AKA compliance matrix

RIVERGATE COOPERATIVE AGREEMENT: MITIGATION PROGRAM (Revised)

ADD: Budget Resp. Party in Port

Mitigation Program Elements	Performance Standards	Compliance	Task	Timeline	Follow up
2. New fill slopes, indicated on Attachment A, will be no steeper than 3:1.	Slopes must be 3:1 or less steep.	Unknown. Agencies are concerned that some areas may not be 3:1 (i.e. slope adjacent to railroad)	(Port) Conduct as built survey of slopes.	Provide survey to agencies by _____.	1. Agencies review as-builts and determine compliance by:_____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
2. After permanent fill slopes are formed in these areas (indicated on Attachment A), they will be planted using the specifications in Attachment B.	Permanent fill slopes to be revegetated per specifications in Attachment B.	No. Per 3/96 status report, slopes are being revegetated as adjacent property is developed. Slopes should have been revegetated when formed.	(Port) Conduct vegetative survey and/or provide agencies with aerial photos showing existing vegetation. Provide information on any revegetation efforts: location, dimensions, planting scheme, date(s) planted, map of established vegetation.	Provide survey & information to agencies by _____.	1. Agencies review and determine compliance by:_____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. agencies review and comment by: _____ 4. implement by: _____
2. A vegetative screen to lessen the impact of the industrial development on the wetland area will be planted using the guidelines in the Smith and Bybee Lakes Management Plan, or the City's E Zone standards if the Management Plan has not been adopted.	Smith and Bybee Lakes Management Plan guidelines, Policy 22, B (page 54).	No. Per 3/96 status report, slopes are planted as adjacent property is developed. Vegetative screens should have been planted.	(Port) Establish vegetative screens.	Provide revegetation plan to agencies by_____.	1. Agencies review and comment by: _____ 2. Implement plan by: _____
3. The Ramsey Lake wetland and part of the adjacent upland area will be excavated to create year-round ponding, wetland fringe and islands, as indicated on Attachment A. Three separate ponds will be created with a total of at least 16 acres of water surface area.	Create at least 16 acres of water surface area (not including islands).	Unknown.	(Port) Provide as-built drawings of site which show topography (including all slopes along the shore and islands), the open water area during the dry season (to ensure at least 16 acres of water surface area, not including islands), and established vegetation on the islands and within the buffer.	Provide as-built drawings to agencies by: _____	Original plans included specific plant species. If those species cannot establish due to site conditions (i.e. the height of the islands), the area must be reconfigured (i.e. islands must be lowered) to meet the original design standards. 1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____

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3. The wetland fringe and islands associated with the ponds will be planted as specified in Attachment B. Creation of the new ponds will leave the existing fringe vegetation in place (to the extent practical) on the east side of Ramsey Lake.	Attachment B	Unknown.	(Port) Provide as-built drawings which show existing vegetation and buffer dimensions. Provide info. on revegetation efforts, including planting scheme, date(s) planted, and map showing established vegetation.	Provide as-built drawings and revegetation information to agencies by: _____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
3. Material removed from Ramsey Lake may be used for construction of adjacent fill dikes and/or islands, or used to enhance upland soil before vegetation is planted.	Limitations on placement of fill removed.	Unknown.	(Port) Provide information on location(s) where fill material was placed.	Provide information to agencies by: _____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
4. The remaining upland area between Ramsey Lake and the Columbia Slough will be planted with appropriate upland species, using the specifications in Attachment B. At least 20 acres of riparian habitat will be created in this project.	20 acres of riparian habitat to be created. Planting specifications are in Attachment B.	No. Per 3/96 Status Report, the area was planted, but was only partially successful.	(Port) Provide information on revegetation efforts: location, dimensions, planting scheme, date(s) planted, and map showing established vegetation .	Provide information and contingency plan to agencies by: _____	1. Agencies review and comment by: _____ 2. Implement by: _____
5. The PORT will provide a minimum 100 foot buffer (measured from the ordinary high water mark) along the slough in South Rivergate.	100 foot buffer preserved in perpetuity.	Unknown.	(Port) Provide as-built drawings which show existing vegetation and buffer dimensions.	Provide as-built drawings to agencies by: _____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
5. Continue to maintain a 150 foot buffer adjacent to the slough in North Rivergate. Buffer will include a 100 foot vegetative buffer next to the slough and a 50 foot easement area for the 40 mile loop trial. The exact location of the trail may vary in order to accommodate topographical or vegetative features. These buffers may also be the location for stormwater outfall passive treatment facilities (i.e. constructed wetlands).	100 foot buffer and 50 foot easement preserved in perpetuity.	Unknown.	(Port) Provide as-built drawings which show existing vegetation and buffer dimensions.	Provide as-built drawings to agencies by: _____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____

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5. The PORT will replant riparian vegetation in these (both 100' and 150') buffer areas where it has been destroyed through the PORT's filling or construction activities (see Attachment B).	Revegetate impacted areas as specified in Attachment B.	Unknown.	Conduct vegetative survey and/or provide agencies with aerial photos showing before and after filling and construction activities. Provide information on any revegetation efforts: location, dimensions, planting scheme, date(s) planted, map of established vegetation.	Provide to agencies by: _____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
5. At least 5 acres of riparian habitat will be enhanced in these (along slough in South Rivergate) buffer areas.	Attachment B.	Unknown.	Provide agencies with information showing where buffers have been revegetated: location, dimensions, planting scheme, date(s) planted, map of established vegetation. If 5 acres have not been enhanced, develop contingency plan.	Provide information/contingency plan to agencies by: _____.	1. Agencies determine compliance by: _____. 2. If 5 acres have not been enhanced, review contingency plan and comment by: _____ 3. Implement by: _____
6. The existing ponds adjacent to the new fill line in the North Bybee Lake area will be deepened and enlarged as indicated on Attachment A. At least 2 acres of wetland will be enhanced in this project.	Attachment A. 2 acres will be "enhanced". (Need specific standards).	No. Per 3/96 Status Report, area has been preserved only.	(Port) Provide agencies with map to scale showing topography, vegetation, protected buffers, pond water depths.	Provide map to agencies by: _____	1. Agencies review map and determine whether there is an opportunity to enhance 2 acres at site by: _____. 2. Port develop 2 acre enhancement plan at original or new site as agencies determine appropriate by: _____. 3. Agencies review plan and comment by: _____. 4. Implement by: _____.
7. The Port will have an analysis prepared of the surface water flow patterns in the Columbia Slough system.	Analysis sufficient to determine design characteristics for water level control projects.	Yes.	None.	None	N/A
8. Construct a water control structure in Smith Channel between Smith and Bybee Lakes.	Enable habitat modifications in Smith Lake through water level manipulation.	See "Revised 8 and 9" below.	N/A	N/A	N/A

Mitigation Program Elements	Performance Standards	Compliance	Task	Timeline	Follow up
9. Construct a channel between the western end of Bybee Lake and the Columbia Slough.	Bybee Lk. function as an integral part of the Columbia Slough/Willamette system. Enhance 170 acres of lake & wetland habitat. Habitat diversification in Bybee Lake.	See "Revised 8 and 9" below.	N/A	N/A	N/A
"Revised" 8 & 9. Replace existing water control structure in North Slough with one that 1) will allow unobstructed flow both in and out of the lakes on a daily and seasonal basis, and 2) can be manipulated to impound water. The design will be engineered to allow water control, have a standard opening across the North Slough and allow for vehicle access. The Port will be responsible for maintaining the integrity and functionality of the structure for the same length of time as the contractor. The Port will be responsible for removing the present structure if necessary to meet these objectives.	Provide for management of Smith and Bybee Lakes hydrology in a manner that allows water surface elevations in the lakes to mimic those of the Columbia River at its confluence with the Willamette River, both daily and seasonally.	No.	(Port) Develop/adopt Metro's water control structure plans.	Provide plan to agencies by: _____	1. Agencies review and comment by: _____ 2. Implement by: _____
"Revised" 8 & 9. Develop a water source and distribution system to augment flow into the lakes from an outside source.	System must be adequate to control avian botulism, mimic river hydrology, and other management needs (agencies need to define & develop augmentation requirement)	No.	(Agencies) Determine augmentation necessary to achieve objectives. (Port) develop water source and distribution system.	Agencies specify requirement by:____ Port develop plan by:____.	1. Agencies review and comment on plan by:_____. 2. Implement by:_____.

Mitigation Program Elements	Performance Standards	Compliance	Task	Timeline	Follow up
"Revised" 8 & 9. The PORT will work with the Smith & Bybee Lakes Manager to develop a Habitat Restoration Plan that includes maintenance and monitoring to ensure that management objectives are met.	Outline strategy to return the Smith and Bybee Lakes area to tidal freshwater marsh habitat.	No.	(Port/Metro) Develop Habitat Restoration Plan (trial planting plots; monitoring plan to study reveg. plots vs. natural recruitment; process to determine need for active revegetation and exotic species removal; timeline; budget).	Provide to agencies by:_____	1. Agencies review and comment by:_____. 2. Finalize plan by:_____.
"Revised" 8 & 9. Restore 350 acres of willow dominated habitat long the perimeter of the lakes.	Restore 350 acres of willow dominated habitat to 60% canopy closure.	No.	(Port/Metro) Implement Habitat Restoration Plan.	Begin implementation by:_____	1. Complete tasks on timeline as outlined in agency approved Habitat Restoration Plan.
10. The PORT will design and construct a public storm drainage system which will be built to City of Portland standards.	City of Portland standards and Attachment C.	Unknown.	(Port) Provide information to agencies about the status, including any changes to original plan and design standards.	Provide to agencies by:_____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
10. Upon completion, elements of the public storm drainage system will be transferred to City ownership for operation and maintenance.	Transfer to City ownership.	Yes.	N/A	N/A	N/A
10. Water from this public storm drainage system will not be routed into the Columbia Slough, Smith, Bybee, or Ramsey Lakes wetland systems without first entering a passive treatment facility to filter out commonly occurring substances, such as oil, grease, etc., which would have a significant negative impact on water quality.	Water must enter passive treatment facility. Attachment C.	Unknown.	(Port) Provide information to agencies about the status, including any changes to original plan and design standards.	Provide to agencies by:_____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____
10. Emergency spill containment will also be part of the passive treatment facility above the wetlands. Attachment C indicates the current PORT plan for storm drainage in Rivergate.	Facility must have emergency spill containment. Attachment C.	Unknown.	(Port) Provide information to agencies about the status, including any changes to original plan and design standards.	Provide to agencies by:_____	1. Agencies determine compliance by: _____ 2. If not in compliance, Port develop remediation/mitigation plan for agency approval by: _____ 3. Agencies review and comment by: _____ 4. Implement by: _____