COLUMBIA RIVER GORGE COMMISSION
DIRECTOR’S DECISION

CASE FILE: C19-0016

PROPOSAL: The Columbia River Gorge Commission has received an application for modifications to an existing communications facility including adding four remote radio units (RRUs), replacing four antennas with two panel antennas, replacing antenna mounts, removing four tower mounted amplifiers (TMAs) and replacing two cabinets.

APPLICANT: Amanda Nations, for T-Mobile & Crown Castle

LANDOWNER: Lee Strom

LOCATION: The subject parcel is 5.14 acres and located at 12 Crestview Lane, White Salmon, WA in the Northeast Quarter of the Northwest Quarter of Section 28, Township 3 North, Range 11 East, W.M., Klickitat County Tax Lot Number 03-11-28-5300-02/00.

LAND USE DESIGNATION: The subject parcel is in the General Management Area and designated Small-Scale Agriculture

DECISION: Based upon the following findings of fact, the land use application by Amanda Nations, for T-Mobile & Crown Castle, for modifications to an existing communications facility including removal of old equipment and installation of new equipment, is consistent with the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act, P.L. 99-663, the Management Plan for the Columbia River Gorge National Scenic Area (Management Plan), and approvable under Commission Rule 350-81, and is hereby APPROVED.

CONDITIONS OF APPROVAL: The following conditions of approval are given to ensure that the subject request is consistent with the standards of Section 6 and the purposes of P.L. 99-663, and the Management Plan and approvable under Commission Rule 350-81. Compliance with them is required. This decision must be recorded in county deeds and records to ensure notice of the conditions to all successors in interest (Management Plan, Review Uses Guideline 1, pg. II-96).

1. To ensure notice of the conditions to successors in interest, this Director’s Decision, Staff Report for C19-0016, an and approved site plan shall be recorded in county deeds and records at the Klickitat County Auditor’s Office. Once recorded, the applicants shall submit a copy of the recorded documents to the Executive Director.

2. This decision does not exempt the proposal from other non-Scenic Area rules and regulations. It is the applicant’s responsibility to ensure the use complies with all other applicable federal, state, and county laws and to obtain necessary approvals, including utility easement approvals.
3. Any new land uses or structural development such as residences, garages, workshops, or other accessory structures, additions or alterations, or grading not included in the approved application or site plan will require a new application and review.

4. The development shall be constructed as shown on the approved project description, site plan and elevation drawings. Any changes shall be reviewed and approved by the Executive Director before the changes are implemented.

5. The new antennas, RRU's and all ancillary equipment shall be "Baker's Chocolate" (B71T204) by Sherwin Williams. Any changes to the final color selection and finish shall be submitted to and approved by the Gorge Commission staff prior to painting.

6. Outdoor lighting shall be directed downward and sited, hooded, and shielded such that it is not highly visible from Key Viewing Areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials. Examples of acceptable and unacceptable lighting fixtures are included with this Decision.

7. If cultural resources are discovered during construction activities, all activities within 100 feet of the cultural resources shall immediately cease and the applicants shall notify the Gorge Commission within 24 hours of discovery and the State Physical Anthropologist, Dr. Guy Tasa at (360) 586-3534 or guy.tasa@dahp.wa.gov. The cultural resources shall remain as found and further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.

8. If human remains are discovered during construction activities, all activities shall cease immediately upon their discovery. Local law enforcement, the Executive Director and Indian Tribal governments shall be contacted immediately. Further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.

9. The applicant shall notify the Gorge Commission within 30 days of project completion to arrange for an inspection to confirm compliance with conditions of approval. Project completion means completion of all work on exteriors of structures (including painting).

DATED AND SIGNED THIS 5th day of December 2019 at White Salmon, Washington.

Krystyna U. Wolniakowski
Executive Director

EXPIRATION OF APPROVAL:
Commission Rule 350-81-044 governs the expiration of this Director's Decision.

This decision of the Executive Director becomes void on the 5th day of December 2021 unless construction has commenced in accordance with Commission Rule 350-81-044(4).

Commission Rule 350-81-044(4) specifies that commencement of construction means actual construction of the foundation or frame of the approved structure.

Construction must be completed within two years of the date that the applicant commenced construction. The date of the Executive Director's preconstruction inspection to confirm the location of proposed...
structural development as required by this decision shall be considered the date the applicant commenced construction, unless the applicant demonstrates otherwise.

Once the applicant has commenced construction of one element in this decision, the applicant will need to complete all elements in this decision in accordance with Commission Rule 350-81-044. The Commission does not use different “commencement of construction” dates for different elements in this decision.

The applicant may request one 12-month extension of the time period to commence construction and one 12-month extension to complete construction in accordance with Commission Rule 350-81-044(6). The applicant must submit the request in writing prior to the expiration of the approval. If the applicant requests an extension of time to complete construction after commencing construction, the applicants shall specify the date construction commenced. The Executive Director may grant an extension upon determining that conditions, for which the applicants were not responsible, would prevent the applicants from commencing or completing the proposed development within the applicable time limitation. The Executive Director shall not grant an extension if the site characteristics and/or new information indicate that the proposed use may adversely affect the scenic, cultural, natural or recreation resources in the National Scenic Area.

**APPEAL PROCESS:**

*The appeal period ends on the 4 day of January 2020.*

The decision of the Executive Director is final unless the applicant or any other person who submitted comment files a Notice of Intent to Appeal and Petition with the Commission within thirty (30) days of the date of this decision. Information on the appeal process is available at the Commission office.

**NOTES:**

Any new land uses or structural development such as driveways, parking areas, garages, workshops, fences or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review. New cultivation also requires a new application and review.

This decision does not address local, state, or federal requirements that may be applicable to the proposed development. The landowner is responsible for obtaining all applicable county, state, or federal permits required for the development.

cc:
- Confederated Tribes and Bands of the Yakama Nation
- Confederated Tribes of the Umatilla Indian Reservation
- Christian Nauer, Confederated Tribes of Warm Springs Reservation of Oregon
- Nez Perce Tribe
- U.S. Forest Service National Scenic Area Office
- Washington Department of Archaeology and Historic Preservation
- Klickitat County Planning Department
- Klickitat County Building Department
- Klickitat County Public Works Department
- Klickitat County Health Department
- Klickitat County Assessor
- Washington Natural Heritage Program
- Washington Department of Fish and Wildlife
- Steve McCoy, Friends of the Columbia Gorge

Attachments:
- Staff Report for C19-0016
- Approved site plan
- Example sheet of acceptable & unacceptable light fixtures.

C19-0016 Director’s Decision
Columbia River Gorge Commission | Page 3 of 3
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LAND USE DESIGNATION: The subject parcel is in the General Management Area and designated Small-Scale Agriculture

COMMENTS FROM INDIVIDUALS/AGENCIES/GOVERNMENTS:

Notice of the subject request was mailed to property owners within 200 feet of the subject parcel and the following organizations/agencies/governments:

- Confederated Tribes and Bands of the Yakama Nation
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of Warm Springs Reservation of Oregon
- Nez Perce Tribe
- U.S. Forest Service National Scenic Area Office
- Washington Department of Archaeology and Historic Preservation
- Klickitat County Planning Department
- Klickitat County Building Department
- Klickitat County Public Works Department
- Klickitat County Health Department
- Klickitat County Assessor
- Skamania County
- Washington Natural Heritage Program
- Washington Department of Fish and Wildlife
- Friends of the Columbia Gorge

Written comments were received from Steve McCoy, Attorney for Friends of the Columbia River Gorge and Christian Nauer, Archeologist Confederated Tribes of the Warm Springs Reservation of Oregon.
FINDINGS OF FACT:

A. LAND USE

1. The subject parcel is in the General Management Area (GMA) and is designated Small-Scale Agriculture. The proposed project adds to an existing telecommunications facility on Burdoin Mountain, off Courtney Road, northeast of Bingen, WA. The land is not currently supporting any agricultural use. The communication facility is surrounded by a grove of Douglas fir trees and located near the southern boundary of the parcel. There is also a single-family dwelling in the southeast corner of the property, separated from the communications tower by the grove of trees.

2. Amanda Nations has applied for modifications to an existing communications facility including adding four remote radio units (RRUs), replacing four antennas with two panel antennas, replacing antenna mounts, removing four tower mounted amplifiers (TMAs) and replacing two cabinets.


(A) Modify existing aboveground and overhead utility facilities or, except in Agriculture-Special, develop new aboveground and overhead utility facilities including building and equipment foundations, poles, transformers, conduit, fencing, pumps, valves, pipes, and water meters,

(C) New antennas and associated support structures necessary for public service on existing wireless communication poles and towers other than those allowed outright, provided the size is the minimum necessary to provide the service.

Neither the Gorge Commission nor the Forest Service, nor Klickitat County have any record of a permit for the construction of the tower. However, in 1992, the U.S. Forest issued a National Scenic Area consistency determination that allowed a modification of the associated electronic site and the removal and replacement of the subject pole (see Forest Service Consistency Review File No. F92-0014-K-G-C24). The Commission cannot verify the date of construction of the tower or that the tower is an existing use having received all necessary approvals at the time of construction. Typically, in this situation, the Commission would have to review the entire tower for consistency with the National Scenic Area Land Use Ordinance; however, because the Forest Service issued a National Scenic Area consistency determination, the Commission will treat the tower as an existing use.

Modifications were made to the facility in Director’s Decision’s C16-0003 & C18-0008. This proposal replaces four antennas with two antennas of approximately the same size and at the same height, approximately 57 feet. The two new antennas proposed for the tower measure 95.9” x 25.2” x 9.3” and are comparable to the dimensions of the four antennas they replace. The RRUs proposed for the tower measure approximately 22.1” x 19.4” x 5.2” and are located between the new antennas and the tower at the same height as the antennas. The two new cabinets measure 61” x 30.3” x 30.3” and will be installed at ground level and replace equipment with similar dimensions. The applicant stated that the new equipment will support L600 technology upgrades for improved voice and data coverage and capacity, and that the proposed antennas and replacement RRUs are both the minimum and standard size to meet the objectives for this technology upgrade. The proposed development to modify an existing aboveground and overhead facility is eligible for expedited review, consistent with Commission Rule 350-81-050(1)(r)(C).
CONCLUSION:

The proposed development is an allowed expedited review use, subject to compliance with the guidelines in Commission Rule 350-81-052 that protect scenic, cultural, natural and recreation resource treaty rights.

B. SCENIC RESOURCES

1. Commission Rule 350-81-052(1)(a)(B) states:

   Except signs, the colors of structures topographically visible from key viewing areas shall be dark earth-tones found at the specific site or the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. This guideline shall not apply to additions, which may match the color of existing buildings.

The development site is located off Burdoin Mountain at an approximate elevation of 2,244 feet. The tower is topographically visible in the middle ground (1 to 3 miles) and background (greater than 3 miles) from several Key Viewing Areas (KVAs) to the south, including: SR-14, the Columbia River, I-84, the Historic Columbia River Highway, Rowena and State Route 142; all of which are located at much lower elevations. The site is set back from the bluff, and as viewed from the KVAs, the crest of the bluff provides some topographic screening for the bottom of the tower and existing communications shelters.

The antenna will be mounted at 57 feet on the 65-foot tower, and because of its size and the distance from which it will be viewed, it is unlikely to be seen by the casual observer. Director's Decisions C16-0003 determined that dark earth tone will be required for the new antennas. The applicant has submitted a dark brown color sample, titled "Baker's Chocolate" (B71T204), by Sherman Williams. The site and the surrounding landscape have basalt rock ground cover and rock outcroppings. Basalt is a mottled dark brown and gray color. "Baker's Chocolate" is like these colors found at the site and in the surrounding landscape and is approved. A condition of approval will require the applicant to use this color or seek approval of a different color. As proposed by the applicant and with this condition in place, the development request is consistent with Commission Rule 350-81-052(1)(a)(B).

2. Commission Rule 350-81-052(1)(a)(C) states:

   Except signs, structures topographically visible from key viewing areas shall use low or non-reflective building materials, including roofing, gutters, vents and chimneys.

A condition of approval is included in the Director's Decision to require a flat, low reflective finish consistent with Commission Rule 350-81-052(1)(a)(C).

3. Commission Rule 350-81-052(1)(a)(D) states:

   Outdoor lights shall be directed downward and sited, hooded, and shielded such that they are not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.

One LED light on a timer is proposed at ground level. The application did not indicate whether the light fixture was compliant with this guideline. For that reason, examples of acceptable and unacceptable lighting fixtures are included with this Decision. A condition of approval is also included in the Director's Decision to ensure the outdoor lighting fixture complies with this guideline.

Structures within one-half mile of a key viewing area and topographically visible from the key viewing area shall be sited, screened and/or designed to achieve the applicable scenic standard (e.g., visual subordinance, not visually evident).

The proposed development is located northeast of Bingen, Washington, more than a mile north of State Route 14. It is not located within one-half mile of any key viewing area. Commission Rule 350-81-052(1)(a)(F) is not applicable.

CONCLUSION:

The proposed development is consistent with the expedited review guidelines for scenic resources in Commission Rule 350-81-052.

B. CULTURAL RESOURCES

1. Commission Rule 350-81-052(1)(b) includes cultural resource protection provisions for uses eligible for the expedited review process. It states:

(A) The expedited development review process shall only be used to review proposed development that does not require a reconnaissance survey, pursuant to 350-81-54(1)(c)(A) or historic survey, pursuant to 350-81-540(1)(c)(B).

(B) The GMA guidelines that protect cultural resources and human remains discovered during construction [350-81-540(6) and (7)] shall be applied as conditions of approval for all development approved under the expedited development review process.

Chris Donnermeyer, Heritage Resources Program Manager for the Columbia River Gorge National Scenic Area, provided a cultural resources survey determination for the proposed development on August 6, 2019. Mr. Donnermeyer determined that the proposed development does not require a reconnaissance survey or historic survey pursuant to Commission Rules 350-81-540(1)(c)(A) and (B) because: (1) Proposed use would involve the modification, expansion, replacement, or reconstruction of existing buildings and structures; (2) does not occur within 500 feet of a known archaeological site; (3) would not alter the exterior architectural appearance of significant buildings and structures that are 50 years old or older; and (4) would not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older.

CONCLUSION:

The proposed development is consistent with the expedited review guidelines for cultural resources in Commission Rule 350-81-052.

C. NATURAL RESOURCES

1. Commission Rule 350-81-052(1)(d) lists natural resource protection guidelines for expedited review uses. To qualify for the expedited review process, Commission Rule 350-81-052(1)(d)(A)(i) requires that new development is located outside buffer zones for wetlands, streams, rivers, ponds, and lakes, except for lot line adjustments or development located inside road, utility or railroad rights-of-way or easements that have been previously disturbed and regularly maintained.
There are no wetlands on the site. According to the Gorge Commission’s resource inventories, the closest wetlands are located approximately 5 miles southwest of the project site. Pursuant to Commission Rule 350-81-560(7)(c), the maximum buffer for a wetland in the GMA is 150 feet. Intermittent streams originate 900 feet northwest from the communication site. Pursuant to Commission Rule 350-81-570(7), intermittent streams require a 50-foot buffer. The proposed development is located more than 150 feet from any wetland, and more than 50 feet from the ordinary high-water mark of any stream. The proposed development is located outside the buffer zones of wetlands, streams, rivers, ponds, or lakes. The proposed development is consistent with 350-81-052(1)(d)(A)(i).

2. Commission Rule 350-81-052(1)(d)(B) contains expedited review guidelines to protect sensitive wildlife and sensitive plants. It requires eligible development to meet one of the following circumstances:

(I) The development is at least 1,000 feet from known sensitive wildlife areas or sites (excluding sensitive aquatic species, deer winter range, and turkey habitat) and known sensitive plants; or

(II) The development does not disturb the ground or is inside road, utility or railroad rights-of-way or easements or other areas that have been previously disturbed and regularly maintained; or

(III) For sensitive wildlife, the development is within 1,000 feet of known sensitive wildlife areas or sites (excluding sensitive aquatic species, deer winter range and turkey habitat), but an appropriate federal or state wildlife agency determines (1) the sensitive wildlife area or site is not active or (2) the proposed development would not compromise the integrity of the wildlife area or site or occur during the time of the year when wildlife species are sensitive to disturbance.

For sensitive plants, the development is within 1,000 feet of known sensitive plants, but the Oregon or Washington Natural Heritage Program or a person with recognized expertise in botany or plant ecology hired by the applicant has determined that the development would be at least 200 feet from the sensitive plants

The Gorge Commission's sensitive wildlife inventory does not show any sensitive wildlife sites within 1,000 feet of the proposed development.

Thompson’s broad-leafed lupine (Lupinus latifolius var. thompsonianus) is a listed sensitive plant and has been identified within 1,000 feet of the subject property. The proposed development will occur within a fenced area that has been previously disturbed and used and regularly maintained as a telecommunications site. Staff contacted Jasa Holt, Staff Biologist, with the Washington Natural Heritage Program, on October 22, 2019 and verified the development is at least 200 feet from the last known occurrence of any sensitive plant. The proposed addition is consistent with the natural resource protection measures in Commission Rule 350-81-052(1)(d)(B).

CONCLUSION:

The proposed development is consistent with the expedited review guidelines for scenic resources in Commission Rule 350-81-052.
E. RECREATION RESOURCES

1. Commission Rule 350-81-052(1)(c)(A) requires new development approved under the expedited review process to not detract from the use and enjoyment of recreation sites on adjacent parcels.

No established recreation sites exist on adjacent properties; therefore, this rule is not applicable.

CONCLUSION:

The proposed development is consistent with the recreation resource guidelines for expedited review in Commission Rule 350-81-052.

F. TREATY RIGHTS PROTECTIONS

1. Commission Rule 350-81-052(2) requires developments reviewed using the expedited review process to comply with the following treaty rights protection guidelines.

   (a) Proposed developments shall not affect or modify any treaty or other rights of any Indian tribe.

   (b) The expedited development review process shall cease and the proposed developments shall be reviewed using the full development review process if an Indian tribe submits substantive written comments during the comment period that identify the treaty rights that exist in the project vicinity and explain how they would be affected or modified by the proposed development.

No comments identifying treaty rights or concerns were received from Indian tribes during the comment period, and staff is not aware of any treaty rights that would be affected by the proposed development, which is an alteration to an existing development on a previously disturbed site. Given this information, the development does not affect or modify any treaty or other rights of any Indian tribe. Given this information, the proposed addition is consistent with Commission Rule 350-81-052(2).

CONCLUSION:

The proposed development is consistent with the treaty rights protection guidelines for expedited review uses in Commission Rule 350-81-052.
PO02423A_WHITE SALMON_L600_CD_CCI_07-11-2018

SITE NAME: WHITE SALMON
SITE NUMBER: PO02423A
CROWN CASTLE BU #: 829066, APP #: 439434
BURDOIN MOUNTAIN
WHITE SALMON, WA 98672
Examples of Acceptable / Unacceptable Lighting Fixtures

**Unacceptable / Discouraged**
Fixtures that produce glare and light trespass

- Unshielded Floodlights or Poorly-shielded Floodlights
- Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures
- Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens
- Unshielded Streetlight
- Unshielded Bollards
- Unshielded Barn Light
- Unshielded 'Period' Style Fixtures
- Drop-Lens Canopy Fixtures
- Unshielded PAR Floodlights

**Acceptable**
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

- Fully Shielded Fixtures
- Fully Shielded Wallpack & Wall Mount Fixtures
- Fully Shielded Barn Light
- Fully Shielded Walkway Bollards
- Fully Shielded Streetlight
- Fully Shielded Decorative Fixtures
- Fully Shielded 'Period' Style Fixtures
- Fully Shielded Under Canopy Fixtures
- Shielded / Properly-aimed PAR Floodlights

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