

NATURAL RESOURCES COMMITTEE MINUTES

November 6, 2002
Council Chambers

Present: Susan McLain, Chair, Carl Hosticka, Vice Chair, Rod Park, Bill Atherton arrived late

Absent: David Bragdon (excused)

Chair Susan McLain called the meeting to order at 1:15 pm.

1. Consideration of the Minutes

October 16, 2002 Natural Resources Committee Meetings

Councilor Hosticka made a motion to approve the minutes. Without changes or additions, the minutes of October 16, 2002 were unanimously approved (Councilor Atherton was absent from the vote).

2. Resolution No. 02-3241, For the Purpose of Authorizing the Executive Officer to Acquire a Conservation Easement and Execute a 25-Year Lease of Open Space Property in the Tualatin River Access Points Target Area

Jim Desmond, Parks and Greenspaces Department, explained this request to acquire a perpetual conservation easement covering 6.1 acres of the Gotter property, and in exchange for that, to grant the Gotters a 25-year lease covering one acre of Metro's 114-acre upland property. The perpetual conservation easement grants Metro virtually all ownership rights, including public access. The values of both the easement and the lease are basically equal. Conservation easements and leases over one year require Council approval. The 6 acres could be included in an upcoming Ducks Unlimited project, resulting in restoration of the wetlands hydrology.

Motion: Councilor Hosticka moved approval of Resolution No. 02-3241.
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Vote: The vote was 3 aye/ 0 nay/ 0 abstain and was unanimously approved, Councilor Atherton was absent. Chair McLain will carry the legislation to Council.

3. Restoration Education Grants Update

Dan Kromer, Parks and Greenspaces Department, updated the Committee on the partnership between Metro and the U.S. Fish and Wildlife Service by reviewing the Greenspace Programs purpose: to use grant funding for urban projects that emphasize environmental education, habitat enhancement and watershed health. The program has two parts: Environmental education that has grants up to \$10,000 for comprehensive environmental programs that promote field and hands-on learning experiences for people of all ages; and conservation and habitat restoration grants up to \$40,000 for projects and programs to address high priority fish and wildlife conservation issues. Since 1991, over \$2.1 million have funded 298 Portland/Vancouver projects. Also, \$6.5 million have been generated in additional local match contributions.

Deb Scrivens, Educational Grants Coordinator, Parks and Greenspaces Department, reviewed the changes the program has seen since April 2001. She provided highlights of the most recently funded environmental education grants including the Invasive Species Curriculum Project, the Nature Awareness Project, and the Water Garden Project. She invited Council presence on the Environmental Education Grant Selection Committee. Chair McLain welcomed further updates and suggested the program be more visibly marketed and the Council be provided current summaries of programs and grants.

Jennifer Thompson, Fish and Wildlife Biologist, US Fish and Wildlife Service, reviewed the original vision of regional greenspaces program over 12 years, totaling about \$4 million. After 12 years, there is only one other program like this and it is in Chicago. USFWS has funded development of grants and other outreach programs. The Service has desired to provide more efficiency and on-the-grounds funds for project work. Changes to the conservation and restoration program are: increases in the funding cap from \$20,000 to \$40,000, and the inclusion of funding conservation projects which can lead to benefits of fish and wildlife. In 2002, 38 pre-applications were received requesting \$971,000, out of the \$200,000 in available funding which was awarded to 11 projects. Pre-applications for 2003 will be due in January, with final applications due in April in anticipation of utilizing the \$300,000 funding availability.

4. Discussion with Parks Providers Concerning Masterplan Update

Jennifer Budhabhatti, Parks and Greenspaces Department, reviewed letters of support obtained for the Greenspaces Masterplan Concept Map. There are 30 members on the Greenspaces Technical Advisory Committee consisting of local, state, federal and non-profit jurisdictions. Nineteen of the 30 have provided verbal support, with 5 written letters having been received. Good progress is being made on this work.

5. ESEE Timeline

Mark Turpel, Planning Department, came before the Committee today, at its request, for further information on the draft timeline. He reviewed the Regional Fish and Wildlife Habitat Timeline Issues, October, 2002, which is included in the meeting packet. He reviewed items 1 through 5, page 1, with the Committee. The Committee responded to each numbered item, beginning with Timing Concerns. Councilor Hosticka said he was concerned about the continuing issue of compensation to landowners for "regulatory takings", and to the extent that our process is dragged out, Metro becomes more and more involved in it rather than focus on accomplishing our work under the existing legal framework. He took exception to the "take out" number for sub-regional analysis because this work was not undertaken to create a need for more urbanized land. Chair McLain understood "take out" to mean completion of a protection program which gets to the point of using the protection program analysis to discover what land use inventory will be available. She suggested the language be reviewed and revised. Councilor Park agreed with the timing concern issue. He said Metro's leadership position was appropriate. The priority issue should be addressed at the budget hearings. He suggested conditions of protection be placed on any land brought into the urban growth boundary under the auspices of Title 11. Councilor Park asked what mechanisms would be available to developers and others to address the reduction in land yield with the Goal 5 take out? He said replacement of profits to landowners would make them want to do the right thing in the majority of cases. He likened it to the "willing seller" options of the open spaces program. He suggested an incentive program inside the boundary and a regulatory program outside the boundary which would vary the timelines, and affect Metro's leadership and staffing needs. Councilor Hosticka recognized much of the work has been planned for this budget year, and if changes were to occur how would it come about. Chair McLain said we have had a change in the workplan in respect to expectations and the process, but that if the timeline determined at this meeting would elongate the process and conflict with other work, staff work planned for November and December would need to be reviewed.

Councilor Hosticka said a high priority had been placed on this work. Chair McLain said there have been a few setbacks within the last couple of years, for different reasons, that have actually added work to the scheduled workplan. It needs to be discussed because it is very important that the resources be allocated in the next budget to complete the work. Chair McLain said Metro's leadership is vital. She addressed "Risk Trade-off" as not being speedy for the sake of speedy, but expeditiously working to meet the demands of other projects which will be affected by this work, for example, the urban growth boundary, Measure 7 and other involved measures, and the Legislature's work on land use and its compensation. Councilor Park understood "Risk Trade-off" to mean the higher the regulatory program selected, then more staff time would be required, and conversely, the lower the regulatory program or use of incentives, then the work would be less precise. Chair McLain agreed with Councilor Park's interpretation. She said we already know Metro will not just have a regulatory program, or just an acquisition program, or just a voluntary program, or just an education program. To be successful, all of the above would be integrated. Andy Cotugno, Planning Department said he would address these points more fully in number 6 "Program Scenario Approach" but the more aggressive the adopted regulatory program was, the more rigorous the evaluation of it would be. An aggressive regulatory program would take more work to enable it to withstand the appeals process. Councilor Hosticka commented that this is the same conversation that's been held for two years, and regulation was to be a part of it from the beginning. Chair McLain said after the City of Portland's Healthy Streams Initiative, staff questioned whether Metro wished to include a regulatory mandate, and the previous pre- and committee meetings always stressed with certainty that the work was to be done correctly. She said it was unconscionable that staff would pose choices to the Committee predicated on the regulation to risk factors. She said the timeframe is not based upon regulation but on the goal, the end product, and does the timeline and workplan fit the need for the program. The Chair stated she wanted the Committee to move on to number 6. Mr. Cotugno asked if he would have an opportunity to address the Committee's concerns about numbers 1-5. Mr. Cotugno said the issue of "take out" was related to the scheduling of Task 3 of Periodic Review. If "take out" was to be included in the next round of Periodic Review, then the two schedules would be tied together. Otherwise, they would not be tied together. Councilor Hosticka said the approach should be that after the Fish and Wildlife Habitat Protection Program is completed, we would know if there was a "take out" number or not. He felt there was an implied motivation in the document, and he disagreed. Mr. Cotugno suggested striking bullet four in its entirety under number 1, as there was not a cause and effect relationship. He agreed that the "take out" issue isn't producing anything related to the subregional issue. The timing of one work program relative to the other work program is the relevant issue. There has not been, nor is there scheduled to be, any staff diversion from this Goal 5 work. Chair McLain asked that the "Risk Trade-off" be more clearly explained.

Mr. Cotugno addressed "Priorities," saying that staff priorities are not being diverted; the same staff that are budget authorized for the current year is the same. There is a question regarding next year's budget in relationship to the concept planning in Damascus. It would be efficient to have the Goal 5 staff work on the Goal 5 component of the Damascus masterplan.

The Committee and staff discussed number 6. Mr. Cotugno suggested work on the program step could begin by crafting the different program scenarios for analysis evaluation early on. He suggested defining how to programmatically prohibit or limit the choices for greater public understanding. The approach he discussed uses the scenarios-approach to define plausible, reasonable different choices of programming. Alternatives could be defined, mapped and evaluated using ESEE criteria. Chair McLain commented that four scenarios were too many; that two would be better, using varying components of each. Councilor Hosticka expressed his concern about the potential of contamination between the two processes possibly affecting the integrity of the ESEE analysis. Councilor Hosticka said Metro is facing the largest expansion of the urban growth boundary in its history and we're facing a 1-2 year implementation

schedule, while protecting the region is our goal, and it appears to have slipped. Chair McLain continued by saying that there are also state and other regulatory timelines that need to be adhered to.

Chair McLain asked that number 6 continue to be refined, as it was too broad. Mr. Cotugno said he would incorporate the Committee's comments into a re-draft of the document for the next meeting. He asked that number 8, "Task 3" be answered. The Committee asked that it come back with the re-draft for further Committee discussion and review.

6. Goal 5 Impact Areas

Chair McLain suggested that Mr. Ketcham and Ms. Henning's presentation be made at the November 7, 2002 Council meeting.

Councilor Communications

None.

Chair McLain adjourned the meeting at 3:00 p.m.

Respectfully submitted,

Patricia Mannhalter
Committee Clerk

ATTACHMENTS TO THE PUBLIC RECORD FOR THE NATURAL RESOURCES COMMITTEE MEETING OF NOVEMBER 6, 2002

AGENDA ITEM NUMBER	DOCUMENT DATE	DOCUMENT DESCRIPTION	TO/FROM	DOCUMENT NUMBER
3.		Metropolitan Greenspaces Program: background	TO: Natural Resources Committee FROM: Jennifer Budhabhatti	110602.01
3.		Various letters: regarding Regional Greenspaces System Concept	FROM: Rob Drake, Mayor, City of Beaverton; JoAnn Herrigel, Program Administrator, City of Milwaukie; Michael Carrier, Director, Oregon Parks and Recreation Department	110602.02
6.		DRAFT Impact Areas Draft Discussion Paper		110602.03