

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	DOCKET TR-240956
CITY OF WENATCHEE,	ORDER 01
Petitioner,	
BNSF RAILWAY CO.,	GRANTING PETITION TO CONSTRUCT A GRADE SEPARATION (UNDERCROSSING) AT MCKITTRICK STREET IN WENATCHEE
Respondent.	
	USDOT: 982835X

BACKGROUND

- 1 On December 18, 2024, the City of Wenatchee (City or Petitioner) filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to construct an undercrossing at the intersection of McKittrick Street and the BNSF Railway Co. (BNSF or Respondent) tracks at Wenatchee, Chelan County, identified as USDOT 982835X.
- 2 Respondent BNSF consented to entry of an Order by the Commission without further notice or hearing.
- 3 As a part of its Wenatchee Confluence Parkway Project, the City proposes to extend McKittrick Street to the northeast from North Columbia Street by constructing an undercrossing beneath the BNSF tracks. The City identifies McKittrick Street as a core multi-modal route with pedestrian and bicycle traffic in addition to cars and freight. The new roadway will consist of two lanes with a speed limit of 30 miles per hour, and is expected to carry an estimated 4,500 vehicles daily, including 5 percent commercial vehicle traffic. BNSF operates 14 freight trains daily on its two-track mainline in this area. Two Amtrak passenger trains operate daily in this area. Authorized speed for freight and passenger trains is 50 miles per hour.
- 4 In its Petition, the City states that construction of the undercrossing will allow development of a new north/south corridor, Confluence Parkway, to provide a second multi-modal crossing of the Wenatchee River. As part of the Wenatchee Confluence Parkway Project, the City also proposes to close the existing Hawley Street at-grade

crossing (USDOT 065840P), located 1,000 feet to the north¹, and replace the at-grade crossing at North Miller Street (USDOT 982834R), located 1,400 feet to the south, with a grade-separated crossing (overcrossing).²

5 Because the undercrossing will not intersect the railroad tracks at grade, no railroad warning signs or signals are necessary.

6 Pursuant to the procedure specified in RCW 81.53.060, Commission Staff (Staff) arranged for publication of a legal notice in the Wenatchee World, a newspaper of general circulation in the Wenatchee area. The notice directed any person wishing to comment on the Petition to respond in writing to the Commission. The Commission did not receive comments or objections regarding the proposed grade separation within the comment period.

7 According to the Petition, the parties have reached an agreement related to apportionment of maintenance costs.

8 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) the City must complete the proposed modifications within five years, and (3) upon completion of the project authorized herein, the City must notify the Commission within 60 days. Acceptance is subject to inspection by Staff, verifying that the undercrossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

DISCUSSION

9 RCW 81.53.060 requires that the Commission grant approval prior to construction of a public undercrossing within the state of Washington. We find that the proposed undercrossing will improve overall public safety, mobility, and convenience for roadway users. Accordingly, the Commission grants the Petition subject to the conditions that Staff recommends.

¹ TR-240955.

² TR-240957.

FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the State of Washington having jurisdiction over public undercrossings within the state of Washington.
- 11 (2) Once constructed, the McKittrick Street undercrossing, identified as USDOT 982835X, will be considered a public undercrossing within the state of Washington.
- 12 (3) RCW 81.53.060 requires that the Commission grant approval prior to establishing a public undercrossing within the state of Washington. See also WAC 480-62-150.
- 13 (4) Staff investigated the Petition and recommend that it be granted with the conditions set out in paragraph 8, above.
- 14 (5) This matter came before the Commission at its regularly scheduled open meeting on February 13, 2025.
- 15 (6) After examination of the Petition filed by the City on December 18, 2024, and giving consideration to all relevant matters and for good cause shown, the Commission grants the Petition.

ORDER

THE COMMISSION ORDERS:

- 16 The City of Wenatchee's Petition to construct a public undercrossing located at the intersection of McKittrick Street and the BNSF Railway Co. tracks is granted. Approval of the Petition is subject to the following conditions:
- (1) The project must conform to the description in the Petition.
 - (2) The City of Wenatchee must complete the proposed project within five years.
 - (3) Upon completion of the project authorized herein, the City of Wenatchee must notify the Commission within 60 days. Acceptance is subject to inspection by Staff, verifying that the undercrossing is in full compliance with applicable laws, regulations, and the conditions specified herein.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective February 13, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP,
Executive Director and Secretary