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UTILITIES AND TRANSPORTATION  
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STATE OF WASH.  
UTIL. AND TRANSP.  
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1300 S. Evergreen Park Drive SW  
PO Box 47250  
Olympia, WA 98504-7250  
(360)664-1257 or (360)664-1100  
Fax: (360)586-1150  
Web: [www.wutc.wa.gov](http://www.wutc.wa.gov)  
E-mail: [records@utc.wa.gov](mailto:records@utc.wa.gov)

**GRADE CROSSING PROTECTIVE FUND  
APPLICATION FOR FUNDING**

The Washington Utilities and Transportation Commission (commission), through its Grade Crossing Protective Fund (GCPF), funds projects that eliminate or mitigate public safety hazards at railroad crossings and along railroad rights-of-way in Washington State. Any public, private, or non-profit entity may submit an application to the commission for GCPF monies.

**Please complete and submit the following information as part of the application process:**

**Applicant Information**

Applicant Name:	<b>Dick Zais, City Manager</b>
Organization:	<b>City of Yakima</b>
Address:	<b>129 North Second Street, Yakima, WA 98901</b>
Phone:	<b>(509) 575-6040</b>
E-mail:	
Fax:	<b>(509) 576-6335</b>

Please list all other companies, organizations or state or local agencies that may be involved in implementing this proposal and the contact name, address and phone number for each.

**Yakima Valley Trolleys  
Kenneth G. Johnsen  
P.O. Box 796  
Yakima, WA 98907-0796  
[yakimavalleytrolleys@hotmail.com](mailto:yakimavalleytrolleys@hotmail.com)**

**Burlington Northern Santa Fe Railway Company  
Danniel MacDonald, P.E.  
Managing Engineer—Seattle  
2454 Occidental Avenue S., Suite 1-A  
Seattle, WA 98134  
(206) 625-6150, Fax (206) 625-6115  
[danniel.macdonald@bnsf.com](mailto:danniel.macdonald@bnsf.com)**

**Project Information**

1. *Provide a detailed summary of the hazard being addressed. Include:*
  - *Any information about accidents or incidents at the site.*
  - *Photographs, drawings or other materials that supports the application.*

**There are currently no pedestrian facilities for crossing the Naches River at the City of Yakima's northern city limits. Despite "no trespassing" signs, pedestrians utilize the City's trolley bridge and the adjacent railroad bridge belonging to BNSF to cross the Naches River. On July 12, 2007, a man and a woman, part of a group of four people crossing the Naches River on the railroad trestle, were struck and seriously injured by a train [see attached newspaper articles].**

**On several recent occasions, railroad police hired by BNSF have had to remove trespassers from railroad and from City property.**

2. *Provide a detailed description of the proposed project and explain how it will eliminate or mitigate the hazard. Include any drawings or construction plans for the proposed project.*

**Our project will install protective fencing designed to prevent pedestrian and motor vehicle trespass onto the BNSF and trolley bridges and approaches to the bridges.**

**A pedestrian pathway is planned to be constructed on the trolley bridge within the next couple of years as part of the William O. Douglas Trail. Fencing for our project will coordinate with that pathway and the interconnecting Yakima Greenway by shunting pedestrians away from railroad property, separating pedestrians from the trolley tracks and roadway, and preventing motor vehicle trespass onto the rails and the pathways.**

**Besides safety, our fencing project may reduce the railroad's policing needs in this area and minimize the tensions involved in such police-citizen interactions.**

3. *Provide cost estimates. Include:*
  - *Total costs of the project.*
  - *Names of parties contributing to the project and the amount each is contributing.*

**Total costs for the project are estimated to be \$35,000. The City is requesting a grant of \$20,000 toward this total from WUTC.**

4. *Provide the name of the party responsible for long-term maintenance.*

**The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.**

5. *Provide an estimated timeline of project, if approved.*

**The project is anticipated to be accomplished in the summer of 2008.**

## Grade Crossing Protective Fund Application Form

6. *Provide a description of how the project's success would be measured.*

**Success of the project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF and trolley bridges.**

7. *Provide any other information the applicant believes would be useful to the commission in considering the project.*

**At several recent meetings, BNSF personnel have expressed their encouragement and approval of our plans to channel pedestrians away from railroad property and to reduce trespass by means of fencing.**

8. *If the project involves any construction, modification or demolition on a railroad right-of-way, complete the attached Railroad Commitment form. This includes fencing, gates or other structures located near enough to the tracks to be on the railroad right-of-way, modification to a grade crossing or any other project that involves railroad property or rights-of-way.*

**See accompanying email from BNSF engineer Daniel McDonald expressing the railroad's concurrence with our project.**

### **Submitting the Application**

After completing the GCPF application, please send the original to:

Washington Utilities and Transportation Commission  
Attention: Grade Crossing Protective Fund  
1300 S. Evergreen Park Drive SW  
PO Box 47250  
Olympia, WA 98504-7250

A signed application may be filed electronically at [records@utc.wa.gov](mailto:records@utc.wa.gov). When filing electronically, please specify "Grade Crossing Protective Fund" in the subject line.

### **Assistance**

For questions or assistance, please contact:

- Kathy Hunter at (360)664-1257 or by e-mail at [khunter@utc.wa.gov](mailto:khunter@utc.wa.gov).
- David Pratt at (360)664-1100 or by e-mail at [dpratt@utc.wa.gov](mailto:dpratt@utc.wa.gov).

# HOME FRONT

Yakima Herald-Republic  
Friday, July 13, 2007



GORDON KING/Yakima Herald-Republic

A woman is placed in an ambulance after nearly being struck by a train near Berglund Lake in Yakima on Thursday. She was injured when she was thrown off the tracks by a companion as the train approached.

## Man hit by train after saving companion

By **ROD ANTONE**  
YAKIMA HERALD-REPUBLIC

A man was struck by a train Thursday morning after Yakima police said he saved a woman moments earlier by throwing her from a trestle as the train bore down on them.

The man, who has not been identified, suffered serious injuries and was taken to Seattle's Harborview Medical Center.

The two were among four people attempting to walk across a railroad bridge over the Naches River shortly after 8 a.m.

Although two of the men reached safety, the woman fell on the tracks, police said. She was helped to her feet by the third

### He tosses woman from the tracks

man, who attempted to get them both to safety. But he ended up throwing her down a 10 to 15 foot embankment moments before being struck, police said.

The crew of the train, an east-bound Yakima day-switcher returning from Ellensburg with two locomotives and two refrigerated boxcars of corn, tried to warn the group by sounding the horn and then applying emergency brakes, said Burlington Northern Santa Fe spokesman Gus Melonas.

The train had slowed from 35 mph to between 10 and 15 mph when it struck the man, he said.

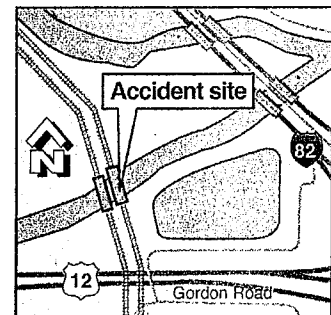
"This is an unfortunate situ-

ation," he said. "But this time of year we see an increase in trespassing situations.

"People take shortcuts and risks often by crossing railroad property and we encourage the public to use designated areas."

Yakima police initially said the man may have suffered back injuries. Authorities initially said it appeared the woman, who was also not identified, broke a leg when she landed on rocks below the trestle.

Melonas later said she suffered only cuts and bruises. There was no immediate word on their conditions. Although Yakima police



TJ MULLINAX/Yakima Herald-Republic

handled the initial investigation, it has been handed off to BNSF investigators.

Melonas said nine people have been killed on railroads this year in Washington state.

# 'No doubt he saved my life'

## Train encounter broke victim's leg, pelvis

By **ROD ANTONE**  
YAKIMA HERALD-REPUBLIC

**A**s they crossed the bridge over the Naches River, Lisa Boitano was telling her three friends how cool it would be to see a passing train from up close.

That's when they saw the locomotive bearing down.

From her hospital bed Friday, Boitano recalled her friend Mark Brown's reaction.

"He said, 'You might get your chance — run.'"

But as they ran, Boitano fell, and her right leg slipped and became stuck between the wooden ties.

"I was freaking out and tried to pull myself up," she said. "But Mark came up behind me, grabbed both arms and pulled me out.

"No doubt he saved my life."

As the two prepared to leap off the tracks to an embankment about 10 to 15 feet below the tracks, they were struck.

"I felt the train hit my lower back, but he got the full force of it," said 21-year-old Boitano.

The impact threw them about 20 feet into the rocks below. Boitano said she broke her nose and fractured her right leg and pelvis. But then she looked up she saw that Brown, or Green as he is known to his friends, was hurt much worse.

"It was the scariest thing I've ever seen. Blood was everywhere," she said. "I kept saying, 'Green, don't die, Green, don't die. Wake up, wake up.'"

## TRAIN

Continued from Page 1A

The crew of the train, an eastbound Yakima day-switcher returning from Ellensburg with two locomotives and two boxcars, spotted the group and began sounding the horn and applying emergency brakes, which slowed the train from 35 to about 10 to 15 mph, Burlington Northern Santa Fe spokesman Gus Melonas said Thursday.

Boitano said that the horn came too late — the train was almost on them when it sounded. And while braking probably saved their lives, she had no idea at the time that the train had slowed at all.

"It sure as hell didn't feel like it was going 15 mph when it hit us," she said.

Although Melonas said that technically the four were trespassing on railroad property, he did not say whether BNSF would pursue charges.

Boitano said she and her friends did not know they were

trespassing.

All she does know is that Brown, a man whom she described as being like a brother to her for the past four to five years, was willing to sacrifice himself to save her. The two met while she was a teenager living on the streets and have been close friends ever since.

"I would have been stuck in the tracks if he hadn't helped me out," she said. "He's just a wonderful person."

• Rod Antone can be reached at 577-7628 or [rantone@yakimaherald.com](mailto:rantone@yakimaherald.com).

Form

**S**he is now at Yakima Memorial Hospital. Brown, 26, was taken to Seattle's Harborview Medical Center, where he was listed in serious condition after undergoing surgery Friday.

Boitano said doctors there told her he suffered multiple injuries, including two broken legs, a shattered pelvis, a broken jaw and a broken arm.

"He would have been okay if he had just jumped, if he hadn't stopped to help me," she said.

Earlier that morning, the four had watched the sunrise from the ridge between Yakima and Selah. They were walking the tracks back to Yakima, and were crossing the bridge shortly after 8 a.m.

Boitano said two of her friends had nearly reached the end of the bridge; she and Brown were only about halfway across.

SEE **TRAIN** PAGE 8A



SARA GETTYS/Yakima Herald-Republic

**Lisa Boitano recovers in Yakima Valley Memorial Hospital on Friday, after being hit by a train while she and three others were crossing the trestle over the Naches River.**

**Railroad Commitment**

The undersigned represents the Railroad Company in the GCPF application described as (enter a brief description):

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We have reviewed the application and are satisfied the conditions are the same as described by the applicant in this matter. We agree to allow construction, modification or demolition on a railroad right-of-way as described in the application.

\_\_\_\_\_  
Printed name of Railroad Representative

\_\_\_\_\_  
Signature of Railroad Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
E-mail

Date: \_\_\_\_\_

**Hudspeth, Catherine (UTC)**

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**From:** Wayenberg, Karen [kwayenbe@ci.yakima.wa.us]  
**Sent:** Friday, October 05, 2007 4:35 PM  
**To:** UTC DL Records Center  
**Cc:** Paolella, Ray; Wayenberg, Karen; hagenphoto@nwinfo.net  
**Subject:** Grade Crossing Protective Fund  
**Attachments:** Trolley-pedestrian safety application.doc

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**From:** MacDonald, Danniell [mailto:Danniell.MacDonald@BNSF.com]  
**Sent:** Friday, October 05, 2007 3:25 PM  
**To:** Wayenberg, Karen  
**Cc:** Polnicky, Bruce K; Agee, David W  
**Subject:** RE: Yakima, WA - UTC Grant Application

Ms. Wayenberg,

Thank you for the opportunity to review the City of Yakima's UTC GCPF application. BNSF supports this application for safety improvements. The final design and location of the fencing will need to be approved by BNSF prior to its installation. We look forward to working with the City of Yakima address this safety concern.

Please contact me if you need additional information regarding BNSF's participation. Again, we look forward to working with the City on this issue.

Respectfully,

Dan

Danniell MacDonald, P.E.  
Manager Engineering - Seattle  
BNSF Railway Company  
2454 Occidental Avenue South, Suite 1A  
Seattle, WA 98134  
Office: (206) 625-6150  
Fax: (206) 625-6115  
danniell.macdonald@bnsf.com

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**From:** Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]  
**Sent:** Friday, October 05, 2007 12:53 PM  
**To:** MacDonald, Danniell  
**Subject:** RE: Yakima, WA - UTC Grant Application

Thanks for reviewing our application and the page requiring BNSF signature. Feel free to call me or reply to this email.

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**From:** MacDonald, Danniell [mailto:Danniell.MacDonald@BNSF.com]  
**Sent:** Friday, October 05, 2007 12:47 PM

10/11/2007

**To:** Wayenberg, Karen  
**Subject:** Yakima, WA - UTC Grant Application

Ms. Wayenberg,

With reference to our conversation this afternoon, my contact information is following. I look forward to reviewing this application.

Respectfully,

Dan

Daniel MacDonald, P.E.  
Manager Engineering - Seattle  
BNSF Railway Company  
2454 Occidental Avenue South, Suite 1A  
Seattle, WA 98134  
Office: (206) 625-6150  
Fax: (206) 625-6115  
daniel.macdonald@bnsf.com