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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:** Laurie Johnston  
**FILE NO.:** NSA-20-48  
**DESCRIPTION:** A land division of a 4.12-acre parcel into a 2.12-acre and 2.00-acre parcels.  
**LOCATION:** 22 Corner Road, Underwood, identified as Skamania County parcel no. #03-10-22-0-0-0104-00.  
**LEGAL:** See attached page 5.  
**ZONING:** GMA – Residential 2 (R-2)  
**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.

## 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. An application shall be made pursuant to Skamania County Code Title 17 (Subdivisions) in the configuration approved in this administrative decision. The proposed land division shall be subject to review and approval under Title 17.
4. A driveway access easement benefiting the northern lot shall be formalized and dedicated during the short plat review process.
5. Driveway access for the newly created two-acre parcel shall occur from Corner Road.
6. All future development will be required to adhere to all applicable provisions of Title 22 in force at the time any future land use application is received for both parcels created as a result of this land division.
7. All existing tree cover shall be retained as much as possible except as necessary for site development, safety purposes or for approved forest practices. The tree cover to the east and south of the existing residence shall be retained except as necessary for site development or safety purposes.
8. 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.
9. 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 19<sup>th</sup> day of May, 2021, 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

**Parcel 03-10-22-0-0-0104-00 Legal Description:**

A tract of land located in the Southeast Quarter of the Northeast Quarter of Section 22, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Commencing at a point on the East line of the Northeast Quarter of Section 22, Township 3 North, Range 10 East of the Willamette Meridian; North  $1^{\circ} 11' 42''$  East 890.18 feet from the Southeast corner of the said Northeast Quarter of Section 22;

Thence North  $89^{\circ} 02' 18''$  West 237.99 feet more or less to the Northwest corner of the Ronald Logan Tract recorded under Auditor's Book No. 63, page 627 and the Point of Beginning;

Thence North  $89^{\circ} 02' 18''$  West 210.00 feet to the Southwest corner of the Lutz Tract as recorded under Auditor's Book No. 68, page 877;

Thence North  $1^{\circ} 11' 42''$  East parallel to the East line of the said Northeast Quarter of Section 22, 207.52 feet to the Northwest corner of the said Lutz Tract and the South line of the North 231 feet of the said Southeast Quarter of the Northeast Quarter of Section 22;

Thence North  $89^{\circ} 10' 03''$  West along the said South line of the North 231 feet of the Southeast Quarter of the Northeast Quarter of Section 22, 418.02 feet to the West line of the East 866 feet of the said Southeast Quarter of the Northeast Quarter of Section 22;

Thence South  $1^{\circ} 11' 42''$  West parallel to the East line of the said Northeast Quarter of Section 22, 312.00 feet to the South line of the North 543 feet of the said Southeast Quarter of the Northeast Quarter of Section 22;

Thence South  $89^{\circ} 10' 03''$  East parallel to the North line of the said Southeast Quarter of the Northeast Quarter of Section 22, 311.60 feet;

Thence South  $50^{\circ} 00' 00''$  East 177.17 feet;

Thence South  $89^{\circ} 10' 03''$  East parallel to the said North line of the Southeast Quarter of the Northeast Quarter of Section 22, 117.86 feet to the North right-of-way line of Sooter Road;

Thence Easterly along Sooter Road to a point that bears South  $1^{\circ} 11' 42''$  West from the Point of Beginning;

Thence North  $1^{\circ} 11' 42''$  East along the West line of the said Logan Tract to the Point of Beginning.

ALSO KNOWN AS Lot 1 of REVISION E.R. SOOTER Short Plat, recorded in Book 2 of Short Plats, Page 115, Skamania County Records.

TOGETHER THEREWITH that parcel of property lying between the South line of Lot 1 of REVISED E.R. SOOTER Short Plat as recorded in Book 2, Page 115B and Corner Road and Sooter Road, more specifically described as follows:

Beginning at the intersection of the Northern right-of-way line of Corner Road with the North line of Sooter Road;

Thence North  $50^{\circ} 00' 00''$  West along the said North line of Corner Road, 57.91 feet;

Thence South  $89^{\circ} 10' 03''$  East, 117.86 feet to the said North line of Sooter Road;

Thence Southwesterly along said Sooter Road to the Point of Beginning.