

BEFORE THE WASHINGTON STATE TRANSPORTATION COMMISSION

<u>IN RE: STATE ROUTE 20</u>)	
<u>WOLF CR. RD. VIC. TO MP 185.57</u>)	FINDINGS AND ORDER
<u>MP 184.06 to MP 185.57</u>)	
<u>COMBINE HEARING ON DESIGN & LIMITED ACCESS)</u>)	

The hearing in the above entitled matter was held upon due notice to interested parties beginning at 7:00 p.m., Wednesday, March 3, 1982, in the Liberty Bell High School, Winthrop, Washington, before John McRae acting as Hearing Examiner, and Commissioners Richard Odabashian and Robert L. Mikalson.

The interested persons and organizations were represented as follows:

DEPARTMENT OF TRANSPORTATION, by Joseph B. Loonam, Assistant Attorney General, Temple of Justice, Olympia, Washington 98504.

OKANOGAN COUNTY, by Alan King, Okanogan County Director of Public Works, Okanogan, Washington 98840.

OKANOGAN COUNTY COMMISSIONERS, by Archie Eiffert, Okanogan County Commissioner, Box 776, Twisp, Washington 98856.

JAMES AMUNISIS, by B. G. Monteith, Realtor, A120 - 125 Street Northeast, Marysville, Washington 98270.

DONALD R. NELSON, by Bob Spiwak, Associate, Snohomish County Sheriff's Office, Everett, Washington 98201.

SAMUEL G. & PATRICIA J. DUNCAN, by self, 12702 Sunrise Drive Northeast, Bainbridge Island, Washington 98110.

BOB SPIWAK, by self, Star Route, Box 27, Winthrop, Washington 98862.

W. L. GORDON, by self, 7227 Upper Ridge Road, Everett, Washington 98201.

ROGER LE PONT, LANDOWNER, by self, Star Route, Box 50A, Winthrop, Washington 98862.

ROY KUMM, by self, Box 356A, Winthrop, Washington 98862.

PHILIP S. & FLORENCE E. LINDBLOOM, by self, 22513 - 44th Avenue West, Mountlake Terrace, Washington 98043.

METHOW VALLEY NEWS, by Sheela McLean, Star Route, Box 60, Mazama, Washington 98833.

MANITOU, INC., by John Hayes, Star Route 86, Winthrop, Washington 98862.

FRED ISSACSON, by Bill McCallum, 2431 - 161st Avenue Northeast, Bellevue, Washington 98008.

DONALD & ELINORE DRAKE, by self, Star Route, Box 89, Winthrop, Washington 98862.

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 a proper party to the hearing.

The meeting was called to order by Donald S. Senn, Acting District Construction/Location Engineer, after which witnesses were called. The evidence was taken by a stenographer and thereafter transcribed. Certain exhibits were duly introduced in 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 January 4, 1982, 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, WOLF CR. RD. VIC. TO MP 185.57, MP 184.06 TO MP 185.57, OKANOGAN COUNTY," sheets 1 through 4 of 4 sheets dated January 4, 1982. These sheets were introduced into evidence marked as Exhibit Nos. 7A through 7D, 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 as required, and thereafter, prepared and submitted to the appropriate 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 February 24, 1982, the Okanogan County Director of Public Works conveyed the Okanogan County Board of Commissioners' approval of the Access Report, and said letter was introduced into evidence marked Exhibit No. 5.

III

On January 20, 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 marked Exhibit No. 1.

IV

Lue Clarkson, Administrator, Washington State Transportation Commission, issued a Notice of Hearing. On February 3, 1982, 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 by Mailing introduced into evidence marked Exhibit No. 3. An exact copy of the notice was published in the Wenatchee World on January 28, 1982, and on February 25, 1982, as shown by the Affidavit of Publication of Cathy S. Trimble, Legal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2-A. An exact copy of the notice was published in the Methow Valley News on January 28, 1982, and February 25, 1982, as shown by the Affidavit of Publication of Barbara Flagg, Business Manager of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2-B. An exact copy of the notice was published in the Omak-Okanogan County Chronicle on January 28, 1982, and on February 24, 1982, as shown by the Affidavit of Publication of Karen L. Wehmeyer, Office Manager of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2-C.

V

The plan proposes the establishment of a limited access facility with modified access control for SR 20 from the Wolf Creek road

vicinity to MP 185.57 between Station 330+09.26 and Station 410+02.27 as shown on sheets 1 through 4 of 4 sheets entitled "SR 20, WOLF CR. RD. VIC. TO MP 185.57, MP 184.06 TO MP 185.57, OKANOGAN COUNTY."

VI

This section of State Route 20 is an important part of the highway system of the State of Washington and represents a substantial expenditure in construction costs. It is functionally classified as a Minor Arterial and Commission policy provides for access control on highways of this type. In doing so, 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 connected with 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 becomes increasingly great and the road gradually becomes obsolete. Therefore, access points should be kept to a minimum consistent with allowing local traffic adequate use of the facility at properly designed interchanges, intersections and approaches.

The plan for the establishment of a limited access highway facility with modified access control on State Route 20 in Okanogan County, introduced into evidence marked Exhibit Nos. 7A through 7D, 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. 5-A Letter dated February 16, 1982, from the Okanogan County Board of County Commissioners requesting the consideration of accommodating snowmobile traffic on the new bridge.
- Exhibit No. 6-A Letter dated October 23, 1981, from the Federal Highway Administration (FHWA) re-affirming the Finding of No Significant Impact (FONSI).
- Exhibit No. 6-B A copy of the Transportation Commission Resolution No. 128 which finds that the existing route of SR 20 between Mazama Junction and the Weeman Bridge is the most desirable route for this segment of SR 20.
- Exhibit No. 6-C Environmental Assessment for SR 20 between Mazama Junction and Weeman Bridge dated October 21, 1980.
- Exhibit No. 8 A letter dated February 26, 1982, signed by Philip S. Lindbloom and Florence E. Lindbloom regarding the impact the project has on their property.
- Exhibit No. 9 Reserved Exhibit, the Department of Transportation response to Mr. Willard Gordon's hearing comments and request for a change in the road approach width to parcel no. 2-02210.
- Exhibit No. 10 Letter dated March 5, 1982, signed by James Amunsis, with attached letter dated October 16, 1981, from Okanogan County Assessor, requesting a Type E approach to parcel no. 2-02212.
- Exhibit No. 11 Reserved Exhibit, the Department's response to Mr. Birch Monteith (representing Amunsis) comments at the hearing and to Exhibit No. 10.
- Exhibit No. 12. Reserved Exhibit, the Department's response to Mr. Bob Spiwak (representing Donald V. Nelson) and Exhibit No. 13 request for a Type B approach for parcel 2-02221 and a Type B approach for Mr. Nelson's property.
- Exhibit No. 13 Letter dated March 12, 1982, signed by Mr. Donald R. Nelson requesting a Type B approach.

VIII

The Commission has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence marked Exhibit No. 7A through 7D should be modified as hereinafter set forth and as shown on Exhibit "A" attached.

1. Revise plan sheet 2 of 4 sheets to increase the width, not to exceed 30 feet, for the Type B approach at Station 348+00 Lt. for Parcel No. 2-02210. This revision was requested by Mr. Willard Gordon at the hearing on pages 30 through 33 of the transcript and recommended by the Department of Transportation in Reserved Exhibit No. 9.
2. Revise plan sheet 2 of 4 sheets to relocate the Type B approach to Parcel No. 2-02211 from Station 348+00 Rt. to between Station 345+00 Rt. and Station 349+00 Rt. This revision was requested by Samuel G. and Patricia J. Duncan.
3. Revise plan sheet 2 of 4 sheets to change the Type A approach to a Type C* approach and to relocate it from between Station 349+60 and Station 358+50 Lt. to between Station 350+00 and Station 352+00 Lt. as requested by Mr. Birch Monteith representing Mr. James Amunis on pages 34 and 35 of the transcript and in Exhibit No. 10 and recommended by the Department in Reserved Exhibit No. 11.
4. Revise plan sheet 4 of 4 sheets to provide an access easement from SR 20 at Station 393+50 Rt., for transfer to owners of lots in the Darlington Tracts as requested by Philip S. and Florence E. Lindbloom in Exhibit No. 8 and recommended by the Department in Reserved Exhibit No. 14.
5. Revise plan sheet 4 of 4 sheets to change the approach at Station 393+50 Rt. from Type B to Type C* to accommodate the additional users through Parcel No. 2-02218 as recommended by the Department in Reserved Exhibit No. 14.
6. Revise plan sheet 4 of 4 sheets to add a Type C* approach at Station 408+80 Rt. for Parcel No. 2-02218 as requested by Mr. Donald R. Nelson in Exhibit No. 13 and by Mr. Robert Spiwak (representing Mr. Nelson) on pages 38 through 40 of the transcript and recommended by the Department in Reserved Exhibit No. 12.

7. Revise plan sheet 4 of 4 sheets to add a Type B approach at Station 408+80 Lt. for Parcel No. 2-02221 as requested by Mr. Robert Spiwak on pages 38 through 40 of the transcript and recommended by the Department in Reserved Exhibit No. 12.
8. Revise plan sheet 4 of 4 sheets to relocate the Type A approach to Parcel No. 2-02221 from between Station 402+15 and Station 409+45 Lt. to between Station 402+15 and Station 405+00 Lt. as requested by Mr. Robert Spiwak on pages 38 through 40 of the transcript and recommended by the Department in Reserved Exhibit No. 12.
9. Revise plan sheet 1 through 4 of 4 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 request made prior to the hearing and makes the following findings:

The Board of County Commissioners for Okanogan County in Exhibit No. 5A requested the Department consider accommodating snowmobile traffic across the new bridge.

The Department has revised its design of the bridge to widen the shoulders which will accommodate all forms of recreational traffic.

X

The Commission particularly finds in the case of each abutting ownership that the adoption of the plan 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 20 in Okanogan County as described as follows is hereby designated as a limited access highway of the modified controlled type:

Between Station ~~330+09.26~~ and Station 410+02.27 as shown on sheets 1 through 4 of 4 sheets entitled, "SR 20, WOLF CR. RD. VIC. TO MP 185.57, MP 184.06 TO MP 185.57, OKANOGAN COUNTY" dated January 4, 1982.

II

That the plan set forth in Exhibit No. 7A through 7D for the 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 4 sheets to increase the width, not to exceed 30 feet, for the Type B approach at Station 348+00 Lt. for Parcel No. 2-02210.
2. Revise plan sheet 2 of 4 sheets to relocate the Type B approach to Parcel No. 2-02211 from Station 348+00 Rt. to between Station 345+00 and Station 349+00 Rt.
3. Revise plan sheet 2 of 4 sheets to change the Type A approach to a Type C* and relocate it from between Station 349+60 and Station 358+50 Lt. to between Station 350+00 and Station 352+00 Lt.
4. Revise plan sheet 4 of 4 sheets to provide an access easement from SR 20 at Station 393+50 Rt. for transfer to owners of lots in the Darlington Tracts.
5. Revise plan sheet 4 of 4 sheets to change the approach at Station 393+50 Rt. from Type B to Type C*.
6. Revise plan sheet 4 of 4 sheets to add a Type C* approach at Station 408+80 Rt. for Parcel No. 2-02218.
7. Revise plan sheet 4 of 4 sheets to add a Type B approach at Station 408+80 Lt. for Parcel No. 2-02221.
8. Revise plan sheet 4 of 4 sheets to relocate the Type A approach to Parcel No. 2-02221 from between Station 402+15 and Station 409+45 Lt. to between Station 402+15 and Station 405+00 Lt.
9. Revise plan sheets 1 through 4 of 4 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

IV

That the plan entitled "SR 20, WOLF CR. RD. VIC. TO MP 185.57, MP 184.06 TO MP 185.57, OKANOGAN COUNTY," sheets 1 through 4 of 4 sheets dated January 4, 1982, as revised above and as shown on Exhibit "A", be and the same is hereby adopted.

V

That the following plan is hereby superseded:

"PSH No. 16, SEC. 1-WINTHROP TO MAZAMA, OKANOGAN COUNTY"
Sheet 1 and 2 of 2 sheets approved December 19, 1944.

ADOPTED this 11th day of May, 1982.

WASHINGTON STATE TRANSPORTATION COMMISSION

Vaughn Hubbard
VAUGHN HUBBARD, Chairman

Robert L. Mikalson
ROBERT L. MIKALSON, Member

Richard Odabashian
RICHARD ODABASHIAN, Member

Albert D. Rosellini
ALBERT D. ROSELLINI, Member

Pat Wanamaker
PAT WANAMAKER, Member

Jerry B. Overton
JERRY B. OVERTON, Member

Bernice Stern
BERNICE STERN, Member

ATTEST:

Lue Clarkson
LUE CLARKSON, ADMINISTRATOR

APPROVED AS TO FORM:

Thomas R. Burlington
ASSISTANT ATTORNEY GENERAL