

**Appendix G**  
**City of Middleton Letter**



**CITY OF MIDDLETON**  
1103 W. MAIN STREET, MIDDLETON, ID 83644  
208-585-3133, 208-585-9601 FAX  
WWW.MIDDLETONCITY.COM

September 3, 2025

David Witthaus  
David Evans and Associates, Inc.  
908 N. Howard St., Ste 300  
Spokane, WA 99201

Mr. Peter Hartman  
Federal Highways Administration  
Idaho Division  
3050 Lakeharbor Lane #126  
Boise, ID 83703

RE: SH-44 PEL Final Report Recommendations  
City of Middleton Comments

Mr. Witthaus and Mr. Hartman:

The Middleton City Council wishes to make known its objection to the recommendations derived from the SH-44 PELS study. That recommendation as relayed to the City in Mr. Witthaus's email of 7/9/25 was that:

ITD has determined that **Alternative 2** – SH-44 South Alternate Route Around Middleton at Ballard Lane **and Alternative 3** – SH-44 South Alternate Route Around Middleton At Cemetery Road **are Recommended to Move Forward** to the next phase (NEPA). **Alternative 1** – SH-44 Widening and Improvements on Existing Alignment **and Alternative 4** – SH-44 One-Way Couplet Through Middleton to South **are Not Recommended** to move forward. The PEL Study Alternatives Evaluation Results memo is attached for your review

The City Council does not concur with this recommendation or the underlying evaluation presented in the draft June 13, 2025 PEL Study Alternatives Evaluation Results memorandum that accompanied that email.

This recommendation is particularly discouraging to the City Council as the PELS study did derive an opportunity to find a consensus solution was available in **Alternative 4** – SH-44 One-Way Couplet Through Middleton to South, and to a lesser degree in **Alternative 1** – SH-44 Widening and Improvements on Existing Alignment.

Having explicitly stated that the City Council does not concur with recommendations of PEL process, this letter will list several apparent discrepancies and potential flaws in the overall process that may have led to this flawed conclusion.



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Finally, the City has not been privy to all of study findings and therefore finds it necessary to identify impacts to the City that will need to be mitigated in the acquisition of City property, combined with a list of assumptions that need to be carried forward in the design development, so that the full impacts of these alternatives can be evaluated properly and mitigated for in the NEPA environmental review.

## Process Discrepancies

### Project Charter

While a project charter was developed at the beginning of the project, the City has not received a copy of the final charter signed by all of the participants. In addition to not distributing a project charter, the process described in the charter was only loosely followed in the following respects (Based on the Draft Project Development Team Charter dated 8/29/23):

- “Develop an understanding of the varying interests and requirements of the involved agencies...”

Review of Middleton’s Wastewater Treatment needs was only explored at the end of the study (November of 24), and DEA determined the concerns were difficult to characterize. The Final Level 2 Evaluation Matrix allocates one sentence to the number of acres potentially impacted by each alternative.

- Agreement by Consensus. “Every effort will be made to achieve consensus within the PDT on each of the project key milestones. Consensus is an agreement achieved by identifying and exploring parties’ interests and assembling an agreement that satisfies those interests to the greatest extent possible. A consensus is reached when all parties agree that their major interests have been taken into consideration and addressed in a satisfactory manner.”

The City Council has offered to meet with ITD multiple times. It was told during the August 2024 comment period that it should submit its concerns as a public comment. We do not agree that Middleton’s major interests have been taken into consideration and addressed in a satisfactory manner.

- “To participate fully and freely, all members must have a common base of information and keep up-to-date on the progress of the PDT.”

The City has not been provided with the opportunity to comment on any of the various discipline reports. (A report on floodplain impacts was forwarded to the City by IDWR outside of the PEL process.) No documentation of assumptions that were used to identify right-of-way impacts, develop cost estimates, estimate environmental impacts, or multiple other work products that the recommendations are based on. Support for the final recommendation has to date been entirely limited to a high level summary presented in the Table 2. Level 2 Evaluation Matrix.



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- “Offline meeting highlights/results will be shared with the PDT in a timely manner.”

We understand that multiple discussions occurred between the PELS project team, ITD, and FHWA that have not been communicated to City.

## Project Scope

Middleton initially presented concerns that the scope of the PELS study appeared to have a focus of directing regional traffic to a termination point in downtown star. (See City of Middleton’s letter dated 10/30/2023.) ITD’s response was that the terminus of the project had already been selected in a prior memo and therefore our request would not be considered further.



## Collaboration with the City of Middleton

The PELS presentation material at the 9/10/24 public open house presented that “ITD, Ada County Highway District (ACHD), and the City of Star [had] considered four possible concept designs...” and that “only Concept A Conventional Intersection is recommended to move forward with future design and analysis.” It seems inconsistent that those four agencies were allowed to select an alternative for work in the City Star, while Middleton was not afforded a similar opportunity for impacts likely to have a greater effect on Middleton.

### STAR RD INTERSECTION CONCEPTS

The existing SH 44/Star Road intersection configuration will not meet capacity requirements for the 2050 design year, resulting in excessive congestion.

ITD, Ada County Highway District (ACHD), and the City of Star considered four possible concept designs to improve capacity for this intersection:

- A. Conventional Intersection
- B. Signal Quadrant
- C. Long Quadrant
- D. Jughandle

All concepts provide an acceptable level of service to support traffic forecasts through 2050. Based on the level of potential impacts to the area surrounding the intersection, only Concept A Conventional Intersection is recommended to move forward with future design and analysis.

Further, the City held a special council meeting to consider adding the “bypass route” subsequently identified as Alternate 2 onto the Comprehensive plan. This was based on the Mayor Hutchison’s discussions with ITD during her candidacy for Mayor, indicating such an action could lead to expediting construction of bypass. (See letter of 2/14/2024 to ITD from Mayor Hutchison. See also City Council Meeting Minutes from the 5/1/2024 meeting.) The Council message at the conclusion of that meeting was an explicit invitation to ITD and the PELS team to work with the Council as the PELS process moved forward. The City Council further reiterated this commitment to work with ITD in its Resolution 514-24 (passed December 18, 2024).

## Public Input Process

While the PELS process made multiple attempts to solicit direct input from the public, no attempt appears to be weight the input from the City council as representative of the



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approximately 13,000 citizens of Middleton. As was mentioned above, during the September 2024 public comment period, the City was told they could submit a comment like any other member of the public and that the PELS team or ITD had no intention of engaging with the City Council directly.

As elected representatives of Middleton's citizen, it does not seem necessary that all 13,000 should need to comment on the decision to conduct a PEL study (11/19/22), the PELS process (1/11/24), Level 1 Screening (4/3/24), an alternatives analysis open House (9/10/24), and an open house to review the recommendations (8/26/2025). Those citizens have elected a City Council, that City Council has been informed on the financial and planning aspects of the City, and that City Council should be expected to represent the interests of the City. It appears that other stakeholders and county residents held as much weight with regards to what happens in Middleton as Middleton's City Council.

## City Input Provided

The City did provide extensive input into the technical review of the Alternatives presented in the 7/20/24 Project Technical Team Workshop. (See the Council's 5 page letter of September 4, 2024 [incorrectly dated 9/3/2023] incorporating by reference a 12 page technical memorandum dated 8/21/24. And a letter by the Mayor of September 6, 2024 [incorrectly dated 9/6/2023].) While these concerns may have been incorporated into the public record, the City has not received any accounting of how these concerns have been incorporated into the study analysis.

## City Mitigation Concerns

The PELS team has not shared with the City the reports and findings that have been passed on to FHWA. In several instances, the response to City concerns have been that details will be developed in later stages of the design.

Please ensure all of the following are accounted for in the NEPA environmental study.

### Wastewater Treatment

The most prominent challenge the City foresees with the currently recommended alternatives is the amount of land that would be unavailable to the City for use by its wastewater utility for effluent land disposal.

The City Wastewater Utility currently owns and has the potential to use the following parcels for effluent land application: 33900010A0, 33910010 0, 33910000 0, 33909000 0, 34749012 0, 3475010 0, 3475200000, 17610026 0.

This land is critical to the City's long-term strategy of meeting phosphorus and temperature





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requirements associated with its wastewater treatment plant. In acquiring this property from the City, the City will need ITD and/or FHWA to assume long term capital, operations, maintenance, and treatment responsibilities for alternate treatment approaches necessary to comply with current and future regulations. This is likely to include tertiary treatment, chemical polymer additional, mechanical cooling structures.

## Crane Creek Urban Redevelopment Area

The Middleton Urban Renewal Agency currently has an option to purchase parcel 33900010A0 for the purposes of undertaking a private/public partnership aimed at bringing commercial development to the City. Given the importance the City places on bringing commercial development within its City limits, (See Council Resolution 513-24 passed 12/18/2024) we expect the MURA will be paid relocation costs to obtain a similarly sized and situated parcel with utility service, prominent roadway access for which to undertake this endeavor.

## Sawtooth Roundabout Reimbursement

The City, in accordance with its adopted transportation plans, constructed a five leg roundabout at the intersection of Sawtooth Road and Middleton Road for the expressed purpose of proceeding with the established Middleton Road Corridor Plan (Kittleson & Associates, October 2016) and keeping direct access from Middleton Road to the Commercial corridor along the existing South Middleton Road.

Because both of the recommended alternatives will cut off direct access from Middleton Road to this business corridor, the purpose of roundabout will be obsolete. The City will require reimbursement of the \$3,260,697.64 expended on this improvement, as both of the recommended alternatives will render this significant investment of City resources obsolete.

## Existing SH-44

The City does not have any ability to take over ownership and maintenance of the existing SH-44 facility. With the expectation that continued maintenance of this facility will remain with ITD please ensure these costs continue to be accounted for in ITD's plans for the corridor. We note that deferred maintenance on the asphalt within the existing has led to apparent asphalt failures at multiple locations.

Given that the recommended alternatives are not supported by the City Council, ITD should not assume the City will be willing to modify its existing MOU to include any maintenance responsibilities along the new alignment.

ITD currently has a Stormwater IPDES permit covering stormwater run-off from their existing facility (IPDES 028177). The City expects ITD to continue its current operation and maintenance responsibilities for all relevant facilities within the existing SH-44 facility.



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## Existing Gridlock at Middle School Site

SH-44 currently experiences near gridlock conditions at school pick up and drop off times. This appears to be independent of through traffic on the State's facility and therefore unlikely to be significantly improved with the removal of regional through traffic at the completion of the new facility. As this is a key problem being addressed in the study, please ensure that the NEPA plan incorporates a long term solution.

The current traffic backup associated with the Middle School drop-off and pick-up typically extends west of the Hartley intersection. Under Alternative 3, this back up would likely extend well into the new SH-44 alignment.

## Viking Road

The final iterations of the concept plans show the extension of Viking Street to a connection with South Cemetery Road. Please ensure that the design, right-of-way acquisition and permanent maintenance of this facility are fully included in

ITD's planning and the NEPA environmental study.



It appears that the alignment of this road may necessitate tiling a section of irrigation drain between the school District property and the Sandra Corn Sloviaczek subdivision. The City has found drains problematic for long term maintenance. Please ensure that NEPA anticipates ITD's long term maintenance of this waterway.

## Project Timing

As multiple intersections within Middleton City limits are already operating in a failing condition particularly during the Middleton School pick up and drop off times, the City expects the improvements increasing capacity through Middleton to be constructed and on-line before any improvements that allow for increased capacity in the existing SH-44 roadway are undertaken so as to not add to congestion within Middleton. The City is also wishes to avoid the possibility that the key sections within Middleton City limits are delayed beyond the other portions that may be more economical to construct.

Mayor Hutchison has indicated that she had phone calls, with ITD's District 3 Engineer Caleb Lakey during her candidacy for Mayor. In these meetings, ITD indicated an ability to fund and expedite this project so as to be under construction within 2 years of her election. Please ensure that the NEPA process accounts for this project expediting in its review of the project.



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(See Middleton Council Meeting Notes from 5/1/23, ITD comments at the Middleton Chamber of Commerce Lunch on 5/12/2022, Mayor Hutchison’s letter to ITD dated 2/14/24)

## Bridges and Floodway Impacts

The alignment of Alternative 2 crosses a floodway at Willow Creek that is approximately 255 feet wide. Please confirm that a bridge with a clear span across this floodway is



planned so that there will not be impacts to the floodway boundaries in other parts of the City.



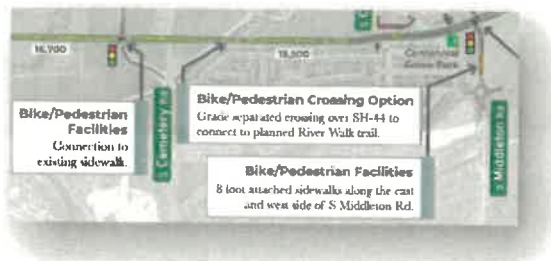
As an aside, it appears the property immediately west of the Hartley Corridor is currently being used as a gravel mine. Please ensure that the costs estimates and environmental mitigation is adequate to cross what is likely to be an open water body by the time of construction.

## Stormwater Treatment

The City recognizes that ITD has an individual stormwater permit that will define how water quantity and quality considerations will need to be addressed. Given the additional attention that temperature impacts are receiving from regulatory agencies in the Boise River, please ensure that there will be no temperature impacts in the Boise River, Mill Slough, or Willow Creek associated with water run-off this project.

## Pedestrian Overpasses

The figures depicting the Alternate 2 and 4 alignments have shown grade separated pedestrian facilities at various locations to adequately maintain connections to residential areas, the City commercial district, and the City’s planned parks and trail network. However, the design team has declined to show any details of what these will look like or define how many are included in the project. Please provide assurance that the number of these pedestrian crossings along with their design will be acceptable to the City prior to completion of the environmental review.



## Local Access

The City has concerns about the impact of the limited access roadway impacting City local access at multiple locations. Please ensure that maintaining access to each of the following are addressed in the environmental review:



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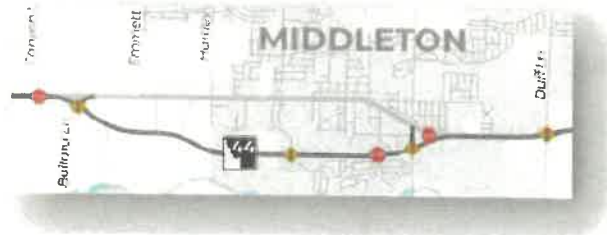
- City's "shops" facilities, police impound yard, and police gun training range. (786 Wiffen Ln)
- City's Wastewater Treatment Plant's which is currently accessed through the City shops property off Wiffen Lane. (824 Wiffen Ln)
- The private residence on Wiffen Lane (Parcel 34751000 0, 817 Wiffen Ln). Apart from Wiffen Lane, this property is surrounded on all sides by City owned property anticipated for Wastewater disposal that would not be suitable to provide access across.
- The City's land planned for effluent land application recycle system will be bisected in either configuration. Please address how agricultural equipment will be afforded efficient access across the new limited access facility, irrigation water can be maintained to both sides of the road, and recycle water can be conveyed to all portions of land application properties.

## Developer Funded Infrastructure

The City's development community has recently constructed and dedicated to the City roadway improvements in accordance with the City's comprehensive land use plans. As the recommended alternatives are in direct contradiction to the City's comprehensive land use plans, it is anticipated that the actual costs of roadway improvements should be included when calculating compensation costs for properties acquired by this project.

## Connectivity

The depictions of the alignments contained in the final recommendation include direct connection points to the existing SH-44/Main street at both the east and west ends. The City considers this essential to maintaining the viability of commercial businesses in its historic downtown area. Please provide the City with assurances in the environmental process that these connection points will be integral to the project and not removed.



## Utility Corridors

The City has established plans to extend water and sewer utility services west of Middleton along the alignment of the Existing SH-44 in an alignment outside of the paved travel lanes. With the widening of the roadway surfacing, please confirm that the alignment envisioned will reserve corridors for domestic water, gravity wastewater, and a wastewater forcemain.

## Conclusion

The City appreciates ITD's commitment to invest in our community for the purpose of improving transportation. We also appreciate the commitment made to the City's Mayor to expedite the construction of the project. Please know that the City Council's reticence to move forward with the recommended alternatives is primarily due to our reservations that the impacts to Middleton described above will not be adequately mitigated by the project.



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Hopefully, the environmental process will document how all of these concerns can be allayed to the City's satisfaction, and we can work together to implement this project as expeditiously as possible.

Sincerely,

Tim O'Meara  
Middleton City Councilmember  
PEL Executive Team



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**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 8028 • Boise, ID 83707-2028  
(208) 334-8300 • [itd.idaho.gov](http://itd.idaho.gov)

September 26, 2025

City of Middleton  
Attn: Tim O'Meara  
1103 W. Main Street  
Middleton, ID 83644  
208-585-3133

Dear Council Member O' Meara,

We appreciate your continued engagement and input during the **SH-44; I-84 to Star Rd. PEL** (Planning and Environmental Linkage) Study starting with the September 6, 2023, Visioning Workshop and the subsequent eight stakeholder meetings held at the City of Middleton Council Chambers. The Idaho Transportation Department welcomes feedback from you as the City's representative on the Project Executive Committee. We also value the many hours City of Middleton staff have dedicated to engaging in these same meetings as well as numerous in-person or phone meetings with our consultants to discuss technical challenges and possible resolutions for the alternatives being considered.

The team received your letter sharing your thoughts on the PEL Study process and specific concerns you would like to address moving forward. The study team is excited to continue discussing the City's vision for the corridor, specifically as it impacts your community between Canyon Lane and Marjorie Avenue and partnering to further develop each alternative as a part of the upcoming NEPA process. Through the PEL process, Project Development Team (PDT) and Project Executive Committee (PEC) members from all the corridor stakeholder agencies have thoughtfully, collaboratively and iteratively contributed to corridor visioning, establishing purpose, need and goals, defining screening criteria, developing reasonable alternatives, and providing feedback on the alternative's evaluation. Additionally, the Federal Highway Administration (FHWA) has provided review and input at several pre-established coordination points, including at the conclusion of the alternatives evaluation process and result. FHWA acknowledged ITD has correctly followed the PEL process and completed the work in a manner that supports the deliverables.

The PEL evaluation process is intended to identify how well each alternative meets the project purpose and need, as well as the project goals developed by the PDT. The evaluation has shown that Alternatives 2 and 3 rise to the top in best meeting the project purpose, need, and goals while minimizing environmental impacts, including considerations of the built environment. Your letter presented a list of City mitigation concerns, which will help us refine the alternatives as we move into the environmental documentation (NEPA) phase and evaluate each alternative in more detail.

The analysis so far has been limited to a high-level review of potential impacts and potential mitigation, based on aerial imagery, desktop scans, and GIS-level mapping. As we move into the next phase, the team will perform more extensive field work. The following work will be part of the next phase:

- Design grade topographic survey which will allow the team to design plans and profiles of SH-44 and impacted side streets.
  - Field work and preparation of environmental technical reports (such as noise, wetlands, cultural resources)
  - Coordinate extensively with City Mayor, council representative(s), and staff to refine each alternative.
-



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- Equally evaluate Alternatives 1, 2, 3 and 4 between Canyon Lane and Marjorie Avenue with more detail using survey and technical report data. Based on this additional analysis all four alternatives may not continue throughout the NEPA process
- Initiate preliminary design for the segments of SH-44 that will remain on the existing alignment across all alternatives (I-84 to Canyon Lane and Marjorie Avenue to Star Road)
- Prepare the NEPA document which will identify the preferred alternative

Council Member O'Meara, we recognize your willingness to move this process forward and hope you will continue to commit your time and energy to the upcoming workshop opportunities with the goal of developing solutions to meet the purpose, needs and goals of the project as developed by the community. We propose holding workshops with Mayor Hutchinson, council representative(s) and staff as a part of the process to review and refine alternatives to minimize impacts and determine mitigation. To expeditiously move through this NEPA phase, we will continue to put our efforts to fostering collaboration that will result in a finished product that improves both safety and mobility to enhance the lives of residents in Middleton and the region.

Sincerely,

Mark Wasdahl  
ITD District 3 Project Manager





# CITY OF MIDDLETON

1103 W. MAIN STREET, MIDDLETON, ID 83644

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January 7, 2026

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Federal Highways Administration  
Idaho Division  
3050 Lakeharbor Lane #126  
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Mark Wasdahl  
Senior Planner  
Idaho Transportation Depart. – District 3  
PO Box 8028  
Boise, ID 83707-2028

RE: SH-44 PELS Additional Alternatives Analysis  
City of Middleton Comments

Mr. Witthaus, Mr. Wasdahl, and Federal Highways Boise Regional Office;

The City is in receipt of Mr. Wasdahl's letter dated September 26<sup>th</sup> responding to the City Council's letter of August 3<sup>rd</sup>, 2025.

We acknowledge that ITD's self evaluation of the PELS process considered that study to have met ITD's needs. However, the City still has not reviewed any of the reports prepared by DEA, nor were we informed of the process by which ITD determined the recommended alternatives, and the objections to the overall PELS process the City Council raised in its prior letter remain unaddressed. With this lack of information, the City Council has little assurance that the input previously provided by our staff during the PELS process was adequately considered. This is a particularly pronounced concern given that the recommended alternatives selected by ITD are noted to be in direct opposition to the City's adopted comprehensive land use plans.

Before investing additional City resources into an effort that to date appears intent on excluding or minimizing the City's input, the City Council would request an assurance from FHWA and ITD that the specific concerns identified in our previous letter will be incorporated into the environmental review and fully mitigated by the project.

Specifically, the City again requests the following assurances with regards to the following areas:



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**Wastewater Treatment.** ITD and/or FHWA will fully fund any construction and operational costs of wastewater treatment necessary to offset wastewater treatment capacity lost due to reduced land available for effluent land application caused by this project.

**Crane Creek Urban Redevelopment.** ITD and/or FHWA will relocate the Urban Renewal Agency's redevelopment opportunity presently planned at the Crane Creek site (parcel 33900010A0) to a similarly sized, centrally located parcel with available utility and transportation infrastructure, should that parcel be impacted by this project.

**Sawtooth Roundabout Reimbursement.** If the final alternative prohibits traffic connectivity to either of the commercial business areas served by the two northern legs of the Sawtooth Roundabout, ITD and/or FHWA will reimburse the city for the investment made in constructing the five leg roundabout specifically built to maintain traffic flow to these areas.

**Existing Main Street Operations and Maintenance.** Confirm that ITD is planning to continue maintaining the existing SH-44 roadway and will not create additional operational expense for the City's streets fund by decreasing ITD's expenditures on that section of roadway, the associated bridges, and traffic signals at any point in the future.

**Middleton Middle School Congestion Mitigation.** Please confirm that the project is incorporating specific mitigation measures necessary to resolve traffic grid lock at the Middle School. While removing regional through traffic from Main Street, the City anticipates this is unlikely to change the effective level of service encountered by Main Street users at peak pickup and drop off times.

**Viking Road.** Describe ITD's understanding of how a Viking Road would be constructed and under which alternatives it will be included in the project evaluation. Confirm that ITD is planning to operate and maintain Viking Road along with drainage facility it would "tile" in perpetuity should it be included in the project.

**Project Timing.** Provide assurances to the Council that the section of SH-44 between Canyon to Marjorie will be completed prior to increasing the capacity of the adjacent sections outside of that area.

Additionally, please provide the City Council details of any assurances or commitments made to Mayor Hutchison in the multiple meetings during her candidacy for Mayor. The council is specifically interested in those commitments that assured her that projects would be under construction within 2 years of her election.

**Floodway Impacts.** Provide assurance that the project will not increase the special flood hazard area or the Floodway boundary in the City of Middleton.

**Stormwater Treatment.** Please provide the City Council assurance that all stormwater impacts, including temperature, associated with the additional asphalt roadway in this project will be fully mitigated by the project.



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**Pedestrian Overpasses.** Confirm the minimum number of grade-separated pedestrian overpasses to be incorporated into each alternative.

**Local Access.** Confirm that all alternatives will maintain access to the City's "shops" facility, the Wastewater Treatment Plant, the private residence on Wiffen Lane, and all areas currently planned for effluent land application.

**Developer Funded Infrastructure.** Confirm that the cost of any infrastructure improvements constructed by developers will be incorporated into the valuation of any adjacent property acquisitions undertaken for this project.

**Connectivity.** Provide the City assurance that Main Street will have a direct connection to the future SH-44 alignment at both the east and west ends of the City.

**Utility Corridors.** Confirm that all the SH-44 alternatives will reserve utility corridors for the City's domestic water and wastewater (gravity, forcemain, and recycled water) utilities.

We recognize that most of these concerns will be required to be mitigated in order to comply with the uniform relocation act and applicable NEPA requirements. However, an acknowledgement that ITD and FHWA are aware of these City Council concerns and is intent on ensuring that each of these are adequately mitigated for as project moves forward. With that acknowledgement, the council would be glad to commit additional City resources for further study of the alternatives as is being proposed.

Sincerely,

Tim O'Meara  
Middleton City Councilmember  
PEL Executive Team