

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

PEND OREILLE COUNTY)	
)	DOCKET NO. TR-010674
)	
Petitioner,)	ORDER GRANTING PETITION
)	TO ESTABLISH A PUBLIC
v.)	HIGHWAY-RAIL GRADE
)	CROSSING AT WATERVIEW
PEND OREILLE VALLEY)	DRIVE
RAILROAD)	
)	DOT NO: 917943V
Respondent)	
.....)	

BACKGROUND

- 1 On May 7, 2001, Pend Oreille County filed a petition with the Commission, seeking authority to establish a public highway-rail grade crossing at the site of an existing private crossing. The crossing is located at railroad mile post 44.2, in the SE ¼ of the SE ¼ of Section 4, Township 36 N, Range 43 E., W.M, in Pend Oreille County.

- 2 Respondent has consented to an entry of an order by the Commission without further notice or hearing.

DISCUSSION

- 3 The petition is related to the construction of a new “short plat” residential development, located between the respondent’s tracks and the Pend Oreille River. Since the railroad tracks are located between SR-20 and the development, access into and out of the area necessitates crossing the railroad tracks. Currently, the crossing exists as a private crossing that has provided access for the preliminary construction and grading work for the development.

- 4 In the vicinity of the proposed public crossing, Waterview Drive will be classified as a two-lane local access road, with a vehicle speed limit of 25 mph. The distance between the tracks and SR-20 is approximately 65 feet, and a Stop sign will be placed at the intersection of Waterview Drive and SR-20 for vehicles entering SR-20 from Waterview.

- 5 Projected daily traffic through the crossing after completion of the subdivision is 50 vehicles, including 2 school bus trips.

- 6 Respondent maintains a single main track. Train volumes through the proposed crossing are expected to average under 10 trains per year. Pend Oreille Valley Railroad’s operations in the vicinity of the crossing are limited to weekend excursion

trips on a seasonal basis, with occasional freight train trips. The maximum timetable speed through the proposed crossing is 20 mph.

- 7 The petition specifies that the grade crossing warning devices will consist of R-15 Crossbuck signs and railroad advance warning signs. The low volumes and speeds of both rail and vehicular traffic led to the County's decision that passive devices alone will provide an acceptable level of warning at the crossing (i.e. flashing light signals are not warranted). Staff concurs with this conclusion.
- 8 Pend Oreille County issued a Determination of Non-significance on August 5, 1996 for construction of the roadway across the railroad tracks, thereby satisfying State Environmental Policy Act requirements for this proposal.
- 9 Commission Staff investigated the petition and recommends that the petition be approved, subject to specified conditions.
- 10 The Commissioners have reviewed the petition and have been fully advised in the matter. They believe that granting the petition, subject to the conditions set forth below, is in the public interest, and direct the Secretary to issue the Order.

ORDER

- 11 THE COMMISSION GRANTS the petition of Pend Oreille County to establish a public highway-rail grade crossing at the intersection of Waterview Drive and the tracks of the Pend Oreille Valley Railroad at railroad milepost 44.2, subject to the following conditions:
- (1) All construction and installations must conform to the plans and documents filed in this proceeding.
 - (2) The crossing must be hard surfaced between the rails and for a distance of at least one foot outside of each rail for the full width of the traveled roadway.
 - (3) Crossbuck signs must be placed at the crossing by the Pend Oreille Valley Railroad.
 - (4) Railroad Advance Warning signs must be placed in advance of the crossing by the highway authority at each approach to the crossing, including turns into the crossing from SR-20.
 - (5) Placement and maintenance of all traffic control devices and advance warning signs must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.

- (6) Upon completion of the construction and installations authorized herein, petitioner must notify the Commission. The grade crossing is subject to a compliance inspection and report by Commission Staff, verifying that it is in full compliance with law and regulation, and the conditions specified herein.

DATED at Olympia, Washington and effective this 27th day of June, 2001.

THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary