

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

THE CITY OF BATTLEGROUND,) DOCKET NO. TR-040665
WASHINGTON))
) ORDER NO. 01
 Petitioner,))
))
))
) v.)
))
))
CLARK COUNTY (THE LEWIS))
AND CLARK RAILWAY))
COMPANY),) ORDER GRANTING PETITION TO
))
))
))
 Respondent.))
.....))

BACKGROUND

- 1 On April 12, 2004, the city of Battleground filed a petition with the Commission, seeking approval to construct a new railroad-highway grade crossing. The crossing would be located at the intersection of the proposed Rasmussen Boulevard extension and tracks of the Lewis and Clark Railway Company, in the SW ¹/₄ of the NE ¹/₄ of Section 11, Township 3 N., Range 2 E., W.M., in Battleground, Washington.

- 2 Clark County, Washington, as the owner of the Lewis and Clark Railway Company, is named as the respondent in this proceeding. Respondent has consented to an entry of an Order by the Commission without further notice or hearing.

- 3 The proposal is related to a plan by the city of Battleground to extend a portion of Rasmussen Boulevard to access the site of future mixed-use development area. Rasmussen Boulevard generally runs East-West, and currently ends at its intersection with Grace Avenue. The Rasmussen/Grace roadway intersection is located approximately 100 feet west of the proposed at-grade crossing. The proposal involves extending the road to the east and necessitates crossing the

Lewis and Clark Railway tracks. The development site to be served by the Rasmussen Boulevard grade crossing will primarily consist of industrial facilities, but will include residential sections comprising approximately 25% of the development area.

- 4 In the vicinity of the proposed crossing, Rasmussen Boulevard will be classified as a minor arterial roadway with three lanes: one eastbound lane, one westbound left-turn lane, and one westbound right turn/through option lane. The proposed vehicle speed limit across the tracks is 25 mph. The roadway would intersect the BNSF tracks at a slightly obtuse angle, and the proposed roadway approach grades will average 0.5% for a distance of 25 feet on either side of the tracks.
- 5 By 2010, average daily traffic through the proposed crossing is estimated at 3,500 vehicles, including 100 trucks and eight school bus trips.
- 6 Sight distance down the tracks at the proposed crossing location is limited for eastbound traffic due to the presence of a commercial facility and parking area in the proposed crossing's southwest quadrant. Although a stand of trees located in the northwest quadrant currently obscures sight distance to the north, the Rasmussen Boulevard extension requires removal of the trees.
- 7 Respondent maintains one main track at the proposed crossing location. Maximum timetable speed for trains in the vicinity is 40 mph for passenger operations and 25 mph for freight operations. Train traffic on the rail line averages six trains per day, consisting of both passenger and freight operations.
- 8 If the petition is approved, the development site will be served by two access points: Rasmussen Boulevard would provide access from the west; and SE 16th Avenue would provide access from the southeast. The petitioner alleged that limiting access to the development to SE 16th Avenue would put too much pressure on NE 199th Street (which facilitates traffic onto SE 16th Avenue) and would result in adverse impacts to traffic circulation and safety in the vicinity.

- 9 Emergency services headquarters are located to the northwest of the development area. Establishing a grade crossing at Rasmussen Boulevard would enable police and fire responders dispatched from their respective stations to access the development area at least one mile prior to the alternate access via SE 16th Avenue. In addition, the Rasmussen Boulevard access would help to separate heavy truck traffic from other traffic. The city has concluded that most of the truck traffic associated with the site would use SE 16th Avenue due to its proximity to SR-503, while residential and school bus traffic would primarily use Rasmussen Boulevard.
- 10 Warning devices proposed for the Rasmussen Boulevard grade crossing include cantilever-mounted flashing light signals with gates on the westbound approach to the crossing and shoulder-mounted flashing light signals with gates on the eastbound approach. The cantilever-mounted devices on the westbound approach are proposed due to the multiple westbound lanes. In addition, Commission staff recommended that, if approved, the crossing should be equipped with a R8-8 (Do Not Stop On Tracks) sign on the westbound approach to the crossing due to the short storage area between the tracks and Grace Avenue.
- 11 Petitioner has issued a Mitigated Determination of Non-significance for the site development, including the Rasmussen Boulevard extension, thereby satisfying State Environmental Policy Act requirements for the project.

FINDINGS AND CONCLUSIONS

- 12 (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. *Chapter 81.53 RCW.*
- 13 (2) The proposed Rasmussen Boulevard at-grade crossing would constitute a public railroad-highway grade crossing, as defined under RCW 81.53.010.

- 14 (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.
- 15 (4) Commission Staff investigated the petition and recommended that it be granted, subject to specified conditions.
- 16 (5) This matter was brought before the Commission at its regularly scheduled meeting on June 23, 2004.
- 17 (6) After examination of the petition filed by the city of Battleground on April 12, 2004, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 18 The petition of the city of Battleground to construct a railroad-highway grade crossing, located at the intersection of Rasmussen Boulevard and the tracks of the Lewis and Clark Railroad Company, in Battleground, Washington, is granted, subject to the following conditions:
- (1) The construction must conform to the plans filed in this proceeding.
 - (2) The crossing must be hard-surfaced between the rails, and for a distance of one foot outside each rail for the full width of the traveled roadway, including the shoulders.
 - (3) To the extent practicable, the roadway approaches should be level with the plane created by the top of the rails. If this is not possible, the roadway surface must not be more than three inches higher or six inches lower than the top of the nearest rail at a point at least 30 feet from the rail.

- (4) Traffic control devices, including signs and pavement markings, must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
- (5) The city of Battleground must install and maintain a R8-8 (Do Not Stop On Tracks) sign on the westbound approach to the crossing, at an optimal location determined by an engineering analysis.
- (6) Upon completion of the construction authorized herein, petitioner must notify the Commission. The crossing is subject to inspection by Commission Staff, verifying that it is in full compliance with applicable laws, regulations, and the conditions specified herein.

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 this 23rd day of June, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary