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Director

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April 9, 2009  
U97953

Washington Utilities and Transportation Commission  
PO Box 47250  
1300 South Evergreen Park Drive SW  
Olympia, WA 98504-7250

RE: Chambers Creek North Dock & Pedestrian Overpass  
USDOT: 929005E  
Docket TR-081150

Dear Commissioners:

On August 28, 2008, Pierce County Public Works and Utilities received an order granting petition to construct a pedestrian-only over-crossing at Chambers Creek Properties in Pierce County Docket TR-081150. Pierce County is now finalizing the bid package for advertisement and is working on obtaining construction easements with the BNSF Railway Inc.

Pierce County recently learned that the WUTC minimum vertical clearance for permanent and temporary structures above the high rail is 22'-6" (WAC 480-60-040). The BNSF minimum vertical clearance for temporary structures during construction is 21'-6" (Exhibit C: Contractor Requirements, Section 1.03.03).

- **1.03.03** *The Contractor must abide by the following temporary clearances during construction:*
  - 15' *Horizontally from centerline of nearest track*
  - 21'-6" *Vertically above top of rail*
  - 27'-0" *Vertically above top of rail for electric wires carrying less than 750 volts*
  - 28'-0" *Vertically above top of rail for electric wires carrying 750 volts to 15,000 volts*
  - 30'-0" *Vertically above top of rail for electric wires carrying 15,000 volts to 20,000 volts*
  - 34'-0" *Vertically above top of rail for electric wires carrying more than 20,000 volts*

Pierce County requests that the WUTC grant a waiver for this project in order for the State and BNSF minimum vertical clearances to be consistent for temporary structures at 21'-6". Pierce County requests this waiver through the end of 2010 when construction will be completed.

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OLYMPIA, WA



Washington Utilities and Transportation Commission

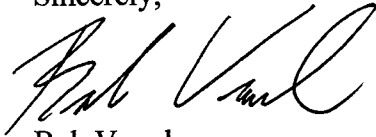
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The permanent pedestrian overpass to be constructed (USDOT: 929005E) will provide a minimum vertical clearance across the entire BNSF right-of-way of 23'-4" meeting both WAC and BNSF minimum vertical clearance requirements.

If you need additional information in consideration of this waiver request, please feel free to contact me at 253-798-4123 or by e-mail at [rvogel@co.pierce.wa.us](mailto:rvogel@co.pierce.wa.us). Thank you for your time and assistance with this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Vogel". The signature is fluid and cursive, with the first name "Bob" being larger and more prominent than the last name "Vogel".

Bob Vogel

Project Manager

Pierce County Public Works and Utilities

BV:hmo  
Cors/U97953-RV