

BNSF



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TR-031077

August 5, 2003

WUTC

1300 Evergreen Park Dr. So.
P.O. Box 47250
Olympia, WA. 98504-7250
Attn: Ahmer Nizam

File: Olympia, WA. – GSA pedestrian crossing (Capitol Hillside trail)

Attached is the fully signed original and 1 copy of the petition for the construction of the trail crossing, designated as the Capitol Hillside Trail to be located at approximate railroad milepost 9.81.

At this time we have not entered into an agreement with the Dept. of General Administration for the construction of the crossing. Although we agree with the construction details of the trail, we will not accept the construction of the crossing until (1) we enter into an agreement or license with GSA, and (2) the WUTC has issued the order.

Please prepare and issue an Order for construction. In the meantime I will work with GSA on the license. Have any questions about the project call me or Dave Schilperoort of GSA at 360-902-0944.

Sincerely,

J.M. (Mike) Cowles
Mgr. Public Projects

JMC

Cc: Dave Schilperoort
Dept. of General Administration
Olympia, WA.

RECEIVED

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WASH. UT. & TP. COMM.

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per
Ahmer

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Washington Department of General Administration)	
)	DOCKET NO. TR- 031077
Petitioner,)	
)	PETITION FOR CONSTRUCTION OF
vs.)	A PEDESTRIAN RAILROAD-
)	HIGHWAY GRADE CROSSING
The Burlington Northern Santa Fe Railway Company)	
)	
Respondent.)	
.....)	

Petitioner requests the Washington Utilities and Transportation Commission to enter an order consenting to the construction of a pedestrian railroad-highway grade crossing as follows:

1. Identifying information for the crossing

- a. Nature of the pedestrian facilities (e.g. trail or other pathway): Capitol Hillside Trail
- b. Existing railway: Burlington Northern Santa Fe

2. Character of Crossing

- a. Is this a main line, branch line, siding or spur? Branch
- b. Do passenger trains use the crossing? No
- c. Legal maximum speed for passenger and/or freight trains: 10 MPH
- d. Actual or estimated train traffic in 24 hours: 1 round trip, 3 x per week
- e. Note any significant changes to the information in a. through f. expected within ten years: None that the General Administration Department is aware of.

3. Character of Pedestrian Facility

- a. Government agency responsible for maintaining the facility: Washington Department of General Administration
- b. Provide a description of the facilities, including types of users expected (pedestrian-only v. cyclists and other recreational users): The trail is designed to be ADA accessible – it is designed for pedestrians and wheelchairs. Bicyclists could also be on the trail.
- c. Will the facilities be accessible to any motorized vehicles: NO
- d. Note any significant changes to the information in a. through f. expected within ten years: None that the General Administration Department is aware of.

4. Sight Distance

Are there any structures, railroad curves, or other visual obstacles that limit sight distance ahead to the crossing within 100 feet of the crossing? If yes, please specify and indicate the maximum distance on either side of the crossing from which an unobstructed view of the crossing is available.

The proposed crossing is generally located in the center of a railroad curve. Trees and other vegetation line the railroad right-of-way on its south side, but the area for 100 feet on either side of the crossing is clear. A fence parallels the railroad right-of-way along its south side, however, there is good sight distance of approaching trains through the fence. On the north-bound approach, the trail will be parallel to the tracks and turn to cross the tracks at a 90 degree angle, approximately 50 feet from the crossing. At the point where the train becomes perpendicular to the tracks, sight distance of approaching trains is unobstructed for both railroad approaches.

5. Proposed warning system

- Crossing Geometry

The pedestrian pathway will be designed to cross the tracks at a 90-degree angle. To the extent possible, the pathway approaches to the crossing will be flat

- Crossing Surface

The crossing surface will be installed by BNSF RR

- Warning Devices

The crossing will be equipped with standard crossbuck signs for both north and south bound pedestrian traffic – installed by BNSF RR. “LOOK “ signs will also be installed with the crossbuck signs to emphasize the fact that the track is active. Stop signs will be installed for both directions of travel “STOP HERE FOR TRAIN” – these signs will be at least 1- 0 15 feet from the tracks.

- GA will install 6 ft. high chain link fencing on the south side of and parallel to the tracks. This fencing will run for 50 ft. from either side of the 6 ft. opening – for a total of 100 ft. of fencing. This fencing will be installed upon the completion of the hillside landscape project – and before the trail is open to the public.

5. **Funding:** What is the funding source for the proposed installation?

State of Washington – Budgeted funds.

6. **Diagrams:** A diagram showing the crossing and the location of the components of the proposed system is attached.

I certify under penalty of perjury that the foregoing is true and correct.

Dated at 6/27/03, Washington this 27th day of June, 2003.

Petitioner: The Washington State
Department of General
Administration

Address:

David Schipperort
Name of Responsible Official

David Schipperort
Signature of Responsible Official

WAIVER OF HEARING BY RESPONDENT

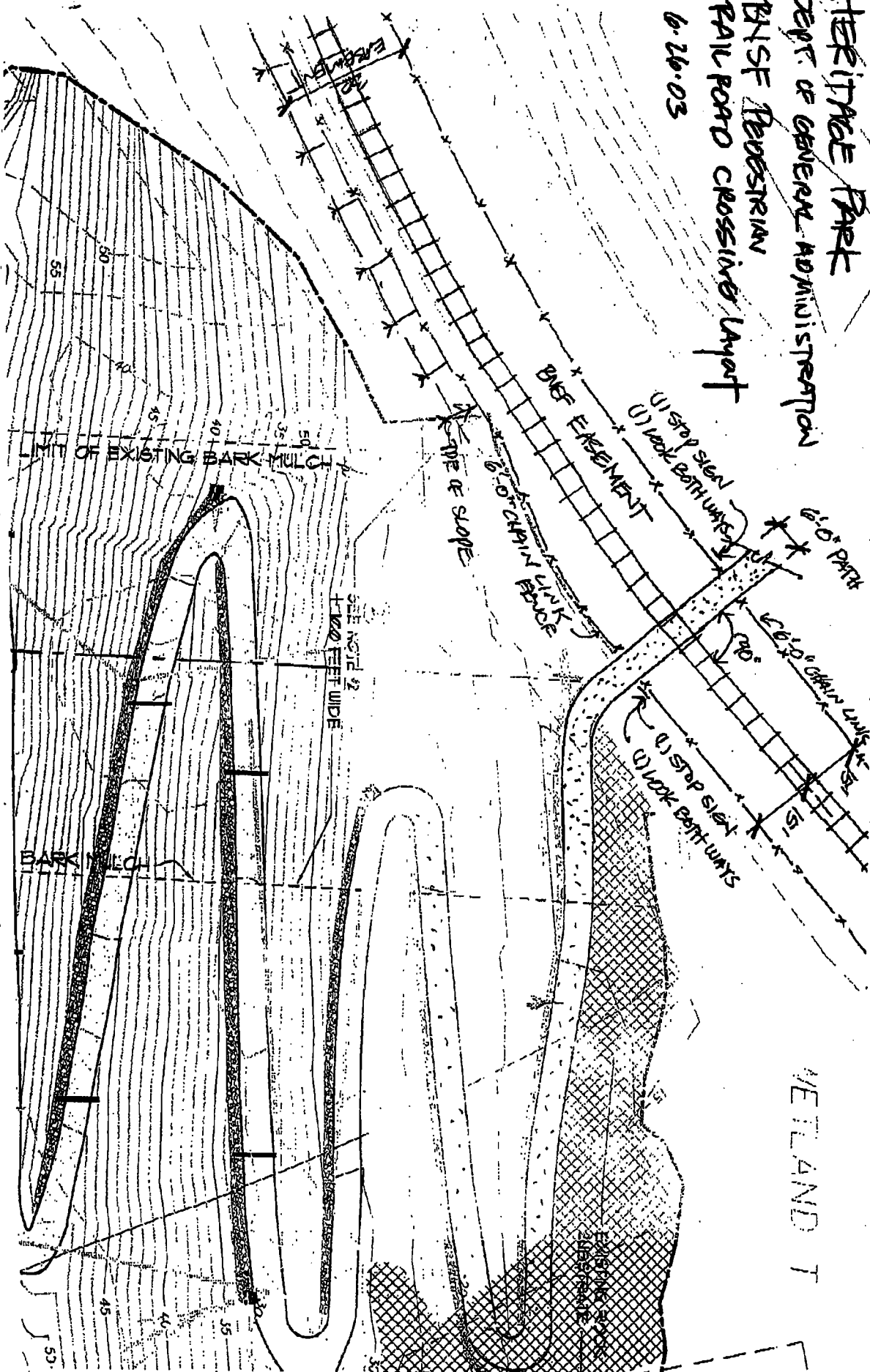
The respondent has investigated the conditions existing at and in the vicinity of the grade crossing described herein and is satisfied that such conditions are substantially as described in the petition. Respondent consents to the construction of an at-grade pedestrian rail crossing as described in the petition. Hearing in this proceeding is hereby waived.

Dated at Seattle, Washington, on the 5th day of August, 2003.

Respondent: The Burlington Northern Santa Fe Railway Company

Alma Cronka
Signature of Responsible Official

HERITAGE PARK
 DEPT. OF GENERAL ADMINISTRATION
 BNSF PEDESTRIAN
 RAILROAD CROSSING IMPROVEMENT
 6-26-03



WETLAND 1

INSTRUCTIONS

General

Petition forms with the Interrogatories fully and correctly answered should be filed with the Washington Utilities and Transportation Commission, Chandler Plaza, 1300 S. Evergreen Park Drive SW, PO Box 47250, Olympia, Washington, 98504. Blank forms may be obtained from the same address. All pleadings herein shall conform with WAC 480-09-420 and 425 of the Commission's Rules and Practice and Procedure.

Number of Copies

File the original and one copy if the "Waiver of Hearing by Respondent" is filled out. If petitioner intends that the Commission serve the respondent, the original and two copies should be filed. If the petitioner serves the respondent, a certificate of service in conformity with the requirements of WAC 480-09-120 of the Commission's Rules of Practice and Procedure must be filed.

Parties Who May Petition or Respond

In general, the following persons may file or respond to a petition: highway authorities (city, county, or state), railroad companies, and state agencies with lawful authority to construct and maintain public highways (RCW 81.53.030 and 060). In situations where there may be more than one party of interest as either a petitioner or a respondent, all parties should be joined.

Waiver of Hearing by Respondent

The proceeding can usually be expedited by submitting the application to the respondent and securing the execution of the "Waiver of Hearing by Respondent." As an alternative, respondent may file a separate "Answer." If the pleadings show that the respondent has no objection, an order may be entered without hearing at the discretion of the Commission, unless the public interest appears to require hearing and unless hearing is required under the terms of RCW 81.53.030 or 060. In all other cases, the petition will be set for hearing.

Crossing Construction

Applications for crossing state highways should be submitted in duplicate to the District Highway Engineer in the locality for his recommendation to be attached and forwarded to the State Department of Transportation Secretary, Olympia.

A party, after having been granted authority by the Commission to construct a crossing, must acquire right of way or easement because the order of the Commission merely relates to public safety and grants only the right to cross, subject to acquiring a right of way easement.

Time for Replying to a Petition

A petition not answered within 20 days of the date of service, shall be deemed denied and may be set for hearing. If a qualified or conditional answer is filed by the respondent, the petitioner may file a "Reply" within 10 days of the date the "Answer" is served.

(PLEASE REMOVE THIS SHEET BEFORE FILING PETITION)