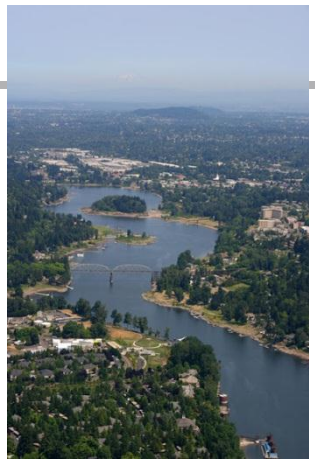

Oak Lodge Sanitary District

Established 1956

Re-Investing for Healthy Rivers

Surface Water Management Code

Implementation Guide

Oak Lodge Sanitary District

July 2013

Contents

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1.0 Introduction and Purpose

Oak Lodge Sanitary District (District) completed an update to its Surface Water Management Rules and Regulations (Code) in May 2012. The District's Board formally adopted the updated Code in June 2012. The process involved the input and review by the District's "Healthy Watershed Committee" and included several opportunities for public input. While many parts of the Code remained unchanged, several key changes and clarifications were made from the last version of the rules and regulations, including:

- Addition of a tree replacement requirement.
- Integration of erosion control and surface water management.
- Changes to buffer area requirements.
- New fee structure for permit and plan review.

To help streamline implementation of the Code by District staff and maintain a consistent high-level of customer service, the District has prepared this document.

1.1 Purpose of Surface Water Management Code

The District provides surface water management through maintenance of surface water facilities, public education, water quality monitoring, implementation of intergovernmental agreements to provide for inter-jurisdictional coordination, and preparation of water quality and quantity control ordinances and regulations *(Sec. 1.2.010).*

The objective of the Code is to *(Sec. 1.2.020)*:

- Prevent or minimize the introduction of pollutants to surface waters.
- Meet federal National Pollutant Discharge Elimination System (NPDES) permit requirements.
- Prevent future pollution and erosion through implementation of Best Management Practices (BMP).
- Provide for the equitable distribution of the costs of the surface water management program.
- Better manage and control surface water within the District.

1.2 How to Use the Guide

The Surface Water Management Code Implementation Guide (Guide) is meant to be a reference for District staff for internal use, as well as a tool for communicating with customers and permit applicants. Specific chapter and section references to the Code are generally noted at the end of a topic discussed in the Guide. For the electronic version of the Guide, Code references are included as hyperlinks to their respective chapter and section in the Code.

The language in the Guide is not meant to supersede in legal terms, the specific meaning and legal standing in the Code. Some of the language in the Code will be repeated verbatim in the Guide, while in some cases additional explanation and description will be added that establishes procedures or processes to implement the Code rules. The Guide is divided into the following main sections:

- **Section 2** presents definitions of terms not originally included in the Code or additional clarification of terms specifically defined.
- **Section 3** presents the key implementation issues for the key subject requirements in the Code that customers and developers will likely encounter.
- **Section 4** presents a summary of enforcement, variance and appeal processes, and fees.
- **Section 5** is a compilation of the District customer forms related to Code administration and enforcement.
- **Section 6** includes a listing and link of the key Code-related references and other related guidance documents.

Finally, while the Guide is intended to provide clarity and certainty in the processes and decisions made with respect to Code requirements, it is expected that the Guide will continue to be improved. Therefore, it is structured to be "modular" and readily revised and updated in tabbed sections. The internal sections, external references, and figures can be updated relatively independently.

1.3 Roles and Responsibilities of District Staff

An organization chart of key District staff is presented below. The major responsibilities of these staff related to implementation of the Code are listed below

- General Manager
- Manager of Planning and Development
- Operations Manager
- Administrative Services Manager
- Technical Services Coordinator
- Administrative Support Specialist
- Pollution Prevention Specialist
- Billing Clerk

2.0 Definitions

Chapter 1.3 of the Code includes definition of terms. The definitions are included here for reference. A review of the definitions identified the need for: (1) clarification for some of the terms, and (2) the need to define terms not included in the Code. These terms include:

The terms listed above are included in this Section. Definitions of other terms are included in the full copy of the Code located in Section 7 of this Guide.

Construction activities –any activities such as clearing, grading, building, excavation, filling, demolition that cause ground disturbance (see definition), or stockpiling activities that result in ground disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and/or skidding of trees, stump removal and/or brush root removal that cause ground disturbance. Construction activity does not include routine maintenance that is performed to maintain the original line and grade or hydraulic characteristics of an area (e.g. mowing). It does not refer to non-earth-disturbing construction activities such as interior remodeling, completion of interiors of structures, re-roofing, etc.

Creek – a small to medium sized natural stream, where "stream" is a generic word for a body of water with a constant flow, confined within a bed and streambanks. It is generally accepted that a river is larger than a stream and stream is larger than a creek, although there are no universally accepted definitions that clearly differentiate among these terms. It is possible to find a few named rivers that are tributary to named creeks across the Untied States.

Ditch – a long narrow trench or furrow dug in the ground, as for irrigation, drainage, or a boundary line.

Ground disturbance – a man-made disturbance of the ground surface, which includes movements of soil, dirt, or rock resulting from operation or activity on or under the existing surface. It does not include disturbance or displacement as a result only of: routine, minor road maintenance; gardening or landscaping cultivation to a depth of less than 8 inches below the ground surface so long as it does not *permanently* remove the cultivated soil.

Impoundment – a body of water confined within a natural or man-made enclosure, such as a reservoir, lake, or pond.

Mean High Water Mark (Ordinary/Normal High Water Mark) – For purposes of the Code mean high water mark and ordinary high water mark are considered the same. The line or mark (elevation) on the shore or streambank established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, or destruction of terrestrial vegetation. It is commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. In riparian situations, along inland lakes and waterways, the vegetation and/or scour are often the best indicators; for watercourses, the elevation of the top of the bank of the channel is often the best indicator.

3.0 Key Code Frequently Asked Questions

This section of the Guide presents frequently-asked-questions (FAQ) related to Code requirements. The FAQs target the key resource topics and requirements in the Code that developers and property owners would likely encounter through their activities. The key resources are those that the District is required to protect under their NPDES MS4 permit, including surface water quantity and quality, sensitive areas (i.e. streams and wetlands) and associated buffer areas. In particular, the following topics from the Code are covered in the Guide:

- Erosion Control/Surface Water Management (EC/SWM) Permit requirements
- Buffer requirements
- Tree replacement requirements
- Water quantity (detention) and water quality (runoff treatment) requirements

For each of these resource topics, stand-alone "FAQ sheets" are also available from the District Administrative Office or can be downloaded from the District website. The FAQ sheets are included in their entirety in their respective subsections below.

In general the FAQs are structured to answer questions related to the various key resource topics:

- Why is the resource regulated under the Code?
- When is the resource regulated?
- What is required from the developer or property owner?
- Is there a fee or cost associated with compliance?
- Is there an option for a "variance" to the requirement?
- Where can more information be found?

3.1 Erosion Control/Surface Water Management Permit

Relevant Code Chapters/Sections:

- **Chapter 3.1** – Permits Required
- **Chapter 3.2** – Agency Coordination
- **Chapter 3.3** – Permit Procedure

Basis for Requirement

- The EC/SWM Permit is the primary means by which the District implements the protections and enhancements to local water quality and to meet its requirements under the NPDES Municipal Separate Storm Sewer System (MS4) permit issued under the Clean Water Act. The EC/SWM Permit allows the District to track and enforce the Code

and/or mitigation requirements on activities that could affect the sanitary and storm sewer systems and surface water within its jurisdiction.

Applicability

- EC/SWM Permits are required for construction activities (with ground disturbance)affecting areas of 500 square feet or greater and for of 250 square feet or greater within buffer areas. Examples include the following (see Attachment A for a detailed list):
  - Movement, removal, or covering of soil (ground disturbance – see definition)
  - Excavation/fill
  - Clearing/grading
  - Vegetation/tree removal in a buffer area
  - Demolition of structures with ground disturbance
  - Replacement, alteration (Addition/expansion) of existing structures (even if the existing foundation or pad is used and / or no additional ground disturbance is proposed
  - Construction of new structures or impervious surface (e.g., deck, asphalt, concrete)
  - Construction or installation of erosion control facilities to comply with water quality standards
  - Discharge of stormwater or connection to from new developments or redevelopments to creeks or drainage ways or stormwater sewer within the District's boundary
  - Construction of pretreatment facilities to comply with water quality standards
  - Utility trenching
- EC/SWM Permits are typically **not** required the following:
  - Deck construction using post and pier footings
  - Demolition and/or reconstruction of a structure on the existing foundation/pad with no new impervious surface added or soil disturbance
  - Tree cutting or stump grinding with no soil disturbance outside the buffer area
- Issuance of the EC/SWM Permit is a required component of the Clackamas County land use or building permit review. The County does not issue permits without District issuance of an EC/SWM Permit(s) and/or sanitary sewer permit.
- When the extent of a project involving ground disturbance covers an area of one (1) or more acres then a stormwater discharge permit (1200-C) from Clackamas County may be needed. The project owner/applicant will be asked to confirm with Clackamas County whether a 1200-C permit is required. An EC/SWM permit from OLSD is still required to address other relevant Code requirements not related to erosion control.

Requirements

- EC/SWM Permit Application include items 1-3 with item numbers 4 and 5 being needed for larger developments including subdivisions and commercial/industrial projects:

    1. Application Form – main features include: permit type, applicant information, property owner information, basic site information, fee payment status. *(see form shown in Section 5.1 of this Guide for a complete list of needed items).*

    2. Site Plan – main features include: property lines, slope direction(s) shown by contour, new and existing structures, repair locations, sewer line repair/installation locations, new and existing impervious area, and existing natural resources (e.g. streams, trees). *(see sample shown in Section 5.2 of this Guide, page 4 of 4)*

    3. Erosion and Sediment Control Plan – main features include: site contour lines, storage site for excavated materials, gravel construction entrance, type and location of erosion control BMPs, drainage during construction, drainage following construction. Erosion control plans must meet requirements of the current Clackamas County Water Environment *Services Erosion Prevention and Sediment Control Manual*. Other information is required specific to single family residential projects and other nonresidential projects. *(see permit intake checklist shown in Section 5.1 for a complete list of needed items).* For single family residential projects the site plan and erosion control plan may be combined into a single sheet.

    4. Storm Drainage Plan – main features include: property lines, slope direction(s) shown by contour, location of detention and runoff treatment facilities and associated details, and drainage patterns or conveyance collection structures to facilities.

    5. Storm drainage calculations – the Site Plan, Erosion and Sediment Control Plan, and Storm Drainage Plan shall be prepared by a registered professional engineer when a project will disturb more than five acres or more than one acre on steep slopes (20% grade) or on highly erodible soils. Additional plans, specifications, and studies or analyses may be requested depending on the specific activity.

- EC/SWM Permit Application Review Process involves the following:

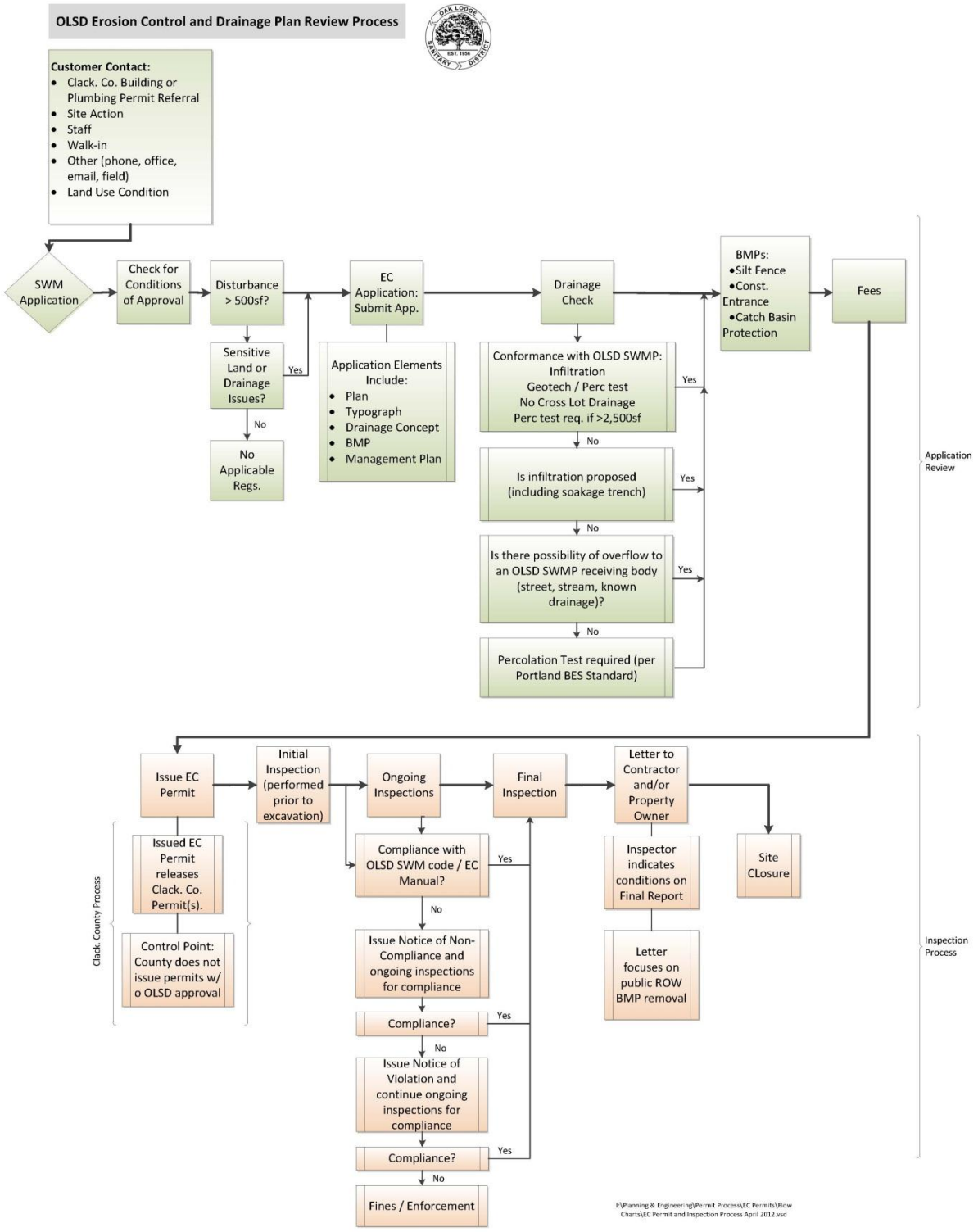
    - The EC/SWM Permit review process is conducted in two main phases: the first is the application review and the second is the inspection process. The Erosion Control and Drainage Plan Review Process schematic shown at the end of this section presents the process steps and decision points.

    - The EC/SWM Permit FAQ describes more of the EC/SWM Permit review process (page 3 of the FAQ).

Related References

- EC/SWM Permit Application form and Permit Information and Intake Checklist are included in Section 5.1.

- Clackamas County Water Environment *Services Erosion Prevention and Sediment Control Manual*


OLSD Erosion Control and Drainage Plan Review Process
Customer Contact:
Clack. Co. Building or Plumbing Permit Referral
Site Action
Staff
Walk-in
Other (phone, office, email, field)
Land Use Condition
SWM Application
Check for Conditions of Approval
Disturbance > 500sf?
Sensitive Land or Drainage Issues?
Yes
No
No Applicable Regs.
EC Application: Submit App.
Application Elements Include:
Plan
Typograph
Drainage Concept
BMP
Management Plan
Drainage Check
Conformance with OLSD SWMP: Infiltration Geotech / Perc test No Cross Lot Drainage Perc test req. if >2,500sf
Is infiltration proposed (including soakage trench)
Is there possibility of overflow to an OLSD SWMP receiving body (street, stream, known drainage)?
Percolation Test required (per Portland BES Standard)
BMPs: •Silt Fence •Const. Entrance •Catch Basin Protection
Fees
Application Review
Issue EC Permit
Issued EC Permit releases Clack. Co. Permit(s).
Control Point: County does not issue permits w/ o OLSD approval
Clack. County Process
Initial Inspection (performed prior to excavation)
Ongoing Inspections
Compliance with OLSD SWM code / EC Manual?
Issue Notice of Non-Compliance and ongoing inspections for compliance
Compliance?
Issue Notice of Violation and continue ongoing inspections for compliance
Compliance?
Fines / Enforcement
Final Inspection
Letter to Contractor and/or Property Owner
Inspector indicates conditions on Final Report
Letter focuses on public ROW BMP removal
Site CLosure
Inspection Process
I:\Planning & Engineering\Permit Process\EC Permits\Flow Charts\EC Permit and Inspection Process April 2012.vsd

3.2 Buffer Requirements

Relevant Code chapters/sections:

- **Chapter 5.5** – Natural Resource Protection
  - Section 5.5.040 – Undisturbed Buffer Required
  - Section 5.5.050 – Design Standards for the Undisturbed Buffer
  - Section 5.5.070 – Location of Undisturbed Buffer

Basis for Requirement

The District is required by federal and state law to protect and enhance water quality in local streams. A "buffer area" (also referred to as "riparian area") provides protections for streams and wetlands (referred to as "sensitive areas"). These protections include water quality and ecological benefits, through shading and interception of sediments and pollutants; and upland benefits, such as bank stabilization and overflow area during high water events to capture flood waters.

Applicability

- Buffer area width is determined by measuring perpendicular from the stream or wetland boundary (i.e., sensitive area). The District maintains a map that defines designated sensitive areas.
  - Boundary of wetland is defined by DSL-approved delineated wetland boundary. If the wetland does not have an official boundary delineation, property owner/applicant must obtain a DSL-accepted wetland delineation.
  - Boundary of stream or impoundment/lake/pond is measured from the top of the bank or first break in slope measured upland from the "mean/normal high water line" (the same as ordinary high water mark for District's purposes)
- Buffer area widths are dependent on the type of stream or other sensitive area as listed in Table 3-1 below and Appendix B of the Code. Requirements in Table 3-1 that are more stringent supersede existing federal, state or local requirements supersede. Alternatively, any federal, state or local requirements that are subsequently adopted that are more stringent supersede OLSD requirements. Refer to Chapter 3.2 of the Code.

Table 3-1. Buffer Area Width by Sensitive Area Type

Sensitive Area	Upstream Drainage Area	Width of Buffer
Intermittent Creeks, Rivers, Streams	Less than or equal to 50 acres	25 feet
Intermittent Creeks, Rivers, Streams	Greater than 50 acres	35 feet
Perennial Creeks, Rivers, Streams	Any upstream area	35 feet
Wetlands, Lakes (natural), and Springs.	Any drainage	35 feet

Table 3-1. Buffer Area Width by Sensitive Area Type

Sensitive Area	Upstream Drainage Area	Width of Buffer
Willamette River	Any drainage	35 feet (from normal high water)

Requirements

- Permit Requirement: An EC/SWM Permit is required for **any** ground-disturbing activities **greater than 250 square feet** in the buffer area. See Section 3.1 of this Guide.
- Specific activities that are **allowed in the buffer area** include:
  - Maintaining *existing* landscaping and vegetation
  - Measures to protect property from erosion (within limits allowed by federal, state, and local regulations)
  - Measures to remove or abate hazards, nuisances, invasive species, and fire and life safety violations
  - Utility construction
  - A regional or pervious walkway or bike path

Other Provisions

- Buffer Area Variance Process: An EC/SWM Permit issued for the activity/project may allow mitigation when no reasonable or feasible option exists for not encroaching within the minimum buffer area. The District will follow the same process as defined in the Surface Water Management Administrative Procedures for Clackamas County.
  - Area Mitigation – an area mitigation to impact ratio of 1.5 to 1 (1.5:1), the developer must provide a map and calculations indicating location of the mitigation area. Plantings should include native vegetation identified in the Oak Lodge Sanitary District Plant List.

Related References

- Code Sections 3.3 and 3.4 – Erosion Control/Surface Water Management Permit
- Code Section 5.5.060 – Tree Replacement
- Oregon Department of State Lands: "Just the Facts – Choosing and Using a Wetlands Consultant" (May 2000)
- Clackamas County Water Environment Services: "Surface Water Management Administrative Procedures" Section 3.3 (January 2003)

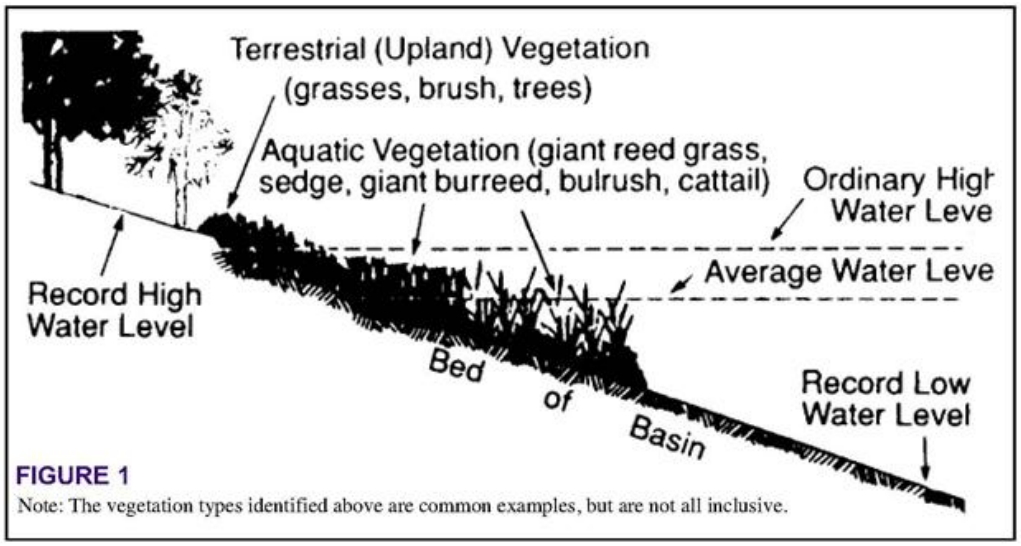


FIGURE 1

Note: The vegetation types identified above are common examples, but are not all inclusive.

3.3 Tree Replacement Requirements

Relevant Code Chapters/Sections

- **Chapter 5.5** – Natural Resource Protection
  - Section 5.5.060 – Tree Replacement within Undisturbed Buffer

Basis for Requirement

The District is required by federal and state law to protect and enhance water quality in local streams. Trees enhance water quality by providing shade, which lowers stream temperatures, as well as bank stabilization and stormwater retention. Thus, tree replacement requirements maintain and/or improve water quality in local streams.

Applicability

- Tree replacement is required if a tree is removed *from the buffer area* with a diameter at breast height (DBH) of at least 3-inches. *(See Other Provisions section below).*
- Trees removed by or requiring removal as a result of natural causes (e.g., wind storm, disease, wildlife activities) do not have to be replaced.
  - Note:A report from a certified arborist is required to be submitted to OLSD to avoid the tree replacement requirement in cases where the property owner wants to remove a tree(s) that is currently standing due to suspected disease.
- The Code tree replacement requirements do not supersede the Clackamas County Tree Ordinance, nor does complying strictly with this tree ordinance eliminate the need to comply with the Code tree replacement requirements.

Requirements

- Any tree removed under the conditions above must be replaced at a ratio of four trees planted for every one removed (4:1) within a timeframe, location(s), and species identified in an approved site restoration plan.
  - A site restoration plan is required only when an EC/SWM Permit is required, and shall be submitted as part of the permit application.
  - In cases where no EC/SWM permit is required, the property owner should plant the replacement trees
- An EC/SWM Permit is required if the tree removal activity causes ground disturbance greater than 250 square feet.
- In all cases, replacement trees must be on the approved list of native trees, which can be found online at the OLSD website.
- The replacement trees shall be planted within the buffer area of the same property and within a maximum of 25 feet radius where the tree(s) was removed. The replacement trees shall be planted within three months of when as the trees were removed.

- Under a variance process, OLSD will consider allowing off-site mitigation or any other requested changes from the requirements and guidelines listed in this section. A variance application should be submitted to OLSD.

Other Provisions

- No District fees are associated with tree replacement requirements, if no EC/SWM Permit is required as part of associated activities for the tree removal.
- The property owner is responsible for costs of tree removal.
- The property owner is responsible for purchasing or acquiring the replacement trees, planting the trees, and ensuring that they survive. OLSD has the prerogative to conduct an inspection of condition and health of replacement trees after at least one year from planting. If replacement trees are in poor condition or have not survived as determined from the inspection, OLSD may require new replacement trees to be planted.
- To determine DBH of a tree, measure the tree:
    - At 4.5 feet above the ground, wrap a measuring tape around the trunk of the tree. Divide the measurement by 3.14 to get the DBH.
    - To determine DBH for trees with multiple stems/trunks, measure the diameter of the tree at the narrowest point between the root flare and split of the trunks.

Related References

- Code Sections 3.3 and 3.4 – Erosion Control/Surface Water Management Permit
- Code Sections Section 5.5.040 – Undisturbed Buffer Required
- Clackamas County Tree Ordinance.

3.4 Flow Control and Treatment Requirements (Water Quantity and Water Quality Standards)

Relevant Code Chapters/Sections

- **Chapter 6.2** – General Standards
- **Chapter 6.3** – Water Quantity Standards
- **Chapter 6.4** – Water Quality Standards

Basis for Requirement

The District operates its surface water management program under a permit required under the Clean Water Act to protect surface waters from impacts due to stormwater runoff. As new development occurs, more impervious areas result in greater runoff volumes and flows, as well as increased potential sources of pollution. Water quantity (or flow control) facilities limit the channel erosion and sedimentation issues caused by the increased runoff. Water quality (treatment) facilities reduce or capture the pollutants in runoff from entering the waterways.

Applicability

- The Code requires flow control and treatment of runoff whenever the EC/SWM Permit is required:
  - Whenever the District issues EC/SWM Permits related to development, redevelopment, or expansion. This includes ground-disturbing activities affecting areas of 250 square feet or greater within buffer areas, and activities affecting areas of 500 square feet or greater in all other areas.
  - For residential subdivisions, partitions of parcels with the potential to create more than two additional lots, and developments having more than 5,000 square feet of impervious area. For two-lot partitions that cannot be further partitioned under current zoning, detention is not required.
- Sizing of the flow control or treatment facilities are based on the impervious area created by the development or construction activity. Sizing of these facilities are based on one (1) equivalent service unit (ESU; 2,500 square feet) plus all roads for individual lots.. If actual impervious area is greater than one (1) ESU per dwelling unit, then the *actual impervious area* must be used. Impervious area includes all structures and roads associated with the project.

Requirements

- The District does not currently have its own design manual for surface water management. For consistency and as referenced in the Code, the District relies on the City of Portland's *Stormwater Management Manual* (2008) for water quantity (detention) design standards and methods. For water quality treatment facilities, the District relies on

Surface Water Quality Facilities Technical Guidance Handbook (1991), prepared for Portland, Lake Oswego, Clackamas County, and Clean Water Services. Copies of these documents are available on-line or at the District's Administrative Office for viewing.

- Link to City of Portland's *Stormwater Management Manual*
- *Link to Surface Water Quality Facilities Technical Guidance Handbook* (1991)

- A summary of the water quantity (flow control) and water quality (pollution reduction/treatment) control requirements are listed below:

Flow Control (Detention and Retention) (Section 6.3.040)	
Applies District-wide to all projects that develop or redevelop or alter existing impervious area over 500 square feet of impervious area. Detention exemptions: Sites that drain directly to the Willamette River Retention exemptions: Sites with unstable soils. Contamination, or high risk of contamination	• Must use vegetated retention facilities to infiltrate onsite to the maximum extent feasible. • For discharge to surface water body or storm sewer system that discharges to surface water (other than exempt), must detain: - 2-year, 24-hour post-developed runoff rate to ½ of 2-year, 24-hour pre-developed runoff rate • For discharge to storm sewer system with limited downstream capacity that cannot be upgraded: - 25-year, 24-hour post-developed runoff rate to 2-year, 24-hour pre-developed rate; and - 2-year, 24-hour post-developed rate to ½ of 2-year, 24-hour pre-developed rate
Water Quality Treatment (Detention and Retention) (Chapter 6.4)	
Applies District-wide to all projects that develop or redevelop or alter existing impervious area over 500 square feet of impervious area. Exemptions: Runoff from residential roofs that go directly to infiltration facilities	• Capture and treat runoff for all events up to ½ of a 2-year, 24-hour post-developed storm. • Must use a pollution reduction facility that will reduce pollutants of concern. • Must use vegetated facilities to the maximum extent feasible.

- Regional detention and water quality treatment facilities are encouraged and may be sized and constructed to provide detention and treatment for more than one development.

Other Provisions

- Following completion of construction, developer/owner must submit document with as-built plans of facilities stamped by professional engineer, indicating all flow control and treatment facilities have been installed per approved plans and inspected by the District.

- Maintenance program/plan must be submitted by developer/owner and approved by District. Facilities must be maintained by owner/developer and annual maintenance documentation submitted to the District.
- Each flow control and treatment facility must have adequate easements and access for construction, operation and maintenance.
- Developer/Owner must provide performance bond or other surety prior to recording of the plat or issuance of building permit. Maintenance bond must be provided to the District prior to release of performance bond.

Related References

- Code Sections 3.3 and 3.4 – Erosion Control/Surface Water Management Permit
- City of Portland's *Stormwater Management Manual* (2008)
- *Surface Water Quality Facilities Technical Guidance Handbook* (1991), prepared for Portland, Lake Oswego, Clackamas County, and Clean Water Services
- Oak Lodge Sanitary District *Surface Water Master Plan*

4.0 Enforcement, Variances, and Appeals

This section of the Guide outlines the administrative procedures related to the following subjects from the Code: (1) Enforcement; (2) Variance Process; (3) Appeals; and (4) Fees.

4.1 Enforcement (Chapter 9.3)

- **Inspections.** The Code authorizes District representatives to inspect the property and facilities of any owner to determine compliance with the requirements of the Code, and to set up devices necessary to conduct sampling, inspection, compliance, monitoring, and/or metering operations. In general, the District will follow the process outlined below to conduct an inspection:
    - In cases where the District has reasonable cause to believe there is a violation of the Code, and the site/premises is occupied District representative will show credentials and request entry.
    - In cases where the District has reasonable cause to believe there is a violation of the Code, and the site/premises is unoccupied and no permit has been issued, the District will make reasonable attempts to locate and contact the owner or representative of the premises and request entry.
- **Notice of Violations.** The Code authorizes the District to issue civil penalties resulting from non-compliance of Code requirements. Prior to assessment of any civil penalty the District will issue a notice of non-compliance, notice of violation, or notice of civil penalty. In general, the District will follow the process outlined below when issuing these respective notices:

4.2 Variance Process (Chapter 10.2)

A variance is a discretionary decision made by OLSD staff to allow a modification of the term(s) of a specific requirement in the Stream SWM Code. It must be based on demonstration of unusual hardship or exceptional circumstances unique to a property or activity. Any person may request a variance to a requirement in the Stream Code.

All requirements may be considered for a variance. In general, a variance to a Code requirement will only be considered for situations where a property owner feels that he/she cannot meet the requirements as stated in the code. A landowner must be clear with a statement of why the code requirements cannot be met, and how he/she proposes to meet the water quality requirements of the code using alternative methods.

- The variance process starts by completing a variance request, which includes a statement by the applicant of their understanding of the code requirements, a statement of why the applicant cannot meet the required code, and a proposal for an alternative approach or solution that provides an equivalent level of water quality protection. These materials must be submitted with the EC/SWM Permit application and associated required materials.
- Additional material may be requested after an initial application review.

- Once a variance decision is made by OLSD, the property owner/customer has the ability to appeal the decision.

No separate fees are charged for submitting a variance request form. A fee is charged for the EC/SWM Permit, which is required as part of the variance request (Appendix A of the Code includes a schedule of fees). If additional site visits or significant re-review of the EC/SWM Permit is warranted because of the type of variance requested, then additional fee may be charged to the customer.

4.3 Appeals (Chapter 10.3)

Appeal requests must be submitted within 14 days after following a permit application decision is made on a permit application. The OLSD General Manager will make a written appeal decision within 30 days of the completed appeal application. Subsequent appeals to the General Manager's decision can also be made through a hearings officer and finally by the Circuit Court of the State of Oregon for Clackamas County.

4.4 Fees

- Fees associated with EC/SWM Permit application and review requirements range from $100 to $400, depending on the type and size of project.
- If the OLSD requires additional plans, specification, studies, or analyses to complete the EC/SWM permit review process, the property owner/applicant will be responsible for paying for this information.
- No fees are associated with tree replacement requirements, if an EC/SWM Permit is not required as part of associated activities for the tree removal. Property owner is responsible for tree removal and replacement costs, including purchasing or acquiring replacement trees, planting the trees, and ensuring survival.

5.0 Forms

5.1 Erosion Control/Surface Water Management Permit Form

Oak Lodge Sanitary District Permit Application

Erosion Control / Surface Water Management / Sanitary Sewer

14611 SE River Road Oak Grove, OR 97267-1198 Phone: 503-653-1653

Email MrMead@olsd.net www.OakLodgeSanitary.com

UB Acct. #

Applicant To Complete This Column

Permit Type(s)	Circle All That Apply
Erosion Control/Grading	Plumbing Plan Check
Sanitary Sewer (tap, inspection or line extension)	Tenant Improvement
Development Review	Cert. of Occupancy
SWM	Variance

Clack. Co. Permit#
Job Address
Contractor / Applicant
Company
Contact Person
Address
City/State/Zip
Phone
E-Mail:
CCB # Expiration Date
Property Owner
Name
Address
City/State/Zip
Phone
E-mail
Site Info.
Excavated area (square feet)
Excavated amount (cubic yards)
Estimated excavation start date
Estimated construction completion date
Rain Drain Outlet: (Soakage Trench, Weephole, Stormdrain)
Conditions
By signing below, I agree to OLSD conditions; I have property owner authorization.
Signature Date

OLSD To Complete Column

OLSD Permit Fees	
Type	**Fee**
San. Sewer SDC	$
San. Sewer Insp.	$
Line Ext. Dep.	$
EC / SWM	$
Deposit	$
Total $	
Payment	
Date Recv'd:	
Ck CC Cash	R#
Amount $	
Sanitary Sewer (Y or N, N/A)	
Sewer Line ID	
Tap	
Tap size	
Registered Contractor	
Right-Of-Way	
District Easement	
Private property	
Type of Work	
New	Remodel
Sign / Fence	Landscape
SFR	MFR
Commercial / Industrial / Retail	
Restaurant, Adult Foster Care	
Other:	

Permit Number(s)

I:\IGPermits\Standard Letters\Erosion Control Permits\Permit Application OLSD 2013.xls

5.2 Erosion Control/Surface Water Management Permit Information and Intake Checklist

OAK LODGE SANITARY DISTRICT

Protecting our valuable water resources

Erosion and Sediment Control Information 2013

The Oak Lodge Sanitary District issues Erosion Control permits within its jurisdictional area. Erosion Control plans are required for soil disturbance as described in the Oak Lodge Sanitary District's (OLSD) Surface Water Management (SWM) Code. Erosion Control Plans must be dedicated to displaying erosion and sediment control-related information. Plans muddled with other features not related to Erosion Control or required by OLSD will not be reviewed.

Review Process: Submit the relevant items in the Erosion Control Permit Intake Checklist to Oak Lodge Sanitary via email, fax, post or by delivery. OLSD will endeavor to review applications in a timely manner. Review time depends on application complexity and application material quality. Following approved materials, OLSD will issue a permit directly to Clackamas County via email. This OLSD permit releases Clackamas County to complete the Building and/or Plumbing permit process. Following OLSD permit issuance, applicant does not typically bring any OLSD documents to Clackamas County.

Inspection Process: OLSD reserves the right to inspect for code compliance. OLSD must be given 24-hour notification and access to inspect work during construction. OLSD may require additional measures during the construction process (see page 3 of this form for inspection request procedures). Plan changes must be approved prior to construction. Following final inspection approval, OLSD will finalize its permit. Following finalized inspection, applicant does not typically bring any OLSD documents to Clackamas County.

Questions: please contact the Administration Office at: 14611 SE River Rd, Milwaukie, OR 97267-1198

Phone: 503-653-1653 x103 www.oaklodgesanitary.com / MrMead@OLSD.net

Erosion Prevention and Sedimentation Control Permit Fees

Plan Review Fee for addition/remodel or demolition of single family residence **$100**
(500 square feet or less)

Plan Check Fee for developments greater than one (1) ESU* ……..….**$400**

Newly constructed Single Family Residence (including manufactured homes) and
additions/remodels or demolitions of more than 500 square feet**……**$325**

Multi-Family (duplex and larger)/Commercial/Industrial projects……**$325**
Currently any project over 1 acre in size requires an Erosion Control Permit issued by the State of Oregon Department of Environmental Quality (DEQ). Within Clackamas County, DEQ has authorized Clackamas County Water Environment Services (WES) to administer those permits. If your project is over 1 acre in size, please contact WES at 503-353-4567 or online at www.co.clackamas.or.us/wes for erosion control information.

Fees for additional site visits; more than:

- three visits per Single-Family Residence construction,
- four visits per Multi-family Residence/Commercial/Industrial project, or
- visits necessitated by complaint calls)……**$50 per visit**

*The applicant shall deposit with the Erosion Control/Stormwater Management Permit application a sum determined by the General Manager, to cover costs including the preliminary plan review, administration, enforcement, field inspection(s), and recording of the information in the records of the District. In the event that all such costs exceed the amount of the deposit, then the applicant shall pay such excess cost to the District prior to final acceptance and approval and the placing of the extension into operation. Balance of unused deposit funds will be refunded upon acceptance of the erosion control plan and installed erosion control measures by the District. Note, the District will not charge the above fees unless thresholds above are met.

** Demolition is considered a new project plus plan review. For example, a single family home demo and rebuild is a demo fee of $325 and a plan review fee for the new home of $100 for a total of $425.

For further reference, documents available at the Oak Lodge Sanitary District Administrative Office Building include:

- Oak Lodge Sanitary District Rules and Regulations for Surface Water Management
http://www.oaklodgesanitary.com/rules/documents/OLSD_SWMCOrdinance_Final_May12012.pdf
- DEQ Erosion and Sediment Control Manual
http://www.deq.state.or.us/wq/stormwater/docs/escmanual/manual.pdf
- WES Erosion Prevention Planning & Design Manual
http://www.clackamas.us/wes/designmanual.jsp

$20 charge for printed copies of either the DEQ or the WES manuals

Inspection Procedures

To schedule an inspection contact the OLSD main office via the following:

- Phone: 503-653-1653 x 103
- Walk In: 14611 SE River Rd, Milwaukie, OR 97267-1198
- Email: MrMead@OLSD.net

Notes

- Inspection requests must be made at least 24 hours prior to desired inspection time.
- Inspections are conducted between the hours of 8:00AM and 1:30PM.
- OLSD does not schedule inspections for the same day or for requests left on the message overnight.

If OLSD would like to schedule and inspection with the contractor and/or applicant, OLSD will contact the applicant and/or contactor.

As part of the Erosion Control Permit, OLSD reviews new uses, tenants and structures for sewer impacts from increased usage or potential fats/oils/grease.

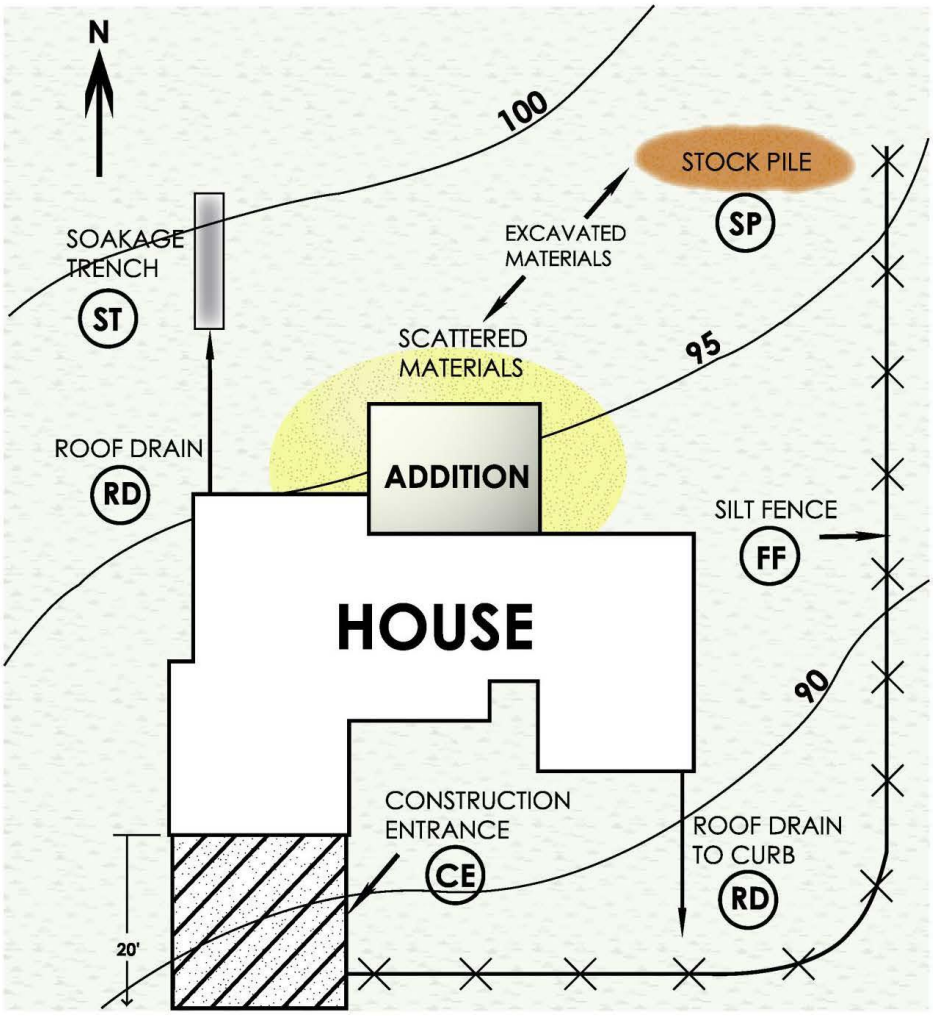
OLSD inspectors use the excavation start date and ground stabilization date on the application form as the dates of work commencement and work completion.

OLSD inspectors may arrive at any time from the date the permit is issued to the date the permit is finaled.

I:\IGPermits\Standard Letters\Erosion Control Permits\Erosion Control Permit Information Handout and Fees July 2012.doc

SAMPLE PLOT PLAN

Showing Erosion/Sedimentation Control Information



Refer to Clackamas County Technical Guidance Handbook for additional information about requirements.

I:\IGPermits\Standard Letters\Erosion Control Permits\Sample Plot Plan.ai

Checklist and Permit Intake - Erosion Control Permit

OLSD Erosion Control Permit Intake Checklist

Received ("x" is yes)	Item
Information Required For All Applications:	
	Completed OLSD Application Form including the following:
	Clackamas County Building Permit #
	Job address (site address)
	Contractor contact information
	Property Owner Contact Inforamtion
	Site Info
	Signature of property owner
	Fee (no fee for capping permit)
Information Required by Occupancy Type	
	Residential
	Prior use and current use
	Existing EDUs (default to OLSD billing records)
	Proposed EDUs (if change in use or additional needed)
	Commercial
	Proposed use/tenant
	Proposed occupancy type or description
	Prior use/tenant
	Existing EDUs (obtained from property owner/manager) default to OLSD billing records
	Industrial
	Completed pretreatment survey
	Standard Industrial Classification number (Division/Group) / use description
	Prior use/tenant
	Existing EDUs (obtained from property owner/manager) default to OLSD billing records
	Proposed EDUs
	Other:

Checklist & Permit Intake Template.xlsx EC Intake 1

Checklist and Permit Intake - Erosion Control Permit

PLANS

Erosion and Sediment Control Plan: Two (2) hard copies 8.5X11 minimum size AND one electronic copy PDF or 360dpi minimum) (Site Plan also required for all applications other than single family residential projects) (see page 3-3 of the SWM Code for further information):

Required for All Project Types	
	Contour lines with elevations to show slope. Single Family Residential applications may use arrows to show direction of slope instead of actual elevation figures.
	Storage site for excavated materials (soil stockpiles) If stored on site, there must be a designated storage site for excavated materials (soil stockpiles) and it should be covered.
	Gravel construction entrance (gravel to a depth of 8") - or equivilent such as an existing driveway
	Location of erosion control Best Management Practices (e.g. silt fences, catch basin protection, stockpile covering, vegetative filter strip).
	Drainage during construction. Show drainage pattern / direction. Indicate existing Rain Drain(s) location(s) and existing outlet method (e.g. connect to stormwater line, soakage trench etc.).
	Drainage following construction. Show drainage pattern / direction. Indicate proposed Rain Drain(s) location(s) and existing outlet method (e.g. connect to stormwater line, soakage trench etc.).
	Site restoration (permanent landscaping) for disturbance area
Single Family Residential projects	
	Existing sanitary sewer lateral on the property (indicated with green color) Assure no buiding is proposed on top of the line. OLSD staff can assist by providing on-site sewer information.
Commercial / Industrial / Multi-family / Subdivisions / Partitions with site development	
	BMPs requried for Erosion Prevention/Sedimentation Control
	Water quality facilities as required. See OLSD SWM Code Chapter 5.4
	Water quantity facilities as required. See OLSD SWM Code Chapter 6.3
	Identify any adjacent or on-site open spaces, natural resources or features.
	Identify and describe any historic localized flooding or surface water runoff issues.
	Detention calculations and water quality details complying with the OLSD SWM Code.
	Separate plan showing the methods and/or facilities to prevent erosion and pollution from the development after construction. (Reference the specific drainage basin or subbasin plan.)
	Other:

OLSD Sanitary Sewer Permit Intake Checklist

Received ("x" is yes)	Item Information
	Information Required For All Applications:
	Completed OLSD Application Form including the following:
	Clackamas County Building Permit #
	Job address (site address)
	Contractor contact information
	Property Owner Contact Inforamtion
	Site Info
	Signature of property owner
	Fee (no fee for capping permit)
	Information Required by Occupancy Type
	Residential
	Prior use/tenant or current use/tenant
	Existing EDUs (default to OLSD billing records)
	Proposed EDUs (if change in use or additional needed)
	Commercial
	Proposed use/tenant
	Proposed occupancy type or description
	Prior use/tenant
	Existing EDUs (obtained from property owner/manager) default to OLSD billing records
	Proposed EDUs
	Effluent Load Statement TSS/BOD5/ccf
	Fixture Table proposed and existing (drainage fixture units)
	Industrial
	Completed pretreatment survey
	Standard Industrial Classification number (Division/Group)
	Prior use/tenant
	Existing EDUs (obtained from property owner/manager) default to OLSD billing records
	Effluent Load Statement TSS/BOD5/ccf/
	Proposed EDUs
	Other:

OLSD Sanitary Sewer Permit Intake Cheklist

PLANS

Site Plan: Two (2) hard copies. 24x26 minimum size AND one electronic copy (PDF or 360dpi minimum). Single Family Residential projects may use 8.5X11 minimum size AND one electronic copy (PDF or 360dpi minimum).

All Project Types

_____	Slope direction(s) shown by either contour lines with elevations or slope direction arrows and approximate grade percentage.
_____	Structure(s)
_____	Property Lines
_____	Repair location(s)
_____	Fitting list (cleanout, test tee, joints etc.) and identified on plan
_____	Bore Hole locations
_____	Sewer line(s) proposed to be repaired or installed (laterals, mains)

Plumbing Plan: Two (2) hard copies. 24x26 minimum size AND one electronic copy (PDF or 360dpi minimum). See page 3-3 of the SWM Code for further information:

Commercial, Industrial Projects (Proposal)

	Plumbing plan of proposal which contains the following (Do Not Combine Existing Conditions and Proposed Plumbing Plans into one sheet):
_____	Clackamas County Plumbing Permit number
_____	Fixture list
_____	Fixture Legend
_____	Water line(s) in
_____	Sewer line(s) out showing location of Main connection
_____	Grease traps
_____	Fixtures/water-related appliances
_____	Details of any sewer line work/connections/fittings/in-line items e.g. grease interceptors
_____	Floor Plan if no fixtures are proposed.
_____	Existing sanitary sewer lateral on the property. Assure no buiding is proposed on top of the line. OLSD staff can assist by providing on-site sewer information.
Tenant Improvement	
	1. **Plumbing plan** of existing conditions which contains the following (only depict applicable items):
_____	Fixture list
_____	Fixture Legend
_____	Water line(s) in
_____	Sewer line(s) out showing location of Main connection
_____	Grease traps
_____	Fixtures/water-related appliances
_____	Other:

5.3 Determination of Completeness

Under Construction

5.4 Notice of Violation – Erosion Control

NOTICE OF VIOLATION

Oak Lodge Sanitary District personnel observed violation(s) of the District's Surface Water Ordinance at the following:

Date: _____ Time: _____

Location: _____

Description of Violation(s)

No issued Permit Substandard BMP Inappropriate BMP Need Additional BMP(s)

Specify: _____

Other: _____

Remedy(ies)

Contact OLSD Stop Work Continue Work

Corrective Actions Required: _____

by: / /20 : AM / PM

Contacts

Permit Administrator: Markus Mead (503)653-1653 x 103 MRMead@olsd.net
Inspector: Marty Guenther (503) 653-1653 x 126 MMGuenther@olsd.net
Office Location: 14611 SE River Rd Oak Grove, OR 97267-1198

This is a violation of the OLSD Surface Water Ordinance. Failure to correct the violation(s) within the stated timeline will be prosecuted to the full extent of the law. If not remedied, fines and civil penalties may be imposed in accordance with Article 9 of that Ordinance. Monetary penalties may attain a **maximum of $10,000 per day per violation** by the Oregon Department of Environmental Quality, the United States Environmental Protection Agency and/or the Oak Lodge Sanitary District.

http://www.oaklodgesanitary.com/

Oak Lodge Sanitary District *Protecting our valuable water resources*

6.0 Reference Documents (Summary; Links/Location)

6.1 The District's GIS/Map of Sensitive Areas

(hyperlink to be added by District)

6.2 The District's Surface Water Master Plan

(hyperlink to be added by District)

6.3 The District's Plant List

(hyperlink to be added by District)

6.4 Clackamas County WES Erosion Prevention and Sediment Control Manual

http://www.clackamas.us/wes/designmanual.html

6.5 Portland Stormwater Management Manual

http://www.portlandoregon.gov/bes/47952

6.6 Surface Water Quality Facilities Technical Guidance Handbook

http://www.clackamas.us/wes/documents/sw_techguide.pdf