

BEFORE THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

IN RE:	STATE ROUTE 90 ) INTERSTATE-90/SR 171 INTERCHANGE ) MP 175.67 TO MP 176.27 ) HEARING ON LIMITED ACCESS )	FINDINGS AND ORDER (Relating to Limited Access)
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The hearing on the above entitled matter was held upon due notice to interested parties, beginning at 7:00 p.m., Tuesday, May 18, 1995, in the Grant County P.U.D. auditorium, Moses Lake, Washington, before Elmer Canfield, Hearing Examiner.

The interested persons and organizations were represented as follows:

DEPARTMENT OF TRANSPORTATION, by Ann Salay, Assistant Attorney General, P.O. Box 40113, Olympia, Washington 98504-0113;

B & R ASSOCIATES, by Rich Boyden, 1429 Broadway, Everett, Washington, 98201;

J & D BUILDERS, INC., by Rich Boyden, 1429 Broadway, Everett, Washington, 98201;

ERNEST AND DEBORAH WEBER, by selves, 3319 Lakeshore Drive, Moses Lake, Washington, 98837;

PAMP AND BARBARA MAIERS, by Bob Fancher, General Manager, 1000 S. Pioneer Way, Moses Lake, Washington, 98837;

TOM WUTZKE, by self, 318-A Nisqually Cutoff Road S.E., Olympia, Washington, 98513-9648.

As a courtesy to interested citizens, the Department of Transportation 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 Department, 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, under the provisions of RCW 47.52 *et seq.*, by Elmer Canfield, Hearing Examiner, after which witnesses were called and evidence was recorded by a court reporter who, thereafter, transcribed the verbal testimony. Certain exhibits were duly introduced into evidence. Based upon the oral evidence and the exhibits introduced into evidence, and acting under the authority of the Secretary of Transportation for the State of Washington, the Assistant Secretary of Environment and Engineering makes the following findings:

I

Prior to June 22, 1955, 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. 261 and its amendments.

Such a plan was prepared and entitled "SR 90, SR 171 INTERCHANGE, MP 175.67 TO MP 176.27, GRANT COUNTY" sheets 1 through 2 of 2. These sheets were introduced into evidence marked Exhibit 7, which were made 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 appropriate officials an Access Report showing how those factors have been taken into account and covering other matters required by RCW 47.52, *et seq.* A copy of that report was introduced into evidence marked Exhibit 5.

## III

On April 28, 1995, the State Design Engineer by Order proposed said plan and set a hearing date in accordance with the provisions of RCW 47.52, *et seq.* The Order of Hearing was introduced into evidence marked Exhibit 1.

## IV

Clifford E. Mansfield, Design Management Engineer, Washington State Department of Transportation issued a Notice of Hearing. On April 27, 1995, and April 28, 1995, an exact copy of this notice was mailed to the City of Moses Lake and other interested parties, and to each of the owners of property listed on the County Tax Roll, as depicted in the Affidavits of Service by Mailing introduced into evidence marked Exhibits 2 and 3. Exact copies of the notice were published in The Wenatchee World on May 2, 1995 and on May 9, 1995, as shown by the Affidavit of Publication of Sharon L. Barnett, Legal Clerk of said newspaper, which affidavit was introduced into evidence marked Exhibit 4a, and in The Columbia Basin Daily Herald on May 2, 1995 and on May 9, 1995, as shown by the Affidavit of Publication of Lynda M. Palmer, Principal Agent of said newspaper, which affidavit was introduced into evidence marked Exhibit 4b.

## V

The plan proposes revisions to the established limited access facility with full access control for SR 90 at the SR 171 Interchange between Sta. 0+00 and Sta. 31+50, as shown on sheets 1 through 2 of 2 sheets entitled "SR 90, SR 171 INTERCHANGE, MP 175.67 TO MP 176.27 , 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 Interstate and Department of Transportation Policy provides for fully controlled limited access 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 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 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 intersections and approaches.

The plan for the revision of the established fully controlled limited access facilities for State Route 90 in Grant County, introduced into evidence marked as Exhibit 7, and as modified in section VIII 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:

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|------------|---|
| Exhibit 6  | Letter dated May 11, 1995: City of Moses Lake approval of the SR 90/SR 171 Interchange access plan. |
| Exhibit 8  | Road Approach Detail sheet.   |
| Exhibit 9  | SR 171 Interchange Channelization Plan.   |
| Exhibit 10 | SR 171/SR 90 Interchange Plan.  |
| Exhibit 11 | Environmental Classification Study  |
| Exhibit 12 | Environmental Checklist   |
| Exhibit 13 | SR 171 Intersection with I-90 Noise Discipline Report   |

## VIII

The Assistant Secretary of Environment and Engineering has considered evidence on the entire portion of the above entitled highway and finds the plan introduced into evidence marked Exhibit 7 should be modified as hereinafter set forth as shown on Exhibit "A" attached.

Plan sheets 1 through 2 of 2 sheets dated April 14, 1995 will be replaced with new plan sheets with the same title. Sheets 1 through 2 will include the following changes:

1. The right of way line sheet 2 of 2 sheets has been revised to add a cul-de-sac at approximate Sta. 27+19.9(180.19' Lt.) this revision was requested by Dr. Vaughn Hunsaker on page 3 of the hearing transcript and is recommended by the Department.
2. Minor revisions that correct ownerships and parcel details, area computations, and right of way details. (See plan sheets 1 through 2 of 2 sheets)

## IX

The Assistant Secretary for Environment and Engineering specifically 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 Assistant Secretary of Environment and Engineering for the Department 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 Sta. 0+00 and Sta. 31+50 as shown on sheets 1 through 2 of 2 sheets entitled "SR 90, SR 171 INTERCHANGE, MP 175.67 TO MP 176.27, GRANT COUNTY"

II

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

Plan sheets 1 through 2 of 2 sheets, dated April 14, 1995, will be replaced with new plan sheets, 1 through 2 of 2 sheets, using the same title but reflecting in Exhibit "A" the changes specified below:

1. The right of way line sheet 2 of 2 sheets has been revised to add a cul-de-sac at approximate Sta. 27+19.9(180.19' Lt.) this revision was requested by Dr. Vaughn Hunsaker on page 3 of the hearing transcript and is recommended by the Department.
2. Minor revisions that correct ownerships and parcel details, area computations, and right of way details. (See plan sheets 1 through 2 of 2 sheets)

III

That the plan entitled, "SR 90, SR 171 INTERCHANGE, MP 175.67 TO MP 176.27, GRANT COUNTY," sheets 1 through 2 of 2 sheets, as revised reflected in Exhibit "A", is hereby adopted, and further

That the following plans are hereby superseded:

"SR 90, MOSES LAKE EAST PLAN SHOWING ACCESS, GRANT COUNTY" sheet 1(Pt.) of 2 sheets, approved March 29, 1955;

"SR 90, MOSES LAKE EAST, GRANT COUNTY," sheet 1 of 7 sheets, approved August 7, 1956;

"SR 90, MOSES LAKE EAST, GRANT COUNTY," sheet 2(Pt.) of 7 sheets, approved October 21, 1947;

ADOPTED THIS 15 DAY OF August, 1995

ASSISTANT SECRETARY OF  
ENVIRONMENT AND ENGINEERING

E. R. Burch

Approved as to form:

Ann E. Salay  
Assistant Attorney General