Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: August 23, 2022	PREPARED BY: Aaron Gunderson		
Meeting Date Requested: August 30, 2022	PRESENTED BY: Derrick Braaten		
ITEM: (Select One) Consent Agenda	Brought Before the Board Time needed: 10 minutes		
SUBJECT: Closed Record Public Hearing (Quasi-Judicial Item) - A Conditional Use Permit to allow construction of a Wireless Communications Facility (WCF). (File # CUP 2022-05 and SEPA 2022-18)			
FISCAL IMPACT: None			
BACKGROUND: The applicant proposes to build a Wireless Communications Facility (WCF) to include a new 195 ft. lattice tower that will support up to four cell carriers. Features of proposed compound will include security fencing, gravel access road with fire apparatus turn-around and emergency back-up generator in event of power outage. The County Building and Planning Department processed the application, coordinated for agency comments, and reviewed the application in accordance with Chapter 17.82 Franklin County Code.			
The project is on parcel 103-350-027, on which there is no address currently. The proposed project site is located Southeast of Black Rd., West of Wadsworth Rd. and Northwest of SR 260. The zoning is AP-40 and the Comprehensive Plan designation is Agricultural.			
RECOMMENDATION: The Building and Planning Department staff provided the Planning Commission with a written recommendation of approval. Subsequently, at their meeting on August 2, 2022 the Planning Commission held an open-record public hearing and passed a motion (4-0) to forward the BOCC a recommendation of approval, based on six findings of fact and fifteen suggested conditions of approval. There were no appeals. Suggested Motion: Pass Resolution #, granting approval of CUP 2022-05, based on the six findings			
of fact and subject to fifteen conditions of approval. COORDINATION: The Conditional Use Permit application was advertised to the public via adopted public notice procedures, and agencies were contacted for review and comment; a SEPA DNS was issued. The County Planning Commission, after an open record public hearing and consideration on CUP 2022-05 recommended approval of the CUP, with six findings of fact and subject to fifteen conditions of approval.			
ATTACHMENTS: (Documents you are submitting to the Boa			
(1) Draft Resolution (2) BoCC PC Summary (3) St Commission Minutes	aff Report to the Planning Commission (4) Draft Planning		
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf)			
To the Clerk of the Board: 1 Original Resolution			
To Planning: 1 Copy Resolution			

I certify the above information is accurate and complete

Revised: October 2017

FRANKLIN COUNTY RESOLUTION _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, WASHINGTON

Conditional Use Permit (CUP) 2022-05 to allow for installation of Wireless Communications Facility (WCF).

WHEREAS, on August 30, 2022, the Board of Franklin County Commissioners, via a closed record public hearing, considered the positive recommendation of the Franklin County Planning Commission to grant a conditional use permit for the proposed use under file CUP 2022-05; and

WHEREAS, following the public hearing, the Board has found that the County Planning Commission, after an open record public hearing and consideration on <u>CUP 2022-05</u> did recommend approval of the Conditional Use Permit with six findings of fact and nine conditions of approval; and

WHEREAS, there were no appeals filed; and

WHEREAS, it appears to be in the public use and interest to approve the conditional use permit.

NOW, THEREFORE, BE IT RESOLVED that CUP 2022-05 is hereby approved in accordance with the provisions of the Franklin County Development Regulations and as recommended by the Planning Commission.

BE IT FURTHER RESOLVED that the Chair of the Board of Franklin County Commissions be authorized to sign conditional use permit CUP 2022-05 on behalf of Franklin County.

APPROVED THIS 30th DAY OF AUGUST, 2022.

	BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON	
	Chair	
	Chair Pro-Tem	
Attest: Clerk of the Board	Member	

CONDITIONAL USE PERMIT # 2022-05

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The following Conditional Use Permit is granted, in accordance with the provisions of the Development Regulations of Franklin County, and according to the motion passed by the Franklin County Board of Commissions on August 30, 2022.

APPLICANT: Smartlink Group, 11232 120th Ave NE #204, Kirkland, WA 98033

LEGAL DESCRIPTION: W2 LESS 3 AC R/W 35-14-33

NON-LEGAL DESCRIPTION: The project site is on parcel 103-350-027.

SEPA REVIEW: A SEPA Checklist was submitted with the CUP application. Planning Staff [Lead Agency Responsible Official] reviewed the checklist and issued a Determination of Non-Significance (DNS) on May 26, 2022 under WAC 197-11-340(2) which was published on June 30, 2022. Comments on the Threshold Determination were due by July 14, 2022 and one comment letter was received, by the Department of Ecology, identifying agency programs and contact persons. There were no appeals of the DNS.

CONDITIONAL USE DESCRIPTION: A Conditional Use Permit to allow for the installation of new cell tower, which is allowed only with an approved CUP (*In accordance with FCC 17.66.100 (E)(8)(e)*). Proposal is to build a Wireless Communications Facility (WCF) to include a new 195 ft. lattice tower that will support up to four cell carriers. Features will include security fencing, gravel access road with fire apparatus turn-around and emergency back-up generator in event of power outage.

An attached site plan (Exhibit A) shows the proposed location of the following features:

- An approximately 8,100 square foot fenced area, to be located in the southeastern part of the property
- Proposed hammerhead fire apparatus turnaround.
- Location of access road to site.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

Findings of Fact:

- 1. The proposed use in the AP-40 Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Agricultural and is located in the prime dryland agricultural resources area.
 - b. The Franklin County Comprehensive Plan has, as a policy goal for the placement of WCFs is to minimize adverse impacts to adjoining land uses and environmentally sensitive areas.
 - c. There are no critical areas present on the project site.

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- d. The County Zoning map designates the land as Agricultural Production 40 (AP-40).
- e. The use WCF is allowed with a Conditional/Special Use Permit in agricultural zoned areas (FCC 17.66.100 (E)(8)(e)).
- f. The applicant has applied for a Conditional Use Permit to allow for proposed use.
- 2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Access to the parcel is from Black Road.
 - b. The use will not have a significant impact on the County Road System.
- 3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing character of the immediate area primarily consists of rangeland.
 - b. The proposed use will generally be unoccupied, with cell tower staff visiting the site on an intermittent basis for maintenance and repair of the facility, and will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is rural and agricultural.
 - d. The zoning of the site and most of the parcels near the site is AP-40.
- 4. The location and height of the proposed accessory structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. Other than the proposed fence, cell tower and WCF equipment, no new permanent structures are proposed as a part of the project at this time.
 - b. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- 5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. Traffic of employees to the site will be intermittent and typically only to affect repairs or for maintenance purposes.
- 6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
 - a. The project is subject to the County's Right to Farm ordinance.

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- b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
- c. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received NO COMMENTS in favor of the proposal, and NO COMMENTS in objection to the proposal.
- d. The facility shall install interference or aviation warning lights, as required by the Federal Communications Commission or Federal Aviation Administration

Conditions of Approval:

- 1. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department**:
 - a. WCF shall at all times, comply with the standards established in Franklin County Code (FCC) 17.66.100. This includes meeting current standards of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regarding tower lighting, marking and interference. Additionally, the applicant is required to submit the following prior to building permit issuance as required by County code:
 - A statement signed by the applicant and landowner agreeing to negotiate in good faith to facilitate co-location of additional communication providers on tower and site.
 - ii. A signed statement by the applicant/owner that they agree to remove the facility within 90 days after abandonment.
 - b. All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, french drains or other means as approved by the county engineer.
 - c. A fence shall be provided around the cell tower and WCF equipment. The fence shall not be less than 6 ft. in height and access to the tower shall be through a locked gate.
 - d. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
 - e. The current parcel size is approximately 318 net acres, with 8,100 sq. ft. of the property to be used for the project site. If the property is later adjusted through a Boundary Line Adjustment or Short Plat, to where it would affect project site, a new conditional use permit may be required.

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- 2. The project shall comply with the requirements and recommendations of the **Franklin County Public Works Department**:
 - a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - b. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
- 3. Comply with the following conditions for **Access** and **Parking**:
 - a. Parking on gravel, as proposed, is allowed as long as activity at the site is infrequent and any fire risk (especially during drought or near-drought conditions) is mitigated through appropriate means.
 - b. The parking area shall be set back an appropriate distance to allow for ingress/ egress and as to not hinder driver's vision tringles as they leave or access the site.
 - c. Access to the site for emergency vehicles/personnel shall be provided, through the provision of a "knox box" or similar access system as approved by the local fire district.
 - d. Parking along access road is not permitted. Any new approaches onto County roads will require an approach permit from Public Works.
 - e. Any signage used to locate the facility must meet the provisions of the Franklin County Sign Code, specifically, FCC 15.16.080.2.e. No sign shall obstruct any roadways and all signs shall be removed not more than one day after an event.
- 4. Comply with the following conditions regarding **Occupancy** and **Uses**:
 - a. The proposed area to be used for the development of the WCF and ancillary structures (fence, cell tower, and generator) is 8,100 sq. ft. Any proposed expansion of the facility beyond that area approved may require a new CUP be applied for to accommodate the proposed use causing the expansion.
 - b. Occupancies or uses not permitted under this CUP, including the building of office and storage space/structures, is not allowed. If the applicant desires to expand the uses allowed on the site at a future date, a new CUP shall be applied for.
- 5. The applicant shall commence the authorized conditional use within one (1) year after the effective date of this permit, or the permit shall expire.

CONDITIONAL USE PERMIT # 2022-05

RESOLUTION NUMBER _____

- 6. It is the responsibility of the property owner to ensure that proper arrangements for waste removal and the pickup and haul-away of any additional litter and refuse are prepared.
- 7. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.
- 8. RIGHT TO FARM: Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed to be a public or private nuisance as it relates to the activities associated with this land use approval
- 9. Comply with **fire code** requirements as stated Franklin County Code Ch. 8.40.
- 10. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.
- 11. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.
- 12. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
- 13. In accordance with the County's Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
- 14. This permit applies to the described lands and shall run with the land. Any transferring of this permit to another party will require that notice be provided to the Franklin County Planning Department and Board of County Commissioners. It cannot be transferred to another site.

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15.	By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence
	at this location; Permit Holder(s) further agree(s) to indemnify and hold the County
	harmless and agree that the County is in no way negligent in relation to granting this
	permit, or operations or negligence that occur at this location or on surrounding properties
	caused by operations or negligence on this property; Permit Holder(s) further agree(s) to
	accept full responsibility for any future cleanup needed due to activities conducted that this
	location that impact the surrounding properties, and obtaining and retaining appropriate
	insurance coverage.

This Conditional Use Permit is issued this 30th day of August, 2022.

	BOARD OF COUNTY COMMISSIONERS FRANKLIN COUNTY, WASHINGTON
Attest:	

Chair

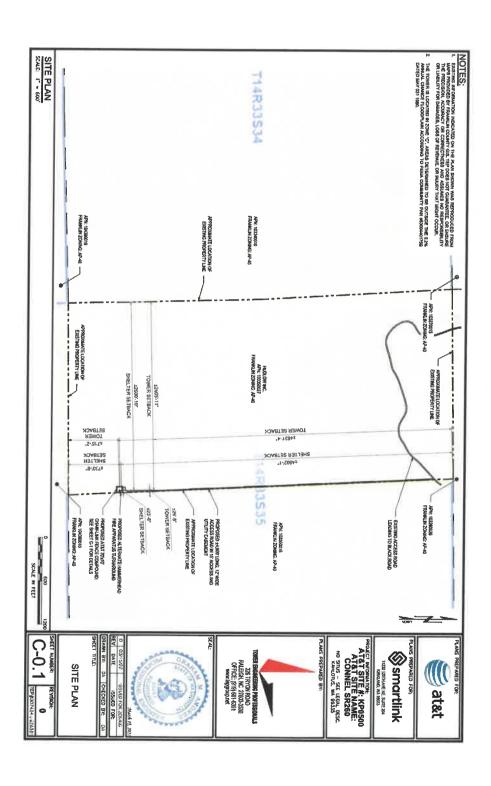
Original to County Commissioners Duplicate to File

Clerk of the Board

Duplicate to Applicant Duplicate to be Filed with Auditor

FRANKLIN COUNTY BOARD OF COMMISSIONERS CONDITIONAL USE PERMIT # 2022-05 RESOLUTION NUMBER _____

EXHIBIT A: PROPOSED SITE PLAN



BoCC PC SUMMARY

CUP 2022-05

 ${\bf Smartlink\ Group-Wireless\ Communication\ Facility}$

FACT SHEET/STAFF SUMMARY Meeting before the Franklin County Planning Commission

THIS IS A QUASI-JUDICIAL ACTION PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2022-05 (Conditional Use Permit) and SEPA 2022-18

PC Meeting Date: August 2, 2022

See the staff report for the application details, description, explanation of public notice, etc.

SUMMARY OF THE PUBLIC HEARING:

The proposal for the accessory roof height deviation under file CUP 2022-05 was presented by Staff at an open record public hearing (regular Planning Commission meeting) on August 2, 2022. Planning Commission provided opportunity for the applicant to speak, but applicant chose not to. There was no public testimony for the proposal.

A scrivener's error was found in the Planning Commission Staff Report, such that the number of conditions provided in the Staff Report stated there were sixteen (16) conditions recommended, due to incorrect numbering. This error was seen in the Suggested Recommendation, Suggested Motion, and Recommendation sections of the Staff Report. The correct number of suggested conditions was fifteen (15) conditions. This issue was corrected in the record, during the Public Hearing for this item. The actual Suggested Conditions section of the Staff Report did show the correct number of conditions, as submitted.

Findings of Fact Criteria Used by Planning Commission: The Planning Commission made and entered findings from the record and conclusions thereof as to whether or not:

- 1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
- 2. The proposal will adversely affect public infrastructure;
- 3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
- 4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
- 5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
- 6. The proposal will endanger the public health or safety if located and

developed where proposed, or in any way will become a nuisance to uses permitted in the district.

At the August 2nd meeting, the Planning Commission discussed the proposal, the comments made, the record as provided, and findings of fact. A motion was made for a recommendation of approval to the Franklin County Board of Commissioners for Application CUP 2022-05, with the findings of fact and conditions of approval (as provided below).

Findings of Fact – Planning Commission: The Planning Commission (with assistance from Planning Staff) made and entered the following findings from the record, and conclusions thereof:

- 1. The proposed use in the AP-40 Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Agricultural and is located in the prime dryland agricultural resources area.
 - b. The Franklin County Comprehensive Plan has, as a policy goal for the placement of WCFs is to minimize adverse impacts to adjoining land uses and environmentally sensitive areas.
 - c. There are no critical areas present on the project site.
 - d. The County Zoning map designates the land as Agricultural Production 40 (AP-40).
 - e. The use WCF is allowed with a Conditional/Special Use Permit in agricultural zoned areas (FCC 17.66.100 (E)(8)(e)).
 - f. The applicant has applied for a Conditional Use Permit to allow for proposed use.
 - 2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Access to the parcel is from Black Road.
 - b. The use will not have a significant impact on the County Road System.
 - 3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing character of the immediate area primary consists of rangeland.
 - b. The proposed use will generally be unoccupied, with cell tower staff visiting the site on an intermittent basis for maintenance and repair of the facility, and will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is rural and agricultural.
 - d. The zoning of the site and most of the parcels near the site is AP-40.

- 4. The location and height of the proposed accessory structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. Other than the proposed fence, cell tower and WCF equipment, no new permanent structures are proposed as a part of the project at this time.
 - b. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- 5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. Traffic of employees to the site will be intermittent and typically only to affect repairs or for maintenance purposes.
- 6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
 - a. The project is subject to the County's Right to Farm ordinance.
 - b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
 - c. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received NO COMMENTS in favor of the proposal, and NO COMMENTS in objection to the proposal.

Suggested Conditions of Approval:

- 1. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department**:
 - a. WCF shall at all times, comply with the standards established in Franklin County Code (FCC) 17.66.100. This includes meeting current standards of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regarding tower lighting, marking and interference. Additionally, the applicant is required to submit the following prior to building permit issuance as required by County code:
 - A statement signed by the applicant and landowner agreeing to negotiate in good faith to facilitate co-location of additional communication providers on tower and site.
 - ii. A signed statement by the applicant/owner that they agree to remove the facility within 90 days after abandonment.
 - b. All storm drainage shall be retained on-site and controlled by way of

- drainage swales, dry wells, french drains or other means as approved by the county engineer.
- c. A fence shall be provided around the cell tower and WCF equipment. The fence shall not be less than 6 ft. in height and access to the tower shall be through a locked gate.
- d. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- e. The current parcel size is approximately 318 net acres, with 8,100 sq. ft. of the property to be used for the project site. If the property is later adjusted through a Boundary Line Adjustment or Short Plat, to where it would affect project site, a new conditional use permit may be required.
- 2. The project shall comply with the requirements and recommendations of the **Franklin County Public Works Department**:
 - a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
- 3. Comply with the following conditions for **Access** and **Parking**:
 - Parking on gravel, as proposed, is allowed as long as activity at the site is infrequent and any fire risk (especially during drought or near-drought conditions) is mitigated through appropriate means.
 - b. The parking area shall be set back an appropriate distance to allow for ingress/ egress and as to not hinder driver's vision tringles as they leave or access the site.
 - c. Access to the site for emergency vehicles/personnel shall be provided, through the provision of a "knox box" or similar access system as approved by the local fire district.
 - d. Parking along access road is not permitted. Any new approaches onto County roads will require an approach permit from Public Works.
 - e. Any signage used to locate the facility must meet the provisions of the Franklin County Sign Code, specifically, FCC 15.16.080.2.e. No sign shall obstruct any roadways and all signs shall be removed not more than one day after an event.
- 4. Comply with the following conditions regarding **Occupancy** and **Uses**:

- a. The proposed area to be used for the development of the WCF and ancillary structures (fence, cell tower, and generator) is 8,100 sq. ft. Any proposed expansion of the facility beyond that area approved may require a new CUP be applied for to accommodate the proposed use causing the expansion.
- b. Occupancies or uses not permitted under this CUP, including the building of office and storage space/structures, is not allowed. If the applicant desires to expand the uses allowed on the site at a future date, a new CUP shall be applied for.
- 5. The applicant shall commence the authorized conditional use within one (1) year after the effective date of this permit, or the permit shall expire.
- 6. It is the responsibility of the property owner to ensure that proper arrangements for waste removal and the pickup and haul-away of any additional litter and refuse are prepared.
- 7. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.
- 8. RIGHT TO FARM: Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed to be a public or private nuisance as it relates to the activities associated with this land use approval
- 9. Comply with **fire code** requirements as stated Franklin County Code Ch. 8.40.
- 10. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.
- 11. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.
- 12. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
- 13. In accordance with the County's Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
- 14. This permit applies to the described lands and shall run with the land. Any transferring of this permit to another party will require that notice be provided to the Franklin County

- Planning Department and Board of County Commissioners. It cannot be transferred to another site.
- 15. By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence at this location; Permit Holder(s) further agree(s) to indemnify and hold the County harmless and agree that the County is in no way negligent in relation to granting this permit, or operations or negligence that occur at this location or on surrounding properties caused by operations or negligence on this property; Permit Holder(s) further agree(s) to accept full responsibility for any future cleanup needed due to activities conducted that this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.

<u>Suggested Motion</u>: "I move that the Board of County Commissioners adopt the recommendation of the Planning Commission and approve CUP 2022-05, based upon the written findings of fact and conditions of approval."

AUGUST 2, 2022 PC MINUTES

&

STAFF PRESENTATION POWERPOINT

CUP 2022-05

Smartlink Group - Wireless Communication Facility

ITEM UNDER REVIEW FROM AUGUST 2ND PC MEETING

ITEM #1 - CUP 2022-05/SEPA 2022-18

Proposal for building a Wireless Communication Facility (WCF) to include a new 195 ft. lattice tower that will support up to four cell carriers. Features of proposed compound will include security fencing, gravel access road with fire apparatus turn-around and emergency back-up generator in event of power outage.

REPRESENTATIVE:

Nancy Sears

OWNER/APPLICANT:

Smartlink Group/AT&T

OPEN PUBLIC HEARING:

Commissioner Corrales opened the public hearing at 7:10 PM.

STAFF REPORT:

Mr. Braaten presented the staff report at 7:10pm. Presentation lasted approximately 14 minutes.

COMMISSIONER QUESTIONS FOR STAFF:

- Commissioner Vincent asked multiple questions.
 - o Mr. Braaten responded to each question.

APPLICANT/REPRESENTATIVE PRESENTATION:

- No presentation from the applicant/representative.
- Representative was available to answer any questions from the Commissioners.
 - No questions were asked to the representative by the Planning Commission.

COMMISSIONER QUESTIONS FOR APPLICANT:

No questions from the Commissioners to the Applicant.

PUBLIC COMMENTS:

No public, call-in, or email comments, for, against, or neutral about this agenda item.

CLOSING PUBLIC HEARING ITEM:

• Commissioner Vincent closed the public hearing portion of this item at 7:32 PM.

STAFF/PLANNING COMMISSION FINAL COMMENTS:

- Mr. Nelson commented about the discrepancy regarding the conditions of approval between the staff report and presentation, changed from 16 to 15 due to numbering issues in the staff report.
- Mr. Braaten had a question for Ms. Sears regarding ground equipment and the square footage of the equipment.
 - Ms. Sears responded to the guestion.

Commissioner Harpster made a motion to forward to the Board of County Commissioners a recommendation of approval for CUP 2022-05/SEPA 2022-18 with the six (6) adopted findings of fact and fifteen (15) conditions of approval.

Commissioner Kniveton seconded the motion.

No further discussion amongst the Commissioners after the motion.

ITEM UNDER REVIEW FROM AUGUST 2ND PC MEETING

ROLL CALL VOTE:

Mike Corrales:

Yes

Melinda Didier:

Absent

Mike Vincent: Layton Lowe:

Yes

Peter Harpster:

Absent Yes

Manny Gutierrez:

Absent

Stacy Kniveton:

Yes

The motion has been approved for CUP 2022-05/SEPA 2022-18 at 7:34pm.

The remainder of the meeting minutes are being EXCLUDED, as the next part of the meeting addressed an item will go to the Board of County Commissioners at a future date, which is subject to the state Appearance of Fairness Doctrine.

AGENDA ITEM #1

CONDITIONAL USE CUP 2022-05 PERMIT

SMARTLINK GROUP



FRANKLIN COUNTY PLANNING COMMISSION Tuesday, August 02, 2022

CUP 2022-05 DESCRIPTION

Address: No known address

□ Parcel Number: 103-350-027

Zoning: Agricultural Production 40 (AP-40)

Comp. Plan: Agricultural

Property size: The current property size of the parcel is approximately 318 acres (net).

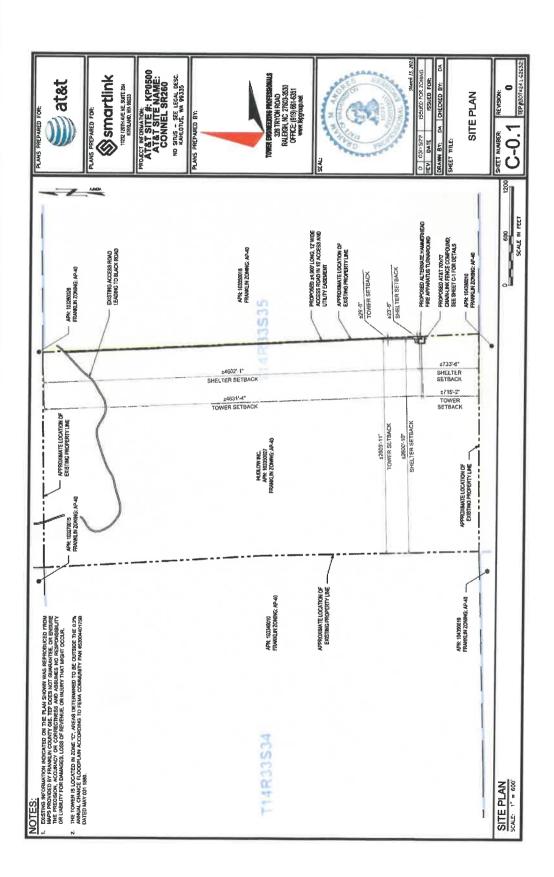
CUP 2022-05 DESCRIPTION

- West of Wadsworth Road, and Northwest of State Route Location: The parcel is located Southeast of Black Road, 260 (SR-260).
- Communications Facility (WCF) to include a new 195 foot lattice tower that will support up to four (4) cell phone Request: Applicant is seeking to build a Wireless carriers.
- Area to be Used: Approximately 8,100 sq. ft. of the site is to be used for the cell tower and support equipment
- Features: 195 foot steel lattice tower, security fencing, and an emergency back-up diesel generator.

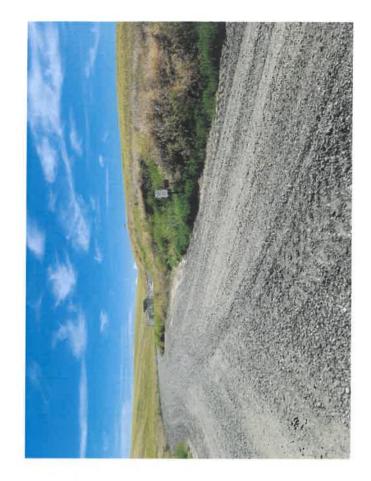
CUP 2022-05

SUBJECT AREA T14R33S34

CUP 2022-05 SITE PLAN



CUP 2022-05 SITE PHOTOS





CUP 2022-05 COVERAGE GAP

The proposed WCF is a coverage site.

As defined by the applicant "Coverage" is the need to expand wireless service into an area that either has no service or bad service.

The main objective of the proposed new WCF:

Provide new 4G LTE coverage and enhanced capacity to State Route 260 and State Route 21 and the Kahlotus area.



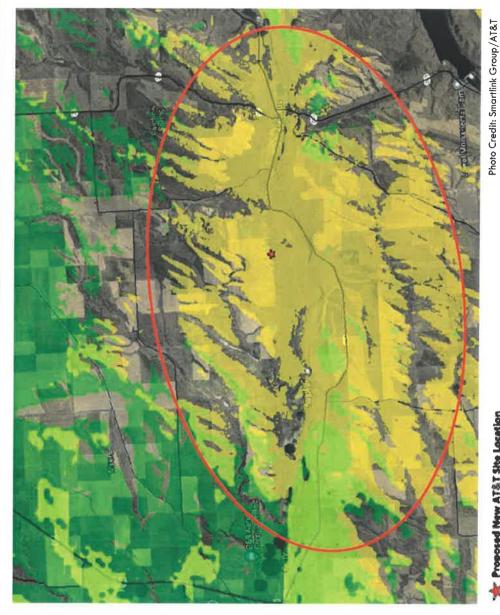
Photo Credit: Smartlink Group/AT&T

CUP 2022-05 COVERAGE ADDED

At the proposed antenna tip height of 195ft, AT&T will be able to cover most of its coverage objective.

The new WCF will provide coverage for the residents of Kahlotus and surrounding areas on State Route 26 and to help improve coverage to the residents of Connell.

Information Provided by: Smartlink Group/AT&T



** Proposed New AT&T Site Location
Current & Anticiperted AT&T Coverage
Proposed New AT&T Coverage

Target Area to Cover

CUP 2022-05 PUBLIC/AGENCY NOTICE

- \Box On, or about, June 30, 2022, staff sent notices to:
- Technical agencies
- ☐ Property owners within 1 mile
- □ The Franklin County Graphic
- Staff also:
- Posted a "Pending Land Use Action" sign on the property
- □ Made a SEPA Determination of Non-Significance (DNS)
- SEPA Registry # 202203275

CUP 2022-05 AGENCY COMMENTS

Franklin County roads will be addressed at the time of Public Works: Approach permit is required to access Franklin County roads. Any utility extension crossing application.

☐ Big Bend Electric Cooperative: Has no comment. This project is located in Franklin P.U.D.'s service area.

Received comment letters from:

- Takama Nation
- □ U.S. Bureau of Reclamation

RECOMMENDED FINDINGS OF FACT CUP 2022-05

The proposed use in the AP-40 Zoning District IS in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.

The proposal WILL NOT adversely affect public infrastructure.

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RECOMMENDED FINDINGS OF FACT CUP 2022-05

and operated to be in harmony with the existing The proposal WILL BE constructed, maintained, or intended character of the general vicinity. <u>ന</u>

design WILL NOT discourage the development of permitted uses on property in the general vicinity The location and height of the structure and site or impair the value thereof.

RECOMMENDED FINDINGS OF FACT CUP 2022-05

The operation in connection with the proposal WILL NOT be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.

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health, safety, or general welfare if located where The proposal WILL NOT endanger the public proposed.

CUP 2022-05 CONDITIONS OF APPROVAL

In addition to "standard" CUP language:

- Comply with the requirements and recommendations of the Franklin County Planning and Building Department:
- Franklin County Code 17.66.100. Including meeting current standards Communications Commission regarding tower lighting, marking, and interference. Additionally, the applicant is required to submit the WCF shall at all times, comply with the standards established in of the Federal Aviation Administration, and the Federal following prior to building permit issuance:
- faith to facilitate co-location of additional communication providers on the tower and A statement signed by the applicant and landowner agreeing to negotiate in good
- A signed statement by the applicant/owner that they agree to remove the facility within 90 days after abandonment.

CUP 2022-05 CONDITIONS OF APPROVAL

- All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, French drains, or other means as approved by the County Engineer.
- A fence shall be provided around the cell tower and WCF equipment. The fence shall not be less than six (6) feet in height and access to the tower shall be through a locked gate. က
- Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.

4

CUP 2022-05 CONDITIONS OF APPROVAL

5.

- Boundary Line Adjustment or Short Plat, to where it would affect project site, a new Conditional Use Permit may be The current parcel size is approximately 318 net acres, project site. If the property is later adjusted through a with 8,100 sq. ft. of the property to be used for the required.
- Comply with the requirements and recommendations of the Franklin County Public Works Department. d
- Comply with conditions for Access and Parking. . സ
- Comply with conditions for Occupancy and Uses. 4

CUP 2022-05 suggested motion

findings of fact and fifteen (15) conditions of approval, detailed in the staff report, and Commission recommend that the Board of "I move that the Franklin County Planning County Commissioners adopt the six (6) approve case-file CUP 2022-05."

Agenda Item #1

STAFF REPORT

CUP 2022-05

Smartlink Group – Wireless Communication Facility

FACT SHEET/STAFF REVIEW

Hearing before the Franklin County Planning Commission

NOTE TO PLANNING COMMISSIONERS: THIS IS A QUASI-JUDICIAL PUBLIC HEARING PLEASE AVOID, AND DISCLOSE, ANY EX-PARTE COMMUNICATIONS (CH 42.36 RCW)

Case file: CUP 2022-05 (Conditional Use Permit) and SEPA 2022-18

Hearing Date: August 2, 2022

Applicant: Nancy Sears, for Smartlink Group, 11232 120th Ave. NE #204, Kirkland, WA

98033

Owner: Hudlow Inc., PO Box 10, Connell, WA 99326

Location: The property is not addressed at this time. The parcel is located Southeast of

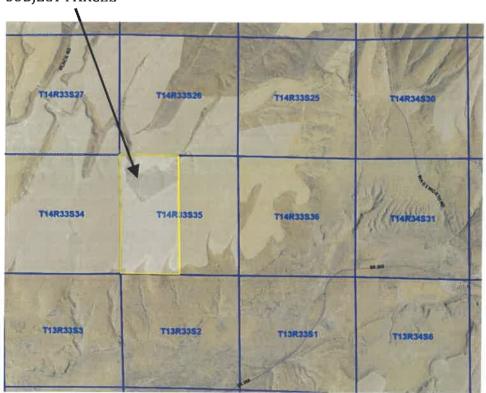
Black Rd., West of Wadsworth Rd. and Northwest of SR 260 (Parcel Number

103-350-027).

Legal description: W2 LESS 3 AC R/W 35-14-33

VICINITY MAP:

SUBJECT PARCEL



Property size: The current property (parcel) size is approximately 318 acres, net.

Property to be used: Approximately 8.100 sq. ft. of the site is to be used for the cell tower and

support equipment.

Comp. Plan: Agricultural

Zoning: Agricultural Production 40 (AP-40)

Suggested

Recommendation: Positive recommendation with six (6) suggested findings of fact and sixteen

(16) suggested conditions of approval

Suggested Motion: I move to forward CUP 2022-05 to the board of commissioners with a positive

recommendation based on the six (6) findings of fact and sixteen (16)

suggested conditions of approval.

APPLICATION DESCRIPTION:

Said application is to allow for the installation of new cell tower, which is allowed only with an approved CUP (In accordance with FCC 17.66.100 (E)(8)(e)). Proposal is to build a Wireless Communications Facility (WCF) to include a new 195 ft. lattice tower that will support up to four cell carriers. Features of proposed compound will include security fencing, gravel access road with fire apparatus turn-around and emergency back-up generator in event of power outage. The property is zoned Agricultural Production 40 (AP-40) and carries an "Agricultural" Comprehensive Plan Land Use designation.

The following information about the project was provided by the applicant:

- Approximately 8,100 sq. ft. of the property is proposed to be used for WCF and support equipment.
- The area covering where the WCF is to be built will be fenced and graveled.
- WCF will be accessed by a 12 ft. wide gravel road within a 15 ft. access and utility easement.
- The WCF will supply wireless service to surrounding areas.
- The site will be covered in gravel, with minimal payement.
- WCF will be providing low band 4G LTE and low band 5G coverage and capacity to surrounding area, including SR 260 & SR 21 and the town of Kahlotus.

The applicant provided a **site plan**, which shows the location of the following features:

- An approximately 8,100 square foot fenced area, to be located in the southeastern part of the property;
- Proposed fenced area.
- Proposed hammerhead fire apparatus turnaround.

PUBLIC NOTICE:

- The Planning Staff noticed public agencies on **June 30, 2022.**
- The Planning staff mailed notices to Property Owners within one mile on June 30, 2022.
- Public Notice was published in the Franklin County Graphic on <u>June 30, 2022</u> requesting comment on the proposal.
- A sign was posted on the property on <u>Iune 30, 2022</u>.

SEPA:

- A SEPA Checklist was included in the application. Planning Staff [Lead Agency Responsible Official] reviewed the checklist and issued a Determination of Non-Significance (DNS) on <u>June 30, 2022</u> under WAC 197-11-340(2) which was published on <u>June 30, 2022</u>.
- The Washington State Department of Ecology filed the notice under SEPA # 202203275 in the statewide SEPA register.
- Comments on the DNS Threshold Determination were due by <u>July 14, 2022</u>. No SEPA specific comments or appeals have been received.

APPLICABLE STANDARDS/CODES:

- 1. County Zoning-- County Code:
 - a. Chapter 17.12 AP-40 Agricultural Production Zone
 - b. Chapter 17.82 Special Permits
 - c. Chapter 18.04 State Environmental Policy Act Guidelines (SEPA)
- 2. Franklin County Comprehensive Plan

PUBLIC COMMENT:

No public comments were received.

AGENCY COMMENTS/CRITERIA FOR FINDINGS OF FACT:

- 1. **Public Works Department**: Public Works has concluded that the proposed use will not have a significant impact on the County Road System and provides the following general comments:
 - 1. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - 2. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).

- 2. Franklin PUD: No comments received.
- 3. Big Bend Electrical Cooperative (BBEC):
 - a. BBEC has no comment. This project is located in FUD's service area.
- 4. **Benton-Franklin Health District**: No comments received.
- 5. Department of Archeology & Historic Preservation (DAHP): No comments received.
- 6. **Colville Confederated Tribes**: *No comments received.*
- 7. **Nez Pierce Tribe**: *No comments received*.
- 8. **WSDOT Aviation**: *No comments received.*
- 9. Federal Communications Commission (FCC): No comments received.
- 10. City of Connell: No comments received.
- 11. City of Kahlotus: No comments received.
- 12. **US Navy:** No comments received.
- 13. Franklin County Assessor's Office: No comments received.
- 14. Confederated Tribes of the Umatilla Indian Reservation: No comments received.
- 15. Yakama Nation:
 - a. Comments received July 5, 2022. Please see agency comment section for more information.
- 16. **Fire District #1:** *No comments received.*
- 17. South Columbia Basin Irrigation District (SCBID): No comments received.
- 18. US Bureau of Reclamation:
 - a. Comments received July 21, 2022. Please see agency comment section for more information.
- 19. **Planning and Building Department**: The Planning Department has determined the following suggested findings and provided comments for this application:
 - a. The proposed WCF is being built to increase the level of cellular service in the area.
 - b. The property is located in the AP-40 (Agricultural Production 40) zone. A conditional use permit is required for a WCF in this zone.

- i. A conditional use permit has been applied for.
- c. The Comprehensive Plan designation for the property is Agricultural. Additionally the property is located in the prime dryland agricultural land resource area.
- d. The Comprehensive Plan contains the following goal regarding WCF infrastructure development in Franklin County: "Goal 1. The placement of Wireless Communication Facilities (WCFs) will be regulated to minimize adverse impacts to adjoining land uses and environmentally sensitive areas."
 - i. Conditional use permit has been applied for.
 - ii. WCF allows the ability of up to four cell providers to co-locate on the proposed cell tower.
 - iii. Cell tower is located approximately 3 to 8 miles from the nearest municipal boundary (Connell/Kahlotus).
 - iv. Provides increased cellular coverage within a coverage deficient area.
- e. There are no mapped critical areas on or near the project site.
 - i. There are however, slopes of less than 15 percent located approximately 400 ft. from WCF site.
- f. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.
- g. WCF shall at all times, comply with the standards established in Franklin County Code (FCC) 17.66.100. This includes meeting current standards of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regarding tower lighting, marking and interference. Additionally, the applicant is required to submit the following prior to building permit issuance as required by County code:
 - A statement signed by the applicant and landowner agreeing to negotiate in good faith to facilitate co-location of additional communication providers on tower and site.
 - ii. A signed statement by the applicant/owner that they agree to remove the facility within 90 days after abandonment.
- h. The fenced area and access shall, at a minimum, be graveled, and a new access permit for the property is required.
- i. Separate building permits are required for any proposed or future structures and buildings, including storage buildings exceeding 200 sq. ft.:
 - i. A Building application is required with the submittal for building permits.

- ii. A detailed plot plan with distances to all lot lines, easements and adjacent structures as applicable.
- iii. An access permit is required from Franklin County Public Works office.
- iv. Scaled detailed plans of structures. (WA State Engineering may be required dependent on type, occupancy, and/or method of construction).

According to the Franklin County Code, Chapter 17.82 Special Permits, the Planning Commission shall:

- 1. Make and enter findings of fact from the record and conclusions thereof;
- 2. Shall render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

<u>Findings of Fact Criteria by Planning Commission</u>: The Planning Commission shall make and enter findings from the record and conclusions thereof as to whether or not:

- 1. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
- 2. The proposal will adversely affect public infrastructure;
- 3. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
- 4. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof:
- 5. The operation in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
- 6. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

<u>Planning and Building Department Staff Assistance</u>: Planning Staff will assist the Planning Commission with the determination of findings and conditions for CUP 2022-05.

Recommendation: The Franklin County Planning Department recommends that the Planning Commission forward a **POSITIVE** recommendation to the Franklin County Board of Commissioners for Application CUP 2022-05, with the following **six (6)** suggested findings of fact and **sixteen (16)** suggested conditions of approval:

Suggested Findings of Fact:

- 1. The proposed use in the AP-40 Zoning District **IS** in accordance with goals and policies of the County Development Regulations (Zoning) and the applicable Comprehensive Plan.
 - a. The Franklin County Comprehensive Plan classifies the land as Agricultural and is located in the prime dryland agricultural resources area.
 - b. The Franklin County Comprehensive Plan has, as a policy goal for the placement of WCFs is to minimize adverse impacts to adjoining land uses and environmentally sensitive areas.
 - c. There are no critical areas present on the project site.
 - d. The County Zoning map designates the land as Agricultural Production 40 (AP-40).
 - e. The use WCF is allowed with a Conditional/Special Use Permit in agricultural zoned areas (FCC 17.66.100 (E)(8)(e)).
 - f. The applicant has applied for a Conditional Use Permit to allow for proposed use.
- 2. The proposal **WILL NOT** adversely affect public infrastructure.
 - a. Access to the parcel is from Black Road.
 - b. The use will not have a significant impact on the County Road System.
- 3. The proposal **WILL BE** constructed, maintained, and operated to be in harmony with the existing or intended character of the general vicinity.
 - a. The existing character of the immediate area primary consists of rangeland.
 - b. The proposed use will generally be unoccupied, with cell tower staff visiting the site on an intermittent basis for maintenance and repair of the facility, and will not impair the ability for rural, residential, and agricultural activities to continue, nor will it have a negative impact on the intended character of the general vicinity.
 - c. The existing and intended character of the immediate area is rural and agricultural.
 - d. The zoning of the site and most of the parcels near the site is AP-40.
- 4. The location and height of the proposed accessory structures and site design **WILL NOT** discourage the development of permitted uses on property in the general vicinity or impair the value thereof.
 - a. Other than the proposed fence, cell tower and WCF equipment, no new permanent structures are proposed as a part of the project at this time.
 - b. Any exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.

- 5. The operation in connection with the proposal **WILL NOT** be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district.
 - a. Traffic of employees to the site will be intermittent and typically only to affect repairs or for maintenance purposes.
- 6. The proposal **WILL NOT** endanger the public health, safety, or general welfare if located where proposed.
 - a. The project is subject to the County's Right to Farm ordinance.
 - b. The project is required to comply with Health Department and Public Works standards regarding health and access/safety standards for the proposed use.
 - c. The public was notified of this proposal in accordance with all guidelines and requirements, and the Planning Department received NO COMMENTS in favor of the proposal, and NO COMMENTS in objection to the proposal.

Suggested Conditions of Approval:

- 1. The project shall comply with the requirements and recommendations of the **Franklin County Planning and Building Department**:
 - a. WCF shall at all times, comply with the standards established in Franklin County Code (FCC) 17.66.100. This includes meeting current standards of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regarding tower lighting, marking and interference. Additionally, the applicant is required to submit the following prior to building permit issuance as required by County code:
 - A statement signed by the applicant and landowner agreeing to negotiate in good faith to facilitate co-location of additional communication providers on tower and site.
 - ii. A signed statement by the applicant/owner that they agree to remove the facility within 90 days after abandonment.
 - All storm drainage shall be retained on-site and controlled by way of drainage swales, dry wells, french drains or other means as approved by the county engineer.
 - c. A fence shall be provided around the cell tower and WCF equipment. The fence shall not be less than 6 ft. in height and access to the tower shall be through a locked gate.
 - d. Exterior lighting shall be directed on-site so as not to interfere with the comfort and repose of adjoining property owners.

- c. The current parcel size is approximately 318 net acres, with 8,100 sq. ft. of the property to be used for the project site. If the property is later adjusted through a Boundary Line Adjustment or Short Plat, to where it would affect project site, a new conditional use permit may be required.
- 2. The project shall comply with the requirements and recommendations of the **Franklin County Public Works Department**:
 - a. An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
 - b. Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).
- 4. Comply with the following conditions for **Access** and **Parking**:
 - a. Parking on gravel, as proposed, is allowed as long as activity at the site is infrequent and any fire risk (especially during drought or near-drought conditions) is mitigated through appropriate means.
 - b. The parking area shall be set back an appropriate distance to allow for ingress/ egress and as to not hinder driver's vision tringles as they leave or access the site.
 - c. Access to the site for emergency vehicles/personnel shall be provided, through the provision of a "knox box" or similar access system as approved by the local fire district.
 - d. Parking along access road is not permitted. Any new approaches onto County roads will require an approach permit from Public Works.
 - e. Any signage used to locate the facility must meet the provisions of the Franklin County Sign Code, specifically, FCC 15.16.080.2.e. No sign shall obstruct any roadways and all signs shall be removed not more than one day after an event.
- 5. Comply with the following conditions regarding **Occupancy** and **Uses**:
 - a. The proposed area to be used for the development of the WCF and ancillary structures (fence, cell tower, and generator) is 8,100 sq. ft. Any proposed expansion of the facility beyond that area approved may require a new CUP be applied for to accommodate the proposed use causing the expansion.
 - b. Occupancies or uses not permitted under this CUP, including the building of office and storage space/structures, is not allowed. If the applicant desires to expand the uses allowed on the site at a future date, a new CUP shall be applied for.

- 6. The applicant shall commence the authorized conditional use within one (1) year after the effective date of this permit, or the permit shall expire.
- 7. It is the responsibility of the property owner to ensure that proper arrangements for waste removal and the pickup and haul-away of any additional litter and refuse are prepared.
- 8. Should valid complaints (noise, traffic, parking, etc.) be received regarding activities taking place at the site, the conditional use permit approval may be reviewed by the County and potentially revoked.
- 9. RIGHT TO FARM: Applicant shall be aware that this facility is located in an area where farming and farm operations exist. Further, to assist in preserving the right of farmers to operate utilizing accepted and appropriate practices, the County has adopted a Franklin County Right to Farm Ordinance, as amended. At no time shall a farm operation, or accessory farm related enterprise such as crop dusting operation or airstrip use, be deemed to be a public or private nuisance as it relates to the activities associated with this land use approval
- 10. Comply with **fire code** requirements as stated Franklin County Code Ch. 8.40.
- 11. The site shall be maintained at all times so as to not let the land become a fire hazard or accumulate with debris and weeds and/or garbage.
- 12. Future expansions and improvements at the site shall comply with the submitted and approved site plans (and any building plans submitted and approved). To allow future flexibility, changes to the plans which are determined to be minor or incidental may be done administratively by the Planning Department. Major changes, which do not meet the intent of, or seriously re-align, the approved plans, shall be reviewed by the Planning Commission through a new Conditional Use Permit process prior to that change occurring.
- 13. Nothing in this CUP approval shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project.
- 14. In accordance with the County's Zoning Code, any special permit may be reviewed for potential termination and revocation by the Board of Commissioners if, after a public hearing, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.
- 15. This permit applies to the described lands and shall run with the land. Any transferring of this permit to another party will require that notice be provided to the Franklin County Planning Department and Board of County Commissioners. It cannot be transferred to another site.

16. By accepting the issuance of this permit, the Permit Holder(s) agree(s) to accept full responsibility for any and all operations conducted or negligence occurring at this location and any incidents that occur on surrounding properties caused by operations or negligence at this location; Permit Holder(s) further agree(s) to indemnify and hold the County harmless and agree that the County is in no way negligent in relation to granting this permit, or operations or negligence that occur at this location or on surrounding properties caused by operations or negligence on this property; Permit Holder(s) further agree(s) to accept full responsibility for any future cleanup needed due to activities conducted that this location that impact the surrounding properties, and obtaining and retaining appropriate insurance coverage.

Agenda Item #1

PUBLIC NOTICE AGENCY/PUBLIC COMMENT

CUP 2022-05

Smartlink Group – Wireless Communication Facility

NOTICE OF OPEN RECORD PUBLIC HEARING/SEPA DETERMINATION

NOTICE IS HEREBY GIVEN that there has been proposed to the Franklin County Planning Commission an application by **Nancy Sears**, 11232 120th Ave. NE #204, Kirkland, WA, 98033, is seeking approval to construct a new cell tower, file # **CUP 2022-05** and **SEPA 2022-18**.

Application is for the approval of a Conditional Use Permit (CUP), allowing for the installation of new cell tower, which is allowed only with an approved CUP (In accordance with Franklin County Code (FCC) 17.66.100 (E)(8)(e)). Applicant proposes to build a Wireless Communications Facility (WCF) to include a new 195 ft. lattice tower that will support up to four cell carriers. Features of proposed compound will include security fencing, gravel access road with fire apparatus turn-around and emergency back-up generator in event of power outage.

The subject parcel is described as follows:

LOCATION:

The property is located Southeast of Black Rd., West of Wadsworth Rd. and Northwest of SR 260. (Parcel #103-350-027)

NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. A public hearing will be held on <u>August 2, 2022</u> at 7:00 <u>PM</u>. in the <u>Franklin County Courthouse</u>, <u>Courthouse</u>, <u>Commissioners Meeting Room</u>, 1016 N. 4th <u>Avenue</u>, <u>Pasco</u>, <u>WA 99301</u> and all concerned may present comments regarding the application. Written comments are accepted prior to public hearing and those comments shall be submitted by either email at <u>planninginquiry@franklincountywa.gov</u>, or by regular mail to Franklin County Planning Department, 502 W. Boeing Street, Pasco, WA 99301. Written Comments shall be submitted by <u>4:00 PM</u>, <u>July 14, 2022</u>. Further information on how to participate in the meeting is provided below.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Determination of Non-Significance (DNS)** has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on <u>June 30, 2022</u> and comment period for determination and environmental impacts of proposal will close on <u>July 14, 2022</u>.

HOW TO WATCH/PARTICIPATE ONLINE: You can watch the proceeding on YouTube Live, by going to the Franklin County, WA agenda page at https://www.co.franklin.wa.us/planning/agenda.html. To participate online, more information will be posted to the agenda page, by the Friday proceeding the meeting.

Information concerning the proposal can be obtained by email at <u>planninginquiry@franklincountywa.gov</u> or by calling 509-545-3521.

DATED AT PASCO, WASHINGTON ON THIS 30th DAY OF JUNE 2022.

PUBLISH:

Franklin County Graphic: June 30, 2022

FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

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NOTICE IS FURTHER GIVEN that said application will be considered by the Franklin County Planning Commission. A public hearing will be held on <u>August 2, 2022</u> at <u>7:00 PM</u>. in the <u>Franklin County Courthouse</u>, <u>Courthouse</u>, <u>Commissioners Meeting Room</u>, <u>1016 N. 4th Avenue</u>, <u>Pasco</u>, <u>WA 99301</u> and all concerned may present comments regarding the application. Written comments are accepted prior to public hearing and those comments shall be submitted by either email at <u>planninginquiry@franklincountywa.gov</u>, or by regular mail to Franklin County Planning Department, 502 W. Boeing Street, Pasco, WA 99301. Written Comments shall be submitted by <u>4:00 PM</u>, <u>July 14, 2022</u>. Further information on how to participate in the meeting is provided below.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a **Determination of Non-Significance (DNS)** has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on <u>June 30, 2022</u> and comment period for determination and environmental impacts of proposal will close on <u>July 14, 2022</u>.

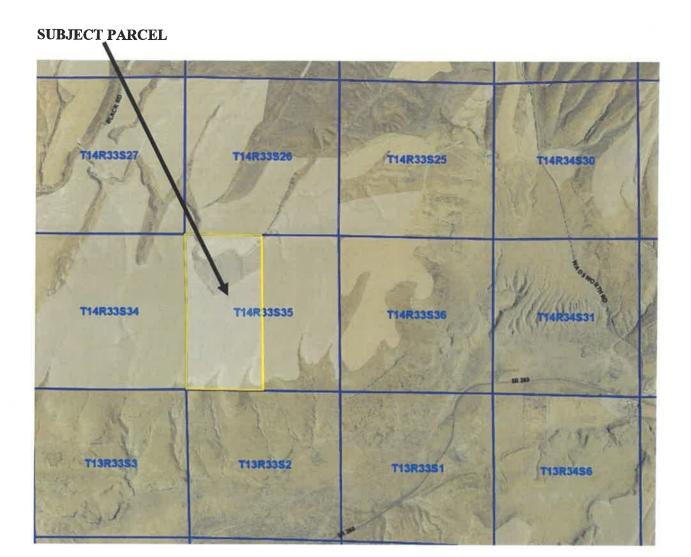
HOW TO WATCH/PARTICIPATE ONLINE: You can watch the proceeding on YouTube Live, by going to the Franklin County, WA agenda page at https://www.co.franklin.wa.us/planning/agenda.html. To participate online, more information will be posted to the agenda page, by the Friday proceeding the meeting.

Information concerning the proposal can be obtained by email at <u>planninginquiry@franklincountywa.gov</u> or by calling 509-545-3521.

DATED AT PASCO, WASHINGTON ON THIS 30th DAY OF JUNE 2022.

PUBLISH:

Franklin County Graphic: June 30, 2022





FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

DATE:	June 30, 2022	
RE:	CUP 2022-05	
то:	County Engineer Benton-Franklin Health Dist. Fire Code Official Assessor/GIS County E-911 Franklin County Conservation District DAHP Conf. Tribes of the Umatilla Res. Yakama Nation US Navy	Irr. Dist.(FCIDSCBID_X_) Fire Dist. # _1 Elec.Utility (PUD_BBEC_X_) County Building Official US Bureau of Reclamation City of Connell WDFW WSDOT Aviation FCC
FROM:	Derrick Braaten, Planning & Building Dire	ector
cc:	Ryan Nelson, Rebeca Gilley, Aaron Gundo	erson
Agency Re	presentative:	
	s a copy of a proposed Conditional Use Perm on of a 195 ft. cell tower.	it application. This CUP is for the
	appreciate your review and comments with a possible. If it will take longer to review the same as 2521.	
Sincerely,		
Derrick Bra Planning 8	aaten a Building Director	
	ed for additional information	
See attach		
See attach		

Signed:	Date:	August 30, 2022 BoCC Meeting
Title:		Page 44 of 20



United States Department of the Interior BUREAU OF RECLAMATION

Ephrata Field Office 32 C Street NW Ephrata, WA 98823-0815 Jul 21, 2022



CPN-6612 2.2.3.18

VIA ELECTRONIC MAIL ONLY

Derrick Braaten, Planning and Building Director Franklin County Planning and Building Department 502 West Boeing Street Pasco, WA 99301

Subject: Proposed Sears/Smartlink Cell Tower CUP 2022-05 and SEPA 2022-18

Dear Mr. Braaten:

We appreciate the opportunity to review and comment on the subject proposal. This letter is in response to your request for comments, due July 14, 2022.

Generally, all survey data on the Bureau of Reclamation Farm Unit Maps pertaining to Reclamation facilities, associated rights-of-way, and Farm Unit boundaries within the area being subdivided must be included on the plat. The plat recorded with the county is considered the official Reclamation record.

Construction storm water or runoff of any type from a construction site should not enter any of Reclamation's facilities at any time and must be contained on site. Surface water runoff resulting from construction activities can potentially enter Columbia Basin Project (CBP) facilities and adversely affect water quality. A General Construction Storm Water Permit from the Washington State Department of Ecology will be needed for any construction project one acre or greater. Construction should be conducted in a manner that minimizes adverse effects to the lands, operations, waters, facilities, and resources of the CBP. Upon completion of construction activities, no connections to CBP facilities will be allowed that would collect or discharge storm water or any other non-agricultural discharges.

Landowners should be aware of existing Reclamation and the South Columbia Basin Irrigation District (SCBID) rights to construct, reconstruct, operate, and maintain CBP facilities as necessary. Reclamation and the SCBID must review and approve any work that will involve these facilities or the existing rights-of-way prior to commencing such work. Structures are prohibited from encroaching upon existing rights-of-way corridors without Reclamation's and the SCBID's prior approval. This includes, but is not limited to, temporary improvements such as on-site sewage disposal systems, drain fields, domestic wells, paving, fencing, and landscaping. It is important to note that Reclamation's concurrence to this proposal is conditioned upon the assurance that there are no encroachments upon CBP facilities or rights-of-way.

Should the proponent develop the property with the intent of installing a well for public or private use, please be advised that such a well providing groundwater to the public will typically have a wellhead protection zone delineated on the development plans. Wellhead protection zones cannot overlap Reclamation rights-of-way or interfere with CBP operations, since they would constrain the SCBID's ability to apply aquatic and terrestrial herbicides needed to maintain CBP facilities. The SCBID must be able to operate and maintain CBP facilities in order to accomplish CBP objectives.

Although this proposal is within the CBP and the SCBID, it does not involve any CBP facilities. Therefore, we have no comment regarding this proposal's impact on CBP facilities or associated rights-of-way.

Thank you for your assistance and cooperation. If you have any questions, please contact Michele Porter, GIS Specialist, at mporter@usbr.gov or Clyde Lay, Deputy Field Office Manager, at clay@usbr.gov or (509) 754-0216. For the hearing impaired, please call the Federal Relay System at (800) 877-8339.

Sincerely,

CLYDE LAY Digitally signed by CLYDE LAY Date: 2022.07.21 11:45:21 -07'00'

Clyde Lay Deputy Field Office Manager

cc: South Columbia Basin Irrigation District P.O. Box 1006 Pasco, WA 99301

Tower Engineering Professionals 326 Tryon Road Raleigh, NC 27603-3530

Nancy Sears Smartlink Group 11232 120th Avenue Northeast #204 Kirkland, WA 98033

Wayde Hudlow Hudlow, Inc. P.O. Box 10 Connell, WA 99326

Aaron Gunderson

From: Zach Underhill <zunderhill@bbec.org>
Sent: Wednesday, July 6, 2022 6:08 AM

To: Aaron Gunderson

Subject: [EXTERNAL] RE: Request for Review and Comment & Notice of DNS (CUP 2022-05)

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aaron,

BBEC has no comment. This project is located in FPUD's service area.

Zach Underhill Field Engineer Big Bend Electric Cooperative, Inc. PO Box 348, Ritzville, WA 99169

Phone: 509-659-1700 Toll Free: 866-844-2363 Fax: 509-265-4226

From: Aaron Gunderson <agunderson@franklincountywa.gov>

Sent: Thursday, June 30, 2022 9:54 AM

To: dkurtz@usbr.org; Bates, Gregory D <gbates@usbr.gov; bor-efo-mailroom@usbr.gov; mporter@usbr.gov; Hoff, Gina M <GHoff@usbr.gov; ocallaghan@scbid.org; Eric Dixon <edixon@scbid.org>; bscott@scbid.org; tpoe@scbid.org; Zach Underhill <zunderhill@bbec.org>; Mitch Myers <mmyers@bbec.org>; Mark Hay <mhay@bbec.org>; Sterling Joyner <SJoyner@connellwa.org>; ericmauseth@gmail.com; Craig Erdman <cerdman@franklincountywa.gov>; John Christensen <jchristensen@franklincountywa.gov>; Michael Morgan <mmorgan@franklincountywa.gov>; Robin Moug <rmoug@franklincountywa.gov>; Deana Chiodo <deanac@bfhd.wa.gov>; Rick Dawson <Rickd@bfhd.wa.gov>; planning@ctuir.org; robert.sloma@colvilletribes.com; guy.moura@colvilletribes.com; Corrine Camuso <Corrine_Camuso@Yakama.com>; Casey Barney <Casey_Barney@Yakama.com>; tearfarrowferman@ctuir.org; ahleymorton@ctuir.org; carymiller@ctuir.org; bambirodriguez@ctuir.org; jenniferkarson@ctuir.org; jerry_meninick@yakama.com; barh@yakamafish-nsn.gov; 2moon@nezperce.org; keithb@nezperce.org; sepa@dahp.wa.gov; SCPlanning@WSDOT.WA.GOV; kaiserM@wsdot.wa.gov; sydney.hanson@dahp.wa.gov; cityofkahlotus@hotmail.com; WrightP@wsdot.wa.gov; roger.noel@fcc.gov; keith.harper@fcc.gov; thomas.derenge@fcc.gov; Kimberly.peacher@navy.mil

Cc: Derrick Braaten < dbraaten@franklincountywa.gov>; Rebeca Gilley < rgilley@franklincountywa.gov>; Ryan Nelson < ryann@franklincountywa.gov>

Subject: Request for Review and Comment & Notice of DNS (CUP 2022-05)

NOTICE OF APPLICATION / REQUEST FOR REVIEW AND COMMENTS

Below is a link to the SEPA Record page on a Conditional Use Permit (CUP 2022-05).

SEPA record number 202203275, "Installation of New 195 ft. Cell Tower"

NOTICE OF SEPA DNS



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

July 13, 2022

Aaron Gunderson Planner I Franklin County Planning and Building Department 502 Boeing Street Pasco, WA 99301

Re: Installation of New 195 ft. Cell Tower

File: SEPA 2022-18, CUP 2022-05

Dear Aaron Gunderson:

Thank you for the opportunity to comment on the Determination of Nonsignificance regarding the installation of a new 195 ft. Cell Tower Pipeline project (Proponent: Smartlink Group). After reviewing the documents, the Department of Ecology (Ecology) submits the following comments:

Air Quality Program-David Finley (509) 329-3581

The generator's rating was identified as 30 KW. As long as the generator's rating remains below 500 horsepower, a Notice of Construction (NOC) air permit application will not be necessary for this project.

For more information or technical assistance, please contact David Finley at (509) 329-3581 or via email at David.Finley@ecy.wa.gov.

Hazardous Waste and Toxics Reduction Program-Huckleberry Palmer (509) 952-5442

Please keep in mind that during the construction activities associated with the Installation of a New 195 ft. Cell Tower project, some construction-related wastes produced may qualify as dangerous wastes in Washington State. Some of these wastes include:

- Absorbent material
- Aerosol cans
- Asbestos-containing materials
- Lead-containing materials
- PCB-containing light ballasts
- Waste paint
- Waste paint thinner
- Sanding dust
- Treated wood

The Construction and demolition website has a more comprehensive list and a link to help identifying and designating your wastes. You will find this information online at: https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Dangerous-waste-guidance/Common-dangerous-waste/Construction-and-demolition.

The applicant, as the facility generating the waste, bears the responsibility for all construction waste. The waste generator is the person who owns the site. Even if you hire a contractor to conduct the demolition or a waste service provider to designate your waste, the site owner is ultimately liable. This is why it is important to research reputable and reliable contractors.

In order to adequately identify some of your construction and remodel debris, you may need to sample and test the wastes generated to determine whether they are dangerous waste. Find the information about how to sample and what to test for at the above linked website.

For more information and technical assistance, contact Huckleberry Palmer at (509) 952-5442 or via email at Huckleberry.Palmer@ecy.wa.gov.

State Environmental Policy Act (SEPA)-Cindy Anderson (509) 655-1541

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

For information on the SEPA Process, please contact Cindy Anderson at (509) 655-1541 or via email at Cindy.Anderson@ecy.wa.gov.

To receive more guidance on or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology Eastern Regional Office (Ecology File: 202203275)

E-cc: Nancy Sears, Smartlink Group

Memo



To: Derrick Braaten, Planning & Building Director

From: John Christensen

cc: Craig Erdman, PE, Director / County Engineer

Date: July 12, 2022

Re: CUP 2022-05 for a Cell Tower

Derrick.

We have reviewed the application for a Conditional Use Permit along with SEPA 2022-18 to allow the installation of new cell tower. The property is located Southeast of Black Rd., West of Wadsworth Rd. and Northwest of SR 260. (Parcel #103-350-027).

Public Works has concluded that the proposed use will not have a significant impact on the County Road System. Public Works has the following general comments:

- An approach permit is required for access to Franklin County roads per the County Road Approach Policy (Resolution No. 2014-123). Requirements include required permits, approach construction, minimum design standards, etc. per Franklin County Design Standards for the Construction of Roads and Bridges (Resolution 2002-270).
- Any utility extension crossing Franklin County roads will be addressed at the time of application. See Accommodation of Utilities on County Road Right-of-Way for more information (Resolution #2000-330).

Please let me know if you have any questions.

Aaron Gunderson

From: Corrine Camuso < Corrine_Camuso@Yakama.com>

Sent: Tuesday, July 5, 2022 4:00 PM

To: Aaron Gunderson

Cc: Casey Barney; Noah Oliver

Subject: [EXTERNAL] Re: Request for Review and Comment & Notice of DNS (CUP 2022-05)

CAUTION: This email originated from outside of Franklin County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Aaron,

Thank you for contacting us regarding the proposed undertaking located within the Yakama Nation Ceded Lands. The project lies is within the traditional territory of the *Palouse*, signatory to the Yakama Treaty of 1855 and represented by the Confederated Tribes and Bands of the Yakama Nation. The SEPA indicates the applicant will be performing regulatory and compliance documents to address cultural resources. As the project lies within an area of high to moderate risk for encountering archaeological resources and proximity to nearby Traditional Cultural Properties, we recommend a survey. Please ensure a copy of the report is sent to our office for review and concurrence.

Regards,

Corrine Camuso
Yakama Nation
Cultural Resources Program Archaeologist
Office 509-865-5121 ext. 4776

From: Aaron Gunderson <agunderson@franklincountywa.gov>

Sent: Thursday, June 30, 2022 9:54 AM

To: dkurtz@usbr.org; Bates, Gregory D; bor-efo-mailroom@usbr.gov; mporter@usbr.gov; Hoff, Gina M; ocallaghan@scbid.org; Eric Dixon; bscott@scbid.org; tpoe@scbid.org; zunderhill@bbec.org; mmyers@bbec.org; mhay@bbec.org; Sterling Joyner; ericmauseth@gmail.com; Craig Erdman; John Christensen; Michael Morgan; Robin Moug; Deana Chiodo; Rick Dawson; planning@ctuir.org; robert.sloma@colvilletribes.com;

guy.moura@colvilletribes.com; Corrine Camuso; Casey Barney; tearfarrowferman@ctuir.org; ahleymorton@ctuir.org; carymiller@ctuir.org; bambirodriguez@ctuir.org; jenniferkarson@ctuir.org; Jerry Meninick; Holly Barrick;

2moon@nezperce.org; keithb@nezperce.org; sepa@dahp.wa.gov; SCPlanning@WSDOT.WA.GOV;

ka iser M@ws dot.wa.gov; sydney.hanson@dahp.wa.gov; cityofkahlotus@hotmail.com; Wright P@ws dot.wa.gov; with the properties of the pro

roger.noel@fcc.gov; keith.harper@fcc.gov; thomas.derenge@fcc.gov; Kimberly.peacher@navv.mil

Cc: Derrick Braaten; Rebeca Gilley; Ryan Nelson

Subject: Request for Review and Comment & Notice of DNS (CUP 2022-05)

NOTICE OF APPLICATION / REQUEST FOR REVIEW AND COMMENTS
Below is a link to the SEPA Record page on a Conditional Use Permit (CUP 2022-05).

SEPA record number 202203275, "Installation of New 195 ft. Cell Tower"
NOTICE OF SEPA DNS

A SEPA DNS has been issued for the proposal. (Franklin County File # SEPA 2022-18)

Agenda Item #1

APPLICATION, SEPA DETERMINATION & SEPA CHECKLIST

CUP 2022-05

Smartlink Group – Wireless Communication Facility



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

	FILE #:	STAMP HERE:
STAFF ONLY:	Total Fees: \$	Reviewed by:
I E	Receipt #:	Hearing Date:
FOR STAFF USE ONLY:	Date of Pre-App meeting:	
5 2	Date deemed complete:	
	•	
	☐ Comprehensive Plan Amendment	☐ Boundary Line Adjustment
1 = 1	Conditional Use Permit	☐ Shoreline Substantial Development
AC	☐ Variance	☐ Shoreline Conditional Use Permit
F	☐ Rezone	☐ Shoreline Variance
(S)	☐ Non-Conforming Use Determination	☐ Shoreline Exemption
A A	☐ Zoning Interpretation / Administrative	☐ Shoreline Non-Conforming
그 요	Decision	SEPA Environmental Checklist
A P	☐ Short Plat	☐ Appeal (File # of the item appealed
	☐ Subdivision (Long Plat)	☐ Critical Areas Determination / Review /
H E	☐ Binding Site Plan	Reasonable Use Exemption
	☐ Lot Segregation Request	☐ Temporary Use Permit
CHECK ALL THAT APPLY AND ATTACH THE SUPPLEMENTAL FORM(S):	☐ Alteration / Vacation	☐ Home Occupation
	☐ Planned Unit Development	☐ H2A Farm Worker Housing (zoning review)
공 돈	☐ Other:	
⊠ for	CONTACT INFORMATION	
contact		
person:	December Occurs on	
	Property Owner	0)4/
	Name: HUDLOW INC., WAYDE HUDL	
	Mailing Address: PO Box 10, Connell, V Phone: 509-990-6212	VA 99326 Email:
	Applicant / Agent / Contractor (if differen	
	Company: Agent / Contractor (In different Company): Agent: Smartlink Group	•
	Address: 11232 120th Ave NE #204, Ki	-
	Phone: 425-444-1434	Email: nancy.sears@smartlinkgroup.com
	Surveyor / Engineer	Emon. nancy.scars@smartilingroup.com
	Company:	Name:
	Address:	
	Phone:	Email:

BRIEF BESCRIF HOTE OF PROSECT OR REQUEST:		
Construction of a 195' lattice tower with wireless	communications equipment	a prefah equipmen

of a 195' lattice tower with wireless communications equipment, a prefab equipment shelter and an emergency back-up generator with a 4900 sf fenced compound.

PROPERTY INFORMATION:

Parcel number(s) (9-digit tax number):

RDIES DESCRIPTION OF PROJECT OF PROJECT.

103350027

Legal Description of Property:

W2 LESS 3 AC R/W 35-14-33.

Site Address (describe location if no address is assigned):

No situs, Kahlotus, WA approx. 3.5 miles west of Kahlotus and 10 miles east of Connell.

- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current fee totals.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Ensure that all required information is submitted along with this application form.
- If the property is owned by a corporation or LLC please attach documentation showing that the person signing as the "owner" has the authority to sign on behalf of the corporation or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning/Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

1

This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

Owner		Date	Applicant /Representative	Date
Print Name:_	See attached		Print Name:	
			***************************************	Pay lan 201

Rev. Jan 2019

CONDITIONAL USE PERMIT INFORMATION
ZONING:
PROJECT NAME:
KP0500 Connell
WHAT ARE YOU PROPOSING? (ex: Accessory Dwelling Unit, Bed and Breakfast, Commercial Agriculture,
Church, Dairy, Accessory Building deviating from standards, Wireless Communication Facility, etc.)
Wireless Communications Facility
LOT/PARCEL SIZE: 318 Ac
SIZE OF THE AREA TO BE USED FOR THE PROPOSED USE OR BUILDING: 4900 sf
PRESENT USE OF THE LAND AND STRUCTURES, IF ANY:
Agriculture
DETAILED DESCRIPTION OF THE PROPOSED USE / DEVELOPMENT PROPOSAL (ATTACH ADDITIONAL SHEETS IF
NEEDED):
New Cingular Wireless PCS, LLC (AT&T) is proposing to install a 195' lattice tower within a 70'x70' fenced compound. The tower will support up to 4 carriers. AT&T is proposing to install 12 antennas,
1 microwave antenna, 18 remote radio head units, 3 surge suppressors 3 fiber DC trunks, 9 CD
cables, an 2 EW65 cables on the tower. Ground equipment will include a 10'x10' prefabricated
equipment cabinet and a 20kW diesel generator. the site will be accessed by a 4900' long, 12' wide
gravel road within a 15' access and utility easement.
WILL THE PROJECT BE CONDUCTED ENTIRELY WITHIN A STRUCTURE? YES NO
A. IF NO, DESCRIBE THE OUTDOOR ACTIVITIES (E.G., OUTDOOR EATING, PLAYGROUND, PARK):
Wireless Communications Facility
B. WHAT IS THE APPROXIMATE SQUARE FOOTAGE, OR SEATING CAPACITY OF YOUR OUTDOOR USE
AREA(S)?
This is an unmanned facility.
C. WHAT TYPE OF NOISES WILL THE OUTDOOR USE GENERATE (E.G. MUSIC, MACHINERY, VEHICLES)?
Fans for the equipment cabinet will run continuously and a back-up generator will run for
about 15 minutes 1x per month for testing and maintenance and in the event of a power
Outage
PROPOSED HOURS OF OPERATION/DAYS OF THE WEEK (INDICATE MONTHS, IF SEASONAL):
24/7

PROPOSED STRUCTURES AND USE (SIZE, HEIGHT, ETC.):
195' steel lattice tower to support up to 4 wireless carriers; 10'x10' equipment cabinet
HOW WILL THE PROPOSED DEVELOPMENT BE COMPATIBLE WITH THE USES PERMITTED IN THE
SURROUNDING ZONE(S)?
It will supply wireless service to surrounding areas.
and the supply time to be read to be read to be read.
DESCRIBE HOW THE SUBJECT PROPERTY IS PHYSICALLY SUITABLE FOR THE TYPE, DENSITY AND/OR INTENSITY
OF THE USE BEING PROPOSED:
The land is used for agriculture and the current owner i amenable to leasing space for this use.
DDODOCED MEAGUIDES TO ENGUIDE AGAIN THE MEAGUIDE AGAIN THE MEAGUID AGAIN THE AGAI
PROPOSED MEASURES TO ENSURE COMPATIBILITY WITH PERMITTED USES IN THE SURROUNDING ZONE
(EXAMPLE: FENCES, LANDSCAPE BUFFERS, BERMS, ETC):
The proposed facility will be surrounded by a security fence. A conversation with the planning
department determined that landscaping would not be required due to the location and use of the
land.
DESCRIBE ANY EXISTING ZONING ORDINANCE VIOLATION:
None
IRRIGATION SOURCE:
■ NONE □ PRIVATE □ SCBID □ FCID
DOMESTIC WATER SUPPLY:
☐ ON-SITE WELL ☐ COMMUNITY WELL (Well ID # and location):
OTHER (SPECIFY): No water is required
SEWAGE DISPOSAL:
☐ ON-SITE SEPTIC ■ OTHER (SPECIFY): No waste disposal is required
LIST LITH ITY DROVIDERS.
LIST UTILITY PROVIDERS:
Power –
Telephone - n/a
Natural Gas — n/a
Cable / Broadband - n/a
Sanitary waste disposal - n/a

this revi	ew to inspect my property a	as needed.		
1 * 1	This authorizes the designation applicant for the processing		representative (if applicable) to act	on behalf of the
Owner		Date	Applicant/Representative	Date
Print Na	See attached		Print Name:Nancy Sears, Smartlink Group on beh	alf of New Cingular Wireless PCS, LLC, Applicar

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of

Rev. Jan 2019



Date:	December 9, 2021		
Project:	AT&T New Site Bu	ld	
governmenta	al permits and/or utili se, all proper building	T&T") grants permission to Smartlink ty coordination. Any actual construct and/ or right of way permits, and Pro	tion will not begin without a fully
AT&T:		Date:	
Wayne Newbury - Mgr Real Estate Administration	Digitally signed by Wayne Newbury - Mgr Real Estate Administration Date: 2021.12.09 13:54:06 -06'00'		



PCS LLC ("AT&T") grants permission to Smartlink Group, act as agent regard and/or utility coordination. Any actual construction will not begin without per building and/or right of way permits, and Property Owner's approval or
and/or utility coordination. Any actual construction will not begin without
Date:
fayne State 64:06-08'00'
al E

March 9, 2022

Franklin County Planning Department 502 W. Boeing St. Pasco, WA 99301

RE:

Collocation and Compliance Letter for proposed AT&T wireless communications facility at Parcel # 103350027, Kahlotus, WA 99335 in Franklin County

Dear Franklin County:

New Cingular Wireless PCS, LLC (AT&T), as applicant, proposes to construct a new 195' Wireless Communications Facility located at coordinates 46.650588/-118.640431, on parcel number 103350027 in Kahlotus, within Franklin County Jurisdiction and makes the following representations:

The proposed structure will support the collocation of up to three additional carriers and AT&T agrees to allow collocation on reasonable market terms;

AT&T will operate this facility in compliance with all Federal Aviation Administration regulations and standards, and in compliance with applicable federal, state, and local laws.

Nancy Sears

Nancy Sears as agent for New Cingular Wireless PCS, LLC



April 11, 2022

Franklin County Planning Department 502 W. Boeing St. Pasco, WA 99301

Ref: AT&T's Radio Frequency (RF) Engineering Justification for the Proposed Wireless Communications Facility in Franklin County: Parcel # 103350027, Kahlotus, WA 99335 in Franklin County, Lat: 46.650586, Long: -118.640431, KP0500 Connell SR260

Re: Interference Certification Letter

To Whom It May Concern,

The antenna usage will not interfere with other adjacent or neighboring transmission or reception functions of other communications facilities provided with proper separation.

Thank you for your consideration of this information.

Sincerely,

Kung-Liang Brian Lin RF Engineer AT&T Mobility



Priority Title & Escrow
641 Lynnhaven Pkwy, Suite 200
Virginia Beach, VA 23452
757-431-1001 Office
757 431-0515 Fax
priority@prioritytitleus.com

OWNERSHIP AND ENCUMBRANCE REPORT

DATE:

12/14/2021

RE:

Parcel ID: 103350027

Site Name:

KP0500 Connel (SR260)

<u>Patriot Act; Executive Order 13224 Compliance:</u> A search of the Specially Designated Nationals and Blocked Persons List (SDN) of the US Department of Treasury for HTT Land Holding, https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx, returned no results.

This will serve to certify that Priority Title & Escrow has caused to be made a search of the Public Records of Franklin County and State of Washington ("Public Records") as contained in the Office of the Clerk of Franklin County and State of Washington, from 11/03/1991 through 11/03/2021 at 8:00 AM, as to the following described real property lying and being in the aforesaid County, to-wit:

All of Section 27, Township 14, Range 33, less a seven acre right of way.

The NE ¼, the west ½ of Section 28, Township 14, Range 33, less a five acre right of way and the SE ¼ of Section 28, Township 14, Range 33, less a 3.5 acre right of way.

All of Section 34, Township 14, Range 33, except a 54.5 acre portion thereof in the NW 1/4.

The W ½ of Section 35, Township 14, Range 33, less a three acre right of way.

The W ½ and the SE ¼ of Section 26, Township 14, Range 33.

The N $\frac{1}{2}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32, Township 14, Range 33, less a seven acre right of way in the latter portion

As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above-described real property is/are: Hudlow, Inc.

Chain of Title Information:

Conveyance to Hudlow, Inc. by Deed from Daniel John Jolly as Trustee of the Harriet Vaughn Jolly Estate Trust and Daniel John Jolly, as his separate estate, dated 08/21/1989 and recorded 09/07/1989 at Instrument No. 466775 Vol. 0255, page 091, in the Land Records of Franklin County and State of Washington.

Conveyance **to** Dan Jolly, also known as Daniel Jolly, whose wife's name is Harriet Jolly, by Deed **from** Oscar O. Black, sometimes known as O. O. Black, and Amelia A. Black, his wife, dated 02/28/1944 and recorded 10/18/1945 at Instrument No. 103779 Deed Record No. 63, in the Land Records of Franklin County and State of Washington.

Memorandum of Lease

None found during scope of search

Mortgage Information

None found during scope of search

Judgment/Lien Information:

None found during scope of search

Bankruptcy:

None found during scope of search

Uniform Commercial Code:

None found during scope of search

Exceptions and Other Title Matters:

This County may have special lien/assessments imposed by the local municipality. These lien/assessments are not discovered in a title search or shown above. These special assessments typically create a lien on real property. The municipality which governs subject property must be contacted to verity payment status. Recommend the customer check with local authorities on special assessments.

Agreements

None found during scope of search

Right of Ways

None found during scope of search

Restrictions

None found during scope of search

Declarations of Covenants and Restrictions

None found during scope of search

Easements

None found during scope of search

Orders

None found during scope of search

Tax Information:

2021 Tax Year Account No: 103350027

Status of 2021 Tax Year Payment: Please Call for Information

ALL TAX INFORMATION MUST BE VERIFIED--CONTACT TAX COLLECTOR FOR FINAL DISPOSITION

County Tax Collector phone number: (509) 535 - 3518

Tax Sales and Municipal Liens are not covered by this Report.

This Report is not a Legal Opinion of Title and should not be construed as dealing with the Quality of Title, used as a Certified Abstract of Title, Title Insurance Commitment or Title Insurance Policy.

This Report covers the period from 11/03/1991 through 11/03/the Effective Date at 8:00 AM.

Date Prepared: 12/4/2021

TOWAIR Determination Results

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A diligence, and further investigation may be necessary to determine if FAA coordination is appropriate. determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83
Coordinates

Overall Structure Height (AGL)	Measurements (Meters)	Longitude	Latitude	
59.4		118-38-25.5 west	46-39-02.1 north	

Structure Type

Site Elevation (AMSL)

Support Structure Height (AGL)

59.4 402.3

LTOWER - Lattice Tower

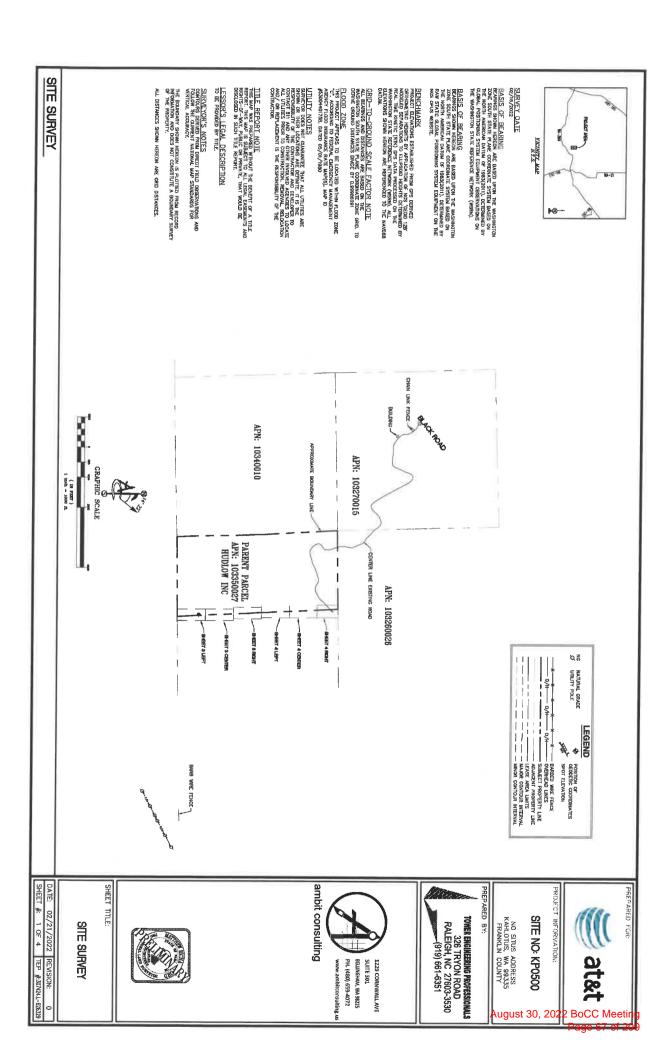
Tower Construction Notifications

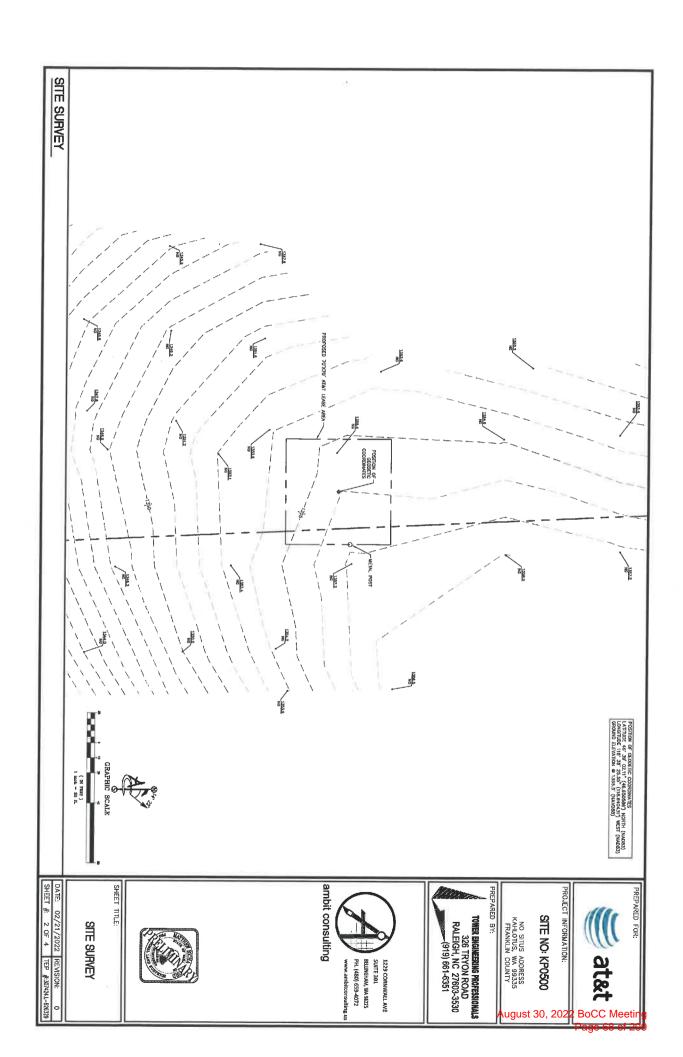
Notify Tribes and Historic Preservation Officers of your plans to build a tower.

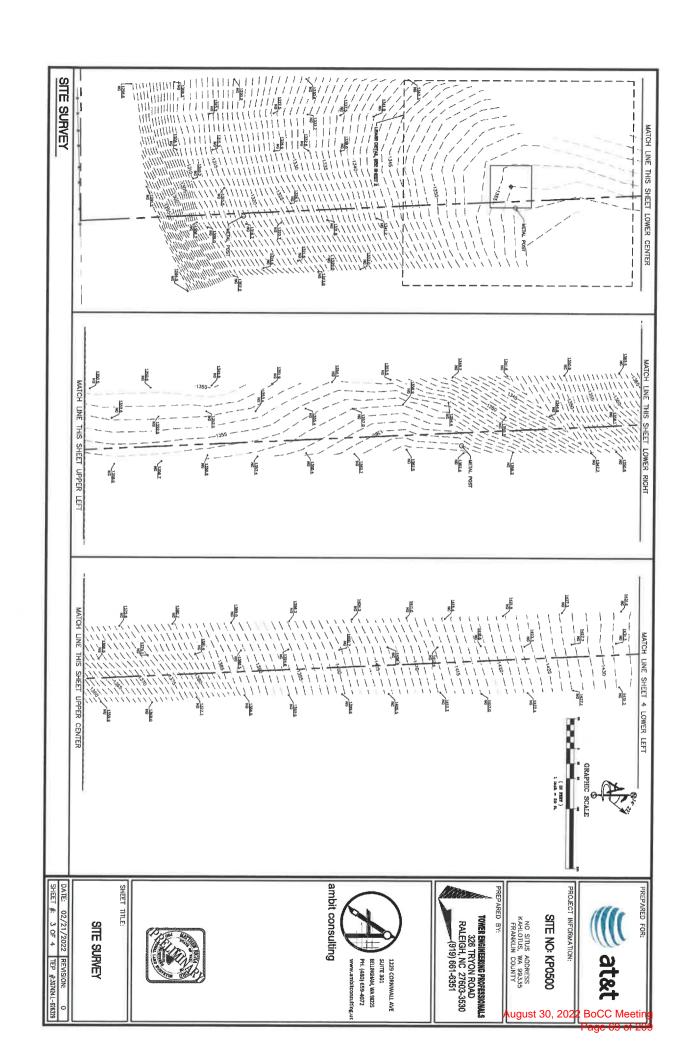
CLOSE WINDOW

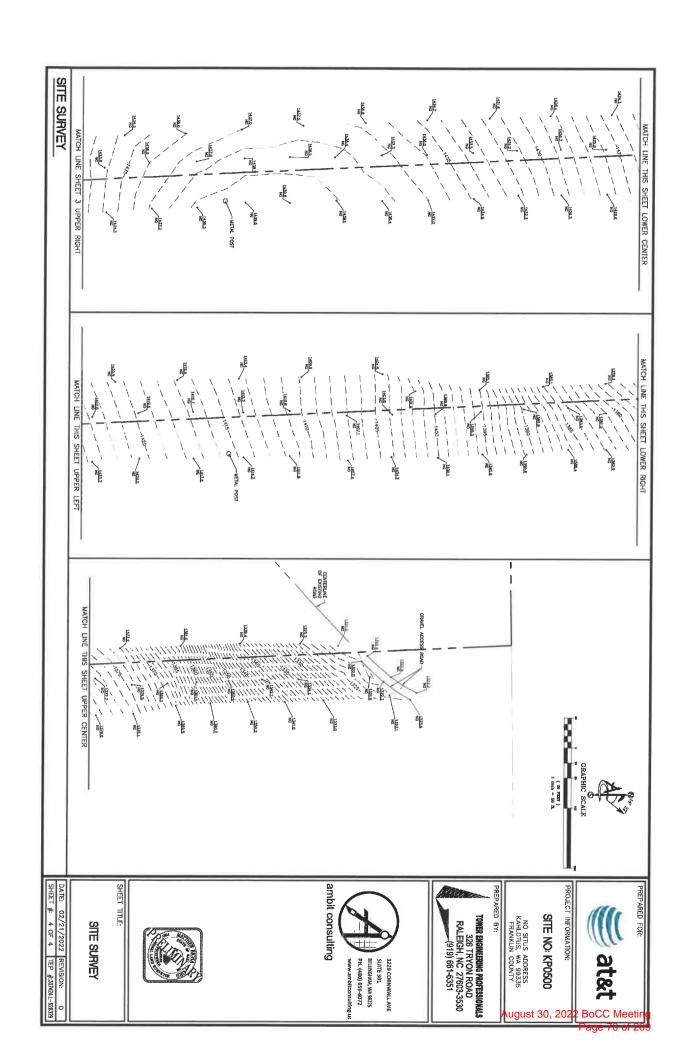
1/1

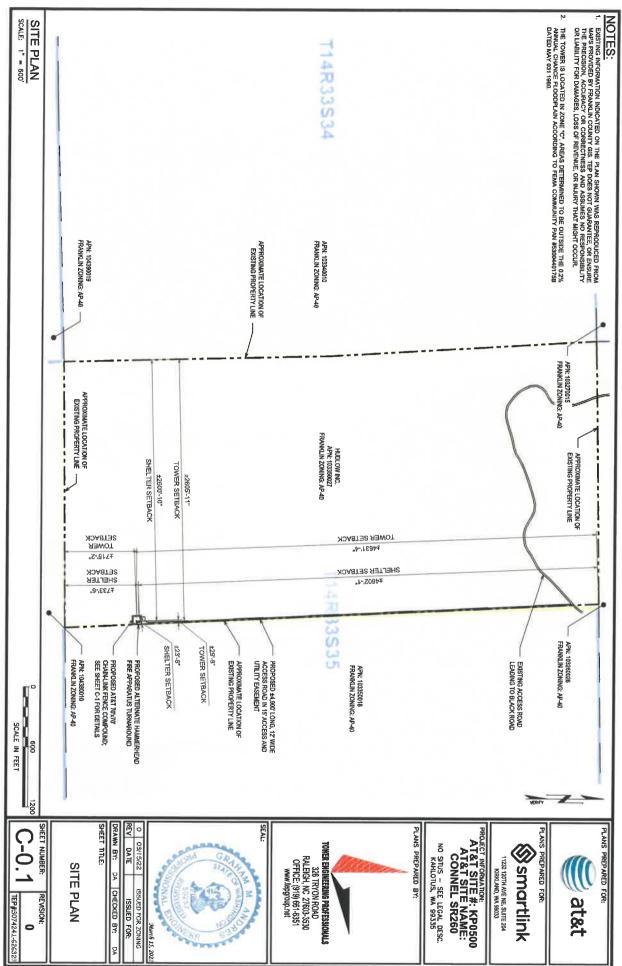
LOT SIZE: W2 LESS 3 AC R/W 35-14-33 GROUND ELEVATION: LONGITUDE: LATITUDE: FLOOD ZONE: PROJECT INFORMATION FIRM APPROVAL DATE: FIRM PANEL #: PARCEL ID# CONSTRUCTION TYPE: CURRENT ZONING: OCCUPATION TYPE: AREA OF CONSTRUCTION: 4900 SQ. FT. 1A LETTER PROVIDED BY AMBIT CONSULTING, INC, DATED 02/23/22 TOWER TYPE IA COORDINATES JURISDICTION: FRANKLIN COUNTY EGAL DESCRIPTION 118 WASHINGTON BUILDING CODE 018 IBC) 20 NATIONAL ELECTRICAL CODE 18 WASHINGTON MECHANICAL CODE 118 IMC) ORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH JUPREMY EDMONS OF THE FOLLOWING CODES AS AGOPTED BY THE LOCAL TOWN ANTHORNIES, NOTHING IN TRESE PLANS IS TO BE CONSTRUED TO PERMIT MOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING: SITE NAME: CONNEL SR260 ADDRESS: NO SITUS - SEE LEGAL DESC. PROJECT: AT&T NSB COUNTY: FRANKLIN COMPLIANCE PACE #: MRWOR056571 USID #: 314162 SITE #: KP0500 PTN #: 3804A0ZCH5 FA #: 15567378 ZONING DRAWING KAHLOTUS, WA 99335 - ±1355.9' (NAVD 88) MAY 031 1980 5300440175B ZONE "C" ± 318 ACRES 103350027 AP-40 (AG. PRODUCTION) FACILITY TELECOMMUNICATIONS 195' SELF-SUPPORT TOWER W 118° 38' 25.55" (-118.640431) N 46° 39' 02.11" (46.650586) LOCAL BUILDING CODE ANSI/TIA-222-H CITY/COUNTY ORDINANCES ADDRESS: CITY, STATE, ZIP: CONTACT: PHONE: CONTACT INFORMATION PHONE: Ē SI. GROUND: TOWER OWNER: SCOPE OF WORK GRADE: TOWER ENGINEERING PROFESSIONALS:
ADDRESS:
326 TRYON ROAD
CITY, STATE, ZIP: RALEIGH, NC 27603 ADDRESS: CITY, STATE, ZIP: TOWER: PROJECT MANAGER: DENIS AZAROV PHONE: 630-730-4940 AT&T PROJECT MANAGER: APPLICANT/LESSEE ±164 CU, YD. TB0 ±100 CU. YD. 90'x90' GROUND LEASE AREA 70'x70' FENCED COMPOUND CHARLES WIG CABINET KOHLER 30 KW GENERATOR ICE BRIDGE RANDY MORRISON NEW CHOQULAR WIRELESS NAME: MASTEC PCS, LLC.
19801 SW 72ND AVENUE #200 ADDRESS: 22263 68TH AVE. S 19801 SW 72ND AVENUE #200 CITY, STATE, ZIP: KENT, WA 98032 PAUL D. TIBBOT, P.E 503-310-9225 NERATOR EXTENSION KITS ANTENNAS VICROWAVE ANTENNA TRUNKS **S**smartlink SMARTLINK TEAM:
ADDRESS:
CITY, STATE, ZIP: NAME: MASTEC ADDRESS: PO BOX 10
CONVELT, WA 99326
CONTACT: WA YDE HUDLOW
PHONE: 609-990-6212 SITE ACQUISITION: ZONING SPECIALIST: PROJECT MANAGEMENT: PROPERTY OWNER:
NAME: HUDLOW INC. JACOB WESTERDAHL 253-246-4305 DIRECTIONS: DIRECTIONS FROM AT&T REGIONAL OFFICE: TURN LEFT ONTO E YEISLEY RD.
TURN LEFT ONTO E YEISLEY RD.
TURN READER BOTO JANTZ
RD. READER STEWLL BE ON RIGHT SIDE. REDMOND TOWN CENTER
7625 186TH AVE NE, REDMOND, WA
98622
TAKE WA-520 W.
TAKE WA-520 W.
TAKE EXIT FOR 1405
TAKE EXIT 170 MERGE ONTO 1-90 E.
TAKE EXIT 137 TO MERGE ONTO
TAKE EXIT 137 TO MERGE ONTO BRIANNE PETERSEN RIGGINS 406-749-0046 NANCY SEARS 425-444-1434 nancy sears@smartlinkgroup.com PATTY BARTLETT 425-270-9163 patty.bartlett@smatlinkgroup.com 11232 120TH AVE. NE, SUITE 204 KIRKLAND, WA 98033 SHEET DESCRIPTION T-1 TITLE SHEET LOCATION MAP NDEX OF SHEETS SURVEY
SITE PLAN
PROPOSED COMPOUND D
SHELTER EQUIPMENT LAY
TOWER ELEVATION SITE LOCATION REV SE AL: SE A. REV DATE SHEET NUMBE DRAWN BY: PLANS PREPARED BY: TOWER ENGINEERING PROFESSIONALS
326 TRYON ROAD
RALEIGH, NC 27803-3530
OFFICE: (919) 661-6351 12/13/21 11/24/21 03/09/22 12/20/21 03/15/22 www.tepgroup.net REVISED PER COMMENTS REVISED PER COMMENTS REVISED PER COMMENTS ISSUED FOR ZONING CHECKED BY: RYSION: ISSUED FOR: PRELIMINARY 0 August 30, 2022 BoCC Meeting

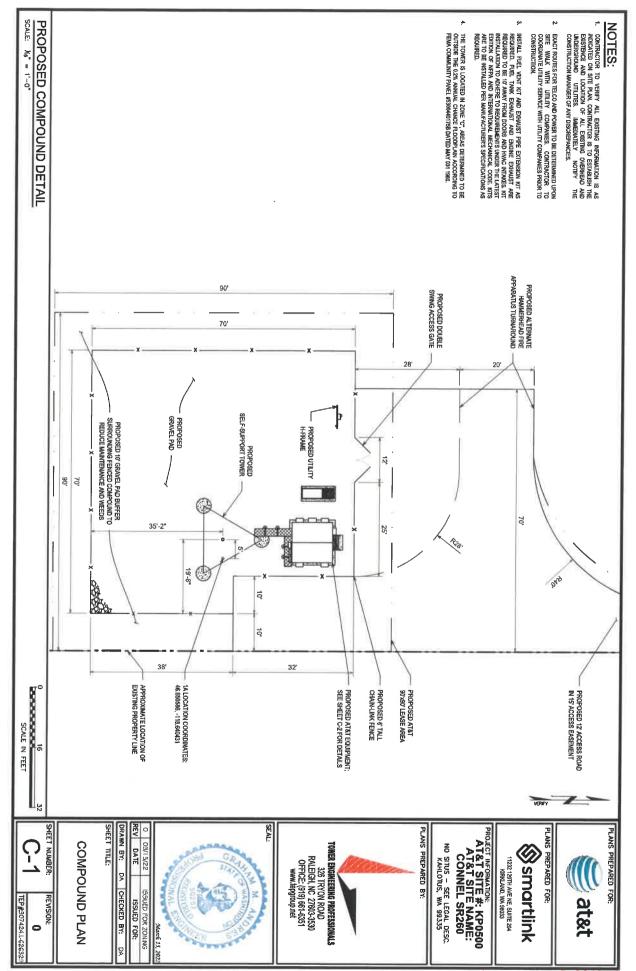


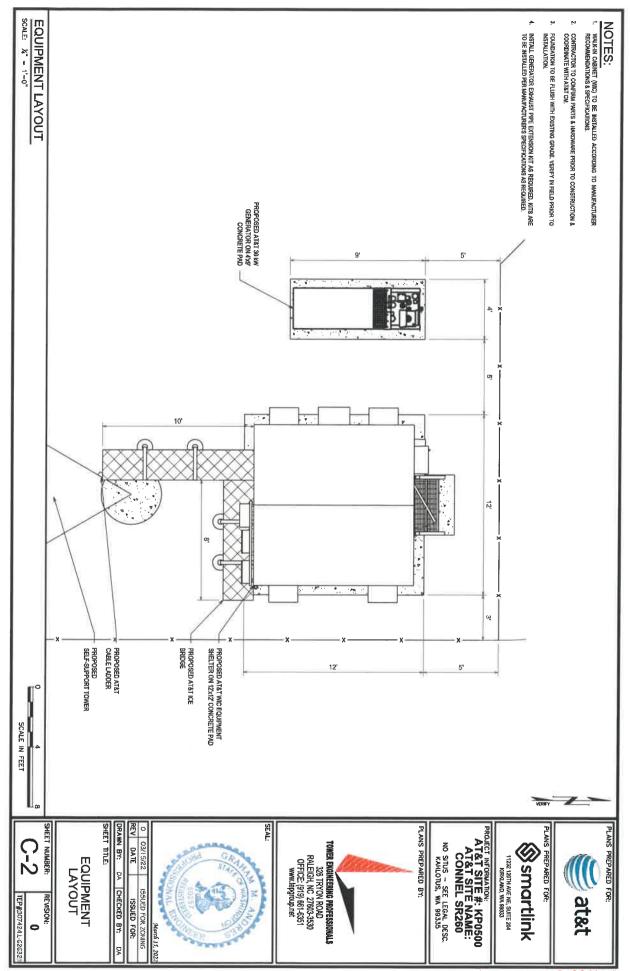


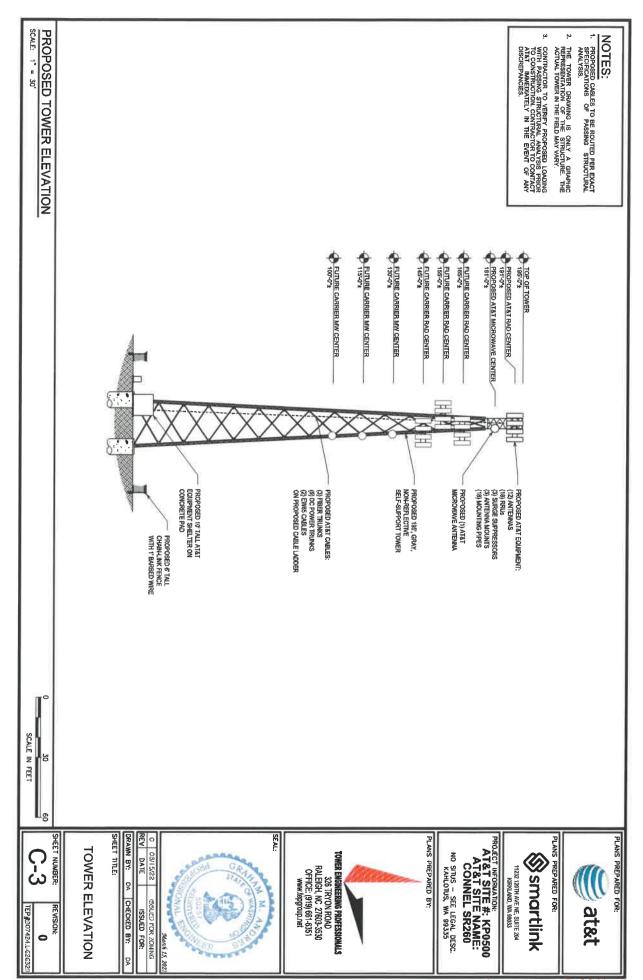












ULS License

700 MHz Lower Band (Blocks A, B & E) License - WQIZ642 - AT&T Mobility Spectrum LLC

Status **Rural Service Provider Bidding Credit** Call Sign Active WQIZ642 Auth Type Radio Service Regular WY - 700 MHz Lower Band (Blocks A, B & E)

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

000734.00000000-000740.00000000	00073	(MHz)				
Associated Frequencies 000704,00000000-000710.00000000	cies 000704	Associated Frequenc		0	Submarket	
	8	Channel Block	CMA214 - Richland-Kennewick-Pasco, WA	CMA2	Market	
					Market	

Effective	Grant	Dates	3.7 GHz License Type
08/01/2019	08/01/2019		
Cancellation	Expiration		3.7 GHz Linked License
	06/13/2029		ři

Buildout Deadlines			
1st	12/13/2016	2nd	06/13/2019
Discontinuance Dates	tes		
1st		2nd	
Notification Dates			

FRN 0 Licensee	Licensee	1st 0
0014980726		06/11/2013
Туре		2nd
Limited Liability Company		01/29/2019

AT&T Mobility Spectrum LLC 208 S. Akard St., RM 1015 Dallas, TX 75202

P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com

ATTN Cecil J Mathew

Contact

ATTN FCC Group Dallas, TX 75202 208 S Akard St., RM 1015 AT&T Mobility LLC Cecil J Mathew

> E:FCCMW@att.com F:(214)746-6410 P:(855)699-7073

Ownership and Qualifications

Radio Service Type Fixed, Mobile

Regulatory Status Common Carrier, Non-Interconnected

Yes

Common Carrier, Private

Comm

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

2/2

ULS License

AWS (1710-1755 MHz and 2110-2155 MHz) License - WQGB393 - AT&T Mobility Spectrum LLC

Status Call Sign Active WQGB393 Radio Service Auth Type MHz) Regular AW - AWS (1710-1755 MHz and 2110-2155

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

3.7 GHz License Type Dates Submarket Market 0 CMA214 - Richland-Kennewick-Pasco, WA (MHz) Channel Block 3.7 GHz Linked License Associated Frequencies 001710.00000000-001720.0000000 002110.00000000-002120.00000000 D

Grant **Buildout Deadlines** Effective 11/22/2021 11/22/2021 Cancellation Expiration 11/29/2036

Discontinuance Dates 1st 2nd

1st

1st **Notification Dates** 2nd 2nd 09/10/2021

FRN AT&T Mobility Spectrum LLC 208 S. Akard St., Room 2100 Licensee Licensee 0014980726 Type P:(855)699-7073 Limited Liability Company

E:FCCMW@att.com

Dallas, TX 75202 ATTN FCC GROUP

Contact

AT&T Services, Inc.

Cecil J Mathew 208 S. Akard St., Room 2100 Dallas, TX 75202

E:FCCMW@ATT.COM P:(855)699-7073

Ownership and Qualifications

Radio Service Type Fixed, Mobile

Regulatory Status Common Carrier, Non-Interconnected

Yes

Common Carrier

Basic Qualifications

Alien OwnershipThe Applicant answered "No" to each of the Alien Ownership questions.

Tribal Land Bidding Credits The Applicant answered "No" to each of the Basic Qualification questions.

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

2/2



FRANKLIN COUNTY FIRE DISTRICT NO. 1

PO Box 186, Connell, WA 99326

fcfd1.wa@gmail.com

March 4, 2022

Nancy Sears Smartlink 11232 120th Ave NE, Suite 204 Kirkland, WA 98033

Re: Access for a proposed cell tower KP0500 Connell; APN #103350027, Hudlow.

Dear Ms. Sears;

I have looked over the map for the proposed cell tower facility at 46.650588 / -118.640431. Reducing the access road from 20' to 12' with a 20' turn around will be acceptable to access the proposed tower.

Please feel free to contact me if there are any concerns or questions.

Sincerely,

Chief Eric Mauseth

Franklin County Fire District 1

ericmauseth@gmail.com

PROJECT NARRATIVE CONDITIONAL USE APPLICATION KP0500 CONNEL

Submitted to Franklin County, WA Planning Department

Applicant: New Cingular Wireless PCS, LLC ("AT&T")

19801 SW 72nd Avenue Suite 200

Tualatin, OR 97062 (425) 222-1026

Representative: Smartlink LLC

11232 120th Ave. NE, #204 Kirkland, WA 98034-6945 **Contact:** Nancy Sears

425.444.1434

nancy.sears@smartlinkllc.com

Property-Owner: Hudlow Inc.

PO Box 10

Connell, WA 99326 Wayne Hudlow (509) 990-6212

Project Address: No Situs.

Kahlotus, WA 99335

Description & Tax Lot: GPS Coordinates: 46.650586 / -118.640431

Parcel No. 103350027

Zoning Classification: AP-40 Agricultural Production

Smartlink is submitting this application on behalf of New Cingular Wireless PCS, LLC ("AT&T") and the underlying property owner, Hudlow Inc.

1. PROJECT OVERVIEW

AT&T is proposing to build a new wireless communications facility ("WCF" or "Facility"), KP0500, Connel, at the above noted project address. This Facility is intended to fill a significant gap in AT&T's 4G LTE coverage and capacity experienced by its customers in the surrounding area, including the coverage to Hwy 260/Hwy 21 and Kahlotus.

As determined by AT&T's RF engineers, see Attachment 3–AT&T Radiofrequency (RF) Justification, the proposed Facility meets AT&T's service objectives to provide continuous and uninterrupted outdoor, in-vehicle, and in-building wireless service to the Targeted Service Area. This will result in fewer dropped calls and improved call quality, as well as access to additional wireless services (including emergency 911 calls).

AT&T's 's application for the proposed WCF includes the following documents (collectively, "AT&T's Application"):

- Attachment 1—Project Narrative (this document)
- Attachment 2—Statement of Code Compliance
- Attachment 3— AT&T Radio Frequency (RF) Justification
- Attachment 4—Zoning Plans
- Attachment 5—Colocation, Compliance & Interference Statement
- Attachment 6—FCC License
- Attachment 7—FAA TOWAIR Determination
- Attachment 8—SEPA Checklist
- Attachment 9—No Landscape E-mail
- Attachment 10-MPE Letter
- Attachment 11-5-Mile Radius Map

As demonstrated in AT&T's Application, this proposed project meets all applicable Franklin County Code ("FCC") criteria for siting new wireless communications facilities and complies with all other applicable state and federal laws and regulations. AT&T's proposal is also the least intrusive means of meeting its network objectives for this site. Accordingly, AT&T respectfully requests Franklin County to approve this project as proposed, subject only to Franklin County's standard conditions of approval.

Please Note: All references to "Attachments" in this Project Narrative are in reference to the above-noted attachments included as part of AT&T's Application.

2. PROPOSED PROJECT DETAILS

Detailed information regarding the subject property and proposed Facility is included in **Attachment 4-Zoning Plans** and outlined below:

2.1. Site Description

- **Subject property.** The subject property is located on parcel number 103350027 in the City of Kahlotus, Washington (the "Property"). The Property is owned by Hudlow Inc.
- **Zoning-Use.** The Property is zoned as Agriculture Production, AP-40, and is currently used primarily as farmland.
- Lease Area.
 - The proposed 90 x 90 ft lease area for the WCF is located in the SE corner of the property (the "Lease Area").
 - The lease area will be surrounded by a 6ft chain link fence topped with barbed wire, with access to the lease area secured by a locked gate.

2.2. Access, Parking and Trip Generation

- Access. Access to the Lease Area will be via an existing drive originating from Black Road to the north that will be extended approximately 900ft x 12ft to the Lease Area. The new access driveway will be surfaced with 3/4in crushed gravel.
- Parking. Maintenance vehicles will be able to utilize the proposed turnaround area located at the entrance to the Lease Area. AT&T is proposing to resurface the parking and turnout area in 3/4in crushed gravel.
- Trip generation. The WCF use is an unmanned facility and may require approximately
 one trip per month for maintenance visits provided by personnel in a single vehicle,
 however, it is becoming more common for these facilities to be monitored remotely.
 The proposed Facility will have no impact on existing vehicular access to and from the
 proposed site, or to pedestrian, bicycle, and transit circulation.

2.3. Wireless Facilities and Equipment

- Tower design. AT&T proposes to install a new 195ft lattice tower within the lease area (the "Tower"). Due to the height of 195ft, a lattice tower is the only structurally viable tower type for this proposed location.
 - Sufficient space will be made available on the Tower for a minimum of three (3) additional antenna arrays for future collocations.
 - The Tower will be painted a neutral color with an anti-glare finish to blend with the surrounding environment.

• Tower antennas and equipment.

o The Tower will contain the following AT&T 4G & 5G LTE equipment:

- Up to twelve (12) panel antennas
- Up to eighteen (18) remote radio heads ("RRHs")
- Up to one (1) microwave antenna
- Up to three (3) new surge protectors
- Fiber/ DC Cables
- The antennas, RRH, and all accessory equipment on the Tower will be painted to match the tower with and anti-glare finish.

• Ground equipment.

- All ground equipment will be located within the lease area.
- AT&T proposes to install a prefabricated 10ft x 10ft walk-in cabinet ("WIC"), which will be placed on a 12ft x 12ft concrete pad.
- A 30kw diesel generator (for secondary power) will be installed next to the WIC on a 4ft x 9ft concrete pad.
- **Lighting.** No artificial lighting of the Facility is proposed other than a motion-controlled LED security light located on the prefabricated WIC within the fenced lease area.

2.4. Landscaping.

Pursuant to Attachment 9-No Landscape E-Mail, landscaping is not required. AT&T respectfully requests Franklin County waive the landscaping requirement as addressed in Attachment 2 – Statement of Code Compliance.

2.5. Utilities

- Power. Power from Franklin PUD will be brought in underground to the Facility from an existing Franklin PUD pole located at the east property line just south of the proposed Lease Area.
- Water. As this is an unmanned facility, no potable water service or direct line is needed.
- Sewer. As this is an unmanned wireless facility, no sewer service is needed.
- Fire. The Property is served by Franklin County Fire and Rescue. The Facility is exempt from having to meet Coeur d'Alene's fire flow (minimum water flow) and fire access requirements as there is no building proposed which requires fire protection and no sewer or septic on site to require a health certificate.

3. AT&T's NETWORK COVERAGE AND SERVICES

3.1. Overview—AT&T Network Coverage and Services—5G & 4G LTE

AT&T is upgrading and expanding its wireless communications network to support the latest 5G and 4G LTE technology. 5G and 4G stand for "5th Generation" and "4th Generation" and LTE stands for "Long Term Evolution." These acronyms refer to the ongoing process of improving wireless technology standards, now in its 5th generation. With each generation comes improvement in speed and functionality—4G LTE offers speeds up to ten times faster than 3G and 5G offers speeds up to 1-gigabit per second. See Attachment 3—AT&T Radiofrequency (RF) Justification.

This technology is the next step in increasing broadband speeds to meet the demands of users and the variety of content accessed over mobile networks, and it is necessary to facilitate capabilities that are being designed into the latest devices (*i.e.* Samsung Galaxy S20, iPhone 12). 5G, specifically, is the next generation of wireless technology expected to deliver latency and capacity enhancements that will enable revolutionary new capabilities for consumers and businesses.

There are several components of 5G wireless technology and separate bands of wavelength spectrum used to build a 5G network—low-band (<2GHz), mid-band (3-10GHz), and high-band millimeter wave (mmWave) (20-100GHz):

 Low-band 5G. Low-band 5G frequencies (generally below 2GHz) are the oldest cellular (and TV) frequencies and are being used by AT&T to provide widely-available 5G service in residential, suburban, and rural areas. This is the same spectrum used for 3G and 4G cellular service today. As noted below, the low-band 850MHz 5G frequency is proposed for this Facility.

Low-band 5G frequencies are a tradeoff of download speed versus distance and service area—they are slower than the high-band mmWave and mid-band frequencies (as described below), but they travel the farthest and can pass through more obstacles to provide a better, more reliable indoor and outdoor signal for a larger service area (*i.e.* miles, not feet).

- Mid-band 5G. Mid-band 5G frequencies (generally 3-10GHz) cover most current cellular
 and WiFi frequencies and provide broader coverage (typically a half a mile) than highband mmWaves but with slower speeds. Use of these frequencies is not as prevalent for
 building a 5G network as much of the bandwidth in this range is currently unavailable.
- High-band 5G+ mmWave. High-band millimeter wave (mmWave) frequencies (generally 20-100GHz) are the new FCC-approved frequencies most associated with 5G service—"5G+" is AT&T's name for 5G service delivered using high-band mmWave spectrum. AT&T offers an enhanced wireless experience on 5G+ with mmWave service though with more limited coverage. Results continue to be impressive, with peak download speeds up to 1 gigabit per second (Gbps) fast enough to stream 4K movies.

High-band mmWave frequencies deliver this unprecedented performance by transmitting a large amount of data more efficiently than 4G LTE, but can only travel short distances (~1,000ft). Accordingly, high-band mmWave sites need to be in close proximity to one another and are typically used in dense, high trafficked areas such as urban areas, stadiums/arenas, airports, manufacturing and healthcare centers, etc.

5G wireless technology also includes enhanced network radio protocols and other improvements in data transmission that allow the network to more efficiently use the same frequencies currently used today for 4G.

ATTACHMENT 1—Project Narrative AT&T's WCF Application—KP0500 Connel Page 6 of 9

As noted, AT&T is proposing to deploy low-band 850MHz 5G at this Facility. Upon completion, the Facility will become part of AT&T's statewide and nationwide communications network. See Attachment 3—AT&T Radiofrequency (RF) Justification.

3.2. Network Service Objectives and Targeted Service Area for Proposed Facility

The proposed Facility is intended to provide new low band 4G LTE and low band 5G coverage and capacity to the surrounding area, including to Hwy's 260 & 21 and the town of Kahlotus). (See Attachment 3—AT&T Radiofrequency (RF) Justification).

The proposed new Facility meets AT&T's service objectives to provide uninterrupted outdoor, invehicle, and in-building wireless coverage within the Targeted Service Area with fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands. This includes emergency 911 calls throughout the area. The service objective and the Targeted Service Area for this site were determined by AT&T's radio frequency ("RF") engineers through a combined analysis of customer complaints, service requests, and radio frequency engineering design. (See Attachment 3—AT&T Radiofrequency (RF) Justification).

3.3. Search Ring

AT&T's RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate site location and antenna height required to best fulfill the noted service objectives within the Targeted Service Area. From this study, AT&T's RF engineers identified a search ring area where a new wireless facility could be located to provide effective service in the Targeted Service Area. The search ring established for this proposal (the "Search Ring"), and a description of the methodology used to determine the search ring, is provided in Attachment 3—AT&T Radiofrequency (RF) Justification.

As this is a service coverage and capacity offload site intended to provide seamless coverage in a specific area, the proposed new Facility must be located within the identified search ring to be able to establish a dominant signal within the Targeted Service Area.

4. ALTERNATIVE SITE ANALYSIS

AT&T generally considers all siting possibilities within, and adjacent to, a search ring to determine the best location for a new facility to meet the targeted service objectives. AT&T will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or determined to be infeasible, AT&T will then propose a new tower.

For this proposed Facility, AT&T's construction and real estate group, with the assistance of outside consultants, thoroughly analyzed all siting options and found that the proposed location is the only available property within the search ring that will meet AT&T's services objectives in the Targeted Service Area.

ATTACHMENT 1—Project Narrative
AT&T's WCF Application—KP0500 Connel
Page 7 of 9

4.1. Collocation

Pursuant to the criteria in FCC 17.66.100.B.2.c.i. and 17.66.100.C.7, within a 5-mile radius there is one tower approximately 3.8 miles east of the search ring as shown on **Attachment 11.** This tower is too geographically distant to provide the coverage needed to establish a dominant signal within the Targeted Service Area.

5. APPLICABLE LAW

5.1. Local Codes

Pursuant to Franklin County Code, new WCF support towers in the Agricultural Production zone are subject to a Conditional Use Permit and must comply with the criteria in FCC 17.82 Special Permits. See Attachment 2—Statement of Code Compliance for AT&T's demonstration of compliance with the applicable code.

5.2. Comprehensive Plan

AT&T's proposal is consistent with Franklin County Comprehensive Plan, Economic Development Utilities Goals and Policies as shown below.

The proposed facility satisfies several of the applicable goals of the Franklin County Comprehensive Plan including, but not limited to Utility Goals and Policies, Resource Lands Goals and Policies and Economic Goals and Policies. Wireless services are key to the continued growth and safety of any community. People rely on the ability to use their phones and other wireless devices at work and at home, both indoors and outdoors.

- The proposed project advances the goals of the UTILITIES section of the comprehensive plan by its placement to minimize adverse impacts to adjoining land uses and environmentally sensitive areas. It is designed to allow for the collocation of multiple carriers, which reduces the number of new facilities needed in the future, and minimizes impact to environmentally sensitive areas and adjacent properties. The proposed location avoids adverse impacts to residential areas, resource areas, and airports.
- The proposed project advances ECONOMIC goals 1 & 3 by providing communication technology to promote employment and economic opportunity for all citizens
- The proposed project advances TRANSPORTATION Levels of Service Standards by providing the ability to communicate in rural areas and enhancing convenience and safety.

ATTACHMENT 1—Project Narrative AT&T's WCF Application—KP0500 Connel Page 8 of 9

5.3. State Law

Pursuant to FCC 17.66.100.C.3., a SEPA Environmental Checklist is required as part of the CUP application for the proposed Facility. Accordingly, a completed SEPA Checklist is included with AT&T's Land Use application as **Attachment 8**.

5.4. Federal Law

Federal law, primarily found in the Telecommunications Act of 1996 ("Telecom Act"), acknowledges a local jurisdiction's zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways.

5.4.1. Local jurisdictions may not materially limit or inhibit the provision of personal wireless service.

The Telecom Act prohibits a local jurisdiction from taking any action on a wireless siting permit that "prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B)(i)(II). According to the Federal Communications Commission ("FCC") Order adopted in September 2018, a local jurisdiction's action has the effect of prohibiting the provision of wireless services when it "materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment. Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility in terms of adding capacity, updating to new technologies, and/or maintaining high quality service.

While an applicant is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

- Significant Gap. Reliable in-building coverage is now a necessity and every community's expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a "significant gap" can exist based on inadequate in-building coverage. See, e.g., T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City, 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007), affirmed in part, 546 F.3d 1299 (10th Cir. 2008); MetroPCS, Inc. v. City and County of San Francisco, 2006 WL 1699580, *10-11 (N.D. Cal. 2006).
- Least Intrusive Means. The least intrusive means standard "requires that the provider 'show that the manner in which it proposes to fill the significant gap in service is the

¹ Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, Declaratory Ruling and Third Report and Order, 33 FCC Rcd 9088 (2018), ¶¶ 86-87, vacated in part, City of Portland v. United States, 969 F.3d 1020 (9th Cir. 2020), cert. denied, 594 U.S. ____, (June 28, 2021)(No. 20-1354) ("FCC Order").

² Id. at ¶ 35.

³ Id. at ¶¶ 34-42.

least intrusive on the values that the denial sought to serve." 572 F.3d at 995, quoting MetroPCS, Inc. v. City of San Francisco, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code's preferences and siting requirements.

5.4.2. Environmental and health effects prohibited from consideration.

Also under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). AT&T has included with this application a statement from its radio frequency engineers demonstrating that the proposed facility will operate in accordance with the Federal Communications Commission's RF emissions regulations. See Attachment 10—FCC MPE Letter. Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed Facility should be disregarded in this proceeding.

5.4.3. No discrimination amongst providers.

Local jurisdiction also may not discriminate amongst providers of functionally equivalent services. 47 U.S.C. § 332(c)(7)(B)(i)(I). A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers' applications for similarly situated facilities.

5.4.4. Shot Clock.

Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47 U.S.C. § 332(c)(7)(B)(ii). The FCC has issued a "Shot Clock" rule to establish a deadline for the issuance of land use permits for wireless facilities. 47 C.F.R. § 1.6001, et seq. A presumptively reasonable period of time for a local government to act on all relevant applications for a "macro" wireless facility on a new structure is 150 days. 47 C.F.R. § 1.6003(c)(1)(iv). The Shot Clock date is determined by counting forward 150 calendar days from the day after the date of submittal, including any required pre-application period. 47 C.F.R. § 1.6003(e).

Pursuant to federal law, the reasonable time period for review of this application is 150 days.



Date: Tuesday, April 5, 2022

Site Number: KP0500 – CONNEL SR260

FA Code: 15567378 USID: 314162

Address: No Situs [Parcel #103350027], Kahlotus, WA 99335

Re: Radio Frequency Compliance

Statement of Compliance

This New Cingular Wireless PCS, LLC (AT&T) wireless communications facility complies with all federal standards for radio frequency radiation in accordance with the Telecommunications Act of 1996 and subsequent amendments and any other requirements imposed by state or federal regulatory agencies.

Description of Facility:

Location Type: Proposed wireless communications facility will be comprised of multiple panel antennas and associated radio cabinets utilizing licensed frequencies in the 700, 850, 1900, 2100, 2300, and 3700 MHz bands. The purpose of the facility is to provide coverage and/or capacity to the geographic service area.

Power Density:

The power density from any sector as designed with the proposed facility shall not exceed the FCC maximum permissible exposure limits in accordance with FCC Public Standards OET Bulletin 65 (e.g., 1 mW/cm² at 1900 MHz) at any location that is considered readily accessible by the general public.

The proposed facility should not interfere with other communications facilities. Our sites are monitored 24/7 by a national operations center to insure all is operating normally. In addition, we have local technicians who make routine visits to cell sites to make repairs when needed. AT&T audits our facilities on a semi-annual basis to ensure that FCC compliance levels are continuously met.

If requested, a detailed radio frequency emission safety report detailing the maximum potential exposures will be provided to the jurisdiction.

Sincerely,

Juvylyn Calces

AT&T Mobility - RAN Engineering



April 8, 2022

Franklin County Planning Department 502 W. Boeing St. Pasco, WA 99301

Re: AT&T's Radio Frequency (RF) Engineering Justification for the Proposed Wireless

Communications Facility in Franklin County: Parcel # 103350027, Kahlotus, WA 99335

in Franklin County, Lat: 46.650586, Long: -118.640431, KP0500 Connel SR260

To Whom It May Concern,

Enclosed please find the RF Justification document prepared for AT&T's proposed new wireless communications facility at the above noted location. This letter serves as my verification, to the best of my knowledge, of the accuracy of the RF information, propagation maps, and analysis provided in the attached RF Justification.

Thank you for your consideration of this information.

Sincerely,

Kung-Liang Brian Lin RF Engineer AT&T Mobility



RF Justification

SERVICE OBJECTIVES & TARGETED SERVICE AREA

#103350027(New Cingular Wireless PCS, LLC (AT&T), applicant), Kahlotus, WA 99335 in Franklin County AT&T is proposing to build a new wireless communication facility "WCF" and/or "Facility" KP0500 Connel SR260, at Parcel

Service Objectives—Generally

main drivers that prompt the need for a new cell site—coverage and capacity. noise ratio ("SINR") resulting in quality service inside buildings and vehicles. To support this network design there are two AT&T strives for a network design that provides high radio frequency ("RF") signal strength and signal-to-interference-plus-

are identified by using SINR metrics to measure the network's signal quality when there is a high traffic load condition. High the interfering strength of the simultaneous transmissions. traffic areas in the network experience poor SINR due to the increased amount of signal noise/interference generated by data volume. When these capacity limits are reached, user experience quickly degrades. Capacity issues for LTE networks need for more wireless resources. Cell sites have a limited amount of resources to handle voice calls, data connections, and "Coverage" is the need to expand wireless service into an area that either has no service or bad service. "Capacity" is the

Service Objectives—Proposed New Facility

traffic (i.e. though this area already has AT&T coverage, additional capacity is needed to service the volume of users) no 4G voice service and AT&T's existing coverage in the area is at or near its capacity and is insufficient for the volume of The proposed new Facility is a service Coverage & Capacity site. Currently, portions in and around Kahlotus have minimal to

and Targeted Service Area was determined by AT&T's RF engineers through a combined analysis of market demand, customer complaints, service requests, and RF engineering design (including SINR metrics). provide/improve coverage and provide additional capacity to Hwy-260/Hwy-21 and Kahlotus area. This service objective The Objective of this proposed new facility to Capacity offload the surrounding existing WCF's. This new WCF will also

quality, and improved access to additional wireless services the public now demands (this includes emergency 911 calls). vehicle, and in-building wireless service within the Targeted Service Area, resulting in fewer dropped calls, improved call The proposed new Facility meets AT&T's service objectives to provide sufficient continuous and uninterrupted outdoor, in-

height necessary to reliably make and receive telephone calls and provide data service in the presence of varying signals is support FirstNet and deploy the new frequency band for first responders ("Band 14"). Placing antenna at the minimum this proposed WCF is part of a more significant initiative by AT&T to upgrade existing wireless sites and to build new sites to In addition to AT&T LTE commercial facilities, this proposed WCF will include facilities to support FirstNet. As a FirstNet site, crucial for the efficient and effective operation of this site as a FirstNet Network site



SEARCH RING

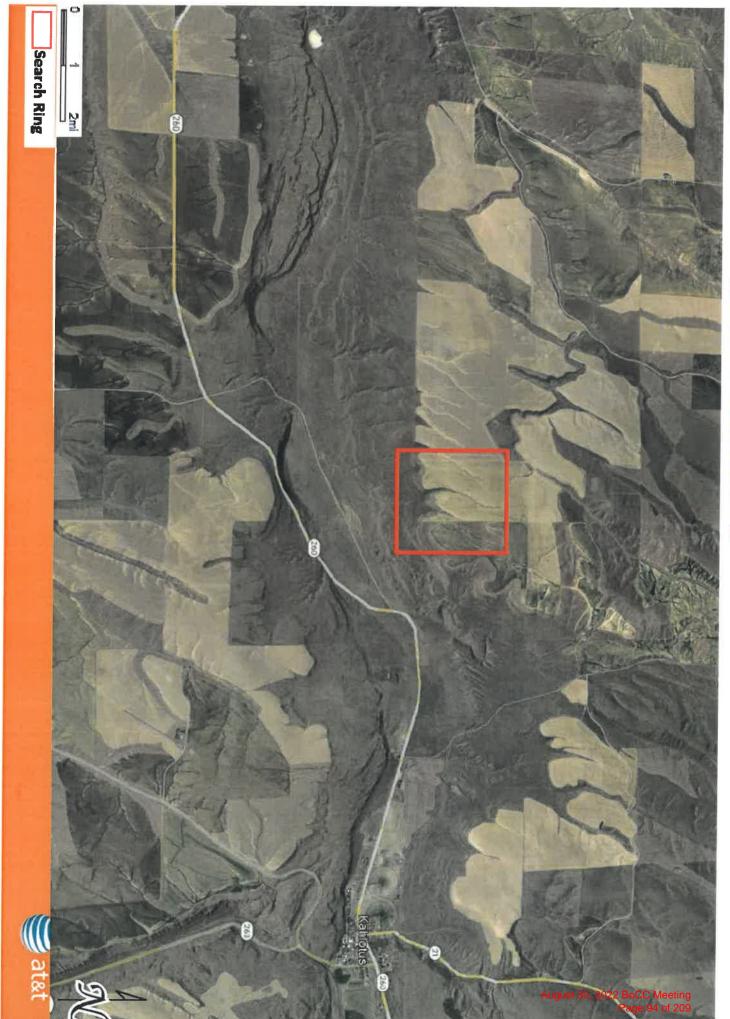
the Targeted Service Area. AT&T's RF engineers identified a "search ring" area where a new wireless facility may be located to provide effective service in AT&T's RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate site location and antenna height required to best fulfill the noted service objectives within the Targeted Service Area. From this study,

Search ring is designed based on the existing RF conditions (identified poor existing coverage/capacity areas). As this is a service coverage site intended to improve coverage in a specific area, the proposed new Facility must be located relieving some of the burden on the existing facility by offloading users' data requirements to the proposed new Facility. This new Facility will provide service to users' handsets and prevent them from communicating with AT&T's existing facility, thereby within the identified search ring to be able to establish a dominant signal within the Targeted Service Area—i.e. the proposed

document. discussion of the methodology AT&T's RF engineers used to identify the search ring is included at the end of this RF Justification Figure A—Targeted Search Ring, below, indicates the search ring AT&T's RF engineers established for this proposed site. A



Figure A—Targeted Search Ring



PROPOSED NEW AT&T FACILITY

Antennas and Equipment

equipment with a 195ft antenna tip height. panel antennas, twelve (12) remote radio head (RRH) units, one (1) microwave antenna, together with additional associated To meet AT&T's service objectives within the Targeted Service Area, AT&T is proposing to install up to twelve (12) eight-foot (8ft)

Required Height

to make and receive telephone calls and use data service in the presence of varying signals. 195' antenna tip heights. The proposed antenna tip height is also the height where an AT&T wireless device can be reliably used height at this location would not provide as effective coverage improvement within the Targeted Service Area as compared to the tip height is the minimum necessary to best meet AT&T's service objectives within the Targeted Service Area. A lower antenna tip wireless sites, ground elevation, obstructions to the signal, and the surrounding terrain. Accordingly, the proposed 195ft antenna important role. The proposed antenna tip height was determined by considering various factors such as the height of surrounding As the proposed new Facility is intended to enhance existing capacity and provide new coverage, height and location play an

Projected New Coverage

provide the following new AT&T coverage Based upon the above proposed equipment and antenna tip height, AT&T's RF engineers project that the proposed Facility will

green. As can be seen, there is a coverage gap in all areas not shaded in green. Currently, the target coverage area has minimal to demonstrates the current gap in coverage in the targeted service area. The red star indicates the location of the proposed new WCF. The pink diamond indicates the location of existing AT&T WCF sites; coverage from AT&T's existing WCF sites is shaded in Figure B—Existing AT&T Coverage shows existing AT&T wireless services in the general area of the proposed new site, which no 4G voice service and does not have adequate 4G LTE service.

to make and receive telephone calls and use data service in the presence of varying signals. connected coverage to residential and commercial area. This is also the height where an AT&T wireless device can be reliably used nearby complementary wireless facilities and to support the FirstNet Network. This location and height can provide dominant and antenna tip height of 195 ft. The proposed antenna tip height is the minimum necessary to help fill the coverage gap relative to Figure C—Projected New AT&T Coverage identifies the projected coverage from the proposed new WCF with the requested



PROPOSED NEW AT&T FACILITY Cont...

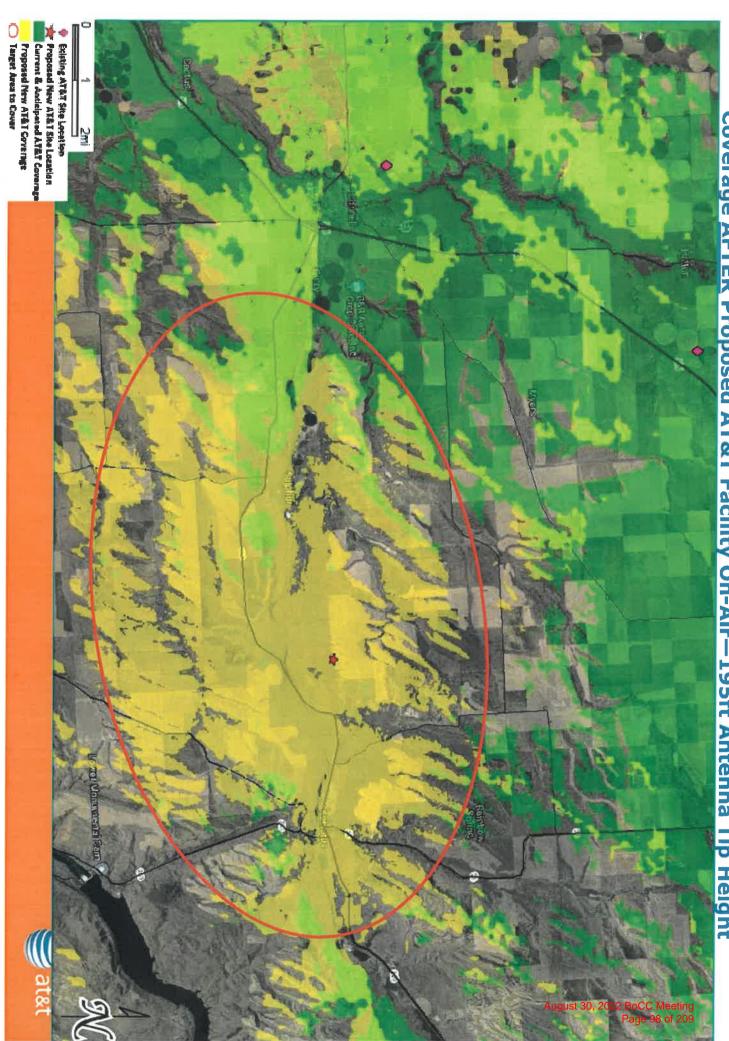
Figure C.1—Projected New AT&T Coverage with Zoomed In view to target areas.

WCF. Figure D—A current map and aerial showing Proposed Location and service areas being covered by existing



 Target Area to Cover TProposed New AT&T Site Location
Current & Anticipated AT&T Coverage Existing: AT&T Site Location Figure B—Existing AT&T Coverage argeted Service Area BEFORE Addition of Proposed New Wireless Facility

Figure C—Projected New AT&T Coverage Coverage AFTER Proposed AT&T Facility On-Air—195ft Antenna Tip Height



Coverage AFTER Proposed AT&T Facility On-Air—195ft Antenna Tip Height-zoomed In Target Area Figure C.1—Projected New AT&T Coverage

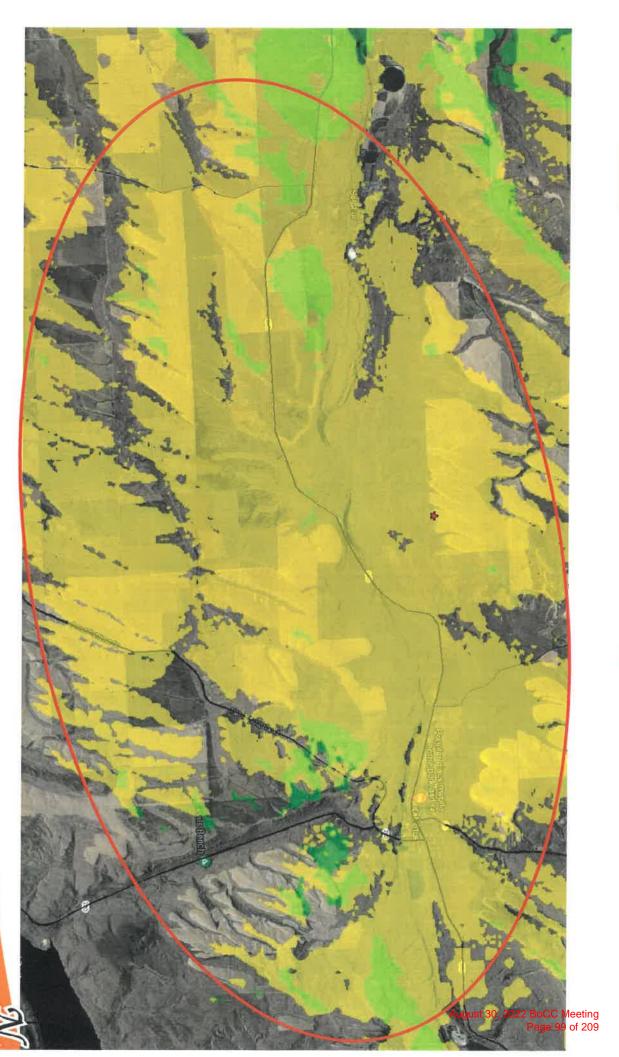






Figure D—Current Aerial Map showing Proposed Location and service



Alternative Site Analysis

or structure for collocation at the desired antenna height. If an existing tower or structure is not available or determined the following alternative locations within the identified search ring as possible locations for the proposed new WCF. to be infeasible, AT&T will then propose a new tower. For this proposed Facility, AT&T's RF engineers generally evaluated facility to meet AT&T's service objectives for the Targeted Service Area. AT&T will first attempt to utilize an existing tower AT&T considers all siting possibilities within, and adjacent to, a search ring to determine the best location for a new

Figure E—Alternative Site Locations shows the location of each alternative site in relation to the proposed new site

antenna tip on that tower. approximately 3.9 miles East of the proposed new WCF. The available tip height of 250ft which is the highest available Alternative Site #1(46.638667, -118.561194) — Colocation: An existing 298ft Franklin County Tower located

West. There is gap of ~4 miles on Hwy 260. This location is 100′ lower elevation and is blocked by terrain going West. tip height of 250 ft. As seen form the figure, this location is not able to provide connected coverage to Hwy 260 towards Figure F—Projected New AT&T Coverage identifies the projected coverage from the Alternative Site #1 with the antenna

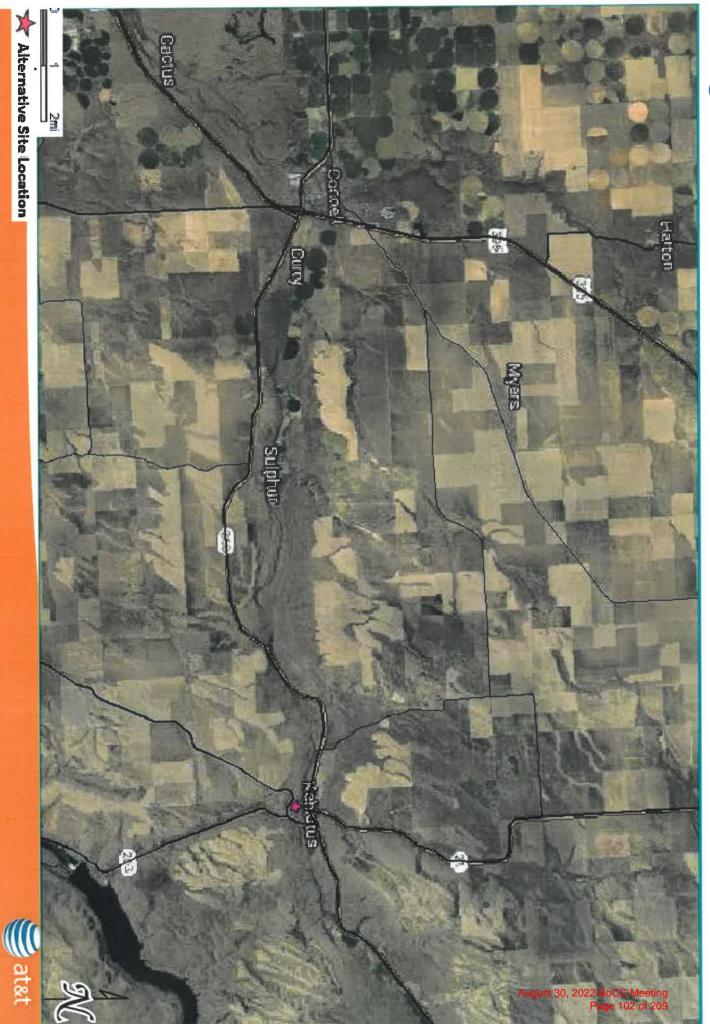
blue. As can be clearly seen by the propagation map, Alternative Site #1 does not provide sufficient coverage within the proposed new WCF with a 195ft antenna tip height .The additional coverage from the proposed new WCF is shaded in approximate 250ft antenna tip height on the existing tower (shaded in red) versus the projected new coverage from the Figure G—Alternative Site #2—New AT&T Coverage Comparison demonstrates the projected new coverage from an Table 1,this location covers only 55% of target area Targeted Service Area. This location is far outside the Search ring and away from the target area to cover. As seen from

Table 1

Alternative Location #1	Proposed Location	Site location
Alternative Location #1 46.638667/-118.561194	46.650588/-118.640431	Coordinates
250′	195′	Tip height (ft)
40.30	73.27	Coverage surface (sq. mi)
55	100	Percentage

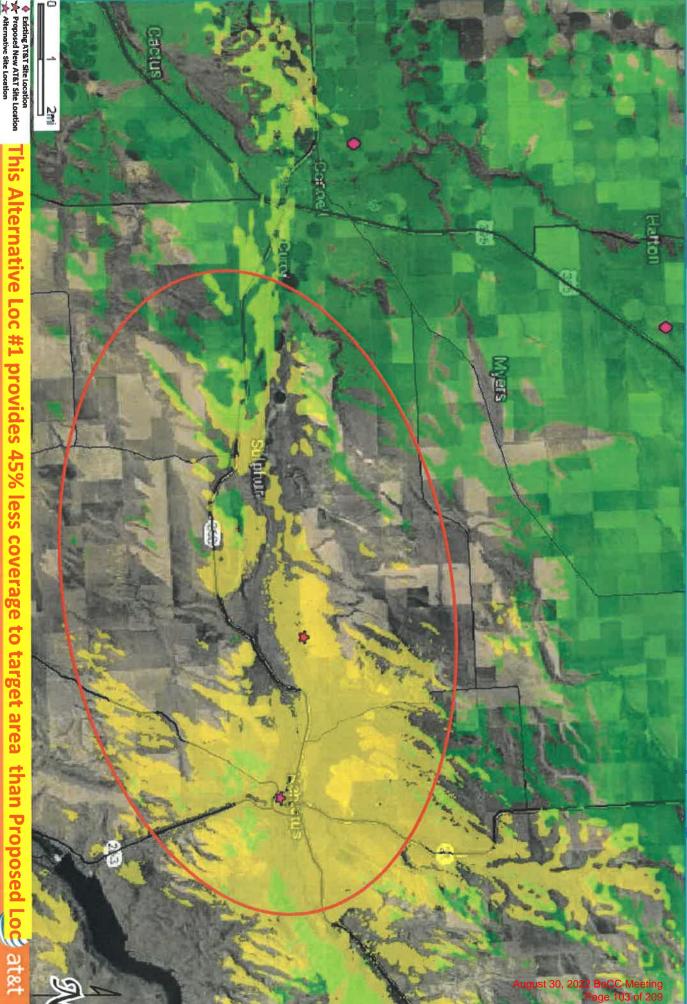


Figure E—Alternative Site Locations



Alternative Site Location

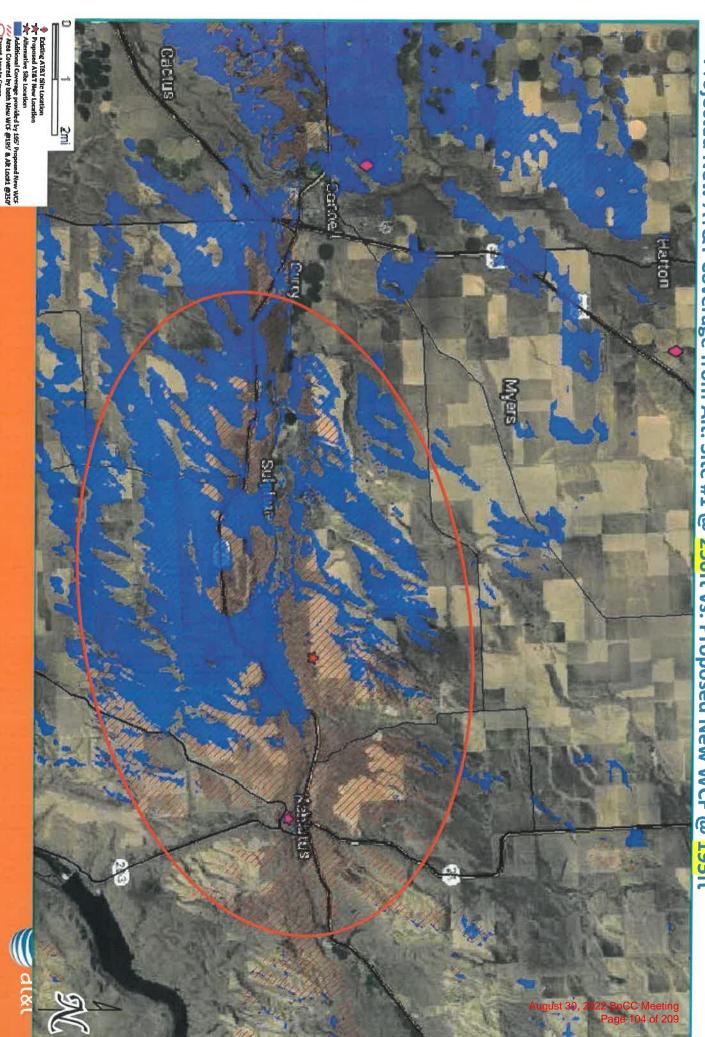
Coverage AFTER Alternative Loc #1 On-Air-250ft Antenna Figure F—Projected New AT&T Coverage Tip Height



Current & Anticipated AT&T Coverage
Proposed New AT&T Coverage
Tarset Area to Cover

Figure G—Alternative Site #1—New AT&T Coverage Comparison

Projected New AT&T Coverage from Alt. Site #1 @ 250ft vs. Proposed New WCF @ 195ft



Search Ring Methodology

specific factors such as the type of antenna, antenna tilt, etc. WCF. The software and AT&T's RF engineers considered the general factors outlined below, as well as more project-AT&T's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new

the desired coverage area due to the existing coverage, the surrounding terrain, or other features which might affect the center of the desired coverage area. However, in certain cases, the search ring may be located away from the center of line and diminish as they travel further away from the antennas, it is generally best to place an antenna site near the site as well as the terrain in and around the area to be covered. Because radio frequency broadcasts travel in a straight coverage within the targeted service area. The RF engineer must take into consideration the coverage objectives for the Coverage. The antenna site must be located in an area where the radio frequency broadcasts will provide adequate radio frequency broadcasts, e.g. buildings or sources of electrical interference.

the structure must be even taller to also allow the other carriers' antennas to clear the clutter. coverage areas. Additionally, if the local code requires us to accommodate additional carriers on the support structure, antennas must be installed above or close to the "clutter" to provide high quality communications services in the desired hills, rocks, or metal, and are diminished by trees, brick and wood walls, and other structures. Accordingly, AT&T's Clutter. AT&T's WCFs must "clear the clutter"—the WCF site must be installed above or close to RF obstructions (the "clutter") to enable the RF to extend beyond and clear the clutter. AT&T's radio frequencies do not penetrate mountains,

to support the mechanism of the call handoff. coverage area of an adjacent antenna site. This requires coverage overlap for a sufficient distance and/or period of time telephone conversation to continue uninterrupted as the user travels from the coverage area of one antenna site into the handoff" with adjacent WCF sites. Call handoff is a feature of a wireless communications system that allows an ongoing Call Handoff. The WCF site must be in an area where the radio broadcasts from the site will allow seamless "call

coverage in areas where there are residences, businesses and indoor recreational facilities. commute and play, including when they are indoors. AT&T's coverage objectives include the ability to provide indoor Quality of Service. Users of wireless communications services want to use their services where they live, work



Search Ring Methodology—Con't

systems that use higher radio frequencies. signals will travel further and will penetrate buildings better than the radio frequencies in the 1900 MHz band. As a result, Radio Frequencies used by System. The designs of wireless communications systems vary greatly based upon the radio wireless communications systems that use lower radio frequencies will need fewer sites than wireless communications frequencies that are used by the carrier. If the carrier uses radio frequencies in the 850 MHz to 950 MHz range, the radio

regulations, including zoning and comprehensive plan classifications, goals, and policies. AT&T's search rings take these laws and regulations into consideration. Land Use Classifications. A&T's ability to construct a WCF site on any particular property is affected by state and local



STATEMENT OF CODE COMPLIANCE CONDITIONAL USE APPLICATION AT&T WCF—KP0500 CONNEL

Submitted to Franklin County, WA Planning Department

AT&T's application (the "Application") for a new wireless communication facility ("WCF" and/or "Facility") in the Agricultural Production (AP-40) zone is subject to and complies with the following applicable provisions of Franklin County's Code ("FCC"), which are addressed in this Statement of Code Compliance in the following order:

Title 17-Zoning

- I. WCF DEVELOPMENT & DESIGN REGULATIONS
 - Chapter 17 Use Regulations
 - Section 17.66 Communication towers
- II. GENERAL DEVELOPMENT STANDARDS
 - Chapter 17.72 Site Design Standards
 - o Section 1.72.030 Building Heights
- III. REVIEW PROCEDURES
 - Chapter 17.82 Special Permits
 - o Section 17.82.060 Application Requirements
 - Section 17.82.080 Findings of Fact by Planning Commission

PLEASE NOTE: AT&T's responses to the above referenced criteria are indicated below each applicable provision in *bold italicized blue text*. Any reference to an "Attachment" is in reference to an attachment included in AT&T's application for the proposed Facility.

I. WCF DEVELOPMENT & DESIGN REGULATIONS

17.66.100 Communication towers.

- A. Communication towers are permitted in all zoning districts for noncommercial purposes provided:
 - 1. Such structures and appurtenances shall not be located in the required front yard or in front of the front line of the dwelling or principal building.
 - 2. Such structures shall not exceed a height of ten (10) feet within a required side or rear yard.
 - 3. Such structures shall not exceed a height of eighty (80) feet within the yard area between the rear yard setback and the rear of the building.
 - 4. Not more than one such structure per lot or parcel shall exceed a height of thirty (30) feet.

Applicant response: Not applicable. The proposed tower is a Wireless communications facility used for commercial purposes and is subject to 17.66.100B herein.

- B. Wireless communication facilities (WCFs) are permitted under the following conditions and guidelines:
 - 1. Applicability. The requirements of this section apply to all wireless communication facilities, except as follows:
 - a. Pre-existing WCFs. WCFs for which a permit has been issued prior to the effective date of the ordinance codified in this chapter shall not be required to meet the requirements of this section.
 - b. Exclusion for Amateur Radio Facilities. This section shall not govern the installation of any amateur radio facility that is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.

Applicant response: AT&T's proposal is not exempt under this subsection.

- 2. Wireless Communication Facilities—Uses.
 - a. Permitted Use. WCFs shall be an allowed/permitted use in all industrial or C-3 zoning districts, provided the tower location is five hundred (500) feet or more from a residential district. Any location closer than five hundred (500) feet requires a conditional use permit/special permit in accordance with Chapter 17.82 of this title.

Applicant response: Not applicable. AT&T's proposed WCF is located in the AP-40 zone.

b. Conditional Use. The following WCF applications may be permitted by a conditional use/special permit in all zoning districts:

- i. The WCF is attached to or located on an existing or proposed building, structure or tower that is higher than thirty-five (35) feet (a conditional use permit may be waived per co-location, subsection (B)(2)(c)(ii) of this section;
- ii. The WCF is located on or within a publicly owned facility such as a water reservoir, fire station, police station, school, county/city or port facility;
- iii. Subsections (B)(2)(b)(i) and (ii) of this section may be waived in the agricultural production zoning district.

Applicant response: AT&T is proposing to build a new WCF in the AP-40, Agricultural Production zoning district. AT&T has submitted a conditional use/special permit as required by this section and requests that subsections ii. and iii. be waived

c. Co-location.

- i. Co-location Encouraged. In order to minimize facility proliferation, WCFs shall be required, to the greatest extent practicable, to be co-located. Co-location will be a condition of any land use permit or other development approval unless an applicant submits a demonstration that supports, to the satisfaction of the planning department, the conclusion that sharing space on an existing facility or a facility that has been approved/pending construction is not feasible or possible based on one or more of the following factors:
 - (A) Available space on existing (or approved/pending construction) facilities;
 - (B) The facility owner's ability to lease space;
 - (C) The facility's structural capacity;
 - (D) Radio frequency interference;
 - (E) Geographic service area requirements:
 - (F) Mechanical or electrical incompatibilities:
 - (G) The comparative costs of co-location and new construction;
 - (H) Any FCC limitation on facility or structural support sharing.

Applicant response: As demonstrated in Attachment 11-Five Mile Radius Map, within the 5-mile radius there is one tower approximately 3.8 miles east of AT&T's search ring that is too far removed to meet the coverage objective, therefore, collocation is not feasible. See Attachment 3 - AT&T Radio Frequency (RF) Justification.

- ii. Co-location in Nonresidential Zones—Waiver of Conditional/Special Permit Requirements. Co-location proposals may be reviewed administratively by the planning department in nonresidential zones provided:
 - (A) The co-located WCF is attached to an existing structure (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) or tower, so long as the attachment does not increase the height of such structure or tower. Any increase in height will require the approval of a

conditional/special permit.

- (B) The co-located WCF is allowed only one equipment structure (see subsection (E)(4) of this section), any increase in the number of structures will require the approval of a conditional/special use permit.
- (C) Co-location in Nonresidential Zones—Administrative Review.
 - (1) The applicant must submit detailed plans to the planning department for a determination as to whether the conditional use permit process and public hearings may be waived.
 - (2) Co-locations are required to comply with any other permit, license, lease, or franchise requirement including the issuance of a Franklin County building permit and business license.

Applicant response: Not applicable. AT&T is proposing a new WCF in the AP-40 zone.

- C. Application Requirements. The following application requirements apply to permitted and conditional/special use WCF proposals. For conditional/special use permit applications, the requirements stated in Chapter 17.80 of this title also apply. At a minimum, the application requirements shall include the following:
 - 1. Land development application form provided by the planning department (including a statement from the applicant which explains the WCF's specific use).

Applicant response: AT&T has submitted a Land Development Application form as part of the Conditional Use Permit Application Package.

- 2. Franklin County business license application form provided by the planning department. Applicant response: Please see the Business License Application that is part of the Conditional Use Permit Application Package.
 - 3. Any SEPA documents (SEPA checklist), as applicable.

Applicant response: Please see Attachment 8-SEPA Checklist, included as part of the Conditional Use Permit Application Package.

4. Site Plan. A scaled site plan showing the location, point of reference, type, height and horizontal location (coordinates) of the proposed support structures and antennas, existing buildings, adjacent roadway rights-of-way, parking areas if applicable, proposed means of access, setbacks from property lines, the approximate distance between the proposed support structures and the property lines, and method of fencing.

Applicant response: Please see Attachment 4-Zoning Plans, Sheet C-0.1.

5. Landscaping Plan. A landscaping plan shall be prepared indicating the specific placement of the WCF on the site. Trees and other significant site feature and location of plant materials used to screen the facility and the proposed color(s) of the facility shall also be indicated.

Applicant response: AT&T respectfully requests a waiver of the landscape requirement. The proposed facility will be installed on an undeveloped parcel 1.8 miles from any residence and more than three miles from Kahlotus. Per Mr. Derrick Braaten, Planning and Building Director, Franklin County, WA, landscaping can be waived due to the location of the site. Please see Attachment 9-No Landscape Email.

6. Service Area Map. A current map showing the location of the proposed support structure, the locations and service areas of other WCFs operated by the applicant and those proposed by the applicant that are close enough to impact service within the county.

Applicant response: A service map has been included in Attachment 3-AT&T Radio Frequency (RF) Justification.

7. Co-location demonstration pursuant to subsection (B)(2)(c)(i) of this section including a statement that the applicant has made a diligent attempt to mount the facilities on an existing (or approved/pending construction) support structure or tower that is within a one mile (within an urban growth area boundary) or five-mile radius (outside an urban growth area boundary) of the chosen site. For non co-location applications within the above described radius, the county may hire/contract with a neutral party (cost of this hire is the responsibility of the applicant) to determine the applicants' co-location feasibility on existing (or approved/pending construction) towers/facilities.

Applicant response: Collocation on an existing tower is not feasible. As demonstrated in Attachment 11-5-Mile Radius Map, there is one existing tower within 5 miles of the proposed WCF. However, the tower is approximately 3.8 miles outside AT&T's Targeted Search Ring and is too geographically distant to meet AT&T's Targeted Service Area.

- 8. Co-location Statements. A statement by the applicant as to whether construction of the support structure will accommodate co-location of additional antenna(s) for future users. If so, a signed statement shall be included indicating that:
 - (i) the applicant and landowner agree they will diligently negotiate in good faith to facilitate co-location of additional WCFs by other providers on the applicant's structure or within the same site location; and
 - (ii) the applicant and/or landowner agree to remove the facility within ninety (90) days after abandonment.

Applicant Response: Please see Attachment 5- Colocation, Compliance and Interference Statement for demonstration of AT&T's compliance with this requirement.

Compliance Letter. A letter signed by the applicant stating the support structure and antenna will comply with all applicable federal, state and local laws and regulations, and this section.

Applicant Response: Please see Attachment 5- Colocation, Compliance and Interference Statement for demonstration of AT&T's compliance with this requirement.

10. Interference Certification. Certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions of other communications facilities.

Applicant Response: Please see Attachment 5- Colocation, Compliance and Interference Statement for demonstration of AT&T's compliance with this requirement.

11. Licenses. Copies of any FCC licenses required under FCC regulations for the provision of service within the county.

Applicant Response: Please see Attachment 6-FCC License for demonstration of AT&T's compliance with this requirement.

- D. Siting Requirements. WCF sites are subject to the following siting requirements:
 - 1. An applicant proposing to site a WCF shall demonstrate by a propagation map that the WCF must be located at the site to satisfy its function in the applicant's grid system.

Applicant response: Please see the propagation map included in Attachment 3- AT&T Radio Frequency (RF) Justification for demonstration of the projected coverage area the proposed WCF will provide at the chosen location.

2. Further, the applicant must demonstrate by a propagation map that the height requested is the minimum height necessary to fulfill the site's function within the applicant's grid system. An analysis by a professional engineer documenting these demonstrations shall accompany the propagation maps.

Applicant response: The overall height of the proposed WCF is 195ft and is the minimum height necessary for its intended use. Please see the propagation map included in Attachment 3- AT&T Radio Frequency (RF) Justification for demonstration that the proposed antenna tip height is the minimum necessary to meet AT&T's service objectives within the Targeted Service Area.

3. WCFs shall be located and designed to minimize adverse impacts on residential properties. WCFs shall be placed in locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.

Applicant response: AT&T believes that the proposed location is the least intrusive site to meet AT&T's service objective within the Targeted Service Area. The proposed WCF will occupy only 8,100 square feet on an approximate 318-acre parcel. The proposed WCF will be fenced and will have negligible impact on residential properties, as the closest residential structure is 1.8 miles from the proposed site.

4. WCFs shall be located to minimize adverse impacts on existing airports/airstrips (private and public) and the associated impacts on the agricultural aerial flight patterns (for agricultural spraying) in an area. A WCF shall not be located any closer than one mile from an existing and established private airport/airstrip.

Applicant response: The nearest airstrip is 8.3 miles southeast of the proposed site. Please see the Attachment 7-FAA TOWAIR Determination.

E. Design Standards. WCFs and WCF sites are subject to the following standards:

1. The entire facility shall be aesthetically and architecturally compatible with its environment.

Applicant response: AT&T is proposing a lattice tower that will have a non-reflective gray finish to blend with the sky. Due to the height of the tower a monopole camouflaged as a pine tree is not structurally feasible at 195ft.

2. New facilities shall be designed to accommodate co-location which shall consist of a minimum three available spaces per tower. New WCFs/towers are also subject to providing, at a minimum, one co-location agreement (with a service provider) to the planning department prior to obtaining a building permit. This shall be a condition of approval of all special/conditional use permits.

Applicant response: The proposed tower is designed to accommodate a minimum of 3 additional carriers. Please see page C-3 of Attachment 4-Zoning Plans. AT&T respectfully requests the county waive the requirement to submit a signed co-location agreement prior to obtaining a building permit. It is not customary for collocation agreements to be negotiated or signed until construction of the tower is complete and the terms of such an agreement are proprietary and confidential. AT&T can instead provide a signed statement that it will offer colocation on the tower at reasonable market terms.

3. Lights, Signals and Signs. Signals, lights, or signs may be required on WCFs by the FCC, FAA or the governing body.

Applicant response: No artificial lighting of the Facility is proposed or required per Attachment 7—FAA TOWAIR Determination, however, a motion-controlled LED security light will be located on the prefabricated walk-in-cabinet (WIC) within the fenced compound. Please see Sheet C-3 in Attachment 4—Zoning Plans for a visual representation of AT&T's proposal.

- 4. Equipment structures. A WCF shall be limited to one of the following options:
 - a. Two equipment structures are allowed per WCF. The maximum floor area allowed for each structure is three hundred (300) square feet. The maximum structure height is fifteen (15) feet.
 - b. WCF's may have one building with a maximum size of seven hundred twenty (720) square feet if the building is constructed in a fashion to accommodate a minimum of three service providers. The maximum structure height is fifteen (15) feet.

Applicant response: A prefabricated 10ft x 10ft WIC will be installed on a concrete pad within the fenced lease area. The WIC is less than 300 sq. ft. and is 10ft in height. Please see Sheets C-2 and C-3 in Attachment 4-Zoning Plans for demonstration of AT&T's compliance with this requirement..

Fencing. A fence shall be provided around each WCF (including equipment shelter) that is not less than six feet in height from the finished grade. Access to the tower shall be through a locked gate.

Applicant response: AT&T is proposing to install a six-foot chain-link fence with one foot barbed wire and a locked gate for security. Please see Sheets C-1 and C-3 in Attachment 4-Zoning Plans for

demonstration of AT&T's compliance with this requirement.

6. All towers must meet or exceed current standards and regulations of the FAA and FCC. All applications for building permits must be accompanied by verification of approval by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA) and any other state or federal requirements for tower design and location.

Applicant response: The tower will meet or exceed current standards and regulations of the FAA and FCC Please see Attachment 6-FCC License and Attachment 7-FAA TOWAIR Determination - which will also be submitted with the Building Permit.

7. All tower construction plans shall be designed and stamped by a licensed professional engineer.

Applicant response: Please see Attachment 4-Zoning Plans, which are stamped and signed by a licensed professional engineer.

- 8. Tower and Antenna Height. In addition to the siting requirements in subsection D of this section, the following height requirements apply:
 - a. Industrial Zones. The maximum height for a WCF shall be one hundred forty (140) feet.
 - b. C-3 General Commercial Zone. The maximum height for a WCF shall be one hundred twenty (120) feet.
 - c. Other Commercial Zones. The maximum height for a WCF shall be one hundred (100) feet.
 - d. Residential Zones. The maximum height for a WCF shall be sixty (60) feet.
 - e. Agricultural Zones. The maximum height for a WCF shall be determined by the conditional/special use process.

Applicant response: AT&T is proposing a 195' lattice tower in the AP-40 Agricultural Zone. This height was determined to be the minimum height necessary to meet AT&T's coverage objectives outlined in Attachment 3- AT&T Radio Frequency (RF) Justification. This height will also provide collocation opportunity to additional carriers.

F. Non-use, Abandonment and Removal of WCFs. Any WCF that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such a WCF shall have it removed within ninety (90) days from the date of notice from the governing authority that the WCF is abandoned. If such WCF is not removed within ninety (90) days, the governing authority may remove such WCF at the owner's sole expense. The permit shall be reviewed one year after the date of issuance to make sure the permitted use is still the actual use of the land (i.e., to make sure the WCF is still an active tower). If there are two or more users of a single WCF, then this provision shall not become effective until all users cease using the WCF.

Applicant response: AT&T acknowledges, understands, and intends to comply with this requirement.

- G. Nonconforming WCFs. WCFs in existence on the date of the adoption of the ordinance codified in this title that do not comply with the requirements of this section (nonconforming WCFs) may:
 - 1. Continue in use for the purpose now used, but may not be expanded without complying with this section, except as further provided in this subsection.
 - 2. Add additional antennas (belonging to the same carrier or other carriers) subject to policies discussed in this section.
 - Be repaired and restored to their former use, location and physical dimensions if damaged or destroyed due to any reason or cause, subject to obtaining a building permit therefor, but without otherwise complying with section.
 - 4. Be replaced, repaired, rebuilt and/or expanded in order to improve the structural integrity of the WCF support structure, to allow the facility to accommodate co-located antennas or facilities, or to upgrade the facilities to current engineering, technological or communication standards, without having to conform to the provisions of this section, so long as such facilities are not increased in height or setbacks are not decreased.

(Ord. 8-2006 § 4, 2006; Ord. 7-2005 § 33.10.0, 2005)

Applicant response: Not applicable.

III. GENERAL DEVELOPMENT STANDARDS

Chapter 17.72 Site Design Standards

17.72.050 Building Heights-AP-40.

E.

Height: thirty-five (35) feet (primary and accessory). Height limitations shall not apply to barns, silos, water towers or other farm buildings and structures. Projections such as chimneys, domes, spires, elevator shaft housings, towers, aerials, flagpoles, and other similar objects not used for human occupancy are likewise not subject to height limitations of this chapter.

Applicant response: The proposal is a tower and is exempt from building height restrictions.

IV. REVIEW PROCEDURES

Chapter 17.82 Special Permits

17.82.060 - Application requirements.

Applications for special permit shall include the following:

A. Present use of the land and structures, if any;

Applicant response: The present use of the land is agriculture.

ATTACHMENT 2—Statement of Code Compliance AT&T's WCF Application—KP0500 Connel Page 10 of 11

B. Detailed description of the proposed use;

Applicant response: AT&T is proposing to lease a small portion of the land, 4900 sf or .357% of the 318 acre parcel, for the construction of a 195' wireless communications tower and associated equipment.

C. Description of any existing zoning ordinance violation;

Applicant response: To the best of AT&T's knowledge, the property is in compliance with the existing zoning ordinance and there are no existing code violations.

- D. A site map or plan drawn neatly and to scale, showing the following:
 - 1. Exterior property lines and any adjacent public street or alley rights-of-way,
 - 2. Existing and proposed buildings and other structures,
 - 3. Existing and proposed points of ingress and egress, drives and driveways and circulation pattern,
 - 4. The location of existing and proposed parking areas with each parking space shown,
 - 5. Existing and proposed open spaces and landscape areas;

Applicant response: Please see attachment 4-Zoning Drawings.

E. A certificate of ownership and a list of owners, with addresses, of all property within five hundred (500) feet of the applicant's property within an urban growth area boundary and one mile outside of urban growth area boundaries, as provided and certified by the county assessor's office or a licensed title company, and being current within thirty (30) days from the date of the application;

Applicant response: This certificate of ownership will be provided within 30 days of the date of this application.

F. Any other pertinent information that may be necessary to determine if the use meets the requirements of this chapter.

Applicant response:

17.82.080 - Findings of fact by Planning Commission.

Upon conclusion of the open record pre-decision hearing, the planning commission shall make and enter findings from the record and conclusions thereof as to whether or not:

- A. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;
- B. The proposal will adversely affect public infrastructure;
- C. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;

ATTACHMENT 2—Statement of Code Compliance AT&T's WCF Application—KP0500 Connel Page 11 of 11

- D. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
- E. The operations in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
- F. The proposal will endanger the public health, or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district. (Ord. 7-2005 § 41.8.0, 2005)

 Applicant response: The proposed project's compliance is detailed in section 5.2 of Attachment 2
 Project Narrative.

FRANKLIN COUNTY, WASHINGTON

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of proposal: The proposal is for the approval of a Conditional Use Permit (CUP), allowing for the installation of new cell tower, which is allowed only with an approved CUP (In accordance with Franklin County Code (FCC) 17.66.100 (E)(8)(e)). Applicant proposes to build a Wireless Communications Facility (WCF) to include a new 195 ft. lattice tower that will support up to four cell carriers. Features of proposed compound will include security fencing, gravel access road with fire apparatus turn-around and emergency back-up generator in event of power outage.

File Number:

SEPA 2022-18 (CUP 2022-05)

Proponent:

Nancy Sears, Smartlink Group

Location:

The property is located Southeast of Black Rd., West of Wadsworth Rd. and Northwest of SR 260. (Parcel #103-350-

027)

Legal Description:

W2 LESS 3 AC R/W 35-14-33

Lead agency:

Franklin County, Washington,

Findings:

- 1. Earth (grading impacts)
 - a. Slopes: Site itself is relatively flat with less than 1% slope. However, there are up to 30% slopes located on the property.
 - b. Grading: Site is flat and grading should be minor.
 - c. Soil Erosion: There is a potential for soil erosion during construction.
 - d. Dust: Due to volume of grading work, and the fact topsoil will be removed, there is a potential for fugitive dust and nuisance impacts from dust, if not properly managed.
- 2. Air Quality Impacts:
 - a. Short-Term: There will likely be impacts to air quality from construction activities on the site, due to construction equipment emissions and disturbance to the soil (dust).
 - b. Long-Term: Will be minimal, mostly from work vehicles visiting the site for monthly maintenance operations.
- 3. Historic & Cultural Preservation impacts:
 - a. A review of the DAHP WISAARD map shows minimal risk according to predictive model.
- 4. Transportation Impacts: This proposal will result in additional vehicle trips, primarily on an intermittent basis during different parts of the year.
- 5. Groundwater impacts: There will be no well-located onsite and will not require water. There will be diesel fuel located onsite however to power emergency back-up generator.

- 6. Impacts to and from surrounding land uses:
 - a. There are potential impacts to surrounding land-uses, by increased traffic, noise, and dust on a short-term basis from construction activities and on a long-term basis from traffic, to and from the site.
 - b. The site is located within a "Right to Farm" area, and may be impacted by odors, dust, and noise produced by the surrounding active agricultural activities.
- 7. Aesthetic impacts: Impacts to views will be minimal, as the surrounding lands contains only agricultural uses.
- 8. Public service impacts: Impacts to public services, other than roads, will be limited, and primarily on an intermittent basis.
- 9. Stormwater impacts: Best Management Practices (BMP) will be implemented to minimize potential impacts.

Known Conditions to Be Required:

- 1. A Construction Stormwater Pollution Prevention Plan (SWPPP) shall be provided, with measures to mitigate for potential erosion caused by onsite stormwater runoff, and the plan shall be implemented by the Contractor.
- 2. BMP to minimize dust during construction shall be used, such as watering the site in accordance with local air-quality requirements. Vegetative cover or a tackifier shall be provided as soon as practicable following clearing and grading. Dust control shall comply with applicable local standards.
- 3. Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity shall stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the Franklin County Planning and Building Department, the affected Tribe(s) and the county coroner (if applicable) shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required.
- 4. A drainage system shall be designed to capture and dispose of storm water runoff onsite.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of publication (June 30, 2022). Comments must be submitted by: **July 14, 2022**.

Responsible official: Derrick Braaten

Position/title/Phone: Planning and Building Director — (509) 545-3521

Address: 502 Boeing Street, Pasco, WA 99301

Date/Signature: 6/29/2022 Steven John Stine and the Stine and the state of the stat

Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than **July 14, 2022**. Contact the responsible official to read or ask about the procedure for SEPA appeals.

SEPA ENVIRONMENTAL CHECKLIST FRANKLIN COUNTY, WASHINGTON

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to <u>all parts of your proposal</u>, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

For guidance on completing this form or assistance in understanding a question, visit http://www.ecy.wa.gov/programs/sea/sepa/ChecklistGuidance.html

The SEPA Handbook is available online at: http://www.ecv.wa.gov/programs/sea/sepa/handbk/hbintro.html

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the supplemental sheet for nonproject actions (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements —that do not contribute meaningfully to the analysis of the proposal.

A. Background

- Name of proposed project, if applicable: KP0500 Connel & SR260 (AT&T)
- Name of applicant: New Cingular Wireless PCS, LLC (AT&T) by Smartlink Group
- Address and phone number of applicant and contact person:
 11232 120th Ave NE #204, Kirkland, WA 98033 425.444.1434 nancy.sears@smartlinkgroup.com

4. Date checklist prepared:

March 10, 2022

5. Agency requesting checklist:

Franklin County

6. Proposed timing or schedule (including phasing, if applicable):

The proposed project is anticipated to begin in fall of 2022 and will be completed in approx.. 60 days.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

SEPA

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Unknown

- List any government approvals or permits that will be needed for your proposal, if known.
 SEPA, Conditional Use Permit, Building Permit
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

AT&T is proposing to build a wireless communications facility ("WCF") to include a new 195' lattice tower ("Tower") that will support up to four carriers, including AT&T. The tower and ground equipment will be within a 70'x70' lease area. The proposed compound will have security fencing and will be accessed by a 12' gravel access easement with a fire apparatus turn-around. There will be an emergency back-up generator to be used in the event of a power outage.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed site will be located on parcel #103350027, Kahlotus, Washington, Franklin County. The coordinates are 46.650586/-118.640431. The legal description is *W2 LESS 3 AC R/W 35-14-33*. Directions from I-90: take exit 137 to merge onto WA-26 E; turn Right and Follow Foulkes Rd; turn Left onto Yesley Rd; turn Right on to Jantz Rd;/Reader Rd; continue onto Black Rd; turn Left onto access drive; site will be on right.

Site plans, survey and vicinity map are included in the Zoning Drawings submitted with the CUP application.

B. ENVIRONMENTAL ELEMENTS

1	Fa	rth

a. General description of the site:

(circle one): Flat, rolling hilly steep slopes, mountainous, other

b. What is the steepest slope on the site (approximate percent slope)?
The proposed site is relatively flat-less than 1% slope. Up to 30% slopes on property.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

According to NRCS the predominant soils types are (5) Ritzville-Ritzcal-Wacota (6) Roloff-Kahlotus-Farrell and. Please see Attachment 1-Soils Map. FCP: According to internal GIS Map, Soils

- are Ritzville-Renslow-Ritzcal 6/22/2022.
 (5) Ritzville-Ritzcal-Wacota Well drained, very deep soils; on hills and terraces This map unit makes up about 25 percent of the survey area. It is in the eastern half of the survey area (fig. 2). The soils formed in loess and in loess mixed with volcanic ash. Elevation is 800 to 1,600 feet. The average annual precipitation is 9 to 12 inches, the average annual air temperature is 49 to 52 degrees F, and the frost-free season is 150 to 180 days. Ritzville soils are on hills. These soils formed in loess. They are very deep and well drained. Ritzcal soils are on hills. These soils formed in loess. They are very deep and well drained. Wacota soils are on hills and terraces. These soils formed in loess mixed with volcanic ash. They are very deep and well drained. Of minor extent in this unit are Cleman and Nansene soils. This unit is used primarily for irrigated and nonirrigated crops and for livestock grazing. The unit is suited to winter wheat, spring wheat, and barley grown under a summerfallow crop rotation system.
- (6) Roloff-Kahlotus-Farrell Well drained, moderately deep and very deep soils; on terraces, hills, and benches This unit makes up about 12 percent of the survey area. It is along the Snake River and in the northeastern part of the survey area. The soils formed in loess and glaciofluvial deposits on scabland and escarpments above the Snake River and Washtucna Coulee. Elevation is 450 to 1,600 feet. The average annual precipitation is 9 to 12 inches, the average annual air temperature is 49 to 52 degrees F, and the frost-free season is 150 to 180 days. Roloff soils are on benches and hills. These soils formed in loess and glaciofluvial deposits over basalt. They are moderately deep and well drained. Kahlotus soils are on terraces. These soils formed in loess over glaciofluvial deposits. They are very deep and well drained. Farrell soils are on terraces. These soils formed in loess over glaciofluvial deposits. They are very deep and well drained. Of minor extent in this unit are Lickskillet, Kennewick, Magallon, Starbuck, Stratford, and Willis soils. This unit is used primarily for irrigated and nonirrigated crops, livestock grazing, and wildlife habitat. Irrigated crops grown include winter wheat, corn, alfalfa hay, and pasture.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

FCP: Internal GIS map indicates there are nearby areas with less than 15% general slopes. But soil erosion layer of the same internal GIS map, shows nearby "ritzville silt loam, 15 to 30 percent slopes" 6/22/2022

No indications of unstable soils in the immediate vicinity were observed. Potential unstable soils in the vicinity of the site are indicated on pg. 98/111 of the Franklin County Critical Areas Ordinance3-2009-as amended 2012.

e. Describe the purpose, type, total area, and approximate quantities and SEPA Environmental checklist (WAC 197-11-960) FRANKLIN COUNTY - DEC 2016

Evaluation for Agency UseOnly:

total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

There will be approximately 100 CY of cut and approximately 164 CY of fill. The proposed lease area is fairly flat and grading should be minor. Construction will require approximately 100 cubic yards of excavation. Approximately 164 cubic yards of imported material will be used as fill. The source of fill will be an approved permitted local quarry. Excess excavated material will be removed from the site and taken to an approved permitted off-site location. The proposed lease area is fairly flat and grading should be minor.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, it is possible that minor erosion could occur as a result of grading associated with the project. Best management practices (BMPs) will be implemented to minimize potential impacts. Examples of BMPs that may be used during construction are listed below in B.1.h.

g.About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

The proposed 4,900sf lease area will be comprised of 4,720 sf of crushed gravel and 180 sf of concrete. This represents .035374% of the total parcel.

h.Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Best management practices (BMPs) will be implemented to minimize potential impacts. Examples of BMPs include: placement of filter fabric in stormwater grates; limiting ground disturbance to the minimum necessary to accomplish the proposed work; and implementation of conditions of the Clearing and Grading permit, if required.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known

There is a potential for some dust and machine exhaust during construction and some machine exhaust from the generator when used during emergency power outages. The proposed tower and ground equipment will not produce emissions during day to day operations.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no off-site sources of emissions or odor that may affect this proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Dust abatement will be provided as needed during construction.

3. Water

- a. Surface Water:
 - Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface water bodies on or in the immediate vicinity of the site. The closest being the snake River 7.42 miles SE of the proposed site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
 No.
- Estimate the amount of fill and dredge material that would be placed in or removed

from surface water or wetlands and indicate the area of the site that would be affected.

Indicate the source of fill material.

No fill or dredge material will be placed in or removed from surface water or wetlands.

4) Will the proposal require surface water withdrawals or diversions? Give general

description, purpose, and approximate quantities if known.

No, the proposal does not require surface water withdrawals or diversions.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No, the proposed site is not within a 100-year flood plain according to FEMA. There is no modernized data to determine the flood hazard for this area. Per Attachment 3 - FEMA Flood Map the proposed site is in Zone designation C not within a flood zone as detailed in the "explanation of Zone Designations" on the attached map. No Wetlands are shown on pg. 72/111 of the Attachment 2 - Franklin County Critical Areas Ordinance3-2009-as amended 2012.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No discharge of waste materials to surface waters will occur.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

The proposed cell site is a passive use that requires no water.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

The proposed cell site is an unmanned facility that that creates no waste to be discharged into the ground from septic tanks or other sources.

- c. Water runoff (including stormwater):
 - Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe

Currently runoff comes to the site from the north and flows through the proposed compound area to the east. There is no body of water to the east.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No, BMPs will be implemented during construction to minimize the potential for material to enter surface waters (see question B.1.h).

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

There may be some affect from the proposed impervious surface and BMP's will be implemented as recommended by a Grading and Drainage Report as required by the jurisdiction.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Implementation of BMPs (see question B.1.h) and compliance with permitting conditions.

4.	PI	a	nts

a.	Check the types of vegetation found on the site:
	deciduous tree: alder, maple, aspen, other
	evergreen tree: fir, cedar, pine, other
	shrubs
	grass
	pasture
	X crop or grain
	Orchards, vineyards or other permanent crops.
	wet soil plants: cattail, buttercup, bullrush, skunk cabbage,
	other
	water plants: water lily, eelgrass, milfoil, other
	other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed.

FCP: Some crop vegetation will be removed at the site and for access road to said site 6/22/2022.

c. List threatened and endangered species known to be on or near the site.

In 2021 the USFWS listed the White Bluffs Bladderpod (Physarria douglasii subsp. Tuplashensis) as endangered. There are no critical habitats in this location. Please see Attachment 4 - USFWS Endangered

Plant and Attachment 5 - IPAC information. FCP: According to Washington Department of Fish and Wildlife GIS portal, there no endangered or threatened species. There is however Shrub-Steppe habitat located near the site 6/22/2022. d. Proposed landscaping, use of native plants, or other measures to

preserve or enhance vegetation on the site, if any:

The prosed site is on the perimeter of a planting field with no existing landscaping. To limit the amount of displaced crop land, no additional landscaping is proposed.

e. List all noxious weeds and invasive species known to be on or near the site.

There are no know noxious weeds and invasive species known to be on or near the site. See Attachment 6 – Invasive Species mapping of invasive species in Franklin County.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

FCP: Highlight edits made by staff 6/22/2022.

It is unknown what birds or animals are on or near the site.

Evaluation for Agency Use Only:

mammals: deer,	bear, elk, beaver, other:	
fish: bass, salmo	n, trout, herring, shellfish	, other

 List any threatened and endangered species known to be on or near the site.

Per the IPAC-Information for Planning and Consultation, The Yellow-billed Cuckoo (Coccyzus americanus) is a threatened bird and the Monarch Butterfly (Danaus plexippus) is a candidate for the endangered insect list.

There are no critical habitats in this location. Please see Attachment 5 - IPAC information.

There are no critical habitats in this location. Please see Attachment 5 - IPAC information. FCP: According to Washington Department of Fish and Wildlife GIS portal, there no endangered or threatened species. There is however Shrub-Steppe habitat located near the site 6/22/2022.

c. Is the site part of a migration route? If so, explain.

No, this site is not part of a migration route.

FCP: Pacific Flyway 6/22/2022.

d. Proposed measures to preserve or enhance wildlife, if any:

Disturbance will be limited to the minimum necessary to accomplish the work and BMPs will be implemented to minimize potential impacts to trees located within the project area.

e. List any invasive animal species known to be on or near the site.

None known.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity will be used to power the site and a diesel generator will be used for emergency power in the event of an electrical failure.

 b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Energy consumption associated with the proposed project will be minor and limited to the electricity necessary to power the antennas and cabinet fan. Because energy needs are minor, no energy conservation features are proposed.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

The proposed site will be operated within FCC guidelines and there are no known risks associated with the site.

1) Describe any known or possible contamination at the site from present or past uses.

Diesel fuel will be used to power the emergency back-up genereator and will be contained per manufacutrers specifications and BMPs

 Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Diesel fuel will be used to power the emergency back-up generator and will be contained per manufacturer's specifications and BMPs.

- 4) Describe special emergency services that might be required. None anticipated.
- 5) Proposed measures to reduce or control environmental health hazards, if any:

BMPs will be in place during construction and ongoing operation of the proposed site to control any potential environmental health hazards during construction and beyond. A technician will perform monthly site checks and maintenance.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Any noise in the area will not affect the project.

2) What types and levels of noise would be created by orassociated with the project on a

short-term or a long-term basis (for example: traffic, construction, operation, other)? Indi-

cate what hours noise would come from the site.

Noise generated by the equipment cabinet fan ongoing, and by the diesel generator for maintenance testing and in the event of a power outage will be in conformance with the Franklin County noise standard code as will be confirmed in the Noise Report to be submitted with the land use permit application.

3) Proposed measures to reduce or control noise impacts, if any:

BMPs will be implemented, as necessary and recommended in the Noise Report (to be submitted with the Land Use permit application), to ensure noise levels are within acceptable limits in accordance with Franklin County code.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The project site is agricultural land used for the purpose of growing cops. The adjacent parcels are also agricultural land. The proposed site is situated and designed to minimize the disturbance of crop land and is not anticipated to affect adjacent properties.

Evaluation for Agency UseOnly:

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The project site is working farmland. The amount of land to be converted to other uses is approximately 1.25 acres or .4% of the property acreage.

 Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site.

There are no structures on the site.

- d. Will any structures be demolished? If so, what?
 No.
- e. What is the current zoning classification of the site? AP-40, Agriculture Production.
- f. What is the current comprehensive plan designation of the site? Agriculture.
- g. If applicable, what is the current shoreline master program designation of the site?

There is no shoreline designation.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No part of the property has been classified as a critical area.

i. Approximately how many people would reside or work in the completed project?

None.

- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: None.
- I. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

A conditional use permit application is submitted concurrently with this SEPA Checklist, to ensure the proposed project is compatible with local laws, zoning regulations and the comprehensive plan.

Evaluation for Agency Use Only:

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

BMPs will be implemented to reduce or control any impacts to agricultural lands of long-term commercial significance.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable. The project will not provide any housing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable. The project will not eliminate any housing.

 Proposed measures to reduce or control housing impacts, if any: None.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposed tower will be 195' tall and will be made of steel.

b. What views in the immediate vicinity would be altered or obstructed?

The proposed site is located approximately 1.2 miles north of Hwy 260, 3.6 miles to the NW of Kahlotus and 10.18 miles to the SE of Connell and should have nominal impact to views in the immediate vicinity.

 b. Proposed measures to reduce or control aesthetic impacts, if any: None.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time ofday would it mainly occur?

None. The proposed tower will be until and will have a non-glare finish. The ground equipment will have an emergency light that will only be used in the event of an emergency.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No. please see 11.a above.

- c. What existing off-site sources of light or glare may affect your proposal? None.
- d. Proposed measures to reduce or control light and glare impacts, if any:

As stated above, the proposed monopole and antenna equipment will be painted with a non-glare paint and will be unlit.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

None.

Evaluation for Agency Use Only:

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: None.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

There are no recorded archaeological sites, structures or historic districts on or near the proposed site.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

According to WISAARD there are no known any landmarks, features, or other evidence of Indian or historic use or occupation.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Applicant will be performing all federal regulatory and compliance studies required to maintain FCC licenses.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Results and recommendations of required regulatory and compliance studies and any subsequent reviews will dictate the specific treatments needed to ensure archaeological resources are protected during construction.

- Confederated Tribes, and Confederated Tribes of the Umatilia Reservation. 6/22/2022
- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Directions to the property are found on page T-1 and access to the site is depicted on page C-0.1 of the Zoning Drawings submitted with the CUP application FCP: Off of existing access road to Black Rd. Please see Site Plan document for more information 6/22/2022.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximately 10.5 miles to distance to the nearest transit stop? Othello-Connell-Mesa-Tri-Cities Community This is a rural area and there is no public transit. Connector Route 102, According to Ben Franklin

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

There will be room for one vehicle to park at the end of the proposed access driveway. No parking spaces will be eliminated.

Evaluation for Agency Use Only:

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

There will be no improvements or expansion of existing roads. Access to the site will require a new gravel driveway from the existing gravel road.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

During construction there will be 2-3 vehicular visits to the site. Once the site is complete there will be one vehicular visit per month for site maintenance.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
No.

h. Proposed measures to reduce or control transportation impacts, if any:
Since vehicular traffic to and from the site is minimal no transportation impacts are anticipated

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No. The proposal is for an unmanned passive use and will have no need for public services.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable, See 15.a. above.

16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

There are no utilities currently at the proposed site.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Applicant will be bringing electrical in from the nearest source.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: NancySeary
Name of signee Nancy Sears
Position and Agency/Organization RE Manager, Smartlink Group on behalf o
AT&T
Date Submitted: 3/22/22

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

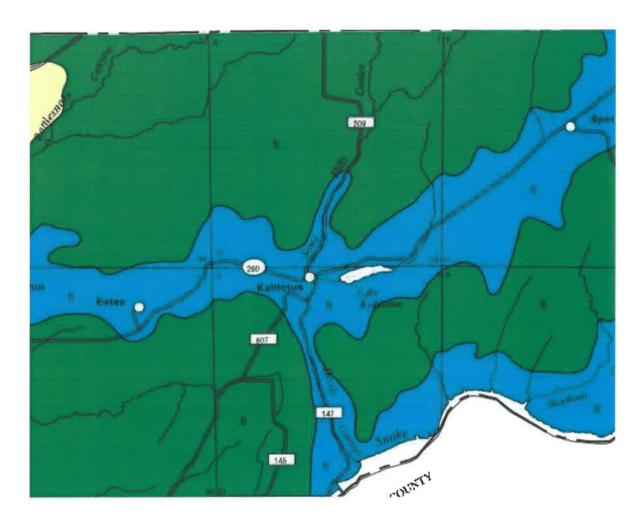
	When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity o at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.
1.	How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
	Proposed measures to avoid or reduce such increases are:
2.	How would the proposal be likely to affect plants, animals, fish, or marine life?
	Proposed measures to protect or conserve plants, animals, fish, or marine life are:
3.	How would the proposal be likely to deplete energy or natural resources?
	Proposed measures to protect or conserve energy and natural resources are:
4.	How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
Proposed measures to avoid or reduce shoreline and land use impacts are:
How would the proposal be likely to increase demands on transportation or public services and utilities?
Proposed measures to reduce or respond to such demand(s) are:
 Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

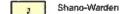
SOILS MAP - FRANKLIN COUNTY

https://www.nrcs.usda.gov/Internet/FSE MANUSCRIPTS/washington/WA021/0/maps/gsm.pdf



LEGEND

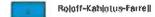


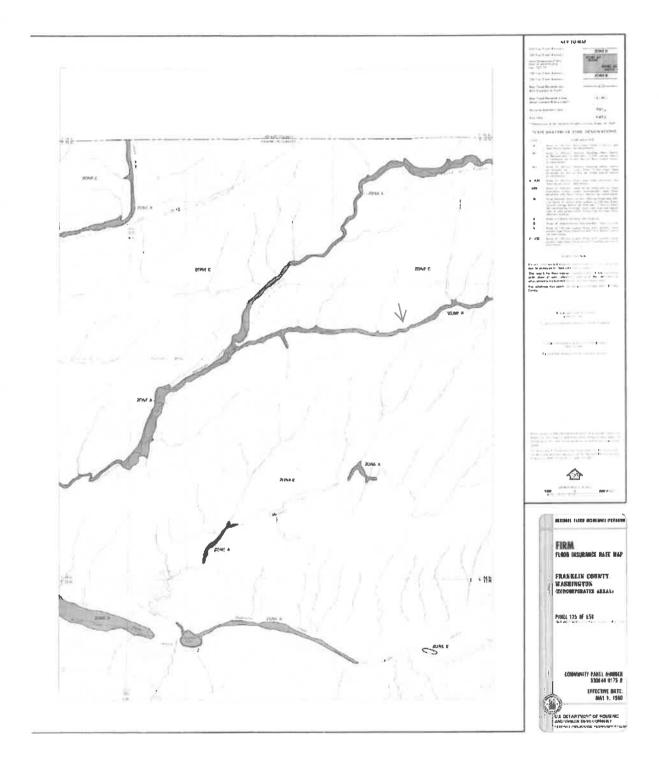












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From the Federal Register Online via the Government Publishing Office [www.gpo.gov]
                                                                                                                                                                                                                                                      [Federal Register Volume 86, Number 146 (Tuesday, August 3, 2021)]
                                                                                                         [FR Doc No: 2021-16521]
                                                                                                                                                                                    [Pages 41871-41872]
                                                                                                                                                                                                                     [Notices]
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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R1-ES-2021-N005; FXES11130100000-212-FF01E00000]

Endangered and Threatened Wildlife and Plants; Draft Recovery Plan for White Bluffs Bladdernod

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for review and public comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce the availability of the Draft Recovery Plan for White Bluffs Bladderpod (Physaria douglasii subsp. tuplashensis), listed as threatened under the Endangered Species Act, and endemic to Franklin County, Washington. We request review and comment on this draft recovery plan from Federal State, and local agencies; Native American Tribes; and the public.

DATES: To ensure consideration, comments on the draft recovery plan must be received on or before October 4, 2021. However, we will accept information about any species at any time.

ADDRESSES:

Document availability: Obtain the recovery plan by the following method.

Comment submission: You may submit written comments Internet: http://www.fws.gov/endangered/species/recovery-plans.html or http://www.fws.gov/pacific/ecoservices/endangered/recovery/plans.html. and materials

by one of the following methods:

U.S. mail: Jeff Krupka, Central Washington Field Office, at the above U.S. mail address.

Fax: 360-753-9405.

Email: WFWO LR@fws.gov.

FOR FURTHER INFORMATION CONTACT: Brad Thompson, State Supervisor, U.S. Fish and Wildlife Service, Washington Fish and Wildlife Office, at the above U.S. mail address; telephone 360-753-4652. If you use a telecommunications device for the deaf, call the Federal Relay Service

at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), announce the availability of the Draft Recovery Plan for White Bluffs Bladderpod (Physaria douglasii subsp. tuplashensis). The subspecies, listed as threatened under the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 et seq.), is a plant endemic to the White Bluffs of Franklin County, Washington. The draft recovery plan includes specific goals, objectives, and criteria that should be met prior to our consideration of removing the species from the Federal List of Endangered and Threatened Plants. We request review and comment on this draft recovery plan from Federal, State, and local agencies; Native American Tribes; and the public.

Background

The White Bluffs bladderpod is a short-lived, herbaceous perennial that occurs intermittently in a narrow, linear strip about 15 kilometers (9.3 miles) long, along sparsely vegetated upper and top exposures of the White Bluffs in eastern Washington State. This plant is closely associated with highly alkaline, cemented calcium carbonate soil along the Columbia River in the State of Washington. In April 2013, and as reaffirmed in December 2013, the White Bluffs bladderpod was listed as a threatened species pursuant to the Act (78 FR 23983; April 23, 2013; 78 FR 76995; December 20, 2013).

Recovery Planning Process

Recovery of endangered and threatened animals and plants is a primary goal of our endangered species program. To help guide the recovery effort, we prepare recovery plans for most listed species. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for downlisting or delisting, and estimate time and cost for implementing recovery measures.

Recovery Planning and Implementation

The Service recently revised its approach to recovery planning, and is now using a process termed recovery planning and implementation (RPI) (see https://www.fws.gov/endangered/esa-library/pdf/RPI.pdf). The RPI approach is intended to reduce the time needed to develop and implement recovery plans, increase recovery plan relevancy over a longer timeframe, and add flexibility to recovery plans so they can be adjusted to new information or circumstances. Under RPI, a recovery plan includes the statutorily required elements under section 4(f) of the Act (objective and measurable recovery criteria, site-specific management actions, and estimates of time and costs), a concise introduction, and our strategy for how we plan to achieve species recovery. The RPI recovery plan is supported by two supplementary documents: A species status assessment or biological report, which describes the best available scientific information related to the biological needs of the species and assessment of threats; and the

recovery implementation strategy, which details the particular nearterm activities needed to implement the recovery actions identified in the recovery plan. Under this approach, we can more nimbly incorporate new information on species biology or details of recovery implementation by updating these supplementary documents without concurrent revision of the entire recovery plan, unless changes to statutorily required elements are necessary.

Recovery Plan Components

The primary recovery strategy for the White Bluffs bladderpod is to increase the capability of populations to withstand stochastic events; to establish new populations as possible and appropriate; to provide a safety margin against catastrophic events; and to increase the ecological and/or genetic diversity of the subspecies. Recovery will hinge on two types of strategies, direct and indirect, to improve habitat, reduce threats, and preserve or enhance the ability of individuals to survive and reproduce in the range of conditions they are likely to experience.

We may initiate an assessment of whether recovery has been achieved and delisting is warranted when the recovery criteria have been met, including once a second population has been discovered or established on conserved lands and is managed in a way that is compatible with White Bluffs bladderpod conservation. All populations must be self-sustaining.

Request for Public Comments

Section 4(f) of the Act requires us to provide public notice and an opportunity for public review and comment during recovery plan development. It is also our policy to request peer review of recovery plans (59 FR 34270; July 1, 1994). In an appendix to the approved final recovery plan, we will summarize and respond to the issues raised during public comment and peer review. Substantive comments may or may not result in changes to the recovery plan. Comments regarding recovery plan implementation will be forwarded as appropriate to Federal and other entities so that they can be taken into account during the course of implementing recovery actions.

We will consider all comments we receive by the date specified in DATES prior to final approval of the plan.

[[Page 41872]]

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment--including your personal identifying information--may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority

The authority for this action is section 4(f) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).

Robyn Thorson,

Regional Director, U.S. Fish and Wildlife Service.

[FR Doc. 2021-16521 Filed 8-2-21; 8:45 am]

BILLING CODE 4333-15-P

August 30, 2022 BoCC Meeting

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PaC resource list

vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and trust resources) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as

in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.



Washington Fish And Wildlife Office

(360) 753-9440 (360) 753-9405

510 Desmond Drive Se, Suite 102 Lacey, WA 98503-1263

http://www.fws.gov/wafwo/

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts

at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can fully determine any potential effects to species, additional site-specific and project-specific information is often required. move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be The primary information used to generate this list is the known or expected range of each species. Additional areas of

this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is (see directions below) or from the local field office directly. conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any

species list by doing the following: For project evaluations that require USFWS concurrence/review, please return to the Pac website and request an official

- Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

(USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²). Listed species 1 and their critical mabitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service

Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact NOAA ecies under their jurisdiction

- Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are regulated by USFWS (see FAQ). andidates, or proposed, for listing. See the <u>listing status page</u> for more information. IPaC only shows species that are
- 2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce

The following species are potentially affected by activities in this location:

Birds

NAME

STATUS

Yellow-billed Cuckoo Coccyzus americanus

Threatened

available There is final critical habitat for this species. The location of the critical habitat is not

https://ecos.fws.gov/ecp/species/3911

Fishes

There is final critical habitat for this species. The location of the critical ha

nreatened

NAME

Bull Trout Salvelinus confluentus

available.

https://ecos.fws.gov/ecp/species/8212

Insects

NAME

STATUS

Candidate

Monarch Butterfly Danauspie

Wherever found

No critical habitat has bee designated for this species.

//ecp/species/9743

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act $^{\! 1}$ and the Bald and Golden Eagle Protection Act $^{\! 2}$

habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and the

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/ma birds-of-conservation-concern.php /managed-species/
- Measures for avoiding and minimizing impacts to birds http: /www.fws.gov/birds/management/project-assessment-tools-

<u>conservation-measures.php</u>

Nationwide conservation measures

http://www.tws.gov/migratorypirds/pd//mariagement/nationwidestandardconservationmeasures.pdf

and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list

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migratory bird report, can be found below. have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic rang and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the

are most likely to be present and breeding in your project area. migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to

SEASON IS INDICATED FOR A BIRD BREEDING SEASON (IF A BREEDING PROJECT AREA SOME YOUR LIST, THE BIRD MAY BREED IN NDICATE IBERAL ESTIMATE TIMEFRAME SPEC BREED IN YOUR PROJECT AREA. RANGE. "BREEDS ELSEWHERE" THAT THE BIRD DOES NOT BREDS ACROSS ITS ATES INSIDE ITHIN THE **₩VERY**

Breeds Dec 1 to Aug 31

Bald Eagle Haliaeetus leucocephalus

types of development or activities because of the Eagle Act or for potential susceptibilities in of This is not a Bird of Conservation Concern (BCC) in this area, but wa

https://ecos.fws.gov/ecp/species/1626

Cassin's Finch Carpodacus cassini

and Alaska This is a Bird of Conservation Co (C) throughout its range in the continental USA

https://ecos.fws

https://ipac.ecosphere.fws.gov/location/PCJMGKRCNVAIRAUWUD3OQQO6SY/resources

Breeds May 15 to Jul 15

Breeds Mar 1 to Jul 15

Breeds May 20 to Aug 31

Long-eared Owl asio otus

and Alaska This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA

https://ecos.fws.gov/ecp/species/3631

Olive-sided Flycatcher Contopus cooperi

and Alaska. This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA

https://ecos.fws.gov/ecp/species/3914

Sage Thrasher Oreoscoptes montanus

(BCRs) in the continental USA This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions

https://ecos.fws.gov/ecp/species/9433

illasiei Oreoscoptes illolitarios

Breeds Apr 15 to Aug 10

Probability of Presence Summary

attempting to interpret this report sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area.

Probability of Presence (=)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during higher confidence in the presence score if the corresponding survey effort is also high. presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species

How is the probability of presence score calculated? The calculation is done in three steps

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey

https://ipac.ecosphere.fws.gov/location/PCJMGKRCNVAIRAUWUD3OQQO6SY/resources

events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is

- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the 0.05/0.25 = 0.2the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (-)

no yellow bars shown for a bird, it does not breed in your project area Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire

Survey Effort (I)

surveys in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species

To see a bar's survey effort range, simply hover your mouse cursor ove

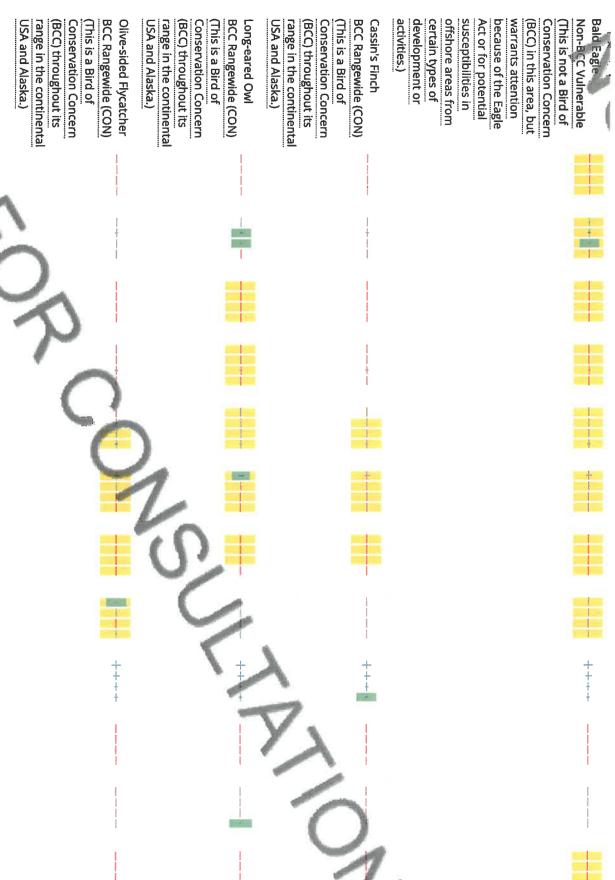
No Data (-)

A week is marked as having no data if there were no sun for that week

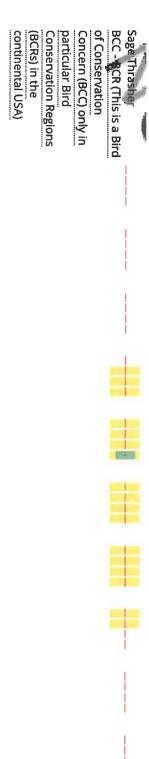
Survey Timeframe

this is areas off the Atlantic coast, when Surveys from only the last 10 years are used currently much more sparse Lin order to ensure delivery of currently relevant information. The exception to returns are based on all years of available data, since data in these areas is

SPECIES N FEB	
MAR	
APR	
MAY	
JUN	probabili
JUL	probability of presence
AUG	nce 📙
SEP C	breeding seaso
0	on s
NOV	survey effort
DEC	- no data



9/14



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds

project site when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be bree permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species <u>Nationwide Conservation Measures</u> describes measures that can help avoid and minimize impacts to all birds at any location year round resent on your

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

attention in your project location. The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other spe jes that may warrant special

BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or occurring in the 10km grid cell(s) which your project intersects, and that have been on a growing collection of survey, banding, and citizen science datasets and is queried an development. The migratory bird list generated for your project is derived from data provided by identified as warranting special attention because they are filtered to return a list of those birds reported as Knowledge Network (AKN). The AKN data is based

may occur in your project area. To get a list of all birds pote Again, the Migratory Bird Resource list includes only a subset of pirds that may occur in your project area. It is not representative of all birds that **ny** present in your project area, please visit the <u>AKN Phenology Tool</u>

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN) This data is derived in m a growing collection of survey, banding, and citizen science datasets

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the about these graphs" link. probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

indicated, then the bird likely does not breed in your project area. that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern

- 1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands)
- . "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements energy development or longline fishing). (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain type of revelopment or activities (e.g. offshore

the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics. Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to

Details about birds that are potentially affected by offshore projects

Atlantic Outer Continental Shelf project weapage. maps through the NOAA NCCOS Intel besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal project area off the Atlantic Coast, please visit For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your cative statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the theast Ocean Data Portal. The Portal also offers data and information about other taxa

on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying iles or contact Caleb Spiegel or Pam Loring

IPaC: Explore Location resources

What if theve eagles on my list?

If you project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts

Proper Interpretation and Use of Your Migratory Bird Report

should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures, visit the conservation measures of the conservation helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your pro there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to coni not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trustive The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how ources

Facilities

National Wildlife Refuge land

Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns. Any activity proposed on lands managed by the Na ional Wildlife Refuge system must undergo a 'Compatibility

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

-ish hatcheries

https://ipac.ecosphere.fws.gov/location/PCJMGKRCNVAIRAUWUD3OQQO6SY/resources

Wetlands in the National Wetlands Inventory

or other State/Federal statutes Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act,

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location. This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects

Data limitations

hydrology and geography. A margin of error is inherent in the use of imagery; thus detailed on-the-ground inspection of any particular site may size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible result in revision of the wetland boundaries or classification established through image analysis The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and

collateral data and the amount of ground truth verification work conducted Metadata should be consulted to determine the date of the source The accuracy of image interpretation depends on the quality of the image when experience of the image analysts, the amount and quality of the imagery used and any mapping problems

polygon boundaries or classifications between the information depicted on the map and the actual conditions on site. Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in

Data exclusions

source used to detectivetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal from the inventory. These habitats, because of their depth, go undetected by aerial imagery. zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data

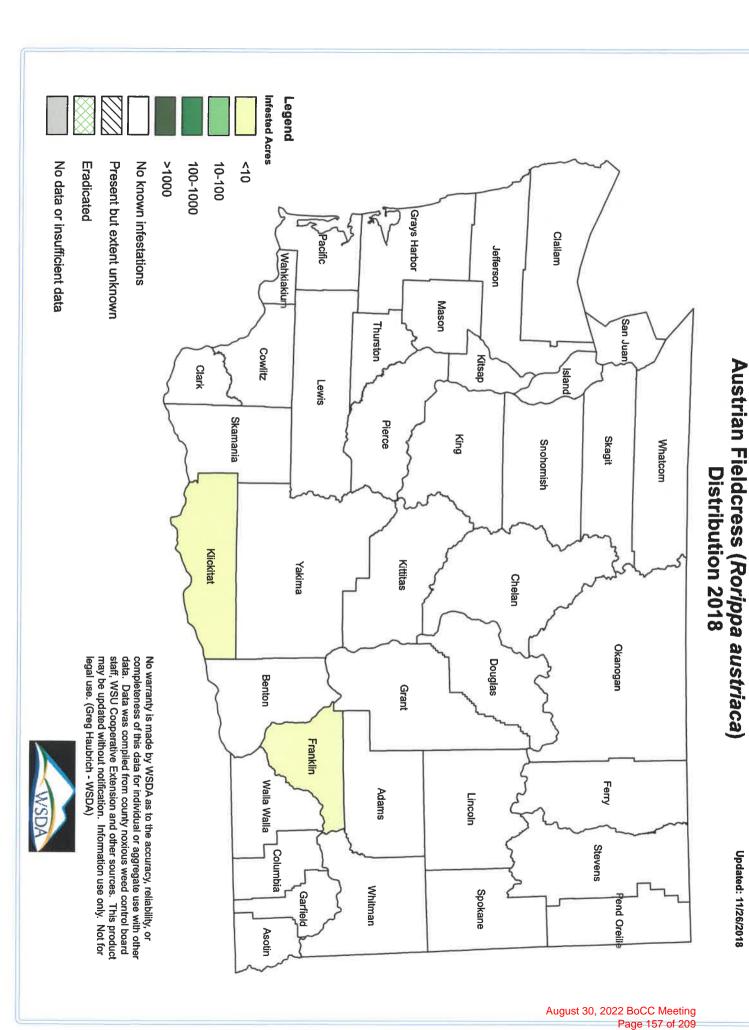
Data precautions

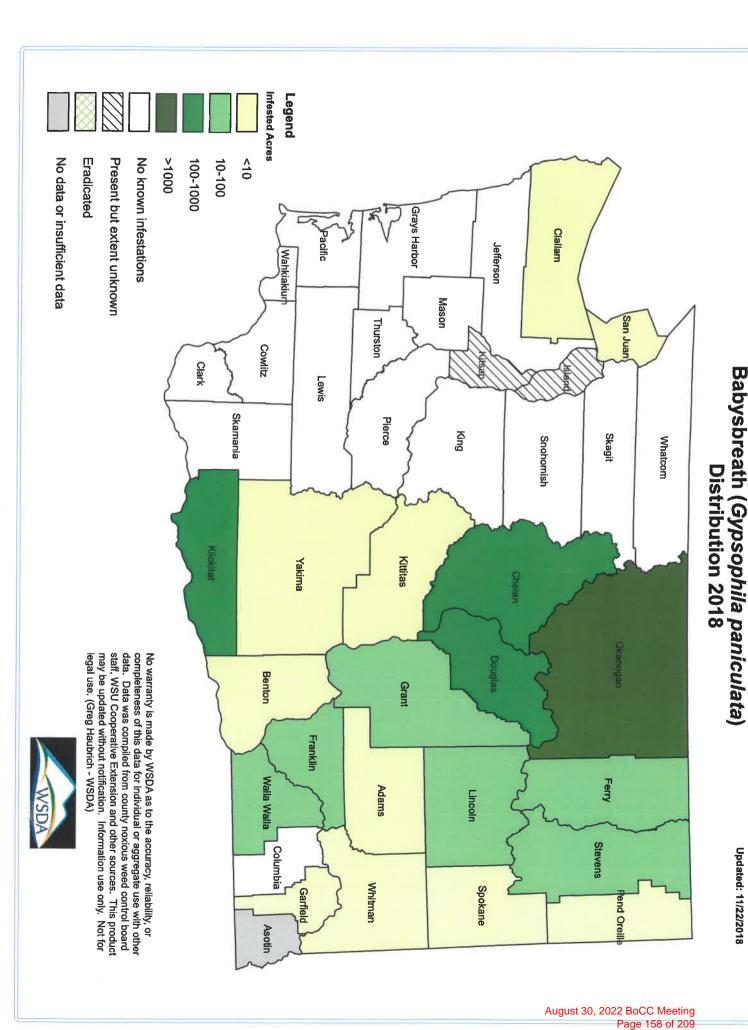
or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities. intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that

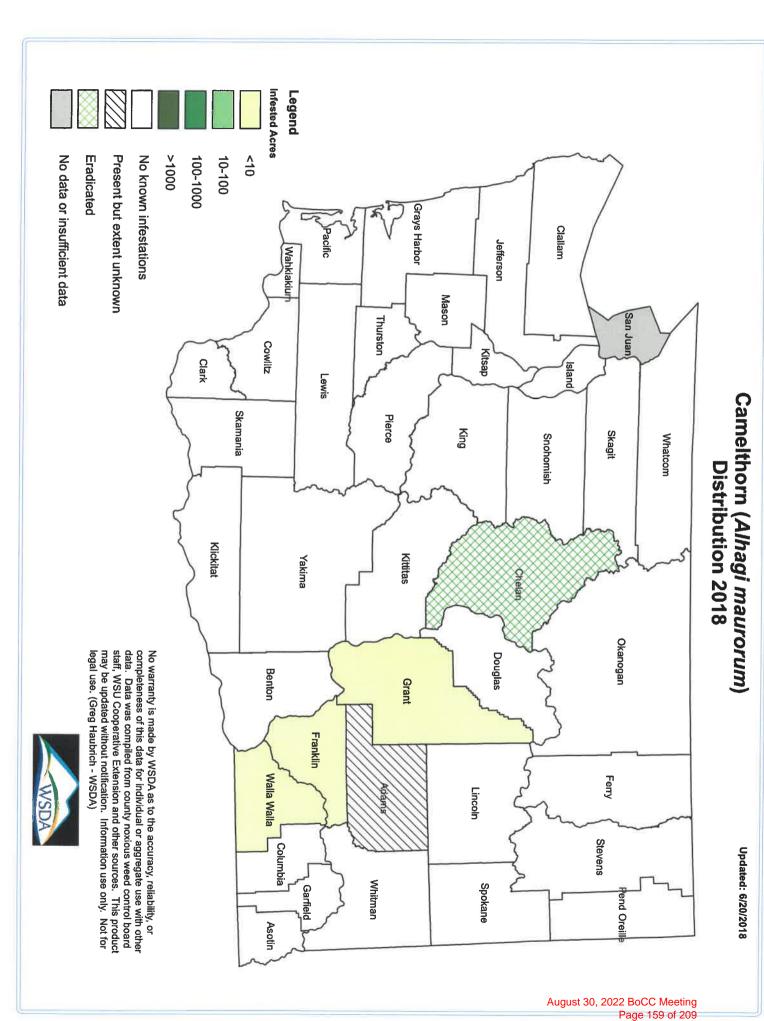
14/14

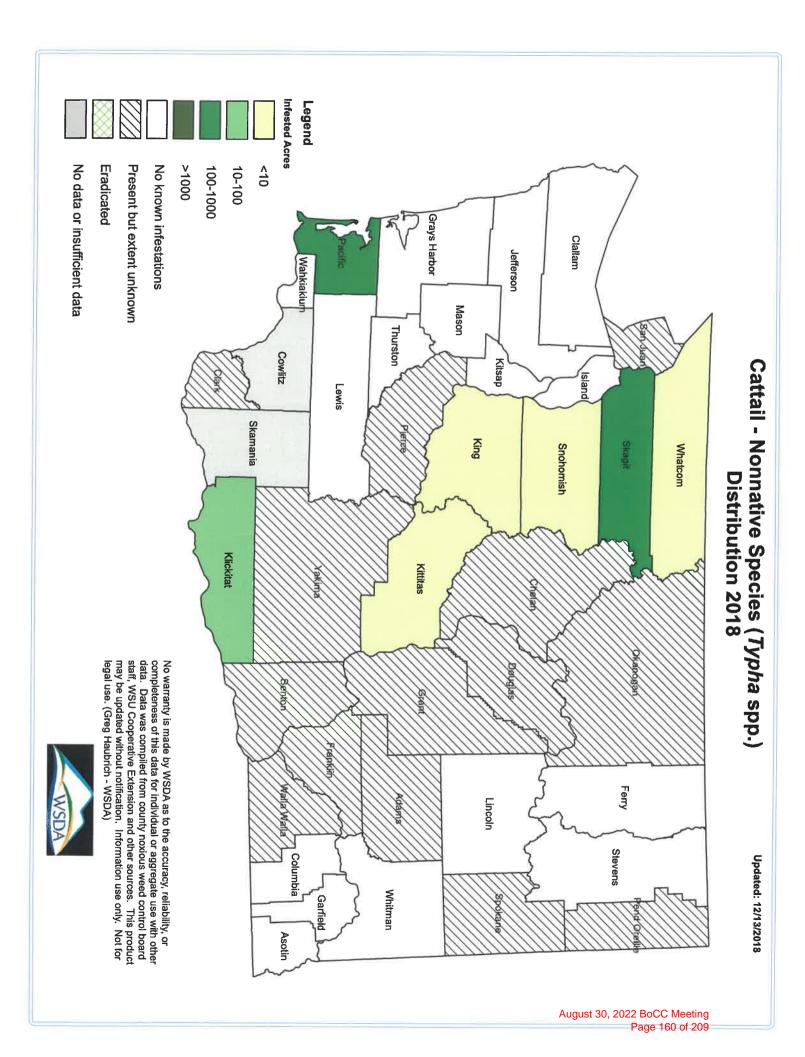
INVASIVE SPECIES

https://agr.wa.gov/washington-agriculture/maps/weed-distribution





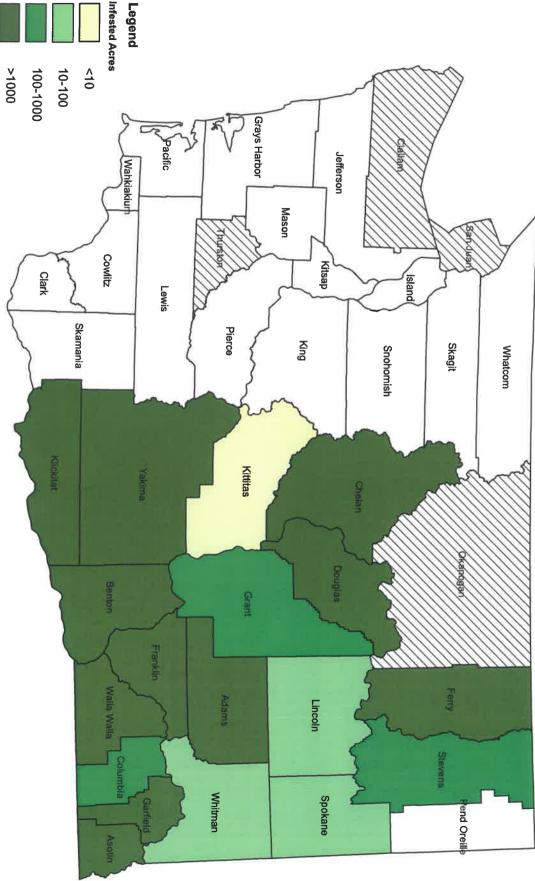




Cereal Rye (Secale cereale) **Distribution 2018**

Updated: 11/26/20168

Whatcom



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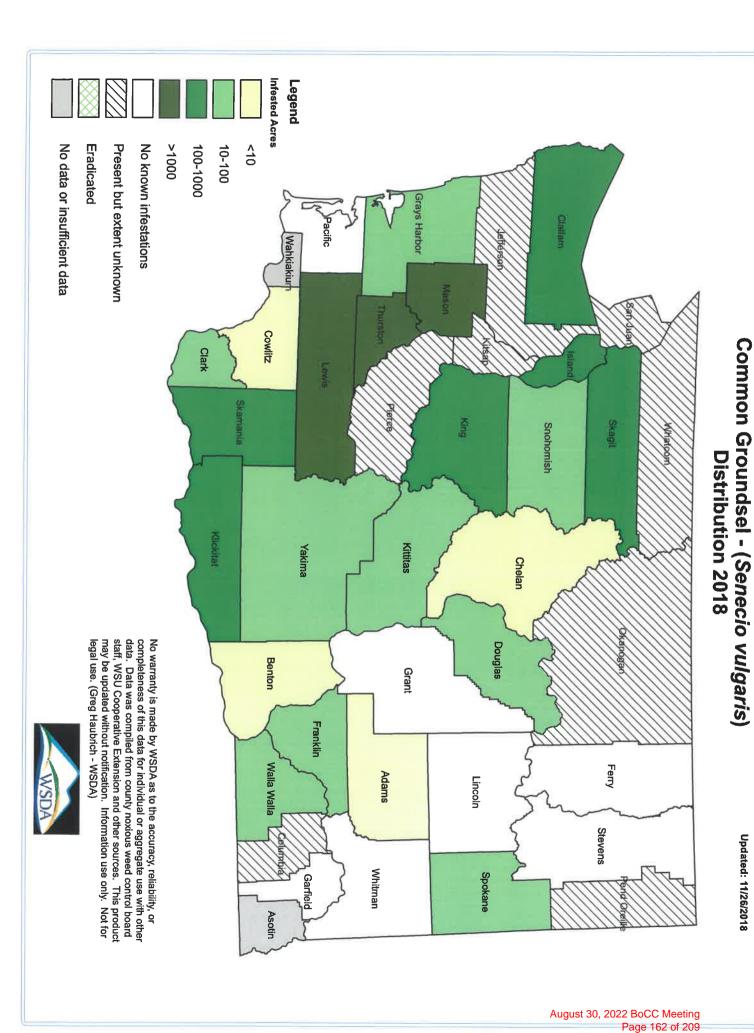


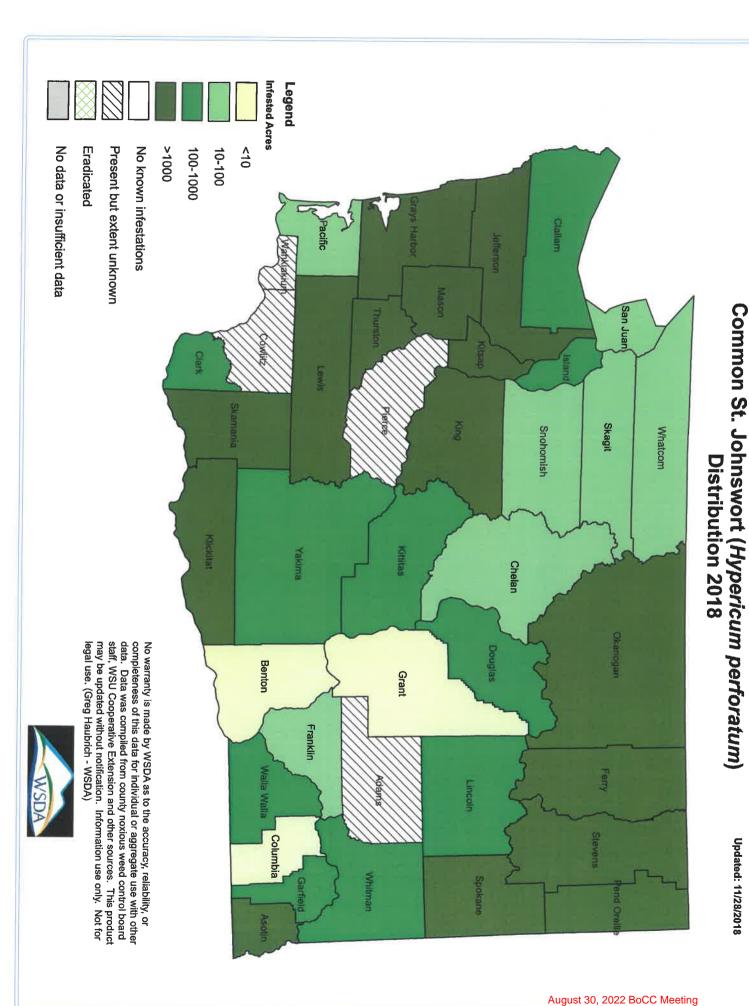
Eradicated

No data or insufficient data

Present but extent unknown

No known infestations





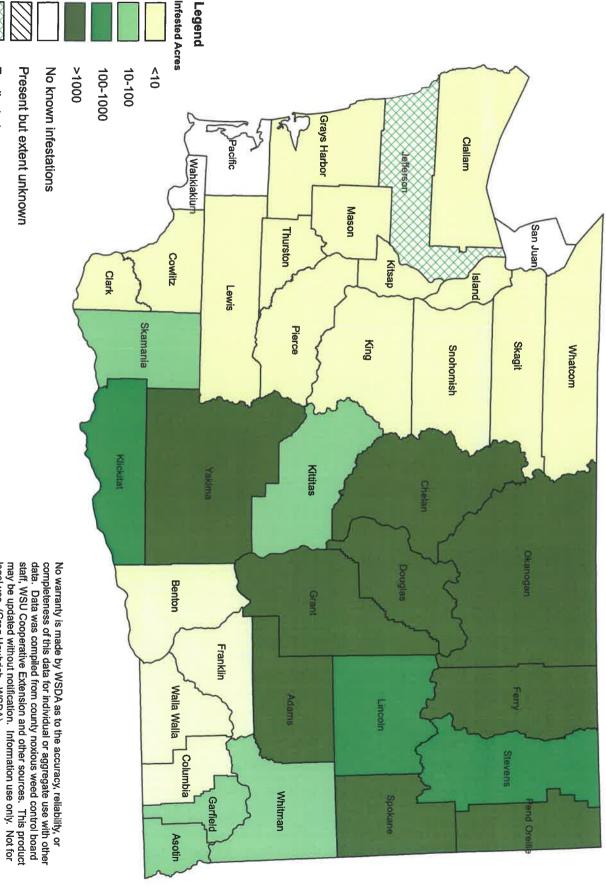
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Dalmatian Toadflax (Linaria dalmatica ssp. dalmatica) **Distribution 2018**

Updated: 6/20/2018

August 30, 2022 BoCC Meeting

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No data or insufficient data

Eradicated

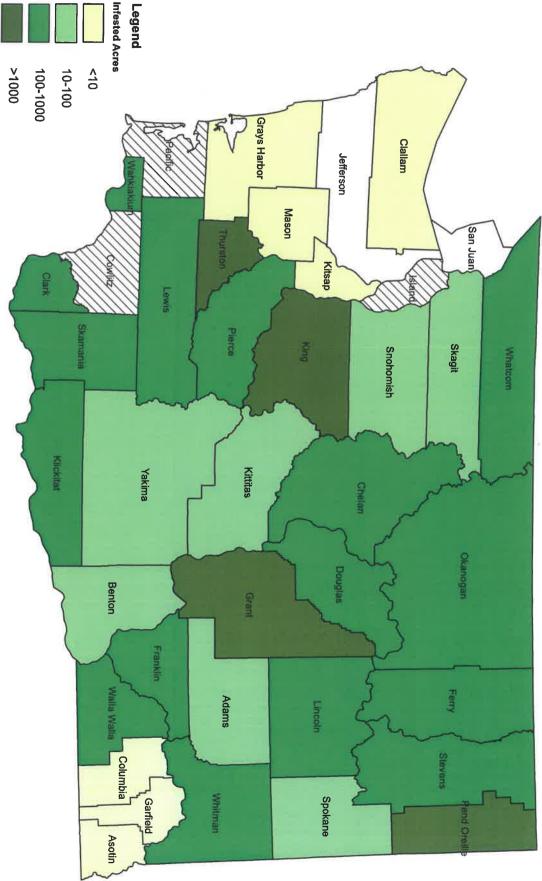
legal use. (Greg Haubrich - WSDA)

Present but extent unknown

No known infestations

Eurasian watermilfoil (*Myriophyllum spicatum*) Distribution 2018

Updated: 12/13/2018



No data or insufficient data

Eradicated

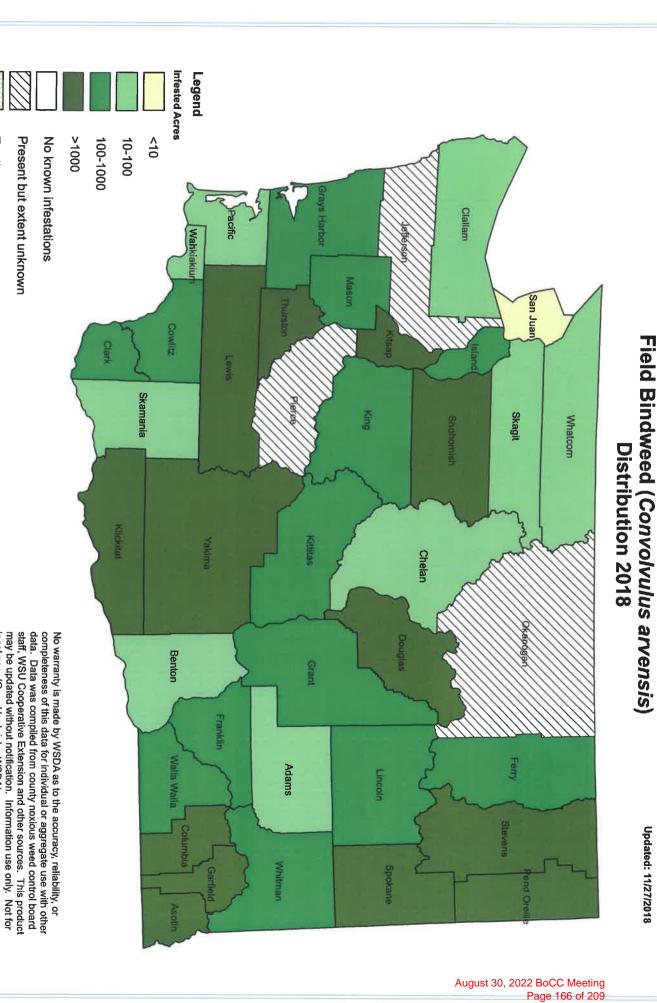
Present but extent unknown

No known infestations

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legal use. (Greg Haubrich - WSDA)

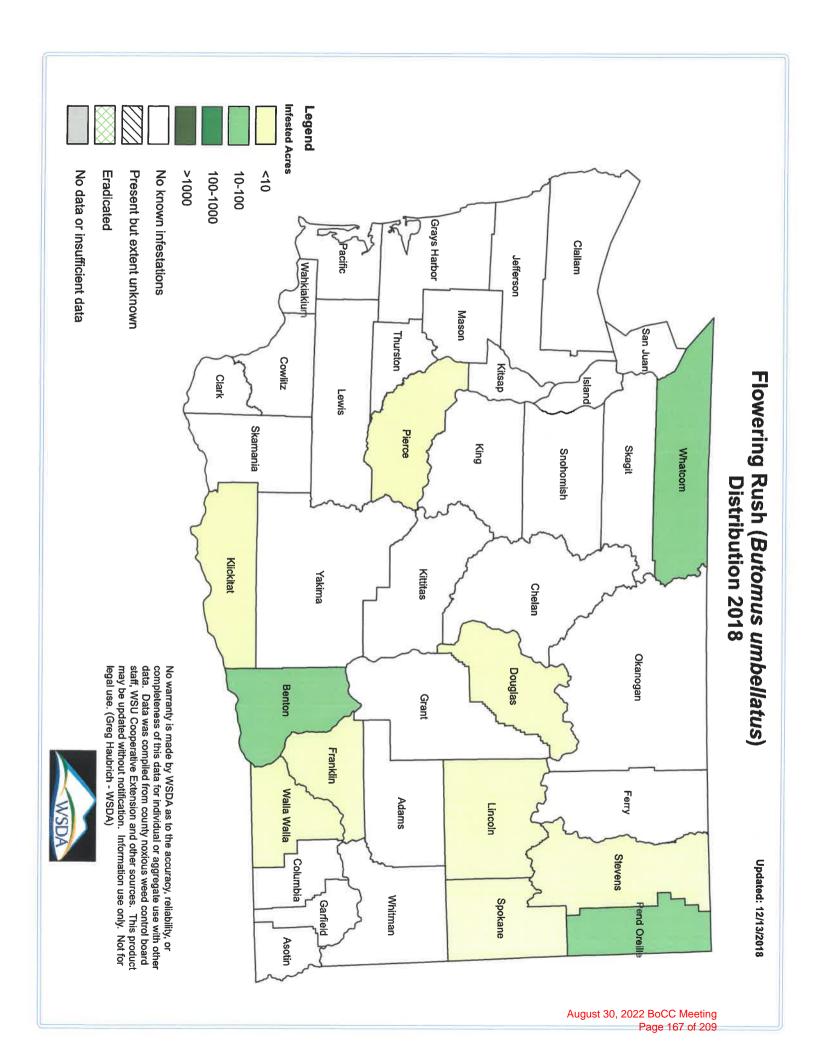
may be updated without notification. Information use only. Not for



No data or insufficient data

Eradicated

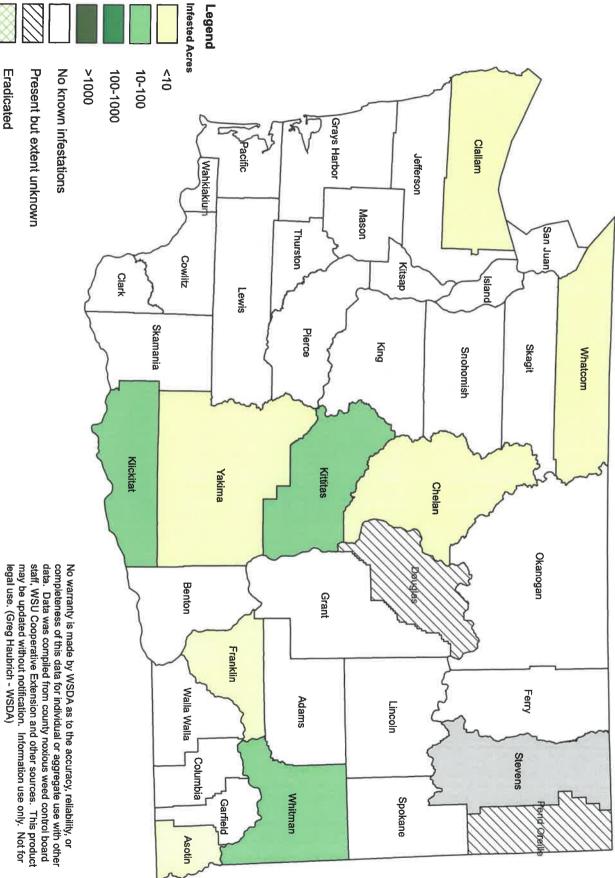
legal use. (Greg Haubrich - WSDA)



Hairy Whitetop (Lepidium appelianum) **Distribution 2018**

Updated: 11/27/2018





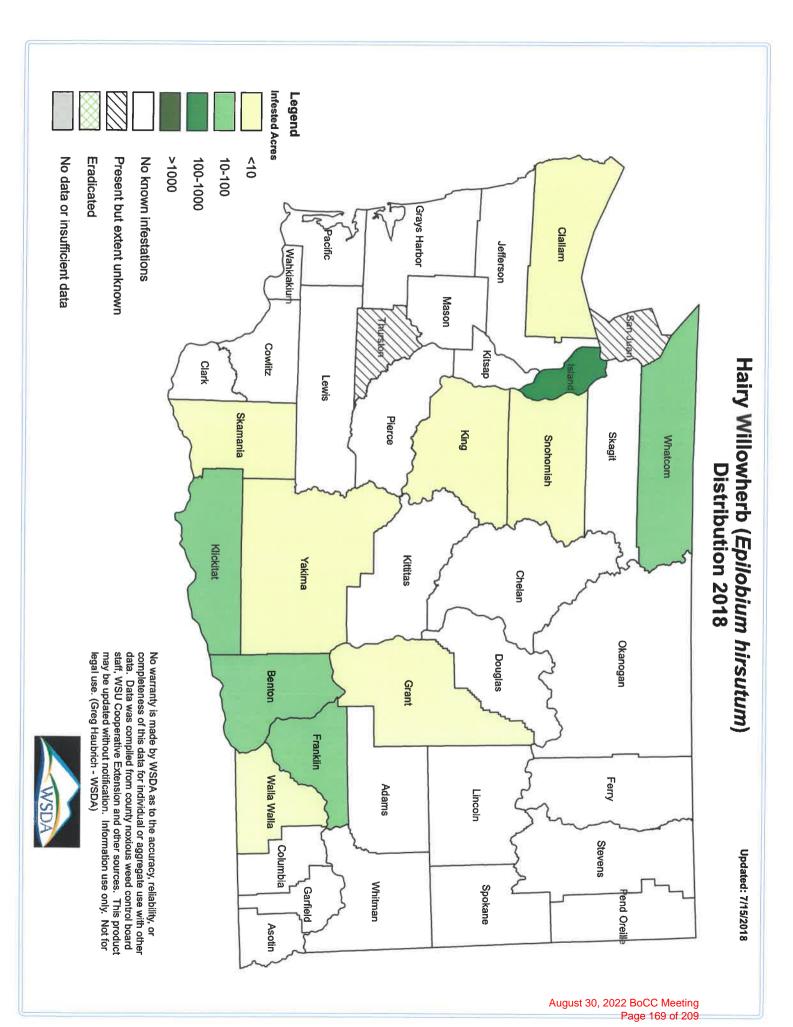


Eradicated

No data or insufficient data

Present but extent unknown

No known infestations



Infested Acres Legend >1000 <u>^1</u>0 **Eradicated** Present but extent unknown 10-100 No data or insufficient data No known infestations 100-1000 Grays Harbor Jefferson Wahkiakiu Mason Thurston San Jua Cowlitz Clark Island Lewis Skamania Pierce King Skagit Whatcom Snohomish Klickitat staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for No warranty is made by WSDA as to the accuracy, reliability, or completeness of this data for individual or aggregate use with other data. Data was compiled from county noxious weed control board legal use. (Greg Haubrich - WSDA) Benton Grant Franklin Ferry Walla Walla Adams Lincoln Spokane end Oreil Asotin

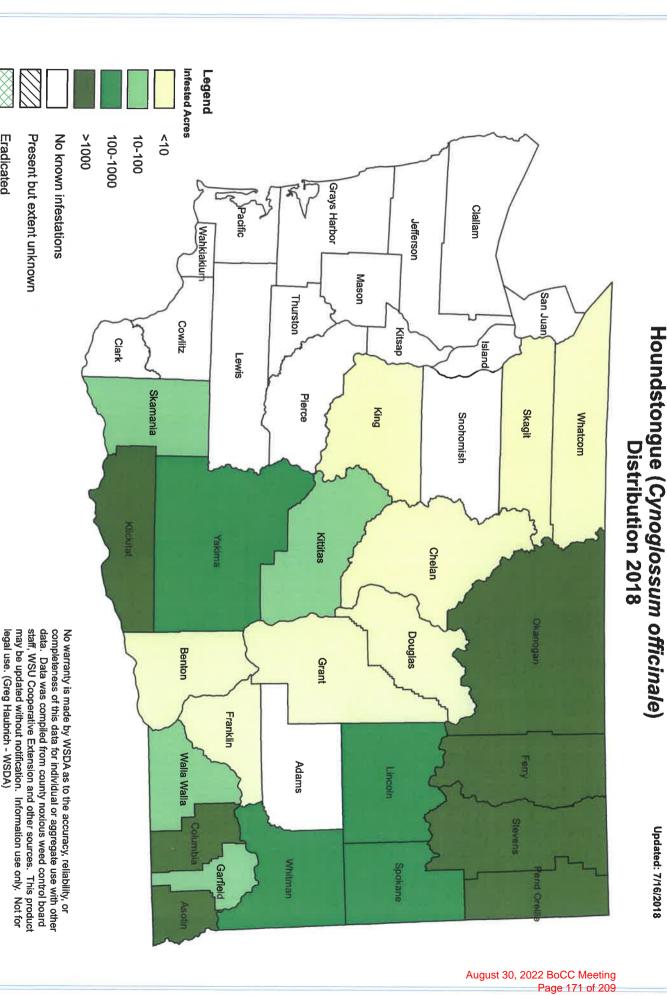
Hoary Cress (Lepidium draba)

Updated: 11/28/2018

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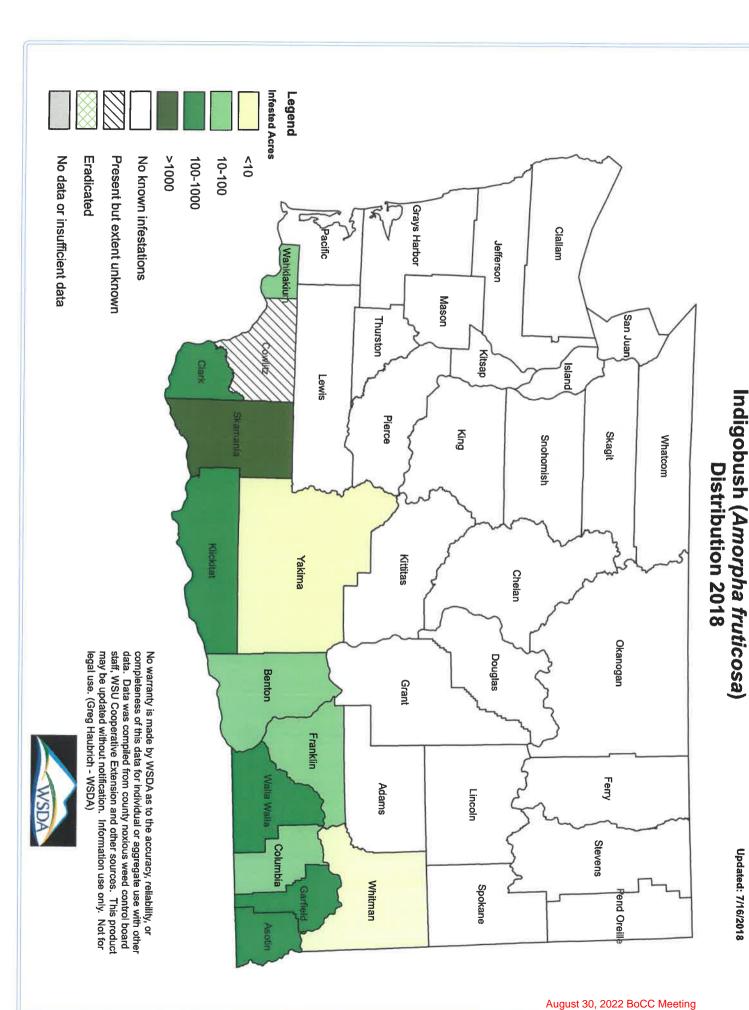
Distribution 2018



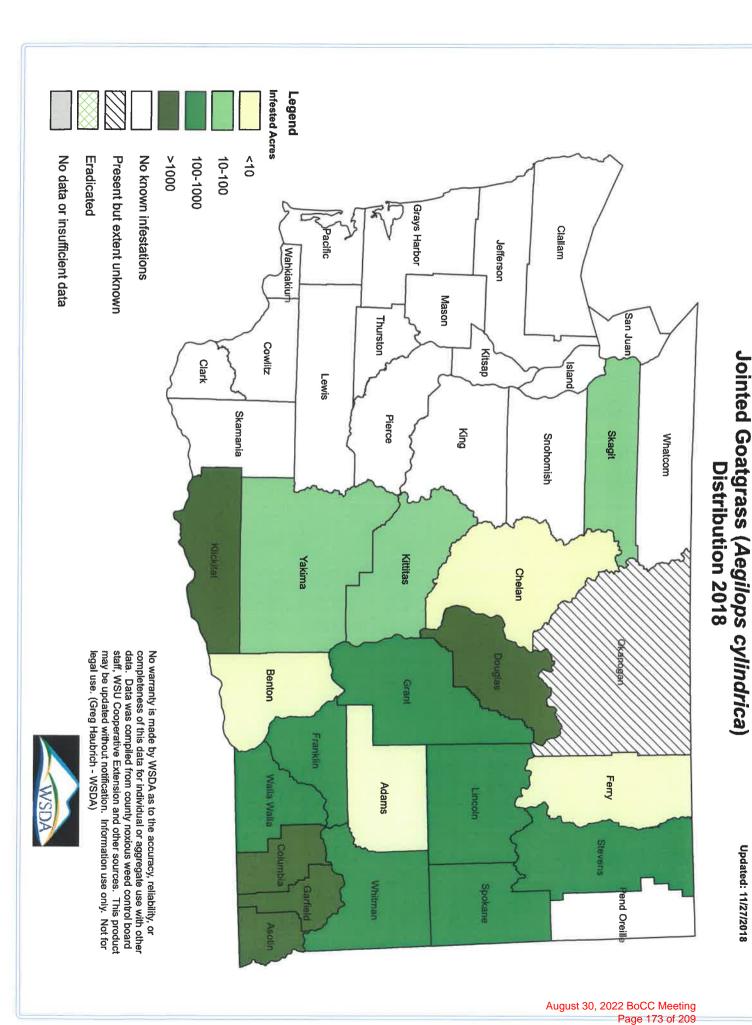
Updated: 7/16/2018

No data or insufficient data

Eradicated

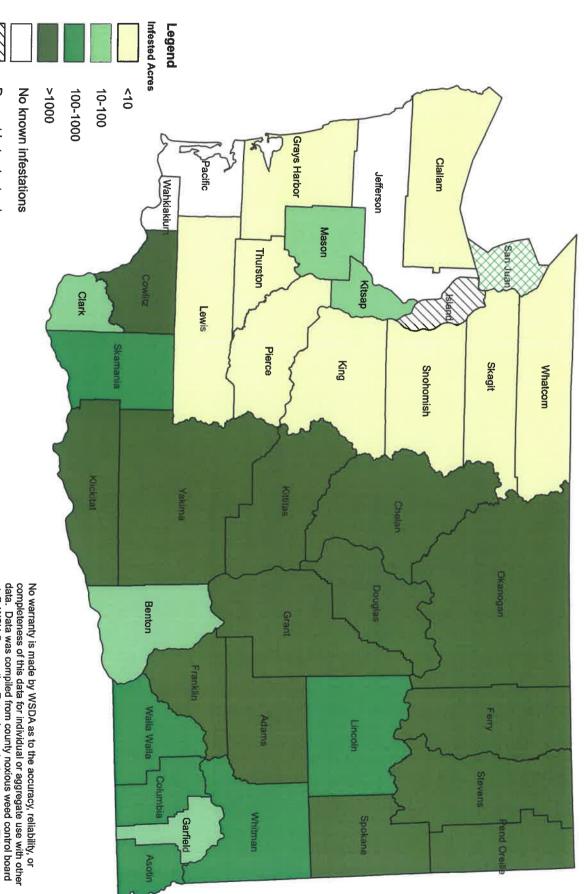


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Diffuse Knapweed (*Centaurea diffusa*) Distribution 2018

Updated: 7/16/2018



Present but extent unknown

staff, WSU Cooperative Extension and other sources. This product

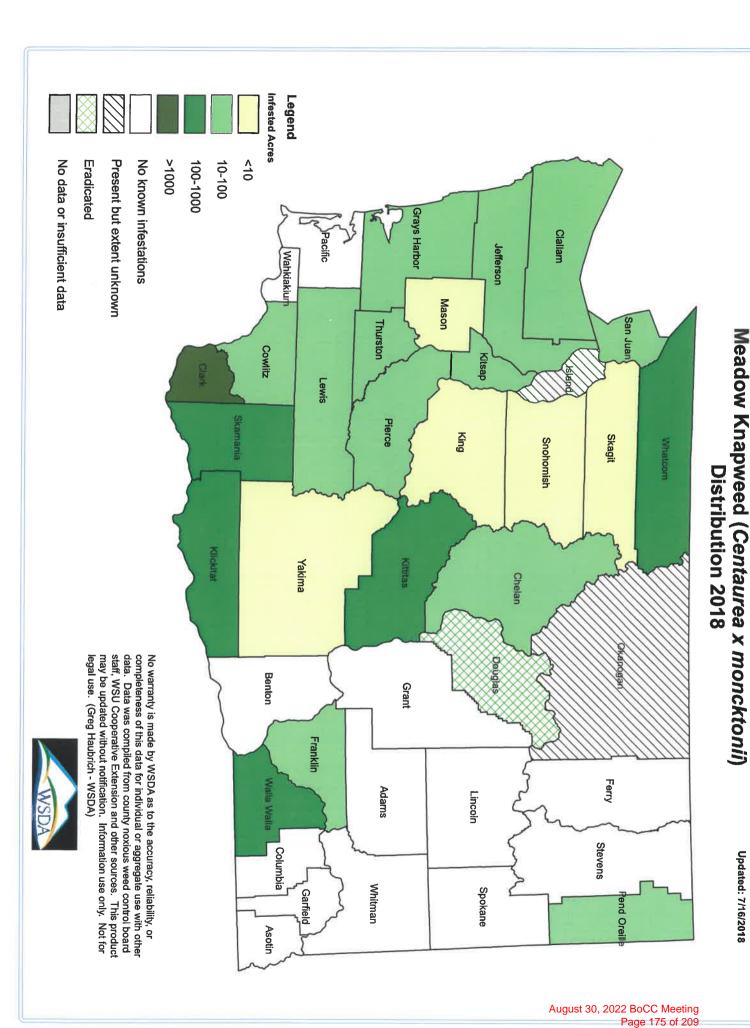
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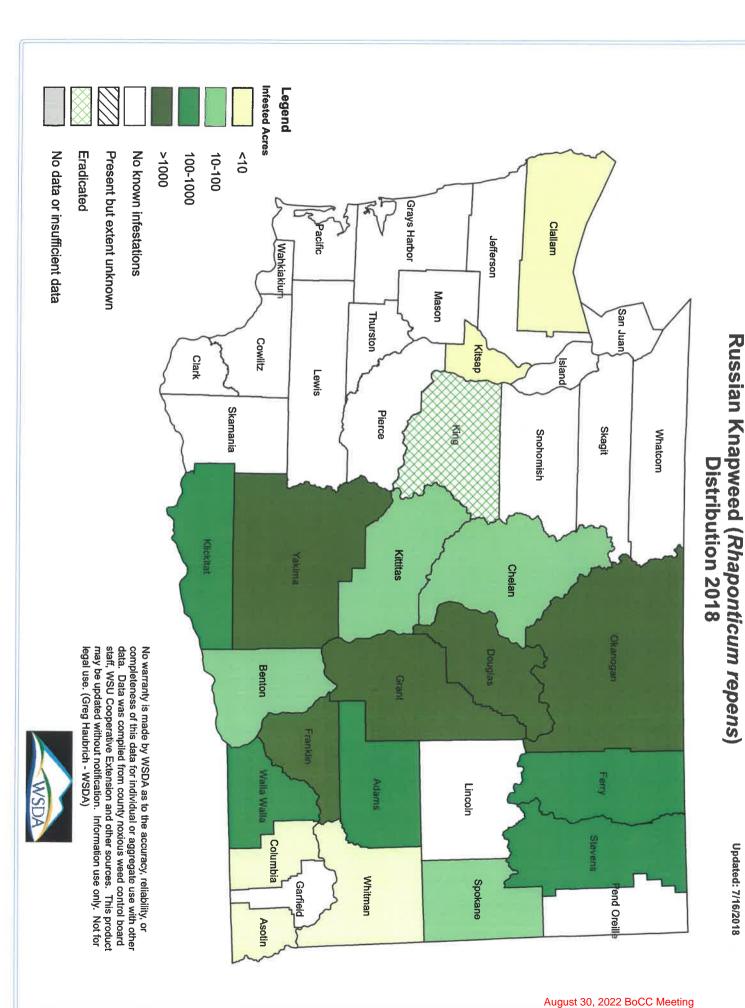
legal use. (Greg Haubrich - WSDA)

Eradicated

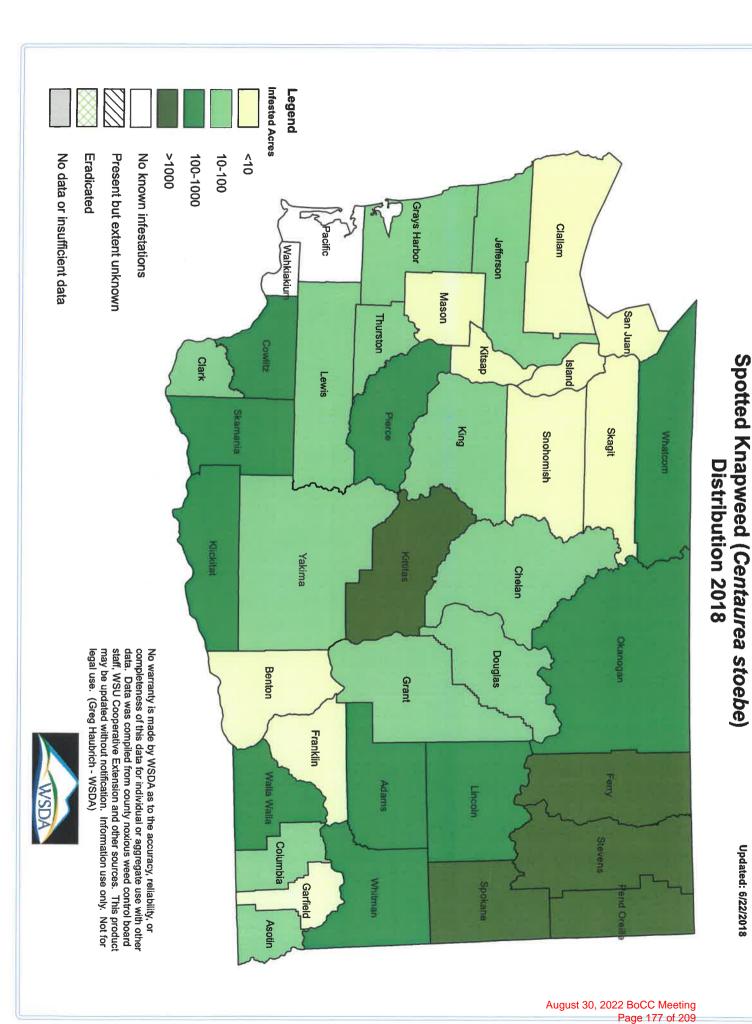
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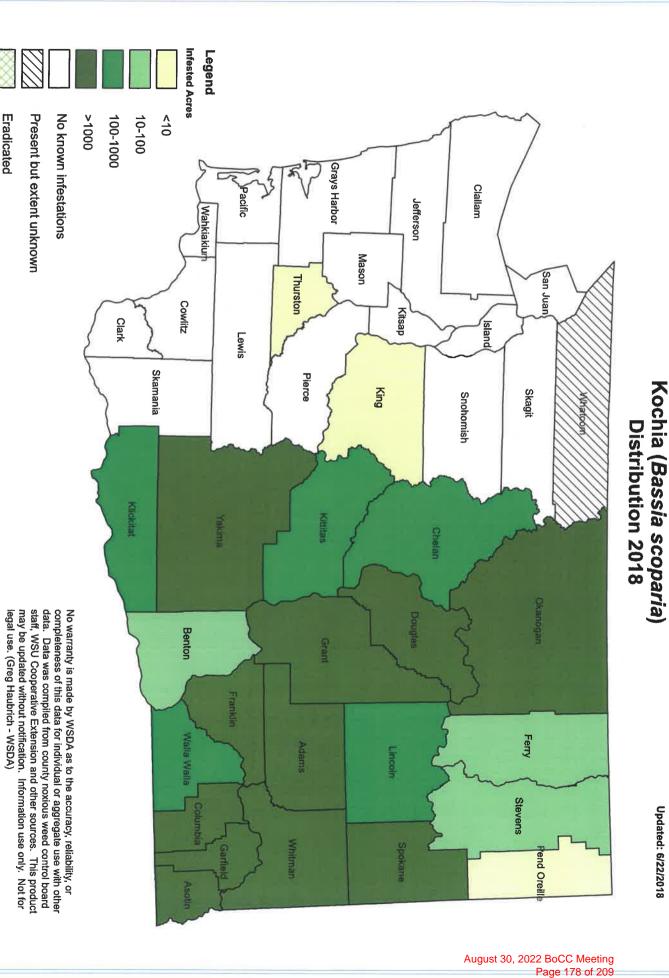
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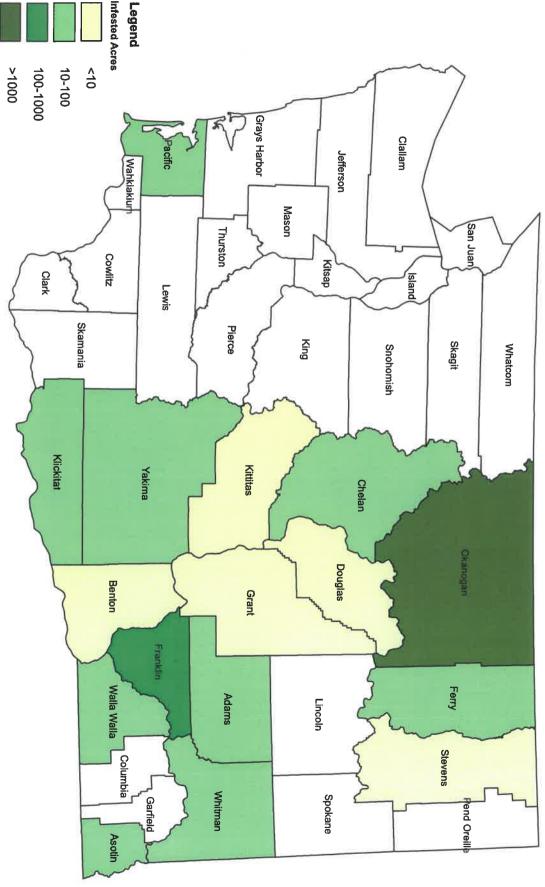
Updated: 6/22/2018

No data or insufficient data

Eradicated

Present but extent unknown

Longspine Sandbur (Cenchrus longispinus) **Distribution 2018** Updated: 11/27/2018



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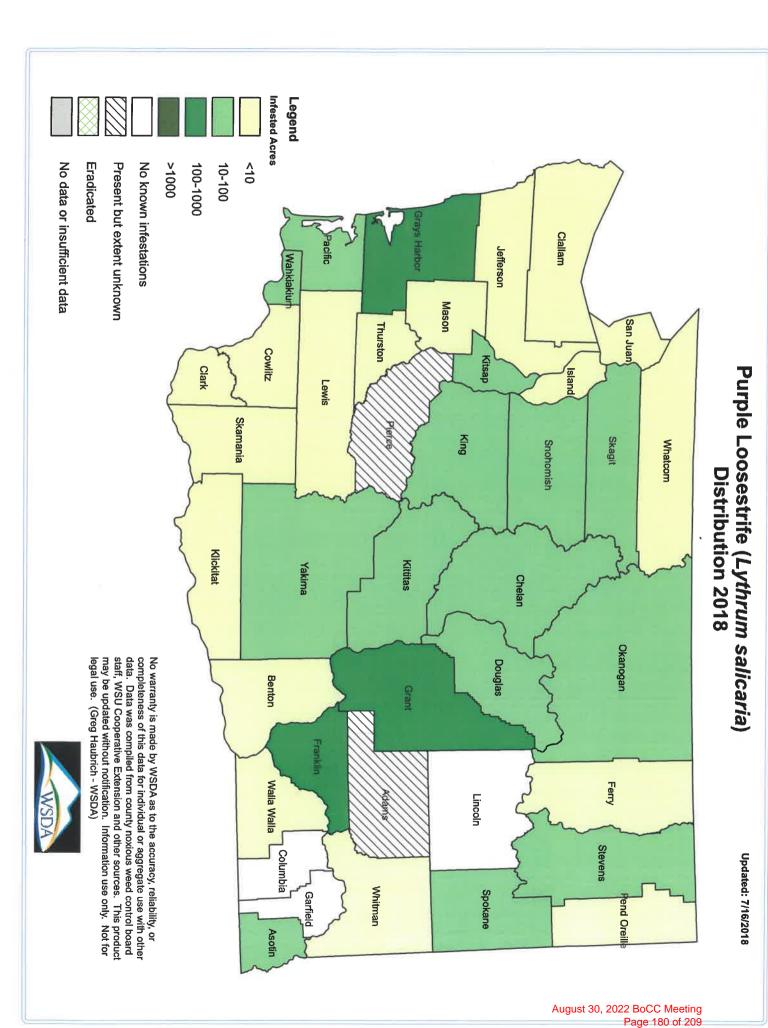


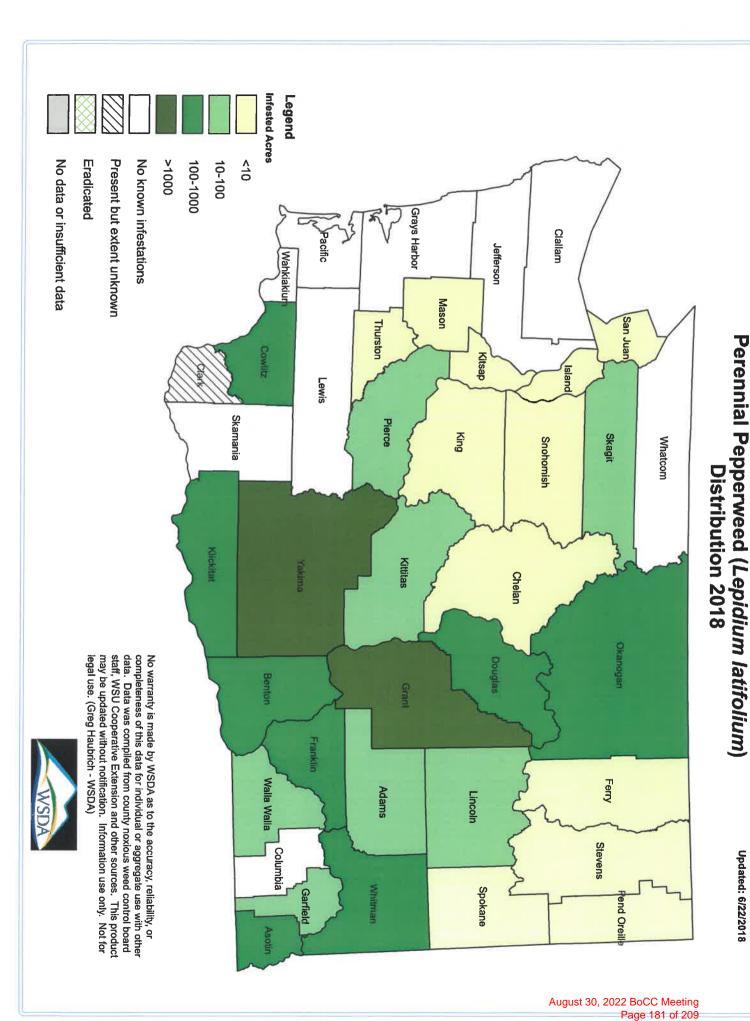
No data or insufficient data

Eradicated

Present but extent unknown

No known infestations





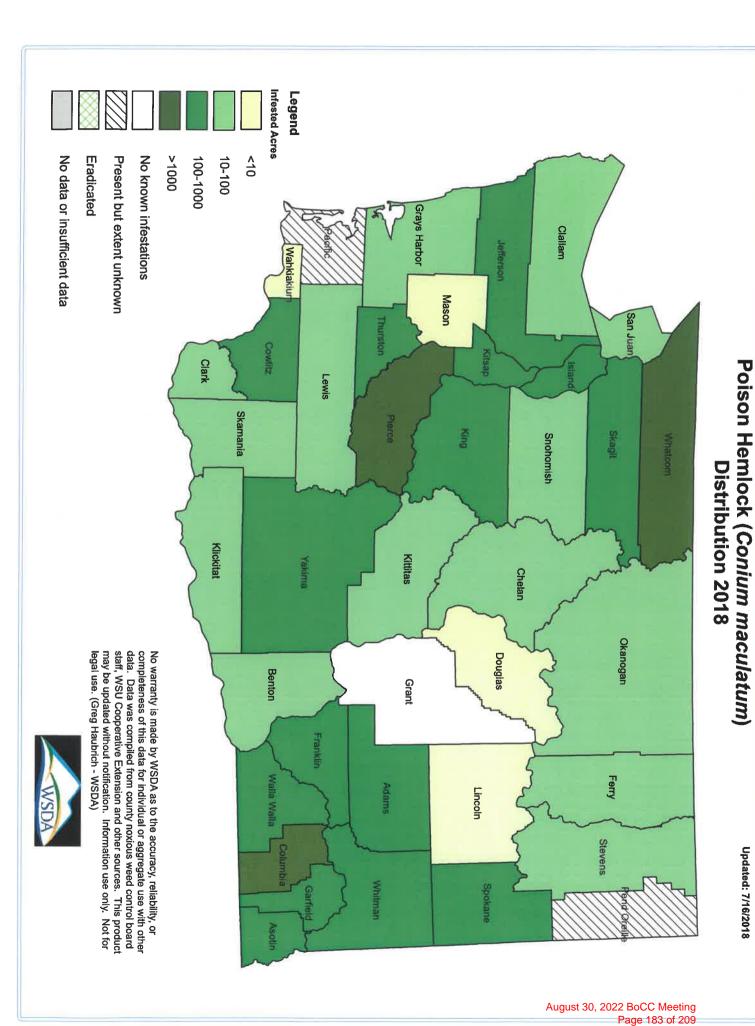
Infested Acres Legend ^0 >1000 10-100 No data or insufficient data Eradicated Present but extent unknown No known infestations 100-1000 Grays Harbor Clallam Jefferson Mason San Juai Thurston Kitsap Lewis Skamania King Skagit Whatcom Snohomish **Distribution 2018** Klickitat Kittitas Yakima staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for legal use. (Greg Haubrich - WSDA) No warranty is made by WSDA as to the accuracy, reliability, or completeness of this data for individual or aggregate use with other data. Data was compiled from county noxious weed control board Douglas Benton Grant Franklin Ferry Walla Walla Adams Lincoln Stevens Columbia Whitman Spokane end Orei

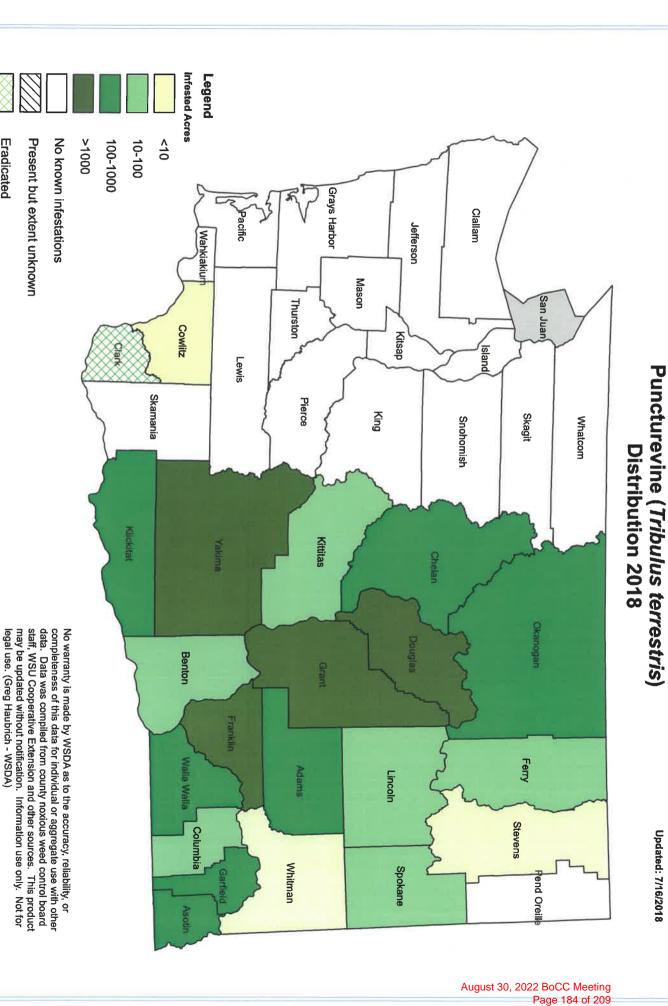
Perennial Sowthistle (Sonchus arvensis)

Updated: 11/28/2018

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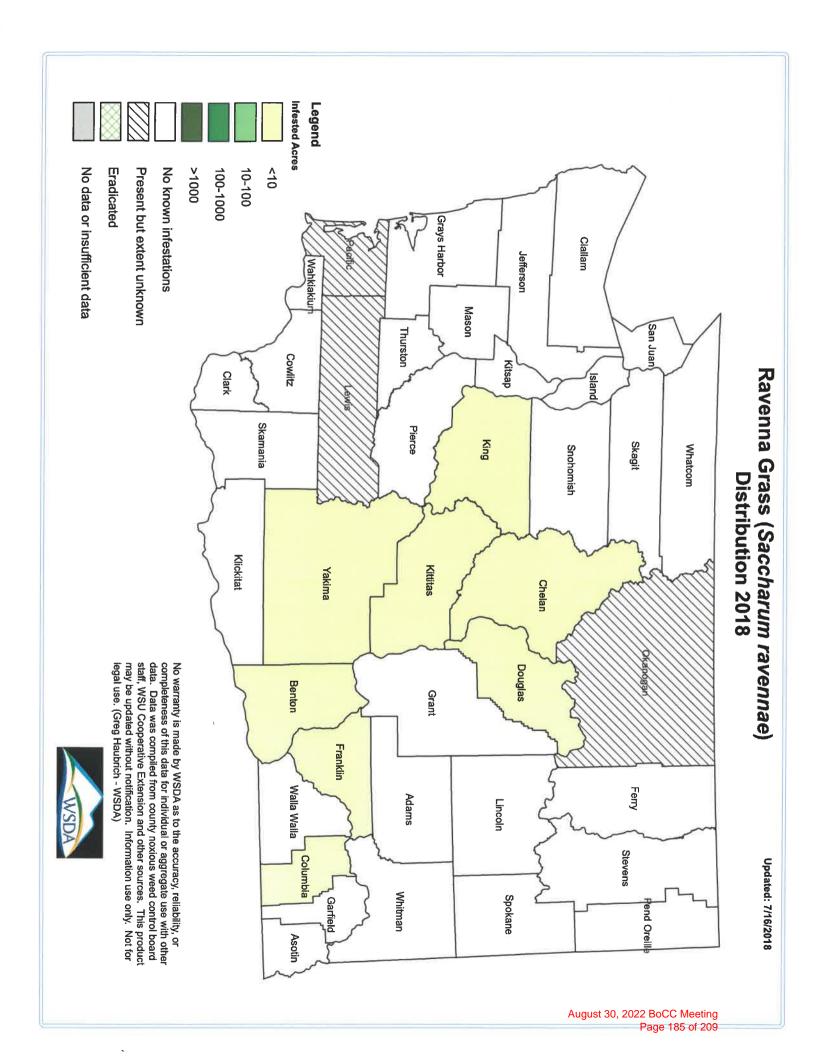


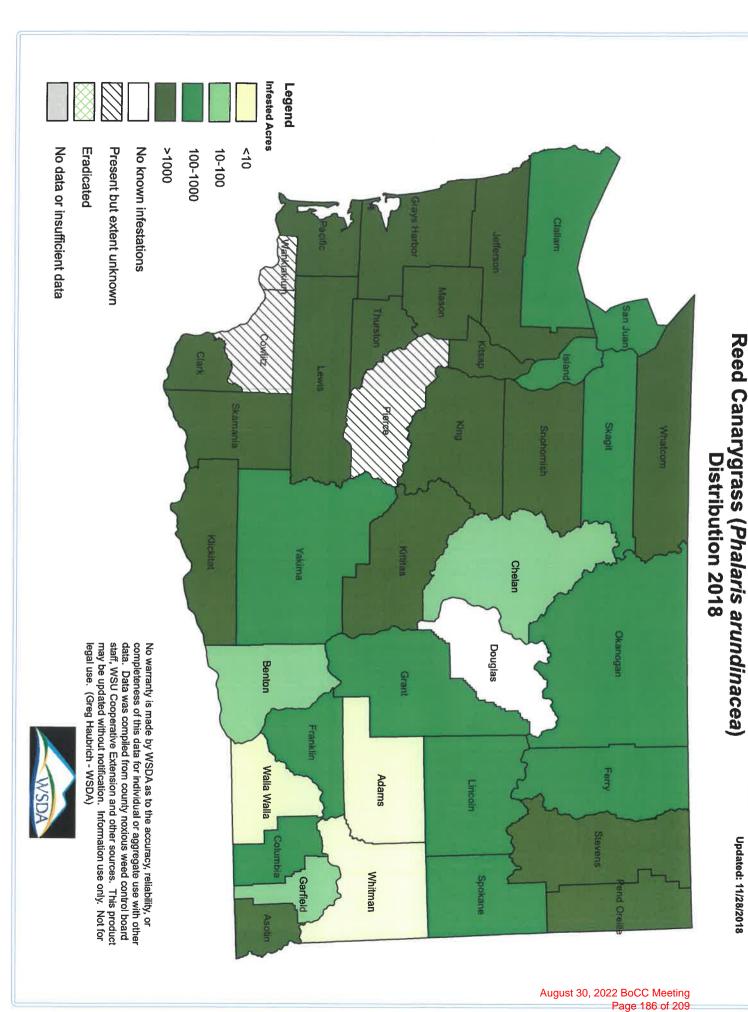


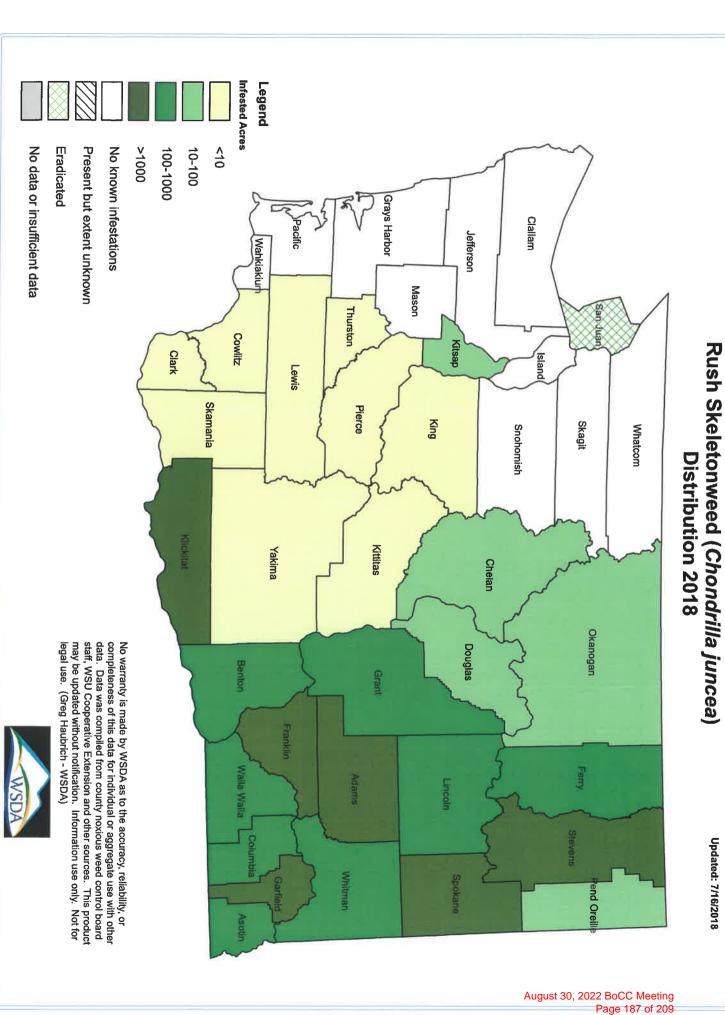
Updated: 7/16/2018

Eradicated

No data or insufficient data







Infested Acres Legend >1000 10 Eradicated Present but extent unknown 10-100 No data or insufficient data No known infestations 100-1000 Grays Harbor Clallam Pacific Jefferson Wahkiakiu Mason San Juar Thurston Cowlitz Clark Island Lewis Skamania Pierce King Skagit Whatcom Snohomish Klickita Kittitas staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for legal use. (Greg Haubrich - WSDA) completeness of this data for individual or aggregate use with other data. Data was compiled from county noxious weed control board No warranty is made by WSDA as to the accuracy, reliability, or Ferry Walla Walla Adams Lincoln Stevens Columbia Spokane Garfield end Oreil Asotin

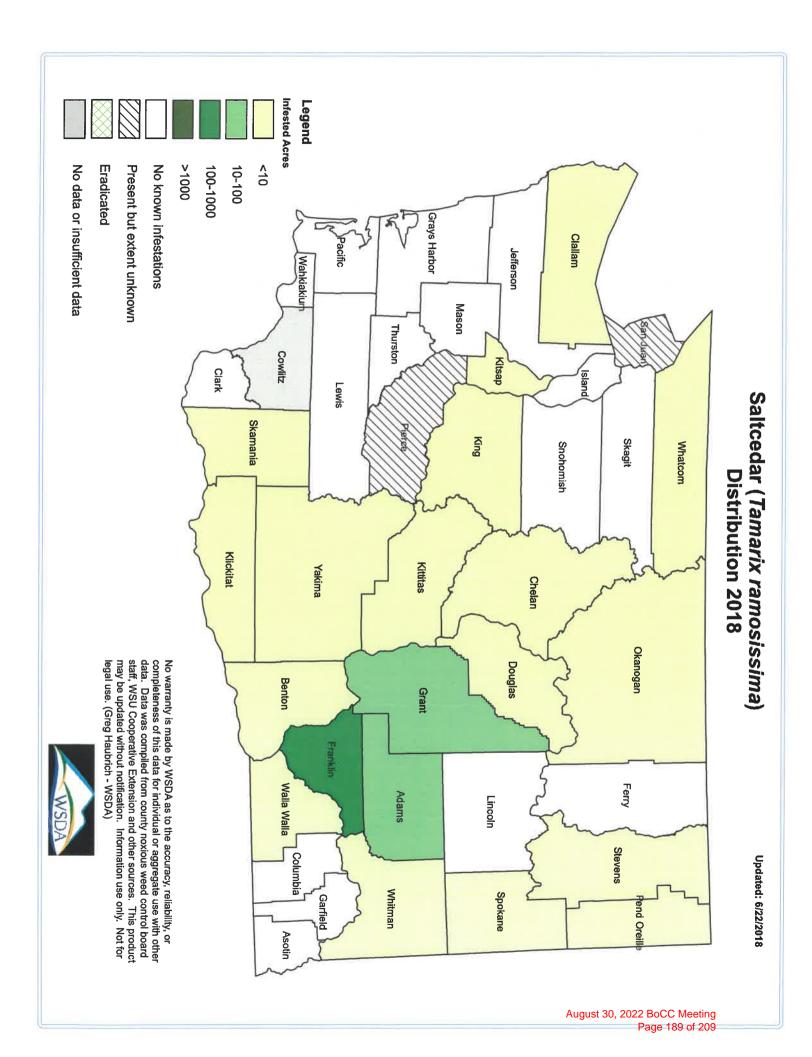
Russian Olive (Elaeagnus angustifolia)

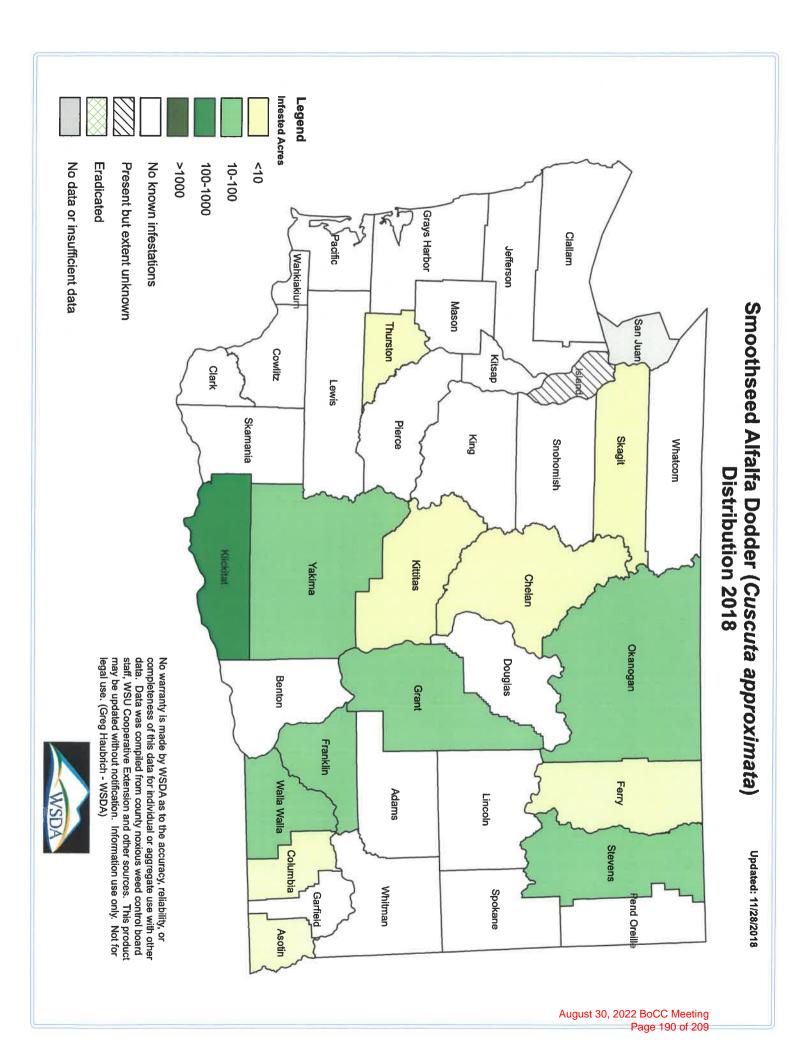
Updated: 11/28/2018

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Distribution 2018

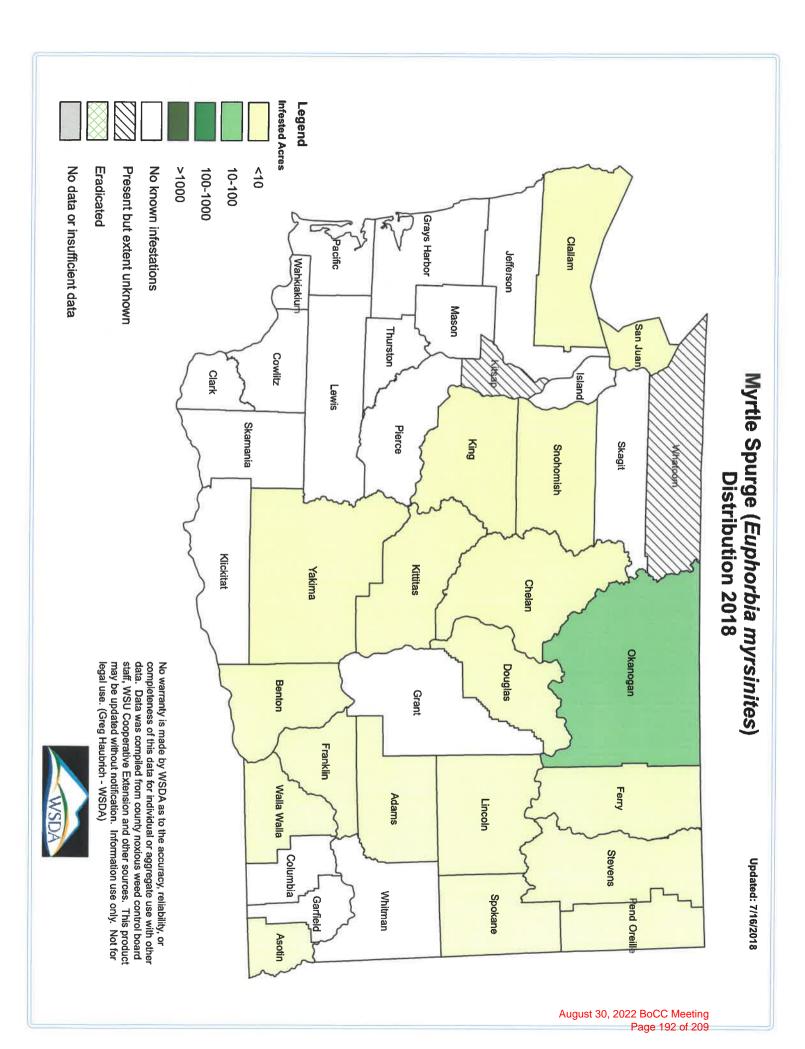


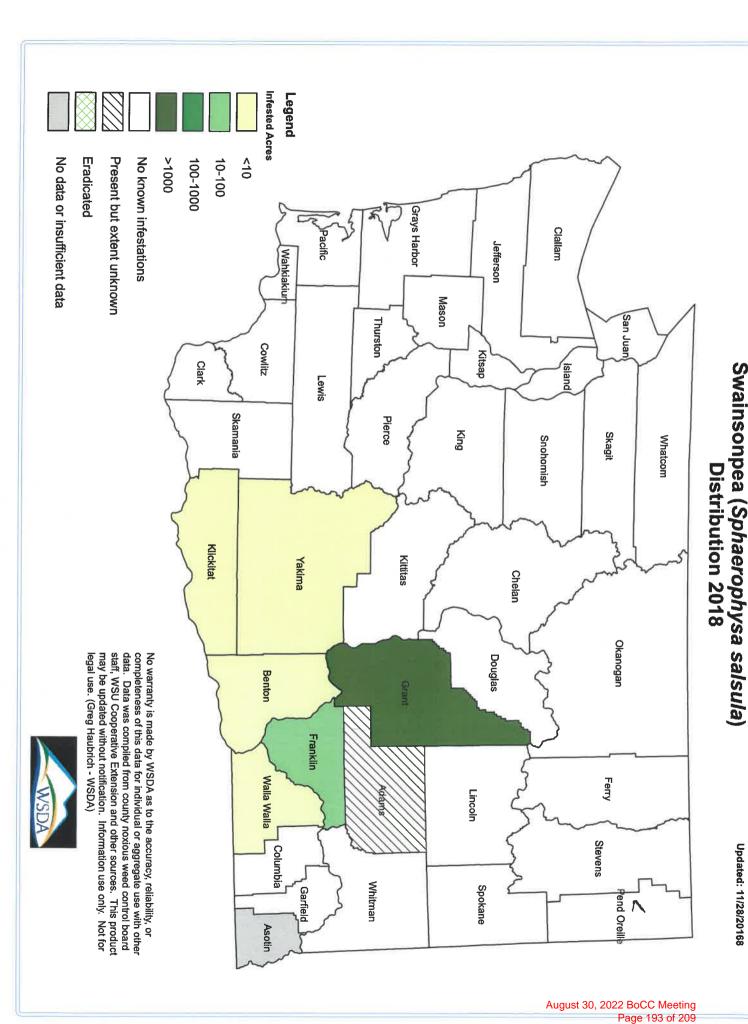


Infested Acres Legend >1000 10-100 <u></u> No data or insufficient data Eradicated Present but extent unknown No known infestations 100-1000 Grays Harbor Pacific Clallam Jefferson Mason Thurston San Juar Kitsap Spiny Cocklebur (Xanthium spinosum) Clark Island Lewis Skamania Pierce King Skagit Snohomish Whatcom **Distribution 2018** Klickitat Kittitas Yakima Okanogan No warranty is made by WSDA as to the accuracy, reliability, or completeness of this data for individual or aggregate use with other data. Data was compiled from county noxious weed control board staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for legal use. (Greg Haubrich - WSDA) Douglas Benton Grant Franklin Ferry Walla Walla Lincoln Stevens Columbia Updated: 11/28/2018 Whitman Spokane end Orei Asotin

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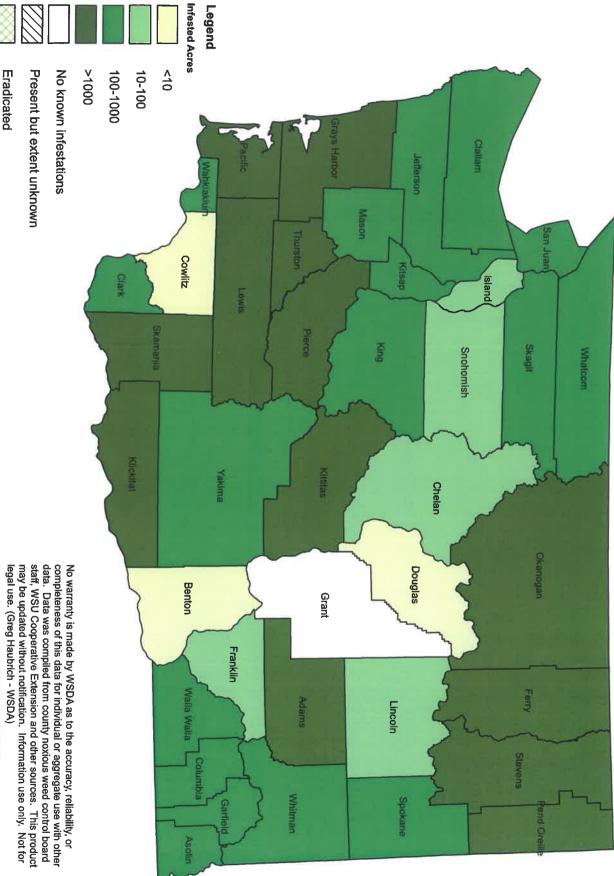




Bull Thistle (*Cirsium vulgare*) Distribution 2018 Updated: 11/22/2018

August 30, 2022 BoCC Meeting

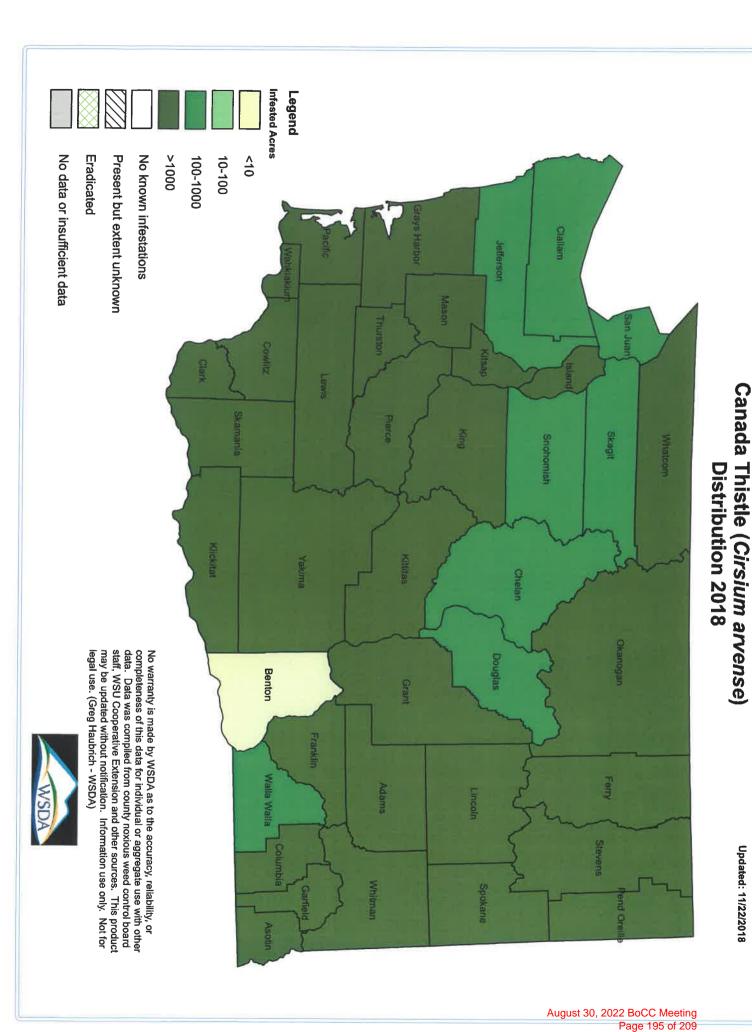
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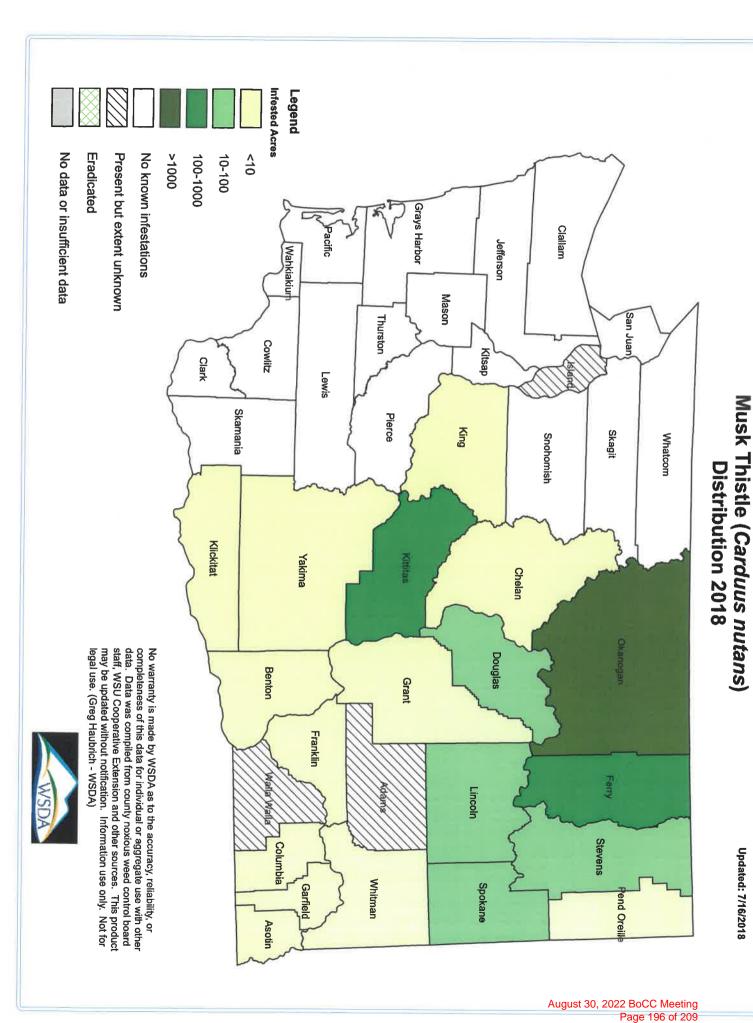


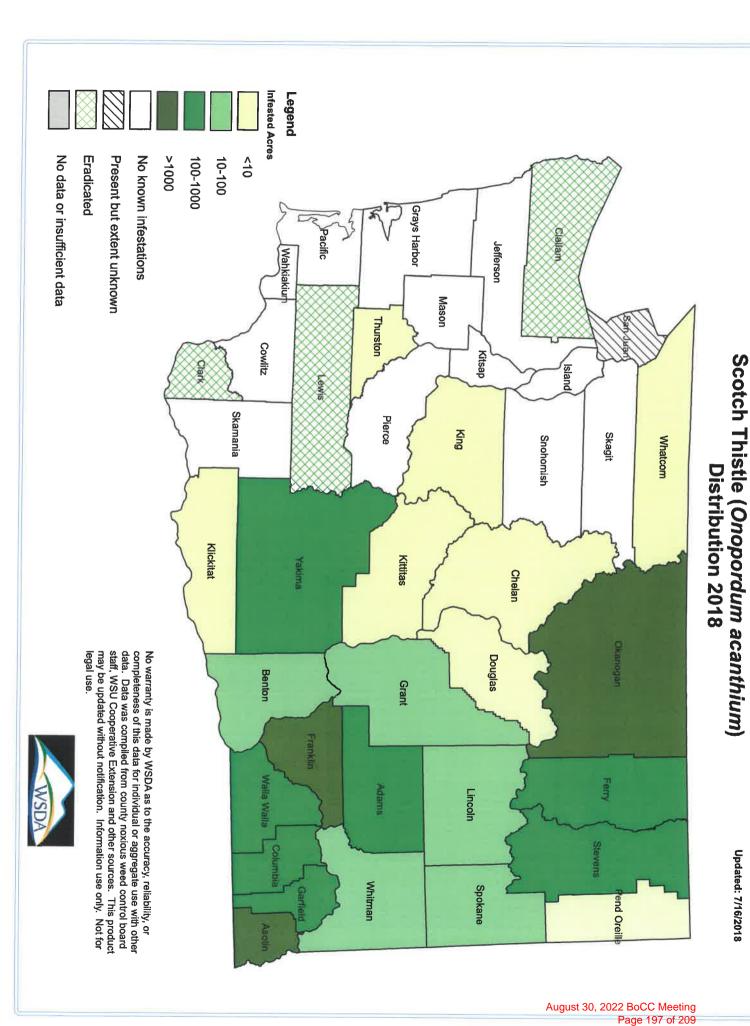
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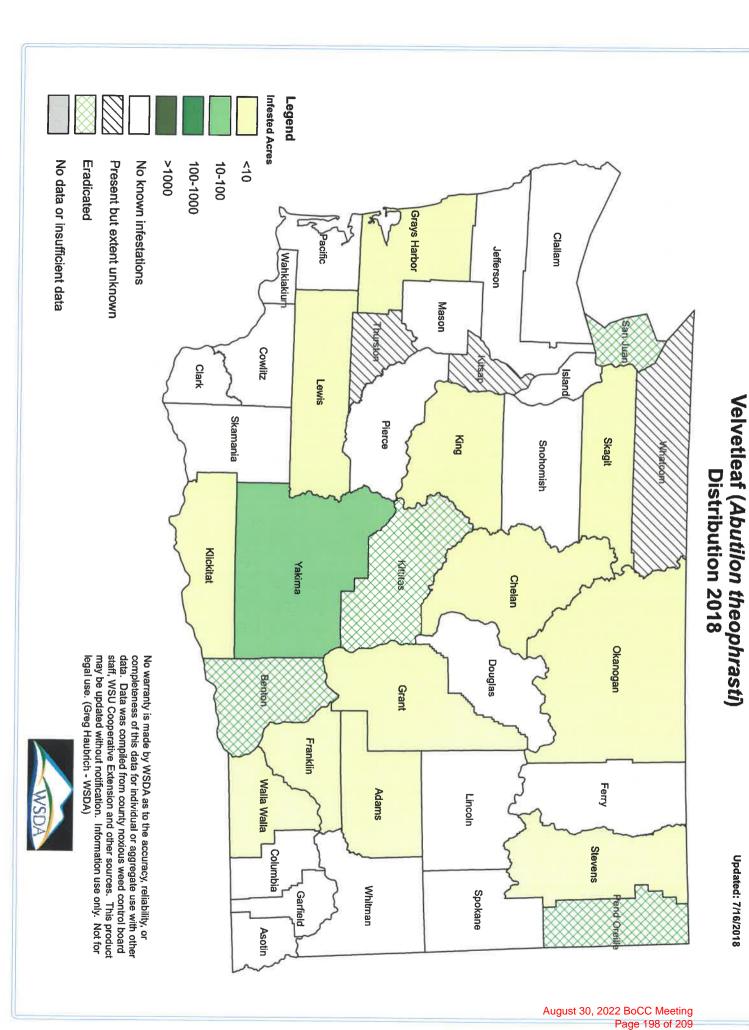
No data or insufficient data

Present but extent unknown









Infested Acres Legend >1000 <u>^10</u> 10-100 No data or insufficient data Eradicated Present but extent unknown No known infestations 100-1000 Grays Harbor Pacific Clallam Jefferson Wahkiakiur Mason Thurston San Juai Cowlitz Kitsap Clark (Island Lewis Skamania Pierce King Skagit Snohomish Whatcom **Distribution 2018** Klickitat Yakima Kittitas Chelan Okanogan staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for No warranty is made by WSDA as to the accuracy, reliability, or completeness of this data for individual or aggregate use with other data. Data was compiled from county noxious weed control board legal use. (Greg Haubrich - WSDA) Douglas Benton Grant Franklin Ferry Adams Lincoln Stevens Columbia Whitman Garfield Spokane end Oreil

White Bryony (Bryonia alba)

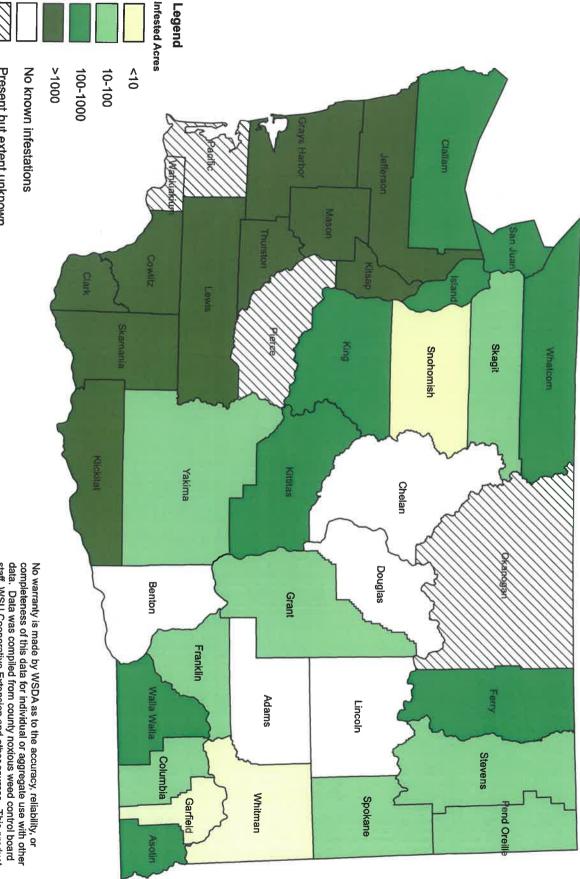
Updated: 7/17/2018

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Wild Carrot (Daucus carota) **Distribution 2018**

Updated: 11/28/2018



No data or insufficient data

Eradicated

Present but extent unknown

staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for

legal use. (Greg Haubrich - WSDA)

No known infestations

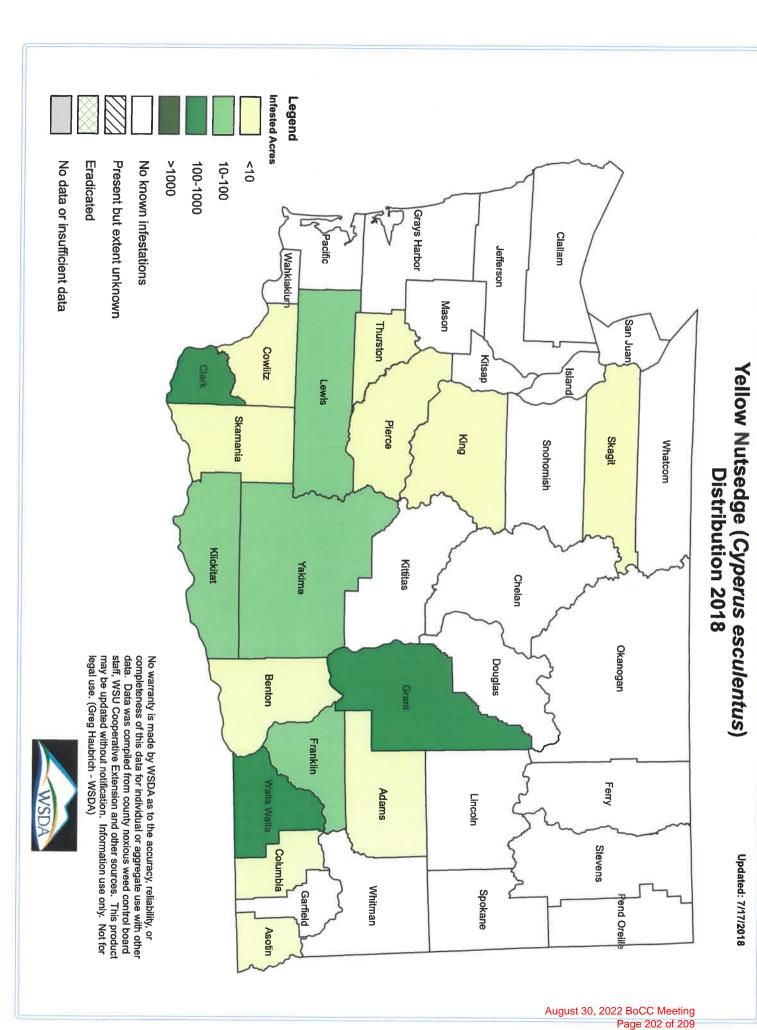
Infested Acres Legend >1000 10-100 <u>~10</u> Eradicated Present but extent unknown No data or insufficient data No known infestations 100-1000 Clallam Jefferson Cowlitz Clark Lewis Skamania Whatcom Snohomish **Distribution 2018 Klickitat** Yakima Chelan Okanogan No warranty is made by WSDA as to the accuracy, reliability, or completeness of this data for individual or aggregate use with other data. Data was compiled from county noxious weed control board staff, WSU Cooperative Extension and other sources. This product may be updated without notification. Information use only. Not for legal use.(Greg Haubrich - WSDA) Benton Grant Franklin Walla Walla Ferry Adams Lincoln Columbia Whitman Spokane Garfield end Oreil Asotin

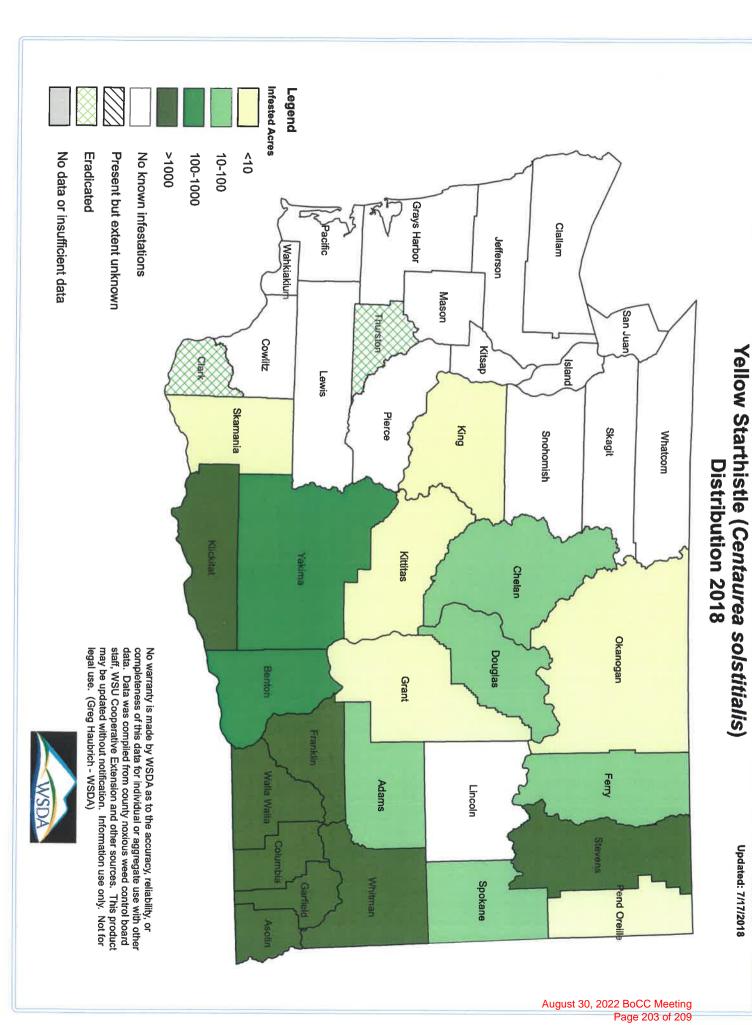
Yellow Flag Iris (Iris pseudacorus)

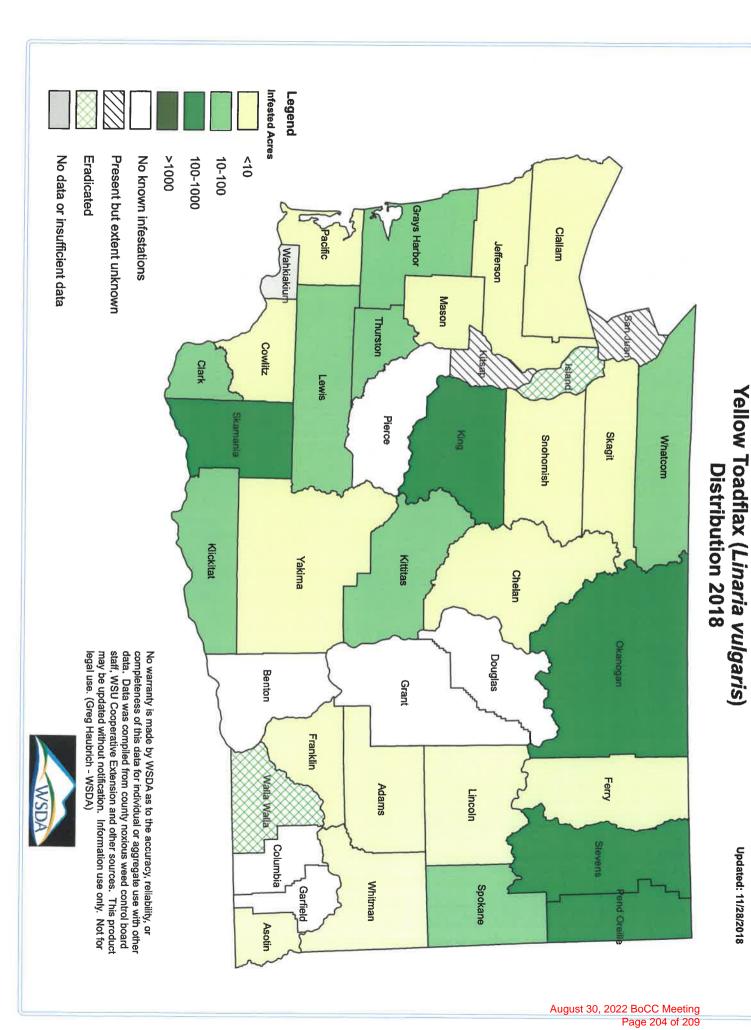
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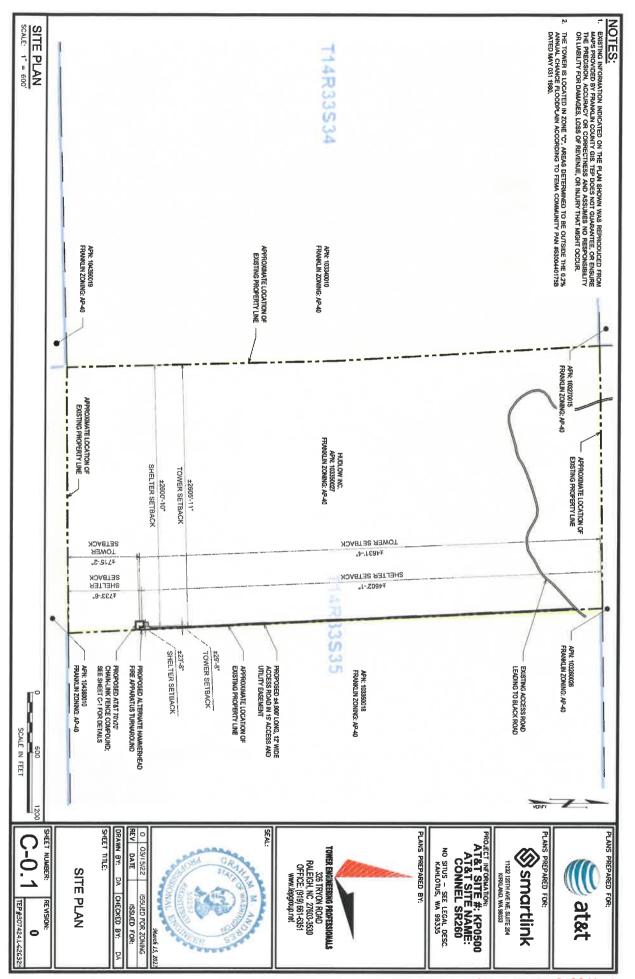


Agenda Item #1

MAPS & SITE PHOTOS

CUP 2022-05

Smartlink Group – Wireless Communication Facility



ATTACHMENT 11 5-MILE RADIUS MAP





Structure Registration: 1255813 Height: 91.0 m (298 ft.)

Structure Height 91.0 m (298 ft.)

Overall Height Above Ground 91.0 m (298 ft.)

Overall Height AMSL 466.0 m (1528 ft.)

Structure Type Tower

Owner Franklin County

@2022 Cavell Mertz & Associates, Inc.

Five Mile Radius

