



COUNTY COMMISSIONERS

Cathy Wolfe
District One

Sandra Romero
District Two

Bud Blake
District Three

HEARING EXAMINER

Creating Solutions for Our Future

**BEFORE THE HEARING EXAMINER
FOR THURSTON COUNTY**

In the Matter of the Application of)	
)	
)	NO. 2015103968
)	
Verizon Wireless)	Offut Lake Wireless Communications
)	Facility
)	
For a Special Use Permit)	FINDINGS, CONCLUSIONS,
)	AND DECISION
_____)	

SUMMARY OF DECISION

The request for approval of a special use permit to construct a wireless communications facility including a 150-foot monopole, six wireless communications antennas, a microwave dish, and an enclosed structure for ground equipment as proposed at 5815 Offut Lake Road SE, Tenino, Washington is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request

Verizon Wireless (Applicant) requested a special use permit to construct a new unstaffed wireless communications facility. The proposal includes a 150-foot monopole, six wireless communications antennas, a microwave dish, and a structure to house all ground equipment. The proposed site is located at 5815 Offut Lake Road SE, Tenino, Washington.

Hearing Date

The Thurston County Hearing Examiner conducted an open record public hearing on the request on November 23, 2015.

Testimony

At the open record public hearing, the following individuals presented testimony under oath:

- Robert Smith, Resource Stewardship Department Planning Staff
- Dawn Peebles, Environmental Health Department

Sarah Telschow, Applicant Representative
Andrew Thatcher, Health Physicist, Applicant witness
Ruth Miller

Exhibits

At the open record public hearing, the following exhibits were admitted in the record:

EXHIBIT 1 Resource Stewardship Land Use & Environmental Section Report including the following attachments:

- A. Notice of Public Hearing
- B. Zoning/Site Map, dated November 11, 2015
- C. Master Application, received May 12, 2015
- D. Special Use Permit Application, received May 12, 2015
- E. Applicant's Project Description, undated
- F. Site/Structure Plan Set, received July 23, 2015
- G. Notice of Application, dated June 30, 2015
- H. Complete Application letter, dated June 26, 2015
- I. SEPA Determination of Non-Significance, issued October 6, 2015
- J. Comment memorandum from Sara Brallier, Thurston County Environmental Health Division, dated August 4, 2015
- K. Comment memorandum from Sara Brallier, Thurston County Environmental Health Division, dated August 27, 2015
- L. Comment memorandum from Arthur Saint, Thurston County Public Works Department, dated July 29, 2015
- M. Third Party Review Letter from Joe Blashcka, Jr., ADCOMM Engineering, dated July 24, 2015
- N. Comment letter from Jackie Wall, Nisqually Indian Tribe, dated September 29, 2015
- O. Comment letter from Washington State Department of Ecology, dated June 12, 2015

Exhibit 2 Balloon Test and photosimulations

Exhibit 3 Acoustical Study, April 21, 2015

Exhibit 4 Non-Ionizing Electromagnetic Radiation (NIER) Report, April 5, 2015

Exhibit 5 Market Study by Integra Realty Resources, January 29, 2015

Exhibit 6 RF documentation, undated

Exhibit 7 Habitat Study, dated March 17, 2014

Exhibit 8 Wetland Study, revised date May 5, 2015

- Exhibit 9 Public comment from Carl Lapp in support of permit, November 18, 2015
- Exhibit 10 Photos of posted notice
- Exhibit 11 FAA TOWAIR Determination Results, print dated April 3, 2015
- Exhibit 12 Applicant narrative re: SUP findings
- Exhibit 13 Customer Support comments indicating service difficulty, November 20, 2015
- Exhibit 14 Property owner affidavit acknowledging requirement to dismantle if abandoned and requirement to allow co-location, signed April 10, 2015
- Exhibit 15 RF Documentation Clarification, November 19, 2015
- Exhibit 16 FCC Licensure documentation
- Exhibit 17 CV of Andrew Thatcher
- Exhibit 18 Thatcher Testimony
- Exhibit 19 "Research During Last 10 Yrs : Radiofrequency Electromagnetic Fields: Risk of Disease and Ill Health", Executive Summary of article, from Swedish Council for Working Life and Social Research
- Exhibit 20 "HEALTH EFFECTS from Radio Frequency Electromagnetic Fields: Report of the independent Advisory Group on Non-Ionising (sic) Radiation", Executive Summary, Health Protection Agency
- Exhibit 21 Andrew Thatcher's Notes Re: Epidemiological Studies And RF Base Stations
- Exhibit 22 WCF Pole Design Calculations, Valmont Structures, April 13, 2015
- Exhibit 23 Letter from Nathan Ross regarding non-flammability of pole, dated November 16, 2015
- Exhibit 24 Paint Color Sample
- Exhibit 25 Tower owner affidavit acknowledging requirement to dismantle if abandoned and requirement to allow co-location, signed April 3, 2015
- Exhibit 26 Applicant's notification to other carriers re: opportunity to co-locate, with certified mail cards
- Exhibit 27 Applicant's balloon test notification mailing mailed 9/10/14 more than two weeks prior to balloon test on 9/28/15
- Exhibit 28 11x17 color copies of balloon test raw photos
- Exhibit 29 Jeffrey Jones Curriculum Vitae
- Exhibit 30 Additional Clarification of potential impacts to wood ducks from Jeff Jones, November 20, 2015

Based upon the record developed at hearing, the Examiner enters the following findings and conclusions.

FINDINGS

1. The Applicant requested a special use permit to construct a new unstaffed wireless communications facility (WCF) comprised of a 150-foot monopole, six wireless communications antennas, a microwave dish, and ground-mounted equipment. The proposed project site is a 23-foot, 10-inch by 40-foot fenced enclosure in the north central portion of the underlying 9.48-acre parcel at 5815 Offut Lake Road SE, Tenino, Washington.¹ The Applicant would lease the enclosure area and necessary utility and access easements from the owner of the private subject property. *Exhibits 1, 1.D, 1.E, and 1.F; Exhibit 12.*
2. The subject property has a Rural Residential Resource – One Dwelling Unit Per Five Acres (RRR 1/5) zoning designation and is located in the rural County. The underlying property is moderately sloping with a high point near the southern boundary. The property owner's residence, associated accessory structures, and appurtenances are located in the southern portion of the property. The Deschutes River runs approximately 1,100 feet east of the proposed project site, and Offut Lake is approximately 2,400 feet to the west. The project location is not within shoreline jurisdiction of the Shoreline Master Program for the Thurston Region (SMPTR) for either waterbody. The subject property contains wetlands regulated pursuant to the Thurston County critical areas ordinance; however, the project site is located outside of the wetlands and all associated buffers. *Exhibit 1.*
3. Surrounding parcels are generally five acres or larger and developed with rural residences and agriculture. *Exhibits 1 and 1.B.*
4. The proposed facility is defined as an unstaffed wireless communication facility, which is allowed in the RRR1/5 zoning district subject to special use permit approval. *Thurston County Code (TCC) TCC 20.54, Table 1 and TCC 20.09A.025.*
5. The special use permit application was submitted May 12, 2015; with all information required by TCC 20.33.050 and TCC 20.60.030 submitted, it was deemed complete on June 9, 2015. *Exhibits 1, 1.C, 1.D, 1.E, and 1.F.*
6. Thurston County Code requires that new wireless communications facilities co-locate on an existing antenna support structure if possible. *TCC 20.33.070.* The purpose of the new WCF is to provide improved wireless voice and data service to residents and businesses generally between 103rd Avenue SE and Vantine Road SE, and between Rainier Road SE to Old Highway 99. The existing coverage gap in this area is depicted in the record on Exhibit 1A of Exhibit 6. The Applicant provided evidence that the nearest existing WCF tower is more than four miles away; co-location on an existing tower to provide the desired coverage is not possible. Non-residential areas in the

¹ The legal description of the subject property is Lot 1 of Large Lot Subdivision, LL-0600; also known as Tax Parcel no. 65904100000. *Exhibit 1.*

vicinity of Offut Lake are outside the search ring and not capable of meeting the Applicant's coverage objectives. If required to locate the proposed WCF in a non-residential location, more than one tower would be required to provide the necessary coverage. Of two viable properties within the search ring, the subject site was selected because it offers superior coverage and better (more seamless) handoff between existing sites, reducing dropped calls. The selected site is surrounded by trees ranging in height from 80 to 373 feet. Tree cover, terrain, and other mature vegetation in the target coverage area necessitate a tower height of at least 150 feet because Verizon's signal is negatively affected by the presence of trees, buildings, and other obstacles. In order to satisfy the coverage objectives of the Applicant, a six-antenna array is required. *Exhibits 6 and 15; Telschow Testimony.*

7. Proposed improvements include a 150-foot tall monopole, six wireless communication antennas arranged in three sectors of two antennas each, and a microwave dish. The proposed lease area is forested with a mix of mature conifer and deciduous trees. The tower and antenna, which would be painted a matte green color, would be set back 175 feet from the nearest property line, which is to the north. Six ground mounted radio and/or battery equipment cabinets would be located at the base of the tower with an 30 kW emergency back-up generator and a 210 gallon diesel fuel tank. Ground mounted equipment would not exceed 10 feet in height. The lease area would be enclosed by a six-foot high chain link fence topped with barbwire and provided with privacy slats. The tower's climbing pegs would be removed below 15 feet. The proposal includes a 20-foot landscape buffer around the fenced enclosure except at the location of the access gate, to include several tree and shrub species. The landscape buffer would be installed inside a tree retention buffer extending 50 feet to the north, east, and south sides of the fenced enclosure and 45 feet wide on the west side. The WCF would be unstaffed and require no water or sewer service. The proposal does not include signals, signs, lighting, or outdoor storage outside the enclosure. After construction, one or two maintenance employees would visit the site for approximately four hours once per month. *Exhibits 1, 1.D, 1.E, and 1.F; Telschow Testimony.*
8. Access would be from a 12-foot wide private driveway extending from Offut Lake Road SE. An emergency vehicle hammerhead turnaround and one parking space would be provided near the fenced enclosure. *Exhibits 1 and 1.F.*
9. The Applicant submitted a non-ionizing electromagnetic radiation (NIER) study, which calculated the projected maximum RF exposure to individuals resulting from the project. Using manufacturer information for the specific equipment proposed, and calculating worst case exposure scenarios, the NIER study concluded that the maximum exposure at six feet above ground level at the base of the monopole assuming full power would be 0.1231% of the maximum permissible exposure (MPE) allowed by the FCC for general populations/non-occupational exposure. Based on the calculations in the report, the facility would comply with current FCC and County requirements for human exposure to radiofrequency electromagnetic fields. *Exhibit 4.*

10. Pursuant to TCC 20.33.060, Planning Staff had had the Applicant's technical information reviewed by an independent third party reviewer to confirm compliance with FCC guidelines and standards. The County's reviewer confirmed that the proposal would comply with FCC requirements. *Exhibit 1.M.*
11. With a minimum proposed setback of 175 to the north, and all other setbacks being greater, the proposal exceeds the requirement to be setback at least 110% of the tower height. With four miles between the proposed site and the nearest existing WCF, the project would exceed the minimum separation required by code of 2,400 feet. At 150 feet, the project would comply with the maximum allowed tower height of 180 feet. *Exhibit 1; TCC 20.33.080.*
12. The Applicant commissioned a noise study from a professional consultant. Noise generating equipment proposed with the project includes a 30kW emergency generator and the ground equipment. The consultant measured the existing average ambient noise levels, which measured 53 decibels largely due to traffic. Using manufacturer information for sound levels generated by the proposed noise-generating equipment and applying factors including location, height, and reflective surfaces, the noise consultant projected anticipated sound levels at the nearest receiving property line, 175 feet to the north. According to the study results, sound levels experienced at all receiving property boundaries would be below the day and night time limits established by code. *Exhibit 3.*
13. The WCF would be located in the interior of a forested parcel. The base of the tower, the equipment structures, and the lower half of the tower would be screened from off-site views by existing trees and the proposed landscaped buffer. As demonstrated in the Applicant's balloon test photos, the upper portions of the tower would be visible from some adjacent properties and nearby public roadways. During the balloon test, a three-foot diameter balloon was sent up to the height of the proposed tower in order to assess impacts to views from surrounding properties. Views of the balloon from 26 surrounding locations were photographed to depict the height and visibility of the WCF relative to surrounding vegetation and the degree of screening that would be provided by existing trees. The balloon is visible from four of the 26 photo points, but at the 22 other points the WCF would be screened by vegetation. Of note, the view of Mount Rainier looking east from Lake Side Dock (view 26) would be impacted to a negligible extent by the tower. In the balloon photo of view 26, the red balloon is visible below the tree line to the right of Mount Rainier; however, it is unlikely that the unlit, matte green tower and antennas would be visible from the same location because they would disappear into the trees. The Applicant has proposed a tree retention easement that would require preservation of all healthy trees within 45-50 feet of the fenced enclosure for the life of the WCF use, to ensure visual screening is maintained. *Exhibit 2; Telschow Testimony.*
14. The Applicant submitted a wetland study prepared by a qualified professional. The study concluded that there are three Category III wetlands on-site within 300 feet of the proposed WCF, each of which has a habitat score of less than 20 points and requires a 100-foot buffer. *TCC Table 24.30-01.* No part of the proposed improvements would

extend into any wetland buffer. The wetland report concluded that the project would not impact any of the wetlands or associated buffers. *Exhibits 1.F, 8, and 29.*

15. The record includes a professionally prepared habitat assessment submitted by the Applicant. The assessment evaluated potential impacts to federally listed and priority habitats and species within one mile of the project site, including: big brown bat, chinook salmon, cutthroat, coho, steelhead, wood duck, and western toad. The study found no evidence of listed or priority species within 1,000 feet of the site. The Washington Department of Fish and Wildlife was provided notice of the application and asked to comment; no comment was received. *Exhibits 1, 7, 29, and 30.*
16. The Applicant submitted a TOWAIR Determination for a proposed cell tower which indicated that the structure does not require registration; there is no airport within eight kilometers of the site. *Exhibit 11.*
17. The application demonstrates that the proposed tower and lease area have capacity to accommodate antennas and equipment for two additional cellular service providers. The Applicant provided verification that other WCF providers have been notified of the proposal. The record also includes the Applicant's FCC licensure documentation. *Exhibits 1, 14, 16, 25, and 26.*
18. According to the FCC, approximately 70% of all 911 calls are made from wireless phones. Wireless E-911 services demands reliable signal strength and a dense network of antennas to function. Wireless providers are federally mandated to provide E-911 service. *Exhibit 15.*
19. The Applicant submitted a Market Study analyzing expected impacts on property values in the area. The study concluded that the WCF facility would not negatively impact property values. *Exhibit 5.*
20. Regarding concern about health effects from radio frequency emissions, the Applicant offered testimony and documentary information from professional health physicist Andrew Thatcher. Mr. Thatcher noted that Offut Lake is a heavily wooded area, reducing EMF concerns. Calculating possible exposure generated from three carriers at maximum power levels, and assuming (contrary to actual circumstances) that no trees would obstruct exposure, Mr. Thatcher calculated that outdoor exposure on properties surrounding the facility would be 0.3% of the FCC's maximum permissible exposure (MPE) limit, and that indoor exposure in the nearest house approximately two hundred feet away would be 0.01% of MPE. He further testified that the science regarding WCF safety is robust, having been studied for 60 years. The FCC MPE limits are widely recognized as safe for all age groups. Mr. Thatcher provided excerpts from international reports and his own epidemiological review information, which he testified support the conclusion that the levels of RF exposure anticipated are considered safe for all people, including infants and children, even with 24 hour exposure. *Exhibits 17, 18, 19, 20, and 21; Thatcher Testimony.*

21. The proposal was reviewed by Thurston County Environmental Health Division, which agency recommended approval subject to conditions requiring the following: no provisions for water or sanitary services (not proposed and so not reviewed); compliance with County noise standards; storage and secondary containment of the diesel generator on-site consistent with Article IV of the Sanitary Code and TCC17.15.520(c)(2); and prevention of spill of any hazardous material onto the ground or into ground or surface water. *Exhibits 1.J and 1.K.*
22. Thurston County Public Works reviewed the proposal and determined that it is capable of compliance with applicable provisions of the Thurston County Road Standards and the Drainage Design and Erosion Control Manual. Public Works recommended approval. *Exhibit 1.L.*
23. Washington State Department of Ecology submitted comments relating to proper procedures for handling any soils contaminated by hazardous material discovered during site development. *Exhibit 1.O.*
24. Pursuant to the State Environmental Policy Act (SEPA), Thurston County Resource Stewardship was designated lead agency for review of the project's environmental impacts. The SEPA responsible official reviewed the master and the special use permit applications, site plans, and comments from Thurston County Environmental Health, Thurston County Public Works, Washington State Department of Ecology, and the Nisqually Tribe. Upon review, the Responsible Official determined that the project would not result in probable, significant, adverse environmental impacts and issued a determination of non-significance on October 6, 2015, which was not appealed and became final. *Exhibit 1.I; Smith Testimony.*
25. Notice of application was mailed on June 30, 2015. *Exhibit 1.G.* Notice of the public hearing was sent to all parties on record on November 9, 2015 and posted on-site on November 12, 2015. Notice of hearing was sent to all property owners within 2,600 feet of the site and others who requested notice and published in The Olympian on November 13, 2015. *Exhibits 1, 1.A, 1.G, and 10.*
26. Prior to the hearing, the County received one public comment in favor of the proposal. *Exhibit 9.*
27. At hearing, one member of the public testified against the proposal, expressing the following concerns. Ruth Miller lives within one half mile on the subject property, where her family has a farm. They chose their property for privacy. They do not own cell phones, televisions, or microwaves. Ms. Miller testified that she is concerned about EMFs and she questioned how sound volumes could be known in advance of operation. She indicated that the WCF is "not going to be beautiful" and she doesn't wish to be able to see it from her property. She asked whether the trees noted as screening could be removed in the future and asked whether a light could be added to the tower in the future. She asked whether the Applicant was required to do

a pocket gopher study. Finally, she testified that she did not receive the Applicant's mailed notice of the balloon test. *Miller Testimony.*

28. In response to public comment and in support of the application generally, the Applicant offered the following information. Evidence in the record shows a coverage gap in the vicinity of the project site. Customer complaints about dropped calls in the area document the difficulty users have had with lack of coverage. The proposal would comply with FCC regulations concerning radio frequency emissions, as demonstrated by the Non-Ionizing Electromagnetic Exposure Analysis and Engineering Certification (NIER study) and confirmed by Thurston County's third party review. The facility was designed to protect the residential and neighborhood character by being located in a cluster of mature trees that would substantially screen it from most views, painted green to blend in with the natural environment, and set back at least 175 feet from all site boundaries. Regarding Applicant notice of the balloon test, the map, notice, and mailing list used by the Applicant to notify surrounding property owners of the test was submitted. The FAA is not requiring lighting for the tower. Regarding noise, the Applicant noted that sound volumes generated by the equipment that would be used on-site were studied in relation to site boundaries or residential receiving properties and were found to be within allowed limits. The tower was designed by professional engineers to be structurally sound and nonflammable. In conclusion, Applicant representative noted that the proposal would comport with all code requirements and requested approval. *Exhibits 1.F, 3, 12, 13, 22, 23, and 27; Telschow Testimony.*
29. Planning Staff noted that site soils are not of the type associated with Mazama pocket gopher habitat. *Smith Testimony.*
30. Planning Staff asserted that the proposal, as conditioned, would be consistent with the Thurston County Comprehensive Plan and the Thurston County Zoning Ordinance, citing specifically Goal I, objective A, Policy 14 of the Land Use chapter of the comprehensive Plan: This goal states that “special uses that may be permitted in the rural area should be constrained in size and scale so as to maintain rural character. The primary purpose of special uses should be to serve the rural area residents of Thurston County.” Planning Staff submitted the position that the proposed WCF would not have a substantial adverse impact on the surrounding area. After hearing the testimony and argument offered at hearing, Planning Staff recommended approval subject to the conditions in the staff report. *Smith Testimony; Exhibit 1.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner has jurisdiction to decide the special use permit applications pursuant to TCC 2.06.010, TCC 20.54.015(2), and Revised Code of Washington (RCW) 36.70.970.

Special Use Permit Criteria for Review

The Hearing Examiner may approve an application for a special use permit only if the following general standards set forth in TCC 20.54.040 are satisfied:

1. Plans, Regulations, Laws. The proposed use at the specified location shall comply with the Thurston County Comprehensive Plan and all applicable federal, state, regional, and Thurston County laws or plans.
2. Underlying Zoning District. The proposed use shall comply with the general purposes and intent of the applicable zoning district regulations and subarea plans. Open space, lot, setback and bulk requirements shall be no less than that specified for the zoning district in which the proposed use is located unless specifically provided otherwise in this chapter.
3. Location. No application for a special use shall be approved unless a specific finding is made that the proposed special use is appropriate in the location for which it is proposed. This finding shall be based on the following criteria:
 - a. Impact. The proposed use shall not result in substantial or undue adverse effects on adjacent property, neighborhood character, natural environment, traffic conditions, parking, public property or facilities, or other matters affecting the public health, safety and welfare. However, if the proposed use is a public facility or utility deemed to be of overriding public benefit, and if measures are taken and conditions imposed to mitigate adverse effects to the extent reasonably possible, the permit may be granted even though the adverse effects may occur.
 - b. Services. The use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, or services existing or planned to serve the area.

Wireless Communications Facilities Standards

Pursuant to 20.33.080, the following standards apply to freestanding WCFs and remote freestanding WCFs/antenna support structures.

1. Evaluation of Alternative Sites. Prior to submission of an application for a WCF/antenna support structure, the Applicant is encouraged to meet with residents of the search area for the proposed WCF/antenna support structure for the purpose of evaluating alternative sites and exploring the possibility that other technically feasible sites may be available that would be more acceptable to the community.
2. Siting.
 - a. Freestanding WCFs and other antenna support structures regulated by this chapter shall not be permitted in residential districts unless ...(not applicable);
 - b. WCFs and other antenna support structures shall be located, designed and screened, to the extent feasible, to blend with the immediate surroundings so as to reduce visual impacts.
 - i. Proposed WCFs/antenna support structures shall be located where their visual impact is least detrimental to views of recognized landmarks, such as, but not limited to, Puget Sound, Nisqually Valley, Mount Rainer, the Black Hills, and the Olympic Mountains. If the approval authority determines that the proposed

location for the facility would have a significant detrimental impact on a view of a recognized landmark, she/he shall deny the proposal unless the Applicant demonstrates that a less impacting site is not available.

- ii. In order to demonstrate that a less impacting site is not available, Applicants for WCF/antenna support structures impacting the views listed in subsection (2)(b)(i) of this section shall ... (not applicable).
 - iii. WCFs/antenna support structures shall be sited off ridgelines unless they are designed to blend in with the surrounding environment in such a manner that they would not have a significant visual impact, as determined by the approval authority, or the Applicant demonstrates that no alternative location is available.
 - iv. In determining whether or not a WCF/antenna support structure will have a significant adverse visual impact on a view/location listed in subsections (2)(b)(i) and (2)(b)(iii) of this section ... (not applicable);
 - v. Applicants proposing uncamouflaged WCFs/antenna support structures in locations that cannot be at least partially screened by existing trees, topography, or structures must submit documentation as to why sites which would provide screening potential are not available or technically feasible to provide adequate service...
 - vi. Unless effectively camouflaged, as determined by the approval authority, WCFs/antenna support structures shall be located on a site to take maximum advantage of the screening afforded by any existing trees, topography, and structures in order to minimize their visibility from the surrounding area, consistent with other applicable regulations. Priority shall be given (in descending order) to minimizing visibility from existing dwellings, public rights-of-way, and public parks and open spaces.
 - vii. In residential and commercial districts, flush mounted antennas shall be used unless the Applicant demonstrates that another mount is necessary.
- c. WCFs and other antenna support structures shall be located so they do not narrow the sidewalk width below the county's minimum standard, create a hazardous situation for pedestrians, bicyclists or motorists, or interfere with utilities, as determined by the approval authority. (See TCC Title 13, Roads and Bridges).
 - d. WCFs and other antenna support structures shall be located, designed, and screened to maintain property values and neighborhood character.
 - e. WCFs and other antenna support structures shall be sited consistent with the provisions of the Thurston County Agricultural Uses and Lands Critical Areas Ordinance (Chapter 17.15 TCC), the Thurston County Critical Areas Ordinance (Title 24)...;
3. Setbacks.
 - a. WCFs/antenna support structures, except those in rights-of-way, shall be set back from property lines a minimum of one hundred ten percent of the antenna support structure's height, including antennas. ...

4. Separation. WCFs/antenna support structures shall be separated from one another as follows:
 - a. (not applicable)
 - b. Outside urban growth areas, freestanding WCFs/antenna support structures shall be a minimum of two thousand four hundred feet from another freestanding WCF/antenna support structure.
 - c. Separation distances shall be measured from antenna support structure to antenna support structure regardless of property lines and roadways. ...
- ...
5. Co-location. All freestanding and remote freestanding WCFs/antenna support structures shall be designed and constructed to fully accommodate at least two additional WCF providers, including an area for each co-locator's equipment near the base of the tower, each comparable in size to the area required by the Applicant, unless the Applicant demonstrates why such design is not feasible for technical or physical reasons (for example, because it would ruin the disguise of a camouflaged antenna support structure). This requirement does not apply to antenna support structures in rights-of-way. The approval authority may require Applicants to accommodate more than two co-locations, based on documented demand, consistent with the provisions of this chapter.
6. Maximum Height.
 - a. (not applicable)
 - b. Maximum height outside urban growth areas: one hundred eighty feet including antennas, except remote freestanding WCFs/antenna support structures which may be two hundred feet including antennas.
7. Screening/Camouflaging.
 - a. Color. WCFs/antenna support structures and antennas, with the exception of camouflaged and wooded antenna support structures, shall have a nonglare finish in a gray, blue, green or other color(s) appropriate to the background against which it would be primarily viewed (e.g. green to the tree line and gray above) as determined by the approval authority, unless a different color or finish is required by the FCC or FAA. ...
 - b. Pole Material. WCFs/antenna support structures in rights-of-way shall be limited to poles of the same design and appearance as the utility poles to which they are linked, except as required by the approval authority consistent with the Uniform Building Code.
 - c. Maintenance. The permittee shall maintain the approved WCF/antenna support structure in a condition that preserves its original appearance and any concealment or camouflage elements incorporated into the design, consistent with all applicable requirements. This includes repair or replacement of equipment, removal of rust and associated stains, removal and replacement of peeling paint that would be visible from adjoining rights-of-way or property, and maintenance of required landscaping and fencing.
 - d. Screening. WCFs/antenna support structures shall be located among or beside trees wherever possible.

- i. If the site proposed to accommodate an antenna support structure is treed within fifty feet of the proposed antenna support structure's location ... (not applicable);
 - ii. If the site does not contain sufficient trees to provide effective screening, as determined by the approval authority, a minimum twenty-foot wide buffer around the perimeter of the WCF/antenna support structure location, excluding the access point, shall be planted with site-obscuring conifer trees. The trees shall be planted six feet on center in at least three offset rows. The trees shall be a minimum of six feet in height at the time of planting. Planting shall occur prior to the facilities becoming operational. The required trees shall be maintained in a green and growing state so long as the antenna support structure is on the site. Any tree within the buffer that dies or is removed shall be replaced during the next planting season with a conifer tree a minimum of six feet in height at the time of planting. This requirement shall not apply to WCFs/antenna support structures in rights-of-way.
 - iii. The approval authority may modify the screening requirements in subsections (7)(d)(i) and (ii) of this section to the extent existing structures on site, existing vegetation along the parcel perimeter, or topography provide adequate screening. The approval authority may also modify or waive those requirements, as she/he deems appropriate, if the Applicant camouflages the WCF/antenna support structure through a design that significantly mitigates its visual impact (for example, but not limited to, an antenna support structure designed to resemble a conifer tree, flag pole, clock tower, street light, or utility pole).
 - iv. Approval of a setback pursuant to subsection (3)(d) of this section is contingent upon the Applicant submitting to the approval authority an easement or other instrument approved by the Thurston County prosecuting attorney's office from the adjacent property owner that accommodates screening required pursuant to this subsection (7)(d).
- e. Camouflaged WCFs/Antenna Support Structures. Camouflaged WCFs/antenna support structures shall be designed appropriate to the context, as determined by the approval authority, so they do not appear to be out of place. Camouflage proposals shall be modeled after design concepts approved by the department director or designee.
8. Public Safety.
- a. For freestanding WCFs/antenna support structures, a minimum six-foot high chain link fence with privacy slats shall be installed around the perimeter of the site for public safety and screening purposes. The fence and privacy slats shall be a nonreflective, deep green or other color that blends in with the surrounding environment, as determined by the approval authority. (A fence over six feet in height will require a building permit). Access to the tower shall be through a locked gate. The approval authority may authorize alternate methods of providing for public safety if a level of public safety and screening similar to that provided by the previously described fence is clearly demonstrated. These requirements shall not apply to camouflage WCFs and antenna support structures in rights-of-way and their

- associated equipment cabinets unless potentially dangerous equipment would be accessible by the public.
- b. For remote freestanding WCFs/antenna support structures, adequate public safety measures shall be provided, as determined by the approval authority.
 - c. All freestanding and remote freestanding WCFs/antenna support structures, with the exception of replacement utility poles, shall be fitted with anti-climbing devices.
 - d. The county shall require remedial action by the responsible party if it determines that structural failure, ice accumulation, or other conditions pose a risk to public safety.
 - e. A device shall be installed on all WCFs and antenna support structures that automatically stops transmission from the antennas in the event the antenna support structure falls or shifts significantly out of alignment, unless the Applicant demonstrates that it is not technically feasible to do so. This does not apply to remote freestanding WCFs/antenna support structures.
 - f. Foundations for replacement utility poles subject to this chapter shall require a commercial building permit.
9. **Parking/Access.** At least one parking space, plus adequate turnaround area, shall be provided. The access road, parking and turnaround areas shall have a paved, gravel or other all-weather surface. The access road must be a minimum of ten feet wide. These requirements shall not apply to WCFs/antenna support structures in rights-of-way and their associated equipment structures. Approval of WCFs/antenna support structures in rights-of-way shall be contingent upon demonstration by the Applicant that parking space is available for maintenance vehicles that will not obstruct vehicle travel lanes, bike lanes, or sidewalks.
10. **Signals, Lights and Signs.** No signals, lights or signs shall be permitted on a WCF/antenna support structure unless required by the FCC or FAA (also see subsection (6)(d) of this section). If lighting is required, the county shall review the available lighting alternatives consistent with FAA requirements and approve a design that it determines would cause the least impact on surrounding views. However, in documented migratory bird flyways, preference shall be given to white strobe lights operating at the longest interval allowed per FAA requirements. WCFs/antenna support structures shall have a sign posted on the access gate with the WCF provider name and an emergency contact phone number on it. When the site is not fenced, the sign required above shall be placed in a location authorized by the approval authority. Any site security lighting shall be shielded to contain light and glare on site.
11. **Outdoor Storage.** Outdoor storage of motor vehicles or materials associated with the WCF/antenna support structure is prohibited outside of the fenced area installed pursuant to subsection (8) of this section.

TCC 20.33.100 - Design standards for ground mounted equipment structures.

1. **Maximum Height.** Ground mounted equipment structures shall not exceed ten feet in height.

2. Location, Design, and Color.

- a. Ground mounted equipment cabinets/structures that would be visible from adjacent residential properties or public rights-of-way shall be partially buried, to the extent the seasonal high ground water level permits, of the smallest size possible and of a color, nonreflective material, texture, and architectural design so as to camouflage, conceal, or otherwise make the structure compatible with the setting and any immediately adjacent structure, as determined by the approval authority.
- b. Equipment cabinets/shelters associated with WCFs/antenna support structures in rights-of-way or camouflaged WCFs/antenna support structures shall be buried or located, to the extent possible, to take advantage of the screening afforded by existing structures and vegetation. Ground mounted equipment cabinets/shelters shall be located outside of rights-of-way unless the approval authority determines that the proposed facilities, including associated screening, will not impede existing and planned road, bicycle, pedestrian, and utility facilities nor obstruct motorists' view of the travel lanes (also see TCC Section 20.07.070, Use Limitations on Corner Lots). The portion of the equipment structure/fencing that would be visible from adjacent rights-of-way or parcels occupied or zoned and developable for residential or commercial use shall be screened with evergreen shrubs and/or trees, and/or berms (also see Section 20.33.080(7)). This vegetation shall be of a type, size, and spacing so that within three years of planting (along with any berm or other landscaping feature) it forms a continuous screen as tall as the equipment structure and any associated fencing.
- c. Equipment cabinets/structures must meet all building setbacks, screening and other standards of the underlying zoning district, except where they conflict with specific requirements of this chapter.

Conclusions Based on Findings

1. **SUP:** Wireless communication facilities are a permitted special use in the RRR 1/5 zoning district. As proposed, the WCF would comply with all applicable zoning setbacks and development standards. The submitted NIER study demonstrates that the WCF would operate within maximum permissible exposure limits for RF radiation established by the FCC and would continue to do so if two other carriers were to co-locate at the site. The noise report submitted indicates that sound levels generated by the WCF would fall within allowed limits. No lights are proposed or required by the FAA. The balloon photo simulation shows the WCF would result in minimal impacts to views from some surrounding properties; placement amongst mature trees and being painted matte green would reduce the visual impacts to the extent possible. The WCF would significantly improve cellular service coverage in the area surrounding the subject property and enhance emergency response capacity, resulting in a net benefit to the surrounding community. The facility would be unmanned, requiring no sanitary or water service and generating approximately one vehicle trip per month. As conditioned, the facility would not result in additional demand on or for public infrastructure or services. *Findings 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 21, 22, 24, 25, 28, and 30.*

2. Wireless Communications Facilities Use-Specific Standards: The submitted RF documentation, site selection analysis, and propagation maps demonstrate the gap in coverage that the proposal seeks to address and show that there are no existing WCFs in the search area upon which the instant facility could co-locate. In order to provide service to the target area, the WCF must be located in residentially zoned lands. The 150-foot tower would be within the allowed height range, set back more than 110% of the pole's height from all site boundaries, and hidden within tall, mature trees that the Applicant has proposed to retain via tree retention easement. The tower would be painted matte green. As noted above, balloon test photographs show that from many points, the tower would not be visible. No lighting, signage, or storage are proposed. There are no critical areas within the project perimeter. The nearest existing WCF is four miles away, satisfying the WCF separation standards. Other cellular service providers have been notified of the co-location opportunity. Once per month maintenance vehicles would be the only new traffic to the site; ample area for parking exists adjacent to the equipment enclosure. All support equipment would be enclosed within the locked, fenced lease area and restricted to ten feet in height. The monopole would not be climbable. As proposed and conditioned, the facility would be consistent with the use-specific standards established for WCFs as well as with the intent of the County's WCF regulations.² *Findings 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 20, and 28.*

DECISION

Based on the preceding findings and conclusions, the requested special use permit to construct a wireless communications facility including a 150-foot monopole, six antennas, a microwave dish, and ground mounted equipment within a fenced lease area at 5815 Offut Lake Road SE, Tenino, Washington is **GRANTED** subject to the following conditions:

- A. The tower, including antennas, shall be no higher than 150 feet above grade.
- B. There shall be no rotary converters, generating machinery, or other equipment that would cause substantial (above regulated standards at the property lines) odors, smoke, noise, electrical interference or similar disturbances.

² Pursuant to TCC 20.33.010, the purposes of the County's Wireless Communications Facilities chapter are to: 1. Manage the location of WCFs, radio, television and automated meter reading antenna support structures, antennas, and equipment structures in the county by providing standards for their placement, design, construction, modification, and removal; 2. Accommodate WCFs, and radio, television and automated meter reading facilities operating consistent with Federal Communication Commission (FCC) guidance and meeting the standards of this chapter to serve the routine and emergency communications needs of county residents; 3. Protect residential, historic and other land uses, neighborhood character, aesthetic quality, property values, and the quality of life from potential adverse impacts of WCFs and other antenna support structures through careful siting, design, screening and camouflaging techniques, and by encouraging clustering of WCFs and other antenna support structures in remote and industrial areas; 4. Minimize the total number of antenna support structures by requiring, to the extent feasible, co-location of new facilities on freestanding and remote freestanding WCFs and other antenna support structures; 5. Protect public health and safety consistent with federal, state, and local regulations; and 6. Avoid potential damage to adjacent properties through sound engineering practices and the proper siting of WCFs and other antenna support structures.

- B. A minimum six-foot high chain-link fence, topped with three strands of barbwire shall be maintained around the perimeter of the site.
- C. The tower shall be designed, or fitted with appropriate anti-climbing devices, to prevent unauthorized climbing of the tower.
- D. The tower shall not contain hazard marking or lighting.
- E. All proposed landscaping shall be installed. The proposed tree retention buffer around the fenced enclosure shall be maintained as long as this facility is located on this property.
- F. If contamination is currently known or suspected during construction, testing of potentially contaminated media must be conducted. If contamination of soil or groundwater is readily visible, or is revealed by testing, the Washington State Department of Ecology must be notified. (Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300.)
- G. The Applicant shall notify the Resource Stewardship Department of any changes in ownership and any significant changes in technology or operation affecting the facility within 60 days of the change. The current owner of the tower must provide all documents containing conditions of approval to each new owner or lessee.
- H. The following Health related conditions:
 - 1. The facility is to be unmanned and plumbed restrooms that require wastewater disposal will not be provided.
 - 2. The proposed project will not have any adverse impacts on the existing on-site sewage system or single-family well serving the residence as long as the access road to the wireless facility is constructed as shown on the overall site plan sheet numbered A-1.1 (north of the well's 100-foot sanitary control area).
 - 3. The proposed project must comply with the noise standards of Thurston County Ordinance Title 10 and Chapters 173-58 WAC and 173-060 WAC.
 - 4. The diesel generator used onsite must meet all storage and secondary containment requirements of the Thurston County Nonpoint Source Pollution Ordinance (Article VI of the Sanitary Code) and the Thurston County Critical Areas Ordinance, Chapter 17.15.520 C(2).
 - 5. Batteries and some lubricants are considered potentially hazardous materials. These items must be stored in equipment cabinets designed to contain any potential leaks or spills of hazardous materials.

6. Any future expansions of this facility may be subject to additional review and must meet all Thurston County Sanitary Code requirements for public water supply and waste water disposal.

I. The following Public Works related conditions:

1. The proposed roadway in concept and design shall conform to the Road Standards.
2. A construction permit shall be acquired from the Thurston County Public Works – Development Review Section prior to any construction.
3. All traffic control devices shall be designed, located, manufactured, and installed in accordance with the Road Standards, Manual of Uniform Traffic Control Devices and applicable WSDOT Standards & Specifications. A sign and striping plan shall be incorporated into the construction drawings for the project. Please contact Thurston County Public Works – Development Review Section Staff to obtain the most current Thurston County guidelines.
4. County forces may remove any traffic control device constructed within the County right-of-way not approved by this division and any liability incurred by the County due to nonconformance by the Applicant shall be transferred to the Applicant.
5. The storm water management system shall conform to the Drainage Design & Erosion Control Manual.
6. All drainage facilities outside of the County right-of-way shall remain private and be maintained by the developer, owner and/or the property owners association.
7. Storm water runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact any existing drainage or other properties.
8. A Construction Stormwater Permit from the Washington State Department of Ecology may be required. Information about the permit and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. It is the Applicant's responsibility to obtain this permit if required.
9. The proposed water and sewer system shall be designed in accordance with the standards and specification of the respective utility purveyor. All water and sewer plans are subject to review and acceptance by the respective utility purveyor.
10. Proposed utility work within the Thurston County Right of Way shall conform to the Road Standards and Chapter 13.56 Thurston County Code. These standards do not address specific city design requirements but rather only items such as restoration of the County right of way and traffic control.

- a. Placement of utilities within the County right of way will require a Franchise Agreement with Thurston County pursuant to Title 13.56 TCC. This agreement shall be executed with Thurston County prior to final approval.
 - b. Please note all utilities placed parallel to and within the pavement structure are required to rebuild a minimum of half the road, to include grinding and replacement of a minimum of 0.20 feet of asphalt concrete pavement.
11. No work shall take place until a construction permit has been issued by Thurston County Public Works – Development Review Section.
 12. The proposed grading or site work shall conform to Appendix J of the International Building Code, Title 14.37 of the Thurston County Code and Drainage Design & Erosion Control Manual.
 13. When all construction/improvements have been completed, contact the Thurston County Public Works – Development Review Section at 786-5214 for a final inspection.
 14. This approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant. One permit that may be required is a Construction Stormwater Permit from the Washington State Department of Ecology. Information on when a permit is required and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. Any additional permits and/or approvals shall be the responsibility of the Applicant.
 15. Once the planning department has issued the official approval, a construction permit application shall be submitted along with a complete set of construction drawings and the final drainage and erosion control report to Thurston County Public Works – Development Review Section for review and acceptance.
 16. Prior to construction, the Applicant shall:
 - a. Pay outstanding construction review and inspection fees*
 - b. Receive erosion and sediment control permit
 - c. Have the erosion and sediment control inspected and accepted
 - d. Receive a construction permit
 - e. Schedule a pre-construction conference with county staff.

*The current fee schedule can be found online at <http://www.co.thurston.wa.us/permitting/fees/docs/roads-development-review-fees-20090301.pdf> or contact Ruthie Padilla with the Thurston County Public Works – Development Review Section by phone at 754-3355, ext. 6595, or by email at padillr@co.thurston.wa.us.

THURSTON COUNTY
PROCEDURE FOR RECONSIDERATION AND APPEAL
OF HEARING EXAMINER DECISION TO THE BOARD

NOTE: THERE MAY BE NO EX PARTE (ONE-SIDED) CONTACT OUTSIDE A PUBLIC HEARING WITH EITHER THE HEARING EXAMINER OR WITH THE BOARD OF THURSTON COUNTY COMMISSIONERS ON APPEALS (Thurston County Code, Section 2.06.030).

If you do not agree with the decision of the Hearing Examiner, there are two (2) ways to seek review of the decision. They are described in A and B below. Unless reconsidered or appealed, decisions of the Hearing Examiner become final on the 15th day after the date of the decision.* The Hearing Examiner renders decisions within five (5) working days following a Request for Reconsideration unless a longer period is mutually agreed to by the Hearing Examiner, applicant, and requester.

The decision of the Hearing Examiner on an appeal of a SEPA threshold determination for a project action is final. The Hearing Examiner shall not entertain motions for reconsideration for such decisions. The decision of the Hearing Examiner regarding a SEPA threshold determination may only be appealed to Superior Court in conjunction with an appeal of the underlying action in accordance with RCW 43.21C.075 and TCC 17.09.160. TCC 17.09.160(K).

A. RECONSIDERATION BY THE HEARING EXAMINER (Not permitted for a decision on a SEPA threshold determination)

1. Any aggrieved person or agency that disagrees with the decision of the Examiner may request Reconsideration. All Reconsideration requests must include a legal citation and reason for the request. The Examiner shall have the discretion to either deny the motion without comment or to provide additional Findings and Conclusions based on the record.
2. Written Request for Reconsideration and the appropriate fee must be filed with the Resource Stewardship Department **within ten (10) days of the written decision**. The form is provided for this purpose on the opposite side of this notification.

B. APPEAL TO THE BOARD OF THURSTON COUNTY COMMISSIONERS (Not permitted for a decision on a SEPA threshold determination for a project action)

1. Appeals may be filed by any aggrieved person or agency directly affected by the Examiner's decision. The form is provided for this purpose on the opposite side of this notification.
2. Written notice of Appeal and the appropriate fee must be filed with the Resource Stewardship Department **within fourteen (14) days of the date of the Examiner's written decision**. The form is provided for this purpose on the opposite side of this notification.
3. An Appeal filed within the specified time period will stay the effective date of the Examiner's decision until it is adjudicated by the Board of Thurston County Commissioners or is withdrawn.
4. The notice of Appeal shall concisely specify the error or issue which the Board is asked to consider on Appeal, and shall cite by reference to section, paragraph and page, the provisions of law which are alleged to have been violated. The Board need not consider issues, which are not so identified. A written memorandum that the appellant may wish considered by the Board may accompany the notice. The memorandum shall not include the presentation of new evidence and shall be based only upon facts presented to the Examiner.
5. Notices of the Appeal hearing will be mailed to all parties of record who legibly provided a mailing address. This would include all persons who (a) gave oral or written comments to the Examiner or (b) listed their name as a person wishing to receive a copy of the decision on a sign-up sheet made available during the Examiner's hearing.
6. Unless all parties of record are given notice of a trip by the Board of Thurston County Commissioners to view the subject site, no one other than County staff may accompany the Board members during the site visit.

C. STANDING All Reconsideration and Appeal requests must clearly state why the appellant is an "aggrieved" party and demonstrate that standing in the Reconsideration or Appeal should be granted.

D. FILING FEES AND DEADLINE If you wish to file a Request for Reconsideration or Appeal of this determination, please do so in writing on the back of this form, accompanied by a nonrefundable fee of **\$651.00** for a Request for Reconsideration or **\$866.00** an Appeal. Any Request for Reconsideration or Appeal must be **received** in the Permit Assistance Center on the second floor of Building #1 in the Thurston County Courthouse complex no later than 4:00 p.m. per the requirements specified in A2 and B2 above. **Postmarks are not acceptable.** If your application fee and completed application form is not timely filed, you will be unable to request Reconsideration or Appeal this determination. The deadline will not be extended.

* Shoreline Permit decisions are not final until a 21-day appeal period to the state has elapsed following the date the County decision becomes final.



Project No. _____
Appeal Sequence No.: _____

Check here for: RECONSIDERATION OF HEARING EXAMINER DECISION

THE APPELLANT, after review of the terms and conditions of the Hearing Examiner's decision hereby requests that the Hearing Examiner take the following information into consideration and further review under the provisions of Chapter 2.06.060 of the Thurston County Code:

(If more space is required, please attach additional sheet.)

Check here for: APPEAL OF HEARING EXAMINER DECISION

TO THE BOARD OF THURSTON COUNTY COMMISSIONERS COMES NOW _____
on this _____ day of _____, 20___, as an APPELLANT in the matter of a Hearing Examiner's decision rendered on _____, 20___, by _____ relating to _____

THE APPELLANT, after review and consideration of the reasons given by the Hearing Examiner for his decision, does now, under the provisions of Chapter 2.06.070 of the Thurston County Code, give written notice of APPEAL to the Board of Thurston County Commissioners of said decision and alleges the following errors in said Hearing Examiner decision:

Specific section, paragraph and page of regulation allegedly interpreted erroneously by Hearing Examiner:

- 1. Zoning Ordinance _____
- 2. Platting and Subdivision Ordinance _____
- 3. Comprehensive Plan _____
- 4. Critical Areas Ordinance _____
- 5. Shoreline Master Program _____
- 6. Other: _____

(If more space is required, please attach additional sheet.)

AND FURTHERMORE, requests that the Board of Thurston County Commissioners, having responsibility for final review of such decisions will upon review of the record of the matters and the allegations contained in this appeal, find in favor of the appellant and reverse the Hearing Examiner decision.

STANDING

On a separate sheet, explain why the appellant should be considered an aggrieved party and why standing should be granted to the appellant. This is required for both Reconsiderations and Appeals.

Signature required for both Reconsideration and Appeal Requests

APPELLANT NAME PRINTED _____

SIGNATURE OF APPELLANT _____

Address _____

Phone _____

Please do not write below - for Staff Use Only:

Fee of \$652.00 for Reconsideration or \$870.00 for Appeal. Received (check box): Initial _____ Receipt No. _____

Filed with the Resource Stewardship Department this _____ day of _____, 20___.

17. Prior to receiving final approval from this department, the following items shall be required:
- a. Completion of all roads and drainage facilities.
 - b. Final inspection and completion of all punch list items.
 - c. Record drawings submitted for review and acceptance. The record drawings shall include street names and block numbers approved by Addressing Official.
 - d. Completion of required signing and striping.
 - e. Payment of any required permitting fees.
- K. All development on the site shall be in substantial compliance with the approved site plan. Any expansion or alteration of this use beyond that initially approved by the Hearing Examiner will require approval of a new or amended Special Use Permit. The Resource Stewardship Department will determine if any proposed amendment is substantial enough to require Hearing Examiner approval.
- L. Prior to building permit issuance, the Applicant shall provide evidence to Resource Stewardship of a legally recorded tree retention easement that at a minimum runs with the land and prohibits removal of the mature trees screening the WCF absent arborist-verified hazards. The specific requirements and wording of the tree retention easement shall be subject to approval from Resource Stewardship.

DECIDED December 9, 2015.



Sharon A. Rice
Thurston County Hearing Examiner