

 **Metro** | *Agenda*

Meeting: Metro Council Work Session
Date: Tuesday, October 5, 2010
Time: 1 p.m.
Place: Council Chambers

CALL TO ORDER AND ROLL CALL

- 1 PM** **1. DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING, OCTOBER 7, 2010/ADMINISTRATIVE/CHIEF OPERATING OFFICER COMMUNICATIONS**
- 1:15 PM** **2. OREGON ZOO'S COMPREHENSIVE CAPITAL MASTER PLANNING EFFORT-BACKGROUND INFORMATION AND CONSULTING TEAM INTRODUCTION** **Stroud**
- 1:45 PM** **3. 2011 LEGISLATIVE SESSION - INFORMATION** **Tucker**
- 2:30 PM** **4. INTERTWINE ALLIANCE UPDATE - INFORMATION** **Wetter
Jordan**
- 3:15 PM** **5. COUNCIL BRIEFINGS/COMMUNICATION**

ADJOURN

Agenda Item Number 2.0

**OREGON ZOO'S
COMPREHENSIVE CAPITAL
MASTER PLANNING EFFORT**

Metro Council Work Session
Tuesday, Oct. 5, 2010
Metro Council Chambers

METRO COUNCIL

Work Session Worksheet

Presentation Date: October 5, 2010 Time: 1:15 pm Length: 30 Minutes

Presentation Title: Oregon Zoo – Comprehensive Capital Master Planning Consultant Team Introduction

Service, Office, or Center: Oregon Zoo

Presenters (include phone number/extension and alternative contact information):

Metro Staff:

Craig Stroud, Zoo Bond Program Director, 503.220.2451

Kim Smith, Zoo Director, 503.220.2450

Master Planning Consultant Team Representatives:

Hussain Mirza, Principal, SRG Partnership

Greg Dykstra, Principal, CLR Design

Eric Bode, Principal, Atelier Dreiseitl

ISSUE & BACKGROUND

Metro issued a Request for Proposals for an interdisciplinary consulting team to perform Comprehensive Capital Master Planning for the remaining zoo bond improvements funded by the \$125-million, voter-approved 2008 zoo bond measure.

The Comprehensive Capital Master Plan will provide:

- Analysis, recommendations and a strategy for Metro to implement the specific bond projects, as well as sustainability initiatives and infrastructure improvements. This includes refining project scopes through schematic design.
- An overall schedule for all projects based on the optimal project sequencing, timing and estimated duration. This plan will include a schedule for each project.
- An overall bond budget and financing plan with cost estimates for each project based on schematic designs. Adequate contingencies will be included based on the proposed site and complexity of each specific project. The plan will include direct, indirect and overhead costs; construction cost inflation; and assumed timing for cash in- and out-flows. Metro expects the consultant team to balance the final schematic designs for the specific bond projects, sustainability initiatives and infrastructure improvements with available resources.

Metro awarded the master planning contract to the consulting team comprised of SRG Partnership, CLR Design, and Atelier Dreiseitl (plus associated sub-consultants) for approximately \$1.5 million. Principals from each of these primary firms will be available at the work session to discuss the team's experience, approach, and draft timeline to complete the work; as well as answer Councilor questions.

The entire consulting team is:

SRG Partnership, Inc. – Prime Consultant; Architecture & Management
CLR Design – Zoo Planning and Exhibit Design
Atelier Dreiseitl – Landscape, Planning & Sustainability
Main Street Design – Interpretive Planning
TJP Engineering – Life Support System Engineering
KPFF Consulting Engineers – Civil Engineering
Rider Levett Bucknall – Cost Estimating
PAE Consulting Engineers – MEP Engineering
Equilibrium – Structural Engineering
IMPACTS Research & Development – Economic Analysis
The Bookin Group LLC – Land Use Planning

OPTIONS AVAILABLE

Not applicable

IMPLICATIONS AND SUGGESTIONS

Not applicable

QUESTION(S) PRESENTED FOR CONSIDERATION

Metro staff and the master planning consultant team believe it important that the Metro Council have opportunities for involvement and to provide direction throughout the master planning work effort. To that end, the master planning team is contracted to:

- 1) Provide the Metro Council a substantive update and seek input on the work effort at the end of January 2011, as well as present the final recommended master plan for Council consideration and adoption in September 2011.
- 2) Provide four presentations to the Oregon Zoo Bond Advisory Group over the coming year to provide updates and seek input on the effort. Acting Metro Council President Carlotta Collette and Councilor Robert Liberty are members of that group.

Question – Do these planned updates provide the Council with adequate opportunity to stay informed and provide input to the master planning process?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION _No
DRAFT IS ATTACHED _No**

Agenda Item Number 3.0

2011 LEGISLATIVE SESSION

Metro Council Work Session
Tuesday, Oct. 5, 2010
Metro Council Chambers

METRO COUNCIL

Work Session Worksheet

Presentation Date: October 5, 2010 Time: 1:45 pm Length: 45 minutes

Presentation Title: 2011 Legislative Session (work session #2)

Department: Government Affairs and Policy Development

Presenters: Randy Tucker

ISSUE & BACKGROUND

This work session includes the following discussion items:

- A continuation of the discussion that began in the September 14 work session of the 2011 legislative session and the Metro Council's objectives for the session.
- A progress report on development of legislative concepts for the 2011 session and discussion of certain concepts that have been proposed. More concepts will be presented at a work session on November 9, followed by council adoption of a legislative agenda.

OPTIONS AVAILABLE

Council may wish to discuss specific legislative concepts or direct staff to develop additional concepts.

IMPLICATIONS AND SUGGESTIONS

QUESTION(S) PRESENTED FOR CONSIDERATION

Staff requests that Councilors provide initial feedback on the legislative concepts presented. No specific Council actions are required at this time, but it is anticipated that the Council will formally adopt a legislative agenda later this year.

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION Yes No
DRAFT IS ATTACHED Yes No

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: Metro Auditor

Date: 28 September 2010

Person completing form: Randy Tucker

Phone: 1512

ISSUE: Confidentiality of draft audits

BACKGROUND: Government audits are frequently requested by residents and the media before completion. When complete, these are worthwhile documents that provide transparency and oversight of government activities. However, when they are incomplete, they may contain incorrect or misleading information and may lack information from management. Governments have asserted that draft audit reports are internal advisory communication, exempt from public disclosure, while members of the media assert that draft reports are public records. Oregon courts have not formally ruled on the status of draft audit reports.

A final audit report represents a public document that has completed a quality control process and incorporates the views of management. Draft audit reports or audit working papers, on the other hand, are preliminary working documents. Draft reports may change as information is provided by management, as quality control work occurs within the audit office, as additional work is done by auditors, and as management writes and includes its response.

Nobody is served when draft audits are released prematurely and erroneous information is published. The persuasiveness of audit findings is critical to government change and improvement. Communicating erroneous information from a draft report can only cloud the issues at hand and undermine the credibility of audit work. Releasing drafts before management has had the opportunity to digest the findings can cause management to become defensive and resist desirable changes, thereby undermining the purpose of an audit, which is to improve the way government operates. Premature release of information can also undermine the ability to get candid information and conduct future audits effectively.

RECOMMENDATION: Metro should support any effort by others to clarify public records law to specify that while "final audit reports" are public, "draft audit reports" (still subject to change) are not releasable until the final audit report is issued (in audit organizations operating under national standards).

Specifically, a bill may be introduced that would amend ORS 192.502, which lists public records exempt from disclosure, to include a new paragraph (38) exempting "Draft audit reports and documents or other information that is related to an audit of a public body as defined in ORS 174.109." (OMA has determined that this definition of a public body includes metropolitan service districts.) Additional language makes clear that this information is no longer exempt from disclosure once the audit report is final.

LEGISLATIVE HISTORY: This issue was raised in the 2007 session as a proposed to amendment HB 3407 but the chair of the Senate Judiciary Committee declined to move the amendment.

OTHER INTERESTED PARTIES: Interested parties include the auditors of the Oregon Secretary of State's Audits Division, Multnomah County, Lane County, Deschutes County, Jackson County and the City of Portland. The Oregon Newspaper Publishers Association will not view this proposal with much enthusiasm.

IMPACT IF PROPOSED ACTION OCCURS: Passage of this legislation will protect the credibility and effectiveness of government audits.

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: GAPD

Date: 2 September 2010

Person completing form: Randy Tucker

Phone: 1512

ISSUE: "Buy America"

BACKGROUND: In the 2010 supplemental session, Sen. Verger (Coos Bay) introduced SB 1050 at the behest of the building trades. SB 1050 would have required, with narrow exceptions, the use of American-made materials in the construction of public projects. The bill raised alarm among many public agencies concerned about its cost impacts and compliance issues. However, public sector lobbyists were reluctant to flatly oppose the legislation given the state's poor employment situation as well as the politics of the issue in the Capitol.

Metro was successful in obtaining an agreement to exempt from the bill's provisions construction projects funded with bond measure dollars approved by the voters prior to the effective date of the bill (e.g., the zoo bond measure). However, as the unintended consequences of the legislation became more evident, it was pulled back in favor of an interim discussion that is still under way.

Draft legislation has been developed for 2011 that would require local governments to establish local/domestic preference policies. While less aggressive in its approach than the bill introduced in February, the latest draft does not currently include an exemption for projects funded by measures previously approved by the voters.

RECOMMENDATION: Staff has several concerns about this legislation:

- Preference policy required rather than allowed
- Potential to increase costs
- Potential difficulties with compliance/auditing/enforcement
- Lack of exception for projects funded with finite dollars generated by measures previously approved by voters

However, aside from the issue related to the bond measure, these concerns are generic ones that would be common to all affected governments. Therefore, staff recommends that Metro:

- Work to re-establish the exemption for bond measures passed before the effective date of the legislation
- Express concern to the bill's proponents about this and other impacts listed above
- Continue to monitor the specifics of the legislation and adopt a position as appropriate

LEGISLATIVE HISTORY: See above.

OTHER INTERESTED PARTIES: League of Oregon Cities, Association of Oregon Counties, Port of Portland, individual local governments, Oregon Building Trades Council, Associated General Contractors, others

IMPACT IF PROPOSED ACTION OCCURS: Unclear at this time. Passage of local/US preference requirements might increase costs, require increased record-keeping, expose Metro to enforcement actions, and affect the ability of the Oregon Zoo to carry out promises made to the voters with respect to its 2008 bond measure.

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: OMA

Date: 13 September 2010

Person completing form: Dick Benner

Phone: 1532

ISSUE: Boundary Changes Tracked by Metro

BACKGROUND: A legacy from the transfer of responsibility over boundary changes from the old Boundary Commission to Metro (1997) is a long list of service districts that includes districts whose services have nothing to do with Metro's missions (e.g., highway lighting districts and vector control districts). Despite the charge to track boundary changes of all these districts in our statute [ORS 268.347(1)], the practice in the region (among the districts and Metro) is not to track the more obscure districts, for several reasons. First, many of these small districts do not notify Metro about proposed changes in boundaries; they are likely unaware of their responsibilities under Metro's boundary change code. Second, to apply the code to these districts would impose significant costs and time commitments upon the districts and the Metro Research Center.

RECOMMENDATION: Seek legislation to revise the list of districts for which Metro must track boundary changes. Eliminate from the list the districts whose activities have no effect on and do not help accomplish any Metro mission.

LEGISLATIVE HISTORY: See above.

OTHER INTERESTED PARTIES: The districts on the list over which Metro has boundary change authority.

IMPACT IF PROPOSED ACTION OCCURS: Conformance of the list to today's practice and Metro's missions would remove doubts about Metro and district responsibilities to follow Metro's boundary change code.

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: OMA

Date: 24 August 2010

Person completing form: Dick Benner

Phone: 1532

ISSUE: Land Use Approvals for High Capacity Transit (HCT) Projects

BACKGROUND: The Legislature enacted two separate pieces of legislation to establish a single process and a single set of criteria for review of the Westside (1991) and South-North (1996) light rail transit (LRT) projects. The legislation was intended to address the complexity of the multiple processes involved in these multi-jurisdictional projects and to meet federal funding deadlines. Neither piece of legislation was “codified” (made a permanent part of Oregon statutes); rather, each was limited to the particular project and expired (or, in the case of South-North, will expire) upon completion of the project.

The newly adopted 2035 Regional Transportation Plan (RTP)¹ identifies new projects in 13 corridors. These projects will face the same daunting complexity and funding circumstances that Westside and South-North LRT projects faced. There is likely to be a premium placed on projects that can move quickly to approval in order to generate employment and economic development. Regional HCT projects will be more competitive if they have access to a single, fast review process. However, unless the Legislature codifies a process and criteria, the region will have to seek separate legislation for each new HCT project in the RTP.

RECOMMENDATION: Seek legislation to codify a process and criteria for all future rail projects (including streetcar projects) that are multi-jurisdictional and require federal funding. The process would become a permanent part of Oregon statutes, obviating the need to seek legislation on a line-by-line basis. Use the South-North legislation as a model for the permanent legislation.

LEGISLATIVE HISTORY: See above.

OTHER INTERESTED PARTIES: TriMet, local governments where projects will be built.

IMPACT IF PROPOSED ACTION OCCURS: A single approval process will make the region’s HCT projects more competitive as they seek federal funding and will save time and money by streamlining administrative processes.

¹ The High Capacity Transit System Plan is an element of the 2035 RTP.

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: Planning and Development

Date: September 27, 2010

Person completing form: Megan Gibb/ Meganne Steele

Phone: x1753

ISSUE: Multiple Unit Housing tax exemption program sunset extension

BACKGROUND: ORS Section 307.600¹ authorizes cities and counties to design and implement property tax exemption programs to stimulate the construction of transit supportive multiple-unit housing. This authority currently sunsets on January 1, 2012.

The City of Portland operates two tax abatement programs under this authority. The City of Gresham established its Transit Oriented Tax Exemption (TOTE) program under this authority and used it to assist two Metro TOD Program-funded projects, before discontinuing its use in favor of the Vertical Housing Tax Zone Program.

Oregon's Vertical Housing Tax Zone (VHTZ) legislation provides another framework for localities to authorize limited tax abatements for compact, mixed-use development. It has the advantages of being administratively easy for localities. However, it has the disadvantage of requiring active ground level retail uses. The economic recession and broader market trends have significantly reduced demand for retail space. The Multiple Unit Housing tax exemption legislation offers greater flexibility to localities to structure programs that respond to local needs and market conditions.

In response to an inquiry from Multnomah County, the Oregon Attorney General issued an opinion in 2009 that the commercial portions of mixed-use developments are not eligible for tax abatements under the Multiple Unit Housing program. This opinion spurred the City of

¹ Some excerpts from ORS 307's legislative findings might be of interest:

307.600 Legislative findings. (1) The Legislative Assembly finds that it is in the public interest to stimulate the construction of transit supportive multiple-unit housing in the core areas of Oregon's urban centers to improve the balance between the residential and commercial nature of those areas, and to ensure full-time use of the areas as places where citizens of the community have an opportunity to live as well as work.

(2) The Legislative Assembly further finds that it is in the public interest to promote private investment in transit supportive multiple-unit housing in light rail station areas and transit oriented areas in order to maximize Oregon's transit investment to the fullest extent possible and that the cities and counties of this state should be enabled to establish and design programs to attract new development of multiple-unit housing, and commercial and retail property, in areas located within a light rail station area or transit oriented area.

(3) The Legislative Assembly further finds that the cities and counties of this state should be enabled to establish and design programs to attract new development of multiple-unit housing in light rail station areas, in transit oriented areas or in city core areas by means of the local property tax exemption authorized under ORS 307.600 to 307.637. ...

(4) The Legislative Assembly further finds that it is in the public interest to preserve or establish existing housing that is affordable to low income persons ...

Portland and Multnomah County to collaborate on compromise legislation in the 2010 special session that grandfathered in any commercial space tax abatements granted previously.

The City and County are currently in discussion regarding the various tax abatement programs available within the City. There appears to be general agreement that the sunset of the Multiple Unit Housing legislation should be extended, and that the City and County should continue to work together over the next year to redesign the City's programs.

RECOMMENDATION: Considering the interests of other cities in the region and state, the flexibility of the current Multiple Unit Housing legislation should be retained. Going forward, it will be increasingly important to craft locally-specific programs that provide the most cost-effective return on these tax expenditures.

Metro should support extension of the ORS Section 307.600 Multiple Unit Housing tax exemption program and resist changes that may reduce flexibility for cities and counties to craft locally-specific programs.

LEGISLATIVE HISTORY: ORS Section 307.600 was apparently enacted in 1975. SB 839 (2005) extended the sunset by 6 years, to 1/1/2012; Metro supported SB 839.

OTHER INTERESTED PARTIES: City of Portland; City of Gresham; City of Hillsboro; City of Beaverton; Multnomah County; other local governments; TOD developers; affordable housing advocates.

IMPACT IF PROPOSED ACTION OCCURS: Extension of the Multiple Unit Housing enabling legislation would continue to provide local cities and counties with the option of adopting limited tax abatement programs to provide incentives for construction of multiple unit housing near transit.

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: Sustainability Center

Date: 8 September 2010

Person completing form: John Sheehan

Phone: x1733

ISSUE: No Oregon Child Left Inside Task Force environmental literacy plan

BACKGROUND: Well-designed environmental education programs have been shown to achieve excellent results in improving learning outcomes and increasing stewardship activities. Promoting such programs has drawn increasing attention from legislators as a potentially effective strategy to help further both education and natural resource goals.

In 2009 the Legislature passed HB 2544, the No Oregon Child Left Inside (NOCLI) Act. The Act established a task force to propose a common statewide vision for environmental education and a statewide environmental literacy plan (ELP). The ELP, in turn, will enable Oregon to obtain federal funds under the pending federal No Child Left Inside Act (see below). The ELP will establish a framework for environmental instruction, including the additional professional development necessary to support effective teaching on environmental topics in the outdoors.

The Legislature has not provided funding to support the task force's work or future ELP implementation efforts.

The NOCLI task force is on schedule to deliver its plan to the interim education committees of the Legislature by HB 2544's deadline of October 1st, 2010, at which time the task force will disband. In the coming weeks and months, two efforts crucial to the success of NOCLI will occur:

1. Legislation will be drafted to formally adopt the ELP in the 2011 legislative session, and
2. An executive order will be drafted that will create a standing NOCLI council to oversee the implementation of the environmental literacy plan over the next five to ten years.

The context for this entire initiative is the effort to pass a federal No Child Left Inside Act. This legislation, which has more than 100 House and Senate co-sponsors (including Sen. Wyden and Reps. Wu and Blumenauer), has subsequently been incorporated within the Elementary and Secondary Education Act (ESEA, currently known as No Child Left Behind) reauthorization bill. Relevant committee staff are working to move the bill forward, but it is unclear when it will reach the House floor. Should the NCLI components of ESEA be approved and funded as currently promulgated, up to \$100 million will be made available to state departments of education to further environmental education goals. In order to qualify for these funds, states must have an approved environmental literacy plan in place.

RECOMMENDATION: Metro should actively support legislation approving the Oregon environmental literacy plan. Metro should also support the creation of the NOCLI council via executive order.

LEGISLATIVE HISTORY: See above. House Bill 2544, approved at the end of the 2009 legislative session, established the NOCLI task force and its deliverables.

OTHER INTERESTED PARTIES: As specified in HB 2544, the NOCLI task force consists of representatives of nine state agencies, plus a representative of a non-profit delivering environmental education (Traci Price, the Freshwater Trust) and a representative from a local district providing parks and recreation opportunities (John Sheehan, Metro). All members are widely supportive of the ELP, as it is calibrated to incorporate and balance perspectives from the natural resource extraction (e.g., agriculture, forestry, fisheries), outdoor recreation, stewardship and sustainability sectors. It is hoped that the task force vote to approve the ELP will be unanimous, though that outcome does not ensure support or even neutrality from interests historically suspicious of initiatives advanced under the “environmental” banner.

The Environmental Education Association of Oregon (EEAO) has been strongly supportive of this initiative, as have many environmental groups. The Oregon Community Foundation provided a \$20,000 grant to hire a facilitator to support the task force’s work; OCF is a promising source of future funding as well.

A potential source of opposition lies within the formal education community, including the Oregon Department of Education. The task force has been somewhat less explicit about the fact that the ELP does not represent an unfunded mandate, and in the current budget climate the prospect of a new education initiative may not be well received.

IMPACT IF PROPOSED ACTION OCCURS: Formal legislative approval of the Oregon environmental literacy plan and the creation of the NOCLI council are necessary first steps to creating a regional and statewide framework for environmental literacy education and securing the funding to put the framework into action. Without substantial, ongoing funding, the council, schools, and non-formal environmental educators, including Metro, will have little chance of achieving the ELP’s vision, and the impact of these immediate next steps will be small.

However, passage and funding of the NCLI provisions of the ESEA reauthorization have the potential to profoundly change the face of environmental education both regionally and statewide. As a major provider of place-based outdoor education, Metro is well-positioned to partner with interested school districts to apply for funding to implement the ELP locally. The resources that would flow from successful partnerships would enable Metro to vastly increase its own impact. There is also the potential for such partnerships to operate regionally (i.e., Intertwine), in which case Metro could be called upon to serve as both a provider and convener/clearinghouse/etc.

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: Regional Transportation Planning, Sustainability Center

Date: September 8, 2010

Person completing form: Lake Strongheart McTighe

Phone: 503-797-1660

ISSUE: Active Transportation

BACKGROUND: Active Transportation is a term used nationally and refers to active travel such as biking and walking and to a complete and well-integrated bicycle, pedestrian and public transportation system. A complete active transportation system provides safe, green and efficient biking and walking routes and makes bicycling and walking real transportation options.ⁱ

In 2008, Metro convened a Blue Ribbon Committee for Trails (BRC), which recommended accelerating development of the regional trails system by increasing investment in trails as part of a larger strategy to support active transportation by building out the on-street elements of the system as well.

In response to the recommendations of the BRC, Metro created an Active Transportation Program and led a successful effort in the 2009 Legislature to create the Urban Trail Fund, where for the first time state transportation dollars have been allocated to building trails. The fund contains \$1 million in “seed money” and is intended to support building out the off-street elements of active transportation systems in Oregon communities; expenditures are limited to facilities within urban growth boundaries.

At the federal level, interest and support in active transportation has increasedⁱⁱ and could translate into higher levels of funding for more extensive bicycling and walking projects. A primary focus of Metro’s Active Transportation Program in 2009-10 has been to identify regional active transportation projects that can be prepared for future funding and to develop a funding strategy to build out the bicycling and walking system.

Apart from the constitutionally dedicated 1% of all gas tax revenues that go to local jurisdictions for bicycling and walking projects and maintenance, active transportation projects do not typically have a dedicated funding stream. (Annually, the Portland metropolitan region invests less than 2% of overall transportation funding in biking and walking projects.ⁱⁱⁱ) The absence of a predictable and ongoing funding source makes it impossible to plan and build projects in anything other than an opportunistic and piecemeal manner or to develop and maintain a “pipeline” of projects that are ready to build when funding becomes available. Another stumbling block to building out the region’s active transportation system is a lack of local funds that can be used to match federal and state funding. If federal funding for active transportation increases in the future, the lack of local matching funds will make it hard for the Portland metropolitan region to effectively compete for those federal dollars.

RECOMMENDATION: Increase funding of Urban Trail Fund from \$1 million to \$2 million for the 2011-2013 biennium. Additional funding may come from the same source (the so-called “snowmobile fund” – gas tax dollars raised from off-road uses) or a new source such as lottery dollars.

Beyond this short-term objective, there may be opportunities for a higher-level discussion of dedicated or stable longer-term funding for active transportation planning and projects as well as coordination of the various state-level trail funding programs (through both ODOT and OPRD), some of which distribute federal funds to local projects, in service of an integrated state active transportation plan. Such coordination could facilitate the completion of longer routes and minimize the number of separate grants for which local jurisdictions would need to apply.

LEGISLATIVE HISTORY: In 2009, Metro introduced identical bills in the House and Senate (HB 2902 and SB 635) that would have created a dedicated fund for trails modeled on the successful, lottery-funded “ConnectOregon” multimodal transportation program. These bills did not pass but the Legislature created the Urban Trail Fund as part of its larger transportation funding package, HB 2001.

OTHER INTERESTED PARTIES: Cities and counties in the Portland metropolitan area and statewide; Oregon Department of Transportation; Travel Oregon; Travel Portland; TriMet; Bicycle Transportation Alliance; Willamette Pedestrian Coalition, local park districts.

IMPACT IF PROPOSED ACTION OCCURS: The effort to build out the region’s active transportation network will take many years and many different funding sources. The creation of the Urban Trail Fund, even with a very small amount of one-time money, marks an important juncture in that it represents the first state transportation dollars dedicated to trails. Sustaining this effort, growing it incrementally, and integrating it with other funding sources will be critical over the long term.

ⁱ Providing complete bicycling and walking routes increases the number of people that will bicycle and walk for many of their daily trips (especially those less than 3 miles) for commuting, exercise and recreation. Replacing trips made by car with bicycling, walking and public transportation reduces vehicle miles traveled, single occupancy vehicle use, household transportation costs, traffic congestion and green house gas emissions. Active transportation has been linked to reduced rates of obesity and heart disease, potentially lowering health care costs. Bikeable and walkable communities foster mixed-use communities that provide a diverse mix of housing, retail and other business, encourage economic development, and have a higher number of transit users. Bicycle tourism and the bicycle industry are important parts of Oregon’s economy.

ⁱⁱ For example, refer to the United States Department of Transportation Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations and the Active Community Transportation Act (“ACT Act”).

ⁱⁱⁱ Estimate based on the amount of federal and state funding sources allocated by ODOT, TriMet, SMART, Metro, and local agencies in the Portland metropolitan region between 1995 and 2010. Funding sources for bicycle and pedestrian projects include:

- Stimulus dollars from the American Recovery and Reinvestment Act
- Bicycle and pedestrian improvements included in transit projects
- Transportation Enhancement grants administered by ODOT
- Bicycle and pedestrian grants administered by ODOT
- Regional Flexible Funds administered by Metro
- Federal earmarks
- 1% of gas tax dedicated to bicycle and pedestrian projects
- Oregon Parks and Recreation Department

METRO
2011 LEGISLATIVE ISSUE IDENTIFICATION

Department: Regional Transportation Planning

Date: September 26, 2010

Person completing form: Tom Kloster

Phone: 503-797-1832

ISSUE: Oregon Transportation Planning Rule (TPR)

BACKGROUND: The Oregon Transportation Planning Rule (TPR) was adopted in 1991, and has been periodically amended, with a major update in 2005. The rule requires cities, counties and Metropolitan Planning Organizations (MPOs) to adopt comprehensive transportation plans. The core principle of the TPR is maintaining balance between planned land uses and transportation systems, based on system performance standards.

Metro's Regional Transportation Plan (RTP) was already in place at the time the TPR was adopted, but was amended to incorporate the broad range of policy mandates contained in the TPR in 2000. The updated plan was acknowledged by the LCDC in June 2001.

At the time the 2000 RTP was adopted, it was among the first transportation plans in the country to acknowledge that the 1950s vision of "building our way out" of roadway congestion had become costly and undesirable, and that a more nuanced approach to roadway mobility was needed. This fundamental shift in the 2000 RTP was also incorporated into the Oregon Highway Plan as part of the acknowledgement process.

The 2000 RTP also called for an aggressive set of investments in non-roadway systems to promote transit, bicycle and walking as viable alternatives to driving, and funding in our region has shifted accordingly. This shift in funding priorities has not been echoed at the state level, despite the direction called out in the TPR and other state policies.

Metro has been a strong advocate for the TPR since it was first adopted, and continues to strongly support the concept of linked land use and transportation decisions, and the requirement that all jurisdictions maintain regularly updated transportation plans.

However, Metro opposed the major TPR amendments that came in 2005, largely because they represented a rollback from the balanced, multi-modal approach to managing congestion that was advanced by the RTP in 2000. Instead, the amended TPR created a form of transportation concurrency that hinders local and regional efforts to realize the vision of the 2040 Growth Concept and continues to be opposed by many local jurisdictions and MPOs around the state.

The controversy stemming from the 2005 amendments to the TPR was not new: the rule has been controversial from the beginning, but mostly because it represented a challenge to the old "build your way out" freeway vision that some still pursue in Oregon. In 2009, several bills emerged from the Legislature that were in some way connected to the TPR, and threats to completely repeal the rule through legislation have also been rumored in past legislative sessions.

RECOMMENDATION: Metro should oppose attempts to legislate transportation planning requirements that are already addressed in the TPR or other administrative rules. While Metro's frustration with the 2005 TPR amendments is significant, the evidence from past sessions suggests that a legislative "fix" would likely bring along other changes that could substantially undermine the rule, and Metro's ability to continue implementing the 2040 Growth Concept.

The LCDC signaled its own concern over legislative fixes to the TPR when it heard local concerns over the TPR at its August 2010 meeting. Given Oregon's economic climate, most concerns were over the prospect of slowing development of any kind. Metro's concerns are more strategic, and driven by our interest in building toward the 2040 Growth Concept.

Our concerns with the amendments are real, as the 2005 TPR amendments have had the unintended effect of creating barriers to infill and redevelopment, thereby increasing the pressure to sprawl at the urban fringe. However, the most predictable realm for rationally addressing this concern is within the rulemaking process, working with the LCDC.

Metro's newly initiated work to develop growth scenarios that meet state greenhouse gas targets provides an excellent forum for a more targeted review of the 2005 TPR amendments, which can inform a deeper dialogue with the LCDC over the next 3-5 years over possible fixes to problematic aspects of the rule.

LEGISLATIVE HISTORY: Though legislative changes and even repealing the TPR legislatively have been discussed over the years, the only major challenge came in the form of HB 3379, which was signed into law during the 2009 session. This bill was a direct response to the TPR amendments of 2005 that were opposed by Metro and other local governments as constituting a form of concurrency.

HB 3379 directed the OTC to adopt rules that would provide flexibility for local governments in meeting the so-called "reasonably likely" test of whether a planned transportation improvement should be considered when making a land use decision. The law specifies a number of areas where flexibility must be provided, and the OTC has convened a task force to assist in drafting the rules.

OTHER INTERESTED PARTIES: Cities and counties in the Portland metropolitan area and statewide; Oregon's six MPOs; Oregon Department of Transportation; Oregon Department of Land Conservation and Development; TriMet and other transit agencies around the state; private development interests.

IMPACT IF PROPOSED ACTION OCCURS: The hoped-for long-term outcome is targeted revisions to the TPR (especially the 2005 amendments and linkage to the Oregon Highway Plan) that take into consideration the realities of our dense urban region and enable the communities of the region to achieve their aspirations, while keeping intact the core of the TPR.

Agenda Item Number 4.0

**INTERTWINE ALLIANCE
UPDATE**

Metro Council Work Session
Tuesday, Oct. 5, 2010
Metro Council Chambers

METRO COUNCIL

Work Session Worksheet

Presentation Date: October 5, 2010 Time: 2:30pm Length: 45minutes

Presentation Title: Intertwine Alliance Update

Service, Office, or Center: Council Office

PRESENTERS:

Mike Wetter x1538, Michael Jordan x1541

ISSUE & BACKGROUND:

In the past, Metro has served as the incubator for The Intertwine initiative and many Metro staff members have contributed to the work this demands. In this time, the initiative has continued to grow and become stronger, with new organizations joining the Alliance and partners continually increasing their involvement. The Alliance is at a juncture where it is time to assess and clarify the roles of Alliance partners, including the role of Metro.

The Intertwine Alliance, including Metro, will be holding a retreat the morning of October 5th to answer four primary questions:

- What's working?
- What's not working?
- What role might your organization play?
- What are the gaps?

Metro's role might be considered in relation to three broad categories:

- *What should Metro's role be in the leadership of The Intertwine?* To date, Mike Wetter has served in the role of Intertwine Executive Director. Former Council President Bragdon and Metro Councilors have provided significant leadership regionally during this time. As Mike's position as advisor to the Metro Council President changes, how should Metro support The Intertwine's executive function in the future? What role should Metro staff and Metro Councilors play in Intertwine leadership?
- *What role should Metro play in The Intertwine public engagement strategy?* The strategy is creating a unified banner under which parks, trails and natural areas interests are able to work together and engage the public, with the ultimate effect of building stewardship and "creating a movement" in support of parks, trails and natural areas.
- *What role should Metro play in the work of Intertwine "petals"?* This work involves regional planning and funding strategies for conservation, conservation education, active transportation, natural areas acquisition, and the regional system of publicly-owned parks and trails. Metro has been, by far, the largest driver of this work to date and is managing most of this work. This builds on Metro's competency as the region's planning agency and most if not all of this work is part of Metro's core mission.

Over the last several years, Metro has launched several large-scale, collaborative initiatives. While each initiative is unique, the issues now being addressed by The Intertwine Alliance

and the questions it poses for Metro leadership are somewhat emblematic of the more general questions that are, or will, emerge in other collaborative initiatives. Metro has served in a key capacity as leader and convener. *What role should Metro play in The Intertwine and similar initiatives in the longer term?*

Mike Wetter has prepared a PowerPoint presentation that provides a high level overview of these issues. The presentation was prepared for the Metro Council and as context for participants in the October 5th Intertwine Alliance retreat, and is attached to this worksheet.

QUESTION(S) PRESENTED FOR CONSIDERATION:

We are asking that the Council *discuss* the following primary questions-

- What should Metro's role be in the leadership of The Intertwine?
- What role should Metro play in The Intertwine public engagement strategy?
- What role should Metro play in the work of Intertwine "petals"?

This work session item is intended for discussion only, as these questions will be answered as part of the larger budget discussion:

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION Yes No

DRAFT IS ATTACHED Yes No

The Intertwine Alliance

Prep for October 5 Retreat



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This brief presentation provides a high-level overview and status of Intertwine Alliance projects, Alliance organization and allocation of resources. We will build on this information at the retreat to make recommendations about the future structure and direction of The Intertwine Alliance.



Each of the projects presented here involves the collaborative work of many individuals and organizations. For the sake of simplicity, we have provided current resource commitments for project management and cash investments ONLY.

Organizing

“**Partners**” are organizations that formally sign-on to the Alliance and make a financial or in-kind commitment. We held our first ever “Council of Partners” (partners-only) meeting in Vancouver in April (**project management:** Alliance Core Group and Alliance staff).

The “**Core Group**” is a subset of partners that meets every 2 weeks to lead the Alliance (**project management:** Alliance Administrator and Intertwine Executive).

The core group orchestrates “**Intertwine Forums**” about twice a year to bring Intertwine partners and other interested parties together. These have been held at KEEN Footwear, at Bridgeport Brewpub and at Wallis Engineering in Vancouver (**project management:** Alliance Core Group and Alliance staff).

Partners
Core Group
Intertwine Forums
Administrator
Intertwine Executive
National Alliance

The Alliance has worked with conservation coalitions in Chicago, Cleveland, Houston and Los Angeles to form a **national coalition** called the Alliance for Metropolitan Conservation Coalitions (AMCC), and has made several trips to Washington DC to lobby for investment in urban conservation (**project management:** Houck, Audubon Society of Portland, and Metro).

The Alliance hired an **Administrator**, Cynthia Sulaski (**cash/project management:** \$19,000 Alliance partners, Audubon Society of Portland as fiscal agent).

Mike Wetter has served as “**Intertwine Executive**,” performing a role similar to that of an executive director. Mike will be leaving his current position at Metro by January so that a new Council President can appoint their own policy advisor. Arrangements for Mike or someone else to continue in this role have yet to be made (**project management:** 1FTE-Metro In Kind).

The illustration on the left side of the page depicts a stylized cityscape. At the top, a white cloud floats against a light blue sky. Below it are two dark grey buildings with white rectangular windows. The building on the left is taller and has a rounded top, while the one on the right is shorter with a pointed top and a small white flag. The buildings are set against a yellow-green hill. In the foreground, there is a dark green hill with a white silhouette of a house on the left and a white silhouette of a person riding a bicycle on the right. A single green tree stands between the house and the cyclist. A vertical dotted line separates the illustration from the text on the right.

Partners

“Partners” are organizations that have formally signed-on to The Intertwine Alliance and made a cash or in-kind contribution. Current partners are:

Audubon Society of Portland | Barlow Trail Association | City of Portland Bureau of Environmental Services | City of West Linn | Clean Water Services | Columbia Land Trust | Columbia Slough Watershed Council | Cycle Oregon | Entercom | Forest Park Conservancy | Friends of Outdoor School | Hillsboro Parks & Recreation | Johnson Creek Watershed Council | Kaiser Permanente | KEEN Footwear | Metro | National Park Service | Nelson Nature Photography | Northwest Trail Alliance | npGreenway | Portland Parks & Recreation | Portland Parks Foundation | Travel Portland | TriMet | Trust for Public Land | Tualatin Hills Parks & Recreation District | Urban Greenspaces Institute | U.S. Fish and Wildlife Service | Vancouver Watersheds Council | Vancouver-Clark Parks & Recreation Dept

**** Many other organizations have made significant contributions to The Intertwine Alliance but have not yet formally joined as partners.**



CORE GROUP

THE INTERTWINE ALLIANCE CORE GROUP PROVIDES COORDINATION AND ONGOING MANAGEMENT. ORGANIZATIONS THAT PROVIDE AT LEAST \$6,000 IN CASH OR IN-KIND SERVICES ARE INVITED TO SEND A MEMBER (NOT ALL DO). CURRENT MEMBERS :

- JEAN AKERS, VANCOUVER-CLARK PARKS
- BRUCE BARBARASCH, TUALATIN HILLS PARKS & REC DISTRICT
- SUSAN CORWIN, BARLOW TRAIL ASSOCIATION
- MOLLY HAYNES, KAISER PERMANENTE (JUST JOINED)
- MIKE HOUCK, URBAN GREENSPACES INSTITUTE
- DAVE MCALLISTER, PORTLAND PARKS & RECREATION
- MARIANNE NELSON, NELSON NATURE PHOTOGRAPHY
- MERYL REDISCH, AUDUBON SOCIETY OF PORTLAND
- GEOFF ROACH, TRUST FOR PUBLIC LAND
- MIKE WETTER, METRO (OTHER METRO STAFF SOMETIMES ATTEND)

Engaging The Public

The Alliance retained Sockeye Creative to develop a **brand** (“The Intertwine” name and logo—we were formerly known as “Connecting Green”). The Intertwine brand allows us to work together under a single banner, to more deeply engage the public in our work. The Intertwine captures the spirit of both a people and a landscape and in so doing deepens the connections between them (**cash/project management: \$60,000** from Alliance partners; Travel Portland and Alliance Core Group managed the project).

The Alliance has sponsored public **events**, such as Park(ing) Day and piggybacked on others, such as Sunday Parkways (**cash/project management: \$15,000** cash plus project management from the Alliance and Metro).



The Alliance developed a **website** (**cash/project management: \$5,000** Metro plus Metro project management and help from Susan Corwin, Barlow Trail Association). The website is currently being managed by Metro (**project management .5 FTE**). A major upgrade of the website is underway (**cash/project management: \$125,000** grant funds and Alliance partners and .2FTE Metro project management).

The Alliance launched a public awareness campaign, with ads and promotions on the radio, on buses and at area events (**cash/project management: \$100,000** value from Entercom One-Thing, and Tri-Met, cash contribution from KEEN Footwear; managed by Intertwine Executive and Alliance partners).

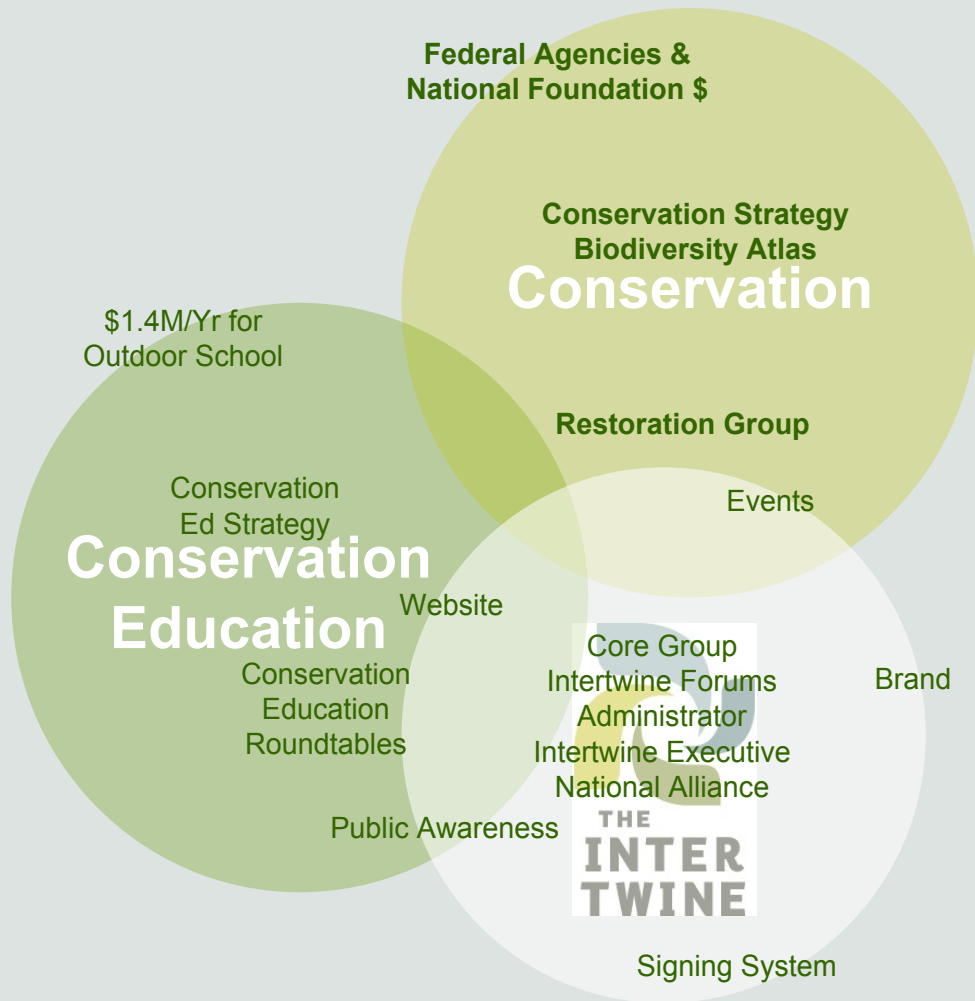
The Alliance hired Sea Reach Ltd. to develop a plan that links to region together using Intertwine themed signs (**cash/project management: \$40,000** and .2 FTE Metro project management). Implementation of the **signing system** will require additional staff and funding (**cash/project management: unidentified**).

Intertwine Public Awareness





IN ADDITION TO ORGANIZING AND INITIATING OUR PUBLIC ENGAGEMENT STRATEGIES, THERE IS MUCH WORK TAKING PLACE IN THE INTERTWINE “PETALS” TO SET PRIORITIES, ATTRACT INVESTMENT, AND COLLABORATIVELY IMPLEMENT PROJECTS AND PROGRAMS

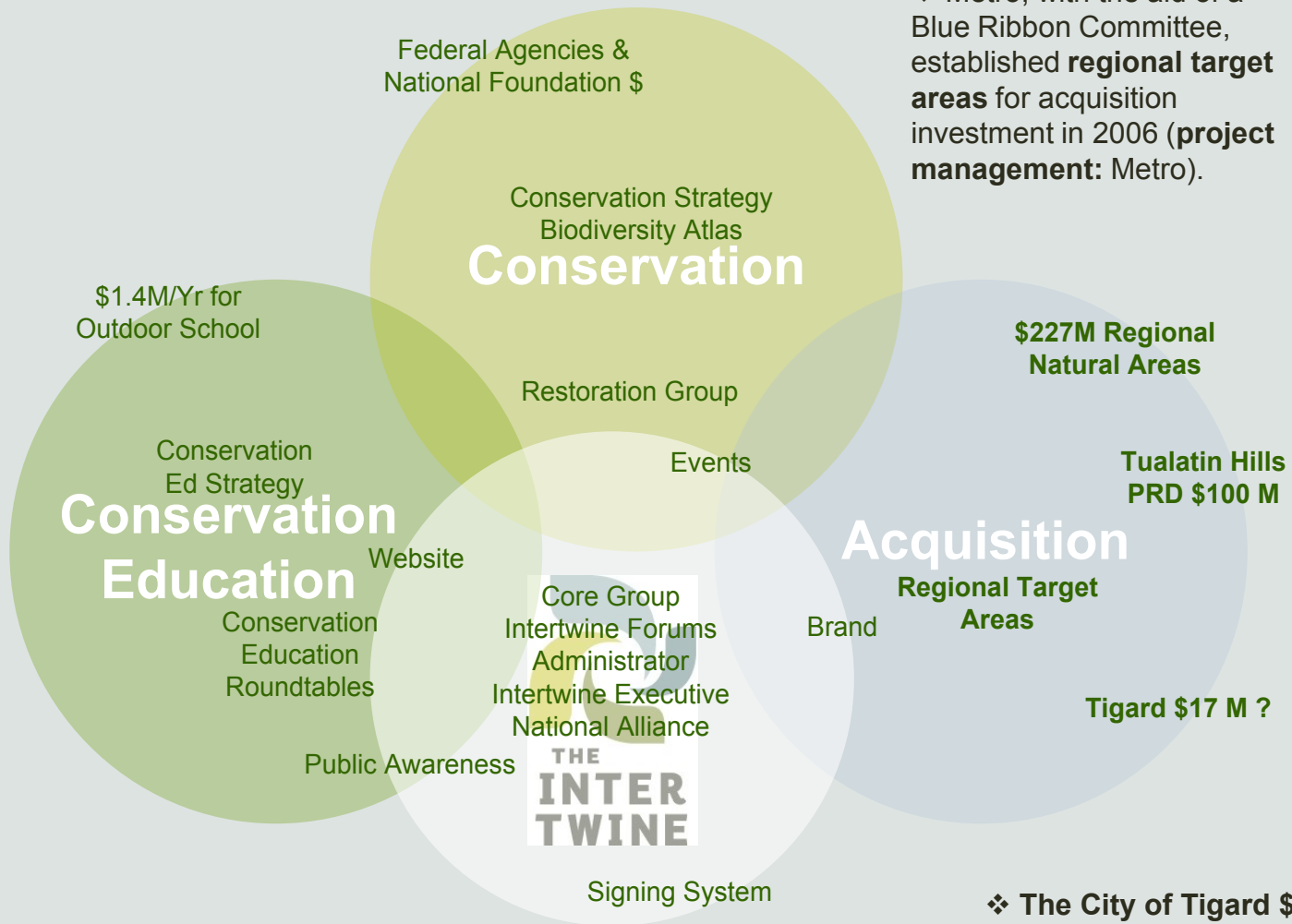


❖ A major bi-state project is underway to create the region's first **conservation strategy and biodiversity atlas (project management: project management by Metro, Columbia Land Trust, and National Park Service.)**

❖ A **restoration group** of practitioners meets every few months to exchange best practices (**project management: Metro**)

❖ The Alliance is working with other conservation coalitions nationally to increase investment in urban conservation from federal agencies and national foundations. There is discussion of forming a foundation to pass funds through to conservation and other Intertwine priorities (**project management: Houck, Audubon of Portland, Intertwine Executive**).

Conservation



❖ Metro, with the aid of a Blue Ribbon Committee, established **regional target areas** for acquisition investment in 2006 (**project management:** Metro).

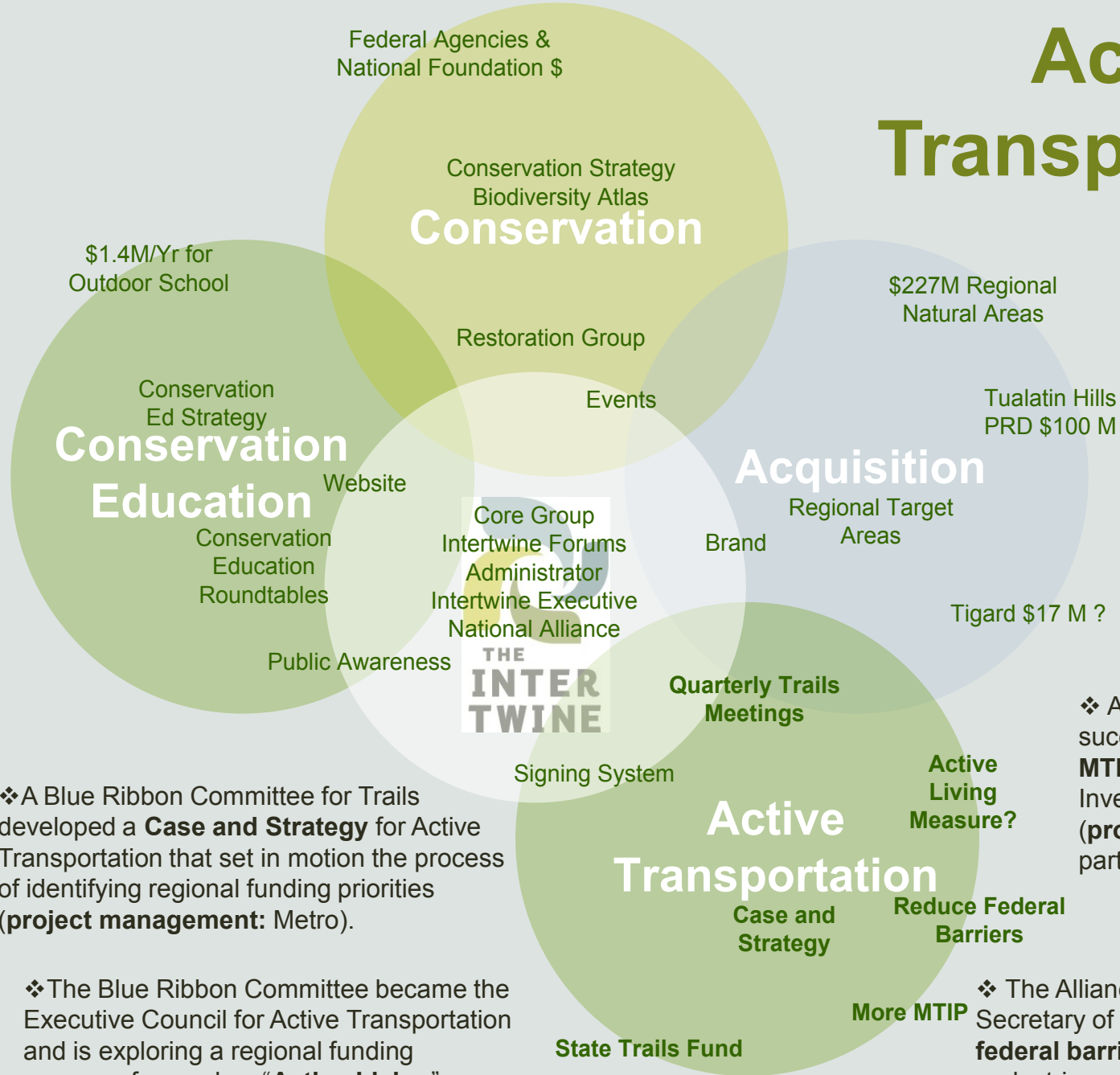
❖ In November, 2006, the region's voters approved a \$227M regional natural areas bond measure (**project management:** Metro manages, TPL has helped with several acquisitions)

❖ Tualatin Hills Parks and Recreation District passed a **\$100M bond measure** for natural area acquisition in 2008 (**project management:** managed by THPRD)

❖ **The City of Tigard \$17 million bond measure is** on the ballot for November (**project management:** City of Tigard with help from Trust for Public Land and others).

Acquisition

Active Transportation



❖ **Quarterly Trails Meetings** offer an opportunity for practitioners to exchange information and best practices (**project management:** Metro).

❖ The Alliance proposed and helped establish a new state trails fund (**project management:** Metro).

❖ Alliance partners have successfully advocated for **more MTIP** (Metropolitan Transportation Investment Program) funding (**project management:** Metro and partners)

❖ The Alliance is working with the US Secretary of Transportation's Office to **reduce federal barriers** to building bicycle and pedestrian routes (**project management:** Intertwine Executive and the City of Portland)

❖ A Blue Ribbon Committee for Trails developed a **Case and Strategy** for Active Transportation that set in motion the process of identifying regional funding priorities (**project management:** Metro).

❖ The Blue Ribbon Committee became the Executive Council for Active Transportation and is exploring a regional funding measure focused on "**Active Living**" (**project management:** Metro)

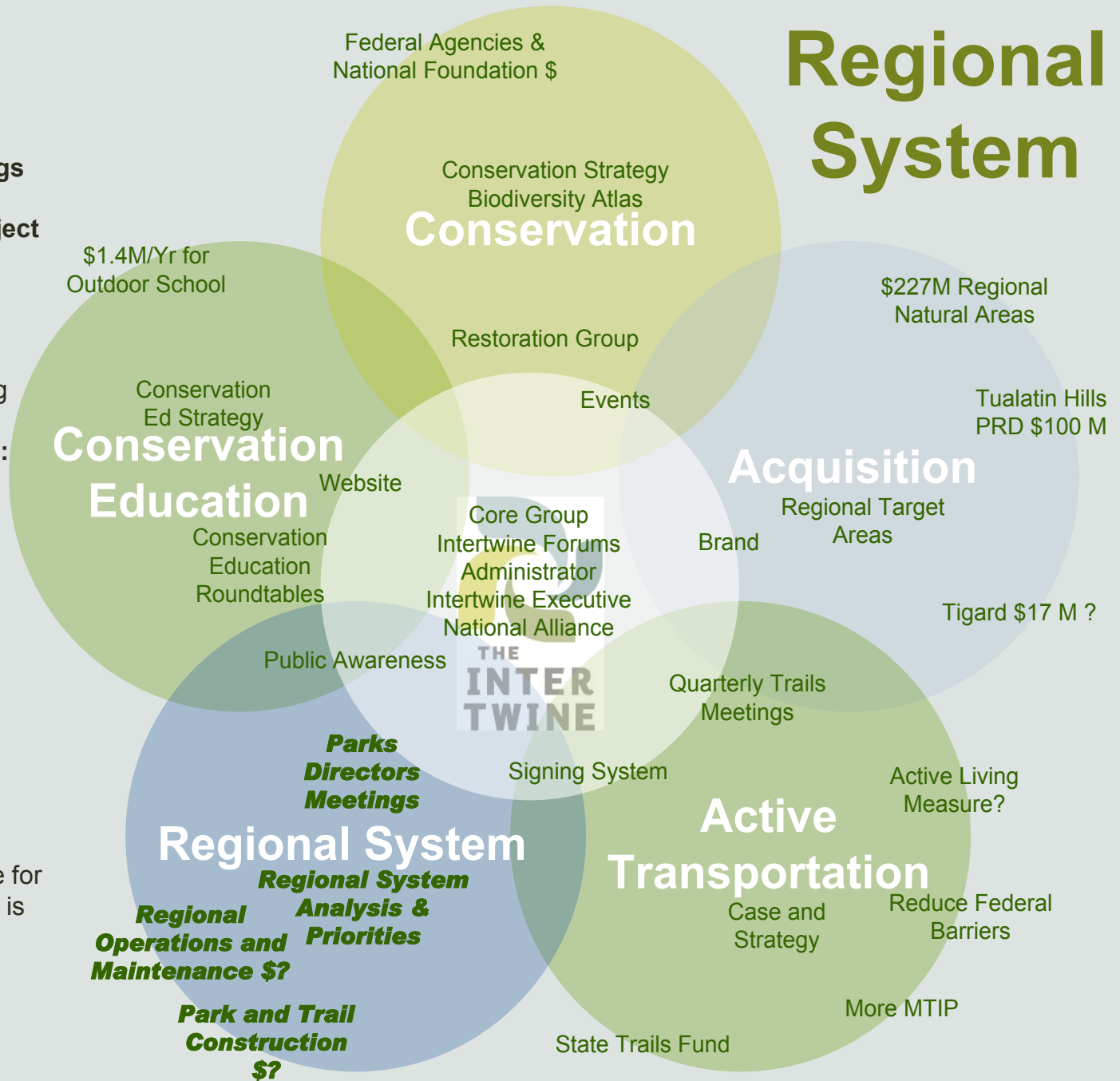
Regional System

❖ **Parks directors meetings** occur every few months to discuss shared issues (**project management:** Metro)

❖ **A regional system analysis and priority setting** process is well underway (**cash/project management:** \$65,000 Metro plus Metro project management)

❖ The technical and political feasibility of a **regional operations and maintenance fund** is now being explored (**project management:** Metro)

❖ The technical and political feasibility of a funding source for **park and trail construction** is now being explored (**project management:** Metro).





Questions to answer at the Retreat:

- What's working?
- What's not working?
- What role might your organization play?
- What are the gaps?



Please send us your answers to these questions prior to the retreat:

- If the Intertwine Alliance is successful, how will the region be different 10 years down the road?**
- What is your organization currently working on – or planning to work on – that’s an Intertwine project (or that could be an Intertwine project)?**

See You October 5th!

www.TheIntertwine.org

<https://theintertwine.groupsie.com>

[Or direct questions to Kayla.Mullis@oregonmetro.gov](mailto:Kayla.Mullis@oregonmetro.gov)



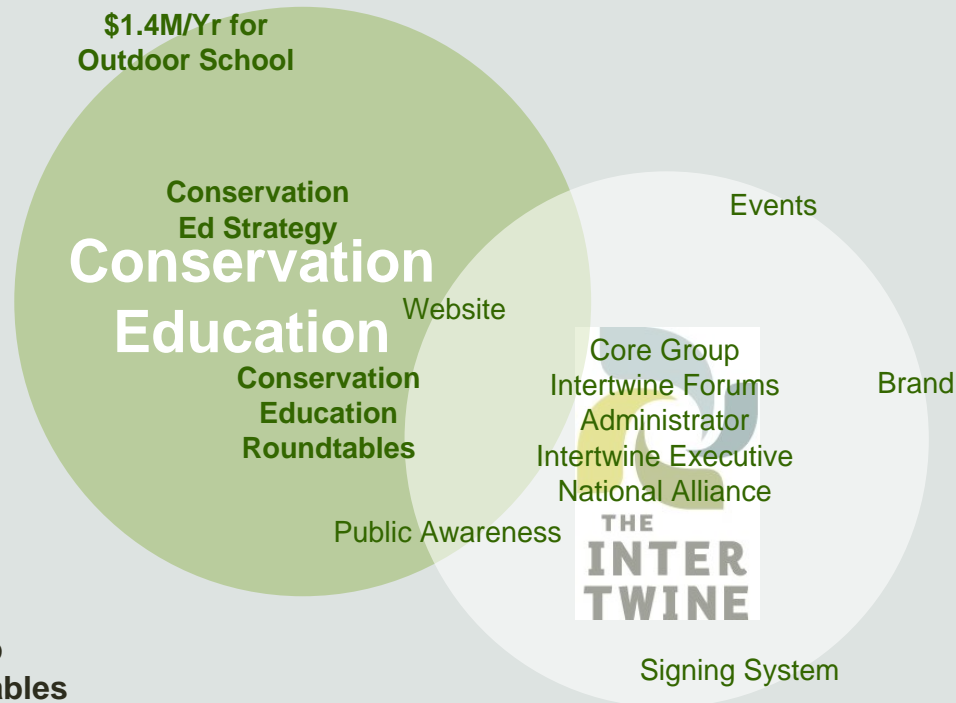
Materials following this page were distributed at the meeting.

Conservation Education

❖ In 2008, the Metro Council established a fund of **\$1.4 million per year for Outdoor School**, making it available to more 6th graders (**resources:** \$1.4M / Yr, Metro).

❖ A core group of Conservation Education organizations will soon begin work on a regional **conservation education strategy** (**resources:** Metro project management).

❖ Conservation Education practitioners are meeting two to three times per year in **roundtables** to exchange best practices and build capacity (**resources:** organized by Metro and sponsored by partners).



The Expanded Bottle Bill

2007 Legislation Added Water Bottles, Created Task Force

Background

Oregon enacted the first bottle bill in the country in 1971, but only minor changes had been made to it until 2007. Senate Bill 707, signed by the governor on June 7, 2007, expanded Oregon's landmark bottle bill for the first time to include a refundable deposit for all water and flavored water bottles under three liters. The expansion is effective Jan. 1, 2009.

In 2005, Oregonians bought nearly 200 million bottles of water, with an estimated 125 million thrown in the trash. In 2007, these numbers were likely substantially higher. Adding water bottles to the refundable deposit program encourages recycling, helps conserve energy, reduces greenhouse gas emissions and reduces solid waste.



Other legislative changes

In addition to adding water bottles, the 2007 legislation allowed small stores to further limit the number of empty containers they accept for refunds and to continue to refuse to take back container brands they do not sell. Since bill enactment on June 7, 2007, stores occupying less than 5,000 square feet of space must accept only 50 or fewer empty containers from one person per day, while larger stores must continue to accept up to 144 containers per person per day.

Effective Jan. 1, 2009, stores occupying 5,000 square feet or more must accept empty containers of any brand or size, if they sell the same type of beverage. For example, a store that sells soft drinks must accept and pay a refund on any brand of soft drink container.

The legislation also created a Bottle Bill Task Force, which made recommendations to the governor in November 2008 on how to further expand or modify the bottle bill's recycling system.

How the bottle bill works

Oregon's bottle bill covers beer, other malt beverages, carbonated mineral waters, carbonated

soft drinks and, beginning Jan. 1, 2009, water and flavored water. It does not cover juice, teas, wine, liquor, dairy, or other non-carbonated drinks or beverages. Some carbonated sports drinks and juices are considered "soft drinks" and may be covered.

Here's how the system works:

- Manufacturers, importers or distributors who sell covered beverages in Oregon must label them so that the 5-cent refund value is clearly visible.
- Stores must pay a 5-cent refund for each covered empty container returned, with some exceptions:
 - Beverage containers that visibly contain or are contaminated by a substance other than water, residue of the original contents or ordinary dust may be refused. Containers that are so damaged that the brand or refund label cannot be identified may also be refused.
 - Stores may refuse to accept more than 144 containers from one person per day. (The 2007 legislation created a 50-container limit for stores with less than 5,000 square feet of space).
- Distributors must pay stores the 5-cent refund value for each covered container returned to the distributor for recycling.
- Deposits on containers not returned for refund (unredeemed deposits) are kept by the distributors.

Effects of the bottle bill

Litter reduction: When passed in 1971, the bottle bill was viewed primarily as a litter control measure because beverage containers made up as much as 40 percent of roadside litter then. As a result of the law, this litter has been substantially reduced across Oregon's roadsides and landscape. By 1979, litter contained only 6% beverage containers. This litter reduction continues to date.

Return rates: As impressive as litter reduction has been, the bill's effect on waste reduction and resource conservation has proven to be its most remarkable feature. During most of the past 37 years, return rates for beverage containers in Oregon have exceeded 80 percent, and some years have been as high as 94 percent. Although the estimated return rate for bottle bill containers dropped to 80 percent for 2005, the rates for other



State of Oregon
Department of
Environmental
Quality

Land Quality Division Solid Waste Policy and Program Development

811 SW 6th Avenue
Portland, OR 97204
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www.oregon.gov/DEQ/

LQ-039-07

Last Updated: 11-25-08
By: Judy Henderson

beverage containers are considerably lower, as shown in the table below. The estimated total return rate for all non-deposit beverage containers is only 36 percent.

Recycling and solid waste: Studies of solid waste disposal show that fewer than 20 percent of the 1.5 billion deposit beverage containers used in Oregon in 2005 were disposed of in landfills, while more than 1 billion were recovered and recycled. Oregon The Department of Environmental Quality estimates that Oregonians purchased almost 2 billion beverage containers (deposit and non-deposit, not including paper containers such as juice boxes) in 2005.

Unredeemed deposits: Even with high return rates on bottle bill containers, there is still a substantial sum of unredeemed deposits in Oregon. DEQ estimates that about 250 million beverage containers, with deposits worth more than \$12 million, are discarded in Oregon's landfills each year. In addition, another 60 million beer and soft drink containers are recycled through curbside and other recycling programs without being redeemed for their nickel deposits. All of these unredeemed deposits are held by the beverage distributors. State government does not receive any of these funds.

Bottle bill miscellany

- The minimum refund value, 5 cents, has remained unchanged since 1972. Adjusted for inflation, that nickel would be worth about 26 cents in 2008.
- While redemption centers are allowed under the law, none operate in Oregon because the law is not set up to provide them with a source of revenue.
- Unlike most deposit states, Oregon does not have a handling fee required by law to

be paid to stores or redemption centers to cover the cost of returning containers.

- Money from the deposit/refund system remains entirely in the private sector; unclaimed deposits are retained by the distributor or bottler.
- Distributors or their contractors who collect containers from stores retain income from the sale of recyclable materials.
- There are no government employees whose main job is dedicated to implementation of the bottle bill.
- There is no tax, fee or other government income associated with this law.

For more information

The Oregon Liquor Control Commission (OLCC) administers and enforces the bottle bill. If you have questions about enforcement or complaints, call Jan Smith at (503) 872-5217 or 1-800-452-6522. For general information about the bottle bill or return rates, call Peter Spindelov at DEQ, (503) 229-5253 or 1-800-452-4011, extension 5253.

A copy of the law (2007 version) is available at <http://landru.leg.state.or.us/ors/459a.html> (see ORS 459A.700-740). OLCC administrative rules are available at http://arcweb.sos.state.or.us/rules/OARS_800/OAR_845/845_020.html.

Alternative formats

Alternative formats (Braille, large type) of this document are available upon request. Contact DEQ's Office of Communications & Outreach, Portland, at (503) 229-5696, or call toll-free in Oregon at 1-800-452-4011, extension 5696.

Estimates of Beverage Container Redemption, Recycling, 2005

(in millions of containers)

	Disposed	Recycled - not redeemed	Redeemed	Total	Percent Recycled
Beer & soft drink-deposit	254.8	63.0	1163.1	1480.9	82.8%
Water	125.5	60.7		186.2	32.6%
Juice/tea/other	126.0	54.1		180.1	30.0%
Milk	43.6	37.2		80.8	46.1%
Wine	11.5	26.4		37.9	69.6%
Liquor	9.3	7.4		16.8	44.4%
Total no-deposit	316.0	185.9		501.8	37.0%
Beer/soft drink/water/juice	506.4	177.8	1163.1	1847.2	72.6%
All beverages (no paper)	570.8	248.9	1163.1	1982.8	71.2%

DRAFT – Response to Councilor Question re: Bottle Bill

1) What's the problem?

Interest in changing the Bottle Bill arose several years ago in part from concerns about declining recovery rates and changes in consumer consumption of new type of beverages.

Over the past two decades, DEQ has estimated a gradual decline in the redemption rate for the soft drink and beer containers covered under the law from in the 90% range to the 80% range. The decline has been attributed in part to the effect of inflation on the value of the 5 cent deposit. The deposit would be over a quarter if it had kept up with inflation.

At the same time, many non-Bottle Bill beverage containers have come onto the market (e.g., water, sports drinks, teas and juices). In 2005, DEQ estimated about there were 1.5 billion traditional bottle bill containers (soft drink and beer) distributed. Water and other drinks (excluding milk, wine and liquor) added another 375 million containers - about half of which were water bottles - that needed recovery. However, the recycling rate for those containers was only around 30%.

2) Why expand?

Containers covered under bottle bills are recovered at a significantly higher rate than those not. Oregon sees Bottle Bill containers (2007 legislation) recovered at rates of 80-90% but only 30% for beverages like water and juices. While curbside systems do provide some additional recovery to complement a bottle bill, only about 4% of our recovered Bottle Bill containers come from curbside. (No information is available about how much is passersby "glean" from curbside. With the advent of roll carts, this has become a more difficult activity.) Consumer confusion about what is or is not part of the Bottle Bill is also a barrier to increased recovery.

Containers collected in curbside programs can be problematic. While residents are encouraged to place glass containers "on the side", glass does get in the roll cart, breaking and contaminating other materials like paper. Placing more glass containers under the Bottle Bill would reduce that contamination. Plastic containers, particularly the very thin water containers, also cause problems at recycling facilities.

Placing containers under the Bottle Bill increases both their likelihood of recovery and the quality of the material. Glass recovered through the Bottle Bill is very clean and goes almost entirely back into glass products (bottles or fiberglass). Glass recovered through curbside tends to be low quality and a significant fraction (~25%) goes for use as aggregate material in uses such as road bed in a landfill. The energy savings and GHG reductions from glass to glass use are significantly greater than its use as aggregate. DEQ has also completed estimates of energy and GHG gas benefits from expanding the Bottle Bill in accord with the 2007 legislative Task Force on the Bottle Bill. For example, expansion was estimated to capture 5,000 tons per year of additional aluminum. For aluminum that is 15 metric tons CO₂ saved per ton of material recycled.

Oregon Environmental Literacy Plan: Toward a Sustainable Future

Environmental Literacy Will Protect Oregon's Legacy

Since the earliest evidence of humans in Oregon, our relationship with the state's natural resources has defined the Oregon way of life. Our landscapes, waterways, coastline and wildlife have inspired our stories, supported our livelihoods and provided our legacy. Oregon's natural resources serve as a foundation of our state's economy and represent a vital heritage, one that Oregonians want to ensure for generations.

Preparing Oregon's children to protect this valuable legacy is complicated by the fact that many of our youth are disconnected from the natural world and have little understanding of their relationship to it. In order to address this challenge, the Oregon Legislature passed a law (HB2544, the No Oregon Left Inside Act) to create a statewide environmental literacy plan.

As per HB2544, the Governor appointed an eleven-member task force to develop the Oregon Environmental Literacy Plan (the Plan). The Plan is directed to state policy leaders, schools, districts, teachers, non-formal educators, community partners and other interested parties, and is intended to serve as a roadmap for the development and implementation of an educational program for environmental literacy.

The Plan puts forth a vision in which all Oregon students are lifelong stewards of their environment and community who are willing and able to exercise the rights and responsibilities of citizenship, who choose to interact frequently with the outdoors, who understand their multi-faceted relationship to the natural world, and who are therefore well-prepared to address the challenges the future holds. Integrating regular outdoor activity into a student's learning and life experience is integral to achieving this vision.

Environmental Literacy and Our Vision for the Future

The task force created the following definition for **environmental literacy**:

An individual's understanding, skills and motivation to make responsible decisions that

consider his or her relationships to natural systems, communities and future generations.

Our vision of Oregon in the year 2030, when the Plan has been supported and implemented:

Oregonians lead healthy lifestyles, enjoying frequent interaction with the outdoor environment. Oregon's vibrant and comprehensive education system leads us to develop a sense of wonder and curiosity about our natural world. We understand the interconnections between community, economy, and environment, are able to examine issues from multiple perspectives, and exercise the rights and responsibilities of being an environmentally literate citizenry.

Environmental Literacy Reinforces Educational Goals

While education for environmental literacy helps develop the knowledge and skills necessary to address complex environmental issues, it also contributes to academic achievement. Additionally, studies show that time spent outdoors for learning during the school day is critical to the intellectual, emotional and physical health of students. Providing students with quality opportunities to directly experience the natural world can improve students' overall academic performance, self-esteem, personal responsibility, community involvement, personal health and understanding of nature.

The Plan's five Environmental Literacy Strands articulate a comprehensive content and skills learning framework for K-12 students. Environmentally literate students, upon graduation from twelfth grade, will demonstrate proficiency in each of the following areas:

- 1) Understand the physical and biological world, and our interdependent relationship with it
- 2) Understand and apply systems thinking concepts and tools
- 3) Understand one's relationship to the local, regional, national and global community
- 4) Investigate options for, plan, and create a sustainable future
- 5) Understand and achieve personal and civic responsibility





Photos provided by:
National Farm to School Network
Oregon Parks and Recreation Dept.
Oregon Sea Grant
The Freshwater Trust



Oregon diploma requirements, including essential skills, personal learning and credit for proficiency, all present flexible options for aligning the Plan with existing graduation requirements. Diploma requirements can be used to support Environmental Literacy Strand components that are not reflected in existing Oregon Academic Standards.

Teachers Supported

Schools play a critical role in the preparation of environmentally literate students. Teachers, in particular, hold a large responsibility for guiding the learning experiences that lead to environmental citizenship. Designing and implementing an effective environmental literacy program requires a unique set of knowledge, skills and support. To achieve teacher efficacy in achieving environmental literacy, the Plan recommends providing professional development in environmental (and related subject) content knowledge, specialized techniques for teaching about environmental issues, and field-based pedagogical skills.

Assessment Seamlessly Integrated

The ultimate goal of the Plan is to improve the environmental literacy of all Oregon students. In

order to determine whether this is happening, we need to assess the current level of environmental literacy in Oregon and evaluate how that changes over time. Assessments will be based on the definition of environmental literacy in this Plan, student mastery of the five Environmental Literacy Strands, and the impact of outdoor learning on student achievement. Assessments will also be aligned with the Office of Assessment's existing tools, structures, systems and survey instruments as often as possible to maximize the efficiency and sustainability of our efforts.

Revenue Positive for Our Schools

Having an environmental literacy Plan in place will position Oregon to be eligible for pending federal funds through No Child Left Inside legislation, included in the Elementary and Secondary Education Act. Through this federal initiative, and with our environmental literacy Plan in place, Oregon has the potential to receive \$1-2 million in new funding annually to support the implementation of the Plan.

Additionally, the Plan has already garnered significant financial support from a diverse coalition of groups. Therefore, we project implementation of the Plan to be revenue positive for our schools.

A Road Map for Implementation

Implementation of the Plan will involve all aspects of the state's K-12 school system. A wide variety of stakeholders will be involved in each aspect of implementation. If support and integration at any level is missing implementation will not reach its potential. The task force recommends the following activities to build and ensure successful Plan implementation:

- Establish an Oregon Environmental Literacy Council that will further refine the Plan and coordinate its implementation to schools across Oregon.
- Create a sound infrastructure to support Plan implementation.
- Strategize for implementation at both the school and district level to ensure long-term sustainability.
- Secure funding and institute sound fiscal management for implementation.

It is imperative that the task force continue forging ahead to solidify essential partnerships, efficiencies, and funding for our schools, our communities and the preservation of Oregon's historic legacy.

To read the complete Plan, please visit:
<http://www.ode.state.or.us/search/page/?id=2886>

Intertwine Alliance Retreat

RSVP List

Alisha Willis, Washington County

Bob Sallinger, Portland Audubon

Bruce Barbarasch, THPRD

Cheri Martin, Vancouver Parks and Rec
Foundation

Chris Enlow, KEEN Footwear

Cynthia Sulaski, The Intertwine

David McAllister, City of Portland

Doug Menke, THPRD

Gary Barth, Clackamas County

Gary Bock, Vancouver Watersheds Council

Janet Bebb, Metro

Jean Ackers, City of Vancouver

Jennifer Thompson, U.S. Fish and Wildlife

Jim Desmond, Metro

Jim McElhinny, THPRD

Jody Caicco, US Fish and Wildlife

Jonathan Nicholas, ODS

Kathryn Harrington, Metro

Kim Gilmer, City of Lake Oswego

Laura Porter, Clean Water Services

Mark Lear, City of Portland

Mary Anne Cassin,

Meryl Rdisch, Portland Audubon

Mike Abbate, City of Gresham

Mike Houck, Urban Greenspace Institute

Mike Jordan, Metro

Mike Wetter, Metro

Pam Wilson, TriMet

Pete Mayer, City of Vancouver

Rex Burkholder, Metro, Councilor

Robert Liberty, Metro

Rod Park, Metro

Scott McEwen, Columbia Land Trust

Scott Mizze, NP Greenway

Scott Welch, Columbia Sportswear

Shirley Craddick, City of Gresham

Stacey Triplett, Metro

Susan Remmers, Remmers Consulting

Wayne Gross, City of Hillsboro

Zari Santer, City of Portland

Molly Haynes, Kaiser Permanente



October 4, 2010

To: Rex Burkholder, Metro Council
Fr: Lake McTighe, Metro Active Transportation Program
Re: Activity update on Active Transportation

The Metro Council received a progress report on Active Transportation at the January 5, 2010 Council meeting. As the Metro Council representative on the Executive Council for Active Transportation, this memo provides an update on some recent developments in active transportation for you to share with the Metro Council.

Regional funding measure campaign for “Active Living”

The Executive Council for Active Transportation has begun to explore developing an “Active Living” campaign for a regional funding measure for bicycling, walking and trail projects. A lack of local matching funds prohibits the region from competing as effectively as it could for federal funds for active transportation and a committed on-going funding stream will be a critical part of a complete funding package.

Over the next few months the Executive Council for Active Transportation will lay the groundwork for determining the viability of embarking on a campaign in 2012, 2014 or 2016. (See attached meeting outline.) This exploratory stage is occurring in coordination with the Community Investment Strategy (CIS).

Building regional consensus around prioritized demonstration projects

Metro continues to work with local jurisdictions to advance biking and walking projects throughout the region. However, the Blue Ribbon Committee for Trails recommended identifying, funding and building pilot projects that would demonstrate the potential of active transportation if funded on par with other transportation projects. This would require a new investment strategy, similar to the “light rail investment model” where prioritized active transportation corridors are funded to provide complete seamless routes for biking and walking.

Staff has completed a technical analysis of a set of thirty-eight potential demonstration projects, or corridors, providing a starting place for a regional discussion. The technical analysis provides information on user demand and implementation of regional growth and transportation policies. What it does not provide is prioritized project list for investment, a political decision that will require understanding how projects are prioritized and by whom.

The Metro Council and the Joint Policy Advisory Committee on Transportation have been moving policies towards more strategic and focused transportation investments, most recently with the new process for allocating the 2014-15 Regional Federal Flexible Funds.

The Executive Council for Active Transportation will help determine whether the projects exist for the “light-rail” approach to work and whether the region can technically pull this approach off. Initial buy in to a set of demonstration projects is the first step. The upcoming 2014-15 Regional Flexible Fund process will be one forum for that discussion.

State funding, Urban Trails Fund

Three projects, including a spur of the Springwater Trail in Gresham, have been awarded funds from the Urban Trails Fund created in 2009 as part of HB 2001. The Metro Council and the executive Council for Active Transportation played a critical role in the creation of the fund. Now that projects have been awarded, renewing and potentially growing the fund will be a focus of the Executive Council for Active Transportation during the 2011 Legislative session.



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Executive Council for Active Transportation

2010 Meeting Outline - Preparing for an Active Transportation Campaign and Funding Demonstration Projects

Oct. 7 - Demonstration Projects

Presentation and discussion of active transportation demonstration projects.

Questions: Do we have some iconic projects that we could form a campaign around? How can we build regional consensus around a few projects? How could the Regional Flexible Funds discussion help? The Blue Ribbon Committee for Trails recommended adopting the “light rail” approach to build out the active transportation network – one complete corridor at a time. How can we make this approach work?

Background: The Blue Ribbon Committee for Trails recommended building an urban, suburban and an urban-to-nature demonstration project to demonstrate the potential of an integrated approach to active transportation. The BRC also discussed building out the active transportation system using the “light rail” approach. That is, focusing funding and resources to complete fully functioning elements of the network one segment at a time. The Executive Council could build consensus around the light rail approach and a few key, high visibility demonstration projects.

Staff have analyzed the “active transportation corridors, networks and nodes” that are candidates to be demonstration projects. Developing a regional consensus around a set of projects will require significant leadership. The Executive Council is well suited to advocate for this approach to completing the network, and to help build consensus around a set of priority routes that will energize the community.

First, however the Executive Council needs to determine whether the projects exist for the “light-rail” approach to work and whether the region can technically pull this approach off. Initial buy in to a set of demonstration projects is the first step.

Opportunity: A soon to be appointed Regional Flexible funds Task Force (of which members of ECAT are serving) will be meeting to discuss how best to allocate federal funds for active transportation, green freight and electric vehicle projects (approximately 75% or \$17 million of the funds have been targeted for active transportation) provides an opportunity to test out the light rail model. Instead of spreading the peanut butter, how



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Nov. 7 – Communication and Messaging

David Hiller, Executive Director of the Cascade Bicycle Club will discuss the *Streets for All Seattle* Campaign and the successful *Bridging the Gap Levy* in Seattle that provided funding for bicycling and walking. David will listen to what we know in the Portland region and give his feedback.

Questions: What did the Nov. 2 election results of the TriMet ballot measure tell us about the potential for an Active Living campaign? How much more do we need to further develop messaging based on existing information? Do we need to raise funding to conduct new polling? Should an economic impact study be part of the information?

Background: We will need to further refine our messaging if we are to frame up and pass a regional measure. There are several polling efforts underway including the Regional Household Transportation Survey, the RTO awareness survey, and Community Investment Strategy (CIS). Executive Council members will be asked to help develop questions for the CIS poll.

Determine if additional active transportation specific polling is needed for a campaign and measure. Polling would help determine both messaging and the composition of the measure. The measure could include any combination of walking, biking, transit, parks or other community facilities. A focus group costs approximately \$6,000 and a regional survey approximately \$60,000.

Dec. 7– Laying the Groundwork for a Campaign

A yet to be determined consulting firm will lay out three scenarios for campaigns on a 2012, 2014 and 2016 timeline. Michael Jordan will discuss how the campaign and the Community Investment Strategy work together.

Questions: Is this the time to form a campaign committee, run a campaign, and pass a money measure?

Background: A lack of local matching funds prohibits the region from competing as effectively as it could for federal funds for active transportation and a committed on-going funding stream will be a critical part of a complete funding package. A local or regional source of funding would leverage state and federal funds to significantly accelerate development of the system. Staff has completed preliminary work identifying some potential sources of funds and approaches.