

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	)	DOCKET TR-071945
	)	
WASHINGTON STATE PARKS	)	ORDER 01
AND RECREATION COMMISSION,	)	
	)	
Petitioner,	)	
	)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the	)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund	)	CROSSING PROTECTIVE FUND
.....	)	

**BACKGROUND**

- 1     On August 7, 2007, the Washington Utilities and Transportation Commission (Commission) sent a “Notice of Opportunity to Apply for Grant Monies from the Grade Crossing Protective Fund” in Docket TR-071597 to various interested parties from the public and private sectors that were eligible to apply for Grade Crossing Protective Fund (GCPF) grants.
- 2     On October 1, 2007, the Washington State Parks and Recreation Commission (State Parks) filed with the Commission an application requesting a disbursement of \$50,000 from the GCPF to pay for the second phase of a project related to pedestrian safety.
- 3     State Parks previously filed for and was granted a disbursement of \$20,000 from the GCPF for the first phase of a three-phase pedestrian bridge project at Larrabee State Park, on Samish Bay, near Bellingham. The first phase involved the preliminary engineering work. The second phase involves design and permitting and will include bridge type, site and location design study and detailed geotechnical investigations to begin permitting and stakeholder review. The completed project will provide a pedestrian bridge across the existing BNSF Railway (BNSF) mainline tracks and construct a gravel pathway for access to Clayton Beach at the park. Currently, pedestrians illegally cross the tracks to reach the beach. The only other option for pedestrians to safely cross the tracks is an underpass located 3,000 feet away.
- 4     A site visit by Commission Staff on February 21, 2007, confirms the existence of the safety problems described in the application. The proposal to construct a pedestrian bridge and pathway will enhance pedestrian safety at the park.

5 State Parks seeks \$50,000 to pay for the cost of the second phase of the project. There  
currently are funds available to pay for the project.

**FINDINGS AND CONCLUSIONS**

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the state  
of Washington having authority to approve and administer disbursements from the  
Grade Crossing Protective Fund. *RCW 81.53.271 and RCW 81.53.281.*
- 7 (2) The project for which the Washington State Parks and Recreation Commission  
seeks disbursement from the Grade Crossing Protective Fund is eligible for  
funding consideration under Commission rules and complies with the  
requirements of RCW 81.53.271, RCW 81.53.281, and WAC 480-62.
- 8 (3) Commission Staff investigated the request based on the review criteria specified  
in the Commission's rules and recommended that it be granted, subject to  
specified conditions for administering the grant.
- 9 (4) This matter came before the Commission at its regularly scheduled meeting on  
December 27, 2007.
- 10 (5) After reviewing the Washington State Parks and Recreation Commission's  
application filed on October 1, 2007, and giving due consideration to all relevant  
matters and for good cause shown, the Commission grants the request for  
disbursement of funds.

**ORDER**

**THE COMMISSION ORDERS:**

11 The Washington State Parks and Recreation Commission's application for disbursement  
from the Grade Crossing Protective Fund for preliminary engineering work is granted,  
subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed  
\$50,000.

- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) Washington State Parks and Recreation Commission must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement for costs incurred and verification by Commission Staff that the work has been satisfactorily completed.
- (5) The project must be completed no later than June 30, 2008.

The Commissioners, having determined this filing complies with RCW 81.53.030 and RCW 81.53.271, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 27, 2007.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**CAROLE J. WASHBURN, Executive Secretary**