

ORDER NO. 85-413

ENTERED 1 MAY 08 1985

PUC CROSSING NO. FD-832.8

BEFORE THE PUBLIC UTILITY COMMISSIONER

OF OREGON

RX 147

In the Matter of the Application)
of the CITY OF WHEELER for the)
authority, pursuant to ORS 763.020,))
to construct a grade crossing of) ORDER
Hemlock Street and Southern Pacific)
Transportation Company, Tillamook)
Branch, at Wheeler, Tillamook)
County, Oregon.)

On December 20, 1984, the City of Wheeler, duly filed an application with the Commissioner seeking authority, pursuant to ORS 763.020, to construct a railroad-highway grade crossing of Hemlock Street, a street under its jurisdiction, and the main track and right-of-way of Southern Pacific Transportation Company, Tillamook Branch, at Wheeler, Tillamook County, Oregon.

Comments on the application were made by PUC staff, by letter dated January 10, 1985; Vern Scovell by letter dated February 4, 1985; Southern Pacific Transportation Company by letter dated March 26, 1985; applicant amended its application by letters dated March 1 and 8, 1985.

Copies of the application, amendments, and responses thereto, were duly served upon Southern Pacific Transportation Company; Verne Scovell, PO Box 151, Nehalem, Oregon 97131; Tillamook County; Port of Tillamook Bay; Oregon Department of Transportation, Highway Division; and applicant. No objection by any party has been made to the granting of the application as amended.

An extensive boat basin and marine facility is being developed immediately north and west of the city limits of the City of Wheeler. This development is an attempt to capitalize on the recent improvements to the jetty at the entrance to Nehalem Bay. These facilities should provide employment opportunities and add to the tax base in northern Tillamook County. The development fronts on Nehalem Bay and is bordered on the east by Southern Pacific Transportation Company's Tillamook Branch main track. The Oregon Coast Highway (US 101) lies immediately east of and runs parallel to the railroad track.

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Applicant proposes to construct a roadway 44 feet in width consisting of two paved 16-foot travel lanes and two 6-foot gravel shoulders, a distance of 70 feet between the Oregon Coast Highway US 101 and the marine facilities to the west. It will intersect the track at an angle of 90 degrees. The roadway will lie in a general east-west orientation and be known as Hemlock Street. The street will extend outside the city limits of Wheeler but be under the City's jurisdiction. Applicant proposes that the crossing be protected with flashing light and automatic gate signals. Applicant further proposes to close the private railroad grade crossing at railroad mile post 832.89. The removal of the private crossing and the cost thereof will be by Verne Scovell of Nehalem, Oregon.

Applicant estimates that the new grade crossing will be utilized by approximately 300 vehicles a day. Railroad usage is currently averaging one freight train a day.

Due consideration has been given to all representations in the application, amendments, and responses thereto. No matters within the scope of ORS 763 are in issue, and no hearing will be required.

The Commissioner finds that the proposed grade crossing is required for public convenience and necessity and further finds that a grade separation is neither practical nor necessary at this location.

Based upon the amended application and files of the staff, the Commissioner finds that the application should be granted on the following terms and conditions.

IT IS THEREFORE ORDERED that:

1. The authority to construct the grade crossing, as requested herein, is hereby granted upon the condition that physical construction of the structure be substantially in progress within two years from the effective date of this order. If this condition is not met, then the authority granted herein expires on that date.
2. The crossing shall not be opened to vehicular traffic until the protective devices ordered herein are in place and operating.
3. Applicant shall:
 - a. Construct that portion of the crossing lying outside lines drawn two feet outside each rail, to accommodate a roadway 44 feet in

width consisting of two 16-foot paved travel lanes and two 6-foot gravel shoulders, and bear all the cost thereof;

- b. Bear all the cost of constructing that portion of the crossing lying between lines drawn two feet outside each rail;
- c. Bear all the cost of furnishing and installing the automatic protective devices ordered herein;
- d. Furnish, install, and maintain a stop clearance line on each side of the track at the crossing in accordance with OAR 860-42-070(10), and bear all the cost thereof;
- e. Furnish, install, and maintain standard highway-type guardrail adjacent to each set of automatic protective devices ordered herein, in accordance with OAR 860-42-070(13), and bear all the cost thereof; and
- f. Maintain that portion of the crossing lying outside lines drawn two feet outside each rail, and bear all the cost thereof.


4. Southern Pacific Transportation Company shall:

- a. Subject to reimbursement as specified herein, construct that portion of the crossing lying between lines drawn two feet outside each rail to accommodate a roadway 44 feet in width;
- b. Subject to reimbursement specified herein, furnish and install two Standard No. 2 flashing light signals and two Standard No. 4 automatic gate signals, each set of signals to be located not less than 28 feet and no more than 29 feet from the centerline of the roadway and not less than 15 feet from the centerline of track. Two additional sets of side lights will be mounted on the mast of the flashing light signals in the northeast quadrant of the crossing. One set of side lights will be directed at southbound traffic on Highway US 101, the other will be directed at northbound traffic on Highway US 101. Said signals will be activated by AC-DC type "C" track circuits; and

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- c. Maintain the automatic signalization and circuitry ordered herein, and maintain that portion of the crossing lying between lines drawn two feet outside each rail, and bear all the cost thereof.
5. The roundels for the automatic protective devices ordered herein shall comply with the recommended specifications in OAR 860-42-060(3)(j).
6. Each party shall notify the Commissioner upon completion of its portion of the project.

Made, entered, and effective May 8, 1985.



GENE MAUDLIN
Public Utility Commissioner



ORDER NO. 87 - 820

ENTERED AUGUST 10 1987

PUC CROSSING NO. FD-832.8

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
RX 147

In the Matter of the Application of)
the City of Wheeler for the authority,)
pursuant to ORS 763.020, to construct) AMENDING
a grade crossing of Hemlock Street and) ORDER
Southern Pacific Transportation Company,)
Tillamook Branch, at Wheeler, Tillamook)
County, Oregon)

On May 8, 1985, the Commissioner entered Order No. 85-413 in this docket, granting authority to the City of Wheeler to construct a new railroad-highway grade crossing involving the main track and right-of-way of Southern Pacific Transportation Company, Tillamook Branch, at Wheeler, Tillamook County, Oregon.

By letter dated February 11, 1987, applicant requested that the authority granted in Order No. 85-413 be amended to extend the authorized length of time to construct the Hemlock Street crossing.

Copies of applicant's letter requesting amendment of Order No. 85-413, a proposed amending order, and responses thereto were duly served upon all parties. No objection by any party has been made to the request for amendment or the proposed amending order.

Accordingly, the Commission finds that the authorized length of time to construct the Hemlock Street crossing should be extended an additional two years.

IT IS THEREFORE ORDERED that paragraph 1 of Order No. 85-413 shall be amended to read as follows:

1. The authority to construct the grade crossing, as requested herein, is hereby granted upon the condition that physical construction of the crossing be substantially in progress within four years of the effective date of Order No. 85-413, i.e., May 7, 1989. If this condition is not met, then the authority granted here expires on that date.

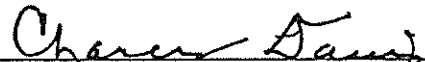
ORDER NO. 87 - 820

IT IS FURTHER ORDERED that all other provisions of Order No. 85-413 which are not in conflict with the provisions of this order shall remain in effect.

Made, entered, and effective AUGUST 10 1987.



PAUL COOK
Commissioner



CHARLES DAVIS
Commissioner

NANCY RYLES
Commissioner



cr/0638I

citymgrwheeler

From: LANNING C David [David.LANNING@odot.state.or.us]
Sent: Thursday, June 28, 2007 9:19 AM
To: citymgrwheeler@nehalemtnet.net
Cc: jcrider@potb.org; SOVEY L Alan
Subject: Hemlock Street Crossing, Wheeler Plan Development Review Comments
Attachments: _AVG certification_.txt

Attn: Doug Hooper

Mr. Hooper,

Upon review of the PUC Orders, I was reminded that the authorized crossing is 44 feet wide. According to our inspection records, the existing crossing is 28' wide.

6/28/2007

Railroad Crossing Safety System - [Inspections]

File Tools Search Window Help

Inspection Type: Crossing Crossing No: 398-832-80 Inspection Date: 03/22/2006 12:54:13

Street: Hemlock St Location: Wheeler County: Tillamook

Demographics Devices Deficiencies Non-Vehicular Adjacent Street/Interconnect Tracks

Inspection Type: Crossing Inspection Date: 03/22/2006 12:54:13 Inspector: KAM

Final Pass/Fail: Docket Number: Open: Yes

Number of Tracks: 1 # Commercial Driveways: 0 Roadway Act Width:

Left Approach Gradient: -2 Number of Lanes: 2 SCL Dist To Track:

Right Approach Gradient: 4 Traffic Flow Dir: 2 Crossing Surface: Paved

Posted Vehicle Speed: Curbed Y/N: No Crossing Approach Surface: Combinatio

Observed Vehicle Speed: 15 Angle of Intersection: 110 Ordered Observed

Safe Stopping Distance: 75 Railway Alignment: Tangent PCDI:

US DOT No: 754363S Roadway Alignment: Tangent VCDI:

Blind Quadrants: 1 XR:

Viewpt.	Stop	SSD	ALT
	15	75	
LL	180	050	
LR	450	300	
RL	150	500	
RR	300	200	

Semi Blind Quadrants: 0 DNSOT Flag Kl:

Train Speed: 25 Gate Delay:

Latitude: 45.69297 Longitude: 123.68 Cc

Ready

Unless the City of Wheeler wishes to apply for a new Order, the 1985 Order still applies. If that is the case, POTB will need to relocate the crossing signals to accommodate a 44' wide roadway as described in the Order. Cost-sharing between POTB and City of Wheeler is likely needed to accomplish the signal relocations. Although the responsibilities assigned to SPTCO passed to POTB when the railroad was sold, at this time POTB may not be willing to work with you. Suggest you begin discussions with Jack Crider at POTB.

If you wish, we can meet you and Jack at the crossing to review the matter. Let me know. During July, my availability is limited.

David Lanning, Crossing Safety
 Oregon DOT Rail Division
 555 13th Street NE Suite 3
 Salem OR 97301-4179

6/28/2007

503.986.4267 (ph)
503.986.3183 (fax)
david.lanning@odot.state.or.us

—Original Message—

From: LANNING C David
Sent: Wednesday, June 27, 2007 4:46 PM
To: 'rxlupdates@frasafety.net'
Cc: 'citymgrwheeler@nehalem.tel.net'
Subject: 754369S updt153.pdf

<< File: 754369S updt153.pdf >> << File: PUC Orders_Hemlock_Wheeler154.pdf >>

Please update this crossing. It is not private and has not been private since it was authorized by the state of Oregon in 1985.

Attached for City of Wheeler's use is a copy of the PUC Orders. Order 85-413 authorized construction of the public crossing. Order 87-820 amended the previous Order by extending the deadline for construction of the public crossing. Thanks.

David Lanning, Crossing Safety
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david.lanning@odot.state.or.us

6/28/2007

citymgrwheeler

From: LANNING C David [David.LANNING@odot.state.or.us]
Sent: Wednesday, June 27, 2007 4:46 PM
To: rxiupdates@frasafety.net
Cc: citymgrwheeler@nehalemtei.net
Subject: 754369S updte153.pdf
Attachments: 754369S updte153.pdf; PUC Orders_Hemlock_Wheeler154.pdf; _AVG certification_.txt

<<754369S updte153.pdf>> <<PUC Orders_Hemlock_Wheeler154.pdf>>

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6/27/2007

U.S. DOT - CROSSING INVENTORY INFORMATION
Continued

Crossing 7543695

Effective Begin-Date of Record: ~~01/01/70~~
Current Record 06/27/07

Part III: Traffic Control Device Information

Signs:

Crossbucks:	0	Highway Stop Signs:	0
Advanced Warning:		Hump Crossing Sign:	
Pavement Markings:		Other Signs:	0 Specify: 0

Train Activated Devices:

Gates:	0 2	4 Quad or Full Barrier:	
Mast Mounted FL:	0 2	Total Number FL Pairs:	0 4
Cantilevered FL (Over):	0	Cantilevered FL (Not over):	0
Other Flashing Lights:	0	Specify Other Flashing Lights:	
Highway Traffic Signals:	0	Wigwags:	0 Bells: 0 2
Other Train Activated Warning Devices:	NO	Special Warning Devices Not Train Activated:	
Channelization:		Type of Train Detection:	AC/DC TRACK CIRCUIT
Track Equipped with Train Signals?	NO	Traffic Light Interconnection/Preemption:	N/A

Part IV: Physical Characteristics

Type of Development:	COMMERCIAL	Smallest Crossing Angle:	60-90
Number of Traffic Lanes Crossing Railroad:	2	Are Truck Pullout Lanes Present?	NO
Is Highway Paved?	NO	If Other:	
Crossing Surface:	COMBINATION	Is it Signalized?	NO
Nearby Intersecting Highway?	YES	Is Crossing Illuminated?	NO
Does Track Run Down a Street?	NO		
Is Commercial Power Available?	YES		

Part V: Highway Information

Highway System:	NON FEDERAL AID	Functional Classification of Road at Crossing:	Urban Local
Is Crossing on State Highway System:	NO	AADT Year:	1970- 1993
Annual Average Daily Traffic (AADT):	30	Avg. No of School Buses per Day:	0
Estimated Percent Trucks:			
Posted Highway Speed:	0		

U.S. DOT - CROSSING INVENTORY INFORMATION
AS OF 6/27/2007

Crossing No.: 754369S Update Reason: ~~Updated~~ **New Crossing** Effective Begin-Date of Record: ~~01/01/00~~ **06/27/07**
 Railroad: **POTB Port Of Tillamook Bay RR [POTB]** **Current Record**

Initiating Agency: ~~Railroad~~ **STATE** Type and Position: ~~Private-At Grade~~ **Public**

Part I Location and Classification of Crossing

Division:	OREGON	State:	OR
Subdivision:	BROOKLYN	County:	TILLAMOOK
Branch or Line Name:	BR-TILLAMOOK Main	City:	In WHEELER
Railroad Milepost:	0832.90	Street or Road Name:	HEMLOCK ST.
Railroad I.D. No.:	FD-832-0 38B-832.80	Highway Type & No.:	
Nearest RR Timetable Stn:	WHEELER	HSR Corridor ID:	
Parent Railroad:		County Map Ref No.:	29-A
Crossing Owner:	POTB	Latitude:	45.5624960 45.69297
ENS Sign Installed:	NO	Longitude:	-123.8974950 -123.88
Passenger Service:	NO	Lat/Long Source:	ACTUAL
Avg Passenger Train Count:	0	Quiet Zone:	No
Adjacent Crossing with Separate Number:			

Private Crossing Information: **N/A**

Category: ~~Residential~~ Public Access:
~~No signs or signals~~ Specify Signs: Specify Signals:

ST/RR A ST/RR B ST/RR C ST/RR D

Railroad Use:

State Use:

38B-832.80

Narrative:

Emergency Contact:

Railroad Contact:

State Contact:

Part II Railroad Information

Number of Daily Train Movements:

Total Trains: **2** Total Switching: **5** ⁰ **25**
 Typical Speed Range Over Crossing: From **5** to **25** mph
 Type and Number of Tracks: Main: **1** Other: **0**

Less Than One Movement Per Day:

Day Thru: **0**
 Maximum Time Table Speed: **25**
 Specify:

Does Another RR Operate a Separate Track at Crossing? **NO**

Does Another RR Operate Over Your Track at Crossing? **NO**