

County roadway standards, and will consist of one lane for each direction of travel and a speed limit of 35 mph. Cottonwood Drive extends 227 feet south of the BNSF tracks, where it comes to a T-intersection with Badger Road. To the north, the development plans indicate that Cottonwood Drive will curve sharply to the east approximately 140 feet north of the tracks. Trees and shrubs line the north side of the tracks on both sides of the crossing to the extent that the sight distance down the tracks required by RCW 81.53.080 (i.e. 100 feet) is not available for south-bound motorists. It is expected that average daily traffic will amount to 2,000 vehicles by 2007, including 25 school bus trips.

- 4 BNSF maintains one main-line track through the crossing. The track curves to the north approximately 150 feet east of the crossing, thereby diminishing visibility of approaching trains. Average daily train traffic consists of six trains traveling at a maximum speed of 49 mph.
- 5 The current private crossing is equipped with stop signs only. The proposal to convert it to a public crossing includes installing shoulder-mounted signals with gates. The installations are proposed in the interest of safety for crossing users.

FINDINGS AND CONCLUSIONS

- 6 (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.*
- 7 (2) The proposed Cottonwood Drive crossing will be a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 8 (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.

- 9 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 10 (5) This matter was brought before the Commission at its regularly scheduled meeting on April 23, 2003.
- 11 (6) After examination of the petition filed by the Burlington Northern Santa Fe Railway Company on September 30, 2002, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 12 The petition of the Burlington Northern Santa Fe Railway Company for establishing a public railroad-highway grade crossing at the intersection of the proposed Cottonwood Drive and the petitioner's tracks in Benton County, 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 shoulders.
 - (3) Traffic control devices, advance warning signs, and pavement markings 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) Trees and other vegetation along the tracks that obstruct sight distance of approaching trains must be cleared for a distance of at least 100 feet on either side of Cottonwood Drive .
- (6) Stop signs must be removed when the railroad warning signals become operational.
- (7) Upon completion of the construction authorized herein, Petitioner must notify the Commission. Acceptance of the installations is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with law, regulation, and the conditions specified herein.

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 23rd day of April, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary