

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

In the Matter of the Application of)	DOCKET TR-080399
)	
SEATTLE PARKS AND RECREATION,)	ORDER 01
)	
Applicant,)	
)	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 February 28, 2008, Seattle Parks and Recreation (or the Applicant) filed with the Commission an application requesting a disbursement of \$20,000 from the GCPF to pay for a project related to installation of fencing within Golden Gardens Park to prevent trespassers from accessing the tracks.
- 3 Seattle Parks and Recreation seeks to install fencing along the railroad tracks through the park. The fencing will be located within the Golden Gardens Park in Seattle, Washington.
- 4 In the past ten years, there have been ten fatalities in this area. Approximately 1,370 feet of fencing has been installed since 2006 and funded through a partnership between Seattle Parks and Recreation, BNSF Railway and the Commission. This project will install an additional 710 feet of fencing to complete the overall fencing project at Golden Gardens. There have been no rail related injuries or fatalities at Golden Gardens since the fencing project began in 2006. Seattle Parks and Recreation will be responsible for long-term maintenance costs.

- 5 A site visit by Commission Staff confirmed that the safety problem described by Seattle
Parks and Recreation exists and that the proposed fencing project will deter pedestrian
traffic away from the railroad tracks.
- 6 Seattle Parks and Recreation seeks \$20,000 to pay for the cost of the fencing. There
currently are 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. [RCW 81.53.271](#); [RCW 81.53.281](#).
- 8 (2) The project for which Seattle Parks and Recreation 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](#).
- 9 (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.
- 10 (4) This matter came before the Commission at its regularly scheduled meeting on
April 30, 2008.
- 11 (5) After reviewing Seattle Parks and Recreation's application filed on February 28,
2008, 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:

- 12 Seattle Parks and Recreation's application for disbursement from the Grade Crossing
Protective Fund for trespass prevention fencing near Seattle, Washington, within Golden
Gardens Park in North Seattle, is granted, subject to the following conditions:
- (1) Expenditure from the Grade Crossing Protective Fund must not exceed
\$20,000.

- (2) The work for which the Grade Crossing Protective Fund disbursement was approved must conform to the project description specified in the application.
- (3) Seattle Parks and Recreation must sign and return the attached project agreement.
- (4) Payment will be made upon presentation of claim for reimbursement and verification by Commission 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 August 30, 2008.

The Commissioners have delegated authority to the Executive Secretary to enter this Order pursuant to [RCW 80.01.030](#) and [WAC 480-07-904\(\(1\)\(a\)\)](#).

DATED at Olympia, Washington, and effective April 30, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary