

BEFORE THE METRO COUNCIL

APPROVING THE NATURAL AREAS ACQUISITION
REFINEMENT PLAN FOR THE CLEAR CREEK
TARGET AREA

RESOLUTION NO. 07-3843

Introduced by Chief Operating Officer
Michael J. Jordan, with the
concurrence of Council President
David Bragdon

WHEREAS, on March 9, 2006, the Metro Council adopted Resolution No. 06-3672B “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” recommending submission for voter approval a general obligation bond to preserve and protect natural areas, clean water, and fish and wildlife (the “2006 Natural Areas Bond Measure” or “Measure”); and

WHEREAS, at the election held on November 7, 2006, the voters approved Ballot Measure 26-80, the 2006 Natural Areas Bond Measure; and

WHEREAS, the Clear Creek Target Area was identified in the Measure as one of 27 regional target areas for land acquisition, building on the success of land acquisitions in the Clear Creek Canyon Target Area pursuant to Metro’s 1995 Open Spaces Bond Measure Program; and

WHEREAS, as provided in the 2006 Natural Areas Bond Measure, Metro has undertaken a public refinement process to establish specific acquisition strategies, goals, objectives, and a confidential tax-lot specific acquisition target area map for each of the 27 target areas; and

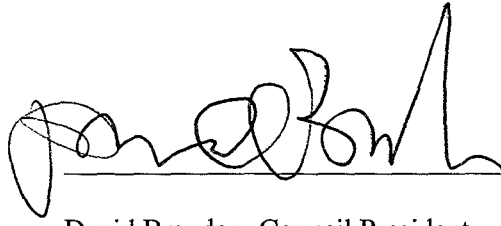
WHEREAS, Metro’s refinement process included the compilation of available information about each target area; biological field visits and expert analysis of maps; interviews with key stakeholders including natural resource experts, property owners, representatives from state and local government agencies, and advocates from water quality, fish, and wildlife preservation interest groups; and eight public open houses at sites throughout the region and a “virtual” open house available via the internet, at which draft refinement plans were made available for public review and participants could share their target area priorities either in-person or electronically; and

WHEREAS, on March 1, 2007, the Council approved Resolution No. 07-3766A, “Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” authorizing the Metro Chief Operating Officer to acquire properties identified on a Council-approved target area “confidential refinement map;” and

WHEREAS, the Council has reviewed the draft refinement plans and considered information it has received from citizens, scientists, advocates, and state and local governments; now, therefore

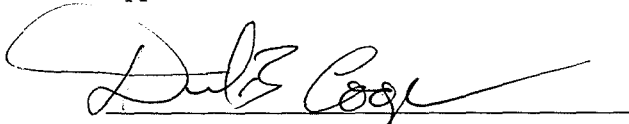
BE IT RESOLVED that the Metro Council adopts the Clear Creek Refinement Plan attached hereto as Exhibit A, including the confidential tax-lot specific map reviewed by the Council in Executive Session on September 4, 2007, and signed by Council President David Bragdon on that date, and hereby authorizes the Chief Operating Officer to acquire properties in the Clear Creek Target Area consistent with the Council-approved Acquisition Parameters and Due Diligence Guidelines of the Natural Areas Implementation Work Plan.

ADOPTED by the Metro Council this 6th day of September 2007.



David Bragdon, Council President

Approved as to Form:



Daniel B. Cooper, Metro Attorney



**2006 NATURAL AREAS ACQUISITION PROGRAM
CLEAR CREEK TARGET AREA REFINEMENT PLAN**

Background

The 1995 refinement goals for Clear Creek included establishing a 343-acre natural preserve area within Clear Creek's lower basin to protect its unique natural features including water quality, fish habitat, uplands and riparian habitat. The original goals were largely met, with 520 acres acquired adjacent to the creek as well as some wet prairie remnants that form a series of benches along one side of a largely intact, key reach of the creek. These lands could provide an opportunity for a regionally significant nature park in the near future. Ongoing restoration efforts throughout the property will allow the public to experience natural systems that historically were distributed throughout the region.

The 2006 Natural Areas bond measured stated:

Supporting the most abundant salmon populations in the lower Clackamas River, Clear Creek remains a premier large creek in the metropolitan region. Completing key acquisitions in and surrounding Clear Creek public lands will protect the public investment made to date in establishing a significant regional natural area.

Clear Creek supports many varieties of fish and Clear Creek Canyon's diverse habitat (steep forested ravines to wet prairies) supports varied wildlife. Established science shows the key importance of intact riparian areas for water quality and quantity protection, wildlife habitat, and maintenance of overall watershed health. Of all the 1995 target areas, this one should be the highest priority given its potential to become a regional natural area park.

Target Area Description

Clear Creek Canyon begins south of Carver on Clear Creek, a free-flowing tributary to the Clackamas River. Clear Creek is a premier large creek supporting the most abundant salmon populations in the lower Clackamas River and is home to the last significant run of late-run coho in the lower Columbia River Basin. The stream supports 11 different varieties of fish, including rainbow trout and endangered fall Chinook and coho salmon, steelhead and threatened coastal cutthroat trout. Clear Creek Canyon's mature riparian forests, wooded canyon walls, ravines, terraced uplands, open meadows, ponds, springs and wetlands provide diverse wildlife habitat, including some rare plant species. More than 100 species of wildlife are found at Clear Creek, including coyotes, cougar, blacktail deer, elk, and 76 species of birds. Clear Creek also contributes to water quality for municipal drinking water intakes that serve approximately 200,000 people.

Refinement Process

During the refinement process, Metro staff compiled available information about the Clear Creek target area, analyzed maps and conducted biological field visits. Individuals were interviewed representing various governmental agencies, property owners, interested friends groups and natural resource experts. The key concerns expressed during the interviews are summarized in Attachment 1.

A public open house to discuss the proposed Refinement Plan was held on June 25, 2007 at Boring Middle School, one of eight such open houses held throughout the region. Notices of the open houses were mailed to area residents and other interested citizens. Metro also conducted a "virtual" open house by making target area informational materials, including maps, available "online" via the internet and allowing participants to share their target area priorities electronically. A total of 527 people attended the regional open houses, and the online open house had 6,363 visits from 3,419 unique visitors. More than 700 target surveys were submitted either in person or online. Eleven people responded to the Clear Creek

survey. A copy of the survey questionnaire is included as Attachment 2. The map associated with the questionnaire for this target area is included as Attachment 3, and complete survey results are included as Attachment 4.

Findings

- Clear Creek is a highly productive fish habitat.
- The cliffs and riparian areas adjacent to Clear Creek holdings need to be protected.
- The “wet prairie” habitat in the Clear Creek area is unique and should be protected.
- Clear Creek has an infestation of False Brome Grass, which can dominate and degrade the forest habitat. Wildlife links to other areas should be limited since deer are the primary means that the False Brome Grass is spread.
- Metro should help control invasive weeds (Knotweed) on adjacent mainstream banks and upstream tributaries.
- The area surrounding Clear Creek is designated for Exclusive Farm Use (EFU). In the foreseeable future, urbanization pressures will be limited with the exception of a number of measure 37 claims.
- Clear Creek is classified as a principal River Class Stream and has a 100’ set-back with a 75% vegetation retention requirement.
- New property purchases should be contiguous with existing Metro property ownerships. Large blocks of properties offer more comprehensive restoration potential and are easier to manage.
- The property acquired as part of the 1995 bond measure is a very high quality creek-side habitat and scenic landscape with diverse landscape features. These parcels form the core of a location that has the potential to become an outstanding nature park. Some key acquisitions could enhance access, improve its potential as a nature park, and consolidate rare wet prairie holdings.
- Although 1995 goals were largely met for this target area, it is such an important location and has such potential as a park that it should be a very high priority for continued acquisitions.
- 11 people responded to the Clear Creek survey. Additional commentary was provided orally at the open house, most of which was consistent with the written responses. In rank order, the public priorities were:
 1. *Map area C* – Protect steeply sloped ravines and forests along the west side of Clear Creek for water quality and fish habitat benefits.
 2. *Map area B* – Protect other areas along Clear Creek adjacent to currently protected natural areas for water quality and fish habitat benefits.
 3. *Map area A* – Protect upland wet prairie and forested areas to preserve rare and unique habitat types adjacent to already protected natural areas.

Goals

- Protect the water quality and fish and wildlife habitat of Clear Creek and Clear Creek Canyon.
- Protect the public investment made to date in establishing a significant, publicly accessible regional natural area.

Objectives

A target area map showing the tiered objectives described below is included as Attachment 5.

Tier I Objective

- Acquire property essential to the establishment and management of a publicly accessible regionally significant natural area.

Tier II Objectives

- Protect wet prairie and forested areas to preserve rare and unique habitat types adjacent to already protected natural areas.
- Protect steeply sloped ravines and forests along the west side of Clear Creek for water quality and fish habitat benefits.

Partnership Objectives

- Work with partners both for long-term operations and management and restoration. Potential partners include Clackamas County, PGE, Oregon Wildlife Heritage Foundation, Springwater Environmental School and Clackamas County Forestry Program.
- Work with private landowners to explore opportunities for conservation easements.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 07-3843, APPROVING THE NATURAL AREAS ACQUISITION REFINEMENT PLAN FOR THE CLEAR CREEK TARGET AREA

Date: September 6, 2007

Prepared by: Jim Desmond
Kathleen Brennan-Hunter

BACKGROUND—REFINEMENT PROCESS

The Natural Areas Bond Measure (Resolution No. 06-3672B, “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” adopted by the Metro Council March 9, 2006) provided that Metro would undertake a “Refinement Process” to “gather additional information about each individual target area and begin zeroing in on particular parcels that would be valuable to acquire” (Exhibit A to Resolution No. 06-3672B). In addition, the Natural Areas Implementation Work Plan (Resolution No. 07-3766A, “Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” adopted by the Metro Council on March 1, 2007) authorized the Metro Chief Operating Officer to acquire properties without further Council approval if they have been identified on a Council-approved target area “confidential refinement map.” To implement those directives, the Refinement Plans for each target area contain overall target area objectives and confidential tax-lot specific target area maps identifying priority properties for acquisition, enabling Metro staff to begin the acquisition of property and property rights as detailed in the Natural Areas Implementation Work Plan.

Additional background information, target area information, a description of the specifics of the refinement process regarding this target area, and the refinement plan’s findings, goals, and objectives are described in further detail in Exhibit A to this resolution, the Clear Creek Target Area Refinement Plan.

ANALYSIS/INFORMATION

1. **Known Opposition**

None.

2. **Legal Antecedents**

Resolution No. 06-3672B, “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” adopted on March 9, 2006.

The voters’ approval of Metro’s 2006 Natural Areas Bond Measure at the general election held on November 6, 2006.

Resolution No. 07-3766A “Authorizing the Chief Operating Officer to Purchase Property With Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” adopted by the Metro Council on March 1, 2007, established the Acquisition Parameters and Due Diligence Guidelines for the purchase of properties as part of the 2006 Natural Areas Bond Program.

3. **Anticipated Effects**

Acquisition of natural area properties in the Clear Creek target area to achieve the goals and purposes of the 2006 Natural Areas Bond Measure.

4. **Budget Impacts**

The FY 2007-08 budget includes budgetary authority to purchase \$35 million in natural area lands, with an additional \$15.4 million in contingency, if necessary. It is estimated, based on historical spending patterns, that this authority will be sufficient to cover the anticipated acquisition activity for this fiscal year. Additional unappropriated fund balance (\$64 million) exists for land acquisition in future years, along with the authority to issue up to an additional \$102 million in General Obligation bonds in support of this program.

RECOMMENDED ACTION

Staff recommends adoption of Resolution No. 07-3843.

Summary of Comments from Stakeholder Interviews for Clear Creek Target Area

Stakeholder(s) Interviewed

John Borge, Principal Planner, Clackamas County
Ray Valone, Metro
Andy Cotugno, Metro
Laura Herbon, Walker Macy
Ben Johnson, Walker Macy
Jayne Cronlund, Three Rivers Land Conservancy
Jacqueline A. Tommas, Resident

Key Themes Discussed

Water Quality

- Clear Creek is a highly productive fish habitat.
- The cliffs and riparian areas adjacent to Clear Creek holdings need to be protected.

Wildlife Habitat

- The “wet prairie” habitat in the Clear Creek area is unique and should be protected.
- Clear Creek has an infestation of False Brohm Grass which can dominate and degrade the forest habitat. Wildlife links to other a should be limited since deer are the primary means that the False Brohm Grass is spread.
- Metro should help control invasive weeds (Knottweed) on adjacent mainstream banks and upstream tributaries.

Land Use / Urban / Rural Form

- The area surrounding Clear Creek is designated for Exclusive Farm Use (EFU). In the foreseeable future, urbanization pressures will be limited with the exception of a number of measure 37 claims.
- Clear Creek is classified as a principal River Class Stream and has a 100’ set-back with a 75% vegetation retention requirement.

Miscellaneous Comments

- A potential partnership is with the Three Rivers Land Conservancy. New property purchases should be contiguous with existing Metro property ownerships. Large blocks of properties offer more comprehensive restoration potential and are easier to manage.

QUESTIONNAIRE

TARGET AREA: CLEAR CREEK CANYON

In November 2006 voters directed the Metro Council to extend a regionwide program and acquire between 3,500 and 4,500 acres of additional natural areas to protect water quality and fish and wildlife habitat and to provide future generations opportunities for greater access to nature. Now it's time for the Metro Council to refine priorities in the 27 regional natural areas and trail corridors targeted for acquisition. The 1995 acreage goal for this target area was 343 and Metro has acquired 519 acres to date. The 2006 program will provide additional funding for protection goals in this target area.

The Metro Council wants your ideas and input. We've been talking with scientists, land-use experts, groups and individuals who have special knowledge about the natural resource values and community visions for these areas. With this information Metro has begun to identify the potential strategies and opportunities that will achieve the best results. Now we need to know: Do we have it right? What have we missed? What is most important to you?

2006 NATURAL AREAS BOND DESCRIPTION FOR THIS TARGET AREA

Supporting the most abundant salmon populations in the lower Clackamas River, Clear Creek remains a premier large creek in the metropolitan region. Completing key acquisitions in and surrounding Clear Creek public lands will protect the public investment made to date in establishing a significant regional natural area.

QUESTIONS

- 1. The following priorities were identified in the Clear Creek Canyon target area based on scientific information about benefits to water quality, habitat diversity, wildlife connectivity and/or restoration potential and from information provided by key stakeholders in the area. Rank in order of importance to you from 1 to 3, with 1 being the most important and 3 being the least important.**
 - _____ Protecting upland wet prairie and forested areas to preserve rare and unique habitat types adjacent to already protected natural areas. **(Map area A)**
 - _____ Protecting other areas along Clear Creek adjacent to currently protected natural areas for water quality and fish habitat benefits. **(Map area B)**
 - _____ Protecting steeply sloped ravines and forests along the west side of Clear Creek for water quality and fish habitat benefits. **(Map area C)**
- 2. In general, what should be emphasized in the Clear Creek Canyon target area? Rank in order of importance to you from 1 to 4, with 1 being the most important and 4 being the least important.**
 - _____ Protecting and restoring fish habitat.
 - _____ Protecting and restoring upland forest areas to protect water quality.
 - _____ Protecting and restoring rare habitat types and native plants such as wet meadows and wildflowers.
 - _____ Protecting upland forest areas adjacent to already protected areas for habitat and water quality benefits.

3. Are there other priorities that the Metro Council should consider in the Clear Creek Canyon target area? Please be specific.

4. Do you have suggestions about partnerships Metro should pursue or other innovative ways to leverage regional funding and enhance this natural area?

5. Are you interested in participating in Metro's Natural Areas program by selling or donating your property or selling or donating a conservation easement on your property?

Yes No If yes, please be sure to provide your contact information below.

6. Do you have any other comments about this target area?

Please add my name to the Clear Creek Canyon target area mailing list for future information, public meetings and events.

Name _____

Address _____

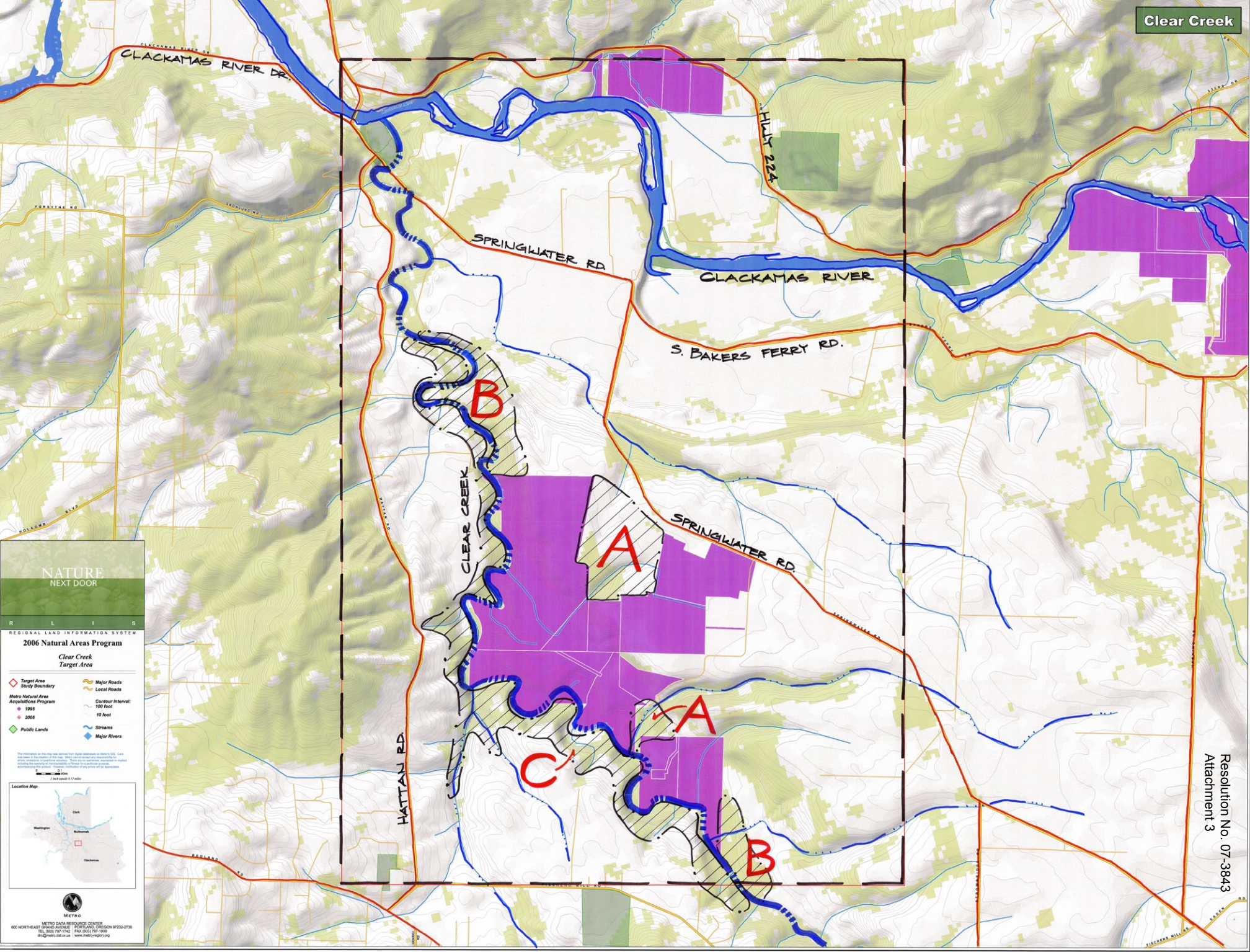
City/State/Zip _____

Phone _____

E-mail _____

**You may complete this questionnaire online at
www.metro-region.org/naturalareas**

or mail it to Metro at
600 NE Grand Avenue, Portland, OR 97232
(503) 797-1741



NATURE
NEXT DOOR

R L I S
REGIONAL LAND INFORMATION SYSTEM

2006 Natural Areas Program
Clear Creek
Target Area

Target Area	Major Roads
Study Boundary	Local Roads
Metro Natural Area	Contour Interval:
Acquisition Program	1995
	2006
Public Lands	Streams
	Major Rivers

1 inch equals 1.1 miles

Location Map

METRO
METRO DATA SERVICES CENTER
600 NORTH EAST GRAND AVENUE • PORTLAND, OREGON 97232-2756
TEL: (503) 797-7100 FAX: (503) 797-7000
dri@metro.oreg.gov www.metro-region.org

Clear Creek Survey Results

1. The following priorities were identified in the Clear Creek Canyon target area based on scientific information about benefits to water quality, habitat diversity, wildlife connectivity and/or restoration potential and from information provided by key stakeholders in the area. Rank in order of importance to you.

	most important		least important	Rating Average	Response Count
Protecting upland wet prairie and forested areas to preserve rare and unique habitat types adjacent to already protected natural areas. (Map area A)	18.2% (2)	27.3% (3)	54.5% (6)	2.36	11
Protecting other areas along Clear Creek adjacent to currently protected natural areas for water quality and fish habitat benefits. (Map area B)	18.2% (2)	63.6% (7)	18.2% (2)	2.00	11
Protecting steeply sloped ravines and forests along the west side of Clear Creek for water quality and fish habitat benefits. (Map area C)	60.0% (6)	10.0% (1)	30.0% (3)	1.70	10
	<i>answered question</i>				11
	<i>skipped question</i>				0

2. In general, what should be emphasized in the Clear Creek Canyon target area? Rank in order of importance to you.

	most important			least important	Rating Average	Response Count
Protecting and restoring fish habitat.	40.0% (4)	10.0% (1)	40.0% (4)	10.0% (1)	2.20	10
Protecting and restoring upland forest areas to protect water quality.	30.0% (3)	30.0% (3)	10.0% (1)	30.0% (3)	2.40	10
Protecting and restoring rare habitat types and native plants such as wet meadows and wildflowers.	10.0% (1)	40.0% (4)	20.0% (2)	30.0% (3)	2.70	10
Protecting upland forest areas adjacent to already protected areas for habitat and water quality benefits.	20.0% (2)	20.0% (2)	30.0% (3)	30.0% (3)	2.70	10
	<i>answered question</i>				10	
	<i>skipped question</i>				1	

3. Are there other priorities that the Metro Council should consider in the Clear Creek Canyon target area? Please be specific.

Greenbelt between communities so they keep their own identity.

4. Do you have suggestions about partnerships Metro should pursue or other innovative ways to leverage regional funding and enhance this natural area? If so, please specify.

Continue to work with the Clackamas River Basin Council and the Soil and Water District.

Partner with local farms to preserve them also.

Personal business donations.

5. Do you have any other comments about this target area? If so, please specify.

None of this will accomplish what is needed unless the serious pollution problems caused by the overgrazing by water buffalo is controlled, as they will cause more and more pollution.

Questions 1 and 2 are hard to answer as fish, wetlands forests and uplands are all important. Metro should look to protecting all of this habitat.

Solving problems with livestock nearby.

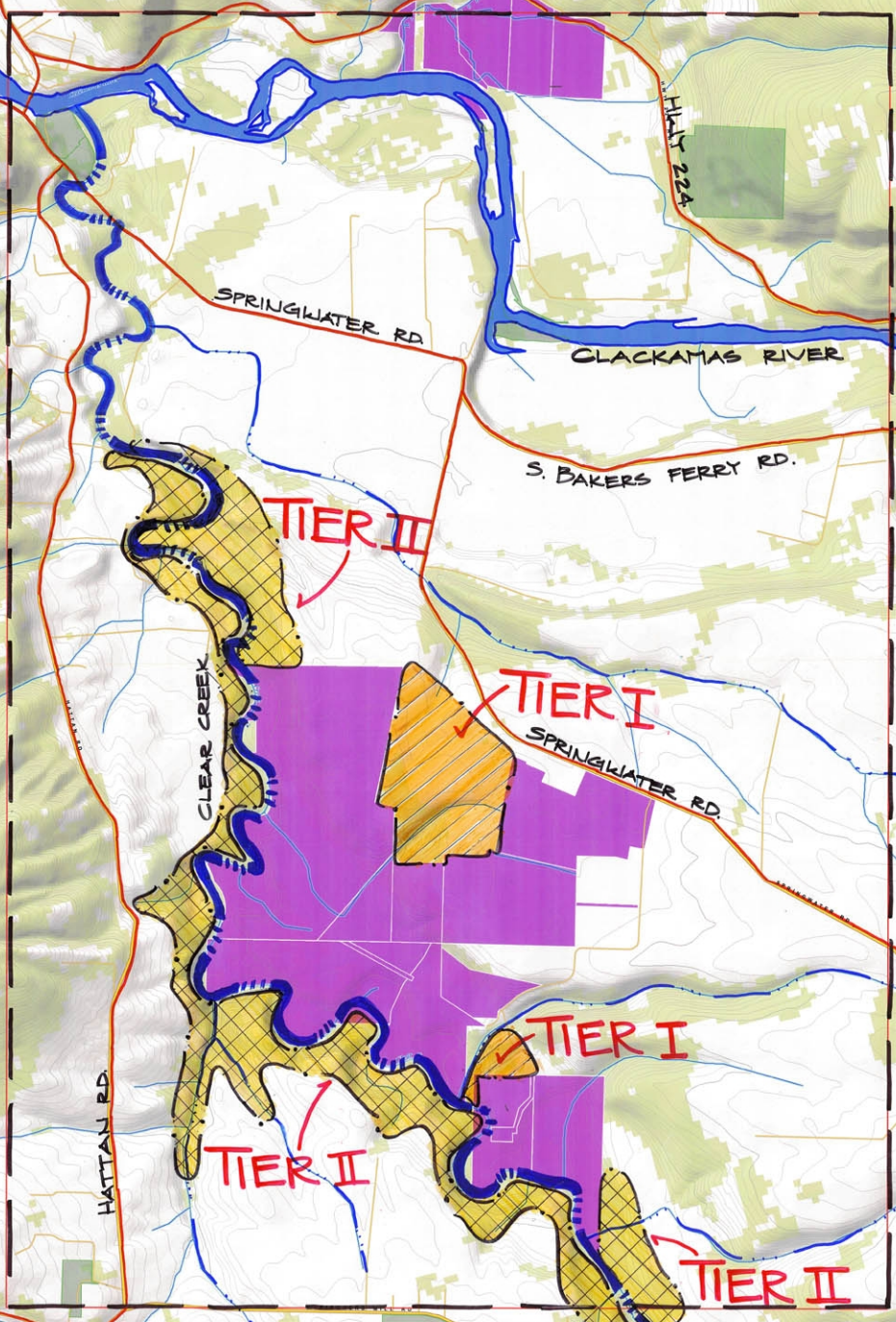
SEPTEMBER 2007
NATURE
NEXT DOOR

REGIONAL LAND INFORMATION SYSTEM
2006 Natural Areas Program
Clear Creek
Target Area

- Target Area Study Boundary
- Major Roads
- Local Roads
- Metro Natural Area Acquisition Program
- Contour Interval: 100 foot, 10 foot
- Streams
- Major Rivers
- Public Lands



METRO
METRO DATA RESOURCE CENTER
800 NORTHEAST SPRING AVENUE | PORTLAND, OREGON 97232-2706
TEL (503) 797-1742 FAX (503) 797-1800
metro@metro.or.gov www.metro.gov



Project Clack. Mar 15, 2007