomery Street/Third Street roadway intersection back over the railroad tracks, as determined by an engineering analysis.
 - (6) The City of Mount Vernon must install and maintain a stop line on the portion of the sidewalk located east of the tracks at a minimum distance of 10 feet from the nearest rail. The stop line must be accompanied by signage that specifies that pedestrians must stop at the line when a train is occupying or approaching the crossing.

- (7) The City of Mount Vernon must install W10-3 and W10-5 advance warning signs on both Third Street approaches to Montgomery Street, and a R8-8 "Do Not Stop On Tracks" sign on the west-bound approach to the crossing.
- (8) Upon completion of the construction authorized herein, petitioner must notify the Commission. Acceptance of the installations is subject to a compliance inspection by Commission Staff, verifying that the crossing is in full compliance with law, regulation, and the conditions specified herein.
- (9) Opening the crossing to the public is conditioned upon the closure of the Gates Street railroad-highway grade crossing, as specified in TR-021232.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.030, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 9th day of April, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary