

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Petition of</p> <p>YAKIMA COUNTY,</p> <p style="text-align: center;">Petitioner,</p> <p>BNSF RAILWAY COMPANY, CENTRAL WASHINGTON RAILROAD,</p> <p style="text-align: center;">Respondents.</p>	<p>DOCKET TR-200072</p> <p>ORDER 01</p> <p>GRANTING PETITION TO RELOCATE A RAILROAD- HIGHWAY GRADE CROSSING</p> <p>USDOT: 098468E</p>
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BACKGROUND

- 1 On February 3, 2020, Yakima County (County or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to relocate a railroad-highway grade crossing located at Butterfield Road in Yakima County, identified as USDOT 098468E. The County is in the process of constructing a new regional corridor, resulting in a modified roadway network and requiring relocation of the crossing by approximately 285 feet. The relocated crossing will be constructed on the new roadway, Mill Parkway, and will be identified as USDOT 971846E.
- 2 Respondents BNSF Railway Company, the track owner, and Central Washington Railroad (CWR), the railroad operator, consented to entry of an Order by the Commission without further notice or hearing.
- 3 Mill Parkway will be constructed as a two-lane road with a posted vehicle speed limit of 35 miles per hour. The County estimates the traffic volume on this new roadway to be around 4,000 vehicles on opening day, including an estimated seven percent commercial vehicle traffic. Ten school buses are projected to travel over the crossing each day.
- 4 CWR will operate two freight trains over the crossing daily at 10 miles per hour. No passenger trains will travel over this crossing.
- 5 At the Mill Parkway crossing, the County proposes to install advance warning signs, pavement markings, a concrete crossing surface, mast-mounted flashing lights, 28-foot

gates, pedestrian bells, constant warning time train detection, a new bungalow, seven-foot sidewalks with pedestrian gates, ADA ramps and truncated domes on both sides of the roadway. The existing Butterfield Road crossing will remain open until construction of the Mill Parkway crossing is complete. Once the new crossing is active, all warning devices and the crossing surface will be removed from the Butterfield Road crossing.

- 6 Commission staff (Staff) has investigated the Petition and recommends that it be granted 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 U.S. Department of Transportation Manual on Uniform Traffic Control Devices, and (3) Yakima County must notify the Commission with 60 days upon completion of the modifications authorized herein,. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing 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 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 Butterfield Road crossing, identified as USDOT 098468E, 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 within the state of Washington. See also 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 the County on February 3, 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 Yakima County's Petition to relocate a railroad-highway grade crossing located at Butterfield Road is granted 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 U.S. Department of Transportation Manual on Uniform Traffic Control Devices.
 - (3) Yakima County must notify the Commission within 60 days upon completion of the modifications authorized herein. Acceptance of the changes is subject to inspection by Staff, who will verify that the crossing is in full compliance with applicable laws, regulations, and the conditions specified herein.
- 14 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 February 7, 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.