

1 BEFORE THE COWLITZ COUNTY HEARINGS EXAMINER

2	IN RE:)	HEARING NO. Shoreline No. 24-1040
3)	and Campground Binding Site Plan
4	WANDERING RIVER RETREAT)	No. 2435.01
5	AND EVENT CENTER,)	FINDINGS OF FACT,
6	Applicant.)	CONCLUSIONS OF LAW
)	AND DECISION

7 **APPLICANT:** Jeremy Irish

8 **REPRESENTATIVE:** Jolma Design

9 **SUMMARY OF REQUEST:**

- 10 1. A Shoreline Substantial Development Permit;
- 11 2. A Shoreline Conditional Use Permit; and
- 12 3. Campground Binding Site Plan Approval.

13 All related to the proposed construction of a camping retreat and event center on two parcels
14 totaling 23.54 acres at 4311 Kalama River Road. Proposed site improvements include the
15 remodeling of existing structures into a caretaker residence and an event center and the addition
16 of 10 "hypdomes" on platforms, 9 "drop structure" cabins, 4 camping pods with 3 tents each, 4
17 individual campsites; and 2 RV sites for a total of 37 proposed sites. A portion of the new deck,
18 gravel area, paved parking stalls and vehicle charger are within shoreline jurisdiction.

16 **LOCATION OF PROPOSAL:**

17 4311 Kalama River Road, Parcel Nos. EB1801001 and EB0715005.

18 **SUMMARY OF DECISION:**

19 The requested Shoreline Substantial Development Permit is **approved**.
 20 The Shoreline Conditional Use Permit is **approved**.
 21 The Campground Preliminary Site Plan is **approved** for use as a campground but **denied** for use
 22 as an events center. Approval of the Campground Binding Site Plan is subject to modified
 23 conditions from those recommended by County Staff.

23 **BACKGROUND**

24 The Applicant seeks permit approval to establish a campground and events center on
25 23.54 acres located at 4311 Kalama River Road. The site contains an existing driveway, house,

1 barn, shop and paved parking area. The Applicant seeks to repurpose the existing buildings,
2 turning one into a caretaker residence and remodeling the other into an event center. The
3 Applicant also seeks to establish a campground with 10 hypdomes on platforms, 9 drop structure
4 cabins, 4 camping pods with 3 tents each, 4 individual campsites and 2 RV sites for a total of 37
5 camping sites.

6 Proposed new decks, new parking and various other proposed improvements are located
7 within shoreline jurisdiction and trigger the need for a Shoreline Substantial Development
8 Permit. The area where new parking is proposed is located within the Rural Conservancy
9 Shoreline Environment Designation (SED) and therefore also requires a Shoreline Conditional
10 Use Permit. The proposed campground and, separately, the proposed event center, require
11 Campground Binding Site Plan approval.

12 The applications have encountered significant public and agency opposition. The
13 Washington Department of Fish & Wildlife (WDFW) is concerned about the project's potential
14 impact upon its nearby salmon hatchery facility a short distance downstream of the site. WDFW
15 is also concerned that users of flotation devices will encounter extremely dangerous conditions
16 should they float toward the hatchery. Weyerhaeuser has a number of concerns mostly related to
17 traffic. It owns much of the surrounding timberlands and the only public road into the valley,
18 Kalama River Road, carries large amounts of its logging traffic that is not well suited to interact
19 with recreational traffic. A significant number of nearby landowners and other members of the
20 public are strongly opposed for a number of reasons including:

- 21 ● The site can be accessed by only one, dead- end public road.
- 22 ● There is no fire station in the region.
- 23 ● Kalama River Road is not designed for this type of traffic, especially considering
24 its substantial log truck traffic.
- 25 ● The project poses significant risk to the nearby State hatchery.

1 Exhibit 10 – Preliminary Stormwater Technical Information Report

2 Exhibit 11 – SEPA Update Narrative

3 Additional exhibits admitted during the hearing include:

4 Exhibit 12 Staff Report

5 Exhibit 13 Summary of all Public Comments Received to Date

6 Exhibit 14 County's PowerPoint Presentation

7 Exhibit 15 Written Testimony of Scott Wall

8 **County's Presentation:**

9 The hearing began with the testimony of Cody Crytzer, Senior Environmental Planner,
10 with some additional information provided by Adam Trimble, Planning Manager. Mr. Crytzer's
11 testimony was relatively brief as he relied extensively upon his Staff Report (Exhibit 12) and his
12 PowerPoint presentation (Exhibit 14). Mr. Crytzer explained that the Applicant seeks approval
13 to establish a camping retreat and event center with 37 proposed camping sites at 4311 Kalama
14 River Road east of Kalama. The Applicant's total land ownership at this site is 23.5 acres with
15 the project utilizing 12.76 acres. The site currently contains an existing driveway, house, barn,
16 shop and paved parking. It is in an unzoned portion of the County. Its land use designation in
17 the Comprehensive Plan is Rural. A portion of the property lies within shoreline jurisdiction and
18 has a Shoreline Environment Designation (SED) of Rural Conservancy.

19 The proposed uses trigger the need for approval of three permits by the Hearing
20 Examiner:

21 1. Several proposed site improvements including a new deck, parking areas, and
22 electric vehicle charger are located within shoreline jurisdiction and require a Shoreline
23 Substantial Development Permit.

24 2. As the SED for the site's shoreline is Rural Conservancy, the proposed parking
25 within shoreline jurisdiction also requires a Shoreline Conditional Use Permit.

1 3. A proposed campground and event center requires approval of a Campground
2 Binding Site Plan.

3 The Applicant proposes 37 camping sites spread across 12.76 acres. Camping sites
4 include 10 hypedomes, 9 drop structures, 4 camping pods with 3 tents each, 4 individual
5 camping sites, and 2 RV sites. Examples of hypedomes and drop structures are included in the
6 PowerPoint presentation. CCC 18.56.100 establishes a maximum number of camping spaces per
7 gross acre at 15 camping spaces. The proposed 37 camping sites across 12.76 acres falls well
8 below this allowed maximum.

9 The PowerPoint presentation provides several aerial photos of the project site. These
10 photos demonstrate that the site is bordered by Kalama River Road to the north. From the road,
11 the site descends steeply across a wooded hillside to a relatively flat riverfront pasture adjoining
12 the Kalama River. Within this flat pasture area there is an existing small residence, a large barn
13 and several other outbuildings as well as a large area of paved parking and a driveway leading up
14 to Kalama River Road. The Applicant proposes to repurpose these buildings as a caretaker
15 residence and event center.

16 The aerial photos further demonstrate that surrounding properties contains several rural
17 residential lots to the east and west, with extensive timberlands owned by Weyerhaeuser to the
18 north. Immediately east of the site is a property containing a single cabin that does not appear to
19 be permitted but is regarded as legally nonconforming. Immediately west of the site is additional
20 land owned by the Applicant that is currently undeveloped and, further west, a single-family
21 residence. The only means of access to the site is by way of Kalama River Road which reaches a
22 dead-end further east of the site. Several other roads are nearby (Weyerhaeuser Road,
23 Greenwood Road, etc.) but these are privately owned by Weyerhaeuser and maintained as part of
24 its timberland management.

1 The proposed site layout is shown on several maps within the PowerPoint presentation.
2 They demonstrate that the existing residence is proposed to be repurposed into a two story
3 remodeled building with two bedrooms and an upstairs suite, along with a café and kitchen
4 downstairs. The existing barn is to remain but new decks are installed to enhance river views.
5 Existing parking is to remain and additional parking is to be established with an EV charging
6 station. Waterward of the existing buildings, a series of camping sites are proposed, while
7 landward of the buildings (on the hillside leading to Kalma River Road) are a number of
8 additional campsites including drop structures and hypdomes. Baths/showers are proposed at one
9 of more locations and septic systems are identified.

10 The site's layout relative to wetlands and their buffers, floodplains and shoreline
11 jurisdiction are identified in a color aerial photo included in the PowerPoint presentation.
12 Importantly, this photo identifies the shoreline jurisdiction (in blue); the shoreline building
13 setback (dashed white line); wetland buffers impacted by development (aqua colored areas); and
14 wetland buffers to be enhanced in mitigation of any buffer impacts (green dotted area). This
15 photo demonstrates that proposed improvements to the existing residence and adjoining parking
16 are located within shoreline jurisdiction, and that several other improvements are located within
17 the outer portion of the existing wetland buffer.

18 Mr. Crytzer then turned to the required notices of this application and explained that all
19 required notices have been provided as required. These various notices have generated a
20 considerable amount of written public and agency response. Exhibit 13 is a list of all public
21 comments presented to the County in response to the various notices of this application including
22 the original Notice of Application, the SEPA notice, and the Notice of Hearing before the
23 Hearing Examiner. This exhibit identifies approximately 35 written public comments received in
24 advance of the hearing and a brief summary of each comment's contents. The substance of these
25 comments will be discussed more fully below.

1 Mr. Crytzer then analyzed the project in relation to the County Comprehensive Plan.
2 Staff concludes that the project, as conditioned, is consistent with the Comprehensive Plan's
3 goals and policies, particularly the goals for rural land use, including Goal LU10 and LU11.

4 Mr. Crytzer then turned to the Applicant's request for a Campground Binding Site Plan
5 approval pursuant to CCC 18.56.100. Staff finds that the project, as conditioned, complies with
6 all requirements for approval of the proposed Campground Binding Site Plan for use as both a
7 campground and as an events center, and recommends approval of the plan.

8 Mr. Crytzer then addressed the requirements of the County's Shoreline Master Program
9 (SMP) and noted that the Applicant's Critical Areas Report concludes that proposed development
10 will result in no net loss of ecological function through implementation of proposed mitigation
11 consisting of wetland buffer restoration and protection as described more fully in the Critical
12 Areas Report (Exhibit 4). Staff therefore recommends that the requested Shoreline Substantial
13 Development Permit and Shoreline Conditional Use Permit be granted.

14 Mr. Crytzer then turned to the issue of traffic as this has been a significant issue in public
15 comments. Mr. Crytzer referred to the Applicant's Transportation Analysis (Exhibit 5) prepared
16 by Chris Clemow, Traffic Engineer. Mr. Clemow undertook a safety and site distance analysis
17 of the existing and proposed access. He concludes that there "are no existing safety deficiencies
18 along this section of Kalama River Road, and the proposed access is anticipated to operate safely
19 and efficiently, and the existing access also operates safely and efficiently." Mr. Clemow also
20 concludes that required stopping site distances for vehicles traveling on Kalama River Road are
21 satisfied, and desired intersection site distances are met with one exception of a left turn from the
22 site access to northbound Kalama River Road. Mr. Clemow concludes that, "the exiting access
23 can remain and continue to operate in its current configuration without modification and not have
24 a safety deficiency."
25

1 At the conclusion of Mr. Crytzer's direct testimony the Hearing Examiner posed the
2 following questions:

3 1. **Water Supply.** The Hearing Examiner asked Staff for more information as to the
4 project's water source. Staff responded that the project was expected to rely upon an exempt
5 well, (less than 5,000 gallons/day) but that it would be required to meet all health standards,
6 taking into consideration the number of users and the types of use.

7 2. **Firefighting.** The Hearing Examiner asked how a fire occurring on site would
8 be handled. Staff acknowledged that there is no nearby fire station, as Fire Station 53 has been
9 closed and there is no longer a fire station located along Kalama River Road. Nonetheless, Staff
10 says that the project will be conditioned to meet all fire code regulations.

11 3. **Fire Pits.** Given concerns about fire in this region, the Hearing Examiner
12 inquired as to whether fire pits would be allowed. Staff confirmed that two fire pits were
13 proposed but that they would rely on propane.

14 4. **Wastewater.** The Hearing Examiner noted that the proposed septic system would
15 place septic tanks near the shoreline of the river, and that any release from these tanks could be
16 catastrophic to fish and the nearby hatchery. Staff responded that the proposed septic system
17 must follow all requirements imposed for this type of location, and must be designed to avoid
18 any discharge.

19 5. **Boundary Fencing.** The Hearing Examiner noted concerns that pets belonging to
20 guests could enter into neighboring properties unless barriers were established. Staff explained
21 that the project is proposed to be screened through vegetative screening, with no screening
22 required on the west boundary as the adjoining property also belongs to the Applicant.

23 6. **Operating Rules.** The Hearing Examiner inquired of Staff as to whether it had
24 seen a set of operating rules for the campground. Staff confirmed that a set of rules had not yet
25 been established.

1 **Applicant's Presentation:**

2 At the conclusion of the County's presentation the Applicant appeared through its
3 Engineer, Byron Jolma, its Biologist, Andrea Aberle, and Traffic Engineer, Chris Clemow.

4 Byron Jolma, Project Engineer, first responded on behalf of the Applicant. Mr. Jolma
5 began by noting that the Applicant does not have any objections to the currently proposed
6 conditions. He then responded to several questions the Hearing Examiner had posed to County
7 Staff. As to proposed fire pits, Mr. Jolma confirmed that the project proposes two fire pits
8 utilizing propane rather than wood. Water will be supplied by a new well in the northeast corner
9 of the project. The well is expected to qualify as an exempt well using less than 5,000 gallons
10 per day. The Applicant understands that the well might need to be certified as a Group B well
11 system and that it does not object to this certification if required. Mr. Jolma then noted the
12 various concerns expressed by members of the public and indicated that the Applicant
13 understood these concerns and would do all it could to alleviate them, but that the Applicant
14 stands by all of its expert's reports and their findings and believes that these reports demonstrate
15 that the project has been carefully planned.

16 Mr. Jolma then addressed stormwater and explained that the Stormwater Plan (Exhibit
17 10) is designed to utilize low impact best management practices. All runoff will be treated and
18 then disbursed through vegetated soils to allow infiltration. No stormwater detention is
19 proposed.

20 Mr. Jolma responded to the Hearing Examiner's question about whether rules had been
21 established for the campground and responded that rules have not yet been established.

22 Finally, in response to the Hearing Examiner's questions about the proposed septic
23 system and the location of its septic tanks, Mr. Jolma confirmed that all septic systems would be
24 constructed to avoid infiltration of stormwater as well as release of wastewater.

1 Following Mr. Jolma's testimony, Andrea Aberle, Biologist and author of the Applicant's
2 Critical Areas Report, testified regarding plans for addressing critical areas. As noted in her
3 Critical Areas Assessment (Exhibit 4), the site slopes steeply southward from the Kalama River
4 Road, then flattens out to a floodplain terrace adjacent to the river. The floodplain terrace is a
5 maintained grass field. There is a wetland located near the southern limit along the riverbank.
6 No removal of trees, shrubs or significant native vegetation is proposed. Aerial color maps
7 attached to her report identify several important buffers located on the project site:

8 • **Shoreline.** Shoreline jurisdiction for this site is defined a 200 feet landward of
9 the Ordinary High Water Mark of the Kalama River and associated wetlands, whichever is
10 greater. In this case, the 200-foot offset from the Ordinary High Water Mark of the river is
11 greater. This 200-foot shoreline jurisdiction is shown on maps attached to her report.

12 • **Floodplain.** The 100-year floodplain at this location is also shown on maps
13 attached to her report.

14 • **Wetlands.** A wetland has been delineated on or near the site Wetland A is a
15 Category II wetland with a Habitat Score of 8 and a High Land Use Intensity requiring a 300-
16 foot buffer with a 100-foot quality buffer. This buffer is identified on maps attached to her
17 report.

18 • **Other Buffers.** The Cowlitz County SMP, for the Rural Conservancy SED, calls
19 for a 150-foot shoreline buffer (setback) and an additional 10-foot building setback. No
20 development may occur within this setback. Again, all of these buffers are identified on maps.

21 With these various buffers in mind, and taking into consideration the project's impacts
22 upon these critical areas, Ms. Aberle has prepared a Buffer Mitigation Plan which proposes to
23 place all new structures outside of shoreline jurisdiction to the extent possible, and to avoid any
24 direct impacts to Wetland A and its inner wetland buffer. Some development will occur within
25 shoreline jurisdiction and the outer portion of the Wetland A buffer will be impacted. To mitigate

1 these impacts, a Buffer Mitigation Plan is proposed which requires buffer enhancement in an
2 area located directly north of Wetland A and the Kalama River. The project is expected to
3 impact 18,762 square feet of various buffers and the Applicant proposes to mitigate these
4 impacts by enhancing an identical 18,762 square feet of adjoining buffer, or a 1-1 ratio of
5 enhancement to impact. The Buffer Mitigation Plan provides significant detail as to plantings
6 and their maintenance, as well as appropriate signage to protect the enhanced areas in the future.

7 **Public Comment:**

8 As previously noted, more than 30 written comments were submitted to the County in
9 response to notices of this pending application. These written comments can be found at Exhibit
10 8, while Exhibit 13 is a summary of their contents. All are in opposition to the project. Concerns
11 are numerous and wide-ranging but several concerns are commonly addressed:

12 ● Kalama River Road is the only means of access to the site; is a dead-end road
13 with no secondary route available; has large amounts of log truck traffic; is not designed for
14 larger volumes of traffic, especially RV's and campers; and has poor sight lines, especially at the
15 entrance to the project site.

16 ● The project poses a severe fire risk; there is no fire station within a half hour
17 response time; the site is surrounded by timberlands and small rural properties that are at great
18 risk of any fire onsite that will spread in an uncontrolled fashion to surrounding properties, with
19 no firefighting services in the area.

20 ● Recreational activities along the Kalama River pose a threat to native salmon
21 stocks, the nearby fish hatchery, and surrounding properties.

22 ● Recreational users of the river are at great risk to injury or death due to
23 downstream hazards a short distance from the site.

24 ● Any failure in the septic system would result in catastrophic damage to fish in the
25 Kalama River and at the hatchery.

1 ● The proposed event center introduces noise, light and other nuisances into a
2 serene, isolated river valley.

3 ● Even if the project imposes rules of operation, enforcement of those rules is
4 problematic and unlikely.

5 ● This river valley at the far end of Kalama River Road has a sensitive ecosystem
6 that will be easily upset by increased activity.

7 ● Photos amply demonstrate that the portion of the site where most development
8 will occur routinely floods to a depth of several feet. This routine flooding endangers the septic
9 system and creates the likelihood of debris from the site being sent downstream.

10 In addition to these previous written comments, the following public testimony was
11 received during the hearing:

12 **Michael Grimes.** Mr. Grimes has lived in the valley 25 years. Kalama River Road was
13 never intended for this type of purpose and there are no alternate roads available for evacuation
14 of the valley and the road can only send traffic west, not east or any other direction. The nearby
15 roads owned and maintained by Weyerhaeuser are not intended for civilian traffic and require
16 four wheel drive capability. Kalama Road has poor line of sight with constant use by large
17 trucks. Should there be any type of emergency at the site it would be nearly impossible to
18 promptly respond especially as there is no cell service. In addition, the proposed development
19 negatively impacts local wildlife and would eliminate the quiet conditions that have long been
20 maintained in the valley.

21 **Tiffany Tako.** Ms. Tako is neither for or against the project but has several concerns.
22 Her house is nearby on Greenwood. She is curious to know whether the caretaker house would
23 be used year round or only seasonally. She would recommend a limit on the total number of
24 guests due to the limits of the road system and of available parking. As a nearby landowner, she
25 warns that Kalama River Road is a dangerous road through much of the year, especially in the

1 winter, and especially for visitors who are unfamiliar with its challenges. She concludes her
2 comments by noting that traffic from this development should avoid use of the road during the
3 morning hours when Weyerhaeuser and local traffic is at its greatest.

4 **Michael Golob.** Mr. Golob represents the organization known as Clark-Skamania Fly
5 Fishers. He has provided previous written comment. The purpose of this organization is to
6 preserve wild fish stocks including those still remaining on the upper Kalama River. For various
7 reasons, only wild fish stocks are released above the fish hatchery located a short distance
8 downstream, thus making this stretch of the river the "holy water". He notes that wild fish
9 collected at the hatchery are then released above its dam where they need time to rest and
10 recover before continuing up-river. Adding river-based recreational activity at the proposed
11 campground will disturb the upriver migration of these wild fish.

12 **Brian Davern.** Mr. Davern is a volunteer at the nearby fish hatchery and often visits the
13 area. He opposes the project as it threatens the river's water quality, especially to the hatchery,
14 and eliminates the historic use of this site as a popular fly fishing location. He is critically
15 concerned with stocks of wild spring chinook and steelhead and believes they will be most
16 affected by the project.

17 **Brad Reusser.** Mr. Reusser lives directly above the project site along Greenwood Road.
18 He believes that the project will have huge negative impacts upon local fish stocks. Although the
19 Applicant proposes to keep guests out of the river from March to June to help protect fish, he
20 questions whether there are any effective means of doing so, and critical fish inventories will be
21 endangered. He also notes that the site is surrounded by mature stands of timber and that if a fire
22 would get underway there is no way to safely evacuate the campground, as Kalama River Road
23 is the only exit and it is not designed to handle the numbers of vehicles attempting to leave the
24 campground. He also has great concerns over the project's intersection with Kalama River Road
25

1 as loaded log trucks descending from hills to the east have no way of quickly stopping and
2 cannot be easily seen from campground patrons entering onto Kalama River Road.

3 **Scott Wall.** Mr. Wall owns property between the project site and the hatchery
4 downstream. He has previously provided extensive written comments in opposition to the
5 application, covering most of the topics expressed by other commenters. His written comments
6 for this hearing were admitted as Exhibit 15.

7 **Jeff Bottartt.** Mr. Bottartt has been involved with this stretch of the river for
8 approximately 60 years and was involved in community efforts to prevent the introduction of
9 hatchery fish into the upper Kalama. He has also been involved in river rescues and is aware of
10 the significant dangers with the recreational use of this portion of the river, especially by people
11 unfamiliar with its dangers.

12 **County's Response:**

13 In response to ongoing concerns about traffic impacts, the County referred to the
14 Applicant's Transportation Analysis and its findings that the project does not pose troublesome
15 traffic issues and that there is adequate sight distance. Patrick Harbison, Public Works Engineer,
16 added to the County's response by noting that all sight distance requirements are met with one
17 minor exception that doesn't impact the safety of the project. Mr. Harbison also confirmed that
18 the Preliminary Stormwater Plan meets design requirements under the current Stormwater
19 Manual. Andrea Yoho, Manager of Community Health and Human Services, added that the
20 proposed septic system meets all general requirements of the County's septic regulations. Its
21 design also takes into consideration its location with in floodplain, and makes special provision
22 for location in a flood prone area. Adam Trimble, Planning Manager, concluded the County's'
23 response by acknowledging that fire safety is an ongoing concern but reminded the public that
24 the project will need to demonstrate compliance with all fire code requirements.

1 At the conclusion of all testimony, the Hearing Examiner advised the parties that
2 additional information would be needed in order to render a decision. Specifically, the Hearing
3 Examiner asked to see a draft copy of the proposed guest handbook and operating rules and its
4 provisions for safety, quiet hours, pet management, fire safety and evacuation, maximum length
5 of stay, use of alcohol and environmental protections. The Examiner also requested more
6 information on plans for fire protection response; a more detailed description of the onsite septic
7 system including evidenced that it could not result in a catastrophic release of effluent not the
8 river; and additional information regarding the proposed water system and its management.

9 **SECOND PUBLIC HEARING**

10 The Hearing Examiner established a second public hearing to review the additional
11 information provided in response to the Hearing Examiner's earlier request for additional
12 information. The continued hearing was resumed at 10:00 a.m. on December 4, 2025, at the
13 Commissioner's Hearing Room. The County again appeared through Cody Crytzer, Senior
14 Environmental Planner, and Adam Trimble, Planning Manager. The Applicant appeared through
15 Byron Jolma. A large crowd was again present and several individuals offered testimony. A
16 verbatim recording was made of the public hearing and all testimony was again taken under oath.
17 Several additional exhibits were presented:

- 18 Exhibit 16 Supplemental Staff Report
- 19 Exhibit 17 Post Hearing Response Memorandum
- 20 Exhibit 18 Draft Guest Handbook
- 21 Exhibit 19 Onsite Septic Design Narrative
- 22 Exhibit 20 Updated Site Plan
- 23 Exhibit 21 Draft Emergency Evacuation Plan
- 24 Exhibit 22 Comments from Fire Chief Vic Leatzow of Cowlitz County
- 25 Fire District #5

1 Exhibit 23 Public Comments

2 Exhibit 24 City's PowerPoint Presentation

3 The continued hearing began with testimony from Cody Crytzer. Mr. Crytzer introduced
4 the new exhibits and began his discussion with a review of the Applicant's proposed draft Guest
5 Handbook (Exhibit 18). Mr. Crytzer noted that the draft handbook contains important safety
6 guidelines, establishes quiet hours, and also establishes more stringent rules for recreational
7 activities in and near the river. He next turned to the Applicant's Proposed Fire Evacuation Plan
8 (Exhibit 21) and expressed Staff's support for this plan. Mr. Crytzer next addressed the issue of
9 updated site designs (Exhibit 20) and noted that the Applicant has revised the entrance into the
10 facility by widening the road and improving the grade. He then turned to the issue of the site's
11 water supply system and its use for fire fighting. Staff confirmed that the site's proposed well
12 will be regulated as a Group A Transient Non-Community (TNC) water system as it is designed
13 to serve 25 or more people each day for 60 or more days in a year. The Applicant continues to
14 believe that the project will require less than 5,000 gallons per day and therefore the well can be
15 maintained as an exempt well without need for a water right permit. Mr. Crytzer also examined
16 the water system relative to fire fighting needs and explained that the Applicant has provided a
17 narrative (Exhibit 17) from the Applicant's engineer confirming that an onsite fire protection
18 water storage system will be required with a capacity of between 30,000 and 60,000 gallons. Its
19 exact specifications cannot be determined until the well has been drilled and its volume known.
20 This fire protection water storage system will be required to meet fire code standards and will
21 provide an onsite fire fighting facility. Mr. Crytzer then turned to the site's septic system and
22 noted that the Applicant has submitted an updated septic design (Exhibit 19) which demonstrates
23 that the system has been designed with the understanding that it will be located in a floodplain
24 and subject to flood waters. More specially, it is designed to avoid any discharge of effluent
25 while also preventing the infiltration of stormwater, even in flood conditions (Exhibit 4). Mr.

1 Crytzer concluded his remarks by noting the comments provided by Vic Leatzow, Fire Chief for
2 Cowlitz County Fire District #5 (Exhibit 22). Chief Leatzow confirms that a fire fighting
3 reservoir will be required onsite and that its capacity and delivery capability must meet
4 International Fire Code requirements (Exhibit 22). Chief Leatzow was unwilling to provide
5 further comments regarding evacuation plans as the Fire District is not responsible for such
6 plans.

7 At the conclusion of Mr. Crytzer's testimony the Hearing Examiner again asked a few
8 questions. The Hearing Examiner noted that Weyerhaeuser has expressed a number of concerns
9 (Exhibit 23) regarding the intersection of the project's entrance with Kalama River Road and
10 several nearby Weyerhaeuser Roads. In particular, Weyerhaeuser expresses concern over lines
11 of sight and the stopping ability of its trucks, and recommends that the access point be located
12 further east and, in addition, that a second access point be established on the project's eastern
13 boundary. In response to these comments, Patrick Harbison, Public Works Engineer, disagreed
14 with Weyerhaeuser's recommendations and remained of the belief that the findings of the
15 Applicant's Traffic Analysis demonstrate that the access intersection is adequate. Mr. Harbison
16 added that relocating the access location would be extremely difficult due to the site's steep
17 terrain, while a second access point at the east boundary of the site would be nearly impossible
18 due to steep slopes.

19 The Hearing Examiner then posed several questions to Staff regarding the event center
20 and asked Staff if the Applicant had only requested the event center and not a campground site,
21 would Staff still recommend approval. Staff responded that it would still recommend approval
22 of a standalone event center as it felt that it satisfied all County regulations and was consistent
23 with the County's Comprehensive Plan.

24 The County then presented testimony from Mike Wilson, County Fire Marshal, who
25 confirmed that any onsite fire fighting facilities would need to demonstrate compliance with the

1 requirements of the International Fire Code. During final permit review the Fire Marshal's office
2 will review site plans to confirm that there is adequate access, appropriate turnaround facilities
3 for fire apparatus, adequate fire storage facilities consistent with the fire code, and appropriate
4 rules and regulations for operation that ensure fire safety. He concluded his comments by noting
5 that the Applicant's proposed evacuation plan is conceptually appropriate.

6 County Staff concluded its testimony by announcing that Staff continues to recommend
7 approval of the requested permits but subject to three additional conditions:

8 1. Campground Rules of Operation shall be expanded to include specific
9 locations where swimming, floating, kayaking, or fishing are allowed. Maps
10 should be provided indicating approved water access locations. Rules of
11 operating shall contain language prohibiting guests from floating beyond property
boundaries downstream, due to danger of river hazards below the Wandering
River Retreat property line.

12 2. Metal signs shall be installed indicating the property boundaries of the
Wandering River Retreat Event Center.

13 3. Privacy fences, minimum 6 feet in height, shall be installed outside of
14 required critical area setbacks identified in SMP Table 7-2.

15 Again, with these additional conditions County Staff believes that the concerns expressed
16 by the Hearing Examiner have been fully addressed and that the Applicant has met its burden of
17 demonstrating that all requirements for the requested permits have been satisfied.

18 At the conclusion of the County's presentation the Applicant appeared through its
19 Engineer, Bryon Jolma. Mr. Jolma first confirmed that the Applicant has no objection to the
20 additional conditions imposed by County Staff. He then addressed the issue of onsite fire
21 fighting facilities and agreed with County Staff that the final design will be required to meet
22 NFPA standards for rural fire fighting, with the exact specifications for the system to be
23 determined once the well's capacity and the project's approval of requested uses is confirmed.
24

25 Mr. Jolma also agreed with the County's Public Works Official that it would be

1 inappropriate to require the entrance to be relocated or otherwise changed beyond the changes
2 the Applicant has proposed in its updated site plan. Mr. Jolma explained that any change in
3 access locations is not practically feasible due to the hillside's steep slope and other
4 environmental constraints. Indeed, any attempt to relocate the road and access points would
5 interfere with critical areas. This is even more true with respect to Weyerhaeuser's suggestion of
6 a second access point as it would pose extremely difficult engineering issues but would also
7 establish several access points in close proximity to each other and create new traffic problems.
8

9 Mr. Jolma responded to concerns expressed by WDFW regarding the safety of the septic
10 system by again confirming that the preliminary design for the system will address all
11 requirements for such a system's in flood hazard areas, and that the system is designed knowing
12 that the area is prone to flooding. Its design will prevent effluent from escaping while also
13 prevent stormwater from infiltrating.

14 **Public Comments.**

15 Prior to the renewed public hearing County Staff receive a number of agency and public
16 comments collectively identified as Exhibit 24. Some of the more notable comments are as
17 follows:

18 • **WDFW.** WDFW operates the Kalama Falls Hatchery a short distance
19 downstream of the project site. Its Habitat Biologist, George Fornes, expresses two primary
20 concerns with the project:

21 (1) WDFW is concerned about resort guests engaging in point-to-point boating or
22 floating activities which could reach the Kalama Falls Hatchery (KFH). Mr. Fornes notes that
23 adjacent to KFH are several life threatening, in-water hazards that must be avoided. Members of
24 the public attempting to use WDFW property to avoid these hazards increase operational risk and
25

1 liability at the hatchery. It also negatively affects hatchery operations for various reasons. There
2 is also great concern that resort guests, who are likely unfamiliar with the area, may not realize
3 the risk of floating the river at this location. This is already a problem and it would greatly
4 worsen with the addition of significant numbers of resort guests utilizing floatation devices.
5 Staff therefore asks that consideration be given to prohibiting floatation devises in the river. It
6 also recommends that the handbook be more specific regarding these hazards and provide maps
7 where floating is not allowed.
8

9 (2) WDFW is concerned about water quality and is worried that any escape
10 from the project's septic system would be catastrophic to the hatchery, which in turn, would have
11 significant negative economic impact to recreational and commercial fisheries. It therefore
12 recommends that the septic design remove any possibility of water quality degradation in the
13 river, both during normal operating conditions as well as in flood events.

14 **Weyerhaeuser.** By letter dated December 3, 2025, Weyerhaeuser has responded to the
15 application and expressed several concerns:

16 (1) Weyerhaeuser is concerned with safety at the proposed access location
17 near the intersection of Weyerhaeuser Road, Greenwood Road and Kalama River Road.
18 Weyerhaeuser believes that traffic coming from the campground and turning onto Kalama River
19 Road will be unable to see log truck traffic heading west from Weyerhaeuser Road toward
20 Kalama River Road. This problem cannot be remedied by putting a stop sign on Weyerhaeuser's
21 Road as log trucks are descending under load and would be unable to stop at the stop sign.
22 Weyerhaeuser recommends relocating the campground's access point further east on Kalama
23 River Road prior to its intersection with Greenwood Road in order to improve line of sight.
24
25

1 Weyerhaeuser also recommends that ATV's be prohibited as they pose an additional burden on a
2 system of roads intended for log truck use.

3 (2) Separately, Weyerhaeuser recommends that the County engage in
4 increased vegetation removal in the area of the project's access intersection to improve line of
5 sight for campground guests exiting the facility. It also suggests a warning light/sign system
6 alerting traffic of vehicles in the area.

7 (3) Weyerhaeuser has great concern about fire safety in this area. It asks that
8 the Applicant's fire response plan be significantly expanded and, if possible, that a second access
9 point be established to improve evacuation of the site.
10

11 **Clark-Skamania of Fly Fishers.** Clark-Skamania of Fly Fishers ("Fly Fishers") have
12 previously provided written comments and also provided oral testimony during the first hearing.
13 By letter dated December 2, 2025, it reiterates its concerns regarding the project including the
14 following:

15 (1) Fly Fishers recommends much clearer restrictions on access during the
16 salmon and wild steelhead spawning season (March to June).

17 (2) Fly Fishers remain concerned that sewage could escape from the site's
18 septic system and impact both fish stocks in the river as well as the hatchery downstream.

19 (3) There is an old dam adjacent to the fish hatchery that creates a large
20 waterfall blocking upper migration of fish. These falls also pose a significant danger to anyone
21 floating the river in this location. Each year, two or three people have to be rescued from this
22 site. Additionally, each spring a large smolt trap is placed in the river to capture and count wild
23 steelhead smolt returning to the ocean. A person floating downstream and getting caught in the
24 smolt trap would likely be killed.
25

1 (4) There is no cell service in this area. In the event of a campground guest
2 floating the river and becoming endangered by the hazards near the hatchery, there is no ready
3 means of alerting emergency responders.

4 (5) Those familiar with the surrounding valley are well aware that noise
5 cannot be easily contained and that any broadcasting of music or entertainment will be disruptive
6 to all river valley residents.

7
8 **Michael Brotherton.** Mr. Brotherton owns property adjoining the project site and shares
9 a driveway. He shares the concerns expressed by others regarding traffic and safety along
10 Kalama River Road as it is not designed for this type of use. He is especially concerned about
11 noise. In the past, the Applicant has had social gatherings at the site and the sound from these
12 gatherings travels throughout the river valley and is burdensome to all nearby landowners, as
13 sound carries easily through this valley. Mr. Brotherton is also concerned the security of his
14 property and seeks assurances that he will not be forced to undertake additional security
15 measures, and that the Applicant will instead be responsible for ensuring that neighbors are free
16 from trespass and theft. In addition to these concerns, Mr. Brotherton is worried about
17 campground guests who may want to use his river frontage; has the same fire safety concerns
18 that many other neighbors have expressed; and is concerned that the use of alcohol, especially in
19 relation to an event center, will create highly dangerous traffic conditions on the river valley's
20 only access road.

21
22 Several commenters stress that there is no cell service in the region and that lack of cell
23 service makes emergency response unusually difficult. It also makes it difficult to provide
24 public warning in the event of an emergency or a need for evacuation. This includes any need
25 campground guests might have for police, fire, ambulance or other emergency services.

1 **Michael Golob.** Mr. Golob testified on behalf of Clark-Skamania Fly Fishers. On its
2 behalf, Mr. Golob had previously submitted supplemental written comments but sought to add a
3 few additional comments to those written ones. As many other commenters have observed, he
4 noted that the site is located many miles down a dead-end canyon road with no emergency
5 services available anywhere nearby. He questioned how an event such as an earthquake could be
6 responded to, and how these guests could be protected in the vent of a larger scale emergency.
7 Mr. Golob confirmed the testimony of several others that noise travels unusually long distances
8 through this valley and that its residents have become accustomed to quiet. As had been
9 mentioned in earlier comments by Fly Fishers, wild fish collected at the hatchery are then
10 released further up stream, but the collecting process weakens these fish and they need time to
11 recover before continuing their migration. Introducing large numbers of campground guests into
12 the same waters as these recovering wild fish will impair their recovery.

14 **Brian Davern.** Mr. Davern, who volunteers at the hatchery, echoes the concerns
15 expressed by Fly Fishers and by WDFW over potential negative impacts to fish stocks and
16 hatchery operations. Mr. Davern is worried that the project is simply oversized for the location
17 and does not believe that it can be made to be compatible.

18 **Scott Wall.** Mr. Wall supplemented his lengthy written documents by additional oral
19 testimony. He is concerned that County Staff cannot fully recognize the problems associated
20 with this project. He added to his earlier comments by noting that it will take at least a half hour
21 for a fire truck reach this site in the event of any emergency. He also repeated the testimony of
22 others that this property floods routinely and that campground debris is almost certain to be sent
23 down river toward the hatchery. He concluded his testimony by noting that it is the Applicant's
24 burden to prove that the permits should be granted, not the reverse.
25

1 Comprehensive Plan and Shoreline Master Program. In order to achieve this goal, the Applicant
2 has the burden of demonstrating that the project is compatible with other existing uses within the
3 general area. CCC 18.56.080(d)(1). It bears repeating that it is the Applicant's burden to
4 demonstrate compatibility, and not the burden of opponents to demonstrate incompatibility.

5 I conclude that the applicant has not met its burden of showing that the proposed event
6 center is compatible with surrounding uses, but that the campground, without an event center and
7 with additional conditions, is compatible and otherwise satisfies all requirements for approval
8 pursuant to CCC 18.56.080(d). I also conclude that the requested Shoreline Conditional Use
9 Permit and Shoreline Substantial Development Permit should be granted subject to revised
10 conditions. The following is a more complete examination of each of these conclusion.
11

12 **Event Center.** As one commenter put it, the proposed event center is a "square peg in a
13 round hole". It is not compatible with surrounding uses and cannot be made compatible simply
14 by imposing conditions on it. The project site is several miles up a narrow, winding, dead-end
15 road with substantial logging traffic. At the site there is, at best, minimum cell reception. Fire
16 response times are at least a half hour. Other emergency response has similar delays. Event
17 attendees would be unable to report problems and, even if they could, would not receive a
18 prompt response. In addition, the event center would introduce significant noise, light, traffic,
19 and increased alcohol consumption into a secluded river valley where none of this currently
20 exists. No set of conditions can be imposed which would mitigate these problems and achieve
21 compatibility. I therefore conclude that the proposed event center has not been demonstrated to
22 be compliant with CCC 18.56.080(d)(1).
23

24 **Campground.** Conversely, I conclude that the proposed campground can be compatible
25 with other existing uses within the general area if appropriately conditioned. In addition to those

1 conditions originally recommended by the County, Staff has since recommended several
2 additional conditions in its Supplemental Staff Report. These additional conditions place
3 restrictions on the timing and location of swimming and other use of the river; impose additional
4 signage to warn guests of hazards and to ensure that activities are restricted to the site; and
5 impose additional fencing to further protect adjoining properties from encroachment by guests or
6 their pets. While all beneficial, I conclude that they are not sufficient and that some additional
7 conditions are necessary for the protection of the river environment and the downstream
8 hatchery:

9
10 1. It is unquestioned that the fishery a short distance downstream is a far more
11 important asset than this campground ever will be and that it must be fully protected, just as the
12 wild salmon and stocks above the hatchery must also be fully protected. And for public safety
13 reasons, everything reasonably possible must be done to ensure that guests are not encouraged to
14 float downstream into highly dangerous conditions that pose a risk to life.

15 2. To address these needs, the following additional conditions should be imposed:

- 16 ● No flotation devices will be allowed.
17 ● Guests shall not enter the river from March 1 to June 30 in order to protect
18 spawning.
19 ● Signage shall be placed along the shoreline advising guests that: (1) no
20 swimming is allowed from March 1 to June 30 in order to protect spawning salmon; (2) no
21 flotation devices are allowed in order to protect wild fish stocks and also to avoid life threatening
22 river conditions downstream.
23

24 3. Signage shall be placed along and in the river at the property boundary advising
25 guests of the property boundary and that no swimming is allowed beyond this point, and that this

1 to protect the rights of other landowners and to avoid life threatening downstream conditions.

2 4. The handbook shall be revised to include these restrictions. It shall also be
3 revised to alert guests that:

4 ● Swimming and fishing are allowed only in designated areas.
5 ● Maps shall be included to identify property boundaries as well as location of
6 dangerous conditions downstream.

7 ● Guests will be expressly prohibited from engaging in point-to-point swimming
8 below the property for the protection of the fish hatchery and due to life threatening conditions
9 downstream.
10

11 5. Any restrictions found in the current handbook inconsistent with these restrictions
12 shall be modified accordingly.

13 There is no inherent right to the use of flotation devices at this site. Their use poses a
14 threat to nearby fish stocks; a threat to life; and a threat to the operation of the hatchery. None of
15 these threats are defensible. County Staff attempts to resolve this issue by requiring the
16 Applicant to warn users of these risks, but warnings are hardly likely to be effective and the only
17 effective remedy is to expressly disallow them. It is important that both signage and the
18 handbook make this clear and, further, that they explain that it is for the protection of the guests
19 as well as for the protection of wild salmon in the river. Hopefully, explaining the reasons for
20 the restriction may help dissuade guests who would otherwise be inclined to disregard the
21 prohibition.
22

23 **Shoreline Permits.** Subject to these additional conditions, and further subject to the
24 proposed Mitigation Plan, the campground (without use of an event center) satisfies the
25

1 requirements for both a Shoreline Conditional Use Permit and a Substantial Development
2 Permit.

3 Accordingly, I make the following:

4 **FINDINGS OF FACT**

5 1. The Applicant, the Jeremy Irish, requests Campground Binding Site Plan
6 approval, a Shoreline Substantial Development Permit, and a Shoreline Conditional Use Permit
7 to establish a campground, including event center, on a 12.76-acre parcel located within a larger
8 23.5-acre parcel owned by the Applicant. The site currently contains an existing driveway,
9 house, barn, shop and paved parking. The Applicant proposes to remodel the existing structures
10 and repurpose them as a caretaker residence and event center. The Applicant also proposes to
11 add 10 hypedomes on platforms, 9 drop structure cabins, 4 camping pods with 3 tents each, 4
12 individual campsites and 2 RV sites, for a total of 37 proposed camping sites. Additional site
13 improvement include installation of a Group A well, stormwater system, septic system, fire
14 prevention system, trails and fencing.

15 2. Any Findings of Fact contained in the foregoing Background, Public Hearing,
16 Public Comments and Analysis Sections are incorporated herein by reference and adopted by
17 the Hearing Examiner as his own Findings of Fact.

18 **General Findings.**

19 3. The proposed is unzoned.

20 4. The property has a land use designation of Rural in the Cowlitz County
21 Comprehensive Plan.

22 5. The project's shoreline has a Shoreline Environmental Designation (SED) of
23 Rural Conservancy.

24 6. The project has an address of 4311 Kalama River Road, Parcel No. EB1801001
25 and is 12.7 acres in size.

*Findings of Fact, Conclusions of Law
and Decision - 28*

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1 7. The Applicant owns the adjoining property on which the project's driveway is
2 located, Parcel EB0715005, which contains an additional 10.7 acres, resulting in the Applicant
3 having a total of 23.54 acres of collective ownership.

4 8. As noted in earlier Findings, the site currently contains a driveway, house, barn,
5 shop and paved parking, all as shown on aerial photographs included in the Staff's PowerPoint
6 presentation. The Applicant proposes to remodel and repurpose these structures into a caretaker
7 residence and event center. The Applicant also proposes to add 10 hypedomes on platforms, 9
8 drop structure cabins, 4 camping pods with 3 tents each, 4 individual campsites and 2 RV sites,
9 for a total of 37 proposed camping sites. The project also proposes additional roads, parking,
10 walkways, landscaping and utility improvements.

11 9. The site is located several miles up Kalama River Road. Although a public road,
12 Kalama River Road is winding and narrow and is relied upon principally for log truck traffic
13 generated by the substantial Weyerhaeuser-owned timberlands near the project site.

14 10. Kalama River Road is a dead-end road, terminating east of the project site. There
15 are no other public roads accessing the property. Several privately-owned roads, all owned by
16 Weyerhaeuser, are nearby but these roads are not open to the public and are intended solely for
17 the purpose of maintaining Weyerhaeuser's timberlands.

18 11. Some limited cell service may exist at the site (through one cell carrier) but cell
19 service is generally unavailable to the property.

20 12. Fire Station No. 53 was previously located along Kalama River Road but it has
21 been sold and no longer exists. As a result, there are no fire stations located along Kalama River
22 Road. It is estimated that fire response time is at least one-half hour.

23 13. The site adjoins the Kalama River to the south. The Kalama River is a shoreline
24 of the State. The site is subject to the Shoreline Management Act (SMA) and the County's
25 Shoreline Master Program (SMP).

1 14. The property is bounded on the north by Kalama River Road. The site slopes
2 steeply southward from Kalama River Road toward the Kalama River. It then flattens out
3 slightly to a floodplain terrace adjacent to the river. The steep slopes are forested while the
4 floodplain terrace is maintained in grass. A driveway beginning at Kalama River Road descends
5 across the face of the hillside to provide access to the existing barn, shop and other outbuildings,
6 all as indicated on aerial photographs of the site.

7 15. Scattered trees and shrubs are present along the Ordinary High Water Mark of the
8 river but most of the shoreline is dominated by open grass fields.

9 16. Adjoining and nearby land uses include a number of rural residential properties
10 scattered along Kalama River Road, with substantial timberlands, mostly owned by
11 Weyerhaeuser, located to the west, north and east. Again, the Kalama River Road is located to
12 the south, with additional timberlands located further south. There is no access across Kalama
13 River Road in the vicinity of the project site.

14 17. The site is up river of the State-owned Kalama Falls Hatchery located
15 approximately one-half mile down river. The hatchery raises over 4.1 million salmon and
16 steelhead each year.

17 18. Wild salmon and steelhead are collected at the fishery and then released up river
18 to spawn. As a result, only wild fish stocks are present in the portion of the Kalama River
19 adjoining the project site.

20 19. Adjacent to the Kalama Fish Hatchery are several life threatening, in water
21 hazards including an old dam. These hazards are potentially life threatening and must be
22 portaged. In addition, there is a "smolt trap" operated and maintained by the Kalama Research
23 Team up river of the hatchery. This trap is operated roughly from March to July. It poses a
24 separate life threatening risk to individuals and is also subject to the collection of trash from up
25 stream sources, including the project site.

1 20. The site is within a sparsely populated, relatively narrow riverine valley
2 surrounded by timberlands. Commenters have commonly expressed that noise travels unusually
3 long distances through the valley.

4 Findings Relating to Public Notice and SEPA

5 21. The County, as lead agency, issued a SEPA determination of non-significance
6 (DNS) on May 1, 2024.

7 22. Comments were received from various State agencies and interested parties in
8 response to the SEPA determination. As noted in previous Findings, WDFW expressed a
9 number of concerns relating to potential impacts to the Kalama River as well as to its nearby
10 hatchery. The Lower Columbia Fish Recovery Board (LCFRB) expressed similar comments and
11 recommended restricting river access during sensitive times of the year for salmonoids (March
12 through June). The Department of Ecology expressed concerns over available water rights and
13 the requirements for shoreline permits, and the allowed uses within the rural conversancy SED.
14 The Department of Archaeology and Historic Preservation (DAHP) recommended a professional
15 archaeological survey.

16 23. In response to these agency concerns, and other concerns, the County issued a
17 revised SEPA DNS on June 16, 2025.

18 24. Additional agency comments were received in response to the revised DNS
19 including additional comments by WDFW with respect to shoreline impacts. Cowlitz County
20 Fire District No. 5 also responded by alerting the County that former Fire Station No. 53 on
21 Mountainview Road had been sold and no longer in service, thus increasing response times to the
22 project site by 7.5 miles and 13 minutes.

23 25. County Staff did not further revise the SEPA Determination and it has become
24 final. No appeals have been filed.

1 26. Notice of the Application and notice of the Public Hearing were properly
2 provided as required by County ordinance. These notices, together with notice of the SEPA
3 Determinations, have resulted in numerous public comments. Comments received prior to the
4 Public Hearing were consolidated at Exhibit 8, and a brief identification of each comment is set
5 forth in Exhibit 13. Additional comments were received at the time of the Public Hearing. More
6 comments were received in response to the continuance of the Public Hearing (Exhibit 23). All
7 public comments have been in opposition to the Application. A more complete description of
8 these comments can be found in the Public Hearing Section.

9 Findings Relating to Compliance with General Land Use Requirements

10 27. The Staff Report, commencing at Page 4, analyzes the projects compliance with
11 general land use requirements applicable to properties that are unzoned per Chapter 18.10 CCC.
12 Staff finds that the project, as conditioned, is in compliance with performance standards, setback
13 requirements, height restrictions, parking requirements, and other performance standards as
14 imposed by CCC 18.10.500; .505; .535; .539; .540; .561; and .562. The Hearing Examiner
15 concurs.

16 Findings Relating to the Projects Consistency with the Comprehensive Plan

17 28. Pursuant to Chapter 18.56 CCC, an Application for a campground facility must
18 demonstrate that the project is consistent with the County Comprehensive Plan.

19 29. The Staff Report, commencing at Page 6, analyzes the project relative to the
20 County Comprehensive Plan and finds that the project, as conditioned, is consistent with the
21 goals and policies of the County Comprehensive Plan including Goal LU10 and Policy LU 10.1,
22 and Goal LU11 and Policy LU 11.1.

23 25. The Hearing Examiner finds that the proposed campground, as conditioned, is
24 consistent with these goals and policies but that the proposed event center is not consistent with
25 the goal and policies of the Comprehensive Plan. More particularly, the Hearing Examiner finds

1 that the proposed event center is not consistent with Goal LU 10 and its directive that
2 development within rural areas should "preserve rural character while respecting the interests of
3 property owners". The Hearing Examiner finds that the proposed event center does not respect
4 the interests of other property owners nor does it preserve the rural character of the surrounding
5 area.

6 Findings Relating to Compliance With the Shoreline Management Act (SMA) and
7 the County Shoreline Master Program (SMP)

8 26. As noted in earlier Findings, the Project Site is located along the Kalama River, a
9 shoreline of statewide significance. The project is therefore subject to the Shoreline
10 Management Act (SMA) and the County Shoreline Master Program (SMP).

11 27. Within the County's SMP, the Project Site has a Shoreline Environment
12 Designation (SED) of Rural Conservancy. Shoreline jurisdiction extends 200 feet in all
13 directions on a horizontal plain from the ordinary high water mark (OHWM) of the Kalama
14 River. The perimeter of this jurisdiction has been identified and is shown on site maps including
15 those within the County's Power Point presentation.

16 28. As shown on aerial maps, a portion of the proposed new parking area is located
17 within shoreline jurisdiction. Proposed parking within a Rural Conservancy SED requires
18 approval of a Shoreline Conditional Use Permit (SCUP).

19 29. Several other proposed site improvements including additional decking on
20 existing buildings, stormwater facilities, wastewater facilities and campground facilities are
21 located within the shoreline jurisdiction. These improvements require approval of a Shoreline
22 Substantial Development Permit (SSDP).

23 Finding Relating to Compliance With RCW 90.58.020 and Section 5.5 of the SMP.

24 30. Development within shoreline jurisdiction must be consistent with the priorities as
25 set forth in RCW 90.58.020 and repeated in Section 5 of the SMP.

1 31. It must be demonstrated that the project recognizes and protects statewide
2 interests over local interests. Staff finds that this requirement has been met through the
3 conditions imposed on Project approval. The Hearing Examiner concurs subject to the additional
4 conditions and restrictions imposed by the Hearing Examiner.

5 32. It must be demonstrated that the Project preserves the natural character of the
6 shoreline. Staff finds that the Project, as conditioned, satisfies this requirement by consolidating
7 points of access to the shoreline and by other conditions of Project approval. The Hearing
8 Examiner concurs subject to the additional conditions and restrictions imposed by the Hearing
9 Examiner.

10 33. It must be demonstrated that the Project supports actions that result in long term
11 over short term benefit. Staff finds that this requirement has been met by this conditions which
12 relocate development away from the shoreline, restrict river access, restore shoreline vegetation
13 and otherwise impose restrictions on recreational use. The Hearing Examiner concurs subject to
14 the additional conditions and limitations imposed by the Hearing Examiner.

15 34. It must be demonstrated that the Project protects the resources and ecological
16 function of the shoreline. The Staff finds that the Project, as conditioned, will fully protect the
17 160-foot combined shoreline buffer and building setback and that additional modifications to the
18 Project have been imposed to further move development away from the shoreline and protect
19 shoreline functions, while also imposing a buffer mitigation plan to enhance and restore the
20 ecology of the shoreline, thus resulting in no net loss. The Hearing Examiner concurs.

21 The SMA encourages increased public access to publicly owned areas of the shoreline.
22 This Project does not affect that goal as this is privately owned shoreline.

23 35. The SMA encourages increased recreational opportunities for the public along the
24 shoreline. Again, this Project does not propose public access to the shoreline. It does, provide
25 increased recreational opportunities for guests of the campground.

1 36. The proposal is subject to the General Shoreline Regulations set forth in Section 6
2 of the SMP. This Staff Report, commencing at Page 13, analyses the Project's compliance with
3 these requirements.

4 37. Section 6.1 of the SMP requires that the Project results in no loss of ecological
5 function. Staff finds the Project, as conditioned, will provide a 150-foot shoreline buffer along
6 with a 10-foot building setback, for a total of 160 feet in combined setback. All development
7 will take place outside of this combined setback. The Project, however, will impact wetland
8 buffers of the onsite wetland A. A mitigation plan has been prepared which provides for one to
9 one mitigation of all impacts to wetland buffers. Additionally, all trails connecting the
10 campground to the shoreline are soft surface trails, not wider than three feet, and are generally
11 permitted within critical area buffers. The Hearing Examiner concurs with these findings and
12 further finds that the Project, as more fully conditioned by the Hearing Examiner, will result in
13 no net loss of ecological function.

14 38. Section 6.2 requires the preservation of archaeological cultural and historical
15 resources. Staff notes that the Applicant has presented a Cultural Resources Survey prepared by
16 Applied Archaeological Research and dated February 27, 2025 (Exhibit 9). This report
17 identifies no artifacts onsite and recommends no further archaeological work is warranted. The
18 Hearing Examiner concurs and finds that the requirements of Section 6.2 have been satisfied.

19 39. Section 6.3 of the SMP requires protection of critical areas. Staff finds that the
20 Project, as conditioned, has relocated all development to locations outside of the 160-foot
21 combined setback. As previously noted, however, the Project will impact the outer portion of an
22 onsite wetland buffer, affecting 18,762 square feet of buffer, but providing a similar amount of
23 buffer enhancement, thus mitigating all buffer impacts at a 1-to-1 ratio through an approved
24 Buffer Enhancement Plan (Exhibit 4). Staff therefore finds that the Project, as conditioned, has
25 been designed to avoid direct impacts to onsite wetlands and riparian and shoreline habitats, and

1 that, as conditioned, will result in no net loss of ecological function through implementation of
2 the Mitigation Plan. The Hearing Examiner concurs subject to the additional conditions and
3 restrictions imposed by the Hearing Examiner.

4 40. Section 6.4 of the SMP addresses flooding impacts as well as floodways and
5 channel migration zones. As shown in several photographs presented by commenters, the
6 Project is known to commonly flood. Staff concurs and finds that the site is partially within the
7 1% annual chance flood hazard zone AE and that all current structures on the site are found
8 within the special flood hazard area (SFHA). Any changes in occupancy requires review to
9 ensure that these structures meet all standards found in Chapter 16.25 CCC. All new permanent
10 camping structures must be located outside of the SFHA. In addition, floodplain permits are
11 required for the Project. Staff finds that all new camping structures will be located outside of the
12 SFHA and will therefore not require floodplain review. Staff concludes that the project, as
13 conditioned, fully addresses all flood prevention and flood damage minimization requirements.
14 The Hearing Examiner concurs. As previously noted, the Project is proposed within privately
15 owned property and there is no public shoreline associated with the site.

16 41. Section 6.6 of the SMP restricts vegetation removal within shoreline jurisdiction.
17 Staff notes that there is no vegetation proposed to be removed within the shoreline buffer and
18 that this requirement is therefore met. The Hearing Examiner concurs.

19 42. Section 6.7 of the SMP requires compliance with adequate stormwater and
20 sewage requirements. This issue has been a matter of significant agency and public concern,
21 especially with respect to sewage management, as any failure of the Project proposed septic
22 system would have catastrophic impacts to local fish stocks and the nearby fish hatchery
23 downstream.

24 43. The Applicant has provided a Preliminary Stormwater Technical Report (Exhibit
25 4), together with recent updates (Exhibit 19) which declares that the septic design is adequate for

1 the intended use, noting that it is intended to be located within a floodplain and therefore must
2 provide water tightness assurance. The report notes that an operations and maintenance program
3 must be established with a maintenance provider licensed in Cowlitz County and that all
4 operations and maintenance inspection results must be submitted to the County's Environmental
5 Health Office each year. Staff finds that this septic design will provide for proper wastewater
6 management and will not result in any loss of ecological function. The Hearing Examiner
7 concurs.

8 44. The proposed use must also satisfy the requirements of Section 7 of the SMP.
9 Staff analysis of Project compliance with these requirements is in the Staff Report, commencing
10 at Page 15.

11 45. Section 7.1 of the SMP sets forth permitted uses within the Rural Conversancy
12 SED. The proposed use is considered a water-enjoyment use and is therefore permitted through
13 a Shoreline Substantial Development Permit.

14 46. As previously noted, per the Rural Conversancy SED the shoreline buffer is 150-
15 feet and the building setback is 10-feet, resulting in a combined shoreline setback of 160-feet
16 from the OHWM. Staff finds that all new impervious surfaces will be located outside of this
17 combined buffer and that all requirements of Section 7.1 of the SMP have been met. The
18 Hearing Examiner concurs.

19 47. Section 7.2.11 of the SMP regulates recreational uses and within shoreline
20 jurisdictions. Section 7.2.11.A requires that facilities on the shoreline provide physical or visual
21 access to the shoreline. Staff finds that this requirement will be met through the site's layout and
22 through its available walkways. The Hearing Examiner concurs.

23 48. Pursuant to Section 7.2.11.B, recreational facilities and activities are permitted if
24 they do not displace water-dependent uses and are consistent with existing water-related and
25 water-enjoyment uses. Staff confirms that this Project does not displace water-dependent uses

1 and is consistent with SMP guidelines for water-enjoyment uses. The Hearing Examiner
2 concurs.

3 49. Section 7.2.11.C provides that water-oriented elements of a proposal may
4 encroach on required vegetative buffers except as protected by the County's Critical Areas
5 Regulations. Staff responds that the Project is conditioned to impose all appropriate mitigation
6 measures pursuant to the Mitigation Plan and will not directly impact critical area buffers along
7 the shoreline. The Hearing Examiner concurs.

8 50. Pursuant to Section 7.2.11.E of the SMP, parking is to be located outside of
9 shoreline jurisdiction unless unfeasible, and then to be sited as far from the immediate shoreline
10 as feasible. Staff responds that this Project relies on existing paved parking areas and that new
11 parking is proposed outside of shoreline jurisdiction to the extent feasible. New parking is
12 outside of the typical 200-foot shoreline jurisdiction but is within the 160-foot buffer. Staff finds,
13 and the Hearing Examiner concurs, that the proposed parking area is the only logical location for
14 this additional parking and that its impacts have been appropriately mitigated.

15 51. Pursuant to Section 7.2.11.G of the SMP, all permanent and substantial
16 recreational structures are to be outside mapped floodways. Staff responds that permanent
17 recreational structures will be located outside of the floodway and that the Critical Areas
18 Assessment assures that there will be no net loss of ecological function. The Hearing Examiner
19 concurs.

20 52. Trails must satisfy the requirements of Section 7.2.11.H of the SMP. Staff
21 confirms that trails will be constructed for water access only and will utilize soft surfaces, not
22 wider than three feet, all as permitted within shoreline jurisdiction. The Hearing Examiner
23 concurs.

24 53. Pursuant to Section 7.2.11.J of the SMP, recreational facilities shall provide
25 adequate facilities for potable supply, sewage disposal and/or garbage collection. As noted in

1 various other Findings, these requirements have been satisfied.

2 54. Section 7.2.13.A.1 requires that newer expanded surface transportation facilities
3 must be located outside of the shoreline jurisdiction unless unfeasible. Staff finds that all
4 proposed parking facilities and interior roads are related to and necessary to support the
5 development; that no additional setbacks are required as no shoreline stabilization is necessary;
6 and that the proposed new and expanded roads and parking satisfy all requirements of Section
7 7.2.13.A. The Hearing Examiner concurs. Staff finds, and the Hearing Examiner concurs, that
8 all additional requirements for new trails similarly satisfy all requirements of Section 7.2.13.B.

9 55. Section 7.2.13.C again imposes restrictions on parking facilities similar to those
10 imposed by Section 7.2.11.E. Findings relating to Section 7.2.13.C are identical to those for the
11 earlier shoreline section.

12 56. Pursuant to Section 7.2.13.D, facility lighting must meet various restrictions.
13 Staff finds that all of their restrictions imposed by this requirement are met. The Hearing
14 Examiner concurs with these Findings.

15 Findings Relating to Compliance With a Campground Binding Site Plan Code

16 Chapter 18.56 CCC

17 57. Campgrounds are regulated by the Campground Bindings Site Plan Code, Chapter
18 18.56 CCC (the "Campground Code"). The purpose of the Campground Code is to ensure the
19 development of campgrounds compatible with existing land uses and to ensure development
20 consistent with the County's Comprehensive Plan. CCC 18.56.020.

21 58. The Applicant has the burden of demonstrating that all requirements of the
22 Camping Code have been met.

23 59. A campground "means any parcel or tract of property that is designed for
24 camping, recreational vehicles camping, or outdoor recreation, and containing three or more
25 camping spaces offered for use to the public or members of a private or religious organization."

1 CCC 18.56.030. The Hearing Examiner is responsible for reviewing any proposed new
2 campground plan.

3 60. CCC 18.56.100 establishes the minimum land use and site standards for each
4 campground.

5 61. Per CCC 18.56.100.A, the minimum acreage for a campground must one one-half
6 an acres. This requirement has been met.

7 62. Pursuant to CCC 18.56.100.B.1 through 5, establishes restrictions on the number
8 of camping units that may occupy an individual space; the number of RV units that may occupy
9 an individual space; limitations on decks, porches and other exterior additions; make prohibition
10 on removing wheels and tires from any RV vehicle; includes provisions for allowing skirting;
11 and requires compliance with the American Disabilities Act. Staff finds that the Project, as
12 conditioned, satisfies all of these requirements. The Hearing Examiner concurs.

13 63. CCC 18.56.100.B.6 requires that camping spaces shall be graded to nearly level
14 and provided with all-weather surfaces or RV pads. Staff finds that the Project has been
15 conditioned to meet these requirements and has also imposed best management practices during
16 construction, including erosion control. The Hearing Examiner concurs.

17 64. CCC 18.56.100.B.7 and .8 restrict activities to locations where noise does not
18 trespass onto neighboring parcels and imposes certain requirements as well as restrictions on
19 vegetative screening and fencing. Staff finds that these requirements have been met as the
20 Applicant has proposed that communal areas be removed from boundary lines to the fullest
21 extent so that noise will not trespass onto neighboring properties. The Applicant also proposes to
22 maintain natural and landscape vegetation along exterior property lines and setbacks, while
23 County Staff has conditioned approval on perimeter fencing. Staff concludes that subject to
24 these conditions the Project satisfies all requirements as CCC 18.56.100.B.7 and 8.

1 65. The Hearing Examiner disagrees in part with Staff findings. The Hearing
2 Examiner finds that the noise likely to be generated from the proposed event center cannot be
3 contained within the site and will become a nuisance to surrounding property owners, especially
4 due to the manner in which noise travels through this river valley. The Hearing Examiner
5 concurs with Staff, however, that without the event center the campground satisfies these
6 requirements.

7 66. CCC 18.56.100.B.9 requires lot identification numbers. This requirement is met.

8 67. CCC 18.56.100.B.10 requires that natural and landscape vegetation be retained
9 and maintained along exterior property lines and with any exterior setback areas of the
10 campground to the maximum extent possible. As previously noted, the Project will comply with
11 this requirement.

12 68. CCC 18.56.100.B.11 establishes various setback standards as set forth in Table 1.
13 Staff finds that the Project, as conditioned, will satisfy all of these setback standards. The
14 Hearing Examiner concurs.

15 69. CCC 18.56.100.C.1 through establishes various requirements to ensure undue
16 intrusions of noise, light, odors and foot traffic onto adjoining properties standards are
17 established for fences as well as vegetative screening. Staff finds that the Project has been
18 conditioned to satisfy all of these requirements. As previously noted, vegetative screening along
19 boundaries will be maintained and will be no less than five feet in height. Fencing has been
20 imposed and will be of the required height. Staff therefore finds that the Project, as conditioned,
21 satisfies all requirements of CCC 18.56.100.C.1 though 4. The Hearing Examiner concurs that
22 appropriate vegetative screening and fencing have been provided. As previously noted, the
23 Hearing Examiner finds that even with these protective devices it will not be possible to protect
24 adjoining property owners from noise, light and other nuisances resulting from the proposed
25 event center, although the campground satisfies all requirements.

1 70. CCC 18.56.100.D.1 through 7 establishes required standards for road systems,
2 both within and adjacent to the campground. Proposed roads must meet the requirements of the
3 County Fire Marshall and must satisfy various standards for width, grade, etc. Staff notes that
4 the Applicant's proposed road system has been reviewed by the County Fire Marshall as well as
5 the Department of Public Works who find that it meets all requirements of CCC 18.56.100.D so
6 long as certain improvements are made to the access road in accordance with the County's road
7 design standards. Staff also notes that the Applicant has revised its road design to increase road
8 width and reduce road grade in order to further ensure safe travel by campers and RVs. Staff
9 therefore finds the Project, as conditioned, satisfies all road requirements. The Hearing Examiner
10 concurs.

11 71. Public commenters, as well as Weyerhaeuser, have expressed concern that the
12 intersection between the Project's access road and the Kalama River Road is unusually
13 dangerous, as log truck traffic coming from the east is descending a steep grade and is difficult to
14 see, while several other private roads owned by Weyerhaeuser intersect with Kalama River Road
15 at nearby points, all resulting in an awkward intersection. Weyerhaeuser recommends that the
16 access point be located further east to alleviate some of these line-of-sight and other problems.
17 The Applicant's traffic engineer disagrees, and County Public Works also disagrees. The traffic
18 engineer finds that the intersection meets all standard requirements and provides adequate line-
19 of-sight, while attempting to relocate the intersection further east would create significant
20 engineering problems due to steep slopes while also creating new traffic problems. The Hearing
21 Examiner concurs with the Applicant's traffic engineer that the current intersection location is
22 appropriate, and also concurs with County Staff that the requirements of CCC 18.56.100.D have
23 been met.

24 72. Pursuant to CCC 18.56.100.E all stormwater facilities must be designed in
25 accordance with Title 16 CCC. The Applicant has provided a Preliminary Stormwater Plan. The

1 Staff finds that the Proposed Stormwater Plan complies with Title 16 CCC including compliance
2 with the most currently adopted version of the Stormwater Manual. The Hearing Examiner
3 concurs.

4 73. CCC 18.56.100.F.1 through 4 establishes various requirements for parking. The
5 Staff finds that all requirements of this Section have been satisfied. There will be no on-street
6 parking provided and no spaces will be dedicated to walk-in hikers or touring cyclists. Parking
7 spaces will be provided for each camping space as well as near the campground office. Staff
8 therefore finds that the Project, as conditioned, satisfies all requirements of CCC 18.56.100.F.
9 The Hearing Examiner concurs.

10 74. CCC 18.56.100.G requires that campgrounds must be served by sanitary sewer,
11 sewer systems or other means consistent with State and County regulations and approved by the
12 County Health Official. The County has been provided with a Preliminary On-site Septic
13 System design prepare by Advanced Septic Consulting (Exhibit 4). The system has been
14 designed for a projected flow of 2,420 gallons per day, equating to daily use by up to 140 people.
15 Septic management has been divided up using septic tanks placed in various locations relying on
16 pumping or gravity and flowing to a common set of pump chambers. All septic tanks have been
17 sized for more than three times the projected daily flow, while the pump chamber has been sized
18 with a reserve capacity greater than 1.7 times the daily flow. The drain field has been designed
19 using 36-inches of vertical separation to provide added treatment and to protect drain lines from
20 soil erosion in the event of flooding. A 24-hour water tightness test will be required on all septic
21 tanks within floodplain areas to ensure water tightness. An operations and maintenance program
22 is required through a maintenance provider licensed in Cowlitz County, and operations and
23 maintenance inspections results must be submitted to the County Health Department annually.
24 Based upon this, the designer of the system concludes that the site is adequate for the use of a
25 standard pressure distribution system and that the system has been designed in recognition of its

1 location within a floodplain, and will prevent any unwanted infiltration of stormwater or escape
2 of wastewater. County Staff, including the Public Works and Health Departments, concur with
3 the Applicant's wastewater plan. The Hearing Examiner also concurs. \

4 75. CCC 18.56.100.H establishes a maximum density of 15 camping spaces per gross
5 acre. This Project has a proposed density of 3 camping spaces per acre and thus satisfies this
6 requirement.

7 76. Pursuant to CCC 18.56.100.I lighting must be provided at internal intersections
8 and outdoor communal areas but must be shielded to limit trespass onto neighboring parcels and
9 roads. Staff finds that this requirement is met as lighting will be located where required and shall
10 be shielded and angled downward to limit light passing onto neighboring parcels. The Hearing
11 Examiner concurs in part but finds that the proposed event center will result in additional
12 lighting that cannot be fully mitigated and will become a nuisance to surrounding property
13 owners. The Hearing Examiner otherwise concurs with Staff's findings.

14 77. Pursuant to CCC 18.56.100.J, fire safety precaution must be provided as required
15 by CCC 16.05.080, including limits on firepits. Applicant proposes two firepits for campground
16 use, both proposed pits are utilizing propane rather than wood. Fire danger is perhaps the single
17 greatest concern expressed by public comments. The site is surrounded by densely wooded
18 properties including vast stands of commercial timberlands owned by Weyerhaeuser and others.
19 There is no longer a fire station in close proximity and the response time for a fire is at least one-
20 half hour.

21 78 The Fire Marshall finds that an onsite firefighting system must be required.

22 79. In response to these concerns, the Applicant has modified the entrance road to
23 improve its width and grade in order to allow increased access by emergency vehicles. The
24 Applicant has also provided a preliminary design for an onsite fire protection water system with
25 a capacity of between 30,000 and 60,000 gallons, with final design to be determined once the

1 well has been established and its production known. Any proposed fire protection water storage
2 system must satisfy all requirements of the Fire Code relating to rural properties and must be
3 approved by the Fire Marshall.

4 80. County Staff, including Public Works and the County Fire Marshall, find that the
5 Project, as conditioned, conceptually satisfies all requirements for fire safety, recognizing that
6 the final design approval will occur at the permitting stage.

7 81. The Hearing Examiner concurs in part with Staff findings but also finds that the
8 proposed event center imposes an unnecessary and significant additional burden with respect to
9 fire safety, both in terms of increasing the risk of fire as well as in response and evacuation in the
10 event of a fire. The Hearing Examiner otherwise concurs with County Staff that the Project, as
11 conditioned, satisfies fire safety requirements for the campground.

12 82. CCC 18.56.100.K establishes various requirements for caretaker units. The
13 Project proposes one caretaker residence. Staff finds that the proposed caretaker residence
14 satisfies all requirements. The Hearing Examiner concurs.

15 83. CCC 18.56.100.L prohibits the placement of mobile and manufactured homes
16 onsite. This requirement will be met.

17 84. CCC 18.56.100.M makes allowance for certain accessory uses. Staff finds that all
18 proposed accessory uses, including the event center and other commercial accessory uses, shall
19 be restricted to occupants of the campground and the event center. As noted in several previous
20 Findings, the Hearing Examiner disagrees as to the proposed use as an event center but otherwise
21 agrees as to use as a campground.

22 85. CCC 18.56.100.N requires that lodging units satisfy density requirements within
23 the Comprehensive Plan and other land use ordinances. Staff finds that this requirement is met.
24 The Hearing Examiner concurs.

1 86. CCC 18.56.100.O requires that a minimum of 8% of the total site area be set aside
2 as open space, or set aside and developed for active or passive recreation space. Staff notes that
3 the proposed campground is spread across more than 12 acres with adequate areas of open space,
4 and that this requirement has been met. The Hearing Examiner concurs.

5 87. As previously notes, the purpose of the Campground Binding Site Plan Code is
6 ensure that development is compatible with existing land uses and will promote public health
7 safety and general welfare. CCC 18.56.100.020.A and E, and CCC 18.56.080(d). County Staff
8 finds that the Project, as conditioned, satisfies all site development standards set forth in CCC
9 18.56.110 and therefore satisfies the requirements of CCC 18.56.020 and .080. The Hearing
10 Examiner partially disagrees with Staff's findings. The Hearing Examiner finds that the
11 proposed event center does not satisfy the requirements of CCC 18.56.020 and .080 for ensuring
12 compatibility with existing land uses and promoting public health safety and general welfare. To
13 the contrary, the Hearing Examiner finds that the proposed event center:

- 14 • Substantially increases noise and light that serves as a nuisance to surrounding
15 properties.
- 16 • Substantially increases the use of alcohol on site resulting in increased risk to
17 public safety and to traffic along the only public road in the region.
- 18 • Substantially increases the risk of fire.
- 19 • Substantially compounds the process of responding to any fire or public health
20 issue.
- 21 • Due to the absence of cell service, places event attendees at significant risk and
22 without the ability to report problems and receive emergency response.
- 23 • Substantially increases the risk of traffic accidents, especially at night.
- 24 • Substantially increases the burdens placed upon the Kalama River and its
25 sensitive ecosystem.

- 1 • Substantially increases the burdens placed upon the wastewater system resulting
- 2 from occasional periods of intense increased use.
- 3 • Places substantial burdens on the project's water system, especially as an exempt
- 4 well with limits on a maximum daily use.
- 5 • Increases the overall risk to nearby residents in the event of any emergency as the
- 6 burden on the only available public road would become exponentially greater.
- 7 • Substantially increases the interaction between recreational traffic and existing
- 8 significant log truck traffic.

9 For these reasons, and for additional reasons set forth in earlier Findings, the Hearing
10 Examiner finds that the event center does not comply with CCC 18.56.020 and 18.56.080.

11 Findings Relating to Proposed Conditions of Approval

12 88. Staff initially conditioned its approval of the Project upon 11 conditions set forth
13 on Pages 19 and 20 of the original Staff Report.

14 89. Staff has since proposed three additional conditions as set forth in Exhibit 24:

- 15 • No. 12 - Campground Rules of Operations shall be expanded to include specific
- 16 locations where swimming, floating, kayaking, or fishing are allowed.

17 Maps should be provided indicating approved water access locations.

18 Rules of operating shall prohibit guests from floating beyond property
19 boundaries downstream, due to river hazards below the Wandering River

20 Retreat property line.

- 21 • No. 13 - Metal Signs shall be install indicating the property boundaries of the
- 22 Wandering River Retreat Event Center.
- 23 • No. 14 - Privacy fences, a minimum of six feet in height, shall be installed outside
- 24 of required critical areas setbacks identified in SMP Table 7.2.

1 90. As set forth in the Analysis Section, the Hearing Examiner finds that several
2 additional conditions are required in order to ensure no net loss of the ecological function of the
3 shoreline as well as to ensure public safety and the operation of the fish hatchery downstream.

4 As noted in the Analysis Section, those additional conditions are the following:

5 15. No flotation devices will be allowed.

6 16. Guests shall not enter the river from March 1 to June 30 in order to
7 protect spawning.

8 17. Signage shall be placed along the shoreline advising guests that:
9 (1) no swimming is allowed from March 1 to June 30 in order to protect spawning
10 salmon; (2) no flotation devices are allowed in order to protect wild fish stocks
11 and also to avoid life threatening river conditions downstream.

12 18. Signage shall be placed along and in the river at the property
13 boundary advising guests of the property boundary and that no floating is allowed
14 beyond this point, and that this is to protect the rights of other landowners and to
15 avoid life threatening downstream conditions.

16 As a result of these additional conditions, the County's proposed Conditions 12 and 13
17 must be revised to be consistent:

18 Condition No. 12 - Campground Rules of Operation shall be expanded to
19 include specific locations where swimming and fishing are allowed. Maps shall
20 be provided indicating approved water access locations, property boundaries and
21 areas where access is not allowed.

22 Rules of Operating shall contain language prohibiting guests from
23 swimming beyond property boundaries.

24 Condition No. 13 - Metal signs shall be installed indicating the property
25 boundaries of the campground, and warning that use of the river beyond the
boundary is prohibited.

Additional conditions must be imposed to ensure that the facility is not used as an event

1 center. For that purpose the following additional conditions shall be imposed:

2 19. The facility shall not be used as an event center. The facility shall
3 not be advertised or marketed as an event center, the Project's website shall not
4 identify it as an event center.

5 20. Outdoor audio systems shall be limited to providing public service
6 and emergency announcements only and shall not be utilized for entertainment.

7 21. All lighting shall be limited to campground use and shall not be
8 designed or used for event center use.

9 22. Parking shall be limited to that necessary for campground use.

10 Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

11 **CONCLUSIONS OF LAW**

12 1. The Hearing Examiner has jurisdiction over the parties and the subject matter.

13 2. Any Conclusions of Law contained in the foregoing Background, Public Hearing,
14 Public Comments, and Analysis Sections or Finding of Fact section are incorporated herein by
15 reference and adopted by the Hearing Examiner as his own Conclusions of Law.

16 3. The requirements of SEPA have been met.

17 4. All notice requirements have been met.

18 5. Campground Binding Site Plan Approval is required for the proposed use at this
19 site.

20 6. A Shoreline Substantial Development Permit is required for the proposed use at
21 this site.

22 7. A Shoreline Conditional Use Permit is required for the proposed use at this site.

23 8. The Project site is unzoned.

24 9. The Project site has a land use designation of rural in the County Comprehensive
25 Plan and Rural Conversancy in the Shoreline Master Program (SMPM).

1 road approach and driveway, guest parking, public parking, landscaping,
2 walkways, sanitary facilities, campground office building, event center, and
3 caretaker residence, submitted to this department on February 12, 2025. Any
4 proposed changes or modifications to these plans and specifications, including
those required by other agencies, require additional regulatory review and
approval by the Department of Building and Planning prior to implementation.

5 3. The Applicant shall obtain all necessary easements for the
6 proposed design prior to the start of construction. All easements shall be shown
on the final site plan.

7 4. Construction of the proposed development shall commence within
8 2 years of the date of the Hearing Examiner's decision. A one-year extension may
be granted pursuant to CCC 18.10.300.

9 5. No more than two pedestrian trails to provide shoreline access
10 shall be permitted. Signs shall be installed to demarcate the dedicated pedestrian
11 trails to the river access points. These signs shall state "Please Use the Dedicated
Path to Minimize Impacts to the Shoreline Habitat".

12 6. The outer limits of the wetland buffer and shoreline shall be posted
13 with signs that state "Critical Areas Buffer Boundary Please Maintain in a Natural
State".

14 7. Signs shall be installed at the river access points to educate visitors
15 to the sensitive salmonid habitat, stating "Water Contact is to be Limited March -
June Due to the Anticipated Outmigration of Juvenile Salmonids".

16 8. In the event of the discovery of cultural and/or archeological sites
17 during construction, the project shall be halted, and the Applicant shall
18 immediately notify the Washington State Department of Archaeology and Historic
Preservation and copy such notification to the Cowlitz County Department of
19 Building and Planning.

20 9. The permittee shall provide a copy of all permits, conditions, and
drawings to all contractors performing their respective work.

21 10. Representatives from this department shall be allowed to inspect
22 the authorized activity at any time deemed necessary to ensure that the project is
23 being, or has been, accomplished in accordance with the terms and conditions of
this permit.

24 11. The permittee shall maintain the activity authorized by this permit
25 in good condition and in conformance with the terms and conditions of this
permit. The permittee shall notify this department immediately should the

1 authorized activity cease or be abandoned.

2 12. Campground Rules of Operation shall be expanded to include
3 specific locations where swimming and fishing are allowed. Maps shall be
4 provided indicating approved water access locations, property boundaries and
5 areas where access is not allowed.

6 13. Metal signs shall be installed indicating the property boundaries of
7 the campground, and warning that use of the river beyond the boundary is
8 prohibited.

9 14. Privacy fences, minimum 6 feet in height, shall be installed
10 outside of required critical area setbacks identified in SMP Table 7-2.
11 The facility shall not be used as an event center, nor shall the facility be
12 advertised or marketed as an event center, nor shall the Projects website identify it
13 as an event center.

14 15. No flotation devices will be allowed.

15 16. Guests shall not enter the river from March 1 to June 30 in order to
16 protect spawning.

17 17. Signage shall be placed along the shoreline advising guests that:
18 (1) no swimming is allowed from March 1 to June 30 in order to protect spawning
19 salmon; (2) no flotation devices are allowed in order to protect wild fish stocks
20 and also to avoid life threatening river conditions downstream.

21 18. Signage shall be placed along and in the river at the property
22 boundary advising guests of the property boundary and that no floating is allowed
23 beyond this point, and that this is to protect the rights of other landowners and to
24 avoid life threatening downstream conditions.

25 19. The facility shall not be used as an event center. The facility shall
not be advertised or marketed as an event center. The Project's website shall not
identify it as an event center.

20 20. Outdoor audio systems shall be limited to providing public service
21 and emergency announcements only and shall not be utilized for entertainment.

22 21. All lighting shall be limited to campground use and shall not be
23 designed or used for event center use.

24 22. Parking shall be limited to that necessary for campground use.

1 DATED this 1st day of December 2025.

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6 Mark C. Scheibmeir
7 Cowlitz County Hearing Examiner
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