

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of
CITY OF SPOKANE VALLEY,

Petitioner.

BNSF RAILWAY COMPANY,

Respondent.

DOCKET TR-200265

ORDER 01

GRANTING PETITION TO CLOSE AN
AT-GRADE HIGHWAY-RAIL
CROSSING AND REPLACE IT WITH
AN OVERCROSSING AT BARKER
ROAD IN SPOKANE VALLEY

USDOT: 066244T

BACKGROUND

- 1 On March 24, 2020, the City of Spokane Valley (Spokane Valley or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to close an at-grade highway-rail crossing and replace it with an overcrossing. The crossing is identified as USDOT 066244T and is located at the intersection of Barker Road and the BNSF Railway Company's (BNSF or Respondent) tracks in Spokane Valley. The USDOT number of the new overcrossing is 977804N.
- 2 BNSF consented to entry of an Order by the Commission without further notice or hearing.
- 3 Barker Road is a two-lane urban minor arterial roadway with a posted vehicle speed limit of 45 miles per hour. Average annual daily vehicle traffic through the crossing is estimated at 4,900 vehicles, which includes 16 percent commercial motor vehicles. Barker Road is not part of an established school bus route. There is one mainline track at this location. Approximately 53 freight trains per day travel over the existing crossing at up to 60 miles per hour. Two passenger trains per day travel over the crossing at up to 79 miles per hour.
- 4 Current railroad warning devices at the Barker Road crossing consist of advance warning signs, pavement markings, reflectorized crossbucks, ENS signs, mast and cantilever-mounted warning lights, a bell, and gates. Traffic will continue to be routed over the existing at-grade crossing until construction of the overcrossing is complete. Once the construction is complete, traffic will be re-routed to the new overcrossing and access to

the existing at-grade crossing will be closed. At that time, BNSF will remove the at-grade crossing surface and signal equipment.

- 5 Closing the Barker Road crossing is part of Spokane Valley’s “Bridging the Valley” project, which proposes to separate rail and vehicle traffic in the 42-mile corridor between Spokane, Washington, and Athol, Idaho. The overcrossing will not intersect the railroad tracks at-grade, so 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 roadway users.
- 6 Commission staff (Staff) has investigated the Petition and recommends that it be granted subject to the following conditions: (1) the project must conform to the description in the Petition, (2) upon completion of the project authorized herein, Spokane Valley must notify the Commission within 60 days. Acceptance is subject to inspection by Staff, verifying that the project is in full compliance with applicable laws, regulations, and the conditions specified herein.

DISCUSSION

- 7 RCW 81.53.060 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing, and the establishment of an undercrossing or overcrossing, 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 conditions that Staff recommends.

FINDINGS AND CONCLUSIONS

- 8 (1) The Commission is an agency of the State of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington.
- 9 (2) The Barker Road grade crossing, identified as USDOT 066244T, is a public railroad-highway grade crossing within the state of Washington.
- 10 (3) RCW 81.53.060 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing, and the establishment of an undercrossing or overcrossing, within the state of Washington. See also WAC 480-62-150.
- 11 (4) Staff investigated the Petition and recommends that it be granted with the conditions set out in paragraph 6, above.

- 12 (5) After examination of the Petition filed by Spokane Valley on March 24, 2020, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

O R D E R

THE COMMISSION ORDERS:

- 13 The City of Spokane Valley's Petition to close an at-grade railroad-highway grade crossing and construct an overcrossing at the intersection of Barker Road and the Respondents' tracks in Spokane Valley, Washington, is granted. Approval of the Petition is subject to the following conditions:

- (1) The project must conform to the description in the Petition.
- (2) Upon completion of the project authorized herein, Spokane Valley must notify the Commission within 60 days. Acceptance is subject to inspection by Staff, verifying that the project 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-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Lacey, Washington, and effective May 20, 2020.

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.