

Return Address: Thomas & Loreley Drach
PO Box 67
Underwood, WA 98651

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: Thomas and Loreley Drach

FILE NO.: NSA-16-09

DESCRIPTION: A proposed boundary line adjustment between Parcel #03-10-19-0-0-0306-00 and Parcel #03-10-19-0-0-0300-00 and a proposed 10 ft. high deer fence with two gates.

LOCATION: 592 Ausplund Rd, Underwood and identified as Skamania County Parcel #03-10-19-0-0-0306-00; and
182 Ausplund Rd, Underwood and identified as Skamania County Parcel #03-10-19-0-0-0300-00.

LEGAL: See attached page 5.

ZONING: General Management Area – Large-Scale Agricultural (A-1) and
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. 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.
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 Community Development Department will conduct an inspection to verify the location of the fencing prior to any ground disturbance taking place. 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. The applicant shall arrange inspections by calling the Community Development inspection line at 509-427-3922 or by emailing permitcenter@co.skamania.wa.us.
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.

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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.
 - 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 8th day of August, 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:

All owners of property within 500 ft. of the subject properties
The 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 Descriptions

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Parcel # 03-10-19-0-0-0306-00

A parcel located in Sections 18 and 19, Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington, more specifically described as:

That portion of Government Lot 1 of 1 of said Section 19, lying North of the South line of the parcel described in Deed Record W of Skamania County, Washington, page 290;

That portion of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 19, lying West of the East line of the West half of the East half of the West half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 19;

That portion of land described in Book 85 of Skamania County Deeds, page 213, as Parcel V, West of the East line of the West half of the East half of the West half of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 18, Skamania County, Washington;

EXCEPT County Roads

Parcel # 03-10-19-0-0-0300-00

A parcel located in Sections 18 and 19, Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington, more specifically described as:

The East 8 rods of the Southeast quarter of the Northeast quarter of the Northwest quarter of said Section 19;

EXCEPT County Roads.

The described tract of land recorded in Book 85 of Skamania County Deed Records, page 213 as found in the second paragraph of Parcel II;

The Northeast quarter of the Northeast quarter of the Northwest quarter of Section 19;

That portion of the Southwest quarter of the Northeast quarter of the Northwest quarter of Section 19, lying North of the centerline of an existing road located approximately 860 feet, more or less, South of the North line of said Section 19, said centerline is oriented East and West and said South line includes the East and West extension of said centerline to the East and West lines of the Southwest quarter of the Northeast quarter of the Northwest quarter of said Section 19;

That portion of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 19, lying East of the East line of the West half of the East half of the West half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 19.

That portion of land described in Book 85 of Skamania County Deeds, page 213 as Parcel V lying East of the East line of the West half of the East half of the West half of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 18, Skamania County, Washington;

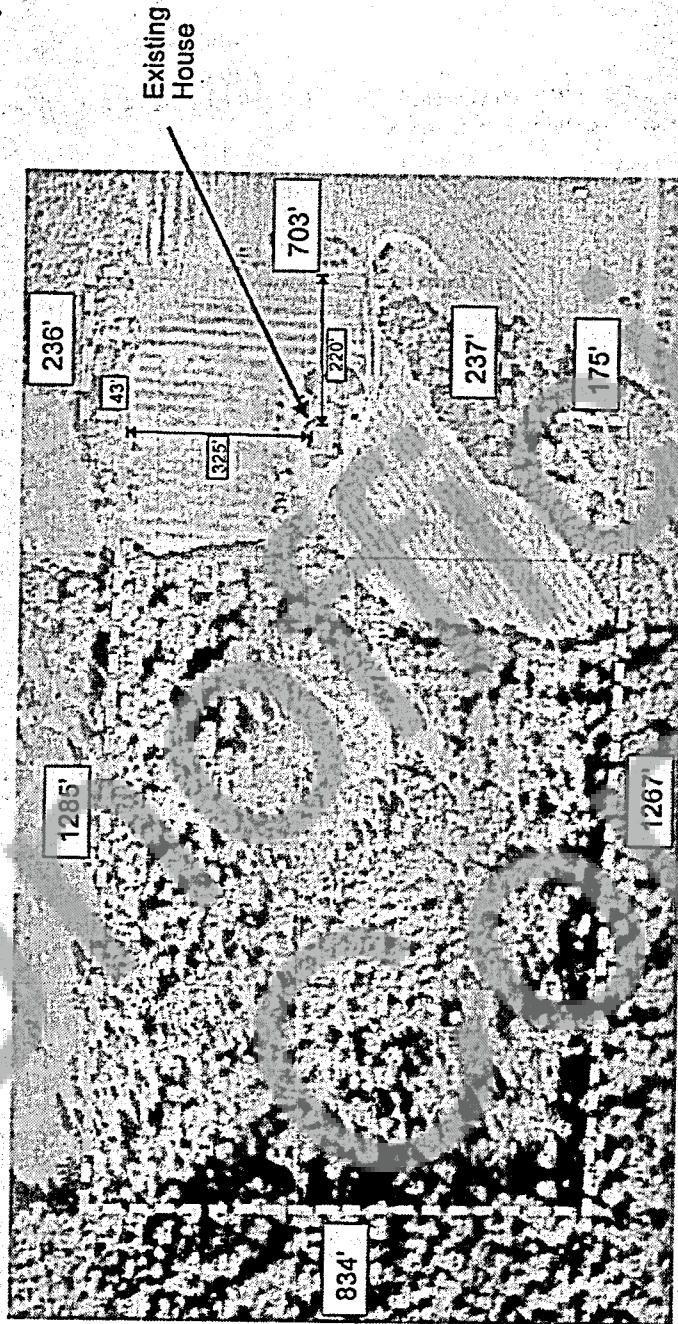
EXCEPTING THEREFROM County Roads;

ALSO, EXCEPT that portion described in Summary Judgment entered in Skamania County Superior Court Cause No. 86-2-00038-2.

Site Plan
NSA-16-09 (Drach)



SITE PLAN - Page 1 of 3 - Overview of Property
(Detail view and Top view on following pages)

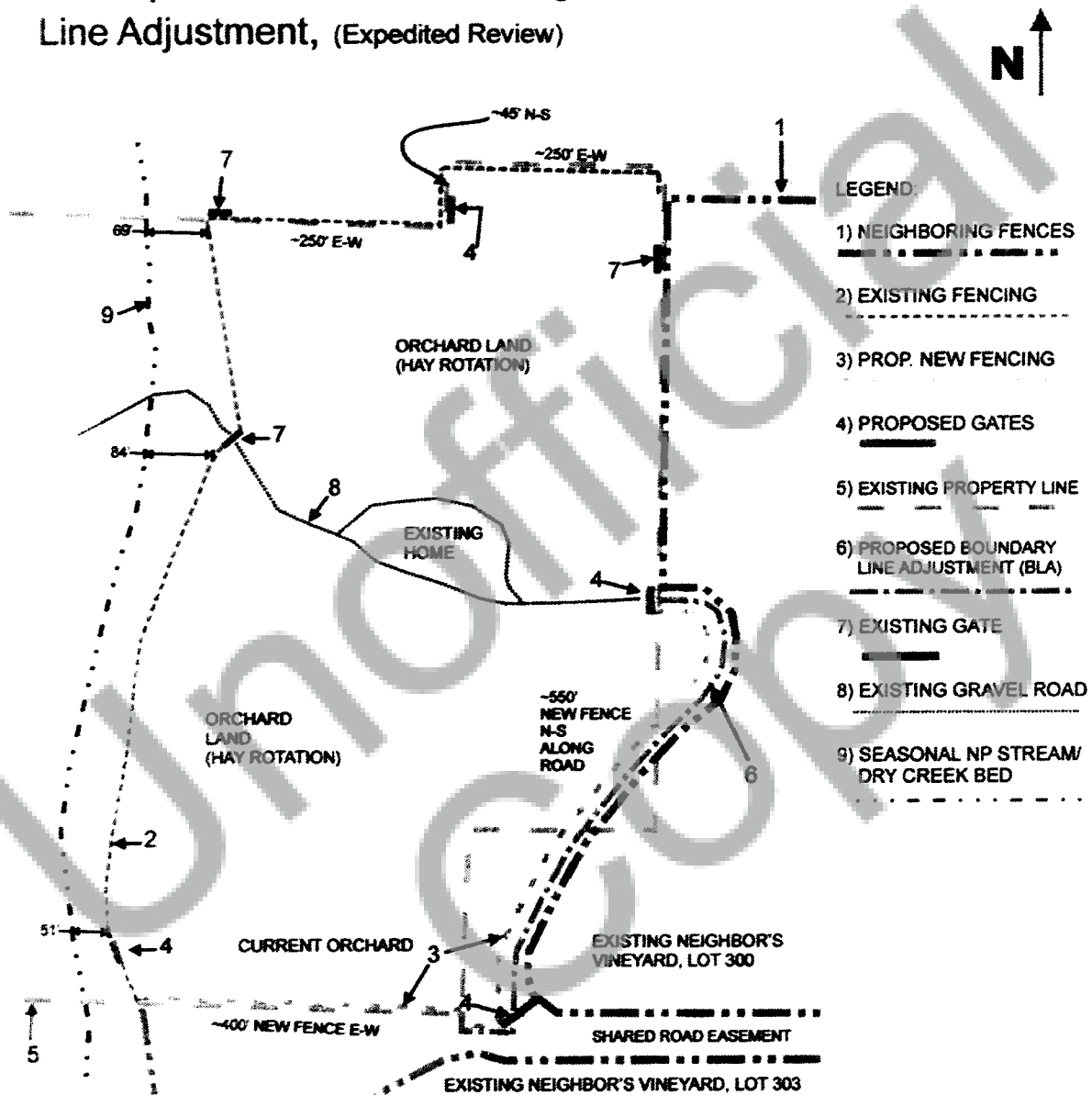


Name: Thomas J. Drach and Loreley O. Drach	Address: PO Box 67 592 Ausplund Road Underwood, WA 98651	Scale: 1" = ~ 262'
Site Address: 592 Ausplund Road Underwood, WA 98651	Tax ID #: 03-10-19-0-0-0306-00	Date: April 19, 2016

Site Plan

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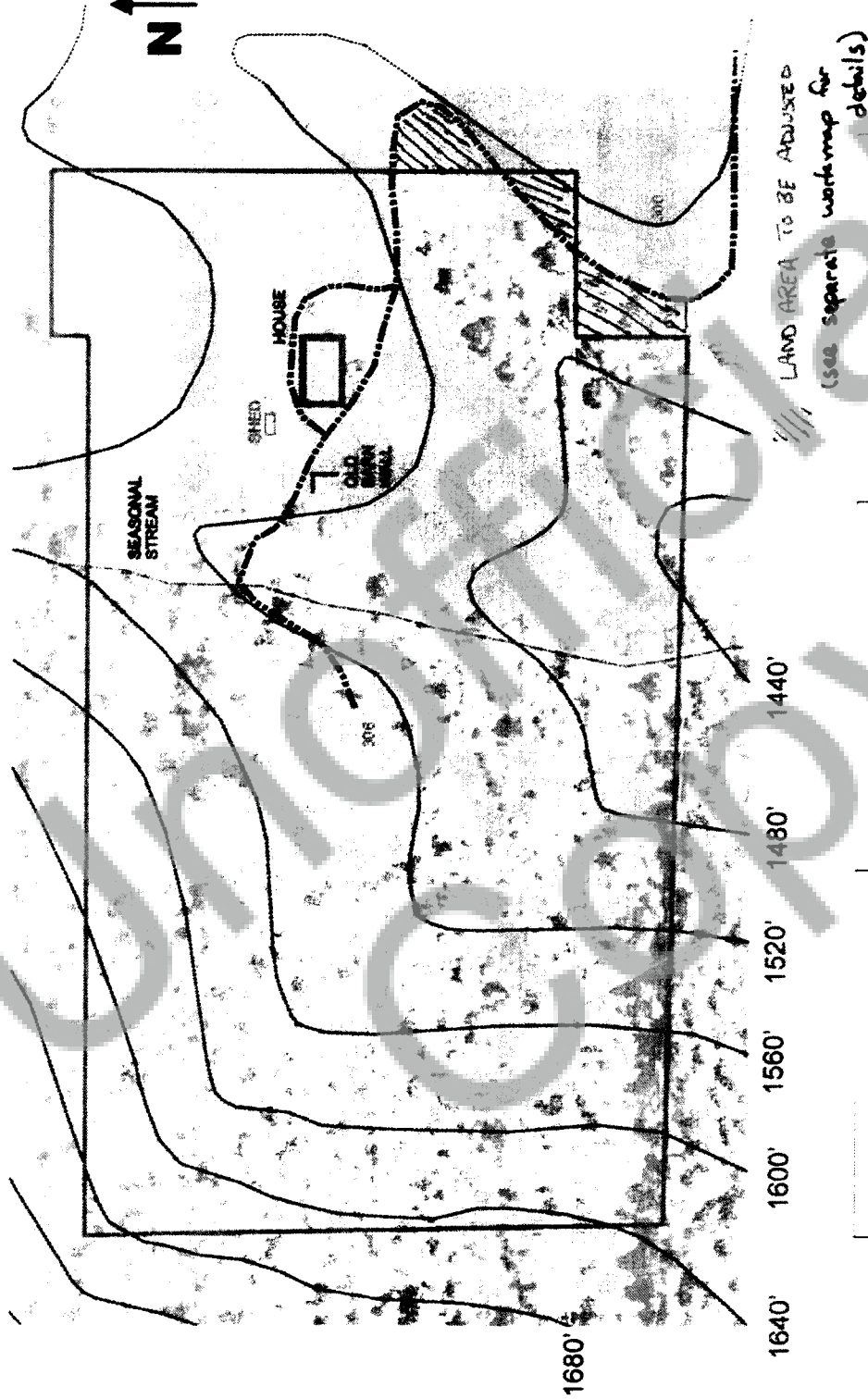
SITE PLAN - Page 2 of 3 - Detail View of Proposed Perimeter Fencing and Boundary Line Adjustment, (Expedited Review)



Name: Thomas J. Drach and Loreley O. Drach	Address: PO Box 67 592 Ausplund Road Underwood, WA 98651	Scale: 1" = ~ 145'
Site Address: 592 Ausplund Road Underwood, WA 98651	Tax ID #: 03-10-19-0-0-0306-00	Date: April 19, 2016

SITE PLAN - Page 3 of 3 - Topographic Overlay

Site Plan
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<p>Name: Thomas J. Drach and Loreley O. Drach</p>	<p>Address: PO Box 67 592 Ausplund Road Underwood, WA 98651</p>	<p>Tax ID #: 03-10-19-0-0-0306-00</p>
<p>Site Address: 592 Ausplund Road Underwood, WA 98651</p>	<p>Scale: 1" = ~ 220'</p>	<p>Date: April 19, 2016</p>

Elevations

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Deer Fence Design

