



# NON-FEDERAL ENCROACHMENT PERMIT APPLICATION

5350 PACIFIC WAY, LONGVIEW, WA 98632  
 PHONE (360) 423-2493 • EMAIL [cdid1@cdid1.org](mailto:cdid1@cdid1.org)

DATE:	PERMIT NUMBER:
APPLICANT:	PHONE:
OWNER:	EMAIL:
APPLICANT MAILING ADDRESS:	
PROPERTY LEGAL DESCRIPTION OR ASSESSOR'S TAX NUMBER:	
STREET ADDRESS OF PROPERTY:	
DESCRIPTION OF REQUEST (ATTACH PLANS AND SUPPORTING ENGINEERING DOCUMENTS IF APPLICABLE):	
DURATION OF PERMIT (CHECK BOX AND INSERT TERMINATION DATE, IF ANY):	
<input type="checkbox"/> TERMINATION DATE:	<input type="checkbox"/> NO TERMINATION EXCEPT UPON CANCELLATION BY CDID #1

Applicant has read and fully understands the conditions set forth on the reverse side hereof, and the signature hereon by applicant constitutes applicant's full and complete agreement to be bound by such conditions in the event the permit requested is granted. The conditions of this permit, included herein and/or attached hereto, are hereby accepted by the applicant who hereby agrees to comply with said conditions, and acknowledges receipt of a copy thereof. This permit is not valid unless signed by the Manager of CDID #1.

APPLICANT SIGNATURE (OWNER): \_\_\_\_\_ DATE: \_\_\_\_\_

## PERMIT TO ENCROACH ON CDID #1 NON-FEDERAL RIGHT-OF-WAY

THIS PERMIT REQUESTED IS HEREBY GRANTED TO THE APPLICANT, SUBJECT TO THE FOLLOWING CONDITIONS:

<input type="checkbox"/> NONE	<input type="checkbox"/> ATTACHED HERETO	<input type="checkbox"/> AS NOTED HEREIN
<b>CDID #1 Shall Receive Minimum 48-hour Notice Prior To Construction • 360.423.2493</b>		

This application was reviewed and approved by the CDID #1 Board of Supervisors on: \_\_\_\_/\_\_\_\_/\_\_\_\_

CDID #1 DISTRICT MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_

## CONDITIONS OF NON-FEDERAL ENCROACHMENT PERMITS ISSUED BY CDID #1 OF COWLITZ COUNTY

In compliance with Public Law 84-99, and in order to be eligible to receive federal assistance and rehabilitation funds before, during and after a flood, all portions of a flood control system including interior drainage systems must meet the minimum requirements of the United States Army Corps of Engineers (USACE) Rehabilitation and Inspection Program. No alteration, improvement, excavation or construction is permitted on District property or easement without prior approval from the local sponsor (CDID#1). Approval requires District review to ensure the constructed improvements do not impair the District's ability to perform maintenance and will not reduce the level of protection.

### Design Standards for Encroachments on Non-Federal Flood Control Works

- All improvements shall be constructed and maintained in accordance with District policies and standards, and in compliance with the USACE Levee Owner's Manual for Non-Federal Flood Control Works (published under Public Law 104-303, Water Resources Development Act of 1996).
- Stormwater discharges shall also be in accordance with the City of Longview Stormwater Management Program, Cowlitz County Stormwater Management Plan and the Washington State Department of Ecology Stormwater Management Manual for Western Washington.
- Fences and other structures shall also be in accordance with local building codes and shall be constructed such that they can be removed upon thirty (30) days written notice, at the Permittee's expense.

### General Conditions

1. This Permit is personal to Permittee and is not appurtenant to adjoining property. Permit does not convey or transfer any interest in real property; it only grants permission for use of District property or easement. The District relies upon the Permittee to comply with all conditions of this Permit.
2. This Permit is transferrable and may be re-assigned upon the sale or transfer of interest of Permittee's real property, subject to all of the terms hereof. The Permitted is required to notify the District in writing within thirty (30) days of transferring or re-assigning any Permit.
3. If the Permittee fails to comply with any terms of this Permit, or if the District later determines the encroachments allowed by this Permit are contrary to the best interests of the District, this Permit may be modified or revoked upon thirty (30) days written notice.
4. All construction shall be in accordance with drawings submitted with Permit Application, in accordance with all conditions imposed upon this Permit, and shall be subject to final inspection and approval by the District Engineer. The District is not responsible for the technical sufficiency of the design, means and method of construction, nor of the constructed work.
5. Work authorized by this Permit must begin within six (6) months from the date of issuance, and be completed within twelve (12) months. Requests for time extension shall be submitted at least one month before the deadline for completion.
6. Any damages resulting directly or indirectly from construction must be repaired to the satisfaction of the District.
7. Permittee, and successor of Permittee, hereby agrees as follows:
  - (a) To assume all risk of injury, death, damage to property, attorney's fees and expenses for itself, its successors, assigns, agents, officers, directors, employees and contractors, arising out of construction and maintenance of the improvements and use of the property described herein, or its operations thereon, except those caused by or resulting from the sole negligence of the District.
  - (b) To indemnify and save harmless the District, its Supervisors, employees and agents against all claims, demands, suits, attorney's fees or expenses arising out of this Permit and/or the construction, maintenance or use of any improvements or structures hereby permitted.
  - (c) Permittee agrees to remove any obstruction (fences, outbuildings, etc.) within thirty (30) days written notice from the District to facilitate equipment access, maintenance and repairs to the District facilities.
8. If this Permit authorizes a discharge to a ditch, drain, culvert, slough or other facility of the District, the Permittee shall comply with all applicable federal, state and local statutes, ordinances, rules and regulations (current and future), relating to the installation, operation and maintenance of onsite detention, treatment and pre-treatment, and including procurement of all permits needed for water quality pursuant to the Federal Water Pollution Control Act Title 22 United States Code, Section 1251 et seq., State Water Pollution Control Act RCW 90.48 and Washington State Discharge General Permit Regulation WAC 173-226-130.
9. The District assumes no ownership of culverts, outfalls, or other conveyances installed under this Permit. The Permittee shall be solely responsible for the maintenance, repair, replacement and/or possible relocation of all constructed improvements.
10. The District shall not be liable for any damage to any underground pipe, conduit, cable, wire, or other facility or device installed, placed, or operated under this Permit, resulting or occurring from or by reason of the District's operation, maintenance or repair of its facilities, nor for any interruption, interference or termination of service along, through or in connection with any such pipe, conduit, cable, wire or other facility.