

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

|                                    |   |                              |
|------------------------------------|---|------------------------------|
| In the Matter of the Petition of   | ) | DOCKET TR-070380             |
|                                    | ) |                              |
| PORT OF OLYMPIA,                   | ) | ORDER 01                     |
|                                    | ) |                              |
| Petitioner,                        | ) | ORDER GRANTING PETITION TO   |
|                                    | ) | ESTABLISH A PUBLIC RAILROAD- |
|                                    | ) | HIGHWAY GRADE CROSSING NEAR  |
|                                    | ) | MARKET STREET                |
|                                    | ) |                              |
| To Establish a Public Railroad-    | ) | USDOT: 922989U               |
| Highway Grade Crossing near Market | ) |                              |
| Street                             | ) | UTC : 19BSG7.80              |
| .....                              | ) |                              |

**BACKGROUND**

- 1     On February 21, 2007, the Port of Olympia (Port) filed a petition with the Utilities and Transportation Commission (Commission), seeking approval to establish a public railroad-highway grade crossing. The location of the crossing is adjacent to the Market Street crossing, US DOT 917917F in Olympia, Washington.
  
- 2     The crossing connects access from the Olympia Farmers Market primary parking lot to a nearby overflow parking lot. The road permits one-way vehicle traffic and two-way pedestrian traffic. Vehicle traffic leaving the overflow parking lot is directed to an exit point on Franklin Street.
  
- 3     Average daily vehicle traffic through the crossing is estimated at 200 vehicles during peak periods when the market is open for business. No commercial motor vehicles or school buses use this crossing. Sight distance at the crossing is slightly obstructed for motorists and pedestrians by the presence of equipment, vegetation and fencing.
  
- 4     The port anticipates that this crossing will be closed within the next few years when construction of a permanent parking garage is completed.
  
- 5     Tri-City and Olympia Railroad maintains one branch line and one spur track through the crossing. Average daily train traffic has recently decreased to an “on demand system,” down from an average of 10 freight trains per day. When trains operate, they travel at a maximum speed of 5 miles per hour. The Port hopes to secure additional clients in the future, which will increase the amount of train traffic. Train crews from the Tri-City and Olympia Railroad make a complete stop prior to the crossing; a crew member unlocks the

secured gates into the Port facilities, then “stops and protects” the crossing when approaching the crossing from both directions. By “stopping and protecting” the crossing, all vehicle or pedestrian traffic encounter a crew member carrying a flag, directing all operations at the crossing. No passenger trains use the tracks at this crossing.

- 6 The Port has installed cross bucks, a stop sign, 2 tracks sign, and a Do Not Stop on Tracks signs in the northwest quadrant of the crossing. This signage is directed at vehicle and pedestrian traffic entering the overflow parking area. There is no railroad warning signage on the opposite quadrant for pedestrian traffic.

### FINDINGS AND CONCLUSIONS

- 7 (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. *RCW 81.53*.
- 8 (2) The proposed establishment of a crossing involves a public railroad-highway grade crossing, as defined in *RCW 81.53.010*.
- 9 (3) *RCW 81.53.060* requires the Commission grant approval prior to establishing a public railroad-highway grade crossing within the state of Washington.
- 10 (4) Commission staff investigated the petition and recommends that it be granted, subject to the following conditions:
- In addition to the existing signage located on the northwest quadrant, the Port of Olympia will install identical signage on the opposite quadrant for pedestrian only traffic.
  - The Port of Olympia will install emergency notification sign I-13 or I-13a to provide emergency notification information.
- 11 (5) This filing complies with the requirements of *WAC 480-62-150*, *RCW 81.53.030* and *RCW 81.53.271*.

- 12 (6) After examination of the petition filed by the Port of Olympia on February 21, 2007, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition with the conditions identified below.

**ORDER**

THE COMMISSION ORDERS:

- 13 The petition of the Port of Olympia to establish a public railroad-highway grade crossing near Market Street, Olympia, Washington, is granted, subject to the following conditions:

- (1) The Port of Olympia must install warning signs R15-1 (crossbuck), R15-2 (number of tracks) and a stop sign on the unsigned quadrant to the crossing. The signage will be located on the left side of the roadway because there is inadequate space on the right side of the crossing approach to place the signage. The pedestrian sidewalk is also on the left side of the roadway.
- (2) The Port of Olympia must install emergency notification sign I-13 or I-13a.
- (3) Warning and emergency notification signs must comply with applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (4) Upon completion of the authorized modifications to the crossing, Petitioner must notify the Commission. Acceptance of the changes is subject to inspection by Commission Staff, verifying that the crossing is in full compliance with applicable laws, regulations, and the conditions as specified in this order.

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 June 27, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary