

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

CITY OF MONROE,

Petitioner,

vs.

BNSF RAILWAY CO.,

Respondent.

DOCKET TR-161012

ORDER 01

ORDER GRANTING PETITION FOR
PEDESTRIAN IMPROVEMENTS AT
THE FRYELANDS BOULEVARD
CROSSING IN MONROE

USDOT: 084571B

BACKGROUND

- 1 On August 17, 2016, the City of Monroe (City or Petitioner) filed a petition with the Washington Utilities and Transportation Commission (Commission), seeking approval to install sidewalks at a railroad-highway grade crossing. The City filed a revised petition on September 7, 2016. The crossing is identified as USDOT 084571B and is located at Fryelands Boulevard in Monroe, Washington.
- 2 BNSF Railway Co. (BNSF or Respondent) consented to entry of an Order by the Commission without further notice or hearing.
- 3 Railroad warning devices at the Fryelands Boulevard grade crossing consist of cantilever-mounted flashing lights, gates, crossbucks, a pedestrian warning bell, and advance warning signs.
- 4 Fryelands Boulevard is a four-lane roadway with a posted speed limit of 35 miles per hour. Average daily vehicle traffic through the crossing is estimated at 9,467 vehicles. Fryelands Boulevard is part of an established truck route, with trucks making up approximately nine percent of the total daily traffic on the roadway. Fryelands Boulevard is also part of an established school bus route with four buses traveling over the crossing daily. Passenger and freight trains are authorized to operate at 45 miles per hour over this single mainline track crossing. Four passenger trains and 24 freight trains currently operate over the crossing per day.

5 The City proposes to connect two existing sections of sidewalk near the crossing to provide pedestrians with a continuous designated path over the crossing. The City will install a five-foot-wide sidewalk from the end of the current sidewalk south of the railroad tracks to the bus stop north of the tracks. An additional concrete crossing panel will be installed to accommodate pedestrians. Curb and gutter will be installed along the roadway to create a clear distinction between the road and sidewalk. Asphalt will be placed between the crossing panel and the sidewalk to provide a continuous transition and will be Americans with Disabilities Act-compliant. The City will also install signage advising pedestrians to wait when the crossing signals are activated. The project is funded by Community Development Block Grant funds and City funds. The City will maintain the sidewalk and BNSF will maintain the crossing surface.

6 The proposed sidewalk is in the interest of improving safety for pedestrian users, by ensuring a designated path to safely cross the grade crossing. Commission staff recommends granting the City of Monroe's petition subject to the following conditions:

- The modifications must conform to those described in the petition.
- Traffic control devices must comply with all applicable standards specified in the 2009 U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
- Upon completion of the sidewalks authorized herein, the City must notify the Commission within 60 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 specified herein.

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 81.53 RCW*.

8 (2) The Fryelands Boulevard grade crossing, identified as USDOT 084571B, is a public railroad-highway grade crossing within the state of Washington.

- 9 (3) WAC 480-62-150(1)(g) requires that the Commission grant approval prior to any changes to crossing at public railroad-highway grade crossings within the state of Washington.
- 10 (4) Commission Staff investigated the petition and recommended that it be granted.
- 11 (5) After examination of the petition filed by the City of Monroe on August 17, 2016, and the revised petition filed on September 7, 2016, 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 the City of Monroe to install sidewalks at a railroad-highway grade crossing, located at Fryelands Boulevard in Monroe, Washington, 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 2009 U.S. Department of Transportation *Manual on Uniform Traffic Control Devices*.
 - (3) Upon completion of the sidewalks authorized herein, the City must notify the Commission within 60 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 specified herein.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-151775. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective September 14, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



STEVEN V. KING, 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 website 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 website.

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