SCHRANDT Connie

From: JLSmits@aol.com
Sent: Friday, May 19, 2006 9:41 AM
To: SCHRANDT Connie
Subject: Re: Chaney - North House

Connie,

Thanks for taking the time to respond. Helps me. I assume Chaney could build upward to gain space, keeping the same number of bedrooms using the existing foundation, with, floor plan, site plan, sign off the statement as long as the existing foundation would support 2 stories.

I would say however that the proposed repair of the south house did not trigger the need for a full geo, but the use of the previously full geo'd and denied tax lot 1200 resulted in an additional critical review by Rodney Weick and the holding tank only offer. I should have tried to come up with a repair entirely on tax lot 1400.

Thanks again,

John

In a message dated 5/19/2006 9:03:40 AM Pacific Standard Time, Schrandt.Connie@deq.state.or.us writes:

> John,
> I've attempted to answer your questions below. Hope this helps.
> Connie
>
> -----Original Message-----
> **From:** JLSmits@aol.com [mailto:JLSmits@aol.com]
> **Sent:** Thu 5/18/2006 9:22 AM
> **To:** SCHRANDT Connie
> **Cc:**
> **Subject:** Chaney - North House
>
> Connie,
>
> Help me understand your S. O. P. for building permits. If John Chaney proposes to remodel his existing north house within the limits of the existing footprint and does not increase the number of bedrooms, what is your process? I assume the building permit application comes to you for sign off. Do you review a site plan showing an existing system? Do you ask for a floor plan?
> For remodels with no change in bedrooms or house footprint, we usually sign off if provided with floor plans showing the proposed changes and a site plan (which we stamp and have the owner sign) showing that setbacks to the existing onsite system will be maintained. The stamp reads: "I hereby certify that the attached plan accurately reflects the size and position of my sewage disposal system, that said system is not failing through discharge to ground surface or public water, and that the proposed construction will not interfere with the said system." Owners are also informed of their responsibility for repair if their system fails.
>
> There have been a few exceptions where repairs or alterations were required before signoff could be given. In two cases, we knew the existing systems were installed without a permit; both standard systems on lots in Gearhart way less than 0.5 acres.

At what point do you ask for an application and fee for an Existing System Evaluation Report or Authorization Notice with its record review of field visit. Each county I work in seems to be a little different.

Authorization Notice applications are required as per rules...if there is a change in # of bedrooms or other increase in sewage flow, footprint of a proposed addition encumbers existing system and/or setbacks, proposed replacement of a house, proposed connection to system not in use, hardship, etc. Existing system evaluations are not very common. I've done a couple for floathome owners with existing onsite systems that we had no record of...but only to establish a record and confirm that they were not discharging to the river.

I'm trying to guide John Chaney in understanding his options and need to know what level of improvement or expansion of the existing structure will cause you to request a full geo report and obviously, Rodney Weicks review of such a report? Just what can John Chaney do with the north house that is served by an existing on-site system?

Indeed, authorizations for which a repair or alteration is required prior to signoff may lead to a request for geohazard studies, as was the case with the repair application for Chaney's south house.

Thanks!

John

John L. Smits, REHS
Smits & Associates, Inc.
16878 SW Gassner Lane
Lake Oswego, OR 97035-4524
Office: (503) 699-2696
Fax: (503) 699-2876
Cell: (503) 804-0056
Email: jlsmits@aol.com

Property History

Account ID:2444

Legal Description:

Legal Type	Subdivision	Lot	Block	Tract
Lot Block	Norriston Park	4	1	

Additional Information:

'02 From 41018ba - 300 to 41018bb - 1400

Account History:

Owner(s):

Current Ownership:

Owner Name	Ownrshp %	Type
Holmes Julie		Tenants Entirety
Holmes Cameron		Tenants Entirety

Ownership History:

Create Dte	Effctive Dte	Instrmnt ID		
06/21/2005	07/30/1999	9909991	Chaney John R	Husband & Wife
06/21/2005	07/30/1999	9909991	Chaney Patricia K	Husband & Wife
02/02/2009	01/13/2009	200900744	Holmes Julie	Tenants Entirety
02/02/2009	01/13/2009	200900744	Holmes Cameron	Tenants Entirety

Voucher History:

Voucher 1
Source: **Clerk** | Effective Date: **01/13/2009** | Map Key: **41018BB01400**
Document Type Code: **Warranty Deed** | Date Created: **02/02/2009** | Instrument Id: **200900744**
Operation: **Name Change** | Completed Date: **02/02/2009** | Book:
Operation Type: **Name** | Voucher Type: **Assessment** | Page:
Completeness Status: **Completed** | Consideration: **$25,000** | Status: **Active**
Partition Flag: **No** | Remarks:
User Id: **CHARRIS**

Voucher 2
Source: **Misc** | Effective Date: **07/30/1999** | Map Key: **41018BB01400**
Document Type Code: **Subscribers Err** | Date Created: **06/21/2005** | Instrument Id: **9909991**
Operation: **Name Change** | Completed Date: **06/21/2005** | Book:
Operation Type: **Name** | Voucher Type: **Assessment** | Page:
Completeness Status: **Completed** | Consideration: | Status: **Active**
Partition Flag: **No** | Remarks: **to correct vesting deed reference**
User Id: **DMILLER**

Voucher 3
Source: **Assessment** | Effective Date: | Map Key: **41018BA00300**
Document Type Code: **Cartography** | Date Created: **02/22/2002** | Instrument Id:
Operation: **Map Change** | Completed Date: **02/22/2002** | Book:
Operation Type: **Map** | Voucher Type: **Assessment** | Page:
Completeness Status: **Completed** | Consideration: | Status: **Active**
Partition Flag: **No** | Remarks: **From 41018ba - 300 to 41018bb - 1400**
User Id:

Oregon
Theodore R. Kulongoski, Governor

Department of Environmental Quality
Northwest Region North Coast Branch Office
65 N Highway 101, Suite G
Warrenton, OR 97146
(503) 861-3280
FAX (503) 861-3259

May 2, 2006

John & Patricia Chaney
P.O. Box 8858
Portland, OR 97207

RE: **Repair Permit Denial**
Township/Range/Section: T4N, R10W, S18BB; Tax Lot No. 1400 (via easement onto Tax Lot No. 1200), Clatsop County

Dear John & Patricia Chaney:

The above-described property was evaluated for suitability of a repair to the existing septic system on the following date: April 17, 2006. Unfortunately, we are unable to issue the requested repair permit because the conditions of the site are not acceptable for either a standard or an alternative onsite wastewater treatment system replacement. This determination is based upon current Department of Environmental Quality (DEQ) regulations governing onsite sewage disposal, Oregon Administrative Rules (OAR) Chapter 340, Divisions 71 and 73.

The proposed repair permit is denied based on OAR 340-071-0220(1)(g) which prohibits the construction of an onsite wastewater treatment system on an unstable landform that might adversely affect the operation of the system. Specifically, issues of site stability, bluff retreat and related surface/subsurface hydrology described in this site evaluation remain unresolved.

Background Information

As you are aware, the proposed replacement system is located on tax lot (TL) #1200, the adjacent lot to the north, which was denied for onsite sewage treatment and disposal in the site evaluation report dated June 1, 2005, due to the following conditions:

- Saturated soil conditions indicating temporary groundwater in the soil occurring within 4 to 8 inches of the ground surface,
- An escarpment located down slope of the proposed systems that was closer than the minimum setback of 50 feet required for escarpments that intersect the effective soil depth,
- A spring located less than 50 feet up slope of the proposed disposal trenches and
- Insufficient suitable area for initial and replacement onsite system disposal areas meeting all required setbacks.

The denial letter for TL #1200 also noted that the effectiveness of the existing groundwater interceptor in lowering groundwater levels throughout the area of the proposed initial and replacement disposal trenches would need to be demonstrated, and it acknowledged that an assessment of potential geological hazards associated with the property was underway.

TL #1200 was also denied several variances from the Onsite Wastewater Treatment System Rules in a letter dated March 16, 2006. The variances requested were based on the plan and stakeout of a proposed onsite system submitted by Smits & Associates, Inc. and dated December 30, 2005, and on Department

reviews of the Geological Hazard Report prepared by Horning Geosciences dated July 25, 2005, along with information in six affadavits submitted by the applicant, Cameron Holmes, at the variance hearing on February 9, 2006, and ODOT aerial photographs from 1975 and 1984. The variance officer's finding was that the development limitations of the property, specifically the close proximity of the disposal areas to the escarpment and the unresolved questions related to site stability as a whole, have not been fully addressed.

Denial of Construction/Installation Permit for Repair

There are no records on file at the Department's North Coast Branch Office (NCBO) of a septic system serving this property. Based on information provided with your application and on observations made during a site visit with John Smits on August 30, 2005, the existing septic system consisted of a cesspool (of less that 500 gallons capacity) connected to an "overflow" corrugated pipe that runs downhill north onto TL #1200, then south back onto TL #1400 to an outfall at ground surface approximately 25 feet from the edge of the bluff. Pot-holed portions of the corrugated pipe showed 18 to 24 inches of soil cover. The cesspool was removed when the groundwater interceptor, now associated with the proposed replacement onsite system, was installed last year.

This site evaluation was based on soil and site features evaluated during the field visit on April 17, 2006, and on review of a proposed plan from Smits & Associates, Inc. submitted with your application depicting the physical stakeout of a sand filter system with initial and replacement disposal areas sized for a single-family dwelling with up to 2 bedrooms. The proposed system includes the existing groundwater interceptor, installed to a depth of 72 inches and located 23 to 26 feet upgradient of the staked disposal trenches. The design sewage flow capacity of the proposed system is 300 gallons per day, which is consistent with OAR 340-071-0220(2)(A) allowing for development of single-family dwellings on lots created before March 1, 1978.

Although the plan/stakeout of the proposed system and the soil test pit evaluation confirm that required setbacks from the escarpment or ocean bluff can be maintained, the questions of site stability and the effectiveness of the groundwater interceptor remain unresolved. As reported in the DEQ internal memo from Rodney Weick dated March 15, 2006 (attached for your reference), further investigation is warranted to demonstrate 1) if the site is or is not underlain by an unstable landform and 2) if there is sufficient bluff setback to protect the proposed onsite system for the expected life of the existing residential structure.

I acknowledge that soil conditions indicating the upper level of temporary groundwater from the site evaluation denial on TL #1200 may actually be associated with the uplifted marine sediment parent material. However, standing water was observed in the two northern-most test pits provided for the site evaluation on TL #1200 on several occasions over the past year, including the field visit on April 17, 2006. Prior to installing the groundwater interceptor, an area of surfacing water indicating potential spring activity was identified, but its source was never confirmed. The groundwater interceptor was installed such that it crosses immediately upslope of the area where surfacing water was observed. Although several observation ports were installed along its length, there is no place to observe outfall from the interceptor because the perforated pipe at the south end is connected to solid pipe that leads to the beach below the escarpments.

I maintain that groundwater conditions and potential spring activity are related to the unresolved site stability issues. Consultation with a knowledgeable engineering geologist on the feasibility of specific geotechnical studies used to resolve the site stability issues is strongly advised.

Possible Alternative

As described above, the site and soil limitations on your property (TL #1400) and the adjacent property to the north (TL #1200) do not leave a big enough area of appropriate soils to allow the installation of a safe, reliable onsite wastewater treatment system replacement under a DEQ construction/installation permit. The following alternative is suggested.

Obtain a Water Pollution Control Facilities (WPCF) permit for a holding tank - You may apply for a Water Pollution Control Facilities (WPCF) permit for a holding tank to serve a single-family dwelling. Such a system requires the tank to be installed with an alarm that sounds when the tank is 75% full, a signed contract with a licensed sewage disposal service for pumping and tank maintenance, annual reporting to the DEQ of when the tank is pumped and associated annual compliance determination fees. The WPCF permit is renewable and must be maintained for as long as the system is in use. NOTE: This alternative is considered appropriate only for the existing 2-bedroom house. It may also be an appropriate temporary solution while the site stability issues are being addressed.

If you are interested in the WPCF-permitted holding tank alternative, please contact the undersigned for more details before you proceed. If you believe that an error was made in the evaluation of your property, you may apply for a Permit Denial Review within 60 days of the issue date of this letter at a cost of $260. Under a permit denial review application, other onsite program staff from DEQ will review the application and your property, and a determination will be made in writing.

If you have any questions or concerns about this report, please feel free to call me at (503) 861-3280.

Sincerely,

Connie M. Schrandt

Connie M. Schrandt
Natural Resources Specialist

Enc. Field Worksheet & Plot Plan
DEQ Memo - March 15, 2006

cc: Smits & Associates, Inc., 16878 SW Gassner Ln., Lake Oswego, OR 97035-4524
Cameron Holmes, 3419 E. Gold Dust Ave., Phoenix, AZ 97035-4524

EVALUATION FIELD WORKSHEET

Township: 4N Range: 10W Section: 18BB Tax Reference: 1400 Parcel Size: 50' x 138' ~ 0.16 acre

Owner/Applicant: Chaney / Smith & Assocs., Inc. Evaluator: CMS

Inspection Date(s): 4-17-06 Application Number: 400634

	DEPTH	TEXTURE	SOIL MATRIX COLOR AND CONDITIONS ASSOCIATED WITH SATURATION, ROOTS, STRUCTURE, EFFECTIVE SOIL DEPTH, ETC...
Pit 1	0-13/15	SiL	10YR3/1, m+f 1SBK; common v.f.f.+m roots, wavy boundary
	13/15-45	↓	10YR4/4; " 1-2SBK; few f.+m. root channels to ~25" bgs; few f. roots to ~38" bgs; fe. faint m's CRMF's (10YR5-4/2) in NW corner @ 18-25" associd w/org. decomp. & parent material
Pit 2			
Pit 3			
Pit 4			

Landscape Notes: Coastal Bluffs

Slope: ~ 25-29% Aspect: W Groundwater Type: No evidence

Other Site Notes: Proposed system located on TL #1200, Eadi's lot N.J (see plot plan attached)

SYSTEM SPECIFICATIONS

Design Flow: _____ gpd

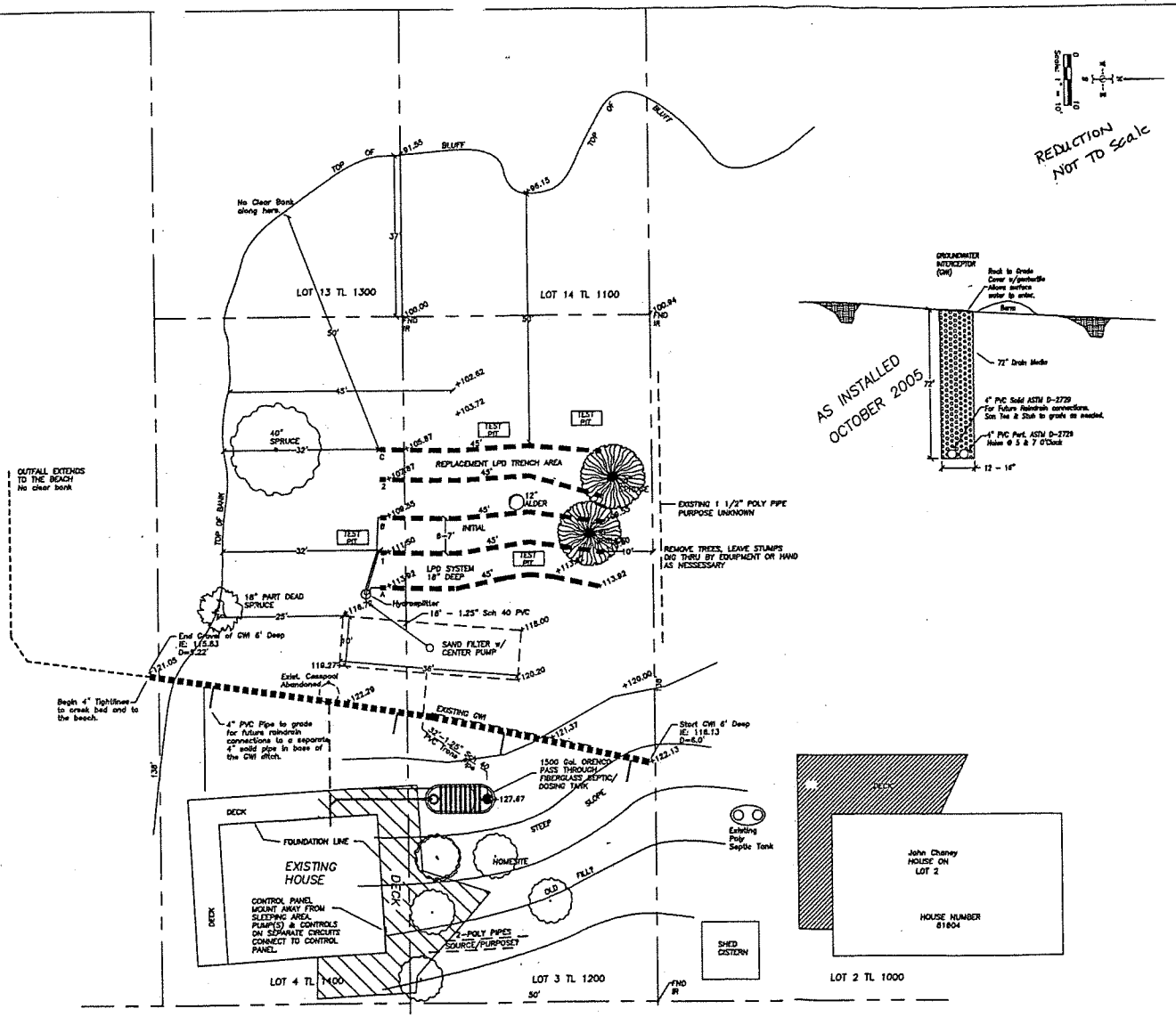
Initial System: _____ **ATT Treatment Standard:** _____

Disposal Facility: _____ linear feet/square feet Maximum Depth: _____ inches Minimum Depth: _____ inches

Replacement System: _____ **ATT Treatment Standard:** _____

Disposal Facility: _____ linear feet/square feet Maximum Depth: _____ inches Minimum Depth: _____ inches

Special Conditions: Denied - unresolved issues related to overall site stability - alternative holding tank via WPCF permit, located near East end of TL #1200 for accessibility, easement required



GENERAL NOTES

THE 2002 ODOT/APWA OREGON STANDARD SPECIFICATION FOR CONSTRUCTION, WILL BE CONSIDERED THE STANDARD SPECIFICATIONS.

THE OWNERS CONTRACTOR SHALL BE LICENSED BY THE OREGON DEQ AS A SEWAGE DISPOSAL SERVICE COMPANY AND BE BONDED. CONTRACTOR SHALL HAVE INSTALLED SIMILAR SYSTEMS OF THIS COMPLEXITY.

THE CONTRACTOR SHALL NOTIFY ALL AFFECTED UTILITIES FOR LOCATIONS OF MAINLINE AND SERVICE LINE LOCATIONS PRIOR TO DIGGING. UTILITIES WHICH ARE DAMAGED AND WERE MARKED PROPERLY WILL BE REPAIRED BY THE CONTRACTOR AT HIS COST. UTITIES WHICH ARE DAMAGED BY THE CONTRACTOR AND WERE UNMARKED OR IMPROPERLY MARKED, WILL BE PAID FOR BY THE AFFECTED UTILITY COMPANY. CONTRACTOR SHALL CONTACT "ONE-CALL" AT LEAST 48 HOURS PRIOR TO CONSTRUCTION. 1-800-332-2344
CONTRACTOR TO POTHOLE ALL EXISTING UTILITIES PRIOR TO BEGINNING CROSSINGS TO INSURE CLEARANCE BETWEEN EXISTING UTILITIES PIPING. ANY CONFLICTS NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER OR HIS FILED REPRESENTATIVE TO REQUEST CLARIFICATION BEFORE ORDERING AFFECTED MATERIALS OR WORK.

LOCATIONS ARE APPROXIMATE. DISPOSAL TRENCHES HAVE BEEN STAKED IN THE FIELD BY THE DESIGNER. THE OWNER/CONTRACTOR TO GIVE AT LEAST THREE DAYS NOTICE TO THE DESIGNER/ENGINEER PRIOR TO CONSTRUCTION TO ADJUST OR CHANGE STAKING.

CONTRACTOR TO MAINTAIN MINIMUM 10 FT. HORIZONTAL SEPARATION (EDGE TO EDGE) BETWEEN THE WATER MAIN AND SEWER MAINS AND PRESSURE TRANSPORT PIPES.

AS-BUILT RECORDS ARE THE RESPONSIBILITY OF THE CONTRACTOR OR OWNER. ONE SET OF RED LINE NOTES ON A SET OF PLANS SHALL BE GIVEN TO THE DESIGNER OR COUNTY AGENT FOR INCORPORATION INTO THE FINAL AS-BUILT RECORD AND OPERATION AND MAINTENANCE MANUAL.

ALL MATERIALS SHALL BE OF THE MODEL, BRAND, TYPE ETC. LISTED FROM THE MANUFACTURER(S) SPECIFIED, UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE DESIGNER OR ENGINEER AND THE REGULATORY JURISDICTION. SUBSTITUTION OF MATERIALS AND EQUIPMENT SHALL RECEIVE PREAUTHORIZATION AND THE CONTRACTOR WILL BE RESPONSIBLE TO PROVIDE PERFORMANCE AND OPERATING DATA FOR REVIEW.

SUMMER CONSTRUCTION REQUIRED. UNLESS WAIVED BY DESIGNER AND OR REGULATORY AUTHORITY CONTRACTOR OR OWNER TO NOTIFY DESIGNER/ENGINEER DURING THE DIFFERENT STAGES OF CONSTRUCTION OF THE COLLECTION, TANK, SAND FILTER AND "DRAINFIELD" SYSTEM. TO ALLOW OBSERVATION OF COMPLIANCE WITH THE APPROVED PLAN FOR CERTIFICATION TO DEQ IF REQUIRED.

North Coast DEQ Staff will make inspections unless the designer is delegated that responsibility.
INSPECTIONS THAT WILL BE MADE BY THE DESIGNER IF REQUESTED TO AUGMENT DEQ INSPECTIONS:

PRECONSTRUCTION CONFERENCE INCLUDING DESIGNER, CONTRACTOR AND ELECTRICIAN.

1. DURING/AFTER TANK INSTALLATION TO OBSERVE & CONFIRM EXFILTRATION TESTS.
2. (A) PREP SAND FILTER BOX W/LINER, (B) UNDERDRAIN, PUMP BASIN WHEN USED, MEDIA; (C) SAND LOADED LATERALS, PRIOR TO PLACEMENT OF UPPER UNDERDRAIN MEDIA.
3. AT SPECIFIC STAGES OF THE CONSTRUCTION OF THE STANDARD SERIAL TRENCH SYSTEM.
4. FOLLOWING THE INSTALLATION OF THE EFFLUENT FILTER AND PUMP(S) CONTROL OR ALARM PANELS. ELECTRICAL POWER TO BE AVAILABLE FOR THIS INSPECTION.
5. FOLLOWING THE BACKFILLING OF THE SYSTEM.

**ALL SEPTIC AND DOSING TANKS ARE TO BE WATER TESTED. THE TEST PROCEDURE IS LISTED ON THE PLAN AND DETAIL SHEETS.

EXCEPT AS SPECIFICALLY SET FORTH BY THE LAWS AND COURTS OF THE STATE OF OREGON, THERE IS NO WARRANTY EXPRESSED OR IMPLIED, INCLUDING THE WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE FOR THE EQUIPMENT AND MATERIALS SPECIFIED IN THESE PLANS. THE PURCHASER OR OWNER MAY HAVE CERTAIN RIGHTS AND RESPONSIBILITIES OF WARRANTY DIRECTLY WITH THE MANUFACTURER OF THE INDIVIDUAL COMPONENTS.

SYSTEM:

SAND FILTER: 360 sq. ft. (10' X 36') Buried "Box"
DISPOSAL TRENCHES: Min. 135 ft. 18" deep, Low Pressure Distribution system.
DEVELOPMENT LIMITED TO NO MORE THAN TWO (2) BEDROOMS.

ELEVATION KEY:
TBM= 100.00' Top of IR indicated on site plan
+100.25 Ground surface elevation

TOP SAND FILTER BOX:	120.70
TOP SAND FILTER LATERALS:	120.20
SF CENTER PUMP BASIN:	114.70

SEPTIC/DOSE TANK COMBO:	1,500 gal. (Pass Thru Tank)
GROUND SURFACE:	127.70
TANK TOP:	124.20
TANK INLET:	123.38
PUMP BASE:	120.83
LENGTH OF RISER:	18 to 24"

STATIC LIFT:

Top of the Sand Filter Laterals:	120.20
Base of Pump Vat:	128.83
Pumping downhill need Anti-siphon	(8.63)

STATIC LIFT:

HYDROSPLITTER:	114.50
SAND FILTER PUMP:	114.70
Pumping downhill need Anti-siphon	(0.20)

Pipe to filter: 1.25" Sch. 40 PVC=35'
Pipe S. Filter to Hydrosplitter: 1.25" Sch 40. PCV=18'
For hydraulics, see pump curves in subsequent plan sheets.

PROPOSED REPAIR

OVERALL SITE PLAN

REGISTERED ENVIRONMENTAL HEALTH SPECIALIST
STATE OF OREGON
John L. Smits
EXPIRATION DATE 12/31/06

+99.20 Ground surface elevation Relative to TBM.

John Chaney South
81060 Arcadia Road
T.4N.,R.10W.,Sec.18BB TL 1400
Clatsop County

Smits & Associates, Inc.
Environmental Consultants - Designers
16678 S. W. Gammer Lane
Lake Oswego, OR 97035-4524
John L. Smits, RSHS
Ph. (503) 699-2696
Fax (503) 699-2276

DATE: Mar. 30, 2006 SHEET No. 1 OF 1

State of Oregon
Department of Environmental Quality Memorandum

Electronic Submitttal (Adobe Acrobat pdf file)

Date: March 15, 2006

To: Gary Artman, DEQ

From: Rodney Weick, DEQ, CEG E1348

Subject: Engineering geologic site stability review,
Tax lot 1200, Map 4N 10W 18BB,
Lot 3, Block1, Noriston Park, Arcadia Beach
Clatsop County, Oregon

Electronic signature

Reference materials:

1. Horming Gesciences, July 25, 2005, Geologic Hazard Report; Map 4N 10W 18BB; Tax Lot 1200; Lot 3, Block 1, Noriston Park; Arcadia Beach, Clatsop County
2. Affidavits of Cameron Holmes, Nos. 1, 2, 3, 4, 5, 6
3. Facsimile transmittal of easement agreement for groundwater interceptor (GWI) drain
4. DEQ e-mail by Rodney Weick to Gary Artman dated February 8, 2006; Review comments of the Geologic Hazard Report; Map 4N 10W 18BB; Tax Lot 1200; Lot 3, Block 1, Noriston Park; Arcadia Beach, Clatsop County
5. Aerial Photographs:
    - Stereoscopic pairs:
        - ODOT 1975 CLB-28 1-1, 1-2 (Scale 1"=500')
        - ODOT 1975 CLB-31 1-3, 1-4
        - ODOT 10-2-75 OC-21 7-8, 7-9
        - ODOT 7-25-73 OC-17 18-8, 18-9
        - ODOT 7-21-71 OC-13 21-8, 21-9
        - ODOT 1975 CLB-30 1-1, 1-2 (Scale 1"=250')
        - ODOT 3-3-84 OC-23 7-9, 7-10
        - ODOT 1-13-84 OC-23 7-8, 7-9

Rule citation: OAR340-071-0220(1)(g) – The site is not on an unstable landform that might adversely affect operation of the system.

Attachments:

Figure 1. Enlargement of ODOT aerial photograph CLB 1-3 (1975)
Figure 2. Enlargement of ODOT aerial photograph CLB 1-3 (1975) showing interpretion of geomorphic landform indicative of landslides

Background:

The Department of Environmental Quality (DEQ) received a copy of the Horning Geosciences geologic hazard report (Reference 1). The report was reviewed by DEQ's certified engineering geologist. DEQ's review comments are provided in an email submitted to Gary Artman, DEQ Variance Officer, on February 8, 2006 (Reference 4).

A variance hearing was held at the subject lot on February 9, 2006. Affidavits (Reference 2) to counter the findings in the geohazard report were submitted to Mr. Artman during the variance hearing. Copies of these affidavits were provided to and reviewed by DEQ's certified engineering geologist. In addition, DEQ obtained from the Oregon Department of Transportation (ODOT) stereoscopic pairs of aerial photographs (Reference 5) to review geomorphic features of landslides. The analysis of the aerial photographs was conducted by DEQ's certified engineering geologist.

Geohazard report and email of summary of findings:

The geohazard report (Reference 1) was prepared by an Oregon licensed certified engineering geologist familiar with coastal Oregon geology and geologic hazards. The report identifies several potential geologic hazards that may affect site stability. Chief factors identified are:

- Recent and/or active landslides present on adjacent properties;
- Evidence of bluff retreat that is encroaching upon the property;
- Professional opinion that infers slump failures to occur within the proposed drainfield area of the subject property.

The report does not specifically state there are landslide features on the subject lot.

The report addresses the risk of bluff retreat, that would adversely affect stability of the subject lot as follows:

- Moderate risk: 20 years, ±10 years;
- High risk: 50 years, ± 25 years;
- Extreme risk: 100 years, ± 50 years.

Expected life expectancy for a residential structure is generally 50 or more years.

DEQ's staff Oregon certified engineering geologist reviewed the geohazard report. DEQ concurred with the findings and conclusions provided in the report. DEQ further concluded that additional geotechnical investigation to verify the findings in the report should be performed before proceeding further with the domestic on-site wastewater treatment system approval.

Affidavits prepared by Mr. Cameron Holmes:

Several affidavits prepared by Mr. Cameron Holmes (Rreference 2), prospective buyer of the property, were submitted to the DEQ variance officer at the variance hearing on

February 9, 2006. DEQ's variance officer requested a review of the documents by DEQ's certified engineering geologist.

The affidavits provide Mr. Holmes' opinion, based on his personal review of aerial photographs and site visits, and opinions by individuals other than registered geologists certified engineering geologists or geotechnical engineers that the site is stable. The affidavits provide the following:

- Mr. Holmes' opinion that significant bluff retreat has not occurred based on a measurement comparison of features shown on several aerial photograph images taken between 1967 and 2000;
- Information that:
  - Groundwater was not encountered in shallow test pits excavated on the site;
  - Precipitation did not results in standing water in the test pits; and
  - The information indicates groundwater level did not rise to the bottom of the test pits during the two-month period the precipitation measurements were made;
- Presence of a recently installed groundwater interceptor trench excavated in the eastern portion of the site; and
- The opinion that:
  - The slope has not moved since it was platted in 1894; and
  - The specific lot has remained stable for at least 80 years.

Review comments:

1. Review of Stereoscopic pairs of aerial photographs.

   DEQ's certified engineering geologist reviewed stereoscopic pairs of the aerial photographs listed in Reference 5. Stereoscopic pairs of aerial photographs provide a "3-D" representation of geomorphic features indicative of landslides, such as major and minor scarps, grabens, lobate toe-of-slope, vegetation lineaments, realigned drainages, fresh/youthful scarp features, subdued or older scarps features affected by weathering and mass wasting processes, and arcuate lineaments, color/tonal variations and other features indicative of landslide morphology. Applying indicator parameters of landslide morphology, DEQ's certified engineering geologist observed such features in the aerial photographs reviewed. Using ODOT aerial photographs CLB-31 1-3 and 1-4 stereoscopic pair as an example, DEQ provides the following discussion of observed geomorphic features:

   - Figure 1 represents an enlargement of ODOT aerial photograph CLB-31 1-3 taken in 1975.

   - Figure 2 represents geomorphic features that indicate the adjoining properties are likely underlain by unstable landforms and, at a minimum, a portion of the subject lot may also be underlain by an unstable landform. The approximate location of the subject lot is shown on the enlarged image. Applying indicator parameters for recognition of landslide geomorphology, the following was observed:

- Landslides are well defined on the adjacent properties to the south, west and north;
- Older (subdued) landslide features are observed east of the property;
- The entire Noriston Park subdivision lies within an old complex landslide, which extends east of US Highway 101;
- Multiple arcuate morphologic features (indicative of smaller landslides) were observed within the larger complex landslide. The subject lot lies within the southern lateral margin of one of these features;
- Several "stepped" breaks in the slope were observed between the beach and the top of slope west of the subject lot and west of the adjacent lots. These breaks appear to represent landslide slump blocks that individually have a limited lateral displacement, but cumulatively can represent a large lateral displacement. The initiated failure mechanism is likely wave action erosion in combination with other factors such as groundwater elevation and/or degree of soil saturation. Typically, the lowest block fails, reducing resisting force for the next block, which then fails. The process continues until the overall slide complex self-stabilizes, i.e. resisting forces become equal to driving forces Factor of Safety (FS) equals 1. The geomorphic indicators observed in the stereoscopic pairs of aerial photographs support the stepped mass wasting landslide process.
- An arcuate break in slope transects the lot to the south and the western portion of the subject lot. The break in slope is most likely less than a few feet in vertical height. The west side appears down-dropped relative to the east side. This feature is consistent with observed scarps associated with landslides on adjacent properties. It is also consistent with approximate location of the inferred easternmost failure surface shown on the geologic cross-section in the geohazard report. However, other explanations for this feature may be possible such as a cut made during past logging practices in the area; and
- The bluff retreat slumps appear to occur as rotational slumps with limited horizontal displacement.

2. Review of Affidavits

The affidavits can be grouped into three categories, a) bluff retreat, b) site stability, and c) precipitation data and analysis. DEQ's comments are provided below.

- Bluff retreat: Bluff retreat rate is an average based on multiple factors. Key among these is the displacement history determined from aerial photographs. Mr. Holmes' measurements are based on the vegetation line observed in 1967 and 2000 aerial photographs. While this measurement process may indicate little retreat at the toe of slope, it does not address the mass wasting process occurring upslope since the last lateral displacement of the lowermost slide block. It also does not address the formation of new scarps upslope as the stepped failures migrate upslope encroaching into the subject lot. The bluff retreat analysis provided by Mr. Holmes, fails to address the geomorphic features indicative of a landslide scarp within the area of the proposed drainfield.

- Site stability: OAR 340-071-0220(1)(g) prohibits the placement of an on-site system on an unstable landform. The regulation does not state the unstable landform must be active. The regulation encompasses older landslides. Standard geotechnical practices consider a landform stable if the static FS is 1.5 and the seismic FS is at least 1.2, i.e. resisting forces are 1.5 and 1.2 times greater that driving forces, respectively. There is sufficient geomorphic evidence to indicate that, at a minimum, the western portion of the subject lot may be underlain by an unstable landform. The FS for the subject lot is in question at this time.

- Data and analysis: The use of the rainfall data provides information on the amount of precipitation the site and Arcadia Beach area receives. Because groundwater levels were not observed in the open shallow trenches excavated as part of the site evaluation for an on-site wastewater treatment system, does not mean that:

    - Precipitation is not affecting groundwater elevation underlying the site; or
    - Groundwater is not a factor for site stability.

    The information provided in the affidavit indicates:

    - The site receives a significant amount of rainfall;
    - Standing water was not observed in the test pits; and
    - (inferred) Groundwater is lower than the bottom of the test pits, i.e. deeper than 33 inches below ground surface.

    The information does not address the following:

    - Effectiveness of the groundwater interceptor trench excavated upslope of the test pits;
    - The actual depth to groundwater or seasonal fluctuation; or
    - The effect of groundwater elevation on site stability.

    The affidavit only indicates that groundwater is more than 33 inches below ground surface at the site. Therefore, it can be used as an upper limit for a stability analysis. Likewise the depth of the groundwater interceptor can be used to establish an upper bounding limit for the phreatic surface in a stability analysis. The information provided by itself is insufficient to determine site stability.

Conclusion:

It is DEQ's conclusion that sufficient evidence is present to indicate the site or a portion of the site may be underlain by an unstable landform based on the evidence provided by the geohazard report and review of stereoscopic pairs of aerial photographs. DEQ recognizes that alternative explanations may be provided to explain the geomorphic features observed on the aerial photographs. However, the geomorphic features meet most of the indicators for landslide landforms. The affidavits provide insufficient

information to draw conclusions that the site is stable. However, the affidavits provide some information useful in the process to determine site stability.

Based on the review of the aerial photographs, the geohazard report and affidavits, it is DEQ's opinion that further investigation is warranted to demonstrate:

- The site or portion of the site is or is not underlain by an unstable landform. If it is underlain by an unstable landform, the groundwater interceptor trench effective lowers the water table such that the site has a static FS of 1.5 and seismic FS of 1.2;
- There is a sufficient setback for bluff retreat to protect the on-site system, disposal area and reserve disposal area from bluff retreat for the expected life of the residential structure.

ATTACHMENTS: Figures 1 and 2.

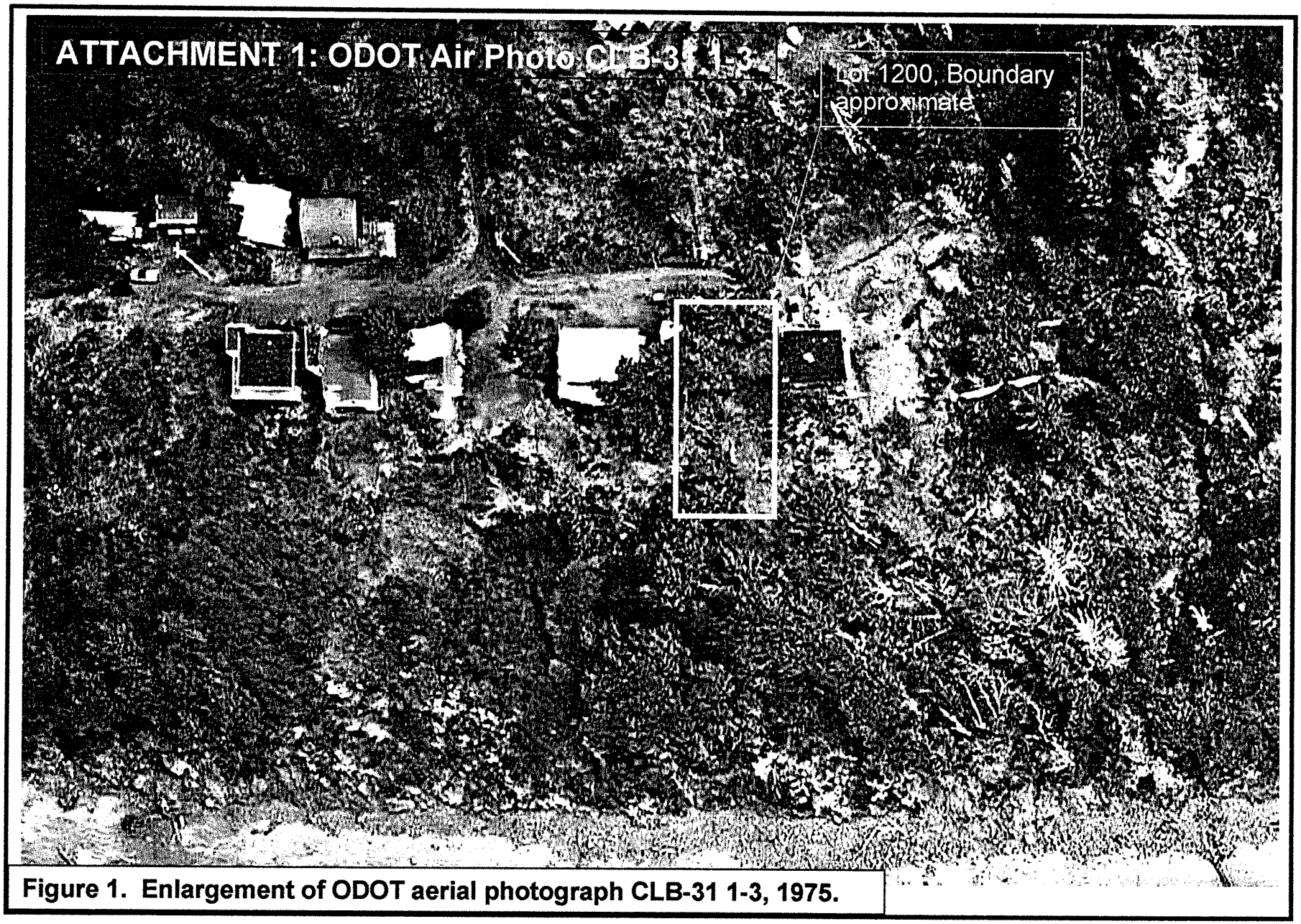


Figure 1. Enlargement of ODOT aerial photograph CLB-31 1-3, 1975.

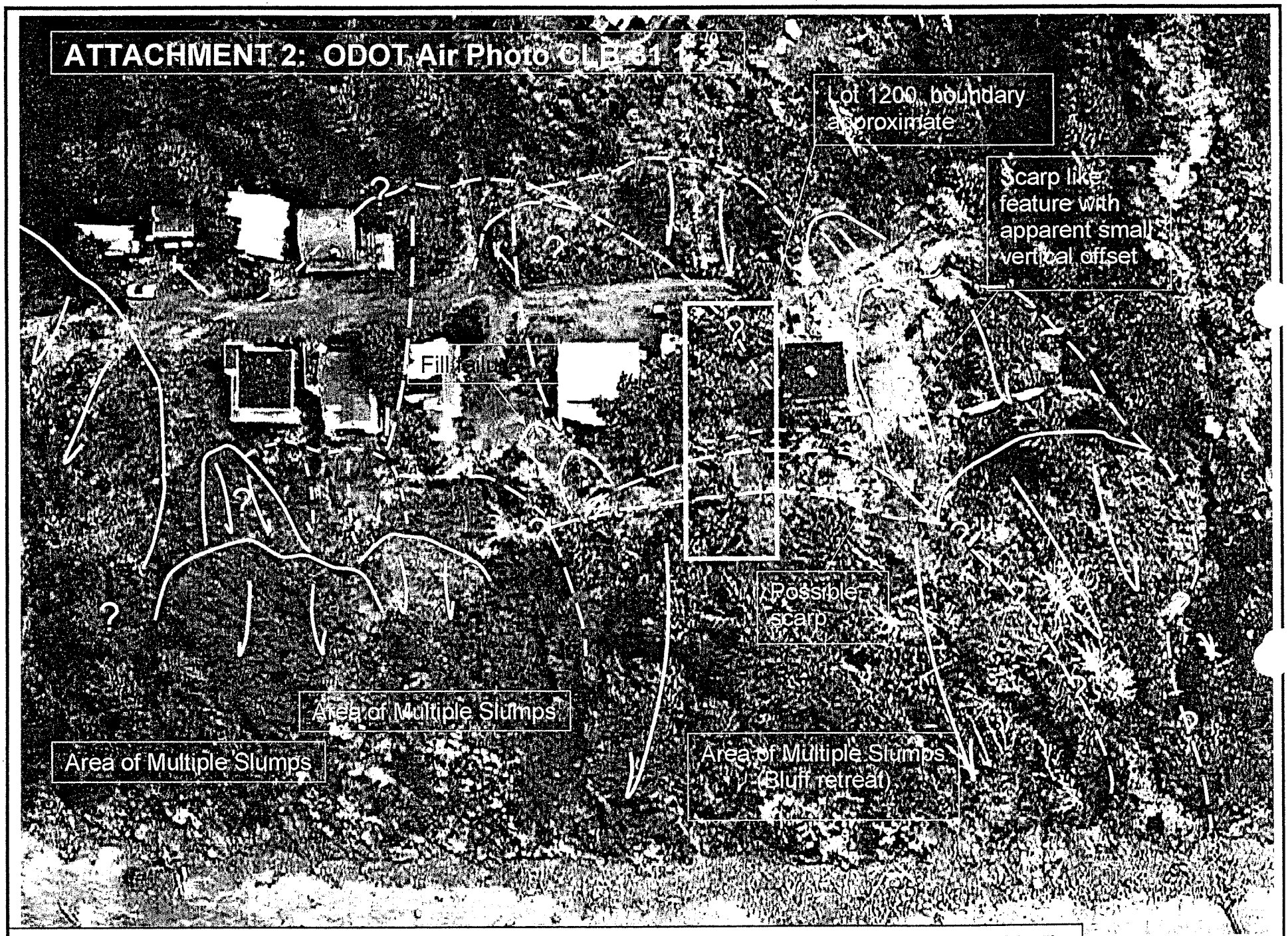


Figure 2. Interpreted geomorphic features indicative of unstable landforms (CLB-31 1-3, 1975).

SCHRANDT Connie

From: Cameron Holmes [Cameron.Holmes@azag.gov]
Sent: Thursday, April 20, 2006 4:19 PM
To: SCHRANDT Connie; WEICK Rodney J
Cc: JLSmits@aol.com; mcewanmc@pacifier.com
Subject: GWI plan

Dear Mr. Weick,

In reference to the property at T4N, R10W, S 18BB, Lot 1200, Clatsop County, located off Grand Ave, (at Mile Post 33, US HWY 101), which you visited in connection with the recent septic variance application on the lot, I am planning to install a GWI in the ditch along the east side of Arcadia, which is the road the runs North-South along the east side of the property (known as Ocean on the GIS map). This GWI will be in furtherance of the advice of Geologist Horning to install two GWIs, one of which has been installed on the property itself. I bring this to your attention because when I asked Connie Schrandt whether she had any suggestions regarding it she referred me to you. I don't want to pass an opportunity to make the plan more effective or inadvertently do anything that you would not regard as in the best interests of the stability of the slope.

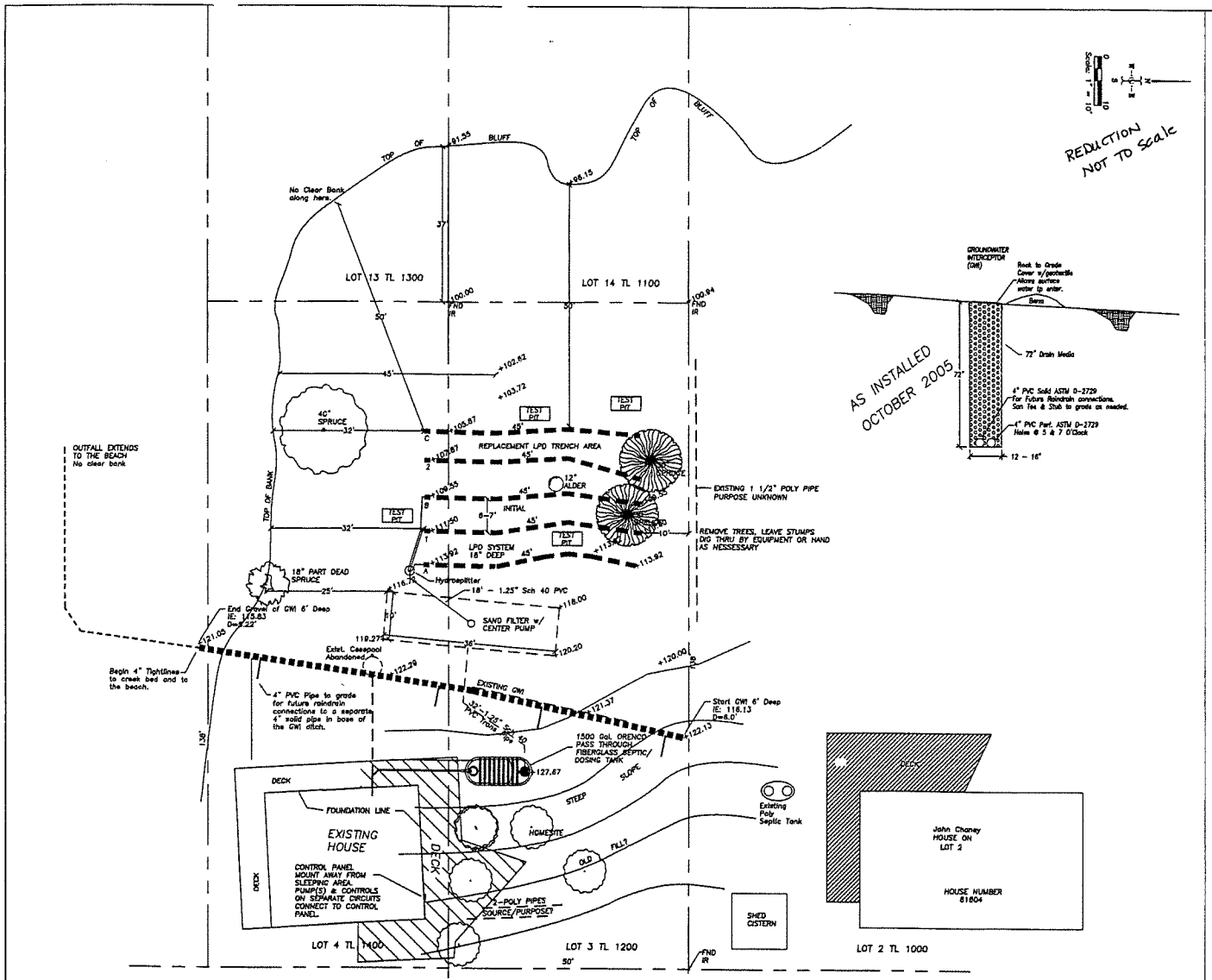
This new GWI will be an improvement on the GWI I had installed along the south end of Arcadia last April because it will be deeper and because it will travel the length of the road, not just the south end of it. It will travel the entire length of this hillside, from the existing drain at the SE corner of the intersection of Grand and Arcadia to the south to where the slope steepens on its way down to the creek to the south.

Arcadia slopes up to the south from Grand, then levels off and slopes down to the creek. The proposed design, on which I have consulted very experienced excavator Mike McEwan, is to create the GWI in two segments. The north segment will start at the existing drain that runs underground to the beach and run up from Grand along Arcadia to the south. The south segment will run down from the center of the hill to the south until it gets steep, and continue out the side of the slope to the surface. Both segments will have 4" perforated drain pipe with clean-out standpipes, and both segments of the trench will be filled with drain rock to the surface and protected by geotextile fabric. Both segments of the trench will be deepest, about 6' deep, at the middle of the hillside and get closer to the surface as they travel downhill to the north and south on their respective paths. Both will fall at least 1" per 10'. The south segment will convert from perforated straight pipe to tight flexible drain pipe when it comes to the surface on the slope above the stream and travel in flexible pipe the rest of the way to the stream to the south. The goal is to de-water the entire slope to the west of Acradia, south of Grand, consisting of Tax Lots 1000 through 1500 on the GIS map. All construction will be within the right of way of Arcadia, along the east side of the right of way.

If you have any suggestions for the improvement of this plan, please let me know.

Thank you for your time,

Cameron Holmes



REDUCTION Not To Scale

AS INSTALLED OCTOBER 2005

PROPOSED REPAIR

GENERAL NOTES

THE 2002 ODOT/APWA OREGON STANDARD SPECIFICATION FOR CONSTRUCTION, WILL BE CONSIDERED THE STANDARD SPECIFICATIONS.

THE OWNERS CONTRACTOR SHALL BE LICENSED BY THE OREGON DEQ AS A SEWAGE DISPOSAL SERVICE COMPANY AND BE BONDED. CONTRACTOR SHALL HAVE INSTALLED SIMILAR SYSTEMS OF THIS COMPLEXITY.

THE CONTRACTOR SHALL NOTIFY ALL AFFECTED UTILITIES FOR LOCATIONS OF MAINLINE AND SERVICE LINE LOCATIONS PRIOR TO DIGGING. UTILITIES WHICH ARE DAMAGED AND WERE MARKED PROPERLY WILL BE REPAIRED BY THE CONTRACTOR AT HIS COST. UTILITIES WHICH ARE DAMAGED BY THE CONTRACTOR AND WERE UNMARKED OR IMPROPERLY MARKED, WILL BE PAID FOR BY THE AFFECTED UTILITY COMPANY. CONTRACTOR SHALL CONTACT "ONE-CALL" AT LEAST 48 HOURS PRIOR TO CONSTRUCTION. 1-800-332-2344
CONTRACTOR TO POTHOLE ALL EXISTING UTILITIES PRIOR TO BEGINNING CROSSINGS TO INSURE CLEARANCE BETWEEN EXISTING UTILITIES PIPING. ANY CONFLICTS NOTED BY THE CONTRACTOR SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER OR MS FILED REPRESENTATIVE TO REQUEST CLARIFICATION BEFORE ORDERING AFFECTED MATERIALS OR WORK.

LOCATIONS ARE APPROXIMATE. DISPOSAL TRENCHES HAVE BEEN STAKED IN THE FIELD BY THE DESIGNER. THE OWNER/CONTRACTOR TO GIVE AT LEAST THREE DAYS NOTICE TO THE DESIGNER/ENGINEER PRIOR TO CONSTRUCTION TO ADJUST OR CHANGE STAKING.

CONTRACTOR TO MAINTAIN MINIMUM 10 FT. HORIZONTAL SEPARATION (EDGE TO EDGE) BETWEEN THE WATER MAIN AND SEWER MAINS AND PRESSURE TRANSPORT PIPES.

AS-BUILT RECORDS ARE THE RESPONSIBILITY OF THE CONTRACTOR OR OWNER. ONE SET OF RED LINE NOTES ON A SET OF PLANS SHALL BE GIVEN TO THE DESIGNER OR OR COUNTY AGENT FOR INCORPORATION INTO THE FINAL AS-BUILT RECORD AND OPERATION AND MAINTENANCE MANUAL.

ALL MATERIALS SHALL BE OF THE MODEL, BRAND, TYPE ETC. LISTED FROM THE MANUFACTURER(S) SPECIFIED, UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE DESIGNER OR ENGINEER AND THE REGULATORY JURISDICTION. SUBSTITUTION OF MATERIALS AND EQUIPMENT SHALL RECEIVE PREAUTHORIZATION AND THE CONTRACTOR WILL BE RESPONSIBLE TO PROVIDE PERFORMANCE AND OPERATING DATA FOR REVIEW.

SUMMER CONSTRUCTION REQUIRED. UNLESS WAIVED BY DESIGNER AND OR REGULATORY AUTHORITY CONTRACTOR OR OWNER TO NOTIFY DESIGNER/ENGINEER DURING THE DIFFERENT STAGES OF CONSTRUCTION OF THE COLLECTION, TANK, SAND FILTER AND "DRAINFIELD" SYSTEM. TO ALLOW OBSERVATION OF COMPLIANCE WITH THE APPROVED PLAN FOR CERTIFICATION TO DEQ IF REQUIRED.

North Coast DEQ Staff will make inspections unless the designer is delegated that responsibility.

INSPECTIONS THAT WILL BE MADE BY THE DESIGNER IF REQUESTED TO AUGMENT DEQ INSPECTIONS:

PRECONSTRUCTION CONFERENCE INCLUDING DESIGNER, CONTRACTOR AND ELECTRICIAN.

1. DURING/AFTER TANK INSTALLATION TO OBSERVE & CONFIRM EXFILTRATION TESTS.
2. (A) PREP SAND FILTER BOX W/LINER, (B) UNDERDRAIN, PUMP BASIN WHEN USED, MEDIA; (C) SAND LOADED, LATERALS, PRIOR TO PLACEMENT OF UPPER UNDERDRAIN MEDIA.
3. AT SPECIFIC STAGES OF THE CONSTRUCTION OF THE STANDARD SERIAL TRENCH SYSTEM.
4. FOLLOWING THE INSTALLATION OF THE EFFLUENT FILTER AND PUMP(S) CONTROL OR ALARM PANELS. ELECTRICAL POWER TO BE AVAILABLE FOR THIS INSPECTION.
5. FOLLOWING THE BACKFILLING OF THE SYSTEM.

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EXCEPT AS SPECIFICALLY SET FORTH BY THE LAWS AND COURTS OF THE STATE OF OREGON, THERE IS NO WARRANTY EXPRESSED OR IMPLIED, INCLUDING THE WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE FOR THE EQUIPMENT AND MATERIALS SPECIFIED IN THESE PLANS. THE PURCHASER OR OWNER MAY HAVE CERTAIN RIGHTS AND RESPONSIBILITIES OF WARRANTY DIRECTLY WITH THE MANUFACTURER OF THE INDIVIDUAL COMPONENTS.

SYSTEM:

SAND FILTER: 360 sq. ft. (10' X 36') Buried "Box"
DISPOSAL TRENCHES: Min. 135 ft. 18" deep, Low Pressure Distribution system.
DEVELOPMENT LIMITED TO NO MORE THAN TWO (2) BEDROOMS.

ELEVATION KEY:
TBM= 100.00 Top of IR indicated on site plan
+100.25 Ground surface elevation

TOP SAND FILTER BOX:	120.70
TOP SAND FILTER LATERALS:	120.20
SF CENTER PUMP BASIN:	114.70

SEPTIC/DOSE TANK COMBO:	1,500 gal. (Pass Thru Tank)
GROUND SURFACE:	127.70
TANK TOP:	126.20
TANK INLET:	125.28
PUMP BASE:	120.83
LENGTH OF RISER:	18 to 24"

STATIC LIFT:

Top of the Sand Filter Laterals:	120.20
Base of Pump Vult:	120.83
Pumping downhill need Anti-siphon	(0.63)

STATIC LIFT:

HYDROSPLITTER:	114.50
SAND FILTER PUMP:	114.20
Pumping downhill need Anti-siphon	(0.20)

Pipe to Filter: 1.25"ø Sch. 40 PVC=32'
Pipe S. Filter to Hydrosplitter: 1.25" Sch 40. PCV=18'
For hydraulics, see pump curves in subsequent plan sheets.

+99.20 Ground surface elevation Relative to TBM.

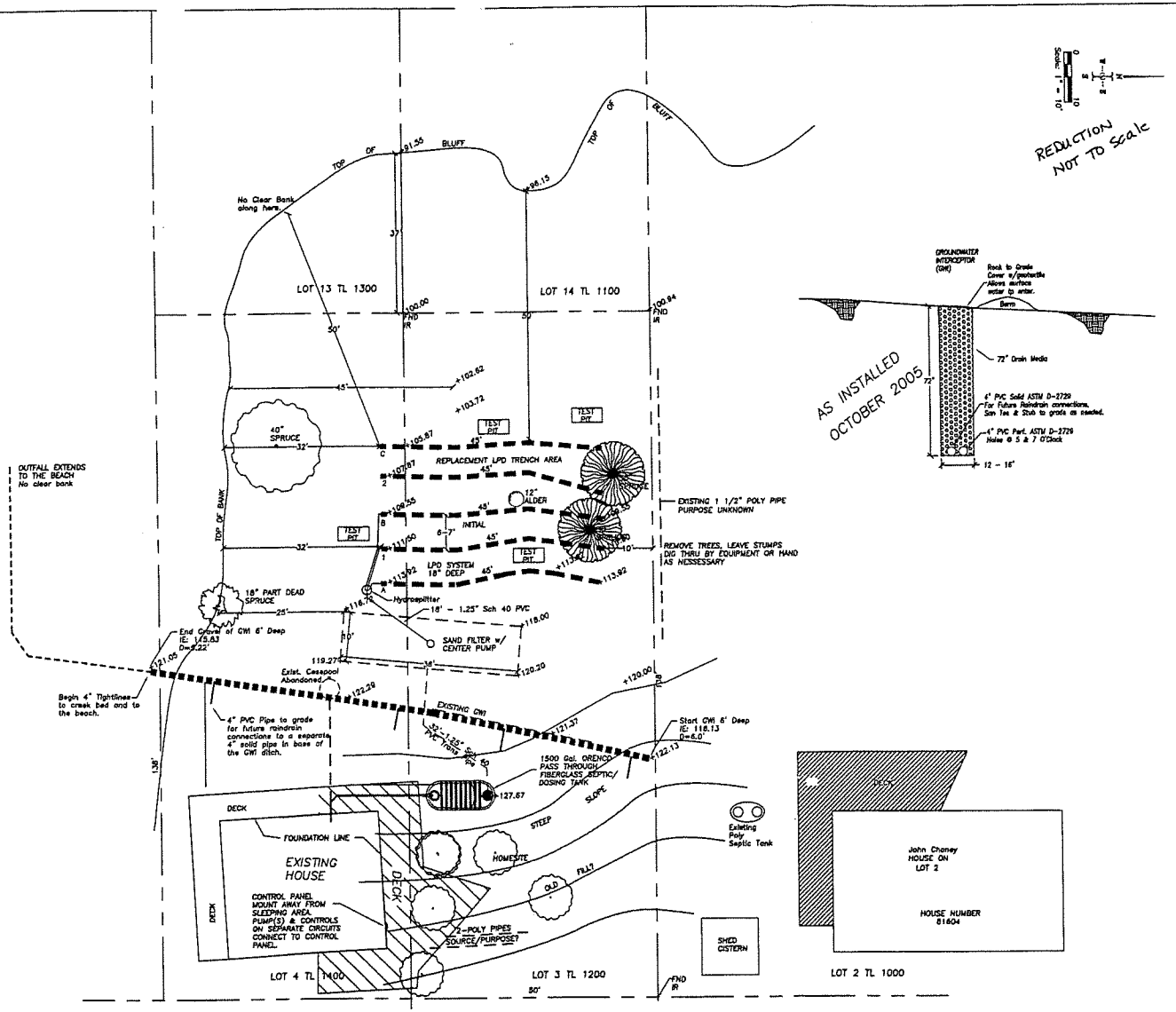
REGISTERED ENVIRONMENTAL HEALTH SPECIALIST — STATE OF OREGON — John L. Smits
EXPIRATION DATE 12/31/08

OVERALL SITE PLAN

John Chaney South
81060 Arcadia Road
T.4N.,R.10W.,Sec.18BB TL 1400
Clatsop County

Smits & Associates, Inc.
Environmental Consultants • Designers
18578 S. W. Gassner Lane
Lake Oswego, OR 97035-4624
John L. Smits, REHS
Ph. (503) 699-2696
Fax (503) 699-2278

DATE: Mar. 30, 2006 SHEET No. 1 OF 1



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PUMP BASE:	120.83
LENGTH OF RISER:	18 to 24"

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Base of Pump Vault:	126.83
Pumping downhill need Anti-siphon	(6.63)

STATIC LIFT:

HYDROSPLITTER:	114.50
SAND FILTER PUMP:	114.70
Pumping downhill need Anti-siphon	(0.20)

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Pipe S. Filter to Hydrosplitter: 1.25" Sch 40. PCV=18'
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REGISTERED ENVIRONMENTAL HEALTH SPECIALIST
STATE OF OREGON
Jean L. Smits
EXPIRATION DATE 12/31/08

PROPOSED REPAIR

OVERALL SITE PLAN

John Chaney South
81060 Arcadia Road
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Lake Oswego, OR 97035-4824
John L. Smits, REHS
Ph. (503) 699-2596
Fax (503) 699-2878

DATE: Mar. 30, 2006 SHEET No. 1 OF 1

SCHRANDT Connie

From: Cameron Holmes [Cameron.Holmes@azag.gov]
Sent: Tuesday, April 11, 2006 8:17 PM
To: JLSmits@aol.com
Subject: Re: Chaney South House

John,

Actually, the plan is to go to the north with the water from the north end of Arcadia and to the south with the water from the south end. Plan A is to move the boulder and split the watershed just north of the south phone pole, going north to the drain that runs under Arcadia at the corner of Arcadia and Grand with the north pipe segment and south to the creek with the south pipe segment. Plan B, if the boulder does not move, is to use the boulder as the watershed dividing point.

The boulder is at about the middle of Lot 1200, lying flat in the roadway at the far east side of the road, just west of the present GWI. You will see the GWI turn a bit to get around it.

Trying to go south with the water from the entire length of Arcadia would require an incredibly deep trench as it passed the high point in the road, because the trench would start something like 7' lower than the mid-point of Arcadia and have to fall from that point as it traveled south.

Best,
Cameron

>>> <JLSmits@aol.com> 04/11/06 2:38 PM >>>

Will do.

I still don't think she needs the executed easement until she is ready to issue the permit. I expect and have asked her to write a letter of intent to issue the repair permit.

John Smits

In a message dated 4/11/2006 11:23:44 AM Pacific Standard Time, Cameron.Holmes@azag.gov writes:

Thanks. Please be sure to tell her about the new GWI and that it will be installed next week. I think it will help her distinguish this repair situation from slope stability concerns if she is looking for an objective basis on which to do so.

This means that she needs the easement by then. I spoke with the attorney for the seller yesterday and should get his approval of the draft I sent to Connie Schrandt last week soon, perhaps today. I am sure I can get this expedited and will get it done today or tomorrow.

Cameron

>>> <JLSmits@aol.com> 4/11/2006 9:16 AM >>>
Connie Schrandt indicates she will field review the proposed repair on 4/17 or 4/18 2006.

John

SCHRANDT Connie

From: JLSmits@aol.com
Sent: Tuesday, April 11, 2006 2:49 PM
To: SCHRANDT Connie
Subject: Chaney - South House

Connie,

FYI Holmes/Chaney et al have engaged Mike McEwan to install a 5 to 6 foot deep GWI on the east side of Arcadia Road graded to discharge preferrably to the south to connect with the 4" pipe that Cameron ran to the beach when he onstruct the GWI on that side of the road last summer. I say preferrably to the south because there is a large buried boulder along the route that may be too large to remove. If it can't be removed, then the GWI will be graded to the north and to the south from the boulder. I'm not exactly sure where the boulder is located. McEwan has reviewed the site and has the plan worked out. He will do the work next week barring extra wet weather.

The effort is to further shunt surface and groundwater away from the proposed repair system.

If you have questions, please feel free to call me.

John L. Smits, REHS
Smits & Associates, Inc.
16878 SW Gassner Lane
Lake Oswego, OR 97035-4524
Office: (503) 699-2696
Fax: (503) 699-2876
Cell: (503) 804-0056
Email: jlsmits@aol.com

SCHRANDT Connie

From: Cameron Holmes [Cameron.Holmes@azag.gov]
Sent: Thursday, April 13, 2006 5:00 PM
To: SCHRANDT Connie
Cc: JLSmits@aol.com; Robertaray@aol.com; johnrchaney@hotmail.com
Subject: Easement for septic drainfield Lot 1400 (Chaney)

Septic easement
DEQ form 04130...

Connie,

I am attaching a replacement easement for the septic system on Lot 1400 and Lot 1200, in support of the pending repair permit application for Lot 1400 (Chaney). This replaces the draft I sent you April 4, with minor changes. I have reached the seller and Mr. Chaney, and this one is by agreement of all and good to go. I have signed and notarized the original and it is in the mail to Mr. Chaney.

Best regards,

Cameron Holmes

SCHRANDT Connie

From: Cameron Holmes [Cameron.Holmes@azag.gov]
Sent: Tuesday, April 04, 2006 9:21 AM
To: SCHRANDT Connie
Cc: JLSmits@aol.com; Robertaray@aol.com; johnrchaney@hotmail.com
Subject: RE: septic easement

Septic easement
DEQ form 04030...

Connie,
Sorry. Thanks for letting me know. Here it is again.
Cameron

>>> "SCHRANDT Connie" <Schrandt.Connie@deq.state.or.us> 4/4/2006 8:28 AM
>>> >>>
Cameron,
There was no attachment to this email. Please send your draft easement again. Connie

-----Original Message-----
From: Cameron Holmes [mailto:Cameron.Holmes@azag.gov]
Sent: Monday, April 03, 2006 7:32 PM
To: SCHRANDT Connie
Cc: JLSmits@aol.com; Robertaray@aol.com; johnrchaney@hotmail.com
Subject: septic easement

Connie,

Thanks for your kind help on the phone and for faxing me the easement form today. I have typed a new easement into your form, which is attached. I just sent this new draft off to the seller's attorney for approval. You may be assured that we will get the easement taken care of to your satisfaction.

Best regards,

Cameron

Application for Onsite Sewage Treatment System

Department of Environmental Quality
65 N Highway 101, Suite G
Warrenton, OR 97146
Phone/TTY: (503) 861-3280
Fax: (503) 861-3259

DEPT. OF ENVIRONMENTAL QUALITY
RECEIVED
APR 03 2006
NORTH COAST BRANCH OFFICE
WARRENTON

Date Stamp:

For DEQ Use Only:
Date Received 4-3-06
Fee Paid $385.00
Receipt Number 123502
Application Number 400634
Date of 1st Response
Date of 2nd Response
Date of Final Response
Date of Completion
Scanned Data Entry

A. Property Owner Information

John Chaney + PATRICIA CHANEY — Name
P. O. Box 8858 Portland, OR 97207 — Mailing Address (Street or PO Box, City, State, Zip Code)
503-789-9083 — Phone Number

B. Legal Property Description

4 North — Township
10 West — Range
18BB — Section
1400 — Tax Lot
2444 — Tax Account Number
50' x 138' / 0.16 AC — Acreage or Lot Size
YR BUILT 1962
Clatsop — County
Norriston Park — Subdivision Name
5 4 — Lot
1 — Block

Property Address: 81060 Arcadia Road — Address
Tolovana Park — City
OR — State
97145 — Zip Code

Directions to Property: Hwy 101 South past Arcadia Wayside, Turn right onto Grand Avenue, Left onto Arcadia Road (AKA Ocean Avenue) Last house on the right.

C. Existing Facility / Proposed Facility / Water Information

Existing Facility:
- [x] Single Family Residence — Two (2) Number of Bedrooms
- [ ] Other

Proposed Facility:
- [ ] Single Family Residence — Number of Bedrooms
- [ ] Other

Water Supply:
- [ ] Public — Name
- [x] Private — Spring, off site — Well, Spring, Shared

D. Type of Application

- [ ] Site Evaluation
- [ ] Construction Permit
- [x] Repair Permit — [x] Major [ ] Minor
- [ ] Alteration Permit — [ ] Major [ ] Minor
- [ ] Renewal Permit
- [ ] Existing System Evaluation
- [ ] Permit Transfer
- [ ] Permit Reinstatement
- [ ] Authorization Notice for:
  - [ ] Connecting to an Existing System Not in Use
  - [ ] Replacing a Mobile Home or House with Another Mobile Home or House
  - [ ] The Addition of One or More Bedrooms
  - [ ] Personal Hardship
  - [ ] Temporary Housing
  - [ ] Other – Please Specify

If the required fee and attachments are not included with this application, it will be returned to you as incomplete. Post a flag or sign with your name and address at the entrance to the property. Flag and number the test holes.

By my signature, I certify that the information I have furnished is correct, and hereby grant the Department of Environmental Quality and it's authorized agents permission to enter onto the above described property for the sole purpose of this application.

X [signature] — Signature
X 3/23/06 — Date

John Chaney — Applicant's Name – Please Print Legibly
503-789-9083 — Applicant's Phone Number
Applicant's E-mail Address
P. O. Box 8858 Portland, OR 97207 — Applicant's Mailing Address

Applicant is the [x] Owner [ ] Authorized Representative [ ] Licensed Septic Installer
[ ] Authorization Attached
Installer's Name

Rev 8-14-03 bjk

Smits & Associates, Inc.

16878 S. W. Gassner Lane
Lake Oswego, OR 97035-4524
(503) 699-2696 Fax (503) 699-2876
email: jlsmits@aol.com

Memorandum

To: Connie Schrandt
Natural Resource Specialist

March 31, 2006

Cc: John Chaney
Cameron Holmes

From: John L. Smits, REHS
Smits & Associates, Inc.

Re: On-Site Sewage Disposal
John Chaney (Owner)
T.4N.,R.10W.,Sec.18BB Tax Lot 1400
Clatsop County
Major Repair Permit Application

Dear Connie,

Enclosed, please find the following:

1. Major Repair Application and fee in the amount of $385.00
2. Site map at a scale of 1" = 10 feet showing test pits and a staked, proposed system. I have staked the system a minimum of 50 feet up-gradient of the ocean bluff and at least 25 feet from the bluff/cut bank to the south which is perpendicular to the subsurface flow gradient. A new test pit has been provided to augment the 3 existing pits.
3. A tax map of T.4N.,R.10W.,Sec.18BB Tax Lot 1400
4. A copy of an enlarged view of the same tax map showing the subject lot.

A Land Use Compatibility Statement (LUCS) form is being sent to Clatsop County along with an Application for a Lot of Record Determination. As soon as I have those forms back, I will forward them to you.

As you will recall, we have discussed the substance of this proposal in the past as a reasonable repair to replace the existing system that served the residence. The existing system consisted of a cesspool with a perforated overflow pipe that ultimately would have discharged onto the ground surface in very short order if the system was used. The structure could have been used at any time as water is available and electricity. The system was abandoned when the groundwater interceptor (GWI) was installed last October, 2005 to dewater Tax Lot 1200 as well as protect this portion of Tax Lot 1400.

We need your review of the proposed repair as soon as possible. If you agree that the proposal is acceptable as a reasonable repair, we will need a brief letter indicating the permit can be issued with conditions. The conditions will include the preparation of utility easement documents for the system of trenches and the existing GWI as both extend across property lines. The importance of your timely review of the site and report preparation cannot be over emphasized. Please advise of anything that can be done to speed up your review. I would be happy to meet with you at the site to review the conditions together. I would need 2 days advance notice, but I don't want to loose that time if you are in the area and it makes sense to review the site.

If you have any questions or wish to discuss this letter, please feel free to contact me at (503) 699-2696.

JOHN & PATRICIA CHANEY
410-18BB-1400

EXISTING SEWAGE DISPOSAL SYSTEM DESCRIPTION

Answer the following as best you can.

1. The existing sewage disposal system ~~consists~~ consisted of (check):

( ) Septic Tank ( ) Disposal Trenches ( ) Unknown
( ) Seepage Bed (X) Cesspool or Pit
( ) Other —

(Describe) Cesspool had concrete top, Black PVC RISER + LID with a corrugated, perforated overflow pipe running down thru soil & 24" cover & finally daylighted on the ground surface.

2. When was your sewage disposal system installed? 1960s? (Year) NONE (Permit No.)

3. ~~Tank~~ Cesspool material:

( ) Steel (X) Concrete + Block ( ) Fiberglass
( ) Polyethylene ( ) Unknown

4. Volume of the septic tank in gallons: ≤500 gal

5. When was the septic tank last pumped? NO RECENT USE (Attach receipt) CESS POOL WAS empty. REMoved by Mike McEwan in building GWI.

6. Number of disposal trenches: ~~One~~ perf pipe No rock

7. Total length of disposal trenches (feet): 45'

8. Is your sewage disposal system currently in use? Yes ( ) No (X)
If no, how long has the system been out of use? YEARS, but structure was habitable at any time.

9. If the sewage disposal system serves a dwelling, how many bedrooms in the Dwelling? 2 How many people occupy the dwelling? 2? IN past

10. If the sewage disposal system serves a business, how many employees do you employ? _____ Type of business: _____

By my signature, I certify the above information is accurate and true to the best of My knowledge.

4/3/06
Date

John L Smits
Signature of Property owner or Legally Authorized Representative

SECTION 1 - TO BE FILLED OUT BY APPLICANT *(may be filled in electronically using Tab key to move to each field)*

1. **Applicant Name/Property Owner:** John Chaney
   Mailing Address: P. O. Box 8858 **Telephone:** 503-789-9083
   City: Portland **State:** OR **Zip:** 97207

2. **Property Information:**
   County: Clatsop **Tax Lot Number:** 1400
   Township: 4 North **Range:** 10 West **Section:** 18BB
   Property Address: 81060 Arcadia Road Tolovana Park, OR 97145
   Block: 5 **Lot:** 1 **Subdivision Name (if applicable):** Norriston Park

3. **This proposed facility is for:**
   ☑ An individual, single-family dwelling.
   ☐ Other. Describe the type of development, business, or facility and the provided services or products:

4. **Permit or approval being requested:**
   ☑ **On-site construction-installation permit for:** ☐ New construction ☑ Repairs ☐ Alterations
   ☐ **Non-water-carried facility requests** (for example, pit privy/vault toilet for camp grounds).
   ☐ **On-site Authorization Notices for:** ☐ Replacement of dwelling ☐ Bedroom addition
   ☐ **Other changes in land use involving potential sewer flow increases**

SECTION 2 - TO BE FILLED OUT BY CITY OR COUNTY PLANNING OFFICIAL

5. **The proposed facility is located:** ☐ inside city limits ☐ inside UGB ☒ outside UGB
   If inside the UGB, the proposed facility is subject to:
   ☐ City jurisdiction ☐ County jurisdiction ☐ Shared city/county jurisdiction

6. **Property Zoning:** CR / GHO **Zoning Minimum Parcel Size:** 20,000 Sq ft

7. **Is a public notice and hearing required?** ☐ Yes **Hearing Date:** _____
   ☒ No

8. **Does the proposed facility comply with all applicable local land use requirements:** ☒ Yes ☐ No
   Comments: _____

9. **Planning Official Signature:** Chris Hoth
   Print Name: CHRIS HOTH **Title:** PLANNING TECH
   Telephone No.: 325-8611 **Date:** 4-7-2006

* **Planning Official Signature:** _____
Print Name: _____ **Title:** _____
Telephone No.: _____ **Date:** _____

* Both city and county planning officials may need to sign if use is within a UGB.

Receipt Number: 123502

Oregon Department of Environmental Quality
Warrenton Office
65 N Highway 101, Suite G
Warrenton, OR 97146

Date Received **4/3/2006**

Received From (Check Name): **John Chaney**
PO Box 8858
Portland, OR 97207

For Property At: **T04N R10W S18 BB**
TaxLot 1400
Clatsop County
81060 Arcadia Rd.
Tolovana Park, OR 97145

Current Payment

Amount Paid	Payment Type	Check # / Money Order # / Purchase Order	Bank Number	Amount Applied
385.00	Check	8163	24-22	385.00

Total Amount Applied $385.00

Onsite Fees

Base Fee:	**345.00**
Surcharge Fee:	**40.00**
Plan Review Flow Fee:	
Pump Evaluation Fee:	
Flow Fee:	
Reinspection Fee:	
Total Fee	**$385.00**

Payments

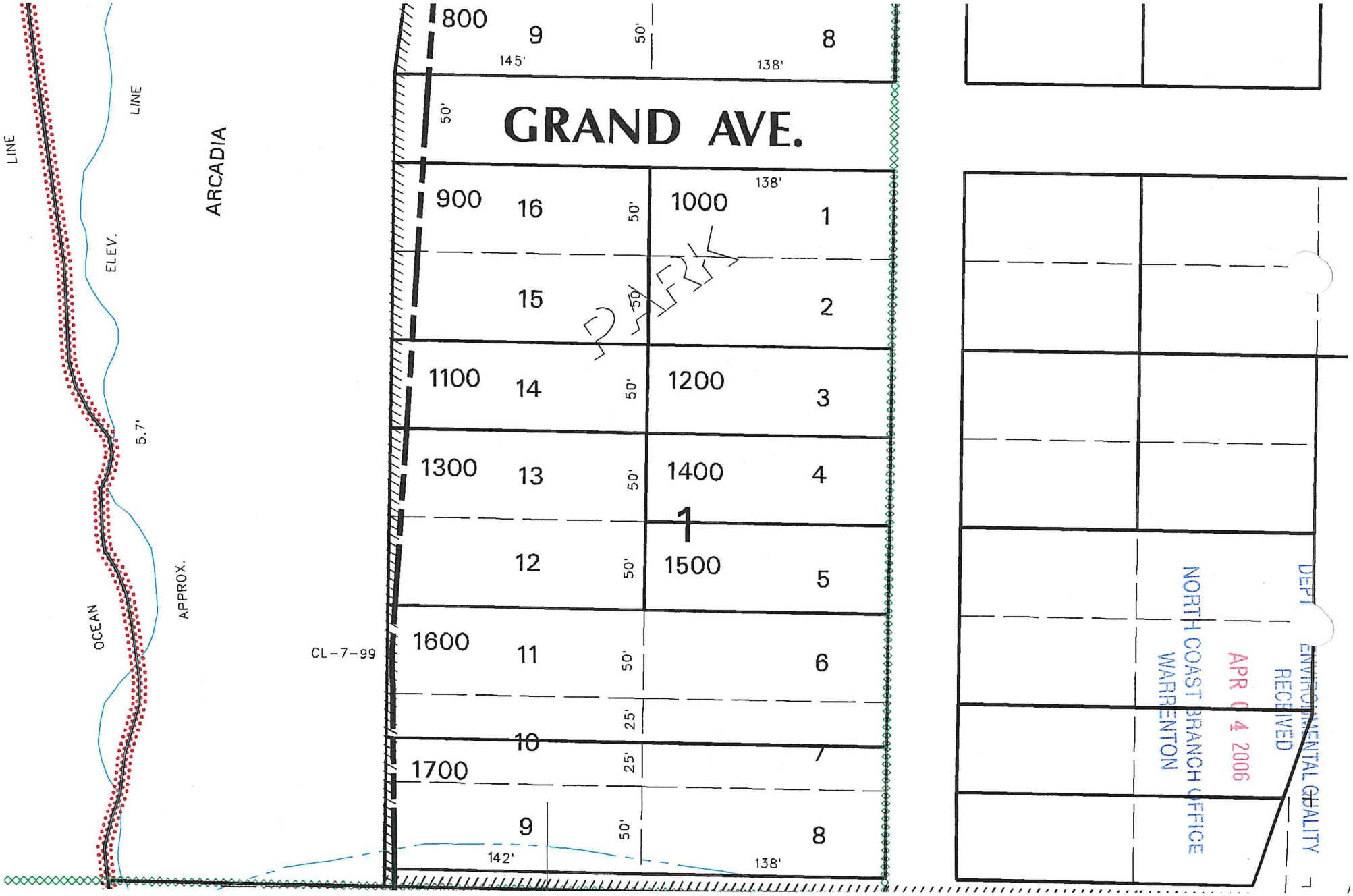
Previous Payments:	**0.00**
Current Payment:	**385.00**
Over Payment:	**0.00**
Total Payments:	**$385.00**

Application Description

Application ID: **400634**
Application Type: **Repair Permit**
Single Family Dwelling-Major
System Type: **Unknown**
Pump Evaluation: **No**
Flow: **0** gallons/day

Receipt Amount: $385.00

Receipted By:	Date of Entry:
Dave Johns	**4/3/2006**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ELEV.
LINE
ARCADIA
5.7'
OCEAN
APPROX.
CL-7-99
800
9
145'
50'
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138'
GRAND AVE.
50'
138'
900
16
50'
1000
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15
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1200
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1600
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1700
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142'
50'
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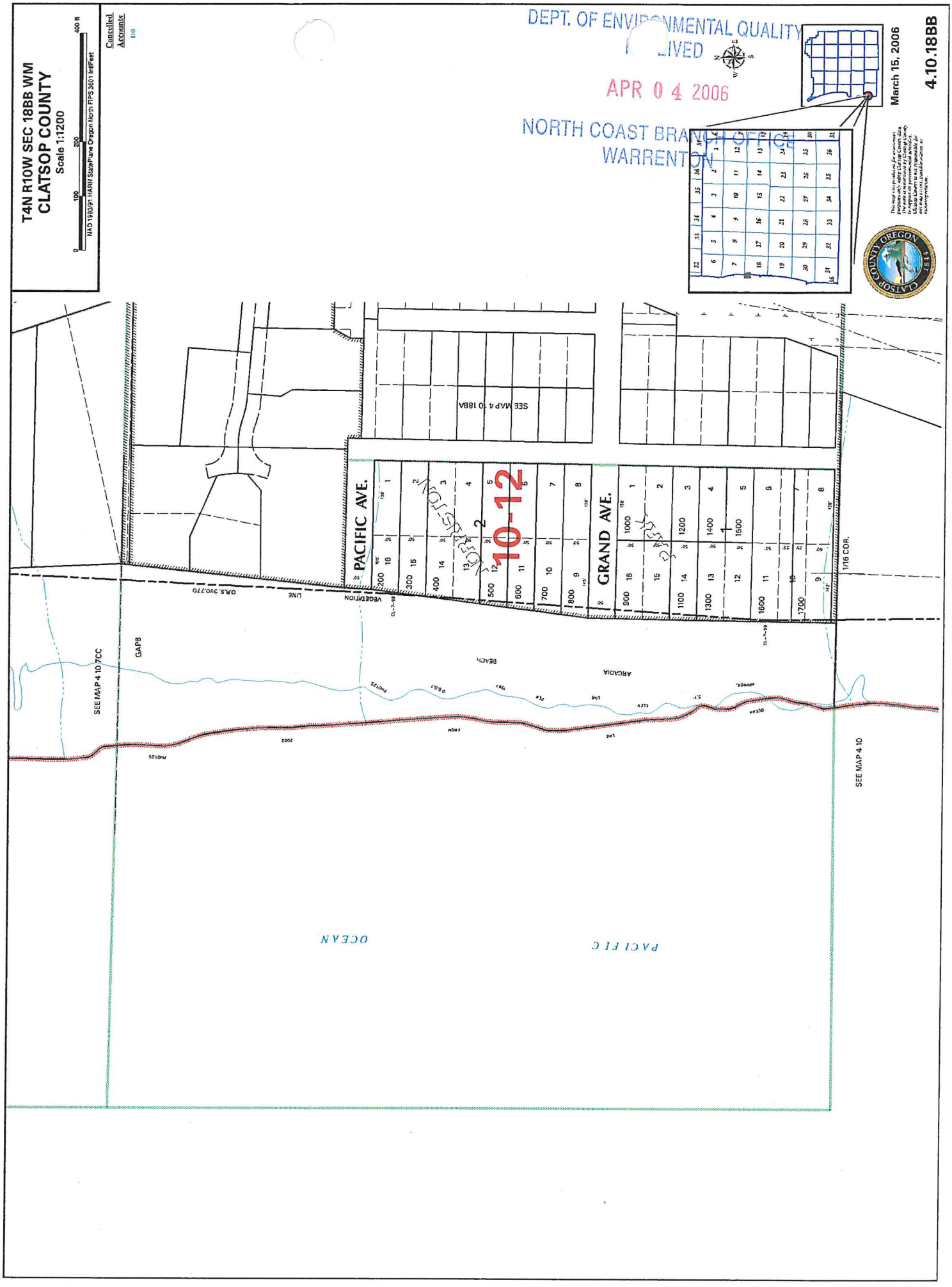
138'
DEPT ENVIRONMENTAL QUALITY
RECEIVED
APR 04 2006
NORTH COAST BRANCH OFFICE
WARRENTON


T4N R10W SEC 18BB WM
CLATSOP COUNTY
Scale 1:1200
400 ft
200
100
0
NAD 1983/91 HARN StatePlane Oregon North FIPS 3601 IntlFeet
Cancelled Accounts
110
DEPT. OF ENVIRONMENTAL QUALITY
RECEIVED
APR 0 4 2006
NORTH COAST BRANCH OFFICE
WARRENTON
March 15, 2006
4.10.18BB
CLATSOP COUNTY OREGON 1844
SEE MAP 4 10 18BA
PACIFIC AVE.
GRAND AVE.
10-12
VEGETATION LINE
O.R.S. 390.770
1/16 COR.
SEE MAP 4 10 7CC
GAP8
BEACH
ARCADIA
SEE MAP 4 10
OCEAN
PACIFIC