

BEFORE THE DEPARTMENT OF TRANSPORTATION

IN RE: STATE ROUTE 90  
HILLTOP INTERCHANGE VICINITY  
M.P. 143.44 TO M.P. 145.11  
HEARING ON LIMITED ACCESS

FINDINGS AND ORDER

The hearing in the above entitled matter was held upon due notice to interested parties beginning at 7:00 P.M., Wednesday, September 6, 1978, in the George Community Hall, George, 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;

GRANT COUNTY PUBLIC WORKS, by John Gonseth, Ephrata, Washington 98848;

ALEXANDER GRAZ, by self, P. O. Box 5214, George, Washington 98824.

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. Evidence was taken by a stenographer 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 July 21, 1978, a plan for the establishment of a limited access highway over a portion of State Route 90 in Grant County, Washington was ordered under Commission Resolution No. 95.

Such a plan was prepared and entitled "SR 90, HILLTOP INTERCHANGE VICINITY, M.P. 143.44 TO M.P. 145.11, GRANT COUNTY", sheets 1 through 5 of 8 sheets. These sheets were introduced into evidence marked as Exhibit Nos. 8-1 through 8-5, 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 such other information required, and thereafter, prepared and submitted to the appropriate local officials a report showing how those factors had been taken into account and the other matters required by RCW 47.52.131, et seq. A copy of the aforementioned Access Report was introduced into evidence marked Exhibit No. 4.

By letter dated August 30, 1978, the Acting Grant County Public Works Director conveyed the Grant County Commissioner's approval of the Access Report, and said letter was introduced into evidence marked Exhibit No. 5.

By letter dated September 1, 1978, the Department of Energy, Bonneville Power Administration, approved the plan in relation to its effect on their facilities, subject to retaining access from the frontage roads to two of their structures. Said letter was introduced into evidence marked Exhibit No. 6.

By letter dated August 25, 1978, the United States Department of the Interior, Bureau of Reclamation, expressed approval of the plan in relation to access to their lands. Said letter was introduced into evidence marked Exhibit No. 7.

### III

On July 28, 1978, 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 August 11, 1978, an exact copy of this Notice was mailed to each of those record owners of property listed in the Affidavit of Service by Mailing introduced into evidence marked Exhibit No. 2. An exact copy of the Notice was published in The Wenatchee World, August 17, 1978, as shown by the Affidavit of Publication of Donele Bowden, Legal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit No. 3-A. An exact copy of the aforesaid notice was published in the Grant County Journal, August 17, 1978, as shown by the Affidavit of Publication of Kenneth G. Herr, which affidavit was introduced into evidence marked Exhibit No. 3-B.

### V

The plan proposes the establishment of fully controlled, limited access highway facilities for State Route 90 in the top of Vantage Hill vicinity between Station L<sup>E</sup> 324+00 and Station L<sup>E</sup> 410+00 as shown on sheets 1 through 5 of 8 sheets entitled "SR 90, HILLTOP INTERCHANGE VICINITY, M.P. 143.44 TO M.P. 145.11, GRANT COUNTY".

### VI

This section of State Route 90 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 an Interstate Highway and the Department of Transportation policy provides for full control of access on all highways of this type. In so doing, the investment of public funds is

protected by preserving the highway for future use.

The plan for the establishment of fully controlled limited access facilities for SR 90 in Grant County introduced into evidence marked Exhibit Nos. 8-1 through 8-5 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. 9  | Final Environmental Impact Statement/4(f) for SR 90, Hilltop Interchange and Frontage Roads, approved and adopted by the FHWA July 11, 1978. |
| Exhibit No. 10 | Reserved Exhibit, letter from Ed and Chistine Englund and family, dated September 12, 1978.  |
| Exhibit No. 11 | Reserved Exhibit, the Department of Transportation's response to Exhibit No. 10.   |

## VIII

The Deputy Secretary of Transportation has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence marked Exhibit Nos. 8-1 through 8-5 should be modified as hereinafter set forth and as shown on Exhibit "A" hereto attached.

1. Revise plan sheet 4 of 8 sheets to modify the right of way lines along the North Frontage Service Road between Station 370+76.38 and Station 382+00. This was requested by Ed and Christine Englund in Reserved Exhibit No. 10 and recommended by the Department of Transportation in Reserved Exhibit No. 11.
2. Revise plan sheets to make minor plan revisions, to correct ownership and parcel details, area computation, and right of way details (Plan sheets 1 through 5 of 8 sheets).

## IX

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:

### I

That the section of State Route 90 in Grant County described as follows is hereby designated as a limited access highway of the fully controlled type:

Between Station L<sup>E</sup> 324+00 and Station L<sup>E</sup> 410+00 as shown on sheets 1 through 5 of 8 sheets of the plan entitled "SR 90, HILLTOP INTERCHANGE VICINITY, M.P. 143.44 TO M.P. 145.11, GRANT COUNTY", dated July 21, 1978.

### II

That the plan set forth in Exhibit Nos. 8-1 through 8-5 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 4 of 8 sheets to modify the right of way along the North Frontage Service Road between Station 370+76.38 and Station 382+00.
2. Revise plan sheets to make minor plan revisions, to correct ownership and parcel details, area computation, and right of way details (Plan sheets 1 through 5 of 8 sheets).

### III

That the plan entitled "SR 90, HILLTOP INTERCHANGE VICINITY, M.P. 143.44 to M.P. 145.11, GRANT COUNTY", sheets 1 through 5 of 8 sheets dated July 21, 1978, as revised above and as shown on Exhibit "A", be and the same is hereby adopted.

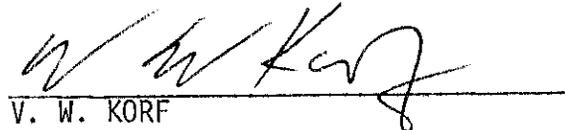
That the following plans are hereby superseded:

"SR 90, VANTAGE EAST TO HILLTOP", Right of Way, sheets 11 (pt.), 13 and 33 (pt.) of 33 sheets, approved January 12, 1960, and sheet 12 of 33 sheets, approved August 20, 1960.

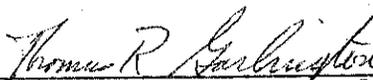
"SR 90, TOP OF VANTAGE HILL TO BURKE JCT., PLAN SHOWING ACCESS", sheet 1 (pt.) of 4 sheets, approved February 1, 1955.

ADOPTED this 21 day of March, 1979.

DEPUTY SECRETARY OF TRANSPORTATION

  
V. W. KORF

APPROVED AS TO FORM:

  
Assistant Attorney General