

BEFORE THE DEPARTMENT OF TRANSPORTATION

IN RE: STATE ROUTE 82)
GOOSE GAP ROAD VICINITY TO JCT. SR 14)
M.P. 100.66 to M.P. 113.64) FINDINGS AND ORDER
HEARING ON LIMITED ACCESS)

The hearing on the above entitled matter was held upon due notice to interested parties beginning at 7:00 p.m., Monday, March 17, 1980, in the Benton County P.U.D. Auditorium, located at 524 South Auburn, Kennewick, Washington, before Charles C. Countryman, Hearing Examiner.

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;

BENTON COUNTY, by Dale E. Bean, County Engineer, P.O. Box 110, Prosser, Washington 99350;

CITY OF KENNEWICK, by Ervin Bader, Director of Public Works, 5316 Livingston, Pasco, Washington 99336;

CITY OF KENNEWICK, COUNCIL MEMBERS, by James A. Bates, Councilman, 16 East 15th Avenue, Kennewick, Washington 99336;

STATE OF WASHINGTON, DEPARTMENT OF NATURAL RESOURCES, by Bryan E. Grunwald, of Thompson, Hall, Goodhue, Haisley, Joint Venture, 100 Stevenson Street, San Francisco, California 94105;

MILO BAUDER, by self, 1986 Greenbrook Boulevard, Richland, Washington 99352;

CHARLIE J. CHRISTENSEN, by self, P.O. Box 6993, Kennewick, Washington 99336;

C. JOHN CHRISTENSEN, by self, 2322 West 16th Avenue, Kennewick, Washington 99336;

GLEN CLARK, by self, 4000 West Clearwater, Kennewick, Washington 99336;

RICHARD DYER, by self, 14813 N. E. 3rd Circle, Vancouver, Washington 98664;

M.G. EADES, by self, 910 Toro Place, Kennewick, Washington 99336;

EL RANCHO REATA HOMEOWNERS ASSOCIATED, 29005 Reata Road, Kennewick, Washington
99336;

DOUGLAS E. ENSOR, by self, 1803 West 10th Avenue, Kennewick, Washington
99336;

ALEX G. FASSBENDER, by self, 28003 Reata Road, Kennewick, Washington 99336;

CHARLES A. FICK, JR., and MARY A. FICK, by selves, 2228 Enterprise, Richland,
Washington 99352;

FOOTLOOSE FIVE, by John A. Wilkins, Attorney At Law, P.O. Box 1829, Sequim,
Washington 98382;

GOLDEN DESERT DEVELOPERS, by Andrew J. Sanderson, owner, 6307 West 10th
Place, Kennewick, Washington 99336;

DENNIS R. HAFFNER, by self, Route 4, Box 4525, Kennewick, Washington 99336;

JACK HSIEH, by C.A. Fick, 2228 Enterprise, Richland, Washington 99352;

GLEN W. JONES, by self, 1614 S.E. Oregon, Richland, Washington 99352;

JACK T. LEE, by Ed Hendler, Box 2444, Pasco, Washington 99336;

FRED J. and KATHRYN M. KEITZ, by selves, 2607 Harris Avenue, Richland,
Washington 99352;

RAYMOND T. MICHENER, by self, 2611 South Fillmore, Kennewick, Washington
99336;

MR. AND MRS. J.F. MOORE, by selves, Route 12, Box 12350, Kennewick, Washington
99336;

EDWARD NOWAK, by H.H. Hayner, of Minnick, Hayner and Zagelow, Attorneys
at Law, P.O. Box 1757, Walla Walla, Washington 99362;

H.M. PARKER, by self, 2030 Harris Avenue, Richland, Washington 99352;

WENDELL E. ROBINSON, M.D., by self, 512 South Nelson Street, Kennewick,
Washington 99336;

EMMETT A. and FRANCIS A. SHEARER, by selves, 2209 Benton Avenue, Richland,

Washington 99352;

DR. W.V. TEUSCHER, by self, 4811 Dubois Drive, Vancouver, Washington 98661;

DR. WALLACE V. TEUSCHER, by self, 300 West 39th Street, Vancouver, Washington 98660;

DALE VAN SCHOIACK, by self, 1823 West 7th Place, Kennewick, Washington 99336;

WALLA WALLA FARMERS CO-OP, INC., by Michael R. Eby, Branch Manager, Kennewick Branch, Rt. 12, Box 405, Kennewick, Washington 99336;

BILL A. WHITE, by Clarence C. Bumgardner, 7514 West Yellowstone, Kennewick, Washington 99336;

RAY WHITE, by self, 948 Agate, Pasco, Washington 99301;

LARRY A. GALE, by Roy M. Gale, partner, 4406 West 7th, Kennewick, Washington 99336;

As a courtesy to interested citizens, the Department of Transportation 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 Department of Transportation, 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 Charles C. Countryman, Hearing Examiner, after which witnesses were called. The evidence was taken by a Court Reporter and thereafter transcribed. Certain exhibits were duly introduced as evidence. Based upon the oral evidence and the exhibits introduced in evidence, and acting under the authority of the Secretary of Transportation, the Deputy Secretary of Transportation of the State of Washington makes the following findings:

I

Prior to January 18, 1980, a plan for the establishment of a limited access

highway over a portion of State Route 82 in Benton County, Washington, was ordered under Resolution No. 2624.

Such plan was prepared and entitled "SR 82, GOOSE GAP ROAD VICINITY TO JCT. SR 14; M.P. 100.66 to M.P. 113.64, BENTON COUNTY", sheets 1 through 34 of 64 sheets dated January 18, 1980. These sheets were introduced into evidence marked as Exhibit Nos. 7-1 through 7-34, which were made a part of the hearing record.

II

The Department of Transportation received from the public agency 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, eq seq. A copy of that report was introduced into evidence marked Exhibit Nos. 4-A and 4-B.

By letter dated March 10, 1980, the Board of Benton County Commissioners approved the Access Report, and said letter was introduced into evidence marked Exhibit No. 5.

III

On February 1, 1980, ~~The~~ Design 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

Mr. V.W. Korf, Deputy Secretary of Transportation, issued a Notice of Hearing. On February 19, 1980, an exact copy of this notice was mailed to Benton County; the Cities of Kennewick, Pasco, and Richland; various agencies and other interested parties; and to each of those record owners of property listed in the Affidavit of Service by Mailing introduced into evidence marked

Exhibit No. 3. An exact copy of the aforesaid notice was published in the Tri-City Herald on February 28, 1980, as shown by the affidavit of Phyllis Graves, Principal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 2.

V

The plan proposes the establishment of fully controlled limited access highway facilities for State Route 82 from Goose Gap Road vicinity to Junction State Route 14 between Station LE 981+22.80 and Station LE 1667+47.86 as shown on sheets 1 through 34 of 67 sheets entitled "SR 82, GOOSE GAP ROAD VICINITY TO JCT. SR 14, M.P. 100.66 to M.P. 113.64, BENTON COUNTY".

VI

This section of State Route 82 is an important part of the highway system of the State of Washington and represents a substantial expenditure in construction costs. State Route 82 is functionally classified as an Interstate Highway, and Department of Transportation policy provides for full control of access. In establishing access control, the investment of public lands is protected by preserving the highway for future use.

The projected average daily traffic volumes for the design year of 2002 indicate that there will be approximately 15,100 vehicles per day traveling State Route 82 between Kiona and Junction State Route 182; 10,050 vehicles per day traveling between Jct. SR 182 and Goose Gap Road Interchange; 9,500 vehicles per day traveling between Goose Gap Road Interchange and Badger Road Interchange; 9,700 vehicles per day traveling between Badger Road Interchange and Junction State Route 14 and 15,000 vehicles per day traveling south of Jct. SR 14. 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.

An accident history and projection has not been prepared for this segment

of State Route 82. It is a new facility and cannot be compared to anything that is functioning similarly in this area.

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 a highway for their personal use or for business enterprise, the problems of increased accident potential and lowered capacity, because of interference from these roadside approaches, become 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 designed interchanges.

The plans for the establishment of limited access facilities for State Route 82 in Benton County, introduced into evidence marked Exhibit Nos. 7-1 through 7-34, will facilitate travel, reduce accident and fatality rates, preserve the public investment, and sustain this 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:

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| Exhibit No. 6 | Final Environmental/Section 4(f) Statement for Interstate 82/182, Prosser, Washington, to Interstate 80N in Oregon, approved and adopted by the FHWA October 22, 1976. |
| Exhibit No. 8 | Letter, with attachment, dated March 5, 1980, submitted at hearing by Roy M. and Larry A. Gale, regarding proximity to residence and lack of access to Parcel No. 5-04630. |
| Exhibit No. 9 | Letter, dated March 13, 1980, submitted at hearing by Michael R. Eby, Branch Manager, Walla Walla Farmers Co-op, Inc., regarding insufficient access to Parcel No. 5-04665 and the need for |

frontage roads by SR 82 from SR 14 Interchange to Beck Road.

- Exhibit No. 10 Written statement of Emmett A. and Frances A. Shearer, submitted at hearing by C.A. Fick, Jr., recommending expanding the KE Line to two way and connecting it to the frontage road at Locust Grove Interchange which should be a full clover leaf.
- Exhibit No. 11 Written statement of Charles A. Fick, Jr., and Mary A. Fick, recommending expanding the KE Line to two way and connecting it to the frontage road at Locust Grove Interchange which should be a full clover leaf.
- Exhibit No. 12 Reserved Exhibit, the Department of Transportation's response to Exhibit Nos. 8, 9, 10, 11, 13, 23, 24, 25, 26 and 34.
- Exhibit No. 13 Letter, dated March 10, 1980, submitted at hearing by Wendell W. Bateman, regarding lack of access to portions of Parcel No. 5-04684.
- Exhibit No. 14 Letter, with attachment, dated March 11, 1980, submitted at hearing by Milo B. Bauder, objecting to private access easement through Parcel No. 5-04638 and suggesting a public road at an alternate location to the south.
- Exhibit No. 15 Written statement of Bill A. and Margaret J. White, appointing Clarence Bumgardner as their representative at the hearing. Mr. Bumgardner's oral statements regarded the lack of access to Parcel No. 5-04652 and others.
- Exhibit No. 16 Reserved Exhibit, the Department's response to Exhibit Nos. 14 and 15.
- Exhibit No. 17 Reserved Exhibit, the Department's response to hearing comments by Mr. Harold Thompson, requesting an at-grade intersection with Badger Road opposite Keene Road.
- Exhibit No. 18 Letter and attachments, dated March 17, 1980, signed and presented by Mr. Clarence T. Bumgardner, regarding apparent acreage discrepancies in Parcel Nos. 5-04642 and 5-04658.
- Exhibit No. 19 Reserved Exhibit, the Department's response to Exhibit No. 18.
- Exhibit No. 20 Letter and attachments, dated March 20, 1980, from Charles John Christensen, commenting in support of an easterly extension of Christensen Road to intersect SR 14 and proposing a westside

frontage road from Christensen Road southerly through Coffin Road.

- Exhibit No. 21 Reserved Exhibit, the Department's response to Exhibit Nos. 20 and 22.
- Exhibit No. 22 Letter, dated March 22, 1980, from Charlie John Christensen, reiterating comments of his son in Exhibit No. 20.
- Exhibit No. 23 Written statement of Stanley D. Humann, Director of Land Management, Burlington Northern Inc., dated March 17, 1980, requesting replacement access to portions of Parcel Nos. 5-04664 and 5-04657.
- Exhibit No. 24 Written statement, submitted at hearing by Fred J. and Kathryn M. Leitz, requesting a northerly extension of the F1 Line off Locust Grove Road with connection to the KE Line which should be two way, also a full clover leaf at Locust Grove Road.
- Exhibit No. 25 Written statement of Jack Hsieh, submitted at hearing, reiterating the requests of Mr. and Mrs. Leitz in Exhibit No. 24.
- Exhibit No. 26 Letter, dated March 19, 1980, signed by Harvey Faurholt, indicating support for the Christensen Road extension to SR 14 and asking verification of acquisition acreage from Parcel No. 5-04677.
- Exhibit No. 27 Map and oral statements of Mr. Bryan Grunwald, opposing Christensen Road extension to SR 14 and proposing a similar extension of Hildebrand Road.
- Exhibit No. 28 Reserved Exhibit, the Department's response to Exhibit Nos. 27 and 29.
- Exhibit No. 29 Letter, dated March 21, 1980, from the Department of Natural Resources, reiterating Mr. Grunwald's statements in Exhibit No. 27.
- Exhibit No. 30 Written statement, submitted subsequent to the hearing by H.H. Hayner, Attorney for Edward Nowak, regarding inadequacy of access to Parcel No. 5-04672.
- Exhibit No. 31 Reserved Exhibit, the Department's response to Exhibit No. 30.
- Exhibit No. 32 Letter, with attachment, dated March 17, 1980, signed by Donald Kuhns, Mayor, City of Kennewick, requesting consideration of a grade separation structure at Amon Canyon and also extension of Hildebrand Road to intersection SR 14.

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| Exhibit No. 33 | Reserved Exhibit, the Department's response to Exhibit No. 32. |
| Exhibit No. 34 | Written statement, submitted at hearing by Andy Sanderson and Mark G. Barnes, requesting adequate access to Parcel Nos. 5-04650 and 5-04653. |
| Exhibit No. 35 | Summary of TRI-MATS population and employment projections, submitted at hearing by Mike Corkrum, City Planner, City of West Richland, and also Chairman, Technical Advisory Committee, Benton-Franklin Governmental Conference. |

VIII

The Deputy Secretary of Transportation has considered evidence on the entire portion of the above entitled highway and finds that the plan introduced into evidence marked Exhibit Nos. 7-1 through 7-34 should be modified as hereinafter set forth and as shown on Exhibit "A" attached.

1. Revise plan sheets 2, 16 and 17 of 67 sheets to provide an access easement extending southerly off Reata Road at Station RAB 10+00.00, easterly through Parcel No. 5-04640 to Station RAB 16+35.00, for transfer to Parcel No. 5-04664. This revision is in response to a request for access by Mr. Stanley D. Humann, Director of Land Management, Burlington Northern Inc., (Exhibit No. 23), and is recommended by the Department in Reserved Exhibit No. 12.
2. Revise plan sheets 3, 19 and 20 of 67 sheets to delete the access road for transfer to U.S.A. (K.I.D.) from the plan between Station BU 15+82.29 and Station BU 18+25 and Station LE 1323+31.95 to Station LE 1356+40 and add the FA Line from Station FA 20+23.12 easterly to Station FA 65+16.03 (Parcel No. 5-04657). These revisions are in response to written statements of Mr. Andrew Sanderson and Mr. Mark G. Barnes (Exhibit No. 34) and Mr. Milo B. Bauder (Exhibit No. 14) and also to comments made at the hearing on pages 31 through 39 of the hearing transcript by Mr. Bauder (Parcel No. 5-04638), Mr. Ray White (Parcel No. 5-04654), and by Mr. Bumgardner relative to Parcel Nos. 5-04639 and 5-04651 and also in behalf of Mr. Bill White (Parcel No. 5-04649) and other property owners in Section 10. These revisions are recommended by the Department in Reserved Exhibit Nos. 12 and 16.
3. Revise plan sheets 3, 22, 23 and 30 of 67 sheets to delete the FB Line from the plan Station FB 10+00.00 to Station FB 47+57.98 and add the BF Line Station BF 10+00.00 to Station BF 44+39.14 from the Keene Road/Badger Road intersection easterly through Parcel Nos. 5-04658, 5-04656 and 5-04655 to an intersection with Clodfelter Road, and also to add an access road for transfer to U.S.A. (K.I.D.) Station LE 1443+82 to Station LE 1448+70.07+ from Clodfelter Road westerly along the south side of SR 82 to the K.I.D. Main Canal. These revisions are in response to comments made at the hearing on pages 39 through 41 of the hearing transcript by Mr. Harold Thompson, general partner of

Kennewick West Limited (Parcel Nos. 5-04658, 5-04656 and 5-04655), and also by Mr. LaDell Vance on page 78 of the hearing transcript, and are recommended by the Department in Reserved Exhibit No. 17.

4. Revise plan sheets 4, 27, 28 and 34 of 67 sheets to provide a southerly shift of the CR Line from Station CR 34+74.08 to Station CR 10+00.00, to extend the CR Line from Station CR 10+00.00 to an intersection on the DF Line (Station CR 110+00.00) which will accommodate a future extension of the Hildebrand Road to the DF Line, to add the DF Line from Station DF 21+19 to Station DF 30+81, to realign the FK Line between Station FK 34+31.12 and Station FK 22+45.68 and to delete the FK Line from Station FK 22+45.68 to Station FK 10+00.00. The plan changes are in response to a map (Exhibit No. 27) and comments by Mr. Bryan Grunwald on pages 57 through 60 of the hearing transcript and by Mr. Michael R. Eby (Exhibit No. 9), Mr. Harvey Faurholt (Exhibit No. 26), Mr. Charles John Christensen (Exhibit No. 20), Mr. Charlie John Christensen (Exhibit No. 22), Mr. Art McCoy (Exhibit No. 29) and Mr. Donald Kuhns (Exhibit No. 32) and are recommended by the Department in Reserved Exhibits Nos. 12, 21, 28 and 33.
5. Revise plan sheets 4, 27, 28, 29 and 30 of 67 sheets to extend the FK Line from Station FK 64+12.92 to intersect on Locust Grove Road and to relocate the pedestrian/bicycle trail, from the west side of SR 82 between Christensen Road and Locust Grove Road, to the east side of SR 82 between SR 14 and Locust Grove Road Interchange as requested by Mr. Bateman (Exhibit No. 13) and Mr. Hayner (Exhibit No. 30) and recommended by the Department in Reserved Exhibit Nos. 12 and 31.
6. Revise plan sheets 4 and 28 of 67 sheets to provide an access easement (BS Line) from Union Loop Road abutting the northern boundary of Parcel No. 5-04665 for transfer to Parcel Nos. 5-04641 and 5-04679 and to delete the Department's recommended plan change presented at the hearing for an access road from the CR Line (Station CR 14+00) through Parcel No. 5-04665 into Parcel No. 5-04641 (Station CR 16+70.00).

These plan changes are in response to comments by Mr. Eby on pages 55 and 56 of the hearing transcript and in Exhibit No. 9. These revisions are recommended by the Department in Reserved Exhibit No. 12.
7. Revise plan sheets 4 and 28 of 67 sheets to delete the cul-de-sac on deadended Union Loop Road as requested orally by the Benton County Engineer subsequent to the hearing and recommended by the Department in Reserved Exhibit No. 21.
8. Revise plan sheets 4, 29 and 30 of 67 sheets to extend a frontage road (F¹ Line) from Station LE 1667+47.86 northerly through Parcel No. 5-04673 to the southwest corner of Parcel No. 5-04671 (Station LE 1649+42) in response to requests by Charles John Christensen, on pages 49 and 50 of the hearing transcript and in Exhibit No. 22 and by Charlie John Christensen in Exhibit No. 22 and is recommended by the Department in Reserved Exhibit No. 21.
9. Revise plan sheet 17 of 67 sheets to provide an access easement extending northerly off Reata Road at Station RA 346+00, thence westerly through Parcel No. 5-04640 to Station RA 340+50, for transfer to Parcel No. 5-04664. This revision was requested by Mr. Stanley D. Humann, Director of Land Management, Burlington Northern Inc., (Exhibit No. 23), and is recommended by the Department in Reserved Exhibit No. 12.

10. Revise plan sheet 33 of 67 sheets to provide an access easement on the northside of SR 182 from Goose Gap Road, Station LR 1111+76.13 through Parcel No. 5-04645 to Station LR 1103+79.94 for transfer to Parcel No. 5-04644 as requested by Dr. Wally Teuscher and Mr. Ray Michener on pages 27, 28 and 30 of the transcript and is recommended by the Department in Reserved Exhibit No. 12.
11. Revise plan sheets 1 through 34 of 67 sheets to make minor plan revisions, to correct ownership and parcel details, area computations, and right of way details.

IX

The Deputy Secretary of Transportation also considered the following requests for changes in the plan, but denies them for the following reasons:

1. Mr. Stanley D. Humann, Director of Land Management, Burlington Northern Inc., requested in Exhibit No. 23 that undercrossing privilege suitable for a standard county road be provided westerly of the Burlington Northern mainline to provide access to the south remainder of Parcel No. 5-04657. He further requested access from the BU Line (Bermuda Road) westerly to the east line of Section 9 to provide access to the southerly remainder of Parcel No. 5-04664.

The Department of Transportation indicated in Reserved Exhibit No. 12 that it is economically infeasible to provide grade separation structures for access into Parcel No. 5-04657 when access is available from Badger Road across the railroad right of way. In response to requests from multiple property owners in adjacent Section 10 to the west, the Department recommended in Reserved Exhibit Nos. 12 and 16 the construction of a frontage road (FA Line) extending from Bermuda Road easterly along the south side of SR 82 to the west boundary of Parcel No. 5-04657.

Alternatives analyzed for replacement access to the southerly remainder of Parcel No. 5-04664 in Section 9 included an easement extending westerly from the BU Line as requested by Mr. Humann and also an easement extending easterly from the RA Line (Reata Road) to the vicinity of the northwest corner of Section 9. The Department indicated in Reserved Exhibit No. 12 that either alternative would alleviate access damages to the parcel but recommended the easement from Reata Road easterly due to the added advantage of providing access to Section 8 (Parcel No. 5-04640), including an irrigation pumping station in the northeast corner.

2. The written statement and attachments thereto (Exhibit No. 32) from Mr. Donald Kuhns, Mayor, City of Kennewick, was presented at the hearing by Mr. Erv Bader, Director of Public Works, along with his own comments on pages 71 and 72 of the hearing transcript. They requested that the Department give consideration to construction of a grade separation structure at Amon Canyon to allow public access to areas south of SR 82 for future development. If a separation structure is not provided as a part of SR 82 construction and must await future warrants, costs would be prohibitive, and it might be impossible to construct.

The Department, in Reserved Exhibit No. 33, determined there was insufficient justification for a grade separation. SR 82 will cross Amon Canyon at approximate Station LE 1518+00. At present, there is no public roadway up the canyon, nor any commitment by the City or County as to when a roadway might be constructed. The City's proposal would require considerable reconstruction of unimproved Hildebrand Road and about one mile of new roadway extending up the canyon to cross over or under SR 82. Existing Clodfelter Road crosses SR 82 and generally parallels the canyon about one and one-quarter miles to the west. Christensen Road extends westerly from the Union Loop/SR 14 area to within about three-quarters of a mile east of the canyon. An east-west connection from Clodfelter Road to Christensen Road would provide alternate access to the area.

The Department investigated structure alternatives in the vicinity of Amon Canyon and found insufficient justification to construct a grade separation structure to serve this area where future development may or may not materialize. Local government can provide the structure in conjunction with area road development if and when the need arises.

3. The written statements of Mr. Charles John Christensen (Exhibit No. 20) and his father, Charlie John Christensen (Exhibit No. 27), requested a frontage road from Christensen Road south to Locust Grove Road Interchange to replace approximately one mile of field accesses from SR 14 into Parcel Nos. 5-04670 and 5-04671.

The Department stated in Reserved Exhibit No. 21 that access to Parcel No. 5-04670 is provided from Christensen Road along the north side and from Union Loop Road along the northeast boundary. There is no legal access to SR 14 from that parcel. Parcel No. 5-04671 has one Type B approach to SR 14 at the southeast corner of the property. The proposed plan would negate the Type B approach, thus landlocking that parcel.

In-depth feasibility studies cannot justify a frontage road from Christensen Road to Locust Grove Road; however, segmental analysis has resulted in a Departmental recommendation to add a frontage road to the plan extending northerly through Parcel No. 5-04673 to the south line of Parcel No. 5-04671. This frontage road will be an extension of the proposed F¹ Line projecting northerly from the Locust Grove Interchange on the adjoining SR 82 project titled "Jct. SR 14 to Plymouth Road."

4. The written statement of Mr. Michael R. Eby, Branch Manager, Walla Walla Farmers Co-op, Inc., (Exhibit No. 9), indicated that continuous frontage roads are needed on both sides of SR 82 from the SR 14 Interchange area south to Beck Road.

The Department indicated in Reserved Exhibit No. 12 that detailed frontage road feasibility studies were conducted in conjunction with this SR 82 project and the adjoining project titled "Jct. SR 14 to Plymouth Road." Continuous frontage roads on both sides of SR 82 from the SR 14 Interchange vicinity southerly to Beck Road cannot be economically justified.

5. Emmett A. and Frances A. Shearer (Exhibit No. 10), Charles A. Fick, Jr., and Mary A. Fick (Exhibit No. 11), Fred J. and Kathryn M. Leitz (Exhibit No. 24), and Mr. Jack Hsieh (Exhibit No. 25) requested expanding the KE Ramp of the SR 14 Interchange to two way traffic and connecting into it with a westside frontage road extending northerly from Locust Grove Road Interchange. They also requested that the Locust Grove Road Interchange be a full cloverleaf.

The Department of Transportation indicated in Reserved Exhibit No. 12 that the proposed SR 14 Interchange is a "Y" or "trumpet" design to facilitate free-flowing movement of traffic between SR 14 and SR 82. No local access is included in this directional interchange. Local access will be provided to SR 14 slightly north of the interchange and to SR 82 via the Locust Grove Road Interchange about two miles to the south. A grade intersection with the KE Line of the SR 14 Interchange with a local roadway does not meet nationwide highway engineering design practices and would violate driver expectancy of conflict-free traffic movement on Interstate highways. Considerable accidents and most likely fatalities would be the result.

The Locust Grove Road Interchange will be situated about one-half mile south of the terminus of this project and will be included in the adjoining SR 82 project titled "Jct. SR 14 to Plymouth Road." The Department indicated in Reserved Exhibit No. 12 and also in the Findings and Order for the adjoining project that the Locust Grove Road Interchange will be a "diamond" design to provide local access to SR 82. This design is adequate to facilitate the projected local traffic volumes expected from proposed development of the area. The interchange as proposed will be designed to allow for future lane additions to the crossroad and ramps to accommodate increased traffic loads, if and when conditions warrant. A full cloverleaf cannot be justified and would be an unwarranted expenditure of public funds.

X

The Deputy Secretary of Transportation also considered the following request for changes in the plan and makes the following findings:

1. Mr. Roy M. Gale and Mr. Larry A. Gale (Parcel No. 5-04630) on page 43 of the hearing transcript and in Exhibit No. 8 expressed objection to the placement of the Badger Road Interchange in such close proximity to their residence. They felt that this created an unnecessary hardship when considering all the uninhabited land in the area.

The Department of Transportation indicated in Reserved Exhibit No. 12 that there is no feasible or prudent alternative to the construction of the Badger Road Interchange in its presently proposed location. Interchange placement is severely limited by on-site conditions (i.e., Keene Road, Burlington Northern Railroad, etc.) as well as controlling features to the west and east. Although considerable effort was taken when locating SR 82 through this undulating rural area, it is impossible to avoid proximity effects upon each and every parcel or residence.

Subsequent to the hearing it was determined that property lines in the vicinity of Badger Road were in error on the hearing plan and that Parcel No. 5-04630 is in reality about 100 feet further to the south. Acquisition from Mr. Gale's property will not be required and proximity effects will be minimal.

XI

The Deputy Secretary of Transportation 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 Deputy Secretary of Transportation of the State of Washington

ORDERS:

That the section of State Route 82 in Benton County described as follows is hereby designated as a limited access highway of the fully controlled type:

Between Station LE 981+22.80 and Station LE 1667+47.86 as shown on sheets 1 through 34 of 67 sheets of the plan entitled "SR 82, GOOSE GAP ROAD VICINITY TO JCT. SR 14, M.P. 100.66 to M.P. 113.64, BENTON COUNTY," dated January 18, 1980.

II

That the plan set forth in Exhibit Nos. 7-1 through 7-34 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 sheets 16 and 17 of 67 sheets to provide an access easement extending southerly off Reata Road at Station RAB 10+00.00, easterly through Parcel No. 5-04640 to Station RAB 16+35.00, for transfer to Parcel No. 5-04664.
2. Revise plan sheets 3, 19 and 20 of 67 sheets to delete the access road for transfer to U.S.A. (K.I.D.) from the plan between Station BU 15+82.29 and Station BU 18+25.00 and Station LE 1323+31.95 to Station LE 1356+40.00 and add the FA Line from Station FA 20+23.12 easterly to Station FA 65+16.03 (Parcel No. 5-04657).
3. Revise plan sheets 3, 22, 23 and 30 of 67 sheets to delete the FB Line from the plan between Station FB 10+00.00 and Station FB 47+57.98 and add the BF Line from Station BF 10+00.00 to Station BF 44+39.14

from the Keene Road/Badger Road intersection easterly through Parcel Nos. 5-04658, 5-04656 and 5-04655 to an intersection with Clodfelter Road and also to add an access road for transfer to U.S.A. (K.I.D.) from Clodfelter Road westerly along the south side of SR 82 to the K.I.D. Main Canal.

4. Revise plan sheets 4, 27, 28 and 34 of 67 sheets to provide a southerly shift of the CR Line from Station CR 34+74.08 to Station CR 10+00.00, to extend the CR Line from Station CR 10+00.00 to an intersection on the DF Line (Station CR 110+00.00), to add the DF Line from Station DF 21+19 to Station DF 30+81, to realign the FK Line between Station FK 34+31.12 and Station FK 22+45.68, and to delete the FK Line from Station FK 22+45.68 to Station FK 10+00.
5. Revise plan sheets 4, 28, 29 and 30 of 67 sheets to extend the FK Line from Station FK 64+12.92 to intersect on Locust Grove Road and to relocate the pedestrian/bicycle trail from the west side of SR 82 between Christensen Road and Locust Grove Road, to the east side of SR 82 between SR 14 and Locust Grove Interchange.
6. Revise plan sheets 4 and 28 of 67 sheets to provide an access easement (BS Line) from Union Loop Road abutting the northern boundary of Parcel No. 5-04665 for transfer to Parcel Nos. 5-04641 and 5-04679 and to delete the access road from the CR Line (Station CR 14+00) through Parcel No. 5-04665 into Parcel No. 5-04641 (Station CR 16+70.00).
7. Revise plan sheets 4 and 28 of 67 sheets to delete the cul-de-sac on deadended Union Loop Road.
8. Revise plan sheets 4, 29 and 30 of 67 sheets to add the F¹ Line on the right from Station LE 1667+47.86 northerly through Parcel No. 5-04673 to the southeast corner of Parcel No. 5-04671.
9. Revise plan sheet 17 of 67 sheets to provide an access easement extending northerly off Reata Road at Station RA 346+00, thence westerly through Parcel No. 5-04640 to Station RA 340+50, for transfer to Parcel No. 5-04664.
10. Revise plan sheet 33 of 67 sheets to provide an access easement on the northside of SR 182 from Goose Gap Road, Station LR 1111+76.13 through Parcel No. 5-04645 to Station LR 1103+79.94 for transfer to Parcel No. 5-04644.
11. Revise plan sheets 1 through 34 of 67 sheets to make minor plan revisions, to correct ownerships and parcel details, area computations, and right of way details.

III

That the plan entitled "SR 82, GOOSE GAP ROAD VICINITY TO JCT. SR 14, M.P. 100.66 TO M.P. 113.64, BENTON COUNTY," sheets 1 through 34 of 67 sheets,

dated January 18, 1980, as revised above and as shown on Exhibit "A", be and the same is hereby adopted.

That the following plans are hereby superseded:

"SR 14, WRIGHT ROAD WESTERLY," Limited Access, Benton County, sheets 2(pt.) of 2 sheets, approved March 5, 1957.

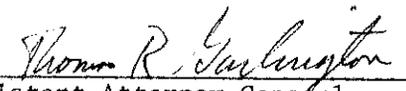
"SR 14, BATEMAN ROAD TO CHRISTENSEN ROAD," Right of Way and Limited Access, Benton County, sheets 6(pt.), 7 and 8 of 12 sheets, approved March 14, 1968.

ADOPTED THIS 26 day of Nov, 1980.

DEPUTY SECRETARY OF TRANSPORTATION


V.W. Korf

APPROVED AS TO FORM:


Assistant Attorney General