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BOOK 245 PAGE 548

Return Address: Roy Ostroski
3591 Cook-Underwood Road
Cook, WA 98605

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Roy Ostroski
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J. M. C. J. M. C.

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-8288

Administrative Decision

Signature
Initialed
Signed
Time
Date

APPLICANT: Roy Ostroski

PROPERTY OWNER: Roy Ostroski

FILE NO.: NSA-02-01

PROJECT: New cultivation and construct a fence.

LOCATION: Section 3 of TIN, R5E, W.M. and identified as Skamania County Tax Lot #01-05-03-0-0-0600-00.

LEGAL DESCRIPTION: SE ¼ of NE ¼ of Section 3, Township 1 North, Range 5 East, WM.

ZONING: Special Management Area-Forest (FS).

DECISION: Based upon the entire record, including particularly the Staff Report, the application by Roy Ostroski, described above, subject to the conditions set forth in this Decision, is found to be consistent with Title 22 SCC and is hereby approved.

Although the proposed development is approved, it may not be buildable due to inadequate soils for septic and/or lack of potable water. These issues are under the jurisdiction of Skamania County's Building Department and the Skamania County Health Department.

Skamania County Planning and Community Development
File: NSA-02-01 (Ostroski) Administrative Decision
Page 2

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.

CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Title 22. This document, outlining the conditions of approval, must be recorded, by the applicant, in the deed records of the Skamania County Auditor in order to ensure notice of the conditions of approval to successors in interest. SCC §22.06.050(C)(2).

- 1) As per SCC §22.06.050(C)(2), this Administrative Decision **SHALL BE RECORDED** by the applicant in the County deed records prior to commencement of the approved project. A copy of the first page of the recorded Administrative Decision must be submitted to the Planning Department prior to issuance of a building permit.
- 2) All developments shall be consistent with the enclosed site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval. (See attached)
- 3) Upon completion of the harvest, all stumps and slash shall be removed and properly disposed of, including on site burning if the appropriate permits are obtained.
- 4) Upon the completion of the harvest (not part of this application) and stump removal, the land shall be graded, leveled and properly prepared for seeding. Within the next available planting season after harvest and clearing, the area shall be seeded with a sufficient quantity of seed mix to assure proper germination and cover. The entire area shall be seeded with a grass species appropriate for pasture management. Use of plant species native to the Columbia River Gorge is encouraged (see plants list attached to the Staff Report).
- 5) The subject harvest is exempt from review for compliance with the Special Management Area requirements pertaining to forest practices because the land is to be converted to agricultural use. As such, issues regarding size of cleared openings and reforestation requirements do not apply. In order to complete the conversion, as noted by the U. S. Forest Service, all stumps shall be removed and the ground cleared and prepared for seeding to an appropriate grass/alfalfa mix. In the event that the conversion is not completed within one year of the completion of the logging of the property, then the reforestation requirements as set out in Skamania County Code §22.10.030(C) and §22.16.030 shall be required after consultation with the U. S. Forest Service and in compliance with Skamania County Code §22.08.080(C)(2)(j).
- 6) A 200 foot undisturbed buffer shall be maintained along the south side of Canyon Creek and a 50 foot undisturbed buffer shall be maintained from all sides of the intermittent creek on the south side of Canyon Creek, flowing North into Canyon Creek (see revised site plan attached). To maintain the undisturbed buffers, fencing shall be required along the undisturbed buffers.
- 7) The buffer shall be maintained in a natural condition (i.e. no grading, no mowing, etc.), with no other development occurring within the buffer other than any native plantings that might enhance

Skamania County Planning and Community Development
File: NSA-02-01 (Ostroski) Administrative Decision
Page 3

the buffer area. Non-native species may be removed within the buffer area by hand removal only, so long as the buffer is kept in a natural appearance and does not appear manicured.

- 8) The applicant shall ensure that best management practices will be applied to any grading or ditching so as not to allow sediment run-off into either of the creeks.
- 9) The water resource buffers shall be fenced to ensure that livestock remain outside of the buffer zone and assorted riparian areas.
- 10) Fencing around the new agricultural area shall meet the requirements for fences within deer and elk winter range. For details on those requirements see the Staff Report for NSA-02-01, on file with the Planning Department.
- 11) The proposed fence on the portion of the parcel south of Ryan-Tavalli Road shall be composed of non-reflective material or materials with low reflectivity.
- 12) Any non-wire portions of the proposed fence on the portion of the parcel south of Ryan-Tavalli Road shall be composed of dark earth-tone colors that will result in low contrast with the surrounding landscape as seen from key viewing areas. The wire portions of the proposed fence will be non-distinguishable from the background.
- 13) If livestock watering areas are needed, the property owner shall consult with the local NRCS office for technical assistance with developing "off-stream" watering devices.
- 14) The applicant shall meet all conditions to achieve visual subordination prior to final inspection by the Planning Department. A final inspection sign off will not be done until compliance with conditions, including visual subordination criteria, has been verified. An inspection may take up to four business days from the time of calling for the inspection.
- 15) The 8 cultural features that lie within the NSA shall have an undisturbed buffer of 25 feet. (Since these 8 cultural features lie within the 200 foot undisturbed natural resource buffer, the 8 features and their 25 foot buffers are not required to be identified separate from the 200 foot undisturbed buffer on the site plan. All cultural features within the NSA portion of the property are hereby protected from disturbance.)
- 16) If cultural resources are discovered, during logging or subsequent land clearing, particularly human bone or burials, work in the immediate area of discovery shall be suspended until a cultural resource professional can evaluate the potential significance of the discovery and recommend measures to protect and/or recover the resource. If the discovered material is suspected to be human bone or a burial, the following procedures shall be used:
 - a) The applicant shall stop all work in the vicinity of the discovery.
 - b) The applicant shall immediately notify the Forest Service, the applicant's cultural resource professional, the county coroner, and appropriate law enforcement agencies.

BOOK 245 PAGE 551

Skamania County Planning and Community Development
File: NSA-02-01 (Ostroski) Administrative Decision
Page 4

- c) The Forest Service shall notify the tribal governments if the discovery is determined to be an Indian burial or a cultural resource.

Dated and Signed this 1st day of July, 2003, at Stevenson, Washington.

Stacey Borland
Stacey Borland, Associate Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC §22.06.050(C)(5), this Decision approving a proposed development action shall become void in two years if the development is not commenced within that period, or when the development action is discontinued for any reason for one continuous year or more.

APPEALS

This Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 20 days from the date hereof. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Department Office.

WARNING

On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office

A copy of this Decision, including the Staff Report, was sent to the following:

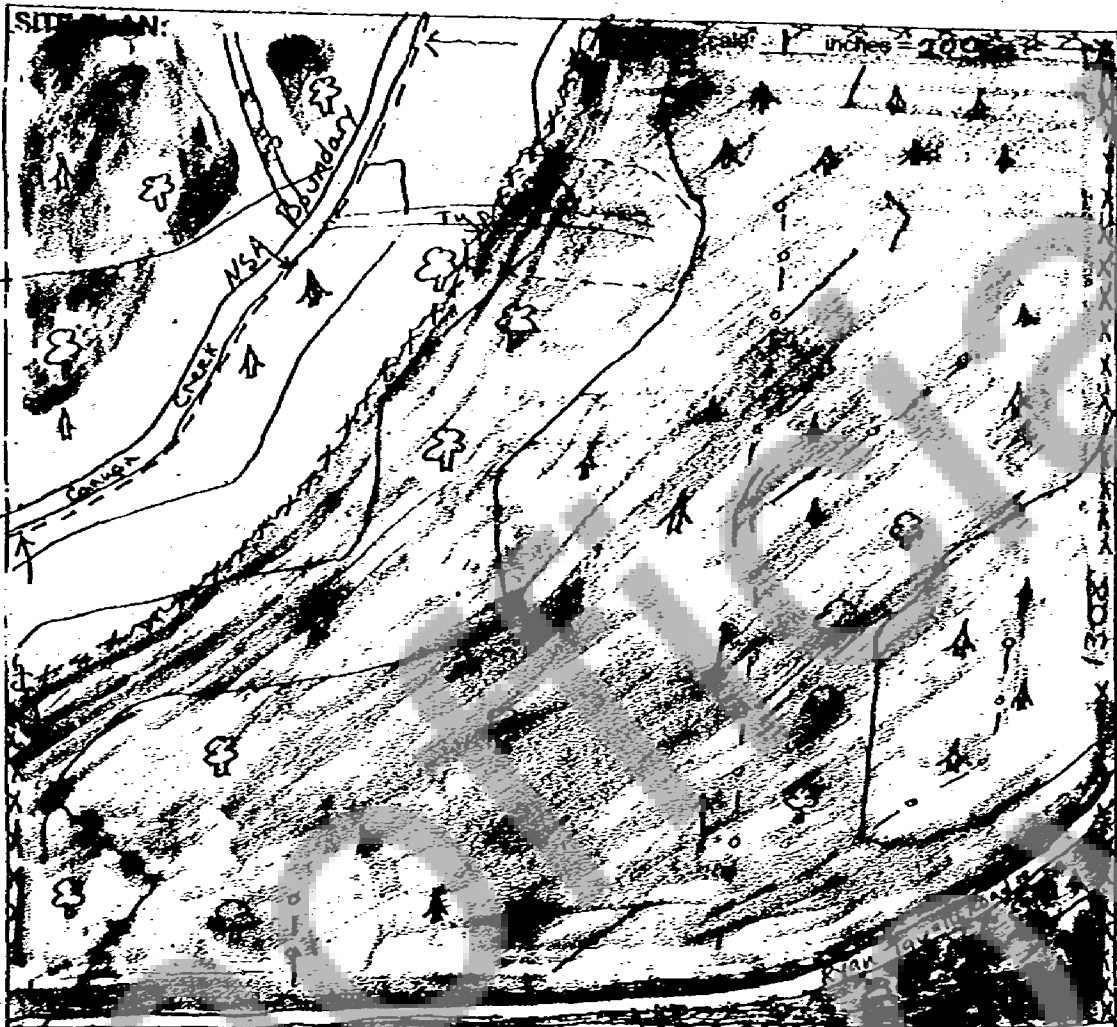
Persons submitting written comments in a timely manner
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation

BOOK 245 PAGE 552

Skamania County Planning and Community Development
File: NSA-02-01 (Ostroski) Administrative Decision
Page 5

Confederated Tribes of the Warm Springs
Ne-Perce Tribe
Office of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of Washington Office of Community Development
Department of Fish and Wildlife

BOOK 245 PAGE 553



X = Fencing (proposed), 1312 ft
 A = Groupings of Douglas fir
 P = Groupings of Maple and Alder
 o = Temporary Roads 12 ft wide
 * = Telephone Poles
 I will be moving more than 100 cubic yards of soil: yes ☐ no ☐
 Additional pages must have 1" margins
 Shaded area proposed for New Cultivation
 200 ft Creek Buffer
 50 ft Creek buffer
 Site plan must be completed in ink.