

WHEN RECORDED RETURN TO:

USDA Forest Service, CRGNSA
Attn: Nicole Carver
902 Wasco Street, Ste. 200
Hood River, OR 97031

DOCUMENT TITLE(S)

Skamania County Community Development Dept. Administrative Decision NSA-15-12

REFERENCE NUMBER(S) of Documents assigned or released:

☐ Additional numbers on page _____ of document.

GRANTOR(S):

☐ Additional names on page _____ of document.

GRANTEE(S):

☐ Additional names on page _____ of document.

LEGAL DESCRIPTION (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

T. 3 N., R. 8 E., Section 36 - see page 7 for additional legal descriptions

☒ Complete legal on page 7 of document.

TAX PARCEL NUMBER(S):

Tax Lot #:03-08-36-0-0-0700-00 (St. Pierre)

Tax Lot #:03-08-36-0-0-0701-00 (CRGNSA)

☐ Additional parcel numbers on page _____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

Return Address: USFS National Scenic Area
Attn: Berta Romio
902 Wasco Avenue, Ste. 200
Hood River, OR 97031

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: U.S. Forest Service Columbia River Gorge National Scenic Area (CRGNSA)

PROPERTY OWNERS: Annette St. Pierre and United States of America (CRGNSA)

FILE NO.: NSA-15-12

PROJECT: To conduct a boundary line adjustment that will swap equal portions of land (1.23 acres) between parcel no. 03-08-36-0-0-0700-00 (St. Pierre) and parcel no. 03-08-36-0-0-0701-00 (USFS CRGNSA) due to a physical encroachment.

LOCATION: 52101 SR 14, Home Valley; Section 36 of T3N, R8E, W.M. 52101 SR 14, Home Valley; Section 36 of T3N, R8E, W.M., and identified as Skamania County Tax Lot #03-08-36-0-0-0700-00 (St. Pierre) and

Skamania County Tax Lot #03-08-36-0-0-0700-00, Home Valley; Section 36 of T3N, R8E, W.M. (CRGNSA)

LEGAL: See attached page 7

ZONING: Special Management Area – Forest (F)

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DECISION: Based upon the record and the Staff Report, the application by U.S. Forest Service Columbia River Gorge National Scenic Area (CRGNSA), 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) 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) 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.

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- 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.
- 5) 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

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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 4th day of November 2015, at Stevenson, Washington.



Alan Peters
Planner
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 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.

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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.

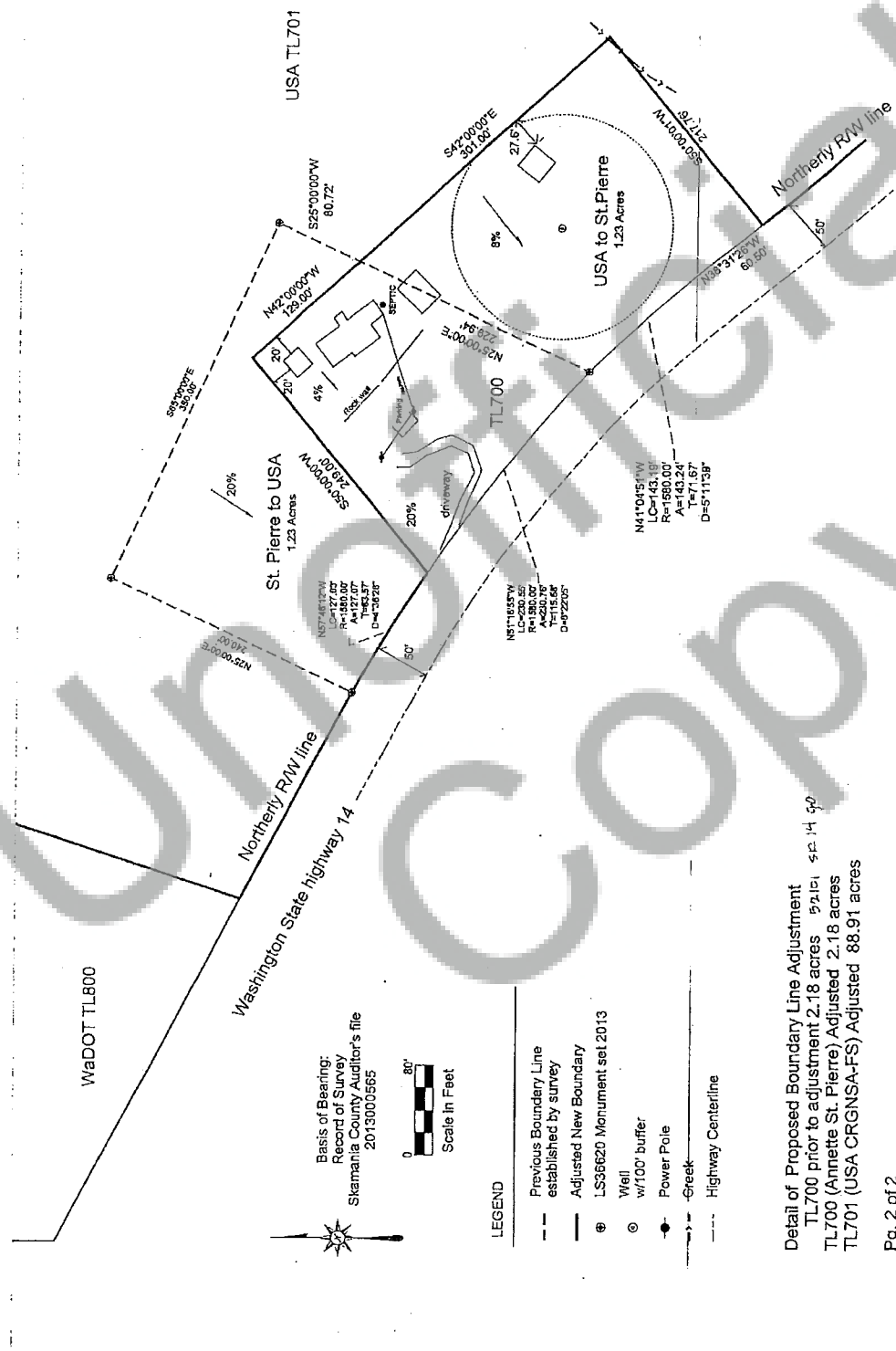
The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying 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 this Decision, including the Staff Report, was sent to the following:

Property owners within 500 ft. of the subject property
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
State of Washington Department of Commerce
Washington DOT – Engineering Services
Friends of the Columbia Gorge



REMOVED

New Description:

Boundary Line Adjustment between United States of America and Annette St. Pierre

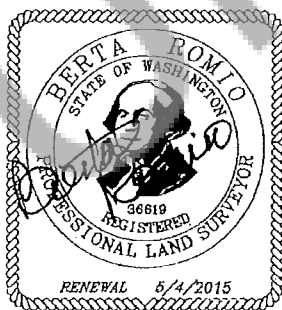
A tract of land located in the James M. Findley D.L.C., Section 36, Township 3 North, Range 8 East, of the Willamette Meridian, Skamania County, Washington, described as follows:

Commencing from a point the northerly right-of-way line of Primary State Highway no. 14, marked with a 3" aluminum monument set by LS 36620 in 2013, said point being South 61°51' East 560 feet from the intersection of the northerly line of said highway with the west line of the Harold W. McKneel property described in deed dated September 30, 1949, recorded at page 560 Book 32 of Deeds, records of Skamania County, Washington; thence South 57° 46'12" East 127.03 feet to the True Point of Beginning of the tract hereby described;

thence North 50° East for 249.00 feet; thence South 42° East for 430.00 feet; thence South 50° West for 217.76 feet to the northerly line of Primary State Highway no. 14; thence along the northerly line of said highway, North 38° 31' 26" West for 60.50 feet, to the beginning point of a curve to the left having a radius of 1580.00 and a central angle of 05° 11' 39", thence left along said curve for an arc length of 143.24 to a point marked with a 3" aluminum monument set by LS 36620 in 2013, said curve having a chord bearing of North 41° 04' 51" West for 143.19 feet; thence continuing along said northerly line of Primary State Highway no. 14 along a curve to the left having a radius of 1580.00 and a central angle of 08° 22' 05", for an arc length of 230.76 feet, said curve having a chord bearing of North 51° 16' 55" West for 230.55 feet, to the True Point of Beginning, Containing 2.18 acres.

The purpose of this deed is to affect a boundary line adjustment between adjoining parcels of land owned by Grantor and Grantee; it is not intended to create a separate parcel, and is therefore exempt from the requirements of RCW 58.17 and the Skamania County Short Plat Ordinance. The property described in this deed cannot be segregated and sold without conforming to the State of Washington and Skamania County Subdivision laws.

Berta Romio, Wa. PLS 36619
USFS Land Surveyor
Columbia Lands Zone



Annette St. Pierre conveys and Quit Claims to the United States of America the following described real property

A tract of land located in the James M. Findley D.L.C., Section 36, Township 3 North, Range 8 East, of the Willamette Meridian, Skamania County, Washington, described as follows:

Commencing from the intersection of the northerly right-of-way line of Primary State Highway no. 14, as now constructed and located, with the west line of the Harold W. McKneel property described in deed dated September 30, 1949, recorded at page 560 Book 32 of Deeds, records of Skamania County, Washington, thence South 61°51' East 560 feet to a point on the northerly line of said highway, marked with a 3" aluminum monument set by LS 36620 in 2013, and being the true point of beginning of the tract hereby described;

thence N25°00'00"E	240.00 feet;
thence S65°00'00"E	350.00 feet
thence S25°00'00"W	80.72 feet
thence N42°00'00"W	129.00 feet
thence S50°00'00"W	249.00 feet

to the northerly right-of-way line of Primary State Highway 14 and the beginning point of a curve to the left having a radius of 1580.00 feet and a central angle of 04° 36' 28"; thence along said curve for an arc length of 127.07 feet, said curve having a chord bearing of North 57° 46' 12" West for 127.03 feet; to the initial point, Containing 1.23 acres.

The United States of America conveys and Quit Claims to Annette St. Pierre the following described real property

A tract of land located in the James M. Findley D.L.C., Section 36, Township 3 North, Range 8 East, of the Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at a point on the northerly right-of-way line of Primary State Highway no. 14, marked by a 3" aluminum monument set by LS 36620 in 2013, said point being South 58°38' East 914.79 feet from the intersection of the northerly right-of-way line of Primary State Highway no. 14, as now constructed and located, with the west line of the Harold W. McKneel property described in deed dated September 30, 1949, recorded at page 560 Book 32 of Deeds, records of Skamania County, Washington and the true point of beginning of the following tract hereby described;

thence North 25° East for 229.94 feet, thence South 42° East for 301.00 feet; thence South 50° West for 217.76 feet to the northerly right-of-way line of Primary State Highway 14; thence along said northerly right-of-way line of Primary State Highway 14 North 38° 31' 26" West for 60.50 feet to the beginning point of a curve to the left having a radius of 1580.00 feet and a central angle of 05° 11' 39", thence left along said curve for an arc length of 143.24 feet, said curve having a chord bearing of North 41° 04' 51" West for 143.19 feet, to the True Point of Beginning, Containing 1.23 acres.