

Return Address: John Warta
PO Box 1088
Camas, WA 98607

Skamania County
Community Development Department

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

Administrative Decision

APPLICANT: GLW Ventures, LLC

PROPERTY OWNER: GLW Ventures, LLC

FILE NO.: NSA-08-71

PROJECT: To plant Christmas/ nursery trees and grapes on approximately 30.2 acres, and the planting of pines and willow trees for a buffer on the subject parcels located on Turk and Sharleen Roads, Washougal.

LOCATION: Off of Turk and Sharleen Roads, Washougal; Sections 17 and 18 of T1N, R5E, W.M. and is identified as Skamania County Tax Lot Numbers 01-05-17-0-0-0800-00 (35.88 acres), 01-05-17-0-0-0801-00 (2.12 acres), 01-05-18-0-0-0300-00 (41.63 acres), 01-05-18-0-0-0400-00 (20.35 acres), 01-05-18-0-0-0403-00 (4.96 acres), and 01-05-18-0-0-0404-00 (4.94 acres).

LEGAL: Lots 1, 2 and 4 of the Sharleen James Short Plat, Skamania County Auditor's Book 3 Page 65. Also see attached page(s) 7-8.

ZONING: General Management Area- Large-Scale Agriculture (Ag-1).

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

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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:** 50 feet from the centerline of the street or road or 20 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 20 feet. Setbacks are established from property lines, not fence lines. If any question arises regarding the location of the property lines, the applicant shall be required to hire a professional land surveyor to locate the property lines and mark them with temporary staking prior to a building permit being issued. Staking must remain during construction and all building inspections.
- 4) The conditions of approval in the Administrative Decisions for NSA-06-42 and NSA-08-28 remain valid and the cultivation of the proposed Christmas trees, nursery trees and grapes shall be consistent with those conditions of approval.
- 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 Community Development Department.
- 6) Planted vegetation shall be maintained to ensure survival.

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- 7) All exterior lighting shall be hooded and shielded at a 90-degree angle. Hoods/ shields shall be made of nonreflective, opaque material, which does not allow light to pass through.
- 8) Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
- 9) The vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 10) The cultivation shall remain outside of the 50-foot buffer for the non-fish bearing stream located on lot #0300. Review of Water Resource Zone protection can be concluded.
- 11) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development Department. The applicant is to coordinate all inspections with the Community Development Department. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified. A site visit for Final Inspection shall 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 Community Development Department at 509-427-3900.
- 12) 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.

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- 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.
- 13) 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 7th day of April, 2009, at Stevenson, Washington.



Jessica Davenport, Associate Planner
Skamania County Community Development Department

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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 Hearing Examiner, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Community Development Department Office and must be accompanied by a \$500.00 nonrefundable-filing fee and a Certificate of Mailing.

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 Division

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 Tribe
Department of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners

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State of Washington Department of Community Trade and Economic Development – Valerie Grigg
Devis
Department of Fish and Wildlife

Unofficial
Copy

TRANSACTION DOCUMENT

WARRANTY DEED

FOR A VALUABLE CONSIDERATION heretofore received and to be received, DOROTHY MOLINE, a single woman, hereby conveys and warrants unto PAUL R. MARTIN and VERLA M. MARTIN, husband and wife, the following described real property situated in the County of Skamania, State of Washington, to-wit:

That part of the West Half of the Southwest Quarter of Section 17, Township 1 North, Range 5 East of the Willamette Meridian, described as follows:

Commencing at the Northwest corner of the Southwest Quarter of the said Section 17; thence East 20 chains; thence South 18 1/2 chains; thence East 10 chains; thence Southwesterly in a straight line to intersection of West boundary line of said Section 17; thence North 10 chains North of the Southwest corner of said Section 17; thence from said point North 21 chains to the place of beginning;

ALSO: The South Half of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter; the West Half of the West Half of the Southeast Quarter; the West Half of the Southeast Quarter of the Southeast Quarter; and the Southeast Quarter of the Northwest Quarter, all in Section 18, Township 1 North, Range 5 East of the Willamette Meridian, excepting therefrom the following described tract of land: Commencing at the Southwest corner of the Southeast Quarter of the Northwest Quarter of the said Section 18; thence East along the corner line running East and West to the Northwest corner of said Section 18; thence North 10 chains North of the place of beginning; thence North 305 feet North of the place of beginning; thence South to the place of beginning.

STATE OF WASHINGTON)

County of Clark)

Given under my hand and official seal this 27th day of January, 1958.

Paul H. Smith
NOTARY PUBLIC in and for the State
of Washington, residing at Vancouver
therein.

The Machine, 1412 1/2 14TH AVE. S.W. ALBANY, OREGON, and in consideration of the sum of Ten Dollars and no more Valuable Considerations in hand paid, convey and warrant to WILLIAM F. HIGGINS and MARGARET L. ALBINO, husband and wife, the following described real property located in Skamania County, State of Washington, to-wit:

[illegible][illegible]

SUBJECT	CLASS	DATE	TIME	LOCATION	STATUS	REMARKS
SECRET	SECRET	1945	10:00	Public Road	At 10:00	10:00
SECRET	SECRET	1945	10:00	Public Road	At 10:00	10:00
SECRET	SECRET	1945	10:00	Public Road	At 10:00	10:00

the world of tomorrow.

Walter D. Fisher

