



STAFF REPORT

- Proposal:** The Columbia River Gorge Commission received an application to construct a free-standing utility shed to serve as a sanitary testing station for the existing water utility onsite. The utility shed will provide for the safe distribution of water to 62 lots.
- Applicant:** Columbia Rim Owners Association (CROA) C/O Sarah Baker
- Landowner:** Melinda Walsh
- Location:** The subject parcel is located in the NW $\frac{1}{4}$ section of Section 28, Township 3 North, Range 11 East, W.M., Klickitat County, Washington. Klickitat County Parcel Number 0311280000600. Also known as 85 Ramsay Lane, White Salmon, WA.
- Case File:** C17-0003
- Zoning:** The subject property is designated Small-Scale Agriculture in the General Management Area (GMA) and is 9.49 acres in size.

COMMENTS FROM INDIVIDUALS/AGENCIES/GOVERNMENTS:

Notice of the subject request was mailed to property owners within 500 feet of the subject parcel and the following organizations/agencies/governments:

Confederated Tribes and Bands of the 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 Department of Archaeology and Historic Preservation
Klickitat County Planning Department
Klickitat County Building Department
Klickitat County Public Works Department
Klickitat County Health Department
Klickitat County Assessor
Skamania County
Washington Natural Heritage Program
Washington Department of Fish and Wildlife
Friends of the Columbia Gorge

Written comments were received from the Friends of the Columbia River Gorge and the U.S. Forest Service (USFS) National Scenic Area Office.

FINDINGS OF FACT:

A. Land Use

1. The subject property is in the General Management Area (GMA) and is designated Small-Scale Agriculture with a 20-acre minimum parcel size for new land divisions.
2. The subject parcel is approximately 9.49 acres in size with access from Ramsay Lane. The parcel includes an existing dwelling, access and parking area, garage, barn, sheds, and water reservoir. The parcel is mainly flat, with a downward slope in the southwest corner. The proposed water utility shed would be located within the flat area of the parcel.
3. The proposed development would construct a water utility shed to provide a sanitary testing station for the water supply. The utility shed would allow water testing to occur adjacent to the existing water reservoir and underground water tanks prior to distribution. The utility shed would be 160 square feet, with a maximum height of 10 feet.
4. Gorge Commission's Land Use Ordinance (350-81) lists review uses that may be allowed within the GMA, subject to applicable approval criteria and compliance with scenic, cultural, natural, and recreation resources guidelines of the Commission Rule 350-81, Sections 520 through 620.
5. Required setback

Commission Rule 350-81-076(1) requires new buildings within the GMA to comply with agricultural buffers when proposed to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use.

The proposed utility shed would be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture. According to Klickitat County Assessor, adjacent parcels to the west and north are not currently used for agricultural use; however, a 100-foot buffer applies if they are suitable for agricultural use. The adjacent parcel to the south is assessed as agricultural land by the Klickitat County Assessor and managed for grazing/rangeland. A 100-foot buffer applies for land used for grazing. In compliance with Commission Rule 350-81-076(1), the utility shed would be setback over 100 feet from the northern, western, and southern property lines.

According to Klickitat County Assessor, the adjacent parcel to the east (parcel 0311280000600) is not currently used for agricultural use. The applicant is proposing to locate the utility shed approximately 20 feet from parcel 0311280000600. The currently proposed site is adjacent to the existing water reservoir located on the subject parcel and underground water storage tanks located on parcel 0311280000600, and directly above the existing water pipeline, which would allow a direct tap to the utility shed for water testing.

Moving the utility shed to another location would require a utility easement, digging a new trench, and installation of new water pipeline.

Based on information from the U.S. Department of Agriculture (USDA), National Resource Conservation Service (NRCS) Web Soil Survey, two soils are found on the adjacent parcel to the east. Almost 60 percent of the parcel is composed of Leidl-Dillcourt-Rock outcrop complex, 30 to 75 percent slopes (25) and 42 percent of the parcel is composed of McGowan ashy loam, 2 to 8 percent slopes (77A). The USDA, Soil Conservation Service, has established a land capability classification system. This system rates soils primarily for agricultural purposes, with classifications ranging from I to VIII. In general, classes I through VI are suitable for cultivation. Increased limitations on agricultural practice are reflected with ratings at the upper end of the classification scale. Class V through VIII soils are generally not suitable for cultivation.

The Leidl-Dillcourt-Rock outcrop complex, 30 to 75 percent slopes soil has a non-irrigated land capability classification of VIIe (unrated if irrigated). Class VII soils are defined by the land capability classification system as having "very severe limitations that make them unsuited to cultivation and that restrict their use largely to grazing, forestland, or wildlife habitat"¹. The McGowan ashy loam, 2 to 8 percent slopes soil has a non-irrigated land capability classification of IIe (III if irrigated). Class II soils are defined by the land capability classification system as having "moderate limitations that reduce the choice of plants or require moderate conservation practices"². The capability subclass rating of "e" indicates that the principal limitation on the soils' use is erosion. The steep slopes on the southern half of the parcel #0311280000600 are also reflected in the capability subclass rating of "e". In addition to the soils' propensity to erode, use of farm equipment on these slopes would be possible only through extraordinary manipulation of the slope and custom equipment design. Such practices are not found in this region.

With crop management techniques in place, soils on the northern half of the parcel could be cultivated. However, this portion of the parcel consists of only 3.1 acres, which includes a dwelling, driveway, two underground water storage tanks, and a wooded area, further reducing acreage available for agriculture to approximately 1.5 acres and limiting the ability to conduct agricultural operations.

The soils are rated by the NRCS for potential range production. However, the Web Soil Service provides pasture yields expressed in terms of animal unit months (AUM)³. The Leidl-Dillcourt-Rock outcrop complex soil is not rated for AUMs. The McGowan ashy loam soil has an AUM capacity of six to 15 AUMs, depending on irrigation. This AUM figure means the parcel can sustain six cows or cow/calf pairs if the land is not irrigated, and 15 cows if the land is irrigated, for one month. In the context of annual usage, the parcel's carrying capacity of up to 15 AUM is the equivalent of sustaining 1.25 cow per year.

Successful grazing operations require large land holdings of hundreds and oftentimes thousands of acres. Parcel #0311280000600 is only 6.9 acres, too small to be managed for livestock grazing independently of other parcels. While there are three parcels in the

¹ USDA, NRCS. 2017. Web Soil Survey.

² USDA, NRCS. 2017. Web Soil Survey.

³ An AUM is the amount of forage (790 to 1,000 pounds of dry matter) required by one mature cow of approximately 1,000 pounds, with or without a calf, for 1 month.

surrounding area that are managed for grazing/rangeland, they are under different ownership than the subject parcel. Further, the subject parcel contains an existing dwelling, utility infrastructure, and other improvements, preventing it from being used for livestock. In summary, the northern half of parcel #0311280000600 does consist of soils suitable for cultivation, with proper crop management techniques in place. However, the existing dwelling, water storage tanks, other infrastructure, and wooded area on the site reduce the area available for cultivation from 3.1 acres to approximately 1.5 acres. The soils are too poor and the terrain too steep to be cultivated on the southern half of the property. The parcel is capable of supporting a limited number of livestock. However, its small size, and existing improvements make it unsuitable for livestock grazing. As indicated by the parcel designation of Small-Scale Agriculture with a 20-acre minimum parcel size for new land divisions, the parcel is too small for even small-scale agricultural operations. Additionally, the parcel is located within an area consisting mainly of smaller parcels and residential uses, with only three parcels in grazing/rangeland use. Considering soils, terrain, location, and size, parcel #0311280000600 is not suitable for agricultural use. Therefore, as parcel #0311280000600 is not currently used, nor suitable, for agricultural use, the buffer requirement in Commission Rule 350-81-076(1) does not apply.

6. Commission Rule 350-81-200 lists review uses that may be allowed on lands designated Small-Scale Agriculture, subject to additional approval criteria.
7. Commission Rule 350-81-200(1)(a) allows utility facilities necessary for public service, upon showing that (1) there is no practicable alternative location with less adverse effect on agricultural or forest lands, and (2) the size is the minimum necessary to provide the service.

Pursuant to Commission Rule 350-81-020(166) a utility facility is defined as “Any structure that provides for the transmission or distribution of water, sewer, fuel, electricity, or communications.”

The proposed utility shed would be used as a water supply testing station, work space for assembling parts and materials, and storage space for material and equipment used to operate the water system. The primary purpose of the shed is to provide a sanitary testing station where water samples can be taken at a location next to the water reservoir and underground water storage tanks, prior to distribution. Currently, the CROA is required to submit monthly water samples to the Klickitat County Health Department to be tested for Coliform bacteria and E Coli bacteria. Additional samples are taken quarterly and submitted to the Washington Department of Health to test for VOC's, SOC's, nitrates, metals, pesticides, and other chemicals. Water samples have to be taken from an inside source (i.e., not at an outside faucet). Currently, water samples are being taken from inside members' homes, at a kitchen or bathroom sink. However, these locations can be sources of Coliform bacteria and E Coli bacteria. The monthly water samples tested positive for E Coli and/or Coliform bacteria in January, March, September, and October 2016 and negative for the other eight months. When a positive bacteria test occurs, the test must be repeated immediately at multiple additional locations and multiple-location testing may be required for the month following a positive test. For the first 11 months in 2016, the CROA had to submit 33 water samples (versus only 11 water samples with negative test results). The inconsistent positive test results indicate that there was contamination present at the member's sink from which the water sample was taken and warrants a sanitary testing station. The proposed utility shed would help ensure that water is safe prior to distribution, as required by the Klickitat County Health Department and Washington Department of Health.

Due to the Klickitat County Health Department and Washington Department of Health required water testing prior to distribution, the utility shed is found to be a required component in providing for the distribution of water and is therefore, considered a “utility facility” and an allowed use in accordance with Commission Rule 350-81-190(1)(o).

Due to the purpose of testing the water supply source, the utility shed needs to be located adjacent to the water reservoir tower, the two nearby underground tanks, and the nearby shed that houses the pressure tanks that pump water to the homes located at or about the same elevation as the water reservoir tower. Therefore, there is not an alternative location within the parcel that would meet the purpose and need of the proposed use and have a less adverse effect on agriculture lands. Further, the utility shed has been sited to meet agricultural buffer setbacks, in compliance with Commission Rule 350-8181-076(1).

The utility shed would be 160 square feet in area and 10 feet high, the minimum necessary to conduct the required operations.

8. Commission Rule 350-81-200(1) includes that the uses identified in 350-81-200, may be allowed only if they meet both of the following criteria:
 - (a) The use is compatible with agricultural uses and would not force a change in or significantly increase the cost of accepted agricultural practices on nearby lands devoted to agricultural use.
 - (b) The use will be sited to minimize the loss of land suitable for the production of crops or livestock.
9. Whether the use is compatible with agricultural uses and would not force a change in or significantly increase the cost of accepted agricultural practices on nearby lands devoted to agricultural use

Based on information provided by the Klickitat County Assessor, the subject parcel is not used for agricultural use.

Adjacent parcels to the north, northeast, east, and west are six parcels of approximately 5.1, 5.9, 11.0, 5.1, 6.9, and 20 acres. Four of the parcels contain single-family dwellings. All of the parcels assessed as residential land by the Klickitat County Assessor and none are managed for agriculture. Eleven nearby parcels to the north and west are also assessed as residential land and not managed for agriculture.

A 1.0-acre parcel within the subject parcel is owned by the Klickitat County PUD and contains a communications tower.

The adjacent 200.0-acre parcel to the south, and contiguous 318.5- and 626.7-acre parcels to the west and northwest, are under the same ownership. These parcels are assessed as agricultural land by the Klickitat County Assessor and managed for grazing/rangeland. The proposed utility shed would be located over 200 feet from the northern boundary of the adjacent parcel to the south. The utility shed would be further separated from the parcel by the increasingly steep terrain on the southern portion of the subject parcel. There are existing residential and utility uses in close proximity to this parcel, including the existing communications tower, water reservoir tower, two underground tanks, and shed that houses water pump pressure tanks. Consequently, the proposed utility shed would not introduce a

new land use that does not already exist adjacent to the parcel. Further, the distance and steep terrain between the proposed utility shed and this agricultural use further mitigates any potential conflicts. For these reasons, the proposed utility shed would not force a change in or increase the cost of accepted agricultural practices on this adjacent parcel.

1. Whether use will be sited to minimize the loss of land suitable for the production of crops or livestock

Soils/Terrain: Based on information from the UUSDA, NRCS Web Soil Survey, two soils are found on the subject parcel. Eighty percent of the parcel is composed of McGowan ashy loam, 2 to 8 percent slopes (77A) and 20 percent of the parcel is composed of Leidl-Dillcourt-Rock outcrop complex, 30 to 75 percent slopes (25). The McGowan ashy loam, 2 to 8 percent slopes soil has a non-irrigated land capability classification of IIe (III if irrigated; Table 1). Class II soils are defined by the land capability classification system as having "moderate limitations that reduce the choice of plants or require moderate conservation practices"⁴. The Leidl-Dillcourt-Rock outcrop complex, 30 to 75 percent slopes soil has a non-irrigated land capability classification of VIIe (unrated if irrigated; Table 1). Class VII soils are defined by the land capability classification system as having "very severe limitations that make them unsuited to cultivation and that restrict their use largely to grazing, forestland, or wildlife habitat"⁵. The capability subclass rating of "e" indicates that the principal limitation on the soils' use is erosion. The steep slopes on the southwestern part of the subject parcel are also reflected in the capability subclass rating of "e". In addition to the soils' propensity to erode, use of farm equipment on these slopes would be possible only through extraordinary manipulation of the slope and custom equipment design. Such practices are not found in this region.

The Leidl-Dillcourt-Rock outcrop complex soil is not rated for AUMs. The McGowan ashy loam soil has an AUM capacity of six to 15 AUMs, depending on irrigation. This AUM figure means the parcel can sustain six cows or cow/calf pairs if the land is not irrigated, and 15 cows if the land is irrigated, for one month. In the context of annual usage, the parcel's carrying capacity of up to 15 AUM is the equivalent of sustaining 1.25 cow per year.

Table 1: Soils, Land Capability Classification, and Potential Range Production for Parcel 03112800000600 (9.49 acres)

Soil Type	Map Symbol	Acres	Capability Class	Potential Range Production Normal Year (dry wt lb/ac)	AUM
McGowan ashy loam, 2 to 8 percent slopes	77A	8.2 (79.8%)	IIe	1,080	6-15
Leidl-Dillcourt-Rock outcrop complex, 30 to 75 percent slopes	25	2.1 (20.2%)	VIIe	623	Not rated

Source: USDA, NRCS. 2017. Web Soil Survey.

⁵ USDA, NRCS. 2017. Web Soil Survey.

⁵ USDA, NRCS. 2017. Web Soil Survey.

Emma Barnett, Washington Department of Natural Resources, Rangeland Manager, reported that the current price of one AUM for dryland grazing is approximately \$13.20 annually⁶. On the subject parcel, a year's grazing lease would potentially gross up to \$198.

Parcel Size: As mentioned above, successful grazing operations require large land holdings of hundreds and oftentimes thousands of acres. The subject parcel is only 9.49 acres, too small to be managed for livestock grazing independently of other parcels. While there are three parcels in the surrounding area that are managed for grazing/rangeland, they are under different ownership than the subject parcel. Further, the subject parcel contains an existing dwelling, utility infrastructure, and other improvements, preventing it from being used for livestock.

In summary, a majority of the subject parcel does consist of soils suitable for cultivation, with proper crop management techniques in place. However, the existing dwelling, outbuildings, utility and other infrastructure, reduce the area available for cultivation. The soils are too poor and the terrain too steep to be cultivated on a quarter of the subject property. The parcel is capable of supporting a limited number of livestock. However, its small size, and existing improvements make it unsuitable for livestock grazing. Further, the proposed utility shed would only occupy 160 square feet (0.004 acre), 0.04 percent of the subject parcel. Based on this information, the proposed use has been sited to minimize the loss of land suitable for the production of crops or livestock.

Conclusion:

New buildings are required to comply with agricultural buffers when located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use. In compliance with Commission Rule 350-81-076(1), the proposed utility facility would be set back at least 100 feet from adjacent parcels to the north, west, and south. The utility facility would be set back only 20 feet from parcel #0311280000600 to the east; however, the parcel is found to not be used, nor suitable, for agricultural use and therefore, the agricultural buffer requirement does not apply.

A utility facility may be allowed on the subject parcel if all of the criteria listed in Commission Rule 350-81-200(1)(a) are satisfied, and the dwelling will not adversely affect scenic, cultural, natural, or recreation resources.

Commission Rule 350-81-200(1)(a) contains two criteria (A and B):

- Criterion A is satisfied: the proposed utility facility would not force a change or increase the cost of agricultural practices on surrounding lands.
- Criterion B is satisfied: an analysis of the parcel's characteristics and its capability to be used for agricultural operations has shown that the subject parcel is predominantly unsuitable for the production of farm crops and livestock.

The proposed development is allowable by the Gorge Commission's Land Use Ordinance (Commission Rule 350-81), provided that it is found to be consistent with the land use ordinance guidelines that protect scenic, cultural, natural, and recreation resources in the National Scenic Area.

⁶ Barnet, Emma. 2017. Telephone Conversation. May 5, 2017.

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 area of the subject parcel where the utility shed is proposed is generally flat. The applicant indicated that grading will be minimal, with less than 12 cubic yards of grading, which will be limited to the utility shed footprint. The depth of the footing will be 24 inches. Following construction, the area will be restored to its natural grade. Locating the utility shed farther away from the water reservoir tower, two underground water tanks, and pressure tank shed would require the installation of connecting water pipeline, and depending on elevation, potentially a pump house to be able to transfer water to the testing facility, both of which would require additional grading. Therefore, the utility shed has been sited and designed to retain the existing topography and minimize grading activities to the maximum extent practicable.

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..."

The surrounding area contains moderately-sized single-family dwellings and accessory structures that are associated with residential and utility uses. The applicant proposes a utility shed that would be approximately 160-square feet and no more than 10 feet in height. The proposed building would be smaller in height and size than existing nearby development and is therefore consistent with Commission Rule 350-81-520(1)(b).

3. Commission Rule 350-81-520(1)(d) includes that the "site plan and application shall include all information required in the site plan guidelines in "Review Uses" 350-81-032(5)." Commission Rule 350-81-520(1)(c) states, "Determination of compatibility with the landscape setting shall be based on information submitted in the site plan."

The applicant provided an application form, project description, site plan, and elevations drawings, consistent with Commission Rule 350-81-032(5). The applicant indicated that less than 25 cubic yards of grading would be required for the building site; therefore, a grading plan is not required.

4. Commission Rule 350-81-520(2) contains guidelines for all review uses visible from key viewing areas.
5. Commission Rule 350-81-520(2)(a) states, "The guidelines in this section shall apply to proposed developments on sites topographically visible from key viewing areas."

As shown in the applicant's plan sheet photos #2 and #3, the proposed utility shed would be located behind a hillock that is 20 feet higher than the building site. Additionally, the utility shed site is at higher elevation than any key viewing area (KVA) and would be set back from the bluff. The Gorge Commission conducted a viewshed analysis from 10 feet above ground at the utility shed site, which confirmed that the utility shed would not be visible from any KVA. As the proposed utility shed would not be topographically visible from any KVA, Commission Rule 350-81-520(2) does not apply.

6. Commission Rule 350-81-520(3)(c)(A) states that in the Oak-Pine Woodland landscape setting, "Structure height shall remain below the tree canopy level in wooded portions of this setting."

The proposed utility shed would only be 10 feet high. As depicted in the applicant provided plan sheet photo #3, the utility shed would be below the tree canopy level. The structure, as proposed, would be consistent with Commission Rule 350-81-520(3)(c)(A).

7. Commission Rule 350-81-520(3)(a)(B) includes guidelines to be employed to achieve visual subordination for new development and expansion of existing development."

As previously mentioned, the proposed utility shed would not be topographically visible from any KVAs and therefore, no measures are required to obtain visual subordination in this case.

8. Commission Rule 350-81-520(4) contains-guidelines for all review uses within Scenic Travel Corridors.

The proposed use is not within any Scenic Travel Corridors and therefore, Commission Rule 350-81-520(4) does not apply.

Conclusion:

As the proposed development is not visible from any KVAs, it is consistent with the guidelines in 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 that a reconnaissance survey be conducted for proposed development.

On April 26, 2017, Marge Dryden, Heritage Program Manager, U.S. Forest Service, Columbia River Gorge National Scenic Area Office, conducted a cultural resource review for the proposal. Ms. Dryden determined through her review that the proposed development does not require a cultural resource reconnaissance survey because it would involve minor ground disturbance, would occur on a site that has been adequately surveyed in the past (Turk 1993⁷), and does not occur within 500 feet of a known archaeological site.

2. Commission Rule 350-81-540(1)(c)(B) requires a historic survey for 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."

Ms. Dryden determined through her review that the proposed development does not require a historic survey because it would not alter the exterior architectural appearance of significant

⁷ Turck, Thomas. 1993 Cultural Resource Short Form for Columbia Rim Water Reservoir, Columbia Rim Home Owner's Association. Development Review Number F93-0043-K-G-24. Manuscript on file with the US Forest Service in Hood River, Oregon.

buildings and structures that are 50 years old or older. The proposed development 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.

3. Commission Rule 350-81-540(2)(a)(A) allows that within the comment period, an interested party may request consultation with the project applicant regarding cultural resources.

No comments regarding cultural resources existing on the subject parcel were submitted and no consultation was requested.

4. Commission Rules 350-81-540(6)(a) and (b) require 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.

Conclusion:

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

D. Natural Resources

1. Commission Rules 350-81-560 through 590 contain provisions for the protection of natural resources. Commission Rule 350-81 protects wetlands (350-81-560); streams, ponds, lakes and riparian areas (350-81-570); sensitive wildlife areas and sites (350-81-580); and rare plants (350-81-590).

The National Wetland Inventory shows that there are no wetlands, streams, ponds, lakes, or riparian areas located on the subject property. The nearest waterbody is a stream that is located over 1,000 southwest, and over 750 feet northwest, of the proposed building site. The proposed utility shed would be located outside of the stream buffer. The proposed use would not impact protected wetlands, streams, ponds, lakes, riparian areas, or buffers; therefore, it is consistent with Commission Rules 350-81-560 and 350-81-570.

2. Commission Rule 350-81-580 contains provisions for the protection of sensitive wildlife areas and sites within 1,000 feet of the proposed development.

According to the wildlife inventory map maintained by the Gorge Commission, the subject parcel is not within 1,000 feet of any sensitive wildlife areas or sites.

In an email dated May 31, 2017, Amber Johnson of the WDFW, reported as no vegetation was proposed for removal, WDFW did not have any concerns⁸.

3. Commission Rule 350-81-590 contains provisions for the protection of sensitive plants within 1,000 feet of the proposed development.

⁸ Johnson, Amber. 2017. Email. May 31, 2017.

The Gorge Commission's Sensitive Plant Inventory map shows Thompson's broad-leafed lupine (*Lupinus latifolius* var. *thompsonianus*) approximately 840 feet from the proposed development. Proposed development may be allowed within 1,000 feet of a sensitive plant, when approved pursuant to Commission Rule 350-81-590(4).

Commission Rule 350-81-590(4)(a) requires that the Washington Natural Heritage Program staff examine the proposed development and field survey records. They are required to identify the exact location of sensitive plants and delineate a 200-foot buffer zone around them.

The applicant's site plan was submitted to the Washington Natural Heritage Program on May 30, 2017.

Commission Rule 350-81-591(4)(b) states that the rare plant protection process may conclude if the Development Review Officer, in consultation with the Natural Heritage Program staff, determines that the proposed use would be located outside of the plant buffer zone.

Jasa Holt, of the Washington Natural Heritage Program, reported that *Lupinus latifolius* var. *thompsonianus* was removed from the Heritage Program's Endangered, Threatened, and Sensitive list in 2013. Currently, there are no occurrences of rare plants or rare/high-quality ecological communities in the vicinity of the proposed development⁹.

Conclusion:

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

E. 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 on adjacent parcels, an appropriate buffer shall be established between the building/structure and the parcel."

No recreation site or facility exists on, or in the vicinity of, the subject parcel.

Conclusion:

The proposed development is consistent with the guidelines in Commission Rule 350-81-086 to protect recreation resources in the National Scenic Area.

EXPIRATION OF APPROVAL:

This decision of the Executive Director becomes void on the 7th day of June, 2019.

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 Executive Director 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

⁹ Holt, Jasa. 2017. Email. June 2, 2017.

original time limitation. The Executive Director shall not grant an extension if the site characteristics or new information indicate 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 7th day of July, 2017.

The decision of the Executive Director 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; additions or alterations; or grading not included in the approved application or site plan will require a new application and review.

cc:

Confederated Tribes and Bands of the 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 Department of Archaeology and Historic Preservation
Klickitat County Planning Department
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