

Return Address: Home Valley Water District
Attn: Gary Collins
381 Erickson Road
Stevenson, WA 98648

Doc # 2007167996
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Date: 10/17/2007 11:41A
Filed by: GARY COLLINS
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$46.00

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

**APPLICANT/
PROPERTY
OWNER:**

Home Valley Water District
Attn: Gary Collins

FILE NO.:

NSA-06-18

PROJECT:

Installation of a 96,000 gallon water tank (approximately 25' tall, 26' diameter) for Home Valley Water District, and placement of a fence around the perimeter of the property as shown on site plan.

LOCATION:

Jewel Road off of Bylin Road, Home Valley; Section 23 of T3N, R3E, W.M. and identified as Skamania County Tax Lot #03-08-23-0-0-0701-00.

LEGAL:

Deed recorded in Skamania County Auditor's Office on November 20, 1979 in Book 77, Page 689.

ZONING:

General Management Area- Small Woodland (F-3).

DECISION:

Based upon the record and the Staff Report, the application by Home Valley Water District, 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 §22.06.120(C)(2).**

- 1) As per SCC §22.06.120(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) All structures, except fences, including eaves, awnings and overhangs shall meet the following setbacks: **Front yard:** 45 feet from the centerline of the street or road or 15 feet from the front property line, whichever is greater. **Side yard:** 5 feet. **Rear yard:** 15 feet.
- 4) All development shall proceed with the mitigation measures set out in the Mitigated Determination of Non-Significance dated September 13, 2006.
- 5) Only that grading which is necessary for site development (building pads, utilities, etc.) is permitted. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department.
- 6) The applicant and/or future owner shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
- 7) The applicant shall retain all existing trees within the 100 foot buffer of the on-site stream, and all trees within 150 feet from the proposed water tank, to provide screening from key viewing areas and maintain visual subordination, except as is necessary for site development or safety purposes.
- 8) The exterior of all proposed structures shall be dark earth-tone in color. The applicant shall be required to use a pigmented concrete that is dark-earth-tone in color.
- 9) All exterior lighting shall be hooded or shielded at a 90-degree angle. Hoods/shields should be made of a non-reflective, opaque material, which does not allow light to pass through.

- 10) Except as is necessary for site development, the existing trees screening the development from key viewing areas shall be retained.
- 11) The applicant shall comply with all applicable State and Federal laws.
- 12) All natural vegetation within the 100 foot buffer of the on-site stream shall be retained to the greatest extent practicable, including aquatic and riparian vegetation.
- 13) Temporary and permanent control measures shall be applied to minimize erosion and sedimentation, including slope netting, berms and ditches, tree protection and sediment barriers.
- 14) The applicant shall revegetate any areas within the 100 foot on-site stream buffer that are disturbed during construction activities with native plants.
- 15) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Planning Department. The applicant is to coordinate all inspections with the Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
- 16) The Planning Department shall conduct at least two site visits during construction, one to verify the location of the structures as stated by the Administrative Decision and a second to be conducted after all excavation has been completed. A site visit for Final Inspection shall also be conducted. Each inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Division at 509-427-3920.
- 17) 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.
- 18) 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 14 day of November, 2006, at Stevenson, Washington.



Nicole Hollatz, 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 §22.06.150(A), 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

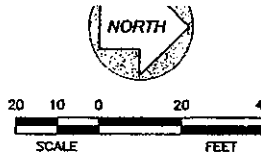
On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon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

A copy of 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:

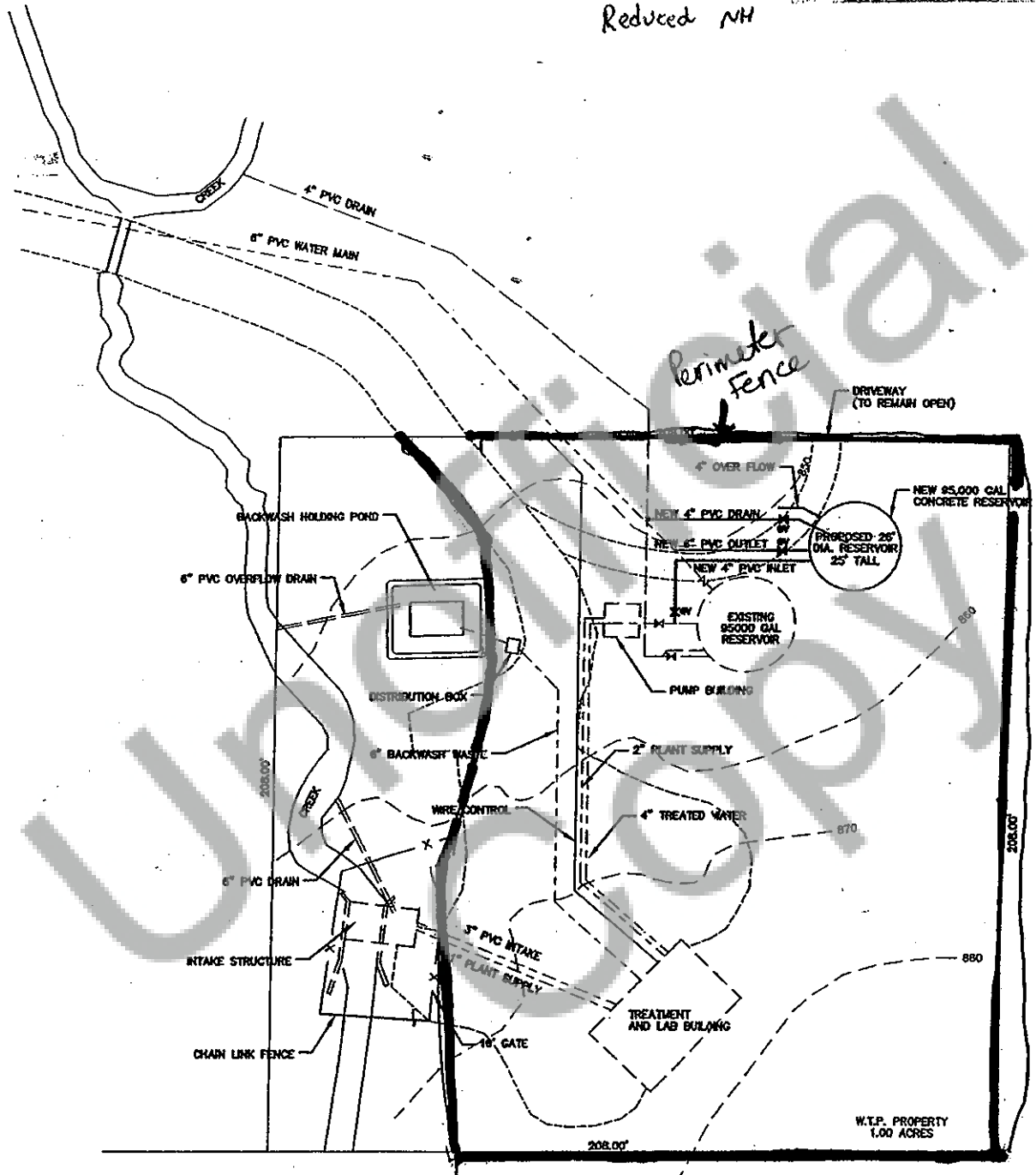
Persons submitting written comments in a timely manner
Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Cowlitz Indian Tribe
Department of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of Washington Department of Community Trade and Economic Development – Dee Caputo
Department of Fish and Wildlife




OCT 25 2006

DEPT. OF PLANNING
AND COMMUNITY DEVELOPMENT

Reduced NH



Jewell RD	REVISIONS		 Taylor Engineering, Inc. Civil Design and Land Planning 228 South Columbia Avenue, Suite 104 Edmonds, Washington 98020 PHONE (206) 772-4444 FAX (206) 772-4444	1 1
	DWG: DOC	DATE: 1-11-08	HOME VALLEY WATER DISTRICT NEW RESERVOIR	
			SECTION 23, T 3 N, R 8 E, W4 Klickitat County, Washington	DWG: 2008-00000001

DC # 2007167996
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WARRANTY DEED

THE GRANTORS, HUSTON K. DILLON and LAURETTA B. DILLON, husband and wife, for and in consideration of the sum of SIX THOUSAND DOLLARS (\$6,000.00), in hand paid, and the following covenants, to-wit:

- (1) A 40-foot easement to grantors, their heirs and assigns, for ingress, egress and utilities over, along, beneath, and above the following described centerline:

Beg. at the westerly edge of the following described property; thence southerly to the south property line described in Book 63, Page 241, Skamania County records.

PROVIDED that there shall be maintained over the land which is subject to this easement, a roadway for ingress and egress, by the Home Valley Water District; said roadway to be maintained according to standards applicable to similar properties under the existing county private road standards;

- (2) Grantors, their heirs and assigns, shall have the right to two (2) water connections to be made to the catchment structure from the water treatment plant treating the Bylan Creek waters. PROVIDED that the Home Valley Water District shall not be obligated to treat the water diverted at this point, nor be responsible for its use; and

- (3) The grantors, their heirs and assigns, shall have a right to a 3/4" service connection at a point 300 feet more or less from the beginning of the transmission line and another service connection at the corner of Berge Road and Bylin Road.

CONVEY AND WARRANT to the HOME VALLEY WATER DISTRICT, the Grantee, the following described real estate situated in the County of Skamania, State of Washington:

Beginning at the Southeast corner of the South Half (S2) of the Northwest Quarter (NW4) of Section 23, Township 3 North, Range 8 E.W.M.; thence northerly along the North-South centerline of said Section 23, 283 feet to the true point of beginning of this description; thence continuing northerly along the North-South centerline 208 feet; thence westerly 208 feet along a line parallel with the East-West centerline of said Section 23; thence southerly 208 feet; thence easterly 208 feet to the true point of beginning. (Contains 1 acre, more or less)

DATED this 20th day of November, 1979.

Huston K. Dillon
Lauretta B. Dillon

STATE OF WASHINGTON

COUNTY OF SKAMANIA

I, the undersigned, a notary public in and for the State of