

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	DOCKET TR-191059
THURSTON COUNTY PUBLIC WORKS DEPARTMENT,	ORDER 01
Applicant,	GRANTING REQUEST FOR DISBURSEMENT FROM THE GRADE CROSSING PROTECTIVE FUND
Requesting Disbursement from the Grade Crossing Protective Fund	USDOT 085778L

**BACKGROUND**

- 1 On August 5, 2019, the Washington Utilities and Transportation Commission (Commission) sent to various interested parties a “Notice of Available Funds for Rail Safety Projects” from the Grade Crossing Protective Fund (GCPF).
- 2 On December 30, 2019, the Thurston County Public Works Department (Thurston County or Applicant) filed with the Commission an Application requesting an unspecified disbursement from the GCPF to pay for a project related to warning signs and overheight vehicle detection equipment on the arterial roadways leading to the overcrossing at Old Highway 99 near Offut Lake in Thurston County. The overcrossing is identified as USDOT 085778L. The Applicant filed an amended Application and materials list on February 13, 2020. The amended application requested a disbursement of \$11,752 with total project costs estimated at \$127,139.06.
- 3 BNSF Railway Company signed a Railroad Commitment form in the Application, indicating it is satisfied that the conditions are the same as described by the Applicant.
- 4 The Applicant proposes a three-phase project. Phases I and II involve upgrading existing warning signs and installing additional warning signs on the arterial roadways approaching the overcrossing. Phase III involves installing electronic overheight detection equipment. This equipment will activate visual warning beacons to alert the driver of the overheight vehicle, and if the vehicle missed its last opportunity to detour it will also notify the Thurston County Sheriff’s Office and Thurston County Public Works. The overcrossing has a reduced clearance for highway vehicles of 12 feet 6 inches, and in 2019 experienced six vehicle strikes and 26 occurrences of vehicles blocking traffic because they were unable to pass through the overcrossing. The Applicant has limited its

funding request to \$11,752, which will partially fund Phase II. Thurston County will cover the difference between the grant amount requested and total project cost. In 2010, the Commission approved GCPF funding for a signage project which successfully reduced the number of incidents at this overcrossing.<sup>1</sup> However, because of increasing traffic volumes of up to 9,000 vehicles per day and detours resulting from closures of nearby Interstate 5, additional signage in conjunction with overheight detection is needed.

5 Up to 44 freight trains and 10 passenger trains travel on the overcrossing daily. Damage by over height trucks to the overcrossing impacts both freight and passenger train service traveling on the overcrossing.

6 Commission staff (Staff) reviewed the Application, the amended Application and materials list. Staff recommends the Commission approve funding in the amount of \$11,752. Currently there are funds available to pay for this project.

7 Staff recommends the Commission approve the request for funds with the following conditions: (1) expenditure from the GCPF must not exceed \$11,752, (2) the work for which the GCPF disbursement is approved must conform to the project description specified in the Application, (3) Thurston County must sign and return the attached project agreement, (4) payment will be made upon presentation of claim for reimbursement and verification by Staff that the work has been satisfactorily completed, and (5) the project must be completed and the associated request for reimbursement from the GCPF must be filed with the Commission no later than June 30, 2020.

### DISCUSSION

8 RCW 81.53.281 authorizes the Commission to disburse funds from the GCPF to pay for improvements to highway-rail grade crossings. We find that the proposed modifications will improve the overall safety for roadway users. Accordingly, the Commission grants the Application subject to the conditions that Staff recommends.

### FINDINGS AND CONCLUSIONS

9 (1) The Commission is an agency of the State of Washington having authority to approve and administer disbursements from the GCPF. RCW 81.53.271; RCW 81.53.281.

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<sup>1</sup> Docket TR-101809.

- 10 (2) The project for which Applicant seeks disbursement from the GCPF 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.
- 11 (3) Staff investigated the request based on the review criteria specified in the Commission's rules and recommended that it be granted with the conditions set out in paragraph 7, above.
- 12 (4) This matter came before the Commission at its regularly scheduled meeting on March 12, 2020.
- 13 (5) After reviewing Thurston County's Application filed on December 30, 2019, and the amended Application and materials list filed on February 13, 2020, 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:**

- 14 The Thurston County Public Works Department's Application for disbursement from the Grade Crossing Protective Fund for a project related to upgrading existing warning signs and installing additional warning signs and overheight vehicle detection equipment on the arterial roadways leading to the overcrossing at Old Highway 99, identified as USDOT 085778L, is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$11,752.
  - (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the Application.
  - (3) Thurston County must sign and return the attached project agreement.
  - (4) Payment will be made upon presentation of claim for reimbursement and verification by Staff that the work has been satisfactorily completed.
  - (5) The project must be completed and the associated request for reimbursement from the Grade Crossing Protective Fund must be filed with the Commission no later than June 30, 2020.

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 March 12, 2020.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**MARK L. JOHNSON**  
Executive Director and Secretary