

from WSDOT surplus.

(b) Justification for changes: Existing equipment is antiquated and does not provide needed train detection for variable train speeds. The constant warning detection device is newer technology. It will provide consistent warning times for a constant speed train, regardless of train speed. The "S" gate mechanisms will replace older EM type for increased reliability.

(c) Affects of proposed changes on warning devices and warning times for drivers: No change to warning devices for drivers. Train warning times will be consistent with industry standards. System will be in compliance with FRA Part 234, Grade Crossing Signal System Safety Regulations.

5. Drawings. Sketches drawn to scale are attached accurately showing the current and proposed layout of the highway (including shoulders, sidewalks, lanes of travel, bike lanes and crossing warning devices), of the crossing surface and of the railway in the vicinity of the crossing. N/A

6. Estimated project completion date: _____

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

Dated at Seattle, Washington this 28th day of October, 2003.

Allen M. Tombs - 1
Petitioner

By John M. Cowles

BNJF RR Company
(Address)

2454 Occidental Ave So, Ste 1-A
Seattle, WA 98134

WAIVER OF HEARING BY RESPONDENT

The respondent has investigated the conditions existing at and in the vicinity of the grade crossing described herein and is satisfied that such conditions are substantially as described in the petition. Respondent consents to the modification of the signal system circuitry as described in the petition. Hearing in this proceeding is hereby waived.

Dated at Spokane, Washington, on the 7 day of July, 2003.

Daniel Frazier
Respondent PUBLIC WORKS DIRECTOR

PO BOX 588
(Address) Spokane, WA 99201