

Director's Decision

Summary of Application

FILE NUMBER:	C24-0001
PROPOSAL:	The Columbia River Gorge Commission has received an application for a new agricultural building.
APPLICANT:	Michelle Dollarhide
LANDOWNER:	Kent Smith
SIZE and LOCATION:	The subject parcel is approximately 490 acres in size and located at 45 Smith Ranch Road, and is described as Tax Lot Number 02-13-1500-0001/00, in Section 15, Township 2 North, Range 13 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Large-Scale Agriculture (160)

Decision

Based upon the findings of fact and conclusions of law in the staff report accompanying this decision and the conditions of approval in this decision document, the land use application by Michelle Dollarhide, for the construction of a new agricultural building, is consistent with Commission Rules chapter 350, division 082, and thus consistent with the *Management Plan for the Columbia River Gorge National Scenic Area* and the standards of Section 6 and the purposes of the Columbia River Gorge National Scenic Area Act, Pub. L. 99-663, 100 Stat. 4274 (1986), and is hereby **APPROVED WITH CONDITIONS**.

Conditions of Approval

The following conditions of approval are given to ensure that the subject request is consistent with Commission Rules chapter 350, division 082. Compliance with these conditions of approval is required. The Gorge Commission may take one or more enforcement actions at any time to ensure compliance with these conditions of approval.

1. In accordance with Commission Rule 350-082-0150(3), the applicant shall record the Executive Director's decision and conditions of approval and approved site plan and elevation drawings in county deeds and records (at the Klickitat County Auditor's Office) to ensure notice of the conditions to successors in interest. The record shall be associated with all tax lots and parcels that constitute the subject property. The applicant need not record the separate staff report document containing the relevant

findings and conclusions. Once recorded, the applicants shall submit a copy of the recorded documents to the Executive Director.

2. This decision does not exempt the proposal from other non-National Scenic Area rules and regulations. It is the applicant's responsibility to ensure the use complies with all other applicable federal, state, and county laws and to obtain necessary approvals, including utility easement approvals.
3. A post-completion inspection is required. Please contact the Gorge Commission office when all construction is complete to schedule this inspection. The applicant may request interim inspections and Gorge Commission staff may at its discretion conduct interim inspections.
4. Any new land uses or structural development, alterations, or grading not included in the approved application or site plan will require a new application and review.
5. The development shall be constructed as shown on the approved application, site plan and elevation drawings. The barn shall be 90 ft. x 36 ft. and no taller than 14 ft. as measured from the ground. Any changes shall be reviewed and approved by the Executive Director before any changes are implemented.
6. All exterior building materials visible from key viewing areas, including but not limited to roof, doors, siding, trim, window casing and sash, decks, and railings shall be dark earth-tone colors. Only approved dark earth-tone colors for exterior materials visible from key viewing areas shall be used.

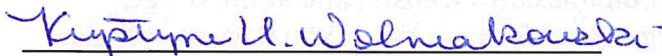
Since the barn is visible from a key viewing area, the proposed walls, trim and roof colors of "Brick Red" and "White" are hereby **not** approved. The applicant shall submit new wall, trim and roof colors consistent with scenic standards that are dark earth-toned and non-reflective before beginning construction of the barn.

Any proposed changes to these colors shall be submitted to the Gorge Commission for review for consistency with this condition of approval. The color of the development shall be maintained by painting and staining as necessary to maintain the approved color.

7. All exterior building materials including roofs, doors, siding, trim, window casing and sash, decks, and railings shall be nonreflective or have low reflectivity.
8. All exterior lighting fixtures shall be made from non-reflective material and be directed downward and hooded. A handout with recommended International Dark-Sky Association Acceptable Fixtures is included with this decision.
9. If cultural resources are discovered, all activities within 100 feet of the cultural resources shall immediately cease and the applicants shall notify the Gorge Commission within 24 hours of discovery and the State Physical Anthropologist, Dr. Guy Tasa at (360) 586-3534 or guy.tasa@dahp.wa.gov. The cultural resources shall remain as found and further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.

10. If human remains are discovered, all activities shall cease immediately upon their discovery. Local law enforcement, the Executive Director and Indian Tribal governments shall be contacted immediately. Further disturbance is prohibited until permission is granted by the Executive Director of the Gorge Commission.

DATED THIS 13 day of November 2024 at White Salmon, Washington.



Krystyna U. Wolniakowski
Executive Director

Expiration of Approval

Commission Rule 350-082-0160 governs the expiration of this Director's Decision.

Expiration of this Director's Decision is automatic. The Executive Director does not notify applicants or landowners of decisions that are expired or may be close to expiring.

This decision of the Executive Director becomes void on the 13 day of November 2026 unless construction has commenced in accordance with Commission Rule 350-082-0160(4).

Commission Rule 350-082-0160(4) specifies that commencement of construction means actual construction of the foundation or frame of the approved structure.

Construction must be completed within two years of the date the applicant commenced construction. Commission Rule 350-082-0160(5) specifies that completion of the structure means completion of the exterior surface(s) of the structure and compliance with all conditions of approval in the National Scenic Area approval.

Once the applicant has commenced construction of one element in this decision, the applicant must complete all elements in this decision in accordance with Commission Rule 350-082-0160. The Gorge Commission does not use different commencement of construction dates for different elements in this decision.

The applicant may request one 12-month extension of the time period to commence construction and one 12-month extension to complete construction in accordance with Commission Rule 350-082-0160(6). The applicant must submit the request in writing prior to the expiration of the approval. If the applicant requests an extension of time to complete construction after commencing construction, the applicant shall specify the date construction commenced. The Executive Director may grant an extension upon determining that conditions, for which the applicant is not responsible, would prevent the applicant from commencing or completing the proposed development within the applicable 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 on the 13 day of December 2024.

The decision of the Executive Director is final unless the applicant or any other person who submitted comment files a Notice of Appeal with the Commission within thirty (30) days of the date of this decision. Commission Rule chapter 350, division 70 governs appeal of this decision. This rule is available on the Gorge Commission's website and at the Gorge Commission office. You may contact the Gorge Commission office if you have questions about appealing this decision.

Notes

1. Any new land uses or structural development such as driveways, parking areas, garages, workshops, fences or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review. New cultivation also requires a new application and review.
2. This decision does not address local, state, or federal requirements that may be applicable to the proposed development. The landowner is responsible for obtaining all applicable county, state, or federal permits required for the development.

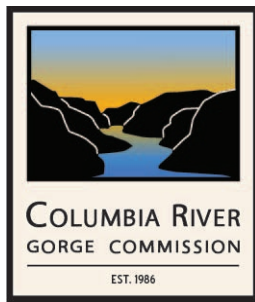
In accordance with Commission Rule 350-082-0150(6), the Gorge Commission staff mailed notice of this decision to the following governments, agencies, and organizations and persons who provided comment on the application:

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
Washington Natural Heritage Program
Washington Department of Fish and Wildlife
Steve McCoy, Friends of the Columbia Gorge

Attachments:

Staff Report for C24-0001

Approved site plans and elevation drawings
International Dark-Sky Association Acceptable Fixtures



Development Review Staff Report

Summary of Application

FILE NUMBER:	C24-0001
PROPOSAL:	The Columbia River Gorge Commission has received an application for a new agricultural building.
APPLICANTS:	Michelle Dollarhide
LANDOWNERS:	Kent Smith
SIZE and LOCATION:	The subject parcel is approximately 490 acres in size and located at 45 Smith Ranch Road and is described as tax lot number 02131500000100 in the southwest quarter of Section 15, Township 2 North, Range 13 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Large-Scale Agriculture (160)

Notice of Application Mailed to:

In accordance with Commission Rule 350-082-0110, the Gorge Commission staff mailed notice of this application to property owners within 200 feet of the subject parcel and sent email notice of this application to the following governments, agencies, and organizations:

Confederated Tribes and Bands of the Yakama Nation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of Warm Springs
Nez Perce Tribe
U.S. Forest Service National Scenic Area Office (USFS CRGNSA)
Washington Department of Archaeology and Historic Preservation (DAHP)
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 (WDFW)
Friends of the Columbia Gorge

Written Comments Received From:

Friends of the Columbia Gorge (Steve McCoy, Staff Attorney)
USFS CRGNSA (Chris Donnermeyer, Heritage Resource Program manager)

Findings of Fact

A. Land Use

1. Michelle Dollarhide has proposed to construct a 90 ft. x 36 ft. (3,240 sq. ft.) and 14 foot tall sheep barn for the purpose of housing sheep during the winter months. The new barn will have electrical service running from existing underground utilities.
2. The subject parcel is in the General Management Area (GMA) and is designated Large-Scale Agriculture with a 160-acre minimum parcel size. The parcel is approximately 490 acres in size and is located at 45 Smith Ranch Road near Dallesport, Washington.
3. According to Klickitat County Assessor's records, existing development on the property includes a 3,666 sq. ft. single-family dwelling built in 2020, a 3,266 sq. ft. barn built in 1940, and associated agricultural accessory structures and agricultural buildings in various states of use or decommission.

4. Commission Rule 350-082-0380(2) states,

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.

The applicant currently operates a working cattle and sheep ranch. The proposed building is intended for the shelter of sheep and cattle during winter months. The applicant has provided floor plans of the barn showing areas of the barn to be used for livestock and lambing pens.

5. Commission Rule 350-082-0380(3)(a-c) allows,

To satisfy 350-082-0240(3), the 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); and*
- (c) A floor plan showing intended uses of the agricultural building (e.g. space for equipment, supplies, agricultural products, livestock).*

The ranch currently has 12 pairs of cattle and 50 heads of sheep. According to the landowner, the ranch has raised cattle since 1877, and sheep were introduced to the property in 2019. No new agricultural use is proposed by the applicant. Included in the

application, the applicant provided a floor plan showing intended uses of the building which included an open area for livestock to shelter out of the weather and pens for lambing.

Land Use Conclusion:

The proposal is an allowed review use, subject to Commission Rules 350-082-0600 through 350-082-0720 that protect scenic, cultural, natural, and recreation resources.

B. Scenic Resources

1. Commission Rule 350-082-0600(1)(a) states:

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

The proposed site of the barn does not require any grading because the site is already level.

2. Commission Rule 350-082-0600(1)(b) states:

(b) New buildings and expansion of existing development shall be compatible with the general scale of existing nearby development. New buildings that are 1,500 square feet or less are exempt from this guideline. Findings addressing this guideline shall include, but are not limited to:

(A) Application of the landscape setting design guidelines, if applicable.

(B) A defined study area surrounding the development that includes at least ten existing buildings, not including existing buildings within urban areas or outside the National Scenic Area.

(C) Individual evaluations of scale for each separate proposed building in the application and each separate building in the study area, including:

(i) All finished above ground square footage;

(ii) Total area of covered decks and porches;

(iii) Attached garages;

(iv) Daylight basements;

(v) Breezeways, if the breezeway shares a wall with an adjacent building; and

(vi) Dimensions, based on information from the application or in Assessor's records.

(D) An overall evaluation demonstrating the compatibility of proposed development with surrounding existing development and development approved but not yet constructed. Buildings in the vicinity of the proposed development that are significantly larger in size than the rest of the buildings in the study area should be removed from this evaluation.

Staff evaluated existing development within the Large-Scale Agricultural Land Use Designation and Grasslands landscape setting within the surrounding 513 acres of the subject parcel. Of the 17 parcels considered, 12 of the parcels had existing agricultural buildings. According to Klickitat County Assessor's records, agricultural buildings in the vicinity range from 576 sq. ft. to 5,750 sq. ft. in size. The average size of the 12 buildings studied is 2,042.5 sq. ft. The proposed barn is 3,666 sq. ft. in size and is within the range of agricultural buildings in the study area, and is therefore compatible with existing development.

3. Commission Rule 350-082-0600(1)(c) states:

Landowners shall be responsible for the proper maintenance and survival of any planted vegetation required by 350-082-0600.

No new vegetation planting is proposed or required.

4. This staff report only discusses relevant subsections of the following rule. Commission Rule 350-082-0600(2)(a)-(r) state:

Key Viewing Areas. The guidelines in this section shall apply to all review uses proposed on sites topographically visible from key viewing areas.

Topographically visible refers to areas that can be seen from key viewing areas if all vegetation were removed. By conducting a site visit and by using GIS inventories and analysis in Google Earth, staff determined that the proposed barn will be topographically visible from Interstate 84 from the general distance listed in Table 1 below. Therefore, the scenic guidelines applicable to developments visible from key viewing areas apply.

(a) Each development shall be visually subordinate to its landscape setting as visible from key viewing areas. 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, rare plants, or sensitive wildlife sites or would conflict with guidelines to protect cultural resources. In such situations, new development siting shall comply with this guidelines to the maximum extent practicable.

The proposed barn is sited to the north of a gradually upward sloping hill which staff estimates topographically covers the bottom three-quarters of the barn as seen from the I-84 key viewing area to the southeast. Findings of fact applying to landscape setting conditions are detailed in Finding B.5.

Key Viewing Area (KVA)	Distance Zone		
	Foreground	Middleground	Background
	0 -1/4 mile	1/4 – 3 miles	Over 3 miles
Columbia River			
Historic Columbia River Highway			
Interstate 84			X
Rowena Plateau			
State Route-14			

(b) Determination of potential visual effects and compliance with the visual subordination standard is subsection (a) above shall include consideration of the cumulative effects of proposed development. A determination of potential visual impact of a new development shall include written findings addressing the following factors:

- (A) The amount of area of the building site exposed to key viewing areas;*
- (B) The degree of existing vegetation providing screening;*
- (C) The distance from the building site to the key viewing areas from which it is visible;*
- (D) The number of key viewing areas from which it is visible;*
- (E) The linear distance along the key viewing areas from which the building site is visible (for linear key viewing areas, such as roads); and*
- (F) Other factors the reviewing agency determines relevant in consideration of the potential visual impact.*

Commission Rule 350-082-0070(50) defines cumulative effects as “The combined effects of two or more activities. The effects may be related to the number of individual activities, or to the number of repeated activities on the same piece of ground. Cumulative effects can result from individually minor or collectively significant actions taking place over a period of time.”

To determine cumulative effects of the proposed development, staff analyzed existing development surrounding the subject parcel within a three-quarter mile. Staff chose the three-quarter mile study area because the parcels are within the same Grassland landscape setting and developments on the parcels within this study area contain similar agricultural buildings and use. As seen from key viewing areas, the subject parcel is in an area where existing accessory buildings are visible but sparsely scattered throughout the landscape and some are screened by topographical features.

Out of the 16 parcels within the study area, 12 of them had developments similar in size and number to the subject parcel which included single-family dwellings, accessory buildings, and agricultural-related structures and buildings. Four of the parcels had similar-sized agricultural-related buildings.

The site is partially visible from one key viewing area as shown in the table above and is only visible in the background of this key viewing area for approximately one mile. From

this key viewing area, the existing topography on the subject parcel provides effective screening due to the site location being over three miles away. At that viewing distance the development will appear insignificant in the landscape and will not be distinguishable to the unaided eye. Potential visual impacts from the proposed barn are focused on the south-facing elevation which consists of the 14-foot-high metal roof. As noted in the findings below, conditions of approval note specific building materials and colors required which will effectively aid in further blending the barn into the landscape.

Overall, the construction of a new agricultural building will not detract from the surrounding landscape and is associated with an appropriate agricultural use. Developments within the vicinity of the subject parcel consist of similar agricultural buildings and uses. The overall cumulative effects on the landscape are minimal in scale and proportionate to neighboring development.

5. Commission Rule 350-082-0070(202) defines visually subordinate as:

...A description of the relative visibility of a development, structure, or use where that development, structure, or use does not noticeably contrast with the defining landscape setting characteristics, as viewed from a specified vantage point (generally a key viewing area, for the Management Plan) and the setting appears only slightly altered (distinctive characteristics of that setting remain dominant). As opposed to development, structures, or uses that are fully screened, structures that are visually subordinate may be partially visible but would be difficult to discern to the common viewer. Visually subordinate development, structures, or uses as well as forest practices in the SMAs shall repeat form, line, color, or texture common to the natural landscape, while changes in their qualities of scale, proportion, intensity, direction, pattern, etc., shall not dominate the natural landscape setting.

Conditions of approval outlined in the Director's Decision require visually subordinate standards and materials for buildings visible from key viewing areas using dark earth-tone colors and low-reflectivity materials. The following colors submitted by the applicant are inconsistent with this standard and are hereby not approved:

Walls: Brick Red

Trim & Roof: White

A condition of approval is included requiring the landowner to resubmit colors for the walls, trim and roof before beginning construction.

Commission Rule 350-082-0600(2)(c) state:

(c) The extent and type of conditions applied to a proposed development to achieve visual subordination to its landscape setting shall be proportionate to its potential visual impacts as visible from key viewing areas. Conditions may include, and shall be applied using the following order of priority, with

(A) being the first condition to require and (F) being the last condition to require if the prior conditions do not achieve visual subordination:

(A) Screening by existing topography.

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

(C) Retention of existing vegetation on the applicant's property.

(D) Design and building materials (color, reflectivity, size, shape, height, architectural and design details and other elements).

(E) New landscaping on the applicant's property.

(F) New berms or other recontouring on the applicant's property, where consistent with other applicable provisions.

Finding B.4 discusses the topographical visibility from the one identified key viewing area. The topographical visibility is minimal where only the top few feet of the barn's roof will be visible. The proposed barn is sited close to other existing agricultural buildings, reducing the visual impact on the landscape by clustering buildings together. No vegetation is proposed by the applicant to be disturbed or removed. Because the barn's roof will be intermittently visible from one key viewing area in the background, the Director's Decision includes conditions of approval regarding color and reflectivity of the building materials.

(e) Existing tree cover screening proposed development from key viewing areas shall be retained as specified in 350-082-0600(3).

There is no proposal for the removal of any tree cover.

(f) The silhouette of new buildings shall remain below the skyline of a bluff, cliff, or ridge as visible from key viewing areas.

A large hill is located north of the subject property and forms the skyline behind the proposed barn as seen from the key viewing area. According to Google maps, the barn is located at an elevation of approximately 500 feet. The top of the hill to the north of the subject property is at an elevation of 3,000 feet. Sections of Interstate 84, where the proposed barn is visible from are located at an elevation of approximately 200 feet which is lower than the proposed barn. From this vantage point, looking up towards the proposed site, the barn remains well below the skyline.

(h) Unless expressly exempted by other provisions in 350-082-0600, 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 specific colors

approved by the reviewing agency shall be included as a condition of approval.

The proposed colors of brick red and white are not consistent with scenic guidelines and the Director's Decision includes conditions of approval related to the requirements for dark earth-tone colors.

(i) The exterior of buildings on lands visible from key viewing areas shall be composed of non-reflective materials or materials with low reflectivity. Continuous surfaces of glass shall be limited to ensure visual subordination. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

The materials of the proposed barn consist of metal wall siding and roof. The windows located on the south and east-facing elevations are spaced along the length of the wall and are not continuous. Conditions of approval are included in the Director's Decision related requirements for non-reflective materials, or materials consisting of low reflectivity.

(j) Any exterior lighting shall be sited, limited in intensity, shielded, or hooded in a manner that prevents lights from being highly visible from key viewing areas and from noticeable contrasting with the surrounding landscape setting, except for road lighting necessary for safety purposes.

The applicant has not proposed any exterior lighting.

6. Commission Rule 350-082-0600(3)(d)(A-C) outlines landscape setting guidelines for development within Grassland.

(A) Accessory structures, outbuildings, and access ways shall be clustered together as much as possible. Exceptions to this guideline are permitted where necessary for farming operations.

The proposed barn is sited less than 15 feet from the adjacent shop building and less than 175 feet from the large barn existing on the subject parcel.

(B) 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) Structures shall be sited on portions of the property that provide maximum screening from key viewing areas, using existing topographic features.*
- (ii) Lower structures that emphasize horizontal lines and blend with this sweeping landscape should be encouraged rather than very tall structures.*
- (iii) Planting of trees for screening shall not be extensive, in character with the openness of this setting. Where used, screening vegetation shall either tie in with nearby riparian vegetation in seasonal drainages or emulate windows. At least half of any trees planted for*

screening purposes shall be species native to the setting. Examples of native species are identified in the Scenic Implementation Handbook as appropriate to the area.

The proposed siting is visible from only one key viewing area to the southeast in the background and is largely screened by existing topography. The new development is consistent with the height and scale of existing agricultural development on the property and is sited to be clustered with the existing buildings. Additionally, the siting allows for the retention of all vegetation on the property.

(C) Compatible Recreation Use Guideline: Resource-based recreation uses of a very low-intensity or low-intensity nature (350-082-07000(1) and (2)) that occur infrequently are compatible with this setting, and include hiking, hunting, and wildlife viewing.

No recreation uses are proposed.

Scenic Resources Conclusion:

With conditions regarding materials and color of the building, the proposed development is consistent with Commission Rule 350-082-520 that protects scenic resources in the National Scenic Area.

C. Cultural Resources

1. Except as specified in Commission Rule 350-082-0620(2)(a)(C), new development in the NSA requires a reconnaissance survey.
2. Chris Donnermeyer, Heritage Resource Program Manager, U.S. Forest Service Columbia River Gorge National Scenic Area, reviewed the land use application and determined in a Cultural Resources Survey Determination letter, dated February 2, 2024, that pursuant to Commission Rule 350-082-0620(2)(a)(C) a Cultural Resource Reconnaissance Survey is required because the proposed use would occur on a site that has been determined to be located within a high probability zone.
3. Commission Rule 350-082-0620(2)(a)(D) describes when a historic survey is required. In his February 2, 2024 Cultural Resources Survey Determination letter, Mr. Donnermeyer determined that a historical survey is required because the proposed use would compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older.
4. Commission Rule 350-082-0620(2)(c)(C) and (d) describes that the results of a reconnaissance survey for large-scale use and historic surveys shall be documented in a confidential report. A reconnaissance and historical survey report was received by the Gorge Commission on August 28, 2024 from Chris Donnermeyer, Heritage Resource Program Manager, U.S. Forest Service Columbia River Gorge National Scenic Area.

5. Commission Rule 350-082-0620(2)(f) details the process for sending a Notice of Survey Results:

(A) The Executive Director shall submit a copy of all cultural resource survey reports to the State Historic Preservation Officer and the tribal governments. Survey reports may include measures to avoid affected cultural resources, such as a map that shows a reasonable buffer zone.

(B) The State Historic Preservation Officer and the tribal governments shall have 30 days from the date a survey report is mailed to submit written comments to the Executive Director. The Executive Director shall record and address all written comments in the development review order.

Gorge Commission staff sent a Notice of Survey Results to the tribal governments and the Washington Department of Archaeology and Historic Preservation on September 12, 2024. The comment period ended October 11, 2024. No comments were received.

6. Commission Rule 350-082-0620(2)(g)(B)(ii) describes when the cultural resource protection process may conclude:

A reconnaissance survey demonstrates that cultural resources do not exist in the project area, no substantial concerns were voiced by interested persons within 30 calendar days of the date that a notice was mailed, and no substantiated concerns regarding the reconnaissance survey were voiced by the State Historic Preservation Officer or Indian tribal governments during the 30-day comment period required in subsection 2(f)(B) above.

The cultural survey report concluded that the proposed development will have no effect to significant cultural or historical resources because no cultural resources exist in the project area. No substantial concerns were voiced by interested persons within 30 calendar days from the date the notice was mailed on January 30, 2024, and no substantiated concerns regarding the reconnaissance survey were voiced by the State Historic Preservation Officer or Indian tribal governments during the 30-day comment period that began September 12, 2024. Pursuant to Commission Rule 350-082-0620(2)(g)(B)(ii), the cultural resource protection process may conclude.

7. Commission Rule 350-082-0620(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 is included in the director's decision consistent with this rule.
8. Commission Rule 350-082-0620(7) contains provisions addressing discovery of human remains during construction. A condition of approval is included in the director's decision consistent with this rule.

Cultural Resources Conclusion

With conditions protecting unknown cultural resources and human remains discovered during construction, the proposal is consistent with the guidelines in Commission Rule 350-082-540 that protects cultural resources in the National Scenic Area.

D. Natural Resources

1. Commission Rule 350-082-0640(1) describes the rules for review uses in wetlands.

Commission Rule 350-082-0070(205) defines Wetlands as:

Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. This does not include riparian areas, rivers, streams, and lakes.

According to Gorge Commission natural resource inventories, the proposed site of the new barn is within 200 feet of a wetland. The wetland identified in Gorge Commission inventories is in the same location as the existing barn. According to Klickitat County Assessor's records, the existing barn was built in 1940. Historical aerial imagery shows no signs of a wetland and shows the area being dry throughout the year.

2. Commission Rule 350-082-0640(6)(a-g) discusses requirements for water resources buffer zones for all water resources. Section (d)(B)(f) states that the buffer zone for perennial streams shall be 100 feet and streams used by resident fish shall be 50 feet. Using Gorge Commission inventories, two streams were identified within the vicinity of the subject parcel. The stream located to the west of the project site is located over 100 feet away and is identified as a non-fish perennial stream. The stream located to the east of the project site is identified as a fish stream, but is located over 50 feet away.
3. Commission Rule 350-082-0650 describes the rules for Sensitive Wildlife Review Criteria. Using Gorge Commission inventories, the project site is located over 1,000 feet away from any areas identified for sensitive wildlife.
4. Commission Rule 350-082-0660(1)(a-d) discuss review uses and site plans related to Rare Plant Review Criteria:

(c) Proposed uses within 1,000 feet of a rare plant shall be evaluated for adverse effects, including cumulative effects, and adverse effects shall be prohibited.

The proposed development site is located approximately 1,400 feet away from the nearest rare plant inventory.

Natural Resources Conclusion:

The proposed development is consistent with Commission Rule 350-082, Sections 0640 through 0690, that protect natural resources in the National Scenic Area.

E. Recreation Resources

1. Commission Rule 350-082-0700(2) discusses guidelines for development located within the Recreation Intensity Class 2 designation. The applicant does not propose any recreational developments and the site is not located within the vicinity of existing recreational sites.

Recreation Resources Conclusion:

The proposed development is consistent with Commission Rule 350-082-0700 that protects recreation resources in the National Scenic Area.

F. Treaty Rights Protection

1. Commission Rule 350-082-0130 provides protection of tribal treaty rights from new development in the National Scenic Area. Consistent with Commission Rule 350-082-0130(1)(a), notice of the proposed development was sent to the tribal governments on January 30, 2024.
2. Commission Rule 350-082-0130(1)(b) lists additional notice requirements for projects in or providing access to the Columbia River or its fish bearing tributaries or for projects that may affect tribal treaty rights. The subject parcel does not adjoin the Columbia River or its fish-bearing tributaries and does not provide access to the Columbia River.
3. Commission Rule 350-082-0130(1)(c) requires the Commission to offer to meet with or consult with the tribal governments prior to making a decision on the proposed development, and to make this offer more than once. The Commission provided the initial offer to meet or consult with tribal governments by sending the initial notice on January 30, 2024 via email and by mail. No treaty tribe requested a meeting or consultation.
4. Commission Rule 350-082-0130(d) provides 30 calendar days for tribal governments to request consultation regarding tribal treaty rights. No comments were received.
5. Commission Rule 350-082-0130(i) states:

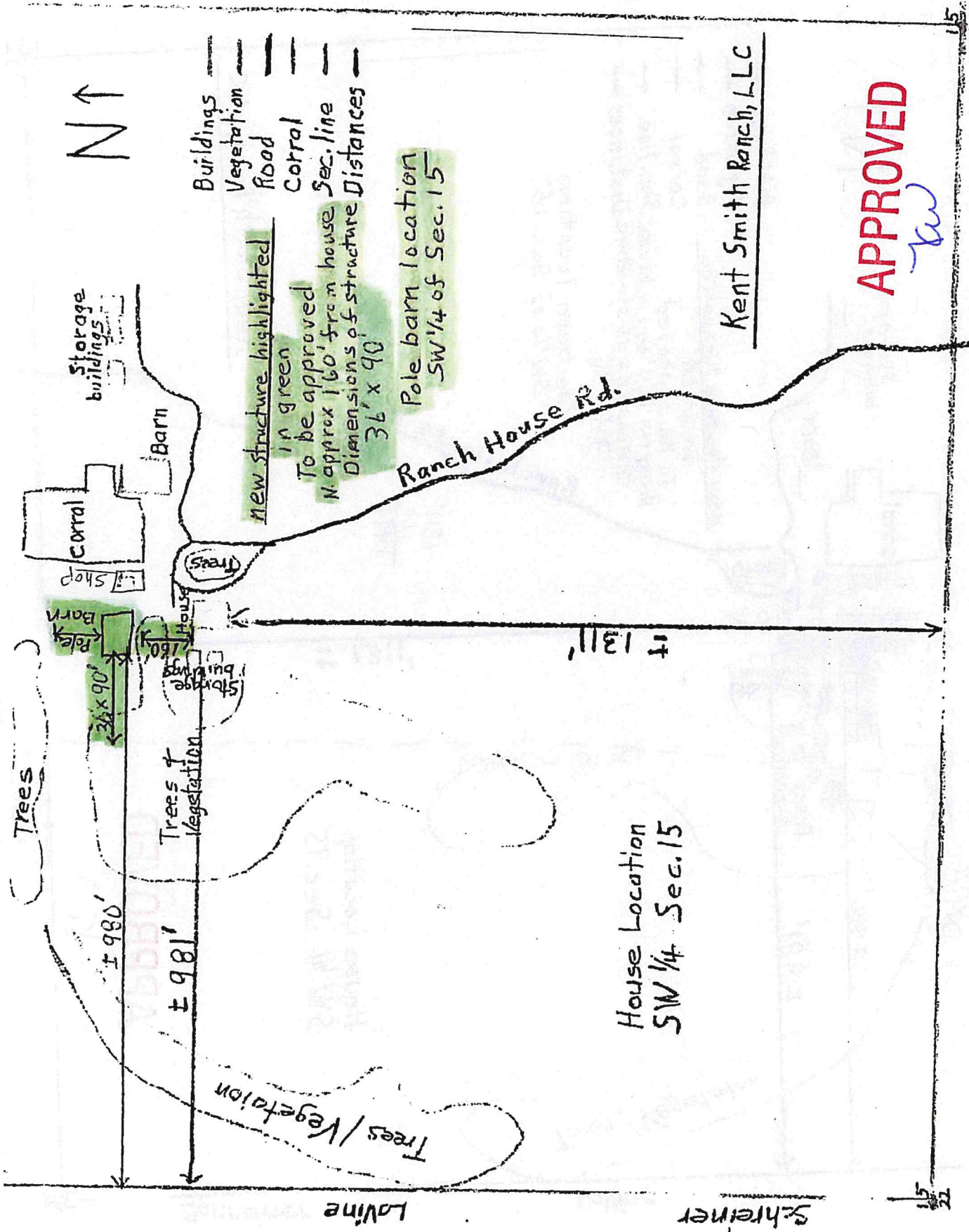
The treaty rights protection process may conclude if the Executive Director determines that the proposed uses would not affect or modify treaty or other rights of any Indian tribe. Uses that would affect or modify such rights shall be prohibited.

The subject parcel does not provide access to the Columbia River or its fish bearing tributaries. No known treaty rights are affected by this proposal and no treaty rights concerns were raised by tribal governments. Because the proposed use does not affect or modify treaty or other rights of any Indian tribe, the treaty rights protection process may conclude pursuant to Commission Rule 350-082-0130.

Treaty Rights Conclusion:

The proposed development is consistent with the guidelines in Commission Rule 350-082-0130, which provides protection for treaty rights and any other rights of any Indian tribe.

MA
FIND0001.24



N ↑

- Buildings
- Vegetation
- Road
- Corral
- Sec. line
- Distances

new structure highlighted in green
 To be approved
 N. approx 160' from house
 Dimensions of structure
 36' x 90'

Pole barn location
 SW 1/4 of Sec. 15

Ranch House Rd.

Kent Smith Ranch, LLC

APPROVED
[Signature]

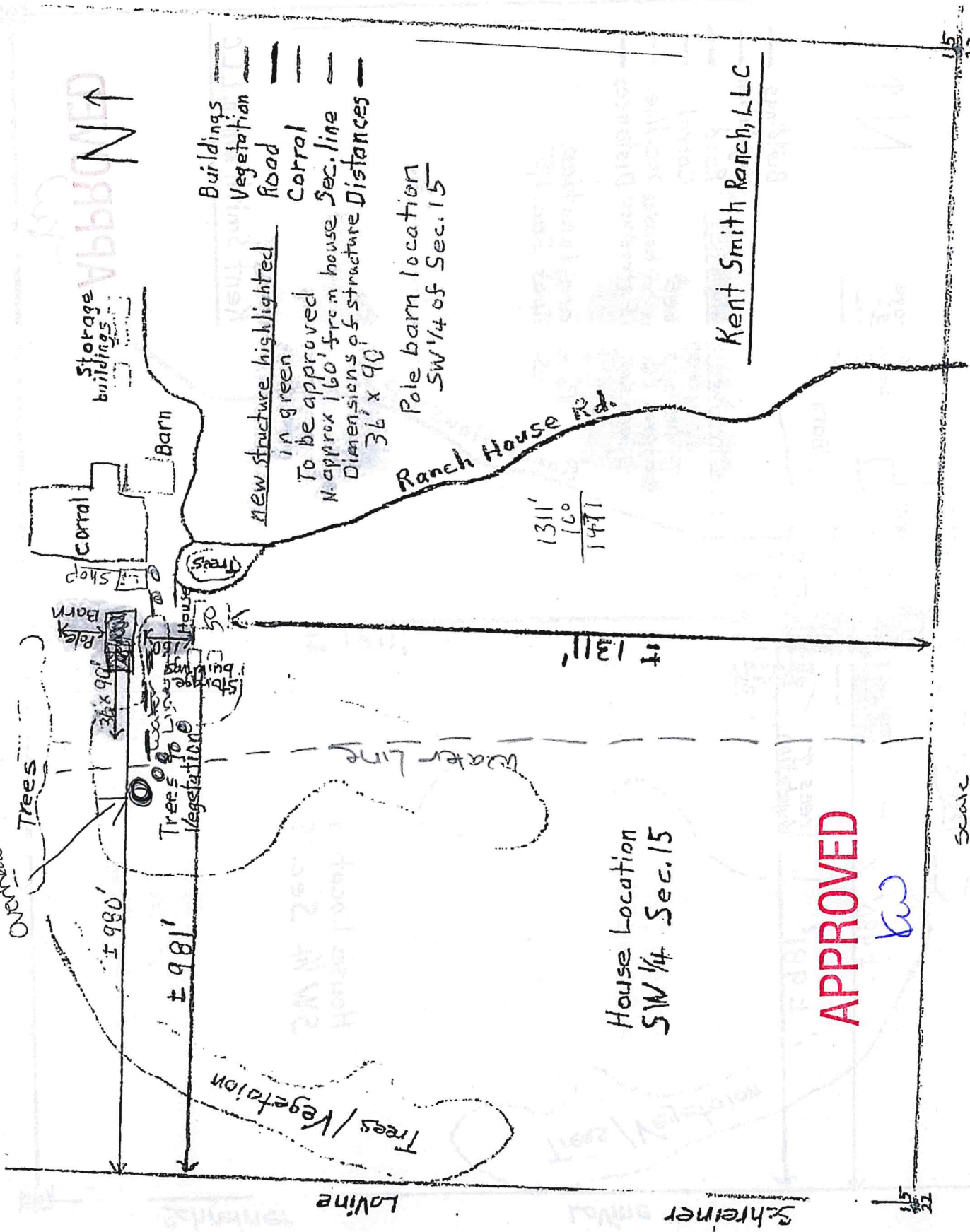
House Location
 SW 1/4 Sec. 15

Schreiner

Lovine

○ = Power line

Power Pde Line



House Location
SW 1/4 Sec. 15

APPROVED

kw

Scale
10 20

Kent Smith Ranch, LLC

Pole barn location
SW 1/4 of Sec. 15

New structure highlighted
in green
To be approved
N. approx 160' from house Sec. line
Dimensions of structure
36' x 90'

- Buildings
- Vegetation
- Road
- Corral
- Distances

Storage buildings

Corral

Barn

Shop

Barn

House

Storage building

Trees
Vegetation

Trees
Vegetation

Trees
Vegetation

Trees
Vegetation

Trees
Vegetation

Trees
Vegetation

Trees
Vegetation

Trees
Vegetation

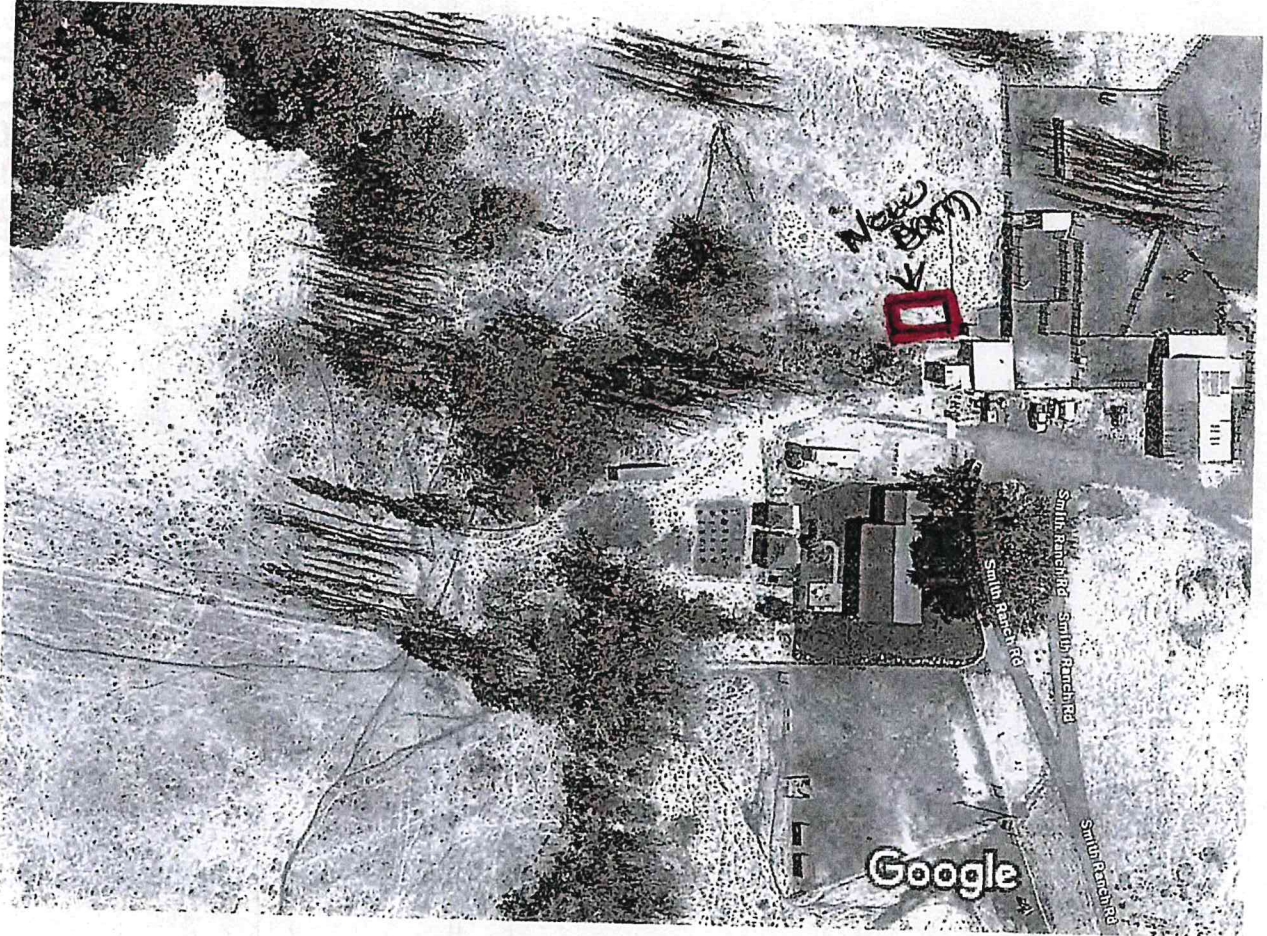
Lovine

Schreiner

15
22

15
22

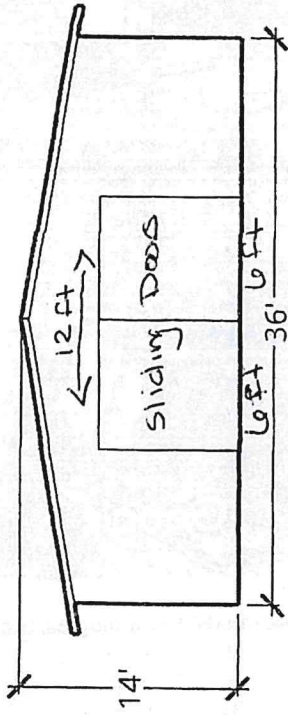
Go gle Maps



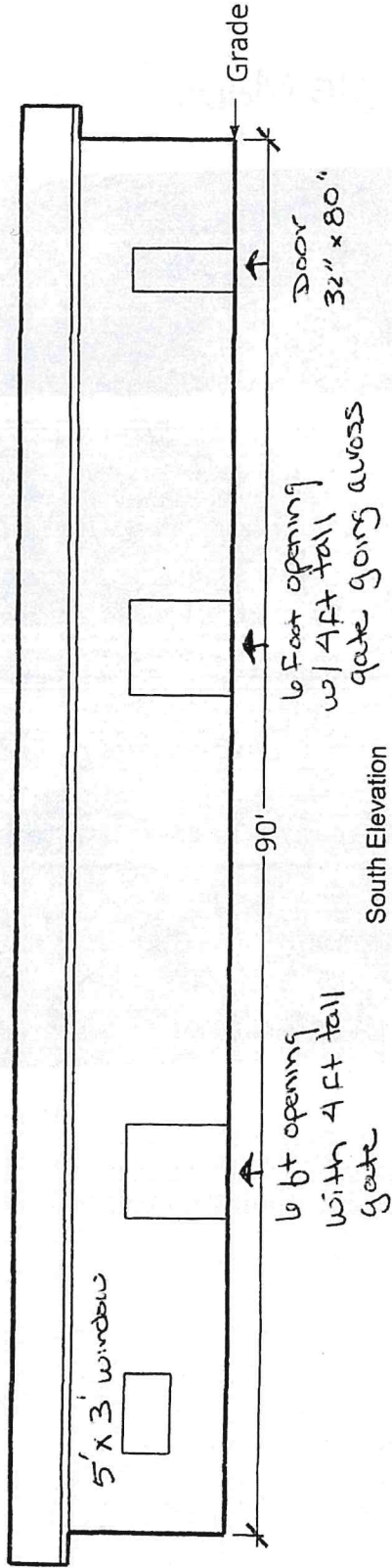
Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, State of Oregon, I

APPROVED

kw



East Elevation



South Elevation

APPROVED

KW

APPROVED

KW

NORTH



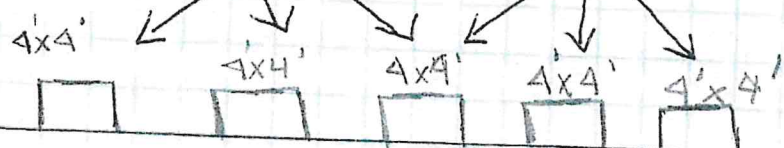
90'

6ft opening
4ft high gate

Open space for livestock, Sheep
Specifically.

4' x 4' wire panels that are movable
to put Ewes & Newborn Lambs in.

LAMBING PENS



5' x 3'
opening window

6' opening

6' opening

Door
32' x 80"

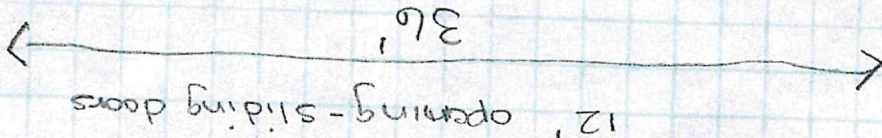
APPROVED

KW

EAST

SOUTH

WEST



36'

12' opening - sliding doors

Internal View

Wall & Trim Colors

Reset

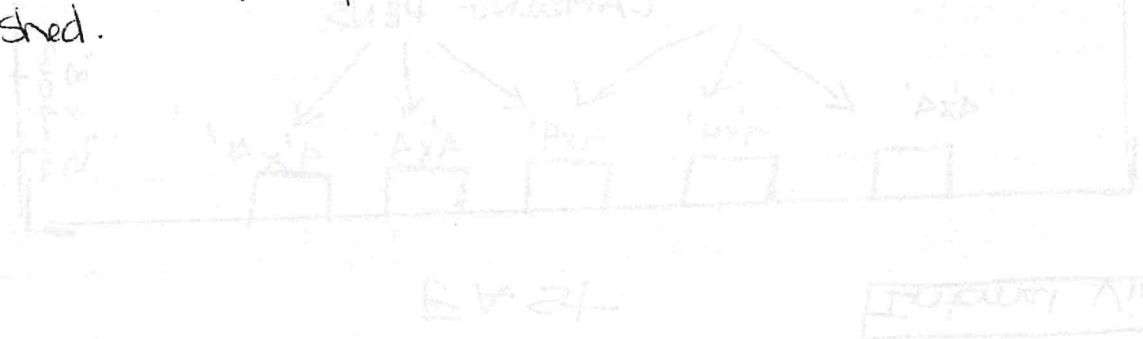
Res Agri Comm



Wall Colors Roof Colors

Walls	<input checked="" type="checkbox"/>	NOT APPROVED must be dark earth tone colors - KW	<input checked="" type="checkbox"/> Brick Red
Outside Corners	<input checked="" type="checkbox"/>	please resubmit color	White
Doors & Windows	<input checked="" type="checkbox"/>		White
Track Cover	<input checked="" type="checkbox"/>		White

metal comes pre-painted / dyed. we will not paint the pole shed.



Roofing Color

Reset

Res Agri Comm



Wall Colors

Roof Colors

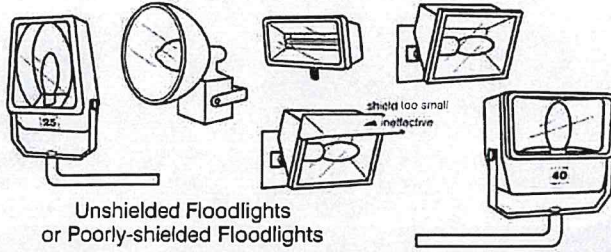
Roof	<input checked="" type="checkbox"/>	Galvalume
Gables & Eaves	<input checked="" type="checkbox"/>	White
Ridge Cap	<input checked="" type="checkbox"/>	Brick Red

NOT APPROVED
must be dark earth tone colors - kw
Please resubmit color

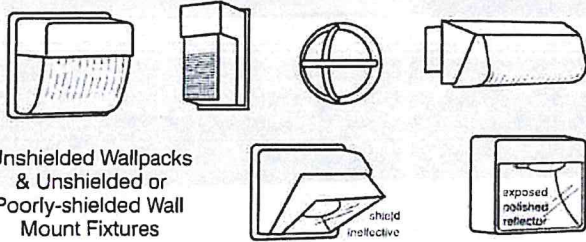
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

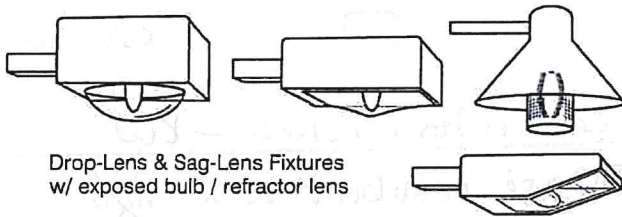
Fixtures that produce glare and light trespass



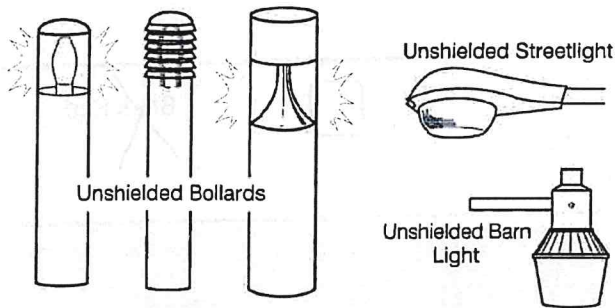
Unshielded Floodlights or Poorly-shielded Floodlights



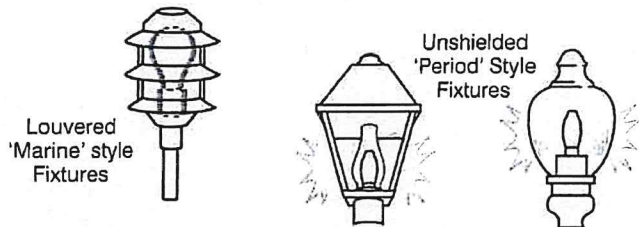
Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

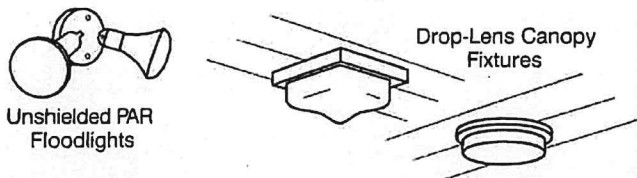


Unshielded Bollards



Louvered 'Marine' style Fixtures

Unshielded 'Period' Style Fixtures

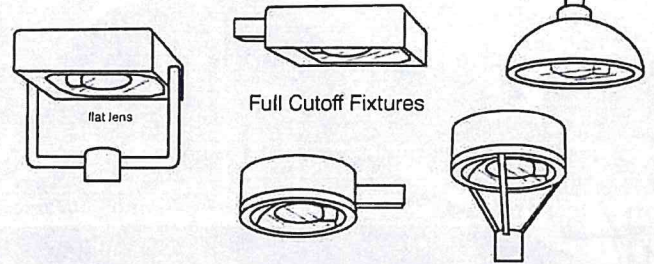


Unshielded PAR Floodlights

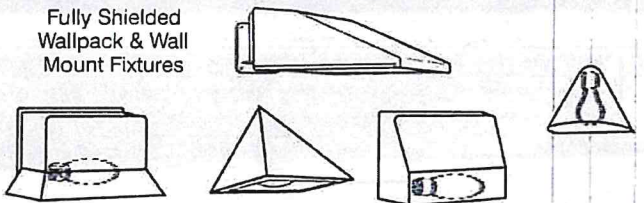
Drop-Lens Canopy Fixtures

Acceptable

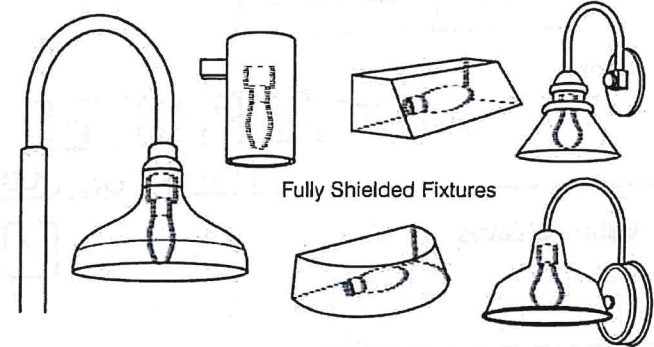
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



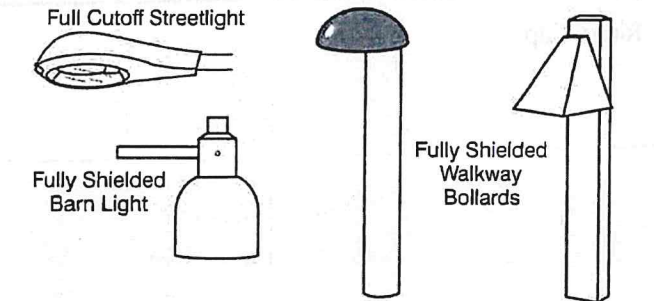
Full Cutoff Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures



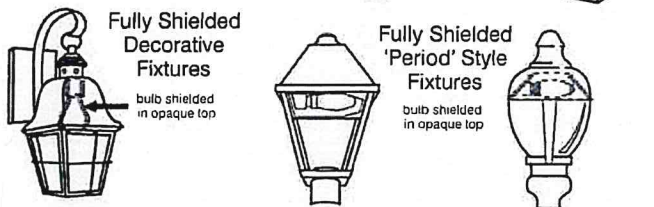
Fully Shielded Fixtures



Full Cutoff Streetlight

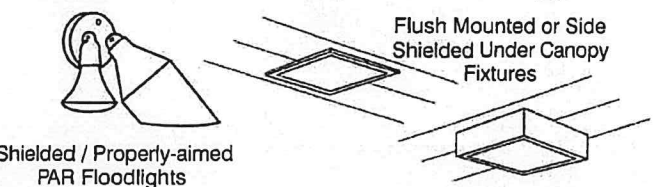
Fully Shielded Barn Light

Fully Shielded Walkway Bollards



Fully Shielded Decorative Fixtures

Fully Shielded 'Period' Style Fixtures



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

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