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**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:** Friends of the Columbia Gorge Land Trust

**FILE NO.:** NSA-15-46

**DESCRIPTION:** A lot line adjustment between two parcels: Tract 1, a 120 acre parcel, and Tract 2, an 80 acre parcel. The lot line adjustment will decrease Tract 1 to 50 acres and increase Tract 2 to 150 acres in order to allow a non-profit entity to acquire land for the purpose of protecting and enhancing scenic, cultural, recreation or natural resources.

**LOCATION:** Duncan Creek Rd, Skamania and identified as Skamania County Parcel #02-06-00-0-0-2601-00 and #02-06-21-0-0-0100-00.

**LEGAL:** See attached page 5.

**ZONING:** General Management Area – Commercial Forest (F-1)

**DECISION:** Based upon the record and the Staff Report, the applicant's proposal, described above, is found to be consistent with SCC Title 22 and is hereby **APPROVED** subject to the conditions set forth below.

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. The lot line adjustment shall be consistent with the enclosed legal descriptions identified in the attachment to this decision titled "Approved Configuration & Legal Descriptions."
3. Before recording the lot line adjustment, the applicant shall provide the Community Development Department a purchase agreement or other document demonstrating that Tract 1 will be purchased by the Friends of the Gorge Land Trust.
4. A conservation easement or other similar property restriction that precludes future land divisions and development shall be recorded on Tract 1.
5. 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.
6. 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.

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- 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<sup>th</sup> day of March, 2016, at Stevenson, Washington.



Alan Peters, Planner  
Planning Division

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**NOTE:**

Any new development 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 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.

**A copy of this Decision, including the Staff Report, was sent to the following:**

Owners of Property within 500 ft. of the subject properties  
Friends of the Columbia Gorge  
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 – Paul Johnson  
Department of Fish and Wildlife

## Legal Description

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Tract 1: The east one-half of the Northeast Quarter ( $E\frac{1}{2}$  of  $NE\frac{1}{4}$ ) and the Southwest Quarter of the Northeast Quarter ( $SW\frac{1}{4}$  of  $NE\frac{1}{4}$ ) of Section 20, Township 2 North, Range 6 East of the Willamette Meridian.

Tract 2: The West one-half of the Northwest Quarter ( $W\frac{1}{2}$  of  $NW\frac{1}{4}$ ) of Section 21, Township 2 North, Range 6 East of the Willamette Meridian.

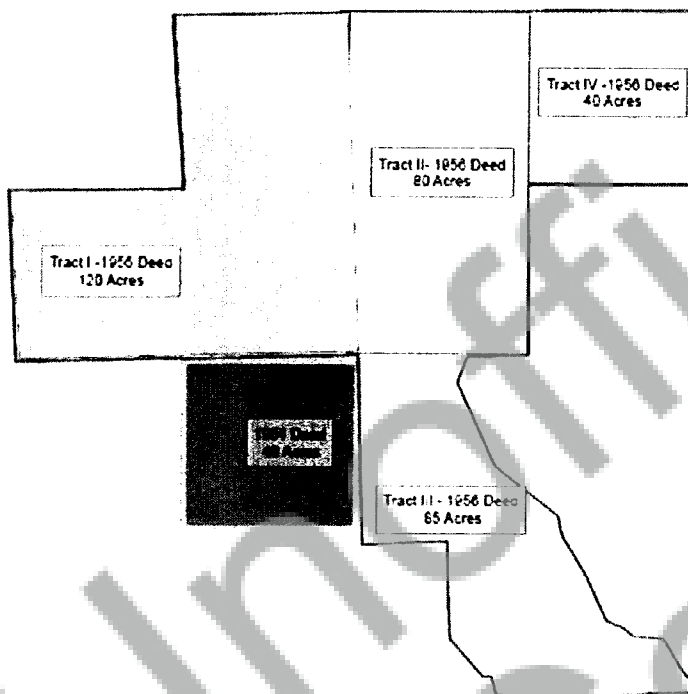
## Current Configuration & Legal Descriptions

NSA-15-46 (Friends Land Trust)

### Legal Description

*Legal Description of Tract 1 and 2, Current and Desired, of property currently owned by W. Good, Trustee of the Virginia A. Good Revocable Trust U/A/D 2-25-1999.*

Current Conditions:



From 1956 Deed - "Tract 1: The east one-half of the Northeast Quarter ( $E \frac{1}{2}$  of  $NE \frac{1}{4}$ ) and the Southwest Quarter of the Northeast Quarter ( $SW \frac{1}{4}$  of  $NE \frac{1}{4}$ ) of Section 20, Township 2 North, Range 6 East of the Willamette Meridian."

(Currently 120 acres)

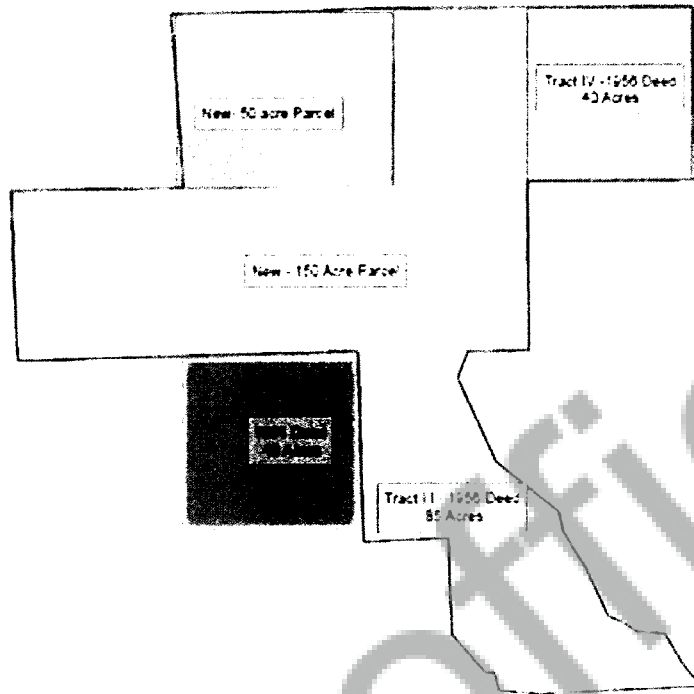
From 1956 Deed - "Tract 2: The West one-half of the Northwest Quarter ( $W \frac{1}{2}$  of  $NW \frac{1}{4}$ ) of Section 21, Township 2 North, Range 6 East of the Willamette Meridian."

(Currently 80 acres)

## APPROVED Configuration & Legal Descriptions

NSA-15-46 (Friends Land Trust)

Desired Conditions:



Tract 1: The northeast one-quarter of the Northeast Quarter (NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) of Section 20, Township 2 North, Range 6 East of the Willamette Meridian and the following described tract of land of Section 21 in Township 2 North, Range 6 East of the Willamette Meridian;

the W  $\frac{1}{2}$  of the W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 21, Township 2N, Range 6 East of the Willamette Meridian;

Of Skamania County, Washington.

(Desired 50 acres)

Tract 2: The South half of the Northeast Quarter (S  $\frac{1}{2}$  of NE  $\frac{1}{4}$ ) of Section 20, Township 2 North, Range 6 East of the Willamette Meridian and;

The West one half of the northwest quarter (W  $\frac{1}{2}$  of NW  $\frac{1}{4}$ ) of Section 21, Township 2 North, Range 6 East of the Willamette Meridian excepting there from however the following described tract of land, which shall be a portion of Tract 1: the W  $\frac{1}{2}$  of the W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 21, Township 2N, Range 6 East of the Willamette Meridian; containing 10 acres of land;

Of Skamania County, Washington.

(Desired 150 acres)