

AFTER RECORDING MAIL TO:

Property Management Program
Washington State Parks & Recreation Commission
PO Box 42650
Olympia, WA 98504-2650

Document Titles (s)

Community Development Department – Administrative Decision

Reference numbers of related documents:

Recording #104206 - Book 107 Page 263

Grantor(s):

Skamania County

Grantee(s):

Washington State Parks & Recreation Commission

Legal Description:

A portion of Beacon Rock State Park in Section 35, Township 2N, Range 6E, W.M.
Skamania County, WA

Assessor's Property Tax Parcel Account Number(s):

02-06-35-0-0-0201-00

Return Address: WSPRC

Attn: Alex Wunsch
1111 Israel Road SW
Olympia, WA 98504-2650

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:**

Washington State Parks & Recreation Commission

FILE NO.:

NSA-14-39

PROJECT:

To construct a new kitchen shelter (30' x 22') and an 80' x 5' asphalt trail in the Beacon Rock State Park day use area.

LOCATION:

Beacon Rock State Park; Skamania, Section 35 of T2N, R6E, W.M. and is identified as Skamania County Tax Lot Number 02-06-35-0-0-0201-00.

LEGAL:

See attached pages N/A.

ZONING:

Special Management Area – Public Recreation (P).

DECISION:

Based upon the record and the Staff Report, the application by WSPRC, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved**.

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.

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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) Best Management Practices (BMPs) shall be used on site throughout the construction period.
- 5) Contractors shall do all that is reasonable and practicable to prevent impacts to the native plant community. Additionally, the contractor shall to the greatest extent possible, prevent entry of non-native plant material, including but not limited to the cleaning of equipment before it enters the construction site. Contractor shall effectively remove all debris that may contain plant material, especially any plant seed, prior to entering the site.
- 6) The existing tree cover screening the site from key viewing areas shall be retained. The limbing and topping of screening trees is prohibited.
- 7) Only that grading which is necessary for site development (building pads, utilities, etc.) shall be allowed. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Community Development Department. Planted vegetation shall be maintained to ensure survival.
- 8) The exterior of the proposed structure shall be dark earth-tone in color. The following colors are consistent with this condition and are hereby approved:

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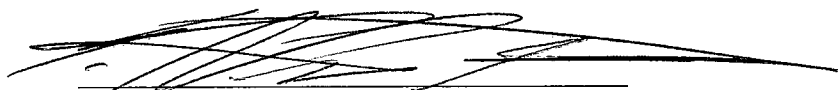
Kitchen Shelter	
Siding, Fascia, and Trim	Wood painted with "Rodda Oxford Brown" CP103 or equal
Doors	Painted with "Rodda Russian Green" CP 50 or equal
Roofing	Enviroshake composite in "Aged Cedar".
Chimney and Accent	Stone (native basalt masonry if possible) Concrete (tinted to a dark gray)
Trail	Asphalt

- 9) The 200-foot buffers for the Columbia River and Duncan and Woodward Creeks shall remain undisturbed. All natural vegetation within the buffer zone shall be retained. Appropriate protection and maintenance techniques shall be applied, such as fencing, conservation buffers, and noxious weed control.
- 10) The Community Development Department will conduct a Final Inspection after the work has been completed. Each 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.
- 11) Within one (1) year of project completion, eighty percent (80%) of the project area with surface disturbances shall be established with effective native ground cover species or other soil stabilizing methods to prevent soil erosion until the area has eighty percent (80%) vegetative cover.
- 12) The following procedures shall be followed 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.

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- 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.
- 13) The following procedures shall be followed 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 29 day of October, 2015, at Stevenson, Washington.



Nicole McDermott, Interim Planning Consultant
 Skamania County Community Development Department

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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.

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.

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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

