

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

PORT OF PASCO,)	DOCKET TR-091064
)	
Petitioner,)	ORDER 01
)	
)	ORDER GRANTING PETITION TO
)	RECONSTRUCT A PUBLIC
)	HIGHWAY-RAIL GRADE CROSSING
BNSF RAILWAY CO. and CITY OF)	AT SACAJAWEA PARK ROAD
PASCO)	
)	
Respondents.)	
)	USDOT: #097206U
.....)	

BACKGROUND

- 1 On June 29, 2009, the Port of Pasco (Port or Petitioner) filed with the Utilities and Transportation Commission (Commission), a petition seeking approval to reconstruct a railroad-highway grade crossing. The crossing is identified as USDOT #097206U and is located at the intersection of Sacajawea Park Road and BNSF Railway Co. (BNSF) tracks in the city of Pasco.
- 2 Respondents BNSF and the city of Pasco consented to entry of an Order by the Commission without further notice or hearing.
- 3 Current railroad warning devices at the intersection of Sacajawea Park Road and the respondent's tracks in the city of Pasco consist of shoulder mounted gates and 12" flashing lights.
- 4 Sacajawea Park Road is classified as a collector with two- lane, two-way traffic and a posted vehicle speed limit of 35 miles per hour. Average daily traffic through the crossing is estimated at 800 vehicles, including 12.5 percent commercial vehicles. No school buses use this crossing on a regular basis.
- 5 The respondent maintains a main line and one siding/spur track at this location. Average daily train traffic is six freight trains. The authorized speed is 20 mph for freight trains. No passenger trains operate on these tracks.

- 6 The Port proposes to add a third track to the crossing. The new track will connect an industry spur track to an existing BNSF track at grade. Reconstruction of the crossing is part of an overall plan to increase industrial and rail activity at the Port's Big Pasco Industrial Center.
- 7 The existing crossing signals and gate on the south approach will be relocated south of the new track. The crossing project will also include decreasing the nine percent grade to seven percent on the east approach to the crossing. The new crossing surface will be composed of concrete crossing panels.
- 8 The new third track will be 30.8 feet centerline to centerline from the closest rail. The significant distance between tracks is necessary to accommodate the configuration of the spur extending to the Big Pasco Industrial Center. The Port, BNSF and the city of Pasco considered adding median barriers to the approaches to the crossing but the narrow roadway width of 20 feet creates a potential safety hazard for commercial motor vehicles using the crossing. Commission Staff supports the Port, BNSF and the city of Pasco's proposal to monitor vehicle traffic at the crossing to determine if drivers are driving around downed gates.
- 9 The proposed reconstruction of this crossing is in the interest securing rail access for regionally produced agricultural exports; promoting creation of new family wage jobs by making rail served industrial property available for new business; and increasing safety by removing freight trucks from local roads.

FINDINGS AND CONCLUSIONS

- 10 (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.*
- 11 (2) The Sacajawea Park Road grade crossing, identified as USDOT #097206U, is a public railroad-highway grade crossing within the state of Washington.
- 12 (3) WAC 480-62-150(1)(g) requires that the Commission grant approval prior to reconstructing a public railroad-highway grade crossings within the state of Washington.

- 13 (4) Commission Staff investigated the petition and recommended that it be granted with conditions.
- 14 (5) After examination of the petition filed by the Port of Pasco on June 29, 2009, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 15 The petition of the Port of Pasco to reconstruct a railroad-highway grade crossing at the intersection of Sacajawea Park Road and respondent's tracks in Franklin County is granted. Approval of the petition is subject to the following conditions:
- (1) The modifications must conform to those described in the petition.
 - (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation Manual on Uniform Traffic Control Devices. Note specifically that the R-15-2 (Number of Tracks) signs must be replaced on both approaches.
 - (3) All flashing light lenses must be upgraded to LED to increase visibility at the crossing.
 - (4) Once the crossing is reconstructed, the Port of Pasco, BNSF Railway Co., and the city of Pasco must coordinate and report any incidents at this crossing. The reporting period will cover a two year period and the first deadline will be six months from the effective date of this order. Other subsequent deadlines will follow at six month intervals. The data will be a summary of incidents involving risky motorist behavior, traffic accidents and other safety related incidents near or at the crossing. These periodic reports will enable the stakeholders, including Commission Staff to monitor any potential issues, including drivers driving around gates. If safety concerns arise as a result of the monitoring, the stakeholders will work collaboratively to address the issues.
 - (5) Petitioner must notify Commission Staff within 30 days upon completion of this project.

The Commissioners, having determined that this filing complies with the requirements of WAC 480-62-150(1) (g) and RCW 81.53.030, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective July 9, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).