**Rivera, Eva**

**From:** Yakima Taxpayer <yaktaxfiscalresp@yahoo.com>
**Sent:** Sunday, November 15, 2026 11:03 PM
**To:** Martin, Trevor; Ask Planning
**Attachments:** Landslide High Risk Info along Trolley Route.pdf; Dangerous Selah Gap Hillside.pdf; YNCRP Letter to City of Yakima 12.3.2025.pdf; UTC & BNSF Approval of Shared Use Trail in RR ROW.pdf; First Hill Streetcar tracks still dangerous for bicyclists CHS Capitol Hill Seattl.png; Embedded Track Drainage Handbook.pdf; 02.17.2026 08.A. Distributed at the Meeting - Washington Fruit Letter.pdf; Washington Fruit Trolley Track Owner Objections.pdf; 6th Avenue Trolley Track & Electric Power Project -- $8.4 MILLION.pdf; State_Order_Permanent_Abandonment-Passenger_Rail_Service_to_Selah.pdf

**Follow Up Flag:** Flag for follow up
**Flag Status:** Completed

TO: Yakima City Planning Manager

FR: Yakima Taxpayers for Fiscal Responsibility

DA: 11/15/2026

Yakima Taxpayers for Fiscal Responsibility (YTFR) submit the following comments on the SEPA Environmental Checklist and draft SEPA Determination of Non-significance (DNS). The Environmental Checklist is inadequate and should be redone. YTFR believes the City should prepare an environmental impact statement for the comprehensive plan proposal, including cumulative impacts analysis both in the City of Yakima and in Selah Gap, based on multiple significant adverse environmental impacts listed below:

- North of the Naches River there is a critical area with high risk oversteepened slopes. Rockslides and a potentially larger landslide are putting the public at risk because trolley maintenance includes rock removal at the base of the oversteepened slopes. The attached diagram shows the County's critical area designation. The attached letter from Paul Edmondson says this critical area is "dangerous" for rail traffic. There is enormous liability if a big rockslide triggered by trolley operations pushed oil trains into the nearby Yakima River with endangered salmon present.
ΒΝΣΦ Ραιλωαψ ωουλδ αλσο εξπεχτ τηε Χιτψ το χομπενσατε τηε ραιλροαδ φορ ανψ ιντερρυπτι ον οφ ιντερστατε χομμερχε βυσινεσσ.

- In a 12/3/2025 letter (attached), the Yakama Nation said there needs to be a "proximity analysis to Archaeological sites or culturally sensitive areas" in the area where the abandoned railroad tracks pass through Selah Gap.

- The City of Yakima received a grant to install and maintain fencing to divert pedestrians away from the high-speed BNSF bridge over the Naches River to instead use the upstream "multimodal bridge." In the attached UTC Order, BNSF agreed to this fencing project as there



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have been fatalities when people in the past tried to walk across the BNSF bridge. Yakima agreed to maintain the safety fencing but the fencing is now down and ineffective.

- Streetcar tracks in pavement shared by bicycles can be dangerous, and there have been fatality crashes. See attached First Hill Streetcar article about the death of Desiree McCloud when her bicycle tires got caught in the gap between rails.

- For streetcars on rails embedded in the pavement, "surface water will seep into the rail area, particularly around the rail base and web. This moisture can cause rail corrosion and deterioration of surrounding embedment material, eventually leading to failure of the pavement and the rail fastening system. Sealing the interface between the rail and the adjoining embedment material is virtually impossible," according to the attached Track Design Handbook for Light Rail Transit from the Transportation Research Board, Transit Cooperative Research Program (TCRP), Report 57, Section 4.6.4.1.4, Embedded Track Drainage, pages 4-74 to 4-77 (attached).

- The trolley operation on N. 6th Avenue relies on a diesel generator to power the trolley since the historic overhead electric wires were dismantled in 2005. See You Tube Video of visible trolley diesel exhaust in the East Yakima Overburdened Community: https://www.youtube.com/shorts/2x-N1XUoCCI

- Businesses along N. 6th Avenue have expressed concern about significant adverse impacts from tracks in the pavement bruising fruit and affecting private property rights. See attached correspondence from Washington Fruit and Paint Smith.

- The cost of rebuilding tracks and overhead catenary system on 1.5 mile of N. 6th Ave. is $8.4 Million in 2025 Dollars. See attached HLA Engineering Estimate.

- RCW 35.22.280(9) does not grant the City of Yakima any authority to operate trolley tourist attractions outside Yakima City Limits. Under RCW 81.104.015(4) and court decisions, the seasonal tourist trolley is not a railroad. Yakima County and Washington State franchise authority to operate railroad was revoked in 1935 (attached).

Attachments:

1. Yakima County high risk geologic hazard area map
2. Letter from Paul Edmondson (6/23/2022)
3. Letter from Yakama Nation (12/3/2025)



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4. Utilities & Transportation Commission Order

5. Article on First Hill Streetcar Bicyclist Fatality Crash

6. Embedded Track Drainage, TCRP Report 57, pages 4-74 to 4-77

7. Washington Fruit and Paint Smith Letters on business disruptions and land ownership

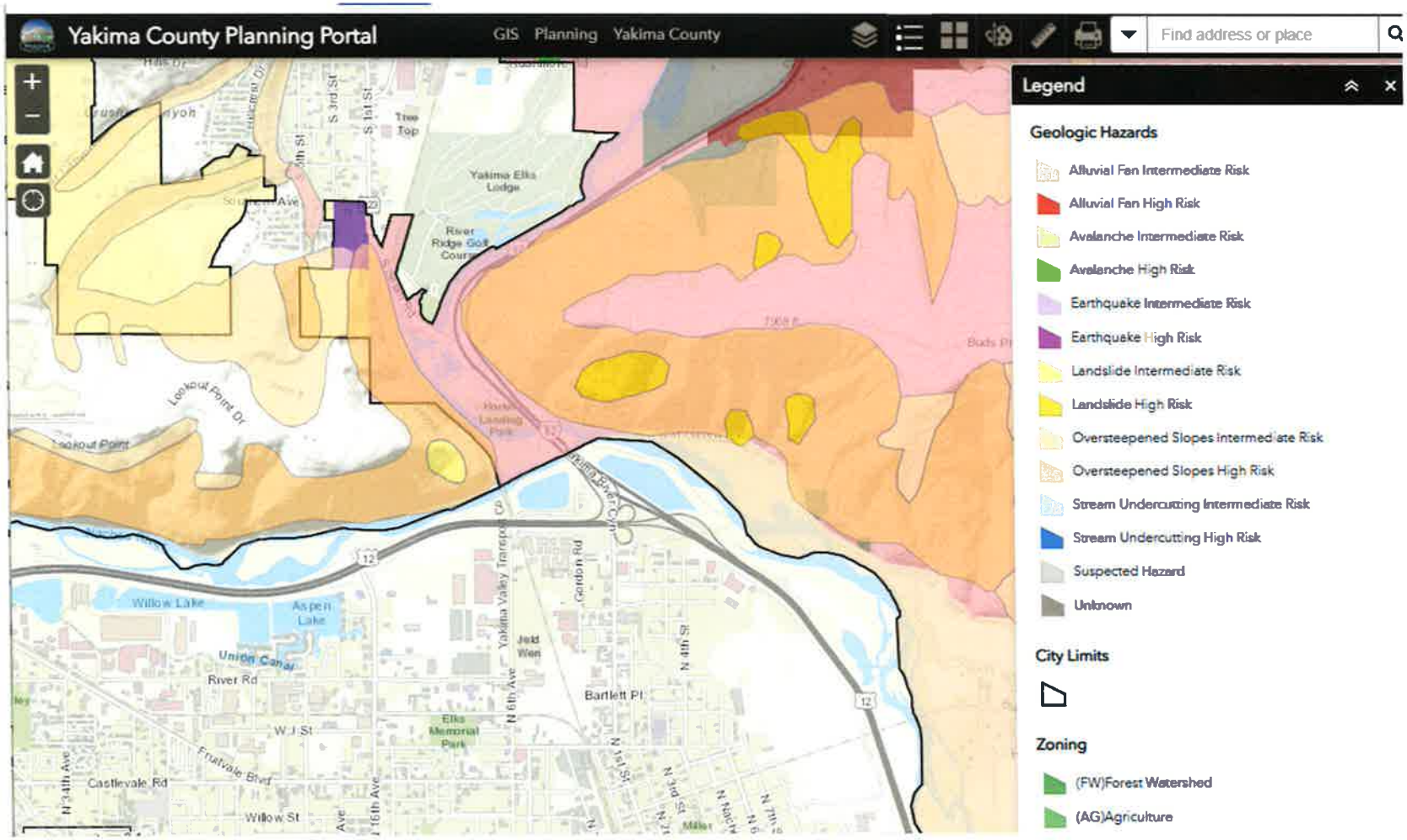
8. 6th Avenue Track and Electric Power System Cost $8.4 Million
9. State Order - Permanent Abandonement of Passenger Rail Service (1935)

Yakima Taxpayers for Fiscal Responsibility



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# Landslide High Risk Info along Trolley Route




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# PAUL D. EDMONDSON
## Attorney-at-Law
313 NORTH THIRD STREET
YAKIMA, WA 98901
(509) 452-7963


June 23, 2022

Ken Johnsen, President
Yakima Valley Trolleys
PO Box 161
Renton, WA 98057

Re: Pedestrians on City Railway

Dear President Johnsen:

You have inquired about a proposal to permit pedestrians to use the City-owned railroad tracks now used by Yakima Valley Trolleys over the Naches River between Yakima and Selah, WA. I understand that the group asking for City permission is a hiking group interested in traversing the Naches River bridge into Selah Gap where the tracks are located along a narrow shelf adjacent to the BNSF mainline tracks which are used for mile-long 100 car freight trains returning to North Dakota from Western Washington oil refineries. I further understand that the Naches bridge has no special accommodation for pedestrians or hikers although an adjacent freeway bridge a short distance downriver does have pedestrian facilities to allow foot access into Selah from the Yakima Greenway.

From a legal perspective the most serious issue obviously confronting the City is the enormous expansion of City liability in endorsing pedestrian use of a railroad bridge and narrow right-of-way expressly built for railway use only. I know of no other city in America which has done so. I also do not know of the position of BNSF, the owner of the right-of-way, as opposed to the City–owned easement upon which the tracks lie. Since the easement is

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for railway purposes only the addition of pedestrian use would obviously be beyond the scope of the easement and unlawful, thereby exposing the City to possible litigation and damages from BNSF who I am quite sure do not want people hiking on their right-of-way adjacent to long oil trains.

At the present time the right-of-way is posted to warn trespassers to keep out. If the City decides to invite pedestrian use of the bridge and tracks the legal doctrine of an "attractive nuisance" would appear to become relevant. A common example is a homeowner's liability for a swimming pool in his backyard which is used by kids in the neighborhood. This creates substantial risk for the owner who has "invited" the users explicitly or impliedly. This is the reason for the warning signs presently posted in Selah Gap and by the bridge.

In addition from the aforementioned dangers it should be noted that the Selah Gap hillside next to the trolley tracks is very steep. In places it is a vertical rock wall right next to the trolley tracks and the oil trains on the downhill side. Every Spring large two-man boulders fall down the hillside onto the tracks below creating a dangerous situation for rail traffic, not to mention pedestrians. Every Spring and Summer weekends trolley members clear out these boulders to keep the tracks clear and safe. Encouraging people to walk in this narrow corridor anytime during the boulder season is obviously not in the City's interest.

In summary, permitting pedestrians on city railroad tracks is just asking for litigation by invitees, no longer trespassers. It is unthinkable as a matter of prudent public policy.

Very truly yours,

Paul D Edmondson
WSBA 3634, HSBA 6687
EOIR XN287101

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Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

December 3, 2025

Sent via electronic mail

Trevor Martin AICP
City of Yakima Community Development Department
Planning Division
129 N. 2nd Street
Yakima, WA 98901

**Re:** SEPA Application #014-25 - Yakima Valley Trolleys Operation Agreement

Dear Mr. Martin:

The Yakama Nation Cultural Resources Program has reviewed the referenced State Environmental Policy Act (SEPA) checklist for Application #014-25. We find this application fundamentally deficient and unable to support informed environmental and cultural resources review. The application's widespread use of "N/A" responses without explanation, contradictory project descriptions, and absence of basic geographic, environmental, and cultural information render it incomplete under SEPA requirements and inconsistent with the associated responsibilities.

**Contradictory Project Description**

The application contains conflicting statements about the project scope that prevent meaningful review:

- Question 11 (Brief Description) states this application is *"only analyzing the Yakama Valley Trolleys responsibility for operating and maintaining the existing Trolley System"* and that *"there is no specific project action associated with this SEPA proposal."*
- Question 6 (Timing/Schedule) indicates a 5-year operational period from January 1, 2026 through December 31, 2030.
- Question 8 references a *"Safety Plan (per WAC 468-550-040(4))"* and *"Inventory of assets (Exhibit C)"* that are not included with the application.
- Question 7 acknowledges *"routine operations and maintenance"* of trolley facilities but provides no detail about what these activities entail.

These statements indicate ongoing operational activities with environmental implications, not a purely administrative agreement transfer without a project action. Even non-project



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SEPA reviews under WAC 197-11-442 require analysis of a program's cumulative environmental effects. The application cannot simultaneously claim *"no specific project action"* while describing multi-year operational activities requiring safety plans, asset inventories, and routine maintenance.

**Systematic Misuse of 'N/A' Without Justification**

The applicant has marked numerous environmental checklist questions as *"N/A"* without providing any explanation for why they do not apply to trolley operations and maintenance. SEPA instructions explicitly state that *"N/A"* should only be used *"when you can explain why it does not apply and not when the answer is unknown."*

The following sections demonstrate either lack of due diligence or deliberate avoidance of required environmental analysis:

**Surface Water (Questions 1-5, Pages 4-5)**
All surface water questions are marked N/A despite the trolley route crossing multiple waterways and drainage features in the Yakima Valley. Maintenance activities, vegetation management along the right-of-way, and stormwater runoff from rail infrastructure all have potential surface water impacts. Question 2 specifically asks about work *"within 200 feet"* of waters, yet receives an N/A response with the note *"operations and maintenance only, project specific actions will require additional SEPA review."* This circular logic suggests the applicant acknowledges potential impacts but declines to analyze them in this review.

**Ground Water (Questions 1-2, Page 6)**
Groundwater questions are marked N/A without explaining why infrastructure maintenance, potential chemical use (herbicides for vegetation management), or waste material disposal would not affect groundwater. Historic rail corridors commonly have legacy contamination issues that should be addressed.

**Plants and Animals (Questions 3-5, Pages 6-7)**
Question 3 (threatened/endangered species) is marked N/A without documentation of Endangered Species Act consultation or biological survey. Question 4 (landscaping/vegetation preservation) is marked N/A despite obvious vegetation management needs along a linear transportation corridor. Question 5 (noxious weeds) is marked N/A without any invasive species assessment or vegetation management plan.

**Environmental Health (Questions 2-5, Page 8)**
Questions 2 through 5, addressing site contamination, hazardous chemicals, toxic materials, and emergency services, are all marked N/A without acknowledging that historic rail corridors commonly contain contaminated soils from legacy pollutants. No Phase I Environmental Site Assessment or contamination screening appears to have been conducted.

**Land and Shoreline Use (Questions 2, 13-14, Pages 8-10)**
Question 2 asks about conversion of agricultural or forest lands and receives an N/A response without analyzing whether the trolley route traverses these land use



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categories. Questions 13-14 regarding compatibility with existing land uses and nearby agricultural/forest operations are marked N/A without assessment of potential conflicts.

**Complete Avoidance of Supplemental Nonproject Section**

Section D (Supplemental Section for Nonproject Actions Only) represents deficiency in this application. WAC 197-11-960 and SEPA guidelines specifically require nonproject proposals to address questions about:

- How the proposal would increase discharges to water, emissions to air, or noise production
- Effects on plants, animals, fish, or marine life
- Depletion of energy or natural resources
- Use or effects on environmentally sensitive areas
- Effects on land and shoreline use
- Increased demands on transportation or public services
- Potential conflicts with environmental laws or requirements

The applicant marked ALL SEVEN questions (Questions 1-7, Pages 13-15) as *"N/A"* without any explanation. This defeats the purpose of completing the supplemental section and fails to satisfy SEPA's requirement for informed decision-making.

**Insufficient Location and Geographic Information**

Question 12 (Location of Proposal) identifies "306 W Pine Street/404 S. 3rd Ave, Yakima, WA; trolley lines within Yakima and Selah" but provides no:

- Linear footage or mileage of track to be maintained
- Total acreage of right-of-way affected by operations
- Map or geographic coordinates showing the route
- Identification of watercourse crossings
- Proximity analysis to archaeological sites or culturally sensitive areas
- Slope conditions and mass wasting potential along the corridor

The application notes that legal description is *"provided in Exhibit B of the agreement"* but this exhibit is not included. Without basic geographic data defining the project area, it is impossible to assess potential impacts to any environmental or cultural resource. The trolley route is a significant linear feature traversing landscapes occupied by Yakama ancestors for



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thousands of years. We cannot complete meaningful review without knowing where maintenance activities will occur further this SEPA is not a functional.

**Inadequate Cultural Resources Analysis**

The Historic and Cultural Preservation section (Page 11) presents several concerning deficiencies:

- Question 1 acknowledges the trolley system is listed on national and local registers of historic places, demonstrating the corridor's significance. However, this historic designation applies to the rail infrastructure itself and does not address archaeological resources along the route or traditional cultural properties that may be affected by operations and maintenance activities.

- Question 2 asks about "landmarks, features, or other evidence of Indian or historic use or occupation" and receives the response "None known along trolley route." This statement is inconsistent with the known archaeological sensitivity of the Yakima Valley and the thousands of years of continuous Yakama occupation in this region. The response "none known" suggests no professional cultural resources survey or tribal consultation has been conducted. The Yakima Valley contains numerous recorded archaeological sites, traditional use areas, and culturally significant landscapes.

- Question 3 asks for proposed measures to "avoid, minimize, or compensate for loss, changes to, and disturbance to resources" and receives the response "Continued operations of the Yakima Trolleys for educational and cultural purposes." This response does not address archaeological site protection, inadvertent discovery protocols, or cultural resource management measures that could be helpful.

The linear nature of the trolley corridor presents unique cultural resource concerns. Archaeological sites adjacent to or within the rail right-of-way are susceptible to slope movement and mass wasting, which can have significant upslope and downslope impacts. Vegetation management, track maintenance, drainage work, and visitor access ground-disturbing activities with potential to affect buried archaeological deposits.

Once the scope of the project is defined the applicant could then demonstrate some understanding in order to inform the checklist and the necessary inventory and permitting requirements.

**Missing Required Documentation**

The checklist references but does not include several pieces of information necessary to understanding project scope and environmental implications:

- Inventory of assets (Exhibit C, referenced in Question 8)

- Yakima Valley Trolleys Operation Agreement
- Legal description (Exhibit B of the agreement, referenced in Question 12)



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These documents are essential for reviewers to understand what activities are authorized, where they will occur, what infrastructure exists, and what safety and operational protocols govern the proposal.

**Conclusion and Path Forward**

This SEPA checklist does not provide sufficient information to complete environmental and cultural resources review pursuant to the State Environmental Policy Act (RCW 43.21C). The wholesale use of *"N/A"* without explanation, contradictions between claiming "*no project action*" while describing 5-year operational activities, and absence of basic geographic and archaeological data render this application incomplete.

The Yakama Nation is not opposed to trolley operations that preserve this significant historic transportation resource and provide educational and cultural benefits to the community. However, we cannot complete our review or provide informed comment without understanding what this proposal actually entails.

**We respectfully request the City of Yakima withdraw this incomplete application and resubmit with the following information:**

**Clarification of Project Scope**
**Completion of Section D**
**Geographic and Location Data**
**Cultural Resources Assessment**
**Operational Details and Measures to Avoid or Mitigate**
**Attachment of Referenced Documents**

Provide these documents in complete form via email to the Yakama Nation Tribal Council Chairman, Gerald Lewis via Gerald_Lewis@yakama.com as well as Cultural Resource Program Manager, Casey Barney @ Casey_Barney@Yakama.com.

The Yakama Nation looks forward to meaningful consultation on this project once adequate information is provided. We are committed to working cooperatively with the City of Yakima to ensure trolley operations can proceed in a manner that protects cultural resources, preserves this important historic asset, and honors our shared stewardship responsibilities for the Yakima Valley landscape.

Please contact our office if you have questions about these comments or need clarification on information requirements. Thank you for the opportunity to comment on this project.

Respectfully,

Noah Oliver

Noah Oliver
YNCRP Geographer and Archaeologist
Yakama Nation Cultural Resource Division



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TR-072009

WASHINGTON UTC UTILITIES AND TRANSPORTATION COMMISSION

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

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. Johnson
P.O. Box 796
Yakima, WA 98907-0796
yakimavalleytrolleys@hotmail.com

Burlington Northern Santa Fe Railroad Company
Daniel MacDonald, P.E.
Managing Engineer – Seattle
2454 Occidental Avenue South, Suite 1_A
Seattle, WA 98134
(206) 625-6150, Fax (206) 625-6115
daniel.macdonald@bnsf.com

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Grade Crossing Protective Fund Application Form

**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.*

**Currently, there are only two pedestrian crossing facilities for crossing the Naches River at the northern city limits of the City of Yakima. One is located at the eastern city limits (I-82) and the other is at the western city limits (Powerhouse Road). Due to this lack of pedestrian facilities, and despite "No Trespassing" signs, pedestrians occasionally use the BNSF railroad bridge to cross the Naches River. On July 12, 2007, a man and woman who were crossing the Naches River on the railroad bridge were struck by a passing train and seriously injured.**

**On several occasions recently, railroad police hired by BNSF have had to remove trespassers from the railroad property in this vicinity.**

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.*

**This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.**

**In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.**

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

**Total project costs are estimated to be $37,000. The City is requesting a grant of $20,000 toward this total from WUTC.**



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4. *Provide the name of the party responsible for long-term maintenance.*
**The City of Yakima and/or the Yakima Greenway Foundation will provide longterm maintenance of the fence.**

5. *Provide an estimated timeline of project, if approved.*
**Weather permitting; the project will be completed this fall. If not, the project will be completed next spring**

6. *Provide a description of how the project's success would be measured.*
**Success of this project can be measured by demonstrating a decrease in trespass incidents and pedestrian accidents on the BNSF Bridge.**

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 MacDonald expressing the railroad's concurrence with this 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. 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.
- David Pratt at (360)664-1100 or by e-mail at dpratt@utc.wa.gov.



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**Railroad Commitment**
**TR-072009**

2008 APR 22 AM 10:06
UTIL. COMMISSION
TRANSP.
RECEIVED

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

The City of Yakima has applied for GCPF funds to erect fencing for trespass abatement purposes. The City's trolley bridge and the adjacent BNSF Railway bridge cross the Naches River at the northern end of Yakima City limits. See attached photos for location of fencing. It is believed the BNSF has a 200 ft. right-of-way at this location and much of the fencing would be on that right-of-way. The City of Yakima and/or the Yakima Greenway Foundation will provide long-term maintenance of the fence.

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.

See Notes below.

John Li
Printed name of Railroad Representative

Signature of Railroad Representative

Manager, Public Projects
Title

206 625 6146
Phone

john.li@bnsf.com
E-mail

Date: 4/21/08

Notes: 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. The City will also need to obtain a permit from BNSF with current indemnity language and insurance limits and with a 30-day cancellation clause, if the fencing would be on BNSF's Right-of-Way.

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**From:** MacDonald, Danniel
**To:** Wayenberg, Karen
**Cc:** Polnicky, Bruce K; Agee, David W
**Subject:** RE: Yakima, WA - UTC Grant Application
**Date:** Friday, October 05, 2007 3:24:51 PM

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

Danniel 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
danniel.macdonald@bnsf.com

---

**From:** Wayenberg, Karen [mailto:kwayenbe@ci.yakima.wa.us]
**Sent:** Friday, October 05, 2007 12:53 PM
**To:** MacDonald, Danniel
**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.

---

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

Danniel MacDonald, P.E.

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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

## He tosses woman from the tracks

By BOB 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 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 eastbound 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 situation," 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 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.




TJ MULLINAX/Yakima Herald-Republic

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Gra

# 'No doubt he saved my life'

## Train encounter broke victim's leg, pelvis

By ROD ANTONE
YAKIMA HERALD-REPUBLIC

As 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.'"

ı Form

She 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.**

# 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.

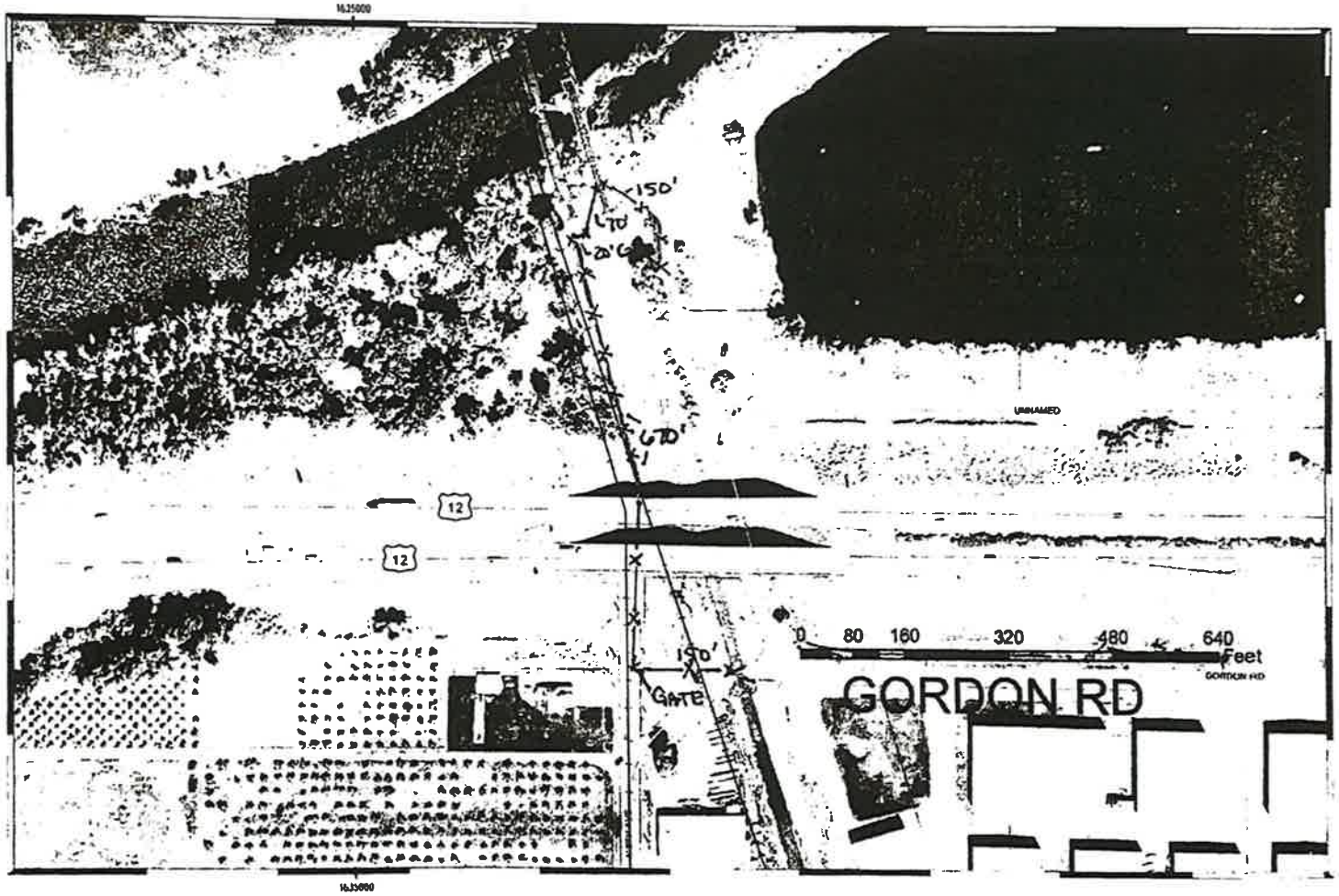
Boitano said she and her friends did not know they were trespassing.

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 577-7028 or rantone@yakimaherald.com.*

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TR-072009

**Boston, Bob (UTC)**

**From:** Sheffield, Brett [bsheffie@ci.yakima.wa.us]
**Sent:** Tuesday, November 04, 2008 11:59 AM
**To:** Boston, Bob (UTC)
**Subject:** Grade Crossing Protective Fund Grant
**Attachments:** YVT Fence.pdf

Bob,

As we have discussed, part of the William O. Douglas Trail will include a pathway across the Trolley Bridge to allow pedestrians access across the Naches River. I believe that the description in the original application should have been modified to read like the following:

> This project will construct six-foot chain link fence to impede pedestrian and motor vehicle trespass onto BNSF property in the vicinity of the Naches River Bridge. As part of the William O. Douglas Trail project, a pedestrian pathway is planned to be constructed across the trolley bridge within the next couple of years. Fencing as shown on the attached drawing would deter pedestrians from accessing the railroad bridge. The fence would begin where Gordon Road crosses underneath the railroad tracks, then heads west approximately 150 feet across the trolley tracks to approximately 8-feet west of the trolley tracks, then head in a northwesterly direction parallel to the trolley tracks for approximately 670 feet, then make a 90 degree turn across the trolley tracks, then head in a northeasterly direction for approximately 70 feet to end adjacent to the BNSF south bridge abutment. At both locations where the fence crosses the trolley tracks, 20-foot gates will be installed. The fencing will continue east of the BNSF bridge for approximately 150 feet parallel to the Greenway Path.

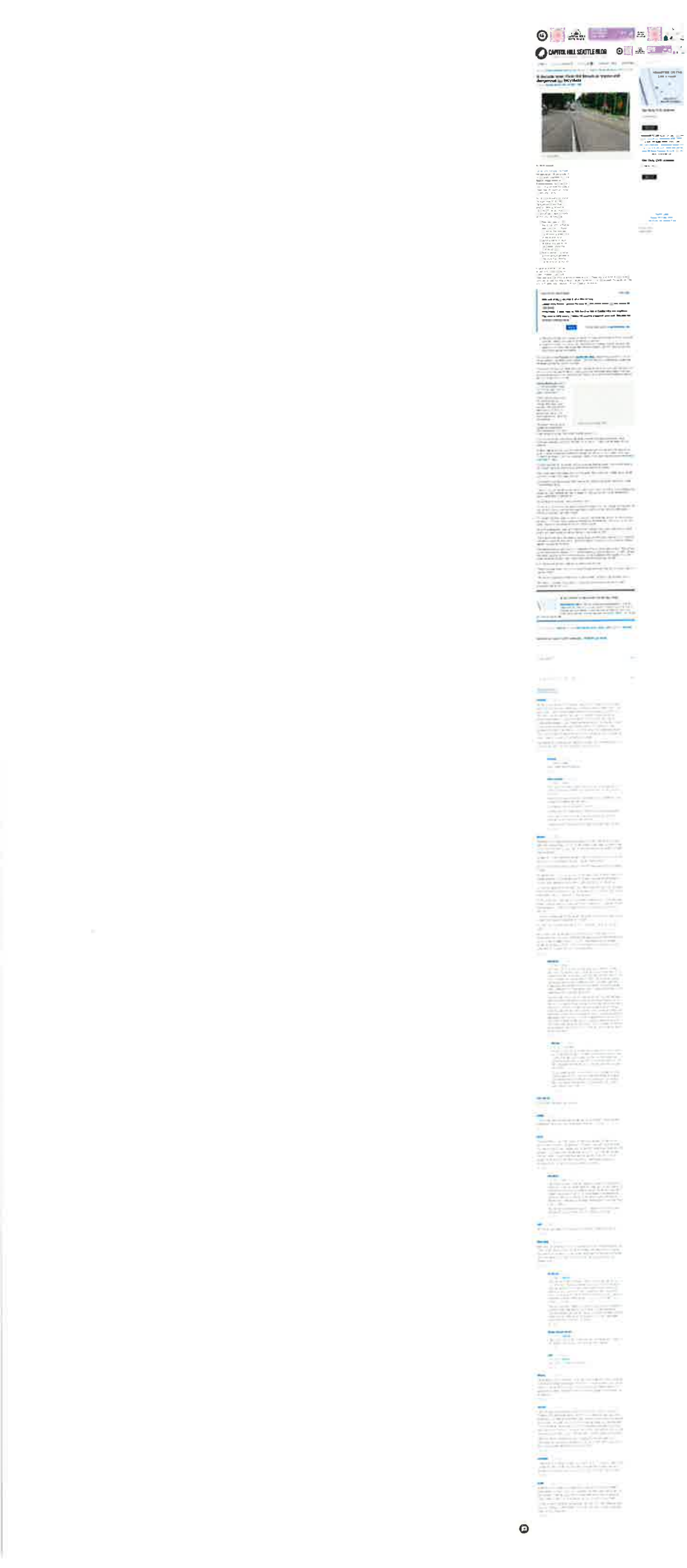
In addition to improving safety, this fencing project may reduce the railroad's requirement for police enforcement.

I have also attached a drawing showing the proposed fencing project. If you have any questions or require additional information, please don't hesitate to contact me. Thanks for your help.

Brett H. Sheffield, P.E.
Chief Engineer
City of Yakima
PH. (509) 576-6797
Fax (509) 576-6305



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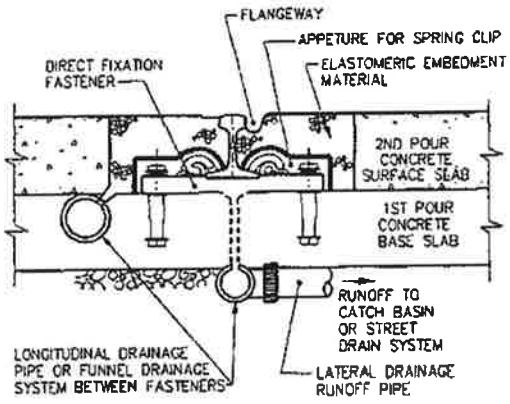



***Figure 4.6.11 Direct Fixation Fastener with Internal Drain System***

Direct fixation fasteners with surrounding flexible elastomers are subject to infiltration seepage into the rail seat cavity. Although water seepage may not seriously damage the elastomer components, proper drainage should improve performance and provide electrical insulation at the direct fixation fastener for stray current control.

As an insulating agent, direct fixation fasteners meet the required bulk resistivity of $10^{12}$ ohm-cm.

***4.6.4.1.3.5 Rail Boot for Embedded Track.*** Rail boot designs have proven to be a satisfactory rail base support material that provides minimal rail deflection depending on the design. Natural rubber elastomers mixed with proper quantities of carbon black and wax exhibit satisfactory performance. Configuration of the elastomeric rail boot with voids and the elastomer spring rate allow for a specific magnitude of rail deflection both vertically and horizontally.

The rail boot installation design is subjected to water seepage entering both inside and outside the boot area. To improve performance, proper drainage of both areas of the rail installation should be provided. Rail boot designs are currently available for both tee rail sections and popular girder groove and guard rail sections. Boots are also available for dual tee rail and bolted restraining rail assemblies.

As an insulating material, the rail boots have met the required bulk resistivity of $10^{12}$ ohm-cm.

***4.6.4.1.3.6 Concrete and Bituminous Asphalt Trough Fillers.*** Concrete, cementitious grout components are available to use as trough fillers. The first-pour trough filler encapsulating the rail base and providing continuous support below the rail can be a non-shrink cementitious grout. The cementitious grout with a reduced aggregate size, less than 12 millimeters (0.5 inches) to ensure the rail base cavity is entirely filled, should be placed from one side of the rail to be certain no voids are formed in the base cementitious pour.

The second-pour trough filler, which completes the cavity fill, can be a concrete mix with a 20-millimeter (0.75-inch) aggregate size. Application of silicate fume ash to the concrete mix has proven beneficial in controlling stray currents. To control eventual concrete shrinkage cracks, polyethylene fibers 50 to 65 millimeters (2 to 2.5 inches) long can be included in the second-pour surface trough filler.

Both filler materials should have a minimum concrete strength of 27.6 MPa (4,000 psi) at 28 days.

Bituminous asphaltic components have been used as a trough filler material. Similar care must be taken during placement to be certain that voids are not generated at the rail support. Bituminous asphalt materials with resistivity characteristics can be used as an insulating barrier.



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#### *4.6.4.1.4 Embedded Track Drainage*

In all but the driest climates, the success of any embedded track design will depend directly on the efficiency of the embedded track's drainage systems. This includes not only systems for intercepting surface runoff, but also methods for draining water that seeps into the rail cavity zone. Experience has shown that surface water will seep and accumulate in the rail area, particularly around the rail base and web. This moisture can cause rail corrosion and deterioration of the surrounding embedment material, eventually leading to failure of the pavement and the rail fastening system.

Drainage of the rail embedment trough or cavity is of the utmost importance. Sealing the interface between the rail and the adjoining embedment material is virtually impossible. Similarly, construction joints between the rail trough and slab concrete or surface sealants are susceptible to potential water seepage. Regardless of how well the surface sealants are designed and installed, seepage will eventually occur and possibly lead to deterioration or disintegration of the fill components, particularly in climates susceptible to freeze/thaw cycles. To prevent this, the embedment trough or rail cavity zone must be designed with a reliable permanent drainage system as shown in Figure 4.6.11.

Another penalty of poor drainage or no drainage is that trapped or standing water can result in unacceptable levels of stray current leakage, particularly in areas where streets are salted.

***4.6.4.1.4.1 Surface Drainage.*** Embedded track installations complicate pavement surface drainage because the exposed rail head and flangeways intercept and redirect stormwater runoff. The road profile and cross slopes direct the runoff toward the rail and flangeways. In addition, if the roadway pavement is crowned in the conventional manner, the pavement cross slope results in the track being out of cross level in tangents and perhaps even negatively superelevated curves For additional information on surfacing and cross level refer to Chapter 3.

Whenever possible, the profile and cross section of the road should be modified to conform to the optimum track profile and cross section. This often requires that the roadway geometry be compromised to accommodate rail elevations, curb and gutter elevations, and sidewalk grades.

The surface runoff entering the flangeways should be minimized and trackway road surfaces should slope away from the rail locations. Some transit system designs have sloped the road surface within the track gauge area toward the track centerline and the "dummy gauge" zone to a line of drains midway between the tracks. The road surfaces on the field side of the rails should slope toward the curb line or the surrounding roadway surfaces.

Inevitably, some runoff will get into the flangeways. This water must be drained away. Transverse lateral drainage chases should always be provided at low points on vertical curves, immediately up-grade at embedded special trackwork and at transitions between embedded track and any open track design. Additional drainage chases should be provided periodically along straight track grade sections so that runoff, debris, sand, or other material can be carried away and the flangeway kept relatively clear.

Drains in embedded track areas are typically transverse drains or drainage chases perpendicular to the rails. They consist of a grate-covered chamber that is connected to the adjacent storm sewer system. The design of the rail through the drainage chase opening



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should consist of the exposed bare rail supported on each side of the chase, wherein the rail acts as a suspended beam. The bottom of the track flangeway must have an opening wide enough to ensure that it will not become clogged with leaves or other debris. This is easily undertaken with tee rail construction. If girder rail is employed, it is common to machine a slot in the bottom of the flangeway. Such slots typically cannot be much more than 25 to 30 millimeters (1 to 1.125 inches) wide. They also frequently get clogged. Where clogging is likely, an improved design might be to cut away the girder rail lip in the drainage chase area.

When the embedded track design includes individual longitudinal troughs in the concrete for each rail, the transverse track drainage chases can also drain seepage from the inner rail trough or rail cavity. The design exposes the end faces of the concrete rail troughs on each side of the drainage chase as shown in **Figure 4.6.12**. The exposed faces can be utilized as rail trough or rail cavity drainage systems. Frequent drainage chases, spaced less than 150 meters (500 feet) apart, should be considered and connected to the internal longitudinal drainage pipe system to provide adequate drainage and allow periodic maintenance flushing of the system.

The transverse trough drains should act as lateral drainage collectors for the embedded longitudinal drain pipes. The longitudinal drain pipes, opened at the trough drains, can also be used for periodic flushing of the embedded pipes. This provides a continuous and maintainable drainage system. Transverse trough drains should be placed immediately in front of switchpoint components to protect embedded special trackwork installations. Transverse drains in these locations collect water that drains toward the special trackwork In addition, the transverse drain can act as a dividing point between the different designs used in embedded main line track and special trackwork.

***4.6.4.1.4.2 Internal Drainage.*** Embedded track systems require internal drainage of the rail cavity zone when loose extruded components or non-adhering trough fill materials are selected Polyurethane fill material totally encapsulating the rail and bonded to the trough walls does not appear to require internal drainage. Drainage slots perpendicular to the rail base should be provided for adequate drainage at the base of the rail or the bottom of the rail trough zone. Longitudinal drain pipes outside of the rail trough and fastening system should be provided to collect and carry accumulated water away from the rail cavity zone as shown in Figure 4.6.12.

### 4.6.4.2 Ballasted Track Structure With Embedment

Early 20th century embedded track designs for urban trams included ballasted track with timber crossties constructed to railway standards and subsequently embedded to the top of rail. These standards still exist today and are perpetuated by the original transit agencies, although contemporary embedded track designs are being contemplated.

Embedded track design using standard ballasted track design requires use of a fill material to the top of rail as shown in **Figure 4.6.13**. In contemporary track design, the negative return running rail must be insulated to control or confine stray current leakage.

Typical ballasted track elements used in embedded track design include an insulating barrier at the rail, tie plate and fastening to isolate the rail from the timber or concrete



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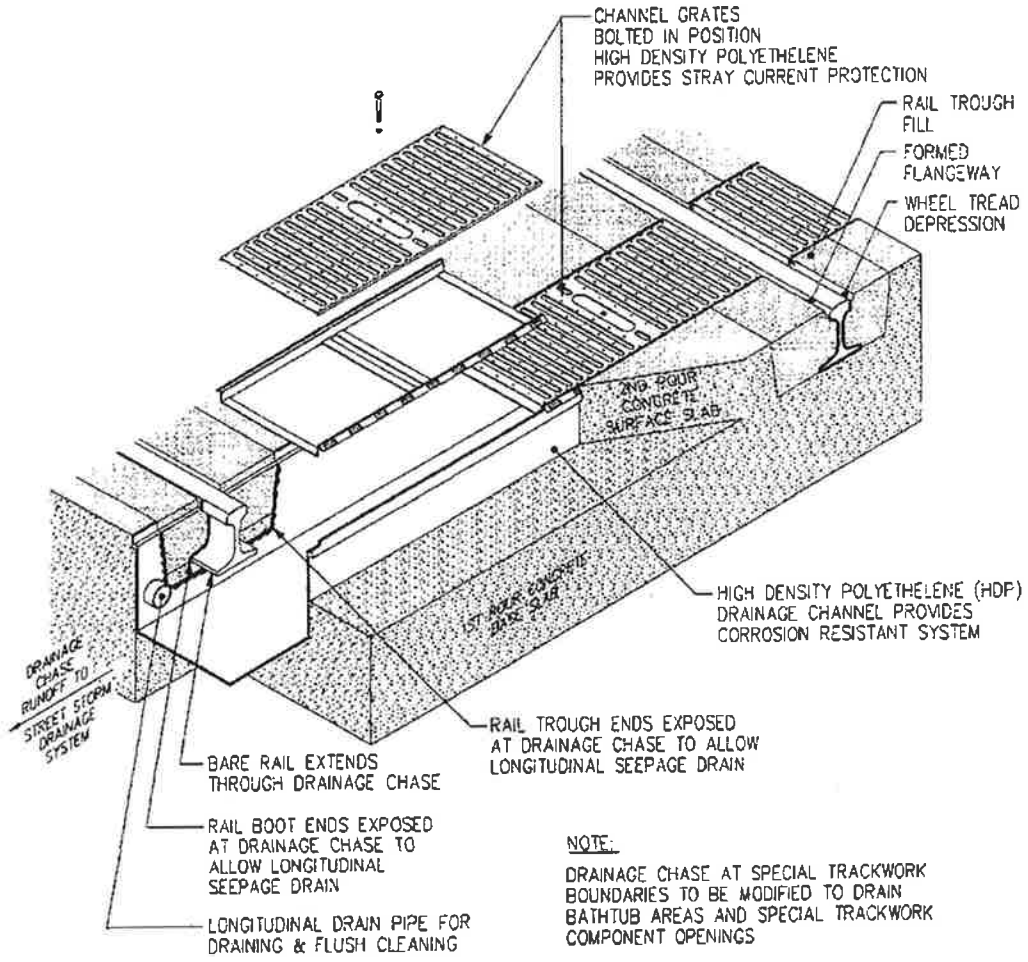



***Figure 4.6.12 Cut Away Section Embedded Track Drainage Chase***

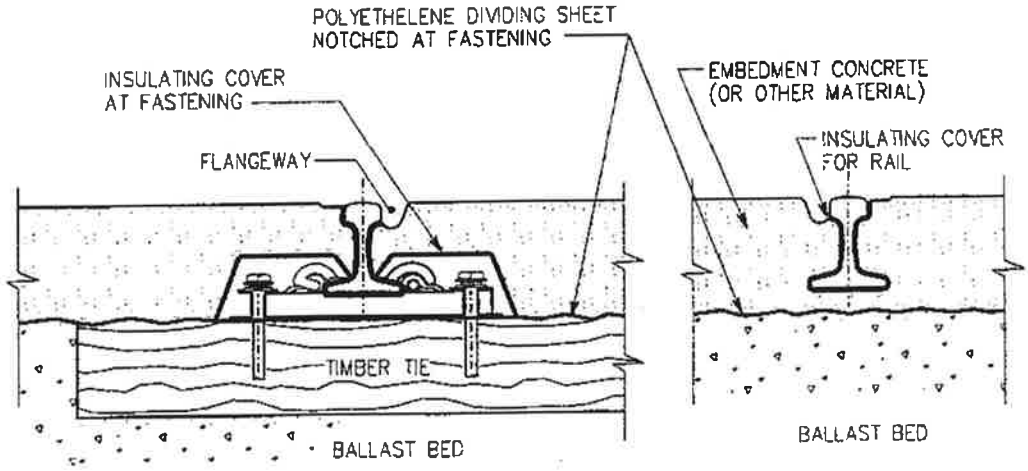



**Figure 4.6.13 Ballasted Track Structure with Embedment**



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Distributed at Meeting:
2/17/2026 Item# 8A

WASHINGTON
FRUIT & PRODUCE CO.

P.O. BOX 1588 · YAKIMA, WASHINGTON 98907, U.S.A – PHONE 509457-6177 – FAX 509-457-3675

To whom it may concern:

I would like to present some comments in regards to the proposed repairs to N. 6th Ave on behalf of myself as a community member and as the Operations Manager of Washington Fruit & Produce Co. (which operates our facilities on N 6th Ave). I have attended a separate meeting on the subject and voiced our stance and intended on doing the same in the meeting tonight, 2/17/2026 but I am unable to make it.

From a business standpoint, we operate one of the larger fruit packing operations on a Global scale and the largest one locally. Our packing and shipping departments employ 800 full-time local workers. We primarily ship apples, cherries, and pears. These commodities are very prone to bruising. The trolly tracks that run down North 6th Ave have been a nuisance for us since we broke ground in 2009 constructing our packing and shipping operations. On average we load over 500 trucks per week with market quality fruit from our shipping location on N. 6th . These trucks are going straight to retail or export. Having those trucks leave our facility and immediate bounce over the trolly tracks has been bruising apples the entire time. In addition to the fruit heading to market that will gather bruising, we also have to bring in fruit from the fields or storage facilities to be packed, which also has to bounce over the trolly tracks. This causes bruising prior to packing which will make the fruit not qualify for fresh market and in the end hurt the growers return. We also are partners with Roche Fruit who operates on 1st Ave and D St. We transfer fruit back and forth between locations multiple times per day. These transfers follow 6th Ave lengthwise and must eventually cross over the rails. There is no way to avoid excessive bouncing from the trolly tracks on that route. From a business standpoint, we are very excited for the chance that the trolly system may be removed from N. 6th.

I have had the luxury of watching what I would like to call the demise of the "last inter urban electric trolly". I believe that is what the claim community members are making in an effort to save the trolly. I may not have my dates right since I am working from memory, but here is what I recall – Around 8 to 10 years ago, the cable that powered the electric trolly disappeared and were not replaced. In its place to power the trolly a diesel generator would be towed behind the trolley as a power source. We could hear that generator running as it drives by our office. The trolly was no longer electric at that point. To continue down the tracks to it's demise, the bridge over the river was compromised around 3 years ago. Because of that the trolly could no longer be taken to Selah, which means it is no longer an inter urban mode of transportation. And finally about 2 years ago a repair was done on a

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section of N. 6th Ave and they did not put the trolly tracks back in. Meaning that even if the bridge was repaired, there would be no way to get a trolly to that bridge. In summary, spending millions of dollars to save the last inter urban electric trolly is not possible. We have not had one in nearly a decade. The money would be spent on building an inter urban electric trolly – not saving it.

As a member of the community, we have so many areas that would benefit from tax payers money repairing or improving things. This proposed rebuild of the trolly system would not be a benefit to the community, to transportation, or to the businesses that employ many local workers. I strongly recommend that we move past the nostalgia of what used to be an electric trolly, and focus that money on repairing a local park, extending a sidewalk, or fixing main roads that are riddled with patchwork from years of growth.

Thank you for your time,

Mikey Hanks

509-969-2722

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Distributed at Meeting:
2/17/2026 Item# 8A

Paint Smith — Going the extra mile for our customers since 1973

Date: 2-16-2026

Attn: Yakima City Council

Re: Public Comment on the 6th Ave Project

Members of the Yakima City Council,

On behalf of Paint Smith Co., I am writing to formally express our concerns regarding the trolley tracks located on North 6th Avenue and any potential plans for their revitalization.

Paint Smith Co. has proudly served this community for over 50 years, and has operated in the N 6th Avenue corridor for over 25 years. During that time, we have witnessed significant changes in traffic patterns, infrastructure demands, and the evolving needs of the businesses that rely on this vital industrial and commercial route. North 6th Avenue serves as a critical transportation corridor for large trucks, delivery vehicles, contractors, and heavy equipment that support the many businesses operating in this district.

The existing trolley tracks already pose challenges to traffic safety. They create hazards for passenger vehicles, commercial trucks, and motorcycles, particularly during inclement weather or high-traffic periods. The uneven surface and narrow roadway conditions increase the risk of accidents and vehicle damage.

Our primary concern is that revitalizing or reactivating the trolley line would further reduce available roadway space in an already constrained corridor. We cannot afford to lose any additional functional road width. The safe and efficient movement of large truck traffic is essential to the continued success of the industries that operate along N 6th Avenue. Any reduction in roadway capacity could negatively impact deliveries, jobsite logistics, customer access, and overall economic activity in this area.

We respectfully urge the Council to carefully consider the safety implications and economic consequences that such a project could impose on long-standing local businesses. Preserving safe, usable roadway space must remain a priority for this corridor.

We appreciate your time and consideration of our concerns.

Respectfully,

Brad Durham
Owner
Paint Smith Co.

PO BOX 342. YAKIMA, WA. 98907 • P: 509.453.5555 • F: 509.453.0487 • www.PAINTSMITH.COM • PAINTSCO23NU

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Distributed at Meeting:
2/17/2026 Item# 8A

## Trolley Tracks NOT ELIGIBLE for TBD Funds

- TBD funds cannot be spent on Trolley Tracks because the tracks are NOT Transportation.
- Yakima County Superior Court ruled Yakima Trolley is NOT a railroad but instead is a "Tourist Attraction."
- Under state law, the Yakima Trolley is NOT "Public Transportation," and the Yakima Trolley is NOT a "Transportation Improvement"
- Under City Ordinance, Trolley tracks are NOT "Transportation Infrastructure" and do NOT alleviate congestion.
- The true cost to build Trolley Tracks and Electric Wires to Selah appears to be $15 Million to $20 Million

## Notice Defective

- Published notice for TBD Public Hearing on February 17, 2026 failed to specify the activities proposed to be funded by TBD for public comment.

"The published ordinance failed to include Exhibit A TBD project list.

### Cost Increases Over Time Information Below

| 6th Avenue Project | 2017 * | 2023 ** | 2025 *** | 2026 List **** | Difference 2026-2017 | Percentage Increase |
|---|---|---|---|---|---|---|
| **Trolley Tracks** ****** | $5,591,760 | $7,935,000 | $15,300,000 | $15,300,000 | **$9,708,240** | **173%** |

| Sidewalk & Other Projects | 2017 * | 2023 ** | 2025 *** | 2026 List **** | Difference 2026-2017 | Percentage Increase |
|---|---|---|---|---|---|---|
| **Brown** 7th Ave to 15th Ave (16th Ave in 2017) | $336,000 | $443,900 | $936,000 | $936,000 | $600,000 | **179%** |
| **Chestnut Ave** 56th to 70th | $448,200 | $592,250 | $3,452,900 | $3,452,900 | $3,004,700 | **670%** |
| **Fair Ave** Pacific Ave to Nob Hill Blvd ***** | $370,000 | $488,750 | **$1,531,900** | $331,900 | **($38,100)** | **-10%** |
| **44th Ave.** Viola to Randall Park | $275,000 | $362,250 | $791,300 | $1,899,400 | $1,624,400 | **591%** |
| **N 16th Ave** Fruitvale to River Road | $250,000 | $333,500 | $564,000 | | $314,000 | **125%** |
| **7th St** G Street to MLK | | $406,000 | $1,869,700 | $1,869,700 | $1,463,700 | **360%** |

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## Trolley Tracks NOT ELIGIBLE for TBD Funds

| | | | | | | |
|---|---|---|---|---|---|---|
| **3rd Ave** Nob Hill to Walnut | $480,000 | $632,500 | $1,523,100 | $1,523,100 | $1,043,100 | **217%** |
| **1st St & Washington I/S** | $2,000,000 | $2,645,000 | $2,897,500 | $2,897,500 | $897,500 | **44%** |

**Notes:**

* 2017 column info obtained from Sept. 7, 2011 hearing which provided "Project List (2017)
https://www.yakimawa.gov/council/assets/TBD-Amended-Project-List.pdf
** 2023 list obtained from https://www.yakimawa.gov/council/assets/amend-TBD-public-hearing-notice_web.pdf
*** 2025 list from June 17, 2025 agenda statement https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/3407204/2025_Public_Hearing_Notice_TBD_List.pdf
**** 2026 List obtained from Bill Preston, Acting City Engineer, Option 1 2026 Transportation Benefit District
***** Big cost jump in 2025, big reduction in 2026
****** 20 year bond, unclear if w or w/out tracks, assuming with tracks
https://www.yakimawa.gov/council/assets/amend-TBD-public-hearing-notice_web.pdf

RCW 36.73.015 Definitions
(6) "Transportation improvement" means a project contained in the transportation plan of the state, a regional transportation planning organization, city, county, or eligible jurisdiction as identified in RCW 36.73.020(2). A project may include investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management. Projects may also include the operation, preservation, and maintenance of these facilities or programs.

RCW 36.73.160 Transportation improvement projects—Material change policy—Annual report.
(1) The district governing body shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan. The policy must at least address material changes to cost, scope, and schedule, the level of change that will require governing body involvement, and how the governing body will address those changes. At a minimum, in the event that a transportation improvement cost exceeds its original cost by more than twenty percent as identified in a district's original finance plan, the governing body shall hold a public hearing to solicit comment from the public regarding how the cost change should be resolved.
(2) A district shall issue an annual report, indicating the status of transportation improvement costs, transportation improvement expenditures, revenues, and construction schedules, to the public and to newspapers of record in the district.

RCW 36.73.020
To the extent practicable, the district shall consider the following criteria when selecting transportation improvements:
(j) Other criteria, as adopted by the governing body.

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WA Spirit S parcels total (3)
no # in assessor N 64th Ave Yakima WA 98908
Parcel 181312-43039

# National Register of Historic Places
# National Historic Landmarks Program

**Cultural Resources, Partnerships, and Science**
**National Park Service, Washington, D.C.**

## Fact Sheet: Owner Objection to Listing or Designation

**Background.** National Register of Historic Places and National Historic Landmark (NHL) regulations provide a property owner an opportunity to object to the nomination of their property for listing or designation of their property, or to its inclusion in either a National Register-listed or NHL-designated historic district. These regulations require that owner objections be notarized. The relevant regulations may be found at 36 C.F.R. § 60.6 (SHPO-submitted nominations); 36 C.F.R. § 60.10 (Concurrent State and Federal Nominations); 36 C.F.R. § 60.9 (Nominations by Federal Agencies); and 36 C.F.R. § 65.5 (NHL designations). However, Section 1746 of Title 28 of the U.S. Code provides a generally acceptable alternative to these notarization requirements.

**Alternative to Notarized Objections.** Federal law provides a mechanism for non-notarized owner objections to be considered valid: such objections must be made under penalty of perjury consistent with 28 U.S.C. § 1746. This alternative may ease the burden on some property owners who have objected to the burden of notarizing objections, especially during a time when access to public services, such as notary services, may be limited, while serving to ensure the veracity of information submitted.

**State or Local Laws.** Depending on the jurisdiction, there may be state or local laws that require an owner objection be notarized or that provide an alternative to a notarization requirement, similar to 28 U.S.C. § 1746. While the National Park Service cannot provide advice regarding the interpretation or requirements of state or local laws—must a state or municipality accept non-notarized objections? are states or municipalities required to change their own nominating processes?—neither state nor local laws affect the National Park Service's obligations under Federal law. That is, the National Park Service will count objections that comply with 28 U.S.C. § 1746 as valid objections for the purpose of determining whether a majority of owners object to listing a property in the National Register or designating a property as an NHL.

**Recommended language.** The National Park Service recommends non-notarized owner objections use the following language.

- If executed within the United States, its territories, possessions, or commonwealths

  "I declare [or certify, verify, or state] under penalty of perjury that the foregoing is true and correct. Executed on [date]. [Printed Name][Signature]

- If executed outside the United States

  "I declare [or certify, verify, or state] under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on [date]. [Printed Name][Signature]

A sample owner objection form is attached.

Prepared 2021-01-06

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**Sample**
**Non-Notarized**
**Owner Objection to Listing or Designation**

I, Tommy Hansen, represent that I own the property at

N 6th Ave Yakima WA 98902

parcel 181342-43039

and that as owner of said property, I object to listing of the property in the National Register of Historic Places and/or its designation as a National Historic Landmark.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

8/24/26
Date

Tommy Hansen
Printed Name

Signature

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WA Exit 5 appeals petition
1409 N 6th Ave Yakima WA 98902
Parcel 181312-43007

# National Register of Historic Places
# National Historic Landmarks Program

**Cultural Resources, Partnerships, and Science**
**National Park Service, Washington, D.C.**

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**Alternative to Notarized Objections.** Federal law provides a mechanism for non-notarized owner objections to be considered valid: such objections must be made under penalty of perjury consistent with 28 U.S.C. § 1746. This alternative may ease the burden on some property owners who have objected to the burden of notarizing objections, especially during a time when access to public services, such as notary services, may be limited, while serving to ensure the veracity of information submitted.

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**Recommended language.** The National Park Service recommends non-notarized owner objections use the following language.

- If executed within the United States, its territories, possessions, or commonwealths

  "I declare [or certify, verify, or state] under penalty of perjury that the foregoing is true and correct. Executed on [date]. [Printed Name][Signature]

- If executed outside the United States

  "I declare [or certify, verify, or state] under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on [date]. [Printed Name][Signature]

A sample owner objection form is attached.

Prepared 2021-01-06

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**Sample**
**Non-Notarized**
**Owner Objection to Listing or Designation**

I, Tommy Hansen, represent that I own the property at

1409 N 6th Ave Yakima WA 98902
parcel 181312-42007
tracks cross land

and that as owner of said property, I object to listing of the property in the National Register of Historic Places and/or its designation as a National Historic Landmark.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

8/24/24
Date

Tommy Hansen
Printed Name

Signature

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WA Fruit S parcel today (5)
1409 N 6th Ave Yakima WA 98902

parcel 181342-43045

# National Register of Historic Places
# National Historic Landmarks Program
**Cultural Resources, Partnerships, and Science**
**National Park Service, Washington, D.C.**

## Fact Sheet: Owner Objection to Listing or Designation

**Background.** National Register of Historic Places and National Historic Landmark (NHL) regulations provide a property owner an opportunity to object to the nomination of their property for listing or designation of their property, or to its inclusion in either a National Register-listed or NHL-designated historic district. These regulations require that owner objections be notarized. The relevant regulations may be found at 36 C.F.R. § 60.6 (SHPO-submitted nominations); 36 C.F.R. § 60.10 (Concurrent State and Federal Nominations); 36 C.F.R. § 60.9 (Nominations by Federal Agencies); and 36 C.F.R. § 65.5 (NHL designations). However, Section 1746 of Title 28 of the U.S. Code provides a generally acceptable alternative to these notarization requirements.

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A sample owner objection form is attached.

Prepared 2021-01-06

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D-31

**Sample**
**Non-Notarized**
**Owner Objection to Listing or Designation**

I, Tommy Hansen, represent that I own the property at

1409 N 6th Ave Yakima WA 98902

Parcel 181342-43045

Legal Cross Lomp

and that as owner of said property, I object to listing of the property in the National Register of Historic Places and/or its designation as a National Historic Landmark.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

8/24/26
Date

Tommy Hansen
Printed Name

Tommy H
Signature

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WA Fish & Game total (2)
1500 N 6th Ave Yakima WA 98902
Parcel 181342-34415

# National Register of Historic Places
# National Historic Landmarks Program

**Cultural Resources, Partnerships, and Science**
**National Park Service, Washington, D.C.**

## Fact Sheet: Owner Objection to Listing or Designation

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Prepared 2021-01-06

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**Sample**
**Non-Notarized**
**Owner Objection to Listing or Designation**

I, Tommy Hanses, represent that I own the property at

1508 N 6th Ave Yakima WA 98902
parcel 18132-34415
tracts cross property

and that as owner of said property, I object to listing of the property in the National Register of Historic Places and/or its designation as a National Historic Landmark.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

8/24/26
Date

Tommy Hanses
Printed Name

Signature

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WA Esuit 5 parcels total ①
1513 N 6th Ave Yakima WA 98902
Parcel 181313-12013

# National Register of Historic Places
# National Historic Landmarks Program
**Cultural Resources, Partnerships, and Science**
**National Park Service, Washington, D.C.**

## Fact Sheet: Owner Objection to Listing or Designation

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A sample owner objection form is attached.

Prepared 2021-01-06

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**Sample**
**Non-Notarized**
**Owner Objection to Listing or Designation**

I, Tommy Hauses, represent that I own the property at

1513 N 6th Ave. Yakima WA 98902

parcel 181313-12013

tracks cross this parcel

and that as owner of said property, I object to listing of the property in the National Register of Historic Places and/or its designation as a National Historic Landmark.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

8/24/26

Date

Tommy Hauses

Printed Name

Signature

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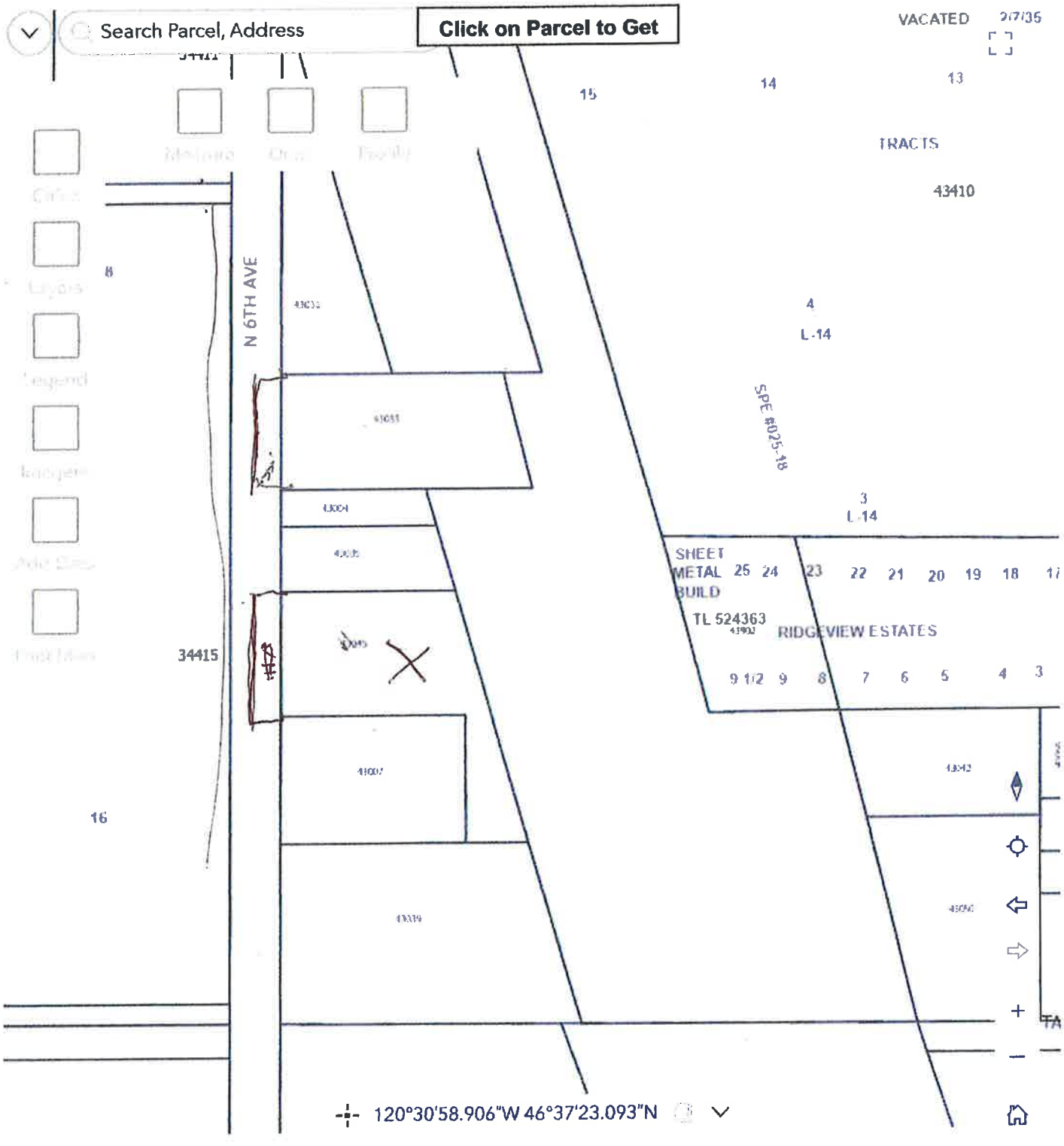
Yakima County GIS - Washington
Land Information Portal

Planning

County Roads

Search Parcel, Address

Click on Parcel to Get




200 ft

Powered by Esri

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN

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**CITY OF YAKIMA**
**6th Avenue Rebuild and Rail Renovation**
**Engineer's Opinion of Construction Cost**

11/6/2025

City Project No. 2796
HLA Project No. 24069

| Item No. | Description | Payment Specification | Unit | Unit Cost | Overall Quantity | Overall Cost |
|---|---|---|---|---|---|---|
| **Schedule A - Road Improvements** | | | | | | |
| 1 | Minor Change | 1-04.4(1) | FA | $25,000.00 | 1 | $25,000.00 |
| 2 | SPCC Plan | 1-07.15(1) | LS | $500.00 | 1 | $500.00 |
| 3 | Mobilization | 2-01.5 | LS | $1,060,000.00 | 1 | $1,060,000.00 |
| 4 | Project Temporary Traffic Control | 2-04.5 | LS | $300,000.00 | 1 | $300,000.00 |
| 5 | Clearing and Grubbing | 3-01.5 | LS | $50,000.00 | 1 | $50,000.00 |
| 6 | Removal of Structures and Obstructions | 3-02.5 | LS | $100,000.00 | 1 | $100,000.00 |
| 7 | Unclassified Excavation Incl. Haul | 3-03.5 | CY | $30.00 | 18,000 | $540,000.00 |
| 8 | Crushed Surfacing Base Course | 4-05.5 | TON | $40.00 | 15,100 | $604,000.00 |
| 9 | Crushed Surfacing Top Course | 4-05.5 | TON | $50.00 | 2,000 | $100,000.00 |
| 10 | HMA Cl. 1/2-Inch PG 64H-28 | 5-04.5 | TON | $120.00 | 14,500 | $1,740,000.00 |
| 11 | HMA Cl. 3/8-Inch PG 64H-28 | 5-04.5 | TON | $140.00 | 1,600 | $224,000.00 |
| 12 | Storm Sewer Pipe 12 In. Diam. | 7-04.5 | LF | $90.00 | 4,000 | $360,000.00 |
| 13 | Underdrain Pipe Infiltration Trench System 12 In. Diam. | 7-04.5 | LF | $150.00 | 1,600 | $240,000.00 |
| 14 | Catch Basin Type 2 48 In. Diam. | 7-05.5 | EA | $3,000.00 | 24 | $72,000.00 |
| 15 | Catch Basin Type 1 | 7-05.5 | EA | $2,500.00 | 52 | $130,000.00 |
| 16 | Pretreatment Manhole 48 In. Diam. | 7-05.5 | EA | $25,000.00 | 2 | $50,000.00 |
| 17 | Adjust Manhole | 7-05.5 | EA | $1,000.00 | 30 | $30,000.00 |
| 18 | Adjust Telephone Manhole | 7-05.5 | EA | $1,200.00 | 10 | $12,000.00 |
| 19 | Shoring or Extra Excavation | 7-08.5 | LF | $5.00 | 5,600 | $28,000.00 |
| 20 | Select Backfill, as Directed | 7-08.5 | CY | $50.00 | 250 | $12,500.00 |
| 21 | Erosion Control and Water Pollution Prevention | 8-01.5 | LS | $10,000.00 | 1 | $10,000.00 |
| 22 | Landscape Restoration | 8-02.5 | FA | $20,000.00 | 1 | $20,000.00 |
| 23 | Basalt Rock Mulch | 8-02.5 | CY | $100.00 | 400 | $40,000.00 |
| 24 | Cement Conc. Traffic Curb and Gutter | 8-04.5 | LF | $30.00 | 15,600 | $468,000.00 |
| 25 | Commercial Driveway Approach | 8-06.5 | EA | $7,500.00 | 23 | $172,500.00 |
| 26 | Monument Case and Cover | 8-13.5 | EA | $800.00 | 19 | $15,200.00 |
| 27 | Cement Conc. Sidewalk 6-Inch Thick | 8-14.5 | SY | $90.00 | 1,000 | $90,000.00 |
| 28 | Cement Conc. Sidewalk 4-Inch Thick | 8-14.5 | SY | $80.00 | 5,500 | $440,000.00 |
| 29 | Cement Conc. Curb Ramp | 8-14.5 | EA | $3,000.00 | 164 | $492,000.00 |
| 30 | Mailbox Support Type 1 or 2 | 8-18.5 | EA | $500.00 | 31 | $15,500.00 |
| 31 | Illumination System, Complete | 8-20.5 | LS | $160,000.00 | 1 | $160,000.00 |
| 32 | Rapid Flashing Beacon System | 8-20.5 | EA | $25,000.00 | 2 | $50,000.00 |
| 33 | Overhead Trolley Wire, Complete | 8-20.5 | LS | $2,100,000.00 | 1 | $2,100,000.00 |
| 34 | Permanent Signing | 8-21.5 | LS | $20,000.00 | 1 | $20,000.00 |
| 35 | Pavement Markings | 8-22.5 | LS | $50,000.00 | 1 | $50,000.00 |
| 36 | Trolley Rail Replacement | 1-07.28(8) | LF | $575.00 | 7,800 | $4,485,000.00 |
| | | | | Subtotal | | $14,306,200.00 |
| | | | | Contingency 10% | | $1,430,600.00 |
| | | | | **Sch. A Total Estimated Construction Cost** | | **$15,736,800.00** |
| | | | | Sch. A Construction Engineering 16% | | $2,518,000.00 |
| | | | | **Sch. A Total Estimated Project Cost** | | **$18,254,800.00** |

Assumptions:

1. Roadway section, 0.5' HMA, 0.5' CSBC
2. Pathway section, 0.25' HMA, 0.33' CSTC
3. Basalt Rock Mulch (Landscape Rock on Plans) placed in buffer
4. New roadway profile will be included in the 60% submittal.
5. New storm drainage will be included in the 60% submittal.
6. Curb Ramp locations and styles will be included in the 60% submittal.
7. Removal of trees and vegetation included in Clearing and Grubbing
8. Removal of drain structures included in Removal of Structures and Obstructions
9. Rapid Flashing beacons for school crossing
10. Street lights included on utility poles

**Line 33 Overhead Trolley Wire $2,100,000 + Line 36 Trolley Rail Replacement $4,485,000 = $6,585,000 Subtotal**

**Trolley Wire & Rail Subtotal $6,585,000 + 10% Contingency $685,500 + 16 % Construction Engineering $1,159,000 =**

## Engineer's Total Estimated Trolley Project Cost $8.4 MILLION



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D-31

BEFORE THE DEPARTMENT OF PUBLIC WORKS OF WASHINGTON
Division of Transportation

. . . . . .

| | | |
|---|---|---|
| In re Electric Railway Service of | ) | Cause No. 6832 |
| | ) | |
| YAKIMA VALLEY TRANSPORTATION COMPANY | ) | FINDINGS OF FACT AND ORDER GRANTING DISCONTINUANCE OF SERVICE |
| | ) | |
| in Yakima County, State of Washington | ) | |

. . . . . .

This matter came on regularly for hearing at Olympia, Washington, on the 8th day of March, 1935, before W. D. Lane, Supervisor of Transportation, and W. W. Chamberlain, Examiner, and at Yakima, Washington, on the 1st day of April, 1935, before W. D. Lane, Supervisor of Transportation, pursuant to notice duly given.

The parties were represented as follows:

APPLICANT — By F. T. Merritt, Att'y, Hayden, Merritt, Summers & Bucey, 540 Central Bldg., Seattle, Wash.; Arthur A. Murphy, Pres., W. S. Howard, Vice Pres. and Sup't, and Geo. W. Beeman, Sec'y.

PROTESTANTS:

At hearing held March 8 - none
At hearing held April 1:

LEE C. DELLE and L. D. LUCE — By Lee C. Delle, Att'y, 405-6 Miller Building, Yakima, Washington.

JOHN D. MORRISSEY — By Self, Route 2, Selah, Washington.

Witnesses were sworn and examined, documentary evidence was introduced, and the Department, being duly advised in the premises, makes and enters the following

FINDINGS OF FACT

The above entitled matter was heard upon the application of the Yakima Valley Transportation Company to discontinue interurban passenger service on the Ahtanum-Harwood and Selah-Speyers lines. Petitioner is the holder of a franchise for this service from Yakima County, dated October 7, 1907, and is now operating on its said Ahtanum-Harwood line on a regular schedule for the carrying of passengers, mail and express two round trips per day between Wiley City and Henrybro on the one hand and the intersection of Sixth Street and Yakima Avenue in the City of Yakima on the other, and upon its Selah-Speyers line is operating on a regular schedule for the carriage of passengers, mail and express two round trips per day between Speyers and the intersection of Sixth Street and Yakima Avenue in the City of Yakima.

We find that due to the establishment of new roads, the improvement and paving of roads in Yakima County, the increased use of private automobiles, and other causes, the number of passengers and the volume of mail and express being transported by applicant on said Ahtanum-Harwood and Selah-Speyers lines are, and for a long period of time have been, very small, and the gross revenues derived from the operation of said lines are, and for a long period of time have been, less than the "out of pocket cost" of operation.

We further find that for the same reasons which have caused a decline in the gross revenues of applicant, there is no reasonable prospect of any sub-

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stantial increase of revenue in the future, and that substantial losses from passenger operation will continue; that the revenues derived from said passenger, mail and express service do not justify or require continuance of the operation, and that the continuance of such service is not required by public convenience and necessity.

We further find that the County Commissioners of Yakima County after a hearing on December 20, 1934, upon due public notice, entered an order on December 21, 1934, authorizing discontinuance of passenger, mail and express service, and amending applicant's franchise accordingly.

At the hearing in Yakima only three witnesses appeared to protest against the granting of the application, and of these only two use the transportation, L. D. Luce and Agnes Stever. They need the service, and are victims of changed conditions in transportation. The revenues derived from the carrying of passengers on the lines mentioned do not justify the Department in requiring the service to be continued.

O R D E R

WHEREFORE, IT IS ORDERED That Yakima Valley Transportation Company, a corporation, be, and hereby is, authorized to discontinue interurban passenger, mail and express service on its Ahtanum-Harwood and Selah-Speyers lines as prayed for in its application.

Dated at Olympia, Washington, April 11, 1935.

DEPARTMENT OF PUBLIC WORKS OF WASHINGTON

By E K Murray
Director

W. D. Luce
Supervisor of Transportation

Frank Rice
Supervisor of Public Utilities

WDL/Mc

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