

Return Address: Tim Counihan and Jennifer Bayer
282 Cooper Avenue
Underwood, WA 98651

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/
PROPERTY
OWNER:**

Tim Counihan and Jennifer Bayer

FILE NO.:

NSA-10-10

PROJECT:

Application to divide a 10.75 acre parcel into a 5.20 acre parcel and a 5.55 acre parcel.

LOCATION:

282 Cooper Avenue, Underwood; Section 22 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-22-1-1-0700-00.

LEGAL:

See attached page 7.

ZONING:

General Management Area – Residential 5 (R-5).

DECISION:

Based upon the record and the Staff Report, the application Tim Counihan and Jennifer Bayer, 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

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issues are under the jurisdiction of Skamania County's Building Division and the Skamania County Environmental Health Division.

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) No land disturbing activities or development shall occur on lands contained within this land division without prior approval consistent with the Columbia River Gorge National Scenic Area.
- 4) The applicant shall backfill the soil test pits and reseed the disturbed area with native grass seed. The soil test pits may be backfilled after an Environmental Health Specialist has completed their site visit and given verbal approval, or after the Site Evaluation has been issued.
- 5) No trees are approved to be removed as part of this land division. Existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes, or as part of forest management practices.
- 6) 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

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- 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.
- 7) 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 12 day of July, 2010, at Stevenson, Washington.

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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.

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.

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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
Skamania County Commissioners (electronic)

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

WHITE OAK SHORT PLAT

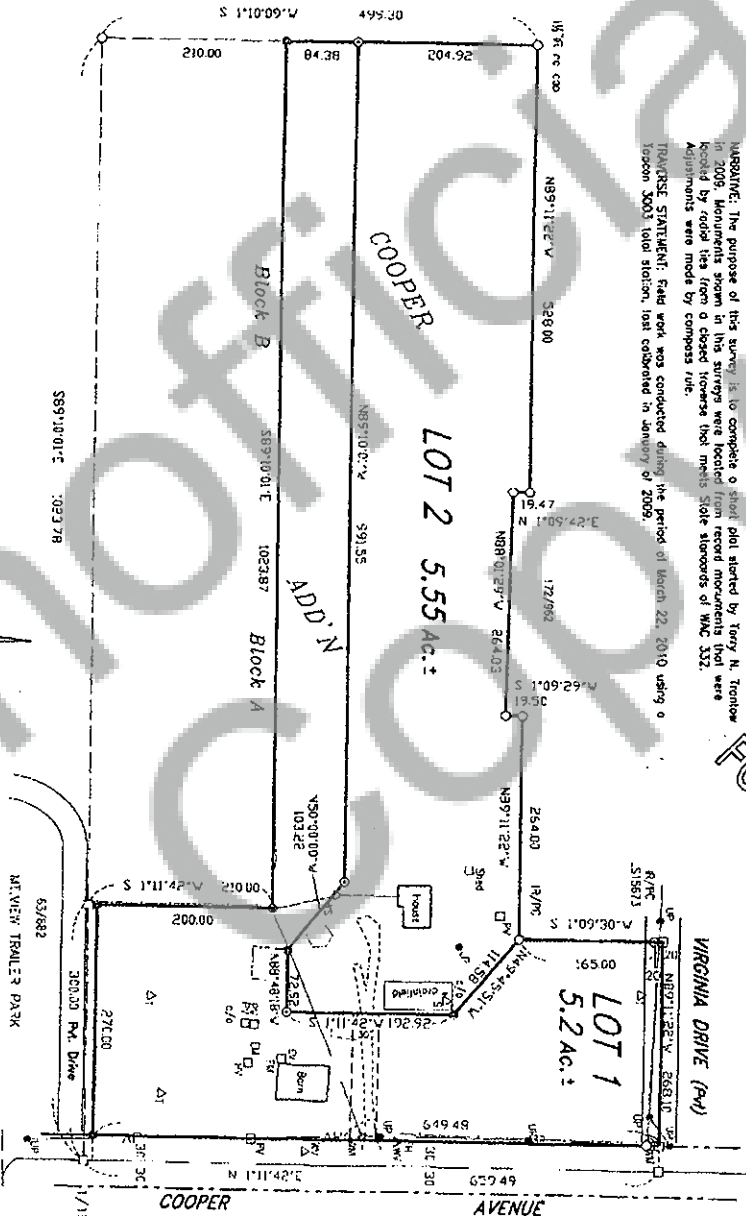
in NE 1/4 NE 1/4 Sec. 22, T3N, R10E, W.M.

Tax Parcel No. 03-10-22-1-1-0700-00

ABSTRACT: The purpose of this survey is to complete a short plat started by Terry N. Trantow in 2008. Monuments shown in this survey were located from record monuments that were located by total the from a closed traverse that meets State standards of WAC 332. Adjustments were made by compass rule.

TRaverse Statement: Field work was conducted during the period of March 22, 2010 using a Topcon 3003 total station, last calibrated in January of 2009.

FOR REVIEW



LEGEND

- ⊙ Set 5/8" x 30" rebar w/red plastic cap (Green & Associates VA 42620)
- Found Trantow Surveying, Inc. 5/8" iron rod w/1" red plastic cap is 15673
- Calculated for dimensions
- Found monument of record
- () Coll of record
- 172/962 Deed Reference, Bk/Pg
- ΔS Septic location, (L/S) Septic clean-out
- ΔI Septic test location
- x Fenceline
- ⊕ Utility pole, (LP) light pole
- | Electric line
- ⊕ Electric woul. (PV) telephone
- EM Electric meter
- ΔW Water meter (WV) meter, (WS) spigot
- ΔH (PV) fire hydrant
- x Wasteline

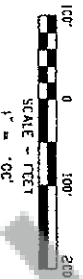
Trantow Surveying makes no warranty as to matters of unadvised title, environmental concerns, the accuracy or position of features shown without dimension.

REFERENCES:

1. BK. A PG. 58 of Plat (1912)
2. BK. 1 PG. 107 of Short Plat AF102704
3. BK. 1 PG. 247 of Survey, AF127124
3. BK. 1 PG. 351 of Short Plat, AF135031

APPLICANTS:

Janet Boyer & Timothy Conahan
282 Cooper Road
Underwood, WA 98651



RECEIVED
SKAGAWA COUNTY
APR 06 2010
COMMUNITY DEVELOPMENT
DEPARTMENT

TRANTOW SURVEYING, INC.
LAND SURVEYING - PLANNING
BINGHAM WA 98505-0287
PH (509) 825-9111
FAX (509) 825-4242
EMAIL: trantow@trantowinc.com



SHEET 2 OF 2
WHITE OAK SHORT PLAT
SKAGAWA COUNTY, WASHINGTON
1/4 SEC 1 R
22 3N 10E

CONTACT COUNTY

EXHIBIT 'A'

PARCEL I

A tract of land in the Northeast Quarter of the Northeast Quarter of Section 22, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Lot 4 of the Virginia Tate Short Plat, recorded in Book 3 of Short Plats, Page 107, Skamania County Records.

EXCEPT THAT PORTION conveyed to Paul Tate, et ux, recorded in Book 172, Page 962.

ALSO EXCEPT THAT PORTION conveyed to Vernon N. Ellison, et ux, by instrument recorded December 18, 1998 in Book 184, Page 718.

PARCEL II

Lots 1 to 22 Block A and Lots 1 to 20 Block B COOPER'S ADDITION TO UNDERWOOD recorded in Book 'A' of Plats, Page 58, in the County of Skamania, State of Washington.

EXCEPT THAT PORTION conveyed to Vernon N. Ellison, et ux, by instrument recorded in Book 184, Page 718.

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APR 08 2010
COMMUNITY DEVELOPMENT
DEPARTMENT