

COMMISSIONERS RECORD 53  
FRANKLIN COUNTY  
Commissioners' Proceedings for April 8, 2015

*This document is a summarized version of the Board of Commissioners proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.*

The Honorable Board of Franklin County Commissioners met on the above date. Present for the meeting were Brad Peck, Chairman; and Robert E. Koch, Member; Jerrod MacPherson, Interim County Administrator; and Mary Withers, Clerk to the Board. Rick Miller, Member, was absent on personal business.

Meeting convened at 9:00 am with the Pledge of Allegiance.

**PUBLIC WORKS**

Public Works Director Matt Mahoney and County Engineer Craig Erdman met with the Board. Those present in the audience included Gordon Cable, Kevin Dougherty, Doug Conner, Earl Nettnin, Barbara Mead, John Serle, Linda Robb, Walter R. Neff and Steve Norberg.

Administrative office furniture purchase (9:02 am)

**Motion** – Mr. Koch: I move for authorizing Public Works Department to procure ceiling-high wall and office furniture, including installation, at a cost of \$6470.88, Resolution Number 2015-141. Second by Mr. Peck. 2:0 vote in favor.

CRP 613 – Blanton Road Guardrail (9:04 am)

**Motion** – Mr. Koch: I move for approval of the Resolution 2015-142 initiating a County Road Project designated as CRP 613, Franklin County Safety – Blanton Guardrail. Second by Mr. Peck. 2:0 vote in favor.

**Motion** – Mr. Koch: I move for approval of Resolution 2015-143 regarding CRP 613, Franklin County Safety – Blanton Guardrail, approving Local Agency Federal Aid Project Prospectus and Local Agency Agreement between Franklin County and Washington State Department of Transportation. Second by Mr. Peck. 2:0 vote in favor.

CRP 614 – Taylor Flats Bridge #903-3.46 Widening (9:09 am)

**Motion** – Mr. Koch: I move for approval of initiating County Road Project designated as CRP 614 – Taylor Flats Bridge 903-3.46 widening, Resolution 2015-144. Second by Mr. Peck. 2:0 vote in favor.

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**Motion**- Mr. Koch: I move for approval of Resolution 2015-145 regarding CRP 614 – Taylor Flats Bridge widening, approving local Agency Federal Aid Project Prospectus and Local Agency Agreement between Franklin County and Washington State Department of Transportation. Second by Mr. Peck. 2:0 vote in favor.

**2015 Miscellaneous Materials (residual) awards (9:13 am)**

**Motion** – Mr. Koch: I move for approval of Resolution 2015-146 regarding awarding the 2015 miscellaneous materials bids to various suppliers. Second by Mr. Peck. 2:0 vote in favor. The suppliers are: C&E Trenching, LLC; American Rock Products; and Granite Construction Company. (Exhibit 1)

**Award of crack seal project (9:16 am)**

**Motion** – Mr. Koch moved for approval to award the CRMP 2015-01 crack sealing county-wide bid award letter to B.C.V., Inc. It will provide crack sealing for 88.8 centerline miles. 2:0 vote in favor. (Exhibit 2)

**Public Hearing: Establishment of a Juniper Dunes access road (9:20 am)**

Public Hearing convened at 9:20 am. Present: Commissioners Peck and Koch; Interim County Administrator Jerrod MacPherson; Public Works Director Matt Mahoney; Engineer Craig Erdman; and Clerk to the Board Mary Withers. Those present in the audience included: Gordon Cable, Kevin Dougherty, Doug Conner, Earl Nettnin, Barbara Mead, John Serle, Linda Robb, Walter R. Neff, Steve Norberg, Tim Waters, C\_\_\_\_ Wilson and Connie Gillispie.

Mr. Mahoney described the process, both historically and into the future.

Craig Erdman gave the engineer's report including the written report (Exhibit 3) and recommended Alternative 2 as the preferred alternative.

Mr. Peck asked if anyone in the audience would like to speak.

Doug Conner spoke in favor of having legal access. He represents the Eastern Washington Dirt Riders Club. He said Alternative 2 sounds good.

Walter Neff said he is not for this road and he is not against it. Using the map, he pointed out parcels he owns. Points he mentioned were:

- possible power line easement
- safety considerations for where the road turns onto and off the Pasco-Kahlotus Highway

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- a request to have a tough fence built that will withstand the shifting sand, both to keep cattle in and to keep people out
- concerns about emergency services
- environmental concerns that are likely to be raised
- A request for the area to be closed in June, July and August because of fire danger

Earl Nettnin, representing a four-wheel drive organization, spoke in favor of having the road built and said he thinks Alternate Route 2 would be the best choice.

Mr. Peck asked three times if anyone else would like to speak. There was no response. Hearing was closed to public participation.

Mr. Koch expressed thanks to the Public Works Department staff, legislators, and others for the work they have done. He supports Alternate Route 2.

Mr. Peck also expressed thanks. He feels a new road will make it easier for emergency services to get to the Juniper Dunes area. He does not think the access to the area can be closed during summer months but does understand Mr. Neff's concern. He briefly explained some aspects of Franklin County being designated as a range area county and some fencing requirements. He does not envision the county will build a fence but asked the Public Works Department to find out more information about possible fencing. Mr. Peck favors Route 2.

**Motion** – Mr. Koch: Mr. Chairman, I move for approval of Resolution 2015-147 regarding selecting Alternate 2 as the preference of Franklin County for Juniper Dunes Access Road Project. Second by Mr. Peck. 2:0 vote in favor.

**HUMAN SERVICES (HS) (9:57 am)**

HS Administrator Linda Robb and Gordon Cable met with the Board. Present in audience: Kevin Dougherty, Barbara Mead, John Serle, Connie Gillispie, Steve Norberg and Tim Waters.

**Crisis Response Unit**

Ms. Robb and Mr. Cable told the Board about their concerns regarding talk of eliminating the Crisis Response Unit.

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**WSU EXTENSION (10:24 am)**

WSU Extension Director Tim Waters and Extension Agent Steve Norberg met with the Board. Present in audience: Gordon Cable, Linda Robb, Barbara Mead, John Serle and Connie Gillispie.

Regional forage programming update

Mr. Waters gave the Board a graph showing financial impacts that result from the work done in the WSU regional forage program.

Mr. Norberg gave an update including the following: growing soybeans as hay; alfalfa variety trials; Latigo®, a herbicide used in teff; intercropping corn with soybeans; and research to determine how much nitrogen should be applied to timothy hay.

**OFFICE BUSINESS**

Public Comment

Barbara Mead, Vice President for Behavioral Health at Lourdes Health, met with the Board. Present in audience: John Serle, Connie Gillispie, Linda Robb, Gordon Cable, Diana Killian and Ashley Heyen.

Ms. Mead gave the Board members a handout about the continuum of services and told the Board about the mental health treatment that occurs in the community in conjunction with the Crisis Response Unit and answered questions. Mr. Peck and Mr. Koch indicated that the Franklin County Commissioners have not made any decisions regarding support or non-support concerning the future status of the Crisis Response Unit.

**AUDITOR (10:55 am)**

Election Administrator Diana Killian met with the Board. Present in audience: Election Deputy Ashley Heyen.

Precinct Boundary Adjustments and Creation of New Precincts

Ms. Killian explained the proposed precinct boundary adjustments and new precincts and answered the Board's questions. The resolution to approve the changes will be placed on the April 15 consent agenda.

**Recessed at 11:16 am.**

**Reconvened at 11:26 am.**

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**OFFICE BUSINESS**Vouchers

**Motion** – Mr. Koch moved for approval of County Road payroll and Motor Vehicle payroll in the amount of \$83,548.21 as approved by deputy auditor and prepared by Julie Jordan. Second by Mr. Peck. 2:0 vote in favor. (Exhibit 5)

<u>Fund</u>	<u>Warrant</u>	<u>Amount</u>
<b>County Road</b>		
Payroll	112201-112217	20,248.80
Direct Deposit		39,073.33
		<hr/> 59,322.13
Benefits	112218-112221	12,065.54
	<b>Total</b>	<hr/> <b>\$71,387.67</b> <hr/>
<b>Motor Vehicle</b>		
Payroll	112184-112196	\$4,663.42
Direct Deposit		5,339.07
		<hr/> \$10,002.49
Benefits	112197-112200	2,158.05
	<b>Total</b>	<hr/> <b>\$12,160.54</b> <hr/>
<b>Grand Total All Payrolls</b>		<hr/> <b>\$83,548.21</b> <hr/>

**Motion** – Mr. Koch moved for approval of fund expenditures totaling \$107,005.65. Second by Mr. Peck. 2:0 vote in favor. (Exhibit 6)

<u>Fund Expenditures</u>	<u>Warrants</u>		<u>Amount Issued</u>
TRAC Operations	112074	112097	15,071.33
Current Expense	112098	112132	23,797.60
Enhanced 911/State Contract	112133	***	168.00
Current Expense	112134	112151	22,411.83
Enhanced 911/State Contract	112152	***	168.00
Ending Homelessness Fund	112153	112155	7,489.29
Affordable Housing	112156	***	23,250.00
.3% Criminal Justice Const Fund	112157	112158	2,902.05
Jail Commissary	112159	112164	2,439.78
Enhanced 911/State Contract	112165	112167	3,717.97
FC Capital Projects Fund	112168	112169	1,731.81
County Roads	112172	112180	2,575.22
Motor Vehicles	112181	112183	1,282.77
	<b>Grand Total</b>		<hr/> <b>107,005.65</b> <hr/>

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Consent Agenda

**Motion** – Mr. Koch: I move for approval of consent agenda items 1 through 7, pulling item #6.

Mr. Peck asked to pull item #4 pending receipt of an updated PA opinion. **Amendment to**

**motion:** Mr. Koch moved to pull item 4 and item 6 and approve items 1, 2, 3, 5 and 7. Second by Mr. Peck. 2:0 vote in favor.

1. Approval of Resolution 2015-148, Food Service Contract Amendment #10 between Benton-Franklin Counties Juvenile Justice Center and ARAMARK Correctional Services, LLC. This resolution replaces Franklin County Resolution 2015-116.
2. Approval of Resolution 2015-149, Amendment to Professional Services Agreement to Provide Legal Representation to Indigent Persons in Benton-Franklin Counties Juvenile Court Division, Contract #BFJC1315JMA001A, between Jennifer M. Azure and Benton and Franklin Counties Juvenile Justice Center
3. Approval of Resolution 2015-150, Professional Services Agreement to Provide Legal Representation to Persons Participating in Benton-Franklin Counties Superior Court Adult Drug Court Program, Contract #BFSC1517SWJ001D, between Benton and Franklin Counties and Attorney Scott Johnson

(Clerk's Note: Item 4 was pulled from the consent agenda.)

4. Approval of Ordinance 4-2015, an ordinance related to the Franklin County Superior Court Clerk assessing a separate fee for providing expedited clerk services and creating a new code section for the ordinance
  5. Approval of Resolution 2015-151, DSHS Agreement Number 1363-85232, Amendment No. 06, between Department of Social and Health Services, Division of Behavioral Health and Recovery, and Benton and Franklin Counties Department of Human Services
- (Clerk's Note: Item 6 was pulled from the consent agenda.)
6. Approval of Resolution 2015-\_\_\_\_, Addendum No. 1 to Agreement between Franklin County and the City of Mesa, amending Resolution 2013-466
  7. Approval of Franklin County Commissioner Proceedings for April 1, 2015

**COUNTY ADMINISTRATOR**

Interim County Administrator Jerrod MacPherson met with the Board.

**Executive Session** at 11:31 am pursuant to RCW 42.30.110(1)(b), real estate acquisition or site selection expected to last up to 15 minutes.

**Open Session** at 11:52 am.

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**Motion** – Mr. Koch: I move to approve the division of county-owned property, dividing Lot 3 of Binding Site Plan 2001-06, Tax Parcel Number 117-490-062, into three parcels. Second by Mr. Peck. 2:0 vote in favor. Resolution 2015-152 was approved.

**Motion** - Mr. Koch: Mr. Chairman, I move for approval of a resolution for a Settlement Agreement between Franklin County and CMV Holdings, LLC. Second by Mr. Peck. 2:0 vote in favor. Resolution 2015-153 was approved.

**Recessed** at 11:56 am.

**Reconvened** at 11:58 am.

**HUMAN RESOURCES (HR)** (11:58 am)

HR Director Carlee Nave met with the Board.

**Executive Session** at 11:59 am pursuant to RCW 42.30.110(1)(g) to discuss the performance of a public employee expected to last up to 10 minutes, reserving the right to come out early.

**Open Session** at 12:02 pm.

**Executive Session** at 12:02 pm pursuant to RCW 42.30.140(4) regarding labor-contract negotiations expected to last up to five minutes.

**Open Session** at 12:09 pm.

**Adjourned** at 12:12 pm.

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There being no further business, the Franklin County Board of Commissioners meeting was adjourned until April 15, 2015.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON



Chairman

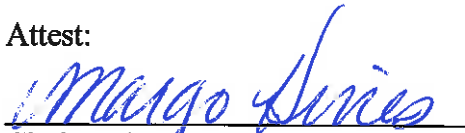
**Rick Miller - Absent**

Chairman Pro Tem



Member

Attest:



Clerk to the Board

Approved and signed April 22, 2015.





# FRANKLIN COUNTY

## PUBLIC WORKS DEPARTMENT

Matt F. Mahoney, Public Works Director  
Craig Erdman, PE, County Engineer

**DATE OF AWARD:**

**April 8th, 2015**

**TO:** C&E Trenching, LLC  
PO Box 3788  
Pasco, WA 99302

**FROM:** Board of County Commissioners  
Franklin County, Washington

**SUBJECT: 2015 Miscellaneous Materials (Residual) for Aggregate Maintenance Item No. 1**

On April 2, 2015, the Franklin County Public Works Department received bids for the 2015 Miscellaneous Materials (Residual) for Road Maintenance.

After careful review of the submitted bids in accordance with the specifications, we have determined that C&E Trenching, LLC, was a successful bidder.

This letter is to advise you that the aggregate materials bid Item No. 1 of the 2015 Miscellaneous Materials (Residual) for Road Maintenance is hereby awarded to C&E Trenching, LLC, of Pasco, Washington, for a total price of \$45,007.25, excluding any sales tax.

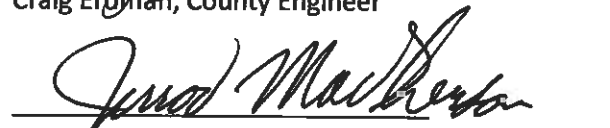
ITEM NO.	ITEM	UNIT	UNIT PRICE	TOTAL AMOUNT OF PLANNED QUANTITY
1	Aggregate for Bituminous Surface Treatment 3/8"-No.4, Delivered to Carr Aviation	TON	\$16.75	2,687
TOTAL PURCHASE AMOUNT				\$45,007.25

April 8, 2015

**FRANKLIN COUNTY**  
**PUBLIC WORKS DEPARTMENT**

This letter will serve as the official agreement for C&E Trenching, LLC, to supply the above mentioned materials at the specified amount in accordance with the information provided to you in our Request for Materials Bid. We request that you sign, date and return this letter signifying your acceptance of this award no later than April 22, 2015.


Recommended:

  
Craig Erdman, County Engineer  
Jerrod MacPherson, Interim County Administrator

Attest:

  
Clerk of the Board

Approved:

  
Chairman  
Rick Miller - Absent  
Chairman Pro Tem  
Member

I hereby accept this award on behalf of C&E Trenching, LLC:

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## FRANKLIN COUNTY PUBLIC WORKS DEPARTMENT

Matt F. Mahoney, Public Works Director  
Craig Erdman, PE, County Engineer

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**DATE OF AWARD:****April 8th, 2015**

**TO:** American Rock Products  
11919 Harris Road  
Pasco, WA 99301

**FROM:** Board of County Commissioners  
Franklin County, Washington

**SUBJECT: 2015 Miscellaneous Materials (Residual) for Aggregate Maintenance Item No. 2**

On April 2, 2015, the Franklin County Public Works Department received bids for the 2015 Miscellaneous Materials (Residual) for Road Maintenance.

After careful review of the submitted bids in accordance with the specifications, we have determined that American Rock Products was a successful bidder.

This letter is to advise you that the aggregate materials bid Item No. 2 of the 2015 Miscellaneous Materials (Residual) for Road Maintenance is hereby awarded to American Rock Products of Pasco, Washington, for a total price of \$53,991.10, excluding any sales tax.

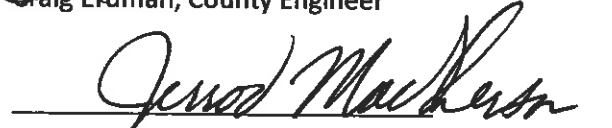
ITEM NO.	ITEM	UNIT	UNIT PRICE	TOTAL AMOUNT OF PLANNED QUANTITY
2	Aggregate for Bituminous Surface Treatment 3/8"-No.4, Delivered to Western Materials	TON	\$16.70	3,233
TOTAL PURCHASE AMOUNT				\$53,991.10

April 8, 2015


**FRANKLIN COUNTY**  
**PUBLIC WORKS DEPARTMENT**

This letter will serve as the official agreement for American Rock Products to supply the above mentioned materials at the specified amount in accordance with the information provided to you in our Request for Materials Bid. We request that you sign, date and return this letter signifying your acceptance of this award no later than April 22, 2015.

Recommended:

  
Craig Erdman, County Engineer  
Jerrod MacPherson, Interim County Administrator

Attest:

  
Clerk of the Board

Approved:

  
Chairman

Rick Miller - Absent

Chairman Pro Tem

  
Member

I hereby accept this award on behalf of American Rock Products:

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## FRANKLIN COUNTY PUBLIC WORKS DEPARTMENT

Matt F. Mahoney, Public Works Director  
Craig Erdman, PE, County Engineer

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**DATE OF AWARD:**

**April 8th, 2015**

**TO:** Granite Construction Company  
2070 Robertson Drive  
Richland, WA 99352

**FROM:** Board of County Commissioners  
Franklin County, Washington

**SUBJECT: 2015 Miscellaneous Materials (Residual) for Asphaltic Maintenance Item Nos. 1, 5**

On April 2, 2015, the Franklin County Public Works Department received bids for the 2015 Miscellaneous Materials (Residual) for Road Maintenance.

After careful review of the submitted bids in accordance with the specifications, we have determined that Granite Construction Company was a successful bidder.

This letter is to advise you that the asphaltic materials bid Item Nos. 1 and 5 of the 2015 Miscellaneous Materials (Residual) for Road Maintenance are hereby awarded to Granite Construction Company of Richland, Washington, for a total price of \$22,430.00, excluding any sales tax.

ITEM NO.	ITEM	UNIT	UNIT PRICE	TOTAL AMOUNT OF PLANNED QUANTITY
1	Hot Mix Asphalt (Class ½", PG 64-28) Picked Up at Supplier	TON	\$73.50	300
5	Asphalt Patching Material ("Cold Mix")	TON	\$95.00	4
TOTAL PURCHASE AMOUNT				\$22,430.00

April 8, 2015

**FRANKLIN COUNTY**  
**PUBLIC WORKS DEPARTMENT**

This letter will serve as the official agreement for Granite Construction Company to supply the above mentioned materials at the specified amount in accordance with the information provided to you in our Request for Materials Bid. We request that you sign, date and return this letter signifying your acceptance of this award no later than April 22, 2015.

Recommended:

  
Craig Erdman, County Engineer  
Jerrod MacPherson, Interim County Administrator

Attest:

  
Clerk of the Board

Approved:

  
Chairman  
Rick Miller - Absent  
Chairman Pro Tem  
Member

I hereby accept this award on behalf of Granite Construction Company:

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



## FRANKLIN COUNTY PUBLIC WORKS DEPARTMENT

Matt F. Mahoney, Public Works Director  
Craig Erdman, PE, County Engineer

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**DATE OF AWARD:****April 8<sup>th</sup>, 2015**

**TO:** B.C.V., Inc  
1089 West Sunset Drive  
Burbank, WA 99323

**FROM:** Board of County Commissioners  
Franklin County, Washington

**SUBJECT: CRMP 2015 -01 Crack Sealing – County Wide – Bid Award Letter**

On April 1<sup>st</sup>, 2015, the Franklin County Board of County Commissioners received bids for the County Road Maintenance Project (CRMP) 2015-01 Crack Sealing – County Wide.

After careful review of the submitted bids in accordance with the contract documents, we have determined that B.C.V., Inc was the successful bidder.

This letter is to advise you that the contract for CRMP 2015-01 Crack Sealing – County Wide including the base bid work and additive bids 1, 2, and 3, is hereby awarded to B.C.V., Inc of Burbank, Washington for a total contract price of \$130,250.00 excluding any sales tax.

Please return the enclosed three (3) contracts signed with an Insurance Certification, Public Works Performance Bond, and a Public Works Payment Bond for each of the contracts within 10 calendar days after the date of award. The County Commissioners will execute the Contracts at a scheduled meeting on or before April 22<sup>nd</sup>, 2015.

Recommended:

\_\_\_\_\_  
Craig Erdman, County Engineer

\_\_\_\_\_  
Jerrod MacPherson, Interim County Administrator

Attest:

\_\_\_\_\_  
Clerk of the Board

Approved:

\_\_\_\_\_  
Chairman

**Rick Miller - Absent**  
\_\_\_\_\_  
Chairman Pro Tem

\_\_\_\_\_  
Member




**FRANKLIN COUNTY PUBLIC WORKS DEPARTMENT**

**Report on the Alternatives for a New Access Road to the Juniper Dunes  
Wilderness Area in Franklin County, Washington**

**March 31, 2015**

Prepared by:

  
Craig Erdman, P.E.  
County Engineer



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**OVERVIEW:**

This report is regarding the alternative options for a route to be constructed as part of the Juniper Dunes access road project, designated as county road project (CRP) 602. This report is to be considered an official engineer's report, as required per RCW 36.81.050 for the establishment of a new road, and is to provide the information necessary for the county legislative authority to make a selection as to Franklin County's preferred alternative route, per Chapter 36.81 RCW.

This project is being completed as part of a partnership between the Federal Highway Administration, the federal Bureau of Land Management, and Franklin County. Per a memorandum of agreement signed by the parties (Res. 2014-149), the Federal Highway Administration is the lead agency on this project.

**I. BACKGROUND:**

Chapter 36.81 RCW sets forth the conditions by which the county legislative authority can declare and establish a new county road in the state of Washington. Included in this chapter are requirements for an engineer's report and a public hearing on said report (RCW 36.81.050 and RCW 36.81.080, respectively). In accordance with Chapter 36.81 RCW, this engineer's report has been drafted for use by the county legislative authority and the public with respect to the Juniper Dunes access road project.

Juniper Dunes is a region in eastern Franklin County, about ten miles northeast of Pasco, Washington. Managed by the Bureau of Land Management, Juniper Dunes is actually three distinct areas: the Juniper Dunes Wilderness Area, which is about 7,100 acres and permits no motorized or mechanized travel, including bicycles; the OHV "Open" Area, which is about 3,920 acres and is designated for off-highway vehicle (OHV) use; and the Area of Critical Environmental Concern (ACEC), which is about 8,620 acres and limits motorized travel to existing routes. Together, these account for about 19,600 acres of management and recreation land.

Juniper Dunes has been utilized for recreation since at least the 1960s. In 1971, the Bureau of Land Management (BLM) started acquiring land in the area to protect the ecosystem – which includes some of the largest sand dunes in the state of Washington and a distinct juniper forest – and to provide recreation opportunities to the public. The Washington State Wilderness Act (Public Law 98-339) designated about 7,100 acres of the area as the Juniper Dunes Wilderness in 1984, and in 1986, BLM adopted a Juniper Dunes Wilderness Management Plan. In this plan, it is recognized that the Juniper Dunes area lacked public access. Franklin County and BLM have worked since this time to provide such an access to the public. To date, no such public access has been procured.

Without a designated public access, many users of the Juniper Dunes area have resorted to using Peterson Road. Peterson Road is a private road running longitudinally along the western section lines of Sections 4 and 9 of Township 9N, Range 31E, and Section 33 of Township 10N, Range 31E. It is about 2.18 miles in length, lies roughly southwest of the Juniper Dunes area, and connects to Pasco-Kahlotus Road, a rural arterial route, at about MP 5.95. The road surface is unimproved and is of notably poor quality, suffering from extensive washboarding and erosion. Peterson Road is nonetheless the only means of ingress and egress for about 50 parcels. Between residents and users of the Juniper Dunes area, Franklin County recorded an average of 415 vehicles between two Saturdays in June during 2014. Per BLM data, June is generally a low-average month for overall traffic into Juniper Dunes. It is generally assumed that

Peterson Road is the preferred means of ingress and egress for users of the Juniper Dunes area due to its proximity to the OHV area and its historic use as such an ingress and egress.

Between 2001 and 2007, there were several closures of access to the privately-held lands that are used to access the Juniper Dunes area, both at Peterson Road and north of it. Several attempts to alleviate the situation were met with failure, and a comprehensive solution did not arise. To that end, in 2011, Franklin County was the recipient of a grant from BLM for \$716,500 to complete the first phase of a public access road to the Juniper Dunes area. At the time, an engineer's report was drafted by then-County Engineer Tim Fife, P.E. Mr. Fife's report proposed creating a public road where Peterson Road is currently situated and improving it to the standards of Franklin County. Peterson Road was assumed to be a logical choice due to its historic use. However, planning-level analysis revealed an existing irrigation line below the private roadway, the mitigation of which exceeded the funds that had been allotted. Progress on the project halted.

In June 2013, Franklin County was awarded a Federal Land Access Program grant, administered through the Federal Highway Administration's Western Federal Lands Highway Division. This grant, combined with the BLM grant and a local match, provides the funding for the access road to the Juniper Dunes area. With this funding, a memorandum of agreement was signed by the parties (Franklin County Resolution 2014-149) that set up the arrangement for the partnership and declared the intent of the parties to take the steps necessary to complete the establishment of an access road to the Juniper Dunes area.

## **II. CURRENT PROJECT STATUS:**

### **1. Administration**

This project is being completed through a joint partnership with the federal Bureau of Land Management (BLM) and the Federal Highway Administration (FHWA), specifically the Western Federal Lands Highway Division (WFLHD). A resolution signed on March 26, 2014, entered into a memorandum of agreement with these parties to complete the Juniper Dunes access road project. The memorandum stated the contribution each party would make towards the final project. The lead agency for the project was named as FHWA, who was also listed as the design and construction lead for engineering. On March 27, 2015, Franklin County – after completing 30 percent plans for select alternative routes and having those plans reviewed by FHWA – officially requested to be named the lead for these roles. As of March 11, 2015, FHWA is processing this request. However, they have been highly receptive to the proposal.

### **2. Funding**

Funding for this project is set to come from the Federal Highway Administration's (FHWA's) Federal Land access Program (FLAP), a discretionary grant from the federal Bureau of Land Management (BLM), and a Franklin County match. The estimated project costs are between \$3.8M and \$4.3M, which includes planning, design, and construction. The BLM grant will cover \$716,500, while the balance will be covered by FLAP funding and a 13.5 percent Franklin County match.

### **3. Road Specifications**

The anticipated road specifications for the Juniper Dunes access road call for a 26-foot wide roadway (11-foot lanes, two-foot shoulders). The first mile of the road, regardless of alternative,

is expected to be paved. The remainder will be gravel. The estimated length of the road is between 4.2 and 5.4 miles, depending on alternative.

#### 4. Purpose and Needs

The current project expands the scope of the original Bureau of Land Management (BLM) grant. The purpose and need of the project vary depending on the agency, though the project is the cumulative whole of these parts. Collectively, the purpose and needs are listed below:

*Purpose:* The purpose of this project is to provide a legal public access road to the Juniper Dunes Wilderness Area and adjacent off-highway vehicle (OHV) area, starting at a public road and ending at a staging area in the Juniper Dunes OHV open area.

*Needs:*

1. Users currently access the wilderness and OHV areas by a private road (Peterson Road) that does not have an access easement.
2. The owners of the road have closed Peterson Road in the past, cutting off access to the wilderness and OHV areas to the public.
3. Peterson Road is not constructed or maintained by the County, and it does not meet the County's standards for safety and maintenance. Among the deficiencies of this road are:
  - a. The intersection with Pasco-Kahlotus Road (MP 5.95 on the latter) occurs at an acute angle, which can increase crash frequency.
  - b. There is inadequate area in the safety clear zone on the roadway, which can increase the incidence of accidents, property damage, and injury.
  - c. Drainage for the roadway is substandard, which results in poor surface conditions, such as washboarding and potholing. These conditions can then lead to increased risk of accidents and increased risk of vehicle damage.
  - d. The roadway is of inconsistent, and often inadequate, width, which makes passing difficult and can increase the risk of accidents.
4. There has been damage to properties along Peterson Road from parties utilizing said road.
5. The most accessible parking area for the OHV area is outside of the formalized boundary and is near private property. This location lends to the use of OHV in unauthorized areas. The proximity to private property has also had some impact to these properties.
6. The poor road conditions make it difficult for law enforcement and emergency medical services to access the area.

#### 5. Alternatives

Given that the purpose and need of the project, along with the project scope, had been expanded, the agencies began looking at different options for the location of the proposed new access road. Each of the options considered was evaluated for how well it met the purpose and need requirements, as well as its technical, fiscal, and practical impacts. As this analysis wore on, certain alternatives were seen as preferable to others based on the above criteria. While none of these alternatives have been removed from the possibility pool, the parties have spent resources on those four options that appear most promising. Please see the map in the appendix for other routes that have been considered, but which are not among the four deemed most promising as alternatives. The four routes for which greater resources have been expended are discussed at length in the "Route Preference Selection" section.

## 6. Preliminary Engineering

As this project is utilizing federal funding, it is subject to the National Environmental Policy Act (NEPA), which includes the necessity of professional studies and a written environmental assessment (EA). To this end, a number of professional studies have been undertaken or compiled in order to meet the evidentiary requirements of the EA. Among these are a water resources survey (David Evans and Associates, 2014), wetlands survey (David Evans and Associates, 2014), wildlife species or signs survey (Bureau of Land Management, 2014), cultural and historical resource survey (Eastern Washington University, 2014; *et al.*), and tribal consultation (Federal Highway Administration, 2014). The findings of these, if any, are further discussed in the "Route Preference Selection" section.

On February 11, 2015, a draft EA was released for public comment. A public open house was held by the three project parties at the TRAC center on February 17, 2015. The 30-day public comment period ended on March 13, 2015.

## III. ROUTE PREFERENCE SELECTION

As the Federal Highway Administration (FHWA) is the agency that will be issuing the finding of no significant impact (FONSI) pursuant to such a determination based on the environmental assessment (EA), they will ultimately be the agency that makes the route selection. However, they have stated that they will offer great deference to the preference of Franklin County, as it is Franklin County who will assume responsibility for the road once it is constructed. This section provides information, based on research and calculations of the Franklin County Public Works Department, the EA, and the aforementioned professional studies, that may be useful in determining a preference for the County. This section will focus on the four most promising alternatives. For the reasoning behind giving less attention to other alternatives, please see "Juniper Dunes Access Road, WA Franklin 2013(1), Environmental Assessment and Section 4(f) Evaluation," pp. 11-12, FHWA, 2014.

### 1. Alternatives Overview

The four routes that have shown the most promise, with respect to the purpose and needs outlined in previous sections, are as follows (please note that the labeling given to the routes is merely in order to differentiate them and does not entail preference on the part of any department or agency mentioned within this report):

Alternative 1A                      Alternative 1A would utilize the existing private road called Peterson Road and would travel from the intersection of said private road and Pasco-Kahlotus Road north about 4.2 miles before turning east for about one mile, ending at the off-highway vehicle (OHV) staging area. The full road length would be about 5.2 miles.

Alternative 1B                      Alternative 1B would utilize the existing private road called Peterson Road and would travel from the intersection of said private road and Pasco-Kahlotus Road north for about 3.2 miles before turning east for about one mile, then turning north for about one mile, ending at the OHV staging area. The full road length would be about 5.2 miles.

Alternative 1C                      Alternative 1C would utilize the existing private road called Peterson Road and would travel from the intersection of said private road and

Pasco-Kahlotus Road north for about 2.5 miles before turning roughly east and traveling down Smith Canyon for about one mile, along an existing OHV path, then turn and travel north for about 1.7 miles along a section line, ending at the OHV staging area. The full road length would be about 5.4 miles.

#### Alternative 2

Alternative 2 would create a new road about one mile east of the private road called Peterson Road. It would begin at an intersection with Pasco-Kahlotus Road and would head north to the OHV staging area. While it may not, in practice, be entirely straight, the route would generally follow along with or parallel to the section line. The full road length would be about 4.2 miles.

Please see the map of these four routes in the appendix.

## 2. Technical Considerations

This section is the first of the subsections that will discuss the technical, fiscal, and environmental facets of the proposed project. It bears repeating that while the discussions focus on the four alternatives listed, these are not the sole options for selecting a preference. However, these are the four that have been deemed to have the greatest potential for meeting the purpose and needs of this project as assessed by these considerations.

Due to the location of the OHV staging area, it was determined that a preferable route for the new access road would originate from Pasco-Kahlotus Road, between the private Peterson Road and roughly Ice Harbor Road. The reason for this was that it would be most proximate to the staging area and would therefore require less land to be acquired by Franklin County. Other alternatives provided access from roads west of the wilderness area and east of SR-395, but these were deemed impractical due to the amount of expansion and reconstruction that would be required for the county roads east of SR-395. Furthermore, due to the historic use of Peterson Road as an access point, retaining access near this location was deemed to be prudent. Originating a road further east/north on Pasco-Kahlotus Road was also deemed impractical due to the quantity of land that would be required, particularly federal land that is not managed for OHV use.

Four routes – those noted previously in this report – best adhered to this location criteria. Three of these used the private road known as Peterson Road; as they shared a similar origin, they were denoted as Alternatives 1A, 1B, and 1C. The final route began about one mile to the east of Peterson Road. While it would create an entirely new route, it was still proximate to the historic access and had the advantage of being more or less a straight route (no 90-degree turns are anticipated with this route). This route was given the designation of Alternative 2. It should be noted that while Alternative 2 would require the construction of an entirely new access and roadway from the standpoint of there being no existing trail at this time for it to follow, Peterson Road is in such poor condition that there is effectively no engineering and construction difference between the four alternatives.

All four routes are capable of supporting the proposed access road as specified, though varying amounts of fill may be required in order to provide the appropriate grading. Exact quantities are unavailable at this time, as the roadway will undergo optimization once a route is selected. Though the current routes are shown as generally following section lines, they will likely be shifted in order to minimize the impact to private property, instead taking right-of-way or



easements, where available, from federal land. Please see the table below for a brief summary of proposed right-of-way acquisition.

	<b>Total ROW Required (est. acres)</b>	<b>Easements on Federal Land (est. acres)</b>	<b>Acquisition of Private Land (est. acres)</b>
<b>Alternative 1A</b>	51.41	27.00	24.41
<b>Alternative 1B</b>	63.65	39.34	24.31
<b>Alternative 1C</b>	48.15	24.07	24.08
<b>Alternative 2</b>	50.00	33.50	16.50

It should be noted that these are highly conservative estimates and assume greater takes from private parcels than is anticipated once optimization has occurred.

As can be seen, Alternative 2 combines a lower amount of right-of-way in general, due in large part to its relatively straight trajectory. Alternative 1B requires the most right-of-way, largely owing to a somewhat circuitous route required to reach the OHV staging area. This offsetting from the section line is necessitated in order to avoid existing features (please see the alternatives map in the appendix). Alternative 1A stands at slightly more, owing largely to its origin location being slightly to the west of the OHV staging area. Alternative 1C requires the least overall, though it requires substantially more than Alternative 2. Alternative 1C furthermore has the issues of being within an area of critical environmental concerns (as designated by the federal Bureau of Land Management), being along a 4(f) area (as determined by the Federal Highway Administration and based on the existing use of OHVs in the area), and being at the bottom of a low point (Smith Canyon). These technical concerns are generally held to outweigh any potential benefit gained by having fewer acres of right-of-way required.

In addition to the location and the right-of-way, existing features that may be impacted must be taken into consideration. Of the four alternatives listed above, all of them will have some impact to farm circles. The number of farm circles impacted varies on the route and the optimization, but could be as few as five or as many as 11. In all cases, adjustments would be paid for as part of the right-of-way process. In addition to farm circles, all of the Alternative 1 routes (1A, 1B, and 1C) overlay an existing irrigation pipeline. While a search for definitive metrics on the pipe were unsuccessful, it is known that the pipe is at least 30 years old and 36 inches in diameter. Other records suggest that the pipe could be up to 42 inches in diameter. Without further information, the impacts, if any, to this pipe are unknown. However, in the event that the pipe need to be replaced or suffers terminal failure, it would require the removal of that portion of the proposed roadway.

### **3. Fiscal Considerations**

Currently, estimates for the project are based on the 30-percent design plans. These plans have not been optimized with respect to earthwork cuts and fills, which are major contributors to the overall cost of the project. For example, about two-thirds of the overall estimate for Alternative 2 is in earthwork. Without optimization – utilizing what would otherwise be haul from cuts to remedy fills, and vice versa – the estimated cost of a project can be substantially higher than the actual cost. Therefore, while the costs listed below are based on the estimated quantities, it should be noted that these quantities are conservative and that the figures are listed principally for comparative purposes.

	Estimated Cost of Project
<b>Alternative 1A</b>	\$3.9M
<b>Alternative 1B</b>	\$4.3M
<b>Alternative 1C</b>	\$4.1M
<b>Alternative 2</b>	\$3.8M

The estimates provided in the table are project costs that include engineering and right-of-way procurement and mitigation. Right-of-way mitigation costs are all costs-to-cure. One item that is not included, however, is the irrigation transmission main that was described in the technical considerations section of this report. Due to the unknown variables regarding this pipe – such as diameter, depth, and condition – it is difficult to provide a hard estimate as to the cost of its mitigation. However, estimates based on an assumed pipe diameter of 36 inches indicate that costs-to-cure would be roughly \$1 million per mile. Due to appurtenance costs, it is not believed that there would be significant economies of scale with this pipe mitigation; as such, this rate is assumed to be scalable. This cost would apply to Alternatives 1A, 1B, and 1C.

Without any consideration of the irrigation pipe, Alternatives 1A and 2 are similar. In the case of Alternative 2, this is largely due to the reduced length of the alternative. Alternative 1A, conversely, benefits from a reduction in needed roadway excavation, as it runs over more even terrain. Alternatives 1B and 1C require substantially more roadway excavation, due to the type of land they traverse.

#### **4. Environmental Considerations**

For a complete review of the environmental considerations for this project, it is recommended that the environmental assessment (EA) for this project be consulted. This document is referred to as “Juniper Dunes Access Road, WA Franklin 2013(1), Environmental Assessment and Section 4(f) Evaluation,” was written by FHWA, and, as of March 12, 2015, could be found at the following web address:

<http://www.wfl.fhwa.dot.gov/projects/wa/juniper-dunes/documents/Juniper-Dunes.pdf>

#### **IV. RECOMMENDATIONS:**

Access to the Juniper Dunes Wilderness Area and adjacent off-highway vehicle (OHV) area is a major obstacle to full utilization of this recreational opportunity in Franklin County. In addition to limiting the utility of this site, a lack of public access has led to difficulties between parties utilizing private property to access the aforementioned areas and the landowners upon whose property they traverse. Past property damage has, at times, resulted in further reduction of access, up to and including closure of private property. In order to alleviate these issues and realize the benefits to be gained by the residents and the region, Franklin County has sought to find a way to provide a permanent public access to this area.

Based on the findings of this report, along with the information provided in the environmental assessment prepared by the Federal Highway Administration (FHWA), the County Engineer recommends that the Board of Franklin County Commissioners select Alternative 2 as their preference. Alternative 2 provides the most direct route to the OHV staging area, which has been determined to be the endpoint for the new access road. This relatively linear trajectory not only reduces the complexity of the project design, but also simplifies right-of-way requirements, ensuring that any right-of-way procured is done so in relatively regular sliver takes. Additionally,



as has been seen in the analysis provided by this report, Alternative 2 has the lowest impact to private right-of-way and is one of the less expensive alternatives, all other things taken as equal. With the inclusion of the irrigation main mitigation, it is soundly the most economically viable option.

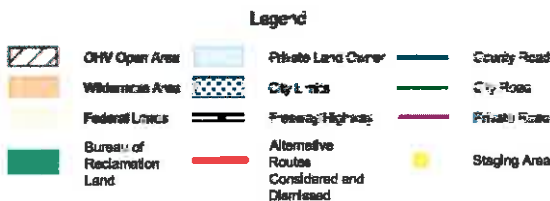
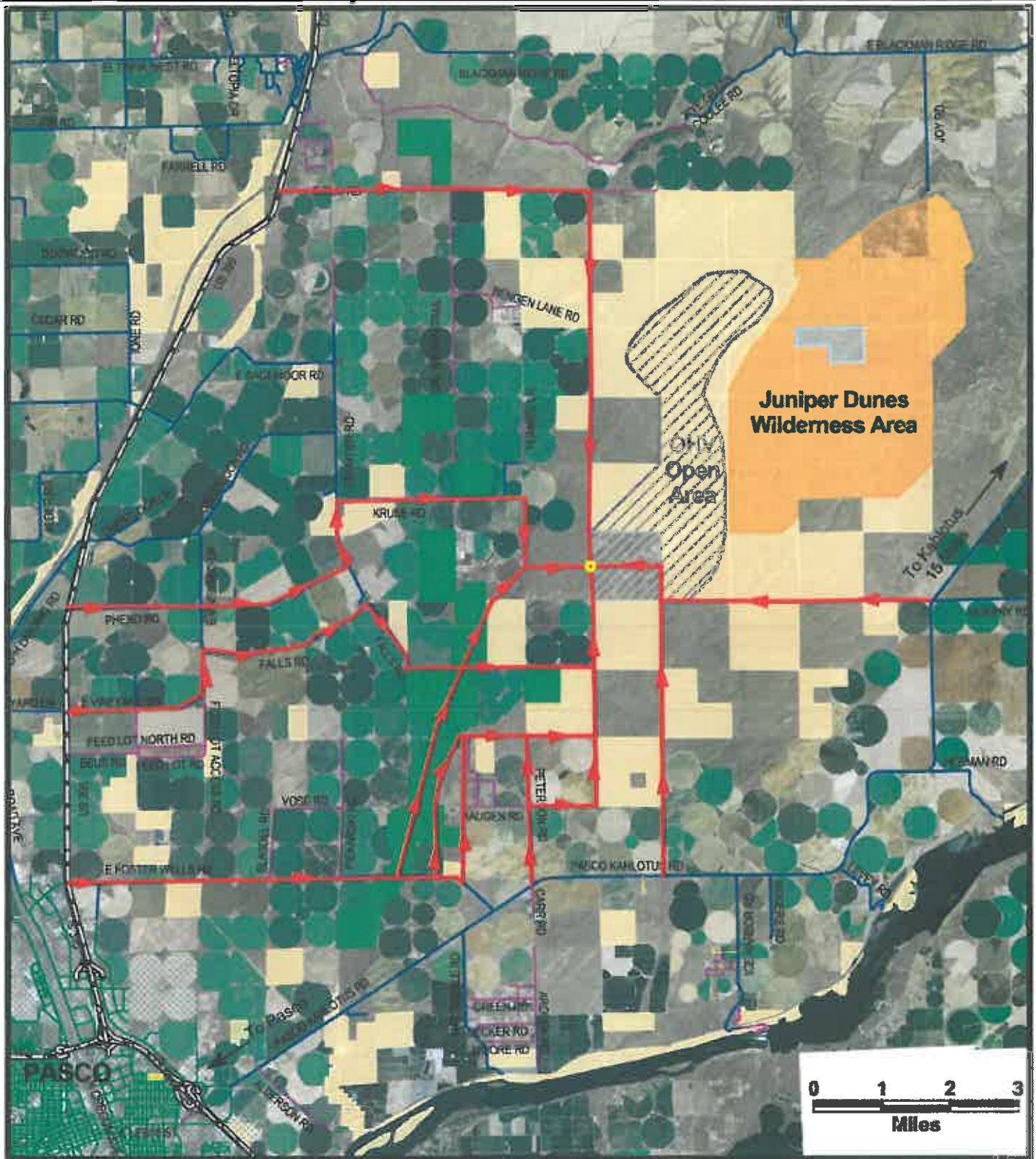
While Alternatives 1A, 1B, and 1C all have various strengths to them, it is the opinion of the County Engineer that these do not provide enough counterweight to overcome their deficiencies. All three alternatives would need to mitigate for the irrigation main that is located in the private route called Peterson Road. Additional shared obstacles with these alternatives include the current use of the private road by farm traffic (which could pose a safety concern for an access road and might require mitigation by means of widening the planned road section), lack of direct ingress and egress (a result of the origin point being one mile to the west of the proposed end point), and higher right-of-way takes from private entities. Alternative 1B also suffers from uneven terrain, precipitating higher construction costs, while Alternative 1C runs through a portion of Smith Canyon, which lies in a low point, is in an area of critical environmental concern, and is a 4(f) area. For these reasons, none of the three aforementioned alternatives are viewed by the County Engineer as being preferable to the option provided by Alternative 2. That said, all are preferable to the options that were not given a more substantive review in this report. All of these are viewed as being dismissed due to their length, right-of-way requirements, impacts, mitigations, and so forth.

Finally, there are two other alternatives: no preference and no build. A no preference alternative would defer to the opinion of FHWA. However, as FHWA has requested a preference from Franklin County, returning a "no preference" decision would cede any input from Franklin County as to the general location of the route to the federal agencies. While FHWA does have final authority as to the route through the National Environmental Policy Act process, it has given broad deference to Franklin County's opinion on most matters. Once a decision is reached, changing the general location of the route would require a substantial investment of time, which could confound the funding sources from the federal government. As such, a single decision is preferable.

A "no build" preference is also possible from a technical standpoint. Franklin County could elect to not construct the access road. However, this would be a breach of the memorandum of agreement signed by the FHWA, the federal Bureau of Land Management, and Franklin County. Doing so would have profound impacts, including a withdrawal of federal funding and resulting in Franklin County being responsible for repayment of all funds expended to date. It would also not achieve the goal of constructing an access road in this area. As such, this is deemed to be a highly undesirable outcome.

Once the Board of Franklin County Commissioners has made a decision as to how it would like to proceed, this information will need to be transmitted to the FHWA. As the County Engineer's office has been the point of contact for this project to date, transmittal through this office is advisable.

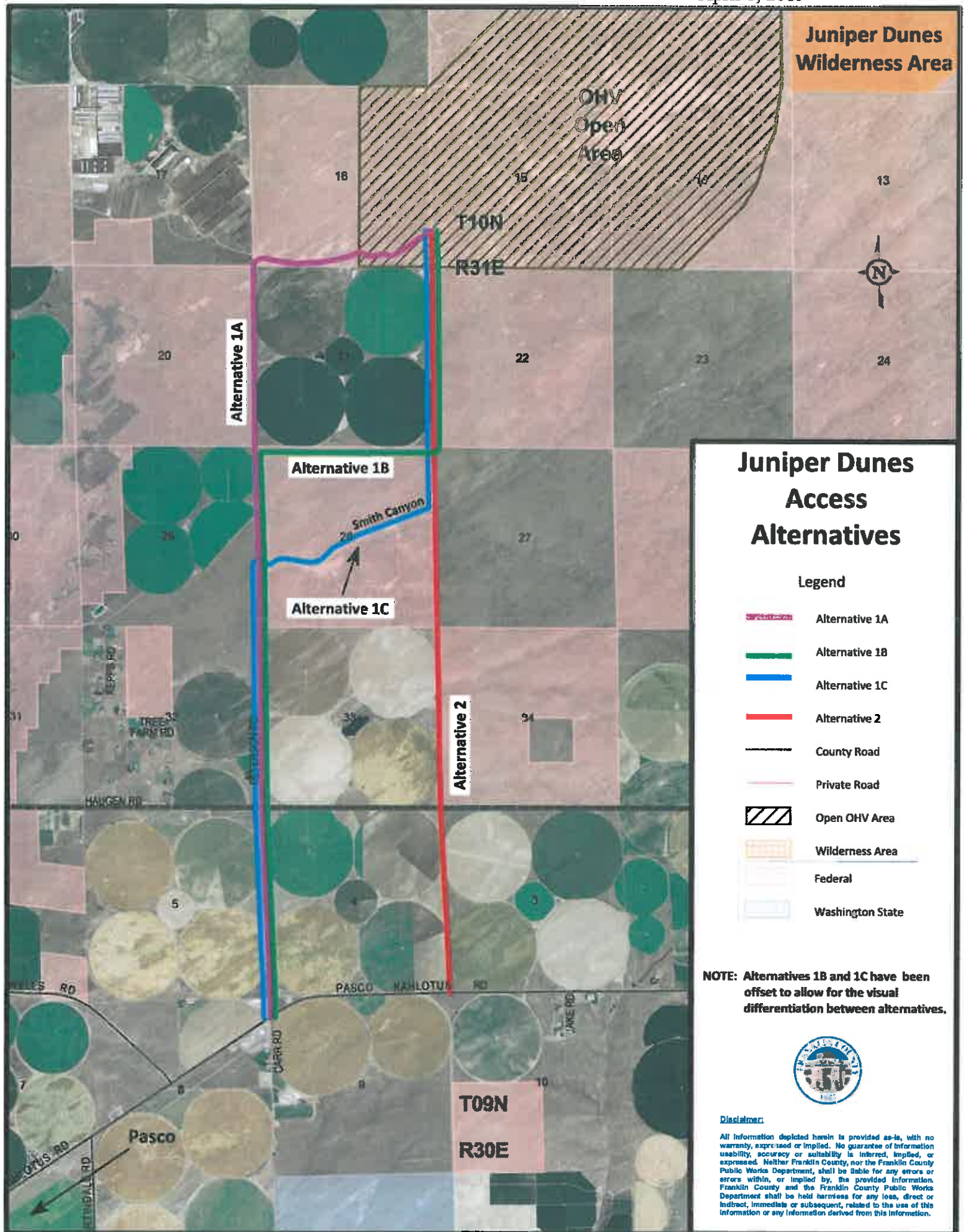
# ALTERNATIVES CONSIDERED BUT DISMISSED



## Disclaimer

All information depicted herein is provided solely for the purpose of, and is not intended to be used for, any other purpose. The Washington Department of Ecology, its staff, and its contractors do not warrant the accuracy or reliability of the information, or any information derived therefrom, for any purpose other than that for which it was provided. The Washington Department of Ecology, its staff, and its contractors do not assume any liability for any loss or damage, or any information derived therefrom, resulting from the use of this information or any information derived therefrom.





FRANKLIN COUNTY RESOLUTION NO. 2015 147

BEFORE THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, WASHINGTON

**RE: SELECTING ALTERNATIVE 2 AS THE PREFERENCE OF FRANKLIN COUNTY FOR THE JUNIPER DUNES ACCESS ROAD PROJECT**

**WHEREAS**, Franklin County has a county road project (CRP) 602 for the construction of an access road to the Juniper Dunes Wilderness Area and adjacent off-highway vehicle (OHV) area, to which there is currently no public access; and

**WHEREAS**, Franklin County has received a discretionary grant from the federal Bureau of Land Management and a federal lands access program grant from the Federal Highway Administration to assist in completing the project, the cost of which is estimated to be between \$1.80 million and \$2.25 million; and

**WHEREAS**, Franklin County has entered into a memorandum of agreement with the federal Bureau of Land Management and the Federal Highway Administration to delineate the roles played by each in the execution of the project, which includes the Federal Highway Administration assuming NEPA responsibility and, if applicable, issuing a finding of no significant impact for the project; and

**WHEREAS**, the Federal Highway Administration, having reached the point in the NEPA process where a general route location must be selected, has requested from Franklin County a formal preference as to said route location; and

**WHEREAS**, the Board of County Commissioners, as the legislative authority of Franklin County, is tasked with administering to the county road system (RCW 36.75.040); and

**WHEREAS**, Chapter 36.81 RCW sets forth the process by which a new road can be established within the county, which includes issuance of a report on said topic by the County Engineer and the holding of a public hearing; and

**WHEREAS**, a report on the establishment of a Juniper Dunes access road was released by the County Engineer; and notice of a public hearing was published in the newspaper of record and the Tri-City Herald; and a public hearing was subsequently held on April 8, 2015; and

**WHEREAS**, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and, agreeing with the recommendations made by the County Engineer, desires to select Alternative 2 as its preference for the general location of the Juniper Dunes access road, finding such as being in the best interest of Franklin County;

2015 147

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Franklin County Commissioners hereby selects Alternative 2 as its preference for the general location of the Juniper Dunes access road and directs the Franklin County Public Works Department to report such to the Federal Highway Administration.

**APPROVED** this 8 day of April, 2015.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

  
Chairman

**Rick Miller - Absent**

Chairman Pro Tem

  
Member

Attest

  
Clerk of the Board

**FRANKLIN COUNTY AUDITOR**

Matt Beaton, Auditor

April 8, 2015

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, April 8, 2015 *[Signature]*,  
move that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
<b>County Road</b>		
Payroll	112201-112217	20,248.80
Direct Deposit		39,073.33
		<u>59,322.13</u>
Benefits	112218-112221	12,065.54
	<b>Total</b>	<u><b>\$71,387.67</b></u>
 <b>Motor Vehicle</b>		
Payroll	112184-112196	\$4,663.42
Direct Deposit		5,339.07
		<u>\$10,002.49</u>
Benefits	112197-112200	2,158.05
	<b>Total</b>	<u><b>\$12,160.54</b></u>
 <b>Grand Total All Payrolls</b>		<u><b>\$83,548.21</b></u>

In the total amount of **\$83,548.21** (\$71,387.67 + \$12,160.54)

The motion was seconded by *[Signature]* and passed by a vote of 2 to 0.

*[Signature]*  
The attached payroll has been approved by Auditor or Deputy

*[Signature]*  
Payroll Prepared By Julie Jordan

**FRANKLIN COUNTY AUDITOR**

Matt Beaton, Auditor

4/8/2015

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims.

Action: As of this date, 4/8/2015

Move that the following warrants be approved for payment:

certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

<u>FUND Expenditures</u>	<u>WARRANTS</u>		<u>AMOUNT ISSUED</u>
TRAC Operations	112074	112097	15,071.33
Current Expense	112098	112132	23,797.60
Enhanced 911/State Contract	112133	***	168.00
Current Expense	112134	112151	22,411.83
Enhanced 911/State Contract	112152	***	168.00
Ending Homelessness Fund	112153	112155	7,489.29
Affordable Housing	112156	***	23,250.00
.3% Criminal Justice Const Fund	112157	112158	2,902.05
Jail Commissary	112159	112164	2,439.78
Enhanced 911/State Contract	112165	112167	3,717.97
FC Capital Projects Fund	112168	112169	1,731.81
County Roads	112172	112180	2,575.22
Motor Vehicles	112181	112183	1,282.77

In the amount of

The motion was seconded by

A handwritten signature in blue ink, appearing to read "Brad Leach".

107,005.65And passed by a vote of 2 to 0

Reviewed by County Administrator

A handwritten signature in blue ink, appearing to read "Jmas".

The attached vouchers have been approved by Auditor or Deputy

Vouchers Audited By : Margaret Mathia

A handwritten signature in blue ink, appearing to read "Matt Beaton".

A handwritten signature in blue ink, appearing to read "Margaret Mathia".