

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

WASHINGTON STATE PARKS AND
RECREATION COMMISSION,

Petitioner,

BNSF RAILWAY CO.,

Respondent.

DOCKET TR-240578

ORDER 01

GRANTING PETITION TO MODIFY
WARNING DEVICES AT A PUBLIC
HIGHWAY-RAIL GRADE
CROSSING AT COLUMBIA HILLS
STATE PARK ROAD, KLICKITAT
COUNTY

USDOT: 090183R

BACKGROUND

- 1 On July 29, 2024, the Washington State Parks & Recreation Commission (Parks or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify warning devices at a railroad-highway grade crossing located at Columbia Hills State Park Road in Klickitat County, identified as USDOT 090183R.
- 2 Respondent BNSF Railway Co. (BNSF) consented to entry of a Commission order without hearing.
- 3 Columbia Hills State Park Road is a two-lane roadway with a posted vehicle speed limit of 20 miles per hour that crosses a single mainline track. The average annual daily traffic at this location is estimated at five vehicles. Columbia Hills State Park Road is not part of an established truck route or school bus route. Approximately 32 freight trains operate over this crossing daily at up to 60 miles per hour. Two passenger trains operate over this crossing daily at up to 70 miles per hour.
- 4 Warning devices at the Columbia Hills State Park Road crossing consist of advance warning signs, Stop signs, a No Gates or Lights sign, pavement markings, reflectorized crossbucks, and Emergency Notification System signs. Parks proposes to replace the existing Stop signs with solar-powered LED flashing Stop signs.
- 5 This crossing was identified in the 2014 Marine and Rail Oil Transportation Study as an at-risk crossing on a crude oil route. The south approach to the crossing provides access

to and from a boat launch. The grade on this approach is over five percent which limits sight distance down the tracks and makes it difficult for some vehicles, such as vehicles towing boat trailers, to stop, restart, and quickly clear the crossing.

- 6 Commission staff (Staff) has worked with State Parks and BNSF since 2015 on improving warning devices at the crossing. Flashing Stop signs will provide more warning device visibility for the public in this location than the existing standard Stop signs and improve safety.
- 7 According to the Petition, Parks and the Respondent have reached an agreement related to the apportionment of costs for the proposed upgrades.
- 8 Staff has investigated the Petition and recommends that it be granted subject to the following conditions: (1) the modifications must conform to those described in and attached to the Petition, (2) traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices, (3) Parks must complete the proposed modifications within two years, and (4) Parks must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with the conditions specified herein.

DISCUSSION

- 9 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for drivers. When the Commission directs the installation of warning devices, it will apportion installation and maintenance costs in accordance with the applicable statutes.¹ RCW 81.53.261 provides that the parties may enter into an agreement providing for the installation of signals or other warning devices or for the apportionment of the cost of installation and maintenance. The parties to this Petition confirmed that they have reached an agreement related to cost apportionment. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

¹ See RCW 81.53.261-.295.

FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 11 (2) Columbia Hills State Park Road grade crossing, identified as USDOT 090183R, is a public railroad-highway grade crossing within the state of Washington.
- 12 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also WAC 480-62-150.
- 13 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 8, above.
- 14 (5) After examining the Petition filed by the City on July 29, 2024, and considering all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

THE COMMISSION ORDERS:

- 15 The Washington State Parks and Recreation Commission's Petition to modify warning devices at a railroad-highway grade crossing located at Columbia Hills State Park Road is granted and the parties are directed to proceed with the modifications described in the Petition, subject to the following conditions:
- (1) The modifications must conform to those described in and attached to the Petition.
 - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
 - (3) The Washington State Parks and Recreation Commission must complete the modifications within two years of the effective date of this Order.
 - (4) The Washington State Parks and Recreation Commission must notify the Commission within 60 days upon completion of the modifications

authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with the conditions specified herein.

- 16 The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Lacey, Washington, and effective August 2, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP,
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.