

Return Address: Sawtooth Technologies  
Attn: Brian Adams  
P.O. Box 857  
Stevenson, WA 98648

**Skamania County**  
**Community Development Department**  
Building/Fire Marshal • Environmental Health • Planning  
Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
Phone: 509-427-3900 Inspections: 509-427-3922 Fax: 866-266-1534

**Administrative Decision**

**APPLICANT:** Sawtooth Technologies, LLC

**PROPERTY OWNER:** WSDOT Right-of-Way; Skamania County Right-of-Way; United States Forest Service Columbia River Gorge National Scenic Area; James Mahar; and Wood, Hardesty, Biddle Dick, et al.

**FILE NO.:** NSA-11-22

**PROJECT:** Proposal for the installation of new fiber optic communications cable (overhead and underground) throughout Skamania County as a part of the NoaNet Washington Rural Access Project (WRAP).  
  
NSA-11-22 reviews only the portions of the project within the jurisdiction of the National Scenic Area.

**LOCATION:** The project will occur within WSDOT Right-of-Way, Skamania County Right-of-Way, and along Mt. Zion Road, a private road, within Section 9 of T1N, R5E, W.M. and is identified as Skamania County Tax Lot Numbers 01-05-09-0-0-0626-00, 01-05-09-0-0-0627-00, 01-05-09-0-0-1301-00, 01-05-09-0-0-1400-00 owned by the United State Forest

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Service; 01-05-09-0-0-0600-00 owned by James Mahar; and 01-05-09-0-0-1300-00 owned by Wood, Hardesty, Biddle Dick, et al.

**LEGAL:** WSDOT Right-of-Way & Skamania County Right-of-Way

**ZONING:** General Management Area – Commercial Forest (F-1), Large Woodland (F-2), Small Woodland (F-3), Residential (R-1, R-5, & R-10), Rural Center, Public Recreation and Open Space. Special Management Area – Forest (F), Agricultural (A), and Open Space (O).

**DECISION:** Based upon the record and the Staff Report, the application Sawtooth Technologies, LLC, 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 Environmental Health Division.

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 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 §22.06.120(C)(2).

- 1) As per SCC §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)
- 3) Only that grading which is necessary for site development is permitted. All graded areas shall be re-seeded with native vegetation as soon as practicable following the disturbance and prior to final inspection by the Community Development Department.


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- 4) Planted vegetation shall be maintained to ensure survival.
- 5) The applicant shall use nonreflective or materials with low reflectivity.
- 6) The visible portions of structures for the proposed project shall be dark earth tone in color. The aerial fiber optic cable shall be black in color, and the aboveground cabinetry shall be dark green as proposed in the application materials. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 7) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development 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.
- 8) The Community Development Department staff shall conduct a final inspection, approval of which will not be issued until compliance with all conditions of approval, including visual subordination criteria, have been verified. Inspections may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Division inspection line at 509-427-3922 or through the permit center public portal at <https://co-skamania-wa.smartgovcommunity.com/portal/Public/Welcome> .
- 9) The following procedures shall be effected when cultural resources are discovered during construction activities:
  - a) Halt 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 Administrator and the Gorge Commission within twenty-four (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 twenty-four (24) hours.
  - c) Survey and Evaluations. The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter. Based upon the survey and evaluation report and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.

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- d) Mitigation Plan. Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 10) The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.
- a) Halt of Activities. All survey, excavation and construction activities shall cease.
  - b) Notification. Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted 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 an opportunity to monitor the inspection.
  - d) Jurisdiction. If the remains are modern, the appropriate law enforcement official 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 conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 28<sup>th</sup> day of MARCH, 2012, at Stevenson, Washington.

  
 Jessica Davenport, Planning Manager  
 Planning Division

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### **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.

### **EXPIRATION**

As per SCC §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 once development has commenced the development action is discontinued for any reason for one continuous year or more.

If the development does not include a structure the permit shall expire two years after the date the land use approval was granted unless the use or development was established according to all specifications and conditions of approval in the approval. For land divisions, "established" means the final deed or plat has been recorded with the county auditor.

If the development includes a **structure** the permit shall expire when construction has not commenced within two (2) years of the date the land use approval was granted; or once the structure has been started and if the structure has not been completed within two (2) years of the date of commencement of construction the permit shall expire. Completion of the structure for this purpose means the completion of the exterior surface(s) of the structure; and compliance with all conditions of approval in the land use approval, including, but not limited to, painting of the exterior of the structure.

### **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 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.

### **WARNING**



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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 the Decision was sent to the following:

Skamania County Building Division

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

Persons submitting written comments in a timely manner

Yakama Indian Nation

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Warm Springs

Nez Perce Tribe

Cowlitz Tribe

Department of Archaeology and Historic Preservation

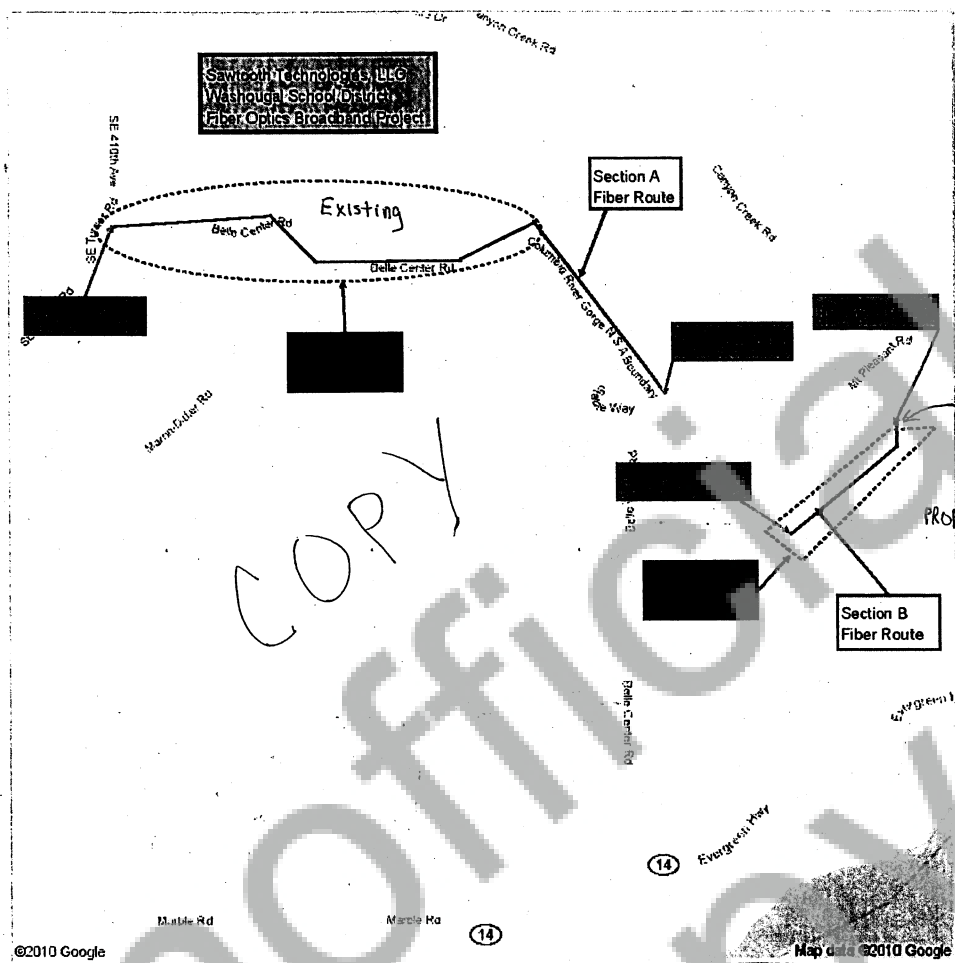
Columbia River Gorge Commission

U.S. Forest Service - NSA Office

Board of County Commissioners (electronic)

State of Washington Department of Commerce – Paul Johnson (electronic)

Department of Fish and Wildlife

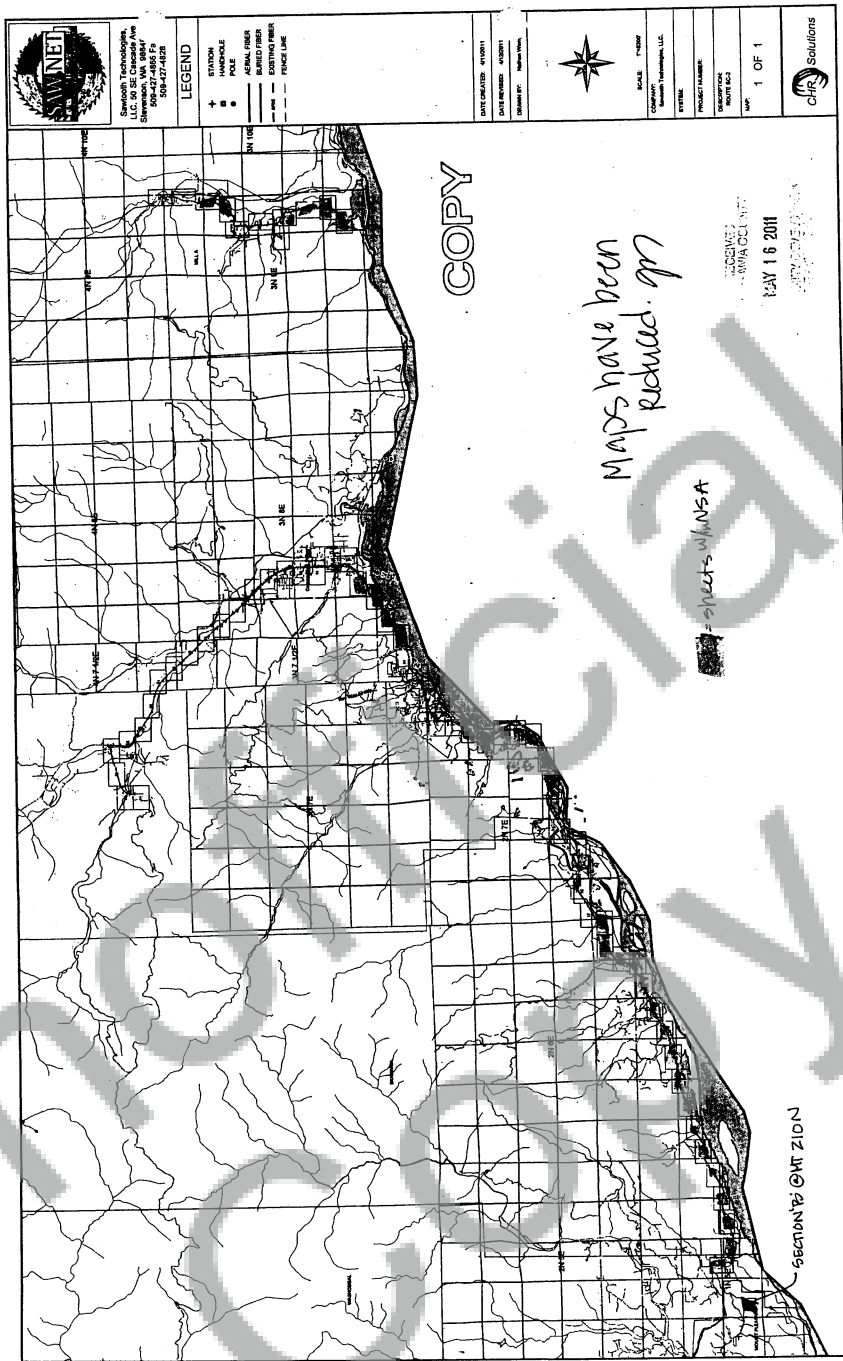


Section B spans 0.7 miles from the junction of Strunk Rd and Mt. Zion Rd (45°35'07.76"N, 122°12'01.99"W, elevation 1224 ft) primarily along Mt. Zion road to the telecommunications tower located on Biddle Butte (45°34'50.79"N, 122°12'28.61"W, elevation 1440 ft). Section B shall be located underground in alignment with the Mt Zion Rd from the junction of Strunk Rd and Mt. Zion Rd to the top of Biddle Butte.

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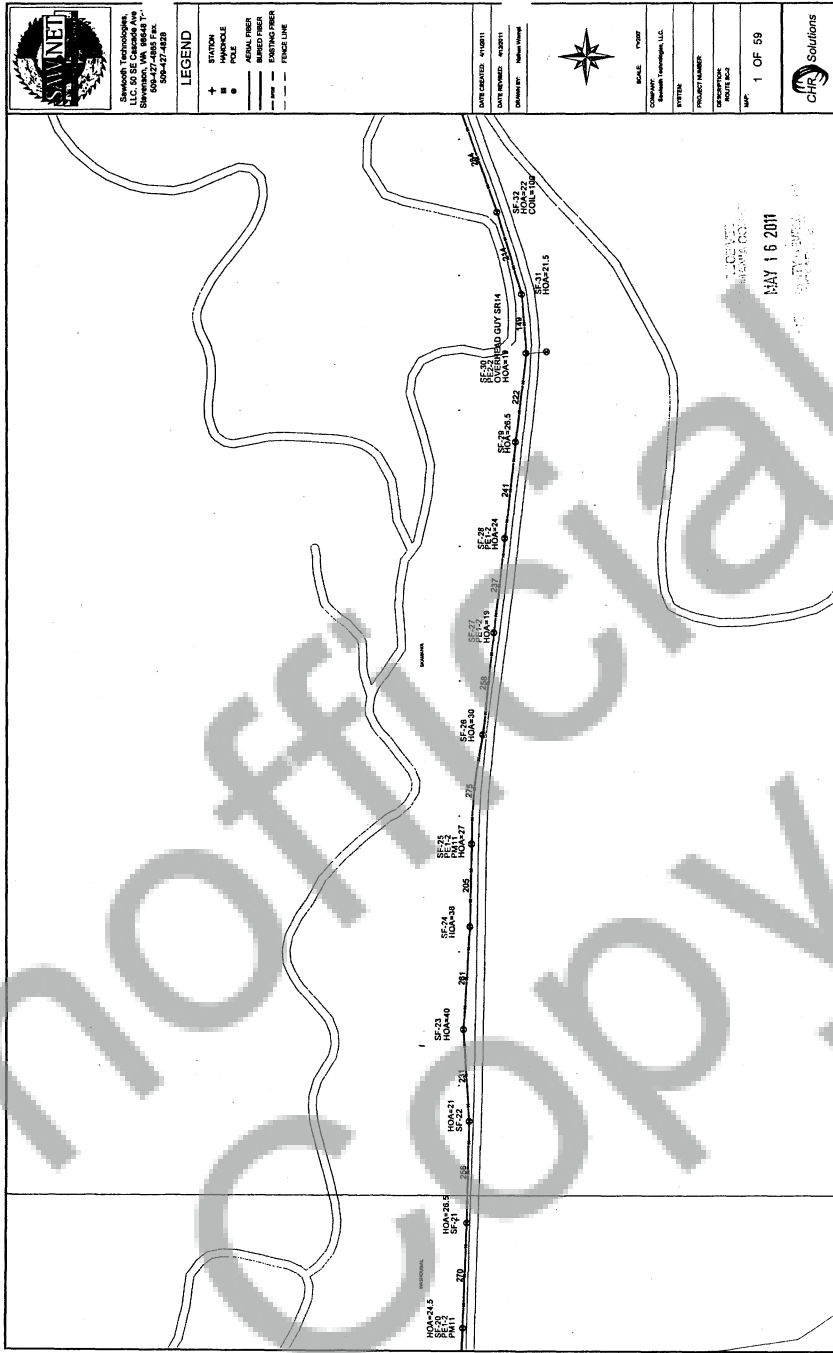
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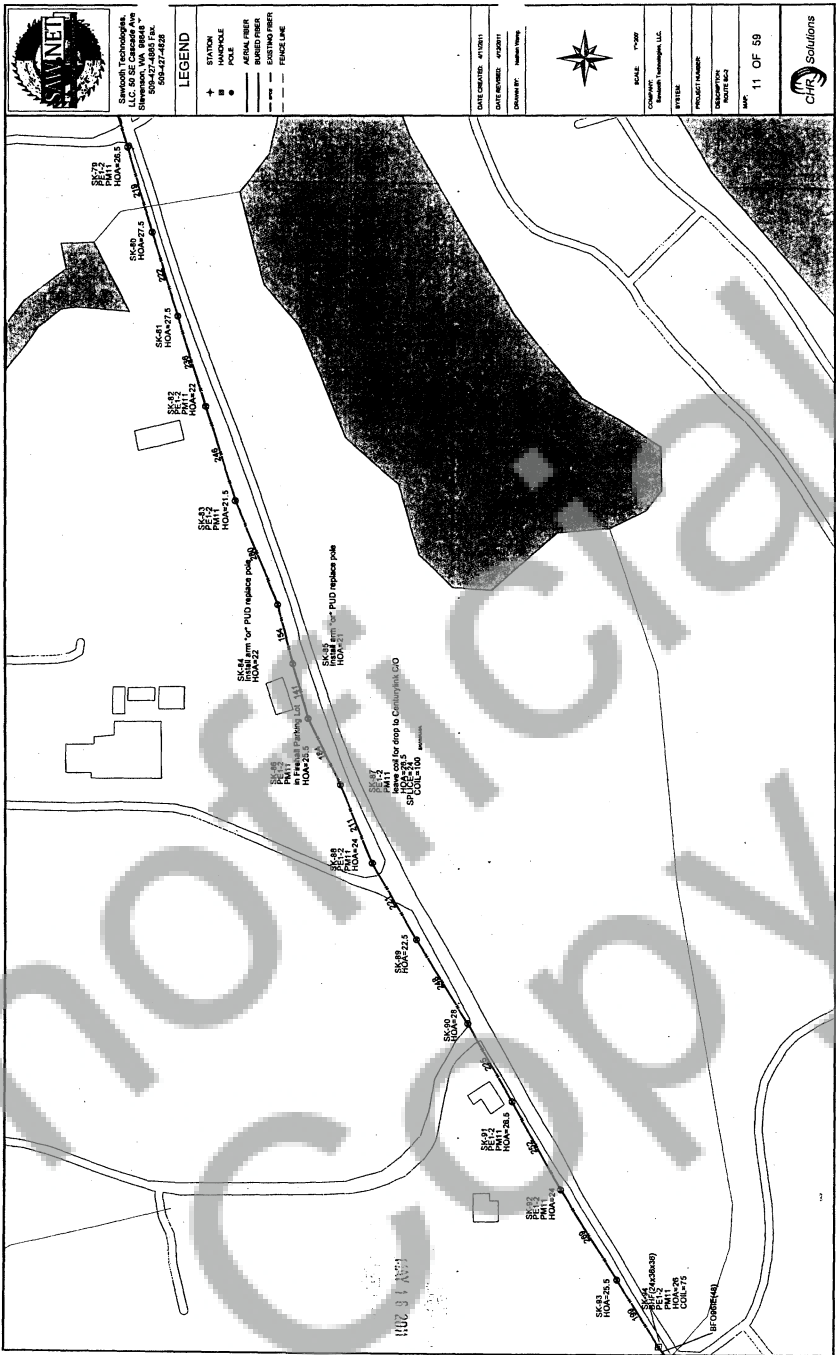










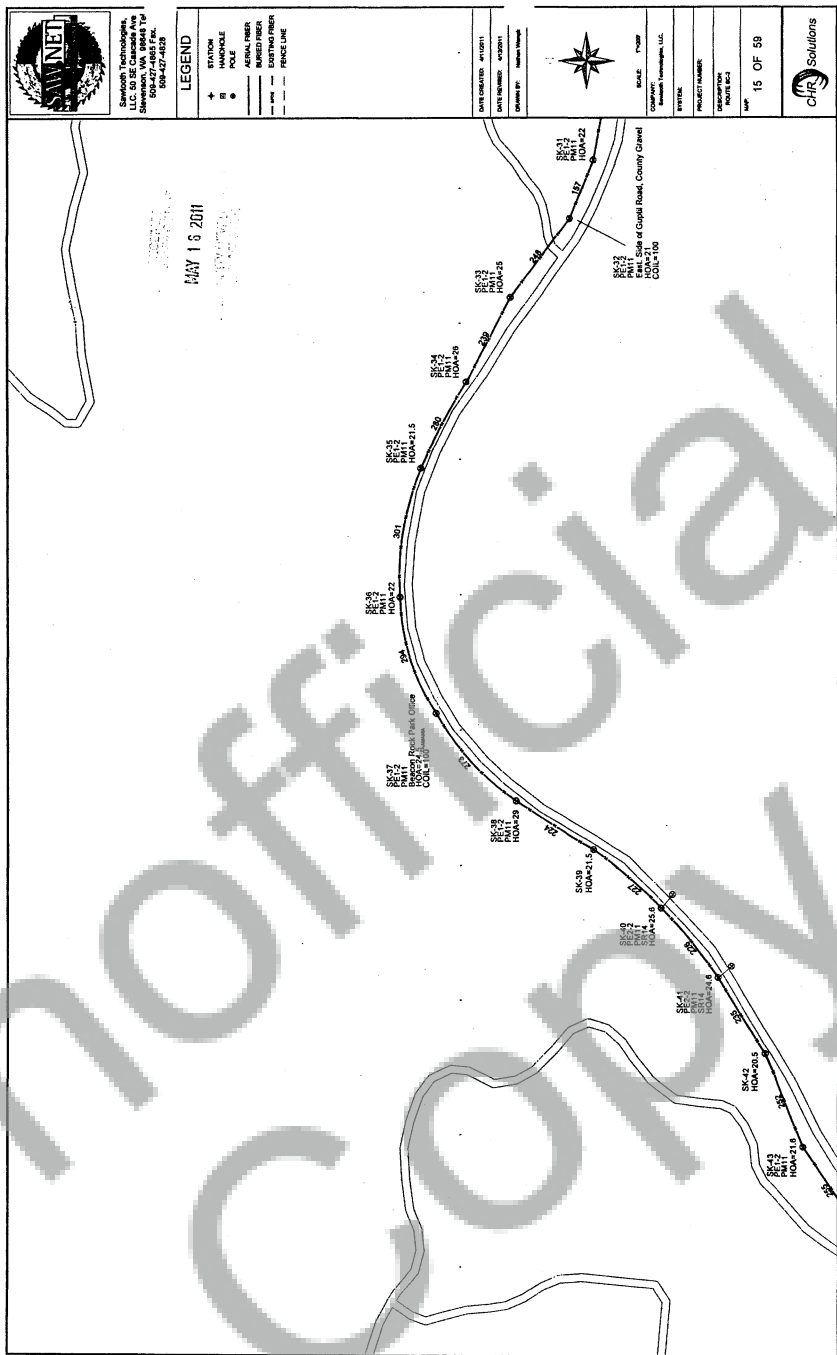


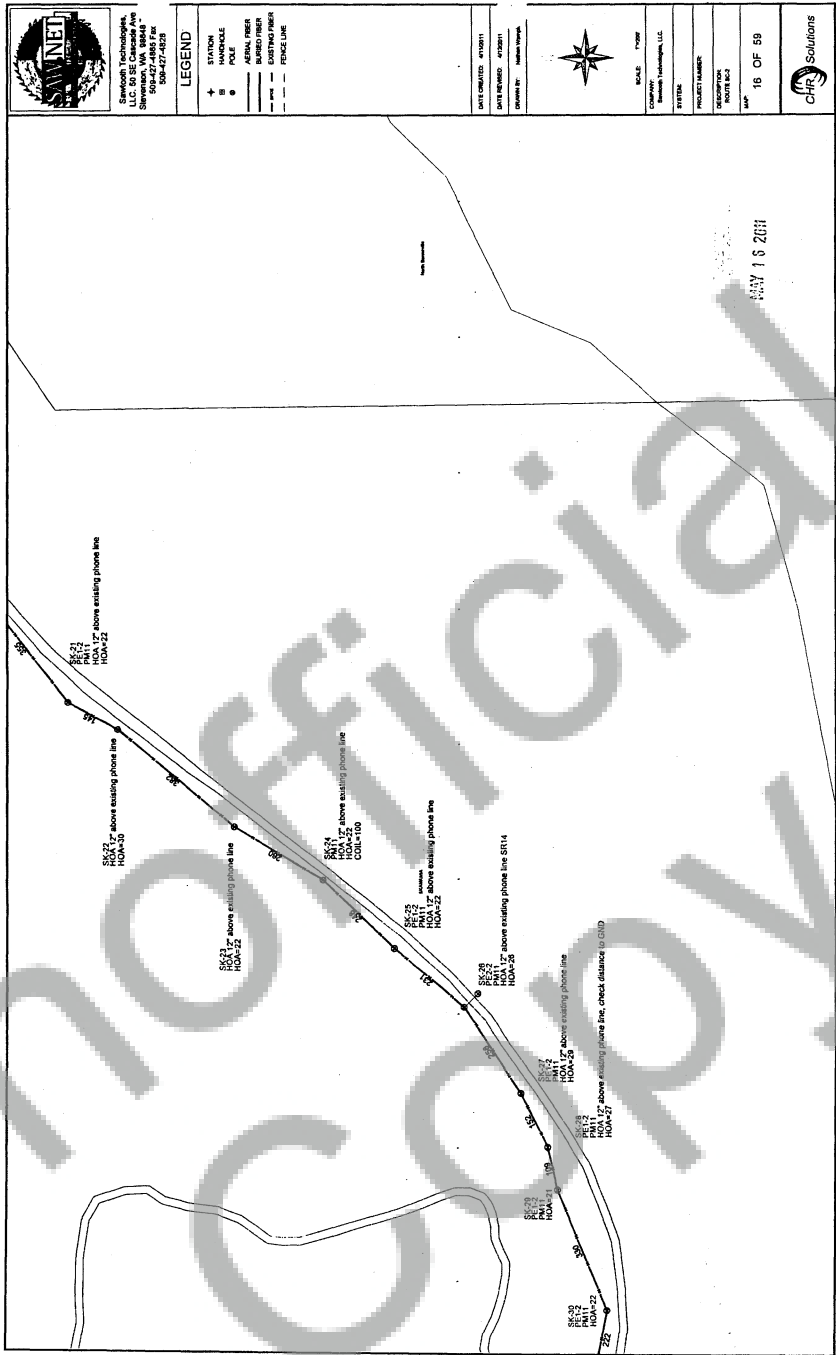


















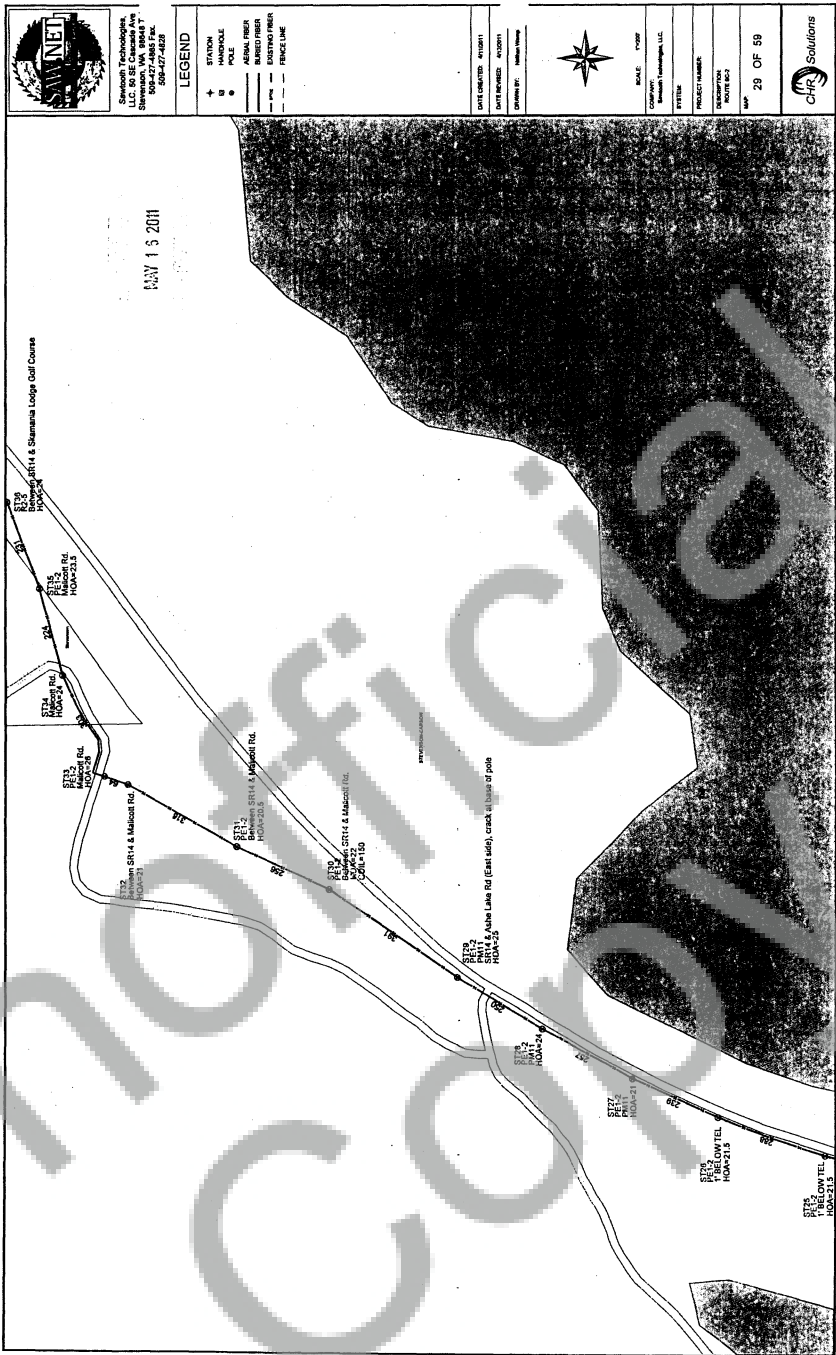










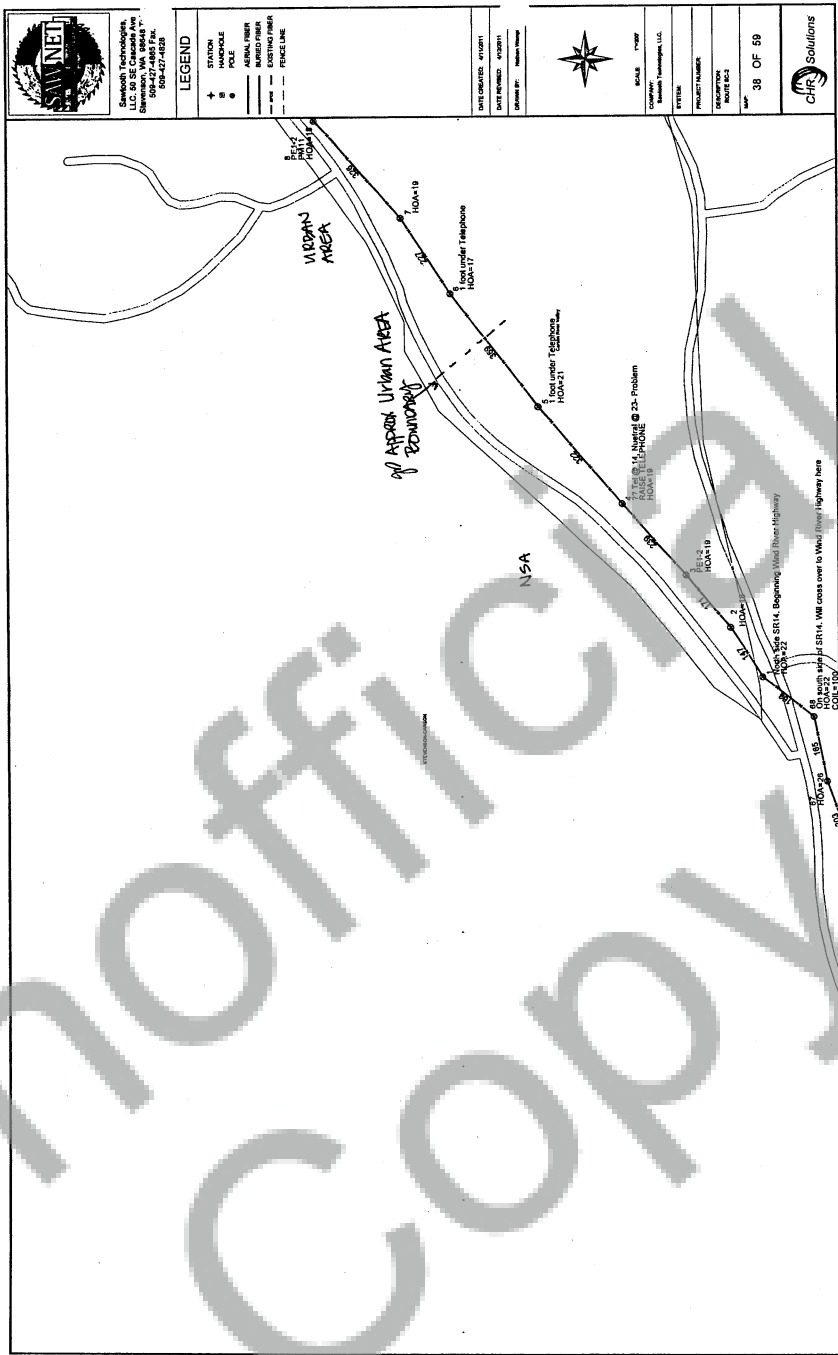






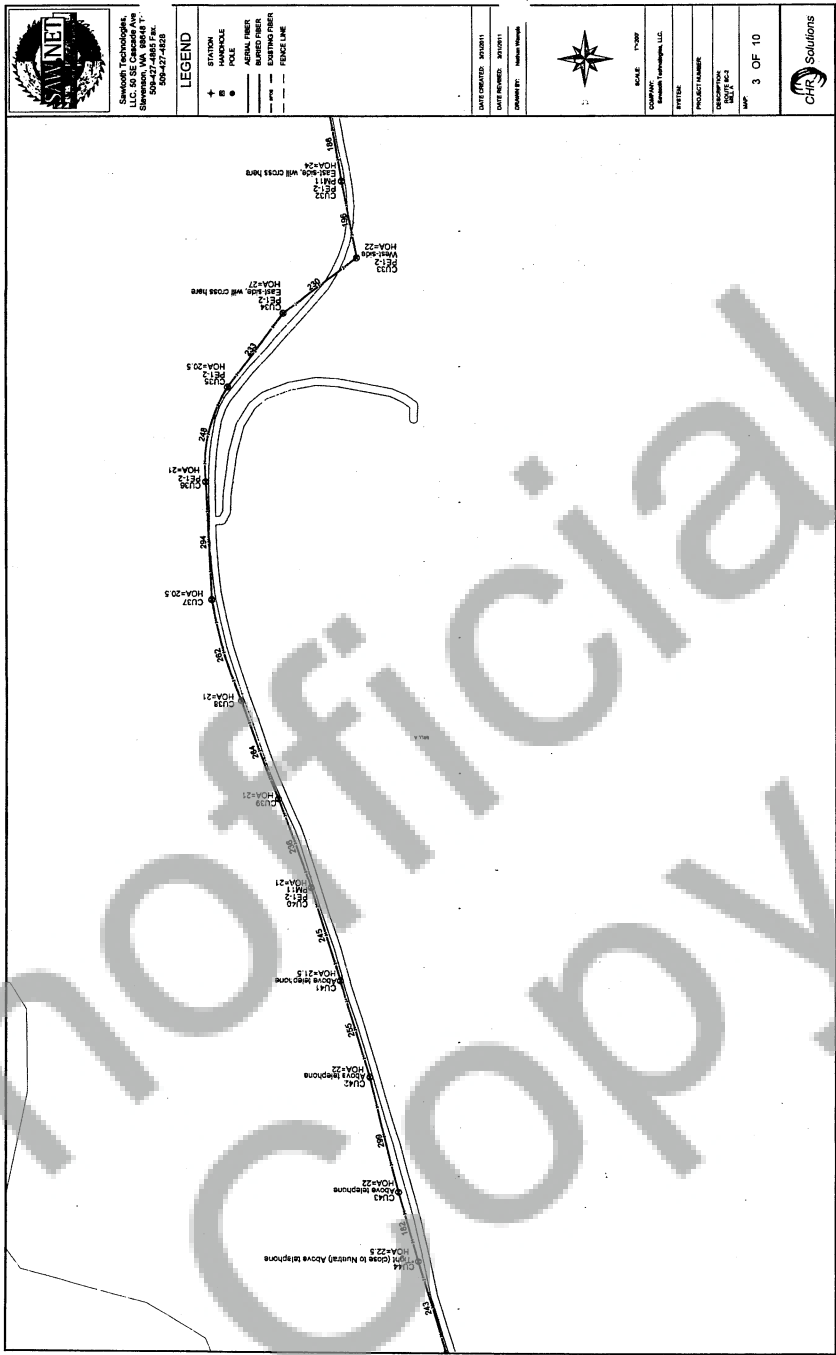






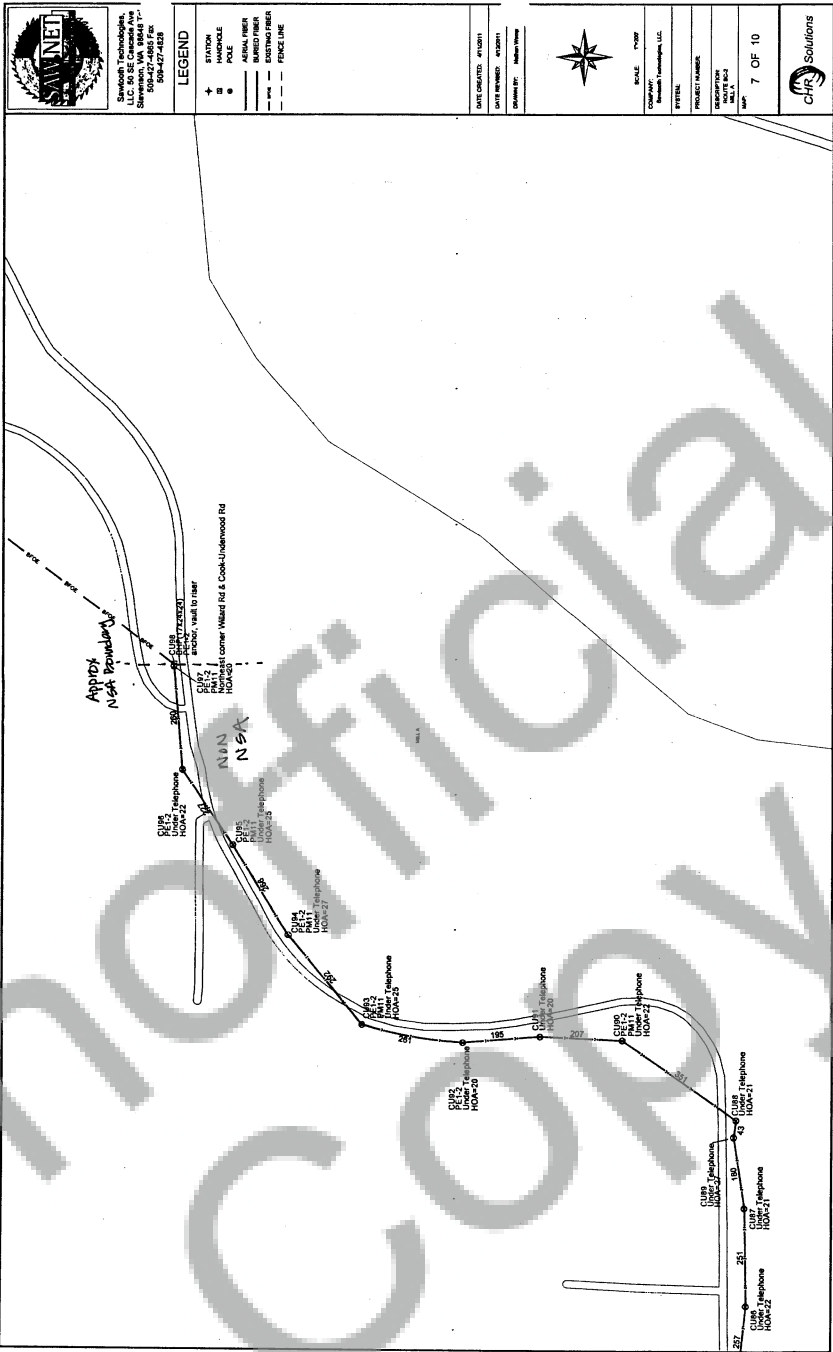






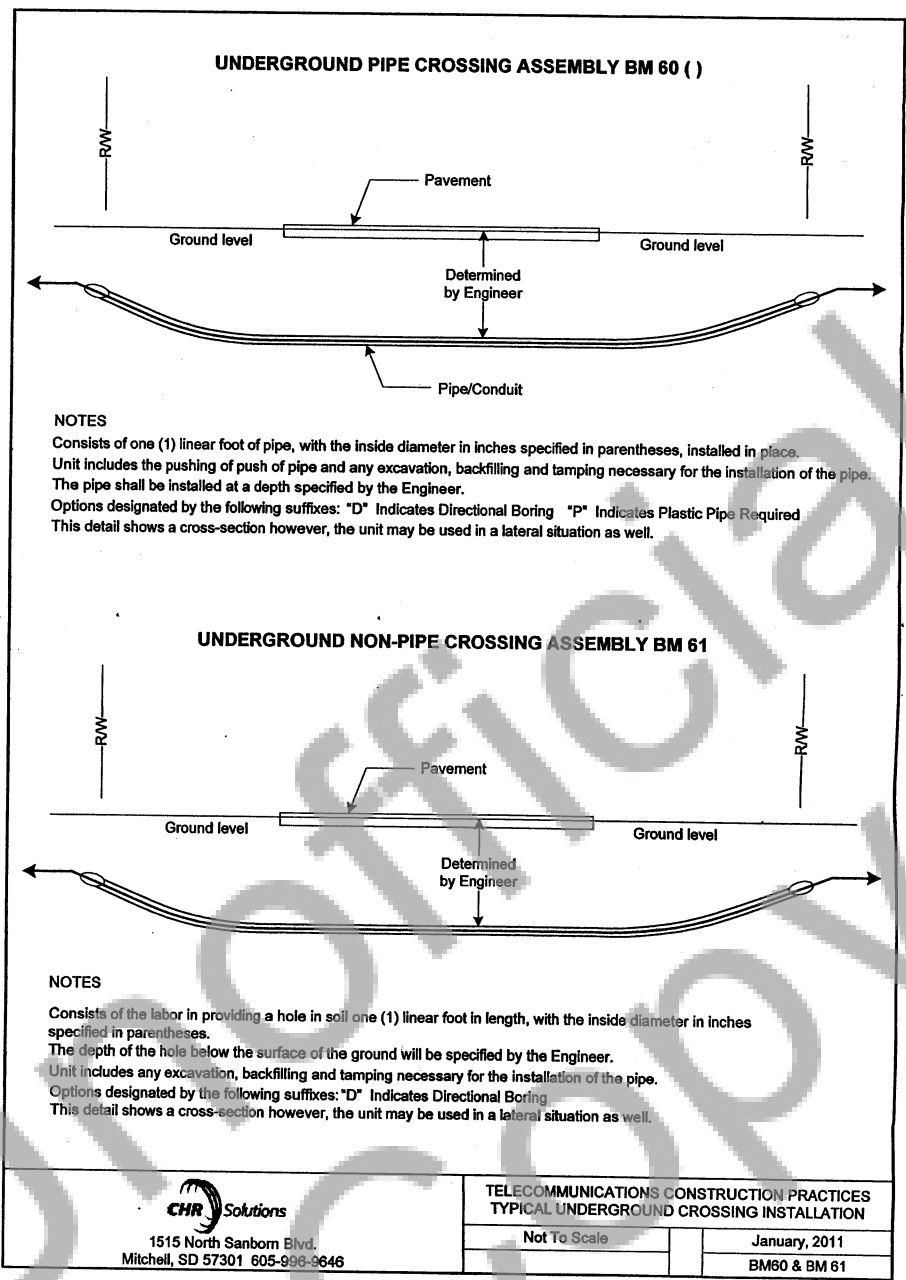


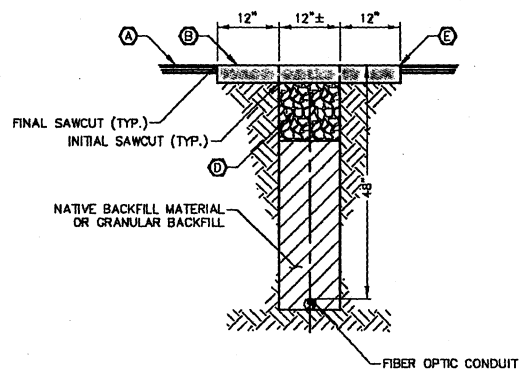




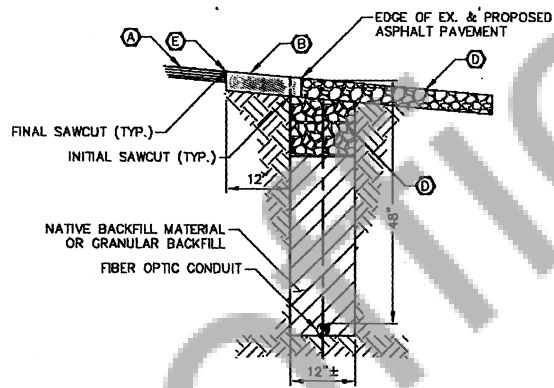


BM 60 & BM 61 (Underground Crossing – Bore)





**TYPICAL ROADWAY OR ASPHALT DRIVEWAY TRENCH AND PATCH DETAIL**  
N.T.S.



**ROADWAY-SHOULDER INSTALLATION DETAIL**  
N.T.S.



1515 North Sanborn Blvd.  
Mitchell, SD 57301 605-996-9646

TELECOMMUNICATIONS CONSTRUCTION PRACTICES  
TYPICAL UTILITY TRENCH INSTALLATION DETAIL

Not To Scale

January, 2011

BM 71, 72 & 73

