Director's Decision

Summary of Application

FILE NUMBER:	C25-0010
PROPOSAL:	The Columbia River Gorge Commission has received an application for an accessory building to replace multiple buildings destroyed by the Burdoin Fire.
APPLICANTS:	Kyle and Anita Brazell
LANDOWNERS:	Kyle and Anita Brazell
SIZE and LOCATION:	The subject parcel is approximately 32 acres in size and located [redacted] and is described as Tax Lot Number 03-12-3400-0005/00 in the northwest quarter of Section 34, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Small Scale Agriculture (80)

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 Kyle and Anita Brazell for the construction of an accessory 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**.

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 applicant 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 and site plan require a new application and review.

5. The developments shall be constructed as shown on the approved application, site plan and elevation drawings. The development shall be constructed as shown on the approved application, site plan, and elevation drawings. The accessory building shall have a footprint of 1,496 sq ft (44 ft x 34 ft). The building shall be no taller than 21 ft tall.

6. The accessory building shall not be used as a dwelling or receive a certificate of occupancy. The building shall be used in a way that is accessory to the residential use of the property.

7. All exterior building materials for the accessory building, including roofing, doors, siding, trim, window casings and sashes, decks, and railings shall be dark earth-tone colors. Only the approved dark earth-tone colors listed below shall be used. The following colors are consistent with this condition and are hereby approved:

   Siding: Ace Royal *Garland Green (28A-5)*

   Roofing: Western States Metal Roofing *Matte Charcoal Gray*

   Trim, Fascia, and Soffit: Sherwin Williams *Iron Ore (SW 7069)*

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

8. All exterior building materials including roofs, solar panels, doors, siding, trim, window casing and sash, decks, and railings shall be nonreflective or have low reflectivity. Any exterior metal materials shall be painted with matte black colored finish and maintained as necessary to ensure that the material is non-reflective.

9. All exterior lighting shall be hooded or shielded at a 90-degree angle to the ground. Hoods/shields should be made of a non-reflective, opaque material, which does not allow light to pass through.

10. The two existing shipping containers on the property, which do not have National Scenic Area permits, shall be removed within 30 days of the completion of the proposed accessory building.

11. Except for trees identified in the site plan, dead trees or other dead vegetation that may pose a hazard, all existing mature vegetation on the parcel shall be retained and maintained for screening purposes.

12. Existing Oregon white oak and pine trees not destroyed by the Burdoin Fire shall be retained and maintained for scenic purposes.

13. Disturbed areas shall be reseeded with grasses from the Recommended Seed Mixes for East Side Environments handout attached to this decision. Disturbed areas shall be revegetated immediately following the completion of the project (or as soon as possible thereafter if the project is completed during the winter or summer months).

14. 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.

15. 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 23 day of September 2026 at White Salmon, Washington.

Krystyna U. Wolniakowski

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 23 day of September 2028 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 developments 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 23 day of October 2026.

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

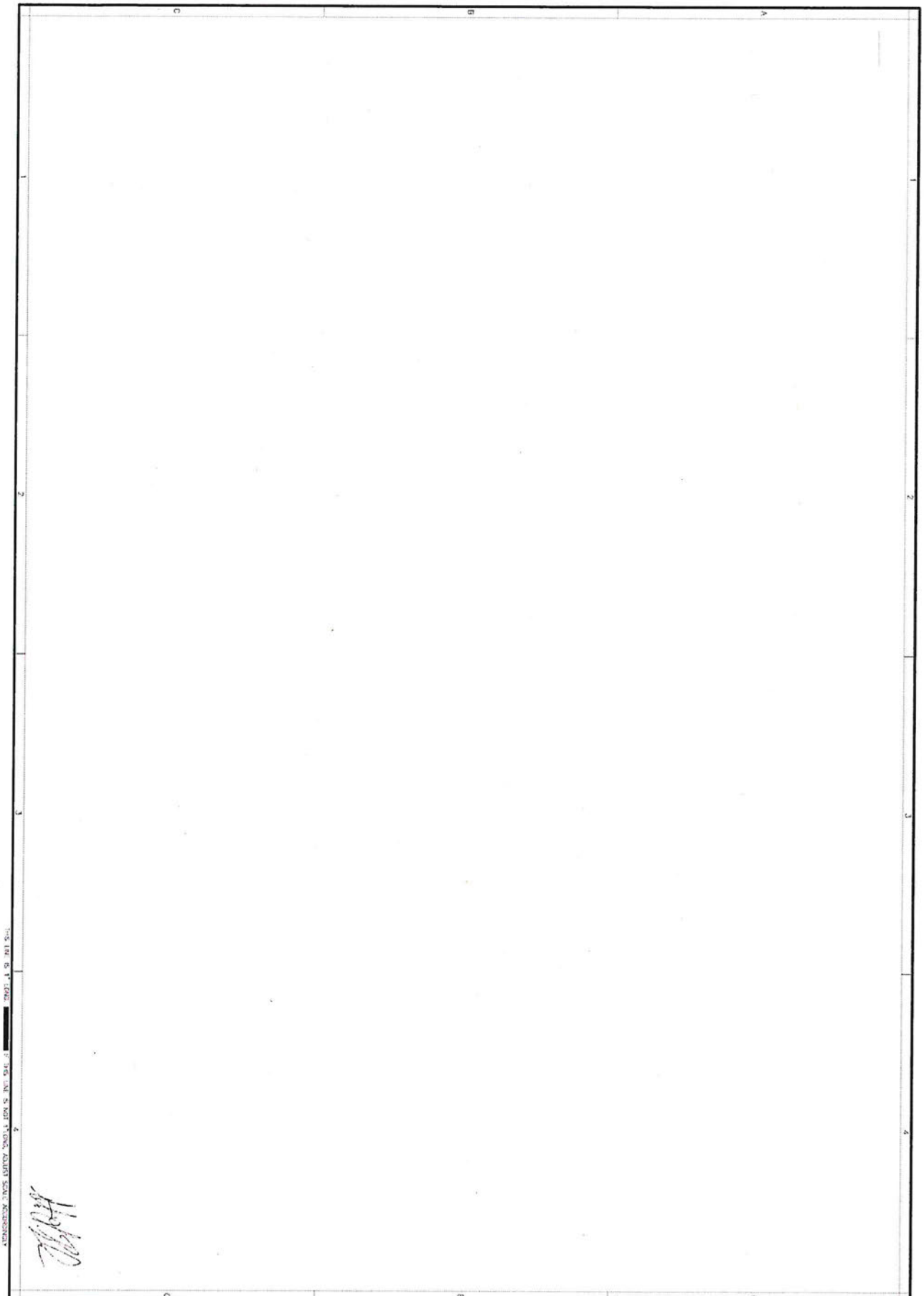
not included in the approved application or site plan will require a new application and review. New cultivation also requires a new application and review.

2. This decision does not address local, state, or federal requirements that may be applicable to the proposed developments. The landowner is responsible for obtaining all applicable county, state, or federal permits required for the developments.

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 C26-0010
Approved site plans and elevation drawings
Eastern Gorge Recommended Seed Mix



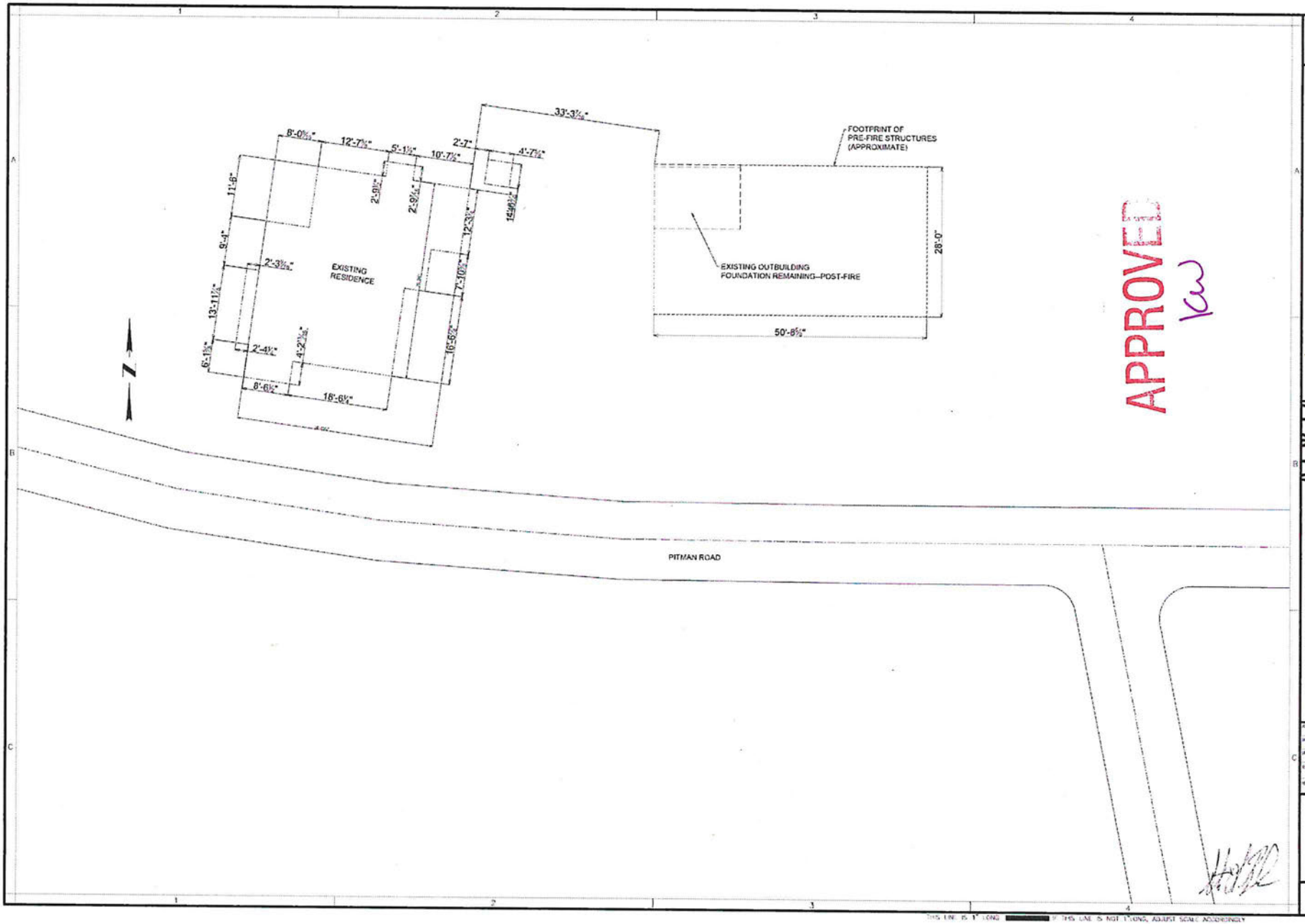
S0.0

CONSTRUCTION NOTES

BRAZELL SHOP

STEVEN L. BANKS

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PHONE (509) 774-8084 EMAIL: sbanks502@gmail.com



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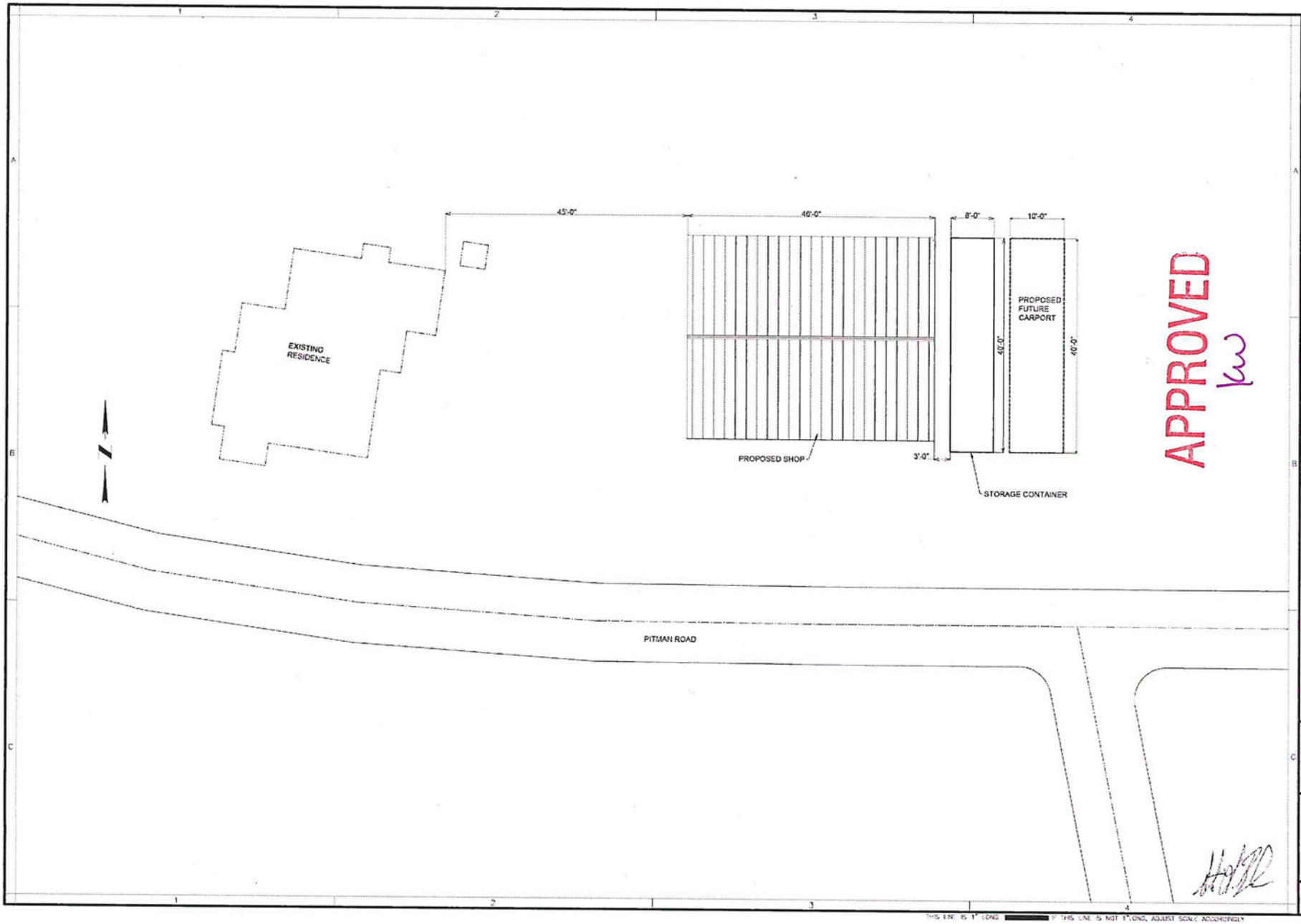
EXISTING CONDITIONS

BRAZELL SHOP

JOB NO. 25BRI01B
DATE 10/20/2025
DRAWN BY S.B.
CHECKED BY S.B.
REVISIONS DATE
REVISIONS DRAWN DATE

SHEET NO. S1.0

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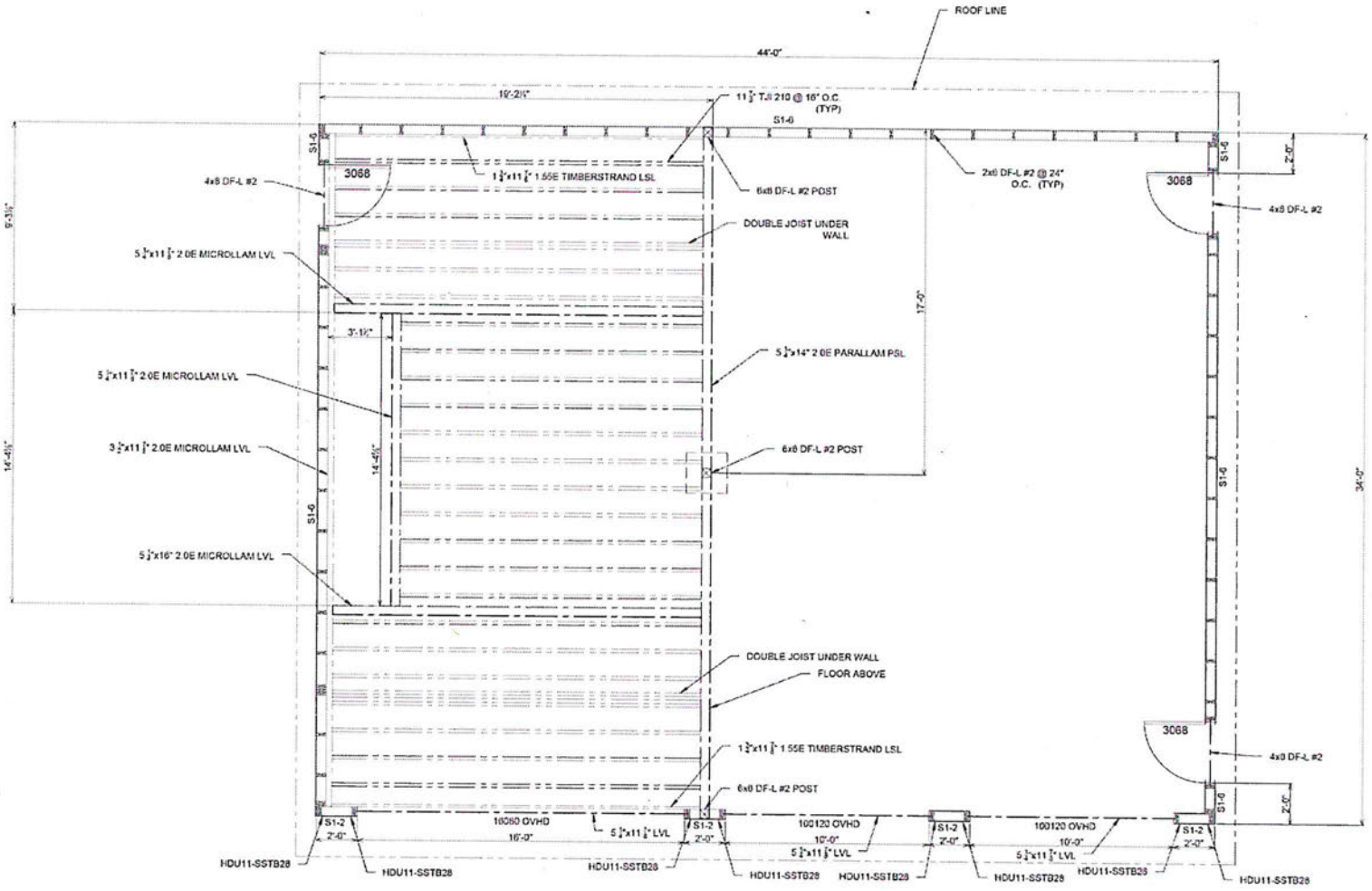
PROPOSED CONDITIONS

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DATE 10/20/2025
DRAWN BY SLB
CHECKED BY SLB
REVISIONS DATE
ISSUED DRAWINGS DATE

SHEET NO. S1.1

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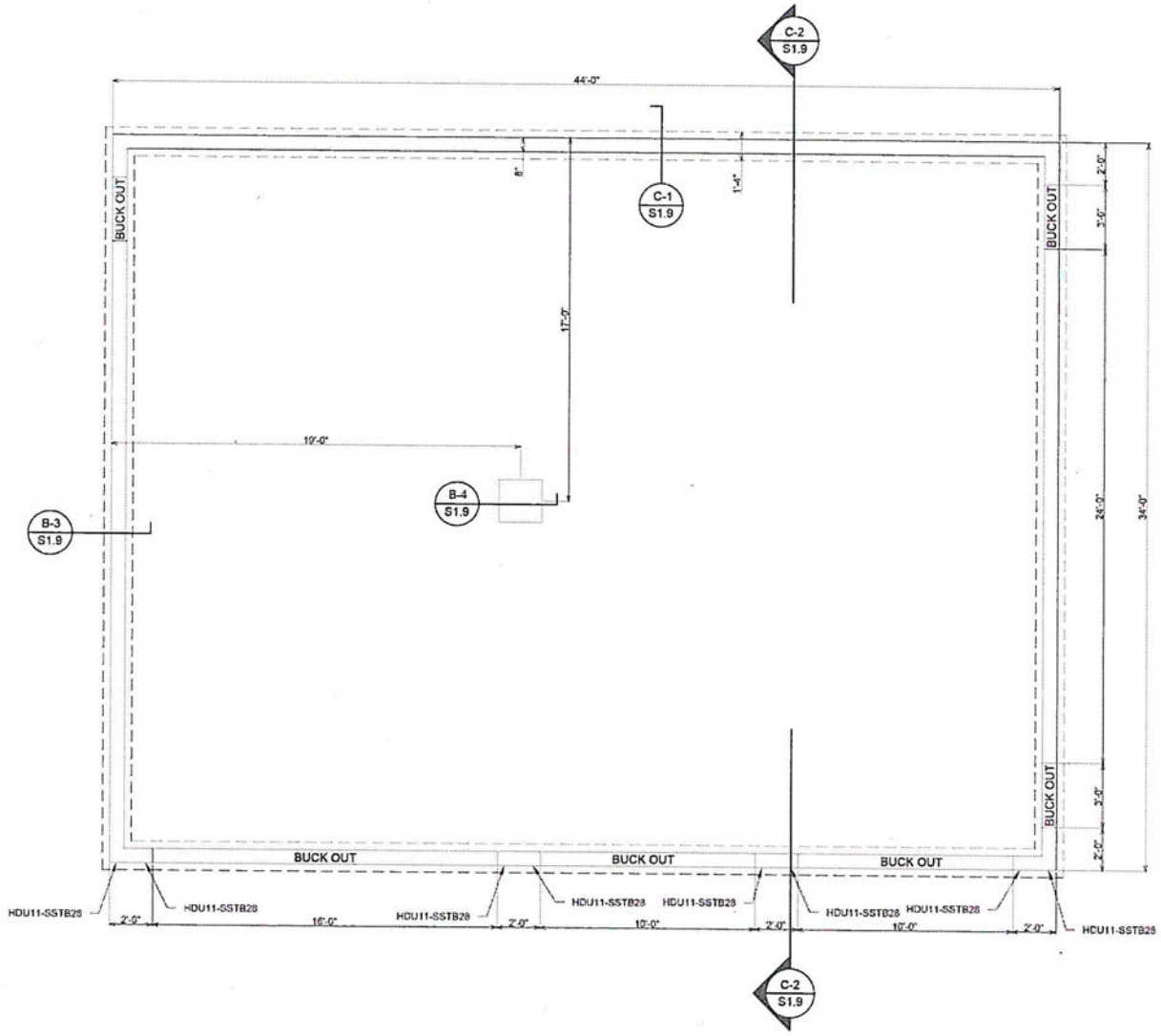
STEVEN L. BANKS
70 BRUSH ROAD, BOX 11, SALMON, WASHINGTON 99172
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FLOOR PLAN
BRAZELL SHOP

JOB NO. 25BRS01B
DATE 10/20/2025
DRAWN BY S.B
CHECKED BY S.B
REVISIONS DATE
ISSUED DRAWING DATE

SHEET NO. S1.2

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FOUNDATION PLAN

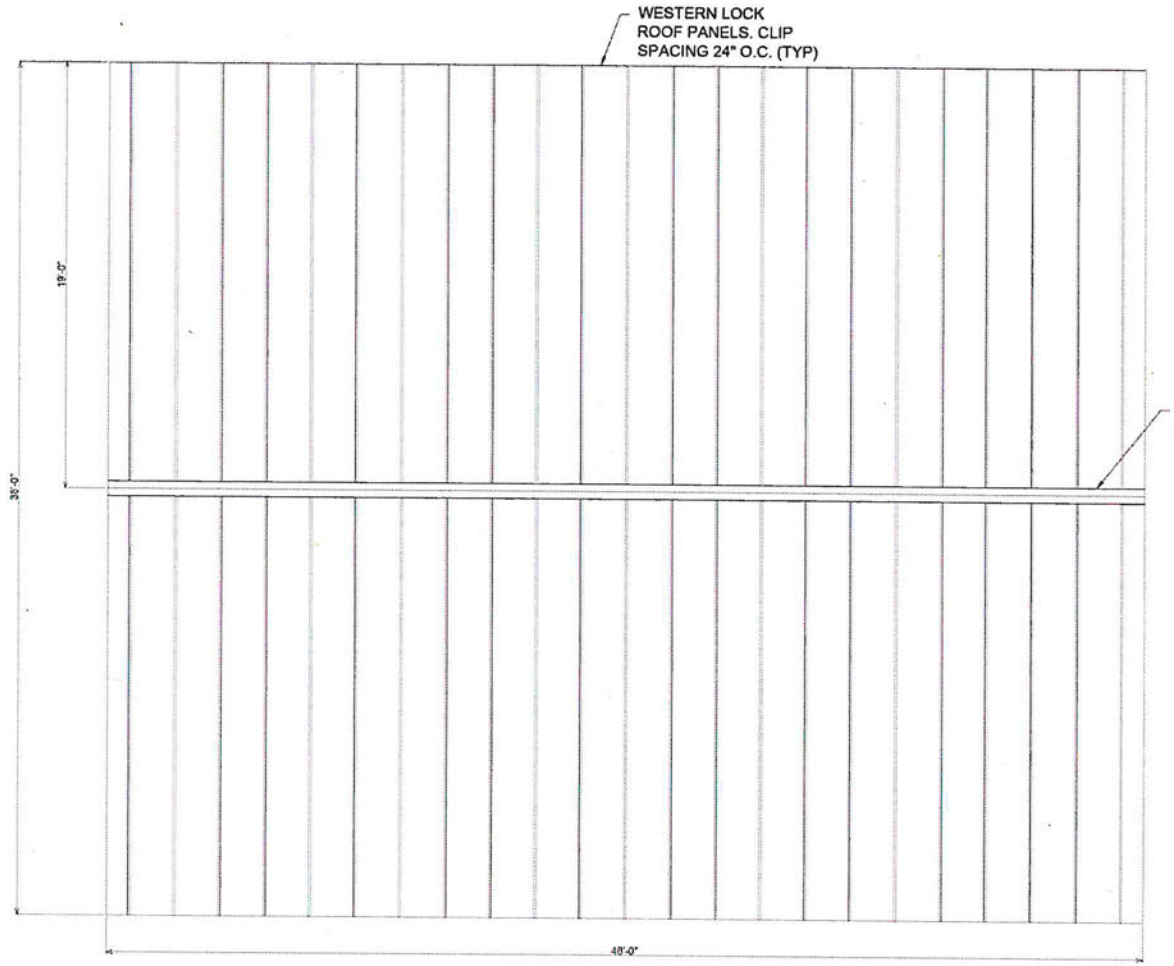
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25BM018

10/20/2025

S1.3

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16W

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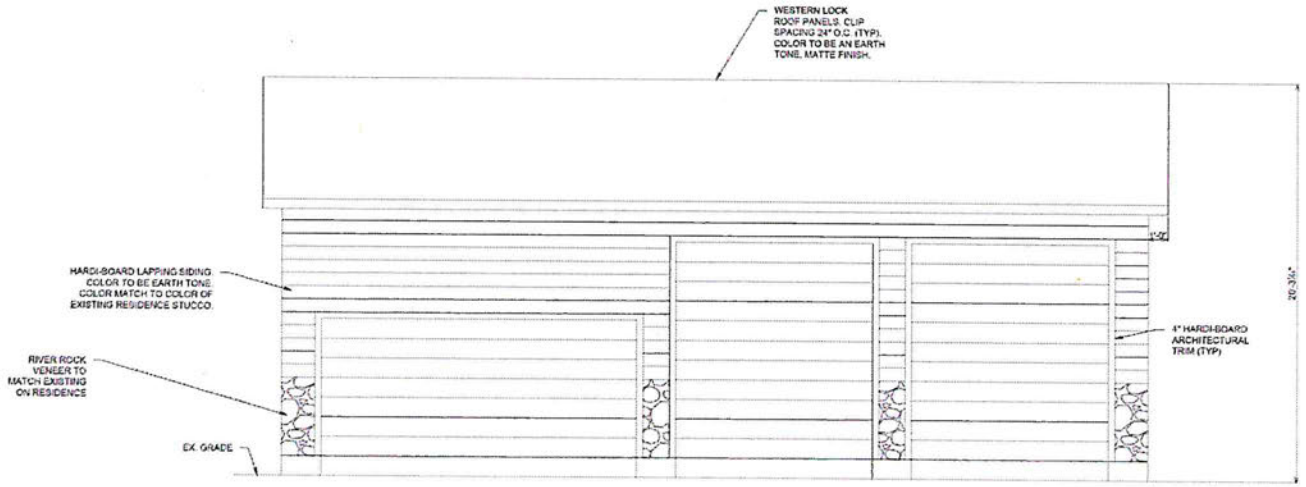
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ROOF PLAN
BRAZELL SHOP

JOB NO. 25BW018
DATE 10/20/2025
DRAWN BY SLB CHECKED BY SLB
REVISIONS DATE
ISSUED DRAWINGS DATE

SHEET NO. S1.4

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GARAGE DOOR NOTES:

1. COLOR OF GARAGE DOORS SHALL BE A MATTE EARTH TONE COLOR.

APPROVED

kw

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SOUTH ELEVATION

BRAZELL SHOP

JOB NO. 25BR018

DATE 10/20/2025

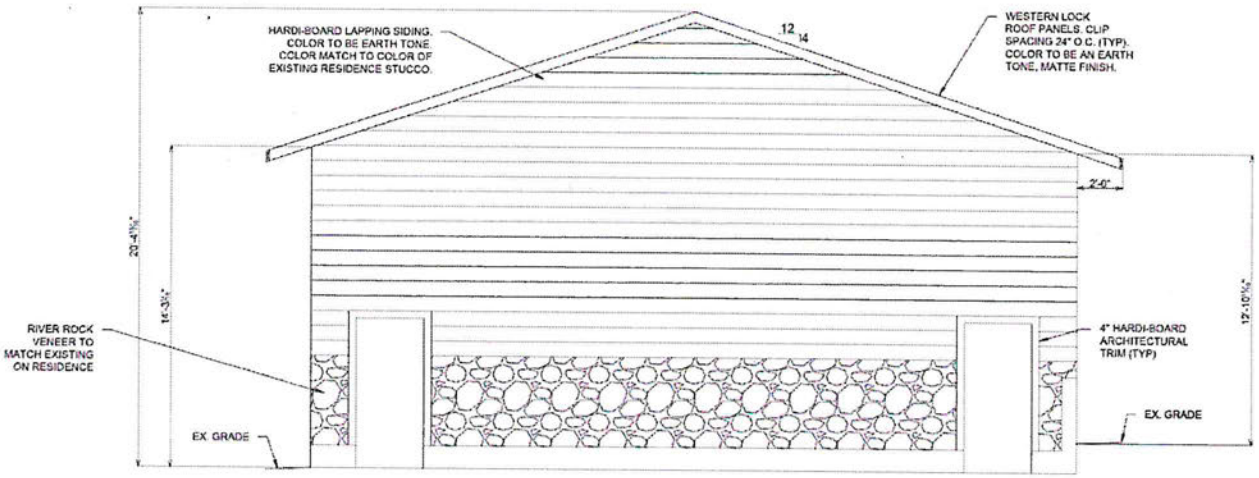
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REVISIONS DATE

RECORD DRAWINGS DATE

SHEET NO. S1.5

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DOOR NOTES:

1. COLOR OF DOORS SHALL BE A MATTE EARTH TONE COLOR.

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EAST ELEVATION

BRAZELL SHOP

25BW018

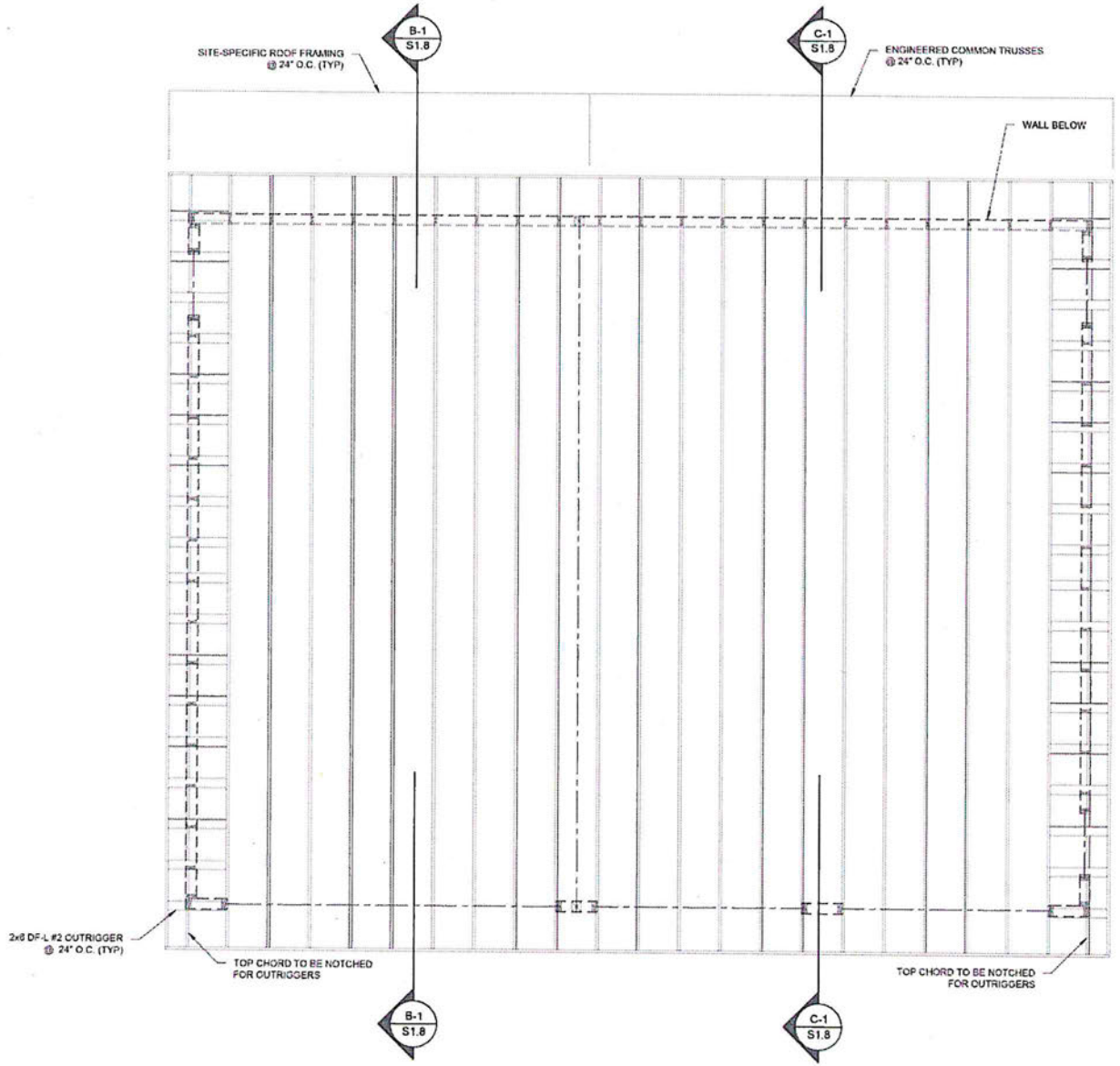
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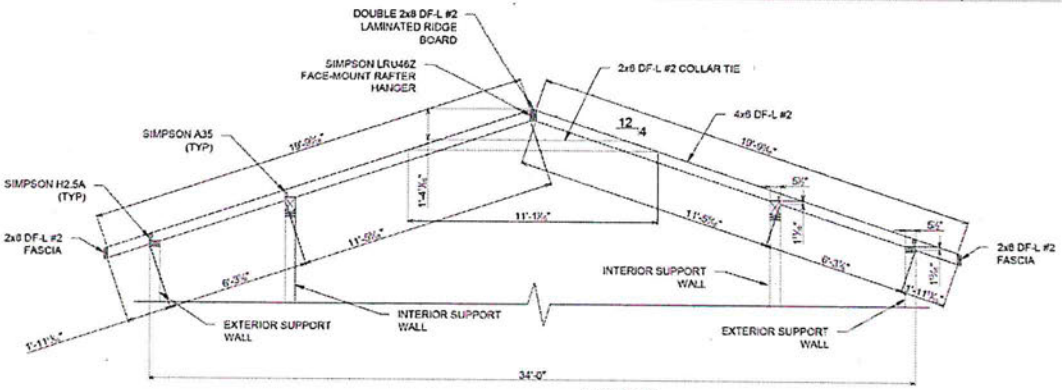
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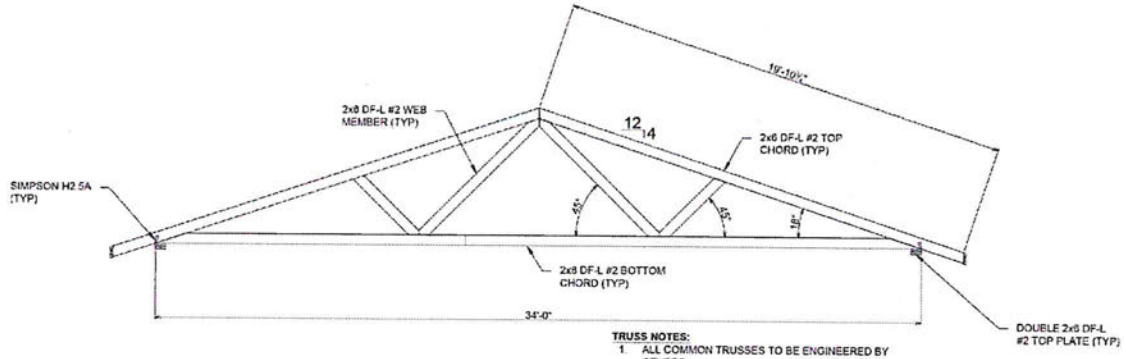
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TRUSS NOTES:

1. ALL COMMON TRUSSES TO BE ENGINEERED BY OTHERS.
2. ALL TRUSS MEMBERS TO BE 2x8 DF-L #2.
3. TRUSSES TO BE SPACED 24" O.C., UNLESS OTHERWISE NOTED.
4. ALL ROOF FRAMING MEMBERS TO BEAR ON DOUBLE 2x6 DF-L #2 TOP PLATES, AND ANCHORED WITH SIMPSON H2.5A TIES.



TRUSS NOTES:

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2. ALL TRUSS MEMBERS TO BE 2x6 DF-L #2.
3. TRUSSES TO BE SPACED 24" O.C., UNLESS OTHERWISE NOTED.
4. ALL ROOF FRAMING MEMBERS TO BEAR ON DOUBLE 2x6 DF-L #2 TOP PLATES, AND ANCHORED WITH SIMPSON H2.5A TIES.

APPROVED

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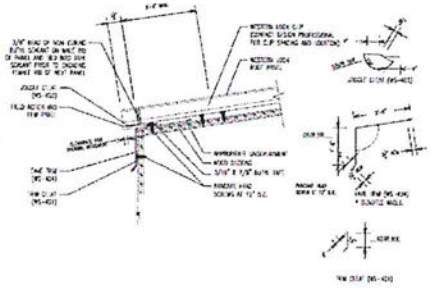
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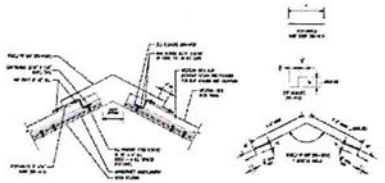
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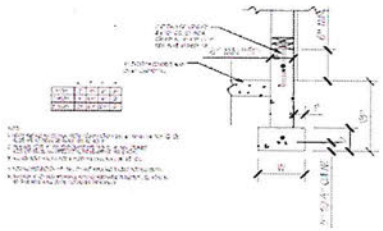
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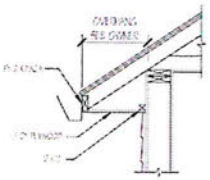
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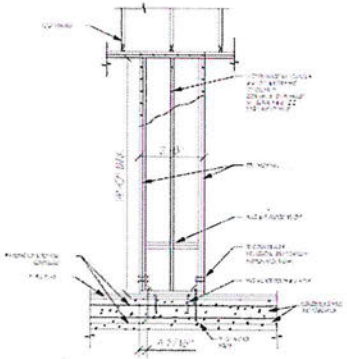
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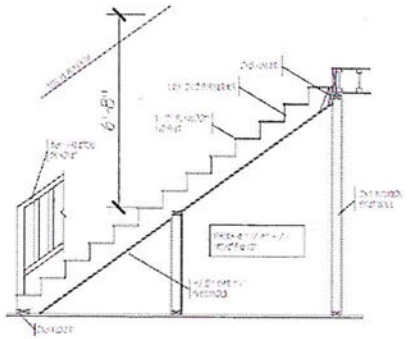




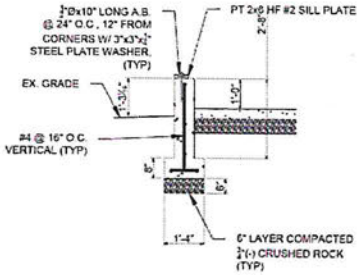


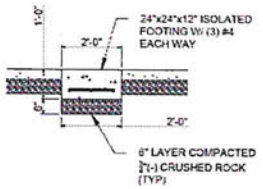


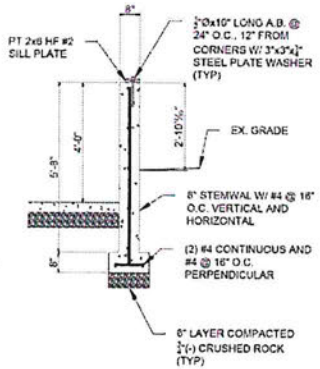


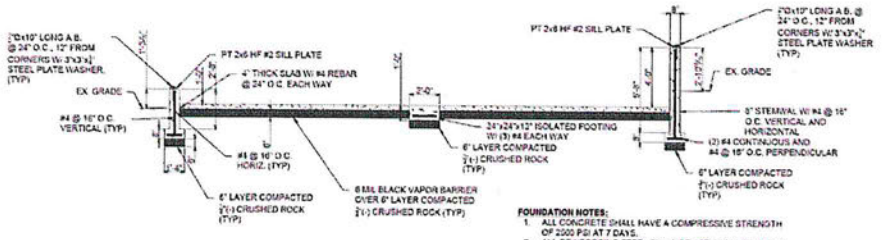


9-2 / S1.9 STAIR DETAIL
SCALE: N.T.S.









FOUNDATION NOTES:
1. ALL CONCRETE SHALL HAVE A COMPRESSIVE STRENGTH OF 2500 PSI AT 7 DAYS.
2. ALL REINFORCING STEEL SHALL BE ASTM A615 GRADE 40.
3. ALL FOOTING SHALL BEAR ON COMPACTED ¾" MINUS CRUSHED ROCK.

APPROVED
kw

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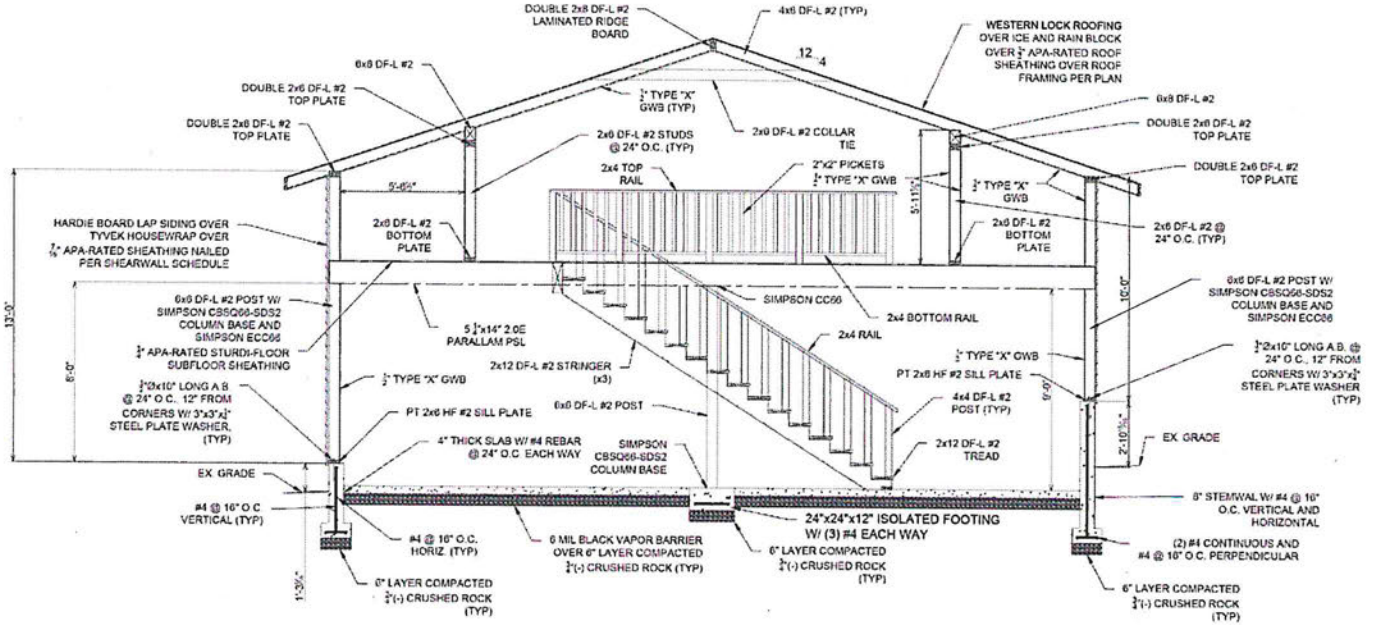
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ROOF DETAILS
BRAZELL SHOP

JOB NO. 25BW318
DATE 10/20/2025
DRAWN BY S.B
CHECKED BY S.B
REVISIONS DATE
ISSUED DRAWINGS DATE

SHEET NO. S1.9

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S-1 / S1.10 BUILDING SECTION
SCALE: 3/8" = 1'-0"

APPROVED

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ROOF DETAILS
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JOB NO. 25BRM01B
DATE 10/20/2025
DRAWN BY S.L.B
CHECKED BY S.L.B
REVISIONS DATE
RECORD DRAWINGS DATE

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Recommended Seed Mixes, Mulch, and Fertilizer for Temporary and Permanent Revegetation in East Side Environments

Based on recommendations from Andrea Ruchty, district botanist, GPNF, Mt. Adams Dist., and Robin Dobson, CRGNSA botanist

Native Seed Mixture #1: Recommendations for Composition and Application Rates		
Species	**Hand Seeding including Handheld Spreaders**	**Hydromulcher**
blue wildrye (*Elymus glaucus*)	**20 lbs/acre**	**15 lbs/acre**
California brome (*Bromus carinatus*)	**20 lbs/acre**	**15 lbs/acre**
slender hairgrass (*Deschampsia elongata*)	**10 lbs/acre**	**5 lbs/acre**
broadleaf lupine (*Lupinus latifolia*)		
Idaho fescue (*Festuca idahoensis*)		
Total	**50 lbs/acre**	**35 lbs/acre**

Native Seed Mixture #2: Recommendations for Composition	
Species	**% by wt.**
California Brome *(Bromus carinatus)*	20
Sheep fescue *(Festuca ovina)*	40
Blue wildrye *(Elymus glaucus)*	10
Canada bluegrass *(Poa compressa)*	10
Blue bunch wheatgrass *(Agropyron spicatum)*	20
Sickle-keeled lupine (*Lupinus albicaulis*)	5 oz./100# seed
America vetch *(Vicia Americana)*	5 oz./100# seed

Non-Native Seed Mixture: Recommendations for Composition and Application Rates	
Species	**Application Rate**
Annual ryegrass (*Lolium multiflorum*)	**10 lbs/acre (fine seed)**
Perennial ryegrass (*L. perenne*)	**10 lbs/acre (fine seed)**
Soft white winter wheat (*Triticum aestivum*)	**40 lbs/acre**
Sickle-keeled lupine (*Lupinus albicaulis*)	**10 lbs/acre**
TOTAL	**70 lbs/acre**

Herbaceous plants can be added after seeding:

Chrysothamnus nauseosus (rabbitbrush)	1 -2 oz./ac.
Achillea millefolium (Yarrow)	1 -2 oz./ac.
Eriogonum strictum	1 -2 oz./ac.
Lupinus bicolor or latifolius var. thompsonianus	1 -2 oz./ac.
Eriophyllum lanatum (Oregon sunshine)	1 -2 oz./ac.
Bitter brush (Purshia tridentate)	10 small plants/ac.
Arrowleaf Balsam root	

Notes:

Application Method: Hand or machine, ideally in the fall. Machines such as hydromulchers, usually have agitators which keep the seed well mixed and applied evenly. In hand-seeding operations it is more difficult to achieve an even distribution of seed. For this reason more lbs /acre have been prescribed to compensate for inadvertent patchiness. Hand seeding should utilize two passes of the area: 1 pass for small, fine seed such as slender hairgrass, and a second pass for the larger seeded species such as blue wildrye and California brome. Rice hulls may need to be added to the DEEL to get dispersion distance. Contact with the soil is very important, best results are achieved when the seed is lightly raked or pressed into the soil.

Seed Storability: Generally grass and forb species will hold reasonable germination (>80%) for 6-7 years in uncontrolled conditions. Thin-coated species such as *Bromus* will hold only 2-3 years or so.

Seed Source: Try to use appropriate local seed source for natives. Some flexibility for elevation is ok in a pinch. One native seed source is Bolson Seed Company, La Grande, OR (541)965-8285. Milestone Nursery (Lyle), Inside Passage Seed Co., Oregon Wholesale Seed Company (http://www.oregonwholesaleseed.com/), Rainier Seeds, Hughes Feed and Grain (the Dalles) and Dallesport Seed are other possible sources of seed, as well.

Fertilizer: Where there is a good "A" horizon probably don't need fertilizer. For sites with little organic matter use 200 lbs 16-20-0 /ac.

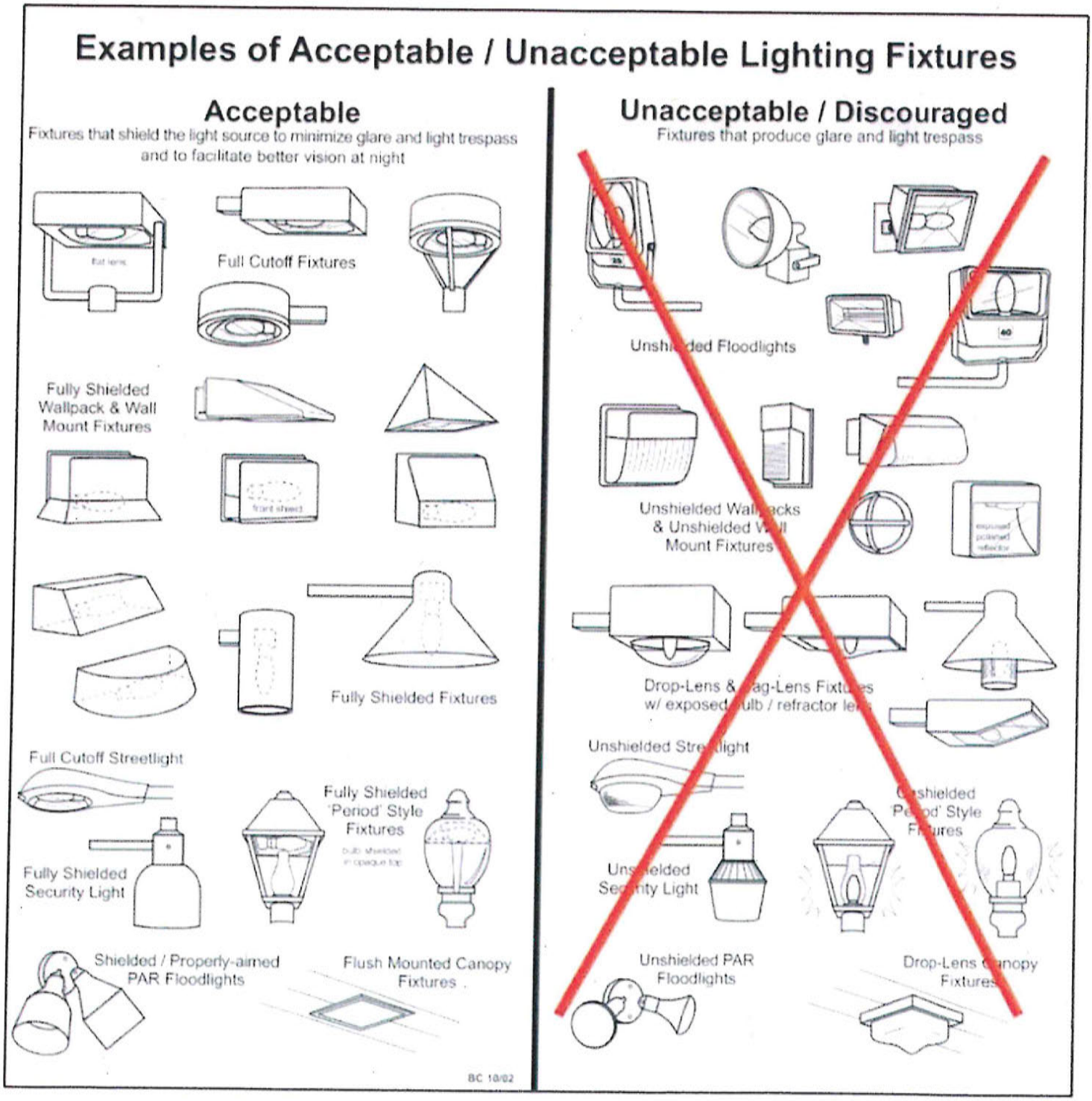
Mulch: Use certified weed free straw mulch whenever possible. Only 1-2" (2 tons/ac.) is needed and should be evenly applied. **Too deep can be more detrimental than none at all.** Ideally, it should be chopped and applied by machine. To further reduce the chance of introducing non-natives in to project areas, straw derived from native species is preferred. If not available, then straw from short-lived or non-persistent mulch sources such as annual rye or cereal grain seed production fields would be the next choice.

Using weed-free straw mulch is an important component in our strategy to control the spread of invasive species on the Forest. Weed-free straw is still a developing resource and its availability may be variable. Finding it will likely take some looking around. Oregon and Washington currently have weed-free certification programs. See the following websites for current lists of weed-free straw suppliers:

- ✓ http://www.nwcb.wa.gov/WWHAM/WWHAM_suppliers.htm
- ✓ http://oregon.gov/ODA/CID/weed_free_forage.shtml

The following are some more potential contacts for weed-free straw:

- Elwyn Crutcher, Stanwood, WA, 360-939-2334 (he will deliver for a charge, is generally sold out by spring).
- Wallowa County Hay Growers Association: http://www.certifiedwallowacountyhay.com/
- John Williams, OSU Extension in Wallowa County, 541-426-3143.
- Randy Black, Oregon Dept of Agriculture, 503-986-4620.
- Allen Schnetzky, Weed Supervisor, Wallowa County 541-426-3332.



Source: James Lowenthal: Light Pollution (smith.edu)

Development Review Staff Report

Summary of Application

FILE NUMBER:	C25-0010
PROPOSAL:	The Columbia River Gorge Commission has received an application for a new accessory building to replace multiple buildings destroyed by the Burdoin Fire.
APPLICANTS:	Kyle and Anita Brazell
LANDOWNERS:	Kyle and Anita Brazell
SIZE and LOCATION:	The subject parcel is approximately 32 acres in size and located at [redacted] and is described as Tax Lot Number 03-12-3400-0005/00 in the northwest quarter of Section 34, Township 3 North, Range 12 East, Willamette Meridian, Klickitat County, Washington.
LAND USE DESIGNATION:	General Management Area (GMA) – Small-Scale Agriculture (80)

Notice of Application Mailed to:

In accordance with Commission Rule 350-082-0110, the Gorge Commission staff mailed notice of these applications 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 (Luciano Legnini, Archaeologist)

Findings of Fact

A. Land Use

1. Kyle and Anita Brazell propose to build a replacement accessory building. Multiple accessory buildings on the property were destroyed in the Burdoin Fire in July 2025. Due to the change in location and size of the original buildings, the proposed building will be reviewed under the standards in 350-082-0240 for a new accessory building located in the Small-Scale Agriculture land use designation.

2. The subject parcel is in the General Management Area (GMA) and is designated Small-Scale Agriculture with an 80-acre minimum parcel size. The parcel is approximately 32 acres in size and is located off Old Highway 8.

3. In the fall of 2022, the applicants applied to the Gorge Commission for a new accessory building, application C22-0019. In March 2023, as part of the Gorge Commission's development review process, a cultural resource survey was conducted on the applicants' property and found that unpermitted grading had occurred, and that archaeologic resources had been disturbed as a result. To resolve the issue, a qualified archaeologist is required to conduct a National Register evaluation, damage assessment, and possibly to prepare a restoration or mitigation plan. To complete this application for an accessory building in a different location than the proposed building in 2022, the applicants were required to retain a qualified archaeologist and complete a damage assessment. As of the date of the Burdoin Fire, July 18, 2025 , the applicants had not yet hired an archaeologist. Section C of this Staff Report will discuss the Cultural Resources requirements for this project.

4. Commission Rule 350-082-0240(3)(f) states:

   Accessory building(s) larger than 200 square feet in area or taller than ten feet in height for a dwelling on any legal parcel larger than ten acres in size are subject to the following additional standards:
   (A) The combined footprints of all accessory buildings on a single parcel shall not exceed 2,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.
   (B) The footprint of any individual accessory building shall not exceed 1,500 square feet.
   (C) The height of any individual accessory building shall not exceed 24 feet.

   There are currently two shipping containers on the property that do not have National Scenic Area permits. The applicants have been using shipping containers as storage since before the Burdoin Fire in 2025 but have also been using them as storage following the Burdoin Fire. A condition of approval is included requiring the applicants to remove the containers within 30 days of the completion of the proposed accessory building.

   The proposed accessory building will have a footprint of 1,496 sq ft (44 ft x 34 ft) and a height of 21 ft. The proposal is consistent with this rule.

5. Commission Rule 350-082-0580(2) provides buffer distances for all new buildings in the GMA proposed on parcels adjacent to lands designated Large-Scale Agriculture or Small-Scale Agriculture that are currently used or suitable for agricultural use. All parcels surrounding the subject parcel are designated Small-Scale Agriculture. Commission Rule 350-082-0580 Table 1 – Setback Guidelines describes the buffers for agricultural uses and buffer types. Commission Rule 350-082-0580(2)(b) states:

   New buildings adjacent to lands designated Large-Scale Agriculture or Small-Scale Agriculture that are suitable, but currently not used for agriculture, shall use the open or fenced setback associated with the dominant type of agriculture in the vicinity. If a vegetation barrier, eight-foot berm, or terrain barrier exists, the corresponding setback shall apply. If more than one type of agriculture is dominant, the setback shall be the larger width.

   Commission Rule 350-082-0070(183) defines suitability as:

   The appropriateness of land for production of agricultural or forest products or for recreation, considering its capability for production;

whether the land is committed by development to another land use that does not allow for agricultural use; surrounding uses and features associated with development; compatibility with scenic, cultural, natural and recreation resources; compatibility among uses; and other cultural factors, such as roads, powerlines, dwellings, and size of ownership.

This rule is applicable to the subject parcel along each of the parcel's boundaries. Staff looked at other parcels in the vicinity to see what types of agricultural uses the subject parcel and adjacent parcels are suitable for. In general, the types of agriculture found on nearby land with similar terrain are livestock grazing/pasturelands and vineyards/berries. According to Commission Rule 350-082-0580 Table 1 – Setback Guidelines, the setback requirement is 100 ft for pasturelands and 150 ft for vineyards. The development is over 300 ft from the eastern property line, 500 ft from the western property line and 800 ft from the northern property line, and 900 ft from the southern property line. No additional buffers are needed between the subject property and these properties.

Land Use Conclusion:

The proposed accessory building 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 contains guidelines for the protection of scenic resources in the National Scenic Area. Commission Rule 350-082-0600(1) applies to all review uses. 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 applicants propose to site the accessory building is centrally located on a flat part of the parcel adjacent to [redacted] where minimal grading is necessary. The existing topography at the site is level and at the base of a basalt scree field and steep bluff. This is the flattest area of the parcel, near the existing house and where the previous accessory buildings were located. The location is suitable because it retains existing topography and conforms with agricultural buffer requirements. The applicants want to move the building approximately 12 feet east from the location of the original accessory buildings because the ground at the original accessory building location is heavily damaged from the

fire and not suitable for rebuilding. Grading is limited to what is necessary for the foundation. The development is designed consistently with this rule.

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

   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.

   The proposed accessory building will have a footprint of 1,496 sq ft (44 ft x 34 ft) and a height of 21 ft. The general scale of the proposed building is compatible with the general scale of existing nearby development, consistent with Commission Rule 350-082-0600(1)(b).

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 vegetation was proposed for screening purposes and staff determined that the proposed site did not require additional vegetation for screening purposes or new landscaping to meet scenic standards. The applicants are required to reseed all exposed and bare soil after the development is completed and are encouraged to use a certified weed-free seed mix. Staff are providing the applicants with a list of Recommended Seed Mixes for East Side Environments, which is an attachment to the Director's Decision. The list supplies seed and grass mixes available locally for eastern Gorge climates. Consistent with this rule, a condition is included requiring disturbed areas be revegetated upon completion of the project, or as soon as possible if the project is completed.

4. Commission Rule 350-082-0600(2) has guidelines that affect developments on sites visible from Key Viewing Areas (KVAs). Staff determined the subject parcel is topographically visible from four KVA: Columbia River, Historic Columbia River Highway, Interstate 84, and Rowena Plateau/Tom McCall Point. Because the proposed development is topographically visible from KVAs, the guidelines of Commission Rule 350-082-0600(2) are applicable. The proposed development is visible from KVAs at the following distance zones:

   According to Gorge Commission GIS map inventories, the proposed project site is potentially visible from the following Key Viewing Areas:

	Distance Zone		
	Foreground	Middle ground	Background
Key Viewing Area (KVA)	0 -1/4 mile	1/4 – 4 miles	Over 4 miles
Columbia River		**X**	
Historic Columbia River Highway		**X**	
Interstate 84		**X**	
Rowena Plateau		**X**	

   Staff conducted a viewshed analysis of the proposed accessory building site using Google Earth. A pin was placed at the proposed building location and set to a height of 7 meters, approximating the height of the proposed structure, to model visibility from the surrounding landscape. Staff generated distance-zone reference circles at a quarter mile and four-mile radius from the site to correspond with the foreground and middle ground distance zones. The resulting viewshed analysis identified the areas from which the proposed structure would be topographically visible.

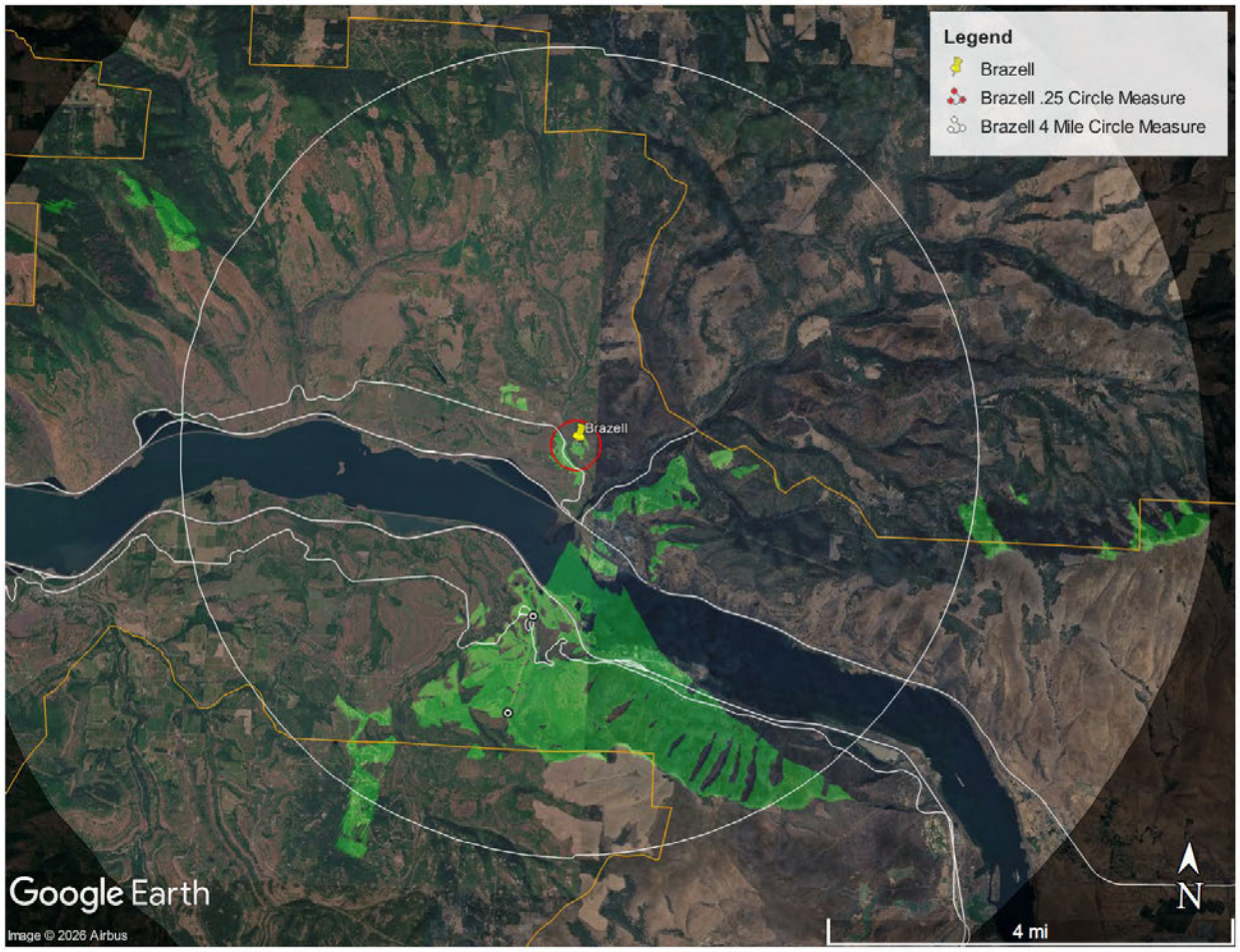


Figure 1 Viewshed Analysis using Google Earth.

1. Commission Rule 350-082-0600(2)(a) requires new development to be visually subordinate to its landscape setting as visible from key viewing areas. New development shall be sited to achieve visual subordinance 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 guideline to the maximum extent practicable.

   Commission Rule 350-082-0070(202) defines *visually subordinate* as follows:

   > *. . . 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.

The Director's Decision has requirements and conditions of approval to ensure the development is visually subordinate. Factors contributing to the visibility of the development include the size, shape, dark earth-tone colors, low-reflective building materials, distance from KVAs, and existing topography, vegetation, and screening. The site is topographically visible from four KVAs, all in the middle ground: the Columbia River, Interstate-84, Rowena Plateau/Tom McCall Point, and the Historic Columbia River Highway. As discussed in further Finding B.8, Commission Rule 350-082-0600(2)(c) requires the extent and type of conditions applied to a development to achieve the scenic standard of visually subordinate be proportionate to the building's degree of visibility from KVAs. Additionally, as discussed in Findings B.12 and B.13, Commission Rule 350-082-0600(2)(h) and Commission Rule 350-082-0600(2)(i) require all proposals to be constructed of dark earth-tone colors and low-reflective materials. As addressed in Sections C and D, the proposed development is consistent with the applicable cultural resource rules in Commission Rule 350-082-0620 and the natural resource rules in Commission Rule 350-082-0640

2. Commission Rule 350-082-0600(2)(b) requires that a determination of potential visual effects and compliance with the visual subordinance standard in subsection (a) above include consideration of the cumulative effects of proposed development. 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 but collectively significant actions taking place over a period of time.

   To determine cumulative effects of the proposed development, staff analyzed existing development and development potential of the subject parcel and adjacent and nearby lands also in the Oak-Pine Woodland Landscape Setting within a quarter mile of the subject parcel. Staff chose the quarter-mile study

area because the parcels are within the same Oak-Pine Woodland landscape setting as the subject property and several of the parcels in the area are developed with single-family dwellings.

As seen from KVAs in the middle ground, the subject parcel is in an area where existing homes and accessory buildings are prevalent but are sparsely visible throughout the landscape or are indistinguishable in the landscape due to the distance from the KVAs, existing vegetation and topography. Buildings in these viewsheds are clustered together and appear part of the scattered rural residential development and consistent with the landscape settings guidelines. There will not be any visual cumulative effects from KVAs in the foreground and background because the development will not be visible from any KVA at those distances. The development will only be visible from KVAs in the middle ground.

Development in the vicinity of the proposal includes seven single-family dwellings and eighteen accessory buildings. The buildings range in size up to 3,600 sq ft and are up to thirty-one feet tall. The proposed accessory building will have a footprint of 1,496 sq ft (44 ft x 34 ft) and a height of 21 ft. For analysis, staff assume that all existing dwellings on surrounding lots could be replaced in the future, subject to review.

According to data from Klickitat Assessor Records, within the study area there are seventeen parcels; seven of those parcels are undeveloped. Eleven of the parcels are designated GMA Small-Scale Agriculture with an 80-acre minimum parcel size; five are undeveloped. Two parcels are designated GMA Large Scale Agriculture with a 160-acre minimum; one parcel is developed and the other is not. Five parcels are designated Residential with a 10-acre minimum parcel size; four are developed and one is not. None of the seventeen parcels are eligible for land divisions. Staff assume for this analysis these parcels will someday be developed with dwellings and accessory structures. It is unlikely that there would be multiple similar developments on the "same piece of ground," given the limitations on the size of accessory buildings on the parcel.

Several factors ensure the proposed building will not cause adverse scenic impacts as viewed from KVAs, including distance, colors, non-reflective and low-reflectivity building materials, and screening vegetation. The proposed accessory building is compatible in size with existing development and will not create any consequential cumulative effects to scenic resources because the building will be largely indistinguishable from the KVAs. If new buildings are built according to applicable Land Use Designation guidelines on each parcel in the vicinity of the proposed development, and if they are designed in a similar manner to existing development and consistent with the guidelines of this

chapter, they will be held to the same visual resource protection standards and will be required to be visually subordinate. The design guidelines for the Oak-Pine Woodland landscape setting in the GMA recommend that development be clustered and sited to maximize screening of existing topography and vegetation to keep the character of the setting. If new developments are built in a comparable manner to the proposal, there would be no cumulative effects to scenic resources. By using existing topography and vegetation, a design that fits with the landscape setting, and exterior materials that are dark, earth-toned, with low reflectivity there will be no significant increase in visibility of new development. Development designed and sited to achieve the standard visually subordinate will not generate adverse cumulative scenic impacts. For the reasons above, the proposed development will not cause adverse scenic impacts, and will not cause adverse cumulative scenic impacts, consistent with Commission Rule 350-082-0600(2)(b).

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

   A determination of the 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.

   The building site is set back from the bluff 322 feet, at an elevation of approximately 480 feet. An open field lies directly in front of the building site, with oak-pine woodland vegetation extending beyond it toward the Klickitat and Columbia Rivers, providing partial screening along the sightline. The building site is intermittently visible while traveling along the linear KVAs, rather than continuously in view.

   The site is visible from four KVAs: the Columbia River, Interstate-84, Rowena Plateau/Tom McCall Point, and the Historic Columbia River Highway (HCRH).

   From the Columbia River, at an elevation of 80 feet, the site is potentially visible beginning approximately 1 mile away and remains visible out to 2.25 miles, as

viewed from the south/southeast. The site is visible along a 1.25-mile linear stretch of the river.

From Interstate-84, at an elevation of 110 feet, the site is visible from approximately 1.5 miles away, as viewed from the south/southeast, along a 1.85-mile linear stretch of the highway.

From the Rowena Plateau/Tom McCall Point KVA, the site is visible along the Tom McCall Point Trail, which begins at the Rowena Plateau trailhead and climbs to Tom McCall Point. At the trailhead at Rowena Plateau, elevation 680 feet, the site is visible from approximately 1.7 miles away. From Tom McCall Point, the trail's endpoint at an elevation of 1,625 feet, the site is visible from approximately 2.66 miles away. The site is viewed from the south along the length of the trail. The site is topographically visible for much of the length of the trail, though existing trees provide variable screening depending on the specific vantage point along the trail.

Along the Historic Columbia River Highway, the site first comes into view at approximately 1.7 miles from the site and remains visible along a 2.9-mile linear stretch of the highway, at elevations ranging from 170 to 700 feet, as viewed from the south/southeast.

The Burdoin Fire destroyed most of the ponderosa pines in the vicinity of the site, though most of the existing oaks survived and continue to provide vegetative screening.

Considering the factors discussed above, the building site is visible, though only intermittently, from four KVAs in the middle ground: the Columbia River, I-84, Rowena Plateau/Tom McCall Point, and the HCRH. To ensure the building is visually subordinate to its setting as seen from these KVAs, conditions are applied governing building materials and colors. Together with the retention of the surviving oak vegetation and the setback distance from the bluff edge, the building will be visually subordinate to the surrounding landscape.

4. Commission Rule 350-082-0600(2)(c) states:

   The extent and type of conditions applied to a proposed development to achieve visual subordinance 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 subordinance:
   (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.

Commission Rule 350-082-0200(4)(d)(C) requires development to comply with the GMA guidelines regarding landscaping to achieve the standard of visually subordinate to the maximum extent practicable. The building site is set back from the bluff by 322 feet, at an elevation of approximately 480 feet. An open field lies directly in front of the building site, with oak-pine woodland vegetation extending beyond it down toward the Klickitat and Columbia Rivers, providing partial screening along the sightline to the river corridor.

The site is visible from four KVAs: the Columbia River, Rowena Plateau and Tom McCall Point, Interstate-84, and the Historic Columbia River Highway (HCRH), all located in the middle ground from the subject parcel, beyond the ¼-mile foreground zone but within four miles. The primary contributing factors to the visual subordinance of the development include distance from the KVAs, screening provided by the intervening oak-pine woodland vegetation, and building materials with dark earth-tone colors and low reflectivity. Given the viewing distance from KVAs over a quarter mile, and the vegetative screening between the site and the river corridor, the building will be difficult to discern in the landscape. The applicants have chosen dark earth-tone colors and low-reflectivity building materials, which are included as conditions of approval. Consistent with the landscape settings design guidelines, a condition of approval requires existing vegetation on the parcel be retained except as needed for safety.

With these conditions included in the Director's Decision, the proposal will be visually subordinate as viewed from KVAs, consistent with the design guidelines for the Oak-Pine Woodlands Landscape Setting. Given that the development is visible only from the middle ground at distances exceeding a quarter mile, staff finds that conditions requiring dark earth-tone colors, low-reflectivity materials, and retention of existing vegetation are proportionate to the development's potential visual impact and sufficient to achieve visual subordinance without new landscaping or recontouring.

Additionally, Commission Rule 350-082-0600(2)(c) requires that the extent and type of conditions applied to achieve the scenic standard of visually subordinate be proportionate to the building's degree of visibility from KVAs. Factors contributing to the visual subordinance of the development include location, size, shape, dark earth-tone colors, low-reflectivity building materials, distance from KVAs, and screening provided by existing vegetation. With conditions of approval requiring dark earth-tone colors, low-reflectivity building materials, and retention of existing vegetation on the parcel, the proposed development will be visually subordinate to its landscape setting to the maximum extent practicable, consistent with Commission Rule 350-082-0200(4)(d)(C).

5. Commission Rule 350-082-0600(2)(d) states:

   New development shall be sited using existing topography and/or existing vegetation as needed to achieve visual subordinance from Key Viewing Areas. The following guidelines shall apply to new landscaping used to screen development from key viewing areas:
   (A) New landscaping (including new earth berms) shall be required only when application of all other available guidelines in 350-082-0600 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 subordinance. Development shall be sited to avoid the need for new landscaping wherever possible.
   (B) If new landscaping is required to make a proposed development visually subordinate from key viewing areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this guideline shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction. If after five years the vegetation has not achieved a size sufficient to screen the development, the Executive Director may require additional screening to make the development visually subordinate.
   (C) Unless as specified otherwise by provisions in 350-082-0600, landscaping shall be installed as soon as practicable, and prior to project completion.
   (D) Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.

(E) The Scenic Resources Implementation Handbook includes recommended species for each landscape setting consistent with 350-082-0600(3) and minimum recommended sizes of new trees planted (based on average growth rates expected for recommended species).

The applicants did not propose a landscaping plan as part of the proposal, and no new landscaping is required to screen the development from KVAs.

6. Commission Rule 350-082-0600(2)(e) states:

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

   The subject parcel is in the Oak-Pine Woodlands landscape setting. Findings for the Landscape Settings Design Guidelines are addressed below.

7. Commission Rule 350-082-0600(2)(f) states:

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

   The proposed accessory building will be 21 ft tall and sits at an elevation of 480 ft. The land directly to the north of the proposals rises steeply behind the buildings to an elevation of 640 ft. The proposal will not break the skyline as seen from all KVAs from which the development site is topographically visible. The development is consistent with Commission Rule 350-082-0600(2)(f).

8. Commission Rule 350-082-0600(2)(h) states:

   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 development has been designed to achieve visual subordinance using the following dark earth-tone colors:

   Siding: Ace Royal *Garland Green (28A-5)*
   Roofing: Western States Metal Roofing *Matte Charcoal Gray*
   Trim, Fascia and Soffit : Sherwin Williams Iron Ore (SW 7069)

   These colors are dark earth-tones that are found at the specific site on the shaded leaves and bark of trees and vegetation. A condition of approval is included in the Director's Decision requiring all elements of the proposal to be these colors, consistent with Commission Rule 350-082-0600(2)(h).

9. Commission Rule 350-082-0600(2)(i) states:

   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 subordinance. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

   The proposed exterior material for the building is Hardi-Board lap siding with a 48-inch river rock wainscoting, matching the existing residential structure which has low reflectivity and matches the existing dwelling. The roof will consist of standing seam metal roofing with a matte earth tone color to help reduce the reflectivity. A condition of approval is included requiring all exterior surfaces of the proposed development, including doors, siding, trim, window casing and sash, decks, and railings to be composed of non-reflective materials to ensure consistency with this rule.

10. Commission Rule 350-082-0600(2)(j) states:

    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 noticeably contrasting with the surrounding landscape setting, except for road lighting necessary for safety purposes.

    No lighting was shown on the applicants' site plan or elevation drawings. A condition of approval is included in the decision ensuring lights are directed downward, hooded, and shielded such that they are not highly visible from KVAs, consistent with this rule. Staff are also providing the applicant with examples of acceptable light fixtures from the International Dark-Sky Association as an attachment to this decision.

11. Commission Rule 350-082-0600(2)(r) states:

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

    The existing topography at the site of the replacement building is level and located adjacent to [redacted] Grading is limited to what is necessary for the foundation of the building. No cut banks or fill slopes will be visible from KVAs. The development is consistent with this rule.

12. The Landscape Settings Map for Columbia River Gorge National Scenic Area classifies the subject parcel as Oak-Pine Woodland. Commission Rules 350-

082-0600(3)(c)(A) and (B) contain applicable guidelines for the proposed development in this landscape setting.

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

> *Structure height shall remain below the tree canopy level of the dominant vegetation types of this setting.*

In wooded portions of this setting in the vicinity of the subject parcel trees vary in height from 30 to 50 ft tall. The trees present on the parcel are a mix of ponderosa pine, mixed fir, and Oregon white oak. The height of the proposed building is 21 ft, which is lower than the tree canopy level in wooded portions of the Oak-Pinewoods landscape setting.

14. Commission Rule 350-082-0600(3)(a)(B) states:

> *In portions of this setting visible from key viewing areas, the following guidelines shall be employed to achieve visual subordinance for new development and expansion of existing development:*
> *(i) At least half of any tree species 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.*
> *(ii) At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.*
> *(iii) For substantially wooded portions: Except as is necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained.*
> *(iv) For treeless portions or portions with scattered tree cover:*
> *(I) Structures shall be sited on portions of the property that provide maximum screening from key viewing areas, using existing topographic features.*
> *(II) Patterns of plantings for screening vegetation shall be in character with the surroundings. Residences in grassy, open areas or savannahs shall be partly screened with trees in small groupings and openings between groupings.*
> *(III) 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.*

No trees are proposed to be removed, and no new trees are proposed for screening purposes. The proposal is consistent with this rule.

Scenic Resources Conclusion

With conditions of approval listed in the Director's Decision, this application meets the criteria for guidelines for protecting Scenic Resources in the National Scenic Area.

C. Cultural Resources

15. Except as specified in Commission Rule 350-082-0620(2)(a)(C), new development in the NSA requires a reconnaissance survey.

16. Luciano Legnini, Archaeologist, 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 November 19, 2025, that pursuant to Commission Rule 350-082-0620(2)(a)(B) 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, and within 500 feet of a known archaeological site.

17. Mr. Legnini conducted reconnaissance surveys on March 21, 2026, and February 11th, 2026, consistent with Commission Rule 350-082-0620(2)(b)(A) and (B). Mr. Legnini prepared a confidential report dated March 18, 2026, that was consistent with Commission Rule 350-082-0620(2)(b)(C) describing the requirements for reconnaissance surveys and reports for small-scale uses in the General Management Area.

18. Commission Rule 350-082-0620(2)(f) states:

    (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 calendar 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.

    Staff provided the cultural resource survey report to the Washington State Historic Preservation Office and the four Columbia River Treaty Tribes on April 9, 2026, with a 30-day comment period ending May 9, 2026. No comments were received.

19. Commission Rule 350-082-0620(2)(g)(B)(ii) states the cultural resource protection process may conclude when the following conditions exist:

    A reconnaissance survey demonstrates that cultural resources do not exist in the project area, no substantiated 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.

    No substantiated concerns were voiced by interested people, Washington DAHP, or tribal governments during the initial notice period that began on November 10, 2025, or the cultural survey notice period that began April 9, 2026.

20. Commission Rule 350-082-0620(2)(a)(D) describes when a historic survey is required. In his November 19, 2025, Cultural Resources Survey Determination letter, Mr. Legnini determined that a historical survey is not required because the proposed use would not alter the exterior architectural appearance of significant buildings and structures that are 50 years old or older and would not 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.

21. Commission Rule 350-082-0620(2)(g)(B)(i) states the cultural resource protection process may conclude when the following conditions exist:

    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 30 calendar days of the date that a notice was mailed.

    The project notice was mailed on November 10, 2025, and the comment period ended on December 1, 2025. As explained above, the proposed use did not require a reconnaissance or historical survey, and no comments were received regarding cultural resource concerns. Pursuant to Commission Rule 350-082-0620(2)(g)(B)(i), the cultural resource protection process may conclude.

22. 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 one hundred 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.

23. 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 350-082-0620 that protects cultural resources in the National Scenic Area.

D. Natural Resources

1. Commission Rule 350-082-0640(1-8) provides guidelines for protecting water resources in the National Scenic Area. Staff reviewed its natural resource inventories for nearby water resources. The closest wetland is more than 1,000 feet away from the proposed development sites. The closest fish-bearing stream is located more than 650 feet from the development site.

   The proposed development will not take place within any water resource or water resource buffer zones.

2. Commission Rule 350-082-0650(1) discusses the General Management Area Sensitive Wildlife Review Criteria.

3. Commission Rule 350-082-0650(3)(a-b) states that proposed uses within 1,000 feet of a Priority Habitat or sensitive wildlife site shall be reviewed as follows:

   (a) The Executive Director shall submit site plans to the Oregon Department of Fish and Wildlife or the Washington Department of Fish and Wildlife. State Wildlife biologists will review the site plan and their field survey records and:
   (A) Identify and verify the precise location of the Priority Habitat or sensitive wildlife site;
   (B) Ascertain whether the sensitive wildlife site is active or abandoned; and
   (C) Determine if the proposed use may compromise the integrity of the wildlife habitat or site or occur during the time of the year when wildlife species are sensitive to disturbance, such as nesting or rearing seasons. In some instances, state wildlife biologists may conduct field surveys to verify wildlife data and assess potential effects of a proposed use.

(b) Oregon white oak shall not be removed if practicable alternatives exist…

Oregon white oak are identified on the proposed site plan, but none are proposed to be removed. A condition of approval in the Director's Decision is included to ensure no Oregon white oak will be removed during or after the construction of the accessory building.

In addition, the site and the surrounding landscape is identified as a habitat for White and Black-tailed Deer winter range. On November 10, 2025, staff sent Washington Department of Fish and Wildlife (WDFW) a copy of the applicants' land use application and site plan. WDFW did not submit a comment in response to the notices. Due to the existing residential use of the property and the nature of the development, the wildlife site is not compromised, resulting in no adverse or cumulative effects. Pursuant to Commission Rule 350-082-0650(3)(d), the wildlife protection process may conclude because the proposed development will not compromise the integrity of the Priority Habitats within the vicinity.

4. Commission Rule 350-082-0660(1)(a) discusses review uses allowed within 1,000 feet of a rare plant. According to Gorge Commission inventories the proposed sites are located more than 1,000 feet from any identified rare plants. The closest rare plants in the vicinity are located near the Klickitat River, over a half a mile away.

Natural Resources Conclusion:

With conditions of approval prohibiting the removal of any Oregon white oak, the proposed development is consistent with the rules protecting Natural Resources in the National Scenic Area.

E. Recreation Resources

1. Commission Rule 350-082-0700 describes the General Management Area Recreation Review Criteria. The application did not contain any proposals for recreational use.

2. Commission Rule 350-082-0580(3) states:

Buffers from Existing Recreation Sites. 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 or structure and the parcel.

The closest recreation site is the Klickitat River trail which is located half a mile away in the town of Lyle, WA. The development will not detract from the use and enjoyment of established recreation sites and no buffers are needed.

Recreation Resources Conclusion:

The proposed development is consistent with Commission Rule 350-082-0580(3) that protects recreation resources in the National Scenic Area.

F. Treaty Rights Protection

1. Commission Rule 350-082-0130(1) provides protection of tribal treaty rights from new development in the National Scenic Area.
2. Commission Rule 350-082-0130(1)(c) lists the notice requirements for proposed development and requires that the Executive Director offers to meet with or consult with the tribal governments prior to making a decision on the proposed development. The Executive Director shall make more than one attempt to contact a tribal government. Staff provided the initial offer to meet or consult with the initial notice on November 10, 2025, and again on April 9, 2026, via email and by mail. No treaty tribe government requested a meeting or consultation on the proposed development.
3. Commission Rule 350-082-0130(1)(d) lists guidelines for tribal government consultation when any of those governments submit substantive written comments.

   No substantive comments were received.
4. Commission Rule 350-082-0130(1)(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 the 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(1)(i).

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.

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