

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

In the Matter of the Application of)	DOCKET TR-060091
)	
SKAMANIA COUNTY)	ORDER 01
)	
Petitioner,)	
)	ORDER GRANTING REQUEST FOR
Requesting Disbursement from the)	DISBURSEMENT FROM THE GRADE
Grade Crossing Protective Fund)	CROSSING PROTECTIVE FUND
.....)	

BACKGROUND

- 1 On November 14, 2005, 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-051633 to various interested parties from the public and private sectors that were eligible to apply for Grade Crossing Protective Fund (GCPF) grants. On January 19, 2006, the Commission issued a notice extending the due date for grant applications to February 17, 2004.

- 2 On January 17, 2006, Skamania County (county) filed an application with the Commission, requesting a disbursement of \$6,575 from the GCPF to pay for a project related to pedestrian safety.

- 3 The county seeks to install 526 feet of fencing between Home Valley Park and the BNSF railroad tracks at milepost 59.6, at Home Valley, Washington, about 10 miles east of Stevenson in the Columbia River Gorge.

- 4 The application states that the park is a popular spot for picnics, swimming, and sail boarding during the summer. In addition, it houses three baseball fields, with the primary field only 150 feet from heavily used railroad tracks. The fields are in constant use during baseball and softball season, from about May 1 through September 30 of each year. There is no natural barrier between the park and the tracks. BNSF runs 45 freight trains each day on those tracks at a speed of 55 miles per hour. In addition, Amtrak runs 2 passenger trains daily at 60 miles per hour. The county reports that on at least one occasion in 2005, officials stopped a little league game when a group of small children had made their way to within 35 feet of the tracks.

- 5 The fence will be located on county property. The county will install and maintain the fence. A site visit by Commission staff indicates the safety problem described by the county exists and that the proposed fence will limit pedestrian access to the tracks in this area.
- 6 The county seeks \$6,575 to pay for the cost of the fencing. There are currently funds available to pay for the project.

FINDINGS AND CONCLUSIONS

- 7 (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. *Chapter 81.53.271 RCW and 81.53.281 RCW.*
- 8 (2) The project for which disbursement from the Grade Crossing Protective Fund is sought is eligible for funding consideration under Commission rules and complies with the requirements of RCW 81.53.271 and RCW 81.53.281.
- 9 (3) Commission staff investigated the request based on the review criteria specified in the rules and recommended that it be granted, subject to specified conditions.
- 10 (4) This matter was brought before the Commission at its regularly scheduled meeting on May 17, 2006.
- 11 (5) After examination of the application filed by Washington Operation Lifesaver, Inc., on January 17, 2006, and giving consideration to all relevant matters and for good cause shown, the Commission grants the request for disbursement of funds.

ORDER

THE COMMISSION ORDERS:

- 12 The request of Skamania County, seeking disbursement from the Grade Crossing Protective Fund for the installation of fencing at Home Valley Park in Home Valley, Washington, is granted, subject to the following conditions:

- (1) Expenditure from the Grade Crossing Protective Fund must not exceed \$6,575.
- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) Payment will be made upon presentation of claim for reimbursement for materials, and verification by Commission staff that the work has been satisfactorily completed.
- (4) The project must be completed, and the associated request for reimbursement from the Grade Crossing Protective Fund must be on file with the Commission no later than August 31, 2006.

DATED at Olympia, Washington, and effective May 17, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILLIP B. JONES, Commissioner