

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

In the Matter of the Petition of)	DOCKET TR-080479
)	
YAKIMA COUNTY,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING PETITION TO
v.)	UPGRADE WARNING DEVICES AT
)	BARKES ROAD AND DENYING
TOPPENISH, SIMCOE &)	EXPENDITURE FROM THE GRADE
WESTERN RAILROAD,)	CROSSING PROTECTIVE FUND
)	
Respondent.)	USDOT: 092246Y
)	UTC: 48D14.42
.....)	

BACKGROUND

- 1 On March 13, 2008, Yakima County (Yakima County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to install shoulder mounted lights and gates and upgrade the crossing surface at a railroad-highway grade crossing. The crossing is identified as USDOT 092246Y and is located at the intersection of Barkes Road and the Respondent’s tracks in Yakima County. The Petitioner further requested the Commission authorize an expenditure of \$20,000 from the Grade Crossing Protective Fund (GCPF) to pay for a portion of the upgrades.
- 2 Railroad warning devices at the intersection of Barkes Road and the petitioner’s tracks in Yakima County, Washington consist of crossbucks only. The Petitioner proposes to relocate equipment from the Naches Branch Line to the Barkes Road crossing. The equipment includes shoulder mounted lights and gates and a bungalow which includes motion sensor train detection. The crossing surface will also be upgraded to concrete panels.
- 3 The upgrades to the Barkes Road crossing are part of a larger road project which includes designating Barkes Road as a detour route for the Fort Road bridge closure. Detouring traffic to Barkes Road during the bridge project will increase the daily vehicle traffic from 30 to 1,500 to 1,750 vehicles. Yakima County also projects a long term permanent increase in traffic at this location because Barkes Road is the westernmost north to south connection between Fort and Branch Roads. The next closest north to south connection is six miles west at White Swan.

- 4 The railroad tracks are classified as main line, with two trains using the crossing each day. Current speed limit for the trains is 25 miles per hour.
- 5 The posted vehicle speed limit is 50 miles per hour, with one travel lane in each direction. Vehicle traffic over the crossing includes commercial motor vehicles and two school bus trips per day.
- 6 The upgrades at Barkes Road will improve the overall safety at the crossing because motorists and pedestrians can rely on these active warning devices to determine if a train is approaching the crossing.
- 7 The Petitioner is requesting a disbursement of \$20,000 to pay for a portion of the upgrades. The total approximate cost of the project is \$37,750. Commission Staff is in full support of adding active warning devices to the Barkes Road crossing, however due to limited Grade Crossing Protective Fund (GCPF) money available for the remainder of the 2007/2009 biennium, Commission Staff recommends denying the request for disbursement from the GCPF. In certain circumstances, meritorious funding requests may be held over to future funding periods but Yakima County must move forward quickly on the project making this option moot. Although Commission Staff does not dispute the need for the improvements proposed by Yakima County, the recommendation to deny funding results from a combination of limited available funds, the urgency of completing the project and prioritization of the merits of the project against similar projects for which GCPF disbursement is sought. During the on-site safety diagnostic meeting, Commission Staff confirmed with representatives of Yakima County that denial of the GCPF would not jeopardize the proposed upgrades to the crossing or effect the larger roadway project.

FINDINGS AND CONCLUSIONS

- 8 (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, and authority to approve and administer disbursements from the Grade Crossing Protective Fund. *RCW 81.53; RCW 81.53.271; RCW 81.53.281.*

- 9 (2) The grade crossing at the intersection of Barkes Road and the Petitioner's tracks in Yakima County, Washington, identified as USDOT 092246Y, is a public railroad-highway grade crossing within the state of Washington.
- 10 (3) RCW 81.53.261 requires the Commission grant approval prior to any changes to public railroad-highway grade crossings within the state of Washington. *See also WAC 480-62-150.*
- 11 (4) RCW 81.53.271 allows the Commission to disburse up to \$20,000 from the Grade Crossing Protective Fund to pay for the installation of a grade crossing protective device, without requiring the Petitioner to share the cost.
- 12 (5) Commission Staff investigated the petition and recommended that upgrades to the Barkes Road crossing be granted, subject to specified conditions. Further, Commission Staff investigated the request for GCPF based on review criteria, and recommended that it be denied.
- 13 (6) After reviewing Yakima County's petition filed on March 13, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition to upgrade the Barkes Road crossing and denies the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 14 Yakima County's petition to upgrade warning devices at a railroad-highway grade crossing, located at the intersection of Barkes Road and the Petitioner's tracks in Yakima County, Washington, is granted. The full cost of this upgrade shall be paid by Yakima County. Approval of the petition is subject to the following conditions:
- (1) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
 - (2) Yakima County must notify the Commission on completion of the upgrades authorized in this Order. Acceptance of the upgrades is subject to inspection by Commission Staff, and verification that the crossing is in full compliance with applicable laws, regulations, and the conditions specified in this Order.

The Commissioners have delegated authority to the Executive Secretary to enter this Order pursuant to RCW 80.01.030 and WAC 480-07-904((1)(a).

DATED at Olympia, Washington, and effective May 2, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary