

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

BURLINGTON NORTHERN SANTA)	
FE RAILROAD COMPANY)	DOCKET NO. TR-001746
)	
Petitioner,)	ORDER GRANTING PETITION
)	TO CLOSE A HIGHWAY-RAIL
v.)	GRADE CROSSING AT 4 th
)	STREET
)	
NORTHPORT, WASHINGTON)	D.O.T. 059072V
)	
Respondent)	W.U.T.C. 2F 129.30
.....)	

BACKGROUND

1 On November 13, 2000, the Burlington Northern Santa Fe Railway Company (BNSF) filed a petition with the Commission, seeking authority to close a public highway-rail grade crossing. The crossing is located at the intersection of the petitioner’s tracks and 4th Street, in the NE ¼ of the NE ¼ of Section 5, Township 39 N, Range 40 E., W.M., in Northport, Washington.

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

DISCUSSION

3 The U.S. Department of Transportation, *Manual on Uniform Traffic Control Devices* states that “any highway grade crossing for which there is not a demonstrated need should be closed.” According to the petition, “4th Street crosses the railroad tracks at Northport, dead-ending at the edge of the Columbia River, and does not serve the City or businesses in the area.” During a Staff investigation of the petition, Northport Public Works representatives verified that the crossing does not serve as access to any point and its closure will not affect traffic circulation in the vicinity. All parties agreed that the crossing did not demonstrate a need, and therefore should be closed.

4 In the Summer of 2000, BNSF and Northport representatives installed barricades at the 4th Street grade crossing, effectively closing it to motor vehicle traffic. The purpose of this proceeding is to permanently close the crossing pursuant to RCW 81.53.060. According to the procedure prescribed by the statute, a notice of the petition to close the crossing was posted at the crossing and in a newspaper of general circulation in the area where the crossing is located. The notice directed that any person having objection to the closure of the crossing should state such objections in writing to the Commission within 20 days of the posting date. No objections were received.

5 The Commission, as the lead agency for State Environmental Policy Act (SEPA) requirements in this matter, has also issued a Determination of Non-Significance (DNS) for the proposal according to the procedure specified by SEPA. No comments or objections regarding the DNS were received and SEPA requirements have been satisfied for this proposal.

6 Commission Staff investigated the petition and recommend that it be granted, subject to specified conditions.

7 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

8 THE COMMISSION GRANTS the petition of the Burlington Northern Santa Fe Railway Company to close a highway-rail grade crossing at the intersection of 4th Street and the petitioner's tracks at railroad milepost 129.30 in Northport, Washington, subject to the following conditions:

- (1) The crossing surface must be removed and barricades must be placed at each roadway approach to the tracks.
- (2) All traffic control devices at the grade crossing must be removed.

DATED at Olympia, Washington and effective this 25th of July, 2001.

THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary