

DEVELOPMENT REVIEW

Director's Decision

APPLICANT: Dirk Steinhour

FILE NO.: C08-0009-K-G-17

REQUEST: To construct a 32' x 60' (1920 sq. ft.) agricultural structure and remove a shed and the remnants of a barn on a 24 acre parcel.

LOCATION: The subject parcel is located at 68 Tuthill Road, approximately 2 miles northwest of Lyle, Washington. The parcel is located within the NE ¼ of Section 29, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.

LAND USE

DESIGNATION: The subject parcel is designated Small-Scale Agriculture in the General Management Area.

DECISION:

Based upon the following findings of fact, the land use application by Dirk Steinhour to construct a 32 foot by 60 foot agricultural building is consistent with the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act (Public Law 99-663), Management Plan, and Commission Rule 350-81, and is hereby approved, with conditions.

This approval does not exempt the applicant or successors in interest from complying with all other applicable local, state, and federal laws.

CONDITIONS OF APPROVAL:

The following conditions of approval are given to ensure that the subject request is consistent with the standards of Section 6 and the purposes of P.L. 99-663, and the Management Plan and approvable under Commission Rule 350-81. These conditions must be recorded in county deeds and records to ensure notice of the conditions to successors in interest (Management Plan, Review Uses Guideline 1, pg. II-7-58).

1. The first three pages of this decision, the Vegetation Retention Plan, and the approved site plan shall be recorded in county deeds and records (Klickitat County Auditor's Office) to ensure notice of the conditions to successors in interest. The applicants shall submit a copy of the recorded decision to the Planning Manager prior to any construction.

2. The development shall be sited and constructed as shown on the site plan, dated April 9, 2008, and as modified by these conditions of approval. If changes to the location, height or design (including the placement of windows) of this structure are proposed, a revised site plan and elevation drawings shall be submitted to the Planning Manager for review and approval prior to application for a building permit from Klickitat County.
3. The existing trees screening the development from Key Viewing Areas shall be retained, except as necessary for siting the approved structure. These trees include only the trees located to the west and south of the proposed building site identified on the Vegetation Retention Plan attached to this decision.
4. The exterior of the proposed barn shall be composed of non-reflective materials or materials with low reflectivity. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs, and trim. Approved exterior building materials consist of board and batten wooden siding, stucco, and a weathered steel (Cor-ten) roof.


Any proposed changes from the approved exterior building materials shall be submitted for review and approval by the Planning Manager before construction begins.

5. The exterior of the shop building shall be dark earth-tone colors. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs, and trim. The submitted siding color choice Benjamin Moore "sharkskin" (2139-30) and trim color "black jack" (#2133-20) are approved color choices.

Any proposed changes from the approved color choices shall be submitted for review and approval by the Planning Manager before construction begins.

6. Outdoor lights shall be directed downward and sited, hooded, and shielded such that illumination from the lights is not highly visible as seen from Key Viewing Areas. Shielding and hooding materials shall be composed of non-reflective opaque materials.
7. If cultural resources are discovered during construction, all construction activities within 100 feet of the cultural resources shall cease and the applicants shall notify the Gorge Commission within 24 hours. The cultural resources shall remain as found; further disturbance is prohibited until permission is granted by the Planning Manager of the Gorge Commission.

DATED AND SIGNED THIS 4th day of June, 2008, at White Salmon, Washington.



Brian Litt
Planning Manager

EXPIRATION OF APPROVAL:

This decision of the Planning Manager becomes void on the 4th day of June, 2010.

As per Commission Rule 350-81-044(6), an extension of the validity of a development approval may

be requested. Such a request shall be submitted in writing prior to the expiration of the approval. The Planning Manager may grant an extension if it is determined that conditions, for which the applicant was not responsible, would prevent the applicant from commencing the proposed development within the original time limitation. The Planning Manager shall not grant an extension if the site characteristics and/or new information indicates that the proposed use may adversely affect the scenic, cultural, natural or recreation resources in the National Scenic Area.

APPEAL PROCESS:

The appeal period ends the 4th day of July, 2008.

The decision of the Planning Manager shall be final unless a Notice of Intent to Appeal and Petition is filed with the Commission within thirty (30) days of the date of this decision by the applicant or any person who submitted comment. Information on the appeal process may be obtained at the Commission office.

NOTES:

Any new land uses or structural development such as residences; garages, workshops, or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.

COMMENTS FROM OTHER INDIVIDUALS/AGENCIES/GOVERNMENTS:

Notice of the subject request was mailed to property owners within 200 feet of the subject parcel and the following individuals/agencies/governments:

- Yakama Nation
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of Warm Springs Reservation of Oregon
- Nez Perce Tribe
- U.S. Forest Service National Scenic Area Office
- Washington Office of Archaeology and Historic Preservation
- Klickitat County Planning Department
- Klickitat County Building Department
- Klickitat County Health Department
- Klickitat County Assessor
- Washington Department of Fish and Wildlife
- Friends of the Columbia Gorge

Written comments were received from Richard Till, Land Use Law Clerk for the Friends of the Columbia Gorge; Bill Weiler of Washington Dept. of Fish and Wildlife; and Mo-chi Lindblad of the Klickitat County Planning Department.

FINDINGS OF FACT:

A. Land Use

1. The subject parcel is 24 acres in size and located on Tuthill Road, approximately 2 miles northwest of Lyle, Washington. The applicant is proposing to construct a 32 foot wide by 60 foot long (1920 square feet) agricultural building on a 24-acre parcel. The building

would be no greater than 19 feet in height from the final adjacent grade. Water, electrical and septic utility lines from existing sites on the property would be installed to serve the structure. The proposed agricultural building would be used by the land owner for storage of agricultural products and equipment, and as an office for agricultural operations. The applicant also is proposing to remove two structures on the parcel, a 20' x 12' shed and the remnants of a 32' x 68' barn.

2. Commission Rule 350-81-020(7) defines "agricultural structure/building" as:

A structure or building located on a farm or ranch and used in the operation for the storage, repair, and maintenance of farm equipment and supplies or for the raising and/or storage of crops and livestock. These include, but are not limited to: barns, silos, workshops, equipment sheds, greenhouses, wind machines (orchards), processing facilities, storage bins and structures.

3. The Land Use Designation map in the *Management Plan for the Columbia River Gorge National Scenic Area* designates the subject parcel Small-Scale Agriculture in the General Management Area.
4. Commission Rule 350-81-190(1)(c) allows the following on lands designated Small-Scale Agriculture:

Agricultural buildings in conjunction with current agricultural use and, if applicable, proposed agricultural use that a landowner would initiate within one year and complete within five years, subject to the standards in "Agricultural Buildings" (350-81-090).

5. Commission Rule 350-81-090 sets standards for agricultural structures:

- (1) *The size of proposed agricultural buildings shall not exceed the size needed to serve the current agricultural use and, if applicable, the proposed agricultural use.*

- (2) *To satisfy 350-81-090(1), applicants shall submit the following information with their land use application:*

- (a) *A description of the size and characteristics of current agricultural use.*

- (b) *An agricultural plan for any proposed agricultural use that specifies agricultural use (e.g., crops, livestock, products), agricultural areas and acreages (e.g., fields, pastures, enclosures), agricultural structures (e.g., irrigation systems, wind machines, storage bins) and schedules (e.g., plowing, planting, grazing).*

- (c) *A floor plan showing intended uses of the agricultural building (e.g., space for equipment, supplies, agricultural products, livestock).*

The application included a floor plan of the proposed structure and a description of current agricultural uses. The property owner currently cultivates edamame beans on approximately 3 acres of his property. He also grows alfalfa on approximately 12 acres of pasture. The proposed structure would be used primarily to store equipment and hay. A small office to support the agricultural enterprise would also be housed in the structure.

6. The applicant is proposing to remove an existing shed and the remnants of a barn on the parcel. The barn is no longer serviceable as primarily just the foundation remains. It is likely more than 50 years old. The shed is near the proposed building site and needs to be removed in order to site the proposed agricultural building. It is less than 50 years old.

Commission Rule 350-81-190(1)(x) allows subject to guidelines to protect resources, the removal/demolition of structures that are 50 or more years old on lands designated Small-Scale Agriculture and Commission Rule 350-81-050(m) allows for the removal /demolition of structures less than 50 years old. The proposed removal of both structures is an allowed use that is reviewed against the resource protection guidelines of Commission Rule 350-81-540 through 620 in Sections B through E, below.

Conclusion:

The proposed agricultural building and removal of existing structures are allowed review uses on lands designated Small-Scale Agriculture in the GMA, subject to compliance with guidelines that protect scenic, natural, cultural and recreational resources (350-81-540 through 620).

B. Scenic Resources

1. Commission Rule 350-81-520(1)(a) states:

New buildings and roads shall be sited and designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

The subject parcel occupies a southwest facing slope with varied terrain to the north of Balch Lake. Hills to the south and east of Balch Lake screen the site from most views from the south. The site is at an elevation of 640 feet, approximately 460 feet above the elevation of the Columbia River, SR 14, and Hwy 84 at this location. The proposed barn would be sited in a mostly level portion of the property, with an approximate slope of 3%. A maximum 24-inch cut and fill will be required to level the building site. An existing driveway from Tuthill Road accesses the residence and building site. Siting on an alternative portion of the property require construction of a much longer access

driveway. The proposed project site minimizes grading activities and retains the existing topography to the maximum extent practicable, consistent with Commission Rule 350-81-520(1)(a).

2. Commission Rule 350-81-520(1)(b) states:

New buildings shall be compatible with the general scale (height, dimensions and overall mass) of existing nearby development.

When calculating the compatibility of the proposed building, a ¼ mile radius was used to examine existing nearby development. Within this radius, there are 7 single family dwellings, 13 accessory structures, and 2 agricultural structures. The existing development ranges in size from small sheds to a 4,608 square foot home and a 4,875 square foot barn. None are taller than two stories. The proposed agricultural building would be 32 feet wide by 60 feet long (1920 square feet) and 19 feet tall as measured from the final adjacent grade. At the proposed size, the proposed development would be compatible with the general scale of existing nearby development, consistent with Commission Rule 350-81-520(1)(b).

3. Commission Rule 350-81-520(1)(c) states:

Project applicants shall be responsible for the proper maintenance and survival of any planted vegetation required by the guidelines in this chapter.

No vegetation is required to be planted by the guidelines of this chapter due to the reasons described in Findings B.7 and B.8, below. Therefore, this rule is not applicable to the proposed development.

4. Commission Rule 350-81-520(2) contains guidelines that apply to new development on sites that are topographically visible from Key Viewing Areas (KVAs).

The proposed development would be topographically visible from the following KVAs: the Historic Columbia River Highway, Interstate 84, the Columbia River and State Route 14 (SR14). The proposed development is subject to the scenic resources guidelines in Commission Rule 350-81-520(2) to ensure that it would be visually subordinate to its setting as seen from KVAs.

5. Commission Rule 350-81-520(2)(b) states:

Each development shall be visually subordinate to its setting as seen from key viewing areas.

The proposed development would be topographically visible when viewed from the above mentioned KVAs. Finding B.7 provides an analysis of visual impacts of the proposed development as seen from KVAs, and Finding B.8 describes requirements necessary to ensure the development meets the visually

subordinate scenic standard. These findings show the proposed development would be consistent with Commission Rule 350-81-520(2)(b).

6. Commission Rule 350-81-520(2)(c) states:

Determination of potential visual effects and compliance with visual subordination policies shall include consideration of the cumulative effects of proposed developments.

Conditions addressing color, reflectivity and retention of existing vegetation will ensure visual subordination. These conditions, along with land use designations and the minimum lot sizes in the area, will prevent this development from creating an adverse cumulative effect. The proposed development is consistent with Commission Rule 350-81-520(1)(c).

7. Commission Rule 350-81-520(2)(d) states:

The extent and type of conditions applied to a proposed development to achieve visual subordination shall be proportionate to its potential visual impacts as seen from key viewing areas.

(A) Decisions shall include written findings addressing the factors influencing potential visual impact, including but not limited to:

- (i) The amount of area of the building site exposed to key viewing areas.*
- (ii) The degree of existing vegetation providing screening.*
- (iii) The distance from the building site to the key viewing areas from which it is visible.*
- (iv) The number of key viewing areas from which it is visible.*
- (v) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads).*

The amount of area of the building site exposed to Key Viewing Areas.

The subject parcel is located on a hillside north of Balch Lake. There is an existing home and several other buildings on the parcel. The building site is exposed to KVAs located to the west. Topography shields the site from KVAs located to the south and east. None of the existing structures on the parcel are readily visible from the KVAs due to distance and the presence of screening vegetation. The proposed barn would be sited east of the existing home amid a cluster of pine and oak trees. This siting exposes only the western face of the structure towards KVAs, and much of the proposed

building is screened from KVAs by a combination of topographic features, the existing residence, and trees to the south and west of the site.

The degree of existing vegetation providing screening.

The proposed development would receive very good screening from an existing stand of trees that surrounds the development site which includes a mix of oak and ponderosa pine. Due to the great distance from KVAs, the trees located to the west (including those west of the existing dwelling) and south of the proposed development effectively screen any portion of the proposed structure not screened by topographic features from KVAs.

The distance from the building site to the Key Viewing Areas from which it is visible.

At the closest points on each KVA from which the building site would be visible, it would be in the background approximately six miles east of the Historic Columbia River Highway, five miles east of Interstate 84, and four miles east of the Columbia River. The site is briefly visible from SR 14 at a distance of approximately four miles.

The number of Key Viewing Areas from which the site is visible.

The proposed development would be topographically visible from four KVAs, the Historic Columbia River Highway, Interstate 84, the Columbia River, and SR 14.

The linear distance along the Key Viewing Areas from which the building site is visible.

The proposed development would be topographically visible intermittently along the Historic Columbia River Highway and Interstate 84 for approximately two miles, less than ¼ mile from SR 14, and approximately two miles along the Columbia River.

In sum, the proposed building would be topographically visible from four KVAs. With proper siting and conditions for design and to retain trees for screening, the proposed structure would be visually subordinate from all of these KVAs, consistent with Commission Rule 350-81-520(2)(d).

8. Commission Rule 350-81-520(2)(d)(B) states:

(B) *Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting as seen from key viewing areas, including but not limited to:*

- (i) *Siting (location of development on the subject property, building orientation, and other elements),*
- (ii) *Retention of existing vegetation,*
- (iii) *Design (color, reflectivity, size, shape, height, architectural and design details and other elements), and*
- (iv) *New landscaping.*

As described below, conditions for siting, design, and retention of existing vegetation are applied to ensure that the development is visually subordinate to its setting as seen from KVAs.

Siting (location of development on the subject property, building orientation, and other elements),

The proposed barn has been sited east of the existing dwelling and driveway amongst a stand of trees. A hillside to the south provides screening from the Rowena Plateau and Nature Conservancy Viewpoint KVAs. With conditions to ensure the siting of the building does not change, the building would be consistent with this guideline.

Retention of existing vegetation

A mixed stand of coniferous and deciduous trees located to the west and south of the project site would provide screening for the proposed building. With conditions to retain these trees, the proposed development would be visually subordinate. The trees to be retained are shown on the Vegetation Retention Plan attached to this decision.

Design (color, reflectivity, size, shape, height, architectural and design details and other elements)

As proposed, the agricultural building would have a maximum height of 19 feet from the final adjacent grade and a 1920 square foot footprint. The west and east sides of the proposed building contain small, well-separated windows measuring approximately 3 feet by 4 feet. The windows would be well screened by existing topographic features and existing vegetation. With conditions that require dark earth-tone color choices and the use of low reflective exterior building materials, the proposed development would be visually subordinate.

New landscaping

No new landscaping has been proposed by the applicant. With conditions to ensure the retention of existing vegetation currently providing screening from KVAs (as shown on the Vegetation Retention Plan), no new landscaping would be required.

9. Commission Rule 350-81-520(2)(e) states:

New development shall be sited to achieve visual subordination from key viewing areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, sensitive plants, or sensitive wildlife sites or would conflict with guidelines to protect cultural resources. In such situations, development shall comply with this guideline to the maximum extent practicable.

As explained in Finding B.7, the proposed storage building is sited to achieve visual subordination from KVAs, consistent with Commission Rule 350-81-520(2)(e).

10. Commission Rule 350-81-520(2)(f) states:

New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordination from key viewing areas.

As described in Findings B.1, B.7 and B.13, the most suitable site for development was chosen. The proposed development is sited so as to utilize topographic features and existing vegetation to screen the proposed development from KVAs. The proposed development would be consistent with Commission Rule 350-81-520(2)(f).

11. Commission Rule 350-81-520(2)(g) states:

Existing tree cover screening proposed development from key viewing areas shall be retained as specified in the Landscape Settings Design Guidelines in 350-81-520(3).

With a condition to retain the existing vegetation used for screening the development to the south and west, the proposed development would be consistent with Commission Rule 350-81-520(2)(g).

12. Commission Rule 350-81-350(2)(h) states:

The silhouette of new buildings shall remain below the skyline of a bluff, cliff, or ridge as seen from key viewing areas. Variances to this guideline may be granted if application of the guideline would leave the owner without a reasonable economic use. The variance shall be the minimum necessary to allow the use and may be applied only after all reasonable efforts to modify the design, building height, and site to comply with the guideline have been made.

Due to its placement on a hillside at a lower elevation than areas to the north and east, the proposed development would not break the skyline of a bluff, cliff or ridge as seen from KVAs and is therefore consistent with Commission Rule 350-81-350(2)(h).

13. Commission Rule 350-81-520(2)(j) lists guidelines that apply to new landscaping used to screen development from key viewing areas. Commission Rule 350-81-520(2)(j)(A) states:

New landscaping (including new earth berms) shall be required only when application of all other available guidelines in 350-81-520 is not sufficient to make the development visually subordinate from key viewing areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordination. Development shall be sited to avoid the need for new landscaping wherever possible.

Conditions regarding color, reflectivity and retention of existing vegetation will ensure that the development would be visually subordinate as seen from KVAs. The proposed site benefits from a high level of screening received from existing topography and existing vegetation on the subject parcel. Alternative sites considered to the north on the subject parcel would have resulted in greater levels of visibility as seen from KVAs, more grading and a greater loss of existing vegetation. No new landscaping would be required as long as the existing vegetation that would provide screening is retained.

14. Commission Rule 350-81-520(2)(k) states:

Conditions regarding new landscaping or retention of existing vegetation for new developments on lands designated GMA Forest shall meet both scenic guidelines and fuel break requirements in 350-81-300(1)(a).

The subject parcel is designated General Management Area Small-Scale Agriculture. Thus Commission Rule 350-81-520(2)(k) is not applicable and the proposed use is not subject to this guideline.

15. Commission Rules 350-81-520(2)(l) states:

Unless expressly exempted by other provisions in 350-81-520, colors of structures on sites visible from key viewing areas shall be dark earth-tones found at the specific site or in the surrounding landscape.

The applicant has proposed using board and batten wooden siding or a stucco finish for the sides of the building. The colors submitted are dark, earth-tone colors. The applicant has also proposed to use a weathered steel product (Cor-ten) for the roofing material. A condition of approval is included requiring the exterior surfaces of the proposed structure, including doors, siding, trim, window sash, and roof to be dark earth-tone colors. With this condition, the proposed structure would be consistent with Commission Rule 350-81-520(2)(l).

16. Commission Rule 350-81-520(2)(m) states:

The exterior of buildings on lands seen from Key Viewing Areas shall be composed of non-reflective materials or materials with low reflectivity, unless the structure would be fully screened from all Key Viewing Areas by existing topographic features.

The building site is not completely screened from KVAs by existing topographic features. Therefore, the exterior of the proposed dwelling must be composed of non-reflective materials or materials with low reflectivity.

The applicant has proposed using board and batten wooden siding or a stucco finish for the sides of the building. Both of these materials have low reflectivity. The applicant has also proposed to use a weathered steel product (Cor-ten) for the roofing material.

This material has been found to be of low reflectivity. Use of these materials is consistent with Commission Rule 350-81-520(2)(m).

As proposed, the shop building would have fairly small windows facing KVAs to the west. Because this face of the proposed building is well screened by intervening topographic features, existing vegetation and the existing house, a condition requiring the use of low reflective glass is not required.

As mentioned previously, the site contains groupings of coniferous trees that would effectively screen the building from KVAs. With conditions requiring the retention of existing vegetation used for screening to the south and west, the proposed dwelling would be consistent with Commission Rule 350-81-520(2)(m).

17. Commission Rule 350-81-520(2)(p) states:

Exterior lighting shall be directed downward and sited, hooded and shielded such that it is not highly visible from Key Viewing Areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials.

Two exterior lights are indicated on the applicant's plans. A condition of approval shall required that exterior lighting is directed downward and sited, hooded and shielded such that it is not highly visible from Key Viewing Areas. Shielding and hooding materials shall be required to be composed of non-reflective, opaque materials. Thus, the approved lighting would be consistent with Commission Rule 350-81-520(2)(p).

18. Commission Rule 350-81-520(2)(y) states:

New buildings shall not be permitted on lands visible from key viewing areas with slopes in excess of 30 percent. Variances to this guideline may be authorized if the guideline's application would render a property unbuildable. In determining the slope, the average percent slope of the proposed building site shall be used.

The project site has a slope of 3%. Thus, a variance would not be needed to meet this guideline.

19. Commission Rule 350-81-520(2)(z) states:

Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from key viewing areas.

The proposed development is sited on a relatively level portion of land, with slopes of approximately 3%. A slight amount of cut and fill would be necessary to create a level building pad. The cut slope will be on the east side of the barn, thus blocked from view from KVAs. Therefore, the proposed development would not result in the creation of

highly visible cut banks or fill slopes and would be consistent with Commission Rule 350-81-520(2)(z).

20. The Landscape Settings Map in the *Management Plan for the Columbia River Gorge National Scenic Area* classifies the building site as Pastoral. Commission Rules 350-81-520(3)(a)(A) and (B) contain applicable guidelines for proposed development in this landscape setting.
21. Commission Rule 350-81-520(3)(a)(A) states:

Accessory structures, outbuildings, and access ways shall be clustered together as much as possible, particularly towards the edges of existing meadows, pastures, and farm fields..

The project site is at the edge of the cultivated lands on the parcel and clustered together with other buildings on the property, consistent with Commission Rule 350-81-520(3)(a)(A).

22. Commission Rule 350-81-520(3)(a)(B) states:

In portions of this setting visible from key viewing areas, the following guidelines shall be employed to achieve visual subordination for new development and expansion of existing development:

- (i) Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.*
- (ii) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.*
- (iii) At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Such species include fruit trees, Douglas-fir, Lombardy poplar (usually in rows), Oregon white oak, big leaf maple, and black locust (primarily in the eastern Gorge).*
- (iv) At least one-quarter of any trees planted for screening shall be coniferous for winter screening.*

The parcel's existing vegetation would provide adequate screening from KVAs, so no new vegetation will need to be planted for additional screening. With a condition to retain existing vegetation located south and west of the proposed development, the requirements of Commission Rule 350-81-520(3)(a)(B) are met.

23. Commission Rule 350-81-520(4) requires that all review uses within Scenic Travel Corridors be set back at least 100 feet from the edge of pavement of the Scenic Travel Corridor roadway.

The closest Scenic Travel Corridor, State Route 14, is located approximately 2 miles south of the subject parcel. The proposed development is farther than 100 feet from the roadway, and is thus consistent with Commission Rule 350-81-520(4).

Conclusion:

With conditions regarding the retention of screening vegetation, reflectivity, outdoor lighting, and exterior color, the proposed development would be consistent with the guidelines in Commission Rule 350-81-520 that protect scenic resources in the National Scenic Area.

C. Cultural Resources

1. Commission Rule 350-81-540(1)(c)(A)(ii) requires a cultural resources reconnaissance survey for all proposed uses except those described in 350-81-540(1)(c)(A)(ii)(I) through (VI).
2. Marge Dryden, Heritage Resource Program Manager for the Columbia River Gorge National Scenic Area, reviewed the new land use application and determined that pursuant to Commission Rule 350-81-540(1)(c)(A)(ii) a reconnaissance survey was not required because the site is in a low probability area and is not within 100 feet of a high probability area.
3. Commission Rule 350-81-540(1)(c)(A)(i) states:

A reconnaissance survey shall be required for all proposed uses within 500 feet of a known cultural resource, including those listed as exceptions in 350-81-540(1)(c)(A)(ii).

According to the Heritage Resource Inventory Report, dated April 24, 2008 by Ms. Dryden, the nearest archeological site is more that 775 feet from the project area.

4. Commission Rule 350-81-540(1)(c)(B) states:

A historic survey shall be required for all proposed uses that would alter the exterior architectural appearance of buildings and structures that are 50 years old or older, or would compromise features of the surrounding area that are important in defining the historic or architectural character of buildings or structures that are 50 years old or older.

The applicant proposes to remove the remnants of a barn that is older than 50 years old. Ms. Dryden found that the barn is no longer in a serviceable condition and only the

foundation remains. The existing shed proposed for removal is less than 50 years old. Ms. Dryden found that the proposed removal of these structures on the property would not compromise features of the surrounding area that are important in defining the historic or architectural character of buildings or structures that are 50 years old or older. Therefore, a historic survey was not required for the proposed use.

5. Commission Rule 350-81-540(2)(c)(B) states:

The cultural resource protection process may conclude when one of the following conditions exists...

- (i) *The proposed use does not require a reconnaissance or historic survey, no cultural resources are known to exist in the project area, and no substantiated concerns were voiced by interested persons within 21 calendar days of the date that a notice was mailed.*

Neither a reconnaissance nor a historic survey were required. Additionally, no substantiated concerns were voiced by interested persons within 21 calendar days of the date that a notice was mailed, and no substantiated concerns regarding cultural resource impacts were voiced by the State Historic Preservation Officer or Indian tribal governments during the comment period. Therefore, the cultural resource protection process may conclude.

6. Commission Rule 350-81-540(6) protects cultural resources discovered during construction. It requires that if cultural resources are discovered after construction begins, all construction activities within 100 feet of the discovered cultural resource shall cease; further disturbance is prohibited, and the Gorge Commission shall be notified within 24 hours of the discovery. A condition of approval will alert the applicant to this requirement.

Conclusion:

With a condition protecting unknown cultural resources discovered during construction, the proposed development is consistent with the guidelines in Commission Rule 350-81-540 that protect cultural resources in the National Scenic Area.

D. Recreation Resources

1. Commission Rule 350-81-086 states:

If new buildings or structures may detract from the use and enjoyment of established recreation sites, an appropriate buffer shall be established between the building/structure and the parcel.

No recreation sites or facilities exist on parcels that are adjacent to the subject parcel, therefore, no buffers are required pursuant to Commission Rule 350-81-086.

Conclusion:

The proposed agricultural building would be consistent with Commission Rule 350-81-086 that protects recreation resources in the National Scenic Area.

E. Natural Resources

1. Commission Rule 350-81 provides guidelines for protecting wetlands (Section 560); streams, ponds, lakes, and riparian areas (Section 570); sensitive wildlife areas and sites (Section 580); and sensitive plants (Section 590).
2. The Gorge Commission's natural resource inventories do not show any wetlands or sensitive plant areas or sites within 1,000 feet of the subject parcel. The proposed development would be consistent with Commission Rules 350-81-560 and 590 that protect these resources.
3. The Gorge Commission's natural resource inventories shows a seasonal stream running along the south property line of the subject parcel. The riparian area is composed of a mixture of shrubs, coniferous and deciduous trees. Commission Rule 350-81-570(7) defines a buffer area of 50 feet along the stream course. The proposed development is located well outside of this buffer area. No disturbance will occur within the buffer area or stream.
4. The Gorge Commission's natural resource inventories indicate that sensitive wildlife sites are located within 1000 feet of the project area. Commission Rule 350-81-580(3) allows review uses to occur within 1,000 feet of a sensitive wildlife area or site when approved pursuant to Commission Rule 350-81-580(4).
5. Commission Rule 350-81-580(4) requires that the site plan for the development is submitted to the Washington Department of Fish and Wildlife for review and determination whether the proposed use may compromise the integrity of the wildlife site or whether the activity would occur during the time of year when wildlife species are sensitive to disturbance.

On April 16, 2008 Commission staff sent notice and site plan to the Washington Dept. of Fish and Wildlife. On May 1, 2008 they indicated that they have no concerns regarding this development proposal.

Conclusion:

The proposed agricultural building is consistent with the guidelines in Commission Rule 350-81, Sections 560 through 590 that protect natural resources in the National Scenic Area.

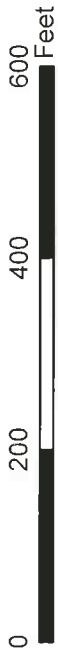
cc: Confederated Tribes and Bands of the Yakama Indian Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs Reservation
Nez Perce Tribe
Klickitat County Planning
Klickitat County Building
Friends of the Columbia Gorge
Washington Dept. of Fish and Wildlife
Washington Dept. of Natural Resources

Vegetation Retention Plan

Corresponding with Condition 3 of Development Review C08-0009-K-G-17

- Existing trees that provide necessary visual screening are located to the west and south of the proposed barn and the existing residence.
- The trees to be retained are circled on this photograph.

Columbia River Gorge Commission
1 inch equals 200 feet



Created by: *TJ*
Date: 5/14/08



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APPROVED
BC 6/4/08