



proud past, promising future

CLARK COUNTY
WASHINGTON

COMMUNITY DEVELOPMENT

November 9, 2009

Fishwood Trust
Trustee, Donna Brathovde
P.O. Box 8
Ravensdale, WA 98051

Scott Taylor
Eric Golemo
Sturtevant, Golemo & Associates
2005 Broadway
Vancouver, WA 98660

RE: FOR2009-00014

Your application for the Class IVG Forest Practice on parcel #'s 189764-000 has been approved. I am including with this letter a copy of the case summary approval pages, and staff report with conditions of approval. Please carefully review the conditions of approval. Please call 1-800-548-8829 and secure a Forest Tax Reporting #. We will need this # on file prior to commencement of operations under this permit.

If you have any questions, please feel free to call me at 397-2375 ext. 4714.
Thank you.

Sincerely,

Jim Vandling
Clark County Forester / Natural Resource Specialist III
SAF# 9149

cc: D.O.R.



P.O. Box 9810
Vancouver, Wa
98666-9810
1300 Franklin Street
Phone: 360-397-2375

APPLICATION SUMMARY

Forest Practices

Status: **APR**
Entered By: **BMJ**

FOR2009-00014
PERMIT

Received: 6/29/2009
FC/TC Date: 7/27/2009
Decision: 11/9/2009
Decision Expiration: 11/9/2011
Final:

APPROVED

Team: **DS** Project Name: **FISHWOOD SUBDIVISION** Project #: **DEV2009-00027**
Site Address: **4800 NE 109TH ST VAN 98686** Parcel #: **1897640000**
Scope of Work: **IV-G** Review Type: Cross Reference #: **PAC2009-00020**
Work Order#: **072202**

Sect/Twnshp/Range: 36 / 3 / 11	School Imp Fee Dist: BG
Est. Parcel Area (Acre): 20.00	Transp Imp Fee Dist: HD
Est. Parcel Area (Sq. Ft.): 871,200.00	Park Imp Fee Dist: 8
	Transp Overlay Fee Dist:

Description: **FPA - SUBDIVIDE 10 ACRES INTO 36 SINGLE FAMILY LOTS IN TWO PHASES USING DENSITY TRANSFER STANDARDS**
First Line Legal: **#20 OF SEC 36 T3NR1EWM 10A**

Applicant: STURTEVANT, GOLEMO & ASSOCIATES 2005 BOADWAY VANCOUVER WA 98663 Phone: 360-993-0911	Owner: DONNNA LOUISE BRATHOVDE PO BOX 8 RAVENSDALE WA 98051 Phone:
--	---

Today's Activities:	Activity Date:	Assigned To:	Done By:	Notes:
1.) Approved**	11/9/2009	JEV	JEV	
2.) Appeal Period Over	11/9/2009		JEV	Appeal Period for Parent Case PLD ends on 11-09-2009

Fee Description	Amount Due	Amount Paid	Receipt Number
Totals			Balance Due

CONDITIONS:

1.) **The harvest operator is responsible for providing erosion control in accordance with CCC 40.380.050 for Class IVG Forest Practices. Erosion silt fencing will be required for the construction portion of this proposal and shall be employed around any newly graded area confined to the same ownership.**

The applicant shall be responsible for repairs to roads within the public right of way, and adjoining properties if any damages occur as a result of this forest practice.

This operation is located in the SWCA Agencies NO BURN zone. Alternate slash disposal methods shall be employed within 6 months of Harvest.

Operator is required to contact Clark Public Utilities if trees will be harvested within one and a half tree lengths

Printed: 11/9/2009 12:36:08PM

1 of 2 Pages

APPLICATION SUMMARY

FOR2009-00014

Team: **DS**

Project Name: **FISHWOOD SUBDIVISION**

Project #: **DEV2009-00027**

Site Address: **4800 NE 109TH ST VAN 98686**

Parcel #: **1897640000**

Scope of Work: **IV-G**

Review Type:

Cross Reference #: **PAC2009-00020**

Work Order#: **072202**

CONDITIONS (Cont):

of any overhead public powerlines within 24 hours of the activity.

APPROVED

This timber harvest shall comply with all conditions found in PLD2009-00032 (Fishwood Subdivision).

Printed: 11/9/2009 12:36:08PM

2 of 2 Pages

**TYPE II DEVELOPMENT &
ENVIRONMENTAL REVIEW,
Final STAFF REPORT & DECISION**

Form DS1401 Revised 04/26/2005



Project Name: FISHWOOD SUBDIVISION
Class IV G Forest Practice Permit

Case Number: FOR2009-00014; PLD2009-00032; SEP2009-00056

Parcel Number(s): Tax account 189764-000 located in the Northeast Quarter of Section 36; Township 3 North; Range 1 East of the Willamette Meridian.

Request: Timber harvest prior to a conversion to residential uses in the Single-Family Residential District.

Applicant: Fishwood Trust
Trustee, Donna Brathovde
P.O. Box 8
Ravensdale, WA 98051

Contact Person: Scott Taylor
Eric Golemo
Sturtevant, Golemo & Associates
2005 Broadway
Vancouver, WA 98660
(360) 993-0911 [phone]; (360) 993-0912 [fax]
staylor@sgaengineering.com
egolemo@sgaengineering.com

Location: 4800 NE 109th Street

Area: Project Size: approx 6 acres (Net)

DECISION

Approved subject to Conditions of Approval
County Forester Initials: JEV Date Issued: 11-9-09

County Review Staff:

County Forester: Jim Vandling (360) 397-2375 ext. 4714

Comp Plan Designation: Urban Low Density Residential

Zoning: Single-Family Residential District.

Neighborhood Association/Contact:

Sherwood Hills Neighborhood Association
Dick Durland, President
10525 NE Sherwood Drive
Vancouver, WA 98686
(360) 576-0981
E-mail: dickdurland@hotmail.com

Applicable Laws:

Clark County Code Sections 40.200 (General Provisions); 40.220.010 (Single-Family Residential Districts, R1-6); 40.260.080 (Forest Practices); 40.350.010 (Pedestrian/Bicycle Circulation); 40.350.020 (Transportation Concurrency); 40.350.030 (Street and Road Standards); 40.370.010 (Sewer); 40.370.020 (Water Supply); 40.380 (Stormwater and Erosion Control); 40.430 (Geologic Hazard Area); 40.440 (Habitat Conservation); 40.450 (Wetland Protection); 40.500.010 (Procedures); 40.510.030 (Type III Process); 40.520.010 (Legal Lot Determination); 40.540.040 (Subdivisions); 40.550.010 (Road Modification); 40.570 (SEPA); 40.610 & 40.620 (Impact Fees); Title 14 (Buildings and Structures); 15.12 (Fire Code); Title 24 (Public Health); RCW 58.17 (State Platting Laws) and the Clark County Comprehensive Plan.

Time Limits:

The application was determined to be fully complete on July 27, 2009. The application was put on hold pending the expiration of HE Decision on parent case PLD2009-00032. Therefore, the County Code requirement for issuing a decision within 78 days lapses on December 4, 2009. The State requirement for issuing a decision within 120 calendar days, lapses on January 19, 2009.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

The fully complete application was submitted on June 29, 2009. and determined to be fully complete on July 27, 2009. Given these facts the application is vested on June 29, 2009.

Public Notice:

Notice of application and likely SEPA Determination of Non-Significance (DNS) for the parent application (PSR) was mailed to the applicant, North Salmon Creek Neighborhood Association, and property owners within 300 feet of the site on August 17, 2009.

Public Comments:

None

Project Description

The applicant is requesting approval of a timber harvest prior to a conversion to non-forestry uses. All forest practices on lands which may be converted to non-forestry or on lands platted since January 1961 are subject to classification as Class IVG Forest Practices pursuant to RCW 76.09, and CCC 40.260.080.

Major Issues and Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff 's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

CRITICAL AREAS:

Finding 1

The area included in this timber harvest is outside of known critical areas, pursuant to buffers established under PLD2009-00032.

EROSION CONTROL:

Finding 2

This application is subject to the erosion control ordinance pursuant to CCC40.380.050. (See Condition #2)

ROAD MAINTENANCE:

The applicant shall be responsible for damage to Public Right of Ways, caused as a result of this timber harvesting operation. (See Conditions #3)

Conclusions

Upon completion of these analyses, staff determined that the proposal will not result in likely significant adverse environmental impacts which cannot otherwise be mitigated by compliance with the County's existing land division and development regulations.

In reviewing proposal, staff found that applicant provided details served to ensure that all relevant elements of the county code would be complied with, as presented in the Forest Practices Narrative.

SEPA Determination and Decision

The likely SEPA Determination of Non-Significance (DNS) for this forest practice in the Notice of Development Review Application issued on April 17, 2009 is hereby final. Based upon this review, the Development Services Manager hereby **APPROVES** this request, subject to the following:

Conditions of Approval

Conditions Unique to this Project

None

Standard Conditions

Pre-Harvest Conference:

1. Prior to commencing harvesting operations, an on-site meeting may be required with the County Forester.

Erosion Control and Grading:

2. The harvest operator is responsible for providing erosion control in accordance with CCC 40.380.050 for Class IVG Forest Practices. Erosion control may be required for this proposal and shall be employed as needed around any newly graded area confined to the same ownership.

Road Maintenance:

3. The applicant shall be responsible for repairs to roads within the public right of way, if any damages occur as a result of this forest practice.

Slash Disposal:

4. This operation is located in the SWCA Agencies NO BURN zone. Alternate slash disposal methods shall be employed within 6 months of Harvest.

Public Safety:

5. Operator is required to contact Clark Public Utilities (921-9198) if trees will be harvested within one and a half tree lengths of any overhead public power lines within 24 hours of the activity.

Archaeological Resources:

6. If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines.

Hours of Operation:

7. Operations are limited to 8 am to 7 pm daily Monday through Friday only.

An appeal of any aspect of this decision, including the SEPA determination and any required mitigation measures, may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This final decision was mailed on November 9, 2009. Therefore any appeal must be received in this office by 4:30 PM, November 23, 2009

APPEAL FILING DEADLINE
Date: November 23, 2009

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510 of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check in the amount of \$ 4,826.00 (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, between 7:30 AM and 4:30PM Monday through Friday, at the address listed below.

Attachments:

- Copy of Proposed Harvest Plan & Forest Practice Application

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Department of Community Development
1408 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>



Types I, II and III Forest Practices Application

Handout No. 29 Revised 11/30/07

Legal name of Landowner: <i>FISHWOOD TRUST</i>	Legal name of Timber Owner: <i>FISHWOOD TRUST</i>	Legal name of Forestry Operator: <i>NOT KNOWN</i>
Name of Agent: <i>NOT KNOWN</i>	Forest Tax Reporting Account No: <i>?</i>	UBI No: _____ Corp Tax ID No: _____ <i>?</i>
Mailing Address <i>P.O. BOX 8</i>	Mailing Address <i>?</i>	Mailing Address <i>?</i>
City State Zip <i>RAVENSDALE, WA 98051</i>	City State Zip <i>?</i>	City State Zip <i>?</i>
Phone (<i>425</i>) <i>432-3237</i> E-Mail: <i>MABRATHONDE@MSN.COM</i>	Phone (<i>?</i>) <i>?</i> E-Mail:	Phone (<i>?</i>) <i>?</i> E-Mail:

For information on tax reporting or tax numbers call the Department of Revenue at 1-800-548-8829.

Legal description:

Within ¼ sect. Of ¼ sect. of:	Section	Township	Range EW	Parcel Number
<i>NE ¼</i>	<i>36</i>	<i>3N</i>	<i>7E</i>	<i>189764-000</i>

We affirm that the information contained herein is true, and understand that this proposed Forest Practice is subject to the current rules and regulations of the Forest Practices Act, as well as any applicable Federal, State or Local rules and regulations. We the undersigned also affirm compliance with the Clark County Code Chapter 40.380. Compliance with this application/notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

1. Forest Practices Roads Section

Complete the chart below.

ACTIVITY TYPE	TOTAL LENGTH In Feet	STEEPEST SIDE SLOPE ROAD CROSSES In Percent	TOTAL LENGTH OF ENDHAUL/OVERHAUL No Sidecast. Show all Locations on Base Map
NEW ROAD CONSTRUCTION	≈ 1,000 FT	≈ 7%	NOT YET KNOWN TO BE DESIGNED W/ ENGINEERING
RECONSTRUCTED ROAD	—		
ROAD ABANDONMENT	—		

1.1. Will you be opening or expanding a rock pit as part of this proposal?

- No
- Yes. Indicate size from choices below
 - < 1/2 acre
 - 1/2 to 3 acres.
 - 3 acres

1.2. Do any proposed or existing roads cross any potentially unstable slopes? Typical signs include: Vegetative or Topographic indicators such as pistol butted trees, jack-strawed trees, or cracks in the soil surface, slopes over 30% or landslides (old or recent).

- No
- Yes

If unstable slopes are present, the project shall comply with Clark County Code Chapters 40.350 (Transportation and Circulations) and 40.430 (Geologic Hazard Areas).

1.3. Show and label the following items on the Base Map, a water typing map provided by Clark County.

- Location of all new construction, maintenance, existing roads, abandonment and landings.
- ? Location of end haul /overhaul construction and waste areas.
- MIA Location of rock pit(s) associated with this proposal.
- Location of haul route to public road.
- Location of unstable slopes

1.4. Describe how centerline and/or right-of-way limits will be marked on the ground.

TO BE SURVEYED & STAKED PRIOR TO CONSTRUCTION.

NOT REQUIRED FOR CLASS 109

2. Forest Practice Western Washington Small Landowner Exemption Section

This Section is For Conversion Option Harvest Plans Only

- 2.1 Do you own less than 80 acres of forest land in the State of Washington and is your proposal on a parcel of 20 contiguous acres or less under your single ownership?
- No. You do not qualify for the exemption. Complete all questions in Part 4, Forest Practices Water Section of this.
 - Yes. Go on to question 2.2.
- 2.2 Does a Watershed Analysis, issued on or before January 1, 1999, require any mitigation prescriptions? Please contact the Department of Natural Resources (DNR), if you require clarification.
- No. Go to question 3.
 - Yes, Watershed Analysis Name _____
 Area of Resource Sensitivity _____
 Applicable Prescription _____
 Describe how you will comply with the prescription(s) _____
- 2.3 Will you be harvesting within the Riparian Management Zone (RMZ) of any streams?
- No
 - Yes. Show RMZ's on the Base Map. Provide a detailed description of your RMZ proposal including all RMZ widths, and how you are marking the boundaries and leave or take trees within the RMZ. (use comment section below.)

3. Timber Harvest Section

Complete the chart below.

UNIT NO.	ACRES PER UNIT	TYPE OF HARVEST Even-aged, Uneven-aged, Salvage and/or Right of Way	METHOD OF YARDING Highlead, Skyline, Shovel, Rubber Tired Skidder, Tracked Skidder, Animal, Helicopter, Feller Buncher	TREES PER ACRE REMAINING AFTER HARVEST	ESTIMATED VOLUME TO BE HARVESTED In Board Feet
?	?	R/W 3 EVEN AGED	FELLER BUNCHER	NOT KNOWN	NOT YET KNOWN

- 3.1 Indicate how required Wildlife Reserve Trees (WRT's) and Green Recruitment Trees (GRT's) will be left outside of Riparian Management Zones and Wetlands. Down logs are also required. At least 2 down logs per acre shall be left. At a minimum down logs shall be 12 inches in diameter at the small end and 20 feet long. *THE 3.41 AC. HABITAT CONSERVATION TRACT WILL REMAIN UNTOUCHED WITH THIS PROJECT. EXISTING VEGETATION IS PRIME WILDLIFE HABITAT.*
- Check all that apply:

Wildlife Reserve Trees
See WAC 222-30-020(11)

Green Recruitment Trees
See WAC 222-30-020(11)

Minimum of 3 WRT's per acre greater than or equal to 12 inches DBH.

Minimum of 2 GRT's per acre greater than or equal to 12 inches DBH

Clumped in RMZ

Clumped in RMZ

Evenly distributed throughout unit

Evenly distributed throughout unit

3.2 Will you be harvesting timber on any potentially unstable slopes? Typical signs include: Vegetative or Topographic indicators such as pistol butted trees, jack-strawed trees, or cracks in the soil surface; Slopes over 30%; Landslides (old or recent).

- No
 Yes

If unstable slopes are present, the project shall comply with Clark County Unified Development Code Chapter 40.430 Geologic Hazards and 40.350 Transportation and Circulation.

3.3. What reforestation method will you use?

- Planting What tree species? _____
 Natural You must submit a reforestation plan. See instructions.

Reforestation is not required under WAC 222-34-010, 222-34-020 or 222-34-050.

3.4 Describe how harvest boundaries will be marked on the ground.

SILT FENCING WITH TREE PROTECTION FENCING WILL BE PUT IN PLACE PRIOR TO ANY CONSTRUCTION OR LOGGING ACTIVITY.

3.5 Show and label the following items on the Base Map, a water typing map provided by Clark County.

- The location of each harvest unit.
N/A For every even-aged unit, provide the ages for any adjacent forest stands you own.
N/A The location of Wildlife Reserve and Green Recruitment Trees if the clumping option was chosen.
 The location of the haul route to a public road.
N/A Landing location(s).

3.6 If your project results in a strip of trees left along a highway or power line, you shall notify Clark County Public Works Department and/or the Clark Public Utility District. Your notice to these agencies may help prevent accidents from falling trees and downed power lines.

4. Forest Practices Water Section

4.1 Will there be any activity within 250 feet of any Type S (Shoreline) stream?

- No
 Yes. The project shall comply with the State Shoreline Management Act Chapter 90.58 RCW, Clark County Shoreline Master Program and Clark County Code 40.460.010. A Shoreline Substantial Development Permit may be required by the local government entity (LGE). Provide Documentation.

4.2 Will there be any activity in relation to a Type F (Fish Bearing) stream which is within 200 feet of the bank-full width (BFW) or; channel migration zone (CMZ), which ever is greater?

- No
 Yes. The project shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation

4.3a Will there be any tree harvest within 100 feet of a Type Np (Non Fish Bearing Perennial) stream?

- No
 Yes. The proposal shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation.

4.3b Will there be any tree harvest within 75 feet of a Type Ns (Non Fish Bearing Seasonal) stream?

- No
 Yes. The proposal shall comply with Clark County Unified Development Code Chapter 40.440 Habitat Conservation

4.4 Will there be any harvest or road construction within 210 feet of any wetland?

No

Yes. The proposal shall comply with Clark County Code 40.450 Wetland Protection

4.5 Work within any Type S or F stream shall have an Hydraulic Project Approval (HPA). Work within a Type Np or Ns stream may require an HPA. Providing answers to the following questions serves as your request for an HPA from the Washington Department of Fish and Wildlife.

1. Will there be any activity within or over Type S or F stream?

No

Yes, as described: _____

2. Will there be any activity within or over Type Np or Ns stream?

No

Yes, as described: _____

FOREST PRACTICES DECISION

Forest Tax ID no:

FPA file no:

2009-14

SEPA file no:

2009-56

Decision Effective:

11-9-09

Decision Expires:

11-9-11

Landowner Notice:

Sections of RCW 76.09.070, RCW 76.09.390 and WAC 222-20-055 require that before any sale or transfer of land or perpetual timber rights which are subject to any continuing forest land obligations under rules adopted in 1982 and under RCW 76.09.370 adopted in 1999:

1. **The seller** shall notify the buyer of the existence and nature of such an obligation,
2. **The buyer** shall sign a Notice indicating their knowledge of the continuing obligation and,
3. At time of sale or transfer of the land or perpetual timber rights, **the seller** shall send the signed Notice of continuing forestland obligation to the Clark County Dept. of Community Development.

The Notice of Continuing Forest Land Obligation form may be obtained at the Clark County Permit Services Center, 1300 Franklin Street, Vancouver, Washington.

There are four types of Continuing Forest Land Obligations:

1. Reforestation;
2. Road Maintenance and Abandonment Plan;
3. Small Landowner Forest Riparian Easement.

If a **seller fails to notify a buyer** about the continuing forest land obligation, they shall pay the buyer's costs related to the continuing forestland obligation. Such costs include all legal and reasonable attorneys' fees incurred by the buyer in enforcing the continuing forestland obligation against the seller. The failure of a seller to send the required Notice to the DNR at the time of sale is prima facie evidence, in any buyer's legal action against a seller for costs related to continuing forest land obligation. The evidence shows that the seller failed to notify the buyer of the continuing forest land obligation before the sale.

If a landowner changes the forestry operator, they shall notify the Clark County, in writing, within 48 hours of the change.

Compliance with this application/ notification does not ensure compliance with the Endangered Species Act, or other federal, state, or local laws.

Failure to comply with the approved FPA may result in enforcement actions under CCC 40.260.080 Forest Practices.

Approved Forest Practice Application subject to the following conditions of approval:

1. SEE Permit & Rpt.
2. _____
3. _____
4. _____

Denied Forest Practice Application due to the following reasons:

1. _____
2. _____
3. _____
4. _____

Clark County Forester

Date

Distribution to:

- DOR
- DNR
- Landowner
- Seller
- Buyer
- Forestry operator

Landowner's Signature

Timber Owner's Signature

Forestry Operator's Signature

David L. Brattidge *David L. Brattidge*
 date: 06/28/2009 date: 06/28/2009 date: _____

STAFF USE ONLY

Date Received: _____ FPA No. _____ SEPA No. _____

Counter Complete Date: _____ Fully Complete Date: _____ Decision Date: _____

Class of Application

- Class I Forest Practice
- Class IV-G (SEPA Review Required) Conversion and/or Platted
- Class IV-Special (SEPA Review Required) COHP (Conversion Option Harvest Plan)
- Single Family Waiver from Six Year Moratorium (Plot Plan Required or Conceptual Building Envelopes Shown on Submittal)

Activity Type

- Harvesting 6.67 acres
- Chemical application to _____ acres
- Maintain _____ miles road
- Construction of _____ miles of new road

Office of the
CLARK COUNTY LAND USE HEARING EXAMINER

1300 Franklin Street
P.O. Box 9810
Vancouver WA 98668-9810
Phone (360) 397-2375

NOTICE TO PARTIES OF RECORD

Project Name: FISHWOOD SUBDIVISION

Case Number: PLD2009-00032; SEP2009-00056; WET2009-00046;
EVR2009-00026; FOR2009-00014; GEO2009-00013;
HAB2009-00046

The attached decision of the Land Use Hearing Examiner will become final and conclusive unless a written appeal is filed with the Board of Clark County Commissioners, 6th floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington, no later than 5:00 p.m. on, **November 9, 2009** (14 calendar days after written notice of the decision is mailed).

The Hearing Examiner's procedural SEPA decision is final and not appealable to the Board of County Commissioners.

All other appeals must be written and contain the information required under CCC 40.510.030(H), and placed in the following preferred format:

1. Project Name
2. Case Number
3. Name and signature of each petitioner: The name and signature of each petitioner and a statement showing that each petitioner is entitled to file the appeal under Section 40.510.030(H)(1). If multiple parties file a single petition for review, the petition shall designate one (1) party as the contact representative for all contact with the responsible official.
4. Introduction:
Provide a brief history of the case. This should include a chronology of dates of related applications, cases numbers, and a description of the proposal as it relates to the decision being appealed
5. Standard of Review:
Describe what standard of review (i.e., board's discretion to reverse the examiner's decision) you believe applies to board's review of the alleged errors (e.g., substantial evidence for challenges to findings of fact; de novo review for code interpretation; or, clearly erroneous for issues involving application of code requirements to particular facts).
6. Alleged Errors/Response to Alleged Errors:
Identify the specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error (i.e., reference the relevant exhibits and passages, court cases, etc.).

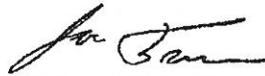
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project planned over time. **The applicant shall Contact the DOE for further information.**

H	Post Development Requirements Review & Approval Authority: As specified below
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H-1 None

DATED this 26th day of October 2009.



Joe Turner, AICP, Hearings Examiner