

 **Metro | Agenda**

Meeting: Natural Areas Program Performance Oversight Committee
Date: Friday, April 4, 2014
Time: 9 to 11 a.m.
Location: Metro Regional Center, council chamber

8:45 **COFFEE AND PASTRIES**

9:00 **WELCOME** Drake Butsch

9:05 **PROGRAM UPDATES** Kathleen Brennan-Hunter
Acquisition, local share and capital grants
Financial report
Stabilization

9:30 **TERRAMET** Brian Kennedy

9:45 **TARGET AREA PROGRESS** Kathleen Brennan-Hunter

10:00 **LOCAL SHARE** Heather Nelson Kent

10:15 **NATURAL AREAS WORK PLAN DRAFT APPROACH** Kathleen Brennan-Hunter

11:00 **ADJOURN**

2014 WORK PLAN

September 2013

Implementation work plan
Capital expenditure policy
Stabilization follow up
Opportunity acquisitions

January 2014

Implementation work plan (draft)
Opportunity acquisitions (draft)
Staff capacity

April 2014

Target area progress
Local share
Terramet/other regional groups
Cost allocation policy

June 2014

Capital grants
Unusual circumstances
Annual report



Natural Areas Program Performance Oversight Committee

April 4, 2014

Committee members in attendance: Drake Butsch (committee chair), Bill Drew, Walt McMonies, Shawn Narancich, Kendra Smith

Committee members excused: Dean Alterman, Michelle Cairo, Christine Dupres, Autumn Hickman, Rick Mishaga, Peter Mohr, Andrew Nordby, Norman Penner

Metro: Kathleen Brennan-Hunter, Jim Desmond, Barbara Edwardson, Brian Kennedy, Shannon Leary, Heather Nelson Kent, Hope Whitney

Welcome

Committee Chair Drake Butsch welcomed the committee and thanked them for coming.

Program updates

Acquisition

Three properties were acquired since the committee's last meeting: Sperline, in the Lower Tualatin River target area; Polhpeter, along the Tualatin River; and Switzer, in the Newell Creek Canyon target area. Kathleen noted that Pohlpetter had some unusual circumstances involving significant environmental contamination.

Capital grants

The Nature in Neighborhood capital grants are currently in the review phase. Funding recommendations will be presented to the Metro Council for approval in May. Heather will present an in-depth report on the grants program at the committee's June meeting.

Financial report

Acquisition spending continues to be low compared to prior years, but the total administrative costs to date are 7.03%, well below the 10 percent threshold.

Stabilization report

Metro has spent \$706,000 in stabilization costs this year to date, which is in line with previous annual spending. Kathleen noted there have been some large stabilization projects this year, such as the Rogers property adjacent to Scouters Mountain Nature Park, the Reeder property in Willamette Narrows, and the Chehalem Ridge Natural Area.

Terramet

Brian discussed Metro's plans to share the Terramet license with partner organizations. Metro will share the license for free, and in return the partner organization will share any investments they make in the system. The Terramet team is currently looking at system maintenance costs and is working with The Intertwine to help manage potential "customers."

Target area progress

Kathleen reviewed the dashboard and discussed some of the areas that haven't had much progress on acquisition targets, including Cooper Mountain, Deep Creek, Tryon Creek and Wapato Lake. Jim noted that some of the areas, such as Cooper Mountain, were targeted in the 1995 bond and acquisition was hugely

successful, but there are a limited number of specific parcels that would add to current park acreage. Leased agricultural properties in Washington County was also discussed.

Local Share

Heather reported that the local share funds are 90 percent expended. The local government IGAs expired at the end of March; 11 jurisdictions requested extensions to complete their projects. Similar to Metro, some of the jurisdictions are targeting specific properties, and their local share funds have a specific focus.

Natural Areas Work Plan

Property specialist Shannon Leary reviewed the proposed changes to the Natural Areas Work Plan. Staff incorporated some of the technical changes discussed at the last committee meeting. Additional discussion was held about the appraisal process. Real estate negotiator Barbara Edwardson and attorney Hope Whitney participated in the discussion.

Next meeting

The next meeting will be in June 2014.

Adjournment

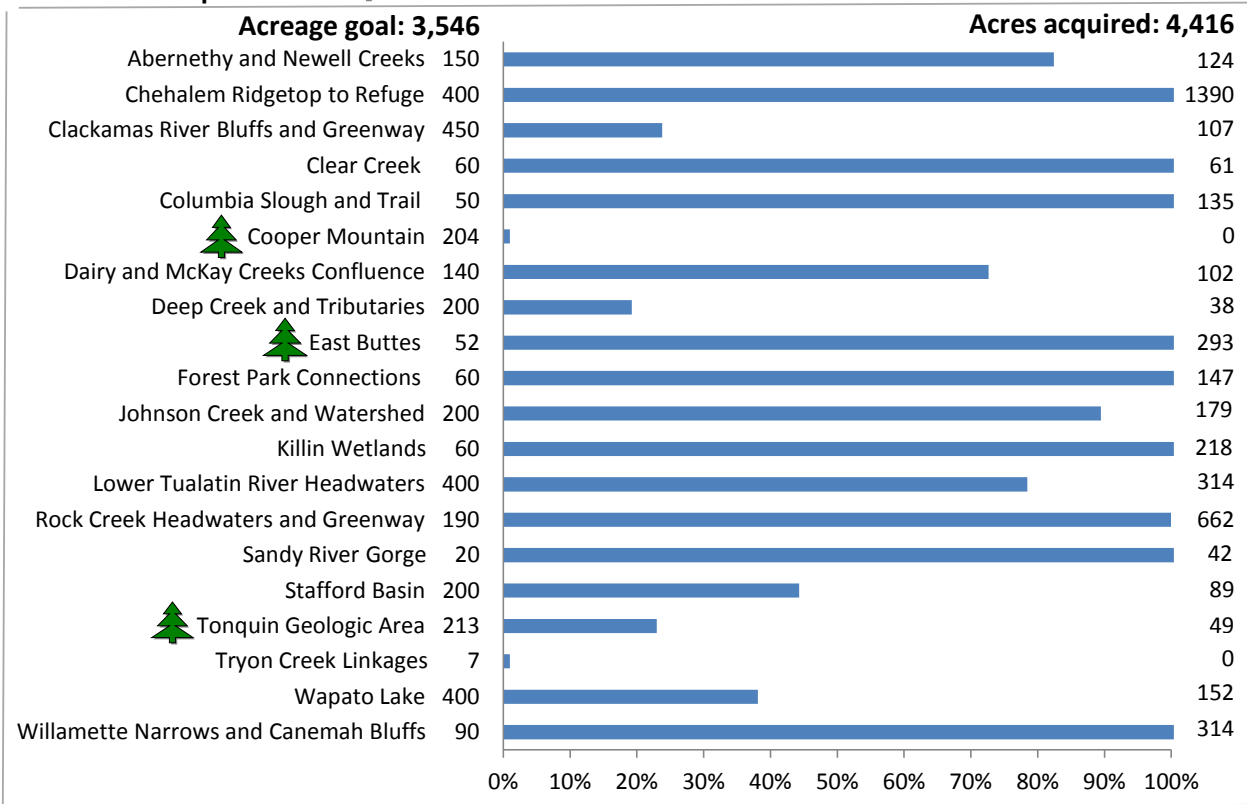
The meeting adjourned at 10:35 a.m.

Minutes recorded by Marybeth Haliski.

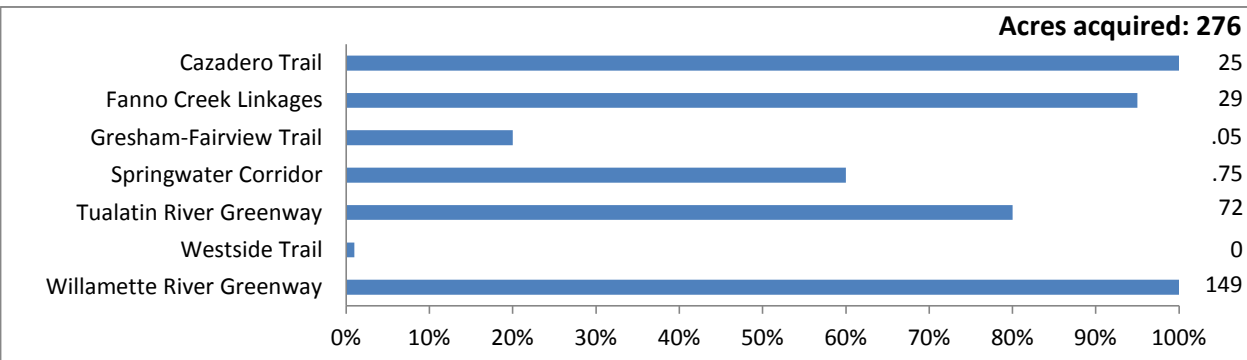
Natural Areas Program

April 4, 2014

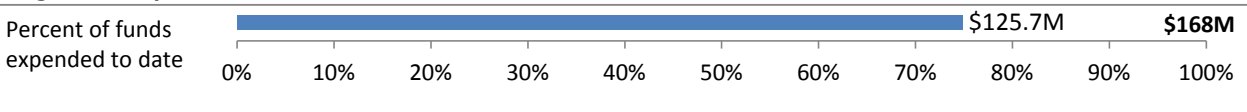
Natural area acquisition  **park built**  **percent of 2006 refinement plan acreage goals met or exceeded**



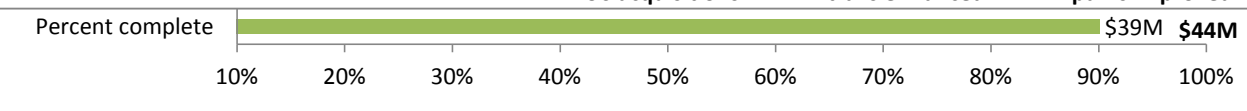
Trail/greenway corridors  **percent of 2006 refinement plan goals met**



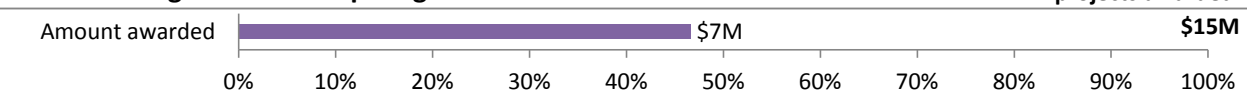
Regional acquisition  **regional acquisition funds spent to date**



Local share **96 acquisitions** **11 trails enhanced** **47 parks improved**



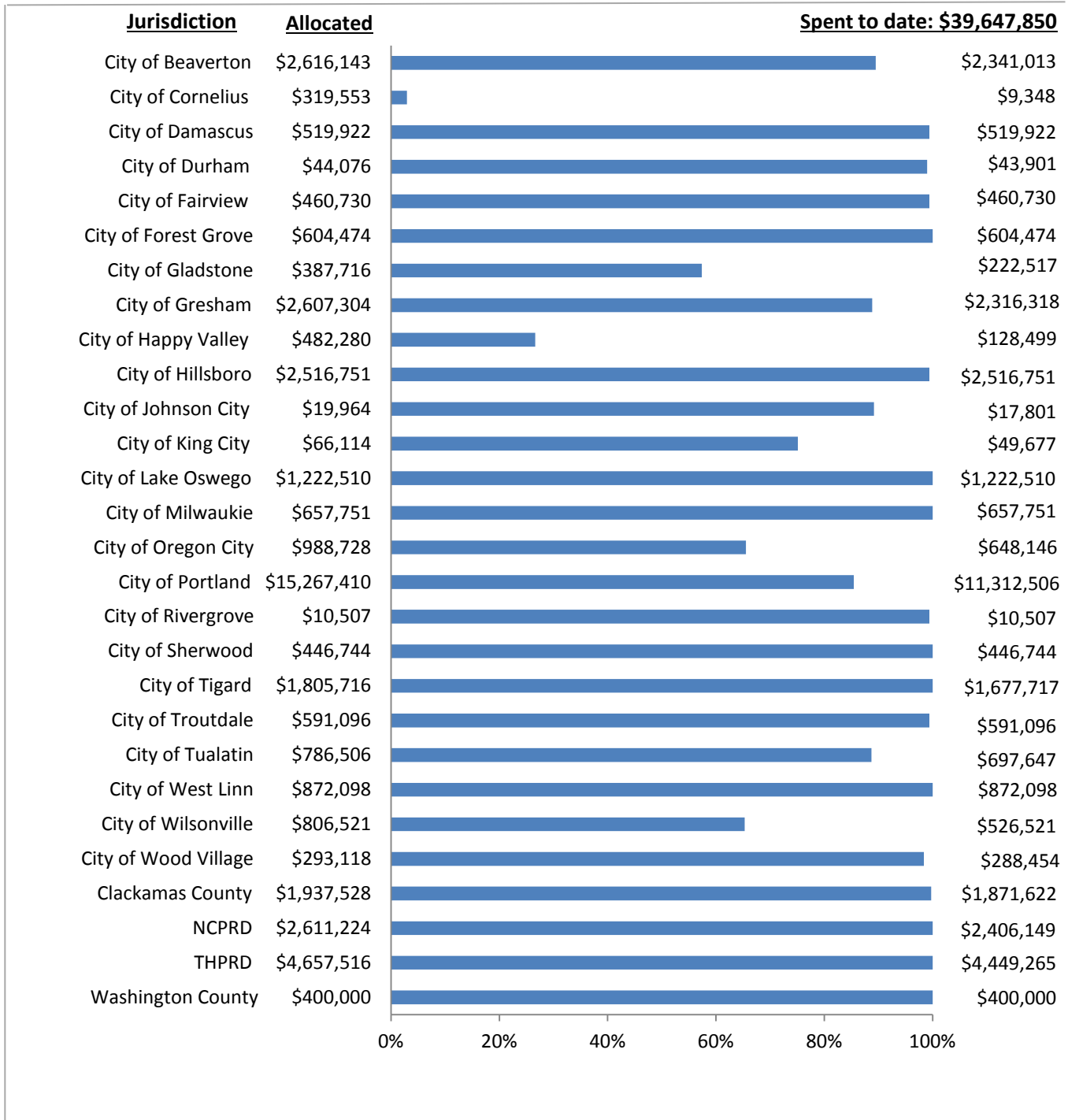
Nature in Neighborhoods capital grants **27 projects awarded**



Local Share program

April 4, 2014

■ percent of local share allocation spent



2006 Natural Areas Bond Fund

Summary of Resources, Requirements and Changes in Fund Balance
(Unaudited)

	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14 Through 2/28/2014		Program Total
	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	<u>Amount</u>	FTE	<u>Amount</u>	<u>Amount</u>
Beginning Fund Balance	0	122,299,840	93,979,814	77,117,027	56,792,607	36,469,224	98,783,002		78,247,452	0
Resources										
Bond Proceeds	130,678,369	0	0	0	0	90,015,894	0		0	220,694,263
Interest Earnings	1,301,230	5,600,503	2,538,906	940,859	322,830	139,417	180,451		459,389	11,483,585
Other Resources	10,000	27,380	5,322,056	385,730	414,009	964,004	882,461		1,672,019	9,677,658
Subtotal Resources	131,989,599	5,627,883	7,860,962	1,326,589	736,839	91,119,314	1,062,911		2,131,408	241,855,506
Requirements										
Land Acquisition										
Staff Costs	117,956	206,692	425,072	465,329	512,240	658,515	514,455	6.3	415,631	3,315,891
Materials & Services	6,786	2,599	334,980	328,153	8,506	3,907	31,450		4,028	720,409
Land Costs	7,596,372	25,224,753	14,517,160	10,282,293	8,416,742	14,616,212	7,802,932		1,564,754	90,021,217
Due Diligence										
Staff Costs	0	412,029	492,589	455,774	430,237	464,571	438,935	5.0	328,358	3,022,493
Materials & Services	96,539	199,756	183,474	299,244	315,358	412,112	699,814		147,710	2,354,008
Stabilization										
Staff Costs	19,578	116,534	190,606	290,234	388,887	430,992	441,095	4.7	290,262	2,168,188
Materials & Services	294	177,441	345,330	284,874	643,569	681,557	1,251,803		706,274	4,091,143
Local Share										
Staff Costs	0	36,269	43,872	47,458	49,759	56,434	57,341	0.5	39,889	331,024
Materials & Services	0	25	188	3,500	0	0	1,488		2,131	7,331
Payments to Jurisdictions	400,000	4,798,366	4,316,165	5,399,109	6,312,927	8,563,477	6,230,760		738,933	36,759,736
Capital Grants										
Staff Costs	0	63,831	89,352	125,466	91,744	111,876	94,896	0.8	61,435	638,601
Materials & Services	0	1,400	1,363	811	114	180	25		248	4,141
Grant Payments	0	0	49,750	534,899	1,287,039	195,282	1,510,360		514,989	4,092,319
Capital Construction										
Staff Costs	0	84,071	113,921	115,064	100,643	115,884	142,649	0.9	100,725	772,957
Capital	455,072	1,513,347	2,503,147	1,841,075	917,019	(9,098)	301,099		(45,074)	7,476,588
Administration										
Bond Issuance Costs Refinement	295,889	0	0	0	0	325,046	43		0	620,978
Staff Costs	1,477	5,426	0	0	0	0	0		0	6,903
Materials & Services	382,030	85,882	0	0	0	0	0		0	467,912
Direct Admin Costs										
Staff Costs	230,815	527,644	490,722	750,704	868,127	677,019	694,589	3.7	407,119	4,646,737
Materials & Services	25,980	152,422	51,490	56,082	263,857	890,303	533,379		218,935	2,192,448
Indirect Admin Costs*	60,971	339,422	574,569	370,939	453,567	611,267	851,346		573,782	3,835,862
Other Requirements	0	0	0	0	0	0	0		0	0
Subtotal Requirements	9,689,759	33,947,909	24,723,748	21,651,009	21,060,337	28,805,536	21,598,461		6,070,129	167,546,888
Ending Fund Balance	122,299,840	93,979,814	77,117,027	56,792,607	36,469,109	98,783,002	78,247,452		74,308,732	74,308,732
Administration as % of Total Expenditures										
	<u>FY07</u>	<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>		<u>FY13 YTD</u>	<u>Total</u>
	10.29%	3.27%	4.52%	5.44%	7.53%	8.69%	9.63%		19.77%	7.03%

* Indirect Administrative Expenses are those charged through internal allocation, and include services such as Human Resources, risk management, payroll, building rents, etc.

Note: Due Diligence staff costs have been removed from "Indirect Admin Costs" and the FTE for these positions is shown as a

Stabilization Report

As of February 28, 2014

		Acres	Close Date	Stabilization End Date	Status	Prior Years	Year to Date
Natural Area Personnel Services						1,088,253	233,877
Natural Area Materials and Services						55,122	12,273
G02038	Happy Valley Homes	14.7	7/26/2011	7/26/2014	Stabilization	3,594	-
G02097	Miller	20.99	6/30/2008	6/30/2010	Complete	19,042	-
G02110	Cascade Pacific Council	68.3	5/5/2011	5/5/2016	Stabilization	41,246	9,663
G02125	Darby Ridge	37.3	6/6/2007	6/6/2009	Complete	30,305	-
G02132	Sunnyside Brook, LLC/BASILLI	22.48	6/15/2010	6/15/2012	Complete	19,226	-
G02135	Persimmon Properties	70	7/20/2007	7/20/2009	Complete	20,668	-
G02136	Persimmon Development TL3600	8	7/20/2007	7/20/2009	Complete	819	-
G02137	Persimmon Development TL600	15	10/14/2008	10/14/2010	Complete	3,371	-
G02140	Rogers					97,499	31,030
East Buttes and Boring Lava						235,894	40,692
G46002	Mabel Johnson Trust	17.9	10/29/2009	10/29/2011	Complete	42,668	7,325
G46008	Winters/Homes New to You Inc.	4.83	12/21/2010	12/21/2012	Complete	9,233	-
G46012	Schafer Trust	7.2	10/4/2011	10/4/2013	Complete	37,140	293
Deep Creek Target Area						89,042	7,618
G18036	Corey	0.54	5/9/2013	5/9/2015	Stabilization	2,000	78
G18039	Pratt Timberlands	88.3	10/9/2009	10/9/2011	Complete	9,182	-
Clackamas River Greenway						11,182	78
G12016	Stark	61	7/26/2012	7/26/2017	Stabilization	46,443	9,257
Clear Creek Canyon						46,443	9,257

		Stabilization				Prior Years	Year to Date
		Acres	Close Date	End Date	Status		
G03010	Hartfeil	15.6	10/30/2013	1/0/1900	Stabilization	-	6,750
G03053	Trust for Public Land-Evanson	106.66	8/13/2007	8/13/2009	Complete	4,336	-
G03065	Gabriel	1.36	5/10/2012	5/10/2014	Stabilization	212	-
Newell & Abernathy Creeks						4,548	6,750
G55002	Stevens Family Enterprises LLC	24.7	6/20/2008	6/20/2010	Complete	29,268	-
G55003	Landover Properties	63.91	6/8/2009	6/8/2012	Complete	108,095	-
Stafford Basin						137,363	-
G21006	Lewis	29.6	6/26/2012	6/26/2017	Stabilization	57,208	12,695
G21007	Davis - File #21.07	24.34	3/11/2009	3/11/2011	Complete	12,801	-
G21015	Reeder	181.25	6/28/2011	12/31/2015	Stabilization	194,635	105,485
G21019	Benson	4.9	9/27/2011	9/27/2016	Stabilization	44,401	30,973
G21020	Brar	22.37	2/4/2013	1/0/1900	Stabilization	14,300	35,001
G22010	Vlahos	26	4/27/2012	4/27/2014	Stabilization	80,707	5,237
G22025	Kahre	13.29	3/25/2009	3/25/2011	Complete	9,343	-
G22027	Little Rock Island	12	10/26/2012	10/26/2017	Stabilization	1,314	4,900
Willamette Narrows						425,096	194,441
G08024	State of Oregon DAS - Dammasch	19.76	7/25/2008	7/25/2010	Complete	50,099	-
G08029	Weedman/Tonquin	24.4	3/12/2012	3/12/2017	Stabilization	25,741	-
Tonquin Geologic Ares						75,840	-
G54001	Burge Trust	52.93	5/2/2007	5/2/2009	Complete	8,467	-
G54003	Holmes Trust	38.6	10/17/2008	10/17/2010	Complete	50,311	-
G54004	Cole	5	6/8/2009	6/8/2011	Complete	2,403	-

		Stabilization			Prior Years	Year to Date	
		Acres	Close Date	End Date	Status		
G54005	Streeter	23.2	6/8/2009	6/8/2011	Complete	47,512	-
G54012	Massoni	10	12/15/2010	12/15/2012	Complete	33	-
G54013	Ralston/Consani	34	8/23/2010	8/23/2012	Complete	47,245	4,464
G54014	Schmeltzer, file 54.014	76.55	11/21/2011	11/21/2016	Stabilization	45,015	2,889
G54016	Bohm (Conserv. Easement)	26.35	1/31/2013	1/31/2015	Stabilization	9,429	4,492
Lower Tualatin Headwaters						215,808	11,846
G11011	Nelson/Vanghn Trust	68.25	8/29/2012	8/29/2017	Stabilization	21,607	45,653
G11031	Kapaun	0.41	9/28/2007	9/28/2009	Complete	6,539	-
G11033	ICON Construction	1.5	10/24/2008	10/24/2010	Complete	9,948	-
Tualatin River Greenway						43,678	45,653
G50006	Lynscot Management	152.49	2/6/2012	2/6/2017	Stabilization	151,435	27,164
Wapato Lake Target Area						151,435	27,164
G48001	Hamacher/Ponzi	36.3	2/11/2008	2/11/2010	Complete	24,768	-
G48002	Chehalem Ridge/TPL/Iowa Hill	1143	1/7/2010	1/7/2017	Stabilization	630,763	146,288
G48003	Withycombe	147.29	3/15/2013	3/15/2018	Stabilization	13,091	13,799
G48004	McKenzie/Cehalem Ridge	19.17	9/22/2011	9/22/2016	Stabilization	33,085	2,008
G48005	Sandstrom Revocable Lvng Trust	40	11/15/2012	11/15/2017	Stabilization	12,930	60,509
Chehalem Ridgtop-Refuge Area						720,955	222,603
G07039	Wetter	88.05	4/13/2007	4/13/2009	Complete	9,403	-
G07042	Saxton	6.7	1/22/2009	1/22/2011	Complete	22,034	2,158
Dairy McKay Target Area						31,667	2,158
G56002	Moore Family Farm	214.95	3/8/2012	3/8/2017	Stabilization	26,594	6,459

		Stabilization			Prior Years	Year to Date	
		Acres	Close Date	End Date	Status		
Killin Wetland Target Area						26,594	6,459
G13040	Steinberg	39.5	9/30/2011	9/30/2016	Stabilization	15,766	1,005
G13043	Keystone Construction & Dev	20.61	4/12/2010	4/12/2012	Complete	12,638	-
G13044	Chang	20	9/14/2009	9/14/2011	Complete	4,222	-
G13046	Cho	40	6/4/2010	6/4/2012	Complete	72,526	-
G13047	Lorenzen	55.6	9/27/2013	9/27/2018	Stabilization	-	10,724
G13048	Fernald	37.39	4/21/2011	4/21/2016	Stabilization	38,103	-
G13049	Hampton / Rock Creek	80.8	12/21/2011	12/21/2016	Stabilization	27,432	3,675
G13050	Multnomah County Tax Title	26.5	5/9/2012	5/9/2014	Stabilization	9,974	-
G13051	Mid Valley Resources	300	12/21/2011	12/21/2016	Stabilization	23,761	7,731
G13052	Orenco Woods/Hillsboro/TPL	42	12/1/2011	12/1/2016	Stabilization	16,340	10,469
Rock Creek Greenway&Headwaters						220,762	33,603
G06058	Margolis/TPL	57.5	3/27/2007	3/27/2009	Complete	49,922	-
G06065	Oregon Parks Foundation	86.5	11/20/2008	11/20/2010	Complete	45,947	-
Forest Park Expansion						99,516	-
G28009	Roughton/Columbia Slough	20.5	2/24/2011	2/24/2013	Complete	38,190	-
G28031	Cambron/Fisher	0.96	12/19/2012	1/0/1900	Stabilization	-	271
G28047	Broadmoor Property	54.05	12/12/2012	1/0/1900	Stabilization	-	16,100
Columbia Slough Target Area						38,190	16,371
G29001	Wong	10	6/22/2007	6/22/2009	Complete	4,137	-
G29002	Spani Seely	1.02	12/29/2006	12/29/2008	Complete	10,460	-
G29004	Telford Estates	20	11/27/2007	11/27/2009	Complete	105,880	8,148
G29005	Clarence Allesina	1.28	7/31/2007	7/31/2009	Complete	16,880	-
G29006	Hedges	49	7/13/2007	7/13/2009	Complete	16,369	-

		Stabilization				Prior Years	Year to Date
		Acres	Close Date	End Date	Status		
G29007	Clatsop Buttes I (Hedge Creek)	1.54	1/7/2008	1/7/2010	Complete	2,762	-
G29008	JC Reeves	52.68	11/30/2007	11/30/2009	Complete	4,670	-
G29012	Stickney	1.98	7/14/2008	7/14/2010	Complete	29,380	-
G29013	Parson	5.59	2/9/2010	2/9/2012	Complete	31,363	-
G29015	Jones	0.5	10/7/2008	10/7/2010	Complete	36,411	-
G29017	Gonzales	0.38	12/23/2008	12/23/2010	Complete	1,618	-
G29019	Peden	5.85	4/8/2011	4/8/2015	Stabilization	47,135	1,023
G29020	Marston	2.97	11/18/2010	11/18/2015	Stabilization	49,854	901
G29022	Wildt	4.81	6/28/2012	6/28/2017	Stabilization	44,736	8,148
Johnson Creek Target Area						401,656	18,221
G04024	Friberg - File 4.024	41.8	12/1/2009	12/4/2011	Complete	55	-
Sandy River Gorge						55	-
G16009	Fields	25.89	9/13/2012	9/13/2017	Stabilization	40,525	9,425
Fanno Creek Greenway						40,525	9,425
G52001	OSU Foundation	24.63	5/19/2010	5/19/2015	Stabilization	48,598	2,322
Cazadero Trail						48,598	2,322

2006 Natural Areas Program

LOCAL SHARE PROGRAM UPDATE

APRIL 2014

Total local share allocation: **\$44,000,000**

Expended as of Jan. 28, 2014: **\$37,309,683 (85%)**

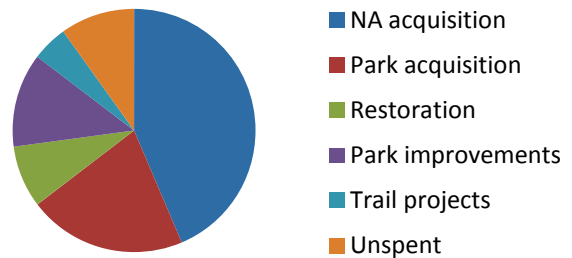
Expended as of April 4, 2014: **\$39,647,850 (90%)**

- 96 acquisitions; 700 acres
- 11 trail projects
- 47 parks and natural areas improved (includes restoration activities)

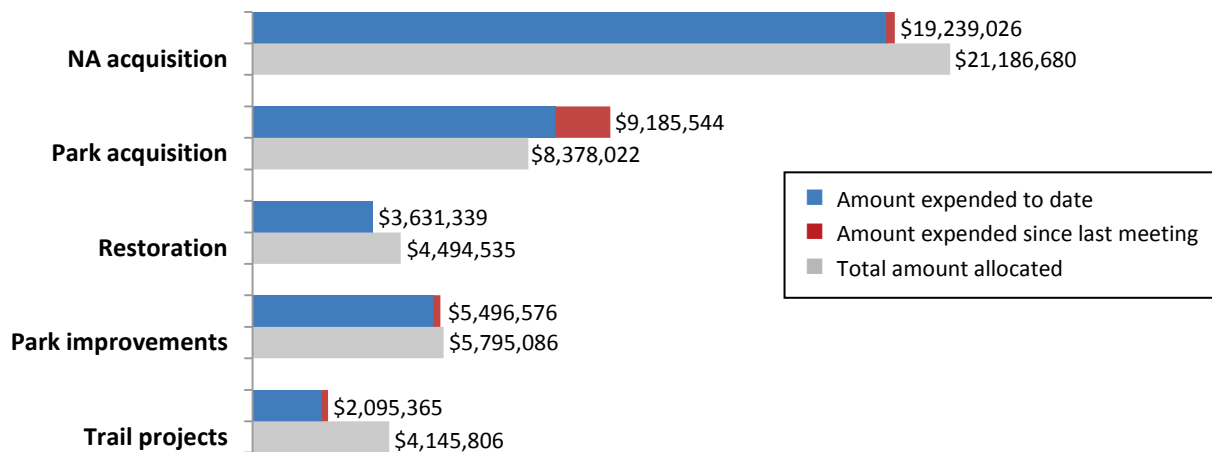
EXPENDITURES BY PROJECT TYPE

NOTE: The amount expended may exceed the amount allocated due to changes in the types of projects by several jurisdictions.

Project type	Amount allocated	Expended to date
NA acquisition (628 acres)	\$21,186,680	\$19,239,026
Park acquisition (72 acres)	\$8,378,022	\$9,185,544
Restoration	\$4,494,535	\$3,631,339
Park improvements	\$5,795,086	\$5,496,576
Trail projects	\$4,145,806	\$2,095,365



EXPENDITURE SUMMARY



NATURAL AREA ACQUISITION

Jurisdictions are using their local share funds to secure inholdings, expand existing natural areas or secure land for new nature parks.

- The City of Portland used \$56,162 of their local share along with \$477,672 of BES Grey to Green funding to acquire a 4-acre inholding in the Mitchell Creek Natural Area in Southeast Portland. This acquisition will contribute to the conservation of the larger natural area and protection of the open channel stream located on the property.

Natural area acquisition

- \$21,186,680 allocated
- \$19,239,026 expended to date
- 79 sites acquired in 14 jurisdictions
- 628 acres acquired to date

PARK ACQUISITION

Seventeen sites throughout the region have been acquired for more traditional park use. These parks will range from small pocket parks in already developed neighborhoods to a large sports complex in a rapidly developing area. Five of the sites expand existing park land.

- Tualatin Hills Park & Recreation District used \$208,251 of Washington County's local share funds, along with \$231,249 of their own SDC funds to acquire 3.43 acres of land adjacent to Mountain View Middle School for a planned community park.
- The City of Portland used \$1,735,485 of their local share funds, along with \$464,514 of their SDC funds, to acquire a 7.49-acre site in outer east Portland for a future neighborhood park.

Park acquisition

- \$8,378,022 allocated
- \$9,185,544 expended to date
- 17 sites acquired in 8 jurisdictions
- 73 acres acquired to date

RESTORATION PROJECTS

Jurisdictions are using their funds to address a variety of restoration needs that include addressing human impact (Troutdale, Wood Village, Portland, Cornelius) and enhancing water quality (Beaverton, Gresham, Portland).

- The City of Portland celebrated the opening of the Stephens Creek trail improvements on March 15. Metro Councilor Bob Stacey was there to congratulate the community on their new trail connection.

Restoration projects

- \$4,494,535 allocated
- \$3,631,339 expended to date
- 17 projects in 7 jurisdictions

PARK IMPROVEMENT PROJECTS

Park improvements continue to be an important aspect of the local share program.

- North Clackamas Parks & Recreation District used the City of Damascus' remaining \$205,075 of local share funds along with \$52,651 of their own funds to construct Trillium Creek Park in Damascus. Both jurisdictions have completed their local share obligations.

Park improvement projects

- \$5,795,086 allocated
- \$5,496,576 expended to date
- 30 projects in 15 jurisdictions

TRAIL ACQUISITION AND IMPROVEMENTS

Local share funds are being used to address regional trail priorities along Beaver Creek, the Trolley Trail, Springwater Corridor, Gresham-Fairview Trail, Red Electric and Fanno Creek. In addition, five local trail priorities are being addressed.

- Clackamas County used their remaining \$61,356 of local share funding to complete the paving of the Springwater Trail from the Clackamas County line into the City of Boring. They celebrated this accomplishment at a ribbon cutting ceremony on February 1.
- The City of Tigard used their remaining \$127,999 of local share funds along with \$371,001 of their own funds to complete a section of the Fanno Creek Trail from Main Street to Grant Street.

Trails

- \$4,145,806 allocated
- \$2,095,365 expended to date
- 11 projects in 8 jurisdictions

LEVERAGE INFORMATION

To date, local partners have reported nearly \$37.5 million in leveraged funding.



Date: March 31, 2014
To: Natural Areas Bond Program Oversight Committee
From: Natural Areas Program staff
Subject: Natural Areas Implementation Work Plan updates

Almost 20 years ago, the Open Spaces Implementation Work Plan was developed to support the 1995 Open Spaces, Parks and Streams Bond Measure. The Open Spaces Implementation Work Plan has also been used to support the 2006 Natural Areas Bond Measure, although the *Acquisition Parameters* and *Due Diligence Guidelines* sections were replaced in 2006 by the "Natural Areas Implementation Work Plan." The Natural Areas Implementation Work Plan was adopted by the Metro Council March 1, 2007 in Resolution 07-3766A. To date, together these plans have guided acquisition of 102 property acquisitions ("properties") and 27 trail acquisitions (neither number includes solely local share acquisitions) with Natural Areas Bond Measure funds.

The updates and revisions contained in the Natural Areas Implementation Work Plan reflected the past experience of Metro and responded to the changed market conditions and goals of the 2006 Natural Areas Bond Measure. Additionally, over the past several years, the Metro Council approved several resolutions related to the Natural Areas program, updating and amending the work plan in pieces, and addressing issues or unusual circumstances as required by the work plan.

With the additional experience the program has gained over the past several years, it was prudent to look at the entirety of the Open Spaces and Natural Areas Implementation Work Plans and consider whether the applicable sections were relevant, accurate, and reflective of the best practices Metro is using on the ground. As a result of that review, we propose to integrate these other Metro Council resolutions and update sections of the Natural Areas Implementation Work Plan (the "work plan") to provide one document that is a complete and up to date guide for the Natural Areas program.

A summary of the proposed work plan updates is below.

1. Integrates Resolution 08-3963 "Amending the Natural Areas Implementation Work Plan to Authorize the Chief Operating Officer to Acquire Certain Properties when the Purchase Price is Equal To or Less Than \$5,000"

- This resolution allows for the Chief Operating Officer ("COO") to acquire property for \$5,000 or less that is not on the refinement map but adjacent to property owned by Metro or another public parks-providing jurisdiction within the greater Metro region.
- This resolution also allows for the COO to acquire property for \$5,000 or less without obtaining an appraisal. To date, 12 properties have been acquired for \$5,000 or less, including seven donations or tax foreclosures.

The proposed work plan updates this resolution further:

- Authorizes the COO to acquire properties that are not on the refinement map so long as they are adjacent to property owned by Metro or another parks providing jurisdiction within the

greater Metro region, with no acquisition price cap.

- Authorizes the COO to acquire property for \$50,000 or less without obtaining an appraisal.

To date, 17 properties have been acquired for \$50,000 or less, including seven donations or tax foreclosures. Dollars spent on all acquisitions with a purchase price of \$50,000 or less total approximately 0.16% of bond dollars spent on acquisitions.

2. Integrates Resolution 10-4122 “For the Purpose of Amending the Natural Areas Implementation Work Plan to Authorize the Chief Operating Officer to More Efficiently Acquire and Assign Trail Easements”

-This resolution acknowledges that the acquisition of trail easements is different than acquisition of land, and allows for some greater flexibility.

-Integrating the acquisition parameters and due diligence guidelines for trail easement acquisitions approved in this resolution into the work plan compiles all relevant parameters in one location and provides for a more complete work plan.

3. Updates the purchase price threshold for which an appraisal review is needed, allows for use of both appraisals if a second is required, and recognizes that appraisals are imperfect

-The current work plan requires an appraisal review be conducted if the purchase price is \$250,000 or more. If the review appraiser disagrees with the value he or she is instructed to complete a second appraisal. The program is only authorized to acquire the property at the value identified by the lower of the two appraisals. To date, 69% of properties have been purchased at a contract price of \$250,000 or more, requiring an appraisal review.

-The current work plan authorizes the COO to acquire a property at a price up to 10% above appraised value, or \$100,000 above appraised value, whichever is less.

The proposed work plan:

-Requires an appraisal review for properties purchased for \$400,000 or more. To date, 52% of properties have been acquired at a purchase price of \$400,000 or more. Dollars spent on all acquisitions with a purchase price less than \$400,000 total approximately 9.14% of total bond dollars spent on property acquisitions.

-If a second appraisal is required through the review process, authorizes the Natural Areas Program Director to determine the fair market value based on the information in the two appraisals, which shall not exceed the average of the two appraisals.

-Authorizes the COO to acquire a property at a price up to 10% above appraised value, or \$100,000 above appraised value, whichever is more.

4. Updates the Due Diligence Guidelines with regards to the Physical Inspection and Environmental Review

The proposed work plan:

-Authorizes the COO to execute and grant easements or license agreements for non-park uses after closing provided the following conditions are met:

- The agreement is for an encroachment or boundary issue that existed at the time Metro purchased the property,

- The easement form and agreement have been reviewed and approved by the Office of Metro attorney, and

- The issue cannot be easily resolved without a formal written agreement between the parties (such as by removing the encroachment, for example).

-Clarifies when expenditure of bond funds to remediate environmental contamination identified on a property by a Phase II environmental assessment is authorized by the COO.

-Clarifies that such contamination will not be considered an “unusual circumstance” as described in the work plan.

-Clarifies that such expenditure will result in either (i) the receipt of a “No Further Action” letter, or equivalent, if the cleanup is completed prior to closing, (ii) substantial elimination of the probability of future environmental liability to Metro, based on information provided in the Phase II environmental assessment, or (iii) receipt of a “Prospective Purchaser Agreement” from the Department of Environmental Quality if the cleanup is completed after closing.

5. Updates the “*Land Banking*” section to “*Long Term Management*”

-Resolution 97-2483 authorizes the COO to enter into property (residential and agricultural) leases for up to one year, and Resolutions 03-3325 and 13-4449 authorize the COO to enter into specific agricultural leases for five and ten years.

-The proposed work plan authorizes the COO to enter into agricultural leases of up to 10 years provided the following conditions are met:

- the proposed lease complements the natural resources stewardship management goals,
- does not conflict with anticipated future uses of the property,
- Natural Areas Program Director has approved the lease, and
- Office of Metro Attorney has approved the lease form.

6. Updates the “*Stabilization*” section to include current stabilization components and processes, and includes a stabilization plan template

I. Introduction

On November 7, 2006, voters in the metro region approved a \$227.4 million bond measure (“the 2006 Natural Areas Bond Measure”) directing Metro to purchase natural areas, parks and streams. The 2006 Natural Areas Bond Measure is modeled after the \$135.6 million bond measure approved by the region’s voters in 1995 (the “1995 Open Spaces, Parks and Streams Bond Measure”).

The Open Spaces Implementation Work Plan, approved by the Metro Council in 1997, was initially developed to support the 1995 Open Spaces, Parks and Streams Bond Measure. The Open Spaces Implementation Work Plan has also been used to support the 2006 Natural Areas Bond Measure, although the *Acquisition Parameters* and *Due Diligence Guidelines* sections were replaced in 2006. The updated *Acquisition Parameters* and *Due Diligence Guidelines* reflected the past experience of Metro and responded to the changed market conditions and goals of the 2006 Natural Areas Bond Measure.

Nearly two decades after its adoption, it was appropriate to re-evaluate the Open Spaces Implementation Work Plan and the updated *Acquisition Parameters* and *Due Diligence Guidelines* sections. Based on the recommendations of the Natural Areas Oversight Committee, this document provides a revised framework under which 2006 Natural Areas Bond Measure implementation activities shall continue to proceed.

II. Refinement

Definition

“*Refinement*” is the public process whereby Metro adopts specific geographical boundaries and objectives for each target area and trail project.

Rationale

A *refinement* process is necessary for each of the 27 target area sites and trail projects because the amount of land available in each target area exceeds the dollars available for purchase, or in the case of trails, the exact alignment of the trail is not known. In addition, the process allows public comment and involvement in the prioritization of bond monies.

Process

As provided in the 2006 Natural Areas Bond Measure, Metro undertook a public refinement process to establish specific acquisition strategies, goals, and objectives, resulting in confidential tax-lot specific acquisition target maps for each of the 27 target areas. Metro’s refinement process included the compilation of available information about each target area; biological field visits and expert analysis of maps; interviews with key stakeholders including natural resource experts, property owners, representatives from state and local government agencies, and advocates from water quality, fish, and wildlife preservation groups; and multiple public open houses where draft refinement plans were made available for public review and participants could share their target-area priorities.

In the fall of 2007, after first reviewing the draft refinement plans and considering information from citizens, scientists, advocates, and state and local governments, the Metro Council adopted individual refinement plans for each of the 27 target areas. The resolution references for each target area refinement plan are set forth in the Appendix A.

III. Acquisition Parameters

Definition

"*Acquisition Parameters*" are the Council-approved criteria and conditions under which the Chief Operating Officer and his/her designees are authorized to negotiate and complete *land acquisition* transactions and *trail easement acquisition* transactions without further Council review and approval. The Chief Operating Officer and his/her designees may complete a *land acquisition* transaction or *trail easement acquisition* transaction that does not meet all of the acquisition parameters only with specific Council review and approval. A "*trail easement acquisition*" as referred to in this Work Plan also includes the acquisition of fee property interests when acquired for the main purpose of establishing a trail on the property.

Rationale

The creation of pre-approved *acquisition parameters* permit the agency to deal with willing sellers or grantors in a timely and business-like manner and allow the Council to focus on policy level issues.

Intent

Metro intends to pay fair market value for property, it being acknowledged, however, that the Metro area real estate market is dynamic and the process of identifying fair market value is not exact. Metro's acquisition process should provide as much flexibility as possible to achieve the goals of the Natural Areas Bond Measure and to reflect the actual market conditions affecting the fair market value of properties targeted for natural areas acquisition.

With respect to *trail easement acquisitions*, market value does not always compensate landowners for certain impacts of trail development on their property that are difficult to quantify. These potential concerns are often related to security, privacy and costs related to owner attorney's review and advice. *Trail easement acquisitions*, in most cases, will be governed by Federal Acquisition Guidelines as administered by the Oregon Department of Transportation. Following the Federal Acquisition Guidelines process assures that the governing body holding the *trail easement* is eligible for future federal funding to assist or finance local or regional trail construction.

Land Acquisition Parameters

The Metro Council authorizes the Chief Operating Officer and his/her designees to negotiate and close *land acquisition* real estate transactions related to the 2006 Natural Areas Bond Measure provided all of the following criteria/conditions are met:

- The landowner is a willing seller.
- The property is (a) identified on a Council-adopted target area "confidential refinement map" or (b) contiguous to property owned by Metro or by another public park-providing entity within the greater Metro region.
- The Real Estate Negotiator and a stabilization team representative have inspected the property, the Natural Areas Manager has approved the purchase, and an acknowledgement of such visits and approvals has been completed.
- If the property is identified as Agricultural Resource Land in the Refinement Plan adopted for the applicable target area, then Metro has complied with the Agricultural Resource Land Guidelines in this Work Plan, as specifically refined by the applicable Refinement Plan for the target area in

which the property is located.

- "Due diligence" has been completed in conformance with the due diligence section of this Work Plan and no unusual circumstances have been found to exist.
- The negotiated purchase price for the property is either:
 - Equal to or less than \$50,000.00; or
 - Not more than 10% or \$100,000, whichever is greater, above the fair market value as established by the appraisal process described below and the Chief Operating Officer has authorized acquisition of the property at such price after finding that acquisition of the property at the negotiated purchase price is in the "public interest". In order to conclude that such a purchase is in the public interest, the Chief Operating Officer must conclude that:
 - The failure to acquire the property will significantly compromise Metro's ability to achieve the goals described in the applicable adopted Refinement Plan for that target area; and
 - The purchase will not reduce the amount of funds available to purchase other critical, high priority target properties in a manner that will significantly compromise Metro's ability to achieve the goals described in the applicable adopted Refinement Plan for that target area.

In addition, the Chief Operating Officer shall also consider the following factors before concluding that such a purchase is in the public interest:

- Whether there are immediate and known competing offers or other market pressures that put Metro at risk of permanently losing the opportunity to purchase and preserve the property unless Metro agrees to pay the negotiated purchase price; and
- Whether any other parties are making financial contributions toward the purchase price.

Trail Easement Acquisition Parameters

The Metro Council authorizes the Chief Operating Officer and his/her designees to negotiate and close *trail easement* real estate transactions related to the 2006 Natural Areas Bond Measure provided all of the following criteria/conditions are met:

- The landowner is a willing seller/grantor.
- The property is (a) identified on a Council-adopted target area "confidential refinement map" or (b) contiguous to property owned by Metro or by another public park-providing entity within the greater Metro region.
- The Real Estate Negotiator and a planning team representative have inspected the easement area, the Natural Areas Program Director has approved the purchase, and an acknowledgement of such visits and approvals has been completed.
- "Due diligence" has been completed in conformance with the due diligence section of this Work Plan and no unusual circumstances have been found to exist.

- The negotiated purchase price for the easement is either:
 - Equal to or less than \$50,000.00; or
 - Not more than 25% or \$25,000, whichever is greater, above the fair market value as established by the appraisal process described below and the Natural Areas Program Director has authorized acquisition of the trail easement at such price after finding that acquisition of the easement above the initially offered purchase price is in the public interest. In order to conclude that such a purchase is in the public interest, the Program Director must conclude and document that:
 - The seller/grantor has rejected the fair market value as established by the appraisal and appraisal review processes described below and has provided a reasonable basis for the additional compensation;
 - The failure to acquire the easement will significantly compromise Metro’s ability to achieve the goals described in the applicable adopted Refinement Plan for that target area. Staff will document the total compensation to the property owner including, but not limited to, future design and construction consideration such as landscaping, fencing, lighting or signage; and
 - The purchase will not reduce the amount of funds available to purchase other critical, high priority target properties nor will it compromise Metro’s ability to achieve the goals described in the applicable adopted Refinement Plan for that target area.

- Each trail easement acquisition shall be evaluated to determine if future federal funding for design and construction is potentially possible. If federal funding is possible, in order to safeguard eligibility for this funding, Metro staff will adhere to the trail acquisition guidelines as required by the Oregon Department of Transportation, and updated from time to time to ensure compliance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (the “Uniform Act”) and with Oregon law (ORS 35.510).

- When agreed to by the local jurisdiction in which the trail will be located, built, and maintained, Metro may assign its interest in the Trail Easement (or its interest in the underlying purchase agreement) at closing to such local jurisdiction.

Appraisal Process

- Initial Appraisal
 An independent certified appraiser has completed an appraisal of the property interest that states a conclusion of the fair market value of the property or, if appropriate, a range of value. The appraisal may be in a summary report format. For *trail easements*, if federal funding is contemplated, the appraisal should generally comply with the federal acquisition appraisal guidelines. The appraiser shall state in the appraisal any assumptions that he/she relied upon to determine the property’s fair market value; however, the appraisal shall not be based upon any “extraordinary assumptions” made by the appraiser that materially affect the property’s fair market value.

- Appraisal Review
 A certified appraiser has completed a review of the appraisal if either (1) the property’s purchase price is \$400,000 or more, (2) the Metro Attorney determines, at his/her sole

discretion, that such an appraisal review is appropriate under the circumstances of a particular proposed acquisition, or (3) an appraisal review is required for a trail easement acquisition in order to comply with federal acquisition appraisal guidelines. Such appraisal review shall be completed in accordance with the Uniform Standards of Professional Appraisal Practice (“USPAP”) or equivalent general appraisal standards (e.g. the Oregon Department of Transportation’s or federal yellowbook appraisal guidelines) and may include a determination of an acceptable range of value for the property by the review appraiser. If the review appraiser determines that the appraisal does not meet USPAP or other general appraisal standards, the Office of Metro Attorney, may either (a) direct the review appraiser to work with the initial appraiser to correct the deficiencies, (b) direct the review appraiser to make a final determination of an acceptable range of value for the property or (c) order a second appraisal to be completed in accordance with the initial appraisal guidelines set forth above.

- Appraisal Conflicts

If an appraisal review (or any second appraisal) is completed for a property, and such appraisal concludes a fair market value determination different than that of the initial appraisal, the Natural Areas Program Director or his/her designees shall have the discretion to determine the fair market value based on the information in the two appraisals, which shall not be more than the average of the two appraisals.

Notices and Reports to Council Regarding Completed Transactions

The Natural Areas Program Director or his/her designees shall notify the Council promptly following the closing of any real estate transaction. The Chief Operating Officer or his/her designees shall prepare and present to the Council quarterly updates summarizing acquisition activity distinguished by target area.

V. Due Diligence

Definition

"*Due diligence*" is the systematic inspection of the legal title and physical condition of real property or easement area before that property or easement is acquired to assure protection of public investment in natural area and trail properties. *Due diligence* should be conducted in advance of closing so that resolvable problems can be adequately addressed prior to closing.

Components

The primary areas of *due diligence* are described below. A more detailed list of items examined may be found in Terramet. The Metro Attorney may amend the checklist as determined necessary and appropriate at his/her discretion.

The Due Diligence Team for Land Acquisitions is comprised of the Real Estate Negotiator, Metro Attorney staff, and Stabilization Scientist for each property. The Due Diligence Team for Trail Easement acquisitions is comprised of the Real Estate Negotiator, Metro Attorney staff, and the assigned planner for each property.

- Appraisal

An appraisal of the property must be completed to determine the property or easement's fair market value and provide other useful information about the property. The appraisal shall be in the format described in the previous section regarding *acquisition parameters* and shall be reviewed in the manner set forth therein. Notwithstanding the foregoing, the Metro Council

authorizes the Chief Operating Officer and his/her designees to negotiate and close real estate transactions on any property where the purchase price (or other payment made to entity holding title in order to obtain title to the property) is equal to or less than \$50,000.00 without first obtaining an appraisal or an appraisal review.

- Examination of Title
 - Metro must satisfy itself that the seller/grantor has the authority to sell the property or easement, that Metro understands what rights will be conveyed, that all parties necessary for the conveyance or granting are involved, and that any rights that are not a part of the transaction will not defeat the purpose of the acquisition.
 - *Due diligence* requires the review and inspection of the title report and related documents, including the deed to the current owner, recorded easements and other encumbrances, water rights, access rights, taxes, liens, etc.
 - Other documents that need to be inspected include unrecorded leases with existing tenants or farmers, management agreements, records pertaining to personal property included in the sale, surveys, and agreements the seller may have entered into that may not be of record.

- Inspection of the Property for Land Acquisitions
 - Location of Boundaries. *Due diligence* requires the review of any existing survey of the property. Absent a recent survey, Metro should identify the known or assumed property boundaries on site. If such boundary identification is not apparent, a survey will be conducted if deemed necessary by the Due Diligence Team. Additionally, Metro must identify that both legal and physical access to the property exist and are usable. Legal and physical access by the public will be secured unless the nature of the property is such that access restrictions are acceptable for that property.

 - Physical Inspection. Metro or its contractors and agents must physically inspect the property for environmental assessment purposes and to identify possible hazards, unrecorded easements and trespassers, and to make a preliminary evaluation of the condition of any structures and improvements (roads, fences, utilities, etc.), which shall be further evaluated during the stabilization period (see section regarding Stabilization and Long Term Management, supra). Any encroachments, potential property boundary disputes, or unrecorded use of the property identified either during property inspection or in title search will be resolved prior to closure if deemed necessary by the Property Due Diligence Team. The Metro Council authorizes the Chief Operating Officer and his/her designees to execute and grant easement and/or license agreements for non-park uses after closing provided all of the following criteria/conditions have been met:
 - The agreement is for an encroachment or boundary issue that existed at the time Metro acquired the property;
 - The easement form and agreement have been reviewed and approved by the Office of Metro Attorney; and
 - The issue cannot be easily resolved without a formal written agreement between the parties (such as by removing the encroachment, for example).

 - Environmental Review. Metro shall contract with an environmental professional to conduct a Phase I Environmental Assessment in accord with the requirements of the

federal All Appropriate Inquiries and in accord with applicable state of Oregon law and regulation, for the purpose of establishing the Innocent Landowner Defense pursuant to CERCLA section 101(35) and 107(b)(3). If the Phase I Environmental Assessment identifies environmental conditions indicative of releases or threatened releases of hazardous substances, pollutants, contaminants, petroleum and petroleum products and controlled substances, Metro shall contract with an Environmental Professional to conduct a Phase II Environmental Investigation, which may include soil and groundwater sampling and testing, in accord with ASTM Standards. The Chief Operating Officer may authorize the expenditure of Natural Area Program bond funds to remediate environmental contamination identified on a property by a Phase II Environmental Assessment and such contamination will not be considered an “unusual circumstance” as described in this work plan, provided that the Chief Operating Officer has concluded that (a) such expenditure is reasonable in relation to the purchase price and appraised value of such property, and (b) such expenditure will result in either (i) receipt of a "No Further Action" letter, or a substantial equivalent, from the Oregon Department of Environmental Quality if the cleanup is completed prior to closing; (ii) substantial elimination of the probability of future environmental liability to Metro, based on information provided in the Phase II Environmental Assessment; or (iii) receipt of a “Prospective Purchaser Agreement” from the Department of Environmental Quality if the cleanup is completed after closing.

- Inspection of the Property for Trail Easement Acquisitions
 - Location of Boundaries. *Due diligence* requires the review of any existing survey of the property. Metro should also identify the boundaries of the easement area. If such boundary identification is not possible, a survey of the easement area will be conducted if deemed necessary by the Due Diligence Team. Legal and physical access by the public will be secured unless the nature of the property is such that access restrictions are acceptable for that property.
 - Physical Inspection. Metro or its contractors and agents must physically inspect the easement area for general environmental assessment purposes and to identify possible hazards, unrecorded easements and trespassers, and to make determine appropriateness of the property for future development of a trail. Any encroachments, potential property boundary disputes, or unrecorded use of the easement area identified either during property inspection or in title search will be resolved prior to closure if deemed necessary by the Due Diligence Team.
 - Environmental Inspection. A Phase I ESA is not required for easement acquisitions unless (a) the Metro Attorney determines that a Phase I is advisable based on information learned in the course of its due diligence, or (b) such assessment is required by the local jurisdiction to which Metro will assign its interest in the easement at closing. To the extent any Phase I ESA report exists on the subject easement property, acquisition staff will make every effort to obtain copies to help inform the decision of whether to proceed with the acquisition.
- Unusual Circumstances

If, in the course of *due diligence*, the Due Diligence Team discovers any unusual deed or title

restrictions, encumbrances, or environmental conditions that may prohibit or unduly restrict Metro's ability to use the property as a natural area or trail or that may create a liability to Metro, such restrictions, encumbrances, or conditions shall be considered "unusual circumstances." As provided in the section of this Work Plan regarding *acquisition parameters*, the Chief Operating Officer and his/her designees may not complete the purchase of a property or trail easement with such unusual circumstances without obtaining the Metro Council's specific approval prior to such acquisition.

- Document Retention
Documents related to acquisitions shall be retained as determined appropriate by the Metro Attorney.

V. Stabilization

Definition

"*Stabilization*" consists of the initial actions exercised after the purchase of a property, which are required to put the property into the condition for which it was purchased. These actions include preventing further degradation of natural resource values, protecting property security, and minimizing health and safety risks. *Stabilization* tasks will generally be one-time actions except in cases where conditions require multiple actions to stabilize degrading conditions. Examples of one-time *stabilization* actions include surveying and posting property boundaries, removing or repairing structures, or replacing damaged culverts. Examples of *stabilization* tasks requiring multiple actions are those needed to address degrading ecological function on a property, such as weed control and reforestation, or stream bank stabilization.

Components/Process

Preliminary *stabilization* issues will be identified by the stabilization staff (typically a property management specialist, a natural resources scientist, and a natural resources technician) as part of due diligence prior to acquisition of a property.

A "*Desired Future Condition*" site walk will be conducted after closing with the stabilization team and the long-term management team. This site walk will confirm the Desired Future Condition and the actions needed to stabilize the property. The stabilization actions are intended to put the property in a condition compatible with the long term management goals for the site so that the Desired Future Condition is reached and the property is not degrading.

The stabilization team will prepare a stabilization plan for each property within six months of acquisition. The plan will be reviewed and approved by a land management team comprised of the Science and Stewardship Manager, the Natural Areas Land Manager, the Finance Manager, and the Natural Areas Program Manager. The stabilization plan will be stored on Terramet or another location easily accessible to staff. Revisions to the stabilization plan necessitated by new information from further property investigations will also be reviewed and approved by the land management team and filed in Terramet.

A template for the stabilization plan, listing all routine stabilization actions, is included in the Appendix. The land management team may amend the stabilization plan template as determined necessary or appropriate, in their discretion.

Stabilization actions identified in the stabilization plan shall be implemented as soon as possible relative to the conditions on the ground. For example, gates and property boundary surveys that are not dependent on time of year, weather, or deeper understanding of ecological conditions, should generally be implemented within 60 days of acquisition. Actions needed to address the degradation of water quality or wildlife habitat shall be implemented after further investigation of the physical conditions of the property, but generally will be initiated within six months of acquisition. Each stabilization action should have a benchmark for determining when stabilization has been met. Most stabilization actions will be completed within two years. However, actions such as reforestation may generally require three to five years to complete.

Upon completion of the stabilization work, the property will move from the stabilization stage to long term management stage. The stabilization team and the long term management team shall review the property when it moves to long term management to identify any on-going needs or unusual property conditions. Properties will generally move to the long term management stage only after all stabilization activities are complete. A minor amount of stabilization work related to ensuring re-planted areas are stable may continue but under the management of the long term management team.

Cost estimates

Stabilization costs will vary from property to property, depending on property conditions at the time of acquisition or the provisions of the site specific purchase agreement. The rationale for all costs shall be documented in a stabilization plan and shall be covered by Natural Areas Bond Measure funds.

VI. Long Term Management

Definition

“Long term management” is the set of activities intended to maintain a given property in a stable condition. *Long term management* costs are influenced by a variety of factors which include:

- Size of parcels
- Geographical distribution of parcels
- Surrounding land uses
- Traditional or “informal” uses
- Type of structure(s) (if any) on sites
- Interim public use policy
- Historical land use practices (e.g. agriculture or timber)

Components

The *long term management* team includes the assigned Natural Resources Scientist and the Natural Resources Technician for each property, with oversight from the Land Manager and Science and Stewardship Manager.

Long term management activities reasonably expected for newly acquired lands include:

- Enforcement of park related rules and regulations
- Maintenance of fencing, gates, and signs
- Hazard mitigation
- Nuisance abatement
- Resource monitoring
- Monitoring structures

- Contract administration (potential life estates or other interim use arrangements, such as agricultural leases)
- Vegetation management (e.g. maintenance of invasive plants)
- Resolution of encroachments
- Resolution of property line disputes

Leases

Agricultural leases provide many benefits to Metro, including lease payments, but also ensure that the farmland will be continually cultivated, which corresponds with good farmland management. Long term leases (those with a duration over one year) are necessary for a lessee to implement sustainable farming practices. A long term lease is required for a lessee to realize a return on its investment, in addition to adding a sense of security about their operations. Long term lease commitments also reinforce the perception of Metro as a stable supporter of the local agricultural community while providing stable tenants and rental income for Metro.

The Metro Council authorizes the Chief Operating Officer and his/her designees to execute agricultural leases of more than one year provided all of the following criteria/conditions have been met:

- The proposed lease complements Metro’s natural resources stewardship management goals and objectives;
- The proposed lease does not conflict with anticipated future uses of the property;
- The proposed lease term, including options to renew, does not exceed a total of 10 years.
- The Natural Areas Program Director has approved the lease, and the Office of Metro Attorney has reviewed and approved the lease form.

VII. Local Share

Definition

"*Local Share*" is the portion of bond funds to be passed through to local park providers for neighborhood and community scale greenspace projects as described in the bond measure. The *local share* program allows flexibility for each community to meet its own needs, and offers citizens improved access to nature in neighborhoods all across the region.

Components

Twenty-eight (28) local park providers in the region are eligible to receive funds from Metro's Natural Areas Bond Measure to carry out local greenspace and trails projects. A list of *local share* projects approved by the governing board of each jurisdiction is set forth in the Bond Measure. The Metro Council may establish a formal process providing for the substitution of new projects where appropriate as long as the proposed new project is consistent with the Bond Measure.

Intergovernmental Agreements

Pursuant to the Metro Council’s direction as set forth in Resolution No. 07-3780, each local park provider has entered into an Intergovernmental Agreement (IGA) with Metro outlining the local share bond measure requirements and maximum amount of local share funds allocated to each jurisdiction.

VIII. Nature in Neighborhoods Capital Grants Program

Definition

The "*Nature in Neighborhoods Capital Grants Program*" is the portion of bond funds allocated to fund a grant program intended to increase the natural features and the ecological function and water quality of public lands in neighborhoods. The Nature in Neighborhoods Capital Grants Program provides local organizations and public entities with additional funds for land acquisition and projects that protect and enhance natural resources in the urban environment.

Components

The Nature in Neighborhoods Capital Grant Program Detail, attached as Exhibit C to the Bond Measure (Resolution No. 06-3672B), sets forth certain criteria intended to provide guidance to the grant selection committee appointed by the Metro Council. The Nature in Neighborhoods Capital Grant Handbook, as updated from time to time, provides additional guidance.

Appendix

- A. **Refinement**
Target Areas & Resolution List
- B. **Stabilization**
Stabilization Plan Template
- C. **Local Share**
Perhaps include the list of Local Share projects?

A. Refinement

2006 Bond Measure Target Areas & Resolutions List

- 07-3833 Forest Park Connections
- 07-3834 Rock Creek Headwaters and Greenway
- 07-3835 Westside Trail
- 07-3836 Cooper Mountain
- 07-3837 Fanno Creek Linkages
- 07-3838 Tryon Creek Linkages
- 07-3839 Stafford Basin
- 07-3840 Columbia Slough
- 07-3841 Springwater Corridor
- 07-3842 Sandy River Gorge
- 07-3843 Clear Creek
- 07-3844 Killin Wetlands
- 07-3845 Gresham-Fairview Trail
- 07-3846 Clackamas River Bluffs and Greenway
- 07-3847 Abernethy and Newell Creeks
- 07-3848 Lower Tualatin River Headwaters
- 07-3849 Tualatin River Greenway
- 07-3850 Tonquin Geologic Area
- 07-3851 Johnson Creek and Watershed
- 07-3852 East Buttes
- 07-3853 Deep Creek and Tributaries
- 07-3854 Cazadero Trail
- 07-3855 Dairy and McKay Creeks Confluence
- 07-3856 Wapato Lake
- 07-3857 Chehalem Ridgetop to Refuge
- 07-3858 Willamette Narrows and Canemah Bluffs
- 07-3859 Willamette River Greenway

B. Stabilization

Template for Stabilization Plan

Prepared by XX

Date

Example: Preliminary identification of conservation targets, critical KEAs and significant threats:

Target	Critical KEAs	Threats	Comments
Upland forest-minor component of oak.	Standing dead and down trees	Competition from native vegetation	This is a dry-site Douglas-fir stand with a minor component of oak. Forest health could be enhanced with strategic thinning to benefit larger Douglas fir, create gaps, release Oregon white oak on edges, and create snags and down wood
Oregon white oak woodland habitat	xx	xx	xx
Tualatin River bottomland ash/pacific willow forest	xx	xx	xx

Example: Stewardship classifications

1. Oak woodland 1 (OW1):
2. Wetland (bottomland hardwood forest) 3: (W3)
3. Upland forest 3 (UF3):

Example: Property and Infrastructure Stabilization Actions			
Property and Infrastructure	Description	Action	Benchmark
Gates	None present	Install gate to control access on new access road.	Functioning gate
Fences	Boundary fences exist, some in degraded condition.	Remove fences where not needed for access control to improve wildlife movement. Repair fences as needed for access control.	Fences removed or repaired.
Structures			
Roads			
Culverts			
Boundaries			
Hazard trees			
Developed spring			
Encroachments			
Dumping issues			

Example: Invasive species						
Invasive species if left uncontrolled can significantly reduce habitat quality by decreasing diversity, reducing food and cover for native fauna. Invasive plants are most economically treated before they become the dominant species on a site.						
Invasive species	Acres	Treatment type	Initiate treatment	Re-treat date*	Re-veg date	Stabilization Benchmark
Blackberry	20	Mow, cut, and spray	2013	2013-2015	2013-2014	<1 % cover of blackberry
Weed XX						

*Species specific treatments, only as needed

Example: Water quality and habitat conservation					
Habitat	Acres	Description	Action	Date	Stabilization Benchmark
Oregon white oak woodland	10	This unit is composed of a remnant Oregon white oak savanna overgrown with Armenian blackberries and scattered fruit trees. Although there are a few large Douglas fir trees competing with the oaks, the dense blackberry layer limited Douglas fir establishment.	Control non-native plants. Release strategic oaks. Continue weed control until seedlings are free to grow. Douglas-fir will continue to re-establish. Over time, stand will become more dominated Douglas-fir	2013-2017	Native plant community effectively occupying 98% or more of the unit
Bottomland Oregon ash/Pacific willow	xx	This habitat is in fair condition but due to significant reed canarygrass levels recruitment of seedlings is essentially zero, shrub diversity is low, and conditions are deteriorating.	Implement targeted control of RCG through mowing and spraying. Plant ash and shrubs in patches at high densities.	2013-2017	Seedlings are free-to-grow*
Douglas-fir upland forest	xx				

* Re-vegetation work is necessary on any areas currently dominated by non-native plants or disturbed sites. Re-vegetation sites routinely require 3-5 years to reach free-to-grow condition. Free-to-grow means the native plant are no longer threatened by non-native plant competition (assuming routine maintenance).

C. Local Share

Perhaps include the list of Local Share projects?