

## Appendix D – Draft BES Land Division Review Checklists

These are the first drafts of internal BES checklists to help assure all review criteria elements are evaluated for each project. These lists are continually improving as staff group responsibilities expand or shift and past case lessons are incorporated into the list for future reviews. These lists are provided here as an example of the internal tools BES has developed to assist staff in their technical reviews of land division applications.

### BES Land Use Review Checklists

#### BES Checklist for: WATERSHED PLANNING

**Purpose:** To be used by BES Watershed Planning staff to help guide comments on land use cases. This tool is to be used in conjunction with the Comment Template, Comment Template Training Document, and Comment Examples. Reviewer should also consult with other appropriate BES staff, ESA staff, and OPDR staff regarding complex cases.

**How to Use:** Each list is based on the type of review. Use all lists that apply to the cases you are working on. For example if the case is for an Environmental Review and Landscaping Adjustment, then there are two lists to go through.

**Checklist:**

**1. Environmental or Greenway Review**

- Explain, in detail, the site’s environmental characteristics as they relate to watershed functions. (See Comment Examples for more guidance)
- What resources are being impacted and are those resources of high functional value to the watershed?
- Are there regulations, such as Clean Water Act, that would pertain to the proposal?
- What impact will the project have on water quality? Look at TMDLs, ESA regulations, Oregon Administrative Rules, etc.
- What impact will the project have on tree canopy? Will mitigation occur? Will native plants be used?
- What impact will the project have on the riparian area? Will the buffering capacity of the area be diminished as a result of development? (*Make sure not to interpret Title 33*)
- What impact will the project have on habitat? Look for environmentally sensitive, threatened and/or endangered species, as well as locally significant species. Pay attention to how the habitat connects with other habitats in the area. (*Make sure not to interpret Title 33*)
- If the riparian area’s functions are reduced, what impact will that have on habitat and water quality?
- Check with National Marine Fisheries Service for an in-water work period.
- Is there a wetland on site that will be disturbed? Has the applicant spoken with COE and DSL about obtaining a 404 permit (removal/fill)?
- Is applicant adding impervious surface? What affect will the impervious area have on the watershed?
- Does the proposal support the goals and objectives of the watershed plan? Can the proposal be modified to better meet those stated goals?
- Are there voluntary programs that the applicant can participate in to reduce impacts to the resources on site?
- Are there any BES-managed capital improvement projects, restoration sites or enhancement projects that will impact, or be impacted by, the proposal?

**2. Environmental Enhancement (see also Environmental Review list)**

- Explain, in detail, the site characteristics and the short-term and long-term effect the project will have on the site and the watershed.
- Does the proposal support the goals and objectives of the watershed plan? Can the proposal be modified to better meet those stated goals?
- Is the applicant taking measures to protect water quality during construction of the enhancement project? Are these measures sufficient to project water quality to the fullest extent possible?
- Are there alternative approaches that would better achieve the goals of the enhancement project? Will the applicant reach the desired outcome – water quality or habitat improvements?

# D R A F T

## 3. Environmental Violation

- Explain, in detail, the site's environmental characteristics as they relate to watershed functions. (See Comment Examples for more guidance)
- What resources were impacted by the violation and were those resources of high functional value to the watershed?
- Are there regulations, such as Clean Water Act, that would pertain to the site?
- What impact did the violation have on water quality?
- What impact did the violation have on the riparian area? Was the buffering capacity of the area be diminished as a result of development? (*Make sure not to interpret Title 33*).
- What impact did the violation have on habitat? Look for environmentally sensitive, threatened and/or endangered species, as well as locally significant species. Pay attention to how the habitat connects with other habitats in the area. (*Make sure not to interpret Title 33*).
- Was there a wetland on site that was impacted? If so, has the applicant contact COE/DSL?
- Did applicant add impervious surface? What effect will the impervious area have on the watershed?
- What mitigation is proposed by the applicant? Will the proposed mitigation sufficiently mitigate for the resource and function impacted by the violation?
- Has the applicant proposed plantings as part of the mitigation? Is the applicant using native plants?

## 1. Landscaping Adjustment

- Does the proposed change equal or exceed the requirements to address water quality or habitat?
- What impact will a landscaping adjustment have on water quality, habitat and the watershed as a whole? Look at TMDLs, ESA, Oregon Administrative Rules, etc. to support the use and importance of landscaping.
- Is the applicant using native plants in the landscaping? Could the applicant use native plants? (*Include a contact for the BES Revegetation Program*)

## 1. E-zone, Greenway or Open Space Zone Change

- Are there environmental resources that exist on the site? Explain in detail what resources exist. (See Environmental Review list)
- What are the current and the proposed zones? Is it an environmental, greenway or open space zone that is being changed?
- What is the justification for changing the zone? Is the justification appropriate or is there a more appropriate method of determining the proper zone?

## 2. Land Divisions

- Are there environmental resources that exist on the site that are not in an e-zone? Explain in detail what resources exist.
- Are there resources that should be placed in a preservation tract? Look for significant tree canopy, seeps, springs, streams, steep slopes, landslide hazards.

## BES Land Use Review Checklists

### BES Checklist for: DEVELOPMENT SERVICES

**Purpose:** To be used by BES Development Services staff to help guide comments on land use cases. This tool is to be used in conjunction with the Comment Template, Comment Template Training Document, and Comment Examples.

**How to Use:** This checklist consist of questions that staff would answer in order to determine the requirements for sanitary and storm services for the development. From that conditions of approvals or comments will be noted for that land use review.

---

#### Checklist:

#### Physical Characteristics

##### 1. Existing Facilities

# D R A F T

- Is there an existing public sanitary sewer available? What is the location, size, and type?
- Is there an existing public storm sewer or a drainage facility (drainage way, ditch, or private storm sewer) available? What is the location, size, and type?
- Is there an existing public combination sewer available? What is the location, size, and type?
- Is this area served by sumps? Review the criteria for sumps (CSO area? Non-CSO area? Ground water elevation? Nearby well sites? Protected wellhead areas? Will infiltration work in this area?)
- Is there adequate capacity to serve this site? Evaluate capacity assumptions.
- Is there an existing structure on this site? Is there an existing private sewer on this site? Where is it located? Will it impact this development? Will an easement be required?
- What watershed is this site located in? Will coordination with the drainage districts be required?

## 2. Storm and Sanitary Services

- Can gravity sanitary service be provided? If not, will a public pump station be required? Will a public sanitary sewer extension be required?
- For sewer services that require easements from an adjacent property, evaluate the need for a public sewer extension. Land use approval will require acquisition of the easement from the adjacent property owner.
- What is the method of storm water disposal available? For public street and private improvement.
- Will public street improvement be required? What will be required for storm drainage?
- If on-site infiltration is required, approval from OPDR will be required. This will need to be determined prior to land use approval.
- If sumps are required, determine whether or not the sump criteria can be met prior to land use approval.

## 3. Easements

- Is there an existing public sewer easement across this parcel? Will this development impact the easement?
- Is there an existing private sewer easement across this site? Will this development impact this easement?
- Is there an existing sewer across this site where an easement will be required?
- Will proposed development encroach in an existing easement? For public sewer easements, coordinate with Maintenance.

## Comments

### 4. Storm Water Management

- What is proposed for stormwater management? Does it comply with the Storm Water Management Manual?
- Where is the proposed facility located?
- What is the size of the facility?
- Will the facility be required to be in a tract (serves more than 1 lot)?
- Will the facility have adequate capacity to serve this development?
- Where is the point of disposal?

### 5. Environmental Zones

- Will the proposed sanitary or storm facilities be located in an environmental zone? Make sure the land use review also includes an environmental review.
- Will the location of these facilities impact protected resources? Coordinate with the Watershed Planning staff.

### 6. Fees

- Has this property paid their line charges for the existing sewers? Will payment of these line charges be required prior to partitioning?
- Comment on sewer charges? Make sure to include comment that the fees will be revised every July 1<sup>st</sup>.

### 7. Mid-County Area

- Is existing structure on site connected to the sewer?
- Are there fees owing for this property? Are the fees paid?
- Is this property under the Mid-County enforcement?
- Check SEWPER record for information.
- If you answer yes to any of the first 3 items above, discuss this development with Sue Williams.

### 8. Drainage Reserves

- Need to get more information.*

### 9. Misc

# D R A F T

Is Source Control review required? Check criteria from Source.

## 10. E-zone, Greenway or Open Space Zone Change

## 11. Land Divisions

### “BES Land Use Review Checklist”

#### BES Checklist for: SOURCE CONTROL

---

**Purpose:** To be used by BES Source Control review staff to help conduct a thorough review and guide comments on land use cases. This checklist of categories is to be used in conjunction with the “Example Response Template”. The reviewer should also consult with other appropriate BES staff, DEQ staff and OPDR staff regarding complex cases.

**How to Use:** Each category is based on a specific activity or applicable local, State and Federal regulation. Check all categories for applicability.

---

#### Categories:

1. **Determination of Source Control Review Assignment** (check the application to identify location and/or facility, description of the proposal, and applicable attachments):
  - Process wastewater is generated at this site.
  - This property or facility conducts manufacturing OR has industrial processes on-site that has an Significant Industrial Category (SIC) Code requiring Industrial Wastewater Permitting. (Check with the Industrial Permitting Section for clarification if uncertain, Miguel Santana.)
  - There are exposure concerns due to exterior storage or activity areas (i.e. exterior drum or bulk material storage, above ground tanks, stockpiling, washing, fueling, etc.).
  - This property or facility has activities on-site that will require Industrial Stormwater Permitting. (Check with the Industrial Stormwater Section for clarification if uncertain, Michael Pronold.)
  - This site has been identified as having or has had site contamination in the soil and/or groundwater.
  - There will be dewatering activities during excavation, grading or construction.
  - There is chemical/hazardous material storage and/or handling at this site.
  - There is food handling and/or processing at this site.
  - This application is related to fueling activities.
  - This application is related to washing activities.
  - This application is related to automotive or maintenance activities.
  - This application includes alterations to loading docks/material transfer areas.
  - This application includes alterations to trash collection/trash compactor areas.
  - This application includes installations of cooling towers or boilers.
2. **Industrial Wastewater Permitting** (check Source Control’s “Aquarius” database for permit information):
  - There is an existing Industrial Wastewater Permit for this property or facility.
  - IF an Industrial Wastewater Permit exists**, the following have been done or checked:
    - The Permit Manager has been routed the land use application for review:
    - The Permit Manager has been informed of the 24-hour response commitment to Development Services.
    - The PM has Conditions of Approval.
    - Pretreatment equipment is required; type and location needs to be established.
    - A sampling structure is required; type, location and access needs to be established.
    - The PM does not have Conditions of Approval.
    - The PM has comments to convey to the applicant.
    - The PM has no comments.
    - A statement with the PM’s name and phone number has been included in the response.
  - IF an Industrial Permit does not exist**, the following have been checked:
    - Process wastewater is generated at this facility.
    - Process wastewater discharges are less than 10,000 gpd.
    - Process wastewater discharges are greater than 10,000 gpd.

## D R A F T

- SIC Code regulations do apply. (Check with the Industrial Permitting Section for clarification if uncertain, Miguel Santana.)
- The Industrial Permitting Section, Miguel Santana, has been notified for discharges greater than 10,000 gpd or if SIC Code applicability has been identified. (If a permit is req'd follow the checklist above.)
- SIC Codes do not apply.

### 3. Industrial Stormwater Permitting (check Source Control's "Aquarius" database for permit information):

- There is an existing Industrial Stormwater Permit for this property or facility.
- IF an Industrial Stormwater Permit exists**, the following have been done or checked:
  - The Permit Manager has been routed the land use application for review:
  - The Permit Manager has been informed of the 24-hour response commitment to Development Services.
  - The PM has Conditions of Approval.
  - The PM does not have Conditions of Approval.
  - The PM has comments to convey to the applicant.
  - The PM has no comments.
  - A statement with the PM's name and phone number has been included in the response.
- IF an Industrial Stormwater Permit does not exist**, the following have been checked:
  - Exposure issues have been checked.
  - DEQ stormwater regulations do apply. (Check with the Industrial Stormwater Section for clarification if uncertain, Michael Pronold.)
  - The Industrial Stormwater Section, Michael Pronold, has been notified for activities or conditions of a property or facility that may DEQ regulations if not appropriately managed. (If a permit is req'd follow the checklist above.)

### 4. Soil and/or Groundwater Contamination (Brownfields)

- The DEQ "ECSI" database inventories has been checked. [[www.deq.state.or.us/wmc/ECSI/ecsiquery.asp](http://www.deq.state.or.us/wmc/ECSI/ecsiquery.asp)]
- NO** information on this property is found in the DEQ inventories.
- IF this site has been identified in DEQ inventories**, the following have been checked:
  - This site has gone through remediation and/or a site clean up.
  - This site is awaiting assessment by DEQ.
  - The DEQ Project Manager or Clean-up Dept. has been notified of this application.
  - DEQ has Conditions of Approval.
  - Source Control has Conditions of Approval.
  - DEQ does not have Conditions of Approval.
  - Source Control does not have Conditions of Approval.
  - DEQ has comments to convey to the applicant.
  - Source Control has comments to convey to the applicant.
  - A statement with DEQ's Project Manager's name and phone number has been included in the response.
  - DEQ has no comments.
  - DEQ notification is not needed due to the nature of the land use application.
  - A statement addressing potential delays with related building permit applications has been included in the response.
- IF this site is not in the DEQ inventories but has identified site contamination**, the following have been done or checked:
  - The DEQ Clean-up & Reporting Dept., Janelle Waggy 503/229-5741, has been notified of this application.
  - DEQ has required an assessment to be conducted. (If an assessment is req'd follow the checklist above.)
  - DEQ has released this application from investigation.

### 5. Available Sanitary and Stormwater Utilities

- This property utilizes on-site sanitary facilities (i.e., a cesspool or a septic tank).
- This property discharges to a City sanitary only sewer system.
- This property discharges to a City combined sewer system.
- No City sanitary sewer is available.
- Sanitary services are unknown and not applicable to this land use application.
- This property disposes stormwater to a private outfall or drainageway.

## D R A F T

- This property disposes stormwater to a drywell.
- This property discharges stormwater to a City stormwater only sewer system.
- Stormwater services are unknown and not applicable to this land use application.

### 6. Stormwater Management Manual Pollution Controls

- This application is related to fueling activities; see Section 4.2 of the SMM.
- This application is related to washing activities; see Section 4.7 of the SMM.
- This application is related to High-use/High-risk activities (i.e., storage of wrecked vehicles, automotive services, fueling, and fast food services, etc.); see Section 4.11 of the SMM.
- This application is related to above ground storage of liquids; see Section 4.3
- This application is related to trash collection areas and compactors; see Section 4.4 of the SMM.
- This application is related to bulk material storage; see Section 4.5 of the SMM.
- This application is related to material transfer areas; see Section 4.6 of the SMM.
- This application is related to contaminated site clean-up activities; see Section 4.8 of the SMM.

### 7. Additional local, State and Federal Code Issues

- This application triggers spill containment requirements.
- This application includes the installation of fountains and/or bubblers.
- This application triggers shut-off valve requirements.
- This application includes equipment connections and/or installations that may require pollution controls and/or pretreatment (i.e., cooling towers, industrial boilers, commercial printers, etc.)

## “SOURCE CONTROL DETERMINATION”

### **BES Determination for assigning: SOURCE CONTROL**

---

**Purpose:** To guide BES land use review staff in determining if an additional review is needed by the Source Control Division. Questions for clarification should be brought to the Source Control Land Use Coordinator, Rondi Felton (located at the 1900 Building) or the group Supervisor Kelly Hendryx.

---

#### ***Determination Questions:***

1. Does this facility do manufacturing OR have industrial processes on-site?
  - ▲ Facility Examples: Wacker Siltronics, Freightliner Manufacturing, Franz Bakery, Oregon Steel Mills, Harry’s Fresh Foods, Eastside Plating, Portland Hospital Laundries, etc.
2. Does this facility conduct automotive repair or sales activities?
3. Does this facility store wrecked or impounded vehicles?
4. Have any site contamination and/or clean-up activities been mentioned, past or present?
5. Has chemical storage OR handling activities been mentioned?
6. Have any commercial cooling towers or industrial boilers been identified for installation?
7. Is food prepared or processed on site?
8. Are there washing or fueling activities identified?

If you have said “yes” to any of these questions please assign Source Control to review the land use application.