



LINDA EVANS PARLETTE
 Washington State Senator, 12TH District

Telephone: (509) 663-9702, FAX: (509) 663-9703
 Location: 625 Okanogan Ave Suite 301; Wenatchee, WA 98801
 Email: Parlette.Linda@leg.wa.gov

FAX COVER SHEET

DATE: June 5th, 2006

ATTN: Dave Danner, Executive Director of WOTC

FAX Number: 360-586-1150

FROM: Shiloh Burgess, Legislative Assistant to Senator Linda Evans Parlette

Number of Pages (including cover sheet): 5

MESSAGE

Time Sensitive material enclosed.
 Please deliver ASAP. Thank you!



Washington State Senate

415 Legislative Building
P.O. Box 40412
Olympia, WA 98504-4012

Senator Linda Evans Parlette
12th Legislative District

Phone: (360) 786-7622
FAX: (360) 786-1323
E-mail: parlette.linda@leg.wa.gov

June 5, 2006

Mr. Mark Sidran
Chairman of WUTC
P.O. Box 47250
Olympia, WA 98504-7250

RE: Docket # 060762

Dear Mr. Sidran;

I represent the 12th Legislative District, which includes all of Chelan and Douglas Counties, as well as parts of Okanogan and Grant Counties. As you may know, Stehekin is a small, remote community in my district located at the head of Lake Chelan.

On Friday, June 2nd, I learned that Westgate Communication (d/b/a WeavTel) has submitted Docket #060762 requesting that the WUTC grant a waiver of notice and filing dates as set forth in paragraph 8 of the Washington Carrier Access Plan as approved in Docket UT-971140, and establish an initial WECA pool revenue objective of \$738,443.

I am concerned that WeavTel Communication is pursuing WECA revenue when they have not fulfilled necessary requirements that would allow them to operate a utility in Stehekin. Although WeavTel alleges that they are able to provide telephone services via Motorola Canopy Service, the fact still remains that the facility where WeavTel would house its utility and run cable from has not been approved by the Chelan County Planning Department. Let me share some facts with you:

- On February 28th, Chelan County Planning Department reviewed APN: 331736220060, requesting a localized zone change to remove portions of their property in Stehekin from the Frequently Flooded Areas Overlay (FFAO) and for an Administrative Use Permit to construct a utility in Stehekin,
- On March 7th, the Chelan County Commissioners signed the decision which **denied** that request. WeavTel Communication has received no permitting that allows approval of a utility to be built in Stehekin.

- On June 6th, The Chelan County Planning Department will once again review WeavTel's application to remove them from the Frequently Flooded Areas Overlay. WeavTel is attempting to change the elevation of their parcel from 1106.5 to 1108.24 MSL by proving that there is a portion of their land outside the FFAO.
- If Chelan County denies WeavTel's request again, they will have exhausted all of their avenues to get out of the flood plane and they will be required to go through the Shoreline Permitting process which will require them to comply with the Washington State Environmental Policy Act and subject their project to review by the Washington State Department of Ecology.

I have enclosed a copy of the letter I submitted to the Chelan County Planning Department regarding WeavTel's request for removal from the FFAO for your review.

There is overwhelming opposition towards providing telephone service in Stehekin. It is clear that WeavTel is attempting to obtain revenue from the state before fully securing the necessary authorization to operate a utility in Stehekin from Chelan County. On the basis that a decision to distribute monies to WeavTel is premature, I request that you table any decision at this time.

I appreciate the opportunity to share my concerns. Should have any questions regarding the information I have provided, please feel free to contact my district office at (509) 663-9702.

Sincerely,



LINDA EVANS PARLETTE
Washington State Senator
12th Legislative District

cc: Chelan County Commissioners

Encl. Letter to Chelan County Planning Department



Washington State Senate

415 Legislative Building
P.O. Box 40412
Olympia, WA 98504-4012

Senator Linda Evans Parlette
12th Legislative District

Phone: (360) 786-7622
FAX: (360) 786-1323
E-mail: parlette.linda@leg.wa.gov

COPY

January 30, 2006

Chelan County Planning
Brian Frampton, Project Planner
316 Washington Street, Suite 301
Wenatchee, WA 98801

Dear Mr. Frampton;

I appreciate the opportunity to comment on the application submitted on behalf of WeavTel Communications (APN: 331736220060) for a localized zone change to remove portions of their property in Stehekin from the Frequently Flooded Areas Overlay and for an Administrative Use Permit to construct a Utility on this parcel of land.

Zone Change:

I am not supportive of the proposed zone change application when history has proven the parcel being analyzed to be in a floodplain. I strongly encourage you to consider all historical and current scientific data regarding the determination of flood water surface elevation and channel behavior. The declassification of any parcel within current perceived floodplain boundaries in Stehekin would be grossly negligent, if sufficient supporting scientific data could not be produced. Furthermore, recalling the damaging effects of the October 2003 flood to the Stehekin Community, floodplain declassification would appear negligent at best; especially if done before the Army Corps of Engineers is able to complete the Stehekin River flood control assessment. If we have learned anything about the Stehekin River, it is that its course is very unpredictable; it is going to go where it wants to go. A change in the flood plain classification at the behest of a private developer is fraught with hazard for the county.

It is my understanding that the WeavTel Communications has the technical capacity to install a telephone system in Stehekin. I also understand that they have secured the authority to do so under the Telecommunications Act of 1996 and complimentary Washington State Revised Statues. I do not agree, however, that granting this application would be in the best interest of the community who would be served by this utility. If granted the administrative use permit, WeavTel would be required to provide 911 services through their utility. Allowing the construction of this utility on a parcel of land that has even a remote chance of being effected by a

flood exposes the residents of Stehekin to an unjustifiable level of risk during the time of an emergency.


SEPA:

I am also concerned that the proper documentation has not been provided by WeavTel Communication to Chelan County that indicates they have complied with the Washington State Environmental Policy Act (SEPA) procedure. Full compliance with this procedure is essential for proposed action they are taking on private lands. Following this hearing, please provide me with supportive documentation that indicates all requirements have been met. Certainly, one of the alternatives to be discussed in an environmental impact study is to "take no action." Global satellite telephones are currently readily available to the residents of Stehekin. The cost of Construction, subsidies, and civil turmoil are not justified when compared to the limited cost to those few who want phone service and could use global satellite telephones.

I have heard from many Stehekin community members who believe WeavTel has already mishandled their responsibility to their community. It is paramount that a decision of this magnitude is made with data that supports such a change and would be consistent with the Federal Emergency Management Agencies (FEMA) evaluation of the area. Acting outside of FEMA's assessment would be highly problematic.

If I can be of assistant to you in anyway regarding this matter, please do not hesitate to contact me. Thank you for the opportunity to share my concerns.

Sincerely,



LINDA EVANS PARLETTE
Washington State Senator
12th Legislative District

Cc: Chelan County Commissioners
U.S. Senator Patty Murray
Congressman Doc Hastings, 4th Congressional District
Congresswoman Cathy McMorris, 5th Congressional District
Representative Mike Armstrong
Representative Cary Condotta
William F. Paleck, Superintendent, North Cascades National Park Complex
Jay Manning, Director, Washington State Department of Ecology