

## ATTACHMENT 5: COMMENTS AND RESPONSES

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This attachment presents all comments received during the public comment period and a response to each comment. In all, three letters, five emails, six written comments submitted at the public open house, four oral testimonies taken at the public open house, and four voice mail messages left on the project hotline were collected from members of the public or from government agencies. Numbers were added to the margins of each comment submittal to delineate individual comments. A total of 36 delineated comments were reviewed and responded to. Responses to the numbered comments follow each page of the comment submittal.

### Index to Comments and Responses

#### *Letters (L)*

- L1. Thomas and Jean Meyer, residents and business owners, December 8, 2009 (8 delineated comments)
- L2. Mark Cline and Roberta Woods, Washington State Department of Ecology, December 11, 2009 (2 delineated comments)
- L3. James F. Devine, Senior Advisor for Science Applications, U.S. Geological Survey, December 15, 2009 (2 delineated comments)

#### *Emails (E)*

- E1. Jason Cowley, member of the public, November 17, 2009 (1 delineated comment)
- E2. Gerald Goodman, member of the public, November 17, 2009 (1 delineated comment)
- E3. Kathy Charles, member of the public, November 19, 2009 (1 delineated comment)
- E4. Thomas Ryll, member of the public, November 26, 2009 (1 delineated comment)
- E5. Peter Brinsek, member of the public, December 11, 2009 (1 delineated comment)

#### *Public Open House Written Comments (December 2, 2009)(W)*

- W1. Dan Arthurs, member of the public (1 delineated comment)
- W2. Peter Brinsek, member of the public (1 delineated comment)
- W3. Steve Hinz, member of the public (1 delineated comment)
- W4. Fiona Humphrey and Jacob Amram, members of the public (1 delineated comment)
- W5. Dennis Johnson, member of the public (1 delineated comment)
- W6. Nan Weston, member of the public (1 delineated comment)

#### *Public Open House Oral Testimonies (December 2, 2009)(O)*

- O1. Bob Stroncsek, member of the public (6 delineated comments)
- O2. Vonnie Sheadel, member of the public (1 delineated comment)

O3.Lori Charlton, member of the public (1 delineated comment)

O4.Cathleen Person, member of the public (1 delineated comment)

*Hotline Voice Mail Messages (H)*

H1.Ann Warren, member of the public, November 12, 2009 (1 delineated comment)

H2.Justin Kerinski, member of the public, November 20, 2009 (1 delineated comment)

H3.Cindy Styles, member of the public, November 30, 2009 (1 delineated comment)

H4.Sarah Ferguson, member of the public, December 3, 2009 (1 delineated comment)

Letter Comment (L1)

# SALMON CREEK INTERCHANGE PROJECT

A joint project by the Clark County Public Works Department and the Washington State Department of Transportation

RECEIVED  
10 21 09

## Comment Form

The Salmon Creek Interchange Project welcomes your comments on the Environmental Assessment or any other aspect of the project or process.

**Project Purpose:** The Salmon Creek Interchange Project will reduce traffic congestion and improve safety in the fast growing Salmon Creek area by constructing a new I-5 interchange at NE 139th Street, improving the I-205 northbound off-ramp to NE 134th Street, and constructing other local road improvements.

**TELL US ABOUT YOURSELF:**

What is your name? THOMAS ; LEAN MEYER

What is your address? 13914 NE 16TH AVE, VANCOUVER, WA 98685

What is your home zip code? 98642 Your work zip code? 98685

**Do you (check all that apply):**

Live in project area?  Work in project area?  Own a business in the project area?  Other?

**GENERAL COMMENTS:**

Please use this space for general comments. Please be as specific as you can about your thoughts.

PLEASE SEE ATTACHED DOCUMENTS.

HAND DELIVERED DEC. 10, 2009

VANCOUVER AREA ENGINEER'S OFFICE	
DEC 10 '09	
WANDER	<u>ruj</u>
EGGIE	
THOMAS	<u>cc</u>
WILLIAMS	
BURCH	
GREENE	<u>cc</u>
TRAFLET	
WEISBERG	
SECRETARY	
FILE	

December 8, 2009

Mr. Leon Winger  
Vancouver Area Engineer  
Washington State Department of Transportation  
P.O. Box 1709  
Vancouver, WA 98682-6686

SUBJECT: SR5- SR 205 Salmon Creek Interchange Project  
Comments Environmental Assessment

Dear Mr. Winger,

We submit the following written comments to be incorporated into the formal project record. These comments address issues affecting the following properties.

Property #1: Identified by the Clark County Department of Assessment and GIS by Serial Number 185672-000. See Attachment #1.

Property #2: Identified by the Clark County Department of Assessment and GIS by Serial Number 185796-000. See Attachment #2.

Property #3: Identified by the Clark County Department of Assessment and GIS by Serial Number 185700-000. See Attachment #3.

The proposal to prohibit access to NE 139<sup>th</sup> St. between NE 16<sup>th</sup> Ave. and NE 10<sup>th</sup> Ave. adversely affects properties # 1 and #2.

Property #1 is partially developed with Mountain View Veterinary Hospital which was established in 1981. This development is located on the North portion of the property leaving the South portion of the property open for future development. The property is currently accessed by NE 16<sup>th</sup> Ave. The South property line is surveyed such that the Easterly 147.32 feet extends to the center line of NE 139<sup>th</sup> St. while the Westerly 266.73 feet dedicates a 30 foot easement to the 60 foot width of 139<sup>th</sup> St. (See Attachment #4 as Survey of these properties). Currently there is improved access from NE 16<sup>th</sup> Ave into the Southeast corner of this property. With the proposed prohibited access, this access would be eliminated as would the additional access that is available on NE 139<sup>th</sup> St. We request that if the access to NE. 139<sup>th</sup> St. is prohibited, then the current improved access from NE 16<sup>th</sup> Ave. in the Southeast portion of this property be fully replaced as to

Comment #

1

2

provide adequate access per county code to the undeveloped Southern portion of this property.

2  
(cont.)

Furthermore, there is concern that by taking the needed access from the South property line, that future development may not have sufficient lot width size to meet the Clark County standards for sufficient setback requirements. We request that any reduction in lot size will not jeopardize any future development of the remaining undeveloped land by future county zoning setback requirements that would negate the development of this property.

3

When Mountain View Veterinary Hospital was built in 1981, the water supply main was constructed at our expense in the easement of NE 139<sup>th</sup> St. as it abuts properties #1 and #2; so that any future development to these properties would have access to this utility. The sewer, gas and electrical utilities are also located in this corridor. We request that proper access to these utilities be supplied and maintained so that future development will not create any detriment to the completed NE 139<sup>th</sup> St.

4

Property #2 currently has access to a deeded county easement known as NE 139<sup>th</sup> St. with recorded width of 60 feet. This proposal would eliminate all access to this property essentially making it landlocked with no ingress or egress, rendering it impossible for any development in its current land use designated as ML. We have previously requested that access privileges be given to this property.

5

Future storm water drainage and maintaining current surface water and hydraulic flows are of major concern. Currently the flow of run-off water on all mentioned properties is from North to South until it reaches a berm and a ditch system which carries the water easterly to the ditch at NE 16<sup>th</sup> Ave. and then South in said ditch to the culvert that carries the water easterly under the established roads and interstate highway system. The mentioned berm and ditch were created in the establishment of Dubois Road (NE 139<sup>th</sup> St.) per Clark County Engineer Oct. 26, 1943 as part of the Tenney Acres subdivision. (See Attachment # 5 -2 pages). Olson Engineering, Vancouver, WA has been maintained as our counsel since Dec. 2008 on this concern and has had conversation with WSDOT. To date we have been informed there is inadequate information to share as the plans for the project development are not yet 90% complete. In review of the plans that are available at public hearings, we have major concerns that this project will have detrimental effects on the future hydraulics and surface water run-off. We request that all possible concerns that will have an adverse effect on these properties be addressed upon review of the project plans once they become available for comment.

6

### First American Title - Parcel Report

#### General Information

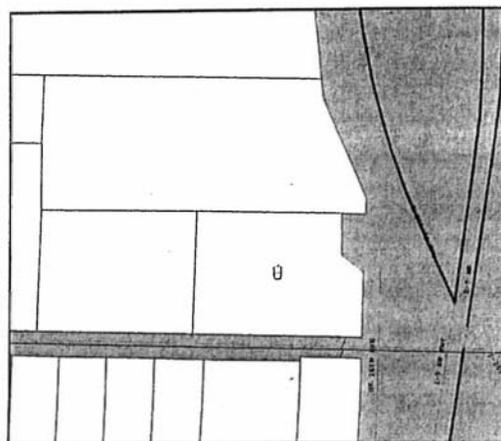
Serial Number: 185672-000  
Situs Address: 13914 NE 16TH AV, VANCOUVER, 98685  
Owner: MEYER CLAN LLC  
Buyer:  
In Care Of:  
Mail Name: MEYER CLAN LLC  
Mail Address: 13914 NE 16TH AVE, VANCOUVER, WA, 98685  
Sale Year: 0  
Sale Amt: \$0  
1st Line Legal: #19 SEC 23 T3N R1EWM 2.95A  
Prop Desc: Veterinarians / Small Animal Hospitals.  
Owner Type: Private Ownership  
Assr Zoning: ML  
Assr Complian: ML  
Seg Date: 000000  
Comb Date: 000000

#### Building Information

Units: 0  
Year Built: 0  
Bldg Sq Ft: 0  
Bldg Type: Unknown  
Bldg Value: \$293,000

#### Land Information

Assr Acres: 2.95  
Lot Sq Ft: 0  
Imp Value: \$328,300  
Imp Acres: 2.95  
Unimp Value: \$0  
Unimp Acres: 0  
Land Value: \$328,300  
Special Assessment: 0  
Tax Status: T



 Selected Parcel

Located In: SW 1/4 of Section 23 T3R1E WM

Total Value: \$621,300

Report Date: Oct 17, 2006



**First American**  
**Title Insurance Company**

\*\*\*NOTE\*\*\*  
THIS DATA REFLECTS ASSESSMENT RECORDS USED FOR TAXATION PURPOSES ONLY. FIRST AMERICAN TITLE MAKES THIS INFORMATION AVAILABLE AS A SERVICE, AND ACCEPTS NO RESPONSIBILITY FOR ANY INACCURACY, ACTUAL OR IMPLIED.

### First American Title - Parcel Report

#### General Information

Serial Number: 185796-000  
Situs Address: VANCOUVER, 98685  
Owner: MEYER THOMAS F & JEAN L  
Buyer:  
In Care Of:  
Mail Name: MEYER THOMAS F & JEAN L  
Mail Address: 13914 NE 16TH AVE, VANCOUVER, WA, 98685  
Sale Year: 2005  
Sale Amt: \$150,000  
1st Line Legal: #152 SEC 23 T3N R1EWM 2.95A  
Prop Desc: Unused platted land.  
Owner Type: Private Ownership  
Assr Zoning: ML  
Assr Complan: ML  
Seg Date: 000000  
Comb Date: 000000

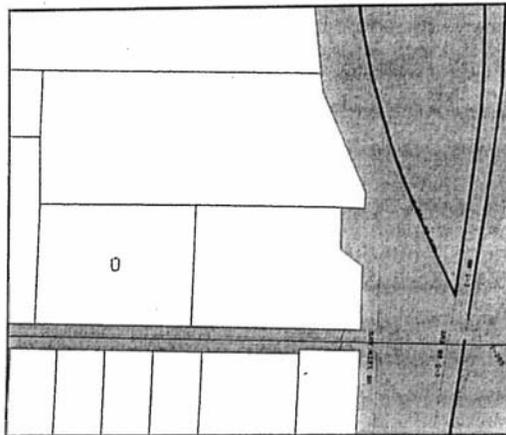
#### Building Information

Units: 0  
Year Built: 0  
Bldg Sq Ft: 0  
Bldg Type: Unknown  
Bldg Value: \$0

#### Land Information

Assr Acres: 2.95  
Lot Sq Ft: 0  
Imp Value: \$293,800  
Imp Acres: 2.95  
Unimp Value: \$0  
Unimp Acres: 0  
Land Value: \$293,800  
Special Assessment: 0  
Tax Status: T

Total Value: \$293,800



Selected Parcel

Located In: SW 1/4 of Section 23 T3R1E WM

Report Date: Oct 17, 2006



**First American**  
**Title Insurance Company**

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### First American Title - Parcel Report

#### General Information

Serial Number: 185700-000  
Situs Address: 14002 NE 16TH AV, VANCOUVER, 98685  
Owner: MEYER THOMAS & JEAN L  
Buyer:  
In Care Of:  
Mail Name: MEYER THOMAS & JEAN L  
Mail Address: 16202 NW 61ST AVE, RIDGEFIELD, WA, 98642  
2005  
Sale Year:  
Sale Amt: \$412,500  
1st Line Legal: #54 SEC 23 T3N R1EWM 5.75A  
Prop Desc: Prime Developable Ground  
Owner Type: Private Ownership  
Assr Zoning: R-18  
Assr Complan: UM  
Seg Date: 950705  
Comb Date: 000000

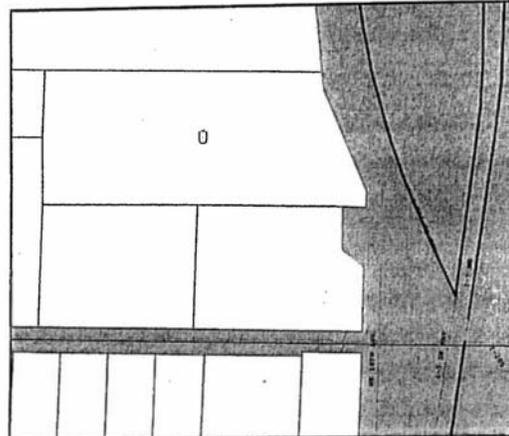
#### Building Information

Units: 0  
Year Built: 1995  
Bldg Sq Ft: 0  
Bldg Type: Ranch  
Bldg Value: \$0

#### Land Information

Assr Acres: 5.75  
Lot Sq Ft: 0  
Imp Value: \$487,000  
Imp Acres: 4.15  
Unimp Value: \$28,800  
Unimp Acres: 1.6  
Land Value: \$515,800  
Special Assessment: 0  
Tax Status: T

Total Value: \$515,800



Selected Parcel

Located In: SW 1/4 of Section 23 T3R1E WM

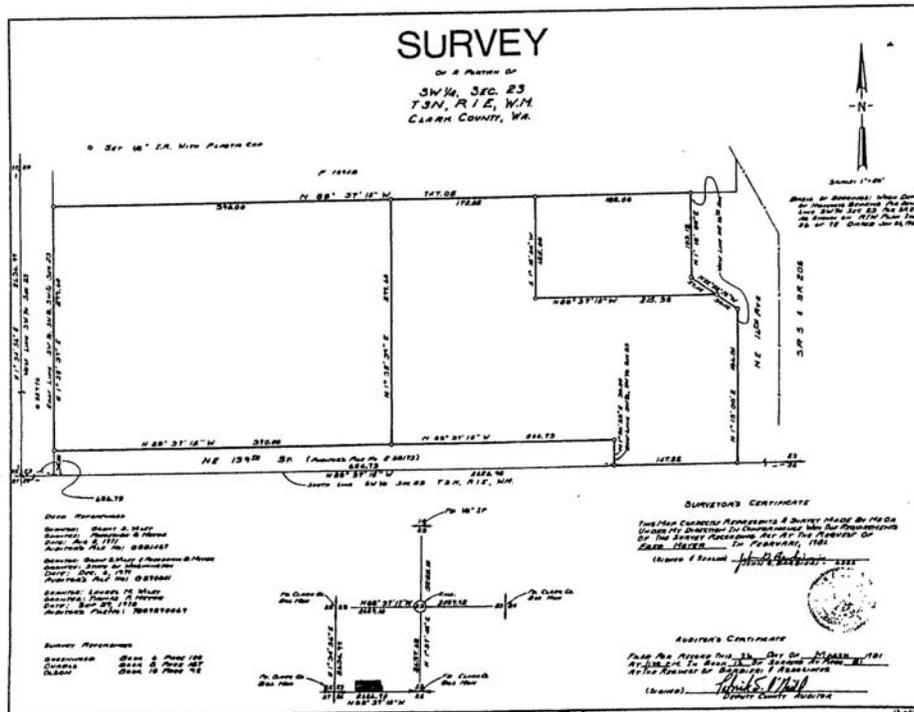
Report Date: Oct 17, 2006



**First American**  
Title Insurance Company

\*\*\*NOTE\*\*\*  
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ATTACHMENT #4





# TENNEY ACRES

Being a Subdivision of a portion of the  
Northwest quarter of Section 26 T3N R1E W1M



Approved by the Clark County Planning Board  
This 28<sup>th</sup> day of Oct. 1942.

*Robert G. Smith*  
Signed, Chairman of the Board

Accepted for recording by the County Clerk,  
Attest: *W. J. Thomas*  
County Auditor

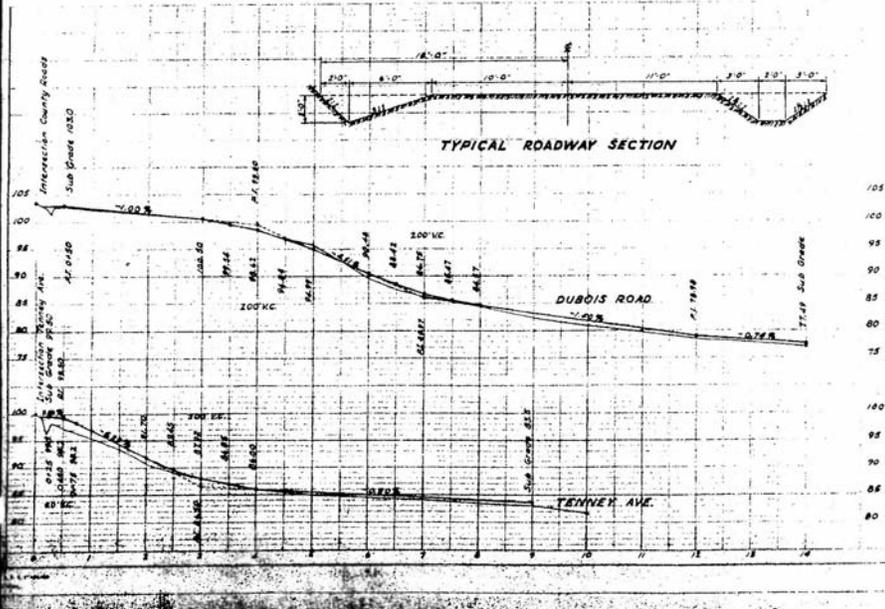
*William J. Thomas*  
Chairman of the Board  
of County Commissioners.

Checked and approved this 26<sup>th</sup> day of Oct. 1943

*W. K. Peterson*  
Deputy County Engineer

I hereby certify to this plat as being a true  
return from the field and that the valuation  
is correct to the best of my knowledge and belief.

*L. D. Kinsight*



(L1) Thomas and Jean Meyer, residents and business owners, December 8, 2009

**Comment #1 Response**

Comment noted.

**Comment #2 Response**

The project does not propose to remove access to the property in question (identified as Serial Number 185672-000 and described as #19 SEC 23 T3N R1EWM 2.95 A in the title report references in the comment issued by First American Title dated October 17, 2006). Access may need to be relocated so that it is not in conflict with the NE 139th Street alignment.

**Comment #3 Response**

As stated in the Limited Access Findings and Order (adopted October 1, 2007) Part 5 Specific Access Responses Section I Response 2:

*“Federal and State laws require just compensation for purchase of property or property rights. If less than an entire parcel is acquired, just compensation also includes losses in value or damages, if any, to the remaining property. This issue will be addressed by the appraiser during the appraisal process. The Department cannot speculate on the future zoning and setback requirements of this parcel.”*

Once the environmental documentation is complete, the property owner will be contacted by a real estate specialist and an appraisal will be performed.

**Comment #4 Response**

As stated in the Limited Access Findings and Order (adopted October 1, 2007) Part 5 Specific Access Responses Section I Response 3:

*“WSDOT is working with all of the utility providers along the NE 139th Street corridor to relocate any utilities in conflict with the proposed roadway and structure. The current level of utility service to the area will be maintained.”*

**Comment #5 Response**

As stated in the Limited Access Findings and Order (adopted October 1, 2007) Part 5 Specific Access Responses Section I Response 4:

*“This type of access will not be granted. However, Federal and State laws require just compensation for purchase of property or property rights. If less than an entire parcel is acquired, just compensation also includes losses in value or damages, if any, to the remaining property. This issue will be addressed by the appraiser during the appraisal process.”*

Once the environmental documentation is complete, the property owner will be contacted by a real estate specialist and an appraisal will be performed.

**Comment #6 Response**

A Hydraulic Report consistent with state stormwater requirements would be prepared as part of the final design for the project. A public disclosure request can be submitted to obtain a copy

of this report when it is completed. The current completion estimate for this report is fall of 2010.

### **Comment #7 Response**

As stated in the Limited Access Findings and Order (adopted October 1, 2007) Part 5 Specific Access Responses Section I Response 5:

*“The small portion of roadway on NE 16th Ave., which is being realigned, is being replaced in-kind. However, the roadway is being realigned in order for it to cross under the proposed ramp structure at the angle and location necessary so as not to preclude future widening of NE 16th Ave. to meet Clark County Code requirements for Urban Industrial Roads (Local Industrial).”*

In addition, see Part 5 Specific Access Responses Section II Response 1, which states:

*“The property to the north of the veterinary hospital (Parcel No. 4-07398) has not been given a Department parcel number because the property does not abut the proposed limited access. Access to that property is by way of NE 16th Avenue, which is under the jurisdiction of Clark County. NE 16th Avenue will not be eliminated and limited access is not being proposed for that road.”*

Once the environmental documentation is complete, the property owner will be contacted by a real estate specialist and an appraisal will be performed.

### **Comment #8 Response**

At the time the EA and the FONSI were prepared, no proposal for development of the properties in question had been received by Clark County. The county reviews plans and typically conditions the developer to make necessary improvements as part of development approval at the time they are formally submitted. Because there is no proposal under review, the county cannot provide development assurances.

Once the environmental documentation is complete, the property owner will be contacted by a real estate specialist and an appraisal will be performed.



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

December 11, 2009

Mr. Leon Winger  
WA State Department of Transportation  
PO Box 1709  
Vancouver, WA 98668-1709

Dear Mr. Winger:

Thank you for the opportunity to comment on the national environmental policy act/environmental assessment for the Salmon Creek Interchange project. The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

**WATER QUALITY: Roberta Woods (360) 407-6269**

Comment #

The project involves construction activities which will disturb more than an acre of soil surface area from a site which already has offsite discharge of stormwater to waters of the state. The site has several perennial streams as well as seasonal streams and wetlands. A Construction Stormwater National Pollution Discharge Elimination System (NPDES) will be required and must be obtained before the start of any clearing, grading or construction activities. The permit application form, called a Notice of Intent (NOI), is available on Ecology's website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction>.

1

We recommend the applicant to allow at least 60 days (before the planned start of construction) to submit a completed application form and to publish the two required public notices.

**WETLANDS & ENVIRONMENTAL ASSISTANCE: Mark Cline (360) 407-7273**

Ecology has been discussing this project with WSDOT since 2005. During the years we have collaborated with the US Army Corps of Engineers to determine the extent of wetlands onsite and Clark County to accurately rate the wetland. More recently we have discussed options to avoid and minimize adverse impacts to the wetland's water quality and hydrologic functions. As the project moves forward, we look forward to more opportunities to explore potential compensatory mitigation proposals.

2

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology  
Southwest Regional Office

(SM: 09-6555)

cc: Mark Cline, SEA  
Sheila Pendleton-Orme, VFO/WQ  
Joyce Smith, HQ/WQ  
Roberta Woods, WQ

(L2) Roberta Woods and Mark Cline, Washington State Department of Ecology, December 11, 2009

**Comment #1 Response**

WSDOT and Clark County will apply for the NPDES permits.

**Comment #2 Response**

WSDOT and Clark County look forward to our continued coordination with Washington Department of Ecology throughout the duration of the project.



# United States Department of the Interior

U. S. GEOLOGICAL SURVEY  
Reston, VA 20192

In Reply Refer To:  
Mail Stop 423

December 15, 2009

Mr. Leon Winger, Area Engineer  
Department of Transportation  
P.O. Box 1709  
Vancouver, WA 98668-1709

Subject: Draft Environmental Assessment for the Salmon Creek Interchange Project, Clark County, Washington

Dear Mr. Winger:

As requested by the U.S. Department of the Interior, Office of Environmental Policy and Compliance, in their correspondence of November 17, 2009, the U.S. Geological Survey (USGS) has reviewed the subject environmental assessment (EA) and offers the following comment.

### SPECIFIC COMMENT

#### Figure 6.6-1

This figure appears to have been intended as a generic diagram of the infiltration/runoff/groundwater flow part of the hydrologic cycle, but the diagram is misleading. This diagram is missing a pumping well at the groundwater low, left of the stream, that causes underflow beneath the stream. A better choice would be to smooth the water table left of the stream and extend the flow arrows from the left, discharging to the stream. Flow arrows from the right should also discharge to the stream. Examples of this type of diagram can be found in groundwater reference publications. If the diagram is intended to show the effect of pumping well drawdown, then insert the pumping well at the groundwater low however, the text does not discuss drawdown so this is not a recommended option.

Comment #

1

There are several instances, particularly in section 6.7 that make statements that would benefit from citing the reference used to support statements like the one in section 6.7.3, that temporarily affected wetlands “will return to functioning state within five years”. It would help the reader to know the basis of these conclusions.

2

Thank you for the opportunity to review the EA. If you have any questions concerning our comment, please contact Frances Pierce, Geologist Grants Program Manager, at (703) 648-6636 or at [fpierce@usgs.gov](mailto:fpierce@usgs.gov)

Sincerely,

*/Ward Staubitz signed for/*

James F. Devine

Senior Advisor for Science Applications

Copy to: Office of Environmental Policy and Compliance

(L3) James F. Devine, Senior Advisor for Science Applications, U.S. Geological Survey, December 15, 2009

### **Comment #1 Response**

This figure was provided as a schematic to illustrate the generalized movement of water between surface waters and groundwater sources. It was not intended to address groundwater pumping. The figure is replaced with another that does not imply groundwater extraction is occurring (see Attachment 1: Errata to the EA).

### **Comment #2 Response**

The EA was prepared using WSDOT's reader-friendly document guidance. According to the guidance, parenthetical references can disrupt the flow of a document. In addition, because sources are cited in the Discipline Reports that support the EA (See EA Appendix A), the references from the Discipline Reports are incorporated into the EA by reference.

Please see the Wetlands Biology Discipline Report in Appendix A of the EA for a more detailed discussion on the subject matter of Section 6.7 of the EA. The statement "it is anticipated (temporarily impacted wetlands) would return to a functioning state within five years," is in reference to the monitoring requirements in the Washington State Department of Ecology's *Wetland Mitigation in Washington State* (2006). This source is referenced in Attachment 1: Errata to the EA.

## Email Comment (E1)

Page 1 of 1

**From:** jdcharmony@gmail.com  
**Sent:** Tuesday, November 17, 2009 7:56 AM  
**To:** WSDOT SW Vancouver Project Office - Public; WSDOT SW Web Info  
**Subject:** I-5 Vancouver - NE 134th Street Interchange Project

Sent from: Jason Cowley  
Address: 14803 NE 2nd Ave  
City: Vancouver  
State: WA  
County: Clark County  
Zip: 98685  
Email: [jdcharmony@gmail.com](mailto:jdcharmony@gmail.com)  
Phone:

**Comments:**

While Salmon creek and 134th are bottlenecked, I think it is utter folly to move the park and ride. The park and ride is a huge asset where it is currently located. Last year, I used that park and ride for a 5 person carpool to Woodland. When gas prices rise, we'll probably carpool again. However, several of the co-workers I carpoled with live in east Vancouver, and will not go out of their way to make it to the new park and ride should you go through with your plan to move it. Seriously, why not use the proposed site of the new park and ride and turn that into an environmental area?

1

(E1) Jason Cowley, member of the public, November 17, 2009

**Comment Response #1**

When the existing Park-and-Ride location is moved, the existing signal at the Park-and-Ride would have two movements removed: the eastbound left and the southbound left/right. This would improve the traffic flow on NE 134th Street, allowing more green time for the east/west movements. The proposed location of the Park-and-Ride on NE 10th Avenue provides similar size and utility, and is the only location near the existing Park-and-Ride that would provide that size and proximity to the interchanges.

## Email Comment (E2)

Page 1 of 1

**From:** jjfeb14@msn.com  
**Sent:** Tuesday, November 17, 2009 8:49 PM  
**To:** WSDOT SW Vancouver Project Office - Public; WSDOT SW Web Info  
**Subject:** I-5 Vancouver - NE 134th Street Interchange Project

Sent from: Gerald Goodman  
Address: 15017 NE 28th Ct.  
City: Vancouver  
State: WA  
County: Clark County  
Zip: 98686  
Email: [jjfeb14@msn.com](mailto:jjfeb14@msn.com)  
Phone:

**Comments:**

Oh Happy Day. I have lived in Mt Vista from 1982 when of all things, there was only a 4 way stop sign on 134th and 20th. So I will happily endure all distractions and inconveniences to see this project fulfilled. And once again we will be able to travel without interruptions of way too many uncoordinated traffic lights in such a short distance. Looking forward to the start.

1

(E2) Gerald Goodman, member of the public, November 17, 2009

**Comment Response #1**

Comment noted.

## Email Comment (E3)

Page 1 of 1

**From:** kbcharles@comcast.net  
**Sent:** Thursday, November 19, 2009 3:55 PM  
**To:** WSDOT SW Vancouver Project Office - Public; WSDOT SW Web Info  
**Subject:** I-5 Vancouver - NE 134th Street Interchange Project

Sent from: Kathy Charles  
Address: 14611 NW 10th Ct.  
City: Vancouver  
State: WA  
County: Clark County  
Zip: 98685  
Email: [kbcharles@comcast.net](mailto:kbcharles@comcast.net)  
Phone: 360 571-7044

### Comments:

We are excited for the interchange as it has been presented. However, as a resident our concern is about how it will affect our travel while the work is being completed. Just this past month a building was being constructed off of 10th Ave. Many times I was held up due to construction that necessitated one lane traffic. Then, you add that the the excessively long light at 134th and my commute was sometimes quite delayed. 10th Ave. is the only access that we have to 134th and 1-5 unless we go down to 21st ave. and then all the way up Tenny or go north on 11th Ave. to eventually go south. Have you considered putting 11th Ave. all the way through to Tenny. That would alleviate some of the traffic back that is certain to occur during this process. Thank you and I welcome your response. Kathy and Bill Charles (Also, it would be nice if several of these intersections had street lights of some sort, for example at the end of 10th and 149th that corner is exceedingly dark and 11th/149th there is no light.

1

(E3) Kathy Charles, member of the public, November 19, 2009

**Comment Response #1**

Lane shifts, closures, and realignments would be scheduled and coordinated to minimize temporary effects on traffic. WSDOT and Clark County are required to prepare a Traffic Management Plan (TMP) prior to making any changes that would affect traffic flow. Public and service providers would be notified before any changes were made. WSDOT and Clark County are required to coordinate with C-TRAN regarding the Park-and-Ride changes. See Section 6.1.6, on page 6-6 of the EA for more details.

The 11th Avenue extension between NW 149th Street and NW 139th Street is identified as a future project. However it does not meet ranking requirements for inclusion in the Transportation Improvement Program (TIP), which includes the County's transportation priorities for a six-year time period for road, bridge, bicycle, and pedestrian improvements throughout the community.

The final design would evaluate the need for illumination. However, the examples provided are outside the project limits. Therefore these requests should be made to Clark Public Utilities. If there is a consensus from adjacent property owners, a Roadway Lighting Improvement District can be formed.

## Email Comment (E4)

Page 1 of 1

From: Thomas Ryll [mailto:thryll@gmail.com]

Sent: Thursday, November 26, 2009 6:39 PM

To: WSDOT SW Vancouver Project Office - Public

Subject: Call in the mapmakers

Dear Ms. DeDona,

While it appears the recent mailing concerning the Salmon Creek Interchange Project was a production of the Clark County Public Works Department, there was no CCPW contact information provided, so I will send this to you in the hope that it will be forwarded to the appropriate destination.

While there was plenty of useful written information in the mailing, the space consumed by the "map" might just as well have been used for a Sudoku puzzle. The image appears to have been enlarged from a postage-stamp-sized file, and is almost worthless for its lack of legibility. It is ironic that nearly half a page was given over to a color photo of something Salmon Creek residents see on a daily basis, while the all-important layout of the proposed, and far less familiar, project is digitally fogged beyond usefulness.

I have attended more than a few WSDOT public meetings and have no doubt that the usual aerial-photo overlays and other displays will help the public make sense of the interchange layout. Unfortunately, the vast majority of residents won't attend, so the mailing and others like it are the agencies' best hope of informing us. I trust -- and suspect -- that a vastly improved map is either in the works or already finished.

My guess is that at least some of the staffers associated with the first effort took one look at the graphic and said, "Oh, oh."

Sincerely,

Thomas Ryll

1

(E4) Thomas Ryll, member of the public, November 26, 2009

**Comment Response #1**

Comment noted. These comments would be considered when WSDOT creates future graphics.

Email Comment (E5)

Page 1 of 1

**From:** peterb7px@yahoo.com [mailto:peterb7px@yahoo.com]  
**Sent:** Thursday, December 10, 2009 10:05 PM  
**To:** WSDOT SW Vancouver Project Office - Public; WSDOT SW Web Info  
**Subject:** I-5 Vancouver - NE 134th Street Interchange Project

Sent from: Peter Brinsek  
Address: 1811 NE 150th Street  
City: Vancouver  
State: WA  
County: Clark County  
Zip: 98686  
Email: peterb7px@yahoo.com  
Phone:

Comments:

Too many traffic lights! Too much sitting at the red lights creating air, noise, and ground-water pollution and traffic jams and wasting time and gas. Please consider roundabouts. They move traffic very efficiently without much of delays and stopping. Roundabouts have been accepted all over the world, why not here. Please note that you don't need 6 to 8-lane intersection with left, right and thru lanes if you have a roundabout. 4 lanes (2 for each direction) should be enough. I think there's enough space for a roundabout at 139th St. and 20th Ave. Roundabout is also suitable at Tenny Rd. and 139th St. (just west of the Library). How about making new I-5 north exit ramp (which is planned to connect to 139th St.) to be used for westbound traffic only and looping it around current park & ride and connecting it to current I-5 south exit to 134th St. And use existing I-5 north ramp to 134th St. for eastbound traffic only. This would eliminate one traffic light on 139th St. Project benefits as stated are too small for the size and cost of this project. It should relieve congestion on 134th St. and connecting streets as well. This congestion is now primarily caused by numerous traffic lights with too little roadway in between. I believe the project and current design will do too little to address this problem. Thank you for your consideration. PB

1

(E5) Peter Brinsek, member of the public, December 11, 2009

**Comment Response #1**

Roundabouts are considered for County road projects and were considered for this project. However, roundabouts were not proposed for the majority of intersections on this project based on the current and projected traffic volumes at the intersection, and the configuration of the roadway network in the vicinity of the intersection.

# SALMON CREEK INTERCHANGE PROJECT

A joint project by the Clark County Public Works Department and the Washington State Department of Transportation

## Comment Form

The Salmon Creek Interchange Project welcomes your comments on the Environmental Assessment or any other aspect of the project or process.

**Project Purpose:** The Salmon Creek Interchange Project will reduce traffic congestion and improve safety in the fast growing Salmon Creek area by constructing a new I-5 interchange at NE 139th Street, improving the I-205 northbound off-ramp to NE 134th Street, and constructing other local road improvements.

**TELL US ABOUT YOURSELF:**

What is your name?

Dan Arthuris

What is your address?

14301 NE 30th Ct

What is your home zip code?

98686

Your work zip code?

Do you (check all that apply):

- Live in project area?  Work in project area?  Own a business in the project area?  Other?

**GENERAL COMMENTS:**

Please use this space for general comments. Please be as specific as you can about your thoughts.

Looks nice - wish we could just migrate our noses & have it done!

Thanks

1

(W1) Dan Arthurs, member of the public, December 2, 2009

**Comment Response #1**

Comment noted.

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### TELL US ABOUT YOURSELF:

What is your name? PETER BRUNSEK

What is your address? 1811 NE 150<sup>th</sup> ST. VANCOUVER, WA

What is your home zip code? 98686 Your work zip code? 97230

### Do you (check all that apply):

Live in project area?  Work in project area?  Own a business in the project area?  Other?

### GENERAL COMMENTS:

Please use this space for general comments. Please be as specific as you can about your thoughts.

Please consider more ROUNDABOUTS.

1

(W2) Peter Brinsek, member of the public, December 2, 2009

**Comment Response #1**

Roundabouts are considered for County and WSDOT road projects and were considered for this project. However, roundabouts were not proposed for the majority of intersections on this project based on the current and projected traffic volumes at the intersection, and the configuration of the roadway network in the vicinity of the intersection.

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**TELL US ABOUT YOURSELF:**

What is your name?

Steve Hinz

What is your address?

1005 NW 146<sup>th</sup> Street, Vancouver, WA

What is your home zip code?

98685

Your work zip code?

98661

Do you (check all that apply):

Live in project area?

Work in project area?

Own a business in the project area?

Other?

**GENERAL COMMENTS:**

Please use this space for general comments. Please be as specific as you can about your thoughts.

I recommend constructing the I-5 SB offramp to NE 139<sup>th</sup> ST with the phase I improvements. Acquire the ROW needed. Make the 139<sup>th</sup> Street SB I-5 onramp a fill section rather than a structure to save money

Remove the existing I-5 SB off ramp to 134<sup>th</sup> Street then you can remove that signal to further improve traffic progression along 134<sup>th</sup> str.

*[Signature]*

1

(W3) Steve Hinz, member of the public, December 2, 2009

**Comment Response #1**

The project proposes the current ramp configuration without the off-ramp due to cost constraints. See Section 9.1 of the Transportation Discipline Report (in Appendix A of the EA) for more details.

The southbound I-5 on-ramp from NE 139th Street must have a structure to span NE 16th Avenue. A large portion of the ramp would consist of walls with associated fill. Constructing the entire ramp using a fill section would increase the footprint and wetland impacts because the highest point of this ramp is approximately 45 feet above existing ground.

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**TELL US ABOUT YOURSELF:**

What is your name? Eima Humphrey Jacob Amman

What is your address? 302 NE 133rd Circle

What is your home zip code? 98685 Your work zip code?

**Do you (check all that apply):**

Live in project area?  Work in project area?  Own a business in the project area?  Other?

**GENERAL COMMENTS:**

Please use this space for general comments. Please be as specific as you can about your thoughts.

In favor of most of the proposals. Especially moving entrance to I-5N and moving the park & ride.

1

(W4) Fiona Humphrey and Jacob Amram, members of the public, December 2, 2009

**Comment #1**

Comment noted.

# SALMON CREEK INTERCHANGE PROJECT

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### TELL US ABOUT YOURSELF:

What is your name?

Dennis Johnson

What is your address?

16417 NE 26<sup>th</sup> Ave

What is your home zip code?

98642

Your work zip code?

none

Do you (check all that apply):

Live in project area?

Work in project area?

Own a business in the project area?

Other?

### GENERAL COMMENTS:

Please use this space for general comments. Please be as specific as you can about your thoughts.

My concern relates to the noise and vibration increases that will be inevitable near the Three Creeks library. The widening of 139<sup>th</sup> there and the significant increase in traffic passing by the Library may have great impact. If studies indicate mitigating features are not required now at least provide for their future addition in case the studies are wrong.

(W5) Dennis Johnson, member of the public, December 2, 2009

**Comment Response #1**

The Federal Transit Administration's Transit Noise and Vibration Impact Assessment (2006) states that rubber-tire vehicles rarely create ground-borne vibration problems unless there is a discontinuity or bump in the road that causes vibration. Most projects that do not include steel-wheel trains do not cause significant vibration impact. With regard to rubber-tire vehicles, most complaints about vibration caused by buses and trucks are related to rattling of windows or items hung on the walls. These vibrations are usually the result of airborne noise and not ground-borne vibration.

Noise measurements were taken at Three Creeks Library for existing conditions and future build and no-build conditions were modeled. The modeling results (Year 2030) showed that this receptor was not in excess of the noise standard under the current or future conditions, and that the project would not result in a substantial increase in noise at the library according to WSDOT criteria (See Table 4 on page 21 of the *Noise Discipline Report* – in Appendix A of the EA).

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### TELL US ABOUT YOURSELF:

What is your name? NAN WESTON

What is your address? 15917 NE UNION RD # 92

What is your home zip code? 98642 Your work zip code? —

### Do you (check all that apply):

Live in project area?  Work in project area?  Own a business in the project area?  Other?

### GENERAL COMMENTS:

Please use this space for general comments. Please be as specific as you can about your thoughts.

Sound Barrier Walls are planned on  
southbound I-5 but none is planned for  
the area on I-5 just west of the Whipple  
Creek condominiums. I therefore request  
a tree barrier be planted <sup>between the Whipple barriers</sup> there to mitigate  
the road noise we hear at the said condos

1

(W6) Nan Weston, member of the public, December 2, 2009

**Comment #1**

WSDOT completed an addendum to the noise analysis to evaluate the effects of the project on the Whipple Creek Condominiums (See attachment 7). The noise analysis concluded that a noise wall in this area will not meet WSDOT's feasibility criteria of being able to obtain at least 7 dBA noise reduction in the first row of residents with the majority of the first row obtaining a 5 dBA reduction. Therefore, a noise wall is not found feasible at this location.

WSDOT also considered planting of trees within the right of way as requested in your comment. Although trees provide a visual shield and some psychological benefit they are not nearly as effective at reducing noise levels as a solid barrier. It would take at least 100 feet of dense vegetation to provide the same acoustical benefit as the smallest feasible noise wall. In this case a noise wall was found to not be feasible and therefore planting 100 ft of dense vegetation would not provide the necessary noise reduction of at least 7 dBA in the first row of residents with the majority of the first row obtaining a 5 dBA reduction.

Oral Comments Re\_ Salmon Creek Interchange Project.txt

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WASHINGTON DEPARTMENT OF TRANSPORTATION  
ENVIRONMENTAL ASSESSMENT MEETING  
RE: SALMON CREEK INTERCHANGE PROJECT

DECEMBER 2, 2009

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Bob Stroncsek: **Open House Oral Comment (O1)**  
So I have several items. Some are with the plan and some are just the presentation. So the first part is this is a real good thing to show the phases. You can see they use primary colors, yellow, red, and blue. The other ones they used the same color but just different line width. Which is -- you can't tell what's going on. So I'm encouraging in the future in their presentation material to use primary colors. I use this one because it's Spanish, and you can read it. So yellow is easy to see. Blue is easy to see. And red is easy to see. So first is kind of visual presentation.  
Second item is on I-5 -- I-205 south. It comes down here. And so you're coming from the west from 139th and then 134th, and you want to get on 205 south. Today, the traffic lines up in Northeast Tenny and Northeast 134th in the far right-hand lane. Nobody's in the left-hand lane because the on-ramp from 134th to 205 is one lane.  
My suggestion is they make it so two lanes from 134th can turn south onto 205 when they're coming from the west. So in the morning, that's going to make it so a lot more cars can come down

Comment #

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134th and get on 205 going south.  
Okay. The next item is associated with -- is trucks are coming up from 205, and they want to get off, and they want to go over, and they want to unload their goods at Fred Meyer. The way they do it now is they come up 205, get off at 134th, and then travel west on 134th, and they turn on Northeast 10th. And at that point they have the iQ Credit Union, and the trucks have been running over the sidewalk and crushing the sidewalk there. And

Oral Comments Re\_Salmon Creek Interchange Project.txt

11 as they come north, then they're going to try to get  
12 past this roundabout that is Northeast 10th between  
13 134th and 139th.

14 And I don't know -- I don't really think  
15 those trucks are going to be able to make that turn,  
16 get around the roundabout and get up on the back  
17 side of Fred Meyer and access Fred Meyer. So I  
18 think somehow they need to figure out a way to route  
19 the trucks so that they avoid this crushing of the  
20 sidewalk on Northeast 110th and avoid going into  
21 that roundabout. They need to provide -- they need  
22 to think of a way to let the trucks get to Fred  
23 Meyer.

24 There's also construction facilities  
25 between 134th and behind those businesses where they

0004

1 have big heavy trucks, Cats, all kinds of things  
2 they haul in there. And they're going to have  
3 trouble coming up, crushing the sidewalk, and  
4 getting through that roundabout. I don't see how  
5 that's going to happen.

6 So they're going to have to address big  
7 trucks trying to get up here or fifth wheels or any  
8 other stupid thing getting it around this  
9 roundabout. So they have crushing and just how the  
10 devil that's going to -- I have no idea.

11 So let me say, I gave you the  
12 visualization, two lanes here. We talked about this  
13 access right here. And -- okay. Something that I  
14 think someone needs to try to explain better is if  
15 this -- a lot of this helps if you're coming from  
16 the south going north on I-5. And you want to get  
17 off and go on 139th, you just go up to the 139th,  
18 and you can go right and left.

19 If you're coming from the south on 205  
20 going north, and you want to get off and go up to  
21 the west over near Skyview High School or whatever  
22 on 139th, you have to get off here at 134th, go  
23 through all these lights and get all the way over  
24 here and then get on 139th over --

25 So there's really no improvement coming

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1 from 205 up to 134th other than maybe they're going  
2 to change some lights and get rid of this Park &  
3 Ride and some of this other stuff. So that stuff is  
4 going to be eliminated.

5 To go -- I live over by Skyview, so when I  
6 want to go north on I-5 I have to come on 139th and  
7 go north there because there's going to be a new  
8 on-ramp. If I want to go south on I-5, I can either  
9 go 139th or 134th, but I have my only -- my only  
10 on-ramp here going north is 139th. So it gets a  
11 little confusing on which road do I need to be on to  
12 go north or south. They need to put some kind of  
13 signage up that's really going to help that, I  
14 think.

15 And I have another beef that has nothing to  
16 do with any of this. And it's I believe they need  
17 get a good frontage road between -- on the west side  
18 of I-5 between 139th and 179th. They need a  
19 frontage road all the way through. Now, on  
20 northeast 20th, they've got it to the east of I-5.  
21 But to the west of I-5, they have no frontage road

Page 2

3  
(cont.)

4

5

22 connecting those two, and it just makes it a hell of  
23 a mess.

24 And 179th, of course, is where the  
25 amphitheater and the Clark County Fairgrounds are.

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1 Which is a real nightmare because there's no  
2 frontage road. People get up here, and they can't  
3 do anything. So frontage roads are important.  
4 That's all I can say. Yeah. Okay. So thank you  
5 very much.

6 So right here -- so when they go from the  
7 intersection of Northeast 139th Street from where  
8 the -- where do I call that? So coming from the  
9 west on 139th Street, it is my recommendation that  
10 they make the traffic two lanes the entire distance  
11 from, let's say, where the park is -- where the  
12 Fuller Park is, all the way to -- across so that --  
13 and not choke the traffic down to one lane where  
14 Northeast 139th is routed into Tenny Road.

15 They're trying to route two lanes of the  
16 traffic down into Tenny Road, and they're only  
17 allowing one lane of traffic to travel west on --  
18 east on 139th to get over. Well, it turns out the  
19 on-ramp to I-5 is off of 139th. So why in the world  
20 would you chop it off, coming from the west going  
21 east -- turn into one lane -- right -- just west of  
22 the library and then allow two lanes and keep going  
23 until you come to where you can get -- and turn left  
24 and go north on I-5? That's design congestion. We  
25 should not do that.

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1 And they already have three lanes west of  
2 that point. They would take the No. 1 lane or No. 2  
3 lane and have a choice to go straight east on 139th,  
4 and they've left the No. 2 lane and No. 3 lane to  
5 have a choice to go down Tenny Road. That way they  
6 don't have congestion.

7 So anyway, this was after I talked to Rob  
8 from the County. I can't believe we do this kind of  
9 stuff, which I told him. Okay. Thank you.

10

11 Vonnie Sheadel: **Open House Oral Comment (O2)**

12 And I was just want to make a suggestion that  
13 139th is two lanes between the Tenny Road  
14 northbound -- southbound intersection. Makes more  
15 sense to keep the traffic flowing there, or at least  
16 to be made with the possibility that if there is  
17 traffic problems, they can widen easily at a later  
18 date.

19

20 Lori Charlton: **Open House Oral Comment (O3)**

21 I think the plan looks great. I am interested  
22 to know about the -- the grant process for a  
23 light -- traffic light at the intersection of  
24 Northeast 20th Avenue and Northeast 144th Street. I  
25 ask about that regarding public safety, traffic

0008

1 volume. One of the representatives here tonight  
2 from Clark County was very quick to talk me through  
3 what the process is. I know it's not part of this  
4 project; it's a grant process. It has been in the  
5 queue. And as a resident for 18 years and  
6 understanding what a risk for public safety it

5  
(cont.)

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Comment #

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Oral Comments Re\_Salmon Creek Interchange Project.txt  
7 poses, I would just ask for careful consideration at  
8 that location.  
9

10 Cathleen Person: **Open House Oral Comment (O4)**

11 My only problem I'm seeing in here existing is  
12 the C-Tran bus terminal thing that they're having.  
13 I'm fat. And the idea of walking two blocks -- the  
14 way it's styled I'd have to walk two blocks to get  
15 to the bus. Because -- I never come to the bus  
16 except for when the lots are full because there's no  
17 room. You end up parking the farthest away. I  
18 don't use existing ones because of that same  
19 problem.

20 I also object to the idea that we're going  
21 to have to go all the way down 139th, all the way  
22 down, I guess, it's 10th Avenue thing and then come  
23 back on 136th to go into the parking lot. It just  
24 seems a little bit excessive here. I know they  
25 don't like having a second light, but I bet you

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1 people would rather have a light to get into the bus  
2 garage than they would to go around and pay for an  
3 extra roundabout -- whose silly idea that was.

4 And I really think they should try  
5 reexamining maybe to try to put the buses on a long  
6 end rather than the short end, so there's less  
7 walking from one's car to get to where the bus is.  
8 As sight of it, the rest of the plan looks -- looks  
9 better than it did the last time I saw it in 2004  
10 and 2001 except for the extra Phase 2 plan. The  
11 Phase 2 plan to go on -- from 134th to 205 putting  
12 in an extra road -- two extra roads in place of one  
13 road that as far as I can see are working just fine  
14 right now. I never had a problem at the on-ramp to  
15 205 and 134th going south.  
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(cont.)  
Comment #

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## Open House Oral Testimony Responses:

(O1) Bob Stroncsek, member of the public, December 2, 2009

### **Comment Response #1**

Comment noted. These comments will be considered when WSDOT creates future graphics.

### **Comment Response #2**

WSDOT will consider your proposal as an interim solution (pre phase II) and will provide it to our traffic operations for analysis.

### **Comment Response #3**

Engineers modeled various sizes of trucks moving through the proposed roundabout and corner improvements at IQ Credit Union. Both the roundabout and corner improvements by IQ Credit Union have been designed to accommodate large trucks like those used by Fred Meyer. The corner by IQ Credit Union would be widened such that large trucks do not run over the curb and sidewalk. Property owners directly affected by the project have reviewed the project plans and are aware of the proposed project design. See Section 4.1.1 on page 4-2 of the EA for a description of business and property owner meetings.

### **Comment Response #4**

The improvements on northbound I-205 would consist of a new auxiliary lane on I-205 for the NE 134th Street exit, which would provide for two departure lanes from I-205. Along NE 134th Street, the Park-and-Ride would be relocated and the I-5 northbound on-ramp would be relocated to NE 139th Street. These relocations would reduce the number of signal phases on NE 134th Street and lead to shorter travel times on NE 134th Street. Signing design would be included in the project. See Section 5.2 of the EA for more details on the features of the project.

### **Comment Response #5**

A frontage road on the west side of I-5 between NE 139th Street and NE 179th Street is being evaluated by Clark County, but is not included in the Salmon Creek Interchange Project.

### **Comment Response #6**

Fuller Park is outside of the study area for this project. Within the project area, NE 139th Street would be widened to a minimum of two lanes in each direction with bike lanes, a sidewalk on the south side, and a median from NE Tenney Road to the main driveway entrance of Legacy Hospital (west of NE 23rd Avenue). There would be southbound on-ramps to I-5 from NE 139th Street and NE 134th Street.

**(O2) Vonnie Sheadel, member of the public, December 2, 2009**

**Comment Response #1**

The east/west movement of NE 139th Street past the library has been modeled extensively. The pavement will be marked with a single lane of travel, and in the future, if the channelization needs to be modified to provide two eastbound lanes approaching the signal at the library, only road restriping would be required.

More detailed information on traffic movements under the current and future conditions are provided in Sections 6.1.2 (page 6-3) and 6.1.7 (page 6-6) of the EA, and in the Transportation Discipline Report (Appendix A of the EA).

**(O3) Lori Charlton, member of the public, December 2, 2009**

**Comment Response #1**

The intersection of NE 20th Avenue at NE 144th Street is not within the study area for this project. Note that Clark County has put this intersection on the 6-year Transportation Improvement Plan (TIP), and is staying astute to future developments that may trigger the construction of the signal. Clark County is also exploring the possibility of obtaining a grant to install the signal at this location.

**(O4) Cathleen Person, member of the public, December 2, 2009**

**Comment #1**

Having the bus terminal laid out in a north/south direction was an alternative that was considered when the design of the facility was being developed. The current design of the bus terminal was selected to reduce wetland impacts. Passenger vehicle access to the Park-and-Ride from NE 139th Street would not be allowed because of the need to separate the bus and vehicle traffic for mass transit efficiency. Also, passenger vehicle access on NE 136th Street is most efficient for local traffic flows. See Section 8.0 of the Transportation Discipline Report (in Appendix A of the EA) for more details.

**SUMMARY OF COMMENTS RECEIVED VIA THE PROJECT  
HOTLINE DURING THE EA COMMENT PERIOD**

		Comment #
H1	Ann Warren Inquiry regarding how will the project impact the commercial building at the NW corner of NE 139th St and NE 20th Avenue. Her business is in the process of negotiating a lease here, and wants to know what access to the property will be like before and after the project.	1
H2	Justin Kerinski DJC reporter requesting general information about the project.	1
H3	Cindy Styles Request to be added to the project mailing list.	1
H4	Sarah Ferguson Inquiry regarding scheduling info for this project – specifically, right of way dates and leading dates.	1

**Project Hotline Comment Responses:**

**(H1) Ann Warren, member of the public, November 12, 2009**

**Comment Response #1**

As stated in the Limited Access Findings and Order (adopted October 1, 2007) Part 5 Specific Access Responses Section III Response 2:

*“Work in the vicinity of NE 139th Street and NE 20th Avenue will most likely occur during the first year of construction, at which time the access from NE 139th Street will be affected. Designers will work with the property owners affected by construction and will consider their needs while planning the construction staging.”*

**(H2) Justin Kerinski, member of the public, November 20, 2009**

**Comment Response #1**

Information was provided by the WSDOT Communications Office.

**(H3) Cindy Styles, member of the public, November 30, 2009**

**Comment Response #1**

Request completed.

**(H4) Sarah Ferguson, member of the public, December 3, 2009**

**Comment Response #1**

Construction bidding will occur when the required permits and approvals have been completed. At this time a bid date is not yet available. Funding for Phase II has not been secured; therefore, a bid date is not available.

## ATTACHMENT 6: FPPA DOCUMENTATION

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U.S. Department of Agriculture

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I (To be completed by Federal Agency)</b>		Date Of Land Evaluation Request 8/17/09				
Name Of Project Salmon Creek Interchange Project		Federal Agency Involved Federal Highway Administration				
Proposed Land Use Wetland Mitigation (public)		County And State Clark County, Washington				
<b>PART II (To be completed by NRCS)</b>		Date Request Received By NRCS 8/18/09				
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Acres Irrigated 4,413	Average Farm Size 37 acres	
Major Crop(s) hay, corn silage, vegetables, orchard, pasture	Farmable Land In Govt. Jurisdiction Acres: 297,101 % 74	Amount Of Farmland As Defined in FPPA Acres: 295,691 % 73		Date Land Evaluation Returned By NRCS 9/3/09		
Name Of Land Evaluation System Used Clark County		Name Of Local Site Assessment System none				
<b>PART III (To be completed by Federal Agency)</b>		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly	13.9	11.6	14.6	45.8		
B. Total Acres To Be Converted Indirectly	0.0	0.0	0.0	0.0		
C. Total Acres In Site	13.9	11.6	14.6	45.8		
<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>						
A. Total Acres Prime And Unique Farmland	13.9	0.0	13.2	36.3		
B. Total Acres Statewide And Local Important Farmland	0.0	0.0	1.4	0.0		
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0.005%	0.0	0.005%	0.01%		
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	1.7		52.1	56.0		
<b>PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)</b>		75	0	68	59	
<b>PART VI (To be completed by Federal Agency)</b>		Maximum Points				
Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))						
1. Area In Nonurban Use	15	8	7	14	14	
2. Perimeter In Nonurban Use	10	4	2	10	10	
3. Percent Of Site Being Farmed	20	0	0	19	19	
4. Protection Provided By State And Local Government	20	0	0	20	20	
5. Distance From Urban Builtup Area	15	5	2	10	10	
6. Distance To Urban Support Services	15	0	0	10	10	
7. Size Of Present Farm Unit Compared To Average	10					
8. Creation Of Nonfarmable Farmland	10	0	0	0	0	
9. Availability Of Farm Support Services	5	5	5	5	5	
10. On-Farm Investments	20	0	0	14	14	
11. Effects Of Conversion On Farm Support Services	10	0	0	2	2	
12. Compatibility With Existing Agricultural Use	10	0	0	0	0	
<b>TOTAL SITE ASSESSMENT POINTS</b>	160	22	16	104	104	
<b>PART VII (To be completed by Federal Agency)</b>						
Relative Value Of Farmland (From Part V)		100	75	0	68	59
Total Site Assessment (From Part VI above or a local site assessment)		160	22	16	104	104
<b>TOTAL POINTS (Total of above 2 lines)</b>		260	97	16	172	163

Site Selected: A, B, & D Date Of Selection 2/8/2010 Was A Local Site Assessment Used? Yes  No

Reason For Selection: Sites A and B are currently owned by Clark County, a co-applicant on the Salmon Creek Interchange Project. These sites are currently public property and would not require additional acquisition of private property to accommodate the project's need for large wetland mitigations sites. Site D was selected due to it's existing high quality forested wetland adjacent to an upland that the project would utilize for wetland creation.

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## ATTACHMENT 7: NOISE MEMO

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DATE: **January 11, 2010**

TO: **Leon Winger, PE  
Vancouver Area Engineer**

FROM: **Akberet Ghebregzabihir Air Quality,  
Acoustics and Energy Specialist**

RE: **Noise Analysis I-5 SCIP Whipple Creek Condominiums**

**Summary**

This amendment to the original noise report for the Salmon Creek Interchange Project dated November 2008 prepared by HDR provides an analysis of the noise environment for a community (Whipple Creek Condominiums) at the northeast end of the project. Using TNM version 2.5 the noise environment for this community is modeled for future (2030) noise level. The analysis finds that the noise level for this community for the 2030 Build is above impact level (above 66 dBA), but a noise barrier to shield this community was found not feasible.

The Whipple Creek community (Figure 1) almost 500 feet east of I-5, located in Ridgefield, Washington was not included in the original report. Between this community and the project area, in the first row there is vacant land to the south and commercial properties to the north. The noise level for the commercial properties for the 2030 Build was also found above impact level (above 71dBA).

The same Traffic Noise Model built for this project was used to perform the noise analysis for this area. Analysis of the 2030 traffic data on I-5 indicated that noise impacts would be predicted for the outdoor use areas of the first row houses within the 500 ft boundary in this community. Future (2030) noise levels were modeled, using TNM version 2.5 to approach or exceed the Noise Abatement Criteria (NAC). Noise levels approaching the NAC 67 dBA for residential and 72 dBA for commercial are considered to cause impacts at this location. WSDOT defines approach as 66 dBA for residential and 71 dBA for commercial properties. A Noise wall was evaluated on the east side of I-5 North of Noise Barrier 2. Future noise levels ranged from 67.2 dBA to 67.7 dBA for residential and 78.4 dBA for commercial without a noise wall. With a noise wall, noise level yield 63.3 dBA for residential and 69.7 dBA for the front row commercial property. Twelve residences were modeled to receive a 3.9 dBA to 4.4 dBA reduction in traffic noise levels from a wall 14 feet high and approximate length of 889 feet. The Maximum noise reduction was 8.7 dBA at the front row commercial property. But mitigation will not be considered for a commercial property without outdoor usage area.

The maximum noise reduction for the residential properties was 4.4 dBA. The modeled noise wall did not meet WSDOT's feasibility criteria of being able to obtain at least 7 dBA noise reduction in the first row of residents with the majority of the first row obtaining a 5 dBA reduction (Table 1). Therefore, a noise wall is not found feasible to be built at this location.

**Table 1. 2030 Modeled Hourly Noise Levels**

Receiver	NAC Category	NAC Threshold (dBA)	2030 Build Without Barrier Leq (dBA)	2030 Build With Barrier Leq (dBA)	Noise Reduction
Commercial property 1st Row	B	71	<b>78.4</b>	69.7	8.7
Residential 1st Row	B	66	<b>67.7</b>	63.3	4.4

**Bold** numbers approach or exceed the FHWA NAC

If you have any questions please call me at (206) 440-4547.

(ag):(ag)  
 cc:day file  
 file



Figure 1. Whipple Creek Condominiums

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## **ATTACHMENT 8: LIMITED ACCESS FINDINGS AND ORDER**

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**BEFORE THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

IN RE: STATE ROUTE 5 )  
NE 129TH ST TO WHIPPLE CREEK VICINITY )  
MP 6.93 TOMP 8.64 )  
STATE ROUTE 205 ) LIMITED ACCESS  
SALMON CREEK VICINITY TO SR 5 )  
MP 35.82 TO MP 36.94 ) FINDINGS AND ORDER  
SALMON CREEK INTERCHANGE PROJECT )  
LIMITED ACCESS HEARING )

The hearing on the above entitled matter was held upon due notice to interested parties, beginning at 6:00 P.M. Wednesday, May 23, 2007 at the Washington State Department of Transportation, 11018 NE 51<sup>st</sup> Circle, Vancouver, Washington, before Administrative Law Judge (ALJ) Gina Hale.

The interested persons, entities and organizations were represented as follows:

Mary Ellen Dempsey, no representative present, 10512 NE 152<sup>nd</sup> Ave, Vancouver, WA 98682;

Elaine D. Neal, no representative present, 3315 X St., Vancouver, WA 98663;

Meyer Clan LLC, by Michael J. Wynne, 13914 NE 16<sup>th</sup> Ave, Vancouver, WA 98685;

205 Group Inc, by James Howsley and Donald Holsinger, 7626 Hazel Dell Ave, Vancouver, WA 98665;

DeWitt Properties LLC, Wayne DeWitt and Ty DeWitt, 10816 SE Evergreen Hwy, Vancouver, WA 98664;

Miller Paint Co. Inc., no representative present, 12812 NE Whitaker Way, Portland, OR 97230;

Allergy Associates Bldg Co. LLC, no representative present, 233 NW 16<sup>th</sup> Ave, Portland, OR 97209;

Life Properties LLC, Paul Reed, 13712 NE 20<sup>th</sup> Ave, Vancouver, WA 98686;

C-Tran, Dave Hurt and Janeen Loughin, P.O. Box 2529, Vancouver, WA 98668-2529;

As a courtesy to interested citizens, the Washington State Department of Transportation, hereinafter "the Department," or alternatively, "WSDOT", furnishes a copy of these Findings and Order to all persons filing a Notice of Appearance, even though some may not properly be parties to the hearing. For administrative convenience, all persons who provided written or verbal comments, filed a Notice of Appearance, or are listed on the Affidavit of Service by Mailing for the Access Hearing as abutting property owners, are listed above. The Department, by including a person in this listing and by furnishing a copy of the Findings and Order, does not acknowledge or necessarily recognize the recipient to be a proper party in interest to the hearing.

Casey Liles, of WSDOT, Vancouver Area Engineer, called the meeting to order under the provisions of RCW Chapter 47.52. Hearing guidelines and legal requirements were provided by ALJ Gina Hale, after which witnesses were called. Evidence was taken by a Court Reporter who, thereafter, transcribed the verbal testimony. Certain exhibits were duly introduced and admitted into evidence at the hearing. Additional exhibits were added as necessary to respond to comments received, subsequent to the hearing. Based on the oral evidence, the exhibits introduced into evidence, and the additional exhibits entered into the record subsequent to the hearing, and acting under the authority of the Secretary of Transportation for the State of Washington, the Director, Environmental and Engineering Programs makes the following findings:

#### 1. PROCEDURAL FINDINGS

On July 23, 1953, Washington State Highway Commission Resolution No. 95 designated SR 5 in Clark County, Washington, as limited access highway on the Master Plan for the establishment of limited access highways. On April 20, 1993, the Assistant Secretary For Program Development by Findings and Order approved a Right of Way and Limited Access Plan entitled: "SR 5, MP 2.73 TO MP 7.45, MAIN ST. TO JCT. SR 205 VIC., CLARK COUNTY."

On August 19, 1968, Washington State Highway Commission Resolution No. 2000 designated SR 205 in Clark County, Washington, as limited access highway on the Master Plan for the establishment of limited access highways. On December 16, 1968, the Washington State Highway Commission by Findings and Order approved a Right of Way and Limited Access Plan entitled: "SR 205, MP 26.26 TO MP 37.22, COLUMBIA RIVER TO JCT. SR. 5, CLARK COUNTY."

In 2007, a new plan was prepared, superseding the above noted SR 5 plan, entitled: "SR 5, NE 129TH ST TO WHIPPLE CREEK VICINITY, CLARK COUNTY", Access Hearing Plan, Full Control, as shown on sheets 1 through 12 of 12 sheets, dated April 26, 2007. These plan sheets were admitted into evidence, marked as Exhibit No. 5, and made part of the hearing record.

Also in 2007, a new plan was prepared, superseding the above noted SR 205 plan, entitled: SR 205 SALMON CREEK VICINITY TO SR 5, CLARK COUNTY," Access Hearing Plan, Full Control, as shown on sheets 1 through 7 of 7 sheets, dated April 26, 2007. This plan was admitted into evidence, marked as Exhibit No. 5, and made part of the hearing record.

Both of these plans are the subject of this Limited Access Findings and Order.

As part of the preparation of the above described Limited Access Plans, the Department solicited and received from public agencies concerned with this proposed plan their available data on planning, land use, local traffic, and other information. Thereafter, the Department prepared and submitted to the appropriate officials an access report entitled "Salmon Creek Interchange Project , Final Access Hearing Report ," dated April 2007. This report shows that the data received has been taken into account by WSDOT as required by Chapter 47.52 RCW. A copy of the Access Report was admitted into evidence, marked as Exhibit No. 4, and made part of the hearing record.

#### 2. NOTICE OF HEARING

On April 26, 2007, the State Design Engineer, by Order of Hearing, proposed said Access Hearing Plan

and set a hearing date for May 23, 2007, in accordance with the provisions of Chapter 47.52 RCW. The Order of Hearing was admitted into evidence, marked as Exhibit No. 1 and made part of the hearing record.

As part of the notice of Access Hearing, the Department prepared and mailed copies of relevant Access Hearing materials including (1) an introductory cover letter, (2) a blank Notice of Appearance form, (3) a Notice of Access Hearing, and (4) the proposed Access Hearing Plans. These Access Hearing materials were mailed on May 7, 2007 to a list of interested parties and abutting property owners of record, as evidenced by the Affidavit of Service by Mailing signed by Nicki Peppers. The list of the recipients of the mailing is attached as Exhibit "A" to the Affidavit. The signed Affidavit of Service by Mailing was admitted into evidence marked as Exhibit No. 2 and made part of the hearing record.

On May 7, 2007, an exact copy of the "Notice of Full Access Control Hearing" was published in The Columbian, as shown in the Affidavit of Publication with the printed ad copy attached, signed by Judy Moody, Principal Clerk of the Printer of The Columbian. The Affidavit of Publication was admitted into evidence, marked as Exhibit No. 3, and made part of the hearing record.

### 3. PRESERVATION OF PUBLIC INVESTMENT

I-5 is a north-south interstate facility that is classified in the *Washington State Highway System Plan* as a state highway of statewide significance. I-5 is a vital part of the transportation network in the Vancouver region. I-5 is a key route for regional commuters and for freight, linking the Port of Vancouver, downtown Vancouver, and downtown Portland. To the north, I-5 connects to the major metropolitan areas of Seattle, Olympia and Tacoma. As a central transportation spine within the region's Urban Growth Boundary, I-5 improvements will direct economic investment and population growth toward established urban centers.

I-205 is a north-south interstate facility that is also classified in the *Washington State Highway System Plan* as a state highway of statewide significance. I-205 is located to the east of I-5 and terminates at its junction with I-5 north of NE 134<sup>th</sup> Street. To the south, I-205 provides access to the Portland International Airport.

NE 139<sup>th</sup> Street is an east-west county roadway designated as an urban collector east of NE 20<sup>th</sup> Avenue. West of NE 20<sup>th</sup> Avenue, NE 139<sup>th</sup> Street continues for approximately 130 feet before the roadway turns north-south as NE 17<sup>th</sup> Avenue. NE 139<sup>th</sup> Street resumes at a point approximately 450 feet east of the existing NE 139<sup>th</sup> Street/NE 10<sup>th</sup> Avenue intersection to the west of I-5. The Clark County long range transportation plan indicates the re-establishment of NE 139<sup>th</sup> Street as a continuous five-lane minor arterial facility from its proposed western intersection with NE Tenney Road to NE 20<sup>th</sup> Avenue. The proposed access control within the project limits on NE 139<sup>th</sup> Street will be established as Full Access Control as shown on the proposed Access Hearing Plans and entered into evidence marked as Exhibit No. 5. In limiting access as shown on the Access Hearing Plans, traffic congestion is reduced, traffic safety is increased, and the highway is preserved for efficient future use, protecting the investment of public funds.

The efficiency of the I-5/ NE 139<sup>th</sup> Street interchange within the limited access area, as a means of moving a maximum volume of traffic in an optimal and safe manner, is inversely related to the number of access points within the interchange area. It has been demonstrated in the past that as property owners establish approaches to a state highway for their personal use or business use, the optimum operation and functional integrity of the facility gradually diminishes and becomes obsolete. Therefore, access points should be

kept to a minimum consistent with allowing local traffic adequate use of the highway and interchange area at properly designed intersections.

#### 4. EXHIBITS

The following exhibits were identified and entered into evidence at or subsequent to the hearing and are also made part of the hearing record:

- Exhibit No. 1 Order of Hearing dated April 26, 2007.
- Exhibit No. 2 Affidavit of Service by Mailing dated May 7, 2007.
- Exhibit No. 3 Affidavit of Publication dated May 17, 2007.
- Exhibit No. 4 Salmon Creek Interchange Project, Final Access Report, dated April 2007.
- Exhibit No. 5 Proposed Access Hearing Plan entitled "SR 5, NE 129th St. to Whipple Creek Vicinity, Clark County", Access Hearing Plan, Full Control, as shown on sheets 1 through 12 sheets, dated April 26, 2007. Proposed Access Hearing Plan entitled "SR 205, Salmon Creek Vicinity to SR 5, Clark County", Access Hearing Plan, Full Control, as shown on sheets 1 through 7 sheets, dated April 26, 2007.
- Exhibit No. 6 Printed copies of the presentation slides for the Access Hearing.
- Exhibit No. 7 Letter dated April 24, 2007 from Marty Snell, Clark County, Community Planning Director.
- Exhibit No. 8 Letter dated May 15, 2007, from Thomas F. Meyer, DVM, and Jean L. Meyer, DVM, representing Meyer Clan LLC.
- Exhibit No. 9 Department's letter to Thomas and Jean Meyer in response to Exhibit No. 8.
- Exhibit No. 10 Letter dated May 23, 2007, from Erin Anderson, Attorney, Stoel Rives LLP, representing Life Properties LLC.
- Exhibit No. 11 Department's letter to Ms. Anderson, in response to Exhibit No. 10.
- Exhibit No. 12 Letter dated May 23, 2007, from James D. Howsley, Attorney, Miller Nash LLP, representing Don Holsinger, an owner of 205 Group Inc.
- Exhibit No. 13 Department's letter to Mr. Howsley, in response to Exhibit No. 12.

## 5. SPECIFIC ACCESS RESPONSES

The Director, Environmental and Engineering Programs, has considered the comments of abutting property owners and public agencies as part of the Access Hearing process and responds to each as follows:

I. Thomas F. Meyer, DVM, and Jean L. Meyer, DVM, Parcel Nos. 4-07397 and 4-07398, in a letter dated May 15, 2007, Exhibit No. 8, and as represented by Michael J. Wynne on pages 23 and 24 of the Limited Access Hearing Transcript, express the requests and concerns catalogued below. Following each of Dr. Meyer's statements are the Department's responses which are also contained in a letter from the Department to Drs. Meyer attached hereto as Exhibit No. 9:

1.) *"We request that if the access to NE 139<sup>th</sup> St. is prohibited, then the current improved access from NE 16<sup>th</sup> Ave. in the Southeast portion of this property (Parcel No. 4-07398) be fully replaced as to provide adequate access to the undeveloped Southern portion of this property."*

NE 16<sup>th</sup> Avenue is a county road, therefore Clark County has jurisdiction over access points off of NE 16<sup>th</sup> Avenue. If this is a legal access point with the County, then WSDOT will work with the County to replace this access point from NE 16<sup>th</sup> Avenue to Parcel No. 4-07398.

2.) *"Furthermore, there is concern that by taking an additional 30 feet of access from the South property line (Parcel No. 4-07398), that future development may not have sufficient lot width size to meet the Clark County standards for sufficient setback requirements. We request that any reduction in lot size will not jeopardize any future development of the remaining undeveloped land by future county zoning setback requirements that would negate the development of this land."*

Federal and State laws require just compensation for purchase of property or property rights. If less than an entire parcel is acquired, just compensation also includes losses in value or damages, if any, to the remaining property. This issue will be addressed by the appraiser during the appraisal process. The Department cannot speculate on the future zoning and setback requirements of this parcel.

3.) *"...the water supply main was constructed at our expense in the easement of NE 139<sup>th</sup> Street as it abuts properties #1 (Parcel No. 4-07398) and #2 (Parcel No. 4-07397), so that any future development to these properties would have access to this utility. The sewer main also is located in this corridor. We request that proper access to these utilities be supplied and maintained so that future development will not create any detriment to the final completed construction of NE 139<sup>th</sup> St."*

WSDOT is working with all of the utility providers along the NE 139<sup>th</sup> Street corridor to relocate any utilities in conflict with the proposed roadway and structure. The current level of utility service to the area will be maintained.

4.) *"Property #2 (Parcel No. 4-07397) currently has access to a deeded county easement known as NE 139<sup>th</sup> St. with recorded width of 60 feet. This proposal would eliminate all access to this property... On page 10 of 12 of the aforementioned Access Hearing Plans, a center left turn lane*

*is identified for the use of mass transit busses into the WSDOT Park and Ride on the South side of NE 139<sup>th</sup> St. We request that the same left turn privileges be given to this property #2 as a 60 foot access into this property...*

This type of access point will not be granted. However, Federal and State laws require just compensation for purchase of property or property rights. If less than an entire parcel is acquired, just compensation also includes losses in value or damages, if any, to the remaining property. This issue will be addressed by the appraiser during the appraisal process.

- 5.) *"All three described properties are affected by the alignment of NE 16<sup>th</sup> Ave. ...The alignment as shown is to match existing conditions only. We request that a full 60 foot width of access corridor be delineated from NE 10<sup>th</sup> Ave. and the WSDOT Park and Ride extending east on NE 136<sup>th</sup> St. and North on NE 16<sup>th</sup> Ave. ...The construction of the overhead SR 5 structures as designed appears to limit this possibility..."*

The small portion of roadway on NE 16<sup>th</sup> Ave. which is being realigned is being replaced in-kind. However, the roadway is being realigned in order for it to cross under the proposed ramp structure at the angle and location necessary so as not to preclude future widening of NE 16<sup>th</sup> Ave. to meet Clark County Code requirements for Urban Industrial Roads (Local Industrial).

- II. Michael J. Wynne, representing Thomas F. Meyer, DVM, and Jean L. Meyer, DVM, Parcel Nos. 4-07397 and 4-07398, on pages 23 and 24 of the Limited Access Hearing Transcript, expresses the requests and concerns catalogued below. Note that Mr. Wynne refers to 18<sup>th</sup> when the road being discussed is actually NE 16<sup>th</sup> Avenue.

- 1.) *"The elimination of 16<sup>th</sup> could be a problem. ...They own three separate pieces of property under three separate entities. There is one that abuts the hospital on 18<sup>th</sup> to the north which is not listed. It's referenced on page 11 of 12 of the access hearing plans, but there is no State Department of Transportation parcel number there. There is a GIS County number there."*

The property to the north of the veterinary hospital (Parcel No. 4-07398) has not been given a Department parcel number because the property does not abut the proposed limited access. Access to that property is by way of NE 16<sup>th</sup> Avenue, which is under the jurisdiction of Clark County. NE 16<sup>th</sup> Avenue will not be eliminated and limited access is not being proposed for that road.

- III. Dr. and Mrs. Paul Reed, Parcel No. 4-07401, on page 23 of the Limited Access Hearing Transcript and in a letter from Ms. Erin L. Anderson, Stoel Rives, dated May 23, 2007, Exhibit No. 10, express the requests and concerns catalogued below. Following each of Dr. and Mrs. Reed's statements are the Department's responses which are also contained in a letter from the Department to Ms. Anderson attached hereto as Exhibit No. 11. For all of the following responses, NE 138<sup>th</sup> Street was referred to in Ms. Anderson's letter and work is actually proposed on NE 139<sup>th</sup> Street:

- 1.) *"Will any site plan approvals currently enjoyed by the Clinic Property be impacted or compromise its ability to continue as a viable conforming use?"*

The proposed Salmon Creek Interchange Project will not affect any site plan approvals for the Clinic Property, Parcel No. 4-07401, which is located just south of Parcel No. 4-07400.

- 2.) *“When will the access on NE 138<sup>th</sup> Street actually be eliminated and will it remain open until immediately prior to construction?”*

Currently, construction is scheduled to begin in the fall of 2009 if all approvals and permits are acquired on schedule. Work in the vicinity of NE 139<sup>th</sup> Street and NE 20<sup>th</sup> Avenue will most likely occur during the first year of construction, at which time the access from NE 139<sup>th</sup> Street will be affected. Designers will work with the property owners affected by construction and will consider their needs while planning the construction staging.

- 3.) *“What will the traffic impacts be for the entrance at NE 20<sup>th</sup> Avenue that will result from the closure of NE 138<sup>th</sup> Street?”*

Traffic impacts for the entrance at NE 20<sup>th</sup> Avenue due to the closure of the entrance at NE 139<sup>th</sup> Street will be negligible.

- 4.) *“What alternatives are available to address the closure of NE 138<sup>th</sup> Street?”*

As discussed at a meeting with Dr. Reed on May 15, 2007, WSDOT is looking at various alternatives to address Dr. Reed’s concerns with the closure of the NE 139<sup>th</sup> Street access point. The attached plan sheet shows the discussed alternatives, which include using excess interstate right-of-way to provide additional parking, expanding access to the west side of the property in order to improve truck circulation, and improving the driveway access from NE 20<sup>th</sup> Avenue.

- 5.) *“What compensation will be available to the Clinic Property (Parcel No. 4-07401) for this closure?”*

Federal and State laws require just compensation for purchase of property or property rights. If less than an entire parcel is acquired, just compensation also includes losses in value or damages, if any, to the remaining property. This issue will be addressed by the appraiser during the appraisal process. The various alternatives discussed in item 4 above will be reviewed and analyzed by WSDOT and be included in the consideration of compensation.

- 6.) *“What mitigation is available in terms of other property controlled by the WSDOT or the County which could be a consideration in resolving the problems created by this closure?”*

A consideration is already being made as part of the alternatives presented to Dr. Reed. WSDOT will continue to review and analyze these options and present them to Dr. Reed as part of the appraisal and compensation process.

- 7.) *“What are the potential impacts to the properties and alternatives if the access on NE 138<sup>th</sup> Street is eliminated and the NE 20<sup>th</sup> Avenue is improved with a median?”*

There is no median currently planned with this project on NE 20<sup>th</sup> Avenue in the location of the driveway access point. NE 20<sup>th</sup> Avenue is within the jurisdiction of Clark County and WSDOT would therefore have no input to future projects. However, if a median were to be placed in this

location in the future there would be no impact, as the property would continue to enjoy the same level of legal access that it currently does.

IV. Mr. Don Holsinger, Parcel No. 4-07399, in a letter from Mr. James D. Howsley, Miller Nash, dated May 23, 2007, Exhibit No. 12, expresses the requests and concerns catalogued below. Following Mr. Holsinger's statements are the Department's responses which are also contained in a letter from the Department to Mr. Howsley attached hereto as Exhibit No. 13:

1.) *"...it is our understanding that the current design has a median on NE 20<sup>th</sup> Avenue that would prohibit left-in/left-out turns at the property. This would effectively limit the ability of this property to support a viable commercial building.... We understand this is only a preliminary design, but in the event it is finalized we would expect to be compensated."*

Clark County proposes to construct a median on NE 20<sup>th</sup> Avenue that would prohibit left-in/left-out turns Parcel No. 4-07399. However, there is currently no specific access right granted for left-in/left-out turns to Parcel No. 4-07399. Federal and State laws require just compensation for purchase of property or property rights. If less than an entire parcel is acquired, just compensation also includes losses in value or damages, if any, to the remaining property. Determination of compensation will be addressed by the appraiser during the appraisal process.

#### 6. RESPONSES NOT RELATED TO ACCESS

WSDOT received testimony during the comment portion of the Access Hearing by Dr. Paul Reed, related to Parcel No. 4-07401 and No. 4-07400, that was stated to be a question and was not related to limited access; as such, a response beyond what was stated at the Access Hearing shown in the Access Hearing Transcript on pages 23 has not been included.

#### 7. PROPOSED LIMITED ACCESS PLAN MODIFICATIONS

A. The Director, Environmental and Engineering Programs, has considered the evidence on the entire portion of the "SR 5, NE 129TH ST. TO WHIPPLE CREEK VICINITY, CLARK COUNTY" plans and finds the plan admitted into evidence, marked Exhibit No. 5, should be modified as hereinafter set forth:

1. Revise plan sheets 1 through 12 of 12 sheets to make minor revisions, to correct ownerships and parcel details, area computations, and right-of-way details.

B. The Director, Environmental and Engineering Programs, has considered the evidence on the entire portion of the "SR 205, SALMON CREEK VICINITY TO SR 5, CLARK COUNTY" plans and finds the plan admitted into evidence, marked Exhibit No. 5, should be modified as hereinafter set forth:

1. Revise plan sheets 1 through 7 of 7 sheets to make minor revisions, to correct ownerships and parcel details, area computations, and right-of-way details.

#### 8. ORDERS

The Director, Environmental and Engineering Programs, specifically finds in the case of each abutting

ownership that the adoption of the plans making said highway a limited access facility, said plans being attached hereto and marked Exhibit A, with the revisions as listed herein, are required for public convenience and necessity.

Based upon the foregoing findings and the evidence supporting them, the Director, Environmental and Engineering Programs, for the Department of Transportation, State of Washington,

ORDERS:

A.

That the section of State Route 5 and State Route 205 in Clark County, Washington is hereby designated as a limited access highway with Full control.

Between STA. L 358+00 P.O.C. to STA. L 446+93.14 P.O.T. as shown on sheets 1 through 12 of 12 sheets of the Right of Way and Limited Access plan entitled "SR 5, NE 129TH ST. TO WHIPPLE CREEK VICINITY, CLARK COUNTY".

Between STA. LL 594+68.85 P.O.T to STA. LR 656+00 P.O.C. as shown on sheets 1 through 7 of 7 sheets of the Right of Way and Limited Access plan entitled "SR 205, SALMON CREEK VICINITY TO SR 5, CLARK COUNTY"

B.

That the plan set forth in Exhibit No. 5 for the modification of access control on SR 5 be revised as follows with the changes set forth in Exhibit "A" hereto attached and by this reference made a part hereof:

1. Revise plan sheets 1 through 12 of 12 sheets to make minor revisions, to correct ownerships and parcel details, area computations, and right-of-way details.

C.

That the plan set forth in Exhibit No. 5 for the modification of access control on SR 205 be revised as follows with the changes set forth in Exhibit "A" hereto attached and by this reference made a part hereof:

1. Revise plan sheets 1 through 7 of 7 sheets to make minor revisions, to correct ownerships and parcel details, area computations, and right-of-way details.

D.

That the plan entitled, "SR 5, NE 129TH ST. TO WHIPPLE CREEK VICINITY, CLARK COUNTY", sheets 1 through 12 of 12 sheets, as reflected in Exhibit "A" is hereby adopted.

That the plan entitled, "SR 205, SALMON CREEK VICINITY TO SR 5, CLARK COUNTY", sheets 1 through 7 of 7 sheets, as reflected in Exhibit "A" is hereby adopted.

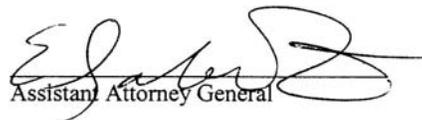
ADOPTED THIS 15<sup>th</sup> DAY OF October, 2007

DIRECTOR,  
ENVIRONMENTAL AND ENGINEERING PROGRAMS



A handwritten signature in black ink, appearing to be "D. J. [unclear]", written over a horizontal line.

Approved as to form:



A handwritten signature in black ink, appearing to be "E. J. [unclear]", written over the text "Assistant Attorney General".