

In the Matter of the Applications for the)
Designation of 129,000 Pound Routes on)
State Highway 77 and State Highway 25)
Case Nos. 201402, 201403, and 201404)

LETTER OF DETERMINATION

The Idaho Transportation Department received three applications requesting that sections of State Highway 77 and State Highway 25 be designated as routes in which transports weighing up to 129,000 pounds would be allowed. Specifically, the applications sought the designations for (1) State Highway 77 from milepost 25.11 to 30.67; (2) State Highway 25 from milepost 52.45 to 58; and (3) State Highway 25 from milepost 37.57 to 46.02. The applications were submitted to the Idaho Transportation Department (ITD) pursuant to Idaho Code section 49-1004A.

The staff at ITD District 4 and the staff at the Bridge Section of ITD Headquarters evaluated the proposed routes applying the criteria set forth in the administrative rules that implement the statute. See IDAPA 39.03.22.200.04. Staff found the proposed route satisfied engineering and safety standards set forth in the rule. I received the information from staff and recommended that the matter proceed to a public hearing.

A public hearing was noticed and conducted on May 29, 2014. The hearing was conducted in the Burley City Hall where written and verbal testimony was received. Idaho Transportation Board Member Kempton presided over the hearing. Following a thirty-day period, the time for submitting written comment closed.

The Board Sub-Committee held an open meeting on June 18, 2014. At that meeting I recommended approval of the three proposed routes. The Sub-Committee considered staff's analysis, my recommendation, the testimony received at the public hearing and the written

comments submitted. The Sub-Committee voted to recommend approval of the proposed routes to the full Idaho Transportation Board.

The Board Sub-Committee and I presented this matter to the Idaho Transportation Board at its regularly scheduled meeting of July 11, 2014. The Board received the submitted applications, maps of the proposed routes and Staff's evaluation of the proposed routes. The Board also received transcripts of the testimony submitted at the public hearing and the written comments received by Staff. The Board accepted the recommendations to approve the three routes and adopted a resolution during the meeting, directing me to a Letter of Determination approving the three routes for weights of up to 129,000 pounds.

THEREFORE, it is now DETERMINED that the three applications identified above are hereby APPROVED and the requested routes are designated as routes in which vehicles combinations of up to 129,000 pounds may operate with a permit.

This Letter of Determination is an administrative action of the Idaho Transportation Department and will become a final agency action unless an appeal or pleading is filed with me within fourteen (14) days from the date of service indicated below. The right to file an appeal or pleading is set forth in title 67, chapter 52, Idaho Code and IDAPA 04.11.01, referred to as the Idaho Rules of Administrative Procedure of the Attorney General.

Dated this 14th day of August 2014.

A handwritten signature in blue ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

DAVE JONES
Chief Engineer
Idaho Transportation Department

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August, 2014, a copy of the within and foregoing LETTER OF DETERMINATION was served by sending the same by United States mail, postage prepaid, in an envelope addressed to:

AMALGAMATED SUGAR COMPANY LLC
1951 South Saturn Way
Boise, ID 83709

