

BEFORE THE WASHINGTON STATE TRANSPORTATION COMMISSION

IN RE: STATE ROUTE 109 BYPASS)
WEST HOQUIAM CONNECTION)
JCT. SR 109 TO JCT. SR 101)
MP 1.79 TO MP 3.61)
LIMITED ACCESS HEARING)

FINDINGS AND ORDER

The hearing in the above entitled matter was held, upon due notice to interested parties, beginning at 7:30 p.m., Wednesday, August 18, 1982, in the Hoquiam High School Little Theater, 501 W. Emerson, Hoquiam, Washington, before Robert Lundgaard, Hearing Examiner.

The interested persons and organizations were represented as follows;

DEPARTMENT OF TRANSPORTATION, by Robert Wright, Assistant Attorney General, Temple of Justice, Olympia, WA 98504;

ITT RAYONIER, INC., by Richard D. Hirschberg, Manager, Land Department, Northwest Forest Operations, P.O. Box 539, Hoquiam, WA 98550;

LONNIE D. TAYLOR, by self, Route 4 Box 625, Hoquiam, WA 98550;

EDA ESSES, by self, 401 South 7th Street, Montesano, WA 98563;

VICTOR ESSES, by self, Quinault, WA 98575;

CLARENCE ESSES, by Self, Amanda Park, WA 98526;

HYACINTH HORNE, by self, 6319 Central Park Drive, Aberdeen, WA 98520;

SHERMAN ESSES, by self, 520 Pioneer Avenue, Montesano, WA 98563.

As a courtesy to interested citizens, the Commission furnishes a copy of its 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 filing a Notice of Appearance are listed above. The Commission, 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 proper party to the hearing.

The meeting was called to order by Ron Mattila, Assistant Location Engineer, after which witnesses were called. The evidence was taken by a Court Reporter and thereafter transcribed. Certain exhibits were duly introduced as evidence. The undersigned members of the Transportation Commission have personally considered the transcript of the hearing. Based upon the oral evidence and the exhibits introduced in evidence, the Transportation Commission of the State of Washington makes the following findings:

I

Prior to July 6, 1982, the Department of Transportation prepared a plan for the establishment of a limited access highway over a portion of State Route 109.

Such a plan was entitled "SR 109 BYPASS, WEST HOQUIAM CONNECTION: JCT. SR 109 TO JCT. SR 101, MP 1.79 TO MP 3.61, GRAYS HARBOR COUNTY", sheets 1 through 5 of 5 sheets. These sheets were introduced into evidence marked as Exhibit No. 7-1 through 7-5, which were made a part of the hearing record.

II

The Department of Transportation received from the public agencies concerned with the proposed plan, their available data on planning, land use, local traffic and other such information as required, and thereafter, prepared and submitted to the appro-

priate local officials an Access Report showing how those factors had been taken into account and covering other matters required by RCW 47.52.131, et. seq. A copy of that report was introduced into evidence marked Exhibit No. 4.

By letter dated August 9, 1982, the City of Hoquiam Director of Public Works approved the Access Report, and said letter was introduced into evidence and marked Exhibit No. 5A.

By letter dated August 11, 1982, the Grays Harbor Commissioners approved the Access Report, and said letter was introduced into evidence and marked Exhibit No. 5B.

By letter dated August 18, 1982, and attached Resolution No. 4057 adopted August 16, 1982, the Hoquiam City Council approved the Access Report, and said letter was introduced into evidence and marked Exhibit 5C.

III

On July 19, 1982, the Project Development Engineer, by Order, proposed said plan and set a hearing date in accordance with the provisions of RCW 47.52.131 et. seq. Said Order was introduced into evidence and marked Exhibit No. 1.

IV

Lue Clarkson, Administrator, Washington State Transportation Commission, issued a Notice of Hearing. On July 29, 1982, an exact copy of this notice was mailed to Grays Harbor County, various agencies, and other interested parties and to each of those record owners of property listed on the County Tax Roll as depicted in the Affidavit of Service by Mailing introduced into evidence marked Exhibit No. 2. An exact copy of the notice was published in

"The Daily World" (Aberdeen) on August 2, 1982, as shown by the Affidavit of Publication of Duane Langeliers, Business Manager of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 3.

V

The plan proposes the establishment of partially controlled limited access highway facilities for State Route 109 Bypass, from the Jct. of SR 109 to the Jct. of SR 101, between Station 100+18.84 and Station 196+45.11 as shown on sheets 1 through 5 of 5 sheets entitled "SR 109 BYPASS, WEST HOQUIAM CONNECTION: JCT. SR 109 TO JCT. SR 101, GRAYS HARBOR COUNTY".

VI

This section of State Route 109 Bypass is an important part of the highway system of the State of Washington and represents a substantial expenditure in construction costs. It is of particular importance to the City of Hoquiam as it will remove industrial traffic from city streets and provide a safe and convenient route from the timberlands north of Hoquiam to the industries along the Grays Harbor Bay waterfront. State Route 109 Bypass is functionally classified as a Minor Arterial highway and Commission policy provides for partial control of access on highways of this type. In so doing, the investment of public funds is protected by preserving the highway for future use.

The project average daily traffic volumes for the design year 2000 indicate there will be between 1650 and 3950 vehicles travelling along the bypass.

It is vital in planning highways to provide adequate capacity for increased traffic demands in order to prevent the facility from becoming obsolete within a short period of time.

The efficiency of the highway as a means of moving a maximum volume of traffic in safety is directly related to the number of access points. It has been demonstrated in the past that, as property owners establish approaches to the highway for their personal use or for business enterprise, the problem of increased accident potential and lowered capacity, due to interference from these approaches, becomes increasingly great and the highway gradually becomes obsolete. Therefore, access points should be kept to a minimum with allowing local traffic adequate use of the facility at properly designed interchanges, intersections and approaches.

The plan for the establishment of partially controlled limited access facilities for this section of State Route 109 Bypass in Grays Harbor County introduced into evidence marked Exhibit No. 7-1 through 7-5 will facilitate travel, reduce accident rates, preserve the public investment and sustain the highway as a modern transportation facility.

VII

In addition to the exhibits previously mentioned, the following exhibits were entered into evidence at or subsequent to the hearing and made a part of the hearing record:

Exhibit No. 6	Environmental Assessment, State Route 101, West Hoquiam Connection, SR 109 MP 1.79 to SR 101 MP 89.0, approved by the FHWA on March 13, 1981.
---------------	---

- Exhibit No. 8 Letter dated August 18, 1982, signed by Jimmy D. Englund, Mayor, and Bob Tompkins, President of the Council, City of Hoquiam supporting the project.
- Exhibit No. 9 Letter, with attachment, dated August 18, 1982, signed by Richard D. Hirschberg, Manager, Land Department, Northwest Forest Operations, ITT Rayonier, Inc., expressing their support for the plan and requesting relocation of road approaches and clarification of the type C-7 approach definition.
- Exhibit No. 10 Letter dated August 23, 1982, signed by Stan Lattin, Director of Planning, for the Port of Grays Harbor expressing that they had no objection to the proposal.
- Exhibit No. 11 Letter dated August 25, 1982, signed by Eda J. Esses requesting that access control be removed from Parcel No. 3-06393 and that the project be moved further west avoiding her land.
- Exhibit No. 12 Letter dated August 26, 1982, signed by Arnie Sundquist requesting a gate be installed at Station 115+00 Rt. and that a fence be installed along the right of way effecting Parcel No. 3-06385 and 3-06386.
- Exhibit No. 13 Reserved Exhibit, Department of Transportation response to Exhibit No. 9.
- Exhibit No. 14 Reserved Exhibit, Department of Transportation response to Exhibit No. 11.

VIII

The Commission has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence marked Exhibit Nos. 7-1 through 7-5 should be modified as hereinafter set forth as shown on Exhibit "A" hereto attached.

1. Revise plan sheet 2 of 5 sheets to relocate the Type C approach to Parcel No. 3-06387 from Station 113+55 Lt. to Station 118+40 Lt. This revision was requested by Richard D. Hirschberg, Manager - Land Development, Northwest Forest Operations, ITT Rayonier, Inc. in Exhibit No. 9 and recommended by the Department of Transportation in Reserved Exhibit No. 13.
2. Revise plan sheet 4 of 5 sheets to relocate the existing Type C approach to Parcel No. 3-06389 from Station 162+00 Rt. to between Station 150+21.17 and Station 176+39.79 Rt. and add a Type C approach between Station 150+21.17 and Station 176+39.79 Rt. These revisions were requested by Richard D. Hirschberg, Manager - Land Development, Northwest Forest Operations, ITT Rayonier, Inc. in Exhibit No. 9 and recommended by the Department of Transportation in Reserved Exhibit No. 13.
3. Revise plan sheet 5 of 5 sheets to remove the limited access line from Parcel No. 3-06393 as requested by Ms. Eda Esses, in a letter dated August 25, 1982, Exhibit No. 11. This revision was recommended by the Department of Transportation in Reserved Exhibit No. 14.
4. Revise plan sheets 1 through 5 of 5 sheets to make minor plan revisions to correct ownership and parcel details, area computations, and right of way details.

IX

The Commission also considered the following request for changes in the plan, but denies them for the following reasons:

1. Ms. Eda Esses at the hearing and in a letter dated August 25, 1982, requested that SR 101 be moved further west to lessen the impact on their land.

The Department stated in Reserved Exhibit No. 14 that the realignment of SR 101 would not be feasible. The benefits gained by shifting the alignment would not offset the additional highway construction costs.

X

The Commission also considered the following requests made at or subsequent to the hearing within the ten-day open record period and makes the following findings:

1. Mr. Arnie Sundquist, Parcel No. 3-06385, in Exhibit No. 12, requested that a fence be installed along the right of way line abutting his property, and that a gate be installed at the grade intersection at Station 115+00 Rt.

It is the Department's policy on access controlled highways to provide fencing along the right of way line when the highway is constructed. The gate as requested will be installed and will remain until the city street is established. Mr. Sundquist will be permitted access to Parcel No. 3-06385 through this gate.

2. Mr. Richard D. Hirschberg, representing ITT Rayonier, Inc. in Exhibit No. 9 requested that the language for the Type C-7 note be revised to include gravel and rock as forest products.

The Department in Reserved Exhibit No. 13 has indicated that gravel and rock extraction for non-commercial purpose is considered to be incidental to the removal of raw forest products.

XI

The Commission particularly finds in the case of each abutting ownership that the adoption of the plan for making said highway a limited access facility, said plan being attached hereto and marked Exhibit "A", is required for public convenience and necessity.

Based upon the foregoing findings and the evidence supporting them, the Transportation Commission of the State of Washington,

ORDERS:

I

That the section of State Route 109 Bypass in Grays Harbor County described as follows is hereby designated as a limited access highway of the partial controlled type:

Between Station 100+18.84 and Station 196+45.11 as shown on sheets 1 through 5 of 5 sheets of the limited access plan entitled "SR 109 BYPASS, WEST HOQUIAM CONNECTION: JCT. SR 109 TO JCT. SR 101, MP 1.79 to MP 3.61, GRAYS HARBOR COUNTY," dated July 6, 1982.

II

That the plan set forth in Exhibit No. 7-1 through 7-5 for establishment of access control on said highway be revised as follows, and as shown on Exhibit "A" hereto attached and by this reference made a part hereof:

1. Revise plan sheet 2 of 5 sheets to relocate the Type C approach to Parcel No. 3-06387 from Station 113+55 Lt. to Station 118+40 Lt.
2. Revise plan sheet 4 of 5 sheets to relocate the existing Type C approach to Parcel No. 3-06389 from Station 162+00 Rt. to between Station 150+21.17 and Station 176+39.79 Rt. and add a Type C approach between Station 150+21.17 and Station 176+39.79 Rt.
3. Revise plan sheet 5 of 5 sheets to remove the limited access line from Parcel No. 3-06393.
4. Revise plan sheets 1 through 5 of 5 sheets to make minor plan revisions to correct ownership and parcel details, area computations and right of way details.

III

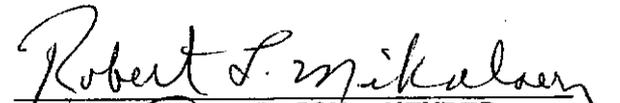
That the plan entitled "SR 109 BYPASS, WEST HOQUIAM CONNECTION: JCT. SR 109 TO JCT. SR 101, MP 1.79 TO MP 3.61, GRAYS HARBOR COUNTY," sheets 1 through 5 of 5 sheets dated July 6, 1982, as revised above and as shown on Exhibit "A", be and the same is hereby adopted.

ADOPTED this 15th day of December, 1982

WASHINGTON STATE
TRANSPORTATION COMMISSION


JERRY OVERTON, CHAIRMAN


RICHARD ODABASHIAN, MEMBER


ROBERT L. MIKALSON, MEMBER


VAUGHN HUBBARD, MEMBER


ALBERT D. ROSELLINI, MEMBER


PAT WANAMAKER, MEMBER


BERNICE STERN, MEMBER

ATTEST:


LUE CLARKSON, ADMINISTRATOR

APPROVED AS TO FORM:


ASSISTANT ATTORNEY GENERAL