

OKANOGAN COUNTY, by Curt Thompson, P.O. Box 1009, Okanogan,
WA 98840;

MARLIN OTTO, by Mr. & Mrs. Watkins, P.O. Box 231, Mazama, WA
98833;

THE GOSSARD PARTNERSHIP, by David W. Gossard, Attorney-
Partner, 265 United Airlines Bldg., Seattle, WA 98121.

As a courtesy to interested citizens, the commission furnishes a copy of the 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 a proper party to the hearing.

The meeting was called to order by Roland C. Cook, District Administrator, after which witnesses were called. 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 exhibits introduced in evidence, the Transportation Commission of the State of Washington makes the following findings:

I

Prior to May 9, 1986, a plan for the establishment of a limited access highway over a portion of State Route 20 in Okanogan County, Washington was ordered under Commission Resolution No. 2382 and its amendments and supplements thereto.

Such a plan was prepared and entitled "SR 20, EARLY WINTERS CREEK TO MAZAMA VICINITY, M.P. 177.79 TO M.P. 180.43, OKANOGAN

COUNTY," sheets 1 through 6 of 6 sheets. These sheets were introduced into evidence marked as Exhibit Nos. 7a through 7f, 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 such other information required, and thereafter prepared and submitted to the appropriate local officials an Access Report showing how those factors have 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 as Exhibit No. 4.

By letter, dated June 2, 1986, the Okanogan County Board of County Commissioners gave their concurrence to the plan and the Access Report, and said letter was introduced into evidence marked Exhibit No. 5.

III

On May 23, 1986, 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 of Hearing was introduced into evidence marked as Exhibit No. 1.

IV

Lue Clarkson, Administrator, Washington State Transportation Commission, issued a Notice of Limited Access Hearing. On May 23, 1986, an exact copy of this notice was mailed to Okanogan 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 of Mailing introduced into evidence marked Exhibit No. 3. An exact copy of

this notice was published in The Wenatchee World on May 29 and June 11, 1986, as shown by the Affidavit of Publication of Carol Shawver, Legal Clerk of said newspaper, which affidavit was introduced into evidence marked as Exhibit No. 2a. An exact copy of the notice was published in the Methow Valley News on May 29 and June 12, 1986, as shown by the Affidavit of Publication of John Fleming, Editor of said newspaper, which affidavit was introduced into evidence marked as Exhibit No. 2b.

V

The plan proposes the establishment of a modified controlled limited access facility for the following described section of State Route 20:

Between Sta. 0+96.21 and Sta. 140+45.71 as shown on sheets 1 through 6 of 6 sheets of the plan entitled "SR 20, EARLY WINTERS CREEK TO MAZAMA VICINITY," dated May 9, 1986.

VI

This section of State Route 20 is an important part of the highway system of the State of Washington. It is functionally classified as a Minor Arterial and Department of Transportation policy provides for modified control of access on highways of this type. In establishing access control, the investment of public funds is protected by preserving the highway for future use.

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 consistent with allowing local traffic adequate use of the facility at properly designated interchanges, intersections, and approaches.

The plan for establishment of modified controlled limited access facilities for this section of SR 20 in Okanogan County, introduced into evidence marked as Exhibit Nos. 7a through 7f, 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 the hearing and made a part of the hearing record:

- | | |
|----------------|---|
| Exhibit No. 6 | Determination of Non-Significance and Checklist for SR 20, Early Winters Creek to Mazama Vicinity dated December 20, 1985. |
| Exhibit No. 8 | Letter dated June 2, 1986, signed by Doug Devin, representing Early Winters Resort. |
| Exhibit No. 9 | Letter dated June 2, 1986, signed by Doug Devin, representing Mazama Livestock Company, expressing concern about access to Parcels 2-02511, 2-02512, and 2-02514. |
| Exhibit No. 10 | Letter dated June 13, 1986, from Patricia A. Nicholson, expressing concern about access to Parcel 2-02510. |

Exhibit No. 11 Letter dated June 18, 1986, from Herbert L. Rosenberg requesting certain modifications to the access to Parcel No. 2-02502.

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. 7a through 7f should be modified as hereinafter set forth and as shown on Exhibit "A" attached.

1. Revise plan sheet 2 of 6 sheets to delete the Type C* approach for Parcel No. 2-02492 at Sta. 15+44 Lt. This has been designated as a public grade intersection. This plan change was recommended by the Department of Transportation on page 16 of the hearing transcript.
2. Revise plan sheet 3 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02497 from between Sta. 45+00 and Sta. 47+00 to between Sta. 45+00 and Sta. 50+00 Lt.; from between Sta. 49+60 and Sta. 51+60 Lt. to between Sta. 52+00 and Sta. 54+50 Lt. as requested by Darrell Ford on pages 21 and 22 of the hearing transcript.
3. Revise plan sheet 3 of 6 sheets to relocate the Type C* approach for Parcel No. 2-02496 from Sta. 38+16 Lt. to between Sta. 35+00 and Sta. 39+00 Lt.; and to add a Type C* approach between Sta. 41+00 and Sta. 43+00 Lt. as requested by Mr. Curtis on pages 22 and 23 of the hearing transcript.
4. Revise plan sheet 3 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02495 from Sta. 30+75 Lt. to between Sta. 30+00 and Sta. 31+50 Lt.; from Sta.

33+50 Lt. to between Sta. 33+00 and Sta. 34+50 Lt. as recommended by the department.

5. Revise plan sheet 4 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02502 from Sta. 79+75 Lt. to between Sta. 78+00 and Sta. 81+00 Lt.; from Sta. 83+12 Lt. to between Sta. 83+00 to Sta. 92+00 Lt. as requested by Mr. Herbert L. Rosenberg in Exhibit No. 11.
6. Revise plan sheet 4 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02499 from Sta. 65+00 Lt. to between Sta. 65+00 and Sta. 68+00 Lt.; from Sta. 74+00 Lt. to between Sta. 72+00 and Sta. 77+00 Lt. as requested by Mr. Herbert L. Rosenberg in Exhibit No. 11.
7. Revise plan sheet 4 of 6 sheets to relocate the Type C* approach for Parcel No. 2-02498 from Sta. 59+30 Lt. to between Sta. 55+00 and 62+00 Lt. as recommended by the department.
8. Revise plan sheet 5 of 6 sheets to indicate joint use of the temporary Type A approach at Sta. 113+33 Rt. by Parcel Nos. 2-02508, 2-02509, 2-02510, 2-02511 and 2-02512. This approach will also be widened to 20 feet as requested by Mrs. Durtschi on page 31 of the hearing transcript and by Patricia A. Nicholson in Exhibit No. 10. This Type A road approach will be deleted upon construction of the future frontage road by the county.
9. Revise plan sheet 5 of 6 sheets to relocate the Type C* approach for Parcel No. 2-02513 from Sta. 114+31 Lt. to between Sta. 114+00 to Sta. 116+00 Lt. as recommended by the department.

10. Revise plan sheet 5 of 6 sheets to add a Type C* approach for Parcel No. 2-02502 at Sta. CR2 2+00 Lt. as requested by Herbert L. Rosenberg in Exhibit No. 11.
11. Revise plan sheet 5 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02505 from Sta. 104+38 Lt. to between Sta. 99+00 and Sta. 105+00 Lt; from Sta. 109+75 Lt. to between Sta. 108+00 and Sta. 112+00 Lt. as recommended by the department.
12. Revise plan sheet 5 of 6 sheets to indicate joint use of the Type A approach at Sta. 116+25 Rt. by Parcel Nos. 2-02512, 2-02514, 2-02516, 2-02517. This approach will also be widened to 20 feet as requested by Mrs. Durtschi on page 31 of the hearing transcript and by Patricia A. Nicholson in Exhibit No. 10.
13. Revise plan sheet 6 of 6 sheets to add a Type C* approach for Parcel No. 2-02523 between Sta. 138+25 and Sta. 140+25 Rt. as requested by Mr. Aaron Burkhart on page 48 of the hearing transcript.
14. Revise plan sheets 1 through 6 of 6 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

IX

The commission also considered the following requests for changes in the plans, but denies them for the following reasons:

1. Mr. Darrell Ford, on pages 19 and 20 of the hearing transcript, requested one additional approach to Parcel No. 2-02497.

The department has revised the limits for the two Type C* approaches shown on the plan for Parcel No. 2-02497. This allows Mr. Ford flexibility in locating his approaches for future development, thus eliminating the need for a third approach.

X

The commission particularly 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," 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 SR 20 in Okanogan County described as follows is hereby designated as a limited access highway of the modified controlled type:

Between Sta. 0+96.21 and Sta. 140+45.71 shown on sheets 1 through 6 of 6 sheets of the right of way and limited access plan entitled "SR 20, EARLY WINTERS CREEK TO MAZAMA VICINITY, M.P. 177.79 TO M.P. 180.43, OKANOGAN COUNTY," dated May 9, 1986.

II

That the plans set forth in Exhibit 7a through 7f, for the establishment of access control on said highway be revised as follows, and as shown on Exhibit "A" attached hereto and by this reference made a part hereof:

1. Revise plan sheet 2 of 6 sheets to delete the Type C* approach for Parcel No. 2-02492 at Sta. 15+44 Lt.
2. Revise plan sheet 3 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02497 from between Sta. 45+00 and Sta. 47+00 to between Sta. 45+00 and Sta. 50+00 Lt.; from between Sta. 49+60 and Sta. 51+60 Lt. to between Sta. 52+00 and Sta. 54+50 Lt.
3. Revise plan sheet 3 of 6 sheets to relocate the Type C* approach for Parcel No. 2-02496 from Sta. 38+16 Lt. to between Sta. 35+00 and Sta. 39+00 Lt. and to add a Type C* approach between Sta. 41+00 and Sta. 43+00 Lt.
4. Revise plan sheet 3 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02495 from Sta. 30+75 Lt. to between Sta. 30+00 and Sta. 31+50 Lt.; from Sta. 33+50 Lt. to between Sta. 33+00 and Sta. 34+50 Lt.
5. Revise plan sheet 4 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02502 from Sta. 79+75 Lt. to between Sta. 78+00 and Sta. 81+00 Lt.; from Sta. 83+12 Lt. to between Sta. 83+00 and Sta. 92+00 Lt.
6. Revise plan sheet 4 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02499 from Sta. 65+00 Lt. to between Sta. 65+00 and Sta. 68+00 Lt.; from Sta. 74+00 Lt. to between Sta. 72+00 and Sta. 77+00 Lt.
7. Revise plan sheet 4 of 6 sheets to relocate the Type C* approach for Parcel No. 2-02498 from Sta. 59+30 Lt. to between Sta. 55+00 and 62+00 Lt.
8. Revise plan sheet 5 of 6 sheets to indicate joint use of the temporary Type A approach at Sta. 113+33 Rt. by

Parcel Nos. 2-02508, 2-02509, 2-02510, 2-02511 and 2-02512 and increase the approach width to 20 feet.

9. Revise plan sheet 5 of 6 sheets to relocate the Type C* approach for Parcel No. 2-02513 from Sta. 114+31 Lt. to between Sta. 114+00 to Sta. 116+00 Lt.
10. Revise plan sheet 5 of 6 sheets to add a Type C* approach for Parcel No. 2-02502 at Sta. CR2 2+00 Lt.
11. Revise plan sheet 5 of 6 sheets to relocate the Type C* approaches for Parcel No. 2-02505 from Sta. 104+38 Lt. to between Sta. 99+00 and Sta. 105+00 Lt.; from Sta. 109+75 Lt. to between Sta. 108+00 and Sta. 112+00 Lt.
12. Revise plan sheets, 5 and 6 of 6 sheets to indicate joint use of the Type A approach at Sta. 116+25 Rt. by Parcel Nos. 2-02512, 2-02514, 2-02516, 2-02517. This approach will also be widened to 20 feet.
13. Revise plan sheet 6 of 6 sheets to add a Type C* approach for Parcel No. 2-02523 between Sta. 138+25 and Sta. 140+25 Rt. as requested by Mr. Aaron Burkhart on page 48 of the hearing transcript.
14. Revise plan sheets 1 through 6 of 6 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

III

The plan entitled "SR 20, EARLY WINTERS CREEK TO MAZAMA VICINITY, M.P. 177.79 TO M.P. 180.43, OKANOGAN COUNTY," sheets 1 through 6 of 6 sheets, dated May 9, 1986 as revised above and as shown on Exhibit "A," be and the same is hereby adopted.

The following plans are superseded:

"SR 20 EARLY WINTERS CREEK TO MAZAMA," right of way sheet 1 through 5, and 6 (pt.) of 6 sheets approved February 18, 1964.

ADOPTED this 21st day of August, 1986.

Vaughn Hubbard
VAUGHN HUBBARD, Chairman

Leo B. Sweeney
LEO B. SWEENEY, Vice Chairman

JERRY OVERTON, Member

Bernice Stern
BERNICE STERN, Member

Richard Odabashian
RICHARD ODABASHIAN, Member

Albert D. Rosellini
ALBERT D. ROSELLINI, Member

William J. Kamps
WILLIAM J. KAMPS, Member

ATTEST:

Lue Clarkson
LUE CLARKSON, Administrator

APPROVED AS TO FORM:

Madore Stone
Assistant Attorney General