

Final Right of Way Needs Report Huetter Corridor Study



April 2009

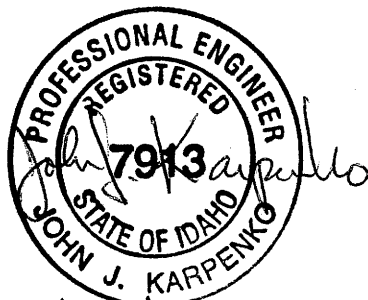


FINAL
RIGHT OF WAY NEEDS REPORT
HUETTER CORRIDOR STUDY

April, 2009

Kootenai Metropolitan Planning Organization

Ruen-Yeager & Associates, Inc.



April 22, 2009

Development of the Huetter Corridor Study - Right of Way Needs Report was a collaborative effort with the Kootenai Metropolitan Planning Organization, the Kootenai County Area Transportation Team (Project Strategic Advisory Committee), the project Team, and the public. Sincere thanks to all involved in the Study development.

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EXECUTIVE SUMMARY

KMPO has studied the potential for a north-south roadway between US Highway 95 and State Highway 41 to serve existing traffic and future transportation growth on the Rathdrum Prairie and meet regional mobility needs. Previous studies and current development patterns within Kootenai County and the Cities of Rathdrum, Post Falls, Coeur d'Alene, and Hayden have identified significant increases for future travel demand within the study area. Specifically, projected growth within the area will result in future capacity issues on the existing transportation network and require preservation of right of way for future roadway facilities. This report presents the Right of Way Needs Map prepared for the Huetter Corridor Study.

The Huetter Road area has long been discussed as a potential corridor for a new major transportation route. The overall goals of the Right of Way Needs Study were:

- Determine Corridor right of way needs (Primary Goal).
- Provide an alignment that minimizes and supports right of way needs.
- Establish a right of way preservation process.
- Determine general right of way width requirements.
- Minimize right of way acquisition needs ("smallest footprint").
- Minimize impacts to existing / planned developments, utility substations, and the Coeur d'Alene Airport.
- Minimize impacts to existing Huetter Road properties and accesses.

Figure 1 provides the Right of Way Needs Map adopted by the Kootenai Metropolitan Planning Organization Board on August 2, 2007. The corridor generally follows and occupies the existing Huetter Road right of way and parallels the Spokane International / Union Pacific Railroad right of way (north of Lancaster Avenue) connecting Interstate 90 to US Highway 95 at State Highway 53. The right of way footprint illustrated provides for a:

- High-Speed Facility with a design speed of 70 MPH (Type V facility with no direct access allowed to the facility except at interchanges under the Idaho Transportation Department Access Management Policy).
- Grade separated facility (approximately 25 feet below the existing grade surface).
- Pedestrian / bicycle trail generally paralleling the west side of the facility.
- Parallel frontage road (relocated Huetter Road) on the west side of the Huetter Corridor.
- Multi-use corridor for potential land application of treated effluent wastewater to help mitigate noise and visual impacts and provide for dual use of a public facility by agencies.
- Right of way footprint that adequately addresses the needs of a four lane facility with six lane capability to meet future needs.
- Local arterials Poleline Avenue, Prairie Avenue, Hayden Avenue, Wyoming Avenue, and Lancaster Avenue are five lane roads at-grade separated arterials.

- Potential at-grade fully directional interchange at:
 - Interstate 90
 - Poleline Avenue
 - Prairie Avenue
 - Hayden Avenue
 - Wyoming Avenue
 - Lancaster Avenue
 - Junction of State Highway 53 / US Highway 95

Through the study process, multiple draft alignment options were considered, as well as the north and south extents of the study area. These options utilized the existing roadways and railroad rights of way, with a northern connection in the vicinity of State Highway 53 and a southern connection along Interstate 90 and Seltice Way.

Originally, the study would have included an extension south over the Spokane River connecting to US Highway 95 in the Cougar Gulch area or south of the gulch at another location. Due to the current prevailing and projected travel patterns (directionally north / south - north of Interstate 90 and directionally east / west - west of US Highway 95) and low through traffic volume demands on US 95 south of Interstate 90 (less than ten percent); the southern extent of the study area would be limited to a refined study corridor north of Interstate 90. Primarily if the study segment north of Interstate 90 did not address the area's future transportation needs, then the study segment south of Interstate 90 would not meet the purpose and need of the study. As borne out by the study data, it was determined that the need for a facility for only the segment north of Interstate 90 to State Highway 53 was warranted at this time.

Three south Sub-Options were reviewed for the Interstate 90 / Huetter Mainline interchange and two north Sub-Options were reviewed for the Corridor segment parallel to the Spokane International / Union Pacific Railroad right of way. At the southern end of the Corridor, the *Ravine and West Huetter Sub-Options* impact the least amount of developable property by taking advantage of topography and aligning with the existing Huetter Road right of way sooner. The *North Railroad Sub-Option* is needed only if the railroad right of way is not abandoned with the Bridging the Valley Project (KMPO, 2004). The Bridging the Valley project would combine both the Burlington Northern Santa Fe (BNSF) railroad mainline track with the Union Pacific Railroad mainline track in one rail corridor using the BNSF alignment.

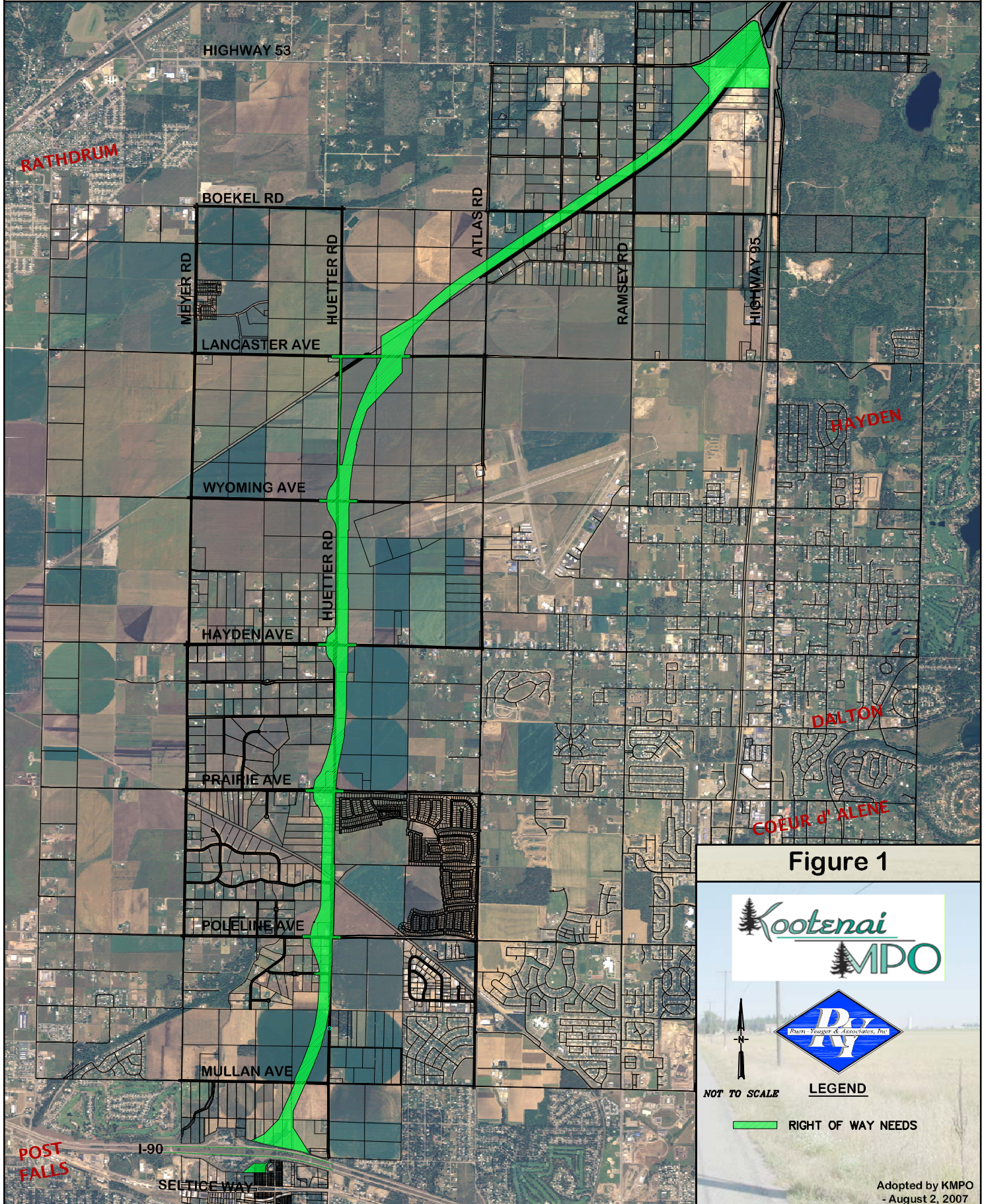
Of the Sub-Option alignments, the preferred selected alignment incorporates a hybrid of the corridor alignments including, *Ravine Sub-Option*, *West Huetter Alignment* to Prairie Avenue, transitioning to the *east side of Huetter Road* north of Prairie Avenue, then northeasterly as the *North Railroad Sub-Option* along the west side of the Spokane International / Union Pacific Railroad right of way to the junction of US Highway 95 and State Highway 53. A relocated Huetter Road serving as the frontage road for the facility would parallel the corridor in a non-linear alignment from Mullan Avenue to approximately one quarter mile north of Wyoming Avenue.

The Right of Way Needs Map as presented in this study is a tool for the local and regional planning efforts. Appropriate approval and adoption of the map by the Kootenai Metropolitan

Planning Organization, the Post Falls and Lakes Highway Districts, Kootenai County, the Cities of Rathdrum, Post Falls, Coeur d'Alene, and Hayden, and the Idaho Transportation Department assures its place in the planning process. The use of the map should be considered as a proactive measure and an opportunity to preserve right of way along the future transportation facility corridor. At a minimum, the map can be used in an advisory capacity for local jurisdictions when working with developers or, in a more regulatory capacity, the map can be adopted as part of the jurisdiction's planning documents that requires developers to set aside land through dedication or permanent restrictive easement to meet future transportation needs.

The next steps in the Huetter Corridor Study will be to complete the Federal Highway Administration (FHWA) / ITD Access Point Decision Report and the Conceptual Design process to determine the "Preferred Alternative" through the National Environmental Policy Act (NEPA) process, which would entail preparation of a categorical exclusion, environmental assessment, or environmental impact statement. A public involvement and technical advisory process will also be included.

Huetter Corridor Right of Way Needs Map



I. INTRODUCTION

KMPO has studied the potential for a north-south roadway between US 95 and SH 41 to serve future transportation growth on the Rathdrum Prairie and meet future regional mobility needs. Previous studies and current development patterns within the County and specifically on the Rathdrum Prairie have identified significant increases for future travel demand within the Corridor. Projected growth within the area will result in capacity issues on the existing transportation network and requires preservation of right of way for future transportation facilities.

The potential for Huetter Road to become a major north-south corridor has been discussed for many years, and it has been on the Kootenai County long-range transportation plan map as adopted August 25, 1998. Various studies over the past few years such as the Kootenai County Transportation Plan (KMPO, October, 2007), the US 95 Corridor Study (October, 2003), and current development patterns within the County have identified significant increases for future travel demand within the area between US 95 and SH 41. Projected traffic growth will not be addressed even with improvements to both the US 95 and SH 41 corridors without additional capacity improvements within the Huetter Corridor study area (KMPO Travel Demand Model Year 2030 forecast travel demands).

The preparation of the Right of Way Needs Report and Map addresses future travel demand within the Huetter Corridor. This report through agency adoption and implementation provides a vehicle to preserve the Corridor right of way.

CORRIDOR STUDY PURPOSE

Previous studies and current development within Kootenai County have identified future travel demand primarily north of Interstate 90 connecting to US 95. Growth within the area will result in future capacity issues on the existing transportation network and will require preservation of right of way for future transportation facilities. The intent of the corridor study was to address future mobility needs in Kootenai County. The final study purpose developed with the KMPO and the Strategic Advisory Committee was:

The overall purpose of the Huetter Road Corridor Study is to determine the right of way need for an improved roadway to the existing transportation facilities to address future mobility needs in Kootenai County, parallel to existing US 95 and SH 41.

CORRIDOR STUDY NEED

The need for the study was a direct response to:

- KMPO Travel Demand Model results for year 2030
- County and City development trends
- Capacity issues on other roadways
- Need for preservation of right of way for future facilities
- The desired facility type to provide a high-speed to high-speed facility
- Need to address multi-modal transportation

- Need to address future transportation capacity within the study area

The Kootenai County Metropolitan Planning Organization (KMPO) Board is the agency responsible for transportation planning and travel demand modeling at the regional level within Kootenai County and serves as a coordinator of all multi-modal planning within the County. As such, the Board reviewed three types of potential transportation facilities to address future north / south capacity needs:

- Controlled Access Facility (High-Speed to High-Speed): Design speed of 70 MPH with grade separated interchanges at key arterial connections (Interstate 90, Prairie Avenue, and US 95), with limited access frontage road.
- Managed Access Facility (High-Speed to Mid-Speed): Design speed of 45 MPH, Urban Principal Arterial with managed access, interchanges located at approximately mile spacing within the corridor.
- Urban Principal Arterial (High-Speed to Low-Speed): Design speed of 35 MPH, at-grade facility, no direct parcel access, and traffic signal controlled intersecting roadways.

Figure 2 illustrates the project's vicinity and location of the Huetter Corridor. Previous studies and current development patterns within the County have identified significant increases for future travel demand within the corridor.

STUDY GOALS

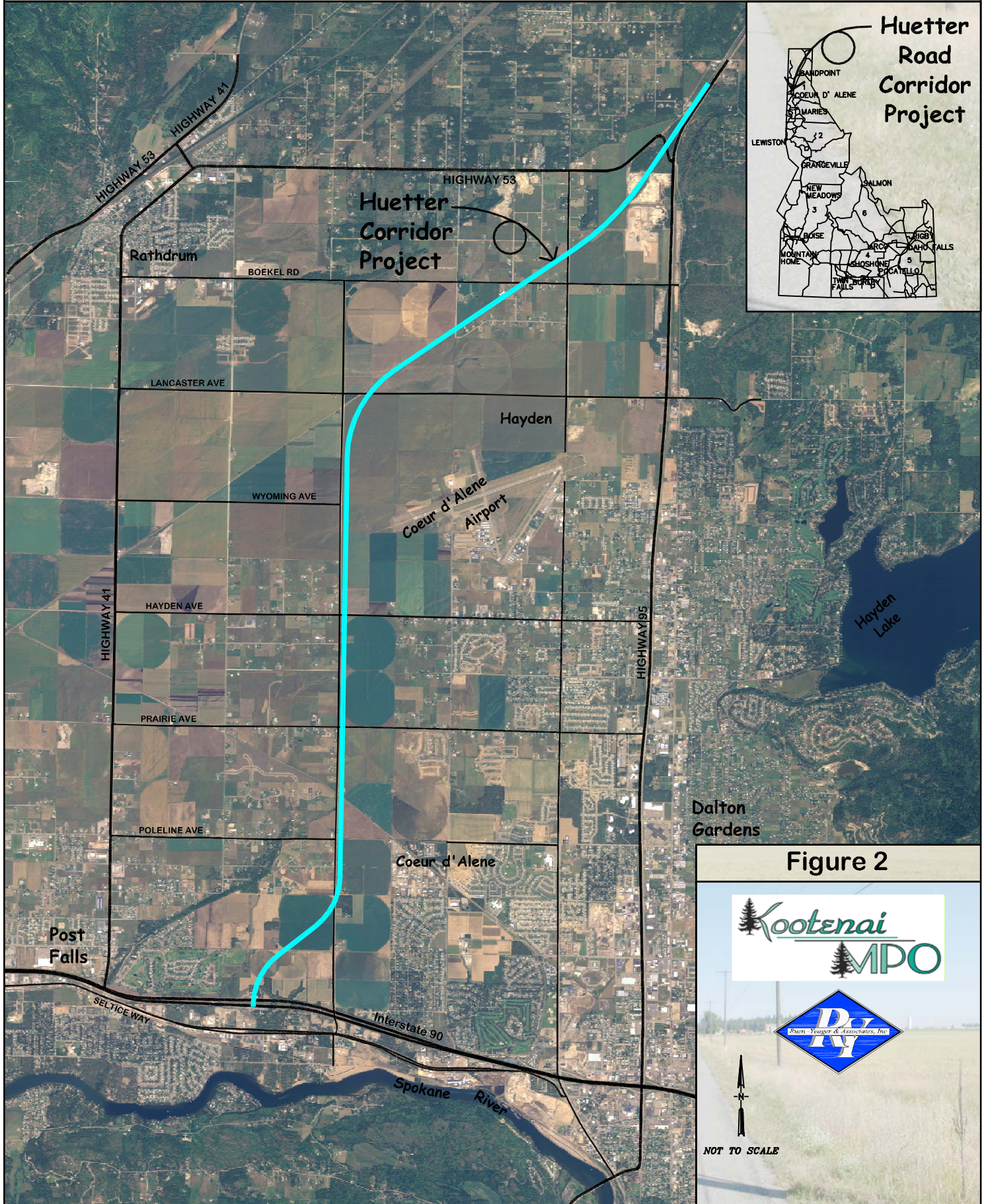
The goals of the Huetter Corridor Study were:

- Determine Corridor right of way needs (Primary Goal).
- Establish a right of way preservation process.
- Determine general right of way width requirements.
- Minimize right of way acquisition needs ("smallest footprint").
- Minimize impacts to existing and planned developments, utility substations, and the Coeur d'Alene Airport.
- Minimize impacts to existing Huetter Road, study area properties, and existing and future accesses.
- Provide an alignment and layout that supports potential right of way needs.

A number of sub-goals for the Huetter Corridor Study were identified and used in the study process:

- Protect future transportation investments through identification of long-range right of way needs and implementation controls.
- Provide an alternate route for some US 95 and SH 41 traffic to meet regional travel demand.
- Through intergovernmental coordination, address regional transportation issues and future land use needs.

Huetter Corridor Vicinity Map



- Enhance traffic operations to improve safety through roadway design, traffic controls, and access management within the Corridor.
- Alleviate future operational deficiencies on parallel corridors through additional parallel arterial capacity.
- Consider multi-modal needs through the alternatives analyses and linkages to existing and planned facilities and services, such as pedestrian / bicycle and transit improvements.
- Enhance regional freight and goods movement within Kootenai County for economic development opportunities.
- Provide access management controls along the Corridor and roadway improvements to promote traffic safety and efficient operations.
- Through a collaborative process with Corridor stakeholders, the public, and agencies of jurisdiction within Kootenai County, seek to determine regional needs and develop appropriate solutions.

Key products of the study include a determination of where the new route would likely be constructed and how much right of way to set aside; an environmental scan; and policy direction for preserving a right of way corridor as adjacent properties develop and the region continues to grow.

Several conceptual alignments were examined for the Huetter Corridor, along with an alternative proposal to develop an alignment within a Greensferry Road Corridor connecting to the US 95 / SH 53 junction instead of the Huetter Corridor alignment. Based on an examination of future travel demands and regional mobility needs, a four to six lane controlled access facility was envisioned that would serve high-speed traffic. On August 2, 2007, after reviewing technical information and considering public and agency comments, the KMPO Board adopted an alignment for the future Huetter Corridor. Based upon Board discussions, it was determined that future capacity needs would best be served with the Huetter Corridor alignment, which may potentially replace the current portion of US 95 between Interstate 90 and State Highway 53.

PURPOSE – RIGHT OF WAY NEEDS MAP

The purpose of the Right of Way Needs Map is to identify a future transportation facility's right of way requirements along the Preferred Alignment, as determined by the study's purpose and need. As discussed above, the overall study's purpose and goals have, within their definition and scope, many references that establish why the Right of Way Needs Map development process is necessary. For example, future growth within the area is projected to create traffic demand issues on existing transportation facilities, thereby requiring the preservation of right of way for future facilities. Preservation of the Corridor right of way protects future transportation investments and can provide an alternate route for existing roadways that address future land use.

RIGHT OF WAY NEEDS MAP STATUTORY AUTHORITY

The Right of Way Needs Map was developed using a process consistent with Idaho Code. Specifically, **Title 67, Chapter 65, Local Land Use Planning, Section 67-6517**, which states:

“Future Acquisitions Map. Upon recommendation of the Planning or Planning and Zoning Commission, each governing board may adopt, amend, or repeal a future

acquisitions map in accordance with the notice and hearing procedures provided in section 67-6509, Idaho Code. The map shall designate land proposed for acquisition by a public agency for a maximum twenty (20) year period. Lands designated for acquisition may include land for:

- a) Streets, roads, or other public ways, or transportation facilities proposed for construction or alteration;
- b) Proposed schools, airports, or other public buildings;
- c) Proposed parks or other open spaces;
- d) Lands for other public purposes.”

Title 40, Section 605 of the Idaho Code also provides:

“Commissioners may lay out new highways within the county as they determine to be necessary.”

Title 40, Section 202 of Idaho Code details the method for designation of highways and public right of ways. This step, the development of a Right of Way Needs Map, is being prepared as specifically described in Title 40, Section 202(a) of the Idaho Code:

“(a) The Board of County or Highway District Commissioners shall cause a map to be prepared showing the general location of each highway and public right of way in their jurisdiction, and the Commissioners shall cause notice to be given of intention to adopt the map as the official map of that system, and shall specify the time and place at which all interested persons may be heard.”

The Right of Way Needs Map is also allowed under the Federal Highways Administration under **Title 23: Highways, Part 710 - Right of Way and Real Estate, Subpart E - Property Acquisition Alternatives, Section 710.501 Early Acquisition:**

“(a) *Real Property Acquisition.* The State may initiate acquisition of real property at any time it has the legal authority to do so based on program or project consideration. The State may undertake early acquisition for corridor preservation, access management, or other purposes.”

PROTECTIVE BUYING AND HARDSHIP RIGHT OF WAY ACQUISITION

In the event that properties need to be acquired to secure the future right of way, an alternate process is provided under the Protective Buying and Hardship Right of Way Acquisition, 23 CFR 710.503. This action can be used to assist in the corridor preservation process.

Under normal circumstances, the acquisition of right of way with Federal-aid funds cannot proceed until after the environmental approval for the project has been issued. At times, circumstances may justify an exception to the process by allowing the acquisition of a limited number of properties prior to the completion of environmental process. The two situations for which FHWA can grant such an exception are:

- **Protective Buying:** The early acquisition of a particular parcel or limited number of parcels to prevent imminent development and increased costs on the preferred location.

- **Hardship Acquisition:** The early acquisition of a particular parcel or limited number of parcels to alleviate hardship to a property owner or owners on the preferred location.

The text for the Protective Buying and Hardship Right of Way Acquisition, 23 CFR 710.503 is found in the Appendices of this report.