

Return Address: Dale Hargadine
PO Box 402
Stevenson, WA 98648

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: Dale Hargadine

FILE NO.: NSA-16-13

DESCRIPTION: A proposed land division to create a 28.75 acre parcel and a 44.75 acre parcel from an existing 73.50 acre parcel.

LOCATION: 41 Wind River Highway, Carson, and identified as Skamania County Parcel #03-08-29-0-0-0400-00.

LEGAL: See attached page 5.

ZONING: General Management Area – Small Woodland (F-3) and General Management Area – Residential (R-10)

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.

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.

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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 of the subject property and of proposed Parcels 1 and 2.
2. All developments shall be consistent with the enclosed site plan and legal description.
3. The applicant shall notify the Washington Department of Natural Resources once the land division is completed and must amend FPA #2931650 with the new parcel number associated with proposed Parcel 2. If Parcel 2 is sold, the applicant shall notify DNR and shall notify the buyer of continuing forest land obligations.
4. An access easement providing legal access for proposed Parcel 2 owners, successors, assignees, and heirs, through Proposed Parcel 1 (as labeled on the site plan) shall be recorded in the Skamania County Auditor's Office. This access easement shall be recorded before Community Development staff signs off on the recording of the new deeds for the recording of the land division.
5. Proposed Parcel 2 is subject to a six-year development moratorium under RCW 76.09.460 in associated with FPA #2931650. No non-forestry development shall be approved on Parcel 2 until after the end of this moratorium on May 9, 2022, or until the landowner has obtained a moratorium lift or waiver subject to the requirements of SCC Title 23 and has fully complied with all conditions and obligations of FPA #2931650 as determined by the Washington State Department of Natural Resources and has fully complied with any conditions of attached to any future moratorium lift or waiver approval.
6. 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.

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Construction activities may recommence when conditions in the mitigation plan have been executed.

7. 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 13th day of October, 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:

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
State of Washington Department of Commerce – Paul Johnson
Department of Fish and Wildlife
Department of Natural Resources

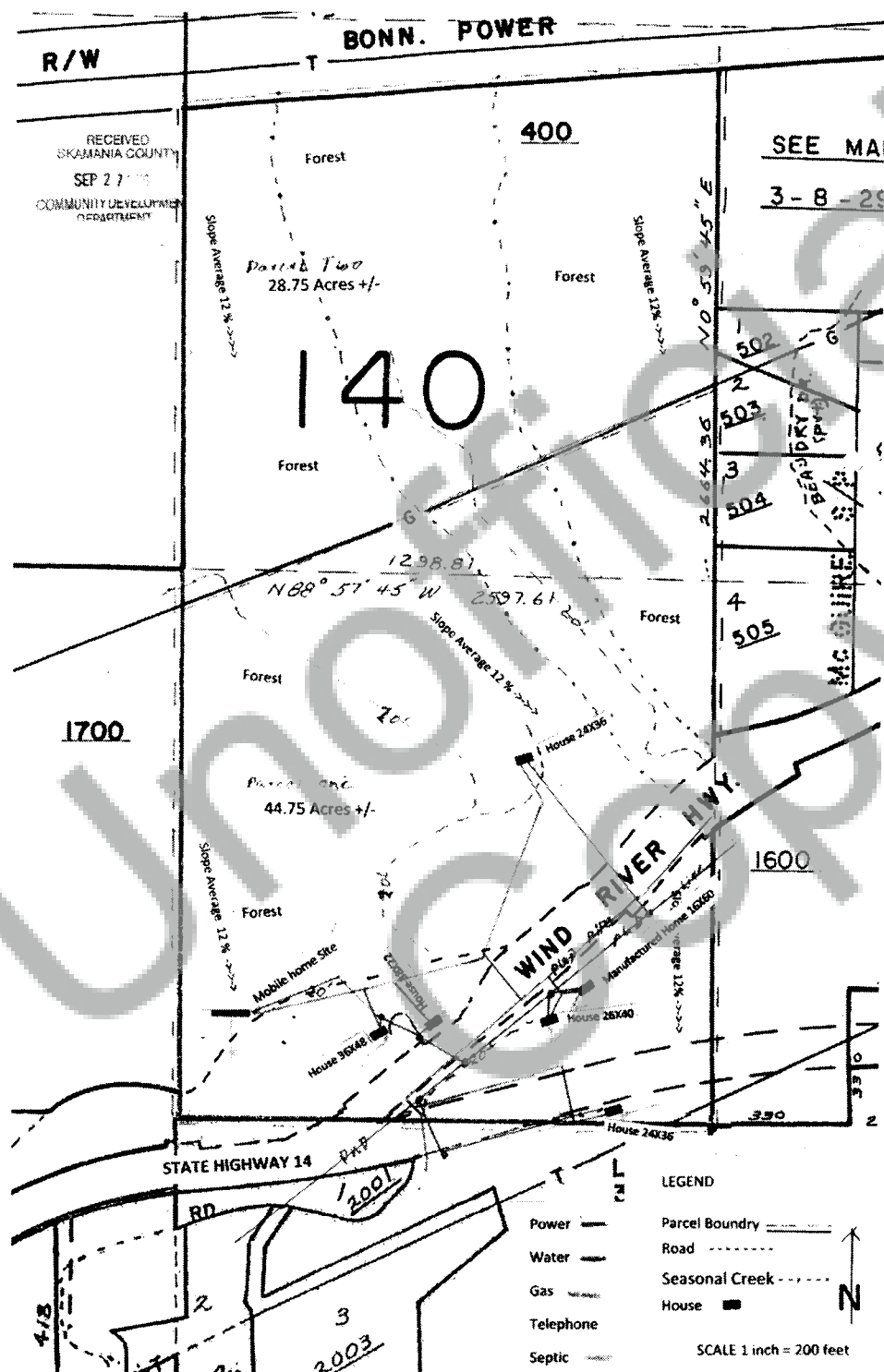
Legal Description

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The Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 29, Township 3 North, Range 8 East of the Willamette Meridian, in the County of Skamania, State of Washington.

Excepting therefrom the following:

1. That portion conveyed to the State of Washington, recorded March 8, 1924 in Book "T", Page 512, Skamania County Deed Records. Also recorded December 30, 1926 in Book "V", Page 147, Skamania County Deed Records.
2. That portion conveyed to the State of Washington, recorded June 10, 1929 in Book "W", Pages 190 and 191.
3. That portion conveyed to Skamania County, recorded January 16, 1969 in Book 60, Page 124, Skamania County Deed Records.
4. That portion conveyed to the State of Washington, recorded September 3, 1992 in Book 130, Page 542, Skamania County Deed Records.
5. That portion conveyed to Skamania County recorded January 24, 1994 in Book 141, Page 34.
6. That portion conveyed to Skamania County recorded January 27, 1994 in Book 141, Page 144.
7. That portion conveyed to Skamania County recorded February 18, 1994 in Book 141, Page 540.



Legal Description of Proposed Parcel 2

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That portion of the Southeast Quarter of the Northeast Quarter, the Northeast Quarter of the Southwest Quarter, Section 29, Township 3 North, Range 8, East of the Willamette Meridian, containing Twenty Eight and three quarters Acres more or less. Starting at a point 475 feet North of the center of Section 29, on the North boundary of the Williams Gas line Right of way, North at 0 degrees 755.5 feet to the South boundary of the Bonneville Power deeded Right of Way, thence Westerly at 265 degrees 1303 feet along said BPA Right of Way south boundary, thence South at 180 degrees 1182.25 feet, thence East Northeast at 65 degrees 5 minutes 1404.8 feet along the North boundary of the Williams Gas line Right of way to the starting point.