

Skamania County, WA
Total: \$211.50
ADMIN
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2022-001474

07/20/2022 03:10 PM

Request of: FRIENDS OF THE COLUMBIA GORGE



Return Address: Teresa Robbins

~~Cape Horn Conservancy~~

~~211 Malfait Tracts Rd~~

~~Washougal, WA 98671~~

Friends of the Columbia Gorge

16 Oak St., Suite 201

Hood River, OR 97031

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: Teresa Robbins, Cape Horn Conservancy

FILE NO.: NSA-17-11

DESCRIPTION: Re-establish and re-route a portion of the Cape Horn Trail and establish a new viewpoint.

LOCATION: SR-14, Washougal and identified as Skamania County Parcel #01-05-09-0-0-0700-00.

LEGAL: See attached page 5.

ZONING: General Management Area – Small Woodland (F-3)

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 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. Project applicants shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
5. The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development Department. The applicant is to coordinate all inspections with the Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
6. The Community Development Department will conduct at least two site visits during construction, one siting inspection to verify the staked location of the structures prior to any ground disturbance taking place; and a second to be conducted after all foundation excavation has been completed including framing footers, but prior to pouring the foundation. 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. Inspections should be arranged by calling the Community Development inspection line at 509-427-3922 or by emailing permitcenter@co.skamania.wa.us.
7. The proposed trail fencing shall be dark earth-tone in color. The applicant's proposal to leave the cedar material in its natural state satisfies this requirement. However, if the natural wood does not blend in with the dark earth-tones at the project site and surrounding landscape, the applicant shall stain the fencing a dark earth-tone color approved by the Community Development Department.
8. The proposed structures shall be composed of nonreflective or materials with low reflectivity.
9. Except as is necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained.

10. A declaration shall be signed by the project applicant or owner and recorded, by the applicant, with the Skamania County Auditor's office specifying that the applicant or owner is aware that surrounding landowners, agents and operators are entitled to carry on accepted forest or farm practices on resource lands.
11. 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.
12. 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 12th day of June, 2017, at Stevenson, Washington.



Alan Peters
Assistant Planning Director

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 Description

NSA-17-11 (Cape Horn Conservancy)

The North Half of the Southeast Quarter of the Northeast Quarter of Section 9, Township 1 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington.

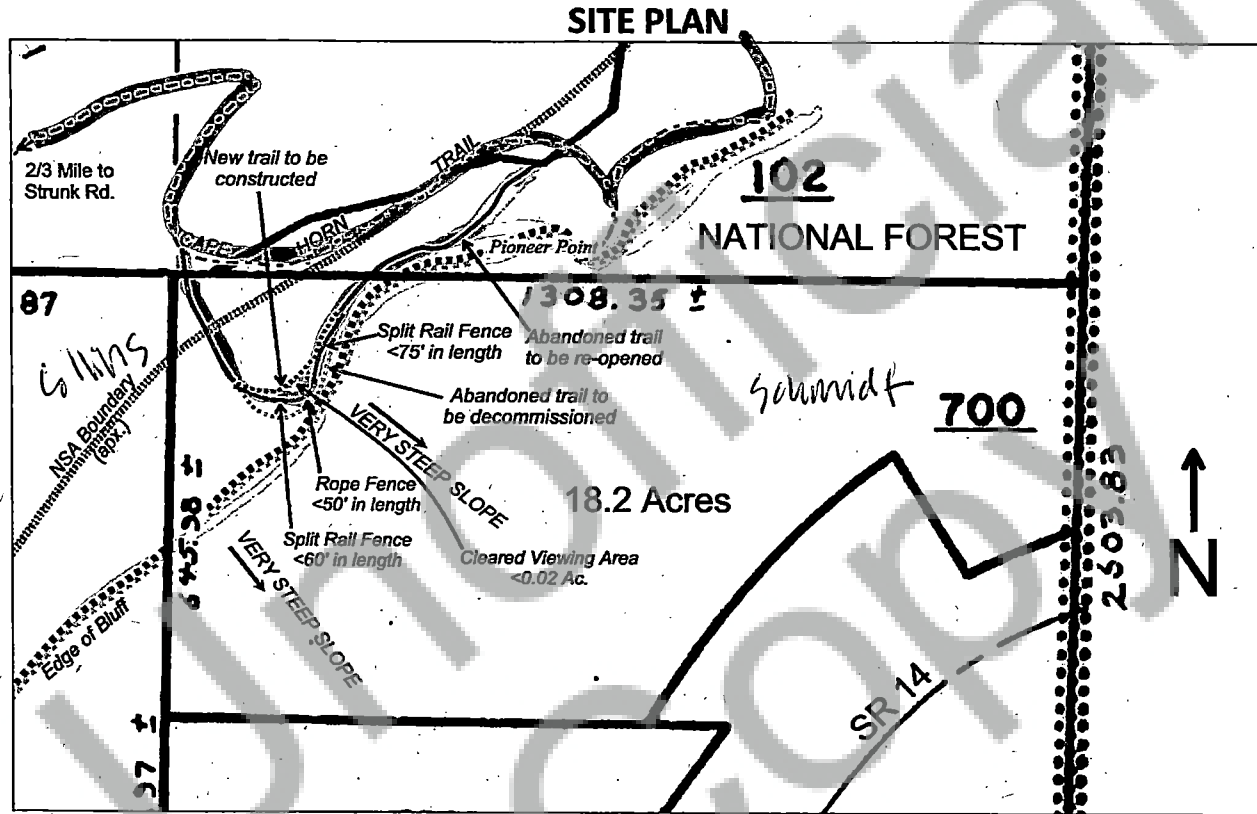
EXCEPTING THEREFROM the following:

That portion conveyed to State of Washington by Deed recorded in Book V, Page 361, records of Skamania County.

That portion conveyed to State of Washington by Deed recorded in Book 27, Page 334, records of Skamania County.

That portion conveyed to State of Washington by Deed recorded as Auditor's File Number 2010175867.

Site Plan
NSA-17-11 (Cape Horn Conservancy)



Property Owner: Friends of the Columbia Gorge Land Trust

Name: Teresa Robbins, CHC	Site Address: Cape Horn Trail	Scale Used: 1" = 200'
Mailing Address: 211 Malfait Tracts, 98671	Tax Parcel Number: 01050900070000	Date:

Elevations

NSA-17-11 (Cape Horn Conservancy)

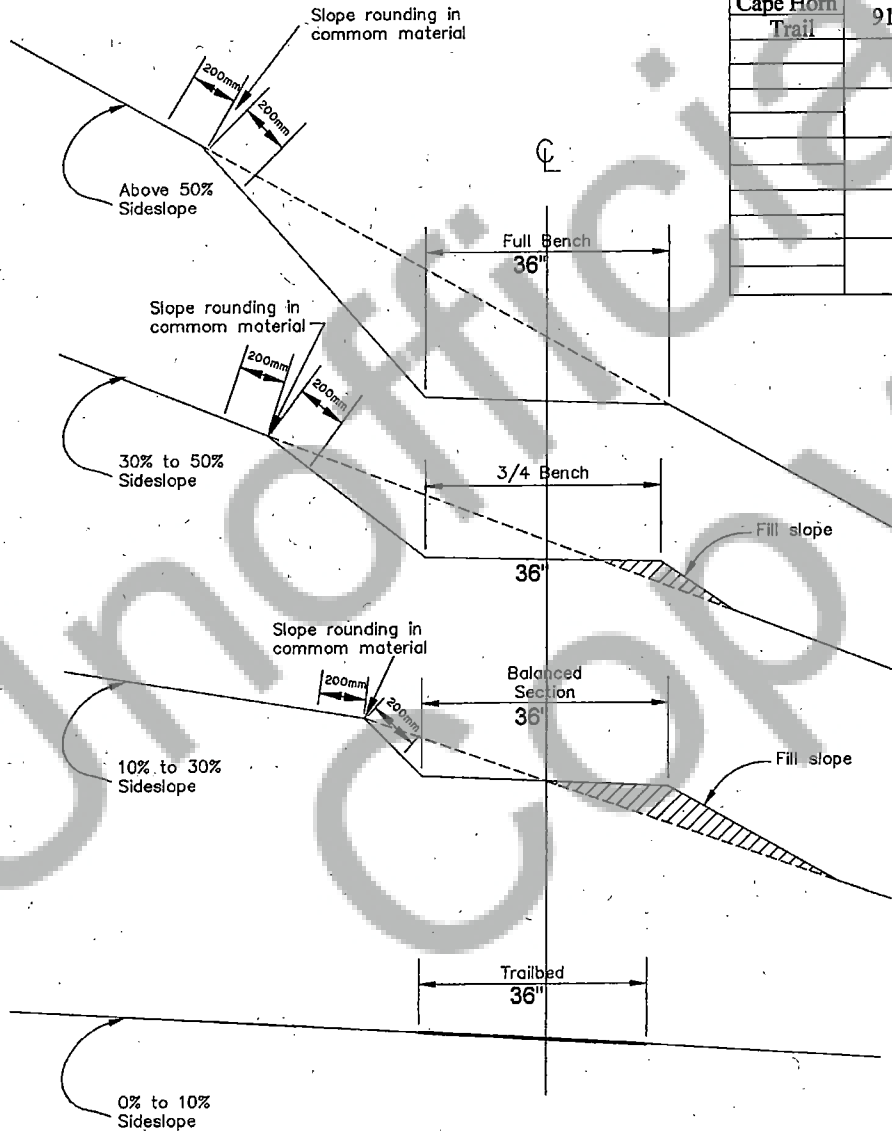
TYPICAL TRAIL CROSS SECTIONS

NOT TO SCALE

Amount of bench varies with % of sideslope. Outslope trailbed 6-10%.

Trailbed Width

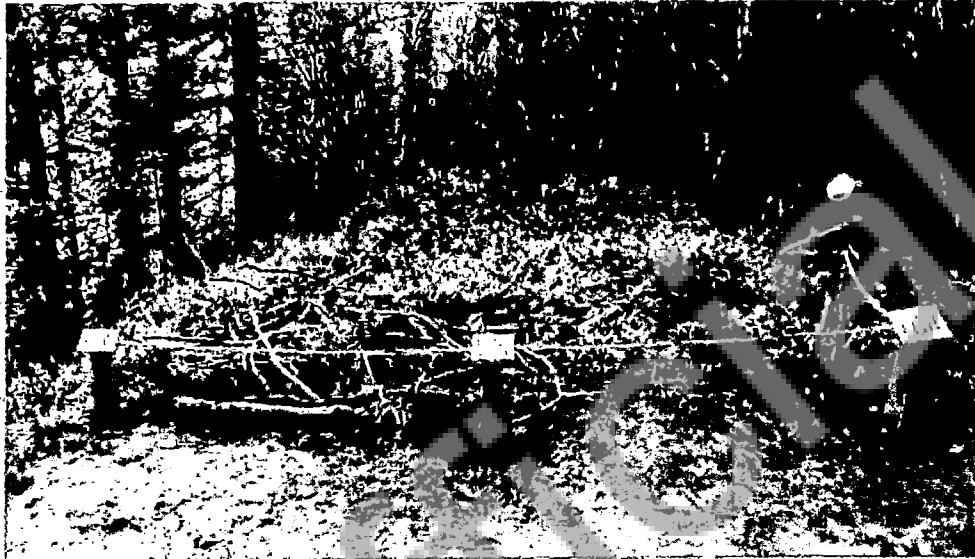
Location	Trailbed Width (mm)
Cape Horn Trail	914



Elevations

NSA-17-11 (Cape Horn Conservancy)

Cape Horn Conservancy/Friends of the Columbia Gorge Land Trust
NSA Application



Pressure-treated 4x4's up to 24" high with rope.



Split-rail natural cedar fencing up to 4' high.

Vicinity Map

NSA-17-11 (Cape Horn Conservancy)

SR-14, Washougal

#01-05-09-0-0-0700-00

