



Department of Environmental Services  
Land Use Planning Division  
1600 SE 190<sup>th</sup> Avenue  
Portland, OR 97233 Phone: (503) 248-3043

## **NOTICE OF DECISION**

### **GRADING AND EROSION CONTROL PERMIT**

**Case File No.: GEC 46-98**

**September 23, 1999**

- PROPOSAL:** An application for a Grading and Erosion Control (GEC) Permit to resolve a land use violation involving the grading and filling of approximately 330 cubic yards of material on the site. The proposal involves the placement of approximately 266 yds of fill material near the access drive at Stone Road; the placement of gravel in an area near an existing barn; and, the excavation and re-contouring of an area to the south and west of the barn for the purposes of mitigating approximately 0.10 acres of wetland impacted by un-permitted grading. The mitigation plan involves extending the existing wetland located on the adjacent property to the East onto the subject parcel to create a minimum 0.20 acres of wetland on site. The mitigation plan was agreed to and authorized under the jurisdiction of the Division of State Lands under State Enforcement No. 4006 and a letter dated April 13, 1999.
- LOCATION:** 29243 SE Stone Road  
T1S, R4E, WM, Section 19DC, TL 500  
R#99419-1410  
See attached map.
- APPLICANT/  
OWNER:** Larry Moore  
29243 SE Stone Road  
Gresham, OR 97080-9029
- ZONING:** Exclusive Farm Use (EFU).
- APPROVAL  
CRITERIA:** The applicable approval Criteria for this decision includes the following: Grading and Erosion Control; Chapter 29.300, Multnomah County Code.
- DECISION:** **APPROVED WITH CONDITIONS**, a Grading and Erosion Control (GEC) permit for the request to fill approximately 300 cubic yards of re-contour earth material on the subject parcel as described in the Proposal section above. Site plans are attached.

### **LIMITATIONS/ SCOPE OF APPROVAL:**

1. No additional cutting, filling, or stockpiling, or other grading activity, except the modifications specified by this permit, shall occur on the subject parcel without approval of a Grading and Erosion Control (GEC) permit.
2. A mound of dirt, located between the newly constructed pond/wetland inlet and Johnson Creek was note on a site inspection on September 17, 199 by Staff. This mound was not delineated on the site plan submitted, nor on the Wetland Mitigation Plan authorized by DSL. The mound shall be receded as required below.
3. Prior to October 4, 1999 all exposed earth on the site shall be re-seeded and/or planted with native vegetation and protected with appropriate measures to ensure survival and stability of soil. Prior to October 1, 1999, the applicant shall place either hay bales or some other authorized measure to eliminate sediment from flowing from the pond/ wetland inlet into Johnson Creek.
4. A silt fence shall be appropriately installed to a depth of 4 to 6 inches and extend the length of Johnson Creek. The sit fence shall be maintained in a functioning manner until all vegetation is adequately established. The County may require additional measures when deemed necessary to preclude sedimentation from entering Johnson Creek.
5. All work shall be performed in accordance with the Guidelines prescribed in the "Erosion Control Plans Technical Guidance Handbook" and "Surface Water Quality Facilities Technical Guidance Handbook" (available from the Land Use Planning Division). In the event of a conflict between the applicant's proposal and the "Erosion Control Plans Technical Guidance Handbook" and "Surface Water Quality Facilities Technical Guidance Handbook", those in the handbooks shall be required.
6. Except as otherwise specified in the above conditions, this approval for **GEC 46-99** is based upon the applicant's submitted written testimony, site and development plans, and substantiating documents. The applicant shall be responsible for implementing the development plan as presented and approved.
7. This permit is not a land use permit or determination and does not authorize use of the property in violation of the Multnomah County Zoning Code nor Comprehensive Plan.
8. No additional land use action and/ or permit requests (including building permits) shall be accepted, relating to the subject application, until such time as all required fees for the said application have been **paid in full**.

### **IN THE MATTER OF GEC 46-99:**

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Signed: Phil Bourquin, *Senior Planner*  
For: Kathy Busse, *Planning Director*