

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS AND RECOMMENDATION

Applicants: David and Georgia Lang

Address: 40352 Cape Horn Road,
Concrete, WA 98237

File No: C/U TMB#1-2008

Request: To include approximately 9.64 acres in the Current Use Timber Program.

Location: Adjacent to north bank of Skagit River on Cape Horn Road in the Birdsvie Area, within a portion of SE1/4NW1/4 & Gov't Lot 3, Sec.14, T35N, R7E, W.M.

Assessor's No: Portion of P42622

Public Hearing: After reviewing the report of the Assessor's Office, the Hearing Examiner conducted a public hearing on February 27, 2008.

Recommendation: Approval

FINDINGS

1. David and Georgia Lang (applicants) have filed an application for inclusion of approximately 9.64 acres in the Current Use Timber Program. They are the owners of the property.

2. The property on the north bank of the Skagit River on Cape Horn Road, within a portion of SE1/4NW1/4 & Gov't Lot 3, Sec. 14, T35N, R7E, W.M. The property is a part of P42622.

3. The parcel is 10.93 acres in size, but the applicant seeks to reserve 1.29 acres for a homesite.

4. There are two stands – 6.6+ acres of 15-year-old Red Alder, Bigleaf Maple and Birch with scattered older Western Red Cedar and Western Hemlock; and 3.04+ acres of 50+-year-old native conifer and hardwood that borders the river. The owners' goals are to maintain the existing trees to provide wildlife habitat, watershed management and recreation. After good forest management, eventual harvesting is contemplated, consistent with applicable regulations.

5. A 200-foot wide swath along the river is within the jurisdiction of the Shoreline Management Act and this same strip is Federally designated as a part of the Wild and Scenic River system.

6. A Forest Management Plan was prepared by David N. Anderson, Forestry Consultant. The plan appears to comply with RCW 84.34.020 and RCW 84.34.041.

7. The Staff Report and Exhibits submitted by the Assessor's Office are incorporated herein.

8. The hearing was held after due notice. There was no public testimony and there were no written comments.

8. The Examiner finds that the property meets the definition of the classification sought.

9. The Staff recommends approval. The Examiner concurs with Staff.

RECOMMENDATION

The Examiner recommends approval of the application, subject to the following conditions:

(1) The applicants shall comply with applicable regulations under the State Shorelines Management Act and the Federal Wild and Scenic Rivers Act.

(2) At the time of harvesting, the applicant shall comply with the requirements of the Department of Natural Resources in regard to the harvesting of timber.



Wick Dufford, Hearing Examiner

Date: March 14, 2008

Copies transmitted to Applicant March 14, 2008