

**MINUTES OF THE METRO COUNCIL
NATURAL RESOURCES COMMITTEE**

Wednesday, May 15, 2002
Council Chamber

Members Present: Susan McLain (Chair), Carl Hosticka (Vice Chair), Bill Atherton, David Bragdon, Rod Park

Members Absent: None.

At the Chair's request, Brad Ostapkowicz and Gretchen Fruhwirth introduced themselves to the committee. They are interns who will be working with the Outreach and Legislative staff and the Council, helping out for the summer with some projects.

Chair McLain called the meeting to order at 1:06 p.m.

1. Consideration of the Minutes of the May 1, 2002 Natural Resources Committee Meeting

Motion:

Councilor Hosticka moved to adopt the minutes of the May 1, 2002 Natural Resources Committee regular meeting.

Vote:

Councilors Atherton, Hosticka, Park and McLain voted to adopt the minutes as presented. The vote was 4 aye/ 0 no/ 0 abstain and the motion passed. Councilor Bragdon was absent from the vote.
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2. Resolution No. 02-3176, For the Purpose of Adopting a Draft Map of Regionally Significant Fish Habitat Pursuant to Resolution No. 01-3141C

Mark Turpel, Long Range Planning, presented the resolution. He said it was intended to address concerns of the Council from an earlier resolution, including how developed floodplains were addressed, mapping of areas outside the jurisdictional boundary, and how organic materials are dealt with. He noted there would be no final action taken on the maps until after the ESEE analysis and program steps were completed. Chair McLain clarified that if the committee and the council and the advisory groups approved, this would be the map used for the ESEE analysis.

Paul Ketcham, Long Range Planning, reviewed the major features of the regional maps depicting the five functional criteria for the riparian corridors and the summary map of the five functions. He also reviewed the prior version of the Hillsboro-Linnton quadrangle map and compared it to the new version. Councilor Park commented that Senate Bill 1010 did not allow runoff into the streams, yet now for Goal 5 purposes, it seemed they were mapping to put it in. Mr. Ketcham responded that they were looking at the organic contribution of plant material and mapping areas of land cover in the landscape that provided a positive contribution to aquatic ecosystems. Mr. Turpel added that there were a number of ways natural organic material entered the streams, wind, insects, etc., and that natural vegetation was beneficial to the stream and the wildlife that used the streams. Mr. Ketcham said work had been completed on quantitative data to present to the Goal 5 TAC which said how many acres of riparian corridor there were per resources site within the region and how they scored, as well as a table of developed floodplains by resource site. Councilor Hosticka commented on the dramatic effect going a mile outside of the jurisdictional boundary

in the new mapping had. He noted that some streams might not appear as important as they did when seen in total context. He asked if that had any significance to the alternatives analysis. Mr. Turpel replied that they had given the data to the folks working on the periodic review, and it was his understanding that it was simply an inventory showing how many acres were included in each percentage for each study area. Councilor Park asked if there would be a reduction in productivity of those areas after the Goal 5 program was put in place that would require some type of adjustment. Ken Helm, Senior Assistant Counsel, said DLCD had said previously that unless there was an ordinance setting specific corridors that we could not estimate the amount of land that might be needed for an ordinance that might be adopted in the future. Councilor Park said Mr. Benner had suggested that under Title 11 authority, Metro had the ability to condition those areas. Mr. Helm said there was some time to work out how the protections could occur, and planning needed to take place before urbanization was allowed. He felt a small vulnerability could occur during the period of time between the potential UGB expansion in some areas and the time that the Goal 5 program was adopted when local governments still had the ability, under their own codes, to amend their comprehensive plans or respond to rezoning requests. He said during that period of time, there would be nothing for them to be consistent with regarding Metro's plans for a future Goal 5 plan.

Chair McLain opened public hearing on Resolution No. 02-3176.

Mike Houck, Audubon Society of Portland, 5151 NW Cornell Rd., Portland, OR 97210, commented that Councilor Hosticka's question was exactly why the Coalition for a Livable Future (CLF) was looking carefully at the Damascus area, trying to integrate the policies that had come from the local and regional levels, to come up with a plan that would reflect the issue of whether it made more sense to go into that flat land or into an area with significant salmonid stream resources with a plan that could even improve the condition of those resources beyond what they were today in a manner that recognized there would be a different level of productivity by the time it actually happened. He said they were hopeful they could help in the process by the time they were finished with the Damascus design workshop process. He added that the function of Senate Bill 1010 was to get a handle on erosion control and polluted water getting into the waterways. He said this function did not address whether it was a row crops or grass or low shrubs, but that it was functionally low structure vegetation along the streams.

3. Resolution No. 02-3188, For the Purpose of Stating an Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Parks, Trails and Open Space Acquisition, Development and Operations and Authorizing an Open Spaces Options Process

Councilor Hosticka explained that one element of this was a discussion that had yet to take place in the budget committee regarding how this proposed submittal would relate to other issues Metro might approach the voters on in the next few years. He reported that, per committee request, the staff had been asked to prepare to make contact with local governments and other interested people to give them the opportunity to comment. He said there was nothing new to report other than those two activities were scheduled but not completed.

Charles Ciecko, Regional Parks and Greenspaces Manager, summarized a conversation that had been initiated with the Greenspaces Technical Advisory Committee (GTAC) on May 8, based on committee comments from the last meeting, and which same conversation had taken place at the May 7 Regional Parks and Greenspaces Advisory Committee (RPGAC). He said both committees were universally supportive of a thorough discussion to explore a broad based parks funding measure as mentioned in the resolution. He noted a questionnaire that had been distributed to the partners which had not yet been

summarized as the responses were just now starting to come back. Chair McLain requested a copy of the written comments for the record and for staff.

Mr. Turpel said as part of the periodic review work program, they were working on a calculation of future parks acres and the capacity implications of that within the current growth boundary. He updated the committee on a letter, to be sent jointly from the Planning and Parks and Greenspaces Departments to local parks providers, with a table based on current Systems Development Charges (SDCs) and a series of assumptions showing additional acres that might be needed as far as capacity implications for future parks. He said they planned for the letter to go out in the next couple of days.

Chair McLain opened a public hearing on Resolution No. 02-3188.

Mike Houck, Audubon Society of Portland, 5151 NW Cornell Rd., Portland, OR 97210, thanked the committee for bringing this resolution forward. He summarized formal written comments in support of the resolution that he had e-mailed to the committee (see copy of the e-mail attached to the permanent record of this meeting). He noted there was a huge amount of strong public support for this resolution.

Chair McLain closed the public hearing.

4. Resolution No. 02-3195, For the Purpose of Authorizing the Executive Officer to Sign an Intergovernmental Agreement with the Tualatin Basin Natural Resources Coordinating Committee

Mr. Helm presented the resolution and noted some minor changes made to the IGA since the draft of a month ago. (See copy of the IGA included in the agenda packet with the permanent record of this meeting). He noted language added at the committee's request addressing intent that each individual site should improve, so the basin as a whole will improve as well.

Brent Curtis, Washington County Planning and Tualatin Basin Natural Resources Coordinating Committee, reported that the Coordinating Committee had tentatively approved the resolution, including the new language. He said they were happy with the work and encouraged by the fact that they were on the verge of endorsing it and moving on. He commented on a possible need for a Memorandum of Understanding (MOU) with a specified timeframe for getting the work done. Councilor Hosticka asked if the MOUs were anticipated in addition to the formal reporting process that was described in the IGA. Mr. Curtis thought it was a more thorough process to have a written understanding (the MOU) of how to proceed. Councilor Hosticka hoped to see those as they came up. He asked the legal staff about the default nonconformance condition, if all things promised did not get done. Mr. Helm said both parties had the ability within the agreement to terminate, and if that happened, the condition of the various programs would be about what they are today. Councilor Hosticka asked about the process for amendments, if they were needed. Mr. Helm referred him to Section 10 of the IGA. He said the flexibility written into the agreement allowed that type of activity to be dealt with through MOUs. Mr. Curtis noted that discussion had occurred at a Tualatin Basin Coordinating Committee and they decided they would take it up through their committee bylaws. Regarding the ESEE decision and guidelines, Councilor Atherton wondered how they could know something was "economic" if there were public subsidies promoting development. He asked what guidelines they could establish regarding that. Mr. Curtis pointed to the wisdom of the council in convening an Economic Technical Advisory Committee (ETAC) which had people with the expertise and ability to address that question. He added that the Coordinating Committee wanted to move ahead in the ESEE process, and would continue to participate in the Metro process as well as their own.

Motion: Councilor Hosticka moved to recommend Council approval of Resolution No. 02-3195.

Vote: Councilors Atherton, Hosticka, Bragdon, Park and McLain voted to recommend council approval of Resolution No. 02-3195. The vote was 5 aye/ 0 no/ 0 abstain and the motion passed unanimously.

Chair McLain will carry the resolution to the council.

5. ECONOMIC TECHNICAL ADVISORY COMMITTEE (ETAC) STATUS REPORT

Mr. Turpel reviewed the two page outline included in the agenda packet for this item regarding how to make sure there was a rigorous review of the economic analysis that would be part of the ESEE analysis. He reviewed the 5 tasks suggested for the group to undertake: review of the consultant's methodology, assessment of any materials sent to the independent economic peer review panel and the panel's responses (if such a panel was constituted), analysis of the consultant's draft work based on the methodology, advise about the economic integration into the overall ESEE document, and review and recommendation regarding economic considerations in the draft program to protect important resources. Chair McLain noted there would be further discussion at this committee in the near future.

6. REVIEW OF REMAINING OPEN SPACES FUNDS (FOLLOW UP FROM LAST MEETING)

6.1 EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS

Chair McLain opened an Executive Session pursuant to ORS 192.660(1)(e) at 2:40 p.m. to discuss remaining Open Spaces funds.

Present: Metro staff: Jim Desmond, Nancy Chase, Fritz Paulus, Michael Morrissey, Ken Helm, Jeff Tucker, Ron Klein, Cheryl Grant. Members of the media: None

Chair McLain closed the Executive Session at 3:07 p.m. and reconvened the Metro Council Natural Resources Committee regular meeting.

6. REVIEW OF REMAINING OPEN SPACES FUNDS (FOLLOW UP FROM LAST MEETING) (Continued)

Chair McLain asked for a clear statement of some type from this committee and the council on where they were in the bond measure program that would not detract from Resolution 02-3188. Councilor Bragdon thought such a statement would actually be complementary to the Resolution in that they could refer back it to make clear how the money was being spent, and that priorities had been set by an exhaustive process based on scientific and open input. Jim Desmond, Open Spaces, suggested it be in memo form from Mr. Burton to the committee.

ADJOURN

There being no further business to come before the Natural Resources Committee, Chair McLain adjourned the meeting at 3:11 p.m.

Prepared by

Cheryl Grant
Council Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 15, 2002

Agenda Item No.	Topic	Doc Date	Document Description	Doc Number
3.	Resolution No. 02-3188	5/14/2002	e-mail to Presiding Officer Hosticka from Mike Houck in support of the resolution.	051502nr-01
4.	Tualatin Basin IGA	n/a	Intergovernmental Agreement, Formation of Tualatin Basin Natural Resources Coordinating Committee; Metro Regional Resource Planning Project Exhibit A to Exhibit B of Res. No. 02-3195	051502nr-02

TESTIMONY CARDS

Mike Houck, Audubon Society of Portland, 5151 NW Cornell Rd., Portland, OR 97210 (x2)