

Return Address: Underwood Conservation District
P.O. Box 96
White Salmon, WA 98672

Skamania County
Community Development Department
Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 1009
Stevenson, Washington 98648
Phone: 509-427-3900 Inspection Line: 509-427-3922

Administrative Decision

APPLICANT: Underwood Conservation District

PROPERTY OWNER: Windwood, LLC, Anna Fiasca & Daniel Gunderson

FILE NO.: NSA-12-04

PROJECT: Little Wind Community Habitat Restoration Project which proposes to restore and enhance habitat in order to aid in the recovery of Lower Columbia Coho Salmon, Lower Columbia Steelhead, Fall Chinook and sea-run Cutthroat. The project will introduce large woody debris, in combination with gravels and large boulders, into the main stem of the Little Wind River and its floodplain, and riparian plantings.

LOCATION: The project is located in the Little Wind River near the Wind River confluence, Home Valley; Section 22 of T3N, R8 E, W.M., and identified as Skamania County Tax Lots #03-08-22-3-0-0501-00, 03-08-22-3-0-0600-00, and 03-08-22-3-0-0700-00.

LEGAL: See attached page(s) 6-10.

ZONING: General Management Area –Small Woodland (F-3) and Commercial Recreation (CR).

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DECISION: Based upon the record and the Staff Report, the application Underwood Conservation District, 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.

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) A variance to the 100-foot buffer to the Little Wind River and the 100-foot buffers to the eight wetlands within the project vicinity is approved in order to allow for the work of the proposed fish enhancement project to occur within the buffers as proposed.
- 4) The temporary access roads shall be constructed in a manner that will minimize grading activities and retain the existing topography to the maximum extent practicable. Upon completion of the project the temporary access roads shall be abandoned and re-vegetated with native vegetation.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) All natural vegetation shall be retained to the greatest extent practicable, including aquatic and riparian vegetation.

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- 7) In order for the project to result in the minimal feasible impacts to water quality, natural drainage and fish and wildlife habitat, nonstructural controls and natural processes shall be used to the greatest extent practicable.
- 8) Water crossings shall be minimized and should serve multiple purposes.
- 9) 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.
- 10) Riparian areas shall be rehabilitated to their original configuration, including slope and contour.
- 11) Fish and wildlife habitat features shall be replicated, including pool-riffle ratios, substrata and structures, large woody debris and boulders.
- 12) Stream channels and banks, shorelines and riparian areas shall be replanted with native plant species that replicate the original vegetation community.
- 13) Rehabilitation and enhancement efforts shall be completed no later than ninety (90) days after construction, or as soon thereafter as is practicable.
- 14) Within three (3) years after the site is replanted, a minimum of 75% of the replacement vegetation must survive.
- 15) The applicant shall monitor, maintain and replace the re-vegetated and restored areas within the wetland areas that will be enhanced and restored for the project for a minimum of five (5) years. At a minimum, a project applicant shall prepare an annual report that documents milestones, successes, problems and contingency actions. Photographic monitoring shall be used to monitor all rehabilitation and enhancement efforts.
- 16) The applicant shall monitor, maintain and replace the re-vegetated and restored areas within the stream and riparian areas that will be enhanced and restored for the project for a minimum of three (3) years. At a minimum, a project applicant shall prepare an annual report that documents milestones, successes, problems and contingency actions. Photographic monitoring shall be used to monitor all rehabilitation and enhancement efforts.
- 17) The Community Development Department will conduct a site visit for Final Inspection to ensure that all conditions of approval have been met. Inspections 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> .

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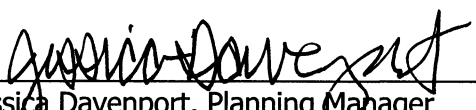
- 18) The following procedures shall be effected when cultural resources are discovered during construction activities:
 - a) Halt Construction. All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance 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.

- 19) 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.

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- 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 6th day of September, 2012, at Stevenson, Washington.



 Jessica Davenport, Planning Manager
 Planning Division

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

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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 1009, 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

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)

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State of Washington Department of Commerce – Paul Johnson (electronic)
Department of Fish and Wildlife (electronic)
Washington Natural Heritage Program (electronic)

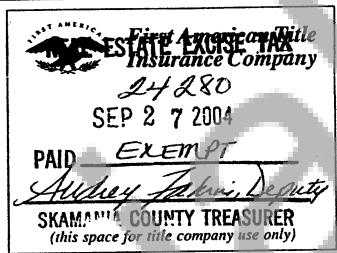
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Doc # 1887107303
Page 1 of 2
Date: 09/24/2004 04:47P
Filed by: WINDWOOD LLC
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$28.00

AFTER RECORDING MAIL TO:
Name WINDWOOD LLC
Address 221 INDIAN CABIN RD.
City / State STEVENSON, WA. 98648

Quit Claim Deed

THE GRANTOR LONNA D. ST. MARTIN
for and in consideration of Love + Affection
conveys and quit claims to WINDWOOD LLC



the following described real estate, situated in the County of Skamania, State of Washington,
together with all after acquired title of the grantor(s) therein:

Lot 2 Sec 22 T3N. R. 8E. W. M. + S 1/2 SW 1/4
SW 1/4 Sec 22 T3N R. 8E. W. M. + Mineral
Interest in N 1/2 SW 1/4 SW 1/4 Sec 22
T3N R 8E. W. M. All in Skamania County
Washington

Gary H. Martin, Skamania County Assessor
Date 9-24-04 Parcel # 03-08-22-30-0600-00
03-08-22-30-0601-00
03-08-22-30-501-01

Assessor's Property Tax Parcel/Account Number(s): 03 08 22 3 0 0 6 0 0
03 08 22 3 0 0 6 0 1
0308 22 300 501 01 (Mineral Interest)
Dated Sept. 24 2004
Lonna D St Mart
(Individual)

By _____
(Individual) (President)
By _____
(Secretary)

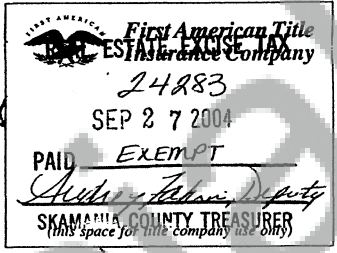
Doc # 2004154588
Page 1 of 2
Date: 09/24/2004 04:46P
Filed by: WINDWOOD LLC
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$20.00

AFTER RECORDING MAIL TO:

Name WINDWOOD LLC
Address 221 Indian Cabin Rd
City/State Stevenson WA 98648

Quit Claim Deed

THE GRANTOR Sonda A Gundersen, Raris M. Gundersen, Chessed B. Gundersen, Olive C. Gundersen, St. Martin, Faith Gundersen Binkley
for and in consideration of Love + Affection
conveys and quit claims to WINDWOOD LLC



the following described real estate, situated in the County of Skamania, State of Washington,
together with all after acquired title of the grantor(s) therein:

A Portion of N 1/2 SW 1/4 SW 1/4 Sec 22 T 3N R. 8. E. W. M.
Together w. easement to Indian Cabin Rd

Gary H. Martin, Skamania County Assessor
Date 9-24-04 Parcel # 03-08-22-30-0501-00

Assessor's Property Tax Parcel/Account Number(s): 0308 22 30 0501 00

Dated 9/24/04, 19____
[Signature]
(Individual)
By _____ (President)
By _____ (Secretary)

Filed for Record at request of:

JOSEPH L. UDALL
Attorney at Law
PO Box 858
Stevenson, WA 98648

FILED FOR RECORD
SKAMIA COUNTY, WASH
BY Joseph Udall

Nov 28 4 17 PM '94
P. Savory

RECEIVED
CARMEL OLSON

121142 CONTACT Mortgage COUNTY BOOK #47 PAGE 217

THE MORTGAGOR DANIEL GUNDERSEN and ANNA FIASCA, single persons,
mortgage to ILS CRANEY and FLORENCE CRANEY, married persons, and DAVID THOMPSON and
THOMAS THOMPSON, married persons.

to secure payment of the sum of Twenty Five Thousand and 00/100 Dollars, (\$25,000.00),
according to the terms of a promissory note bearing even date,
the following described real estate, situated in the County of Skamania State of
Washington:

The southeast quarter of the southwest quarter of Section 22, Township 3 north,
Range 8 east of the Willamette Meridian, located in Skamania County, Washington;
TOGETHER WITH a permanent easement on and over an existing logging road 40 feet in
width running across and along the south side of the southwest quarter of the
southeast quarter of the aforesaid Section 22, for the purpose of ingress and egress
to and from the tract herein conveyed, to the County Road known as the Kelly-Henke
Road.

SUBJECT TO those easement, terms, conditions, agreements, and reservations as
recorded in Recording No. 23785, Volume 2, Page 215 and as recorded under Auditor's
File Numbers 48531, 49811, 51397, 83634, 69209, 87392, 85557, 86125 and those
reservations contained in deed recorded under Recording No. 52577, Volume 41, page
68, Records of Skamania County, Washington.

And the mortgagors promise and agree to pay before delinquency all taxes, special
assessments and other public charges levied, assessed or charged against said described
premises.

In case the mortgagors shall fail to pay any installment of principal or interest
secured hereby when due or to keep or perform any covenant or agreement aforesaid, then
after due notice in writing granting a reasonable period to cure, and if mortgagor fails
to cure said default within the time specified, the whole indebtedness hereby secured
shall forthwith become due and payable, at the election of the mortgagees.

DATED this 15th day of August, 1994.

DANIEL GUNDERSEN

Anna Fiasca
ANNA FIASCA

STATE OF WASHINGTON
County of Skamania

On this day personally appeared before me DANIEL GUNDERSEN and ANNA FIASCA, who
known to be the individuals described in and who executed the within instrument, and
instrument, and acknowledged that they signed the same as their free and voluntary act and
deed, for the uses and purposes therein mentioned.
GIVEN UNDER MY HAND and official seal this 15th day of August, 1994.

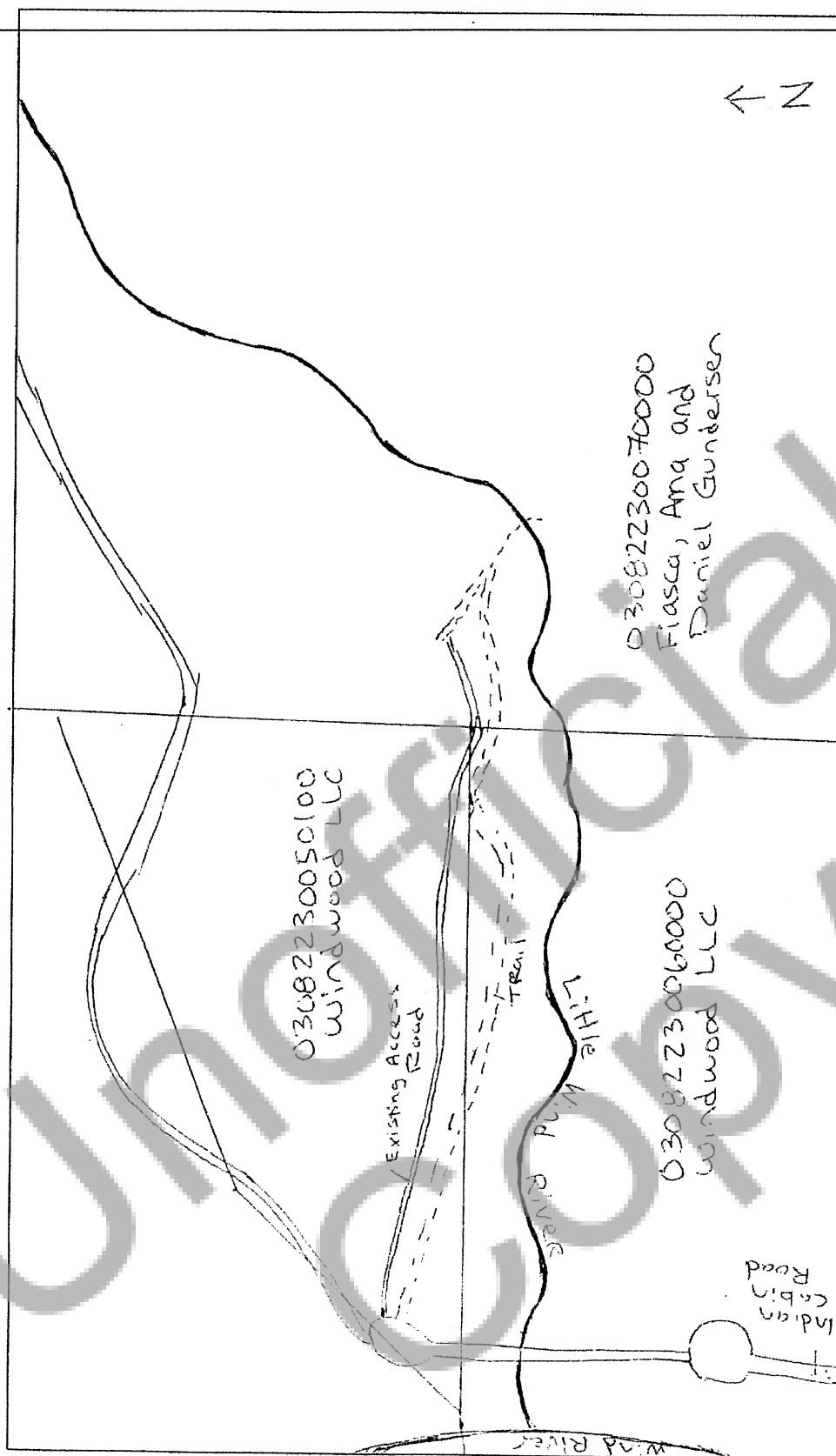
Registered ☒
Indexed, Eir ☒
Insured ☒
Filed ☒
Mailed ☒

Notary Public for the State of Washington
Residing at Stevenson, WA 98648
My Commission Expires 11/28/99

Glenn J. Kimmel, Skamania County Auditor
By: [Signature] Parcel # 3-8-22-3-0700 1/25/94

SITE PLAN

*Use this template or attach a separate site plan drawing.



Name: Underwood Conservation District	Site Address: 452 Indian Cabin Rd Home Valley WA 98648	Scale used: see additional maps for scaled maps
Mailing Address: P.O. Box 96 98672 White Salmon WA	Tax Parcel Number: see above	Date: 6/24/11

