

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

WASHINGTON STATE
DEPARTMENT OF
TRANSPORTATION,

Petitioner.

SOUND TRANSIT,
BNSF RAILWAY COMPANY,
TACOMA RAIL, and,
CITY OF LAKEWOOD,

Respondents.

DOCKET TR-190668

ORDER 01

GRANTING PETITION TO CLOSE AN
AT-GRADE HIGHWAY-RAIL
CROSSING AND REPLACE IT WITH
AN OVERCROSSING AT NORTH
THORNE LANE SW IN LAKEWOOD

USDOT: 085828M

BACKGROUND

- 1 On August 13, 2019, the Washington State Department of Transportation (WSDOT or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition seeking approval to close an at-grade highway-railroad grade crossing and replace it with an overcrossing connecting to Interstate 5 (I-5). The crossing is identified as USDOT 085828M and is located at the intersection of North Thorne Lane SW and the Respondents' tracks in Lakewood. The USDOT number of the new overcrossing will be assigned by Sound Transit.
- 2 Respondents Sound Transit, BNSF Railway Company (BNSF), Tacoma Rail, and the City of Lakewood consented to entry of an Order by the Commission without further notice or hearing.
- 3 North Thorne Lane SW is a three-lane urban local roadway with a posted vehicle speed limit of 25 miles per hour. Average annual daily vehicle traffic through the crossing is estimated at 6,800 vehicles, which includes seven percent commercial motor vehicles. Up to 10 school buses travel over this crossing on weekdays. There is one mainline track at this location. Approximately one freight train per day travels over the existing crossing at up to 40 miles per hour. Once passenger service resumes on the line, an estimated 14 passenger trains will travel over the crossing at up to 79 miles per hour.

- 4 Current railroad warning devices at the North Thorne Lane SW crossing consist of wayside horns, cantilever and mast-mounted LED flashing lights, gates, advance warning signs, pavement markings, and crossbucks.
- 5 The new overcrossing is part of WSDOT's I-5 widening project and will improve traffic flows onto and from I-5. Because the overcrossing will not intersect the railroad tracks at grade, no warning signs or signals are necessary at the crossing. The overcrossing will provide motorists with safe passage over the tracks because of the separation between the railroad tracks and users.
- 6 The construction of the overcrossing will take place south of the existing at-grade crossing. Traffic and workers will continue to use the existing crossing until the overcrossing is complete. Once the overcrossing is complete, traffic will be re-routed to the new overcrossing and access to the existing at-grade crossing will be removed. At that time, the existing crossing surface and signal equipment at the at-grade crossing will be removed by Sound Transit.
- 7 Commission Staff (Staff) investigated the petition and recommended that it be granted, subject to the following condition: upon completion of the construction, WSDOT must notify the Commission within 60 days. The overcrossing is subject to inspection by Staff, verifying that it is in full compliance with applicable laws and regulations.

DISCUSSION

- 8 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. We find that the proposed modifications will improve overall safety for roadway users. Accordingly, the Commission grants the petition subject to the condition that Staff recommends.

FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 10 (2) The North Thorne Lane SW grade crossing, identified as USDOT 085828M, is a public railroad-highway grade crossing within the state of Washington.

- 11 (3) RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. See also 480-62-150.
- 12 (4) Staff investigated the petition and recommends that it be granted with the condition set out in paragraph 7, above.
- 13 (5) After examination of the petition filed by WSDOT on August 13, 2019, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

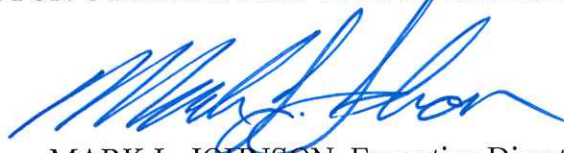
14 The Washington State Department of Transportation's petition to close an at-grade railroad-highway grade crossing and construct an overcrossing near the intersection of North Thorne Lane SW and the Respondents' tracks in Lakewood, Washington, is granted. Approval of the petition is subject to the following condition:

- (1) Upon completion of the modifications authorized herein, WSDOT must notify the Commission within 60 days. The overcrossing is subject to inspection by Commission Staff, to verify that it is in full compliance with applicable laws and regulations.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective August 28, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON, Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.