

Return Address: WSDOT  
11018 NE 51<sup>st</sup> Circle  
Vancouver, WA 98686

**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:** Washington State Department of Transportation (WSDOT)

**FILE NO.:** NSA-18-24

**DESCRIPTION:** Intersection improvements at SR14/Wind River Highway including construction of a roundabout, stormwater facility, and utility improvements. The proposal also includes demolition of existing structures, boundary line adjustments for right-of-way acquisitions and associated off-site mitigation activities.

**LOCATION:** State Route 14, Milepost 47.44 to 47.77 at Wind River Highway, Carson  
Parcel #03-08-29-0-0-0400-00 and #03-08-29-0-0-2001-00

Cape Horn Mitigation Site: Strunk Road at Rim Drive, Washougal  
Parcel # 01-05-09-0-0-0800-00, etc

**LEGAL:** See page 6.

**ZONING:** GMA – Small Woodland 20 (F-3), GMA – Residential 10 (R-10), and SMA – Agriculture (Ag)

**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.

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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 approved site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval.

#### **Scenic Resource Conditions:**

3. The support structures and backs of all signs shall be dark brown with a flat, non-reflective finish. WSDOT shall make all reasonable efforts to minimize and consolidate placement of signage and sign support structures to reduce clutter.
4. All vertical structural elements and concrete flatwork shall be dark earth-tone in color. This includes but is not limited to the concrete apron, islands, guardrails, chain link fencing, light posts, and sign posts and sign backs. The following colors submitted by the applicant are consistent with this condition and are hereby approved:  
Concrete Stain: David Colors Kailua and Charcoal release agent, or equivalent  
Powder coating: Federal Color Standard #30040  
Metal coating: Natina  
Use of Natina is preferred and Federal Color Standard #30040 shall be used only where use of Natina is not feasible. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
5. All safety lighting shall be hooded or shielded at a 90° angle. Hoods/shields should be made of a non-reflective, opaque material, which does not allow light to pass through.
6. All the sites of demolished dwellings and accessory buildings shall be restored with a native planting mix consisting of trees and shrubs consistent with the surrounding landscape.
7. WSDOT shall consider placement of decorative rock within the roundabout landscape area that may enhance the proposal's consistency with the landscape setting. Any changes to the proposed landscaping shall be submitted to Skamania County and the US Forest Service for their review and approval.
8. WSDOT shall adhere to the approved roadside restoration plan as modified in this approval. Areas identified on the approved plan shall consist of a full coniferous screen sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction.
9. Landscaping shall be installed as soon as practicable, and prior to project completion. WSDOT is responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
10. Except as is necessary for construction, existing tree cover screening the development from key viewing areas shall be retained.
11. At least half of any trees planted for screening purposes shall be species native to the setting and shall be coniferous to provide winter screening.

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12. Tree and shrub plantings in the oak woodland mitigation site shall be planted in an organic pattern to emulate existing vegetative forms in the surrounding landscape.
13. WSDOT shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development Department. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.

**Natural Resource Conditions:**

14. WSDOT shall obtain any required state or federal permits prior to construction.
15. Two wetlands and two seasonal non-fish bearing streams are located within the project area. The wetlands shall require a 75 ft. buffer and the streams shall require a 50 ft. buffer. Except as otherwise permitted, water resource buffers shall be retained in their natural condition. Where buffer disturbance occurs during project development, revegetation with native vegetation shall be required and shall provide and maintain habitat diversity beneficial to the fish, wildlife and native plants.
16. Natural vegetation shall be retained to the greatest extent practicable, including aquatic and riparian vegetation. When riparian areas are disturbed, temporary and permanent control measures shall be applied to minimize erosion and sedimentation, including slope netting, berms and ditches, tree protection, sediment barriers, infiltration systems and culverts.
17. WSDOT shall submit a final natural resource mitigation memorandum to the Skamania Community Development Department and shall adhere to the riparian area mitigation plan as documented. Rehabilitation and enhancement efforts shall be completed as soon as is practicable. Within three years after an aquatic area or buffer zone is rehabilitated or enhanced, at least 75% of the replacement vegetation must survive. WSDOT shall submit monitoring reports after years 1, 3, 5, 7, and 10 to the Skamania County Community Development Department and US Forest Service. Photographic monitoring shall be used to monitor all rehabilitation and enhancement efforts.
18. WSDOT shall adhere to the Oregon White Oak woodland mitigation plan as documented in the final natural resource mitigation memorandum and establish 6.5 acres of Closed Canopy Oregon White Oak woodland by promoting the establishment of dense native woody vegetation within the oak mitigation site. WSDOT shall submit monitoring reports after years 1, 3, 5, 7, and 10 to the Skamania County Community Development Department and US Forest Service.
19. The final natural resource memorandum shall be recorded in the Skamania County Auditor's Office.
20. Within the Special Management Area, WSDOT shall utilize best management practices to minimize erosion during site preparation and planting activities. Within one year of project completion, 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 80% vegetative cover.

**Cultural Resource Conditions:**

21. 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.

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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.
22. 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.

**Recreational Resource Conditions:**

23. WSDOT shall notify the US Forest Service prior to any development activities that may impact the Cape Horn trail or require any temporary closures.

Dated and signed this February 6, 2019, at Stevenson, Washington.

*Alan Peters*

Alan Peters, AICP  
 Assistant Planning Director

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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



## Legal Descriptions

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Lot 2 Patricia Andersen Short Plat, Book 3, Page 143

AND

All that portion of the hereinafter described Parcel "A" lying within the following described property:

Beginning at a point opposite Highway Engineer's Station (HES) 207+46.30 on said line survey and 85 feet Northerly therefrom; thence Northerly to a point opposite HES 208+69.09 on said line survey and 278.16 feet Northerly therefrom; thence Northeasterly to a point opposite HES 210+00.26 on said line survey and 318.32 feet Northerly therefrom; thence Easterly to a point opposite HES 212+78.54 on said line survey and 190.55 feet Northerly therefrom; thence Southwesterly to a point opposite HES 210+85.68 on said line survey and 116.65 feet Northerly therefrom; thence Westerly to the point of beginning.

PARCEL "A".

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST 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:

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.

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED JUNE 10, 1929 IN BOOK "W", PAGES 190 AND 191.

THAT PORTION CONVEYED TO SKAMANIA COUNTY, RECORDED JANUARY 16, 1969 IN BOOK 60, PAGE 124, SKAMANIA COUNTY DEED RECORDS.

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED SEPTEMBER 3, 1992 IN BOOK 130, PAGE 542, SKAMANIA COUNTY DEED RECORDS.

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED JANUARY 24, 1994 IN BOOK 141, PAGE 34.

THAT PORTION CONVEYED TO SKAMANIA COUNTY RECORDED JANUARY 27, 1994 IN BOOK 141, PAGE 144.

THAT PORTION CONVEYED TO SKAMANIA COUNTY RECORDED FEBRUARY 18, 1994 IN BOOK 141, PAGE 540.

THAT PORTION LYING NORTH OF AND WITHIN THE BONNEVILLE POWER ADMINISTRATION AND UNITED STATES OF AMERICA RIGHT OF WAY TRANSMISSION LINE OVER SAID PROPERTY.

PUBLIC ROADS.

EXCEPT THAT PORTION CONVEYED TO DALE I. HARGADINE AND KATHLEEN HARGADINE BY AUDITOR'S FILE NO. 2016002791