

NOTICE OF NSA DECISION



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

Case File: T2-2024-0112

Applicant: Edgar Diaz, Doctor Dirt LLC

Proposal: Request for an NSA Post-Emergency/Disaster Response application for the installation of an on-site sewage disposal system on the subject property.

Location: 32131 NE Wand Rd, Troutdale

Property ID # R322373

Map, Tax lot: 1N4E29DD-00700

Alt. Acct. # R944290330

Base Zone: Gorge Special Agriculture – 40 (GSA-40)

Overlays: None

Key Viewing Areas: Bridal Veil, Columbia River, Crown Point, Historic Columbia River Hwy, Interstate - 84, Larch Mtn Rd, Portland Women’s Forum, Rooster Rock, WA State Route 14.

Landscape Setting: Pastoral

Decision: Approved with Conditions

This decision is final at the close of the appeal period, unless appealed. The deadline for filing an appeal is Monday, October 6, 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:

Lisa Estrin

Lisa Estrin, Senior Planner

For: Megan Gibb,
Planning Director

Date: Monday, September 22, 2025

Vicinity Map



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;

GSA-40 Zone: MCC 38.2225(B)(15) Review Uses, Placement of Structures..., MCC 38.2260 Dimensional Requirements;

NSA Site Review Criteria: MCC 38.7015 Application for NSA Site Review, 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.

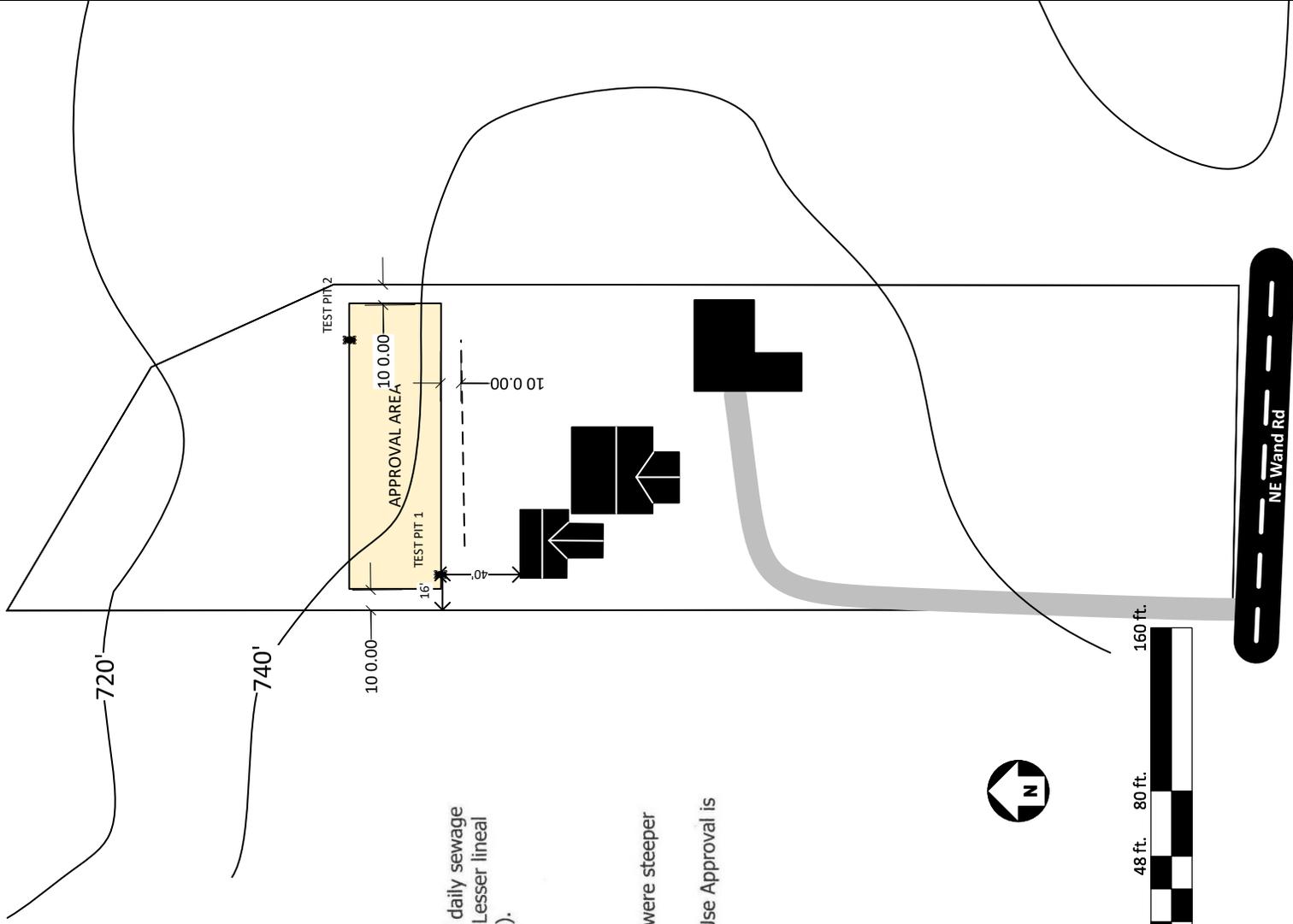
1. **Permit Expiration** – This land use permit shall expire **two (2) years** after the date of the final decision, unless the use or development was established according to all specifications and conditions of approval in the land use approval. [MCC 38.0690(A) & (D)]
 - i. For the purposes of 1.a, expiration of an approval means that a new application is required for uses that are not established during the approval period.

Note: Expiration of the permit is automatic. Failure to give notice of expiration shall not affect the expiration of this approval. The property owner may request one (1), 12-month extension to the timeframe within which this permit is valid, as provided under MCC 38.0700, as applicable. The request for a permit extension must be submitted prior to the expiration of the approval period. [MCC 38.0700]

2. 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)]
3. **The property owners or their representative shall** obtain and finalize the necessary on-site sewage disposal permit(s) from Portland Permitting & Development prior to the expiration of this NSA permit. [MCC 38.0660(A)].

Note: Contact the City of Portland, Bureau of Development Services, On-site Sanitation at 503-823-6892 or e-mail septic@portlandoregon.gov for information on completing the Septic Permit or Evaluation process for the proposed development. All existing and/or proposed septic system components (including septic tank and drainfield) must be accurately shown on the site plan.

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.



The following type and size of the system and absorption area are required:

1. One, 1000-gallon septic tank.
2. Serial distribution system.
3. 125 lineal feet (LF) of absorption trench per 150 gallons per day (gpd) projected daily sewage flow is required. A total of 375LF is required for up to four bedrooms (450 gpd). Lesser lineal footage may be considered under reasonable repair per OAR 340-071-0215(4)(b).
4. Maximum trench depth 30", minimum trench depth 24".
5. A 10ft setback to property lines is required.
6. A 10ft setback to the existing drainfield is required.
7. A 10ft setback to the downslope un-mowed area is required. Slopes in this area were steeper and not evaluated.
8. The property is in the National Scenic Area (NSA) and Multnomah County Land Use Approval is required prior to septic installation permit issuance.

MCC 38.7035(A)(1)

There will be no permanent grading. Excavation is temporary. Spoil piles will be used for backfilling the septic system components to original grade. Any left over material will be removed from the site and properly recycled with a material recycling company.

MCC 38.7035(A)(5)

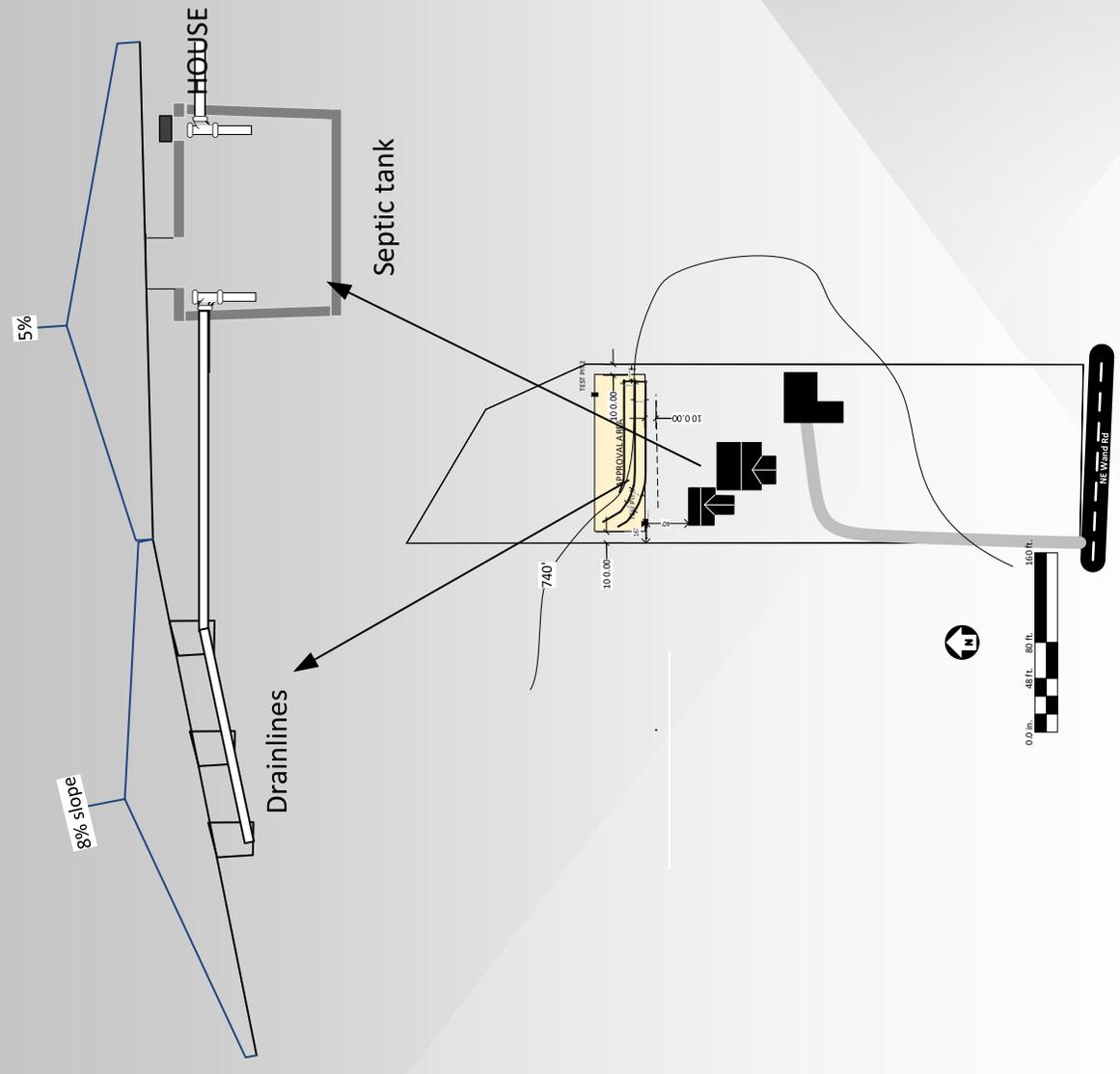
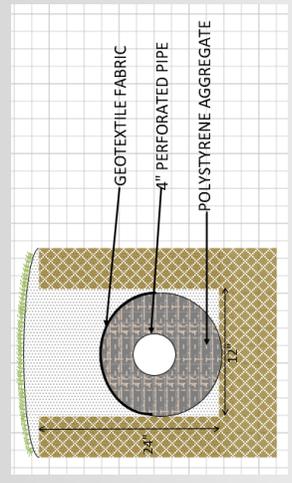
No trees are proposed to be removed. Grass and weeds are the primary ground cover. Any exposed ground surface will be replanted using a native seed blend.

ELEVATIONS

January 21, 2022

MCC 39.55005 – 38.5520 & MCC 38.0045(A)

- All work is being done in slopes of 9% or less
- Soil disturbance will be temporary
- Land will be restored to original grade once work is completed.
- No permanent grading or filling proposed.



- Elevations: (Lidar)
- Building Sewer: 741.75'
 - Septic Tank outlet: 741.57'
 - First Drain line (140'): 740.49'
 - Second Drain line(140'): 738.73'
 - Third Drain line (100'): 737.54'

January 21, 2022

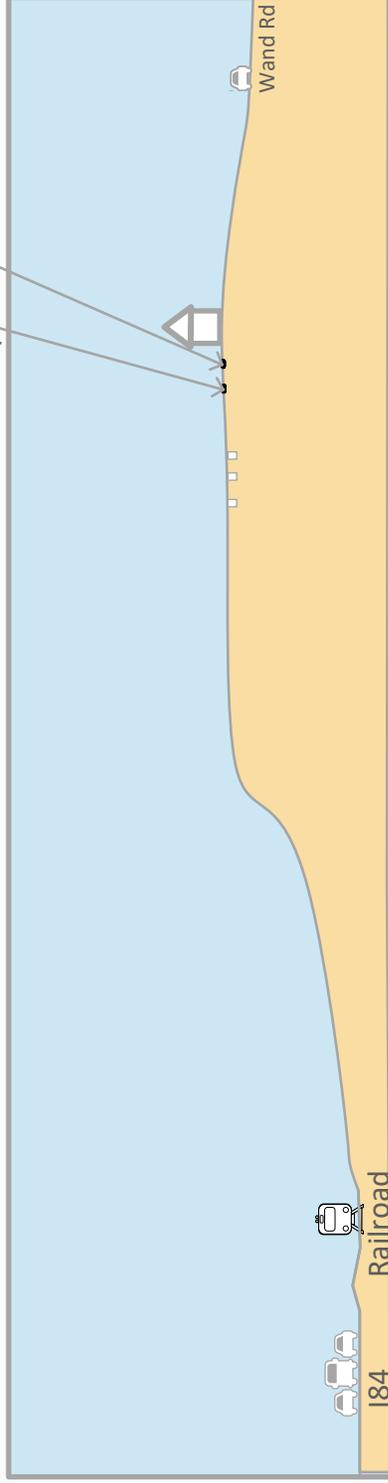
VISUAL IMPACT MCC 38.7035(B)(1), (B)(4), and (B)(12)

32131 NE WAND RD, TROUTDALE, OR 97060 // R322373 // R944290330 // SECTION 29 1N 4E, TL 700 // 2.00 ACRES // 1N4E29DD -00700

THERE WILL BE NO LONG TERM VISUAL IMPACT. PERMANENT MANHOLES TO GROUND SURFACE ARE 2' WIDE AND IMPOSSIBLE TO SEE FROM THE ROAD. THE TREE COVER WILL BE UNAFFECTED BY THIS INSTALLATION.



Septic Tank Manhole Cover



Facing south from I84



Looking north from Wand Rd

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: The applicant is requesting an NSA Post-Emergency/Disaster Response permit for the installation of an on-site sewage disposal system for the existing single-family dwelling on the subject property.

2.0 Property Description & History:

Staff: This application is for 32131 NE Wand Rd, Troutdale. The subject property is located on the Columbia River Gorge National Scenic Area in unincorporated east Multnomah County outside of Metro’s Urban Growth Boundary (UGB). The subject property is zoned Gorge Special Agriculture – 40 (GSA-40) and is set in the Pastoral landscape setting.

The property is occupied by a single-family dwelling with attached garage and an outbuilding according to the County Assessor. Per Assessment & Taxation records, the subject property is 2.00 acres.

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.XX). Staff received comments during the 21-day comment period, but did not receive comments regarding Cultural Resources during the 30-day comment period.

- 3.1 The US Forest Service (USFS), Gorge Agency reviewed the proposed undertaking against cultural resources surveys and inventories and recommends that no Cultural Resource Reconnaissance Survey or Historic Survey be required (Exhibit D.1)
- 3.2 The State Historic Preservation Office (SHPO), Gorge Agency reviewed the proposed undertaking and chose to not comment on this project and it may continue as described (Exhibit D.2)
- 3.3 Steve McCoy, Friends of the Columbia Gorge, a non-profit organization dedicated to protecting and enhancing the resources of the Columbia River Gorge, provided written comments regarding the use of the Emergency/Disaster Response as defined in MCC 38.0015 and the applicable standards the application must meet in MCC 38.7090(C). Their comments preserve their rights to receive a copy of the decision and if they choose, to appeal the decision.

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:

* * *

Staff: This standard codified in the Columbia River Gorge National Scenic Area Code chapter (Ch. 38) 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 Gorge Special Parcel Criteria:

5.1 § 38.2225 REVIEW USES

(B) The following uses may be allowed on lands designated GSA– 40 pursuant to MCC 38.0530 (B), provided that the use or development will be sited to minimize the loss of land suitable for the production of agricultural crops or livestock and upon findings that the NSA Site Review standards of MCC 38.7000 through 38.7085 have been satisfied:

(15) Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures...accessory uses and exterior improvements damaged during an emergency/disaster event...

Staff: The applicant has requested a Post Emergency/Disaster Response application for the installation of a replacement on-site sewage disposal system for the continued use of the single-family dwelling. The application has demonstrated compliance with MCC 38.7090. *Criterion met.*

5.2 § 38.2260 DIMENSIONAL REQUIREMENTS

(C) Minimum Yard Dimensions – Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Staff: All physical improvements will be at or below ground level (Exhibit A.4.c). The replacement septic system is north of the single-family dwelling and attached garage. The drainfield is a minimum of 10 feet from all side property lines, 111+/- ft from rear property line, and approximately 380-ft from the front property line. *Criteria met.*

6.0 National Scenic Area (NSA) Post Emergency/Disaster Approval Criteria:

6.1 § 38.7015 APPLICATION FOR NSA SITE REVIEW AND CONDITIONAL USE REVIEW

An application for NSA Expedited Development Review, Site Review or Conditional Use Review shall address the applicable criteria for approval, under MCC 38.7035 through 38.7100.

Staff: The subject application has addressed the applicable approval criteria as listed in this report. *Criterion met.*

6.2 § 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:

(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.**
- (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.**
- (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.**
- (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 wild-fire, 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: (1) Straw waddles and gravel dams were used for erosion control during the installation of the effluent sewer line & the drainfield. The disturbed ground was re-seeded with native grasses after completion of the project. (Exhibit A.4.f)

(2) All erosion control measures have been removed.

(3) No exploration or production of mineral resources were conducted as part of the project. (Exhibit A.4)

(4) All spoil piles excavated to install a drainfield were used to backfill over the system (Exhibit A.4.f).

Criteria met.

6.3 (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.

Staff: The County Sanitarian declared an emergency due to a failing septic system (Exhibit A.1). Work commenced after the declaration. *Criterion met.*

6.4 (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.

(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 un-der 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.

(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).

(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:

1. North arrow and scale.

2. Boundaries, dimensions and size of subject parcel(s).

3. Topography at a contour interval sufficient to describe the terrain of the project site.

4. Bodies of water, watercourses, and significant landforms.

5. Existing roads and structures.

6. New structures placed and any vegetation removal, excavation or grading resulting from the response actions.

(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 pro-vided. 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: (1) The applicant submitted the application materials to the County in December 2024. The application was paid for in February 6, 2025. Formal application date is February 6, 2025.

(2) The application submitted only addresses the replacement of the on-site sewage disposal system. The improvements are permanent.

(3) The on-site sewage disposal system qualifies as a "structure". MCC 38.0015 Definitions defines a *Structure* as *That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.* In addition, to install the septic system the ground was disturbed with a piece of machinery. A Post Emergency/Disaster Permit is required. The applicant submitted the required permit on February 6, 2025. *Criterion met.*

(4) The applicant provided the required information (Exhibit A.1 through A.7). *Criterion met.*

6.5 (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 subject application was processed as a Type II decision as specified in MCC 38.0530. The application has met the applicable criteria listed in (E) as discussed below. *Criterion met.*

6.6 (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 subject property is located in the SMA (Gorge Special Agriculture – 40). The property is located in the Pastoral Landscape Setting. It must meet the Visually Subordinate Scenic Standard pursuant to the table in MCC 38.7040(A)(2). MCC 38.0015 Definitions defines *Visually Subordinate* as ... *A description of the relative visibility of a development, structure or use where that development, structure or use does not noticeably contrast with the defining landscape setting characteristics, as viewed from a specified vantage point (generally a key viewing area, for the Management Plan), and the setting appears only slightly altered (distinctive characteristics of that setting remain dominant).* Once where the ground was disturbed for the installation of the drainfield and sewer line has been revegetated, none of the elements will be visible. The tank lids for the septic tank will be treated to be green so they blend with the surrounding vegetation. All other components will be underground (Exhibit A.4.d). *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: No trees were removed for the installation of the system. Native grasses were installed to return the site to its original condition (Exhibit A.4.d. & f, B.3). The most components of replacement septic system cannot be seen above ground. Vegetation has been re-established. *Criteria 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 two lids on the septic tank are painted green (Exhibit A4.d & B.3). *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 are-as to the greatest extent practicable.

Staff: The installed septic system is a new structure and replaces the prior system. The system is visually subordinate from Key Viewing Areas (Exhibit A.4.c. & A.4.d). *Criterion met.*

(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 com-ply 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, al-lowed, 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 subject property is located in the Special Management Area. *Criteria are not applicable.*

(g) In the Special Management Areas, 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 within two years of the emergency.**
- 2. After the spoils materials are re-moved, the emergency disposal site shall be rehabilitated to meet the scenic standard.**
- 3. All grading (i.e. contouring) shall be completed within 30 days after the spoils materials are removed.**
- 4. Sites shall be replanted using native plants found in the landscape setting or ecoregion to the maximum extent practicable.**
- 5. All revegetation shall take place within one (1) year of the date an applicant completes the grading.**
- 6. MCC 38.7090 (E) (1) (g) shall take effect on August 3, 2006, or approval of a disposal site, whichever comes first.**

Staff: The spoil materials excavated for the installation of the sewer line and the drainfield were redeposited into the trenches to backfill the system (Exhibit A.4.f). *Criteria met.*

(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, blue-prints, and drawings as necessary.**

Staff: The US Forest Service determined that neither a Cultural Resource Survey or a Historic Survey was required (Exhibit D.1). SHPO had no comment on the project (Exhibit D.2 & D.3). *Criteria met.*

(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:

- 1. A reconnaissance survey is required, or**
- 2. Cultural resources exist in the project area.**

All such notices shall include a copy of the site plan required by MCC 38.7090 (C) (4) (d).

* * *

Staff: An Agency Review notice and an Opportunity to Comment was sent to the four Columbia River treaty tribes (Exhibit C.1 & C.5). No comments were received. *Criteria met.*

(3) Natural Resources

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

Staff: No natural resources were affected by the installation of the replacement septic system. *Criterion met.*

(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.

Staff: No buffer zones were affected by the emergency installation of a replacement septic system. *Criterion met.*

1. Water Resources

a. Emergency/disaster response actions occurring within a water resources buffer zone shall be reviewed by the Oregon Department of Fish and Wildlife. These areas are also referred to in this section as aquatic areas. State biologists will help determine if emergency/disaster response actions have affected or have a potential to affect these aquatic areas or their buffer zones.

* * *

Staff: The installation of the replacement drainfield and other septic components did not occur within a water resource buffer zone or aquatic area. Notice was given to various agencies through the Agency Review (Exhibit C.1) and the Opportunity to Comment (Exhibit C.5) period. No comments were received that water resources were in the area. *Criteria met*

2. Wildlife Habitat

a. Emergency/disaster response actions occurring within 1,000 feet of a Priority Habitat or sensitive wildlife or site shall be reviewed by the Oregon Department of Fish and Wildlife. State wildlife biologists will help determine if emergency/disaster response actions have affected or have a potential to affect a Priority Habitat or sensitive wildlife site.

* * *

Staff: Notice was given to various agencies through the Agency Review (Exhibit C.1) and the Opportunity to Comment (Exhibit C.5) period. No comments were received that a wildlife site or priority habitat exist in the area. *Criteria met*

3. Deer and Elk Winter Range

Any fencing permanently erected within deer and elk winter range, as a result of an emergency/disaster response, shall satisfy the standards of MCC 38.7065 (E).

Staff: The subject property is not located within the Deer and Elk Winter Range. No fences were erected as part of the emergency repairs. *Criterion met.*

4. Rare Plants

a. Emergency/disaster response actions occurring within 1,000 feet of a rare plant, shall be re-viewed by the Oregon Biodiversity Information Center. State

heritage staff will help determine if emergency/disaster response actions have occurred within the buffer zone of a rare plant.

* * *

Staff: Notice was given to various agencies through the Agency Review (Exhibit C.1) and the Opportunity to Comment (Exhibit C.5) period. No comments were received that rare plants were in the area. *Criteria met.*

(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: There are no recreational resources on or adjacent to the subject property. Most properties are being used for residential purposes. *Criterion met.*

9.0 Conclusion

Based on the findings and other information provided above, the applicant has carried the burden necessary for the Post Emergency/Disaster Permit to authorize the work completed to install a replacement on-site sewage system in the Gorge Special Agriculture – 40 (GSA-40) zone. This approval is subject to the conditions of approval established in this report.

10.0 Exhibits

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

Exhibits with an '*' have been reduced in size and included with the mailed decision. 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	Declaration of Public Health Emergency	11/21/25
A.2	2	Application Form	2/6/2025
A.3	1	Letter of Authorization	2/6/2025
A.4	10	Plans – Cover Page (1 pg) a. Aerial & Lidar Map (1 pg) b. Approval Area and Slope (2 pg) c. Elevations (1 pg) d. Visual Impact (1 pg) e. System Layout and Elevations (1 pg) f. Erosion Control (1 pg) g. Drainfield Construction Details (2 pg)	2/6/2025
A.5	6	BDS Site Evaluation Letter dated August 12, 2021	2/6/2025

A.6	5	Miscellaneous	2/6/2025
A.7	7	Photos of Installation	5/11/2025
'B'	#	Staff Exhibits	Date
B.1	2	Assessment and Taxation Property Information for 1N4E29DD-00700 (Alt Acct# R944290330 / Property ID# R322373)	2/6/2025
B.2	1	Current Tax Map for 1N4E29DD	8/28/2025
B.3	2	Site Inspection Report dated August 27, 2025	9/17/2025
'C'	#	Administration & Procedures	Date
C.1	10	Agency Review	2/14/2025
C.2	2	Incomplete letter	3/07/2025
C.3	1	Applicant's acceptance of 180-day clock	3/7/2025
C.4	1	Complete letter (day 1)	6/26/2025
C.5	7	Opportunity to Comment	7/03/2025
C.6	13	Decision	9/22/2025
'D'	#	Comments	Date
D.1	2	US Forest Service Cultural Resources Survey Determination	2/14/2025
D.2	1	SHPO Emergency Repair Letter	3/13/2025
D.3	1	SHPO Clearance	7/3/2025
D.4	3	Friends of Columbia Gorge, Steve McCoy	7/24/2025