



METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

# A G E N D A --- REGULAR COUNCIL MEETING

Date: APRIL 7, 1983  
Day: THURSDAY  
Time: 6:30 P.M. -- Executive Session  
7:30 P.M. -- Regular Council Meeting  
Place: COUNCIL CHAMBER

Approx.  
Time

Presented By

7:30	CALL TO ORDER ROLL CALL  1. Introductions. 2. Councilor Communications. 3. Executive Officer Communications. 4. Written Communications to Council on Non-Agenda Items. 5. Citizen Communications to Council on Non-Agenda Items. 6. ORDINANCES	
7:45	6.1 <u>Ordinance No. 83-151</u> , amending the Metro Urban Growth Boundary in Multnomah County for Contested Case No. 82-2. (Second Reading)	Banzer/ Siegel
	7. RESOLUTIONS	
7:50	7.1 <u>Consideration of Resolution No. 83-396</u> , for the purpose of amending the Federal Aid Urban (FAU) Boundary to incorporate the addition of Western Hayden Island to the Urban Growth Boundary (UGB).	Banzer/ Cotugno
8:00	7.2 <u>Consideration of Resolution No. 83-397</u> , for the purpose of creating a Minority Business Enterprise Policy Review Committee and confirming appointments thereto.	Banzer/ Barker
	8. Legislative Report. 9. Committee Reports.	
8:30	ADJOURN	



METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

## MEMORANDUM

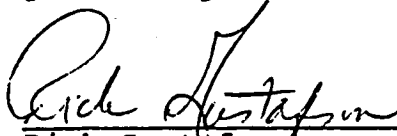
Date: March 31, 1983  
To: Rick Gustafson, Executive Officer  
From: Personnel  
Regarding: Waiver of Personnel Rules


On March 14, 1983, Wayne Coppel, Solid Waste Engineer, resigned. His last day will be April 15, 1983.

In order to accelerate the recruitment process for the position of Engineer III, Dan Durig, Director of Solid Waste, has requested that the Personnel Rules be waived to allow for immediate outside recruitment. Currently, in-house, there are no employees in the Engineer I or II positions.

Personnel Rules require posting of vacant positions in-house five working days before outside recruitment (14 days) commences. The purpose of this memorandum is to request that the Personnel Rules be waived pursuant to Section 5 (of the new rules), Variances, (see attached), to allow for the immediate simultaneous posting in-house and outside to recruit a full-time regular candidate.

Please sign below to indicate your approval of waiving the Personnel Rules regarding recruiting policies to facilitate proceeding with the above stated program.

  
\_\_\_\_\_  
Rick Gustafson  
Executive Officer

  
\_\_\_\_\_  
Dan Durig  
Director of Solid Waste

DAD:bb

which they are to be considered. Employee access to copies of the proposed amendments shall be provided by their distribution to all Directors of departments, Personnel Office and to the Chairman of the Employees Association, in addition to the posting required above. Employee responses, if any, shall be reported to Council coincidental with Council consideration of the proposed amendments.

Section 4 Separability: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5 Variances: The Executive Officer shall have the power to vary or to modify the strict application of the provisions of this ordinance in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships on either the agency or employee or both. All approved variances shall be subject to Council ratification, and shall be reported to the Council in written summary form at the next regular meeting following the date of approval. The chairperson of the Employees' Advisory Committee shall receive a written summary of the variance prior to this meeting.

Section 6 Definitions: As used in this ordinance, as well as in day to day personnel matters, the following terms shall have the meanings indicated:

1. "Administrative Leave" means leave with pay granted by the Executive Officer for employees who work in classifications which are exempt from overtime pay.
2. "Appointment" includes all means of selecting or employing any person to hold any positions subject to this ordinance. Appointment does not include promotion.
3. "Anniversary Date" means the anniversary of the date on which an employee reached the Entry Merit Rate described in the Salary Plan for the position currently held.
4. "Appeal" means an oral or written request to a department head or the Executive Officer for reconsideration of a decision adverse to an employee's interests.
5. "Appointing Power" means the Executive Officer or his/her designee.
6. "Central Personnel File" means a file which contains complete personnel records of all Metro employees.
7. "Class" means a group of positions sufficiently alike in responsibilities and authorities to require similar qualifications.

21,500 fr. Feb 15 overhead

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CREATING A MINORITY BUSINESS ENTERPRISE POLICY) REVIEW COMMITTEE AND CONFIRMING APPOINTMENTS THERETO	) ) ) ) ) ) ) )	RESOLUTION NO. 83-397  Introduced by Presiding Officer Cindy Banzer
--	--------------------------	--

WHEREAS, The minority business community has expressed concerns regarding Metro's Minority Business Enterprise (MBE) policies, and have requested revisions to these policies; and

WHEREAS, The Metro Council recognizes that existing MBE policies have been at issue when awarding construction contracts; and

WHEREAS, The Metro Council has expressed a need to review existing MBE policies and on March 24, 1983, indicated its intention to form a committee to review MBE policies; now, therefore,

BE IT RESOLVED,

1. That the Metro Council hereby creates an ad hoc committee to review Metro's existing MBE policies.
2. That the Committee shall be known as the MBE Policy Review Committee.
3. That the Committee shall be comprised of the following individuals representing the following organizations:
  - Councilor Gary Hansen, Metro (Chairperson)
  - Charles Crews, National Business League
  - Grace Gallegos, IMPACT
  - Ron Anderson, Associated General Contractors
  - Don Matsuda, Small Business Administration
  - Harold Vaughan, City of Portland, MBE Program
  - Kay Rich, Metro Staff
4. That the MBE Committee shall review Metro's MBE policies and make recommendations for improving said policies.

5. That the MBE Committee shall submit its recommendations to the Council Coordinating Committee for initial review.

6. That the Council Coordinating Committee shall seek additional input from the minority business community and shall hold at least one public hearing.

7. That the Council Coordinating Committee shall submit its recommendations to the Metro Council.

8. That the MBE Policy Review Committee shall be dissolved upon the adoption of revised MBE policies by the Metro Council.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
Presiding Officer

CB/gl  
8165B/283  
3/30/83

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUPPORTING	)	RESOLUTION NO.
SPONSORSHIP OF THE COLUMBIA	)	
WILLAMETTE FUTURES FORUM	)	Introduced by Councilor
CONFERENCE, JUNE 4, 1983	)	Marge Kafoury

WHEREAS, The Ad Hoc Futures Committee was formed in the summer of 1981 by the Metropolitan Service District (Metro) Council to support research on the trends of changes in the Portland area; and

WHEREAS, The Ad Hoc Futures Committee was supported by members from the City Club, the Metropolitan Citizens League, the Chamber of Commerce, Metro Council, and City and County governments; and

WHEREAS, This Committee met frequently for more than a year to study all the previous long-range planning for the Portland area, and to evaluate current efforts in other cities, and to seek guidance from futurists; and

WHEREAS, This Committee finished their research and published their findings in a document entitled CRITICAL CHOICES FOR GREATER PORTLAND, wherein they identified areas of critical concern for the future of the Portland area; and

WHEREAS, It was recognized that greater public awareness and involvement was needed to find the best solutions to the problems within the critical areas, and a public conference was designed to enable public participation; and

WHEREAS, The Oregon Community Foundation agreed that the critical areas of concern were valid issues affecting the quality of

life in the present and future, and granted funds for a public conference; and

WHEREAS, The Columbia Willamette Futures Forum is presenting its first annual Critical Choices Conference on June 4, 1983, at the University of Portland; and

WHEREAS, The Metro Council recognizes the importance of the Conference in bringing diverse groups together to examine new directions for the future of the region; now, therefore,

BE IT RESOLVED,

1. That the Metro Council hereby joins with several other organizations and government entities in the region as a sponsor of the Columbia Willamette Futures Forum Conference to be held June 4, 1983.

2. That the Metro Council encourages the citizens of the region to participate in the Critical Choices Conference.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
Presiding Officer

CK/srb  
8268B/283  
04/07/83



An examination of the issues confronting the  
Portland-Vancouver Metropolitan Area in the next decade

SATURDAY, JUNE 4th, 8:00 a.m. - 5:00 p.m.

UNIVERSITY OF PORTLAND, BUCKLEY CENTER

Spearheaded by the Columbia/Willamette Futures Forum  
in concert with the Center for Urban Education  
through support from the Oregon Community Foundation

GOALS & ACTIVITIES

- 1) To bring together diverse groups and key individuals to examine new directions for the future of the region.
  - (a) To educate, arouse and enthuse the public about the opportunity to plan for the future.
  - (b) To encourage participants to propose their own agenda of issues for the future.
  - (c) To encourage participants to propose their own processes for dealing with the issues.
  - (d) To share tools, strategies and information.
  - (e) To provide for contact and coordination among those groups interested in looking at the future and alternatives.
  - (f) To introduce "leading edge" thinkers in the field of futures.
  
- 2) To pinpoint issues and make recommendations.
  - (a) To promote formation of community task forces to explore critical choice areas.
  - (b) To reduce duplication of efforts and to make better use of limited resources in the area.
  - (c) To ensure that the separate, "emerging" issues are seen as part of a whole life-picture that is new and ever changing.
  - (d) To develop a common language.
  
- 3) To initiate a variety of on-going futures' activities in the region.
  - (a) To provide a mechanism for "follow-up: after the conference.
  - (b) To begin an annual tradition -- an annual benchmark on the "state of the region".
  - (c) To launch the Columbia-Willamette Futures Forum.
  - (d) To encourage and identify new and diverse local leadership.

ORGANIZATIONS EXPRESSING ACTIVE SPONSORSHIP INTEREST TO DATE:

Metropolitan Service District  
Alliance for Social Change  
League of Women Voters  
Metropolitan Citizens League  
Flexible Ways to Work

Futures Committee  
University of Portland  
City of Gresham  
Gresham Chamber of Commerce  
Mt. Hood Community College

a.m.

Welcome

Special Remarks: Ned Look, Oregon Community Foundation

Keynote address:

Don Michael, author and professor, Stanford  
Research Institute: "Getting Ready to Face the Future"

Panel discussion on four critical choice areas:

- 1) Technology/Telecommunication/Science:  
How will the revolution in telecommunication and altered patterns of communication influence the way we live, work and govern ourselves? What social and economic effects will new technological innovations have on our society, and how will we respond at the local level?
- 2) Economics and Work:  
In a period of increased economic instability and profound structural change in the economy, can we guarantee continued economic growth and lasting employment opportunities?
- 3) Patterns of Governance:  
Given expanding local needs, shrinking government revenues and difficult policy trade-offs, how will we effectively govern ourselves at the local level?
- 4) Lifestyles and Values:  
As our society enters a period of rapid and unsettling change, how will individuals, families, communities and institutions adapt and survive?

Luncheon

p.m.

Concurrent workshops on critical choice areas listed above

Assessment Dialogue

Telestar: connecting Washington, D.C., and conference participants

after 5

No-host gathering

COLUMBIA WILLAMETTE FUTURES FORUM STEERING COMMITTEE

Kandis Brewer-Wohler, Chair  
Steve Ames  
Pauline Anderson  
Mike Barnes  
John Broome  
Herb Cawthorne

Adam Davis  
Jack Fried  
Julianne Johnson  
Marge Kafoury  
Steve Lowenstein  
Ruth Ellen Miller

Judy Phelan  
Bill Rhodes  
Bill Robertson  
Betty Schedeen  
Steve Schneider  
Doug Strain  
Nancy Waddell

Conference Coordinator: Carol Kirchner, CUE, 221-0984

March 29, 1983

The Hon. Cindy Banzer  
METRO  
521 SW Hall  
Portland, OR 97201

Dear Ms. Banzer:

The Columbia Willamette Futures Forum is presenting its first annual Critical Choices '83 Conference on Saturday, June 4, 1983, at the University of Portland, Buckley Center. One of the primary goals of the conference is to bring diverse groups together to examine new directions for the future of the region because all of us have a stake in the future viability and livability of our environment.

Therefore, we are seeking a broad-based coalition of organizations and government entities in the Portland/Vancouver Metropolitan area to join together as sponsors of the conference. We believe your participation as a sponsor would be an asset to the conference and equally valuable to your membership. To ensure that your sponsorship is meaningful, we have fashioned the following framework for conference activities:

Work study groups on the critical areas are developing pre-conference discussion material for our sponsoring organizations so that conference involvement is optimal.

Attitudinal surveys will be taken before and during the conference to help us assess our recommendations and/or conclusions.

A special Friday evening, June 3, reception will be held for the keynote speaker and representatives of the sponsoring organizations to establish rapport for the following day's program.

During the conference, we will encourage participants to propose their own agenda of issues for the future and the processes for dealing with them now by asking the questions: Where are we now? Where are we headed? What could we face along the way? Where would we like to be? How do we get there?

-2-

A list of conference registrants will be published to facilitate on-going futures' activities.

(A detailed description of conference goals, the day's tentative schedule and program, and a partial list of sponsoring organizations is attached.)

Your responsibility as a sponsor, should you agree, is simply to give your public support and encourage participation at the conference of your membership.

To draw attention to the significance of this event, we would appreciate adoption of the enclosed sample resolution officially sponsoring the conference and proclaiming June 4th the first annual futures day.

June 4th will be an important day in the future of the region. We hope you will join us as a sponsor and will call you in a few days to discuss this with you.

Sincerely,

*Carol Kirchner*

Carol Kirchner  
Conference Coordinator

*Kandis Brewer-Wohler*

Kandis Brewer-Wohler

Chair

Columbia Willamette Futures Forum

encs.



## METROPOLITAN SERVICE DISTRICT

Providing Zoo, Transportation, Solid Waste and  
other Regional Services

March 30, 1983

Rick Gustafson  
*Executive Officer*

**Metro Council**

Cindy Banzer  
*Presiding Officer*  
District 9

Bob Oleson  
*Deputy Presiding*  
*Officer*  
District 1

Richard Waker  
District 2

Charlie Williamson  
District 3

Corky Kirkpatrick  
District 4

Jack Deines  
District 5

George Van Bergen  
District 6

Sharron Kelley  
District 7

Ernie Bonner  
District 8

Bruce Etlinger  
District 10

Marge Kafoury  
District 11

Gary Hansen  
District 12

527 SW Hall St.  
Portland, OR  
97201  
503/221-1646

8170B/D5

Dear :

This letter is in regard to HB 2228 which alters the existing procedure for the merger of Tri-Met with the Metropolitan Service District. Attached is additional information for your consideration as you deliberate on this bill.

First is a recent editorial from The Oregonian which supports the Metro Council's position regarding continuation of the so-called "marriage clause" between Tri-Met and Metro.

Second, please find a copy of a letter and attachments sent to Representative Glenn Otto which follows up on my commitment to the Intergovernmental Affairs Committee to draft an ordinance which would preclude a merger with Tri-Met until such time as Metro successfully issued bonds to cover all previous indebtedness to the Oregon Mass Transit Finance Authority (OMTFA).

As indicated in the letter, Andy Jordan, our General Counsel, has advised against such an ordinance because Metro would not have legal authority to issue such repayment bonds until after the actual merger of Tri-Met and Metro. Mr. Jordan suggests that an alternative would be for the Legislature to require OMFTA to issue new bonds to pay off existing bonds, if and when, the merger takes place. As he indicates, such a requirement would preserve the security of present and future OMFTA bonds without confusing the bond security issue with the policy issues of the merger. Attached for your consideration is a proposed amendment to HB 2228 which would implement Mr. Jordan's suggestion.

It is my understanding that the Committee has received an amendment to HB 2228 from Assistant Treasurer Fred Hansen

March 30, 1983  
Page 2

which would require Metro, prior to a merger with Tri-Met, to prepare a plan to repay any outstanding bonds when due and to have such plan approved by the OMFTA.

If the Committee is disposed to proceed with that amendment, the Metro Council requests that it be clear that the OMFTA approval be based solely on financial considerations and that a "sunset" provision be added to Section 3 to terminate this provision as of July 1, 1986. The sunset provision would help convey a message to both Tri-Met and Metro that the Legislature expects the merger issue to be thoroughly reviewed between legislative sessions so that the "uncertainty" question will be answered.

In summary, the position of the Metro Council, in order of preference, is:

1. That Sections 2 and 3 be removed from HB 2228, as suggested by the amendments offered by Representative Jane Cease on March 21, 1983.
2. If the Committee feels compelled to respond to the issues raised by Tri-Met and the State Treasurer's office regarding this matter, that the Committee approve the attached amendment suggested by Mr. Jordan.
3. If the Committee supports the approach suggested by Mr. Hansen's amendment, that it be clarified to require that OMFTA's consideration and approval of Metro's financial plan be is restricted to financial matters, and secondly, that a sunset provision be added to terminate the provision as of July 1, 1986.

We appreciate your consideration of the Metro Council's views on this bill and we will be willing to do what we can to provide additional information as necessary.

Sincerely,

Cindy Banzer  
Presiding Officer

CB/g1/8166B/D5

Attachments

The Honorable Mary Alice Ford  
State Representative  
State Capitol H 378  
Salem, Oregon 97310  
Mary Alice

The Honorable Bernie Agrons  
State Representative  
State Capitol H 472  
Salem, Oregon 97310  
Bernie

The Honorable Mary Burrows  
State Representative  
State Capitol H 386  
Salem, Oregon 97310  
Mary

The Honorable Ted Calouri  
State Representative  
State Capitol H 383  
Salem, Oregon 97310  
Ted

The Honorable Glenn Otto  
State Representative  
State Capitol H 288  
Salem, Oregon 97310  
Glenn

The Honorable Carl Hosticka  
State Representative  
State Capitol H 369  
Salem, Oregon 97310  
Carl

The Honorable Mike McCracken  
State Representative  
State Capitol H 278  
Salem, Oregon 97310  
Mike

8170B/D5

ESTIMATED ONE PERCENT COLA COST FOR ALL NON-ZOO EMPLOYEES

Department	Current <sup>a</sup> Hourly	+1%	X2088	+28% <sup>b</sup>	Without COLA	Difference <sup>c</sup>
<u>PLANNING</u>						
Transportation	\$156.53	\$158.09	\$330,095	\$422,521	\$418,348	\$ 4,172
Development Services	74.90	75.65	157,955	202,183	200,181	2,002
Criminal Justice	31.30	31.61	66,002	84,483	83,654	829
Overhead						<u>3,481</u>
Total Planning Fund						\$10,484
<u>SOLID WASTE</u>	\$242.14	\$244.56	\$510,646	\$653,627	\$647,153	\$6,474
<u>GENERAL</u>						
Council	\$27.61	\$27.89	\$ 58,232	\$ 74,536	\$ 73,792	\$ 744
Executive Management	50.70	51.21	106,920	136,858	135,503	1,355
Accounting	72.83	73.55	153,585	196,588	194,648	1,940
Budget & Admin. Services	83.73	84.57	176,575	226,016	223,780	2,236
Data Resource Center	40.32	40.73	85,038	108,849	107,761	1,088
Data Processing	35.47	35.82	74,802	95,746	94,798	946
Public Affairs	65.84	66.50	138,845	177,721	175,967	<u>1,754</u>
Total General Fund						\$10,063
Total Metro Cost						<u>\$27,021</u>

<sup>a</sup>Based on current payroll and wages paid plus proposed new positions.

<sup>b</sup>Only FICA and pension costs would be directly increased, same fringe rate is assumed.

<sup>c</sup>Does not include four percent merit in base calculation.

JS/srb  
8140B/D4  
03/31/83



CONTINGENCY DETAILS  
PROPOSED FY 1983-84 BUDGET

GENERAL FUND

Budgeted Contingency	\$126,380
Uncertain Overhead Revenues	(26,734)
Commitment to Maintain Land Use Program if Grants not Received	(18,900)
3% Contingency, Management Policy	<u>(66,098)</u>
Difference between Budgeted and Required Contingency	\$14,648

SOLID WASTE OPERATING FUND

Budgeted Contingency	\$545,822
Management & Administration	(38,425)
St. Johns Landfill	(293,397)
CTRC	(214,000)

PLANNING FUND

Budget Contingency	\$-0-
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JS/gl  
8198B/D5

STAFF REPORT

Agenda Item No. 6.1

Meeting Date April 7, 1983

CONSIDERATION OF ORDINANCE NO. 83-151, AMENDING  
THE URBAN GROWTH BOUNDARY IN MULTNOMAH COUNTY  
AS ORDERED BY THE COUNCIL IN CONTESTED CASE NO. 82-2.

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Date: March 8, 1983

Presented by: Joseph Cortright

FACTUAL BACKGROUND AND ANALYSIS

On February 24, 1983, the Council decided Contested Case No. 82-2, and approved a proposal to add western Hayden Island to the UGB.

The attached Ordinance No. 83-151, implements that order, formally amending the regional UGB to include western Hayden Island.

EXECUTIVE OFFICER'S RECOMMENDATION

Approval. This Ordinance implements the Council's Order on Contested Case 82-2.

COMMITTEE CONSIDERATION AND RECOMMENDATION

Not applicable. Metro's Contested Case procedures provide for UGB amendments to be heard directly by Council.

JC/gl  
7950B/283  
3/8/83

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING THE )      ORDINANCE NO. 83-151  
METRO URBAN GROWTH BOUNDARY IN )  
MULTNOMAH COUNTY FOR CONTESTED )  
CASE NO. 82-2 )

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The District Urban Growth Boundary (UGB), as adopted by Ordinance No. 79-77, is hereby amended as indicated in Exhibit A of this ordinance which is incorporated by this reference.

Section 2. In support of the amendment in Section 1 of this ordinance, the Council hereby adopts Findings, Conclusions and Recommendation in Exhibit B of this ordinance which is incorporated by this reference.

Section 3. In support of the Findings, Conclusions and Recommendation adopted in Section 2 of this ordinance, the Council hereby designates as the record herein those documents and records submitted before or at the hearing in this matter on January 5, 1983.

Section 4. This ordinance is the final order in Contested Case No. 82-2 for purposes of Metro Code Section 5.02.045.

Section 5. Parties to Contested Case No. 82-2 may appeal this ordinance under 1979 Or. Laws, ch. 772.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

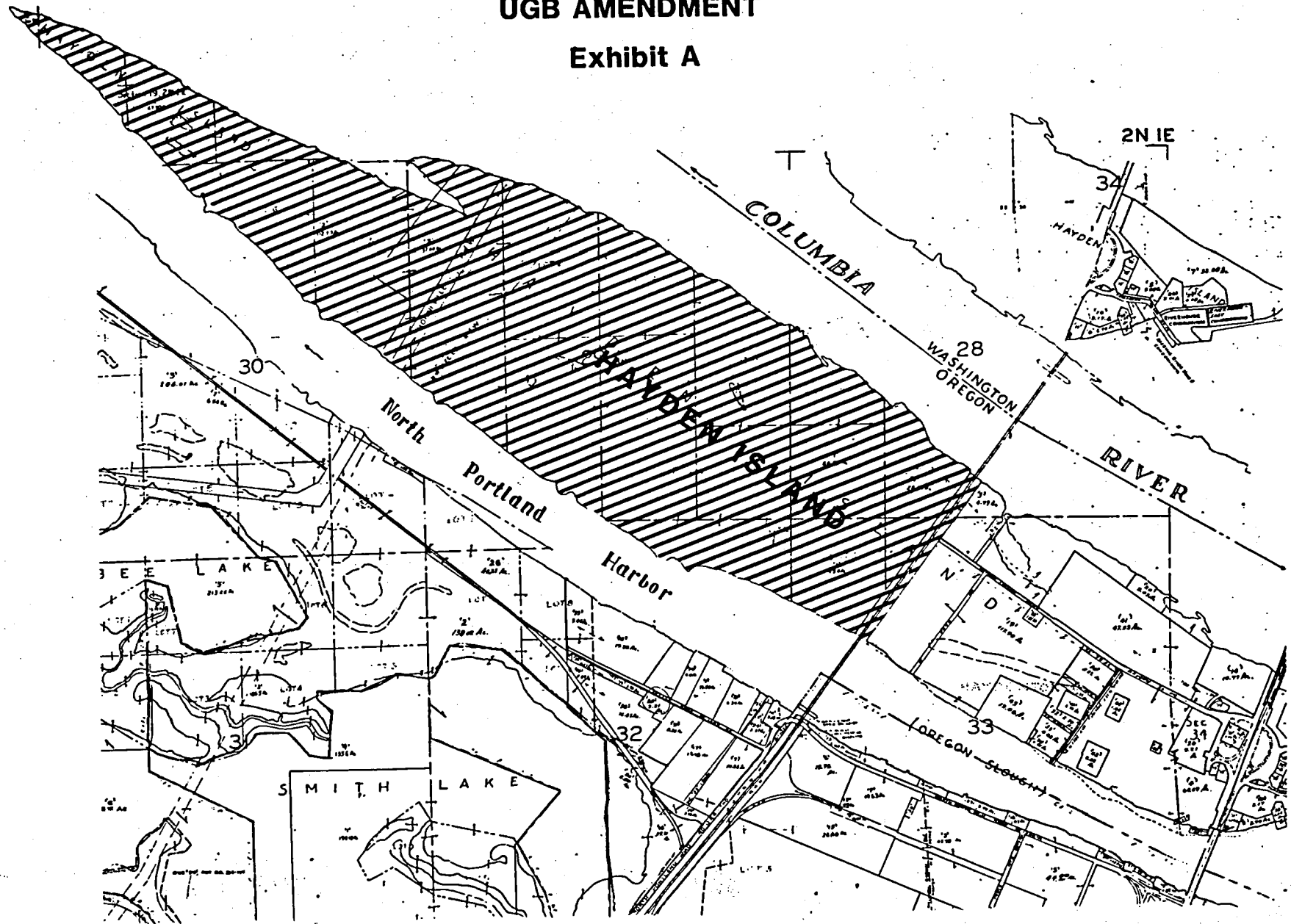
\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of the Council

JC/gl/7952B/327

**UGB AMENDMENT**  
**Exhibit A**



**Exhibit B**

BEFORE THE METROPOLITAN SERVICE DISTRICT

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In the matter of a petition of )  
Portland General Electric Company, )  
Western Transportation Company, )  
Hayden Island, Inc., and )  
Burlington Northern, Inc. for an )  
amendment to the regional urban )  
growth boundary. )

FINDINGS, CONCLUSIONS  
AND RECOMMENDATION OF  
HEARINGS OFFICER

I. Nature Of The Case.

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This cause is before the Council on an application by  
four landowners for an expansion of the metropolitan area urban  
growth boundary to include their lands, which are located on, and  
constitute, the entire western portion of Hayden Island. Applicants  
own approximately 748 acres on the west side of the Burlington  
Northern Railroad Bridge which crosses Hayden Island and the  
Columbia River. The applicants and their ownerships are as follows:

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<u>Applicant</u>	<u>Approximate Acreage</u>
Burlington Northern, Inc.	33 acres
Hayden Island, Inc.	37 acres
Portland General Electric Company	496 acres
Western Transportation Company	182 acres

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The Bonneville Power Administration, not an applicant, owns an  
additional thirteen acres of property on west Hayden Island,  
consisting of a 200-foot wide transmission line corridor. That  
land is included in the application. Bonneville has no objection  
to its inclusion.

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Applicants propose that the property be included in the UGB  
to satisfy the long term regional need for water-dependent, marine  
terminal and industrial facilities.

1           II. The Hearing And Administrative Record.

2           On January 5, 1983, following the mailing and newspaper  
3 publication of a public notice, an evidentiary hearing on the  
4 application was held before me at the offices of the Metropolitan  
5 Service District. Following the evidentiary hearing, the record  
6 was held open until January 14, 1983 for the admission of additional  
7 written testimony.

8           The administrative record in this matter consists of the  
9 tape recordings of the January 5, 1983 proceedings, and the documents  
10 identified in Exhibit "A" to this report.

11                           III. Findings Of Fact.

12           The testimony and evidence in this case was substantially  
13 uncontroverted. Only one witness, Mr. Michael Houck of the Audubon  
14 Society of Portland, testified in opposition. (Exhibit 27).  
15 Multnomah County testified in support of the application, but had  
16 certain concerns. (Exhibits 23 and 25). Mr. Houck's and Multnomah  
17 County's testimony are discussed in my conclusions, below.

18           At the close of the hearing, applicants submitted 52  
19 pages of proposed findings of fact which appear to have been taken,  
20 in some cases, directly from the application or supporting documents.  
21 Because the facts of this proceeding are not in material dispute,  
22 and applicants' findings fairly and accurately set them forth, I  
23 adopt those findings as my own. The findings appear in Exhibit "B"  
24 attached hereto and incorporated herein.

25           The Council should note that at page 5, the findings  
26 refer to Multnomah County Ordinance Nos. 333, 334, and 335, and a

1 Multnomah County Planning Commission Resolution PC/PR5-82a, and  
2 state that they are "attached." They are not attached but do appear  
3 elsewhere in the record. See Exhibit 23.

4 IV. Conclusions

5 The legal standards applicable, as the findings correctly  
6 state, are statewide Goals 2 (exceptions) and 14 (urbanization).

7 Goal 2 states:

8 PART II - EXCEPTIONS: When, during the  
9 application of the statewide goals to plans,  
10 it appears that it is not possible to apply  
11 the appropriate goal to specific properties  
12 or situations, then each proposed exception  
13 to a goal shall be set forth during the plan  
14 preparation phases and also specifically  
15 noted in the notices of public hearing. The  
16 notices of hearing shall summarize the issues  
17 in an understandable and meaningful manner.

18 If the exception to the goal is adopted, then  
19 the compelling reasons and facts for that  
20 conclusion shall be completely set forth in  
21 the plan and shall include:

- 22 (a) Why these other uses should be  
23 provided for;
- 24 (b) What alternative locations within  
25 the area could be used for the  
26 proposed uses;
- 27 (c) What are the long term environ-  
28 mental, economic, social and  
29 energy consequences to the locali-  
30 ty, the region or the state from  
31 not applying the goal or permitting  
32 the alternative use;
- 33 (d) A finding that the proposed uses  
34 will be compatible with other  
35 adjacent uses.

36 Goal 14 states:

37 GOAL: To provide for an orderly and efficient  
38 transition from rural to urban land use.

Page

1 Urban growth boundaries shall be established to  
2 identify and separate urbanizable land from  
rural land.

3 Establishment and change of the boundaries  
4 shall be based upon consideration of the  
following factors:

- 5 (1) Demonstrated need to accom-  
6 modate long-range urban popula-  
7 tion growth requirements consis-  
8 tent with LCDC goals;
- 9 (2) Need for housing, employment  
10 opportunities, and livability;
- 11 (3) Orderly and economic provision for  
12 public facilities and services;
- 13 (4) Maximum efficiency of land uses  
14 within and on the fringe of the  
15 existing urban area;
- 16 (5) Environmental, energy, economic  
17 and social consequences;
- 18 (6) Retention of agricultural land as  
19 defined, with Class I being the  
20 highest priority for retention and  
21 Class VI the lowest priority; and
- 22 (7) Compatibility of the proposed urban  
23 uses with nearby agricultural  
24 activities.

25 The results of the above considerations shall be  
26 included in the comprehensive plan. In the case  
of a change of a boundary, a governing body  
proposing such change in the boundary separating  
urbanizable land from rural land, shall follow  
the procedures and requirements as set forth in  
the Land Use Planning Goal (Goal 2) for goal  
exceptions.

Taken together, these goals require demonstrations:

a. Of a need for the UGB expansion (Goal 14, Factor 1;  
Goal 2, Part II(a)).

b. Of a lack of alternative sites (Goal 2, Part II(b)).



1 c. That the environmental, economic, social, and energy  
2 consequences justify the decision to enlarge the boundary (Goal 14,  
3 Factor 5; Goal 2, Part II(c)).

4 d. That the proposed uses will be compatible with other  
5 adjacent uses (Goal 2, Part II(d); Goal 14, Factor 7).

6 e. Of orderly and economic provision for public facilities  
7 and services (Goal 14, Factor 3).

8 f. Of maximum efficiency of land uses within and on the  
9 fringe of the existing urban area (Goal 14, Factor 4).

10 g. Of retention of agricultural land (Goal 14, Factor 6).

11 Need And Alternatives. There is no dispute in this record  
12 that there will be a year-2000 need for additional marine terminal  
13 facilities in the region, and that alternative sites elsewhere on  
14 the Willamette or Columbia Rivers do not exist (Paragraphs (a) and  
15 (b), above).

16 Consequences. Mr. Michael C. Houck of the Portland Audubon  
17 Society argues here, as he did at Multnomah County, that development  
18 of West Hayden Island would destroy one of the last parcels of  
19 riverine habitat left in the greater Portland area, and threaten  
20 fisheries in the area. (Exhibit 27). Although the habitat resource  
21 cannot presently be said to be "unique" or "significant" in the  
22 traditional land use planning sense, Mr. Houck states "it is clearly  
23 a fast disappearing resource and will likely enjoy a unique status  
24 soon."

25 The application in this case is not for a specific develop-  
26 ment but for a boundary expansion to accommodate a use. Multnomah

1 County addressed Mr. Houck's environmental concerns by withholding  
2 rezoning of the property pending the study, during its Community  
3 Planning Process, of environmental hazards and their minimization.  
4 Multnomah County Ordinance No. 334. Through its design review  
5 process, community planning process, and by meeting the requirements  
6 of the county's SEC (Area of Significant Environmental Concern)  
7 overlay zone, the county believes negative environmental impacts  
8 can be minimized. Prior to filling any wetlands, applicants must  
9 secure from the Army Corps of Engineers a permit under Section 404  
10 of the Clean Water Act. Prior to the issuance of such permit, the  
11 Corps is legally required to perform an environmental impact study  
12 or assessment.

13           There is no question that any large scale urban development  
14 of West Hayden Island would impair wildlife habitat. However the  
15 habitat on West Hayden Island is not, in a planning sense, "unique"  
16 or "significant", and the applicants and county have established a  
17 process for minimizing adverse environmental impacts. Given the  
18 great importance of marine industrial facilities to the social and  
19 economic growth and vitality of the region, and that there are no  
20 alternative sites for deep draft marine industrial facilities, the  
21 positive social and economic consequences of an urban designation  
22 clearly outweigh the negative environmental consequences.

23           Compatibility. West Hayden Island is surrounded by  
24 industrial uses. The only apparently incompatible uses are houseboat  
25 moorages across the Oregon slough near the Burlington Northern  
26 Railroad Bridge. These moorages are non-conforming uses on land

1 zoned for industrial use. A witness at the hearing who resides in  
2 a houseboat at that location expressed concern about the aesthetic  
3 impact of industrial development across the slough. The aesthetics  
4 of any development of West Hayden Island will be addressed at the  
5 local level, through the county's community planning and design  
6 review processes. They are not matters of regional concern.

7 Public Facilities and Services. The only essential service  
8 not presently available at an acceptable level at West Hayden Island  
9 is surface transportation on the west side of the island, and to and  
10 from the island. Multnomah County Ordinance No. 334 provides that  
11 before West Hayden Island may be rezoned for marine industrial use,  
12 a transportation study and program must be developed which identifies  
13 traffic impacts of East Hayden Island, I-5, and north Portland roads,  
14 and that adequate transportation programs, assurances, and mechanisms  
15 be in place. Moreover, applicants have themselves proposed: to  
16 construct a new bridge over the Oregon slough to connect West Hayden  
17 Island to North Portland roads; to connect West Hayden Island and East  
18 Hayden Island roads with a two-lane, industrial roadway; to widen  
19 North Portland Road to two lanes in each direction at the inter-  
20 section with a new access to the Rivergate industrial district if  
21 this roadway intersects North Portland Road at grade; to utilize  
22 carpooling, transit, and flexible work schedules to minimize  
23 peak-hour traffic.

24 Traffic problems on I-5 in the Hayden Island vicinity  
25 presently exist, but may be alleviated by the completion of I-205  
26 and by other publicly-funded improvements to the interstate system

1 in the vicinity. See Findings, pp. 40-42. Even if these improvements  
2 do not materialize, there is no evidence that development of West  
3 Hayden Island will contribute significantly to the existing problem.

4 Applicants propose to do as much as any private developer  
5 reasonably could to minimize impacts on an existing regional trans-  
6 portation problem. Because there is no evidence that applicants'  
7 proposal would aggravate the existing problem in a significant way,  
8 the present inadequacies do not furnish a basis for denial of the  
9 urban classification they seek.

10 Remaining Issues. The soils on West Hayden Island are  
11 not agricultural within the goal 3 definition, are among the worst  
12 in the region, and do not qualify for retention under goal 14,  
13 Factor 6. The closest agricultural lands are on Sauvie Island, two  
14 miles away. There is no evidence that granting of this application  
15 would have any adverse effect on any agricultural activities.  
16 (Goal 14, Factor 7). There is no evidence that available deep  
17 draft riverfront land in the existing UGB is not efficiently being  
18 utilized, or that needed marine industrial space could be afforded  
19 by more efficient utilization of such land. (Goal 14, Factor 4.)

20 Conclusion. For the foregoing reasons, I conclude that  
21 all applicable legal standards are satisfied by applicants' proposal.

#### 22 V. Further Assurances

23 Much of applicants' case rests upon commitments it has  
24 made in its application and upon conditions imposed by Multnomah  
25 County in its approval of comprehensive plan changes for the property.  
26 Multnomah County has expressed concern that if West Hayden Island is

1 annexed to Portland, that the conditions it has imposed will survive.  
2 For example, since the application and approvals have been predicated  
3 upon use of the property for marine industrial use, the county would  
4 like to ensure that it not be used for general industrial, commercial,  
5 or residential uses. The county has imposed conditions requiring  
6 transportation studies and assurances, environmental protection,  
7 and other requirements that strike at the fundamentals of the  
8 applications both to the county and to this Council.

9           The county appears to suggest that this Council impose,  
10 as conditions of approval of an urban classification, the conditions  
11 it imposed when it approved comprehensive plan changes for the  
12 property. This suggestion is in my judgment unnecessary and un-  
13 desirable.

14           Applicants have, in their application to this Council,  
15 made representations as to the use and development of their property.  
16 These commitments are made not only in the application but in the  
17 findings they have proposed, which I recommend for adoption. If  
18 at some time prior to satisfaction of those commitments the land  
19 is annexed to Portland, and Portland fails to promote the interests  
20 the commitments are designed to protect, the county or any other  
21 person having standing may apply to this Council for restoration  
22 of the rural designation. If the conditions have changed to the  
23 extent that the standards of Goals 2 and 14 are no longer satisfied,  
24 the Council should remove the land from the UGB.

25           It is the responsibility of this Council to care for the  
26 regional aspects of land use planning. See ORS 268.015, 268.380,

1 268.385, 268.390. Cities and counties have been designated to  
2 promote and manage the day-to-day local aspects of land use.  
3 ORS 197.005(3). Whether, for example, the transportation issues  
4 associated with this project are addressed in a Multnomah County  
5 community planning process or in a different process of the City  
6 of Portland, is immaterial to this Council, so long as the  
7 commitments made in the application, which include the conditions  
8 imposed by the county, are substantially satisfied. It is not the  
9 function of this Council to tell the City of Portland how to extend  
10 transportation facilities to West Hayden Island in an orderly,  
11 efficient manner if this land is annexed. See Goal 14, Factor 3.  
12 That is the city's job. If the city fails to hold applicants to  
13 the commitments made here, see, e.g., Findings, p. 41, or to  
14 substantially similar and equally effective requirements, the  
15 county may return and complain.

16 VI. Recommendation.

17 For the foregoing reasons, I recommend that West Hayden  
18 Island be reclassified from "rural" to "urban", and be included  
19 in the metropolitan area UGB, and that no conditions be imposed by  
20 this Council.

21 DATED this 28th day of January, 1983.

22 Respectfully submitted,

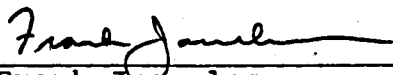
23  
24   
25 Frank Jesselson  
26 Special Hearings Officer

EXHIBIT "A"

BEFORE THE METROPOLITAN SERVICE DISTRICT

In the matter of a petition of )  
Portland General Electric Company, )  
Western Transportation Company, )  
Hayden Island, Inc., and )  
Burlington Northern, Inc. for an )  
amendment to the regional urban )  
growth boundary. )

DOCUMENTS RECEIVED INTO EVIDENCE

1. Certificates of mailing
2. List of persons receiving notice
3. Copy of mailed notice
4. Copy of printed notice
5. Letter from Steve Siegel, Metro
6. Applicant's Exhibit "A"
7. Oregon Ports Study
8. Applicant's Petition
9. Wetlands Map
10. Carl Buttke submission, dated February 19, 1982,  
September 21, 1982
11. Resumes of applicant's witnesses
12. Outline of applicant's presentation
13. Aerial photo of Hayden Island
14. Duplicates of applicant's slides
15. Bar chart of demand and supply
16. Portland harbor aerial photo - 1956
17. Portland harbor aerial photo - 1971
18. Portland harbor aerial photo - 1980
19. Applicant's table, II-36 - "Summary of Need"
20. Class Harbor Brochure
21. Metropolitan Portland Area Waterways Development Plan

22. Letter from Bob Stacey, 1000 Friends of Oregon
23. Letter from Janice Newton, Multnomah County
24. Letter from Rich Schulberg, Governor's Advisory Committee for Maritime Affairs
25. Letter from Ted Spence, Oregon Department of Transportation
26. Letter from Janice Newton, Multnomah County
27. Letter from Mike Houck, Audubon Society of Portland
28. Letter from West Kvarsten, Bonneville Power Administration
29. Applicant's proposed findings
30. Letter from Robert S. Ball, attorney for applicants.



EXHIBIT "B"

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PETITION FOR EXPANSION OF  
METROPOLITAN SERVICE DISTRICT'S  
URBAN GROWTH BOUNDARY

Proposed Findings of Fact  
Submitted by Portland General Electric Company

Dated January 14, 1983

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PETITION FOR EXPANSION OF  
METROPOLITAN SERVICE DISTRICT'S  
URBAN GROWTH BOUNDARY

Proposed Findings of Fact  
Submitted by Portland General Electric Company  
Dated January 14, 1983

1. Applicants' Proposal

This is an application for expansion of the Metropolitan Service District Urban Growth Boundary to include approximately 760 acres located on the western portion of Hayden Island. The property is located on the west side of the Burlington Northern Railroad Bridge which crosses Hayden Island and the Columbia River. The co-applicants in this application and their respective ownerships of the subject property are as follows:

<u>Co-applicants</u>	<u>Approximate Acreage</u>
Burlington Northern, Inc.	33 acres
Hayden Island, Inc.	37 acres
Portland General Electric Co.	496 acres
Western Transportation Co.	182 acres

In addition, United States Government (Bonneville Power Administration) owns approximately 13 acres of the subject property, consisting of a 200 foot wide transmission line corridor across western Hayden Island. Although the Bonneville Power Administration is not a co-applicant in this application, it does not object to the application.

The purpose of the application is to include western Hayden Island in the Urban Growth Boundary in order to designate the property as urban and allow its eventual development for marine industrial purposes. A hearing on this application was held before Frank Josselson, Hearings Officer for the Metropolitan

Service District, on January 5, 1983. The exhibits listed on Exhibit A were introduced and received during that hearing.

No specific development plans are proposed by the applicants at this time. The subject property is presently in a natural state, and is used for the grazing of livestock.

2. Physical Characteristics

Hayden Island is located near the confluence of the Willamette and Columbia Rivers, between the Cities of Portland, Oregon and Vancouver, Washington. It is separated on the south from the City of Portland by the Oregon Slough (sometimes called the North Portland Channel), and from Vancouver by the main channel of the Columbia River. The only automobile access to Hayden Island is via the Interstate-5 Freeway which connects the island to the mainland. Rail access is provided by a main line of the Burlington Northern Railroad.

The total length of Hayden and Tomahawk Islands combined is approximately 5.8 miles; the portion under study, which is west of the Burlington Northern Railroad bridge, comprises about one-half or 3 miles of this length, and is approximately 760 acres. The long and narrow western portion contains approximately 30,000 lineal feet of shoreline along the Columbia River and Oregon Slough. The north shore, as far as the Interstate Bridge, and the south shore, from the west tip of the island to the BPA transmission lines, are adjacent to the Columbia River 40-foot channel. With the exception of the relatively narrow western tip, the island has an average width of 2,800 feet.

The terrain is generally flat, with slopes of no more than 3%. Elevations range from 10 feet at the shoreline to 29 feet above mean sea level at high points of the island. Most of the area is within the 100 year floodway fringe, i.e. floodplain, of the Columbia River.

### 3. Planning Background

#### (a) EXISTING PLANNING AND ZONING DESIGNATIONS

The subject property is presently designated Natural Resource, Multiple Use Forest on the Multnomah County Comprehensive Plan. It is zoned MUF-19, Multiple Use Forest, SEC (Area of Significant Environmental Concern). Multnomah County designated western Hayden Island as Natural Resource, Multiple Use Forest in 1977 in connection with the adoption of its Comprehensive Framework Plan. The property was so designated because (i) the western portion of Hayden Island has extremely limited vehicular access, (ii) the land was in the recognized 100 year flood plain, (iii) no inventory or analysis of the wildlife habitat and other environmental issues had been prepared, (iv) no other detailed analysis of the availability of public facilities or services had been conducted, (v) there was no demonstration of a need for designation of the property for any other purpose, and (vi) no specific plans or commitments to provide services or to develop the subject property were indicated to Multnomah County.

#### (b) PGE PLANNING

In 1978, Portland General Electric Company (PGE), as the largest land owner of the subject property, initiated a study of



the appropriate use to be made of the property. The study was conducted by Cogan & Associates, consultants in planning and public affairs. The purpose of the study was to identify potential land uses which appeared economically feasible and in the public interest after taking an inventory of the characteristics of the area, evaluating site requirements, economic feasibility, and public impacts, and examining potential development alternatives. Cogan & Associates initially recommended to PGE in 1980 that the property be planned for water-dependent industrial uses with compatible commercial, residential and recreational uses. The present proposal is for marine industrial and related uses.

(c) CITIZEN INVOLVEMENT

The planning process carried on by PGE has included extensive citizen involvement. There have been direct contacts with more than 64 individuals, 22 public agencies and 19 private groups and interests concerning the proposed uses of the subject property. In addition, numerous public meetings and hearings have been held relating to the planning for the property and this application. In addition to meetings sponsored by PGE, Multnomah County held a public meeting in North Portland to discuss changes in the Multnomah County Comprehensive Framework Plan. The Multnomah County Planning Commission then held two public hearings in addition to a public workshop, and the Multnomah County Board of Commissioners has held two hearings with respect to planning applications before Multnomah County.

(d) ADOPTION OF URBAN GROWTH BOUNDARY

In 1978, the Metropolitan Service District adopted the Regional Urban Growth Boundary and included the eastern portion of Hayden Island within the Urban Growth Boundary and excluded the western portion of Hayden Island from the Urban Growth Boundary. The western portion of Hayden Island was excluded from the boundary because of its designation as natural resource and because all similarly designated properties were excluded from the Urban Growth Boundary.

(e) MULTNOMAH COUNTY PLAN CHANGE

On July 12, 1982, the Multnomah County Planning Commission adopted Resolution PC/PR5-82a, a copy of which is attached hereto as Exhibit B, pursuant to which the Planning Commission recommended to the Multnomah County Board of Commissioners that the Board of Commissioners take the actions ultimately taken in Ordinance Nos. 333, 334 and 335.

Effective September 9, 1982, the Board of Commissioners of Multnomah County adopted Ordinances Nos. 333, 334 and 335. Copies of such ordinances are attached hereto as Exhibits C, D and E, respectively. Ordinance No. 333 redesignated the subject property from "Natural Resource Multiple Use Forestry" to "Urban." Ordinance No. 334 revised the Hayden Island Plan, which is a community plan adopted in 1976 for the east portion of Hayden Island, to add growth management policies for that portion of Hayden Island west of the Burlington Northern Railroad (the subject property). Ordinance No. 335 amended the Multnomah County Comprehensive Framework Plan to add a marine

transportation system policy, No. 33A, as an addition to the existing transportation system policy, No. 33, in the Multnomah County Comprehensive Framework Plan. Ordinance Nos. 333 and 334 will take effect upon the Metropolitan Service District's decision to include that portion of Hayden Island west of the Burlington Northern Railroad in the regional Urban Growth Boundary.

The designation of the subject property as a natural resource area in the Multnomah County Comprehensive Plan (which designation would automatically change to an urban designation if the present application is approved) requires that the uses of the property be limited to agricultural, forest and low intensity residential and recreational uses. Urban development and planning for urban services are precluded because the area is outside the regional Urban Growth Boundary. Approval of a change in the regional Urban Growth Boundary would fulfill the condition of Multnomah County's approval of a change of designation of the property from Natural Resource, Multiple Use Forest to Urban. The property would remain zoned MUF-19, Multiple Use Forest, SEC, (Area of Significant Environmental Concern), until the property is rezoned for marine industrial uses.

(f) FUTURE CONTROLS OF USE OF PROPERTY

If the subject boundary adjustment is allowed, the property could not be developed for marine industrial purposes without being rezoned for such uses. Any proposal for rezoning of the property would be subject to Multnomah County's community planning process, the design review process, and would be subject to the requirements of the Significant Environmental Concern (SEC)

overlay zone. In addition, buffer zones, open areas and other appropriate measures would be considered to preserve and maintain fish and wildlife habitats of the area wherever appropriate. Prior to development, a traffic management study and program would be required of the developer to provide measures which could be taken to avoid overburdening the east Hayden Island road system, the Interstate-5 interchange, and North Portland roads. Such a program is likely to include consideration of possible alternative public and private transit facilities. The transportation program would assure that transportation facilities (both on-site and off-site), transit services and transportation management measures and scheduling would be identified prior to a zone change. Mechanisms to provide such assurances would be identified in the community plan.

Western Hayden Island growth management policies would serve as interim policies in the development of a detailed community plan for the subject property. Such policies of Multnomah County would assure that orderly growth is staged over time, recognizing the constraints of the natural resource base, and the need for development to occur in concurrence with the provision of public facilities and services.

The County is obligated to identify the public need and interest through the balancing of social, economic, physical and environmental considerations. Major development constraints, such as inadequate roadway capacity or requirements for off-site transportation improvements, will result in development approvals being staged by the County in accordance with the public or private financial ability to provide needed services and facilities.

The County would adopt a community plan to designate appropriate urban uses on the property, which would be primarily marine industrial, and would identify specific urban services and facilities which would be provided by the public and by private owners of the property. The time schedule for development of the property would be based upon the requirements of the growth management policy and strategies contained in the Multnomah County Comprehensive Framework Plan.

The comprehensive plan designation of western Hayden Island by Multnomah County would be reclassified from Future Urban to Urban Immediate upon compliance with the growth management policies of the Comprehensive Framework Plan. Such policies would require that a community plan and appropriate implementation measures have been adopted. It would also require approval of a development program for West Hayden Island which would insure that facilities and services are provided in an orderly and economical manner, including site preparation and filling, access roads, railroads, sewers, water supply, private transit facilities and a new roadway bridge over the Oregon Slough.

The developer of the property would be required to assume the primary obligation of obtaining financing for constructing infrastructure and providing needed services. If adverse impacts on the infrastructure or facilities outside the community are identified, the applicants would be required to demonstrate that the benefits to the public would outweigh the detriments to the public.

If the present application for expansion of the Urban Growth Boundary is approved, an extended period of time will still be required to prepare West Hayden Island for development by the early to mid 1990's.

(g) FUTURE PROCESSES AND APPROVALS REQUIRED FOR DEVELOPMENT

The processes and timelines which are expected to be required in order to develop West Hayden Island are as follows:

(1) Community Plan. The specific planning for land use, roads, services, development standards and other factors necessary for development of a master plan will be resolved through Multnomah County's community planning process. PGE expects such process to be completed in nine to 12 months.

(2) Preliminary Master Plan. After approval of the community plan, the property owners will prepare a general master plan to determine the design of the fill program, phasing, preliminary engineering, design for the bridge, cost estimates, etc. PGE expects such process to require six to 12 months.

(3) Dredge and Fill Permit. After design of a fill program, a U.S. Army Corp of Engineers Dredge and Fill Permit must be obtained. This will involve review and approval by several public agencies, and may require the preparation and approval of an environmental impact statement. PGE expects such process to take between one and three years.

(4) Coast Guard Bridge Permit. The proposed construction of a bridge across the Oregon Slough will be subject to review and approval of the United States Coast Guard. PGE

expects such review and approval to require between four and six months.

(5) Development Package. The property owners intend to involve a development entity. PGE expects the process of interviewing interested parties, negotiating with the owners, modifying plans, obtaining financing, etc., may require between six and 18 months.

(6) Filling Program. Development of West Hayden Island is expected to require between 15,000,000 and 20,000,000 cubic yards of fill to be deposited on the island to raise the elevation of the island above the 100 year flood plain. An extensive dredging program must be designed and implemented. Time must also be allowed for settlement and surcharging of the fill. PGE expects the first phase of such work to require between 18 and 24 months for the filling of between 150 and 200 acres. PGE expects the total filling program to require a period of several years.

(7) Engineering Design Approvals. At the time of construction, Multnomah County, the City of Portland and other public agencies will need to review and approve the engineering design of the bridge, roads and services prior to their construction. PGE expects such process to require approximately six months.

(8) Bridge Construction. After permits have been obtained and financing is available, PGE expects that the process of bidding on and constructing a bridge across the Oregon Slough,

which will be required for development of West Hayden Island, will require between 18 and 24 months.

(9) Zone Change. After appropriate urban services are provided, the property owners expect to apply for rezoning of the property for industrial uses. PGE expects that the time required for preparation of an application and supportive materials, staff review, public hearings, approval and a thirty (30) day waiting period to be approximately six months.

(10) Marketing of Land. PGE expects that, after the subject property is ready for development and is free of all encumbrances, it will require between nine and 12 months before an initial sale could be closed.

(11) Subdivision. The property owners expect it to be necessary to subdivide the land into parcels suitable for individual developers and owners. The process of preparing the plans and processing subdivision applications through appropriate governmental agencies is expected to take between four and six months.

(12) Architectural and Engineering Designs. PGE expects the preparation of specific architectural and engineering designs to take approximately six months.

(13) Design Review Process. PGE estimates that the time required to meet Multnomah County's design review standards in order to be eligible for an SEC permit will require approximately three months.



(14) Construction. PGE estimates that construction activities on the land will require a minimum of between six and 12 months.

Based on the foregoing analysis of the estimated time required for completion of ordinary public and private processes, in the event the present application for expansion of the Urban Growth Boundary is approved, West Hayden Island would still not be ready for development for a period between 8-1/2 and 16 years after the date on which the Urban Growth Boundary is amended. Accordingly, consideration of the amendment application requires an analysis of whether the applicable criteria for adjustment of the Urban Growth Boundary are met for a development which would occur in the early to mid-1990's.

4. Proposed Use of the Property

Both this Application and the above-described ordinances adopted by Multnomah County are predicated upon the proposed use of West Hayden Island for marine industrial and related purposes. Such uses are considered to be all uses which require access to the shipping channels of the Columbia and Willamette Rivers, including but not limited to private industries receiving and processing raw materials or shipping products, ship building and repair firms, marine construction and private and public shipping terminals, and related uses.

Control of the use to be made of the property legally resides in Multnomah County rather than in the Metropolitan Service District. Nevertheless, the Applicants have based their case for adjustment of the Urban Growth Boundary on the prospect

that the property will be used for marine industrial and related purposes.

PGE has indicated that it does not have any intention to use its property for purposes other than permitted in a marine industrial category. Even if those intentions were to change, the property owners would be required to comply with established legal processes in order to develop or use the property for a purpose not permitted in a marine industrial category. To do so, the property owners would have to meet a substantial burden in justifying an amendment to the Multnomah County Comprehensive Framework Plan. They would be required to comply with all applicable LCDC Goals, and would need approval of a change of the zoning designation of the property. In addition, the property owners would be confronted with a substantial record that has been made before Multnomah County in hearings leading to the ordinances described above, and in a hearing before the Metropolitan Service District Hearing Officer, in which the property owners have consistently indicated their intentions to use the property for marine industrial purposes.

The public is therefore adequately assured that if the Urban Growth Boundary is expanded as requested the property will be used for marine industrial and related purposes.

5. Issues Before Metropolitan Service District

The present application is governed primarily by the criteria set forth in LCDC Goals 2 and 14.

LCDC Goal 14 is specifically applicable because it provides in part that "establishment and change of the boundary shall be

based upon consideration" of the factors enumerated therein. LCDC Goal 2 is applicable because LCDC Goal 14 also provides that "in the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable land from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning Goal (Goal 2) for goal exceptions."

The requirements of the remaining LCDC Goals are incorporated in the criteria of Goals 2 and 14. Although specific findings with respect to Goals other than Goals 2 and 14 are largely duplicative of findings relating to the criteria of such Goals, the following findings include specific reference to all Goals as demonstration that all Goals have been specifically considered in connection with the subject application.

The following factors must be considered pursuant to LCDC Goal 14:

- (1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities, and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;

- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

The considerations required by LCDC Goal 2 (Part II) are as follows:

- (a) Why these other uses should be provided for;
- (b) What alternative locations within the area could be used for the proposed uses;
- (c) What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use;
- (d) A finding that the proposed uses will be compatible with other adjacent uses.

6. Criteria of LCDC Goal 2 (Land Use Planning)

(a) WHY THESE OTHER USES SHOULD BE PROVIDED FOR

(1) Description of Marine Transportation System

The need for continued expansion of the marine transportation system in the Portland harbor is central to this proposed amendment. The Multnomah County adoption of a special policy for the marine transportation system recognizes this need.

The marine transportation system is composed of three separate parts: land-side transportation facilities, ocean-going facilities, and interchange facilities between the two. This system is used both by public terminals where products from

multiple users are shipped and by private industrial users who ship and/or receive raw materials and products for their own use.

(a) Land facilities

Portland has a distinct comparative advantage over other West Coast ports. The Columbia River creates a navigation system as well as a water level route for rail and highway through the Cascades to the Inland Empire and to the Midwest grain regions. With Interstate-5 providing north-south access and Interstate-84 providing access to the east, Portland has excellent highway access for trucks.

The Southern Pacific, Union Pacific, and Burlington Northern railroads all serve Portland, providing competitive freight rates, and the Columbia River dams and locks provide barge access up river as far as Lewiston, Idaho.

This network of rail, barge, and highway facilities provides access to Portland from major markets in the United States. As fuel costs increase, this network is becoming increasingly competitive with the Panama Canal/Mississippi River system to provide service to the Midwest. Other lower Columbia River ports are lacking Portland's favorable freeway access and are served only by the Burlington Northern Railroad, thus making them significantly less competitive than the Portland harbor.

(b) Ocean facilities

The Columbia River from the bar at Astoria to Portland is a federally created and maintained 40-foot draft shipping channel. This channel provides access from Portland to major ports of the world. The principal markets are Japan, Korea, and other Far

East countries. Also serviced through Portland are Hawaii, Alaska, Australia, South America, and Europe..

New markets include China and the Japan-to-Europe movement of goods. This movement is called the "land-bridge concept" and involves the off-loading of ships from Japan on the West Coast and shipping the products by rail to the East Coast where they are reloaded and continue by ship to European ports.

(c) Interchange facilities

Critical to the functioning of the system is the ability to transfer products from the land-side facilities to oceanside facilities and vice versa. Over the past 25 years ship berth requirements have increased in size from 350-400 feet to 750-1,000 feet in length, and the necessary backup land has increased from 5-10 acres to 50-100 acres.

In the Portland harbor, there are moorage and dock facilities for 40 water-dependent private manufacturers and distributors of primary and fabricated metals, petroleum, chemicals, grain, wood and paper products, and aggregate minerals. These companies operate 41 ship berths in the harbor.

(2) Significance of Marine Transportation System

A significant contribution to the economic base of the area is made through the payroll, taxes, and other expenditures by firms located in the Portland harbor. In addition to shipping and receiving foreign goods, many of these firms also manufacture products for the domestic market.

According to Port of Portland data, more than 350 commodities are imported and exported through the Port facilities by

more than 4,000 local firms. In 1980, the Port's marine terminals generated approximately \$500 million in primary economic impacts. If the induced or secondary and tertiary impacts are included, the total economic benefits are estimated to exceed \$1.2 billion. More than 34 percent of this amount is retained in Multnomah County.

In 1979, port and marine activities supported nearly 34,300 jobs throughout the state. More than one-third were filled by Multnomah County residents. By the year 2000, total economic benefits are expected to exceed \$3 billion (current dollars) with total regional employment of 76,800 from Port of Portland facilities alone. Portland is the busiest seaport in the Pacific Northwest and the largest export point on the West Coast. Its harbor activity is an important factor in making the Portland metropolitan area an important national distribution center which ranks ahead of the larger cities of Seattle, Pittsburgh, and New Orleans.

As discussed in the Oregon Ports Study completed in 1981 for the Oregon State Department of Economic Development and the Land Conservation and Development Commission (Exhibit F), Portland harbor facilities are of statewide significance to Oregon's economy. Portland facilities handle 53% of all exported commodities and goods from the state (short tons) and receive 97% of all foreign trade imports. Portland is the dominant grain port in the state and shipments of this commodity are expected to continue increasing. Tonnage shipped between 1960 and 1977 grew at a compounded annual rate of 5.8%. In addition, increasing

amounts of midwest feed grains destined for Asia are expected to be shipped through Portland facilities.

The majority of deep draft shipping berths in the state is in Portland. According to the Oregon Ports Study, 63 of the total of 94 shipping berths in Oregon (67%) are located in Portland. Future expansion of this major element of the Portland economy depends on an adequate supply of vacant land suitable to accommodate future water-dependent industry. Considering present land resources, a substantial shortage of such land is predicted by the year 2000.

(3) Projected Demand for Marine Industrial Facilities

(a) Cargo forecasts

Generally, waterfront land needs for specific categories of commodities are derived from forecasts of the amount of cargo expected to clear public port facilities and industries at a specific future time. Analysis of historical trends is another method of projecting future demand. In addition to terminals, there also are private waterfront industries which depend on ships and/or barges to import raw materials or export finished goods.

Significant increases of cargo for many commodity types are anticipated by the year 2000. In 1979, Portland was the leading grain exporter on the West Coast, with grains grown in the northwest accounting for 55% of the total tonnage shipped. Studies have indicated that significant increases of midwest grain shipped to Asian ports are likely to occur as changing transportation economics and competitive rail rates give Portland



a stronger competitive position with Gulf Coast ports. Portland also has the only multi-purpose bulk facility in the northwest United States; significant increases in demand for liquid and dry cargoes are anticipated. Additional capacity for handling bulk commodities are expected to be available when the proposed 100 acre coal/dry bulk facility at Terminal 5 in Rivergate is completed.

According to the Oregon Ports Study - 1980, prepared for the Oregon Departments of Economic Development and Land Conservation and Development by Ogden Beeman and Associates, exports (short tons) from Portland harbor are projected to increase by 100% between 1977 and 2000. Imports are expected to increase by 175% and total cargo volume by 119% in this period.

(b) Public Demand on the Lower Columbia Region

The Oregon Ports Study - 1980 concludes that the lower Columbia region, consisting of the Ports of Astoria, St. Helens, and Portland, have the greatest opportunity for harbor expansion in the state. The report projects a demand in the lower Columbia region for 27 berths, 22,750 lineal feet of waterfront land and 770 acres of marine industrial land by the year 2000. The report's projected requirement of 770 acres is considered to be a minimum need figure.

(c) Public Demand on the Portland Harbor

The Portland harbor is expected to require between 19-22 berths, 16,750-19,000 lineal feet of waterfront land and 610-650 acres of marine industrial land by the year 2000. Studies indicate that the majority of the demand not met in Astoria is likely to accrue to Portland because St. Helens has neither

Astoria's proximity to the mouth of the Columbia nor Portland's superior transportation network. Furthermore, the Port of St. Helens has a policy of not building public docks and does not compete for these facilities with Astoria and Portland.

(d) Private Demand

In addition to requirements for public port facilities, private manufacturing and industrial processing companies are significant activities which require access to a deep draft shipping channel, sufficient shoreline, and backup land. Such activities depend upon water transportation for movement of raw materials or finished goods. Some private users of the waterfront also require additional adjacent land.

From 1960 through 1980, average land absorption in the Portland harbor for private industrial uses was 13 acres per year. Several industries have expanded their plant and facilities without acquiring additional land. Based on historical trends, it is expected that private demand for marine industrial land in the Portland harbor will be 260 acres by the year 2000.

(e) Demand at Washington Ports

The Port System Study for the Public Ports of Washington State, prepared in 1980 by CH<sub>2</sub>M-Hill for the Washington Public Ports Association, concludes that despite adequate marine industrial acreage, the lower Columbia ports of Vancouver, Kalama, and Longview face a critical shortage of water frontage by the turn of the century. There is adequate water frontage to accommodate 17 new deep water berths on the north side of the Columbia by the year 2000. However, an additional six grain terminals and a

container facility, which require 6,750 lineal feet of waterfront and approximately 195 acres of backup land, are allocated in such study to Puget Sound because of inadequate berthing space in the lower Columbia Washington ports.

Studies prepared for PGE have indicated this excess demand on the north side of the Columbia is more likely to accrue to lower Columbia River ports in Oregon (i.e. Portland and Astoria) than to Puget Sound ports. The reasoning of such studies is that cargo demand in the lower Columbia region, from either state, would not be likely to shift to Puget Sound due to high costs of shipping by rail or truck from Portland/Vancouver or areas east of the Cascade Mountains to the Seattle-Tacoma area. PGE has therefore projected that the Portland harbor would need an additional 150 acres of marine industrial land by the year 2000 to meet needs that cannot be met on the north side of the Columbia River.

The potential for excess demand from Washington ports to shift to Portland represents a major opportunity for economic development in Portland and the state of Oregon.

(f) Demand for Public Terminals

The projected demand in the Portland harbor for publicly owned marine terminals was the subject of the Port of Portland's Marine Terminals Master Plan. In 1980, the Port of Portland initiated a planning process to formulate a 20-year master plan for developing its facilities. Based on a year 2000 cargo forecast of nearly 23 million tons, a need for a total of 28 berths was projected.

The Port of Portland currently operates 21 berths at five marine terminals; without rehabilitation, however, seven of these are expected to become obsolete in the near future. Although the master plan recommends rehabilitation of these aging berths and more intense utilization of other existing facilities, it has been projected that as many as 10 additional berths may still be required. For public terminals only, the Port expects to require 270 to 350 acres with 7,000 to 9,250 lineal feet of water frontage to accommodate new berths.

The Port estimates that even if all the projected new berths can be accommodated on its property, it will be severely limited in its flexibility to meet future unanticipated needs. Thus, the master plan recommends that the Port set a high priority on acquiring additional land, cautioning that if it "does not act now..land may not be available at the time it is needed." At an average absorption rate of 25 acres per year, the Port will require an additional 500 acres between the years 2000 and 2020.

(g) Summary of Demand

The following table summarizes the total demand in terms of acres of land expected in the Portland harbor by the year 2000.

PROJECTED TOTAL DEMAND FOR ADDITIONAL WATERFRONT  
INDUSTRIAL LAND IN PORTLAND HARBOR - YEAR 2000

<u>Activity</u>	<u>Land Demand (Acres)</u>
Public and private facilities for major commodities	610-650
Private waterfront industries	260
Facilities to meet excess demand from Washington ports	<u>120</u>
TOTAL	990-1,030

(b) WHAT ALTERNATIVE LOCATIONS WITHIN THE AREA COULD BE USED FOR THE PROPOSED USES?

(1) Characteristics of Appropriate Sites

Because of very specific locational requirements, alternative sites for deep-draft marine facilities are limited in number and size and are more costly than the West Hayden Island site.

To be usable as an interchange facility between the land-side transportation system and the oceanside system, land must be adjacent to the 40-foot shipping channel (which extends from the Interstate-5 Bridge to the Broadway Bridge), be served by rail, and have access to the interstate freeway system. The proximity to other shipping facilities and warehouse areas increases the efficiency of handling many cargoes.

(2) Sites Within Portland Harbor

Remaining uncommitted sites within the existing Urban Growth Boundary on the 40-foot channel and served by rail are limited to approximately 315 acres. Approximately 200 acres of such land are owned by the Port of Portland and 115 acres are in private

ownership. The preceding discussion identifies a need for approximately 1,000 acres of additional land for marine industrial uses between now and the year 2000.

(3) Sites in Portland Area Outside Portland Harbor

The only alternative sites potentially available in the Portland area, in addition to the 315 acres available within the Portland harbor, are as follows:

(a) Ross Island. The use of Ross Island for marine industrial purposes would require extensive fill in order to refill the area which has been excavated for gravel production by Ross Island Sand and Gravel Company. Ross Island is considered to be a sensitive environmental area, and it would be difficult to demonstrate that the long-term environmental consequences of development of Ross Island would be consistent with LCDC goals.

Ross Island is not on a 40-foot deep draft river channel. The channel would have to be extended to Ross Island from the Broadway Bridge in Portland. In any event, during high water periods there is insufficient clearance under the Marquam Bridge for ocean-going vessels. Development of Ross Island for marine industrial purposes would also create a need for additional openings of bridges across the Willamette River which provide access to downtown Portland and would thereby increase traffic congestion in the urban area. Ross Island has no existing rail or highway access.

For the foregoing reasons, it is not a reasonable or feasible alternative location for the proposed uses.

(b) The Columbia Community/Government Island Area. Development of such area would require an addition of 10-15 miles of new river channel which would have to be funded and maintained locally unless congressional approval of such funding were approved. Additionally, the Interstate-205 Bridge between Government Island and the mainland is not designed for ship clearance. Avoidance of the low level south channel bridge requires ships to travel upstream in the main channel to the end of Government Island and then return downstream into the channel.

The south channel between Government Island and the mainland is heavily silted in accordance with policies of the U.S. Army Corp of Engineers which are designed to encourage siltation and to direct the water into the north channel to scour that channel and to reduce maintenance costs.

Government Island has no rail or road access.

For the foregoing reasons, such area is not a reasonable or feasible alternative location for the proposed uses.

(c) Sauvie Island. Sauvie Island is on the 40-foot channel of the Columbia River, but is a primary farm unit with predominantly Classes I and II soils. Accordingly, it is zoned for exclusive farm use and is outside the Urban Growth Boundary.

Sauvie Island lacks rail access and highway access and would need major roadway improvements to accommodate truck traffic. The island lacks urban services such as a sewer system, water system, fire protection, etc.

For the foregoing reasons, Sauvie Island is not a reasonable or feasible alternative location for the proposed uses.

(d) Lower Columbia River Sites. Outside the Portland region, alternative locations exist which lack the competitive advantages of West Hayden Island. Port success depends upon a combination of factors which are available to West Hayden Island and are not, in combination, available at any other potential location on the lower Columbia River. As indicated above, such factors include access to rail lines, preferably with competition between at least two railroads, access to freeways providing both east-west and north-south travel, and proximity for barge traffic. No other site on the lower Columbia River has a combination of such attributes as are available at West Hayden Island.

(e) Conclusion. No other sites exist within the Portland region to accommodate the projected demand for marine industrial acreage.

(c) WHAT ARE THE LONG-TERM ENVIRONMENTAL, ECONOMIC, SOCIAL AND ENERGY CONSEQUENCES TO THE LOCALITY, THE REGION OR THE STATE FROM NOT APPLYING THE GOAL OR PERMITTING THE ALTERNATIVE USE?

(1) Environmental Consequences

(aa) Soil Conditions

Hayden Island soils are composed of loosely consolidated river deposits, underlain by consolidated sand and clay sediments of the Troutdale and Sandy River formations. The bedrock is Columbia Basalt. The soils are characterized by generally poor drainage and often a high risk of flooding. All are classified as low yield agricultural Class VI, which are suitable primarily for pasture, range, woodland or wildlife habitat. Although one soil classification, the Pilchuck area of 87 acres, is rated as a



forest site, no Douglas Fir trees are evident on the island. Due to the high seasonal water table and poor drainage, all soils on the western portion of the island are subject to building and septic tank limitations. To prevent any flooding problems, the western portion will need to be filled above the 500 year flood plain elevation.

(bb) Wildlife

No critical fish or wildlife habitat or endangered species have been identified on the island. Several species of fish having some economic or recreational significance may be found in the vicinity of the island. These include white sturgeon, American shad, Coho salmon, Chinook salmon, mountain whitefish, steelhead (rainbow trout), carp, brown bullhead, channel catfish, large mouth bass, white crapee and yellow perch. In addition, an estimated 50-100,000,000 juvenile salmonids migrate past the island each year. It is believed that on an average these fish spend relatively little time in the vicinity of the island.

(cc) Wildlife Habitat

The island contains two densely populated areas of willows and cottonwoods. Shoreline vegetation is sparse, primarily due to the deposit of dredging spoil by the Corps of Engineers. The north shore of the island is not considered to be a valuable habitat for juvenile salmonids. The south shore of the island, with a more steeply sloping beach and substantial shoreline vegetation, does provide a food supply, as well as the shading and cover needed by juvenile salmonids. No significant aquatic resource or permanent wetlands are found in the interior of the

island. The wetlands which do exist on the island would be filled by its development, subject to securing appropriate governmental permits.

Four terrestrial habitats have been identified on the western end of Hayden Island: riparian woodland, meadow, permanent ponds and shoreline. The woodlands and meadows provide habitat for song birds and other non-game animals. The area is not a habitat for endangered species or threatened species.

West Hayden Island is only one of several large undeveloped sites which offer general wildlife habitat in the area. Other nearby water-oriented areas include Sauvie Island, Vancouver Lake, Smith and Bybee Lakes and other Columbia River islands.

(dd) Water Quality

The property has excellent ground water bearing capacity according to the U.S. Geological Survey. Ground water resources are adequate to accommodate the existing residential and industrial development on the eastern portion of Hayden Island on soils with similar composition.

To accommodate urban uses, the western end of Hayden Island would be filled to at least one foot above the 100 or 500 year flood plain elevation, establishing a lower water table. Ground water resources could be protected from contamination through adequate treatment of human and industrial waste. Water quality in the lower Columbia has been classified as good.

All municipal and industrial effluents entering the Columbia River are subject to water quality standards of the State of Oregon as well as specific standards applying to the Columbia

River. The program is administered by the Oregon State Department of Environmental Quality, which would require the property owners to ensure that the physical, chemical and biological properties of effluent are within acceptable limits.

(ee) Air Quality

Hayden Island is located in the Portland Interstate Air Quality Maintenance Area, and DEQ is responsible for enforcing National Ambient Air Quality Standards and other provisions of the Federal Clean Air Act of 1977. Most potential sources of industrial air pollution must obtain an air contaminant discharge permit from DEQ which is reviewed annually. Any new major polluting source would be subject to stringent regulations. Unless the applicant demonstrates that its emissions will not materially damage the quality of the air shed, it must reduce its emissions below the maximum level.

Urban development of Hayden Island is unlikely to affect the region's air quality adversely because air quality regulations and standards are enforced vigorously and advanced technology can ameliorate problems caused by excessive emissions.

(ff) Noise

Approximately 80% of West Hayden Island, and all the eastern portion of the island, are located within the 65 Ldn (day-night noise) contour of the Portland International Airport. DEQ opposes residential development on the western end of Hayden Island within such noise contour.

(gg) Flooding

Nearly all of Western Hayden Island is within the flood-way fringe of the 100 year flood plain of the Columbia River as defined by the Federal Insurance Administration. No part of the island is in the flood-way itself, ie. the area of the channel necessary to carry a regional flood. Federal Insurance Administration regulations permit filling of the island. The U.S. Army Corp of Engineers has indicated that the entire island could be filled to acceptable levels without increasing the flood elevations of the Columbia River.

(hh) Soils

The soils on western Hayden Island are Class VI, and therefore are not agricultural lands as defined by LCDC Goal 3.

(2) Economic Consequences

The Portland harbor is at the hub of the Portland metropolitan regional economy, facilitating the international trade of domestically produced goods and the importation of vital consumer goods and raw materials.

The economic benefits of port facilities and water-dependent industrial development are significant for the state and metropolitan region. In 1980, a total economic impact exceeding \$1.2 billion was attributed to the activities of the publicly-owned Port of Portland; this does not include the effect of the more than 40 private businesses which operate dock facilities in the harbor. In addition, Port activity generated directly or indirectly over 34,000 jobs statewide; more than one-third were filled by Multnomah County residents. By the year 2000, total

economic benefits are expected to exceed \$3 billion (1981 dollars) with employment at 76,800. More than 2,000 of these jobs of these can be accommodated at Hayden Island.

This growth cannot occur without sufficient marine industrial land which meets proper size and other characteristics. Land to accommodate new waterfront activities is important to the future of port activities in the region. In recognition of this fact, the Port of Portland, which owns 72% of all vacant deep-draft waterfront property within the regional Urban Growth Boundary, has established the acquisition of additional property as one of its most important long range goals. Development of West Hayden Island for marine industrial purposes would result in the addition to the economy of numerous high quality, high paying jobs and would indirectly result in substantially greater numbers of jobs in the community.

Because of its lengthy shoreline on both the Oregon Slough and main channel of the Columbia, and its proximity to the harbor, western Hayden Island is the most suitable site for water-dependent industrial and marine terminal expansion within the region. Thus, inclusion of the island within the regional UGB and its designation for future urban development will result in positive economic growth. In addition, proposed marine industrial development would add to the growth and diversification of markets for Oregon and Pacific Northwest products.

### (3) Social Consequences

Development of West Hayden Island could have some adverse impacts on North Portland, resulting from some increased traffic on neighborhood streets and some increased dust and noise.

Two houseboat moorages are located across the Oregon Slough from West Hayden Island in an industrially zoned area, within the area considered to be a part of the working harbor. (See Exhibit 20.) Development of West Hayden Island would alter the views from such houseboats.

### (4) Energy Consequences

There are no indigenous energy sources on the western portion of Hayden Island, with the possible exception of bio-mass (the cultivation of wood fibre for fuel production). There is little commercial potential on the island for large-scale production.

Development of West Hayden Island for marine industrial uses would maximize opportunities for use of water transportation in moving bulk cargoes. This water transportation of cargoes is the most energy efficient manner of moving bulk products. Expansion of the Portland harbor, which has access by barge to the inland empire as well as access to freeways and rail systems, would expand an opportunity to use an energy efficient mode of transportation. The proximity of West Hayden Island to Rivergate and other harbor facilities is also a factor allowing efficient use of energy.

(d) A FINDING THAT THE PROPOSED USES WILL BE COMPATIBLE WITH OTHER ADJACENT USES

The West Hayden Island area is surrounded by marine industrial uses similar in most cases to the uses which would be developed on the island. The Rivergate industrial district to the south and the Port of Vancouver to the north are heavy marine industrial and terminal uses. To the east is a railroad embankment and behind that are light industrial and warehouse uses separating West Hayden Island from the commercial and residential uses on East Hayden Island.

The houseboat moorages on the south bank of the Oregon Slough near the Burlington Northern Railroad Bridge already exist as non-conforming uses in an area zoned and developed for industrial uses. Although the proposed development of West Hayden Island for marine industrial uses is an apparent conflict with houseboat moorages, the location of such moorages in an area already zoned and used for industrial purposes indicates that the uses are not entirely incompatible.

7. Criteria of LCDC Goal 14

(a) DEMONSTRATED NEED TO ACCOMMODATE LONG-RANGE URBAN POPULATION GROWTH REQUIREMENTS CONSISTENT WITH LCDC GOALS

According to the Marine Terminals Master Plan (prepared for the Port of Portland, 1980), and the Oregon Ports Study (prepared for the State Department of Economic Development and LCDC, 1980), there will be significant increases of cargo for many commodity types (midwest grain, liquid and dry cargoes) in the Portland harbor by the year 2000.

According to the Oregon Ports Study, exports (short tons) from the Portland harbor will increase 100 percent between 1977 and 2000. Imports will increase by 175 percent and total cargo volume by 119 percent during this time.

The Port of Portland's Marine Terminals Master Plan, year-2000 cargo forecast shows a threefold increase over 1979.

According to the Oregon Ports Study, 610-650 acres of waterfront industrial land, suitable for new deep draft marine industrial development (primarily public), with 16,750 to 19,000 lineal feet of waterfront will be necessary in the Portland area to accommodate anticipated year-2000 commodity-flow increases.

According to research conducted by Cogan & Associates as part of this application, 260 acres with 6,000 lineal feet of waterfront will be needed by the year 2000 to accommodate additional private waterfront industrial land needs in the Portland area.

According to the Port System Study for the Public Ports of Washington State (1980), the lower Columbia River ports of Vancouver, Kalama and Longview face a shortage of 6,750 lineal feet of waterfront and 195 acres of backup land needed to accommodate anticipated growth. While this excess demand is allocated in the study to Puget Sound, it is likely to accrue to Oregon ports (Portland and Astoria) due to the high costs of shipping by rail or truck from the lower Columbia River or areas east of the Cascade Mountains to the Seattle-Tacoma area. Portland is likely to capture 120 to 150 acres and 3,750 lineal feet of such demand, with the remaining demand captured by the Port of Astoria.



Projected total demand for additional waterfront industrial land in the Portland harbor is 1,020 to 1,050 acres. There is a demand for 26,500 to 28,750 lineal feet of waterfront industrial lands.

In addition, there may be a need for an additional 135 acres to accommodate heavy industry relocation and additional storage sites for the gravel industry and 250 acres to assure reasonable market prices and site diversity. In such case the total anticipated demand would be increased to approximately 1,400 acres.

There are 215 vacant industrial acres, with less than 11,400 lineal feet of waterfront available and developable in the Oregon portion of the Portland metropolitan area in public and private ownership. The unmet demand for waterfront industrial land is approximately 822 to 872 acres; the unmet demand for waterfront lineal feet is 15,100 to 17,350 feet.

The western portion of Hayden Island could supply approximately 586 acres of waterfront industrial and associated user gross acres. In addition, this area has approximately 20,000 usable lineal feet of shoreline along the Columbia River and Oregon Slough. Approximately 236 to 287 acres would remain in unmet demand.

Taking the above figures to their logical conclusion, West Hayden Island is needed acreage for terminals and industries which must locate on the waterfront and for supportive uses needed by the waterfront firms and terminals.

According to the Oregon Ports Study, the lower Columbia River region ports of Astoria, St. Helens and Portland have the

greatest opportunity for harbor expansion in the state. Most of the 770 acres (22,750 lineal feet) of waterfront industrial land needed to accommodate the demand for new deep draft port facilities within the Portland region by the year 2000 will accrue to Portland. The Port of Astoria will capture 120 to 160 acres (3,750 to 6,000 lineal feet). The Port of St. Helens will not meet any of the projected demand; they do not have Astoria's proximity to the mouth of the Columbia River. Demand not met by St. Helens will likely accrue to Portland rather than Astoria due to Portland's superior international transportation network.

Other ports in the lower Columbia River region do not have Portland's superior international system of transportation, which includes two interstate highways and an international airport. In addition, Portland is an interchange point for three international railroads and is the center of an inland river system. The river level barge, rail, and highway routes from the inland United States to Portland result in lower transportation costs.

Existing vacant waterfront industrial land in the Portland harbor totals 686 acres. Of this, 371 acres are constrained or not available. (Of the remaining 315 acres, 100 acres are committed to the development of a coal facility.) Existing uncommitted and undevelopable industrial waterfront acreage in the Urban Growth Boundary may, in the future, be available to meet some of the unmet demand, but the resulting reduction in total demand would be minimal.

(b) NEED FOR HOUSING, EMPLOYMENT OPPORTUNITIES, AND

LIVABILITY

The Metro Industrial Lands Market Assessment forecasts an employment range for the Portland metropolitan area of between 825,000 to 1,050,000 jobs by the year 2000. Marine industry provides high quality employment opportunities and has positive secondary effects upon the economy. There is presently an inadequate supply of suitable waterfront industrial land in the Portland area to meet the demand for marine industrial uses by the year 2000. Expansion of the Urban Growth Boundary would therefore allow the creation of employment opportunities which could not be created on land presently available within the Urban Growth Boundary.

Full development of West Hayden Island is expected to generate between 1,438 and 2,488 new jobs on the island. Additional employment opportunities would be created and development of the island would generally stimulate Oregon business and provide a diversification of markets for Oregon and Pacific Northwest products. The improvement of the Portland port's competitive position vis-a-vis other West Coast maritime facilities would help create employment opportunities throughout the Portland region.

(c) ORDERLY AND ECONOMIC PROVISION FOR PUBLIC FACILITIES

AND SERVICES

(1) Availability of Basic Services

The eastern portion of Hayden Island has a full range of urban services, while there are few urban services and facilities

on the western part of the island. Services available on the eastern portion of Hayden Island have been developed by Hayden Island, Inc. through contracts with Multnomah County, the City of Portland, private entities and special service districts. Multnomah County regulations will ensure that no development of western Hayden Island would occur without proper services. The Applicant has demonstrated that a full range of services could be provided to western Hayden Island.

The alternative methods available to provide such services would be (a) to develop independent systems similar to those serving East Hayden Island, (b) to hook into and expand East Hayden Island facilities, or (c) to receive services from the City of Portland. Multnomah County has required that the owner/developers of the property shall provide financing for services.

Electrical service to East Hayden Island is provided by PGE from a substation on the western portion of the island. Electrical service to the western portion of the island would be available by extension of transmission lines from the eastern portion of the island. Northwest Natural Gas Company supplies gas to the eastern portion of the island through a pipeline under the Interstate-5 Slough bridge. Such a line could be extended to West Hayden Island.

Water for fire protection and other uses on the eastern portion of Hayden Island is supplied from two wells. The water bearing characteristics of the western portion of Hayden Island suggest that adequate well water is available in such area.

The eastern portion of Hayden Island has its own sewage treatment facilities, and storm sewer run-off is discharged directly into the Columbia River. The western portion of Hayden Island could either expand and utilize treatment facilities existing on the eastern portion of the island, or could construct similar facilities on the western portion of the island, or could connect to sanitary sewer lines in the City of Portland.

## (2) Transportation

The Multnomah County Growth Management Policy requires the property owners to provide on-site transportation facilities as well as a detailed transportation program to address off-site transportation impacts prior to the granting of a zone change.

The traffic generation caused by development of West Hayden Island will be low. It is estimated that the total peak period traffic leaving the west end of the island during the afternoon peak hour will be approximately 560 cars based on 1.5 employees per acre for marine industrial development and 8 employees per acre for supporting uses.

The Applicants have made detailed analyses of traffic projections, roadway capacities and distribution of traffic among roadways. The proposed development of West Hayden Island can be accommodated by the existing roadway system, with some modifications or additions and with the operation of a shuttle bus service for commuters to the island from Vancouver, Washington.

During the peak commuting hours, a high range of employment could cause some sections of the surrounding street systems to reach saturation by the year 2000. An employment intensity less

than the high range could be accommodated without causing a saturated flow condition during peak hours.

The following specific proposals have been made by the Applicant and approved in concept by Multnomah County to accommodate the proposed development and alleviate potential traffic difficulties: (a) the construction of a new bridge over the Oregon Slough to connect the western portion of Hayden Island to North Portland Road; (b) connection of the western portion of Hayden Island to the eastern portion with a two-lane industrial roadway; (c) reduction of peak period traffic by developing a transportation program which would utilize transit, carpooling, vanpooling and flexible work schedules; and (d) the widening of North Portland Road to two lanes in each direction at the intersection with a new access to the Rivergate Industrial district if this roadway intersects North Portland Road at grade.

The Oregon Slough bridge project, which includes widening the bridge to four lanes in each direction, is scheduled for construction by the Oregon State Highway Division between 1984 and 1988. The state also plans to restripe Interstate-5 to six lanes in the vicinity of the Portland Boulevard interchange. The opening of Interstate-205 and the interstate bridge are expected to decrease traffic volumes on Interstate-5, but such traffic is projected to increase again to present levels between 1995 and 2000. The ability of Interstate-5 to accommodate projected traffic depends upon the completion of certain projects which have been committed by the Oregon Department of Transportation and Metro.

The ramp metering system currently installed in Interstate-5 will help to protect and maintain the capacity of the freeway. That capacity would also be maintained by a privately funded shuttle park and ride system between Hayden Island and Vancouver upon development of West Hayden Island, as proposed by the Applicants. A shuttle system between Hayden Island and Clark County would need to accommodate approximately 130 trips across the Interstate-5 bridge in the northbound direction during the afternoon peak hour. Clark County transit currently has an active park and ride program, which would also help alleviate traffic congestion on Interstate-5.

Traffic difficulties on Interstate-5 are a regional problem and exist with or without the approval of the proposed Urban Growth Boundary amendment. Specific solutions to those problems must be addressed, independently of this Application, prior to the time West Hayden Island would be developed for marine industrial purposes. The Multnomah County Growth Management Policy will assure that traffic problems generated by development of West Hayden Island will be addressed by Multnomah County prior to rezoning of the property for marine industrial purposes.

(d) MAXIMUM EFFICIENCY OF LAND USES WITHIN AND ON THE FRINGE OF THE EXISTING URBAN AREA

West Hayden Island was included in the early Rivergate plans as a major "multi-modal freight interchange" and was estimated in 1965 to be needed for marine industrial purposes by the 1980's. The existing available supply of marine industrial land in the Portland harbor is limited. Newly constructed facilities today

would have to be cramped and fitted together on smaller than optimum sites. This condition weakens Portland's competitive position for new developments.

The analysis of the demand for marine industrial land and the supply of such land in the Portland harbor indicates that it is likely that the entire supply of land for marine industrial purposes will be absorbed within a few years. Because of the value and the scarcity of waterfront industrial land there has been little waste of this land in the Portland harbor. The Port of Portland has followed a policy of leasing rather than selling its land since the early 1970's, and has thereby contributed to the efficiency of the Portland harbor by limiting non-waterfront uses of the land.

Within the existing harbor, the development of West Hayden Island would constitute in-fill and orderly expansion within the urban area, rather than development of isolated facilities on the urban fringe.

The shape of West Hayden Island, which is a long, relatively narrow island, is ideal for marine industrial development. By planning a road and railroad down the center of the island as is planned and as is feasible, there will be approximately 1,500 to 2,000 feet of site depth on each side. This will maximize the ratio of "lineal feet of frontage" to "acres developed." It will also lend itself to efficient provision of other services such as sewer and water.

(e) ENVIRONMENTAL, ENERGY, ECONOMIC AND SOCIAL CONSEQUENCES

See discussion in paragraph 6(c) above.



(f) RETENTION OF AGRICULTURAL LAND AS DEFINED, WITH CLASS I BEING THE HIGHEST PRIORITY FOR RETENTION AND CLASS VI THE LOWEST PRIORITY

Soils on West Hayden Island are Class VI, and therefore are not agricultural lands within the definition of LCDC Goal 3. The current use of the island is for grazing of livestock, which is a low intensive agriculture use. The land is leased to the Portland Livestock Company, which grazes livestock for short periods of time as part of the operation of the Portland stockyards. At the present time, the lease rate is \$6,000 per year, while the property taxes are between \$8,000 and \$9,000 per year.

(g) COMPATIBILITY OF THE PROPOSED URBAN USES WITH NEARBY AGRICULTURAL ACTIVITIES

The closest agricultural land to West Hayden Island is on Sauvie Island, which is two miles downstream on the Columbia River. Expansion of the Urban Growth Boundary to permit marine industrial uses on West Hayden Island would have no effect on agricultural activities on Sauvie Island.

8. Remaining LCDC Goals

(a) GOAL 1 - CITIZEN INVOLVEMENT

See the discussion in paragraph 3(c) above. In addition to citizen involvement in contacts by the Applicants with more than 64 individuals, 22 public agencies, 19 private groups and interest concerning the project, and in addition to public hearings held by the Multnomah County Planning Commission, Multnomah County Board of Commissioners and Metro, development of the property will require an extensive series of public hearings and approvals

in the future, which are described in paragraph 3(g) above, and which will ensure continued involvement by citizens prior to development of western Hayden Island.

(b) GOAL 3 - AGRICULTURAL LANDS

The lands on West Hayden Island are not agricultural lands because (i) the soils are Class VI rather than Classes I-IV and (ii) the lands are not suitable for farm use because of low soil fertility and flooding. However, even if the lands were considered to be agricultural lands, an exception to the application of LCDC Goal 3 would be justified by a determination that compelling reasons and facts for expansion of the Urban Growth Boundary are set forth in paragraph 6 above.

(c) GOAL 4 - FOREST LANDS

The lands on West Hayden Island are not forest lands because they are not suitable for commercial forestry production, they are not needed for a wildlife habitat or recreation, and they are not substantially forested.

Most of the soils on the site are not rated for forest growth purposes by the U.S. Soil Conservation Service, with the exception of the Pilchuck sand category, which is rated as Douglas Fir site Class IV. The other soils on West Hayden Island are not rated for forest growth purposes because they are not used to any extent for commercial forest growth. The ratings of the soils are an indication of a difficult growing environment.

The retention of the SEC overlay zone by Multnomah County will allow the mitigation of some loss of visual buffers, fisheries and wildlife habitat and recreational use of West Hayden Island.

Existing stands of black cottonwood, willow and Oregon ash on West Hayden Island are not being managed for forest production because the cost of managing the site for forest products far exceed the returns which could be realized. Because of the poor productivity of soils on West Hayden Island and the limited size of less than 700 acres, economic feasibility of long-term forest production is limited.

Although there are some cottonwood trees on West Hayden Island, the market for cottonwood is speculative, as demand fluctuates significantly. There is no reliable market for cottonwood at the present time. Also, no market exists for willow or ash, also existing on the island, except for use as fire wood.

(d) GOAL 5 - OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

Western Hayden Island is not a unique natural area. There are no known accessible mineral and aggregate resources on the island. There are no indigenous energy sources, with the possible exception of bio-mass which is not a feasible long-term use of the site.

Western Hayden Island hosts a wide range of common animal species, but none is considered endangered and all are found elsewhere in the region. It is not an important migratory water-fowl habitat. Development of the western portion of the island can occur without endangering the fish habitats in the Oregon Slough and main channel of the Columbia River.

No ecologically and scientifically significant natural areas, wilderness areas or historic and cultural sites have been identified on western Hayden Island. There are no potential state recreational trails or federal and state scenic waterways on the island.

Multnomah County has designated West Hayden Island as an area of Significant Environmental Concern, which will help to assure that development of the island will proceed with sensitivity toward the need for open space and scenic views.

(e) GOAL 6 - AIR, WATER AND LAND RESOURCE QUALITY

All municipal and industrial effluent entering the Columbia River are subject to the water quality standards of the state and to standards which apply specifically to the Columbia River. The Department of Environmental Quality grants permits for major discharge sources; applicants are required to ensure that the physical, chemical and biological properties of effluent are within acceptable limits.

Development of western Hayden Island for marine industrial uses is unlikely to adversely affect the region's air quality because of the strict enforcement of air quality regulations and standards by the Department of Environmental Quality and because of advanced technology which can ameliorate problems caused by excessive omissions.

Multnomah County will seek to prohibit the development of noise sensitive uses within the 65 dba contour, which is a noise impact boundary established by the City of Portland with the

cooperation of the Port of Portland. Property used for marine industrial purposes is not considered to be noise sensitive.

(f) GOAL 7 - AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

Western Hayden Island is located within the floodway fringe of the Columbia River. Before urban development can occur it will be necessary to add fill to the island to the 100 to 500 year flood level. The east end of the island has been filled and is presently intensively developed with residential, commercial and industrial uses.

Because of its location in the Columbia River, the western portion of the island is subject to a seasonal high water table. However, filling the island several feet will in effect lower the water table and ameliorate these problems.

The western portion of the island is not subject to other natural hazards such as earthquakes and landslides.

(g) GOAL 8 - RECREATIONAL NEEDS

Although western Hayden Island is appropriate for water-related recreational activities, no public jurisdiction has indicated an interest in acquiring the land from the private owners. Multnomah County's marine transportation policy includes a strategy for looking at the needs of recreational boaters.

Other sites, such as Smith Bybee Lake, the Columbia River shoreline from N.E. 33rd to the Sandy River, Oaks Bottom, Ross Island and Vancouver Lake are better suited to meet most recreational needs.

(h) GOAL 9 - ECONOMY OF THE STATE

The development of western Hayden Island for marine industrial purposes would help to meet the documented year 2000 need for additional waterfront acreage in the Portland harbor. Development would also result in approximately 1,400 to 2,400 new jobs locally, and would increase the diversity of waterfront industrial properties in the Portland metropolitan area's vacant industrial land inventory. The proposed marine industrial development would also add to the diversification of markets for Oregon and Pacific Northwest products.

Adequate land for marine terminals is necessary for the health of the regional economy and should be provided for inside the Urban Growth Boundary. There are no alternative locations in the Portland metropolitan area which can provide the combination of rail, highway and deep-water channel transportation opportunities needed for a marine terminal. By providing additional land needed for the expansion of marine terminal facilities, inclusion of Hayden Island in the Urban Growth Boundary would provide direct employment opportunities and facilitate the general growth of the region's economy.

(i) GOAL 10 - HOUSING

The western Hayden Island area is currently in a natural state and is surrounded by urban industrial uses. It is not needed within the Urban Growth Boundary for residential purposes. Because it is in the 65 dba noise level, the Department of Environmental Quality opposes residential development of the

western portion of the island. In addition, noise sensitive uses, such as housing, are not encouraged by Multnomah County.

There is adequate land for residential uses elsewhere in the Portland-Vancouver metropolitan area as well as other sites for houseboat expansion. Any need which exists for additional houseboat moorages is outweighed by the need for additional marine industrial lands within the Urban Growth Boundary.

(j) GOAL 11 - PUBLIC FACILITIES AND SERVICES

Inclusion of the western portion of Hayden Island in the regional Urban Growth Boundary would permit Metro, the City of Portland and Multnomah County to include the area in orderly planning processes for future provision of urban services and facilities.

Police, fire, sewer, and water service can be provided by a number of possible providers, some of which already provide service on the eastern portion of the island.

The Applicants have committed to Multnomah County to provide transportation investments needed to serve Hayden Island development and to mitigate the impacts of development on the regional transportation system. The nature, timing and financing of these improvements will be decided at the time development occurs on the island. The provisions of Multnomah County Ordinances 333, 334 and 335, as well as the subsequent land use and permitting processes which are required of the Applicants, assure that there will be orderly and economic provision of transportation facilities prior to development of the western portion of Hayden Island.

(k) GOAL 12 - TRANSPORTATION

The proposed use of western Hayden Island for deep-draft marine industrial purposes meets the requirements of this Goal by supporting a transportation mode that facilitates the flow of goods and services so as to strengthen the local and regional economy.

As described above, additional impacts on the existing roadway systems surrounding the island will be considered as a condition of approval of zoning by Multnomah County. The Applicants will be required by Multnomah County to provide a traffic management program prior to development, and to provide for alternative modes of transportation that will substantially limit any impacts of development on the existing roadway system. In addition, it will be the responsibility of the Applicants' future owners to provide transportation facilities needed for development, including a second bridge across the Oregon Slough and an industrial road connecting the eastern and western portions of the island.

The north shore of western Hayden Island contains 12,000 lineal feet of usable shoreline with access to the authorized 40-foot navigational channel which extends to the Interstate-5 bridge. An additional 5,000 lineal feet of the island are located on the 40-foot channel which extends into the Oregon Slough. The remainder of the southern shore is located on the 20-foot channel and is accessible by barge.

The western portion of Hayden Island has access to the Burlington Northern Railroad line which operates a double track



mainline traversing the island and which could provide access for both Union Pacific and Burlington Northern, providing a marketing advantage over comparable sites in the lower Columbia River. Its proximity to the interstate highway system and international airport are additional transportation advantages.

(1) GOAL 13 - ENERGY CONSERVATION

Predominant marine industrialization of the western portion of the island would promote water-borne commerce for the region and the state. This would use the water, highway and rail transportation systems available to the area.

Development of the island would create new jobs in proximity to a large labor pool residing in North and Northeast Portland and East Multnomah County and would thereby reduce work-related fuel consumption. Transit service is available to the eastern portion of the island and could be readily extended to the western portion of the island.

Proximity of West Hayden Island to major facilities of the Port of Portland at Rivergate permit potential development of joint use facilities, reducing needless duplication.

(m) GOALS 15-19

Western Hayden Island does not lie within the boundaries of the Willamette River Greenway, so it is not subject to the requirements of Goal 15. The island is not located in an estuarine or coastal area, so development is not required to comply with Goals 16-19.

STAFF REPORT

Agenda Item No. 7.1

Meeting Date April 7, 1983

CONSIDERATION OF RESOLUTION NO. 83-396 FOR THE  
PURPOSE OF AMENDING THE FEDERAL AID URBAN (FAU)  
BOUNDARY TO INCORPORATE THE ADDITION OF WESTERN  
HAYDEN ISLAND TO THE URBAN GROWTH BOUNDARY (UGB)

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Date: March 24, 1983

Presented by: Andy Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Metro's adopted FAU Boundary is used in the administration of federal transportation funding received by the metropolitan area and for establishment of functional classification of streets and their federal aid route numbers.

Resolution No. 83-392 revised the pre-existing FAU Boundary to coincide as closely as possible with the UGB. The intent was to ensure that funding policies would be consistent with land use policies and to use the UGB amendment process as the policy focus on where urban land is needed. Under this process, changes to the UGB will call for corresponding changes to the FAU Boundary.

With the inclusion of Western Hayden Island into the UGB through Metro Ordinance No. 83-151, corresponding changes to the FAU Boundary are required. Exhibit 'A' depicts these necessary changes.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of the attached Resolution.

COMMITTEE CONSIDERATION AND RECOMMENDATION

BP/srb  
8131B/283  
03/28/83

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE ) RESOLUTION NO. 83-396  
FEDERAL AID URBAN (FAU) BOUNDARY )  
TO INCORPORATE THE ADDITION OF ) Introduced by the  
WESTERN HAYDEN ISLAND TO THE )  
URBAN GROWTH BOUNDARY (UGB) )

WHEREAS, The FAU Boundary encompasses transportation funding eligibility, street classification and route designations for the metropolitan area; and

WHEREAS, Through Resolution No. 83-392, the Metro Council adopted an FAU Boundary closely aligned with the UGB; and

WHEREAS, Changes to the UGB will require corresponding changes to the FAU Boundary; and

WHEREAS, Through Ordinance No. 83-151, Western Hayden Island was added to the UGB; now, therefore,

BE IT RESOLVED,

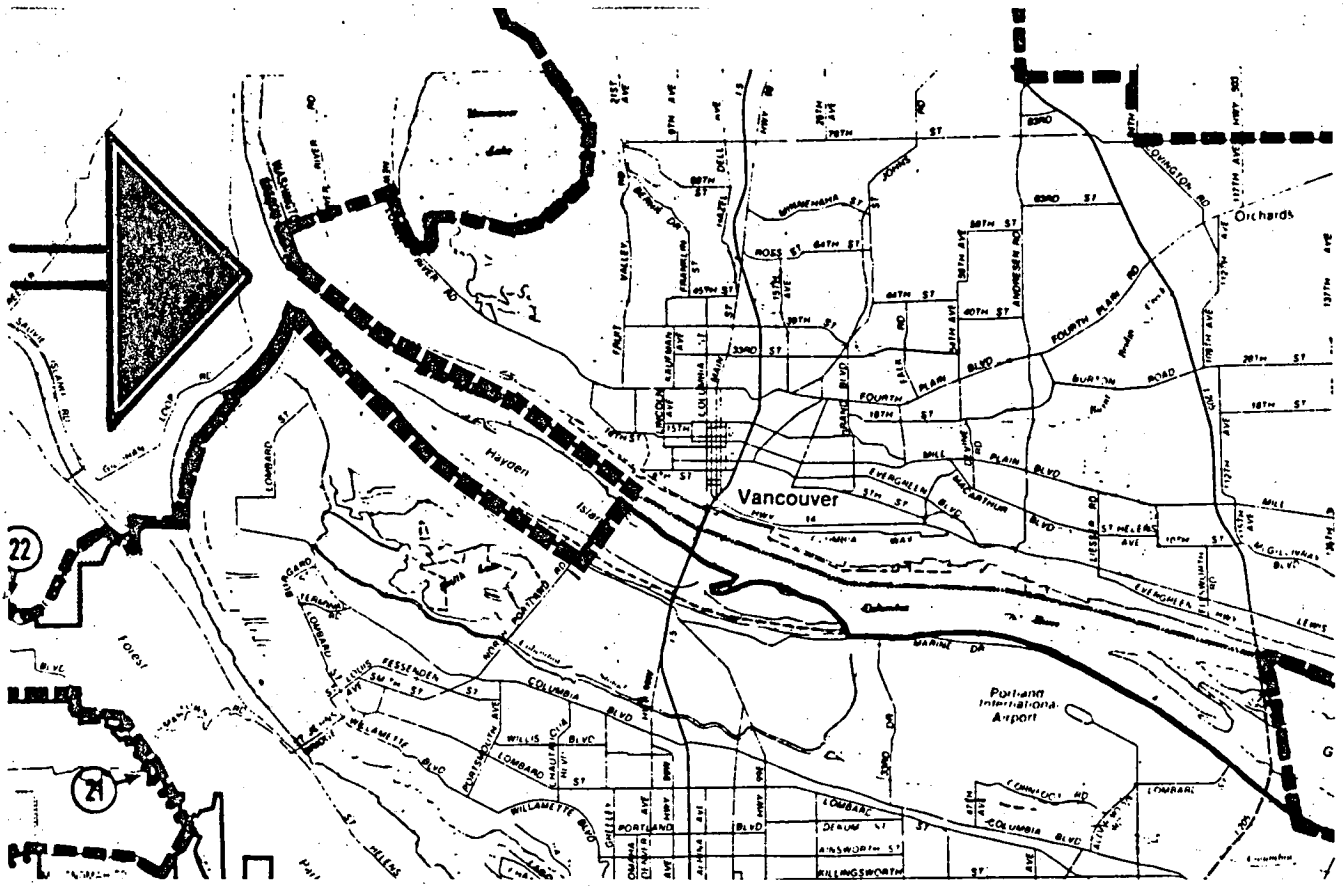
1. That the Metro Council amend the FAU Boundary as shown in Exhibit 'A.'
2. That Metro staff coordinate the amendment with the Oregon Department of Transportation.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

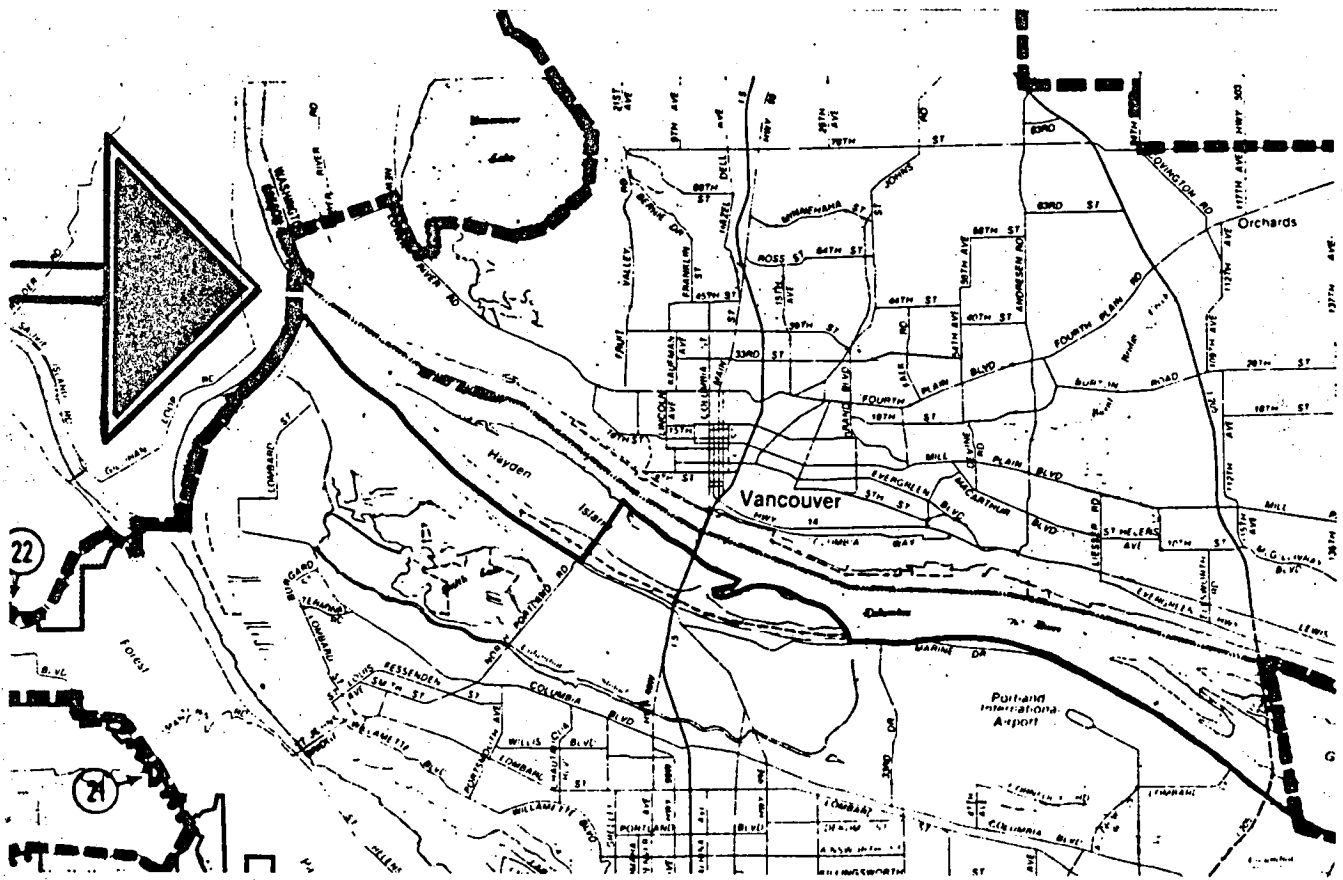
\_\_\_\_\_  
Presiding Officer

BP/srb  
8131B/283  
03/28/83

EXISTING FEDERAL AID URBAN BOUNDARY



PROPOSED FEDERAL AID URBAN BOUNDARY



STAFF REPORT

Agenda Item No. 7.2

Meeting Date April 7, 1983

CONSIDERATION OF RESOLUTION NO. 83-397 FOR THE  
PURPOSE OF CREATING A MINORITY BUSINESS ENTERPRISE  
(MBE) POLICY REVIEW COMMITTEE AND CONFIRMING  
APPOINTMENTS THERETO

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Date: March 29, 1983

Presented by: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

On March 24, 1983, the Council voted to approach the review of Metro's MBE policy as recommended by Donald E. Carlson and Ray Barker in a memo to Council dated March 24, 1983 (see attached memo).

Included in the recommendation was the creation of a committee to review MBE policy; provisions that the Council Coordinating Committee review the work of the MBE committee, distribute drafts of the recommended policy to the minority business community, conduct a public hearing and make its own recommendations to Council. These recommendations are reflected in the proposed resolution.

EXECUTIVE OFFICER'S RECOMMENDATION

Recommend adoption of Resolution.

COMMITTEE CONSIDERATION AND RECOMMENDATION

Not applicable.

RB/gl  
8165B/283  
3/30/83



METRO

**METROPOLITAN SERVICE DISTRICT**

527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

**MEMORANDUM**

Date: March 24, 1983

To: Metro Council

From: Donald E. Carlson, Deputy Executive Officer,  
and Ray Barker, Council Assistant *MB*

Regarding: Suggested Approach for Review of MBE Policy *DE*

Recognizing the need to review Metro's Minority Business Enterprise (MBE) Policy and the Council's concerns that this work begin as soon as possible, we recommend the following approach:

1. Proceed immediately. Request Andy Jordan to draft a recommended MBE policy to present to a Council-appointed committee for review and consideration. Having General Counsel prepare the initial draft would give the committee a "rolling start." Andy is already familiar with the problems we have encountered with the existing MBE policy and is aware of some potential problems. He can draft the policy to avoid these problems and provide some excellent direction for the committee.
2. Council to appoint an ad hoc committee to review MBE policy and make recommendations to Council. The committee should include the following: a Metro Councilor to serve as chairperson; a representative from the National Business League (NBL), the Hispanic Community (COSSPO), Associated General Contractors (AGC), the head of another public body's MBE program (Portland or Multnomah County), and a member of the Metro staff (Kay Rich). Sue Klobertanz would be assigned to be primary staff for the Committee.
3. The MBE committee to meet in April as soon as the policy draft is completed by General Counsel.
4. The MBE committee take whatever time is necessary to recommend a good policy and submit its recommendations to the Council Coordinating Committee for initial review at the regular meeting on May 16. Drafts of the recommend policy should be widely distributed to the minority and construction community for possible input.
5. The Council Coordinating Committee to conduct a public hearing on the proposed MBE policy on June 13 (regular

Memorandum  
March 24, 1983  
Page 2

meeting date). Should additional work need to be done or revisions made the Coordinating Committee might take whatever time and actions are necessary to incorporate changes.

6. The Council Coordinating Committee submits its recommendations to the Metro Council in time for the June 23 Council meeting or the next possible Council meeting as the case may be.

DC/RB/srb  
8127B/D4

cc: Andy Jordan

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CREATING A ) RESOLUTION NO. 83-397  
MINORITY BUSINESS ENTERPRISE POLICY) )  
REVIEW COMMITTEE AND CONFIRMING ) Introduced by Presiding  
APPOINTMENTS THERETO ) Officer Cindy Banzer

WHEREAS, The minority business community has expressed concerns regarding Metro's Minority Business Enterprise (MBE) policies, and have requested revisions to these policies; and

WHEREAS, The Metro Council recognizes that existing MBE policies have been at issue when awarding construction contracts; and

WHEREAS, The Metro Council has expressed a need to review existing MBE policies and on March 24, 1983, indicated its intention to form a committee to review MBE policies; now, therefore,

BE IT RESOLVED,

1. That the Metro Council hereby creates an ad hoc committee to review Metro's existing MBE policies.
2. That the Committee shall be known as the MBE Policy Review Committee.

3. That the Committee shall be comprised of the following individuals representing the following organizations:

Councilor Gary Hansen, Metro (Chairperson)  
Charles Crews, National Business League  
Grace Gallegos, IMPACT  
Ron Anderson, Associated General Contractors  
Don Matsuda, Small Business Administration  
Charlie Graham, City of Portland, MBE Program  
Kay Rich, Metro Staff

4. That the MBE Committee shall review Metro's MBE policies and make recommendations for improving said policies.



5. That the MBE Committee shall submit its recommendations to the Council Coordinating Committee for initial review.

6. That the Council Coordinating Committee shall seek additional input from the minority business community and shall hold at least one public hearing.

7. That the Council Coordinating Committee shall submit its recommendations to the Metro Council.

8. That the MBE Policy Review Committee shall be dissolved upon the adoption of revised MBE policies by the Metro Council.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
Presiding Officer

CB/gl  
8165B/283  
3/30/83