

SECTION 2 – DEFINITIONS

2.1 WORDS AND TERMS

Unless the context specifically indicates otherwise, the following words and terms, as used in this Policy, shall have the meanings hereinafter designated:

- 2.1.1 Advanced Sedimentation and/or Filtration Process. Any process that, through correct application/implementation, brings effluent discharge from the site into compliance with Local, State and Federal requirements. Polymers and electrolytic processes are two examples.
- 2.1.2 Best Management Practices or BMPs. Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices undertaken to reduce or prevent the increase in pollution and quantity of stormwater runoff.
- 2.1.3 Bioswale. (See Water Treatment/Bioswale).
- 2.1.4 Board. The Board of County Commissioners of Clackamas County, acting as the governing body of the Clackamas County Service District No. 1.
- 2.1.5 Bond. As required by the District, a surety bond, cash deposit or escrow account, assignment of savings, irrevocable letter of credit or other means acceptable to or required by the District to guarantee that work is completed in compliance with project's surface water plan and in compliance with all District requirements and for a maintenance period of one year thereafter.
- 2.1.6 Buffer/Undisturbed Buffer. The zone contiguous with a sensitive area that is required for the continued maintenance, function, and structural stability of the sensitive area. The critical functions of a riparian buffer (those associated with an aquatic system) include shading, input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, interception of fine sediments, overflow during high water events, protection from disturbance by humans and domestic animals, maintenance of wildlife habitat, and room for variation of aquatic system boundaries over time due to hydrologic or climatic effects. The critical functions of terrestrial buffers include protection of slope stability, attenuation of surface water flows from surface water runoff and precipitation, and erosion control.
- 2.1.7 Civil Penalty. A civil penalty is a monetary sanction for violation of the Clackamas County Service District No.1 Rules and Regulations for Sanitary Sewer and Surface Water Management, levied pursuant to Section 6 of the Rules, whereby the District may impose a fine or penalty for violation of these Standards, as well as recover all costs incurred, which are attributable to or associated with the violations, including, but not limited to, the costs of administration, investigation, sampling and monitoring, legal and enforcement activities, damages to the storm sewer system, and contracts or health studies necessitated by the violation.
- 2.1.8 COE. U. S. Army Corps of Engineers.
- 2.1.9 Contractor. A person duly licensed or approved by the State of Oregon to perform the type of work to be done under a permit or contract issued by the District.
- 2.1.10 County. Clackamas County, Oregon.

- 2.1.11 Detention: The release of surface water runoff from a site at a slower rate than it is collected by the drainage system, the difference being held in temporary storage.
- 2.1.12 DEQ. The State of Oregon Department of Environmental Quality.
- 2.1.13 Developed parcel. See “Development”.
- 2.1.14 Development. All human-induced changes to improved or unimproved real property.
- 2.1.15 Director. The Director of Water Environment Services, a Department of Clackamas County, Oregon.
- 2.1.16 Discharge. Any addition of water, storm water, wastewater, process water, or any pollutant or combination of pollutants to waters of the State, directly or indirectly, by actions of dumping, spilling, disposing or physically connecting to the public storm system or natural drainage conveyance.
- 2.1.17 District. Clackamas County Service District No. 1.
- 2.1.18 Drainageway. A channel, such as an open ditch, that carries surface water.
- 2.1.19 Drywell. An approved receptacle used to receive storm, surface, and other water, the sides and bottom being porous, permitting the contents to seep into the ground. A drywell must conform to the District’s Standards and State of Oregon Regulations.
- 2.1.20 DSL. Oregon Department of State Lands.
- 2.1.21 Easement. The legal right to use a described piece of land for a particular purpose. It does not include fee ownership, but may restrict the owner's use of the property.
- 2.1.22 Engineer. A registered professional engineer licensed to practice in the State of Oregon.
- 2.1.23 EPA. The U.S. Environmental Protection Agency.
- 2.1.24 Equivalent Service Unit (ESU). A configuration of development resulting in impervious surfaces on a parcel which contributes runoff to the storm water system. One ESU is equal to 2,500 square feet of impervious surface area.
- The number of ESU’s attributable to a user’s area is calculated in whole units, with the minimum user’s charge set at 1 ESU. For non-single family users with more than 1 ESU, the charge will be rounded to the nearest whole unit with a half value, or more, being rounded up.
- 2.1.25 Erosion. The movement of soil particles resulting from the flow or pressure from water, wind, or earth movement.
- Visible or measurable erosion includes, but is not limited to:
- 2.1.25.1 Deposits of mud, dirt, sediment or similar material exceeding ½ cubic foot in volume on public or private streets, adjacent property, or into the storm and surface water system, either by direct deposit, dropping, discharge, or as a result of the action of erosion.

- 2.1.25.2 Evidence of concentrated flows of water over bare soils; turbid or sediment-laden flows; or evidence of onsite erosion such as rivulets or bare soil slopes, where the flow of water is not filtered or captured on the site.
- 2.1.25.3 Earth slides, mud flows, earth sloughing, or other earth movement which results in material leaving the property.
- 2.1.26 Erosion Control Plan. A plan containing a list of best management practices to be used during construction to control and limit soil erosion in accordance with the District's current erosion prevention manual.
- 2.1.27 FEMA. Federal Emergency Management Agency.
- 2.1.28 Fence. Structures which consist of concrete, brick, wood, plastic, or metal posts located in the ground, connected by wood, metal, or plastic, and capable of allowing passage of water.
- 2.1.29 Government Agency. Any municipal or quasi-municipal jurisdiction, State or Federal agency.
- 2.1.30 Grab Sample. A sample which is taken from a surface flow, such as a stream, on a one-time basis without consideration of time.
- 2.1.31 Hazardous Materials. Materials described as hazardous by the Department of Environmental Quality, including any toxic chemicals listed as toxic under Section 307(a) of the Clean Water Act or Section 313 of Title III of SARA.
- 2.1.32 Hearings Officer. Officer, appointed by the Director, for hearings of appeals of administrative actions.
- 2.1.33 Highly Erodible. Soils with erosion (K) factors greater than 0.25, as listed in the Soil Survey of Clackamas County Area, Oregon, developed by the Soil Conservation Service.
- 2.1.34 Illicit Discharge. Any discharge to the public or natural stormwater conveyance system that is not composed entirely of stormwater, except discharges governed by and in compliance with an NPDES permit.
- 2.1.35 Impervious Surface. That surface area which prevents or retards the entry of water into the soil mantle and/or causes water to run off the surface in greater quantities or at an increased rate. Impervious surfaces may include, but are not limited to, rooftops, concrete or asphalt paving, walkways, patios, driveways, parking lots, oiled macadam, gravel, or other surfaces which similarly resist infiltration or absorption of moisture.
- 2.1.36 Infiltration System. A drainage facility designed to use the hydrologic process of surface and storm water runoff soaking into the ground, commonly referred to as recharge, to dispose of surface and stormwater runoff.
- 2.1.37 In-Lieu of Fee. A fee paid to the District to cover on-site water quality or water quantity facilities from a site on which stormwater management is not practical.
- 2.1.38 In-Line Detention. Detention located in a stream channel, a drainageway, or in a regional or subregional piped system. In-line detention mixes flows to be detained with flows from other areas.
- 2.1.39 Inspector. A person authorized by the District to inspect construction sites and activities affecting surface water.

- 2.1.40 Intermittent Stream. A stream with no visible surface flows for a period of 30 or more continuous days per year.
- 2.1.41 Mean High Water Line. The bank of any river or stream established by the annual fluctuations of water generally indicated by physical characteristics, such as a line on the bank, changes in soil conditions, or vegetation line.
- 2.1.42 Metro. The elected regional government that serves residents in Clackamas, Multnomah and Washington counties, and the 25 cities in the Portland, Oregon metropolitan area.
- 2.1.43 Minor Modification. A slight change or alteration made to a Standard to improve it or make it more suitable but does not change the functionality, maintenance, or intent of the Standards.
- 2.1.44 Modification. See Minor Modification.
- 2.1.45 National Pollutant Discharge Elimination System, or NPDES, Permit. A permit issued pursuant to Chapter 402 of the Clean Water Act (40 CFR 122, 123, 124, and 504).
- 2.1.46 OSHA. Occupational Safety and Health Administration
- 2.1.47 Open Spaces. Land within a development, which has been dedicated in common to the ownership within the development or to the public, specifically, for the purpose of providing places for recreational uses or scenic purposes.
- 2.1.48 Operation, Maintenance, and Replacement; or O, M, & R. Those functions that result in expenditures during the useful life of the stormwater system for materials, labor, utilities, administrative costs, and other items which are necessary for managing and maintaining the stormwater management facilities to achieve the capacity and performance for which such works were designed and constructed.
- 2.1.49 Owner. The owners of record title or the purchasers under a recorded sale agreement and other persons having an interest of record in the described real property.
- 2.1.50 Parcel of Land. A lot, parcel, block or other tract of land that is occupied or may be occupied by a structure or structures or other use, and includes yards and other undeveloped areas required under the zoning, subdivision or other development ordinances.
- 2.1.51 Perennial Stream. A permanently flowing (non-intermittent) stream.
- 2.1.52 Permit. Any authorization required pursuant to this or any other regulation of the District.
- 2.1.53 Permittee. The person to whom a building permit, development permit, or any other permit described in this ordinance is issued.
- 2.1.54 Person. Any individual, firm, company, or corporation, partnership or association, entity, public corporation, political subdivision, governmental agency, municipality, industry, or any department or agency thereof.
- 2.1.55 Policy. A standard promulgated by the Director or designee of the Director of Clackamas County Service District No.1.

- 2.1.56 Pollutant. Any of the following, but not restricted to: oil, grease, soil, mining waste, spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, heavy metals, asbestos, wrecked or discharged equipment, cellar dirt and untreated industrial, municipal and agricultural discharges into water.
- 2.1.57 Post-developed. Conditions after development.
- 2.1.58 Pre-developed. Conditions at the site immediately before application for development. Man-made site alterations or activities made without an approved development permit will not be considered as pre-developed conditions.
- 2.1.59 Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in water to a less harmful state prior to discharging to Waters of the State.
- 2.1.60 Private Storm System. That portion of the storm system owned and/or maintained by any person or entity, but not the public in general.
- 2.1.61 Property (or the site). The real property undergoing development.
- 2.1.62 Public Stormwater System. Those portions of the stormwater system that are accepted for maintenance responsibilities by the District or other County government agency.
- 2.1.63 Public Right-of-Way. Any public highway, road, street, avenue, alleyway, public place, public easement, or public dedication.
- 2.1.64 Rational Method. A formula for estimating maximum discharge of runoff at a point, using flow (Q), runoff coefficient (C), rainfall intensity (I) for selected recurrence interval, and area (A), in the formula: $Q=CIA$.
- 2.1.65 Recharge. The flow to ground water from the infiltration of surface and storm water.
- 2.1.66 Redevelopment. See "Development".
- 2.1.67 Retention: The process of collecting and holding surface water runoff on a property with no surface water outflow.
- 2.1.68 Rules and Regulations. Clackamas County Service District No.1 Rules and Regulations for Sanitary Sewer and Surface Water Management, and all rules, policies, and orders adopted pursuant hereto, and all amendments thereto.
- 2.1.69 Sensitive Areas. Sensitive Areas are:
 - 2.1.69.1 Existing or created wetlands, including all mitigated wetlands; limits defined by wetlands reports approved by both the Department of State Lands and the District.
 - 2.1.69.2 Rivers, streams, sloughs, swamps, creeks; limits defined by the top of the bank or first break in slope measured upland from the mean high water line.
 - 2.1.69.3 Impoundments (lakes and ponds); limits defined by the top of the bank or first break in slope measured upland from the mean high water line.
 - 2.1.69.4 Sensitive Areas shall not include a constructed wetland, an undisturbed buffer adjacent to a sensitive area, or a water feature, such as a lake, constructed during an earlier phase of a development for specific purposes not including water quality, such as recreation.

- 2.1.70 Service Connection. The portion of a private service lateral that has been constructed from the storm mainline to the edge of the public right-of-way or storm sewer easement, in which the stormwater conveyance system is located.
- 2.1.71 Standards. The adopted principles and policies established by the District.
- 2.1.72 Stop Work Order. An Order issued by the District for violation of the Rules and Regulations. All work contributing to the violation must cease when a Stop Work Order is issued and the Stop Work Order will stay in place until such time as removed by the District in writing.
- 2.1.73 Storm Drainage Easement. An easement that can be private, public or designated to an entity with the prescribed right to construct and maintain a public or private stormwater conveyance system and/or facility.
- 2.1.74 Storm Drainage/Storm Sewer. A pipe, ditch or any method of conveyance that carries stormwater, surface runoff, or drainage.
- 2.1.75 Storm Sewer. A sewer designed to carry only stormwaters, surface runoff, or drainage.
- 2.1.76 Stormwater. Waters on the surface of the ground resulting from precipitation.
- 2.1.77 Stormwater Management. A program to provide surface water quality and quantity controls through nonstructural methods and capital improvement projects. Nonstructural controls include maintenance of surface water facilities, public education, water quality monitoring, implementation or intergovernmental agreements to provide for regional coordination, and preparation of water quality control ordinances and regulations.
- 2.1.78 Stormwater Quality Treatment Facility. Any structure or drainageway that is designed, constructed, and maintained to collect, filter, retain, or detain surface water runoff during and after a storm event for the purpose of water quality improvement. It may include, but is not limited to, constructed wetlands, water quality swales, and ponds.
- 2.1.79 Stream. A drainageway that is determined to be jurisdictional by the Oregon Department of State Lands or the U.S. Army Corps of Engineers.
- 2.1.80 Surface Water. Waters on the surface of the ground or underground resulting from precipitation.
- 2.1.81 System Development Charge. A reimbursement fee, improvement fee or combination thereof, assessed or collected at the time of increased usage of the capital improvement, at the time of issuance of the development permit or building permit or at the time of connection to the capital improvement. The system development charge does not include fees assessed or collected as part of a local improvement district or charge in lieu of local improvement district assessments, or the cost of compliance with requirements of conditions imposed by a land use decision.

- 2.1.82 Undue Hardship. Special or specified circumstances that partially or fully exempt a person from performance of the Standards so as to avoid an unreasonable or disproportionate burden or obstacle.
- 2.1.83 User. Any person or entity in whose name service is rendered as evidenced by the signature on the application or contract for that service, or in the absence of a signed instrument, but the receipt and payment of utility bills regularly issued in his/her/its name. A user, under this system and structure of rates, is either single family or non-single family.
- 2.1.84 User – Non-Single Family. Any user whose impervious surface results from the development of land for purposes of operating a dwelling unit for occupancy by more than one single family or for other business, industrial, commercial or institutional purposes and to whom utility services are provided at a distinct service location.
- 2.1.85 User – Single Family. Any user whose impervious surface results from the development of land for purposes of establishing a dwelling unit for occupancy by a single family and to whom utility services are provided at a distinct service location.
- 2.1.86 User Charge. The periodic charges applied to all users of the District’s Surface Water Management services for the cost of operation, maintenance, and replacement of the public stormwater system, including any other costs, such as, but not limited to, debt service, capital improvements, regulatory compliance, program administration, etc.
- 2.1.87 Variance. A decision to permit modification of the terms of any part of these Standards based on a demonstration of exceptional circumstance unique to a specific property or unusual hardship.
- 2.1.88 Vegetated Corridor. See Buffer/Undisturbed Buffer.
- 2.1.89 Water Quality Facility. A facility specifically designed for pollutant removal.
- 2.1.90 Water Quality Resource Areas. Areas as defined on the Water Quality and Flood Plain Management Areas Map adopted by Metro or Clackamas County and amended.
- 2.1.91 Water Treatment Bioswale/Water Quality Swale. A designed vegetated depression, wide shallow ditch, or similar constructed facility used to filter runoff for the purpose of improving water quality.
- 2.1.92 Waters of the State. Those waters defined in ORS Chapter 468B.005 or as amended which include lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within the territorial limits of the State of Oregon, and all other bodies of surface or underground waters, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters which do not combine or effect a junction with natural surface or underground waters), which are wholly or partially within or bordering the State or within its jurisdiction.

- 2.1.93 Wetland. Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and that, under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands are those areas identified and delineated by a qualified wetlands specialist as set forth in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, January 1987, or by a DSL/COE 404 permit. Wetlands may also consist of:
 - 2.1.93.1 Constructed Wetlands. As defined in Section 404 of the Clean Water Act, those areas developed as a water quality or quantity facility, subject to maintenance as such. These areas must be clearly separated from existing or created wetlands.
 - 2.1.93.2 Created Wetlands. Those wetlands developed in an area previously identified as a non-wetland to replace or mitigate wetland destruction or displacement.
 - 2.1.93.3 Existing Wetlands. Existing Wetlands are those identified and delineated as set forth in the Federal Manual for Identifying the Delineating Jurisdictional Wetlands, January 1987, or as amended, by a qualified wetlands specialist.
- 2.1.94 Wet Weather Measures. Erosion prevention and sediment control methods deemed necessary to meet the types of conditions that occur during the wet weather season, as identified in the District’s current erosion control manual.
- 2.1.95 Wet Weather Season. The portion of the year when rainfall amounts and frequency tend to have the most significant effect on erosion prevention and sediment control (October 1 to May 31).
- 2.1.96 Work Area. Areas of disturbance for activities defined under “Development”. Work Area includes areas used for storage of equipment or materials that are used for these activities.

2.2 ABBREVIATIONS

The following abbreviations shall have the designated meanings:

AASHTO	American Assoc. of State Highway and Transportation Officials
ASTM	American Society for Testing and Materials
APWA	American Public Works Association
CCSD#1	Clackamas County Service District No.1
CWA	Clean Water Act
OAR	Oregon Administrative Rules
DEQ	Oregon Department of Environmental Quality
ORS	Oregon Revised Statutes
R&Rs	District Rules and Regulations
SWM	Surface Water Management
WES	Water Environment Services