

# ATTACHMENT A

## POLICIES AND STRATEGIES IN THE MULTNOMAH COUNTY COMPREHENSIVE PLAN RELATED TO REGULATION OF SOIL GRADING AND FILLING ACTIVITIES

### *Grading and Fill*

The following policy and strategy are intended to ensure that exemptions for the use of fill for agricultural topsoil are in fact used for that purpose and that volumes of fill do not exceed what would typically be needed or used as topsoil.

**Policy 2.42** Establish standards for qualifying topsoil fill as a routine agricultural management practice exempt from County review requirements.

**Strategy 2.42-1:** *The following shall be considered for inclusion in code amendments pertaining to topsoil fill as an agricultural management practice:*

1. Existing conditions and soil types.
2. Review thresholds.
3. Review the Grading and Erosion Control submittal requirements and the Large Fills submittal requirements when considering application submittal requirements for agricultural topsoil reviews. Additionally, applications should include the proposed location, extent, volume, depth, material and soil type, timing of the project from start to finish and a farm management plan demonstrating how the topsoil will be employed in conjunction with farm use (farm use as defined in ORS 215).
4. The Planning Director may require concurrence from experts from agencies such as, but not limited to, the Oregon Department of Agriculture and the local Soil and Water Conservation Service.
5. Grading and fill material used for re-contouring or leveling agricultural sites should not be reviewed as a topsoil project and should continue to be reviewed under applicable Grading and Erosion Control standards or Hillside Development standards.

**Policy 2.43** Establish limits for fill that does not qualify as an agricultural management practice and is subject to County review requirements.

***Strategy 2.43-1: Amend the Zoning Code to clarify that in all zones except for the MUA-20 and RR zones, a total cumulative limit of 5,000 cubic yards of fill per each Lot of Record is allowed. Large Fills exceeding 5,000 cubic yards are only permitted in the MUA-20 and RR zones subject to approval of a Conditional Use permit.***

***Strategy 2.43-2: Amend the Zoning Code to clarify that Large Fills must be in conjunction to an approved use.***

**Policy 2.44 Establish clearly defined exemptions to the Grading and Erosion Control permit requirements.**

***Strategy 2.44-1: Consider adding thresholds, standards and definitions to the residential gardening and landscape maintenance exemption.***

***Strategy 2.44-2: Consider verification thresholds and a concurrence requirement for grading and fill projects that are conducted as part of a Forest Practices project.***

*Water Quality and Erosion Control*

**Policy 5.5 Protect the County's water quality by adopting standards to protect the water quality resources from the impacts of development.**

**Policy 5.53 Recommend that any fill generated as a result of dredging activities be located on Sauvie Island only under the following conditions:**

- 1. To assist in flood control**
- 2. Not on designated wetlands**
- 3. Not on high value farm land unless placement of such fill improves a farm's soils or productivity**
- 4. In areas where it will not negatively impact wildlife habitat**

**Policy 5.6 Protect vegetated riparian corridors in order to maintain their water quality functions including the following:**

- 1. Providing shade to maintain or reduce stream temperatures to meet state water quality standards;**
- 2. Supporting wildlife in the stream corridors;**
- 3. Minimizing erosion, nutrient, and pollutant loading into water;**
- 4. Maintaining natural hydrology; and**

**5. Stabilizing slopes to prevent landslides that contribute to sedimentation of water.**

**Policy 5.7 Allow changes to existing development when the overall natural resource value of the property is improved by those changes and water quality will be improved.**

*Strategy 5.7-1: Natural resource protection standards and water quality standards shall allow changes to existing development which result in a net benefit to the protected resource.*

**Policy 5.8 Support efforts by the Soil and Water Conservation Districts to conduct a public information and assistance program for watershed property owners in management practices that enhance the water quality of streams.**

**Policy 5.9 Encourage streamside property owners to use cooperative agreements, property tax deferral and exemption programs to maintain water quality of waterways.**

*Strategy 5.9-1: Work cooperatively with the Soil and Water Conservation Districts, property owner organizations, and the County Assessor to inform landowners about the property tax deferral and exemption programs available to them.*

**Policy 5.10 Encourage use of voluntary measures to decrease the negative impacts of agricultural practices upon water quality in area streams.**

*Strategy 5.10-1: Support educational programs through the USDA Natural Resources Conservation Service (NRCS) and the Soil and Water Conservation Districts to inform farming operations of best management practices to reduce agricultural runoff and to protect water quality in area streams.*

**Policy 5.11 Protect water quality of streams by controlling runoff that flows into them.**

*Strategy 5.11-1: Use hillside development and erosion control standards to control the effects of nonpoint runoff into streams from sources such as roadways, parking areas, and other impervious areas.*

**Policy 5.12 Limit visible and measurable erosion from development in substantial compliance with the water quality standards of Title 3 of the Metro Urban Growth Management Functional Plan.**

*Strategy 5.12-1: Establish standards that apply erosion and sediment control regulations to all development activities that may result in visible or measurable erosion. Visible or measurable erosion includes, but is not limited to:*

- 1. Increases water turbidity above the state water quality standard, where the turbidity measured downstream of development is more than 10% above an upstream control point.*

2. Evidence of concentrated flows of water over bare soils or evidence of on-site erosion such as rivulets on bare soil slopes, where the flow of water is not filtered or captured on the site.
3. Earth slides, mudflows, earth sloughing, or other earth movement that leaves the property.

**Strategy 5.12-2:** Help prevent erosion by requiring the use of prevention practices such as non-disturbance areas, construction schedules, erosion blankets, and mulch covers. To the extent that erosion cannot be completely prevented, sediment control measures are to be designed to capture, and retain on site, soil particles that have become dislodged by erosion.

**Strategy 5.12-3:** Adopt a limited construction season for development within primary and secondary water feature corridors to allow disturbance to occur during dry parts of the year and limit it during wet seasons.

**Strategy 5.12-4:** Control stormwater volume from developed areas in a manner that does not contribute to increased flow streams and does not result in hydromodification impacts, such as channel straightening, widening, deepening, and clearing of instream habitat features. Investigate how runoff could be reduced from roofs, parking, and maneuvering areas through use of sitescale infiltration and other low impact development techniques.

**Strategy 5.12-5:** Require that stream crossings be avoided where possible, and when unavoidable, require stream crossings to follow Oregon Department of Fish and Wildlife fish passage regulations where native migratory fish are currently or have historically been present. For non-fish bearing streams, require crossings that avoid or minimize impacts to natural stream functions.

**Policy 5.13 Update erosion and stormwater management regulations to include Low Impact Development (LID) standards to reduce the impact of built areas, promote the natural movement of water within an ecosystem and better protect riparian areas, streams, wetlands, and watersheds.**

**Policy 5.14 Stormwater drainage for new development and redevelopment shall prioritize water quality and natural stream hydrology in order to manage stormwater runoff in accordance with the following:**

1. The run-off from the site shall not adversely affect the water quality in adjacent streams, ponds, or lakes, or alter the drainage on adjoining lands, or cause damage to adjacent property or wildlife habitat.
2. Stormwater infiltration and discharge standards shall be designed to protect watershed health by requiring onsite detention and/or infiltration in order to mimic pre-development

hydraulic conditions so that post-development runoff rates and volumes do not exceed pre-development conditions.

**3. Apply Low Impact Development Approaches (LIDA) in order to conserve existing resources, minimize disturbance, minimize soil compaction, minimize imperviousness, and direct runoff from impervious areas onto pervious areas.**

**4. Protect and maintain natural stream hydrology (or flow), with an emphasis on reducing hydromodification impacts such as stream incision and widening.**

**5. Develop and adopt drainage system design guidelines and standards to accommodate fish and wildlife passage where appropriate.**

**Policy 6. Develop and adopt standards for managing stormwater in landslide hazard areas in accordance with best management practices.**