

Return Address: Mary Frice
1152 Mars Landing Road
Skamania, WA 98648

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/
PROPERTY
OWNER:**

Mary & Melvin Frice

FILE NO.:

NSA-09-13

PROJECT:

To drill a new six inch potable water well for domestic use.

LOCATION:

1152 Mars Landing Road, Skamania; Section 28 of T2N, R6E, W.M. and is identified as Skamania County Tax Lot Number 02-06-28-0-0-0108-00.

LEGAL:

See attached page(s) 7.

ZONING:

Special Management Area- Forest (F).

DECISION:

Based upon the record and the Staff Report, the application by Mary Frice, 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 Environmental Health Division.

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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) Disturbed areas shall be reseeded with native vegetation.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) The well shall be 100 feet from sources or potential sources of contamination, such as existing septic systems and drain fields.
- 7) Use of plant species native to the landscape setting shall be encouraged. Where non-native plants are used, they shall have native-appearing characteristics to retain the overall character of the Coniferous Woodland landscape setting.
- 8) Once the well is established, the area around the spring fed system shall be restored with native vegetation.

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- 9) A site visit for Final Inspection shall be conducted by the Community Development Department once all work has been completed and conditions of approval have been met. The 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.
- 10) 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.
- 11) 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.

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- 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 may, 2009, at Stevenson, Washington.


Nicole Hollatz, Associate Planner
Skamania County Community Development Department

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.

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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 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

State of WA Department of Community Trade and Economic Development – Valerie Grigg Devis

Department of Fish and Wildlife

SITE PLAN:

North:



Scale: 1 inches = 100 feet



currently uses spring water from artesian spring. Well will supplement.

Bodies of water or watercourses on property: yes ☐ no ☒

I will be removing on-site plants, trees, or other vegetation: yes ☐ no ☒

-If yes to either please indicate location of vegetation removal or watercourses.

I will be moving more than 100 cubic yards of soil: yes ☐ no ☒

Additional pages must have 1" margins

Site plan must be completed in ink.

NOTICE: This is a proposed site plan, it may be revised as required to be in compliance with the Columbia River Gorge National Scenic Area.

81009

BOOK 78

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QUIT CLAIM DEED

THE GRANTORS, JOHN V. GITTINS, a single man, MYRON SCHWARTZ, a single man, and MELVIN G. FRICE and MARY SUE FRICE, husband and wife, for and in consideration of the mutual covenants contained in an agreement to partition real property by and between the parties hereto, convey and quit claim to MELVIN G. FRICE and MARY SUE FRICE, husband and wife, the following described real estate, situated in the County of Skamania, State of Washington, including any after acquired title:

The North 200 Feet of the following described tract:
Beginning at the Northwest corner of the South Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 23, Township 2 North, Range 3 East of the Willamette Meridian, and continuing South along the West line of the Northwest Quarter of the Northeast Quarter and the West line of the Southwest Quarter of the Northeast Quarter a distance of 416 feet; thence East parallel to the South line of the Northeast Quarter of the Northeast Quarter a distance of 208 feet; thence North parallel to the West line of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter a distance of 416 feet; thence West along the South line of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter to the point of beginning.

TOGETHER WITH an easement for purposes of ingress, egress and utilities across an existing road as described in that certain Warranty Fulfillment Deed wherein the Grantor is Steven R. Rosen, a single man, and the Grantees are John V. Gittins, a single man, Myron Schwartz, a single man, and Melvin G. Frice and Mary Sue Frice, husband and wife, recorded on September 21, 1978 in Book 75 of Deeds, Pages 401-402, under Assessor's File No. 47504, records of Skamania County, Washington.

_____ day of _____ June _____, 1978.

7603

Melvin G. Frice
MELVIN G. FRICE

TRANSACTION EXCISE TAX

Mary Sue Frice