

Return Address: Gaylen and Bonnie Kiltow  
4810 NE 40<sup>th</sup>  
Portland, OR 97211

## Skamania County Community Development Department

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-3900 FAX 866 266-1534

### Administrative Decision

**APPLICANT/  
OWNER:**

Gaylen and Bonnie Kiltow

**FILE NO.:**

NSA-10-16

**PROJECT:**

Application to install a new on-site septic system and decommission the existing septic system.

**LOCATION:**

Cabin #7, Interlaken Resort, Stevenson; Section 11 of T2N, R7E, W.M. and is identified as Skamania County Tax Lot Numbers 62-07-11-0-0-5107-00.

**ZONING:**

General Management Area – Large Woodland (F-2).

**DECISION:**

Based upon the record and the Staff Report, the application by Gaylen and Bonnie Kiltow, 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.

Skamania County Community Development Department  
File: NSA-10-16 (Kiltow) 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 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) 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.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) Conditions of Approval to ensure protection of the water resource and its buffer shall include:
  - a. The 75 foot water resource buffer around Wishram Lake shall be retained in its natural condition. Where buffer disturbance occurs during project development, revegetation with native vegetation shall be required and shall provide and maintain habitat diversity beneficial to the fish, wildlife and native plants.
  - b. The proposed development shall be constructed using best management practices.
  - c. Areas disturbed during construction shall be rehabilitated to the maximum extent practicable.

Skamania County Community Development Department  
 File: NSA-10-16 (Kiltow) Administrative Decision  
 Page 3

- d. All natural vegetation shall be retained to the greatest extent practicable, including aquatic and riparian vegetation.
  - e. Temporary and permanent control measures shall be applied to minimize erosion and sedimentation, including slope netting, berms and ditches, tree protection, sediment barriers and Best Management Practices.
  - f. Where project development occurs, the applicant shall revegetate with native vegetation in order to provide and maintain habitat diversity beneficial to the wildlife and native plants.
- 7) The applicants shall plant approximately 100 conifer seedlings as mitigation for the tree removal prior to Final Inspection.
- 8) The applicant shall contact the Community Development Department at 509-427-3900 for a Final Inspection, after the replacement on-septic has been installed and graded areas have been reseeded, to ensure compliance with all conditions of approval.
- 9) 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.
- 10) 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.

Skamania County Community Development Department  
File: NSA-10-16 (Kiltow) Administrative Decision  
Page 4

- 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 7 day of September, 2010, 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.

#### EXPIRATION

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 once development has commenced the development action is discontinued for any reason for one continuous year or more.

Skamania County Community Development Department  
File: NSA-10-16 (Kiltow) Administrative Decision  
Page 5

If the development does not include a structure the permit shall expire two years after the date the land use approval was granted unless the use or development was established according to all specifications and conditions of approval in the approval. For land divisions, "established" means the final deed or plat has been recorded with the county auditor.

If the development includes a **structure** the permit shall expire when construction has not commenced within two (2) years of the date the land use approval was granted; or once the structure has been started and if the structure has not been completed within two (2) years of the date of commencement of construction the permit shall expire. Completion of the structure for this purpose means the completion of the exterior surface(s) of the structure; and compliance with all conditions of approval in the land use approval, including, but not limited to, painting of the exterior of the structure.

### **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 and must be accompanied by a \$1,300.00 nonrefundable-filing fee and a Certificate of Mailing.

The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying government action was exempt from SEPA review, this section does not apply.

### **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:

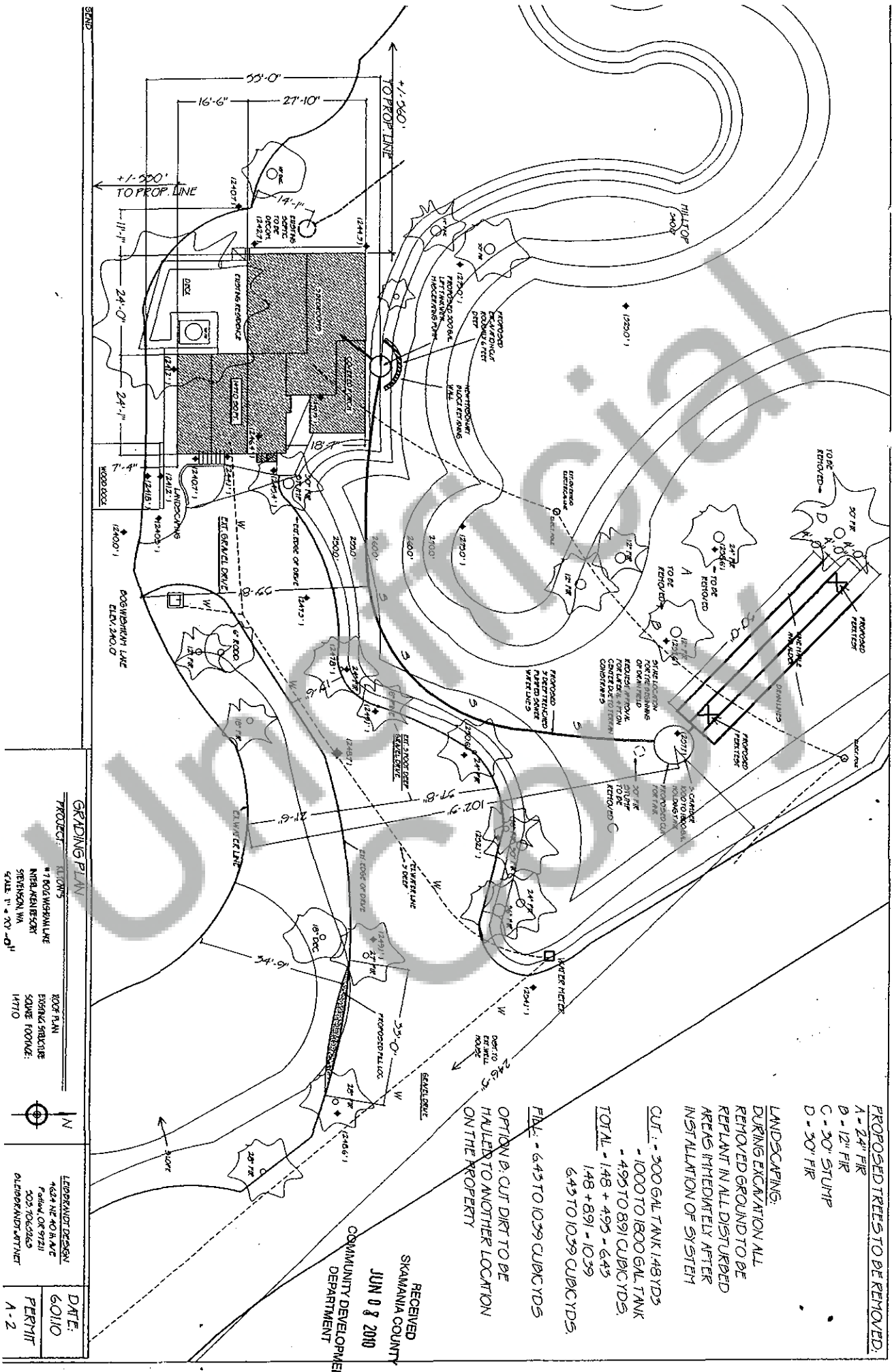
Persons submitting written comments in a timely manner

Skamania County Community Development Department  
File: NSA-10-16 (Kiltow) Administrative Decision  
Page 6

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 - electronic  
State of Washington Department of Commerce – electronic  
Department of Fish and Wildlife

Unofficial  
Copy





**PROPOSED TREES TO BE REMOVED:**

- A - 24" FIR
- B - 12" FIR
- C - 30" STUMP
- D - 30" FIR

**LANDSCAPING:**  
 DURING EXCAVATION ALL  
 REMOVED GROUND TO BE  
 REPLANT IN ALL DISTURBED  
 AREAS IMMEDIATELY AFTER  
 INSTALLATION OF SYSTEM

**CUT:** - 300 GAL TANK 148 YDS  
 - 1000 TO 1800 GAL TANK  
 - 495 TO 891 CUBIC YDS  
**TOTAL:** 148 + 495 = 643  
 643 TO 1039 CUBIC YDS

**FILE:** - 643 TO 1039 CUBIC YDS  
**OPTION B:** CUT DIRT TO BE  
 HULLED TO ANOTHER LOCATION  
 ON THE PROPERTY

RECEIVED  
 SKAMANIA COUNTY  
 JUN 08 2010  
 COMMUNITY DEVELOPMENT  
 DEPARTMENT

