

NOTICE OF NSA DECISION



www.multco.us/landuse ▪ Email: land.use.planning@multco.us ▪ Phone: (503) 988-3043

Case File: T2-2024-0092

Applicant: Victoria Purvine

Proposal: Request for a post-emergency NSA Site Review of a major septic repair to replace and shorten the four existing drainfield lines. The existing 1000-gallon tank will remain on the property.

Location: 1000 NE Rohrbach Road, Corbett

Property ID # R322799

Map, Tax lot: 1N4E35BA -02600

Alt. Acct. # R944351220

Base Zone: Gorge General Rural Center (GGRC)

Overlays: None

Key Viewing Areas: Historic Columbia River Highway, Larch Mountain Road, Sandy River

Landscape Setting: Village

Decision: Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is September 23, 2025 at 4:00 pm.

Opportunity to Review the Record: The complete case file and all evidence associated with this application is available for review by contacting LUP-comments@multco.us. Paper copies of all documents are available at the rate of \$0.71/page.

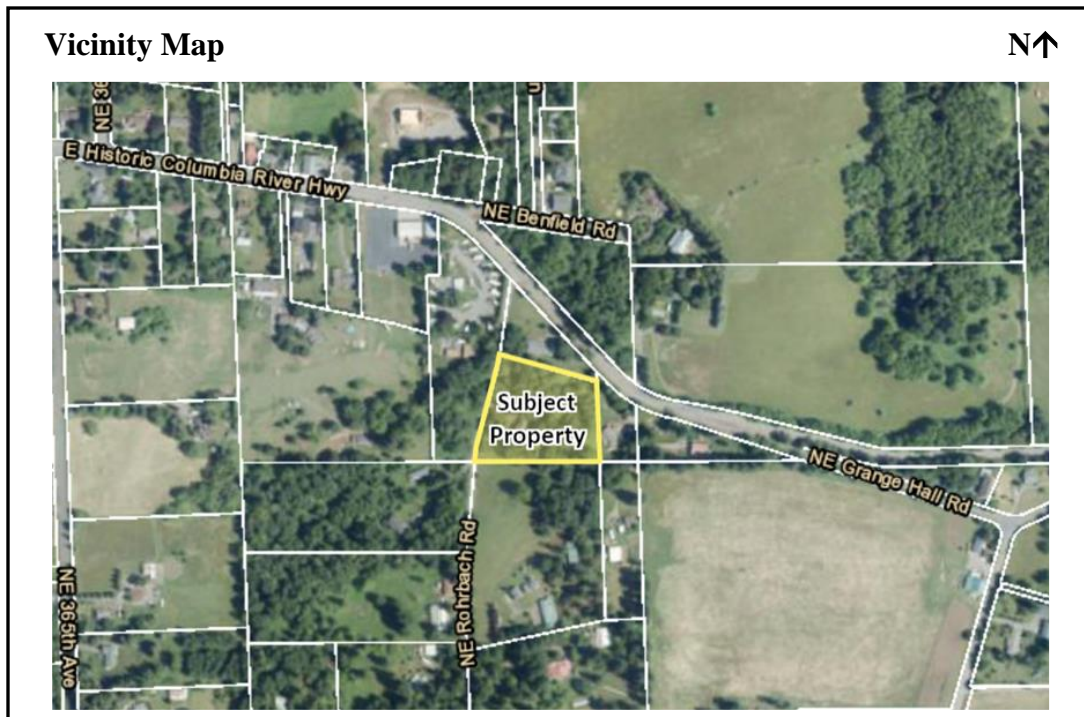
Opportunity to Appeal: The appeal form is available at www.multco.us/landuse/application-materials-and-forms. Email the completed appeal form to LUP-submittals@multco.us. An appeal requires a \$250.00 fee and must state the specific legal grounds on which it is based. This decision is not appealable to the Columbia River Gorge Commission until all local appeals are exhausted.

Issued by:

Anna Shank-Root, Planner

For: Megan Gibb,
Planning Director

Date: September 9, 2025



Applicable Approval Criteria:

Multnomah County Code (MCC): General Provisions: MCC 38.0560 Code Compliance and Applications, MCC 38.0015 Definitions – Parcel, MCC 38.0110 Tribal Treaty Rights and Consultation

Gorge General Rural Center (GGRC): MCC 38.2425(I) – Review Uses, Placement of structures necessary for public safety

National Scenic Area (NSA) Site Review - Responses to An Emergency/Disaster Event: MCC 38.7090 Responses to an Emergency/Disaster Event

Copies of the referenced Multnomah County Code sections are available by contacting our office at (503) 988-3043 or by visiting our website at <https://multco.us/landuse/zoning-codes/> under the link **Chapter 38: Columbia River Gorge National Scenic Area**

Conditions of Approval

The conditions listed are necessary to ensure that approval criteria for this land use permit are satisfied. Where a condition relates to a specific approval criterion, the code citation for that criterion follows in parenthesis.

1. Approval of this land use permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the property owner(s) to comply with these documents and the limitations of approval described herein. [MCC 38.0660(B)]
2. No new ground disturbing activities or additional work shall be started without first obtaining a new NSA Site Review approval. All emergency work listed in the Post Emergency/Disaster Response application has been completed. [MCC 38.2615]
3. The property owners shall acknowledge in writing that they have read and understand the conditions of approval and intend to comply with them. A Letter of Acknowledgement has been provided to assist you. The signed document shall be sent to LUP-submittals@multco.us. [MCC 38.0660(A) & (B)]

Notice to Mortgagee, Lien Holder, Vendor, or Seller:

ORS Chapter 215 requires that if you receive this notice it must be promptly forwarded to the purchaser.

Findings of Fact

FINDINGS: Written findings are contained herein. The Multnomah County Code (MCC) criteria and Comprehensive Plan Policies are in **bold** font. Staff analysis and comments are identified as ‘**Staff:**’ and address the applicable criteria. Staff comments may include a conclusionary statement in *italic*.

1.0 Project Description:

Staff: Request for a post-emergency NSA Site Review of a major septic repair to replace and shorten the four existing drainfield lines. The existing 1000-gallon tank will remain on the property.

2.0 Property Description & History:

Staff: The subject property is zoned Gorge General Rural Center (GGRC) and is topographically visible from the following key viewing areas: Historic Columbia River Highway, Larch Mountain Road, and the Sandy River. According to the County Assessor’s data, the subject property is developed with a 2006 single-family dwelling which was approved under land use case number T2-05-049, and a detached garage which was approved under land use case number T2-2022-15844.

3.0 Public Comment:

Staff: Staff mailed a notice of application and invitation to comment on the proposed application to the required parties pursuant to MCC 38.0530 (Exhibit C.5). Staff received one comment during the 21-day comment period and received two comments regarding Cultural Resources during the 30-day comment period.

3.1 Luciano Legnini, an Archaeologist from the United States Forest Service, provided a Cultural Resource Survey Determination (Exhibit D.1)

Staff: Luciano Legnini submitted a Cultural Resource Survey Determination on March 27, 2025 stating that “A Cultural Resource Reconnaissance Survey is: Not Required” and “A Historic Survey is: Not Required” (Exhibit D.1).

3.2 Steven D. McCoy, Staff Attorney, Friends of the Columbia Gorge provided a Letter (Exhibit D.2)

Staff: Steven D. McCoy submitted a letter on April 7, 2025 on behalf of the Friends of the Columbia Gorge. The letter contained comments intended to identify application requirements, procedural requirements, resource protection standards, and provide recommendations to the County and the public regarding legal requirements. They also request that the Conditions of Approval be entered into the deeds of the affected property.

3.3 The Oregon State Historic Preservation Office (SHPO) provided a Letter on February 14, 2025 (Exhibit D.3)

Staff: Kirsten Lopez submitted a letter in response to the Agency Review notification indicating that SHPO did not have any concerns with the project proceeding as planned. The letter also provided guidance to the applicant on how to proceed if archaeological sites, objects or human remains are discovered during project completion, and provided guidance to the County regarding coordination with the Gorge Commission and Native American Tribes.

4.0 Code Compliance and Applications Criteria:

4.1 § 38.0560 CODE COMPLIANCE AND APPLICATIONS.

Except as provided in subsection (A), the County shall not make a land use decision approving development, including land divisions and property line adjustments, or issue a building permit or zoning review approval of development or any other approvals authorized by this code for any property that is not in full compliance with all applicable provisions of the Multnomah County Code and/or any permit approvals previously issued by the County.

(A) A permit or other approval, including building permit applications, may be authorized if:

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(B) For the purposes of this section, Public Safety means the actions authorized by the permit would cause abatement of conditions found to exist on the property that endanger the life, health, personal property, or safety of the residents or public. Examples of that situation include but are not limited to issuance of permits to replace faulty electrical wiring; repair or install furnace equipment; roof repairs; replace or repair compromised utility infrastructure for water, sewer, fuel, or power; and actions necessary to stop earth slope failures.

Staff: This standard provides that the County shall not make a land use decision approving development for a property that is not in full compliance with County Code or previously issued County approvals, except in the following instances: approval will result in the property coming into full compliance, approval is necessary to protect public safety, or the approval is for work related to or within a valid easement.

This standard codified in the Columbia River Gorge National Scenic Area Code chapter related to land use application procedures and, by its terms, expressly applies to the application review process. Importantly, a finding of satisfaction of this standard does not mean that a property is in full compliance with the Zoning Code and all prior permit approvals (and, accordingly, does not preclude future enforcement actions relating to uses and structures existing at the time the finding is made). Instead, a finding of satisfaction of this standard simply means that there is not substantial evidence in the record affirmatively establishing one or more specific instances of noncompliance.

For purposes of the current application, there are no known open compliance cases associated with the subject property, and there is no evidence in the record of any specific instances of noncompliance on the subject property. *Criterion met.*

5.0 Parcel Criteria:

5.1 MCC 38.0015 Definitions Parcel

Parcel:

(a) Any unit of land legally created by a short division, partition, or subdivision, that was legally recognized under all state laws and local ordinances in effect on November 17, 1986. A unit of land that is eligible for consolidation as provided in the Management Plan shall not be considered a parcel.

(b) Any unit of land legally created and separately described by deed, or sales contract, or record of survey prior to November 17, 1986, if the unit of land complied with all planning,

zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986.

(c) A unit of land legally created and separately described by deed or sales contract after November 17, 1986 if the unit was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the U.S. Forest Service Office prior to the Final Interim Guidelines.

(d) A unit of land shall not be considered a separate parcel simply because it:

1. Is a unit of land created solely to establish a separate tax account;
2. Lies in different counties;
3. Lies in different sections or government lots;
4. Lies in different zoning designations; or
5. Is dissected by a public or private road.

Staff: The subject property was verified as a Lot of Record by T2-05-049. *Criterion met.*

6.0 Gorge General Rural Center (GGRC) Criteria:

6.1 MCC 38.2425 Review Uses

* * *

(I) **Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.**

Staff: According to their application narrative (Exhibit A.3), the applicant replaced a failing system between August 12th and August 23rd of 2024, after an Emergency was declared by City of Portland Septic Sanitation Staff on July 23rd, 2024 (Exhibit B.3). The placement of the structures, septic tank, pipes, and drainfield is required for continued safety of the residents of the property and the public as the sewage is percolating to the surface due to the sudden and unexpected failure of the existing septic system. The applicant submitted a Land Use Application for the proposal on November 21, 2024, within 12-months of the emergency event consistent with the requirements above. *Criterion met.*

7.0 National Scenic Area (NSA) Site Review Criteria:

7.1 § 38.7090 RESPONSES TO AN EMERGENCY/DISASTER EVENT

Responses to an emergency/disaster event are allowed in all zoning districts within the Columbia River Gorge National Scenic Area when in compliance with the following standards:

Staff: The applicant requests a National Scenic Area (NSA) Post-Emergency/Disaster Response Site Review for the replacement of an existing septic system accessory to the single-family

dwelling with a new septic system (tank, pipes, and drainfield), in response to the unexpected failure of the existing system. The following standards are discussed below.

(A) General standards for all response activities.

(1) Following emergency/disaster response actions, best management practices (BMPs) to prevent sedimentation and provide erosion control shall be utilized whenever disaster response actions necessitate vegetation removal, excavation, or grading. BMPs may include but are not limited to: use of straw bales, slash windrows, filter fabric fences, sandbags, straw cover, jute netting, etc.

Staff: The applicant utilized Management Practices (BMPs) in their initial response activities. The BMPs included the initiating work during the dry season (May to September), retaining the existing grade, and reseeded upon completion of work (Exhibits A.2 and A.3). *Criterion met.*

(2) Structures or development installed or erected for a temporary use (e.g. sandbags, check dams, plastic sheeting, chain link fences, debris walls, etc.) shall be removed within one year following an emergency event. If it can be demonstrated that the continued use of these devices is necessary to protect life, property, public services or the environment, an extension of no more than two years may be granted by the Planning Director, or the U.S. Forest Service for federal agency actions.

Staff: The replacement of the septic system is a permanent use. Grades were restored to their initial condition and area was reseeded to return the site to pre-development conditions (Exhibit A.3). *Criterion met.*

(3) The new exploration, development (extraction or excavation), and production of mineral resources, used for commercial, private or public works projects, shall not be conducted as an emergency/disaster response activity.

Staff: The emergency/disaster response activity did not contain any new exploration, development (extraction or excavation), or production of mineral resources; therefore, this criterion is not applicable. *Criterion not applicable.*

(4) No spoils resulting from grading or excavation activities shall be deliberately deposited into a wetland, stream, pond, lake, or riparian area within the National Scenic Area as a part of an emergency/disaster response action. The only exception to this is for construction of a fire line during a wildfire, where avoiding the aquatic area or its buffer zone has been considered and determined to not be possible without further jeopardizing life or property.

Staff: The applicant indicated that no spoils left the site, and all soil material was returned to its pre-development location (Exhibit A.3). *Criterion met.*

(B) Notification Requirements

(1) Actions taken in response to an emergency/disaster event, as defined in MCC 38.0015, are allowed in all GMA and SMA land use designations, subject to the following notification requirements.

(a) Notification of an emergency/disaster response activity shall be submitted either within 48 hours of the commencement of a response action, or by the next business day following the start of such an action, whichever is sooner. Notification shall be submitted by the party conducting an emergency/disaster response activity or their representatives. In the case of multiple responding

parties, the first party to respond shall provide the required notification, unless, upon mutual agreement of responding parties, another responder elects to assume this responsibility.

(b) Notification shall be submitted by mail, fax, telephone, e-mail or in person. If notification occurs by telephone, a hard copy of the notification shall be submitted by mail or in person within 7 days.

(c) Notification shall be furnished to the Planning Director, or the U.S. Forest Service for federal agency actions. If the Forest Service is the action agency, it shall provide notice to the Gorge Commission.

(d) At a minimum, the following information shall be required at the time of notification:

1. Nature of emergency/disaster event.
2. Description of emergency/disaster response activities and magnitude of response actions to be taken, if applicable (such as extent of earth movement, erection of structures, etc.).
3. Location of emergency/disaster response activities.
4. Estimated start and duration of emergency/disaster response activities.
5. Contact person and phone number for the parties conducting emergency/disaster response actions.

(e) Repair and maintenance of an existing serviceable structure to its previously authorized and undamaged condition are not subject to the above referenced notification requirements.

Staff: On July 23rd, 2024, Nicole Blais on behalf of the Multnomah County Sanitarian notified the Land Use Planning Division that the septic system on the subject property was failing and declared a public health emergency (Exhibit B.3). The notification email contained all the information required above.

(2) Upon notification of an emergency/disaster response action, the Planning Director or the Forest Service shall, as soon as possible:

- (a) Review their natural resource data and notify the contact person for the emergency/disaster response actions of all natural resource sites, and their buffers, that are within or adjacent to the response area or that may be adversely affected by response activities;
- (b) Notify the Oregon Department of Fish and Wildlife of all noticed emergency/disaster response actions, to provide that agency an opportunity to consult with responding agencies during the event, and;
- (c) Notify the U.S. Forest Service (except when the U.S. Forest Service is the notifying agency), State Historic Preservation Office (SHPO), and the Tribal governments of all emergency/disaster response activities. The U.S. Forest Service will review their cultural resource data and notify the contact person for the emergency/disaster response action as soon as possible of all inventoried cultural resource sites, or their buffers, that are within, or adjacent to, emergency/disaster response areas.

Staff: Notification was sent to the US Forest Service and Oregon Department of Fish and Wildlife during the Agency Review and Opportunity to Comment Periods (Exhibits C.1 and C.5). *Criterion met.*

(3) Upon notification of a response action, the U.S. Forest Service shall, as soon as possible, offer the services of a resource advisor to the agency(ies) conducting the

response action. The resource advisor will provide on-site advice to minimize impacts to resources from emergency/disaster response actions.

Staff: The U.S. Forest Service provided a Cultural Resource Survey Determination indicating that neither a Cultural Resource Survey nor a Historical Survey is required for the project scope (Exhibit D.1). *Criterion met.*

(C) Post-Emergency/Disaster Response Site Review Application Requirements

(1) Within 30 days following notification, a post-emergency/disaster response application shall be submitted by the party conducting the response action to the Planning Director, or U.S. Forest Service for federal agency actions. In the case of an event with multiple responding parties, the agency providing initial notification as required herein shall submit the application. An exception to this may occur if another responding party, by mutual agreement with the other respondents, elects to submit the application. Requests to extend this submittal deadline may be made in writing and shall include the reason why an extension is necessary. Extensions shall not exceed 30 days in duration.

Staff: The response activities were conducted between August 12th and 23rd of 2024, and the application was received by Land Use Planning on November 21st, 2024. While this does not fall within the 30-day period listed above, it does comply with MCC 38.2425(I), which allows for post-emergency response activities when a land use application be submitted within 12-month of the date of the disaster. *Criterion met.*

(2) Post-emergency/disaster response applications shall only address development activities conducted during an emergency/disaster response. Applications shall specify if development placed during an emergency/disaster event is permanent or temporary. The terms “development activities” and “development” include the disposal of any soil materials associated with an emergency/disaster response action. Applicants shall be responsible for operations under their control and that of other responders, upon mutual agreement. Responders not agreeing to have another responder address their actions shall be responsible to submit an application for those actions.

Staff: The applicant has submitted a narrative and plans detailing the development activities conducted during the emergency/disaster response (Exhibit A.1 through A.4). The development activities that were completed included the construction and installation of an underground septic system, pipes, and drainfield. The response actions were temporary in nature, as the area was excavated, the spoils were placed back in the excavation area and reseeded with a native grass mixture. *Criterion met.*

(3) Emergency/disaster response actions not involving structural development or ground disturbance with mechanized equipment are exempt from these requirements, except for those actions within 500 feet of a known cultural resource (as determined in the notification process).

Staff: The emergency/disaster response required both structural development and ground disturbance with mechanized equipment. Therefore, the response is not exempt from the requirements of MCC 38.7090.

(4) Applications shall include the following information:
(a) Applicant's name and address.

(b) Location of emergency/disaster response.

(c) A written description of the emergency/disaster response, including any structures erected, excavation or other grading activities, or vegetation removal.

(d) A map of the project area drawn to scale, at a scale of 1"=200' or a scale providing greater detail. The map shall include:

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(e) An exception to the scale requirements of subsection (4)(d) may be granted for an event encompassing an area greater than one square mile. In such cases, a clear sketch map of the entire response action area shall be provided. In addition, a map of 1"=200' or a scale providing greater detail shall be provided that shows a section of the response area exemplifying the specific actions taken.

Staff: The applicant submitted a narrative and plans detailing the development activities conducted during the emergency/disaster response as required above (Exhibits A.1 through A.4). *Criterion met.*

(D) Post-Emergency/Disaster Response Site Review

All applications for post-emergency/disaster response Site Review shall be processed pursuant to the procedural provisions of MCC 38.0530 (B) and evaluated for compliance with the standards of MCC 38.7090 (E).

Staff: The application for post-emergency/disaster response is being processed as a Type II decision and is evaluated for compliance with the standards of MCC 38.7090(E), which is discussed below.

(E) Post-Emergency/Disaster Response Site Review Approval Criteria

Actions taken in all land use designations that are in response to an emergency/disaster event shall be reviewed for compliance with the following standards:

(1) Scenic Resources

(a) Impacts of emergency/disaster response actions shall be evaluated to ensure that scenic resources are not adversely affected. In the GMA, such actions shall be rendered visually subordinate in their landscape setting as visible from key viewing areas to the greatest extent practicable, except for actions located in the Corbett Rural Center zoning district. In the SMAs, such actions shall meet the scenic standard to the greatest extent practicable.

Staff: The development activities conducted during the emergency/disaster response are completed. The development activities that were completed included the construction and installation of an underground septic system, pipes, and drainfield. The response actions were temporary in nature, as the area was excavated, multiple structures (septic tank, pipes, and drainfield) were constructed, the spoils were placed on top of the structures in the excavation area, then straw was placed on the excavation area, and the area was reseeded with a native grass mixture (Exhibit A.2 through A.4). As the permanent structures are located underground and development impacts were temporary, the scenic resources in the Village landscape setting have not been adversely impacted. *Criterion met.*

(b) Vegetation shall be used to screen or cover road cuts, structural development, landform alteration, and areas denuded of vegetation, as a result of emergency/disaster response actions.

(c) Areas denuded of vegetation as a result of emergency/disaster response actions shall be revegetated with native plant species to restore the affected areas to its pre-response condition to the greatest extent practicable. Revegetation shall occur as soon as practicable, but no later than one year after the emergency/disaster event. An exception to the one year requirement may be granted upon demonstration of just cause, with an extension of up to one year.

Staff: The development activities conducted during the emergency/disaster response resulted in areas that were denuded of vegetation that were reseeded with a native grass mixture to cover the new septic tank, pipes, and drainfield (Exhibit A.2 through A.4). *Criterion met.*

(d) The painting, staining or use of other materials on new structural development shall be used to ensure that the structures are non-reflective, or of low reflectivity, and visually subordinate in their landscape setting as visible from key viewing areas, unless the structure is fully screened from key viewing areas by existing topographic features.

Staff: The structural development is located underground; therefore, is not visible from KVAs and visually subordinate to the Village landscape setting (Exhibit A.2 through A.4). *Criterion met.*

(e) Additions to existing structures, resulting from an emergency/disaster response action, which are smaller in total height, bulk or area than the existing structures may be the same color as the existing development. Additions larger than the existing development shall be visually subordinate in their landscape setting as visible from key viewing areas to the greatest extent practicable.

Staff: The applicant is not proposing an addition to an existing structure; therefore, *this criterion is not applicable.*

(f) In the General Management Area, spoil materials associated with grading, excavation and slide debris removal activities in relation to an emergency/disaster response action, shall comply with the following standards:

- 1. The spoil materials shall either be:**
 - a. Removed from the National Scenic Area or**
 - b. Deposited at a site within the National Scenic Area where such deposition is, or can be, allowed, or**
 - c. Contoured, to the greatest extent practicable, to retain the natural topography, or a topography which emulates that of the surrounding landscape.**
- 2. The County shall decide whether an applicant removes the spoil materials (MCC 38.7090(E)(1)(f) 1.a.), deposits the spoil materials (MCC 38.7090(E)(1)(f) 1.b.), or contours the spoils materials (MCC 38.7090(E)(1)(f)1.c.) The applicant does not make this decision.**
- 3. The County shall select the action in MCC 38.7090(E)(1)(f) 1. that, to the greatest extent practicable, best complies with the provisions in Chapter 38 that protect scenic, cultural, recreation, and natural resources.**
- 4. Disposal sites created according to MCC 38.7090(E)(1)(f)1.b. shall only be used for spoil materials associated with an emergency/disaster**

response action. Spoil materials from routine road maintenance activities shall not be deposited at these sites.

Staff: The development activities conducted during the emergency/disaster response were in the General Management Area. The response action included grading and excavation (Exhibit A.2, through A.4). The grading and excavation were contoured to retain the natural topography of the excavation area. By contouring the excavation spoils, it best complies with the scenic qualities as the structural development was made visually subordinate as it was covered. There are no cultural, recreation, or natural resource impacts to contouring the spoils back into the landscape. *Criteria met.*

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(2) Cultural Resources and Treaty Rights

(a) To the greatest extent practicable, emergency/disaster response actions shall not adversely affect cultural resources. Emergency/disaster response actions shall not affect or modify Tribal treaty rights.

(b) The Forest Service shall determine if a reconnaissance survey or historic survey is necessary within three days after receiving notice that a post-emergency land use application has been received by the Planning Director.

1. Reconnaissance surveys shall be conducted by the Forest Service and comply with the standards of MCC 38.7045 (D) (1) and (D)(2)(c).

2. Historic surveys shall be conducted by the Forest Service and shall describe any adverse effects to historic resources resulting from an emergency/disaster response action. Historic surveys shall document the location, form, style, integrity, and physical condition of historic buildings and structures. Such surveys shall also include original photographs, if available, and maps, and should use archival research, blueprints, and drawings as necessary.

(c) Following the submittal of a post-emergency land use application, in addition to other public notice requirements that may exist, the Planning Director shall notify the governments of the four Columbia River treaty tribes when:

* * *

(i) The cultural resource protection process may conclude when it has been determined that Tribal treaty rights have not been affected and one of the following conditions exists:

1. The emergency/disaster response does not require a reconnaissance or historic survey, or a reconnaissance survey demonstrates that no cultural resources are known to exist in the project area, and no substantiated concerns were voiced by interested persons within 15 calendar days of the date that a notice was mailed.

* * *

Staff: The US Forest Service conducted a Cultural Resources Survey to determine if a Cultural Resource Reconnaissance Survey or a Historic Survey was required. The determination found that a Cultural Resource Reconnaissance Survey was “Not Required” and a Historic Survey was “Not required” (Exhibit D.1). Additional notice was sent as described in Section 3.0. No substantiated concerns were voiced during the notice window. *Criteria met.*

(3) Natural Resources

(a) To the greatest extent practicable, emergency/disaster response actions shall not adversely affect natural resources.

(b) Buffer zones for water resources, Priority Habitats or sensitive wildlife sites, and sites containing rare plants, shall be the same as those established in MCC 38.7053.

1. Water Resources

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Staff: The development activities conducted during the emergency/disaster response were not located within a buffer zone of water resource areas; therefore, these criteria are not applicable. *Criteria not applicable.*

2. Wildlife Habitat

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Staff: The development activities conducted during the emergency/disaster response were not located within 1,000 feet of sensitive wildlife habitat or area; therefore, these criteria are not applicable. *Criteria not applicable.*

3. Deer and Elk Winter Range

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Staff: The development activities conducted during the emergency/disaster response were not located within deer and elk winter range; therefore, these criteria are not applicable. *Criteria not applicable.*

4. Rare Plants

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Staff: The development activities conducted during the emergency/disaster response were not located within 1,000 feet of a rare plant; therefore, these criteria are not applicable. *Criteria not applicable.*

(4) Recreational Resources

(a) To the greatest extent practicable, emergency/disaster response actions shall not adversely affect recreational resources.

(b) Mitigation measures shall be implemented to mitigate any adverse effects on existing recreation resources caused by emergency/disaster response activities to the maximum extent practicable.

Staff: The development activities conducted during the emergency/disaster response were to review response actions to replace a failed existing septic system accessory to the single-family dwelling with a new septic system (tank, pipes, and drainfield). There are no Recreational Resources at the site of the emergency/disaster response or within the immediate area. The immediate area contains residential and farm uses. *Criteria met.*

8.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Post-Emergency National Scenic Area Site Review to establish a replacement septic system in the GGRC zone. This approval is subject to the conditions of approval established in this report.

9.0 Exhibits

- ‘A’ Applicant’s Exhibits
- ‘B’ Staff Exhibits
- ‘C’ Procedural Exhibits
- ‘D’ Comments Received

All exhibits are available for digital review by sending a request to LUP-comments@multco.us.

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	2	Application Form	11.21.2024
A.2	1	Site Plan	11.21.2024
A.3	2	Code Narrative	01.06.2025
A.4	2	Septic System Replacement Permit	01.06.2025
A.5	N/A	Full Case Record	Multiple Dates
‘B’	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N4E35BA -02600 (Property ID # R322799/Alt. Acct. # R944351220)	10.15.2024
B.2	1	Current Tax Map for 1N4E35BA	08.05.2024
B.3	1	July 23, 2024 Email Declaring an Emergency	07.23.2024
‘C’	#	Administration & Procedures	Date
C.1	2	Agency Review	02.04.2025
C.2	3	Incomplete letter	12.20.2024
C.3	1	Applicant’s acceptance of 180-day clock	01.06.2025
C.4	1	Complete letter (day 1)	02.05.2025
C.5	3	Opportunity to Comment	03.17.2025
C.6	14	Notice of Decision	09.09.2025
‘D’	#	Public Comments	Date
D.1	2	USFS Survey Determination Form	03.27.2025
D.2	3	Friends of the Gorge Comments	04.07.2025
D.3	2	SHPO Response Letter	02.14.2025