

Return Address: Parsons (for Cingular)
Attn: Steven W. Topp, AICP
9320 SW Barbur Blvd, #130
Portland, OR 97219

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

Administrative Decision

APPLICANT: Parsons (for Cingular)

PROPERTY OWNER: E. Wood and Alice T. Biddle Trust

FILE NO.: NSA-06-08

PROJECT: To extend the height of an existing 65.5' lattice tower to a height of 85.5' and attach three arrays of four panel antennas at the top of the extended tower for cellular phone service, with associated electronics located inside an existing equipment building.

LOCATION: Biddle Butte at the end of Mt. Zion Road, Mt. Pleasant; Section 9 of T1N, R5E, W.M. and identified as Skamania County Tax Lot #01-05-09-0-0-1300-00.

LEGAL: See attached page 7.

ZONING: Special Management Area- Forest (F).

DECISION: Based upon the record and the Expedited Review Process Staff Report, the application by Parsons, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and is hereby approved.

Although the proposed development is approved, it may not be buildable due to inadequate soils for septic and/or lack of potable water. These issues are under the jurisdiction of Skamania County's Building Division and the Skamania County Health Department.

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.


CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Code (SCC) Title 22. **This document, outlining the conditions of approval, must be recorded by the applicant in the deed records of the Skamania County Auditor in order to ensure notice of the conditions of approval to successors in interest. SCC Section 22.06.120(C)(2).**

- 1) As per SCC Section 22.06.120(C)(2), this Administrative Decision **SHALL BE RECORDED** by the applicant in the County deed records prior to commencement of the approved project.
- 2) All developments shall be consistent with the enclosed site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval. (See attached)
- 4) The extension in height of the lattice tower, microwave dish, and panel antennas shall be dark-earth tone in color so as to blend in with the surrounding landscape.
- 5) The structure shall be composed of nonreflective materials or materials with low reflectivity.
- 6) All exterior lighting shall be hooded or shielded at a 90° angle; hoods/shields shall be made of nonreflective, opaque material which does not allow light to pass through.
- 7) The applicant must meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Planning Department. The applicant is to coordinate all inspections with the Building Division. A final inspection approval will not be issued until compliance with all conditions of approval, including visual subordination criteria, have been verified. The Planning Department shall conduct at least two site visits during construction, one to verify the location of the structures as stated by the Administrative Decision and a second to be conducted after all foundation excavation has been completed including framed footers, but prior to pouring the foundation. A site visit for final inspection shall also be conducted. Each inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Division at 509-427-3920.
- 8) The following procedures shall be effected when cultural resources are discovered during construction activities:

- a) **Halt Of Construction.** All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.
 - b) **Notification.** The project applicant shall notify the Planning Department and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within 24 hours.
 - c) **Survey and Evaluations.** The Gorge Commission shall arrange for the cultural resources survey.
- 9) The following procedures shall be effected when human remains are discovered during construction activities:
- a) **Halt of Activities.** All survey, excavation and construction activities shall cease. The human remains shall not be disturbed any further.
 - b) **Notification.** The project applicant shall notify local law enforcement officials, the Planning Department, the Gorge Commission, and the Indian tribal governments immediately.
 - c) **Inspection.** The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have and opportunity to monitor the inspection.
 - d) **Jurisdiction.** If the remains are modern, the appropriate law enforcement officials shall assume jurisdiction and the cultural resource protection process may conclude.
 - e) **Treatment.** The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when the conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 29 day of March, 2006, at Stevenson, Washington.



Nicole Hollatz, Associate Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC Section 22.06.150(A), this Administrative Decision approving a proposed development action shall become void in two years if the development is not commenced within that period, or when the development action is discontinued for any reason for one continuous year or more.

APPEALS

The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

This Administrative Decision shall be final unless reversed or modified on appeal. Any person shall be allowed to appeal a decision issued under the expedited review process. To appeal this decision, a written Notice of Appeal form must be filed within 20 days from the date hereof. Appeals are to be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office and must be accompanied by a \$1,000.00 nonrefundable filing fee.

WARNING

On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

A copy of this Decision, including the Staff Report, was sent to the following:

500' adjacent property owners and persons requesting a notice of decision
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Department of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of Washington Department of Community Trade and Economic Development- Dee Caputo
Department of Fish and Wildlife
Skamania County Building Division
Skamania County Assessor's Office

120938

Statutory Warranty Deed

BOOK 146 PAGE 719

THE GRANTOR Erskine Biddle Wood, as his separate estate, for and in consideration of one dollar and love and affection in hand paid, conveys and warrants to Mary Christina Wood, as her sole and separate property, an undivided one fourth (1/4) interest (being one half of Grantor's undivided one half interest) in the following described real estate, situated on Middle Butte in the County of Skamania, State of Washington:

Beginning at the Southeast corner of the parcel conveyed to the United States of America by Deed recorded under Auditor's File No. 45005, Skamania County Records; thence East 120 feet; thence North 190 feet; thence West 430 feet; thence South 190 feet; thence East 110 feet to the Southwest corner of the tract conveyed to the United States of America; thence North 150 feet; thence East 200 feet; thence South 150 feet to the point of beginning; all of said land lying within the SW1/4SW1/4, Sec. 9; and SE1/4SE1/4, Sec. 8, T. 1 N., R. 5 E., Willamette Meridian, Skamania County, Washington, being a "u" shaped tract of approximately one acre.

TOGETHER WITH all rights and benefits (subject to certain restrictions) pertaining to the above-described property as reserved by the Trust for Public Lands, a non-profit California public benefit corporation, as grantor in a Warranty Deed dated March 23, 1988 in favor of the United States of America, recorded in the official Records of Skamania County, Washington, in Volume 108, pages 933-936, auditor's file 104899 on March 25, 1989.

AND TOGETHER WITH non-exclusive rights of access and for utilities to and from the property hereby conveyed over the existing road and any improvements to said road, to the County Road (Strunk Road).

AND TOGETHER WITH landlord's rights and subject to tenant's rights under lease date 2d October 1985 between grantor and trustees of the Biddle Trust, as Landlords, and MCI Telecommunications Corporation, as Tenant, recorded January 24, 1986, No. 100627, records of Skamania County, and

SUBJECT TO:

1. Reservations in U.S. Patent.
2. Easement in favor of U.S.A. for Access recorded February 9, 1953, in Book 36, Page 158, Auditors File No. 45005 Skamania County Records.

STATUTORY WARRANTY DEED
PAGE - 1

Registered
 Indexed, Cr
 Indexed
 Filed
 Mailed

FILED FOR RECORD
SKAMANIA CO. WASH
BY Erskine Wood

Oct 26 4 38 PM '91
P. Olsson
AUDITOR
GARY M. OLSON

Clara J. Krummel, Skamania County Assessor
By JOC Macle 1-5-91-132

DOC # 2006161685
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