

Return Address: Antony Clarke
1000 Pope Road
Honolulu, HI 96822

Doc # 2007164485
Page 1 of 7
Date: 01/12/2007 12:00P
Filed by: ANTHONY CLARKE
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$38.00

**Skamania County
Department of Planning and
Community Development**

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

**Administrative Decision
(Expedited Review Process)**

APPLICANT: Antony Clarke

PROPERTY OWNER: Antony Clarke/ Marc Medlin and Cynthia Dominik-Medlin

FILE NO.: NSA-06-54

PROJECT: A Lot Line Adjustment resolving a property line dispute to add approximately 1.4 acres from parcel #0323 to Parcel #0305.

LOCATION: The parcel ending in #0323 is located at 382 Snowberry Lanes, Washougal, Section 6 of R1N, R6E, W.M. and is identified as Skamania County Tax Lot Number 01-06-06-0-0-0323-00. The parcel ending in #0305 is located at 271 Snowberry Lane, Washougal, Section 6 of T1N, R6E, W.M. and is identified as Skamania County Tax Lot Number 01-06-06-0-0-0305-00.

LEGAL: See attached page 7-8.

ZONING: Special Management Area-Forest (F).

DECISION: Based upon the record and the Staff Report, the application by Antony Clarke, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 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 Division and the Skamania County Health Department.

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

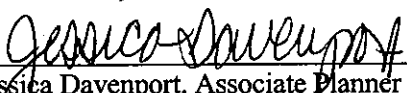
CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Code 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.
- 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) The following procedures shall be effected when cultural resources are discovered during construction activities:
 - a) **Halt Construction.** All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.
 - b) **Notification.** The project applicant shall notify the Administrator and the Gorge Commission within twenty-four (24) hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within twenty-four (24) hours.
 - c) **Survey and Evaluations.** The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter. Based upon the survey and evaluation report and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.

- d) **Mitigation Plan.** Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 4) The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.
 - a) **Halt of Activities.** All survey, excavation and construction activities shall cease.
 - b) **Notification.** Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
 - c) **Inspection.** The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/ historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have an opportunity to monitor the inspection.
 - d) **Jurisdiction.** If the remains are modern, the appropriate law enforcement official shall assume jurisdiction and the cultural resource protection process may conclude.
 - e) **Treatment.** The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/ historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 22 day of November, 2006, at Stevenson, Washington.


Jessica Davenport, Associate Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, 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 Administrative 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

The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

This Administrative Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal form must be filed by an interested person within 20 days from the date hereof. Appeals are to be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable filing fee.

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

Persons requesting notice of decisions
Landowners within 500 feet of the proposal
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Cowlitz Indian Tribe
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
State of Washington Department of Community Trade and Economic Development – Dee Caputo

FINAL CONFIGURATION



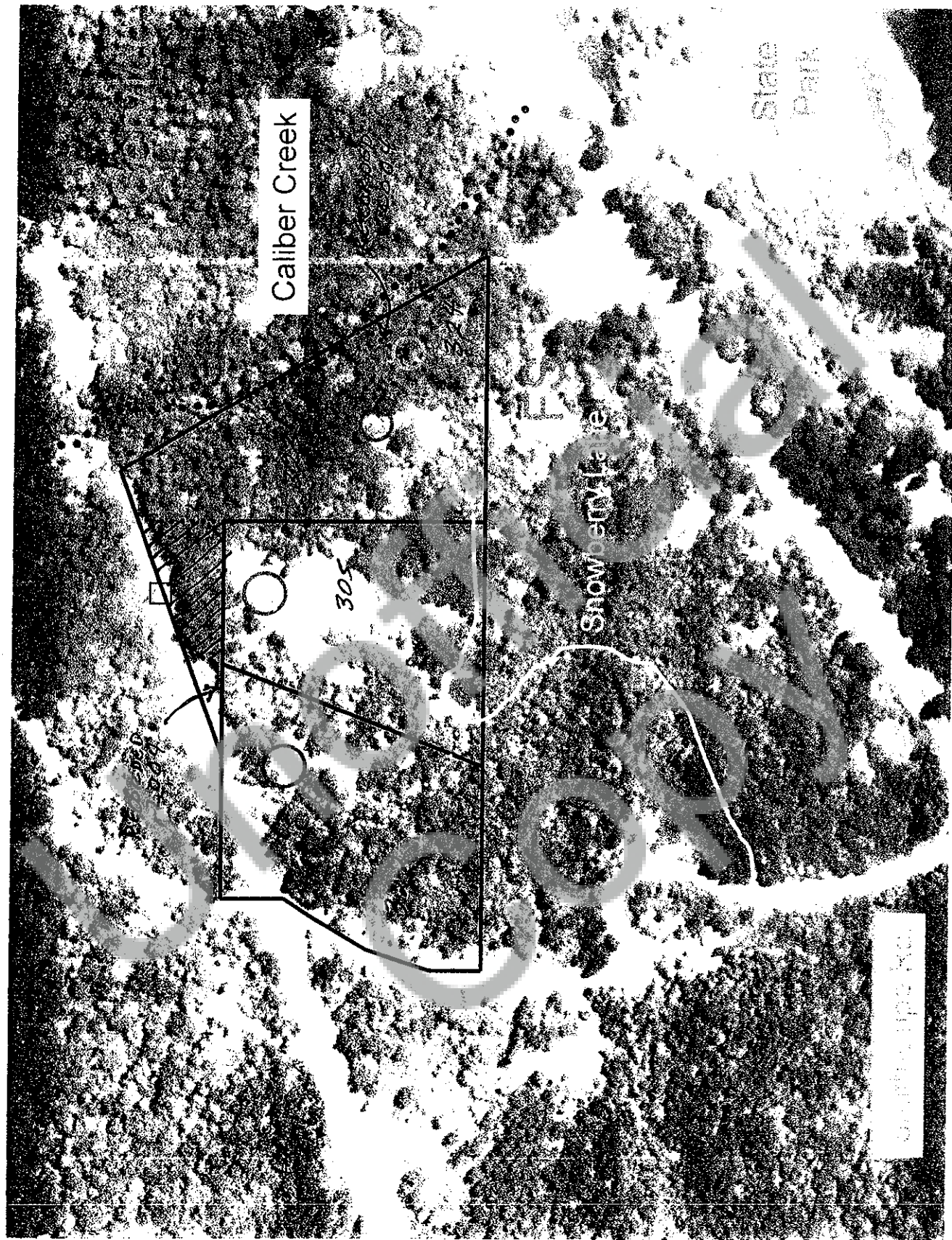


EXHIBIT A

Quit Claim to Tax Lot # 01 06 06 0 0 0305 00

That portion of the South Half of the North Half of the Northwest Quarter (S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 6, Township 1 North, Range 6 E.W.M., lying easterly of the centerline of County Road No. 1009 designated as Smith Cripe Road and southerly of the centerline of the power line easement 100 ft in width granted to the United States of America for the Bonneville Power Administration (By deed dated February 3, 1942 and recorded February 3, 1942, at page 601 of Book 28 of Deeds, under Auditors File No. 31315, Records of Skamania County Washington); and, lying westerly of the extension of the eastern boundary line of parcel, Tax Lot # 01 06 06 0 0 0305 00, when extended in a northerly direction to intersect the centerline of said power line easement, an area of about 1.4 acres, more or less.

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