BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of	DOCKET TR-170046
COLUMBIA RIVER CARBONATES,	ORDER 01
Petitioner, To Construct a Public Railroad-Highway Grade Crossing	ORDER GRANTING PETITION TO CONSTRUCT A PUBLIC RAILROAD-HIGHWAY GRADE CROSSING AT NORTH PEKIN ROAD USDOT: 971830H

BACKGROUND

- I On January 20, 2017, Columbia River Carbonates (CRC or Company) filed a petition with the Washington Utilities and Transportation Commission (Commission) seeking approval to construct a public railroad-highway grade crossing at North Pekin Road in the city of Woodland (Petition). The crossing will be identified as USDOT 971830H. The railroad tracks, which are classified as an industrial spur, will cross North Pekin Road near railroad mile post 116.3.
- 2 The decision to construct an at-grade-crossing at this location results from CRC's need to shuttle loaded and empty rail cars to and from its facility on the westerly side North Pekin Road to its facility on the easterly side of North Pekin Road in order to pick up and set out rail cars at the BNSF Railway Co. mailine for its further rail handling. The crossing cannot be grade separated because of constraints of the track geometry, site elevation, and the location of the current CRC track.
- 3 The City of Woodland is the road authority and consented to entry of an Order without further notice or hearing.
- North Pekin Road is classified as a two-lane minor arterial roadway with a speed limit of 35 miles per hour. Average annual daily traffic is estimated at 1,000 vehicles, including 3.5 percent commercial motor vehicles. Approximately 20 school buses will travel over the crossing daily.
- 5 One train will travel over the crossing two times each day, four times per week. The maximum freight train speed is ten miles per hour. No passenger trains will use this crossing.

- 6 CRC will install concrete crossing panels, crossbucks, advance warning signs, and pavement markings, as well as active warning devices including shoulder-mounted flashing lights, gates, pedestrian bells, and an island circuit warning system.
- 7 The City of Woodland, as State Environmental Policy Act (SEPA) lead agency for the proposal, has issued a Determination of Non-significance thereby completing the SEPA procedures for the opening of a grade crossing.
- 8 RCW 81.53.020 requires that all new highway-railroad grade crossings be grade separated where practicable. Highway-railroad grade crossings may be authorized atgrade by the Commission but only upon finding that grade separation is impracticable.
- 9 Commission staff (Staff) investigated CRC's Petition. Staff recommends that the Commission find grade separation impracticable at this location based on the low train traffic, constraints of the track geometry, site elevation, the location of the current CRC track, and the location of the facility. In addition, Staff utilized the Federal Highway Administration's Grade Separation Guidelines and determined that construction of a grade separated crossing at North Pekin Road does not meet the minimum threshold. CRC is proposing to install active warning devices when the crossing is constructed to address site-specific safety issues.
- 10 Staff recommends granting the Petition subject to the following conditions:
 - (a) CRC must install emergency notification signs (I-13), as required by the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices* (MUTCD).
 - (b) Traffic control devices, active warning devices, advance warning signs, and pavement markings must comply with applicable standards specified in the MUTCD.

FINDINGS AND CONCLUSIONS

- (1) The 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.
- 12 (2) The proposed construction of a crossing involves a public railroad-highway grade crossing, as defined in RCW 81.53.010.

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- 13 (3) RCW 81.53.030 and WAC 480-62-150(1)(a) require the Commission grant approval prior to constructing a public railroad-highway grade crossing within the state of Washington.
- RCW 81.53.020 requires all new railroad-highway grad crossings to be grade separated where practicable. The Commission finds that it is not practicable to build the tracks over or under North Pekin Road.
- 15 (5) Commission Staff conducted an investigation and recommends the Petition be granted subject to the following conditions:
 - (a) CRC must install emergency notification signs (I-13), as required by the MUTCD.
 - (b) Traffic control devices, active warning devices, advance warning signs, and pavement markings must comply with applicable standards specified in the MUTCD.
- (6) After examining the Petition CRC filed on January 20, 2017, and giving consideration to all relevant matters, the Commission determines that construction of a public railroad-highway grade crossing at North Pekin Road is reasonable and CRC's Petition should be granted.

ORDER

THE COMMISSION ORDERS:

- (1) Columbia River Carbonates' Petition to construct a public railroad-highway grade crossing at North Pekin Road in the city of Woodland, Washington, is granted, subject to the following conditions:
 - (a) All construction and installation must substantially conform to the petition and engineering design plans filed in this Docket.
 - (b) Columbia River Carbonates must install emergency notification signs (I-13), as required by the U.S. Department of Transportation's *Manual on Uniform Traffic Control Devices*.
 - (c) Traffic control devices, active warning devices, advance warning signs, and pavement markings must comply with applicable standards specified

in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.

 (d) Upon completion of the authorized construction, Columbia River Carbonates must notify the Commission within 30 days. 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 set forth in this order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

Dated at Olympia, Washington, and effective February 9, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary