

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

In the Matter of the Petition of	)	DOCKET TR-081171
	)	
WASHINGTON STATE PARKS	)	ORDER 01
AND RECREATION COMMISSION,	)	
	)	ORDER GRANTING PETITION TO
Petitioner.	)	CONSTRUCT A RAILROAD-
	)	HIGHWAY OVER-CROSSING AT
	)	BEACON ROCK STATE PARK
	)	
BNSF RAILWAY COMPANY,	)	
	)	USDOT: 929002J
Respondent.	)	UTC: 3A 44.05
.....	)	

**BACKGROUND**

- 1     On June 23, 2008, Washington State Parks and Recreation Commission (State Parks or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to construct a vehicle and pedestrian over-crossing. The crossing will be identified as USDOT 929002J and will be located at the Beacon Rock State Park Day Use Access Road over the Burlington Northern Santa Fe Railway Company’s (the Respondent’s) tracks in Skamania county.
- 2     Because the Beacon Rock State Park crossing will be an over-crossing, it does not intersect the railroad tracks at grade. As a result, no warning signs or signals are necessary at the crossing.
- 3     The crossing will be used as an access road for both vehicles and pedestrians to the Beacon Rock State Park day use area. State Parks will also construct a sidewalk on the west side of the over-crossing to accommodate pedestrian users. The over-crossing will provide both vehicle and pedestrian users with safe passage over the tracks because of the separation between the railroad tracks and users.
- 4     State Parks estimates that from May to September, anywhere from 100 to 500 cars will use the crossing.
- 5     Approximately 50 freight trains per day travel the tracks at 50 miles per hour. In addition, one passenger train travels the tracks daily, at 70 miles per hour.

6 On June 3, 2008, the Respondent consented to entry of an Order by the Commission without further notice or hearing.

**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 over-crossing at Beacon Rock State Park, which will be identified as USDOT 929002J, is a public railroad-highway over-crossing within the state of Washington.
- 9 (3) RCW 81.53.030 requires that the Commission grant approval prior to the construction of public railroad-highway grade crossings within the state of Washington.
- 10 (4) Commission Staff investigated the petition and recommended that it be granted, provided that upon completion of the construction, the Petitioner must notify the Commission. The crossing is subject to inspection by Commission Staff, verifying that it is in full compliance with applicable laws and regulations.
- 11 (5) After reviewing the petition filed on June 23, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the petition.

**ORDER**

**THE COMMISSION ORDERS:**

- 12 (1) Washington State Parks and Recreation Commission's petition to construct a public railroad-highway over-crossing, located at the intersection of the Beacon Rock State Park Day Use Access Road and BNSF Railway Company tracks, is granted.
- 13 (2) The Petitioner must notify the Commission upon completion of the construction. The crossing is subject to inspection by Commission Staff, to verify that it is in full compliance with applicable laws and regulations.

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

DATED at Olympia, Washington, and effective August 28, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER,  
Executive Director and Secretary