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ADMINISTRATIVE DECISION

APPLICANT: Kim Schalk
FILE NO.: NSA-19-25
DESCRIPTION: Replacement of a failed septic system.
LOCATION: 42 Hood View Road and adjacent parcel, Underwood and identified as Skamania County Parcels Nos. 03-10-19-3-4-0300 & 03-10-19-3-4-0101-00.
LEGAL: See attached pages 5-6.
ZONING: GMA - Residential 5 (R-5) & GMA – Open Space (OS).
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.

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 development shall be consistent with the approved site plan on file with Skamania County Community Development, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval.
3. The existing deck shall be repaired to its prior condition by August 1, 2020. If the property owner does not intend to repair the deck, then the deck materials shall be removed from the property as soon as practicable in order to prevent a public nuisance.
4. Revegetation of disturbed areas with native plant species is required as soon as practicable and no later than August 1, 2020.
5. An Inadvertent Discovery Plan embodying the provisions of SCC 22.22.060 (Condition #7) and SCC 22.22.070 (Condition #8) shall be prepared and posted in a conspicuous place at the development site and shall remain posted until all project activities are concluded.
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.

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 22nd day of October, 2019, at Stevenson, Washington.

Mike Beck

Mike Beck
Planner

NOTE:

Any new development not included in the approved site plan on file with the Skamania County Community Development department 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 Reservation
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 parcel #03-10-19-3-4-0300-00:

A Tract of land located within that area described in Boundary Line Adjustment Quit Claim Deed, Exhibit A, Tax Parcel 03-10-19-3-4-0300-00, filed under Auditor File Number 2008170213, and as shown on Record of Survey recorded under Auditor File Number 2008170214, in the Southeast $\frac{1}{4}$ of Section 19, Township 3 North, Range 10 East, W.M., in Skamania County, Washington, and described as follows:

All that area of the above described parcel laying West of the North-South Center Section line of Section 19, more particularly described as follows:

Commencing at the Point of Beginning, which is the Northeast corner of Lot 1 of said Hood View Homes Sites (VOL. AP, PAGE 122) and a found Iron Pipe set by an unrecorded survey by James Nims, license 9409;

thence South $86^{\circ}28'00''$ East, a distance of 50.43 feet to the beginning of a curve tangent to said line;

thence easterly a distance of 6.00 feet along the curve concave to the north, having a radius of 114.67 feet and a central angle of $3^{\circ}00'00''$;

thence South $89^{\circ}28'00''$ East tangent to said curve, a distance of 74.40 feet to a Red Plastic Cap marked "Bell Design 41954" set on a $\frac{5}{8}''$ rebar;

thence North $49^{\circ}53'40''$ East, a distance of 38.39 feet to the beginning of a curve tangent to said line having a radius of 64.99 feet and a central angle of $56^{\circ}58'39''$ and being subtended by a chord which bears North $10^{\circ}01'20''$ East 62.00 feet;

thence northeasterly and northerly along said curve, a distance of 64.63 feet;

thence North $18^{\circ}28'00''$ West tangent to said curve, a distance of 8.66 feet to the beginning of a curve tangent to said line;

thence northerly, northeasterly and easterly a distance of 72.82 feet along the curve concave to the southeast, having a radius of 35.00 feet and a central angle of $119^{\circ}13'00''$;

thence South $79^{\circ}15'00''$ East tangent to said curve, a distance of 92.37 feet;

thence North $34^{\circ}01'00''$ West, a distance of 237.71 feet to a point being North $34^{\circ}01'00''$ West of a found yellow plastic cap set by a Trantow Survey recorded in AFN 9338;

thence North $87^{\circ}39'00''$ West, a distance of 276.10 feet to a found Iron Pipe set as shown in the said HOOD VIEW HOMES SITES plat and the True Point of Beginning;

thence South 03°01'00" West, a distance of 438.70 feet to a point South 03°01'00" East, a distance of 55.37 feet from a found Iron Pipe as shown on said HOOD VIEW HOMES SITES plat;

thence South 70°46'00" East, a distance of 49.63 feet to the north-south center section line of said Section 19;

thence Northerly along said center section line North 01°23'09" East, a distance of 453.15 feet;

thence North 87°39'00" West, a distance of 34.77 feet to the Point of Beginning.

Containing 0.42 Acres, more or less.

Legal Description parcel #03-10-19-3-4-0101-00:

Lot 1 and Lot 2, Ericson View Tracts, according to the Plat thereof, recorded in Book A, Page 117, Skamania County Plat Records.