

NATURAL RESOURCES COMMITTEE MINUTES

July 11, 2001

Metro Council Chamber

Members present: Councilor Carl Hosticka, Chair, Councilor Bill Atherton, Councilor Susan McLain

Also present: Presiding Officer David Bragdon

Chair Hosticka called the meeting to order at 12:32 p.m. and then stated for the record that some people in the public were not clear whether or not the committee would be dealing with public commentary on the Goal 5 significance determination process. That issue would be dealt with at the next committee meeting.

1. CONSIDERATION OF THE MINUTES

The minutes of the June 20, 2001 meeting were moved by Councilor Atherton, and approved by Chair Hosticka and Councilor McLain without revision.

2. Review of Goal 5 Public Comment

Chair Hosticka asked to review the general substance of Goal 5 and talk about the process to respond to public commentary.

Andy Cotugno, Director, Community Planning Department, said Metro had received many comments. The most significant issue seemed to be regarding the distinction between the 100-year flood plain versus the 96 flood area, and the question of why would we use one in one place and another in another area. He suggested that both areas be treated the same for now. Channel dynamics would have to be more defined as to their boundaries on the flood plains. **Chair Hosticka** asked Andy to focus on the responses. **Mr. Cotugno** responded that the details have to be determined before the criteria could be adopted. **Chair Hosticka** felt that an analysis of the input and recommendations on how to amend the criteria should be addressed at the next meeting.

Councilor McLain stated that policy was set under Title 3 and could be applied to these issues, and that the standards should be maintained and possibly improved. She requested that Mr. Cotugno share the detailed information on the report before the next meeting. **Chair Hosticka** asked Mr. Cotugno to create a summary of the issues for discussion before the next meeting, where the committee would make decisions on what issues and what steps were needed. Other steps to consider before the meeting were how to deal with appeals and corrections to the maps, and how to modify the criteria based on public input, including flood plains and channel dynamics. The public involvement notification process was another issue that would need to be addressed, and whether to include the uplands in the process.

Councilor McLain agreed with the mainstay issues, and wanted a dialogue on these issues with other councilors in preparation for the next meeting. **Councilor Hosticka** responded that the next meeting was better suited to make those arguments and decisions as members of the public would be present.

Councilor McLain agreed to have the dialogue at the next meeting, but stated that she wanted to see the documents completed and distributed before then.

Chair Hosticka said he felt that there were some issues where staff should not give recommendations, because policy was made by elected officials and "we don't want people thinking that they can influence those policy decisions by engaging in extended dialogues with the staff." This process was designed to insulate the staff from certain kinds of political pressures which, in his judgement, would not be appropriate for people to bring up. It would also make it clear that these decisions were being made by the

elected policy makers, and that once made, the discussion ends. He expressed that on the one step two step, and the ESA process, that the committee would make a clear statement of policy from the elected officials and thereby show that they were not dependent on staff to tell them what to do. He said that following a formal agenda would show what decisions were to be addressed, or set in motion to be made at some later time, or the technical questions that staff would deal with.

Councilor McLain agreed with his goal, but also wanted to speak with staff on writing up a short concise description on certain issues, with no recommendations.

Councilor Atherton had a primary concern regarding the question of taking into account the cumulative impact of many small decisions. He wondered if Metro had the technical capability to measure feedback?

Chair Hosticka agreed that that was a valid point. The question of what was regional was affected by cumulative marginal issues. The process would be to try to come up with a list derived from comments from the public. Then categorize that list into policy judgements that could be made at the next meeting, identify processes that have to be started, and then address technical questions. Also, by addressing these issues at the next meeting the committee would have input from MPAC.

3. Resolution No. 01-3087, For the Purpose of Directing Staff to Apply Functional, Science Based Criteria Identifying Possible Fish and Wildlife Habitat on Region-wide Maps and Reporting Back to the Natural Resource Committee for its Review.

Chair Hosticka introduced the resolution. **Mr. Morrissey** said the resolution was best reflected as a culmination of the discussion within committee and other venues-to-date, and was especially relative to riparian mapping criteria. It gave direction to the staff to go forward and do certain work, and it raised the issue of how the uplands work should be incorporated. The Resolution was no longer in the draft stage and although the agenda stated that the committee would take action on it at the meeting, the chair was directing that final action take place at the meeting of July 26.

Mr. Cotugno said that the key issue was that the resolution attempted to be clear about what steps Metro would take. He emphasized that the committee was not adopting the significant riparian corridors, but agreeing that the criteria was appropriate for mapping the rest of the region. He felt that the committee would reserve judgement on whether or not the criteria would be amended, once mapped for the rest of the region. He saw it as an agreement to come up with a way to hook the uplands in. He said it was not a final land use action, not about adopting the resource, and not about adopting the program to protect the resource.

Chair Hosticka said that the results of public comment indicated consensus on uplands, and he requested Mr. Cotugno to clarify the choices and actions Metro should take in order to get the resolution passed.

Mr. Cotugno indicated that a description of where discussion about the uplands had gone in the past was referred to in the Frame Work plan and in the Goal 5 Vision Statement. The overall riparian fish and wildlife habitat project in all those documents had been envisioned as both a riparian and an upland program. Metro accelerated the riparian corridor work through a special grant from the DLCD, and left behind the uplands at that stage of the process. The question at hand was should the uplands be put back into the plan? The recent review of the work from the Greenspaces Department provided a platform that may make it feasible to incorporate the uplands. He felt that part of the discussion on this issue would be, should Metro use the same type of mapping pilot that was used for the riparian project for the uplands, and should ESEE analysis be done at the same time as the riparian? It was incorporated into the inventory step well, should it be included now?

Councilor McLain said that the uplands was decisively put into that canopy, and that WRPAC went on record advising the council that it would save dollars and energy, and it would be more efficient. She felt that the two items should be done at the same time.

Councilor Atherton said he understood how putting the two issues together might cause delays for the riparian corridor and that would be of concern. He was not certain that the riparian corridor was the higher priority. He then questioned if it was possible to establish a process to target a complete watershed work where details of the process would be determined and then could be applied to the next watershed work.

Chair Hosticka replied that the resolution before committee directed that staff develop criteria to include the uplands in the riparian corridor. Many people were urging Metro to do this. He wanted to allow the public to weigh in on the resolution before final action was taken at the next meeting. **Mr. Morrissey** indicated that the resolution calls for staff to develop the criteria and do region-wide mapping not pilot mapping. **Chair Hosticka** suggested that this be modified in the resolution. **Mr. Morrissey** mentioned that a reference to Exhibit A states that all of Exhibit A was the criteria, but actually just the last two columns of Exhibit A were the criteria. He asked that this be clarified for the record. **Chair Hosticka** said we want to include all of Exhibit A. **Councilor McLain** felt that Mr. Morrissey's point might have impact legally on the inventory. If part of Metro's inventory included the piloted uplands, and part of the inventory doesn't include the piloted uplands, then Metro must have two different types of inventory. Metro had already had comments about the completeness of its inventory. Metro would need to make sure that a pilot aspect of the upland integration doesn't taint the inventory.

Mr. Cotugno stated that the approach would be the same, and that the three pilot areas used had seemed to work. He felt that it was time to map them, and he questioned if the uplands should be included. His solution would be to test criteria on the same three pilot areas to see if they work and allow for them to be refined. Then apply them to the rest of the region. He said he didn't mind if the mapping was done for the pilot areas or the whole region.

Councilor McLain felt that the language should reflect that the uplands should be mapped. She doesn't want it to say pilot only in this process. She wants to map the whole region.

Chair Hosticka agreed that we should map the whole region. Asked if there was enough clarity on the resolution so that it could be moved to the next meeting and then adopted formally. The committee members agreed.

4. MPAC Parks Report Draft Staff Work Plan

Chair Hosticka had asked Mr. Ciecko to look through the report that was submitted by MPAC to identify what actions were required to come up with a work plan to show that Metro was taking the MPAC report seriously.

Mr. Ciecko, Regional Parks and Greenspaces, said that the purpose of the meeting was to begin a discussion about the MPAC parks report. The report conveyed numerous recommendations regarding Metro's role in the planning, funding, and provision of parks throughout the metro region. Some of these recommendations, if pursued, would represent a significant departure from Metro's current policy regarding roles and responsibilities in the metropolitan region. The document passed out did not represent a staff recommendation, and councilors would need to identify the priorities for implementation. Mr. Ciecko summarized for the record the documents received, and they were incorporated and attached as a permanent part of this record. **Chair Hosticka** asked for comments on how to digest this information.

Councilor McLain asked Mr. Ciecko to highlight those items that are policy. **Chair Hosticka** agreed. **Mr. Ciecko** commented on the items as requested. **Councilor McLain** said that we already had a resolution for granting relief to local governments when they take land off the buildable lands inventory for parks. However, it had to go through MPAC because there was a definite change in land use, and therefore it was not a housekeeping item. **Mr. Ciecko** explained that the issue of concern was a question of had the relief been granted after the 3,700 acres had been set aside as parks or before. **Chair Hosticka** felt this item should be changed from a housekeeping issue to a policy issue and discussed further at the next meeting.

Councilor Atherton asked Mr. Ciecko to explain the term “grant relief.” **Mr. Ciecko** deferred to Councilor McLain. **Councilor McLain** explained the term to mean that the Council had agreed to protect local available greenspace, versus trying to get the density that Metro had required for housing targets. Metro had never had a mechanism on how that was going to be given or of when it would kick in. **Councilor Atherton** said it was grant relief from the Metro housing allocation target.

Mr. Ciecko continued to comment on the housekeeping items. **Chair Hosticka** created a new column on his documents called the controversy index. He stated that this was not a judgement that the committee was asking staff to make, but the elected officials would want to make some judgements about their own sense of how controversial some of these recommendations would be. He felt this would be a good tool for creating the work plan and for deciding the order of items to be discussed. **Mr. Ciecko** continued to summarize his documents. **Councilor Atherton** spoke to system development charges, and said that it was not just parks’ SDCs, but the whole total system development charge at issue. The cost of the growth package, and those communities that had higher system development charges trying to have growth pay its own way, their land costs were lower than those jurisdictions that either 1) granted entitlements, or 2) didn’t carry more full cost SDCs. He asked if they had ever discussed that at MPAC. **Mr. Ciecko** said that at the subcommittee level it was fairly narrowly focused on the parks part of the issue. **Councilor Atherton** explained his reason for bringing up the issue was that Metro purchased a very expensive piece of ground in Beaverton, at the nature park. The community had very low system development charges, and also had granted very extensive entitlements to property which was wetland, and that drove up the cost. Metro had to “gag” at the high price. It has happened at other places as well. **Chair Hosticka** determined that this issue was of moderate-to-high controversy. He could see this issue as a race to the bottom among local jurisdictions and how they might like to see some help as they get whip-sawed by the various economic interests to lower their SDC’s, especially those related to parks.

Councilor Bragdon clarified that SDCs do need to be increased in a lot of jurisdictions. He shared Councilor Hosticka’s concern about the race to the bottom. He pointed out that in the description it states that SDCs have to be used for capital acquisitions and new facilities occasioned by growth and not for operations and maintenance of existing facilities. **Mr. Ciecko** said that it was capital acquisition or capital development. There were requirements about how the funds were expended. He then discussed the last item, conduct user survey. **Councilor Bragdon** clarified the point of the survey was to determine the geographic origin of the people using parks relative to the jurisdiction paying for them, and then to correlate regional use with regional support. The budgetary impact would then follow that step. **Mr. Ciecko** finished his review of the documents. **Chair Hosticka** thanked Mr. Ciecko for his work.

Councilor Atherton was concerned about general assessment. He wanted to know if they were concerned about their local issues or regional issues. **Mr. Ciecko** said he felt they had taken a broad regional look at the benefits for all. It would take an evolution over time for Metro to find its role. In this report MPAC asked Metro to do more. **Councilor Atherton** said that regarding the regional support issue we have had a quasi policy in terms of requiring local support, that Metro pays 75% and local jurisdictions pick up 25%. **Councilor Bragdon** agreed that this group was thinking regionally and had asked Metro to partnership the project. He felt that clarity about who does what already existed, and made the partnership work.

Councilor Atherton asked Mr. Cieccko about trunk trailways. **Mr. Cieccko** said it was discussed and the phrase “parks and related lands” and facilities includes everything, even trails. **Councilor McLain** commented that the report was excellent work and that as the committee moved forward it would prioritize issues. She wanted to see an opportunity for the finance committee to put together a package that would include all the functions and responsibilities that could be carried out in a budget process that would be successful. **Chair Hosticka** agreed that that was the point. He suggested that the committee members look over the documents and make an action plan.

Councilor Atherton commented that funding measures had changed significantly over the years. The new arena considers parks as a utility, and had used the system development charge methodology, and now Metro was exploring regional financing. **Councilor Bragdon** had a proposal on steps that could be taken. He felt the document he passed out incorporated issues discussed at the March retreat as well as at the Zehren committee. The report was incorporated and attached as a permanent part of the record. He reviewed the process outlined in the document.

Councilor Atherton asked Mr. Cieccko if the staff had prepared this kind of capital improvement. **Mr. Cieccko** said they had not developed master plans for any of the sites. **Councilor Atherton** commented that the staff had assembled good ideas. He wanted to know if there was a danger of raising expectations on this issue when funding hasn't been approved. **Mr. Cieccko** responded that we have raised the issue of operations and maintenance issues for our current programs as well as for the implications of bringing something new online. **Councilor McLain** supported review of the proposal. One of the things that Metro heard in the outreach for the park providers and from citizens was that Metro needs to get facilities open before doing any more acquisition. She did not think that Metro would raise expectations and then not be able to meet them. **Councilor Atherton** said that the reason for the success on the original bond issue was that it was targeted to specific sites. The citizens knew what they were buying, and were willing to make that investment. **Councilor Bragdon** agreed with Councilor McLain, and he thought that specificity was the key, and that tying it to a need and a price tag was what worked in the past. **Councilor Atherton** commented that Mr. Cieccko did not have a lot of experience in pricing the development area. **Mr. Cieccko** agreed with that statement, but said that we had some experience in capital improvements at existing locations. It was his hope that we would be provided with some resources to bring in experts that would give us valid estimates.

Chair Hosticka asked how this project should be approached procedurally. **Councilor Bragdon** offered to have conversations one-on-one or talk with all of the members together, but he wanted to get things moving. **Chair Hosticka** asked about the parliamentary process where Councilor Bragdon introduces the resolution and then refers it to the committee. **Councilor Bragdon** recommended discussion at the next committee meeting. **Chair Hosticka** said that the next meeting would be full. **Councilor Bragdon** decided that the other councilors should be present for the discussion and to continue at the next Council meeting.

There being no further business, the meeting was adjourned at 1:55 p.m.

Respectfully submitted,

Kim Bardes
Council Assistant

:kb

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
 July 11, 2001

Document Number	Date	Document Description	RES/ORD
071101-01	7/6/2001	Letter to Chair Hosticka from Tom Brian, Chair, Tualatin Basin Natural Resources Coordinating Committee re: Criteria for Determining Regional Goal 5 Resources Significance	
071101-02	7/6/2001	Fax letter to Chair Hosticka from Stark Ackerman, Black Helterline re: Comments on Criteria for Identifying Significant Riparian Corridors	
071101-03	7/5/2001	Letter to Chair Hosticka from Cheryl Kashuta and Brian Campbell, Port of Portland re: Comments on Metro's Goal 5 Regional Significance Criteria	
071101-04	7/10/2001	Memo to Chair Hosticka from Andy Cotugno re: Goal 5 Uplands	
071101-05	6/22/2001	Letter to Paul Ketcham from Kemper McMaster re: Goal 5	
071101-06	6/6/2001	Letter to Metro Council from Matthew Udziela re: Metro's Goal 5	
071101-07	7/9/2001	Letter to Chair Hosticka and Lisa Naito, Chair MPAC from Marianne Kandel, US Department of the Interior re: Metro Growth Management Services Goal 5	
071101-08	7/9/2001	Fax to Paul Ketcham from Jennifer Thompson, USFWS re: FWS Comment Letter	
071101-09	7/6/2001	Fax to Chair Hosticka and Chair Naito from Sue Marshall, Tualatin Riverkeepers re: Goal 5 Regional Significance and Ecological Functional Criteria	
071101-10	7/9/2001	Email to Chair Hosticka, Chair Naito from Linda Meyer re: supporting staff in Regional Significance Goal 5 work.	
071101.11	7/10/2001	Memo to Chair Hosticka from Andy Cotugno re: Regional Goal 5 Fish and Wildlife Habitat, Resolution No. 01-3087	
071101.12	July 2001	MPAC Parks Report - DRAFT	
071101.13	July 2001	MPAC Parks Report Summary Information DRAFT	
071101.14		DRAFT Resolution for the Purpose of Creating a Green Ribbon Committee to Examine and Nominate Certain Metro Greenspaces Sites to Open and Operate for the Public	Resolution No. 01-3088

071101.15	7/9/2001	Letter to Chair Hosticka and Lisa Naito, Chair MPAC from Robert E. Grimes re: Regional Significance – Goal 5 program	
-----------	----------	--	--

i:\minutes\2001\natural resources\071101.nr.doc