



Commerce and Compliance Division

RX 1985

**In the Matter of Altering Railroad-Highway At-)
Grade Crossing on SE Wilson Avenue on the) Final Order No. 51454
BNSF Railway on the Oregon Trunk)
Subdivision, in the City of Bend, Deschutes)
County, Oregon.**

Pursuant to ORS 824.202, the Oregon Department of Transportation, Commerce and Compliance Division (Department) has authority over the construction, alteration, and protection of railroad-highway crossings in the State of Oregon. On February 3, 2022, the Department, Federal Railroad Administration (FRA), BNSF Railway (BNSF), the City of Bend, and ODOT Region 4 met on site for a diagnostic meeting to discuss the alteration of the subject railroad-highway grade crossing (hereafter "crossing") and evaluated the crossing for potential safety improvements. On February 17, 2023, the City of Bend made application under ORS 824.206 seeking authority to alter ODOT Crossing No. 10A-000.45, USDOT No. 066831U as depicted in the Appendix to this Order. The affected railroad is the BNSF. The affected public authority in interest is the City of Bend.

The average daily traffic (ADT) volume at the crossing is $\approx$ 5,500 vehicles. The posted speed of vehicles is 30 miles per hour (mph). The roadway intersects the track at an angle of $\approx$ 66 degrees. There is a daily average of 8 freight trains over the crossing. The maximum authorized speed on this track is 40 mph.

On June 5, 2025, via certified mail, the Department served a revised Proposed Order to all parties for their review and to acknowledge their agreement or disagreement with its terms. Consent was received on June 27, 2025 from the City of Bend and on July 5, 2025 from BNSF. Therefore, in accordance with ORS 824.214, the Department is entering this Final Order without a hearing.

From the foregoing, the Department finds that the requested crossing alterations are required by the public safety, necessity, convenience, and general welfare. Therefore, the application is granted on the following terms.

IT IS THEREFORE ORDERED that:

1. Alterations shall be substantially in progress within **two years** from the entered date of this Final Order. No authority to establish a Quiet Zone is granted by this Final Order.
2. Applicant (City of Bend) shall:
 - a. Alter and maintain that portion of the crossing lying outside lines drawn perpendicular to the end of ties to accommodate the roadway configuration and

sidewalks as depicted in the Appendix to this Order, and bear all the costs. The roadway approaches shall comply with OAR 741-120-0020(1)(2)(3)(4) and the sidewalks shall comply with OAR 741-120-0025(1)(2)(3).

- b. Furnish, install, and maintain standard curb in accordance with OAR 741-110-0030(7) adjacent to the ordered automatic signals at the crossing, and bear all the costs. Curb shall commence not less than 10 feet from the centerline of nearest track and extend at full height not less than 50 feet in advance of the automatic signals.
- c. Furnish, install, and maintain one 8-foot-wide sidewalk on the north side, one 6-foot-wide sidewalk on the south side, and four Tactile Warning Strips on the sidewalk approaches to the crossing, and bear all the costs. The tactile strips shall be a minimum width of two feet and be placed a minimum of 12 feet 8 inches from the nearest rail per ODOT Standard Drawing No. RD 908, and as depicted in the Appendix to this Order.
- d. Furnish, install, and maintain Pedestrian Channelization at the crossing, located as depicted in the Appendix to this Order, and bear all the costs.
- e. Furnish, install, and maintain two non-traversable medians and one 'NO LEFT TURN' (R3-2) sign, and bear all the costs. Curb shall commence not less than 10 feet from the centerline of the track. The median on the west approach shall be 165 feet long and the median on the east approach shall be 231 feet long.
- f. Furnish, install, and maintain two light poles with an acceptable level of illumination to enhance crossing safety, in accordance with OAR 741-110-0030(2)(c), located as depicted in the Appendix to this Order, and bear all the costs.
- g. Furnish, install, and maintain four 'LOOK' (R15-8) signs at the crossing, located as depicted in the Appendix to this Order, and bear all the costs.
- h. Furnish, install, and maintain one static and one Queue Activated 'DO NOT STOP ON TRACKS' (R8-8) signs at the crossing, located as depicted in the Appendix to this Order, and bear all the costs.
- i. Furnish, install, and maintain two 'Skewed Crossing' (W10-12R) signs at the crossing, located as depicted in the Appendix to this Order, and bear all the costs.
- j. Furnish, install, and maintain four Stop Clearance Lines at the crossing in accordance with OAR 741-110-0030(2)(b), and bear all the costs. Locate the devices as depicted in the Appendix to this Order, and in accordance with OAR 741-110-0040(3).
- k. Furnish, install, and maintain two 'Grade Crossing Advance Warning' (W10-1) signs and three Grade Crossing Advance Warning Pavement Markings on the roadway approaches to the crossing in accordance with OAR 741-110-0030(1) and OAR 741-110-0040(4), and bear all the costs. Locate the devices as depicted in the Appendix to this Order, and in accordance with OAR 741-110-0060(4)(5).

- Page 3 of 4

Right To Appeal

Pursuant to ORS 183.482, all parties to this Final Order have the right to appeal it with the Oregon Court of Appeals. To appeal, you must file a petition for judicial review with the Court of Appeals within 60 days from the day this Final Order was served on you. The date of service is the day this Final Order was *mailed*, not the day you received it. If you do not file a petition for judicial review within the 60-day time period, you will lose your right to appeal.

7/16/2025

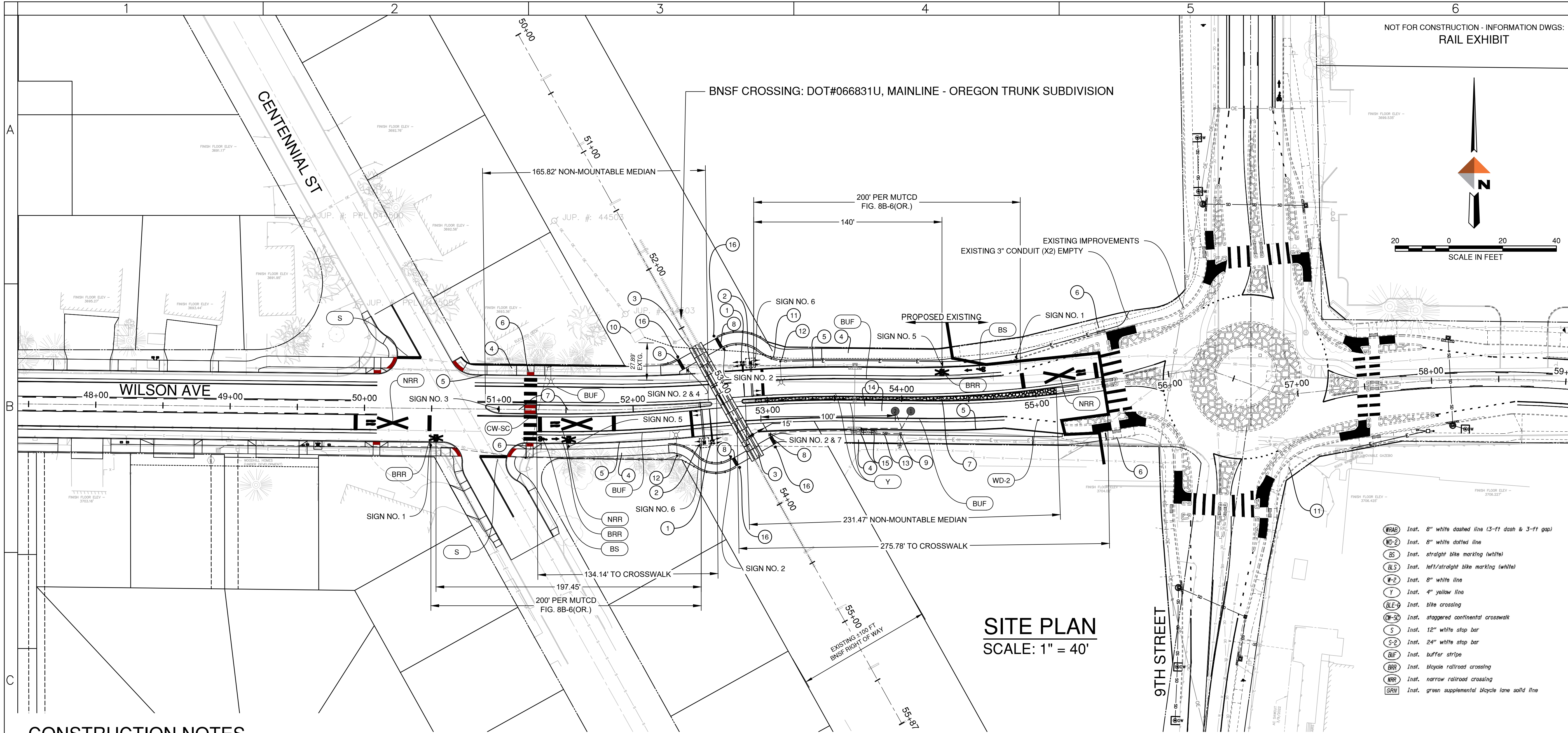
Made, entered, and effective

CSA

Carla PHELPS (Jul 16, 2025 09:05 PDT)

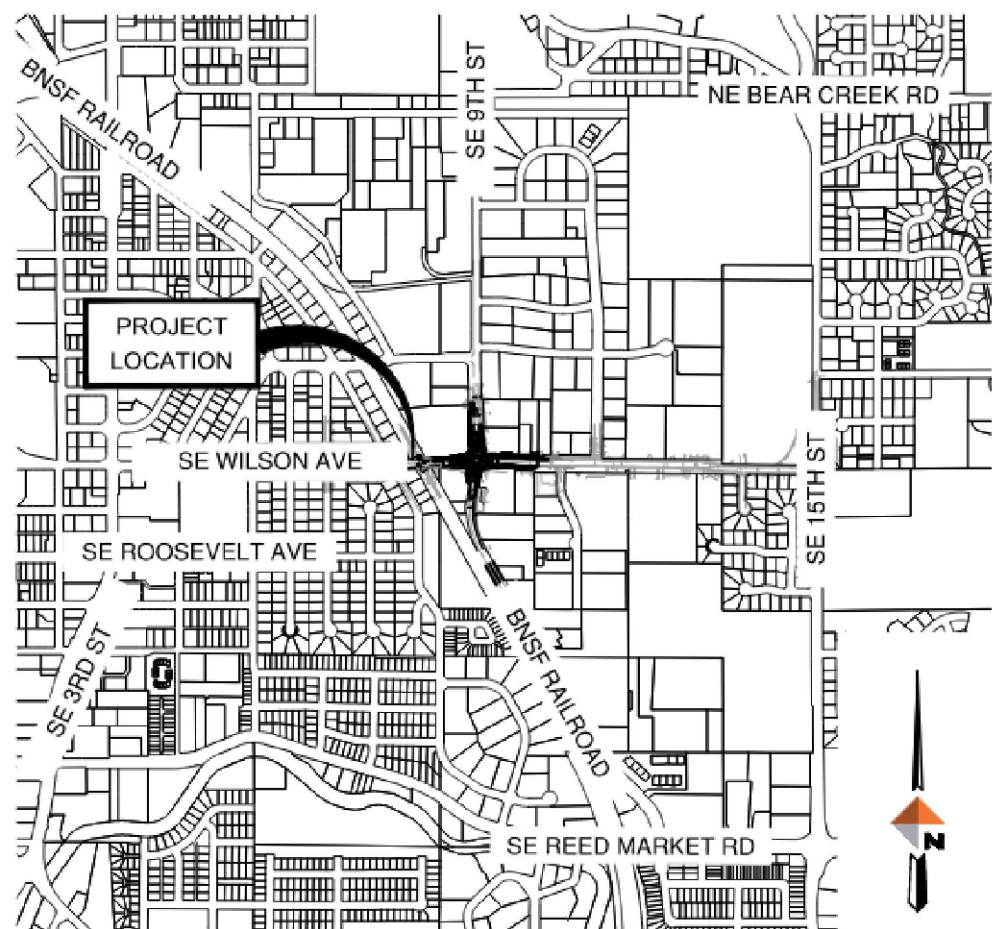
Carla Phelps
Commerce and Compliance Division Administrator

C:\dowl\dwg\0383702\SAC\CT-SP-BNSF_1.dwg PLOT DATE 2025-3-5 09:41 SAVED DATE 2025-03-05 09:39 USER: jugh

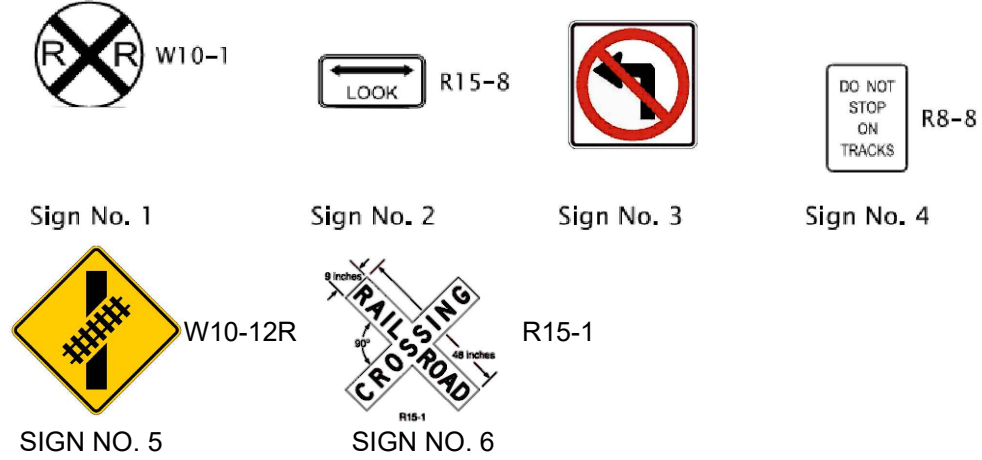
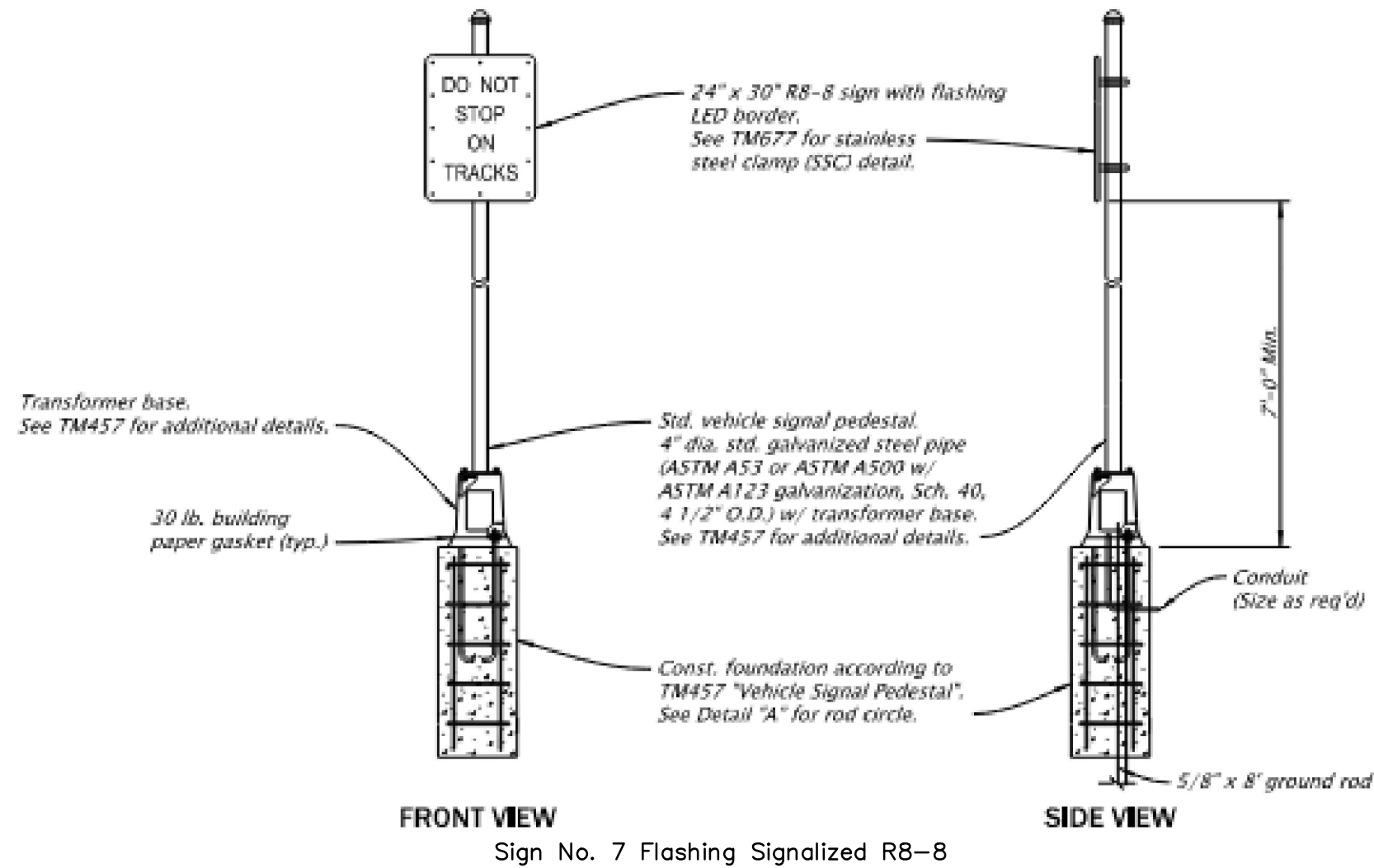


CONSTRUCTION NOTES

1. INSTALL R&R CROSSING GATE - 2 (BY OTHERS)
25' ARM LENGTH
2. INSTALL R&R CANTILEVER WITH FLASHERS - 2 (BY OTHERS)
3. INSTALL R&R CROSSING PANELS - 12 (BY OTHERS)
4. CONSTRUCT CITY OF BEND STANDARD SIDEWALK, 4" CONCRETE ON 4" AGGREGATE BASE - 6 FT WIDTH SOUTH, 8 FT WIDTH NORTH
5. CONSTRUCT CITY OF BEND STANDARD CURB (H=14, E=6")
6. CONSTRUCT ADA CURB RAMP
7. CONSTRUCT NON-MOUNTABLE MEDIAN - SEE TYPICAL SECTION
8. INSTALL 2 FT- FULL WIDTH TRUNCATED DOMES - TACTILE STRIPS - FULL WIDTH OF SIDEWALK PER MUTCD, PROWAG AND US ACCESS BOARD. PER ODOT STD DWG RD980.
9. INSTALL BASE MOUNTED SERVICE CABINET. POWER FROM EXISTING SERVICE POLE TO THE EAST.
10. EXISTING BUNGALOW, PROTECT
11. INSTALL 2-3" CONDUIT FOR POTENTIAL FUTURE RAILROAD INTERCONNECTION. BORE UNDER RAIL CROSSING AS APPROVED BY BNSF. CAP AND MARK OUTSIDE EXISTING BUNGALOW.
12. INSTALL PP&L LUMINAIRE PER CITY OF BEND AND PP&L STANDARDS
13. INSTALL CONTROLLER CABINET, C/ATC
14. INSTALL TRAFFIC LOOP DETECTORS
15. INSTALL JUNCTION BOX
16. INSTALL PEDESTRIAN R.R. FLASHERS WITH BELL (BY OTHERS)



VICINITY MAP



Appendix to Order
SE Wilson Ave, in the City of Bend
Deschutes County, Oregon

RX 1985
Sheet 1 of 6

REGISTERED PROFESSIONAL
ENGINEER
102562PE
OREGON
J. MICHAEL ELSTON
EXPIRES: 12/31/2025

DESCHUTES COUNTY, OREGON

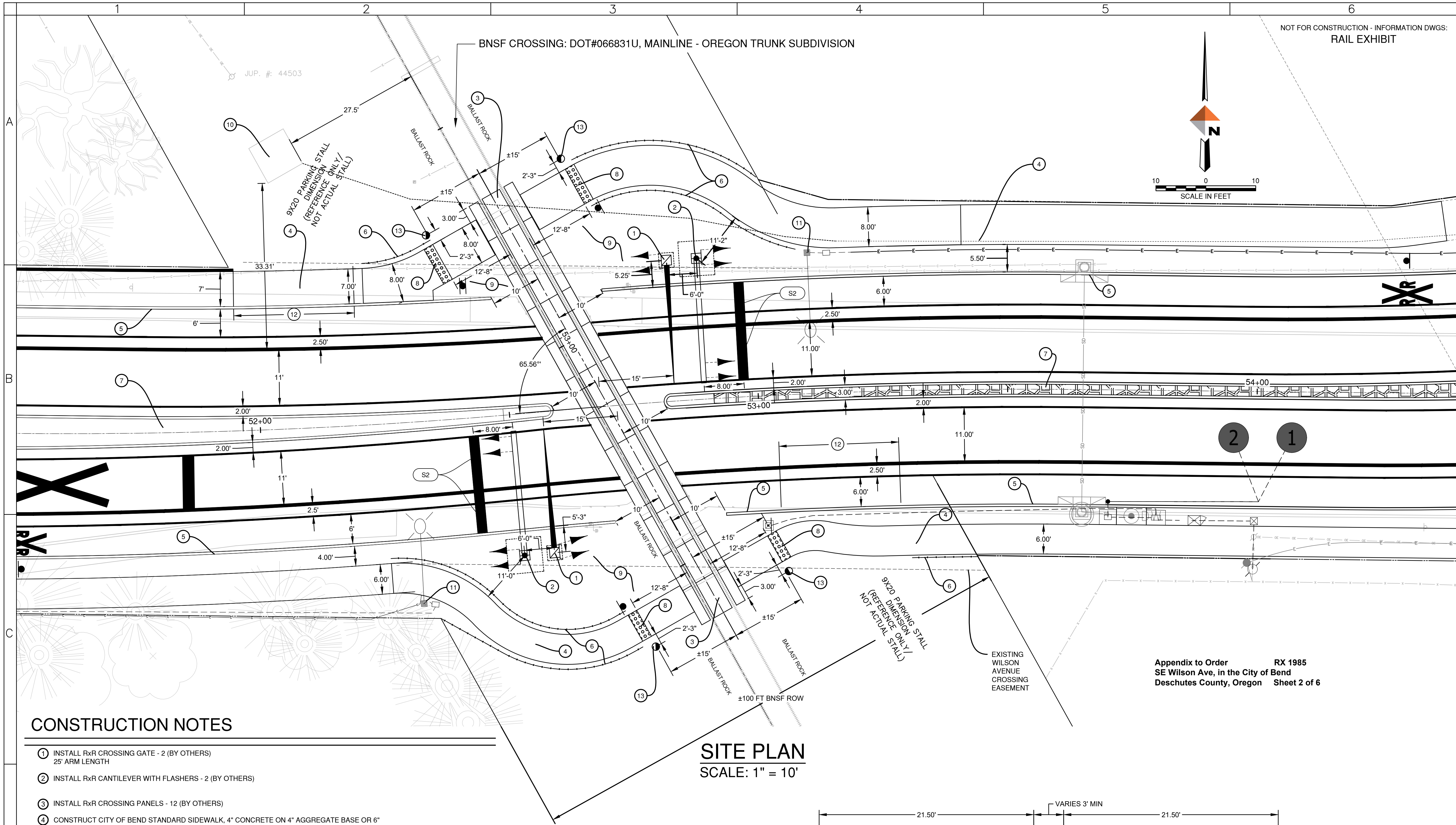
WILSON CORRIDOR IMPROVEMENTS
VICINITY MAP
BNSF CROSSING; DOT#066831U, MAINLINE - OREGON TRUNK SUBDIVISION

REVISIONS:

DESIGNED BY: JMP
DRAWN BY: JMP
SCALE: AS SHOWN
FILE:
DATE: 3/5/2025

VERIFY SCALES
0 1"
BAR EQUALS ONE INCH
ON ORIGINAL DRAWING
SHEET:
1/5
COB #
1GWAC

C:\dowl_bdw\0393702\SAC\CT-SP-BNSF_1.dwg PLOT DATE 2025-3-5 09:41 SAVED DATE 2025-03-05 09:39 USER: jugh

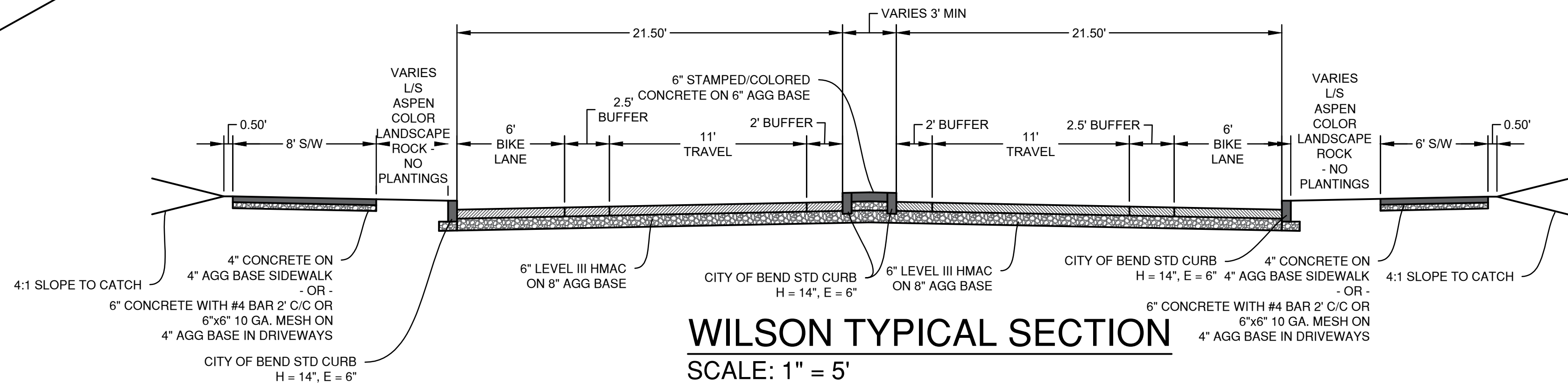


CONSTRUCTION NOTES

1. INSTALL R/R CROSSING GATE - 2 (BY OTHERS)
25' ARM LENGTH
2. INSTALL R/R CANTILEVER WITH FLASHERS - 2 (BY OTHERS)
3. INSTALL R/R CROSSING PANELS - 12 (BY OTHERS)
4. CONSTRUCT CITY OF BEND STANDARD SIDEWALK, 4" CONCRETE ON 4" AGGREGATE BASE OR 6" ON 4" AGGREGATE BASE IN DRIVEWAYS (SEE SECTION) - 6 FT WIDTH SOUTH, 8 FT WIDTH NORTH
5. CONSTRUCT CITY OF BEND STANDARD CURB (H=14, E=6")
6. INSTALL THREE-RAIL PEDESTRIAN BARRIER
7. CONSTRUCT NON-MOUNTABLE MEDIAN - SEE TYPICAL SECTION
8. INSTALL TRUNCATED DOMES PER ODOT STD DWG RD908 - TACTILE STRIPS - FULL WIDTH OF SIDEWALK
9. ASPEN COLOR LANDSCAPE ROCK - NO PLANTINGS WITHIN BNSF RIGHT OF WAY
10. EXISTING BUNGALOW, PROTECT
11. INSTALL PP&L LUMINAIRE
12. CONSTRUCT CITY OF BEND LOW PROFILE MOUNTABLE CURB
13. INSTALL PEDESTRIAN R.R. FLASHERS WITH BELL (BY OTHERS)

SITE PLAN

SCALE: 1" = 10'

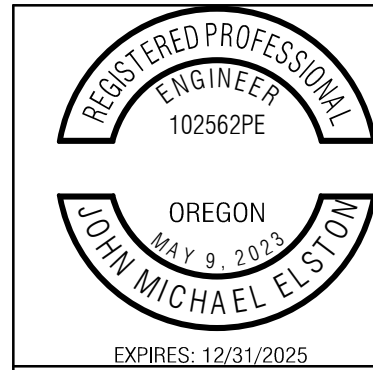


WILSON TYPICAL SECTION

SCALE: 1" = 5'

NOT FOR CONSTRUCTION - INFORMATION DWGS:
RAIL EXHIBIT

SCALE IN FEET



WILSON CORRIDOR IMPROVEMENTS RAILROAD CROSSING SITE PLAN

BNSF CROSSING: DOT#066831U, MAINLINE - OREGON TRUNK SUBDIVISION
DESCHUTES COUNTY, OREGON

REVISIONS:

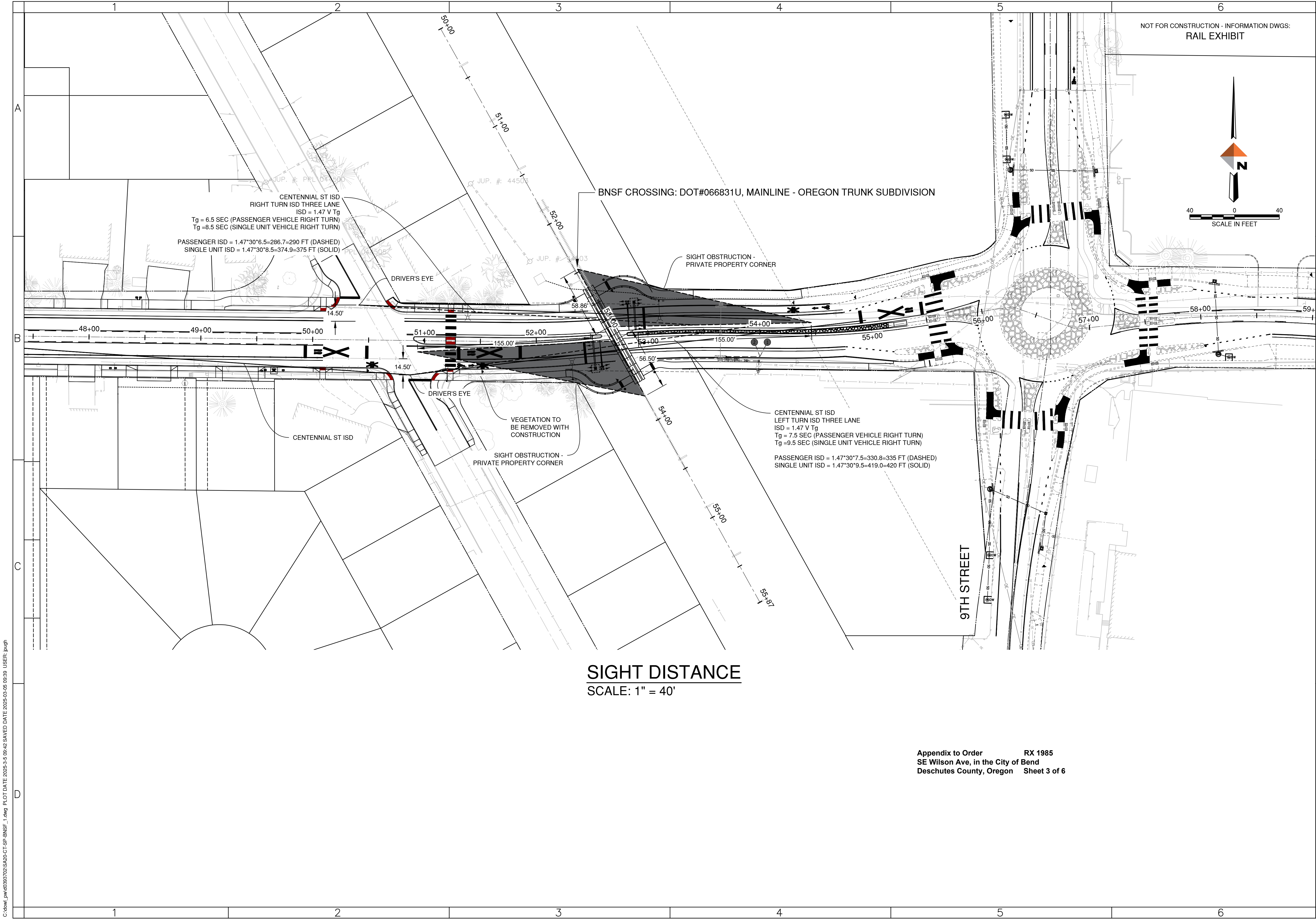
DESIGNED BY: JMP
DRAWN BY: JMP
SCALE: AS SHOWN
FILE:
DATE: 3/5/2025



VERIFIED SCALES
0 1"
BAR EQUALS ONE INCH
ON ORIGINAL DRAWING

SHEET:
2/5

COB #
1GWAC



SIGHT DISTANCE
SCALE: 1" = 40'

Appendix to Order RX 1985
SE Wilson Ave, in the City of Bend
Deschutes County, Oregon Sheet 3 of 6

REGISTERED PROFESSIONAL
ENGINEER
102562PE
OREGON
JULY 9, 2017
JOHN MICHAEL ELSTON
EXPIRES: 12/31/2025

NOT FOR CONSTRUCTION - INFORMATION DWGS:
RAIL EXHIBIT

WILSON CORRIDOR IMPROVEMENTS
RAILROAD CROSSING
SIGHT TRIANGLES
BNSF CROSSING; DOT#066831U, MAINLINE - OREGON TRUNK SUBDIVISION
DESCHUTES COUNTY, OREGON

REVISIONS:

www.dowl.com

963 SW Simpson, #200
Bend, Oregon 97702
541-365-4772

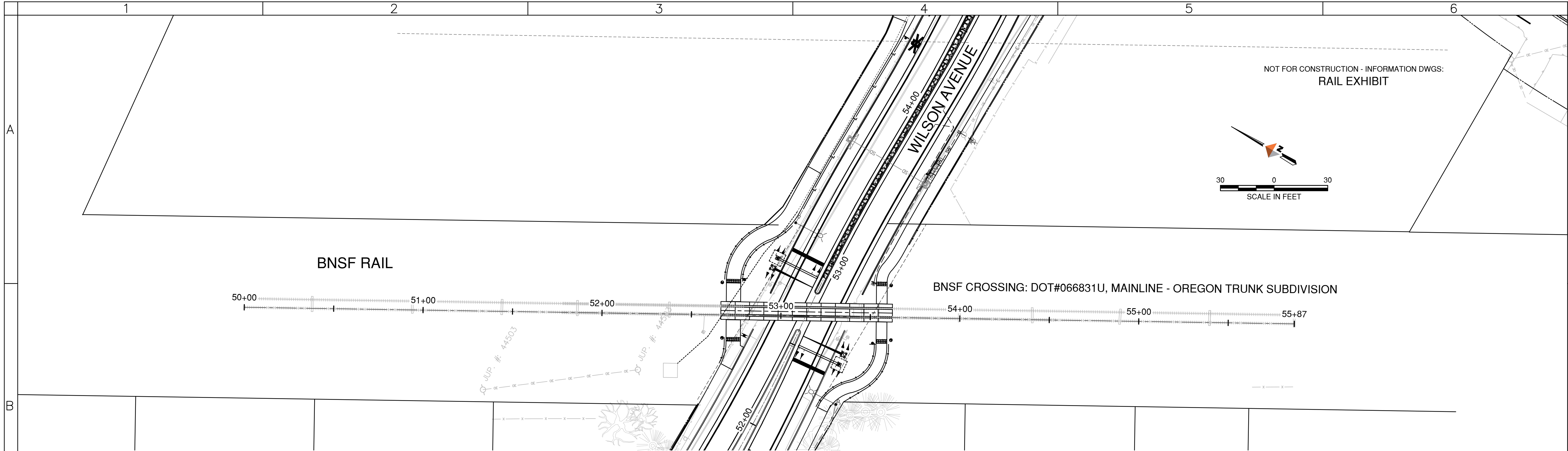
DESIGNED BY: JMP
DRAWN BY: JMP
SCALE: AS SHOWN
FILE:
DATE: 3/5/2025

VERIFY SCALES
0 1"
BAR EQUALS ONE INCH
ON ORIGINAL DRAWING

SHEET:
3/5

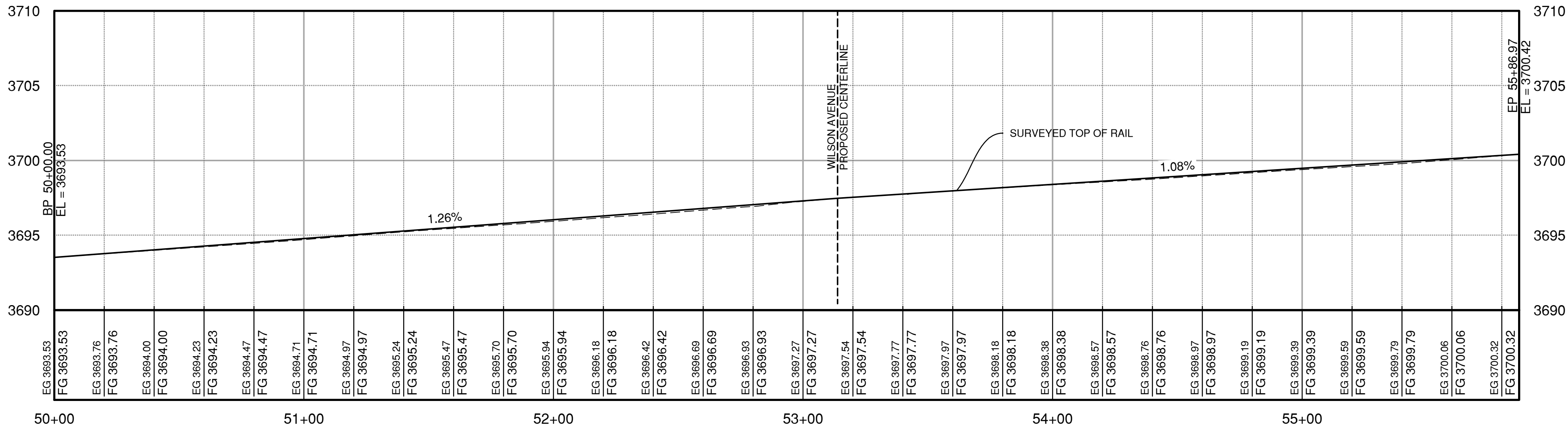
COB #
1GWAC

C:\dowl\jmw\0393702\SAC\01-SP-BNSF_1.dwg PLOT DATE 2025-3-5 09:42 SAVED DATE 2025-03-05 05:39 USER: jpmh



RAILROAD PLAN
SCALE: 1" = 30'

PV - (1) -BNSF RAIL



RAILROAD PROFILE
SCALE: 1" = 30' (H)
1" = 5' (V)

Appendix to Order
SE Wilson Ave, in the City of Bend
Deschutes County, Oregon

RX 1985
Sheet 4 of 6

REGISTERED PROFESSIONAL
ENGINEER
102562PE
OREGON
MAY 9, 2023
JOHN MICHAEL ELSTON
EXPIRES: 12/31/2025

WILSON CORRIDOR IMPROVEMENTS
RAILROAD CROSSING
RAIL PROFILE
BNSF CROSSING: DOT#066831U, MAINLINE - OREGON TRUNK SUBDIVISION
DESCHUTES COUNTY, OREGON

REVISIONS:

963 SW Simpson, #200
Bend, Oregon 97702
541-365-4772

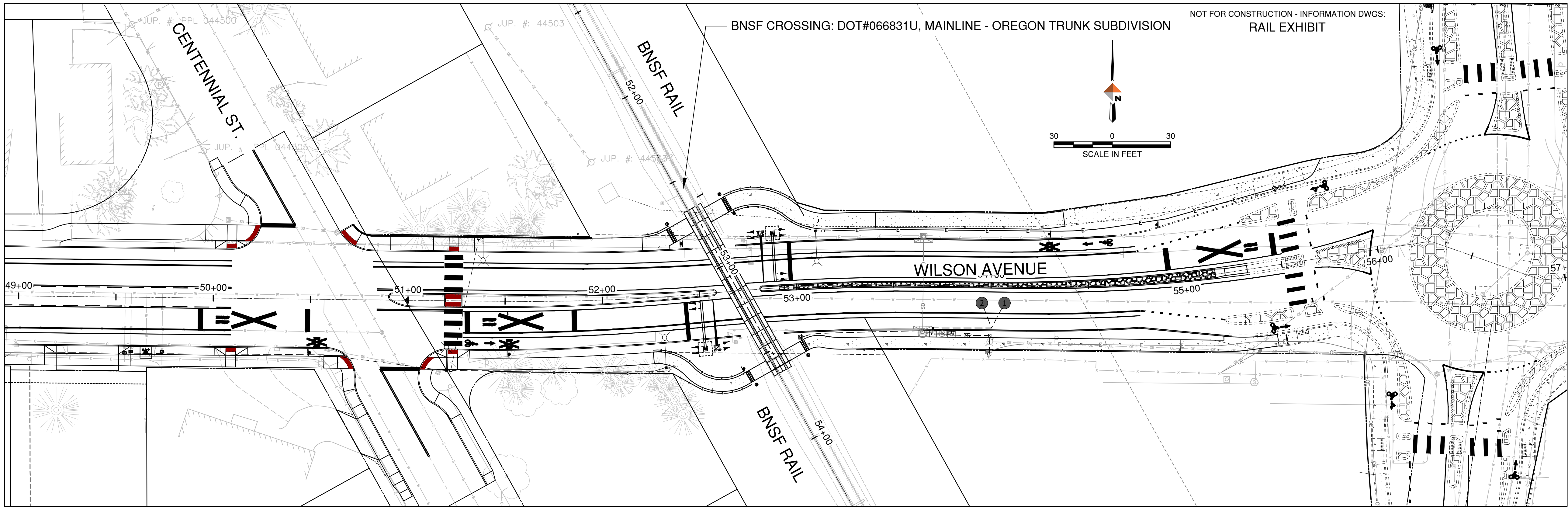
DESIGNED BY: JMP
DRAWN BY: JMP
SCALE: AS SHOWN
FILE:
DATE: 3/5/2025

VERIFY SCALES
0 1"
BAR EQUALS ONE INCH
ON ORIGINAL DRAWING

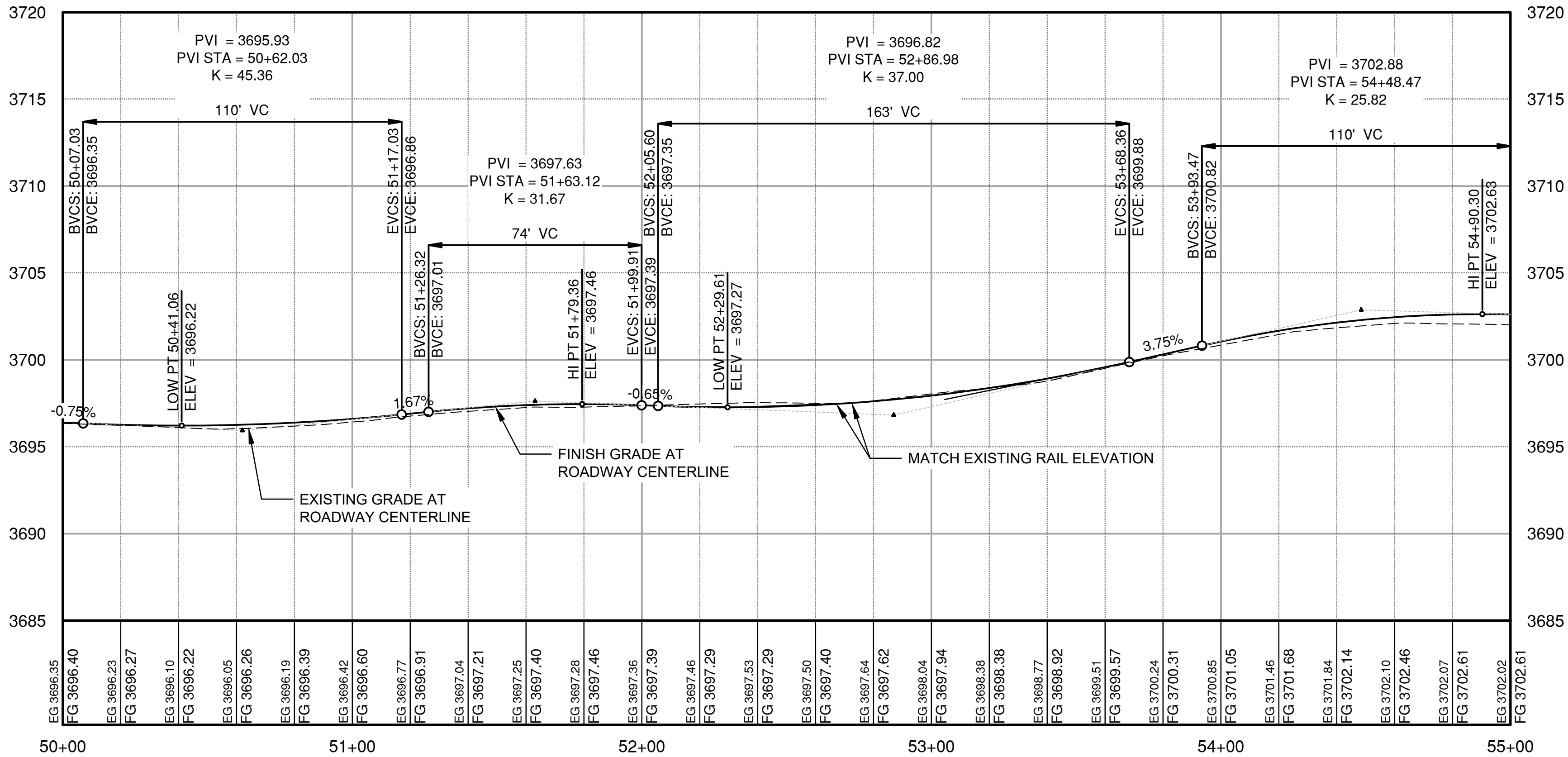
SHEET:
4/5

COB #
1GWAC

C:\dowl_bdw\0383702\SAC\CT-SP-BNSF_1.dwg PLOT DATE 2025-3-5 09:42 SAVED DATE 2025-03-05 09:39 USER: jugh



SE WILSON AVE. PLAN
SCALE: 1" = 30'



SE WILSON AVE PROFILE
SCALE: 1" = 30' (H)
1" = 5' (V)

Appendix to Order RX 1985
SE Wilson Ave, in the City of Bend
Deschutes County, Oregon Sheet 5 of 6



WILSON CORRIDOR IMPROVEMENTS
RAILROAD CROSSING
ROADWAY PROFILE
BNSF CROSSING: DOT#066831U, MAINLINE - OREGON TRUNK SUBDIVISION
DESCHUTES COUNTY, OREGON

REVISIONS:

DESIGNED BY: JMP
DRAWN BY: JMP
SCALE: AS SHOWN
FILE:
DATE: 3/5/2025



VERIFIED SCALES
0 1"
BAR EQUALS ONE INCH
ON ORIGINAL DRAWING

SHEET:
5/5

COB #
1GWAC



The logo consists of a circle divided horizontally by a line. The letters "SP" are in the upper half, and the letter "S" is in the lower half.

Ⓢ

PI

N	G
---	---

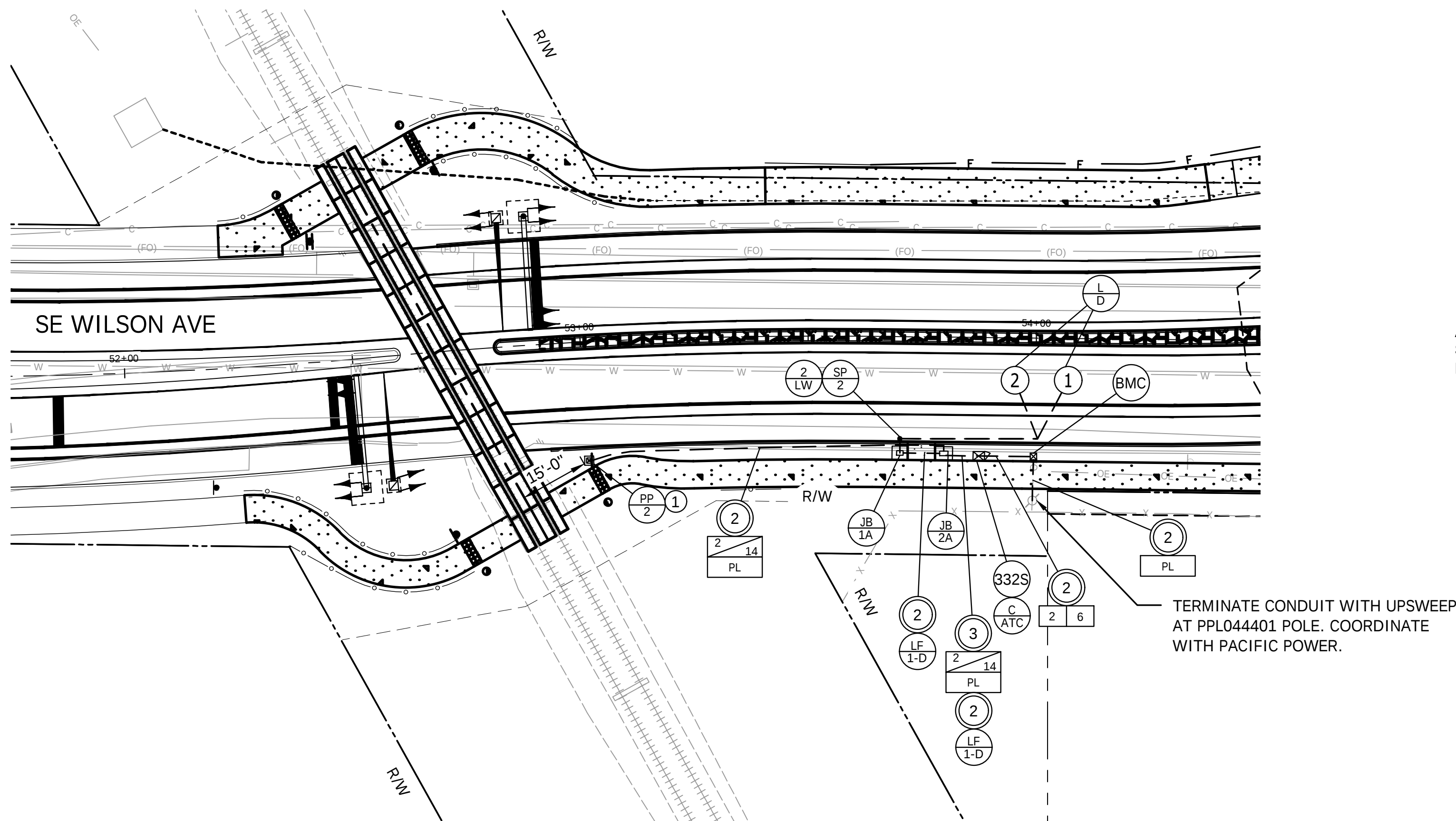
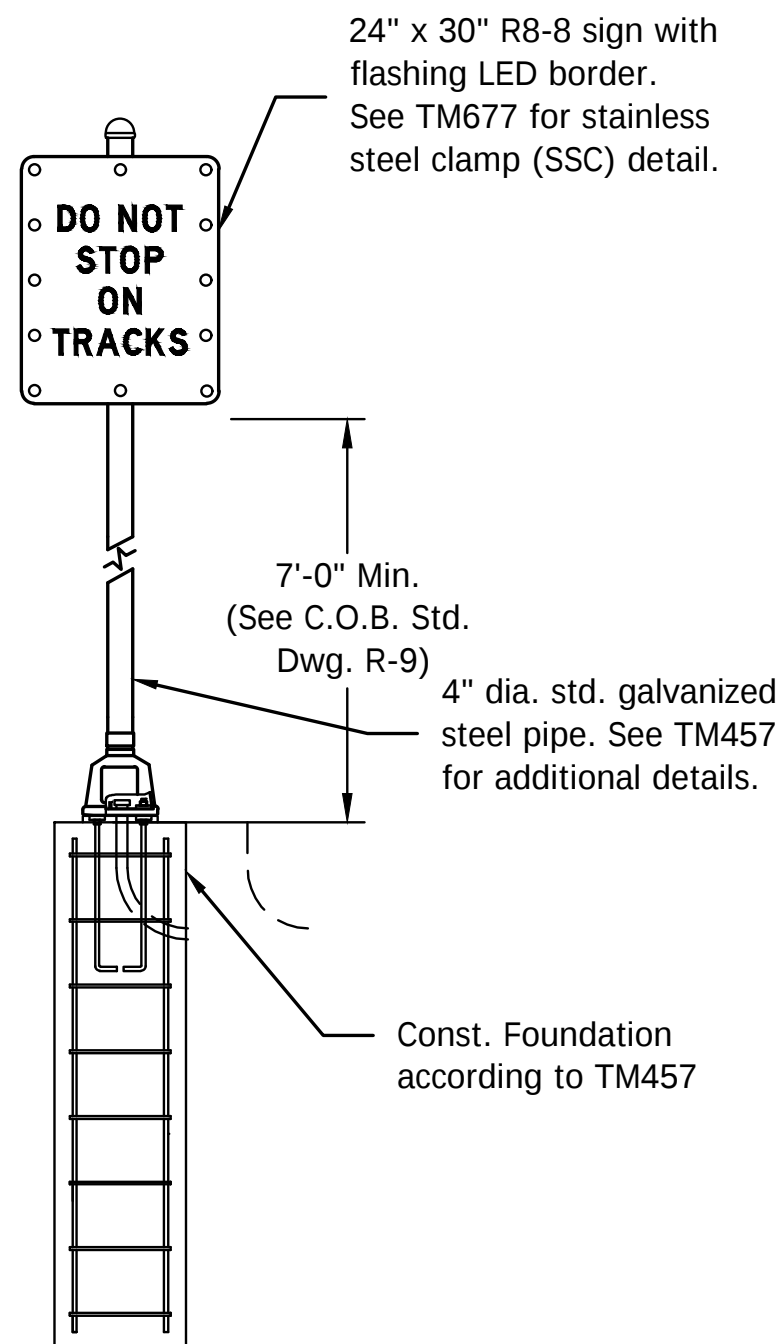
332S



Functions:

D = Demand

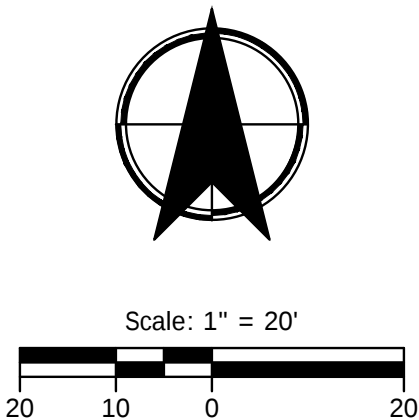
**Distance is from nearest rail to center of loop in ft.



①

See detail this sheet. Install foundation to achieve minimum offset from curb to edge of sign per C.O.B. Std. Dwg. R-9.

Appendix to Order RX 1985
SE Wilson Ave, in the City of Bend
Deschutes County, Oregon Sheet 6 of 6



USE WILSON AVENUE IMPROVEMENTS

FLASHING SIGN PLAN

WILSON AVE GMP 4
DESCHUTES COUNTY, OREGON



CITY OF BEND

REVISIONS:

1.

2.

இ.



851 SW 6TH AVENUE, SUITE 600
PORTLAND, OR 97204
P 503.228.5230 F 503.273.8169

DESIGNED BY: SGB

DRAWN BY: DPB

SCALE: 1"=20'

	Age	Gender	Education	Occupation	Income	Health	Family Size	Marital Status	Religion	Ethnicity	Region	Country
1	25	M	High School	Unemployed	\$10,000	Fair	2	Single	Catholic	White	North	USA
2	30	F	Bachelor's	Teacher	\$25,000	Good	3	Married	Protestant	Black	South	USA
3	45	M	Master's	Engineer	\$60,000	Excellent	1	Divorced	Jewish	Asian	West	USA
4	55	F	High School	Retired	\$18,000	Poor	4	Widowed	Muslim	Hispanic	Southwest	USA
5	65	M	Bachelor's	Professor	\$75,000	Excellent	2	Married	Buddhist	White	Northeast	USA
6	75	F	High School	Homemaker	\$12,000	Fair	3	Married	Catholic	Black	South	USA
7	20	M	College	Student	\$5,000	Good	1	Single	Hindu	Indian	East	India
8	35	F	Master's	Researcher	\$40,000	Good	2	Married	Sikh	Pakistani	Central	Pakistan
9	40	M	Bachelor's	Manager	\$35,000	Good	2	Married	Buddhist	Tibetan	West	Tibet
10	50	F	High School	Factory Worker	\$20,000	Fair	3	Married	Muslim	Arab	North	Saudi Arabia

DATE: 3/5/2025

VERIFY SCALES

0  1
BAR EQUALS ONE INCH
ON ORIGINAL DRAWING

SHEET:

MA6

COB # 1GWAC



Oregon

Tina Kotek, Governor

Department of Transportation
Commerce and Compliance Division
455 Airport Rd SE, Building A
Salem, OR 97301

July 16, 2025

TO ALL PARTIES:

RX 1985: In the Matter of Altering Railroad-Highway At-Grade Crossing on SE Wilson Avenue on the BNSF Railway on the Oregon Trunk Subdivision, in the City of Bend, Deschutes County, Oregon.

Enclosed is your copy of the signed Final Order No. 51454 with Appendix in the above-cited matter. This Order is a compliance document, the terms of which are binding upon the affected parties and enforceable, if necessary, in a court of law.

Order No. 51454 requires all parties to provide written notice of project completion to the Commerce and Compliance Division (CCD). Upon receipt of the notice, CCD staff will inspect the crossing for compliance with the Order. Any deficiency or non-compliance item(s) found by staff will be directed to the road authority or railroad that is responsible for the correction or completion of the work.

Please call or email me with any questions. Thank you.

Ruth Price

Ruth Price, Rail Crossing Program Coordinator
Rail Safety & Regulatory Branch

CCDRailCrossingOrders@odot.oregon.gov | Cell: 541-250-6788



Oregon

Tina Kotek, Governor

Department of Transportation
Commerce and Compliance Division
455 Airport Rd SE, Building A
Salem, OR 97301

Certificate of Service RX 1985

I, Ruth Price, Rail Crossing Program Coordinator of the Commerce and Compliance Division for the Department of Transportation of the State of Oregon, hereby certify that on July 16, 2025, I served copies of the Service Letter and signed Final Order No. 51454 with Appendix upon the appropriate parties listed below via certified mail and email as their addresses appear in the records of the Department of Transportation.

Parties:

City of Bend
Eric King, City Manager
710 NW Wall St
Bend, OR 97703
eking@bendoregon.gov

BNSF Railway
Kyle Leatham, Manager of Public Projects
1310 W 11th St
Vancouver, WA 98660
kyle.leatham@bnsf.com

Ruth Price, Rail Crossing Program Coordinator
Rail Safety & Regulatory Branch
CCDRailCrossingOrders@odot.oregon.gov | Cell: 541-250-6788