

Return Address: Skamania County PUD No. 1
Attn: Scott Fielding
P.O. Box 500
Carson, WA 98610

Skamania County
Community Development Department
Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
Phone: 509-427-3900 Inspections: 509-427-3922

Administrative Decision

**APPLICANT/
PROPERTY
OWNER:** Skamania County PUD No. 1, Scott Fielding

FILE NO.: NSA-12-05

PROJECT: To construct a redundant transformer sequence (transformer, breaker, voltage regulator, regulator bypass structure, and underground conduits) within the fenced area at the existing Underwood Substation, and to install an oil and water separator vault and grass lined swale outside of the fenced area.

LOCATION: 331 Newell Road, Underwood, Section 15 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-15-0-0-1001-00.

LEGAL: See attached 7.

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

DECISION: Based upon the record and the Staff Report, the application Skamania County PUD No. 1, 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 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) 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) The exterior of the proposed structure shall be dark earth-tone in color. This includes the redundant transformer sequence and visible portions of the oil and water separator vault, such as risers. The dark brown, "Container Brown", submitted by the applicant is approved. Any proposed changes to this color shall be submitted for review by the Community Development Department prior to construction.

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- 7) Except as necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained.
- 8) 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 Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
- 9) The Community Development Department will 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 foundation excavation has been completed including framing footers, but prior to pouring the foundation. 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 inspection line at 509-427-3922 or through the permit center public portal at <https://co-skamania-wa.smartgovcommunity.com/portal/Public/Welcome>.
- 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.

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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.
 - 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 3rd day of May, 2012, at Stevenson, Washington.


 Jessica Davenport, Planning Manager
 Planning Division

NOTES

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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 \$2,450.00 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

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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 (electronic)

Nez Perce Tribe

Cowlitz Tribe

Department of Archaeology and Historic Preservation

Columbia River Gorge Commission (electronic)

U.S. Forest Service - NSA Office (electronic)

Board of County Commissioners (electronic)

State of Washington Department of Commerce – Paul Johnson (electronic)

Department of Fish and Wildlife (electronic)

Underwood Substation
Case No. 20000306

AFTER RECORDING, RETURN TO
Bonneville Power Administration
TRF-3
P.O. BOX 3621
PORTLAND, OR 97208-3621

Consideration is \$189,077.00

QUITCLAIM DEED and BILL OF SALE

THIS DEED made this 15th day of March, 2006, between the UNITED STATES OF AMERICA, Department of Energy, Bonneville Power Administration, (Bonneville) hereinafter called Grantor, and PUBLIC UTILITY DISTRICT NO. 1 OF SKAMANIA COUNTY (Skamania) hereinafter called Grantee.

NOW THEREFORE, Grantor, hereby remises, releases, and quitclaims unto the Grantee, its successors and assigns, all Grantor's right, title, interest and claim in and to the Grantor's Underwood Substation Site 2 (Substation) situated in W1/2SW1/4 and the NW1/4SW1/4 of Section 15, Township 3 North, Range 10 East, Willamette Meridian, Skamania County, Washington, as more particularly described as follows:

Parcel 1: A parcel of land in the W1/2SW1/4 of Section 15, Township 3 North, Range 10 East, Willamette Meridian, Skamania County, Washington, describe with reference to the Washington Coordinate System, South Zone, as follows:

Beginning at a Bonneville Power Administration monument which is South 41°09'50" East, 1565.4 feet from the West quarter corner of Section 15. This corner is evidenced by a 1/2 inch iron pipe. Thence North 06°38'40" West, 177.4 feet; thence South 87°11'00" East, 242.6 feet; thence South 02°49'00" West, 372.3 feet; thence South 42°08'00" West, 236.8 feet to the center of Newell Road; thence North 06°38'40" West, 385.8 feet to the point of beginning.

Parcel 2: A parcel of land in the NW1/4SW1/4 of Section 15, Township 3 North, Range 10 East, Willamette Meridian, Skamania County, Washington, described with bearings referred to the Washington Coordinate System-South Zone, as follows:

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Beginning in the west line of the Underwood Substation Site 2, Parcel 1 at BPA Monument that is South 41°09'50" East, 1565.4 feet from the West quarter corner of Section 15. This corner is evidenced by a ½ inch iron pipe. Thence South 06°38'40" East, 94.7 feet to the center of a Skamania County Road (Newell Road). Thence along the center of said road North 30°27'55" West, 71.5 feet. Thence North 57°27'50" West, 50.3 feet. Thence North 81°00'35" West, 49.9 feet. Thence South 79°41'40" West, 48.4 feet to the intersection of the centerline of Skamania County Road No. 96. Thence along the centerline of County Road No. 96 North 14°14'40" West, 42.2 feet. Thence North 00°51'20" East, 45.0. Thence North 41°19'50" East, 44.3 feet. Thence North 56°23'30" East, 46.1 feet. Thence North 56°03'30" East, 70.1 feet. Thence leaving the centerline of the road South 87°11'00" East, 27.7 feet to the Northwest corner of the Underwood Substation Site 2, Parcel 1. Thence South 06°38'40" East, 177.4 feet to the point of beginning.

Gary H. Martin, Skamania County Assessor

Date 5/2/06 Parcel # CS PT 3-10-15-1001

Warranty Deed recorded on December 19, 1972, in Book 64, Page 815, No. 75620, Records of Deed in Skamania, County, Washington.

This grant is further subject to the terms and conditions contained in the Agreement for Disposition of said Substation between the Parties executed on 17th day of November, 2005.

RESERVING, to the Grantor and its assigns, a perpetual easement and right to enter including ingress and egress, inspect, operate, maintain, repair, replace and/or upgrade the existing Grantor equipment within the Underwood Substation site. The Grantee may continue to use Grantor's easement area for substation purposes, including keeping the existing substation equipment within the easement area.

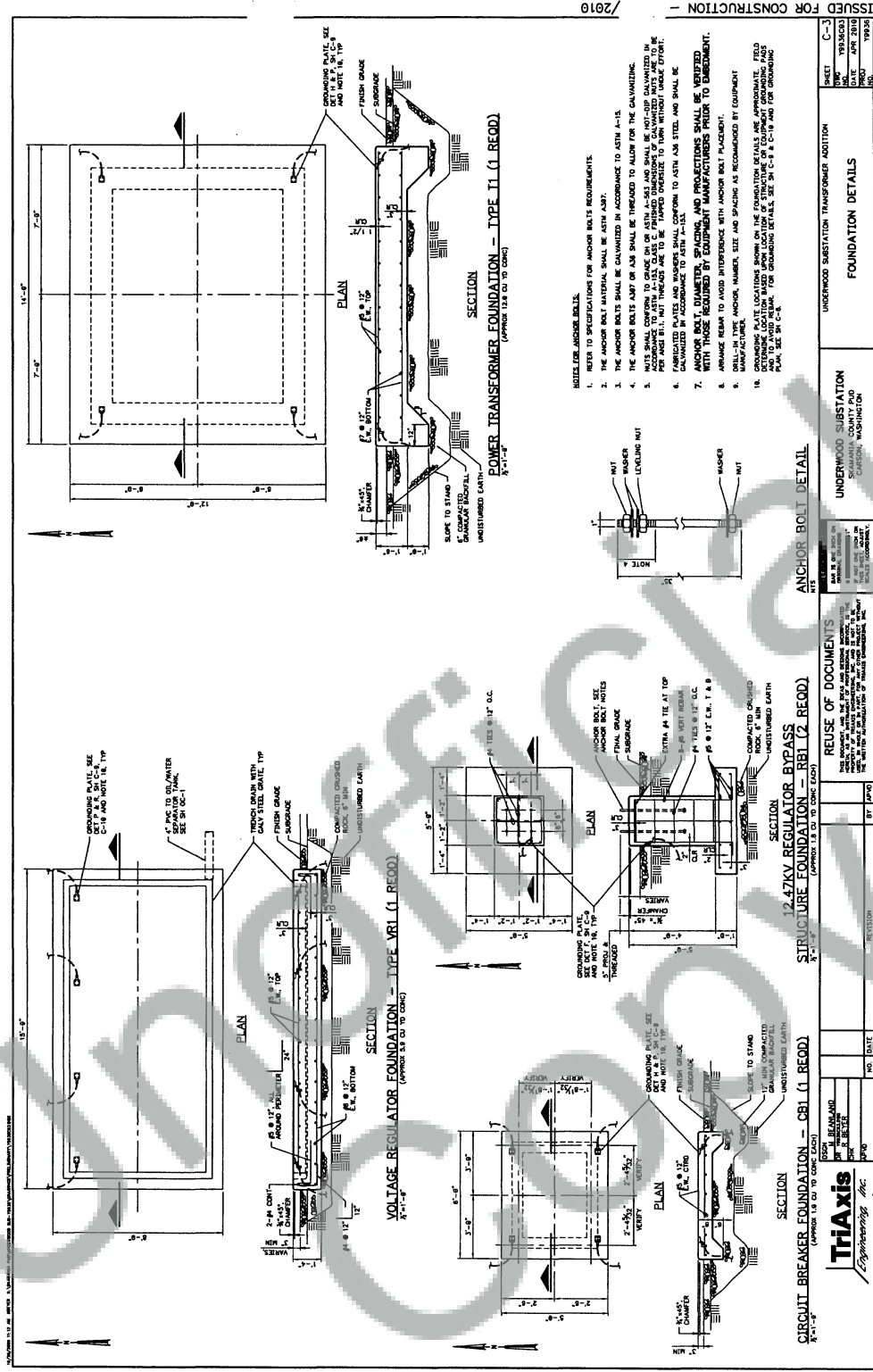
RESERVING, also, to the Grantor a permanent easement over the access road and the entire facility at Underwood Substation to enter and erect, operate, maintain, repair, rebuild, and patrol one or more electric power transmission lines and appurtenant signal lines, poles, towers, wires, cables, and appliances necessary in connection therewith, in, upon, over, under, and across the substation for the existing overhead transmission line.

SUBJECT TO, easements and reservations for public roads and highways, public utilities, railroads, pipelines and other encumbrances of record, and also existing easements, if any, not shown of record.

IN ADDITION, Grantor releases and conveys to Grantee the improvements located thereon and as described in the attached Exhibit A, incorporated herein by reference. The improvements located thereon and retained by the Grantor are described in the attached Exhibit B.

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ISSUED FOR CONSTRUCTION - 1 /2010

