

Shoreline Substantial Development Permit Narrative and Burden of Proof Statement

CNCO00000007

July 30, 2026



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AND ASSOCIATES INC.

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT NARRATIVE AND BURDEN OF PROOF STATEMENT

Fiber Optic Cable Line Project

Applicant:

Cannon Companies

406 Porter Way
Milton, Washington 98354

Prepared by:

David Evans and Associates, Inc.



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Project Description

Linear Route, Trenching, Directional Drilling, and Rights-of-Way

The Fiber Optic Cable Project consists of approximately 79.89 miles of underground fiber optic cable from Hogan's Corner (north of Ocean Shores, WA) to MOX Networks' existing backbone east of Centralia, WA. The overall route traverses both urban and rural areas across Grays Harbor, Thurston, and Lewis Counties, including portions of unincorporated lands and the incorporated cities of Aberdeen, Hoquiam, Montesano, Elma, Oakville, and Centralia. While the overall project extends across Grays Harbor, Thurston, and Lewis Counties, this shoreline permit application is limited to those project segments located within unincorporated Lewis County shoreline jurisdiction.

Within Lewis County, the project spans approximately 8.58 miles, primarily through unincorporated areas, with connections near the City of Centralia.

Project mileage by jurisdiction is as follows:

- **Unincorporated Lewis County:** 8.58 miles
- **Incorporated communities:** Aberdeen, Hoquiam, Montesano, Elma, Oakville, Centralia
- **Other counties:** Grays Harbor (46.14 miles) and Thurston (10.12 miles)

The project alignment is broken into three segments:

- Segment 1 runs adjacent to State Route (SR) 109 beginning on the east edge of Hogans Corner in Unincorporated Grays Harbor County at the intersection of SR-109 and Hale Avenue and continues east to the intersection of SR-109 and Paulsen Road within the City of Hoquiam.
- Segment 2 runs adjacent to the railroad ROW from the intersection of SR-109 and Paulsen Road within the City of Hoquiam, to just east of the intersection of South Fleet Street and United States (U.S.) Route 12 (US-12) within the City of Aberdeen, where the fiber optic line then changes course to be adjacent to US-12. From there, the fiber optic line continues along US-12, turning south along Aldergrove Drive just west of the City of Montesano, until it returns to its course along the railroad ROW. From there, the fiber optic line continues east along the railroad ROW through multiple jurisdictions until reaching the intersection of North Tower Avenue & East 6th Street in the City of Centralia.
- Segment 3 runs adjacent to arterial roadways between the intersection of North Tower Avenue and East 6th Street in the City of Centralia and the intersection of Little Hanaford Road and Jones Road just east of Nulls Crossing in Unincorporated Lewis County.

The fiber optic line will consist of two 2-inch conduits buried underground using HDD at streams, rivers, wetlands, road crossings, and other environmentally sensitive locations to avoid surface and in-water disturbance. Burial depth will be between 3.5 feet to 5 feet below ground surface; however, the burial depth below a stream crossing will be at a minimum of 10 feet below the estimated depth of scour. Crossing at major rivers, such as the Wishkah and Hoquiam Rivers, will be considerably deeper, typically at least 25 feet below scour depth.

The fiber optic line will be installed adjacent to paved road surfaces or within the railroad ROW. For installation adjacent to roads, the line will be installed either on the gravel shoulder or side slope of the roadway fill prism. For installation within the railroad ROW, the line will typically be installed 25 feet from the tracks but in some locations it could be as close as 10 feet from the tracks depending on local topography and obstacles. A typical working area 10 feet wide will be utilized, expanded, contracted, or utilizing lane closures as needed to accommodate local topography and avoid wetland impacts.

Bore pit entrances and exits for HDD will be located throughout the alignment. A backhoe will be utilized to excavate the bore pits. Excavated soils will be temporarily stockpiled adjacent to the active work area and utilized as backfill. Work areas at either end of bored segments will be selected by the contractor to avoid impacting native woody vegetation within wetland or stream buffers. The bore pits are anticipated to be 4 feet by 6 feet and 4 feet deep. Handhold vaults will be spaced across the alignment to allow access to the fiber optic lines. The handhole/vaults will be 3 feet by 5 feet and 3 feet deep. Small marker posts will be placed above each vault to aid in vault location and prevent accidental damage. A small electronics shed will be constructed, on disturbed ground, near the town of Elma, Wahington.

Segment 1 will have 48 vaults and 47 bore pits. Segment 2 will have 199 vaults and 227 bore pits. Segment 3 will have 30 vaults and 31 bore pits. The total estimated excavation for the 282 vaults is 470 cubic yards (45 cubic feet per handhole/vault) and for the 305 bore pits is 1,084 cubic yards (96 cubic feet per bore pit). Materials excavated from the handholes vaults and bore pits will be used as backfill as needed and/or will be disposed of according to jurisdictional requirements

Upon completion, the fiber optic cable will be fully operational and maintained within existing ROW, requiring minimal ongoing maintenance. Environmental safeguards will continue to protect streams, wetlands, and critical areas.

Temporary vs. Permanent Disturbance

Temporary disturbance occurs during trenching, HDD, access road use, and staging. These areas will be restored following construction, returning soils and vegetation to pre-project conditions wherever feasible.

The project is anticipated to temporarily affect approximately 3.19 acres of wetlands, 0.03 acres of streams, and 964.68 acres of wetland and/or stream buffers, most of which are in previously disturbed roadside or railroad areas. All identified impacts are temporary and associated with construction activities. Following installation, all project components will be located underground, and no aboveground infrastructure will remain within wetlands or stream channels. Restoration will return disturbed areas to pre-construction contours and ecological function. In areas where impacts are unavoidable, on-site restoration is expected to restore pre-construction ecological function and support compliance with the no net loss standard.

Permanent disturbance is limited to the presence of the buried cable within the right-of-way. Because the cable will be installed below ground surface and will not alter surface hydrology, wetland function, or stream morphology over the long term, permanent impacts to wetlands and streams are not anticipated.

Shoreline Permit Compliance

The Fiber Optic Cable Project crosses multiple rivers and streams subject to shoreline jurisdiction under the Lewis County Shoreline Master Program (SMP), including potentially fish-bearing streams. Compliance with shoreline permits includes:

- Minimizing in-water work through HDD at all stream and river crossings.
- Implementing Best Management Practices (BMPs) for erosion and sediment control.
- Restricting temporary staging and access areas to minimize disturbance of critical areas.
- Restoring all disturbed sites to pre-construction conditions using native soils and vegetation.
- Continuing environmental protections post-construction to safeguard streams, wetlands, and other shoreline habitats.

These measures ensure that both temporary and permanent disturbances are minimized, aligning with federal, state, and local environmental regulations and the objectives of the Lewis County SMP.

The Fiber Optic Cable Project will be reviewed in accordance with RCW 36.70B and Lewis County Code (LCC) Chapter 17.05.100 (Consolidation of project permit applications), which establishes an integrated and coordinated review framework for development applications. This process streamlines approvals while ensuring full compliance with shoreline regulations, including applicable provisions of the Shoreline Master Program (SMP) adopted under Chapter 90.58 RCW. The consolidated approach provides for unified review of all required permits and environmental determinations, ensuring that temporary and permanent disturbances are minimized, that all SMP requirements are met, and that environmental protections are maintained throughout construction and operation.

Shoreline Jurisdiction

Portions of the project are located within shorelines of the State as regulated under the Shoreline Management Act (RCW 90.58) and the Lewis County Shoreline Master Program (SMP, September 21, 2021, by Ordinance No. 1329). Shoreline jurisdiction within Lewis County includes the following regulated areas:

- Rivers and streams where the mean annual flow exceeds 20 cubic feet per second, and lakes and reservoirs 20 acres or greater in size;
- Shorelands adjacent to these waterbodies, including:
 - Lands extending 200 feet landward of the Ordinary High Water Mark (OHWM);
 - Adopted FEMA floodways, the SMP Flood Course, and contiguous floodplain areas landward 200 feet from such floodways or flood courses; and
 - Wetlands and river deltas associated with shoreline-regulated rivers, streams, lakes, and reservoirs.

All in-water crossings within shoreline jurisdiction will utilize HDD to avoid disturbance of streambeds, banks, wetlands, floodplains, or riparian vegetation. Project areas within the County's SMP jurisdiction include:

- Aquatic
- Rural Conservancy
- Urban Conservancy

Shoreline Crossing Table

Overview

The Fiber Optic Cable Project includes crossings of streams, rivers, sloughs, and shoreline waterbodies regulated under shoreline jurisdiction in Lewis County. These crossings were identified based on mapped OHW limits and confirmed during field reconnaissance.

Crossings include major shoreline waterbodies such as:

- Skookumchuck
- South Hanaford Creek and associated shoreline jurisdiction

Shoreline Crossing Table

FEATURE NAME	STATION #	NEAREST STATION	BUFFER	SEGMENT	DISTANCE FROM SHORELINE DESIGNATION (ft)	WATERBODY	SHORELINE DESIGNATION
2-SHC	2~3	3	150	Segment 3	overlaps	South Hanaford Creek	Rural Conservancy
4-S1	4~5	4	150	Segment 3	111	Tributary of South Hanaford Ck	Rural Conservancy
8-S1	8	8	150	Segment 3	overlaps		Rural Conservancy
11-S1	11~12	12	150	Segment 3	140	Tributary of South Hanaford Ck	Rural Conservancy
17-SHC	17~18	18	150	Segment 3	overlaps	South Hanaford Creek	Rural Conservancy
26-S1	26~27	26	75	Segment 3	94	South Hanaford Creek	Rural Conservancy
80-SR	80~81	80	150	Segment 2	13	Skookumchuck River	Urban Conservancy
92-L1	93~97	94	150	Segment 2	overlaps	Waterbody adjacent to I-5, north of Blakeslee Junction	Aquatic

Crossing Methodology

Major Rivers and Shoreline Waterbodies

All crossings of major shoreline rivers and shoreline-designated streams will use HDD.

HDD Design Commitments:

- A. Entry/exit pits located outside OHWM and outside active riparian vegetation where feasible.
- B. Bore depth sufficient to pass below the channel thalweg and anticipated scour depth.
- C. No in-water trenching or excavation.
- D. No alteration of banks, bed, or floodplain topography.
- E. Contingency spill response plan for inadvertent return.

This approach eliminates:

- Bed disturbance
- Turbidity generation
- Spawning gravel disruption
- Bank destabilization
- Need for fish window timing (because no in-water work occurs)

Smaller Shoreline Streams

For smaller shoreline tributaries within roadway corridors:

- Where channel width and geotechnical conditions allow, HDD will be used.
- Consistent with agency expectations, no open trenching is proposed for Type S streams and is not anticipated for nearly all Type F streams.
- Where open trenching is required (rare, site-constrained situations):
 - Work will occur outside OHWM where possible.
 - Flow bypass (if needed) will maintain downstream continuity.
 - Excavation will be isolated from flowing water.
 - Native substrate will be replaced in-kind.
 - Banks restored to pre-project contours.

However, the current design intent is HDD at all shoreline-regulated crossings.

Shoreline Master Program Chapter and Policy Consistency

The Lewis County Fiber Optic Cable Project has been evaluated for consistency with the Lewis County Shoreline Master Program (SMP) and the Shoreline Management Act (RCW 90.58). Chapter 1 of the Lewis County SMP establishes the purpose, authority, applicability, and relationship of the Master Program to other regulations. The proposed project is consistent with these foundational provisions.

Chapter 1: Introductory Provisions

SMP Purpose and Policy Consistency

Chapter 1 identifies the purpose of the SMP as protecting shoreline ecological functions while allowing reasonable and appropriate shoreline uses, including utilities and public infrastructure. The Fiber Optic Cable Project is a linear public utility that provides essential telecommunications infrastructure necessary to support public safety, economic development, and community connectivity.

The project consists of installing underground conduit within existing public road and railroad rights-of-way, with crossings of Shorelines of the State completed using HDD beneath channel beds and banks. The project does not introduce permanent shoreline structures, does not alter shoreline landforms, and does not modify channel morphology, hydrology, or flood conveyance. As designed, the project accommodates essential public infrastructure while maintaining shoreline ecological integrity.

The SMP's stated purposes include:

- Allowing essential public utilities and other appropriate shoreline uses;
- Protecting and restoring shoreline ecological functions, including aquatic and riparian habitats;
- Maintaining public access, navigation, and flood protection; and
- Coordinating shoreline regulation with other local, state, and federal programs.

The fiber optic project aligns with each of these objectives. All shoreline crossings will be installed using HDD to avoid in-water disturbance and preserve aquatic habitat integrity. Temporary trenching within shoreline jurisdiction is confined to existing, previously disturbed rights-of-way and will be restored to pre-construction condition following installation.

Adoption Authority and Applicability

The Lewis County SMP is adopted pursuant to RCW 90.58 and implemented in coordination with Chapter 173-26 and Chapter 173-27 WAC. Lewis County has primary

responsibility for administering shoreline permits within unincorporated areas of the County, with the Washington State Department of Ecology retaining final approval authority for Shoreline Conditional Use Permits and Variances.

All project activities occurring within shoreline jurisdiction, including trenching, excavation, and HDD, are subject to SMP procedural and substantive requirements. Compliance with shoreline standards is required regardless of whether individual project elements qualify for a permit exemption. The Fiber Optic Cable Project is designed to comply fully with applicable SMP provisions governing shoreline uses, shoreline modifications, and ecological protection.

Federal lands and Tribal lands are not subject to County shoreline jurisdiction and are excluded from this review.

Critical Areas

Chapter 1 of the Lewis County SMP incorporates the County's Critical Areas Ordinance (LCC Chapter 17.38) by reference, while specifying that SMP provisions prevail in cases of conflict within shoreline jurisdiction. Within shoreline areas, the SMP governs shoreline buffers, mitigation requirements, and the standard of no net loss of shoreline ecological functions.

The fiber optic project avoids direct impacts to streams, rivers, wetlands, and riparian areas through routing within existing transportation corridors and the use of HDD at all shoreline water crossings. No wetland fill, stream relocation, or channel modification is proposed. Temporary upland disturbance within shoreline jurisdiction will be restored following installation, consistent with SMP vegetation conservation and mitigation standards.

Vegetation removal is typically limited to maintained roadside areas necessary for safe construction access. Undisturbed riparian vegetation outside rights-of-way is avoided wherever practicable. Where temporary disturbance occurs within disturbed wetland or buffer margins, stabilization and revegetation measures will restore ecological function and ensure compliance with the SMP's no net loss requirement.

Relationship to Other Plans and Regulations

Chapter 1 emphasizes coordination between the SMP and other applicable regulatory frameworks. The project is consistent with:

- The Lewis County Comprehensive Plan, which supports expansion of broadband and utility infrastructure;

- Applicable municipal SMPs where the project passes through incorporated jurisdictions;
- Chapter 173-27 WAC shoreline permit procedures;
- Clean Water Act requirements administered through state and federal permitting; and
- State fish and wildlife protection standards administered by WDFW.

Temporary construction methods, including trenching within rights-of-way and HDD beneath shoreline waters, are designed to minimize ecological disturbance and ensure compliance with shoreline, water quality, and habitat protection standards.

Summary – Chapter 1 Consistency

The Fiber Optic Cable Project is consistent with Chapter 1 of the Lewis County Shoreline Master Program because it:

- Enables an essential linear public utility use contemplated by the SMP;
- Avoids permanent shoreline structural modification;
- Protects aquatic habitat and riparian functions through trenchless installation methods;
- Maintains public access, navigation, and shoreline character;
- Coordinates with applicable local, state, and federal regulations; and
- Ensures no net loss of shoreline ecological functions through avoidance, minimization, restoration, and mitigation.

The proposed project is fully aligned with the policy intent, authority, and regulatory framework established in SMP Chapter 1: Introductory Provisions.

Chapter 2: Shoreline Management Goals

Section 2.02 – Shoreline Master Program Goals

The Fiber Optic Cable Project has been reviewed for consistency with Chapter 2 of the Lewis County Shoreline Master Program (SMP): Shoreline Management Goals. Chapter 2 establishes the County's long-term vision for protection, use, and management of shoreline resources and provides the policy foundation for shoreline environment designations, shoreline use regulations and permitting standards in subsequent chapters.

The proposed project is a linear public utility providing essential telecommunications infrastructure. Installation occurs entirely underground within existing public road and railroad rights-of-way, with crossings of shoreline-regulated waters completed using trenchless construction methods. As designed, the project is consistent with Chapter 2

goals that emphasize protection of shoreline ecological functions while accommodating necessary public infrastructure.

Section 2.02 - Economic Development

(Goal ED-1)

Chapter 2 recognizes that essential public utilities are necessary to support the County's residents and economy when designed to minimize shoreline impacts. The fiber optic project supports economic development, public safety, education, healthcare access, and community connectivity, thereby improving the standard of living for residents of Lewis County.

Due to its linear nature, the project must cross shoreline-regulated waters at unavoidable locations. Routing the utility within existing transportation corridors and using HDD beneath waterbodies demonstrates that the project accommodates this essential public utility use while minimizing impacts to shoreline environments. Accordingly, the project is consistent with Goal ED-1.

Sections 2.03 & 2.04 - Public Access and Recreational Resources

(Goals PA-1 and REC-1)

Chapter 2 goals emphasize protection of public shoreline access and preservation of recreational opportunities. The fiber optic project does not restrict, reduce, or interfere with existing public shoreline access, navigation, or recreation.

All work is temporary and confined to existing rights-of-way. No shoreline space is occupied following construction, and no overwater or shoreline-obstructing structures are proposed. Following construction, shoreline and upland areas are restored to pre-construction condition, ensuring continued public and recreational use. The project therefore remains consistent with Goals PA-1 and REC-1.

Section 2.05 - Circulation

(Goal CIR-1)

The project aligns with the circulation goal by utilizing existing transportation corridors for utility installation. Construction activities are designed to minimize disruption through limited trench widths, phased construction, and prompt restoration of roadway surfaces and shoulders.

By integrating utility installation within established transportation systems and restoring impacted areas after construction, the project supports efficient and safe movement of people and vehicles with minimal shoreline disruption, consistent with Goal CIR-1.

Sections 2.06 & 2.07 Shoreline Use and Conservation

(Goals SU-1 and CONS-1)

A primary objective of Chapter 2 is to ensure that shoreline development corresponds with the physical limitations and ecological character of shoreline land and water, while preserving renewable shoreline resources. The project is designed to avoid permanent impacts to shoreline resources and to ensure no net loss of shoreline ecological functions.

All crossings of shoreline-regulated rivers and streams are completed using HDD beneath channel beds and banks. This method avoids direct disturbance to stream substrates, riparian vegetation, floodplains, and aquatic habitat. No dredging, fill, in-water trenching, or shoreline stabilization is proposed.

Temporary disturbance within shoreline jurisdiction is limited to existing, previously disturbed rights-of-way. Disturbed areas are restored following installation through grading, stabilization, and revegetation as appropriate. These measures preserve shoreline ecological processes and reflect sensible management of renewable shoreline resources, consistent with Goals SU-1 and CONS-1.

Section 2.08 - Historic, Cultural, Scientific, and Educational Resources

(Goal HCSE-1)

The project is designed to avoid impacts to historic, cultural, scientific, and educational resources by confining ground disturbance to previously developed and disturbed corridors. No known historic or cultural resources are affected.

In the event that unanticipated cultural resources are discovered during construction, standard inadvertent discovery procedures will be followed in coordination with appropriate agencies. These measures ensure consistency with Goal HCSE-1.

Section 2.09 - Flood Hazard Recognition and Prevention

(Goal FHP-1)

The project recognizes and preserves the hydrologic functions of floodplains by avoiding grading, fill, or structures that could alter flood conveyance or storage. HDD beneath rivers and streams ensures channel geometry and floodplain function remain unchanged.

Temporary upland trenching within shoreline jurisdiction is restored to original grade following installation, ensuring no change to flood behavior. The project is therefore consistent with Goal FHP-1.

Section 2.10 - Restoration of Shoreline Areas

(Goal REST-1)

Although not a restoration project, the fiber optic installation supports the restoration goal by returning all temporarily disturbed areas to pre-construction condition following installation. Restoration measures ensure disturbed areas are stabilized and ecologically functional, preventing long-term degradation and supporting shoreline resilience.

These actions are consistent with Goal REST-1.

Summary – Chapter 2 Consistency

The Fiber Optic Cable Project is consistent with Chapter 2 of the Lewis County Shoreline Master Program because it:

- Aligns shoreline development with physical and ecological limitations;
- Conserves renewable shoreline resources and protects ecological functions;
- Accommodates an essential public utility that supports economic development;
- Preserves public access and recreational opportunities;
- Integrates infrastructure within existing transportation systems;
- Protects floodplain functions; and
- Restores temporary disturbance to prevent long-term impacts.

Through careful siting, trenchless installation methods, and restoration of affected areas, the project fulfills the shoreline management goals established in SMP Chapter 2 while balancing shoreline protection with necessary infrastructure development.

Chapter 3: Shoreline Environment Designations

The Fiber Optic Cable Project is designed to follow existing transportation corridors and public rights-of-way (ROW), thereby minimizing new disturbance within shoreline areas.

Chapter 3 of the Lewis County Shoreline Master Program (SMP) establishes shoreline environment designations and provides management policies that guide development within shoreline jurisdiction. The project has been evaluated for consistency with the applicable shoreline environment designations and the environment-specific policies and regulations identified in Chapter 3.

Shoreline Jurisdiction

Project activities occur within shorelines of the State regulated under the Shoreline Management Act (RCW 90.58) and the Lewis County Shoreline Master Program. Shoreline jurisdiction within Lewis County includes:

- Shorelines of the State, including rivers and streams meeting statutory flow thresholds and lakes or reservoirs twenty (20) acres or greater in size;
- Associated wetlands and river deltas connected to shoreline-regulated waters;
- Adopted FEMA floodways, SMP Flood Course, and contiguous floodplain areas; and
- Shorelands extending landward up to 200 feet from the Ordinary High Water Mark (OHWM).

Project activities within shoreline jurisdiction include trenching within existing ROW and trenchless crossings beneath shoreline-regulated rivers and streams. All such activities are subject to SMP provisions regardless of whether specific elements qualify for permit exemptions.

All crossings of shoreline-regulated waterbodies will be completed HDD installed beneath the channel and banks. This approach avoids direct disturbance to streambeds, banks, floodplains, and riparian vegetation and complies with shoreline jurisdiction protections.

The project is designed to meet shoreline jurisdiction standards while limiting impacts to temporary, localized disturbance within existing transportation corridors.

Shoreline Environment Designations

The project alignment crosses multiple shoreline environment designations identified in Lewis County SMP Chapter 3. Each designation has distinct management objectives and regulatory standards. The project's consistency with each designation is summarized below.

Shoreline Environment	Description and Project Consistency	Key Measures
Aquatic	The Aquatic environment is intended to protect and restore the ecological functions of the waters of the State, preserve habitat, and maintain natural hydrologic and geomorphic processes. The project does not include any in-water excavation, fill, or	HDD beneath channel; bore entry and exit pits located outside the Ordinary High Water Mark (OHWM) where feasible; drilling fluid containment; monitoring and contingency response procedures

	structures. All fiber optic crossings are installed beneath stream and river channels using trenchless methods, thereby preserving substrate integrity, banks, riparian connections, and channel migration processes.	
Rural Conservancy	The Rural Conservancy environment emphasizes protection of shoreline ecological functions while allowing limited and compatible development, including public utilities, where impacts are minimized. The project remains within existing public road and railroad rights-of-way and does not establish new shoreline development corridors. Installation methods avoid permanent disturbance and maintain the rural shoreline character.	Confinement to existing rights-of-way; limited trench width; erosion and sediment control BMPs; prompt backfill and stabilization; restoration of disturbed areas
Urban Conservancy	The Urban Conservancy environment applies to developed areas where ecological functions must be protected while accommodating infrastructure and public services. Project construction is limited to previously disturbed rights-of-way and does not increase impervious surface area or alter shoreline form. Following installation, all disturbed areas are restored to pre-construction condition,	Trenching within paved or graveled rights-of-way; controlled staging within disturbed areas; immediate backfill; surface and roadway restoration

	maintaining compatibility with surrounding development patterns.	
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Environment-Specific Consistency

Aquatic Environment

The Aquatic designation prioritizes protection of shoreline ecological functions, habitat integrity, and natural channel processes. The project meets these objectives by avoiding direct disturbance to aquatic environments through the exclusive use of HDD at shoreline water crossings. No overwater structures, dredging, or fill are proposed.

Rural Conservancy and Urban Conservancy

These designations allow infrastructure where ecological functions are protected. The underground installation of the fiber optic cable, confinement to existing ROW, implementation of BMPs, and restoration of disturbed areas ensure compatibility with the intent of these environments and maintain existing land use patterns and shoreline character.

Summary – Chapter 3 Consistency

The project's consistency with Lewis County SMP Chapter 3 is demonstrated through the following:

- Use of Horizontal Directional Drilling (HDD) at all shoreline-regulated water crossings to prevent direct impacts to aquatic habitats;
- Confinement of trenching and construction activities to existing transportation corridors and ROW;
- Implementation of BMPs to control erosion, sedimentation, and vegetation disturbance;
- Prompt restoration of temporarily disturbed areas to ensure no net loss of shoreline ecological functions; and
- Avoidance of permanent shoreline structural modification.

Through careful siting, trenchless installation methods, and restoration measures, the project balances essential utility infrastructure needs with shoreline environmental protection. The project is fully consistent with the shoreline environment designation policies and management objectives established in Chapter 3 of the Lewis County Shoreline Master Program.

Chapter 4: General Policies and Regulations

Consistency Narrative

The Fiber Optic Cable Project has been evaluated for consistency with Chapter 4 of the Lewis County Shoreline Master Program (SMP): General Policies and Regulations. Chapter 4 establishes countywide standards applicable to all shoreline uses and developments, regardless of shoreline environment designation, including provisions related to ecological protection, mitigation sequencing, critical areas and vegetation conservation, flood hazard management, public access, and water quality.

The proposed project is an essential linear public utility installed underground within existing public road and railroad rights-of-way. Crossings of shoreline-regulated rivers and streams are completed using trenchless construction methods. The project is designed to meet Chapter 4 requirements through avoidance of permanent shoreline disturbance, application of best management practices (BMPs), and restoration of temporary impacts.

Section 4.02 - Archaeological and Historic Resources

Chapter 4 of the SMP includes provisions to protect archaeological and historic resources within shoreline jurisdiction. The Fiber Optic Cable Project has been reviewed for consistency with these requirements.

Ground disturbance associated with the project is limited and occurs primarily within existing, previously disturbed road and railroad rights-of-way, which reduces the potential for impacts to archaeological or historic resources. A cultural resources survey has been conducted for the project, and the project will be implemented in accordance with the findings, recommendations, and conditions of that survey.

If archaeological or historic materials are inadvertently discovered during construction, all work in the immediate vicinity will cease, and the County, the Washington State Department of Archaeology and Historic Preservation (DAHP), and affected tribes will be notified. Work will not resume until appropriate evaluation is completed and further direction is provided. This inadvertent discovery procedure ensures protection of resources with historic, cultural, scientific, or educational value and is consistent with SMP requirements.

Section 4.03 - Environmental Impacts and Mitigation

Chapter 4 requires that shoreline development be designed and implemented to avoid and minimize environmental impacts and to achieve no net loss of shoreline ecological

functions. The project meets these requirements by prioritizing avoidance and minimization measures over compensatory mitigation.

All crossings of shoreline-regulated rivers and streams are completed using HDD beneath the channel bed and banks. This eliminates the need for in-water excavation, dredging, or fill and avoids disturbance to aquatic habitat, riparian vegetation, and natural channel processes. No permanent shoreline modifications are proposed.

Temporary disturbance within shoreline jurisdiction is limited to existing, previously disturbed rights-of-way. Following construction, disturbed areas are stabilized and restored to pre-construction condition. Where temporary impacts occur within shoreline buffers or critical area buffers, restoration and revegetation measures are implemented to ensure long-term ecological function is maintained.

Chapter 4.03.02 requires application of the mitigation sequence of avoidance, minimization, rectification, and compensation. The project complies with this requirement through the following measures:

- **Avoidance:** Use of HDD beneath shoreline-regulated waterbodies; routing the utility within existing public rights-of-way to avoid new shoreline disturbance
- **Minimization:** Limiting trench width, depth, and duration; restricting construction footprints and staging areas to the minimum necessary
- **Rectification:** Backfilling excavations, compaction, stabilization, and restoration of disturbed ground surfaces to pre-construction condition
- **Reduction (Over Time):** Use of durable underground installation methods that minimize the need for future maintenance and reduce the likelihood of recurrent shoreline disturbance
- **Compensation:** Restoration of temporarily disturbed vegetation and soils, where required, to replace affected ecological functions
- **Monitoring:** Implementation of construction oversight and post-construction inspection, as necessary, to verify that restoration measures are successful and that no unanticipated shoreline impacts occur

These measures ensure that the project does not result in long-term loss of shoreline ecological functions and complies with the SMP's no-net-loss standard.

Section 4.04 - Critical Areas and Shoreline Vegetation Conservation

Chapter 4 incorporates the Lewis County Critical Areas Ordinance, as modified for shoreline jurisdiction, and establishes shoreline vegetation conservation standards to protect ecological functions. The project has been designed to avoid removal of

undisturbed riparian vegetation wherever feasible by remaining within maintained transportation corridors.

Vegetation disturbance is typically limited to roadside areas that are already disturbed or routinely maintained. Removal of native vegetation within shoreline buffers is avoided to the extent practicable. Where temporary disturbance occurs, affected areas are restored and stabilized consistent with SMP vegetation conservation and revegetation standards.

No wetland fill, stream relocation, or permanent buffer impacts are proposed.

Section 4.05 - Flood Hazard Management

Chapter 4 requires shoreline development to avoid increasing flood hazards or altering flood conveyance and storage. The project meets these requirements by installing fiber optic conduit beneath shoreline-regulated waterbodies without altering channel geometry, floodplains, or flood storage capacity.

HDD beneath rivers and streams preserves flood conveyance and hydraulic function. No new structures or fill are placed within floodways or floodplains that would increase flood risk or reduce flood storage.

Section 4.06 - Public Access

Chapter 4 includes standards intended to protect and enhance public access to shorelines where applicable. The project does not restrict or interfere with existing public shoreline access, navigation, or recreational use.

No barriers, fencing, or shoreline obstructions are proposed. Construction activities are temporary and coordinated to avoid long-term disruption to public use of shoreline areas. Following construction, all affected areas are restored to pre-construction condition.

Section 4.07 - Water Quality Protection

Chapter 4 emphasizes protection of shoreline water quality. The project incorporates BMPs to prevent sedimentation, erosion, and the introduction of pollutants into surface waters during construction. These measures include erosion and sediment control, spill prevention, proper equipment staging, and prompt stabilization of disturbed soils.

No stormwater discharge infrastructure is proposed within shoreline jurisdiction, and the underground nature of the utility does not increase impervious surface area or long-term runoff. The project will comply with applicable stormwater and water quality standards.

Coordination with Other Regulations

Chapter 4 directs coordination between shoreline regulations and other applicable county, state, and federal requirements. The project is designed to comply with:

- Lewis County critical areas and flood hazard regulations, as incorporated into the SMP
- Shoreline permitting procedures under WAC 173-27
- Fish and wildlife protection requirements administered by the Washington Department of Fish and Wildlife (WDFW)
- Applicable water quality and stormwater standards

All required permits and approvals will be obtained prior to construction.

Summary – Chapter 4 Consistency

The Lewis County Fiber Optic Cable Project is consistent with Chapter 4 of the Lewis County Shoreline Master Program because it:

- Avoids permanent shoreline disturbance and modification;
- Protects shoreline ecological functions through trenchless installation methods;
- Applies mitigation sequencing and ensures no net loss;
- Minimizes vegetation disturbance and restores temporary impacts;
- Does not increase flood hazards or impair flood conveyance;
- Maintains public access, navigation, and shoreline use; and
- Protects water quality through implementation of BMPs.

Through careful project design, construction practices, and restoration measures, the project satisfies the general policies and regulations of SMP Chapter 4 while accommodating essential public utility infrastructure.

Chapter 5: Specific Shoreline Use Policies & Regulations

Consistency Narrative

The Fiber Optic Cable Project has been evaluated for consistency with Chapter 5 of the Lewis County Shoreline Master Program (SMP): Specific Shoreline Use Policies and Regulations. Chapter 5 establishes specific use policies and regulatory standards applicable to shoreline development, including general shoreline uses and specific provisions for utilities and related infrastructure.

The proposed project involves the installation of underground fiber optic conduit within existing public road and railroad rights-of-way, with crossings of shoreline-regulated waterbodies completed using trenchless construction methods. As a linear public utility,

the project has been designed to comply with all applicable Chapter 5 requirements while protecting shoreline ecological functions and shoreline character.

Section 5.02 - General Shoreline Use Standards

Chapter 5 requires all shoreline uses to be located and designed in a manner that minimizes impacts to shoreline ecological functions and is consistent with the intent of the applicable shoreline environment designation.

The project meets these standards by remaining within existing, previously disturbed transportation corridors and avoiding placement of new above-ground shoreline structures. The underground nature of the fiber optic installation ensures that surface shoreline character, recreational use, and visual aesthetics are maintained following construction.

The project does not introduce new shoreline land uses, does not change shoreline access patterns, and does not interfere with navigation, recreation, or other lawful shoreline uses.

Section 5.03 – Allowed Shoreline Uses

Applicability of Section 5.03

Section 5.03 of the Lewis County Shoreline Master Program establishes the framework for determining whether a proposed shoreline use is permitted, conditional, or prohibited within each shoreline environment designation. Authorization of shoreline uses under Table 5-1 is contingent upon consistency with all other applicable SMP provisions, including general shoreline policies, environment-specific standards, utility regulations, and shoreline administration requirements.

The Fiber Optic Cable Project is a linear public utility involving installation of underground telecommunications infrastructure within shoreline jurisdiction. The project has been evaluated for consistency with Section 5.03 and SMP Table 5-1: Permitted, Conditional, and Prohibited Uses.

Authorized Use Classification under Table 5-1

Under the “Utilities” category in SMP Table 5-1:

- Transmission facilities within an existing right-of-way are identified as:
 - Permitted (P) in Rural/Urban Conservancy environments;
 - Conditional (C) in the Aquatic environments.
- Transmission facilities outside an existing right-of-way require conditional use authorization in sensitive shoreline environments.

The fiber optic project primarily consists of transmission facilities located within existing road and railroad rights-of-way. Accordingly:

- In Rural/Urban Conservancy shoreline environments, the proposed utility use is permitted, subject to compliance with applicable SMP standards and shoreline permit requirements.
- Shoreline crossings will be installed using horizontal directional drilling (HDD) to avoid direct disturbance to shoreline resources and maintain consistency with SMP utility standards.
- Consistent with guidance provided by Lewis County Community Development, the project is proceeding through Shoreline Substantial Development Permit (SSDP) review and does not require a Shoreline Conditional Use Permit (CUP). Lewis County has confirmed that an SSDP and SEPA review are the applicable shoreline permitting requirements for the project.

Consistency with Section 5.03(A)–(E)

A. Consistency with Table 5-1 and Written SMP Provisions

The proposed utility use is expressly addressed in SMP Table 5-1 and is not identified as a prohibited use. The project has been evaluated for consistency with applicable utility standards, shoreline protection measures, shoreline modification standards, and permit review requirements contained within the SMP. No conflict exists between Table 5-1 and the written provisions of the SMP, and the project has been designed to comply with the more restrictive standard where applicable.

B. Compliance with Underlying Zoning

Section 5.03(B) requires that authorized shoreline uses also be permitted under the underlying zoning designation. The fiber optic cable is a public utility allowed within applicable Lewis County zoning districts. The project is therefore eligible to be authorized within shoreline jurisdiction, subject to SMP review.

C. Permitted Uses and Shoreline Substantial Development Permit

Although utility facilities are an allowed use within the applicable shoreline environments, the project exceeds shoreline exemption thresholds and therefore requires review through a Shoreline Substantial Development Permit pursuant to SMP Section 7.04.01. Lewis County has confirmed that an SSDP is required for the project.

D. Conditional Uses and Shoreline Conditional Use Permit

SMP Table 5-1 identifies certain utility facilities as conditional uses in specific shoreline environments. However, Lewis County has reviewed the proposed project and confirmed that a Shoreline Conditional Use Permit is not required for the HDD crossings

and utility facilities proposed as part of this project. Accordingly, no Conditional Use Permit approval is requested.

E. Prohibited Uses

Section 5.03(E) prohibits uses identified as prohibited in Table 5-1. The fiber optic project does not involve any prohibited shoreline uses. No non-water-oriented industrial development, shoreline stabilization, mining, or structural use prohibited by the SMP is proposed.

F. Accessory and Appurtenant Development

Section 5.03(F) requires accessory or appurtenant development to be subject to the same SMP provisions as the primary use. Any accessory facilities associated with the fiber optic system such as handholes or vaults are integral to the utility installation and are located within existing transportation corridors or disturbed areas.

No accessory shoreline development is proposed to occur prior to establishment of the primary utility use, and no new shoreline structures are proposed. All accessory components comply with SMP utility and development standards.

Summary – Section 5.03 Consistency

The Fiber Optic Cable Project is consistent with SMP Section 5.03 because it:

- Proposes an essential public utility use expressly contemplated by SMP Table 5-1;
- Is located primarily within existing transportation rights-of-way;
- Utilizes HDD to minimize impacts to shoreline resources;
- Complies with applicable shoreline environment standards and utility regulations;
- Does not include prohibited shoreline uses; and
- Is subject to Shoreline Substantial Development Permit review as confirmed by Lewis County.

Through careful siting within existing transportation corridors, trenchless installation beneath shoreline waterbodies, and restoration of temporary construction impacts, the project is consistent with the intent and requirements of Section 5.03 of the Lewis County Shoreline Master Program.

Section 5.17 – Utilities

Applicability

Section 5.17 of the Lewis County Shoreline Master Program applies to public and private utility facilities that produce, convey, store, or process communications and other services, including linear utilities such as telecommunications infrastructure. The proposed Lewis

County Fiber Optic Cable Project is a regulated utility use subject to the requirements of SMP Section 5.17.

The project consists of installing underground fiber optic conduit within existing public road and railroad rights-of-way, with limited crossings of shoreline-regulated waters. As such, the project qualifies as a linear public utility and has been evaluated for consistency with all applicable provisions of Section 5.17.

Section 5.17.01 – Utility Policies

A. No Net Loss of Shoreline Ecological Functions

The project has been designed to ensure no net loss of shoreline ecological functions. All utility crossings of shoreline-regulated rivers and streams are installed using HDD beneath the channel bed and banks, avoiding direct disturbance to aquatic habitat, riparian vegetation, and channel processes. Temporary upland disturbance is restored following construction.

B. Location Outside Shoreline Jurisdiction Where Feasible

Consistent with this, the utility alignment is routed outside shoreline jurisdiction wherever feasible. Shoreline jurisdiction is crossed only where unavoidable due to the linear nature of the utility policy and the geographic distribution of shoreline-regulated waters within the County. Crossings are minimized in number and extent.

C. Location of Water-Oriented Utilities

The project does not include water-oriented utility facilities such as treatment plants, intake structures, or reclamation facilities. However, where the utility must cross waterbodies, trenchless installation is used to avoid interference with other shoreline uses, navigation, or public access.

D. Accommodation of Future Growth and Development

The fiber optic infrastructure is designed to support long-term regional connectivity and future growth, reducing the need for repeated construction and disturbance within shoreline areas. Subsurface HDD installation beneath channels limits long term maintenance needs and future shoreline impacts.

E. Scenic Views and Shoreline Aesthetics

Utilities are installed underground wherever feasible to avoid visual impacts. No above-ground shoreline structures are proposed. Following construction, surface conditions are restored to pre-construction condition, ensuring shoreline scenic quality is preserved.

F. Use of Existing Rights-of-Way and Corridors

The project prioritizes installation within existing transportation rights-of-way and utility corridors, in direct compliance with this policy. New shoreline corridors are not created, and disturbance outside established rights-of-way is avoided wherever practicable.

G. Restoration of Shoreline Areas

All shoreline areas temporarily disturbed during installation will be regraded, stabilized, and restored following construction. Restoration measures ensure erosion control, vegetation recovery, and long-term shoreline function.

H. Public Access

The project does not introduce above-ground utility facilities within shoreline areas and does not restrict or diminish existing public shoreline access. Because the utility is installed underground and does not occupy shoreline space post-construction, provision of new public access is not applicable, nor is it necessary to meet this policy.

Section 5.17.02 – Utility Regulations

A. No Net Loss Standard

All utility installation activities are designed and conducted to result in no net loss of shoreline ecological functions, consistent with Section 5.17.02(A). HDD beneath aquatic areas, combined with restoration of temporary upland disturbance, ensures compliance with this standard.

B. Mitigation Planning

Where utility installation occurs within shoreline jurisdiction, mitigation measures are incorporated consistent with SMP Section 4.04. Temporary impacts are restored to pre-construction condition, and erosion control BMPs are implemented to prevent sediment delivery to waterbodies.

C. Design and Location Standards

1. Engineering Standards

The utility is designed and constructed in accordance with adopted Lewis County engineering standards and industry best practices.

2. Multiple-Use Compatibility

Installation within existing road rights-of-way maintains compatibility with existing transportation and access uses. The project does not preclude future compatible uses such as roadway improvements or utility maintenance.

3. Channel Migration and Erosion

HDD crossing methods avoid alteration of channel migration processes or shoreline erosion rates. Because no in channel excavation or bank

modification is proposed, no increased erosion risk is anticipated, and additional monitoring is not required.

4. Clearing Limits

Clearing is limited to the minimum necessary within established corridors. Any clearing impacts are mitigated on site through stabilization and restoration.

D. Additional Standards for Utility Lines

1. Undergrounding

The utility is installed underground in developed and semi-developed areas, consistent with SMP requirements. No overhead utility installation is proposed.

2. Existing Rights-of-Way

The project is sited within existing road rights of way and utility easements wherever feasible, minimizing disturbance to undisturbed shoreline lands.

3. Avoidance of Shoreline-Parallel Alignment

The utility does not parallel shorelines except where existing roadway or railroad corridors already occupy such alignments. No new shoreline parallel corridors are created

E. Underwater Utility Performance Standards

Subsurface installation beneath waterbodies is accomplished using HDD, which meets or exceeds the performance standards for minimizing impacts to aquatic ecosystems. Any required HPAs or other state/federal permits will be obtained prior to construction.

Emergency repair and maintenance protocols are addressed through standard utility operation procedures.

F. Dredging or Trenching

Dredging or open-cut trenching for underwater utilities is not proposed. Trenchless HDD is a feasible alternative and is used exclusively, rendering this provision inapplicable.

G. Site Restoration

Following installation, disturbed areas will be regraded to existing contours, stabilized to prevent erosion, and revegetated as appropriate to prevent erosion and maintain shoreline ecological function. Restoration measures comply with applicable SMP Section 4.04 standards.

Summary – Section 5.17 Utilities Consistency

The Fiber Optic Cable Project is fully consistent with SMP Section 5.17 because it:

- Ensures no net loss of shoreline ecological functions;
- Locates utilities outside shoreline jurisdiction where feasible;
- Uses underground, trenchless installation methods;

- Follows existing rights-of-way and avoids new shoreline corridors;
- Preserves scenic views and shoreline character;
- Restores temporarily disturbed shoreline areas; and
- Avoids dredging, shoreline stabilization, and permanent shoreline modification.

By meeting both the policy directives and regulatory standards of Section 5.17, the project satisfies the requirements for utility development within shoreline jurisdiction under the Lewis County Shoreline Master Program.

Summary – Chapter 5 Consistency

The Fiber Optic Cable Project is consistent with Chapter 5 of the Lewis County Shoreline Master Program because it:

- Proposes an allowed essential public utility use contemplated by the SMP;
- Avoids permanent shoreline development and structural modification;
- Minimizes shoreline impacts through routing in existing ROW and trenchless installation;
- Protects shoreline ecological functions and shoreline character;
- Is compatible with applicable shoreline environment designations; and
- Complies with SMP permitting and performance standards.

Through careful siting, trenchless construction, and restoration of temporary impacts, the project satisfies the specific shoreline use policies and regulations established in SMP Chapter 5 while providing critical public infrastructure.

Chapter 6: Shoreline Modifications

Applicability

Chapter 6 of the Lewis County Shoreline Master Program establishes policies and regulations governing shoreline modifications, including clearing, grading, fill, shoreline stabilization, dredging, and other alterations that modify the physical character or ecological function of the shoreline.

The Fiber Optic Cable Project is not a shoreline modification in the conventional sense, as it does not propose permanent alteration of shoreline features, structures waterward of the Ordinary High Water Mark (OHWM), or changes to shoreline form or function. However, certain provisions of Chapter 6 apply due to limited and temporary excavation activities associated with underground utility installation within shoreline jurisdiction.

Accordingly, this analysis addresses only those portions of Chapter 6 that are applicable to a linear, underground utility installed primarily via trenchless methods.

Section 6.02 - General Shoreline Modification Standards

Chapter 6 limits shoreline modifications to those that are necessary to support an allowed shoreline use, are located to minimize impacts, and are designed to ensure no net loss of shoreline ecological functions.

The fiber optic project is an allowed shoreline utility use and requires only limited, temporary ground disturbance within shoreline jurisdiction to facilitate underground installation. The project does not propose:

- In-water structures or excavation;
- Placement of fill waterward of the OHWM;
- Shoreline stabilization;
- Dredging or removal of substrate; or
- Permanent alteration of shoreline topography or morphology.

By installing the utility underground and restoring all disturbed areas following construction, the project meets the general shoreline modification thresholds established in Chapter 6.

Section 6.03 - Clearing, Grading, and Fill

Chapter 6 allows clearing, grading, and fill only when necessary to accommodate an approved shoreline use and when impacts are minimized and mitigated.

Temporary excavation associated with trenching and bore pits will occur within existing, previously disturbed transportation corridors. Clearing and grading are limited to the minimum area necessary to install conduit and are followed by immediate backfill, compaction, and surface restoration.

No fill is placed waterward of the OHWM. Any excavated material is removed or reused consistent with construction standards, and no net increase in grade or shoreline footprint results from the project. These activities are temporary, reversible, and consistent with Chapter 6 provisions governing clearing, grading, and fill.

Sections 6.04 & 6.05 - Dredging and In-Water Structures

Chapter 6 includes extensive standards for dredging and in-water structures. These provisions do not apply to the fiber optic project.

All shoreline water crossings are completed using HDD routed beneath streambeds and banks. No in-water work, dredging, or disturbance of aquatic substrates is proposed. Channel geometry, sediment transport, and hydraulic conditions remain unchanged.

Shoreline Stabilization

Chapter 6 regulates shoreline stabilization structures and requires demonstration of need, avoidance of unnecessary hard armoring, and protection of shoreline processes.

The fiber optic project does not propose shoreline stabilization of any kind. HDD beneath shoreline regulated waters eliminates the need for bank disturbance or stabilization measures. No riprap, walls, pilings, or other stabilization features are proposed or required to support the utility installation.

As a result, shoreline stabilization provisions of Chapter 6 are not applicable.

Summary – Chapter 6 Consistency

To the extent applicable, the Fiber Optic Cable Project is consistent with Chapter 6 of the Lewis County Shoreline Master Program because it:

- Does not propose permanent shoreline modifications;
- Limits clearing, grading, and excavation to temporary, necessary activities within existing ROW;
- Avoids shoreline stabilization, dredging, and in-water structures;
- Protects natural shoreline and channel processes through trenchless installation;
- Restores all disturbed areas following construction; and
- Ensures no net loss of shoreline ecological functions.

Chapter 6 provisions applicable to clearing, grading, and modification of shoreline areas are satisfied, and provisions governing stabilization, dredging, and in-water structures are not triggered by the project. The fiber optic project is therefore consistent with SMP Chapter 6 policies and regulations.

Chapter 7: Shoreline Administration

Applicability

Chapter 7 of the Lewis County Shoreline Master Program establishes the administrative procedures governing shoreline permits, exemptions, review authority, and coordination with the Washington State Department of Ecology. The Fiber Optic Cable Project includes development activities within shoreline jurisdiction and is therefore subject to the administrative requirements of SMP Chapter 7.

The project is a linear utility installed primarily underground within existing road and railroad rights-of-way, with crossings of shoreline-regulated waterbodies completed using trenchless construction methods. Project activities within shoreline jurisdiction include temporary trenching, excavation, and underground utility installation.

Section 7.04.01 – Shoreline Substantial Development Permits

Consistency with WAC 173-27-150 Review Criteria

Section 7.04.01(A) requires that an applicant meet all review criteria for a Shoreline Substantial Development Permit identified in WAC 173-27-150.

The Fiber Optic Cable Project constitutes shoreline development under the Shoreline Management Act because it involves excavation, trenching, and drilling within shoreline jurisdiction. Although the project is primarily subsurface and does not involve permanent overwater structures or shoreline stabilization, the scope and construction value of the project exceed shoreline exemption thresholds established under RCW 90.58.030 and SMP Chapter 7. Accordingly, a Shoreline Substantial Development Permit is required.

Project activities within shoreline jurisdiction include:

- Installation of underground telecommunications infrastructure;
- Trenching within shoreline jurisdiction;
- HDD beneath rivers and streams; and
- Temporary construction staging within shoreline areas.

Pursuant to Section 7.04.01(A), approval of an SSDP requires demonstration of consistency with WAC 173-27-150, the policies of RCW 90.58, and the Lewis County Shoreline Master Program. The project meets these criteria through the following measures:

- Use of HDD at all aquatic crossings to avoid in-water disturbance;
- Limitation of trenching to existing road rights-of-way and previously disturbed areas;
- Implementation of erosion and sediment control best management practices (BMPs);
- Restoration of disturbed areas to pre-construction condition; and
- Application of mitigation sequencing to ensure no net loss of shoreline ecological functions.

The project has been specifically designed to ensure consistency with all applicable SSDP review standards.

Permit Decision Authority and Public Hearing

Section 7.04.01(B) provides that a Shoreline Substantial Development Permit shall be granted by the Shoreline Administrator without a public hearing, unless the Administrator determines that the proposed development is of broad public significance and warrants a public hearing before the Hearing Examiner.

The fiber optic project is a linear utility installation located primarily within existing transportation corridors and does not introduce permanent shoreline structures or land

use changes. As such, the project does not inherently require a public hearing unless determined otherwise by the Shoreline Administrator.

Hearing Examiner Review and Conditions (If Required)

If a public hearing is required pursuant to Section 7.04.01(C), the Hearing Examiner may grant the Shoreline Substantial Development Permit with conditions following receipt of a recommendation from the Shoreline Administrator.

The project design supports the application of reasonable permit conditions, if imposed, to ensure consistency with SMP standards and WAC 173-27-150 review criteria. Such conditions may include construction timing limitations, implementation of BMPs, HDD monitoring requirements, restoration performance standards, or documentation of compliance with approved plans.

Summary – Section 7.04.01 Consistency

The Fiber Optic Cable Project satisfies all requirements of SMP Section 7.04.01 because it:

- Meets the SSDP review criteria of WAC 173-27-150;
- Qualifies as shoreline development exceeding exemption thresholds;
- Is designed to avoid and minimize shoreline impacts;
- Applies mitigation sequencing and ensures no net loss of ecological functions; and
- Complies with County and State shoreline permit administration procedures.

Accordingly, the project is eligible for approval of a Shoreline Substantial Development Permit under SMP Section 7.04.01.

Consistency with WAC 173-27

Chapter 90.58 of the Revised Code of Washington (RCW) contains the Shoreline Management Act of 1971 (SMA). Chapter 173-27 WAC establishes the permit and enforcement procedures for shoreline management statewide. Together, these regulations guide how local governments and the Washington State Department of Ecology implement shoreline permitting and ensure consistency with state policy.

Project design and planning for the Fiber Optic Cable Project have incorporated coordination with Lewis County, affected cities, and the Washington State Department of Ecology. These agencies are responsible for ensuring the project and associated shoreline permits are consistent with the SMA and Chapter 173-27 WAC. Based on review of the applicable code provisions and agency coordination to date, the proposed project and processing of the Substantial Development Permit (SSDP) will be completed in a manner consistent with these policies and procedures.

The project will be reviewed under the Lewis County Shoreline Master Program, and in a coordinated manner under applicable City SMPs where jurisdiction applies. Project areas within the County's shoreline jurisdiction include the following shoreline environment designations:

- Aquatic
- Rural Conservancy
- Urban Conservancy

WAC 173-27-150 Review criteria for substantial development permits.

Shoreline Substantial Development Permits (SSDP) are required for project activities in the Lewis County shoreline environments. To facilitate review, it should be demonstrated that the project is consistent with Washington Administrative Code (WAC) 173-27-150 and the Lewis County Shoreline Master Program. It is anticipated that the County's SSDP review also will benefit from demonstration of compliance with these criteria, which is detailed as follows.

(1) A substantial development permit shall be granted only when the development proposed is consistent with:

1) The policies and procedures of the act;

The Shoreline Management Act (SMA) establishes statewide policies to:

- Protect shoreline ecological functions
- Prevent net loss of shoreline resources
- Promote water-dependent and water-related uses
- Preserve public access and navigation
- Balance environmental protection with reasonable development

The Fiber Optic Cable Project is a water-related utility use providing essential telecommunications infrastructure serving the public. Although the utility is not water-dependent, it is an allowed and necessary public service that may be located within shoreline jurisdiction when designed to minimize ecological impacts.

Consistency with SMA policies is demonstrated through project design. All crossings of shoreline rivers and streams will be completed using HDD installed beneath the channel. This method avoids in-water excavation, prevents disturbance to streambeds and banks, and eliminates the need for dredging or fill within the Ordinary High Water Mark.

Trenching within shoreline jurisdiction is limited to existing road rights-of-way and previously disturbed corridors. Disturbance is temporary and reversible. Excavated soils are returned to the trench, compacted, and restored to pre-construction grade. Erosion and sediment control Best Management Practices (BMPs) are implemented to prevent sediment delivery to adjacent waters.

The project does not introduce overwater structures, shoreline stabilization, channel modification, or floodplain fill. Navigation and public access are preserved. Through avoidance, minimization, and restoration measures, the project ensures no net loss of shoreline ecological functions and advances the SMA's mandate to allow appropriate development while protecting shoreline resources.

In summary consistency with SMA policies is demonstrated by:

- Avoidance of in-water impacts through HDD beneath all streams and rivers.
- No net loss of ecological function, achieved through limited trench widths, erosion and sediment controls, and full site restoration.
- Protection of navigation and public access, as no overwater structures or shoreline obstructions are proposed.
- Use of existing rights-of-way, minimizing expansion of shoreline development footprint.
- Temporary and reversible disturbance only, with restoration to pre-construction conditions.

The project therefore advances the SMA's mandate to allow appropriate development while protecting shoreline ecological functions.

2) The provisions of this regulation; and

Local shoreline regulations contained in SMP Chapter 7 require that shoreline permits demonstrate consistency with SMP policies and regulatory standards, follow established administrative procedures, and include mitigation or conditions where necessary to ensure compliance.

The project complies with local shoreline permit provisions by requiring a Substantial Development Permit for shoreline construction activities. The permit application includes demonstration of compliance with SMP Chapters 2 through 7, including shoreline environment use tables, environmental protection standards, utility standards (Section 5.17), and shoreline use policies and regulations (Chapter 5).

Construction methods have been selected specifically to meet the SMP's regulatory intent. Utilities are located upland where feasible and within existing transportation corridors to avoid expanding shoreline development. No structural shoreline stabilization or armoring is

proposed. Flood hazard and erosion risks are minimized through engineering controls and subsurface installation methods. The proposal therefore satisfies the regulatory standards governing shoreline uses and modifications.

In summary construction methods are specifically designed to meet SMP regulatory intent:

- Utilities are located in upland where feasible.
- Existing transportation corridors are used before establishing new disturbance areas.
- No structural shoreline stabilization or new shoreline armoring is required.
- Flood hazard and erosion risks are minimized through engineering controls.

The proposal satisfies the regulatory standards governing shoreline uses and modifications.

3) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of Chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.

The applicable master program is the Lewis County Shoreline Master Program, which has been adopted by the County and approved by the Department of Ecology.

The project alignment traverses multiple shoreline environments, including Aquatic, Rural Conservancy, and Urban. In each environment, the project has been designed to maintain consistency with applicable goals and policies.

Across all designations, the project aligns with SMP goals to protect ecological functions, limit shoreline modifications, encourage infrastructure within existing corridors, and maintain public use and shoreline character. Because the County has an adopted and Ecology-approved SMP, review under Chapter 173-26 WAC is satisfied through demonstrated consistency with the SMP.

(2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.

WAC 173-27-150(2) authorizes local governments to attach conditions to shoreline permits as necessary to assure consistency with the Act and the local master program.

The project anticipates and supports reasonable permit conditions that formalize construction commitments already incorporated into project design. Such conditions may include:

- Erosion and sediment control requirements
- Seasonal timing restrictions, if required
- Construction monitoring during HDD crossings
- Restoration performance standards
- Post-construction reporting or inspection

These measures are consistent with the avoidance and minimization strategies described in the permit application. Any imposed conditions would reinforce compliance mechanisms already embedded in the construction plan and would not alter the project's fundamental design.

Conclusion

The Fiber Optic Cable Project satisfies the criteria for issuance of a Substantial Development Permit under WAC 173-27-150 because:

1. The project is consistent with the policies and procedures of the Shoreline Management Act and ensures no net loss of ecological function.
2. The project complies with the Lewis County Shoreline Master Program and local shoreline permit procedures.
3. The project is consistent with the adopted and Ecology-approved Lewis County SMP across all affected shoreline environments.
4. The project can comply with and supports reasonable permit conditions necessary to assure continued consistency.

Accordingly, the project meets the required findings for approval of a Substantial Development Permit under Chapter 173-27 WAC and applicable shoreline regulations.

Avoidance and Minimization

The Lewis County Fiber Optic Cable Project crosses shoreline jurisdiction in several locations and shoreline environment designations. Shoreline impacts are temporary, localized, and largely confined to existing transportation corridors, with trenchless installation beneath shoreline-regulated waterbodies. The project does not propose permanent shoreline structures, fill within waters of the State, shoreline stabilization, overwater construction, or long-term alteration of shoreline functions.

Consistent with the Shoreline Management Act (RCW 90.58) and the Lewis County Shoreline Master Program, the project applies the required mitigation sequencing with a strong emphasis on avoidance first, followed by minimization, rectification, and restoration, to ensure no net loss of shoreline ecological functions.

Shoreline Environment	Anticipated Impact	Avoidance Measures	Minimization Measures
Aquatic	No direct in-water disturbance. Temporary upland disturbance associated with HDD entry and exit pits located outside the Ordinary High Water Mark (OHWM).	• All waterbody crossings completed using HDD. • Bore entry and exit pits located outside the OHWM wherever feasible. • Bore depths engineered to avoid streambeds, aquatic substrate, and channel migration processes. • No dredging, trenching, or diversion within waters of the State.	• Continuous monitoring of HDD operations to detect and respond to inadvertent returns. • Inadvertent return contingency and containment materials available onsite. • Use of inert bentonite slurry for bore stabilization. • Isolation of staging areas from riparian vegetation. • Immediate stabilization and restoration of bore pit areas following installation.
Rural Conservancy	Temporary linear disturbance within existing rural transportation corridors.	• Alignment confined to existing public road and railroad rights-of-way. • Avoidance of undisturbed riparian vegetation and shoreline areas outside of ROWs. • HDD utilized at environmentally sensitive crossings to avoid surface disturbance.	• Trench widths limited to the minimum necessary for safe installation. • Excavated soils returned to the trench and compacted in place. • Temporary erosion and sediment control BMPs implemented near slopes and drainage features. • Stabilization of shoulders, ditches, and disturbed roadside areas following construction.
Urban Conservancy	Minor, temporary disturbance within developed and previously disturbed shoreline corridors.	• Installation limited to existing paved or graveled rights-of-way. • No expansion of existing infrastructure footprints or impervious surface area.	• Restricted construction workspace to the minimum necessary. • Immediate trench backfill, compaction, and surface restoration. • Pavement, shoulder, and surface restoration to pre-construction condition.

		Avoidance of undisturbed shoreline lands and vegetation.	Traffic control and staging measures to prevent secondary disturbance.
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Summary – Avoidance and Minimization

Through careful routing, trenchless construction, and confinement of work to existing rights-of-way, the project avoids direct impacts to aquatic environments and minimizes disturbance within shoreline jurisdiction. Temporary impacts are promptly stabilized and restored, ensuring long-term protection of shoreline ecological functions.

These avoidance and minimization measures demonstrate compliance with Lewis County SMP mitigation sequencing requirements and support a finding of no net loss of shoreline ecological functions.

Mitigation Sequencing

The project’s avoidance and minimization strategy ensures that:

- Aquatic resources are not directly disturbed.
- Shoreline vegetation and ecological functions are preserved to the maximum extent practicable.
- Public access and navigation remain unaffected.
- Disturbances are temporary, localized, and fully restored following construction.

Avoidance is achieved primarily through route selection within existing transportation corridors and the use of HDD beneath all shoreline water bodies. Minimization is achieved through strict workspace limits, narrow trench dimensions, erosion and sediment control BMPs, and construction best practices. Restoration includes backfilling, compaction, surface stabilization, and revegetation where necessary to return disturbed areas to pre-construction condition.

Because the project does not introduce permanent structural shoreline modifications and all temporary disturbances are restored, the avoidance and minimization framework satisfies shoreline mitigation sequencing requirements and supports a finding of no net loss of shoreline ecological functions, consistent with the Lewis County SMP and the Shoreline Management Act.

Step	Application to Project
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1. Avoid	Route alignment within existing transportation and utility corridors; use HDD for all aquatic and sensitive crossings; avoid intact riparian vegetation and new shoreline clearing.
2. Minimize	Restrict trench width and workspace; implement erosion and sediment control BMPs; limit duration of ground disturbance; monitor HDD operations to prevent drilling fluid release.
3. Rectify	Immediate trench backfill and compaction; restore original contours; replace pavement, gravel, and disturbed surfaces.
4. Reduce Over Time	Soil stabilization and revegetation where necessary; ensure restored areas prevent long-term erosion.
5. Compensate	No permanent shoreline impacts or loss of ecological function will occur; temporary impacts are fully restored, resulting in no net loss.

Elements of a Complete Application

Section 7.02.03 sets for the following Minimum Application Requirements from the Lewis County Shoreline Master Program:

7.02.03 Minimum application requirements

Section 7.02.03 of the Lewis County Shoreline Master Program, establishes that applications shall be substantially consistent with the information required by WAC 173-27-180 and include any additional submittals deemed necessary by the Shoreline Administrator for proper review of the proposal. Consistent with these requirements, the following information is provided as part of this application for the proposed Fiber Optic Cable Line Project.

WAC 173-27-180 Application requirements for substantial development, conditional use, or variance permit.

A complete application for a substantial development, conditional use, or variance permit shall contain, as a minimum, the following information:

- 1) The name, address and phone number of the applicant. The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
- 2) The name, address and phone number of the applicant's representative if other than the applicant.
- 3) The name, address and phone number of the property owner, if other than the applicant.
- 4) Location of the property. This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute. All applications for projects located in open water areas away from land shall provide a longitude and latitude location.
- 5) Identification of the name of the shoreline (water body) that the site of the proposal is associated with. This should be the water body from which jurisdiction of the act over the project is derived.
- 6) A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
- 7) A general description of the property as it now exists including its physical characteristics and improvements and structures.
- 8) A general description of the vicinity of the proposed project including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
- 9) A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:
 - (a) The boundary of the parcel(s) of land upon which the development is proposed.
 - (b) The ordinary high water mark of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline.
 - (c) Existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the

boundary that will not be altered by the development may be indicated as such and contours approximated for that area.

- (d) A delineation of all wetland areas that will be altered or used as a part of the development.
- (e) A general indication of the character of vegetation found on the site.
- (f) The dimensions and locations of all existing and proposed structures and improvements including but not limited to; buildings, paved or graveled areas, roads, utilities, septic tanks and drainfields, material stockpiles or surcharge, and stormwater management facilities.
- (g) Where applicable, a landscaping plan for the project.
- (h) Where applicable, plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included and contain information consistent with the requirements of this section.
- (i) Quantity, source and composition of any fill material that is placed on the site whether temporary or permanent.
- (j) Quantity, composition and destination of any excavated or dredged material.
- (k) A vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments and uses on adjacent properties.
- (l) Where applicable, a depiction of the impacts to views from existing residential uses and public areas.
- (m) On all variance applications the plans shall clearly indicate where development could occur without approval of a variance, the physical features and circumstances on the property that provide a basis for the request, and the location of adjacent structures and uses.

The application materials submitted for the Lewis County Fiber Optic Cable Project satisfy the requirements of WAC 173-27-180, which specifies the minimum information required for shoreline permit review.

Applicant and Property Information.

Applicant, representative, and property owner information is provided for the project proponent, Cannon Companies, located at 406 Porter Way, Milton, Washington 98354. The applicant is Cannon Companies. Property ownership varies and includes public roadway rights-of-way, railroad property, and other lands identified within the application materials. Property location information, including site address and legal description (section, township, and range to the nearest quarter-quarter section), is included in the application materials. Shoreline jurisdiction and associated waterbodies are identified in the project description and supporting plans.

Project Description and Site Conditions.

The application includes a general description of the proposed project, including the scope of work and construction methods necessary to complete installation of underground telecommunications infrastructure. Existing site conditions are described, including physical characteristics of the project corridor, existing roads, utilities, and other infrastructure. The surrounding vicinity is described, including adjacent land uses, development patterns, and general environmental conditions.

Environmental Review and Critical Areas.

A SEPA environmental checklist has been submitted as part of the application in compliance with the State Environmental Policy Act. In addition, a Critical Areas Report prepared by David Evans and Associates (February 2026) is included to address potential impacts to critical areas and buffers within Lewis County and has been prepared consistent with applicable Lewis County critical areas regulations.

Plans and Supporting Materials.

Supporting application materials include a site development plan consisting of maps, drawings, photographs, and supporting text. These materials depict parcel boundaries, the location of the Ordinary High Water Mark (OHWM), existing and proposed ground contours, shoreline jurisdiction, wetland delineations where applicable, and existing vegetation conditions. The plans identify the dimensions and locations of existing and proposed utilities, roads, temporary construction areas, and associated features. Where applicable, the plans describe proposed mitigation and restoration measures and identify the quantity, source, and composition of any fill or material generated during construction. A vicinity map is provided illustrating the relationship of the project corridor to nearby roads, utilities, and surrounding land uses.

Fees and Completeness.

Payment of the required shoreline permit application fees is included as part of the submittal.

Summary – WAC 173-27-180 Compliance

The application provides all information required under WAC 173-27-180 to allow review of the Shoreline Substantial Development Permit including applicant information, project description, environmental documentation, site plans, and supporting materials. The application is therefore complete for shoreline permit review.

Conclusion

The Fiber Optic Cable Project has been designed and evaluated for consistency with:

- The Lewis County Shoreline Master Program (SMP);
- The Shoreline Management Act (Chapter 90.58 RCW); and
- The shoreline permit review criteria contained in Chapter 173-27 WAC

Key project characteristics supporting shoreline permit approval include:

- Avoidance of permanent impacts to shoreline resources;
- Protection of shoreline ecological functions through implementation of the no net loss standard;
- Preservation of public access, navigation, and shoreline character;
- Application of avoidance, minimization, restoration, and mitigation sequencing principles;
- Provision of essential telecommunications infrastructure that supports public safety, economic development, and regional connectivity; and

As described in this narrative, the project demonstrates consistency with the applicable policies, regulations, and review criteria of the Lewis County Shoreline Master Program, the Shoreline Management Act, and Chapter 173-27 WAC. Based on the information provided, the applicant believes the project meets the applicable criteria for approval of the requested Shoreline Substantial Development Permit.

The project's use of horizontal directional drilling at shoreline crossings, confinement to existing transportation corridors, restoration of temporary disturbances, and avoidance of permanent shoreline modification collectively support a finding of consistency with shoreline regulations and the Shoreline Management Act.