



**Washington State  
Department of Transportation**

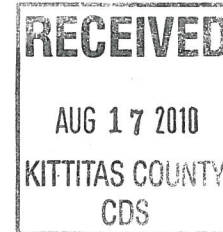
**Paula J. Hammond**  
Secretary of Transportation

**South Central Region**  
2809 Rudkin Road, Union Gap  
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Yakima, WA 98909-2560

(509) 577-1600  
TTY: 1-800-833-6388  
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August 16, 2010

Community Development Services  
Kittitas County  
411 N. Ruby, Suite 2  
Ellensburg, Washington 98926-6300



Attention: Jeff Watson, Planner I

Subject: 12 Parcel Segregation and BLA  
Segregation (SG-10-00032) Hundley  
I 90, Exit 78 vicinity - Northerly side of Interchange.

We have reviewed the proposed project and have the following comments.

1. The site is located on the northerly side of the Exit 78 Interchange of I-90. These contiguous properties are adjacent to Hundley Rd (County) that runs northwesterly from the interchange, and the State frontage (haul) road that runs southeasterly from the interchange. The proponent is advised that the State maintains this frontage road on a low priority level.

The frontage road southeast of the interchange was not constructed as a public road facility. Rather, it was built as a haul road during the construction of I-90. The 20' width of the haul road met our criteria for construction but does not meet any standard for two-way traffic. There are no speed or warning signs, nor striping along this road. Over the years, efforts have been made to encourage the acceptance of the I-90 frontage roads onto the County system. The County has a long and (with the exception of the FR3 now Hundley Road) negative history accepting these frontage roads under any condition. The County agreed in 1984 (GM1190) that if these frontage roads were brought up to current standards, they would be accepted as County roads. In the last few years, County developments (generally in the form of short plats-Elk Woods, River Woods and a 2008 seg-Hundley) have been proposed, lots sold, and houses constructed creating increased traffic on the frontage road. In 2007, WSDOT responded to the River Woods short plat that as a condition of development approval, the proponent was required to reconstruct the frontage road to County standards and recommended that the County assume ownership of this road. The County responded in 2008 (see attached letter) challenging the validity of GM 1190, disregarding our comments, and allowed development to proceed without road re-construction. The County position affecting this haul road is a disservice to the property owners and the State. If County code requires access to meet minimum County standards (public or private), but is unwilling to support the department in an effort to bring this haul road to a minimum standard, WSDOT has no choice but to require a new access.

For this development, access to the property must be obtained at the county road intersection of Hundley Road, with construction of a new private road to the proponent's property.

2. The 60' proposed access shown at the end of identified "Chepoda Road" must terminate at the 3.8 acre parcel, and not extend to the rectangular shaped parcel to the west that is owned by the WSDOT (see attachment). No access across this parcel owned by the WSDOT, or the haul road, will be allowed.
3. Stormwater and surface runoff generated by this project must be retained and treated on site in accordance with regulating agencies' standards, and not be allowed to flow onto WSDOT rights-of-way.
4. I-90 is an existing facility and the proponent will be expanding a more noise-sensitive land use. The proponent and future residents should be aware that they are proposing additional residential development in an area with existing traffic noise. They should also expect that traffic noise may continue to grow into the future, and, as an essential public facility, I-90 will likely be expanded to accommodate future traffic growth. It is the developer's responsibility to dampen or deflect any traffic noise for this development.

Thank you for the opportunity to review and comment on this proposed project. If you have any questions regarding our comments, please contact me at (509) 577-1630.

Sincerely,



Bill Preston, P.E.  
Materials and Planning Engineer

BP: rh/de

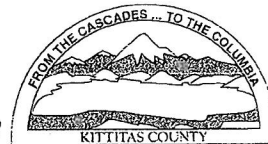
cc: File #4, I 90 (2010)  
Terry Kukes, Area 1 Maintenance Superintendent

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# Kittitas County Prosecuting Attorney

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DEPT OF TRANS

APR 3 - 2008

SCR MAILROOM

**Deputies:**

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Christopher P. Taylor  
Don L. Anderson  
Stephanie U. Happold  
Zera Holland Lowe  
Annette W. Mastick

April 2, 2008

Mr. Don Whitehouse  
Regional Administrator  
WSDOT South Central Regional Office  
2809 Rudkin Road  
Union Gap, WA 98903

Re: WSDOT Frontage Roads; March 8, 1984 Letter of Understanding

Dear Mr. Whitehouse:

As one of several Civil Deputy Prosecutors for Kittitas County, the above-referenced matter was recently referred to me for action.

By way of explanation, on March 8, 1984, the Washington State Department of Transportation and Kittitas County entered into a Letter of Understanding (LOU) whereby WSDOT agreed to reconstruct 6 frontage roads adjacent to SR 90 (now, I-90). The state would then relinquish under separate agreements the reconstructed roads including rights-of-way to the County, and the County would accept said roads and all future maintenance thereof. The roads were to be reconstructed in a specified order "as funds are available during future biennia." A copy of the LOU is enclosed for your reference.

During the past 24 years, however, only one frontage road was reconstructed. Although a serious argument might be made that WSDOT's lack of performance constitutes a material breach of the LOU, in light of the considerable time that has passed, the County suggests that the LOU be scrapped, and that both parties fully and finally release each other from its terms and conditions. Given the deteriorating condition of the state highway infrastructure and the fierce competition for road dollars, we believe an amicable resolution of this matter has much to commend itself.

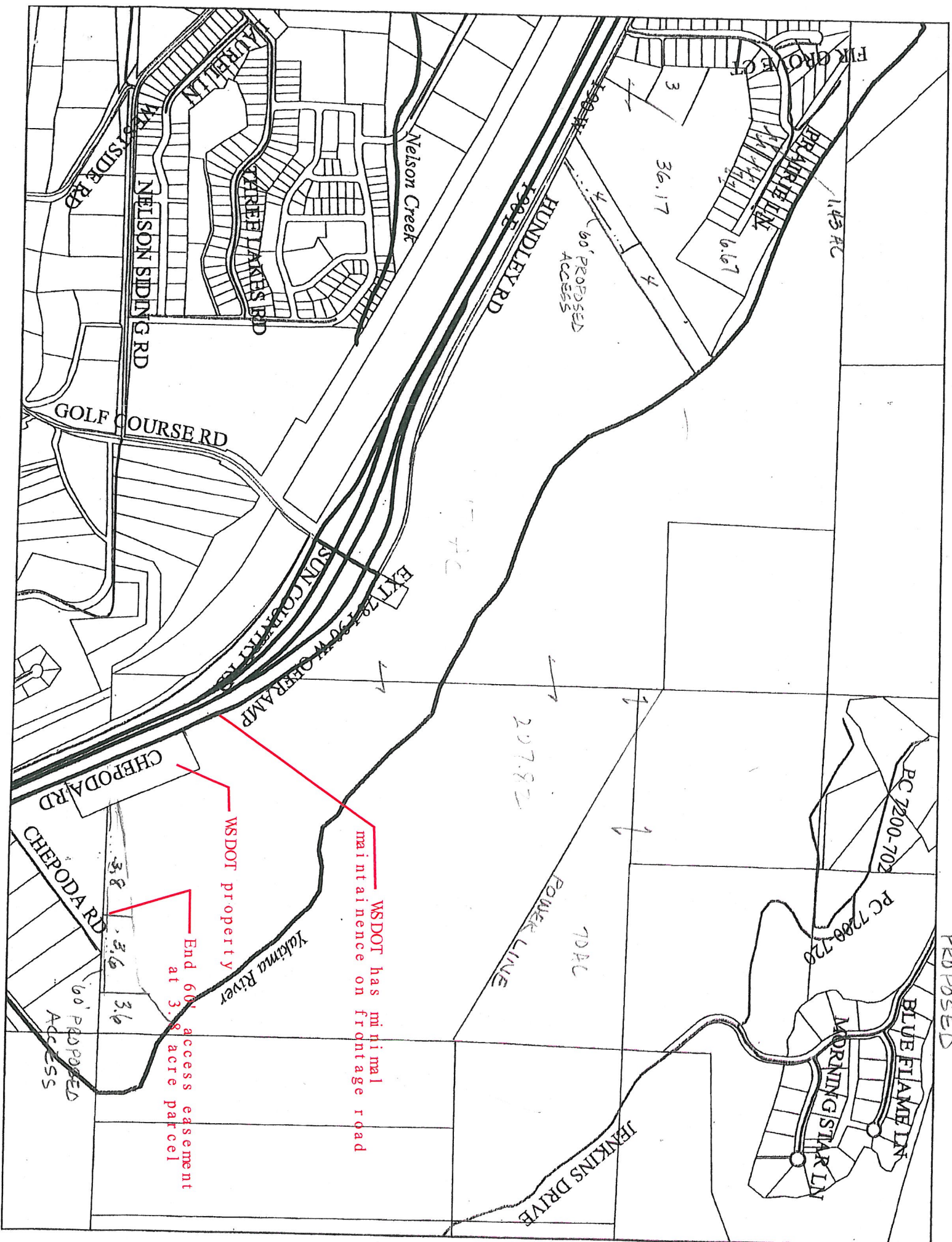
Please advise whether the foregoing proposal meets with your approval, so I can draft a mutual waiver and release of claims without further delay. Thank you for your anticipated prompt cooperation in this regard.

Sincerely,

Don L. Anderson

DLA:atb  
Enclosure

cc: Board of County Commissioners



WSDOT property

WSDOT has minimal maintenance on frontage road

End 60' access easement at 3.8 acre parcel

PROPOSED