

Stormwater Standards

Clackamas County Service District No. 1

July 1, 2013



Stormwater Standards

SECTION 1 – DECLARATION OF POLICY

These Stormwater Standards are the adopted policies, standards and specification requirements necessary to meet the provisions of Article III of the Clackamas County Service District No.1 Rules and Regulations for Sanitary Sewer and Surface Water Management. The standards will guide development activities to preserve watershed health which, in turn, benefits human health, fish and wildlife habitat, recreational, and water resources.

1.1 PURPOSE AND OBJECTIVE

The objective of the Stormwater Standards is to define policies: (a) to prevent or minimize the introduction of pollutants to surface waters; (b) to meet Federal National Pollutant Discharge Elimination System (NPDES) permit requirements; (c) to establish policies which prevent future pollution and erosion through implementation of Best Management Practices; (d) and to better manage and control surface water within Clackamas County Service District No. 1.

1.2 GENERAL STANDARDS

All development shall be planned, designed, constructed and maintained to:

- (a) Protect and preserve existing streams, creeks, natural drainage channels and wetlands to the maximum practicable extent, and to meet State and Federal requirements.
- (b) Protect property from flood hazards. Provide a flood route if the system fails.
- (c) Provide a system by which storm/surface water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons.

1.3 ADOPTION OF NEW OR AMENDED STANDARDS AND POLICIES

The District may amend policies pertaining to the development Design Standards in accordance with any other Policy, or Rules and Regulations issued by the District and approved by the Board.

These Standards are intended to be consistent with the most current provisions of all applicable Local, County, State, and Federal permits, regulations and requirements.

1.3.1 Update to Standards

Revisions to these Standards will be made from time to time. The date appearing in the Revision Table shown below is the date of the latest revision of the Standard. Users should apply the most recent Standards to their project. Approved Standards with the most current updates can be found at <http://www.riverhealth.org/wes-development-resources> .

REVISIONS TABLE

DATE	DESCRIPTION	CCSD#1 DIRECTOR
July 1, 2013	Stormwater Standards	Michael Kuenzi, P.E.

1.3.2 Administrative Process for Standards Updates

1. Administrative Update – If the changes are considered minor in nature, such as wording, forms or process improvement, the District may adopt these types of changes internally without public process or notification.
2. Advisory Committee(s) – If the changes to the Standards are considered substantial in nature, then the District shall convene and present the proposed changes to the District’s Advisory Committee(s). The District shall seek the recommendation from the Committee(s) to proceed with the administrative process to update the Standards.
3. Notice to the Public – The District shall provide public notice in local publications, District contact distribution lists, and via District and local department websites.
4. Public Comment Period – The District shall establish a minimum 30-day public comment period to review the proposed Standards and submit comments to the District.
5. Public Comments – Public comments and submittals in opposition to a standard should include the following:
 - State the deficiency in the standard, or propose a new standard;
 - State the suggested or revised standard;
 - State the benefit to the District and public achieved by implementing the proposed change;
 - State the consequence of “no change” to the current standard.
6. Following the Public Comment Period – At the end of the public comment period the District shall organize the public comments then consider and evaluate all comments submitted within the established public comment period.
7. Public Meeting – At the discretion of the District, the District may host a public meeting to consider the final draft Standards recommended by staff for implementation.
8. Implementation – The District shall publish the final draft Standards and forward the final draft Standards to the Director for consideration who will review the Standards and either approve, not approve or approve the Standards with revision(s).
9. Public Notification – If the Standards are approved, the District will publish a public notice in publications, District contact distribution lists, and District and local department websites.

1.4 ADMINISTRATION OF STANDARDS

The Director of Water Environment Services on behalf of the District has the authority to administer the provisions of District Regulations.

1.5 EFFECTIVE DATE

Changes will be effective as of the date of signed approval.

1.6 STORMWATER STANDARD MODIFICATION REQUEST

Modifications to the Stormwater Standards may be requested utilizing the following process (this modification process does not apply to land use requirements referenced as “Conditions of Approval”):

1.6.1 Modification Process – Modification Request Submittal

Requests to modify the Stormwater Standards shall be submitted in writing to the staff member responsible for the application of these Standards, Clackamas County Water Environment Services Development Review Supervisor. Submittal should generally be made prior to land use approval if a land use action is required. Land use conditions of approval are commonly written so that there is little, if any, allowance for flexibility after land use approval is issued. If land use approval is not required, then the modification request shall be submitted prior to, or with, the first Plan submittal for review of the Stormwater Management Plan. Once the District completes the first review or approves the Stormwater Management Plan, a modification request will only be accepted at the discretion of the District, and if the request is the only feasible solution without regards to delays or cost. Only minor modification requests will be considered during the construction phase of the project to address a specific design or construction issue resulting in an undue hardship if not enacted. It is the responsibility of the applicant to obtain all approvals from any Local, County, State or Federal authority having any jurisdiction or permitting of the activities before proceeding with an approved modification. This written request shall include the following:

- The desired modification(s);
- The reason(s) for the request(s);
- A comparison between the specification(s) and standard(s) and the modification(s) for performance, function, maintainability, safety, etc.;
- References to regional and/or national accepted standards, record of successful use by other agencies, or other supporting information.

1.6.2 Criteria for Modification of Standards

The District may grant a modification to the adopted standards when the use thereof does not compromise public safety, environmental protection or the intent of the stormwater standards and any one of the following conditions are met:

- The standard is deemed not applicable in the particular application.
- Topography or other geographic conditions impose an environmental or safety concern and an equivalent alternative exists, which can accomplish the same design intent as provided in these standards.
- A minor change to the standard is required to address a specific design or construction problem which, if not enacted, will result in an undue hardship.

- The proposed modification is in the public interest and requirements for safety, function, appearance and maintainability based upon sound engineering and technical judgment are fully met.

1.6.3 Supervisor Review of Modification Request

The request to modify the stormwater standards shall be reviewed first by the Supervisor responsible for the application of these standards who shall make one of the following decisions:

- approve as proposed,
- approve with changes, or
- deny with an explanation.

The decision will be issued in writing to the applicant, with copies to the Manager, within thirty (30) calendar days. Approval, change, or denial of a site-specific request shall not constitute a precedent for use at other locations with potentially similar circumstances.

1.6.4 Manager Review Modification Request

The applicant may make a written request to the Manager overseeing Development Review for an independent assessment of the modification request within thirty (30) calendar days from the date of the written decision by the Supervisor. The Manager will issue a written decision to the applicant within thirty (30) calendar days from the date the written request is received. The Manager's written decision can be appealed as outlined in the Clackamas County Service District No.1 Rules and Regulations for Sanitary Sewer and Surface Water Management.