

# Attachment C.2

Chapter 38 (National Scenic Area) Definition Assessment Responding to 11/5/18 Friends of Gorge Letter of Comment – Project PC-2016-5384

	<b>Columbia River Gorge Management Plan Definition</b>	<b>General Ch. 38 Definition – 38.0015 (no changes proposed)</b>	<b>Existing GH Definition – 38.5525</b>	<b>Proposed GH Definition – 38.5503</b>
<b><i>Best Management Practices</i></b>	Conservation techniques and management measures that (1) control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins, and sediment; (2) minimize adverse affects to groundwater and surface-water flow and circulation patterns; and (3) maintain the chemical, biological, and physical characteristics of wetlands, ponds, streams, and riparian areas.	Conservation techniques and management measures that (1) control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxins, and sediment; (2) minimize adverse affects to groundwater and surface-water flow and circulation patterns; and (3) maintain the chemical, biological, and physical characteristics of wetlands, ponds, streams, and riparian areas.	(none)	<u>Methods that have been determined to be the most effective, practical means of preventing or reducing erosion, sedimentation or landslides including but not limited to: use of straw bales, slash windrows, filter fabric fences, sandbags, straw cover and jute netting.</u>
<b><i>Cut</i></b>	An area where soil or earth is excavated or removed in conjunction with development activities.	An area where soil or earth are excavated or removed in conjunction with development activities and includes:  (a) An excavation;  (b) The difference between a point on the original ground surface and the point of lowest elevation on the final grade;  (c) The material removed in excavation work.	(1) An excavation;  (2) The difference between a point on the original ground surface and the point of lowest elevation on the final grade;  (3) The material removed in excavation work.	<u>When used in the context of ground disturbing activity:</u>  (1) An excavation;  (2) The difference between a point on the original ground surface and the point of lowest elevation on the final grade;  (3) The material removed in excavation work.

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<b><i>Development</i></b>	Any land division or structure, including but not limited to new construction of buildings and structures, and mining, dredging, filling, grading, paving, and excavation.	Any mining, dredging, filling, grading, paving, excavation, land division, or structure, including but not limited to new construction of a building or structure.	(none)	Any act requiring a permit stipulated by Multnomah County Ordinances as a prerequisite to the use or improvement of any land, <u>including, but not limited to,</u> a building, land use, occupancy, sewer connection, or other similar permit, and any associated <del>grading-ground disturbing activity</del> or removal of vegetation. As the context allows or requires, the term “development” may be synonymous with the term “use” and the terms “use or development” and “use and development.”
<b><i>Fill</i></b>	The placement, deposition, or stockpiling of sand, sediment, or other earth materials to create new uplands or create an elevation above the existing surface.	The placement, deposition or stockpiling of sand, sediment or other earth materials to create new uplands or an elevation above the existing surface.	(1) Any act by which earth, sand, gravel, rock or similar material is pushed, placed, dumped, stacked, pulled, transported, or in any way moved to a new location above the existing natural surface of the ground or on the top of a stripped surface, including the condition resulting therefrom.	<u>The deposit (noun or verb) of any earth materials by motorized means for any purpose, including, but not limited to, stockpiling, storage, dumping, raising elevation or topography, and tracking material such as mud onto a road surface with vehicle tires. Work conducted by hand without the use of motorized equipment is not filling.</u>

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			<p>(2) The difference in elevation between a point on the original ground surface and the point of higher elevation on a finished grade.</p> <p>(3) The material used to make a fill.</p>	
<p><b>Ordinary High Water Mark</b></p>	<p>The mark on all streams, ponds, and lakes that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a vegetative character distinct from that of the abutting upland. In any area where the ordinary high water mark cannot be found, the line of mean high water shall substitute.</p>	<p>The mark on all streams, ponds, and lakes where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a vegetative character distinct from that of the abutting upland. In any area where the ordinary high water mark cannot be found, the line of mean high water shall substitute.</p>	<p>Features found by examining the bed and banks of a stream and ascertaining where the presence and action of waters are so common and usual, and so long maintained in all ordinary years, as to mark upon the land a character distinct from that of the abutting upland, particularly with respect to vegetation. For streams where such features cannot be found, the channel bank shall be substituted. In braided channels and alluvial fans, the ordinary high water mark shall be measured to include the entire stream feature.</p>	<p>Features found by examining the bed and banks of a stream and ascertaining where the presence and action of waters are so common and usual, and so long maintained in all ordinary years, as to mark upon the land a character distinct from that of the abutting upland, particularly with respect to vegetation. For streams where such features cannot be found, the channel bank shall be substituted. In braided channels and alluvial fans, the ordinary high <del>water mark</del> <u>watermark</u> shall be measured to include the entire stream feature.</p>

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<b><i>Stream</i></b>	<p>Areas where surface water produces a defined channel or bed, including bedrock channels, gravel beds, sand and silt beds, springs and defined-channel swales. The channel or bed does not have to contain water year-round. This definition is not meant to include irrigation ditches, canals, storm or surface water runoff structures, or other artificial watercourses unless they are used to convey streams naturally occurring prior to construction of such watercourses. For the Management Plan, streams are categorized into two classes: perennial streams and intermittent streams. Perennial stream means a stream that flows year-round during years of normal precipitation. Intermittent stream means a stream that flows only part of the year, or seasonally, during years of normal precipitation.</p>	<p>(a) Areas where surface water produces a defined channel or bed, including bedrock channels, gravel beds, sand and silt beds, springs and defined-channel swales. The channel or bed does not have to contain water year-round. They do not include irrigation ditches, canals, storm or surface-water runoff structures, or other artificial watercourses unless they are used to convey streams naturally occurring prior to construction in such watercourses.</p> <p>(b) Streams are categorized into two classes: perennial streams and intermittent streams. A perennial stream is one that flows year-round during years of normal precipitation. An intermittent stream flows only part of the year, or seasonally, during years of normal precipitation.</p>	<p>Areas where surface waters flow sufficient to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetative litter or loosely rooted vegetation by the action of moving water. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, stormwater runoff devices or other entirely artificial watercourses unless they are used to convey Class 1 or 2 streams naturally occurring prior to construction. Those topographic features resembling streams but which have no defined channels (e.g. swales) shall be considered streams when hydrologic and hydraulic analyzes performed pursuant to a development proposal predict formation of a</p>	<p>Areas where surface waters flow sufficient to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetative litter or loosely rooted vegetation by the action of moving water. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, stormwater runoff devices or other entirely artificial <u>water bodies</u> <del>watercourses</del> unless they are used to convey Class 1 or 2 streams naturally occurring prior to construction. Those topographic features resembling streams but which have no defined channels (e.g. swales) shall be considered streams when hydrologic and hydraulic analyzes performed pursuant to a development proposal predict formation of a defined channel after development.</p>

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			defined channel after development.	