

# EROSION AND SEDIMENT CONTROL PERMIT



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**Case File:** T1-2023-16571 **Applicant:** Bonita Oswald, Portland Water Bureau

**Proposal:** Erosion and Sediment Control (ESC) permit for ground disturbing activity associated with the construction of the Water Filtration Facility, associated Communication Tower, Intertie Site and installation of Raw Water and Finished Water Pipelines as approved by land use case, T3-2022-16220.

## Locations:

Filtration Facility	35320 SE Carpenter Ln, Gresham <b>Map, Tax lot:</b> 1S4E22D-00100 & -00400	<b>Property ID #</b> R342603 & R342619 <b>Alt. Acct. #</b> R994220820 & R994220980
Intertie Site	33444 SE Lusted Rd, Gresham <b>Map, Tax lot:</b> 1S4E21A-00900	<b>Property ID #</b> R342513 <b>Alt. Acct. #</b> R994210630
Pipelines in R.O.W.	SE Carpenter Lane, SE Cottrell Rd, SE Dodge Park, SE Lusted Rd, SE Altman Rd, SE Oxbow Rd, Gresham	
Raw Water Pipeline on Private Properties	36800 & 36910 SE Lusted Rd, Gresham <b>Map, Tax lot:</b> 1S4E23C-00800, -001400 & 01500	<b>Property ID #</b> R342647, R237226 & R237225 <b>Alt. Acct. #</b> R994230150, R649716620, & R649716640
Finished Water Pipeline on Private Property	35227 SE Carpenter Lane, Gresham <b>Map, Tax lot:</b> 1S4E22DB-00300	<b>Property ID #</b> R342606 <b>Alt. Acct. #</b> R994220850
	33444 SE Lusted Rd, Gresham <b>Map, Tax lot:</b> 1S4E21A-00900	<b>Property ID #</b> R342513 <b>Alt. Acct. #</b> R994210630
	6704 SE Cottrell Rd, Gresham <b>Map, Tax lot:</b> 1S4E22BA-00200	<b>Property ID #</b> R342553 <b>Alt. Acct. #</b> R994220300
	34747 SE Lusted Rd, Gresham <b>Map, Tax lot:</b> 1S4E	<b>Property ID #</b> R341824 <b>Alt. Acct. #</b> R994150140
	South of 34747 SE Lusted Rd, Gresham <b>Map, Tax lot:</b> 1S4E22BA-00100	<b>Property ID #</b> R342633 <b>Alt. Acct. #</b> R994221120

**Decision:** This permit is effective as of May 24, 2024 with on-going responsibilities, obligations, and limitations.

**Issued by:** *Lisa Estrin*  
Lisa Estrin, Senior Planner

**For:** Adam Barber  
Interim Planning Director

**Date:** Friday, May 24, 2024

## **ORDINANCE REQUIREMENTS:**

Applicable standards for this permit are in Multnomah County Code (MCC) Chapter 39 under: General Provisions: MCC 39.1250 Code Compliance and Applications, MCC 39.2000 Definitions

Land Use Case: T3-2022-16220

Ground Disturbing Activity and Stormwater: MCC 39.6210 Permits Required, MCC 39.6225 Erosion and Sediment Control Permit, MCC 39.6235 Stormwater Drainage Control

Copies of the referenced Multnomah County Code sections are available by visiting our website at <https://www.multco.us/landuse/zoning-codes> under the link **Chapter 39: Zoning Code** or by contacting our office at (503) 988-3043.

## **ON-GOING RESPONSIBILITIES, OBLIGATIONS, MODIFICATIONS, AND LIMITATIONS:**

The following requirements are necessary to ensure that proposed development complies with the Type I criteria for this land use permit. This permit is based on the submitted written narrative(s) and plan(s). No development shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the applicant and their representative(s) to comply with these documents and the limitations of approval described herein. Where a restriction relates to a specific criterion, the code citation for that criterion follows in brackets.

### **General Requirements:**

1. Permit Expiration - This permit shall **expire** as follows:
  - a. This permit shall expire in accordance with the timelines specified in Condition No. A.1, A.2 & A.3 in land use case no. #T3-2022-16220. This permit shall expire at the same time as T3-2022-16220 pursuant to MCC 39.1183, unless the development was established according to all specifications and ongoing responsibilities and obligations. If an extension is sought for T3-2022-16220, an extension of this permit will also be necessary unless all work under this permit has been completed. [MCC 39.1183]
2. Approval of this erosion and sediment control permit is based on the submitted written narrative(s) and plan(s). No work shall occur under this permit other than that which is specified within these documents. It shall be the responsibility of the applicant or their representative(s) to comply with these documents and the limitations of approval described herein.
3. All physical improvements shall be limited to those approved by T3-2022-16220. No physical improvement or modifications to these improvements are authorized by this permit. All ground disturbance and construction shall be in compliance with the authorizing T3 case. [MCC 39.1510]
4. Prior to the placement of any field office, the applicant or their representative shall obtain a Temporary Permit for each field office to be placed. [MCC 39.4215, MCC 39.4305, MCC 39.8750]
5. No ground disturbance or storage of materials is permitted on property that was not part of land use case T3-2022-16220 without first obtaining all necessary permits and permission from the property owner. [MCC 39.4215, MCC 39.4305]
6. No construction or temporary entrances to the public right-of-way shall be installed prior to obtaining any required permits from the Multnomah County Transportation Division.

### **WATER FILTRATION FACILITY SITE**

#### **Prior to starting the ground disturbance activity for the development:**

1. The boundaries of the following areas shall be flagged, fenced or otherwise marked so that no mechanical ground disturbance, alteration, modification and/or development shall occur in the area on the Water Filtration Facility except for the handplanting of trees and shrubs authorized by land use case, T3-2022-16220:
  - a. The Geologic Hazard overlay along the northeastern portion of the site, except the Monitoring Points on 1S4E23C -02200;
  - b. The grove of trees required to be protected by Condition No. A.10.a of T3-2022-16220;

- c. The Significant Environmental Concern for water resource zone in the southwestern portion of the site; and
- d. The Significant Environmental Concern for wildlife habitat zone running along the northeastern boundary of the site.
- e. The Pleasant Home Water District property known as 35524 SE Carpenter Lane (R342552 & R342614).

The boundary flagging shall remain in place and be maintained until the construction is complete. [MCC 39.6225(B)(11), MCC 39.5075, MCC 39.5510, T3-2022-16220]

**When you are ready to start the ground disturbing activity for the development authorized by this permit for land use case #T3-2022-16220 for the Water Filtration Facility:**

2. **Install erosion and sediment control measures** consistent with the approved erosion and sediment control plans (Exhibit A.3, A.7 and A.8) and these conditions of approval. These measures shall remain in place and in good working order. Such measures shall be maintained until construction is complete. [MCC 39.6225(B)(12) through (15) and MCC 39.6225(B)(18)]
3. **Post the Erosion and Sediment Control Permit Notice Card.** The permit notice card shall be posted at the driveway entrance in a clearly visible location and remain posted until the ground disturbing activity is complete. If the notice card is lost, destroyed, or otherwise removed prior to completion of the ground disturbing activity, the applicant shall immediately contact **LUP-submittals@multco.us** to obtain a replacement immediately. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
4. **Schedule an Erosion and Sediment Control (ESC) inspection.** A link to self-schedule an ESC inspection will be sent to you via email. When scheduling online, please document the site of the inspection (Site Address) in the comments section of the requested appointment. The County’s inspector will visit the project site to verify that Best Management Practices are occurring. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
5. **Within seven (7) days prior to commencement of each stage** (Stage 1 through Stage 5) of the Erosion and Sediment Control Plan and construction phases, the applicant or their representative shall send an email to **LUP-submittals@multco.us**, stating the date that the stage will commence on the Water Filtration Facility site. The email shall include the land use case #T3-2022-16220 and this ESC permit #T1-2023-16571 along with the case planner Lisa Estrin’s name.

**Permit limitations and requirements after ground disturbing activity for the development are authorized:**

6. A 200 ft natural buffer shall be maintained from Johnson Creek in order to avoid encroachment into the SEC-wr overlay. No mechanical ground disturbance is permitted within the SEC-wr overlay zone. Stream enhancement or restoration projects are limited to removal by hand of invasive vegetation and planting of any native vegetation on the Metro Native Plant list. [MCC 39.5510 & MCC 39.55159(A)(14)]
7. No ground disturbing activities or installation of sediment and/or tree protection fencing shall be installed on the Pleasant Home Water District property known as 35524 SE Carpenter Lane (R342552 & R342614) unless authorized by a separate Erosion and Sediment Control Permit. No sedimentation shall be allowed to occur onto this property and no storage of stockpiled materials shall be placed or encroach onto it. This property is outside of the scope of this permit.

8. All stockpiles over 50 cubic yards shall have two sediment fences surrounding the pile. The fences shall be placed a minimum of 50 feet apart provided both may fit within the property boundaries. An entrance area for vehicle entrance is allowed provided the opening is secured with fencing when not actively having materials placed/removed.
9. No permanent or temporary road may be constructed within the Geologic Hazard or Significant Environmental Concern overlays on the Water Filtration Site without first obtaining permit(s) or demonstrating it is an exempt activity. [MCC 39.5075, MCC 39.5510]
10. Any vehicle entrance onto SE Carpenter Lane shall have a gravel construction entrance or be paved. In addition, a vehicle wheel wash shall be placed immediately adjacent to the roadway for tire cleaning prior to vehicles exiting the site. [MCC 39.6225(B)(23)]
11. No visible or measurable erosion or sediment shall exit the site, enter the public right-of-way or be deposited into any waterbody or storm drainage system. If earth materials exit the site via vehicles or otherwise, the applicant or their representative shall immediately remedy the situation and institute additional measures to prevent re-occurrence. [MCC 39.6225(B)(18)]
12. Prior to any earth materials being removed/transferred via haul truck from the Water Filtration Facility site to be disposed of off-site, the applicant or their representative shall provide the location of where the spoils are to be placed and provide documentation that the necessary authorizations for the disposal site(s) have been obtained if the location is under Multnomah County's jurisdiction. No spoils shall be deposited on a property that has not obtained all necessary authorizations within the County's jurisdiction. [MCC 39.6225(B)(19), (B)(20) & MCC 39.6210(A), (C) & (D)]
13. No more than 4,999 cubic yards of earth materials shall be imported to the Water Filtration Facility site. [MCC 39.6210(A)]
14. The Stormwater Drainage Control systems on the Water Filtration Facility when completed shall ensure that the rate of runoff for the 10-year 24-hour storm event is no greater than that which existed prior to development at each individual property line or point of discharge into a water body. [MCC 39.6235(D)]
15. The property owner(s), their agent(s), or their representative(s) shall be limited to the following ground disturbing activities:
  - a. A maximum of 3,615,480 sq. ft., or 83 acres of ground surface area is to be disturbed as described in and shown in Exhibit A.18. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - b. A maximum of 960,000 to 1,152,000 cubic yards of earth materials is allowed to be cut as described in and shown in Exhibit A.18. This has a contingency factor of 20 percent built in for unknown site conditions. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - c. No more than 4,999 cubic yards of non-structural fill materials are allowed to be imported to the site, whether temporarily or permanently on the subject site. [MCC 39.6225(A)(3) and MCC 39.6225(B)]
  - d. No more than 1,030,800 cubic yards of earth materials may be removed/hailed off of the Water Filtration Facility site (Exhibit A.18).
  - e. Pursuant to applicant's statement for MCC 39.6225(B)(21), no ground disturbing activities shall take place within a natural water body. A "**Water Body**" is defined as "**Any surface or ground water, or wetland of the state or the United States, including but not limited to, rivers, streams, creeks, sloughs, drainageways, swales, seeps, springs,**

**watercourses, canals, drainages, ponds, lakes, bays, aquifers, coastal waters, impounding reservoirs, estuaries, marshes, and inlets, regardless of whether perennial, intermittent, ephemeral, or otherwise, and regardless of whether natural or human-made.” [MCC 39.6225(B)(21)]**

16. The property owner(s), their agent(s), or their representative(s) shall:
  - a. Maintain best erosion and sediment control practices through all phases of development. Erosion and sediment control measures are to include the installation of sediment fences/barriers at the toe of all disturbed areas and post construction re-establishment of ground cover. Straw mulch, erosion blankets, or 6-mil plastic sheeting shall be used as a wet weather measure to provide erosion protection for exposed soils. All erosion and sediment control measures are to be implemented using Best Management Practices (BMP). [MCC 39.6225(B)(10) through (15), and MCC 39.6225(B)(17) through (19)]
  - b. Remove any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within adjacent public right-of-way are disturbed, the applicant or their representative(s) shall be responsible for returning such features to their original condition or a condition of equal quality. [MCC 39.6210(E)(1) and (2)]
  - c. Use haul trucks that are constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No earth materials shall be tracked or discharged in any manner onto any public right-of-way. [MCC 39.6225(B)(23)]
17. This permit does not authorize on-site disposal of non-erosion pollution including construction debris, hazardous or toxic materials, synthetics (i.e. tires), petroleum-based materials, or other solid wastes that may cause adverse leachates or other off-site water quality effects. Non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. Any non-erosion pollution or spoil materials removed from the site shall be disposed at an off-site location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.6225(B)(20)]
18. The County may require the described erosion and sediment control techniques be supplemented if turbidity or other down slope erosion or sedimentation impacts result from on-site ground disturbing activity. The local Soil and Water Conservation District, City of Gresham Building or the U.S. Soil Conservation Service can also advise or recommend measures to respond to unanticipated erosion or sedimentation effects. [MCC 39.6210(F)(2)]

**Follow up requirements after ground disturbance activity are completed:**

19. The property owner(s), their agent(s), or their representative(s) shall gravel the appropriate areas or seed with native grasses all disturbed with exposed ground areas within five (5) days of the date ground disturbing activities conclude. [MCC 39.6225(B)(12)]
  - a. Upon completion of the installation of permanent vegetation and/or gravel, photographs shall be sent to **LUP-submittals@multco.us** to demonstrate that ground disturbing activities have been completed and the site is being revegetated or has been graveled. In your email, reference the case no. #T3-2022-16220 & T1-2023-16571 in the subject line. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

20. Schedule an Erosion and Sediment Control (ESC) inspection. A link to self-schedule an ESC inspection will be sent to you via email following the completion of your Zoning Plan Review. When scheduling online, please document the site of the inspection (Site Address) in the comments section of the requested appointment. The County's inspector will visit the project site to verify that Best Management Practices are occurring. An additional Inspection fee may be collected prior to the inspection [MCC 39.6210(F)(2) and MCC 39.6225(B)]

### **INTERTIE SITE**

1. Prior to commencement of any ground disturbing activities, placement of materials or construction on the Ekstrom's property, the City of Portland shall provide written documentation that the necessary easements for the property have been obtained or that the property owners have granted approval for the work to commence on the property. [MCC 39.1115]

### **When you are ready to start the ground disturbing activity for the development authorized by land use case #T3-2022-16220 for the construction of the Intertie Site:**

2. **Within seven (7) days prior to commencement of construction** at the Intertie Site, the applicant or their representative shall send an email to **LUP-submittals@multco.us**, stating the date that the development will commence on the Intertie site. The email shall include the land use case #T3-2022-16220 and this ESC permit #T1-2023-16571 along with the case planner Lisa Estrin's name.
3. **Install erosion and sediment control measures** consistent with the approved erosion and sediment control plans (Exhibit A.12) and these conditions of approval. These measures shall remain in place and in good working order. Such measures shall be maintained until construction is complete. [MCC 39.6225(B)(12) through (15) and MCC 39.6225(B)(18)]
4. **Post the Erosion and Sediment Control Permit Notice Card.** The permit notice card shall be posted at the driveway entrance in a clearly visible location and remain posted until the ground disturbing activity is complete. If the notice card is lost, destroyed, or otherwise removed prior to completion of the ground disturbing activity, the applicant shall immediately contact **LUP-submittals@multco.us** to obtain a replacement immediately. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
5. **Schedule an Erosion and Sediment Control (ESC) inspection.** A link to self-schedule an ESC inspection will be sent to you via email. When scheduling online, please document the site of the inspection (Site Address) in the comments section of the requested appointment. The County's inspector will visit the project site to verify that Best Management Practices are occurring. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

### **Permit limitations and requirements after ground disturbing activity for the development are authorized:**

6. The property owner(s), their agent(s), or their representative(s) shall be limited to the following ground disturbing activities:
  - a. A maximum of 36,269 square feet of ground surface area is to be disturbed as described in and shown in Exhibit A.12. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - b. A maximum of 5,099 cubic yards of earth materials is allowed to be cut (excavated) as described in and shown in Exhibit A.12. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - c. No non-structural fill materials are allowed to be imported to the site, whether temporarily or permanently as described in Exhibit A.11 on the subject site. [MCC 39.6225(A)(3) and MCC 39.6225(B)]

7. The property owner(s), their agent(s), or their representative(s) shall:
  - a. Prior to any earth materials being removed/transferred via haul truck from the Intertie site to be disposed of off-site, the applicant or their representative shall provide the location of where the spoils are to be placed and provide documentation that the necessary authorizations for the disposal site(s) have been obtained if the location is under Multnomah County's jurisdiction. No spoils shall be deposited on a property that has not obtained all necessary authorizations within the County's jurisdiction. [MCC 39.6225(B)(19), (B)(20) & MCC 39.6210(A), (C) & (D)]
  - b. Maintain best erosion and sediment control practices through all phases of development. Erosion and sediment control measures are to include the installation of sediment fences/barriers at the toe of all disturbed areas and post construction re-establishment of ground cover. Straw mulch, erosion blankets, or 6-mil plastic sheeting shall be used as a wet weather measure to provide erosion protection for exposed soils. All erosion and sediment control measures are to be implemented using Best Management Practices (BMP). [MCC 39.6225(B)(10) through (15), and MCC 39.6225(B)(17) through (19)]
  - c. Remove any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within adjacent public right-of-way are disturbed, the property owner shall be responsible for returning such features to their original condition or a condition of equal quality. [MCC 39.6210(E)(1) and (2)]
  - d. Use haul trucks that are constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No earth materials shall be tracked or discharged in any manner onto any public right-of-way. [MCC 39.6210(B)(23)]
  - e. Seed and mulch all disturbed soils to prevent erosion and sedimentation exiting the site, entering the public right-of-way, or depositing into any storm drainage system. Monitor daily to ensure vegetation is sprouting and that no erosion or sedimentation is occurring. Monitoring may cease when vegetation on the disturbed soils have stabilized the disturbed soils. [MCC 39.6225(B)(10), (B)(12), (B)(15), (B)(18), and (B)(19)]
8. This permit does not authorize on-site disposal of non-erosion pollution including construction debris, hazardous or toxic materials, synthetics (i.e. tires), petroleum-based materials, or other solid wastes that may cause adverse leachates or other off-site water quality effects. Non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. Any non-erosion pollution or spoil materials removed from the site shall be disposed at an off-site location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.6225(B)(20)]
9. The County may require the described erosion and sediment control techniques be supplemented if turbidity or other down slope erosion impacts results from on-site ground disturbing activity. The local Soil and Water Conservation District, City of Gresham Building or the U.S. Soil Conservation Service can also advise or recommend measures to respond to unanticipated erosion or sedimentation effects. [MCC 39.6210(F)(2)]

**Follow up requirements after ground disturbance activity are completed:**



10. The property owner(s), their agent(s), or their representative(s) shall gravel approved areas or seed with native grasses all disturbed exposed ground areas within five (5) days of the date ground disturbing activities conclude. [MCC 39.6225(B)(12)]
  - a. Upon completion of the installation of permanent vegetation and/or gravel, photographs shall be sent to **LUP-submittals@multco.us** to demonstrate that ground disturbing activities have been completed and the site is being revegetated or has been graveled. In your email, reference the case no. #T3-2022-16220 and T1-2023-16571 in the subject line. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
11. Schedule an Erosion and Sediment Control (ESC) inspection. A link to self-schedule an ESC inspection will be sent to you via email following the completion of your Zoning Plan Review. When scheduling online, please document the site of the inspection (Site Address) in the comments section of the requested appointment. The County's inspector will visit the project site to verify that Best Management Practices are occurring. An additional Inspection fee may be collected prior to the inspection. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

**PIPELINES IN PUBLIC RIGHT-OF-WAYS**

**Prior to starting the ground disturbance activity for the development:**

1. Obtain all necessary permits from the Multnomah County Transportation Division for the construction and ground disturbance within the public rights-of-ways.

**When you are ready to start the ground disturbing activity for the development authorized by land use case #T3-2022-16220 for the installation of the Finished Water Pipelines:**

2. **Install erosion and sediment control measures** consistent with the approved erosion and sediment control plan. Flag, fence, or otherwise mark the project area as described in the Plans (Exhibit A.12). These measures shall remain in place and in good working order. Such flagging, fencing, and/or markings shall be maintained until construction is complete. [MCC 39.6225(B)(12), through (15) and MCC 39.6225(B)(18)]
3. **Post the Erosion and Sediment Control Permit Notice Card.** The permit notice card shall be posted at the active work area in a clearly visible location and remain posted until the ground disturbing activity is complete. If the notice card is lost, destroyed, or otherwise removed prior to completion of the ground disturbing activity, the applicant shall immediately contact **LUP-submittals@multco.us** to obtain a replacement immediately. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

**Permit limitations and requirements after ground disturbing activity for the development are authorized:**

4. The property owner(s), their agent(s), or their representative(s) shall be limited to the following ground disturbing activities:
  - a. A maximum of 741,813 square feet of ground surface area is to be disturbed as described in and shown in Exhibit A.12, ESC-005. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - b. A maximum of 94,065 cubic yards of earth materials is allowed to be cut as described in and shown in Exhibit A.12, ESC-005. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
5. The property owner(s), their agent(s), or their representative(s) shall:
  - a. Maintain best erosion and sediment control practices through all phases of development. Erosion and sediment control measures are to include the installation of sediment fences/barriers at the toe of all disturbed areas and post construction re-establishment of

ground cover. Straw mulch, erosion blankets, or 6-mil plastic sheeting shall be used as a wet weather measure to provide erosion protection for exposed soils. All erosion and sediment control measures are to be implemented using Best Management Practices (BMP). [MCC 39.6225(B)(10) through (15), and MCC 39.6225(B)(17) through (19)]

- b. Remove any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within adjacent private properties are disturbed, the applicant or their representative(s) shall be responsible for returning such features to their original condition or a condition of equal quality. [MCC 39.6210(E)(1) and (2)]
  - c. Use haul trucks that are constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No earth materials shall be tracked or discharged in any manner onto any public right-of-way. [MCC 39.6210(B)(23)]
  - d. If an area has been disturbed and is not in the active construction zone, the disturbed area shall be seed and mulched to prevent erosion and sedimentation exiting the public right-of-way, or depositing into any storm drainage system. Monitor daily to ensure vegetation is sprouting and that no erosion or sedimentation is occurring. Monitoring may cease when vegetation on the disturbed soils have stabilized the disturbed soils. [MCC 39.6225(B)(10), (B)(12), (B)(15), (B)(18), and (B)(19)]
6. No spoils or earth materials shall be deposited on a property that has not obtained all necessary authorizations within Multnomah County's jurisdiction.
  7. This permit does not authorize on-site disposal of non-erosion pollution including construction debris, hazardous or toxic materials, synthetics (i.e. tires), petroleum-based materials, or other solid wastes that may cause adverse leachates or other off-site water quality effects. Non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. Any non-erosion pollution or spoil materials removed from the site shall be disposed at an off-site location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.6225(B)(20)]
  8. The County may require the described erosion or sediment control techniques be supplemented if turbidity or other off-site erosion or sedimentation impacts results from ground disturbing activities. The local Soil and Water Conservation District, City of Gresham Building, Transportation Division or the U.S. Soil Conservation Service can also advise or recommend measures to respond to unanticipated erosion effects. [MCC 39.6210(F)(2)]
  9. Prior to the replacement of the culvert for the North Fork of Beaver Creek, a Flood Development Permit shall be obtained from the Multnomah County Land Use Planning Division. [MCC 39.5015]
  10. Follow up requirements after ground disturbance activity are completed:
  11. The property owner(s), their agent(s), or their representative(s) shall gravel approved areas or seed with native grasses all disturbed with exposed ground areas within five (5) days of the date ground disturbing activities conclude. [MCC 39.6225(B)(12)]
    - a. Upon completion of the installation of permanent vegetation and/or gravel, photographs shall be sent to **LUP-submittals@multco.us** to demonstrate that ground disturbing activities have been completed and the site is being revegetated or has been graveled. In

your email, reference the case no. #T3-2022-16220 and T1-2023-16571 in the subject line. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

### **PIPELINES ON PRIVATE PROPERTY**

1. Prior to commencement of any ground disturbing activities, placement of materials or construction on the Ekstrom's property, the City of Portland shall provide written documentation that the necessary easements for the property have been obtained or that the property owners have granted approval for the work to commence on the property. [MCC 39.1115]

#### **When you are ready to start the ground disturbing activity for the development authorized by land use case #T3-2022-16220 for the pipeline work on private properties:**

2. **Install erosion and sediment control measures** consistent with the approved erosion and sediment control plan. Flag, fence, or otherwise mark the project area as described in the Site Plan (Exhibit A.12). These measures shall remain in place and in good working order. Such flagging, fencing, and/or markings shall be maintained until construction is complete. [MCC 39.6225(B)(12), through (15) and MCC 39.6225(B)(18)]
3. **Schedule an Erosion and Sediment Control (ESC) inspection.** A link to self-schedule an ESC inspection will be sent to you via email following the completion of your Zoning Plan Review. When scheduling online, please document the site of the inspection (Site Address) in the comments section of the requested appointment. The County's inspector will visit the project site to verify that Best Management Practices are occurring. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
4. **Post the Erosion and Sediment Control Permit Notice Card.** The permit notice card shall be posted at the driveway entrance in a clearly visible location and remain posted until the ground disturbing activity is complete. If the notice card is lost, destroyed, or otherwise removed prior to completion of the ground disturbing activity, the applicant shall immediately contact **LUP-submittals@multco.us** to obtain a replacement immediately. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
5. **Within seven (7) days prior to commencement of construction** at the Intertie Site, the applicant or their representative shall send an email to **LUP-submittals@multco.us**, stating the date that the development will commence on the Intertie site. The email shall include the land use case #T3-2022-16220 and this ESC permit #T1-2023-16571 along with the case planner Lisa Estrin's name.

#### **Permit limitations and requirements after ground disturbing activity for the development are authorized:**

6. No above ground storage of materials or development is permitted on 36322 SE Dodge Park Blvd other than the monitoring points for the raw water tunnel installation. [MCC 39.5075]
7. The proposed replacement septic system for 35227 SE Carpenter Lane shall not be installed until such time as the Sanitarian determines the area to be suitable and all necessary permits are obtained. [MCC 39.4325(G) & MCC 39.4305]
8. The property owner(s), their agent(s), or their representative(s) shall be limited to the following ground disturbing activities for the Finished Water Pipeline installation on the Ekstrom (R342513) property:
  - a. A maximum of 240,375 square feet of ground surface area is to be disturbed as described in and shown in Exhibit A.12, ESC-005. [MCC 39.6225(A)(2) and MCC 39.6225(B)]

- b. A maximum of 30,426 cubic yards of earth materials is allowed to be cut as described in and shown in Exhibit A.12, ESC-005. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - c. No non-structural fill is allowed to be deposited as described in and shown in Exhibit A.12, ESC-005 on the subject site. [MCC 39.6225(A)(3) and MCC 39.6225(B)]
  - d. No ground disturbance or fill materials shall be placed on the Schoepper (R611111) property.
9. The property owner(s), their agent(s), or their representative(s) shall be limited to the following ground disturbing activities for the Raw Water Pipeline installation:
- a. A maximum of 145,633 square feet of ground surface area is to be disturbed as described in and shown in Exhibit A.12, ESC-005. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - b. A maximum of 30,426 cubic yards of earth materials is allowed to be cut as described in and shown in Exhibit A.12, ESC-005. [MCC 39.6225(A)(2) and MCC 39.6225(B)]
  - c. No non-structural fill is allowed to be deposited as described in and shown in Exhibit A.12, ESC-005 on the subject site. [MCC 39.6225(A)(3) and MCC 39.6225(B)]
10. The property owner(s), their agent(s), or their representative(s) shall:
- a. Maintain best erosion and sediment control practices through all phases of development. Erosion and sediment control measures are to include the installation of sediment fences/barriers at the toe of all disturbed areas and post construction re-establishment of ground cover. Straw mulch, erosion blankets, or 6-mil plastic sheeting shall be used as a wet weather measure to provide erosion protection for exposed soils. All erosion and sediment control measures are to be implemented using Best Management Practices (BMP). [MCC 39.6225(B)(10) through (15), and MCC 39.6225(B)(17) through (19)]
  - b. Remove any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within adjacent public right-of-way are disturbed, the applicant or their representative(s) shall be responsible for returning such features to their original condition or a condition of equal quality. [MCC 39.6210(E)(1) and (2)]
  - c. Use haul trucks that are constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No earth materials shall be tracked or discharged in any manner onto any public right-of-way. [MCC 39.6210(B)(23)]
  - d. Seed and mulch all disturbed soils to prevent erosion and sedimentation from exiting the site, entering the public right-of-way, or depositing into any storm drainage system. Monitor daily to ensure vegetation is sprouting and that no erosion or sedimentation is occurring. Monitoring may cease when vegetation on the disturbed soils have stabilized the disturbed soils. [MCC 39.6225(B)(10), (B)(12), (B)(15), (B)(18), and (B)(19)]
11. This permit does not authorize on-site disposal of non-erosion pollution including construction debris, hazardous or toxic materials, synthetics (i.e. tires), petroleum-based materials, or other solid wastes that may cause adverse leachates or other off-site water quality effects. Non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. Any non-erosion pollution or spoil materials removed from the site shall be disposed at an off-site location

approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.6225(B)(20)]

12. The County may require the described erosion and sediment control techniques be supplemented if turbidity or other down slope erosion or sedimentation impacts results from on-site ground disturbing activity. The local Soil and Water Conservation District, Transportation Division, City of Gresham Building or the U.S. Soil Conservation Service can also advise or recommend measures to respond to unanticipated erosion effects. [MCC 39.6210(F)(2)]
13. No spoils or earth materials shall be deposited on a property that has not obtained all necessary authorizations within Multnomah County's jurisdiction.

**Follow up requirements after ground disturbance activity are completed:**

14. The gravel for the temporary construction entrance and accessway on 35227 SE Carpenter Lane (R342606) shall be removed from the site upon completion of all on-site work associated with the installation of the finished water pipeline. [MCC 39.4305]
15. The property owner(s), their agent(s), or their representative(s) shall gravel or seed with native grasses all disturbed with exposed ground areas within five (5) days of the date ground disturbing activities conclude. [MCC 39.6225(B)(12)]
  - a. Upon completion of the installation of permanent vegetation and/or gravel, photographs shall be sent to **LUP-submittals@multco.us** to demonstrate that ground disturbing activities have been completed and the site is being revegetated or has been graveled. In your email, reference the case no. #T3-2022-16220 and this ESC permit #T1-2023-16571 along with the case planner Lisa Estrin's name. [MCC 39.6210(F)(2) and MCC 39.6225(B)]
16. Schedule an Erosion and Sediment Control (ESC) inspection. A link to self-schedule an ESC inspection will be sent to you via email following the completion of your Zoning Plan Review. When scheduling online, please document the site of the inspection (Site Address) in the comments section of the requested appointment. The County's inspector will visit the project site to verify that Best Management Practices are occurring. An additional Inspection fee may be collected prior to the inspection. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

**SE CARPENTER LANE, SE COTTRELL RD SOUTH OF DODGE PARK BLVD,  
INTERSECTION OF COTTRELL RD & SE DODGE PARK BLVD**

**Prior to starting the ground disturbance activity for the development:**

1. Obtain all necessary permits from Transportation Division for the construction and ground disturbance within the public rights-of-ways.

**When you are ready to start the ground disturbing activity for the development authorized by land use case #T3-2022-16220 for the road improvements leading to the Water Filtration Facility:**

2. **Within seven (7) days prior to commencement of construction** for the widening of SE Carpenter Lane and adjacent roadways, the applicant or their representative shall send an email to **LUP-submittals@multco.us** , stating the date that the development will commence in the public right-of-way. The email shall include the land use case #T3-2022-16220 and this ESC permit #T1-2023-16571 along with the case planner Lisa Estrin's name.
3. **Install erosion and sediment control measures** consistent with the approved erosion and sediment control plan (Exhibit A.3). Flag, fence, or otherwise mark the project area as described in the Plans. These measures shall remain in place and in good working order. Such flagging,

fencing, and/or markings shall be maintained until construction is complete. [MCC 39.6225(B)(12), through (15) and MCC 39.6225(B)(18)]

4. **Post the Erosion and Sediment Control Permit Notice Card.** The permit notice card shall be posted at the active work area in a clearly visible location and remain posted until the ground disturbing activity is complete. If the notice card is lost, destroyed, or otherwise removed prior to completion of the ground disturbing activity, the applicant shall immediately contact **LUP-submittals@multco.us** to obtain a replacement immediately. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

**Permit limitations and requirements after ground disturbing activity for the development are authorized:**

5. The property owner(s), their agent(s), or their representative(s) shall:
  - a. Maintain best erosion and sediment control practices through all phases of development. Erosion and sediment control measures are to include the installation of sediment fences/barriers at the toe of all disturbed areas and post construction re-establishment of ground cover. Straw mulch, erosion blankets, or 6-mil plastic sheeting shall be used as a wet weather measure to provide erosion protection for exposed soils. All erosion and sediment control measures are to be implemented using Best Management Practices (BMP). [MCC 39.6225(B)(10) through (15), and MCC 39.6225(B)(17) through (19)]
  - b. Remove any sedimentation caused by development activities from all neighboring surfaces and/or drainage systems. If any features within adjacent properties are disturbed, the applicant or their representative(s) shall be responsible for returning such features to their original condition or a condition of equal quality. [MCC 39.6210(E)(1) and (2)]
  - c. Use haul trucks that are constructed, loaded, covered, or otherwise managed to prevent any of their load from dropping, sifting, leaking, or otherwise escaping from the vehicle. No earth materials shall be tracked or discharged in any manner onto any public right-of-way. [MCC 39.6210(B)(23)]
  - d. If an area has been disturbed and is not in the active construction zone, the disturbed area shall be seed and mulched to prevent erosion and sedimentation exiting the public right-of-way, or depositing into any storm drainage system. Monitor daily to ensure vegetation is sprouting and that no erosion or sedimentation is occurring. Monitoring may cease when vegetation on the disturbed soils have stabilized the disturbed soils. [MCC 39.6225(B)(10), (B)(12), (B)(15), (B)(18), and (B)(19)]
6. This permit does not authorize on-site disposal of non-erosion pollution including construction debris, hazardous or toxic materials, synthetics (i.e. tires), petroleum-based materials, or other solid wastes that may cause adverse leachates or other off-site water quality effects. Non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities. Any non-erosion pollution or spoil materials removed from the site shall be disposed at an off-site location approved for the disposal of such material by applicable Federal, State, and local authorities. [MCC 39.6225(B)(20)]
7. The County may require the described erosion and sediment control techniques be supplemented if turbidity or other off-site erosion or sedimentation impacts results from ground disturbing activities. The local Soil and Water Conservation District, City of Gresham Building,

Transportation Division or the U.S. Soil Conservation Service can also advise or recommend measures to respond to unanticipated erosion effects. [MCC 39.6210(F)(2)]

**Follow up requirements after ground disturbance activity are completed:**

8. The property owner(s), their agent(s), or their representative(s) shall gravel approved areas or seed with native grasses all disturbed with exposed ground areas within five (5) days of the date ground disturbing activities conclude. [MCC 39.6225(B)(12)]
  - a. Upon completion of the installation of permanent vegetation and/or gravel, photographs shall be sent to **LUP-submittals@multco.us** to demonstrate that ground disturbing activities have been completed and the site is being revegetated or has been graveled. In your email, reference the case no. #T3-2022-16220 and T1-2023-16571 in the subject line. [MCC 39.6210(F)(2) and MCC 39.6225(B)]

**Exhibits:**

‘A’ Applicant’s Exhibits

All exhibits are available for review on the County’s website at [www.multco.us/landuse/portland-water-bureau-filtration-and-pipelines-project](http://www.multco.us/landuse/portland-water-bureau-filtration-and-pipelines-project).

Exhibit #	# of Pages	Description of Exhibit	Date Received / Submitted
A.1	1	Application Form	1/25/2023
<b>Water Filtration Facility Site</b>			
A.2	14	Filtration Facility Narrative	1/24/24
A.3	18	Erosion and Sediment Control Drawing – Filtration Facility specifically pages 00-LU-504, <del>00-LU-505</del> <sup>1</sup> , 00-LU-506, 00-LU-507, 00-LU-508, 00-LU-509 - 00-LU-514	1/24/24
A.4	3	Technical Memorandum Stability of Permanent Steep Slopes Water Filtration Facility Site	1/24/24
A.5	544	Stormwater Drainage Report dated January 15, 2024	1/24/24
A.6	2	Executive Summary, Filtration Facility Geotechnical Engineering Report	1/24/24
A.7	1	Revised 00-LU-505	4/05/24
A.8	5	Revised ESC Staging Plans	5/08/24
A.9	2	Staging Narrative	4/11/24
A.18	1	Revised 00-LU-501	5/21/24
<b>SE Carpenter Ln, SE Cottrell south of Dodge Park, Intersection of SE Cottrell Rd &amp; Dodge Park Road Widening</b>			
A.2	14	Filtration Facility Narrative	1/24/24

<sup>1</sup> See Exhibit A.7 for the Revised 00-LU-505 sheet.

A.3	18	Erosion and Sediment Control Drawing – Filtration Facility, specifically pages 00-LU-502, 00-LU-503	1/24/24
A.10	117	Pipelines Stormwater Report	1/24/24
A.17	2	Revised 00-LU-502 & 00-LU-503	5/14/24
<b>Intertie Site</b>			
A.11	17	Pipelines ESC Narrative	1/24/24
A.12	68	Pipeline Drawings Erosion Control specifically pages ESC-004, ESC-005, ESC-201, ESC-202, ESC-203, FWP-CE-1001, FWP-CE-1002, FWP-CE-1003, FWP-CE-1004, FWP-CE-1007, FWP-CE-1019	5/21/24
A.13	61	Stormwater Drainage Control Report	1/24/24
<b>Pipelines in Public Rights-of-Ways</b>			
A.11	17	Pipelines ESC Narrative	1/24/24
A.12	68	Pipeline Drawings Erosion Control specifically pages ESC-004, ESC-005, ESC-201, ESC-202, ESC-203, FWP-CE-1001, FWP-CE-1002, FWP-CE-1003, FWP-CE-1004, FWP-CE-1005, FWP-CE-1007, FWP-CE-1008, FWP-CE-1009, FWP-CE-1010, FWP-CE-1011, FWP-CE-1012, FWP-CE-1013, FWP-CE-1014, FWP-CE-1015, FWP-CE-1016, FWP-CE-1017, FWP-CE-1019, FWP-CE-1020, FWP-CE-1021, FWP-CE-1022, FWP-CE-1023, FWP-CE-1024, FWP-CE-1025, FWP-CE-1026, FWP-CE-1027, FWP-CE-1028, FWP-CE-1029, FWP-CE-1030, FWP-CE-1031, FWP-CE-1033, FWP-CE-1034, FWP-CE-1035, FWP-CE-1036, FWP-CE-1037, FWP-CE-1038	5/21/24
A.14	117	Pipelines Stormwater Report	1/24/24
A.15	1	Geotechnical Engineering Slope Review (G1) dated April 25, 2023	1/24/24
A.16	2	Finished Pipelines Geotechnical Assessment	1/24/24
<b>Pipeline Work on Private Property</b>			
A.11	17	Pipelines ESC Narrative	1/24/24



A.12	68	<p>Finished Water Pipelines Drawings Erosion Control specifically pages ESC-004, ESC-005, ESC-201, ESC-202, ESC-203, FWP-CE-1001, FWP-CE-1005, FWP-CE-1006, FWP-CE-1012, FWP-CE-1013, FWP-CE-1017, FWP-CE-1018, FWP-CE-1026, FWP-CE-1027, FWP-CE-1031, FWP-CE-1032, FWP-CE-1038, FWP-CE-1039, FWP-CE-1040, FWP-CE-1041</p> <p>Raw Water Pipeline Drawings Erosion Control specifically pages ESC-004, ESC-005, ESC-201, ESC-202, ESC-203, MUL-CE-1001, MUL-CE-1002, MUL-CE-1003, MUL-CE-1004, RWP-CE-1001, RWP-CE-1002, RWP-CE-1003, RWP-CE-1004, RWP-CE-1005, RWP-CE-1006</p>	5/21/24
A.14	117	Pipelines Stormwater Report	1/24/24
A.19	2	Raw Water Geotechnical Engineering Summary	1/24/24