WAC 468-51-140 Department construction projects. During con-
struction of department projects, connections will be provided as re-
placements for existing approved permitted connections, that are con-
sistent with all current department spacing, location, and design
standards, based on the following conditions:

(1) Nonconforming connections. All nonconforming connections will
be examined to determine if the construction project will require re-
location, alteration, or closure of the connection to make it conform-
ing.

(2) Application of current standards. The number and location of
connections shall be modified to the maximum extent possible to meet
current department spacing, location, and design standards. Where cur-
rent department standards cannot be met, the connection shall be clas-
sified as nonconforming.

(3) New connections, modifications. The department shall allow
new or require modification of existing connections if a connection
permit application is made and approved.

(4) Replacement of existing connections. When connections are
made as part of a department construction project replacing existing
connection points without material differences, no additional permit
shall be required. Costs shall be borne by the department.

(5) New connections—Cost. The construction of new connection
points, if approved by the department, shall be done at the owner's
expense by either the department's contractor as part of the roadway
improvement or by the owner's contractor at the department's option.

(6) Modifications—Cost. If the modification of the connection
point, that are based on the owner's request, is more extensive than
the routine replacement of an existing connection, the owner shall al-
so participate in the differential cost.

(7) Work by permit holder's contractor. The department shall re-
quire that work done by the owner's contractor be accomplished at the
completion of the department's contract or be scheduled so as not to
interfere with the department's contractor. The department may require
a surety bond prior to construction of the connection in accordance
with WAC 468-51-070. When the number, location or design of existing
access connections to the state highway are being modified by a de-
partment construction project, the resulting modified access connect-
ions shall provide the same general functionality for the existing
property use as they did before the modification, taking into consid-
eration the existing site design, normal vehicle types, and traffic
circulation requirements.

Notification. The department shall notify affected property own-
ers, permit holders, business owners and/or emergency services, in
writing, where appropriate, whenever the department's work program re-
quires the modification, relocation, or replacement of their access
connections. In addition to written notification, the department shall
facilitate, where appropriate, a public process which may include, but
is not limited to, public notices, meetings or hearings, and/or indi-
vidual meetings. The department shall provide the interested parties
with the standards and principles of access management.

[Statutory Authority: Chapter 47.50 RCW. WSR 99-06-034 (Order 187), § 468-51-140, filed 2/25/99, effective 3/28/99. Statutory Authority: RCW 47.01.101 and chapter 47.50 RCW. WSR 92-14-044, § 468-51-140, filed 6/24/92, effective 7/25/92.]