

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

CLARK COUNTY,)	DOCKET TR-090596
)	
Petitioner.)	ORDER 01
)	
)	ORDER GRANTING PETITION TO
)	RECONSTRUCT A HIGHWAY-RAIL
)	GRADE CROSSING AND UPGRADE
COLUMBIA BASIN RAILROAD -)	RAILROAD WARNING DEVICES AT
PORTLAND VANCOUVER)	NORTHEAST 88 th STREET
JUNCTION RAILROAD,)	
)	
Respondent.)	USDOT: 852430M
)	UTC: 49A4.70
.....)	

BACKGROUND

- 1 On April 23, 2009, Clark County (county) filed with the Washington Utilities and Transportation Commission (Commission), a petition seeking approval to reconstruct a highway-rail grade crossing and upgrade warning devices at a railroad-highway grade crossing. The crossing is identified as USDOT 852430M and is located at the intersection of Northeast 88th Street and the Respondent’s tracks in Clark County.

- 2 Columbia Basin Railroad/Portland Vancouver Junction Railroad (Columbia Basin Railroad) consented to entry of an Order by the Commission without further notice or hearing. Clark County owns the tracks and the Columbia Basin Railroad operates on the line.

- 3 The county estimates average daily vehicle traffic over the crossing at 13,042, including 45 school bus trips. The posted vehicle speed is 35 miles per hour. NE 88th Street is classified as an urban collector road. Average daily train traffic includes less than one train per day, traveling at a maximum speed of 10 miles per hour.

- 4 Current warning devices at the crossing include shoulder mounted flashing lights and gates.

- 5 The proposal to reconstruct the crossing is related to a plan by the county to add a center turn lane and add pedestrian enhancements. The project includes widening the roadway by 22 feet curb to curb, which provides two travel lanes, a center turn lane and adds

sidewalks in both directions. The asphalt crossing surface will be replaced with concrete panels and the railroad warning devices will be upgraded to cantilever mounted signals with gates.

- 6 The proposed upgrades to the crossing are in the interest of improving safety for roadway and pedestrian users.

FINDINGS AND CONCLUSIONS

- 7 (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 RCW 81.53.*
- 8 (2) The NE 88th Street crossing, identified as USDOT 852430M is a public railroad-highway grade crossing within the state of Washington.
- 9 (3) RCW 81.53.261 requires that the Commission grant approval prior to making changes in the method and manner of traffic control at public railroad-highway grade crossings within the state of Washington.
- 10 (4) Commission Staff investigated the petition and recommended that it be granted subject to the following conditions:
- The county must angle one set of the cantilever mounted flashers toward merging traffic from North Park Access Road. Angling of the flashers will warn travelers on North Park Access Road of an approaching train.
 - The county must install a R3-2a No Left Turn activated blank out sign on the end of the mast of the cantilever located near North Park Access Road. The blank out sign will be mounted and angled toward merging traffic from North Park Access Road. Activation of the No Left Turn blank out sign will warn travelers on North Park Access Road to discontinue any left turning movements when a train is approaching.
 - In addition to the signage included in the engineering plans, the county must install two W10-12 Skewed Crossing signs on both approaches to the crossing.

- The county must provide commission staff with a copy of the final railroad signal design plans prior to construction.
- 11 (5) After examination of the petition filed by Clark County on April 23, 2009, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

ORDER

THE COMMISSION ORDERS:

- 12 The petition of Clark County to reconstruct a highway-railroad grade crossing and modify warning devices at a railroad-highway grade crossing, located at NE 88th Street and the Respondent's tracks in Clark County, is granted, as follows:
- (1) The modifications must conform to those described in the petition.
 - (2) The county must angle one set of the cantilever mounted flashers toward merging traffic from North Park Access Road.
 - (3) The county must install a R3-2a No Left Turn activated blank out sign on the end of the mast of the cantilever located near North Park Access Road.
 - (4) The county must install two W10-12 Skewed Crossing signs on both approaches to the crossing.
 - (5) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
 - (6) 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.
 - (7) The county must provide commission staff with a copy of the final railroad signal design plans prior to construction.
 - (8) Upon completion of the modifications authorized herein, petitioner must notify the Commission. 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 specified herein.

The Commissioners have delegated authority to the Secretary to enter this Order pursuant to [RCW 80.01.030](#) and [WAC 480-07-904\(\(1\)\(a\)\)](#).

DATED at Olympia, Washington and effective May 15, 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).