

3000 Rockefeller Ave. MS 604
Everett, WA 98201
1-800-562-4367
425-388-3311

Snohomish County Planning and Development Services

Land Disturbing Activities

Assessor Tax#: 280521-004-002-00

Permit# **20 118246 LDA**

Site Address: 4330 108TH ST SE EVERETT

Ref#: 10101204

Expires: 03/09/2024

Issued: 03/09/2021

By: SCDSET

Type: Other

Work Proposed: Clearing and Grading

Permit Description: Replaces expired 18126823LDA. Review fees and project reviews have been completed under the expired permit.

16 acres clearing with forest practice to close landfill for future site development.

Applicant: Marty Penhallegon

11255 KIRKLAND AVE 300 KIRKLAND, WA 98033

(425) 827-2014

Sec Twn Rng: 21-28-5

16th:

Lot:

Subdivision:

RefFile#: 10101204

R/W Inspector: Jared Anderson

Project Name: Bakerview Go East Landfill Closure

Special Conditions:

with 20 118249FPA/20 108693 D8/20 120262CBP

The landfill closure construction shall be in conformance with the April 17, 2019 recommendations by GeoEngineers (Robert C. Metcalfe P.E)

All site work must comply with Title 30 SCC. The permittee must notify the Snohomish County inspector twenty-four (24) hours prior to the beginning of the above described work.

Nothing in this permit/approval shall excuse the applicant, owner, agent, successor or assigns from full compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project. In particular, no construction should be undertaken prior to the issuance of the necessary permits from other agencies.

The permittee, successors or assigns, agree to protect Snohomish County and save it harmless from all claims, actions or damages of every kind and description which may occur or be suffered by any person or persons, corporation or property, by reason of the construction, installation, maintenance and use of said earth fill, excavation or land disturbing activities.

ISSUANCE OF THIS LAND DISTURBING ACTIVITIES/GRADING PERMIT DOES NOT IMPLY APPROVAL OF PERMANENT DRAINAGE DESIGN NOR AUTHORIZE CONSTRUCTION ACTIVITIES WITHIN THE PUBLIC RIGHT-OF-WAY.

The acceptance of the conditions upon which this permit is granted shall be evidenced by the beginning of said earth fill, excavation or land disturbing activities as set forth herein. The permit shall be posted in an easily visible location on-site at all times during construction.

CALL (425) 388-3338 FOR INSPECTION -- 24 HOUR ADVANCE NOTIFICATION REQUIRED.

Signature _____ Date _____

Land Disturbing Activities

13.01.030 Engineering Design and Development Standards (EDDS)

All work performed under any permit issued under this title shall conform to the Engineering Design and Development Standards

13.10.090 Defense, hold harmless, and indemnification

Grantee agrees to indemnify, defend, and hold harmless Snohomish County, its elected and appointed officials, employees, authorized agents, and volunteers (collectively, the "County Parties") from and against any and all claims, demands, liability, suits, and judgments, including costs of defense thereof, for bodily injury to persons, death, or property damage arising out of the acts or omissions related to activity conducted under this Permit by Grantee or its directors, officers, authorized agents, employees, contractors, subcontractors, or licensees (collectively, the "Grantee Parties"). Grantee shall cooperate with the County while conducting its defense of the County and shall select counsel who does not have a conflict of interest with the County. Grantee's indemnification obligations shall extend to any settlement made by Grantee. Grantee's indemnification, defense, and hold harmless obligations shall survive the expiration, abandonment, or termination of this Permit.

If activity conducted under this Permit is subject to RCW 4.24.115, liability for damages arising out of bodily injury to persons, death, or property damage caused by or resulting from the concurrent negligence of the Grantee Parties and the County Parties, Grantee's liability shall be only to the extent of Grantee Parties' negligence.

This indemnification by Grantee is in addition to the indemnification provisions of any utility franchise agreement between Grantee and Snohomish County. To the extent this indemnification conflicts with the utility franchise agreement, the language of the utility franchise agreement shall control.

13.10.150 Assignments

No permit or any rights thereunder to move, haul, place or construct objects or features within the right-of-way may be transferred, assigned or sublet. Rights to use the right-of-way for objects or features placed or constructed within the right-of-way under a valid permit that are of a permanent nature and associated with the use of real property may be transferred by the permittee with title to the associated real property, unless otherwise stated in this title or noted on the permit. Any conditions attached to the permit for continued maintenance of the objects or features by the permittee, and continued provision of protection and security to the county in accordance with SCC [13.10.090](#), SCC [13.10.100](#) and SCC [13.10.106](#) shall also be transferred.

13.10.160 Renewals

- (1) Type A, Type C and Type D7 permits may not be renewed. All other Types of right-of-way permits may be renewed as allowed by this title.
- (2) Where renewal of a permit is permitted, the renewal shall be:
 - (a) Limited to one renewal;
 - (b) Applied for within 30 days of the expiration of the original permit on an application form provided by the department;
 - (c) For a time period no longer than the duration of the original permit; and
 - (d) The duration of the renewal shall be calculated from the expiration date of the original permit.
- (3) Fees for permit renewals shall be 50 percent of the total fees as provided in chapter [13.110](#) SCC; except that the fees for renewal of Type B1, B2, B3 and B4 permits shall be determined at the engineer's discretion but in an amount not to exceed the total fees for the original permit.
- (4) Any application to renew a permit shall be reviewed by the engineer, who may approve, deny, or approve with conditions, regardless of whether or not such conditions were contained in the prior permit.
- (5) In addition to any other conditions imposed by the engineer, an application for a renewal must satisfy the following:
 - (a) Continued use of the right-of-way is essential to complete the work or activity previously authorized;
 - (b) The permit holder has complied with the conditions of the prior permit and all other applicable requirements;
 - (c) All required fees, charges and performance deposits have been paid by the permittee;
 - (d) All required insurance certificates and performance security have been filed with the county and will continue to be in effect through the requested renewal period, and, where required, beyond said period; and
 - (e) Continuation of the private use of the public right-of-way shall not adversely affect the public health, safety or welfare.
- (6) Renewal of a Type D permit whose expiration is tied to related title [30](#) SCC land disturbing activity or construction permit(s), shall be renewed at the same time, and may have the same expiration date, as the associated title [30](#) SCC land disturbing activity permit(s).

13.10.170 Suspension or revocation

- (1) The engineer may suspend or revoke any permit by giving the permittee written notice thereof if:
 - (a) The permit was procured by fraud or misrepresentation;
 - (b) Construction or existence of the permitted activity creates an unsafe condition with respect to the public, public property, any abutting property, or other property, person, or thing lawfully in the right-of-way;
 - (c) The permittee has breached any provision of the permit and has not cured such breach after being given written notice to do so by the engineer;
 - (d) The permittee has failed to comply with any provision of this title or any other applicable law, statute, code provision, or regulation;
 - (e) The permittee has failed to pay any costs, penalties or fees imposed pursuant to this title; or
 - (f) The permittee has permitted or maintained any nuisance on, in, under or over the right-of-way.
- (2) Upon suspension or revocation of any permit, the permittee shall remove any material placed on, over, under or in the right-of-way by the permittee and restore the right-of-way to such condition as existed immediately prior to the permittee's commencement of work under the permit at issue. If after reasonable notice by the engineer, the permittee fails to do so, such restoration work may be performed by the county to the extent deemed appropriate by the engineer at the sole cost of the permittee. The engineer may take any steps the engineer deems appropriate to collect such costs and all costs of collection, including reasonable attorney's fees.

RCW

Per Section 19.122.030(3) RCW The County can provide available information as to the location of County owned storm drainage systems in the public rights of way. The information is available at the Public Works Public Service County or by visiting: http://www.co.snohomish.wa.us/PWApp/SWM/drainage_maps/index.html

Permittee shall comply with the call before digging requirements in Title 19 RCW.