

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

WASHINGTON STATE)	DOCKET TR-080684
DEPARTMENT OF)	
TRANSPORTATION,)	ORDER 01
)	
Petitioner,)	ORDER GRANTING PETITION TO
)	RELOCATE AND RECONSTRUCT A
v.)	PUBLIC HIGHWAY-RAIL GRADE
)	CROSSING AT STATE ROUTE 9
BNSF Railway Company,)	
)	
Respondent.)	USDOT: 085105Y
)	UTC: 1G 94.29
)	
.....)	

BACKGROUND

- 1 On April 18, 2008, the Washington State Department of Transportation (WSDOT) filed a petition with the Utilities and Transportation Commission (Commission) seeking approval to relocate and reconstruct a railroad-highway grade crossing on State Route 9 (SR-9) in Skagit County. On May 13, 2008, WSDOT filed a revised petition. Relocating the crossing is part of a larger roadway project by WSDOT to eliminate a hazardous curve in the roadway on SR-9. The project includes relocating and changing the existing active warning devices and upgrading the train detection circuitry and the crossing surface.

- 2 On April 21, 2008, BNSF Railway Co. (BNSF) consented to entry of an Order by the Commission without further notice or hearing.

- 3 SR-9 is a two-lane highway with one lane in each direction. WSDOT estimates average daily vehicle traffic over the crossing at 3,600, which includes commercial motor vehicles and school buses. The posted legal speed limit is 50 miles per hour, with an advisory speed of 25 miles per hour posted near the crossing.

- 4 The railroad tracks are branch tracks off the main BNSF line, with two trains using the crossing each day. Current speed limit for the trains is 40 miles per hour. No passenger trains operate on these tracks at this time.

- 5 Current warning devices at the crossing include cantilever-mounted flashing light signals, AC/DC type crossing circuitry and an active advance warning sign on the southbound approach.
- 6 WSDOT will move the crossing approximately 380 feet east of its current location. Relocation of the crossing will enable WSDOT to remove the roadway curve which will improve sight distance ahead to the crossing and improve the overall safety for vehicle traffic. There have been many documented vehicle accidents attributed to the current configuration of the roadway.
- 7 Relocating the crossing creates a more acute angle at the intersection of the tracks and the roadway than exists today. To offset the increase of the angle, WSDOT proposes to install longer gate arms than would normally be required on both approaches. Installation of the longer gate arms will prevent drivers from “driving around” lowered gate arms during signal activation. The actual length of the gate arms will be determined during the final engineering of the crossing and will be subject to final approval by the Commission.
- 8 WSDOT plans to relocate the cantilever mounted flashing lights on the southbound approach and also install gates. On the northbound approach WSDOT proposes to install shoulder-mounted signals with gates. The active advance warning sign for southbound traffic will be eliminated. Both approaches will be upgraded to constant warning train detection circuitry. WSDOT will also upgrade the crossing surface to concrete materials. The width of the crossing will increase from 47 feet to approximately 72 to 80 feet due to the skewed angle.
- 9 The crossing location will remain within Section 24, Township 36N, Range 4E and the new SR Milepost will be 62.92.
- 10 The proposed upgrades are in the interest of improving safety and convenience for roadway users.

FINDINGS AND CONCLUSIONS

- 11 (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.*

- 12 (2) The proposed relocation of a crossing involves a public railroad-highway grade crossing, as defined in RCW 81.53.010.
- 13 (3) RCW 81.53.261 requires that the Commission grant approval prior to relocating or reconstructing a public railroad-highway grade crossing within the state of Washington.
- 14 (4) Commission Staff investigated the petition and recommends that it be granted with the conditions identified below.
- 15 (5) After examination of the petition filed by the Washington State Department of Transportation on April 18, 2008 and revised on May 13, 2008, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 16 The petition of the Washington State Department of Transportation to relocate a railroad-highway grade crossing at SR-9 and the Respondent's tracks in Skagit County is granted, as follows:
- (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*.
 - (3) Traffic control devices and instrument housing must be installed in such a manner as to provide required clearances from both the roadway and railroad tracks.
 - (4) WSDOT must provide commission staff a copy of the final engineering plans which will include specific information about the length of the gate arms and width of the crossing surface prior to construction.
 - (5) Trees and other vegetation along the tracks that obstruct sight distance of approaching trains must be cleared for a distance of at least 100 feet in all four quadrants the crossing.

- (6) Upon completion of the reconstruction project authorized herein, Petitioner must notify the Commission.

The Commissioners, having determined that this filing complies with the requirements of RCW 81.53.261, directed the Secretary to enter this Order.

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary