

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

EASTERN WASHINGTON	)	DOCKET TR-143056
GATEWAY RAILROAD,	)	
	)	ORDER 01
Petitioner,	)	
	)	ORDER GRANTING PETITION TO
	)	RECONSTRUCT A PUBLIC
CITY of AIRWAY HEIGHTS and	)	HIGHWAY-RAIL GRADE CROSSING
SPOKANE COUNTY,	)	AT HAYDEN ROAD IN AIRWAY
	)	HEIGHTS
Respondents.	)	
.....	)	USDOT: 095973N
	)	

**BACKGROUND**

- 1 On August 6, 2014, Eastern Washington Gateway Railroad (EWGRR or Petitioner) filed a petition with the Utilities and Transportation Commission (Commission) seeking approval to reconstruct a railroad-highway grade crossing at Hayden Road in Airway Heights. EWGRR proposes to construct a spur track through the existing crossing.
- 2 The City of Airway Heights (City) and Spokane County consented to entry of an Order by the Commission without further notice or hearing. Spokane County owns the Geiger Spur railroad line and EWGRR is the operator.
- 3 Hayden Road is a two-lane local access road with one lane in each direction. The City estimates average daily vehicle traffic over the crossing at less than 400 vehicles. Hayden Road is not a designated truck or school bus route. The posted legal speed limit is 25 miles per hour.
- 4 EWGRR currently maintains one spur track at this location, with one train per week operating over the crossing. The authorized speed limit for freight trains is ten miles per hour. No passenger trains operate over the crossing. No hazardous materials are hauled over the crossing, either in trucks or in rail cars.
- 5 Railroad warning devices at the Hayden Road crossing consist of crossbucks, yield and advance warning signs.
- 6 EWGRR proposes to add a second spur track on the north side of the existing track. The construction of the second track will provide additional rail access to the Seaport Steel

facility and allow expanded operations. As a result of the expanded operations at Seaport Steel, up to four trains per week will operate over the crossing.

7 EWGRR proposes to maintain the current warning devices but relocate them to accommodate installation of the second track. In addition, “2 Tracks” signs will be added and a “Do Not Stop on Tracks” sign on the north approach to the crossing.

8 The new crossing surface will be concrete which is consistent with the existing crossing surface, track centers will be 25 feet apart. Railroad crew will continue to be present at the crossing during switching operations to ensure no conflicts between the train and vehicles.

9 The proposed upgrades are in the interest of improving safety and convenience for roadway users.

#### **FINDINGS AND CONCLUSIONS**

10 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having jurisdiction over public railroad-highway grade crossings within the state of Washington. *Chapter 81.53 RCW.*

11 (2) The proposed reconstruction of a crossing involves a public railroad-highway grade crossing, as defined in RCW 81.53.010.

12 (3) RCW 81.53.261 and WAC 480-62-150 require that the Commission grant approval prior to reconstructing a public railroad-highway grade crossing within the state of Washington.

13 (4) Commission staff investigated the petition and recommends that it be granted. All traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices.*

14 (5) After examination of the petition filed by Eastern Washington Gateway Railroad on August 6, 2014, and giving consideration to all relevant matters and for good cause shown, the Commission grants the petition.

**ORDER**

THE COMMISSION ORDERS:

15 The petition of Eastern Washington Gateway Railroad to reconstruct a railroad-highway grade crossing at Hayden Road and the Respondents' tracks in Airway Heights is granted, as follows:

- (1) The modifications must conform to those described in the petition.
- (2) Traffic control devices must comply with all applicable standards specified in the U.S. Department of Transportation *2009 Manual on Uniform Traffic Control Devices*.
- (3) Petitioner must notify Commission Staff within 30 days upon completion of this modification project.
- (4) Petitioner must ensure that railroad crew are present at the crossing during switching operations.

The Secretary of the Commission has delegated authority over this matter pursuant to Order 03 in Docket A-090485. The Secretary finds this Order to be consistent with the public interest.

DATED at Olympia, Washington, and effective August 21, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary

**NOTICE:** This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).