

MAY 21 2010

Return Address: WSDOT, SW Region
Attn: Barbara Aberle, Environmental Manager
P.O. Box 1709
Vancouver, WA 98668-1709

Skamania County Community Development Department

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 866-266-1534

Letter Amendment to Administrative Decision NSA-9-60-L1

**APPLICANT/
OWNER:**

Washington State Department of Transportation

FILE NO.:

Amendment to NSA-09-60

REFERENCE NO.:

Administrative Decision for NSA-09-60, recorded as Auditor's File # 2010175700 recorded on 6.9.10, in the Skamania County Auditor's Office.

PROJECT:

Cape Horn Bridge to Cape Horn Road Vicinity SR 14 Road Realignment Project. A safety project involving SR 14 and new WSDOT right-of-way in order to reduce vehicular accidents by realigning a substandard curve section. The application involves two pedestrian crossing facilities (box culvert tunnels). Best Management Practices have been proposed for stormwater treatment, including an offsite mitigation plan which is proposed at the St. Cloud Creek site, which is owned and has been reviewed by the USFS.

LOCATION:

State Route 14, Milepost 25.50 to 26.50, W.M. WSDOT Road Right-of-Way, and Tax Parcel Nos. 01-05-10-0-0-0201-00 (Boyle), 01-05-10-0-0-0208-00 (Dowell), 01-05-10-0-0-1400-00 (Schmid Family), and 01-05-09-0-0-0700-00 (Schmid Family), Sections 9 and 10 of T1N, R5E, W.M., Washougal.

Amendment NSA 09-10-11 (WSDOT)
Page 2

The western tunnel location is approximately State Route 14 Milepost 24.65 in Section 16, of T1N, R5E W.M. , and the eastern tunnel location is approximately State Route 14 Milepost 26.38 in Section 10 of T1N, R5E, W.M., Washougal.

LEGAL: WSDOT existing and new road right-of-way.

ZONING: General Management Area- Residential (R-10) and Small Woodland (F-3) and Special Management Area – Forest (F).

May 18, 2010

Dear Ms. Aberle,

The Community Development Department issued a final Administrative Decision on March 29, 2010 for the above referenced application. On May 10, 2010 we received a letter from you requesting some changes to the project in the vicinity of the Western Tunnel.

WSDOT, is amending their application to allow for the western tunnel to be increased in length by 8 feet (from 48 feet to 56 feet) on the south of SR 14, and to widen the northern paved shoulder from the existing 3 feet to 6 feet and to increase the gravel shoulder (from the fog stripe to the slope break) from the current 4 feet to 10.5.

Currently the shoulders in this vicinity do not meet WSDOT safety standards. Within the vicinity of the Western Tunnel the SR 14 Corridor Management Plan, lists Project # 6CL – MP 24.00 to 24.80, Vicinity Half Bridge. This project is a medium priority and calls for the construction of a west bound climbing lane that would provide a passing opportunity around slow moving vehicles. The proposed Cape to Cape project, specifically the installation of the Western Tunnel will already disturb the riparian area for the temporary traffic lane embankment which will encompass a larger area than the proposed permanent embankment that would accommodate the construction of the future climbing lane project. The area will be restored following construction, so widening the shoulder now; avoiding future disturbance of the buffer will minimize the impacts by limiting the disturbance and restoration to a single-event.

The lengthening of the tunnel to the south of SR 14 will occur at this time in order to accommodate a future shoulder widening although the shoulder on the south side of SR 14 will not be brought up to current standards at this time. By constructing the tunnel at the extended length rather than extending it at a later date will minimize the impact on the riparian buffer area, again, by limiting the disturbance and restoration to a single-event.

Pursuant to SCC §22.06.080(B), a change or alteration to an approved action, if determined to be minor by the Director, may be "deemed consistent with the provisions of this Title and the findings and conclusions on the original application." The proposed requests constitute a minor change; therefore, the original decision shall be amended as stated above.

Amendment NSA 09-00-175701
Page 3

The Western Tunnel Site Plans (see attached pages ~~8-9~~) to this Letter Amendment shall be added to the site plans attached to the Administrative Decision. The amendment is hereby approved.

All of the original conditions in the Administrative Decision are still valid and shall be complied with. As a reminder, **this letter amendment needs to be recorded at the County Auditor's office prior to commencing construction.** If you have any questions, please give me a call at 509-427-3900.

Sincerely,



Jessica Davenport
Associate Planner

cc: Skamania County Building Division
Persons w/in 500 feet
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
Friends of the Columbia Gorge
Department of Archaeology and Historic Preservation
Washington Department of Community Development (electronic)

Attached: Letter request for Amendment
Memorandum from Adam Crafts, Wallis Engineering and Joana Lowrey, WSDOT
Western Tunnel Site Plans
Vicinity Map

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. A written Notice of Appeal form must be filed by an interested person within 20 days from the date hereof. Appeals are to be made to the Skamania County Hearing Examiner, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at

Amendment No. 02 (02/11/2011)
Page 4

the Community Development Department and must be accompanied by a \$1,300.00 nonrefundable-filing fee and a Certificate of Mailing.

The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying government action was exempt from SEPA review, this section does not apply.

Unofficial
Copy



**Washington State
Department of Transportation**

Paula Hammond, P.E.
Secretary of Transportation

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NSA-09-60

May 5, 2010

Karen Witherspoon
Skamania County
Department of Planning and Community Development
PO Box 790
Stevenson, WA 98648

RE: SR 14 Cape Horn Bridge to Cape Horn Road – Safety Improvements
CRGNSA Consistency Review - Letter Amendment for Shoulder and Tunnel
Widening at the Western Tunnel Location

Dear Ms. Witherspoon:

The Washington State Department of Transportation submits a Letter Amendment per a recent request from Jessica Davenport on May 3rd. Enclosed you will find applicable drawings, an aerial map, a narrative that documents that there is "no practicable alternative" to the proposed tunnel extension, and a \$300 processing fee.

If you have questions or concerns, you may contact one of my staff, Katie Mesich at 360.905.2294 or mesichk@wsdot.wa.gov.

Sincerely,

Barbara Aberle
Environmental Manager

BA:km

Enclosures: Memorandum from WSDOT & Wallis Engineering
Area of potential effect aerial map
Drawings
Fee of \$300

Cc: C. Tams, SWR Project Engineer

RECEIVED
SKAMANIA COUNTY

MAY 10 2010 pd \$300 006787

COMMUNITY DEVELOPMENT
DEPARTMENT

M E M O R A N D U M

DATE: April 8, 2010

TO: Christine Plourde
United States Forest Service

FROM: Adam Crafts, P.E. Joanna Lowrey, P.E.
Wallis Engineering WSDOT

SUBJECT: Cape Horn Trail SR14 Underpass: CRGNSA Consistency Review
"No Practicable Alternative" for Shoulder and Tunnel Widening at Western Tunnel Location.

The purpose of this memorandum is to document and demonstrate that there is "no practicable alternative" to the proposed extension of the western tunnel length and the expansion of the north shoulder along SR14 in the vicinity of the western tunnel. This work will be completed in the SR 14 Cape Horn Bridge Vicinity to Cape Horn Road Project. A previous CRGNSA Consistency Review and practicable alternatives test (dated 12/17/2009) was conducted for the tunnel locations and design. Following this review, the overall length of the western tunnel is proposed to increase 8 feet (from 48 feet to 56 feet) on the south of SR14. In addition, the gravel shoulder width (from fog stripe to slope break) is proposed to increase from approximately four feet to ten and one half feet on the north side of SR14. The paved shoulder will increase from the existing three feet to approximately six feet. Attached are copies of the tunnel plan and profile submitted on 12/17/2009 and the current plan and profile.

The criteria outlined in the previous Practicable Alternative Test have been applied to the proposed revisions to determine that no practicable alternatives exist. The criteria are copied below in *italics* for reference.

A practicable alternative does not exist if a project applicant satisfactorily demonstrates all of the following:

- A. The basic purpose of the use cannot be reasonably accomplished using one or more other sites in the vicinity that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, wildlife or plant areas and/or sites.*

The 12/17/2009 Practicable Alternatives test demonstrated that no practicable alternatives to the proposed tunnel locations do not exist, therefore this criterion does not apply to the proposed revisions to the tunnel and shoulder.

*SR14 Shoulder Widening at Western Cape Horn Trail SR14 Underpass Location
CGNSA No Practicable Alternative*

2/2

- B. The basic purpose of the use cannot be reasonably accomplished by reducing its proposed size, scope, configuration, or density, or by changing the design of the use in a way that would avoid or result in less adverse effects on wetlands, ponds, lakes, riparian areas, wildlife or plant areas and/or sites.*

The basic purpose of the use for SR14 and the proposed tunnel is to provide safe transportation infrastructure for the public. The existing shoulder widths and guardrail offsets along SR14 do not meet current safety standards. The reason that it is proposed to extend the north side shoulder width and guardrail offset with this project is that the riparian buffer area will already be disturbed by the temporary traffic lane embankment. In fact, the temporary embankment will encompass a larger area than the proposed permanent embankment. The area will be restored following construction, so widening the shoulder with this project will minimize impacts by limiting the disturbance and restoration to a single event.

The south side guardrail and embankment will not be significantly impacted during construction, so the shoulder will not be brought up to current standards. However, the tunnel is being extended to accommodate a future shoulder widening. Building the tunnel for the current shoulder width and then extending it in a future project would have a greater impact on the riparian buffer area. Therefore the proposed revisions have the smallest impact to the riparian buffer area while improving safety along SR14.

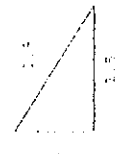
- C. Reasonable attempts were made to remove or accommodate constraints that caused a project applicant to reject alternatives to the proposed use. Such constraints include inadequate infrastructure, parcel size, and land use designations. If a land use designation or recreation intensity class is a constraint, an applicant must request a Management Plan amendment to demonstrate that practicable alternatives do not exist.*

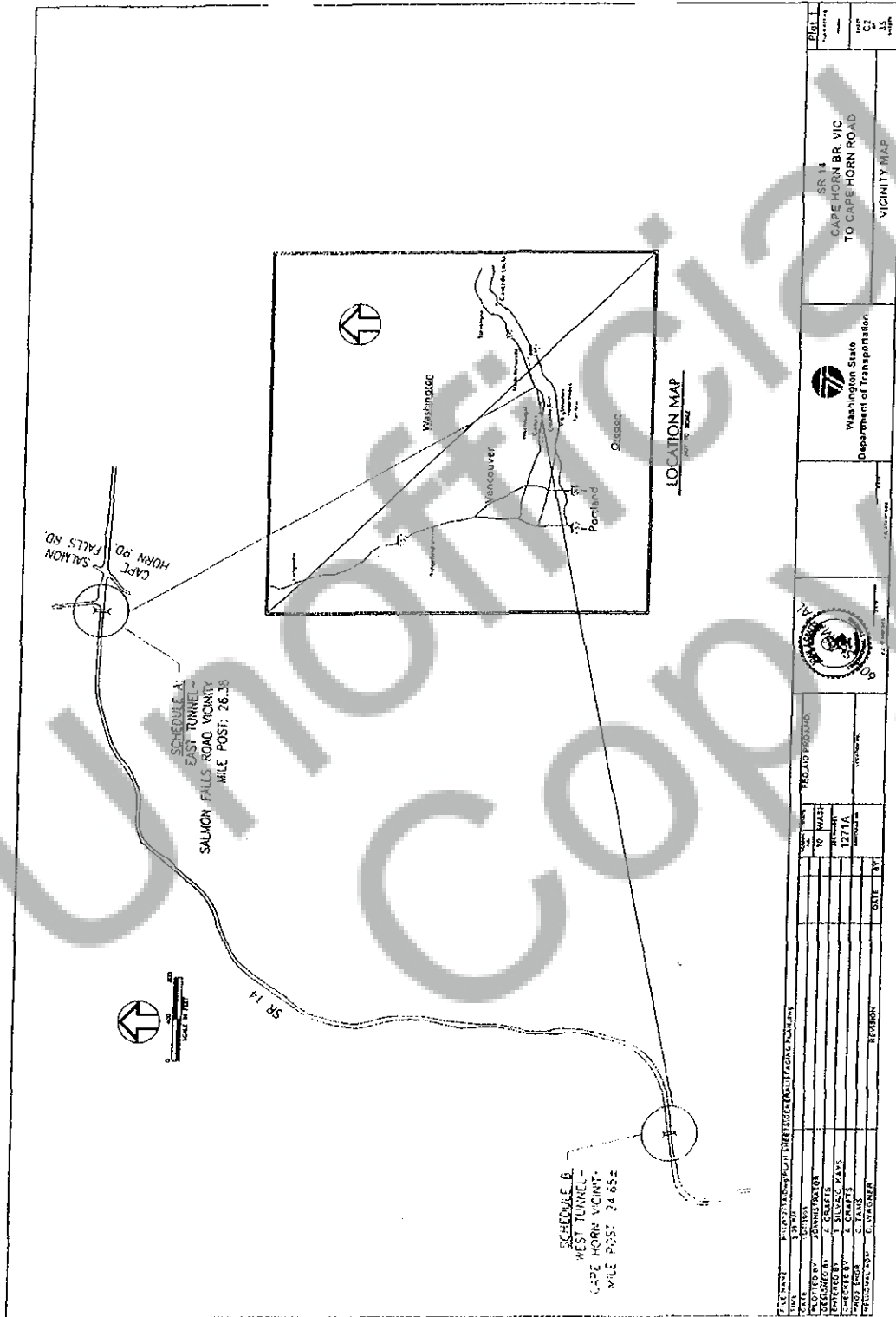
The roadside safety features proposed are WSDOT standards and may not be removed. Therefore, this criterion does not apply.



APPROXIMATE POTENTIAL EFFECT SUMMARY

AREA OF INCIDENTAL EFFECT - 4.18 AC
 AREA OF INCIDENTAL CLEARING - 1.14 AC
 AREA OF CLEARING IN STAGING AREA - 1.14 AC
 AREA OF STAGING ENHANCEMENT - 1.14 AC
 AREA OF STAGING ENHANCEMENT - 1.14 AC
 AREA OF STAGING ENHANCEMENT - 1.14 AC





TITLE: SR 14 DRAWN BY: [blank] CHECKED BY: [blank] DATE: [blank]		PROJECT: SR 14 TO: WASH. FROM: 1271A DATE: [blank]		WASHINGTON STATE DEPARTMENT OF TRANSPORTATION		SR 14 CAPE HORN BR. VIC TO CAPE HORN ROAD		VICINITY MAP	
SHEET NO. 1 OF 1		SCALE: [blank]		DRAWN BY: [blank]		CHECKED BY: [blank]		DATE: [blank]	