

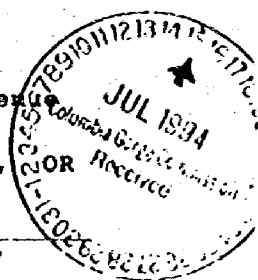


United States  
Department of  
Agriculture  
97031

Forest  
Service

Columbia River Gorge  
National Scenic Area

902 Wasco Avenue  
Suite 200  
Hood River,



121385

BOOK 147 PAGE 74

Reply To: 2360

Date: July 13, 1994

Columbia River Gorge Commission  
P.O. Box 730  
288 E. Jewett Blvd.  
White Salmon, WA 98672

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY Liz Mapelli

JAN 3 9 51 AM '95

P. Gouvy  
AUDITOR  
GARY M. OLSON

Dear Jeff Litwak:

This letter presents the results of the investigation into the pioneer cemetery located in Skamania County, Washington, Tax Lots 1100 and 703, Sec. 11B, T01N., R.05E. The present property owners are Elizabeth Mapelli and Carol Pinell. As part of a Development Review for the Gorge Commission, Michael Boynton and I surveyed the property on December 14, 1992 (See C92-0216-S-G-12). At that time we found nothing, but because of the extent of the project and a prior report that a biface had been found in the area, I recommended that we have an option to monitor the ground disturbing activity. The project was postponed several times, and then when it was finally started, I was unable to be present because of scheduling conflicts. I did not revisit the property until the following week on July 20, 1993.

During this second reconnaissance, again, I did not find anything. While I was there, however, I met Edward Rogers of Goldendale who happened to be in the area. Rogers (age mid-50s) had just stopped to show his wife where he grew up. His first comment to me was that someone had put a road right through the cemetery. We unsuccessfully looked for a head stone that he remembered seeing three years previously. He said the cemetery dated to the 1880s and there were others markers at one time, but they had rotted away or were hauled off by collectors. Rogers said that he had seen one of the head stones at a garage sale in Goldendale.

On July 23, 1993, Gorge Commission staff member Jeff Litwak and I met Herbert Hamblen at the Mapelli/Pinell property. Hamblen is in charge of the Cemetery District for Skamania County. He said that early family cemeteries were common to the area and people were often buried parallel with the Columbia River facing east. Frequently, a Douglas Fir or Oak tree was planted at the head of the grave. Couples were usually buried side by side, with the male on the right and a tree was frequently planted between the couple.

1-5-11-2-703 & 1100

Requested	<input checked="" type="checkbox"/>
Indexed, Lit	<input checked="" type="checkbox"/>
Indexed	<input checked="" type="checkbox"/>
Filed	<input checked="" type="checkbox"/>
Marked	<input type="checkbox"/>



Caring for the Land and Serving People

Printed on Recycled Paper  
FS-6200-28b (12/93)





Hamblen, Litwak, and I looked over the area, but, other than flowers, we could find no evidence of burials (depressions in the ground etc). Based on our combined experience; however, we suspected the grave yard was on the high ground, and the road had been cut through the north side of the it (Photograph 1). Hamblen was later in contact with Jean Haskel, another long time area resident, who said that there were at least six graves in the cemetery and the location was more to the southeast of the area identified by Rogers.

Robert W. Glaeser, a surveyor, said he surveyed the property in the 1984, but did not recall seeing any cemetery at that time. He said a surveyor, named Eldridge, who did the earlier recording work on the property, was now deceased. Glaeser said that he had been contracted to resurvey the Mapelli/Pinell property for a Gorge Commission approved land division, and asked if he should include the cemetery. I responded that we would contact him if this became necessary.

A review of the historic literature showed that around the turn of the century, Polish families moved into the area to work in the fish canneries. I checked the records at the Skamania County courthouse in Stevenson and also at the state capitol at Olympia to see if there was any record of a pioneer cemetery. None of the records mentioned or showed a cemetery. I also contacted two knowledgeable long time residents that still lived in the area. The first resident named Carolyn Bajema (75+ years old) remembered a cemetery, while the second, Dolly (Gory) Hathaway (65+), who drove with me to the Mapelli/Pinell property, provided more specifics. She pointed out the location of the cemetery in the same general area that Rogers earlier identified. Hathaway said that it was right on the lot line between the Frank Konopski (also spelled Knopski) and Julius Gory parcels (See Figure 1). Evidently, Frank and Julius (Frank's brother-in-law), did not get along, so they divided the farm in 1906. Julius bought the eastern half, while Frank kept the western half. The property line ran through the cemetery, so the two families could continue to use it. Hathaway's mother told her that four individuals and two babies were buried there and the bodies were never moved.

Anna Gory (Julius' wife) sold the eastern portion of the property to Lee Adams in 1928, whereas Frank Konopski retained the western parcel until his death in 1951. After his death the cemetery fell into neglect until the late-1960s when Frank's nephew Chester Knopski and his wife Loretta cleared the encroaching vegetation and fenced the area. They also repaired Victoria's (Frank's wife) headstone which had broken into three pieces, and planted soya grass and a "Day Lily". Chester told Loretta that Uncle Frank "wanted everything to go back to nature", and that was the reason for only one tombstone. They cared for the cemetery for a few years, until Chester was severely injured in a logging accident, and shortly after suffered a stroke. In 1975 after Chester died, Loretta wrote to Robert Leick, the Skamania County Prosecuting Attorney, and asked for help in caring for the cemetery (Appendix). The letter was referred to the Skamania County Cemetery District, but no action was taken.





The graveyard again fell into neglect. The owners of the eastern parcel at the time were Louis and Murial LaRue. They removed the forked fence because it had partially collapsed and had become an "eyesore". Murial recalled the cemetery was nested in a cluster of trees. Also, she recalled that two of the children buried there had died of the black fever, and two other children had drowned in the Columbia River. The LaRues sold this parcel to the Lampkins, who cared for the grave plot for a few years and planted rose bushes. Because of the single headstone, they thought only one individual, Victoria Konopski, was buried there. At one time, the Lampkins had gone to the Capitol to see if they could find more information, without result. In 1973, Jennie Goode, Frank Konopski's daughter and heir, sold the western parcel to William and Lois Barber. Later, a new survey of the area (datum at the "Old Military Road") shifted all the property lines east. The graveyard was no longer on the Lampkin's property, so they quit taking care of it. At some point, Barber graded the area obliterating the cemetery. Mike Leon, who lives directly to the north of Mapelli/Pinell, remembered seeing a grave stone on their land as recently as 1989.

Herbert Hamblin later discovered in the Cemetery District archives, the letter written by Loretta Konopski in 1975. I was able to locate Loretta Knopski, now Loretta Lizott since she has remarried. She said the cemetery contained the following people: Helen Konopski age 8 months who died in 1901-1902 of crib death. Victoria Konopski (Frank's wife) who died during child birth on March 11, 1916, and Mamie Konopski (no date) who died in her early twenties. The area later became a communal cemetery. Her husband (deceased) told her that 17 people were buried there including drowned fishermen. When Frank Konopski died in 1951, he was cremated. Jennie Goode, his daughter, made the funeral arrangements. In a phone interview, she said that his ashes were buried in the cemetery, but was unwilling to supply any other information. On the other hand, Lorreta Lizott said that at his funeral, they were told that Frank's ashes were to be scattered on the property, along the bank of the Columbia River.

Rob Whitlam, the Washington State Historic Preservation Officer, said that the State of Washington statutes defines a "cemetery" as an area containing the remains of five or more people and no development can take place within 10 ft of an individual grave site. He reported that there has been some recent work locating coffins with ground penetrating radar. John Musser, of Geo-Recon, recently had some success using this method to locate graves in the San Juan Islands. He said, however, that results have been limited. Testing of the Mapelli/Pinell property would cost between \$1,200.00-\$1,500.00. Musser could not guarantee any results because of the variability in types of soil and climatic conditions.

Lisa Stach, of the Abandoned Cemeteries Program of the Washington State Historic Preservation office, said that it was perfectly acceptable and within the States guidelines, to delineate out a representative area to serve as a surface marker for the cemetery, even though the area may not be the exact location of the grave sites.







The results of the investigation indicate the pioneer cemetery may date to the 1880s. The graveyard witnessed several periods of neglect before it was graded over by William Barber sometime between 1973 and 1984. Over the years, major modifications have altered the landscape to the point that none of the informants could identify the cemetery's exact location, although several people pointed out the general area. Helen Konopski, Victoria Konopski, Mamie Konopski, and Frank Konopski, are interred in the cemetery. In addition, 12-15 other unidentified individuals, some of who died in epidemics, by drowning, shortly after birth, and by natural causes, are probably buried there.

**Known Family Members.**

Jennie Goode (503) 774-9613  
Dolly Hathaway  
Vince Knopski (503) 738-8810  
Susan Knopski (503) 524-3778  
Loretta Lizotte (503) 994-9975

Based on the aforementioned information, I am confident the cemetery lies within a prescribed area (Figure 1, Figure 2), and see no need for further testing, even though the exact locations of individual grave sites are still unknown. On March 3, 1994, I returned to the Mapelli/Pinell property and placed a stake within the center of this area (Photograph 2).

To ensure protection of the cemetery, I recommend the following actions occur:

1. The location of the cemetery shall be recorded in the County deeds and records. This will ensure notice of the cemetery's presence to future landowners or parties of interest. Provisions for access to the cemetery and establishment of an undeveloped buffer zone shall be included in the recorded document as described below:
  - a. Descendants of those known to be buried in the cemetery and their agents shall be allowed access to the cemetery provided that the landowner has been given written notice at least 48 hours prior to a visit.
  - b. A 75 foot buffer zone around the cemetery shall be established. No development activities shall be allowed within this buffer zone, except as necessary to carry out these recommendations.
2. The cemetery shall be physically delineated and a 2 ft x 1 ft (minimum size) plaque type marker with the last name 'Konopski' shall be placed within the cemetery. The Columbia River Gorge Commission, in consultation with its archaeologist, the Skamania County Cemetery District, and the Washington Office of Archaeology and Historic Preservation, shall first review and approve of the delineation and maintenance plans.





3. The standards for maintaining the grounds of the cemetery shall be comparable to the standards for maintaining other cemeteries, in the Skamania County Cemetery District.
4. Upon transfer of the subject parcel, the recipient shall be notified in writing of the location of the cemetery and maintenance responsibilities. Documentation that the recipient has received this notice shall be provided to the Columbia River Gorge Commission, the Skamania County Cemetery District, and the Washington Office of Archaeology and Historic Preservation.

I further recommend a choice of three alternatives for delineating the cemetery, placing plaque-marker, and maintaining the cemetery:

1. The land owner may deed the dedicated cemetery to the Skamania County Cemetery District. The Skamania County Cemetery District will erect a four foot chain-link fence (standard) with a gated entrance around the cemetery, place the plaque within the cemetery, and maintain the cemetery.
2. The landowner may, at her own expense, physically delineate the dedicated cemetery. Upon sale or transfer of the property, the cemetery will be conveyed to the Skamania County Cemetery District. Upon conveyance, the Cemetery District will accept maintenance responsibilities.
3. The landowner may, at her own expense, physically delineate the dedicated cemetery, place the plaque, and maintain the cemetery. All subsequent landowners will be responsible for maintenance and upkeep of the dedicated cemetery.

Sincerely,

*Thomas J. Turck*

THOMAS J. TURCK  
Archaeologist

cc  
Herbert Hamblen  
Loretta Lizotte  
Elizabeth Mapelli



Caring for the Land and Serving People



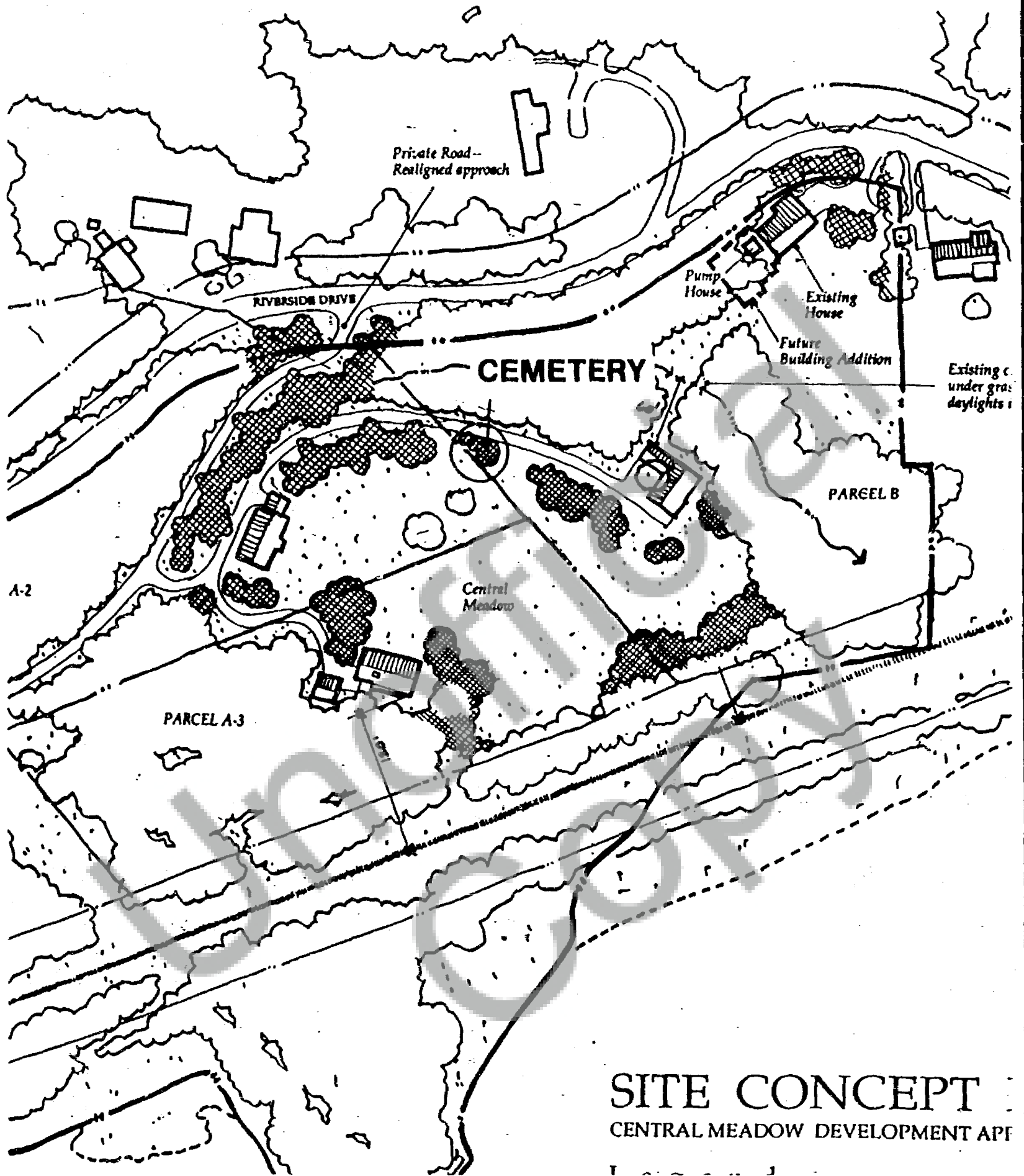
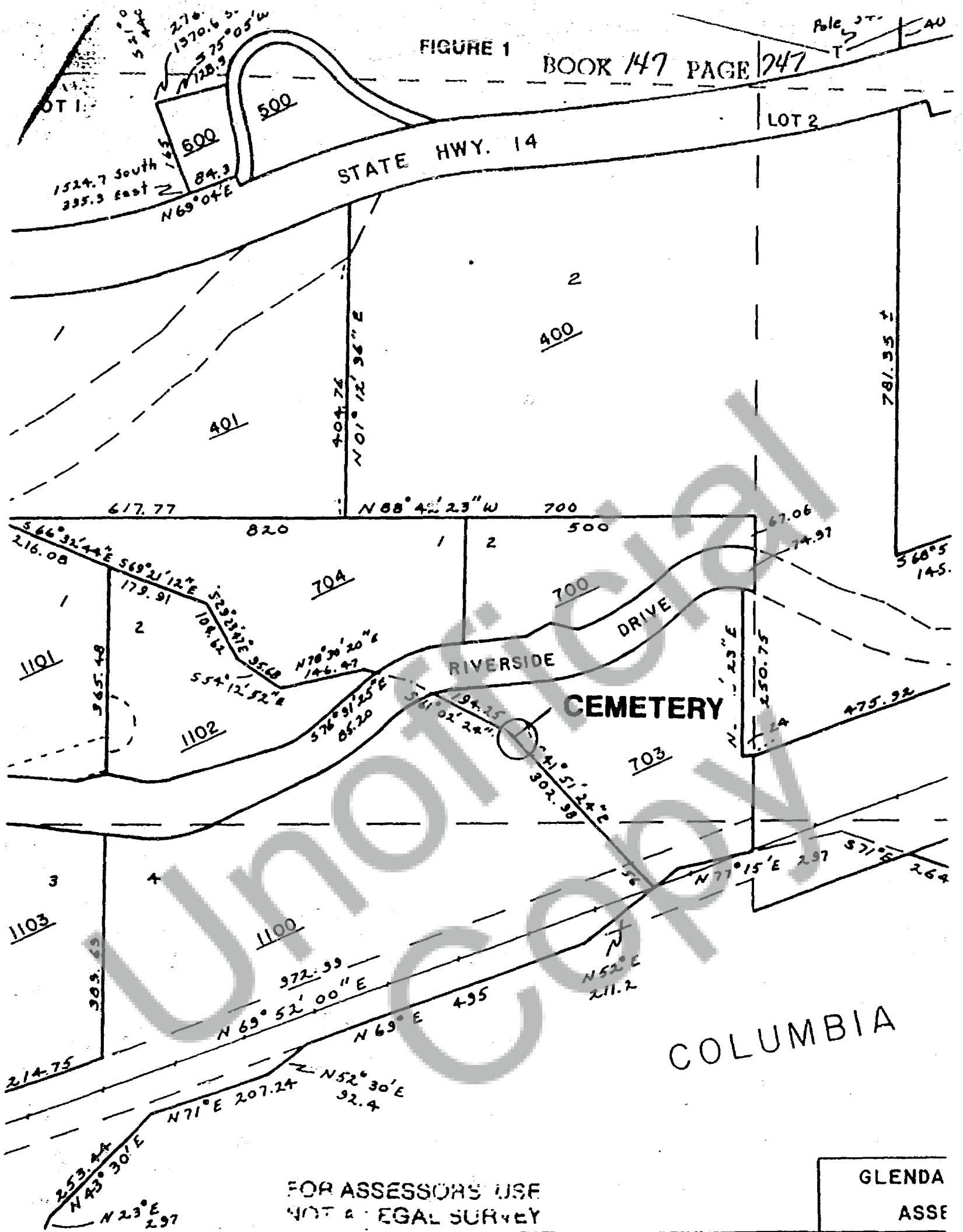


FIGURE 1

BOOK 147 PAGE 247



FOR ASSESSORS USE  
NOT A LEGAL SURVEY

GLENDAS  
ASSE





Photographs

---



Photograph 1. Cemetery area, view to the southeast



Photograph 2. stake and delineated area, looking south







BOOK 147 PAGE 749

Appendix

Unofficial  
Copy



Caring For the Land and Serving People  
Printed on Recycled Paper

ROBERT K. LEICK

ATTORNEY AT LAW

Stevenson, Washington 98648

April 2, 1975

Prosecuting Attorney  
Skamania County

BOOK 147 PAGE 750  
Phone 509 427-5633  
Ext. 53

SKAMANIA COUNTY  
CEMETARY DISTRICT  
1 Mrs. Ray Blaisdell, Sec.  
Carson, WA 98610

Dear Mrs. Blaisdell:

I am enclosing a letter which I received yesterday from Mrs. C. W. Knopski in regards to the Pioneer Cemetary on Riverside Drive Rd. at Prindle. I would appreciate your district checking into this matter.

Sincerely,

ROBERT K. LEICK

Encl.  
RKL/sl

Dear Sir:

In reference to the Pioneer  
Cemetery on Riverside Drive Rd.  
at Prindle, Washington. It was  
originally owned by my husband's  
Uncle Frank <sup>also Kott & Jos. K.</sup> Knopke & Aunt Gary &  
her husband. It was a registered  
Pioneer Cemetery. The property was a  
25 acre tract which Frank and  
wife & Aunt they never got along so  
they split the farm & this caused the  
line to go through the cemetery.  
So both family is equal bury  
their dead. My husband's sister  
would have been buried there in  
1901 or 1902. His mother was ~~buried~~  
buried March 11, 1916. I can't say  
when Aunt Marie was buried. This  
is the part on LaRue land that  
we are wanting to see for Mr  
LaRue had told Uncle Frank's  
daughter Jerry ~~Good~~ before she

sold her half of the Property he  
 wish someone would care for  
 the cemetery. I called her after  
 my husband retired to find out  
 the two party's who owned it.  
 She gave me the name who she'd  
 sold to. He was very nice and  
 told me the Part we wanted to  
 fence was on Mr + Mrs La Rue  
 land. So I called them + they gladly  
 gave us their permission to fence  
 & care for it. We went up + cut  
 all the small shrubs off it + got  
 good + soaked. When the weather  
 got better we went up + clipped  
 all the grass etc. down + planted  
 soyia grass plugs + fixed the  
 Mother's Headstone it was in 3  
 pieces. My husband put in  
 white Crested Post. White yard  
 board fence + a real nice  
 Walk Gate. The fence + Gate were



real tight. We had all come  
 home. I did not know  
 couldn't go. The two friends  
 the Bureau was going home to  
 home. In the house for the  
 been done as yet. I have  
 pictures of the cemetery. I have  
 after that I told my husband  
 sister went back to their room  
 in June & most of the fence was  
 down & sign of house had been  
 in there. Her husband only had  
 a yr. of police with him and  
 straightened the fence up &  
 put a strand of Barbed wire  
 around it. Mr. La Rue was in  
 the hospital at the time but  
 Mrs. La Rue said this was  
 fine. Bill (Phillips) (husband)  
 told them we'd get up there as  
 soon as we could. About 1 1/2  
 weeks later Bill called one up

and told me he was worried about the cemetery. So I called La Rue & told them as soon as my son in law got a day off will get up & re-fix the fence. She informed me that everyone who came to look at the property wanted to know what that was. She stated that it was an eye sore so her husband took it out.

Also Frank Konopski spelled on the Funeral Card. Passed away October 21, 1951. They could not be buried until they received a letter from the State of Washington declaring this was a registered Pioneer Cemetery. I do not know why Stokers Mortuary at Camas did not keep the letter but both this & that Mr La Rue stated he wished

some one would care for the  
 cemetery can be verified by  
 Uncle Frank's daughter Mrs.  
 Jennie Goode 6570 S.E. 32nd  
 Portland, Oregon Tel. 553-774-9613  
 Uncle Frank had wanted to be  
 sprinkled along the Columbia river  
 bank on his property. This was  
 the reason for getting permission  
 And the letter to Stollers as  
 Jennie told me stated it was  
 a registered Pioneer Cemetery so his  
 ashes could be buried there

If you'd wish to contact my  
 husband's sister + husband as to  
 what La Rue had told them  
 Their address is Mr. & Mrs. H. L. Nelson  
 on 14649 Sylvan, Van Nuys Calif.  
 Tel. 213-785-9902.

You are probably wondering  
 why my husband and I did not  
 take the time to go up there

before we did my husband  
 lost a leg in Jan 1958. He went  
 back to work in the woods in  
 Aug. 1958 any Bone specialist  
 will tell you very few ever go  
 back to this type of work in  
 less than 1 1/2 to 2 yrs. Also  
 he will tell you that it takes  
 4 times the energy to walk the  
 same distance as a Normal man.  
 My husband was crippled in 1970  
 in another Logging Accident which  
 left him with no ankle joint +  
 the back bone shifted to the  
 front horn. He suffered a stroke  
 the 1st of August after we  
 had finished the fence. He had  
 bought a 30 inch Madsen to  
 put in the cemetery but after this  
 we wanted to get things sorted.  
 We are not wanting to cause  
 any trouble. We just want to



to know our rights and would like to care for the cemetery. Since they did not use caskets in those days + it would be impossible to move the casket.

In fact we believe it would be desayed.

I have lost my husband one month ago. But all of the Brothers, Sisters + and Grand Children Want to care of the Cemetery. Years + Years ago M. was there when we were there. There were apple trees there + we'd planned on putting Rhododendrons in. Now we will have to find out what kind of nice flowering Shrubs would grow + keep it looking nice.

I will gladly pay for any stones calls you have to make. We said we don't want to raise any

trouble or hard feelings. This  
 is the reason we didn't hire  
 an attorney. When I called the  
 court house then they gave me  
 one attorney's name but I was  
 hoping to find some way of  
 finding where it was regist-  
 ered. I had called Stralings but  
 they never answered. Also I  
 called Aberdeen & they gave  
 me several places in Olympia.  
 Finally in desperation I called  
 the attorney general.

I would certainly appreciate  
 any help you can give us.  
 Even if its only to tell us to  
 hire an attorney even though  
 this would probably cause hard  
 feelings which we don't want.

Sincerely yours,  
 Mrs. C. F. Knapick  
 Star St.  
 Buxton, Ore.

BEFORE THE COLUMBIA RIVER GORGE COMMISSION

In the Matter of Protection	)	CONSENT DECREE AND ORDER
of a Historic Cemetery on a	)	OF THE COLUMBIA
Parcel of Land Owned by	)	RIVER GORGE COMMISSION
Elizabeth Mapelli in Skamania	)	
County, Washington	)	

PARTIES

1. The parties are the Columbia River Gorge Commission (Gorge Commission) and Elizabeth Mapelli. The Gorge Commission's representatives include its Executive Director, Jonathan Doherty, represented by Lawrence Watters. Elizabeth Mapelli is represented by Ryan Lawrence.

INTRODUCTION

2. On February 18, 1993, the Executive Director of the Gorge Commission issued Development Review Director's Decision C92-0216-S-G-12. A historic cemetery (cultural resource) was discovered during construction activities. The cemetery was subsequently disturbed by Elizabeth Mapelli. The subject parcel is at M.P. .65R, Riverside Drive, Washougal, Skamania County, Washington. It is within the NW 1/4 of Section 11 of Township 1 North, Range 5 East, W.M. (Tax Lot 1100 of Skamania County Assessor's Map 1-5-11B).

JURISDICTION

3. The Gorge Commission has jurisdiction over the parties and subject matter in this action under the Columbia River Gorge National Scenic Area Act, 16 USC §544. Condition 16 of Director's Decision C92-0216-S-G-12 requires that if unknown cultural resources are

CONSENT DECREE  
AND ORDER - 1

discovered during construction activities, all work must stop and the Gorge Commission must be notified.

#### APPLICATION

4. The terms of this Consent Decree and Order shall be interpreted according to the plain meaning of the words used but in any event shall be liberally construed to protect cultural resources on the subject property. All provisions of this Consent Decree and Order (Sections 1 through 2i) shall be binding on Elizabeth Mapelli, her family, heirs, and assigns as well as all successors in interest to the property.

#### DEFINITIONS

5. "Cemetery" means the area within a 75-foot radius of the stake identified in the pioneer cemetery report (page 4, paragraph 2).

6. "Cultural resource inventory and damage assessment" means Letter Report No. 78 prepared by Archaeological Investigations Northwest, Inc. (AINW), dated October 26, 1994. This inventory and assessment was sent to Elizabeth Mapelli from Maureen M. Newman, Laboratory Director/Project Archaeologist, AINW.

7. "Pioneer cemetery report" means the letter from Thomas Turck, USDA Forest Service Archaeologist to Jeff Litwak, Gorge Commission Land Use Planner, dated July 13, 1994.

#### CONSENT DECREE

8. Elizabeth Mapelli and all successors in interest shall comply with the recommendations of the pioneer cemetery report as are applicable herein and the following terms.



9. Development activities shall be prohibited within the cemetery, except as necessary to implement this Consent Decree and Order. Development activities include but are not limited to grading and digging, placement of utilities, and construction of structures and buildings. Maintenance of the road that crosses the cemetery shall be allowed, provided maintenance does not change the size, scope, or configuration of the road beyond its presently authorized design and condition. This Consent Decree does not modify development activities outside the cemetery boundary which are allowed under prior orders of the Gorge Commission, or local, state or federal law.

10. A registered surveyor shall survey the boundary of the cemetery and assign a location point to the stake identified in the pioneer cemetery report (page 4, paragraph 2). Elizabeth Mapelli shall record (1) this survey, (2) the pioneer cemetery report, and (3) this Consent Decree and Order into Skamania County deeds and records.

11. The west portion of the cemetery was graded and disturbed in late July 1994. This area shall be restored by Elizabeth Mapelli according to the restoration recommendations in the cultural resource inventory and damage assessment (page 4, restoration recommendations 1 and 2). A professional landscape architect shall design, map, and describe the steps that will be taken to restore the cemetery. These materials shall be approved by the Executive Director of the Gorge Commission before restoration activities commence. Restoration of the west end of the cemetery shall be completed, weather permitting, within 30 days of the date the Gorge Commission approves this Consent Decree and Order.

12. Elizabeth Mapelli shall take two actions to delineate the cemetery. First, she shall place a plaque type marker at the center of the stake identified in the pioneer cemetery report

CONSENT DECREE  
AND ORDER - 3

(page 4, paragraph 2). The marker shall be approximately 2 feet by 1 foot in size and shall be inscribed with the family name "Konopski" or an appropriate inscription approved by the Executive Director of the Gorge Commission. Second, Elizabeth Mapelli shall delineate the boundary of the cemetery using landscaping and/or structures. A plan for delineating the cemetery shall be prepared by Elizabeth Mapelli. It shall include a map and description. The map shall be at a scale of 1 inch equals 20 feet, or a scale providing greater detail, and shall show general topography (contour lines), existing and proposed vegetation, roads, proposed stone walks and other proposed structures, the boundary of the cemetery, and the plaque marker. The delineation plan shall be submitted to the Executive Director of the Gorge Commission within 90 days of the date of this Consent Decree and Order. The Gorge Commission, in consultation with the Skamania County Cemetery District and the Washington Office of Archaeology and Historic Preservation, shall review and approve the plan. The approved delineation plan shall be Attachment A to this Consent Decree and Order and shall be implemented within 120 days of the date of this Consent Decree and Order.

13. Elizabeth Mapelli shall be responsible for on-going maintenance of the cemetery. The cemetery shall be kept in a manner that (1) maintains the landscaping and/or structures that delineate the boundary of the cemetery, (2) preserves the plaque marker, and (3) maintains the grounds of the cemetery consistent with the delineation plan described in Section 12 above and approved in Attachment A. The Executive Director of the Gorge Commission, in consultation with the Skamania County Cemetery District and the Washington Office of Archaeology and Historic Preservation, shall review and approve a maintenance plan prepared by Elizabeth Mapelli within 90 days of the date of this Consent Decree and Order. The approved maintenance

CONSENT DECREE  
AND ORDER - 4

plan shall be Attachment B to this Consent Decree and Order.

14. Descendants of those known to be buried in the cemetery and their agents shall be allowed reasonable access to the cemetery provided the owner of the property has been given written notice at least 48 hours in advance of the desired access time.

15. Representatives of the Gorge Commission, the Skamania County Cemetery District, and the Washington Office of Archaeology and Historic Preservation shall be allowed to periodically inspect the cemetery to ensure that the terms of this Consent Decree and Order are being fulfilled. These representatives shall provide Elizabeth Mapelli written notice at least 48 hours before inspecting the cemetery. Provided, according to Commission Rule 350-30-020(4), the Executive Director of the Gorge Commission may inspect the cemetery without prior notice to investigate an alleged violation of the Columbia River Gorge National Scenic Area Act, the *Management Plan for the Columbia River Gorge National Scenic Area*, a land use ordinance, or this Consent Decree and Order.

16. The owner of the property shall comply with all procedures and provisions in the Columbia River Gorge National Scenic Area Act, the *Management Plan for the Columbia River Gorge National Scenic Area*, land use ordinances, implementation measures, and any order by the Gorge Commission or the Executive Director of the Gorge Commission that protect cultural resources.

#### ENFORCEMENT

17. In the event a dispute arises between Elizabeth Mapelli and the Gorge Commission regarding fulfillment of this Consent Decree and Order, Elizabeth Mapelli shall comply with the position of the Executive Director of the Gorge Commission unless she files a petition for

resolution of the dispute within five (5) days after receipt of written notice of the position of the Executive Director on the dispute in question. In the instance where Elizabeth Mapelli files a dispute resolution petition, the Executive Director agrees to meet with Elizabeth Mapelli to pursue settlement discussion before any agency hearing, provided Elizabeth Mapelli ceases any activity in question during the course of negotiations.

18. If Elizabeth Mapelli requests a hearing before the Gorge Commission, she shall set forth the nature of the dispute along with a proposal for its resolution. In the event of such a dispute, Elizabeth Mapelli shall have the burden of proving that her proposal appropriately fulfills the terms, conditions, requirements, and objectives of this Consent Decree and Order.

#### **EFFECT OF CONSENT DECREE AND ORDER**

19. This Consent Decree and Order is not and shall not be interpreted to constitute a permit, or a modification of existing permits issued pursuant to applicable state or federal law. Nor shall it relieve Elizabeth Mapelli of the obligation to comply with the requirements of all state and federal laws, regulations, guidelines, or rules.

20. The failure of the Gorge Commission to enforce any provision of this Consent Decree and Order after any breach or default by Elizabeth Mapelli shall not be deemed a waiver of its right to enforce any and all provisions of this Consent Decree and Order upon any further breach or default by Elizabeth Mapelli.

21. This Consent Decree and Order is in accordance with provisions of the Columbia River Gorge National Scenic Area Act, the *Columbia River Gorge National Scenic Area Final Interim Guidelines*, and the rules of the Gorge Commission.

CONSENT DECREE  
AND ORDER - 6



AGREED TO:

For Elizabeth Mapelli:

Elizabeth Mapelli  
ELIZABETH MAPELLI

DATED 11-7-94

For Columbia River Gorge Commission:

Robert Thompson  
ROBERT THOMPSON, Chairman  
Columbia River Gorge Commission

DATED 11-8-94

CONSENT DECREE  
AND ORDER - 7

BJD

Bruce Johnson Design  
Urban Design / Landscape Architecture / Sculpture

---

November 30, 1994

Jonathan Doherty, Executive Director  
Columbia River Gorge Commission  
288 E. Jewett Blvd.  
White Salmon, WA 98672

Re: Pioneer Cemetery Plan, Skamania County, Washington

Dear Jonathan,

Attached please find a final copy of a *Restoration and Landscaping Plan for the Pioneer Cemetery* located on the Mapelli property in Skamania County, Washington. This report was prepared at the request of the Columbia River Gorge Commission and the property owner. The plan addresses an alleged violation of the cemetery area and future restoration actions.

After reviewing all the recent reports and investigations pertaining to the cemetery, we agree with the general opinion that no cultural resources or human remains were disturbed during recent grading activities. In fact, research by a State of Washington archaeologist states the pioneer cemetery had been disturbed by other grading activities in the past. We are of the opinion, the alleged violation has had little or no adverse physical effect on the cemetery and buffer area.

Initially, Commission staff requested restoration this year. However, due to weather conditions, construction is not possible at this time of the year. The property owner has requested an extension until next year, and we recommend this request be approved.

We have inspected the disturbed bank, and it appears to be relatively stable. Unless the Gorge is subjected to an unusually high rate of rainfall this winter, the cemetery buffer area should survive the winter with minimum erosion to the disturbed bank area.

The restoration activities described in our report should be directly supervised by the Landscape Architect and a Commission staff person. We have prepared plan drawings at the specified scale to document the design approach, location and extent of work required to achieve the Commission's objectives. These drawings are abstract representations. On-site supervision will permit the design to be adjusted to the spatial nuances and visual amenities found at this particular location.

The accompanying report contains our recommendations for marking the cemetery boundary and restoring the disturbed bank area. It also discusses the relationship of the cemetery plan to the approved master plan for the Mapelli property and related landscaping improvements.

In forming our recommendations, we have kept in mind the fact that people in the past have sought burial sites with pleasant views, raised overlooks, surroundings of natural beauty or sites in landscaped park-like settings. We believe the current land form, a knoll raised above the meadow, only serves to highlight the presence of the cemetery and cultural resource value of this area. Furthermore, the cemetery is signaled by a grove of Maple trees which is surrounded by native woodlands. The natural landscape setting appears to fulfill a Konopski family member's desire for "everything to go back to nature".

There is an important technical issue that was not properly addressed in the Turck report which needs to be considered by the Commission. Staff has proposed the inscription of the "Konopski" or "Knopski" name (it is spelled two different ways in the Turck report) on a memorial plaque to be installed by the property owner. The Turck report states that four deceased members of the Konopski family--Helen, Victoria, Mamie, and Frank--are possibly buried in the cemetery. However, another 12-15 unidentified individuals (*Pioneer Cemetery Report* by Thomas Turck, page 4) are also reported to be buried in the same cemetery. If the deceased Konopski family members are in the minority, it may be more appropriate to inscribe the plaque with the words, *Pioneer Cemetery, circa. 1880*. This would more accurately describe the cemetery as a burial grounds for several individuals from different families rather than using the Konopski family name which suggests the area was a family cemetery. Dating the plaque would also document the cultural resource with respect to its historical place in time.

Jonathan, thank you very much for your effort in resolving the issues associated with this matter. If you have any questions regarding the recommendations we have put forth in the report, please call me so we can discuss them.

Very truly yours,

Bruce Johnson

Encl.

- Final Report
- Drawing A-1
- Drawing A-2

At the request of Ms. Mapelli, the property owner, and Columbia River Gorge Commission, we have prepared this *Restoration and Landscaping Plan for the Pioneer Cemetery* located in Skamania County, Washington. The cemetery is located on private property which is accessed off of Riverside Drive in the Prindle area. The Columbia River Gorge Commission has directed the land owner to prepare and implement a plan which includes:

- Placement of a marker-type plaque at the center stake location identified in the Pioneer Cemetery Report prepared by Thomas Turck;
- Delineation of the cemetery boundary which conforms to a circle with a 75-foot radius from the center stake above; and
- Restoration of the disturbed cut bank located on the south side of a grove of trees within the cemetery boundary.

The Pioneer Cemetery Plan shall consist of a written description of the proposed improvements, a general site plan drawing at a scale of 1" = 20'-0" and other technical drawings as may be required to guide construction activities and ensure compliance with the Commission's Consent and Decree Order. The drawing(s) to indicate the proposed marker locations, design layout, type and extent of landscaping treatments.

#### PLANNING ANALYSIS

As a preliminary step towards preparing the *Restoration and Landscaping Plan for the Pioneer Cemetery*, we have reviewed all past site and landscaping plans which involve this area. While recognizing the importance of the cultural resources associated with the cemetery, it is also important to seek a solution which maintains the integrity of the site planning relationships and landscaping treatments planned for this area. Extensive site planning investigations and discussions were undertaken with staff members of the Gorge Commission in order to formulate an acceptable plan a few years ago.

Our review of Mr. Turck's letter report dated July 13, 1994 and the report prepared by Archaeological Investigations Northwest, Inc., dated October 26, 1994, and subsequent on-site field investigations have also been useful in understanding the key factors which should influence a satisfactory and acceptable planning and design solution.

#### Cemetery Buffer

The establishment of the cemetery buffer area appears to be arbitrary in shape and size. We could find no discussion in any of the reports regarding the process used to establish the 75-foot set back requirement. We understand the



shape and size to be a symbolic statement, since there is no documented evidence available to establish the actual burial site locations and extent of the cemetery.

#### Previous Cemetery Restoration Activity

Mr. Turck's research indicates that at some point in the past, a previous owner "graded the area obliterating the cemetery". His report also states that Chester and Loretta Konopski cleared the cemetery grounds. They also repaired and replaced one headstone belonging to Victoria Konopski in the cemetery. This reflected the wishes of their uncle, Frank Konopski, who "wanted everything to go back to nature".

#### Relationship of Cemetery to Central Meadow Area

We have prepared a *Revised Site Concept Plan For Central Meadow Development Area*, Drawing A-1, which accompanies this report. The plan indicates the site planning relationships and siting criteria which have to be maintained between the two approved home sites, related landscape plantings and the landscape design integration of the meadow feature with the cemetery buffer area.

The meadow was planned as a focal feature in selecting sites for the two future residences and studio building. In fact the cemetery buffer area was one of the alternative sites the property owner and Commission staff considered for the studio building.

From a landscaping perspective, the design intent is to expand and extend the existing woodland tree canopy so the access road to the studio is within a woodland setting rather than along the edge of the tree line. Besides screening portions of the roadway, these plantings will also reduce the visual prominence of the future house from off-site scenic view points.

It is important to maintain a sense of spatial enclosure for the meadow area. Therefore, some refilling of the disturbed bank area can be accomplished. Together with new tree plantings and the establishment of a native grass cover with intermixed wildflowers, the meadow area will become an attractive natural feature in the woodland landscape setting.

## CEMETERY BUFFER AREA DESIGN RECOMMENDATIONS

We recommend the following site improvements and conditions:

- I. The disturbed bank area to be filled and re-graded. Native grass(s) and wildflowers to be established on the central meadow area including portions of the buffer area up to the top of the repaired cut bank. This will present a uniform texture and surface treatment of the entire meadow area to the viewer and maintain the harmony and visual appeal of the meadow as a natural feature in a woodland setting.
- II. Existing vegetation--grasses, perennial plants, shrubs and trees--within the buffer area to be preserved and left undisturbed except for maintenance activities.
- III. No additional plantings except for those described in paragraph I. above to be permitted.
- IV. A marker-type plaque to be installed at the center stake location. No defined paths will be provided. Foot access is available using the existing gravel road.
- V. Landscape plantings installed per the *Preliminary Landscape Plan*, dated 3/20/93, approved by Commission staff as part of the development and construction permits associated with the studio building to remain undisturbed. These plantings are needed to screen the studio from the future home sites. In addition, these trees contribute to the overall spatial definition of the meadow space and will frame views of the Columbia River from the memorial plaque site in the Pioneer Cemetery.

The improvements outlined above will maintain the key relationships and design intent of the approved master plan, while preserving the special memorial, scenic and cultural resource values associated with the Pioneer Cemetery. This plan jointly addresses the needs of the current property owners, their heirs and the last known wishes of a Konopski member who desired a natural setting for the cemetery.

CONSTRUCTION ACTIVITIES AND SPECIFICATIONSPlaque

A basalt stone marker approximately 1-foot by 2-feet in size and inscribed with text approved by the Commission will be placed at the stake location. The plaque will be installed flush with the existing ground level.

Cemetery Buffer Area Boundary Markers

A series of boundary line markers, six (6) in total, will be placed along the circumference of the cemetery area. They will be placed at the following cardinal and half-way points: E, SE, S, SW, W and NW). The placement of boundary markers at the N and NE locations is not recommended because of steep topographic and drainage way constraints.

These markers will be brass plates, 4-inches by 4-inches in size and inscribed with the words "Pioneer Cemetery". The markers will be set in concrete blocks, cast in place, approximately 18-inches on a side with the marker installed flush with the existing ground level.

Grading

The disturbed bank shall be covered with a minimum of 12-inches of topsoil soil and graded to blend with the existing land form. The plan map on Drawing A-2 identifies the extent of the grading work. We have estimated that approximately 60-70 cubic yards of material may be required.

The source of fill material can be either on-site material or imported material. In either case, the property owner should be allowed to use mechanical equipment, bulldozer or trucks, to transport fill material to the flat portion of the buffer area.

Placement of the fill on the disturbed bank to be accomplished using light weight, rubber-tire construction equipment. Hand placement would impose a significant financial hardship, extend the construction period thereby subjecting the restoration to potential erosion during construction, and require supervisory personnel to be on-site for lengthy periods of time. All filling and grading operations shall be accomplished under the direct supervision of the Landscape Architect and a Commission staff person.

Fill areas shall be graded to recommended profiles as shown on Drawing A-2 and compacted to produce a stable fill condition. Fine grading operations can be done using hand tools. Soil compacting should be accomplished using a hand operated drum roller since water is now available at the site.

Bank Revegetation

The restored bank shall be stabilized with a new cover of grass. The recommended grass species for the meadow and bank area is Sheep Fescue with an additive mixture of wildflowers. Seeding operations shall follow the completion of the re-grading work with as little delay as possible.

## IMPLEMENTATION

Current weather conditions will dictate the schedule and timing of the grading and repair work to the disturbed bank. Present weather conditions no longer permit any restoration work this year.

Therefore, earth filling and re-grading activities should be postponed until Spring 1995. As soon as weather permits, restoration activities should commence and be completed within a maximum period of thirty (30) days.

The property owner or agent shall be responsible for coordinating all restoration activities and for notifying the Landscape Architect and Commission staff at least 48 hours prior to the commencement of any scheduled work. A representative of the Commission staff shall be present in the field to oversee the work with the Landscape Architect and to ensure compliance, unless otherwise agreed to in written form by the Commission staff and property owner.