

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL WORK SESSION MEETING
DATE: October 28, 2003
DAY: Tuesday
TIME: 1:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

- | | | | |
|----------------|-----------|-------------------------------------------------------------------------------|----------------------|
| 1:00 PM | 1. | DISCUSSION OF AGENDA FOR COUNCIL
REGULAR MEETING, OCTOBER 30, 2003 | |
| 1:15 PM | 2. | DRAFT REGIONAL TRANSPORTATION PLAN
DISCUSSION | Ellis/Kloster |
| 1:45 PM | 3. | REGIONAL SOLID WASTE MANAGEMENT PLAN
UPDATE AND SCOPING SESSION | Hoglund/
Matthews |
| 3:00 PM | 4. | CITIZEN COMMUNICATION | |
| 3:10 PM | 5. | CHIEF OPERATING OFFICER COMMUNICATION | |
| 3:20 PM | 6. | COUNCILOR COMMUNICATION | |

ADJOURN

DRAFT REGIONAL TRANSPORTATION PLAN (RTP) UPDATE

Metro Council Work Session
Tuesday, October 28, 2003
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: October 28, 2003 Time: 1:30 PM Length: 15 Minutes

Presentation Title: Regional Transportation Plan Update

Department: Planning

Presenters: Tom Kloster

ISSUE & BACKGROUND The Regional Transportation Plan (RTP) update has been underway since early summer, and draft staff recommendations for the updated plan are scheduled for review and public comment beginning October 31, 2003. Staff has worked closely with local jurisdictions and the Transportation Policy Alternatives Committee (TPAC) to develop the recommended amendments according to guidelines approved by the Council and the Joint Policy Advisory Committee on Transportation (JPACT). In general, these guidelines reflect a "housekeeping" effort, with recommended changes to the plan based on recently adopted local and regional transportation projects and policies that have been developed since the RTP was last updated in August 2000. Federal regulations require the RTP to be updated every 3 years, and the current RTP will expire in January 2004.

OPTIONS AVAILABLE Under federal planning provisions, the RTP update must be completed by January 26, 2004 in order to avoid a lapse in the air quality conformity established for the plan as part of the last update in 2000. The Council and JPACT could opt to allow the RTP to lapse. If the plan does lapse, the federal funding stream for some transportation projects currently under development would likely be disrupted. The Federal Highway Administration is in the process of identifying projects that would be affected by a lapse, a required part of their oversight responsibility. Under the RTP update timeline, the Council will be asked to take action on the draft RTP on December 11, 2003.

IMPLICATIONS AND SUGGESTIONS Staff recommends that the Council and JPACT approve an updated RTP, as proposed under the current timeline. This will not only ensure that federal funding for current transportation projects proceed without disruption, but also to allow RTP project staff to shift their focus on a number of other planning activities scheduled for 2004, including the next update to the Metro Transportation Improvement Program (MTIP), the Damascus Concept Plan, technical support for a possible regional transportation funding initiative and a number of other efforts outlined in the Unified Work Program.

The RTP update is also bundled with the final steps required to adopt the 2004-07 MTIP, which was tentatively approved in June 2003, but requires an analysis to demonstrate conformity with the federal Clean Air Act. Combining this work with the RTP update represents a significant savings in staff time and use of the regional travel demand model.

QUESTION(S) PRESENTED FOR CONSIDERATION None; this is an informational item. The Council will be asked to act on this item on December 11, after conducting a public hearing and receiving a public involvement report on comments submitted on the draft plan.

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

SCHEDULE FOR WORK SESSION (Please initial as appropriate indicating that the material for presentation has been reviewed and is ready for consideration by the Council).

Department Director/Head Approval _____

Chief Operating Officer Approval _____

Agenda Item Number 3.0

***REGIONAL SOLID WASTE MANAGEMENT PLAN
UPDATE AND SCOPING SESSION***

Metro Council Work Session
Tuesday, October 28, 2003
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: October 28th

Time:

Length: 1 hour

Presentation Title: Project scope for the Regional Solid Waste Management Plan update

Department: Solid Waste and Recycling

Presenters: Michael Hogle and Janet Matthews

ISSUE & BACKGROUND

This Council Work Session is intended to discuss the project scope and planning issues for the Regional Solid Waste Management Plan (RSWMP) update.

Metro is responsible for solid waste planning within the tri-county region (ORS 459.017, E.O. 78-16). The Regional Solid Waste Management Plan (RSWMP) has been the principal embodiment of that role. RSWMP is a functional plan managed by Metro, but *the plan is not solely for Metro*. Issues, goals and strategies in the plan are shaped through an inclusive regional process because plan implementation relies on cooperative efforts from many public and private sector stakeholders.

The first regional plan for solid waste management was created in 1974 by Metro's predecessor, CRAG. In 1988, Metro Council adopted a revised version as a functional plan. The last update in 1994 – 95 produced the current Regional Solid Waste Management Plan, covering ten years (1995 – 2005). Council has amended this plan seven times since 1997.

The purpose of RSWMP is to:

- Provide a framework for coordinating solid waste programs within the region;
- Establish direction for resource management and the solid waste system;
- Identify roles and responsibilities; and
- Fulfill a state requirement that Metro have a waste reduction plan.

A series of solid waste policy discussions with Council this year provided early input to the RSWMP update process. Values for the solid waste system were identified, and several regulatory issues (related to disposal tonnage allocation) were placed on the RSWMP update issue agenda.

Council involvement in the update will be on-going over the next 18 months. At this preliminary planning stage, staff is seeking reaction from Council on the following:

1. The current RSWMP document (each Councilor has a current version);
2. The draft scope of work for the update (attached); and
3. Issues that should be explored in the RSWMP update. (See attached list of planning issues from current RSWMP.)

QUESTION(S) PRESENTED FOR CONSIDERATION

1. Are there comments or questions from Council about the content and/or organization of the current Regional Solid Waste Management Plan?
2. Is the draft scope of work for the RSWMP update a sufficient starting point?
3. What regional planning issues, in addition to disposal tonnage allocation, should be examined in the update?

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION __Yes __X__No
DRAFT IS ATTACHED __Yes __X__No

SCHEDULE FOR WORK SESSION

Department Director/Head Approval Mike Hoglund Jr

Chief Operating Officer Approval _____

PROJECT SCOPE*

Updating the Regional Solid Waste Management Plan (2005 to 2015)

1. Project Objective:
 - Council adoption and DEQ/EQC approval of updated Regional Solid Waste Management Plan (RSWMP) in 2005
2. Goals for Project:
 - Updated Plan will be reader-friendly, policy and strategy-focused
 - Plan update process will include a broad range of internal and external stakeholders
 - Project duration will be limited to 18 months, not including EQC approval and final plan production
3. Deliverables:
 - Research as identified
 - Public involvement plan
 - First draft of updated RSWMP
 - Final draft of updated RSWMP, including technical appendices
 - Ordinance and staff report for Council adoption of updated RSWMP
4. Assumptions and Issues:
 - Plan update is a priority project for the Department in 2004 and first half of 2005; necessary resources will be committed.
 - Current Plan framework and components constitute a starting point in the process.
 - Philosophical underpinning of the current plan will be examined, i.e., utilize “opportunity model” for waste reduction to limit demand for further disposal capacity.
 - Feasibility of waste reduction goals for 2005 and 2009 will be reviewed.
 - Disposal issues, i.e., future of public facilities, in-region transfer/disposal capacity, and the out-of-district disposal system will be more prominent in the update than the current Plan.
 - Improvements and updates to the current Plan may include the addition of an executive summary, deletion of the disaster debris management plan, more substantial discussion of facility regulation, updates on evolution of the system, current policies and practices, roles and responsibilities, key planning issues, future projections for growth and tonnage, goals and objectives, system financing, and plan performance.
 - Empirical backing for portions of this update will be tailored to identified needs and should not exceed resources available or the identified planning timeframe.
 - Any recommended practices proposed for the update will be examined for feasibility and enforceability.

* Project phases, major tasks, and Department resources allocated to project will be provided at Work Session.

5. Communication process:

- Mike Hogle is responsible for overall guidance to the project, including communications with Janet Matthews, COO, Metro councilors, and local government officials.
- Janet Matthews is responsible for providing direction to Team and communicating with Mike Hogle (sponsor), COO, Council, and other parties as needed.
- Departmental team members are responsible for managing work in their assigned areas or roles and for communicating with Janet Matthews.

Introduction

The purpose of this chapter is to describe the key solid waste planning issues that are addressed in the Regional Solid Waste Management Plan.

Regional Waste Reduction

How to manage municipal solid waste is part of a broader issue: management of natural resources consumed to produce products discarded as waste. Good resource management includes policies that encourage reduction, reuse and recycling in order to conserve our natural resources: air, water, land, energy and raw materials.

Key Issues

What level of waste reduction can be achieved? The Waste Reduction Chapter of the former Regional Solid Waste Management Plan, adopted in 1989, established a waste reduction goal of 50 percent by the year 2000 and 56 percent by the year 2010. Some of the waste reduction activities that were planned to achieve this goal have not been as successful as expected, particularly those regarding processing of organic waste. The new regional plan must draw upon lessons learned in the past in order to set new realistic goals.

How much should the region spend on new waste reduction practices? And how should the costs be allocated? Whether high levels of waste reduction are attainable depends in part on how much the region is willing to invest in new waste reduction practices. Some new practices will require financial commitments by private businesses, governments and citizens. Often, new practices may require significant changes in our behavior as consumers or businesses. While the long-term costs of recycling may be lower than landfilling, particularly when the value of resource conservation is considered, the direct costs for some waste reduction alternatives could be higher than landfilling.

How should responsibility for waste be allocated between consumer and manufacturer? In the metro region, waste disposal is primarily the responsibility of consumers who pay private waste companies for collection and disposal. Some countries, such as Canada, Germany and France have shifted the financial responsibility for waste from consumers to manufacturers. The goal is to provide an incentive for industry to produce less wasteful packages and products.

While the national or state level may be most appropriate for implementing such a shift in responsibility, there are options that could be implemented at the regional level that would shift more of the responsibility for waste to the manufacturers of consumer products.

Chapter 4

Key Solid Waste Planning Issues

Wise regional resource management will require waste reduction, reuse and recycling to achieve conservation.

Regional strategies for waste reduction could include public education, market development, new collection programs and facilities and legislative requirements.

What options are available to reduce waste and which ones are to be recommended as regional priorities? Waste reduction options can be based on a number of fundamental strategies including: (1) creating more demand and incentives for recycling through education and market development, (2) creating more opportunities for recycling through new collection programs and recovery facilities or (3) using legislative measures to make recycling a required practice.

Service Provision – Transfer Stations

Metro Central and Metro South transfer stations currently receive most of the region's waste from haulers and transfer it to the Columbia Ridge Landfill. A third transfer station in Forest Grove receives approximately 10 percent of the region's waste from haulers that is transferred to another general purpose disposal facility. While these facilities are logistically sited for most haulers in the region, certain outlying areas of the region are less well served. Metro's past policy has been to support uniform levels of transfer station service throughout the region.

Toward that end, the facilities plan adopted in 1991 recommended that two transfer stations be located in the western part of the Metro region (one of these would have expanded or replaced the existing Forest Grove facility). After further review of costs and tonnage, Metro subsequently decided not to proceed with either facility.

Key Issues

Can the three existing facilities meet the future demand for transfer services in the region? If waste diversion activities do not expand, there could be 200,000 to 300,000 more tons of waste delivered annually to transfer stations by the year 2005, under expected regional growth scenarios.

Under what conditions would the region be willing to make the financial investment in additional transfer stations or other means to provide more uniform levels of service? Decisions not to proceed with new transfer stations were based in part on a recognition that rising tip fees and waste reduction efforts had produced fundamental changes in the solid waste system. There may be more cost-effective methods of providing uniform levels of services than constructing a new transfer station.

If no new transfer stations are constructed, what methods are available for maintaining reasonable service levels at existing facilities? Increasing tonnage at transfer stations does not necessarily mean a decline in service to haulers using the facility or increased impacts on the surrounding area. A variety of methods are available to deal with potential problems including redirecting haulers to under-used facilities, restricting use of a facility during peak hours or otherwise modifying the facility and its operations.

There may be more cost-effective ways to provide uniform levels of services than constructing a new transfer station.

Careful planning will be required to conveniently accommodate more customers at the region's transfer stations.

Service Provision – Other Facilities

The RSWMP identifies roles of the private and public sectors to provide solid waste recycling and disposal services during the next 10 years. While most recycling and recovery facilities in the region are operated by the private sector, effective operation depends upon coordination among all players – private and public.

Private initiatives in both source-separated recycling and mixed waste recovery facilities for dry waste have been responsible for a major portion of new recycling in recent years.

Key Issues

How should recovery facilities for mixed waste be managed within the solid waste system? Recovery facilities could become an important part of the region's effort to reach its recycling goals. Metro franchise requirements need to be reviewed to ensure a level playing field among processors.

For example, current Metro policy is to avoid vertical integration of collection and processing. This policy was intended to prevent unfair advantages to those haulers who also own landfills. However, in order to expand the availability of mixed dry waste recovery services, it has been suggested that current policy be changed to eliminate such restrictions.

Will private initiative provide an adequate level of recovery capacity for mixed dry waste? Current practice is to rely on the private sector to provide most of the mixed waste recovery in the region. In order to meet regional recycling goals or provide more uniform access to this type of service, the public sector – particularly Metro – may need to arrange for greater provision of the service.

If recovery of food and other non-recyclable organic waste is a regional priority, what services will be provided by the public and private sectors? A successful regional plan to develop an organics recovery system will require partnerships among generators, haulers, local governments, Metro and the solid waste industry. A variety of issues may require coordination including: development of collection routes, potential use of transfer stations as reload or transfer sites and procurement of reliable and environmentally sound processing capacity.

Given recent siting difficulties among yard debris facilities, should yard debris be more strongly regulated? Yard debris composting has become a critical part of regional recycling efforts. Licensing or franchising of yard debris composting facilities has been suggested as a method of stabilizing service, mitigating environmental impacts and thereby removing barriers to siting.

Recovery of mixed dry waste materials (paper, wood, metal and glass) from the waste stream will emerge as an important strategy if the region is to achieve 50 percent recovery by the year 2000.

The recovery of food waste and other organic material from business or residential waste would require a high degree of regional coordination.

Metro's solid waste revenue system should be adequate, stable, equitable and help achieve the region's waste management goals.

Revenue Equity and Stability

Metro's solid waste activities are funded almost entirely from tip fees collected at transfer stations, landfills, designated facilities and franchised waste recovery facilities. In addition to waste transfer and disposal, activities funded by these revenues include landfill closure, household hazardous waste management, waste reduction programs and solid waste planning.

Unlike waste transfer and disposal costs, the costs of these latter activities do not vary with the amount of waste delivered to transfer stations and landfills. Furthermore, these activities have regional significance, suggesting that a broader revenue base is more appropriate.

There are an increasing number of management options for selecting waste types that are exempt from Metro fees. If this trend continues, the burden of paying for Metro's regional solid waste activities will increasingly fall on the narrower segment of ratepayers that continue to deliver waste to transfer stations and landfills.

Key Issues

What funding mechanisms are available as alternatives to the tip fee for costs not associated with transfer and disposal?

- Fees or deposits on products that require disposal through Metro's household hazardous waste facilities and on other materials that have extraordinary disposal or management costs.
- Billing fees for fixed costs of the solid waste system directly to generators (households and businesses) through the property tax bill, utility bills, jurisdictions or haulers.
- A fee system (either as a surcharge or a license/franchise fee) for facilities that benefit from Metro's activities, but do not currently contribute to the cost of the system.
- Change policies at franchised processing and disposal facilities. Changes could include elimination of all waivers for materials delivered to a landfill and processing fees based on the end use of the recovered materials.

Role of Solid Waste Facilities as Collection Technology Changes

As collection technologies evolve, transfer stations and other facilities could be used in new ways to increase efficiency and effectiveness and thereby reduce costs for the ratepayers of the region.

One emerging change in collection technology is the use of co-collection trucks that have separate compartments for different waste

streams. While such systems have typically been used for the co-collection of refuse and recyclables, there might be opportunities for other combinations of materials, such as refuse and yard debris.

Key Issues

How likely are co-collection or other new technologies to emerge in the region? Collection services in the region are provided by dozens of private haulers that vary in size from one-truck family businesses to very large corporations. Over time, these firms will undoubtedly adopt new practices - including co-collection - when they are more profitable.

What type of economies could be realized with new technologies such as co-collection? In addition to reducing on-route costs, there may be economies if co-collected materials had "one-stop" tipping facilities available to them. Capital and operating costs for the dual tipping facility could also be reduced as existing facility space and equipment could be used. For example, yard debris and refuse could be co-collected and delivered to Metro transfer stations. Refuse could be transferred to the landfill and yard debris transferred to processors.

How could development of these systems be coordinated to ensure the lowest total cost to regional ratepayers? Without regional coordination and development of appropriate infrastructure such as dual tipping facilities, there may not be adequate incentive for individual haulers to adopt a new technology. Cooperation among Metro, local governments and haulers may be required to determine what benefits might be achieved by jointly embracing new technologies.

Efficiency and cost savings should drive changes in waste collection and processing technology.

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: October 30, 2003
DAY: Thursday
TIME: 5:00 PM
PLACE: Washington County Chamber
155 N. First, Hillsboro, Oregon

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. CONSENT AGENDA

3.1 Consideration of Minutes for the October 23, 2003 Metro Council Regular Meeting.

4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 03-1021**, For the purpose of Amending Title 4 of the Urban Growth Management Functional Plan to improve its protection of industrial land and to make corrections.

4.2 **Ordinance No. 02-1022**, For the purpose of adopting a Map of Regionally Significant Industrial Areas in compliance with Subsection J of Section 3.07.420 of Title 5 (Industrial and other employments areas) of the Urban Growth Management Functional Plan.

5. RESOLUTIONS

5.1 **Resolution No. 03-3376A**, For the Purpose of Endorsing Metro's Draft Goal 5 Hosticka Phase 1 Economic Social Environmental and Energy (ESEE) Analysis and Directing Staff to Conduct More specific ESEE Analysis of Multiple Fish and Wildlife Habitat Protection and Restoration Program Options.

6. CHIEF OPERATING OFFICER COMMUNICATION

7. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for October 30, 2003 Meeting (PCA)

	Sunday 11/2	Monday 11/3	Tuesday 11/4	Wednesday 11/5	Thursday 10/30	Friday 10/31	Saturday 11/1
CHANNEL 11 (Community Access Network) (most of Portland area)							
CHANNEL 30 (TNTV) (Washington County, Lake Oswego)	7 p.m.		6 a.m.	4 p.m.			7 p.m.
CHANNEL 30 (CityNet 30) (most of City of Portland)		2 p.m.					
CHANNEL 30 Willamette Falls Television (West Linn, Rivergrove, Lake Oswego)							
CHANNEL 23/18 Willamette Falls Television (23- Oregon City, West Linn, Gladstone; 18- Clear Creek)							
CHANNEL 23 Milwaukie Public Television (Milwaukie)							

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<i>Milwaukie Public Television</i>		<i>(503) 652-4408</i>

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

EXHIBIT B
Fish and Wildlife Habitat Protection and Restoration Program Options
Program Options Report
October 25, 2003

1. Program Options

The Metro Council and its local partners are conducting a three-step planning process to conserve, protect, and restore urban streams, waterways and upland areas that provide important fish and wildlife habitat. State land-use planning laws and broad citizen concern about the need to protect and restore habitat guide this work.

Based on a scientific assessment of functional habitat values, Metro Council identified regionally significant fish and wildlife habitat in August 2002, completing the first step of the planning process. This paper describes the approach Metro is following to carry out the second step of the planning process: assessing the Economic, Environmental, Social, and Energy (ESEE) tradeoffs of protecting or not protecting regionally significant fish and wildlife habitat.

Metro's ESEE analysis is divided into two phases. The first phase is nearly complete with the release of the discussion draft ESEE Report that describes the general tradeoffs of allowing, limiting, or prohibiting conflicting uses in fish and wildlife habitat areas.¹

Evaluating the performance of a range of program options is the objective of the second phase of the ESEE analysis. Program options will be defined by applying a range of hypothetical Allow, Limit, and Prohibit regulatory treatments to regional resources and impact areas within Metro's jurisdiction. Non-regulatory approaches will also be analyzed as possible components to program options. The tradeoffs associated with each option will be evaluated and results compared, providing valuable information to Metro Council as it considers a regional ESEE decision in May 2004.

Metro Council is scheduled to consider a fish and wildlife program by December 2004 designed to protect the nature of the region for generations to come.

2. Description of Program Options and Evaluation

The Program Option Chart (Figure 1, page 5) illustrates the various regulatory and non-regulatory program approaches proposed for further study in the ESEE analysis. On the left hand side of the chart, the "*Range of Regulatory Program Options*" depicts four distinct regulatory approaches. These are draft materials and will evolve based on comments from the public and advisory groups.

¹ Metro's Economic, Social, Environmental, and Energy Analysis (ESEE) Discussion Draft Report, September, 2003.

Regulatory Approaches

Option 1, "Habitat based," proposes to study three levels of habitat protection ranging from low to high least to most. Option 1 uses habitat quality as the basis of assigning regulatory treatments regardless of land uses or economic priorities. For example, the highest value (Class I) riparian/wildlife corridors receive the same level of regulatory protection in industrial areas as they do in residential areas. This approach recognizes fish and wildlife habitat as fixed assets in the urban landscape and orients urban development patterns around habitat areas based on the ecological values present. Option 1 Allow, Limit, and Prohibit regulatory treatments are shown in Table 1 (page 6).

Option 2, "Habitat and urban development based," proposes to study two levels of habitat protection based on both ecological values and urban development priorities. It applies 2040 policy priorities and economic data to adjust habitat protection levels. For example, the highest value (Class I) riparian/wildlife corridors receive differing levels of protection based on their location in areas identified in the ESEE analysis as providing high, medium, or low urban development values. A Class I riparian/wildlife corridor passing through a Regional Center or industrial area would receive less protection than one passing through an inner or outer neighborhood. Option 2 Allow, Limit, and Prohibit regulatory treatments are shown in Tables 2 and 3 (page 7).

Option 3, "Streamside habitat approach," builds on Metro's adopted Title 3 Water Quality and Floodplain Management program by increasing the width of vegetated corridors and protection levels for wetlands and floodplains. This approach does not assign protection levels according to the ecological values identified in Metro's inventory of fish and wildlife habitat, and neither does it assign protection levels on urban development priorities. It does, however, focus protection generally within Class 1 riparian/wildlife corridors. It does not address upland wildlife habitats but can be combined with elements of other options to address upland wildlife habitat. Option 3 Allow, Limit, and Prohibit regulatory treatments are shown in Table 4 (page 8).

Option 4, "Baseline: Current regional regulations" reflects an approach that would not increase the existing levels of regulation. An analysis of the baseline option will allow Metro to determine the increment of additional protection each option would provide to inventoried fish and wildlife habitat areas. The baseline option would be determined by applying Metro's existing Title 3 protection standards for water quality and flood areas, as well as accounting for fish and wildlife habitat in parks and open spaces. ~~Option 4 Allow, Limit, and Prohibit regulatory treatments are~~ The existing Baseline regulatory treatment is shown in Table 5 (page 8).

Ways to vary regulatory approaches

This portion of the Program Options Chart shows how regulatory options could be varied based on geographic areas of coverage or site specific factors. For example, regulatory approaches could be applied everywhere within Metro's jurisdiction or only to new UGB expansion areas and remaining areas outside the UGB. In addition, regulatory approaches could apply to vacant land only, or to both vacant land and redevelopment. Minimum parcel acreage or types of development activities that would act to trigger protection are yet to be defined.

Non-regulatory approaches

Regulatory options affect land use activities through the permit process. Other activities cause disturbance to fish and wildlife habitat that are not regulated through the permit process. Some of these activities could be affected through a non-regulatory approach. The right side of the Program Option Chart displays the range of possible non-regulatory program options focusing on acquisition, incentives, and education. Regulatory and non-regulatory options could be applied together to provide a complimentary set of tools for protecting and restoring fish and wildlife habitat.

Non-regulatory approaches depend heavily on new funding sources to support land acquisition, incentive and education programs. Table 6 (page 9) displays possible range of non-regulatory options distinguishing between existing programs and potential programs based on high, medium, and low levels of funding. For example, low levels of funding for education could rely on better coordination of existing education programs, while a high level of funding could direct educational materials to landowners in all resource areas, as well as provide technical assistance and learning opportunities on low impact development and best management practices.

Restoration

The Program Option Chart (Figure 1, page 5) shows that *restoration* can be addressed through regulatory and non-regulatory options. Metro's inventory of fish and wildlife habitat can help to identify restoration opportunities. The degree to which any given option protects fish and wildlife habitat helps preserve restoration opportunities. In addition, successful restoration of fish and wildlife habitat depends heavily on non-regulatory program options. For example, creating new dedicated funding sources and land owner recognition programs could bolster restoration efforts. The evaluation criteria will provide a general assessment of how a given option performs in addressing restoration opportunities.

3. Definition of ESEE decisions for allow, limit or prohibit treatments

A more precise definition of Allow, Limit, and Prohibit regulatory treatments is needed to determine ESEE tradeoffs and model how different program options will look "on-the-ground." Although Metro's ESEE Report describes general tradeoffs in terms of "allow, limit, or prohibit," tradeoffs can be determined in a more discriminating way by defining degree of limitations on conflicting uses that fall between the extremes of "allow" and "prohibit."

Limit treatments are divided into three categories that represent a continuum ranging from strictly limit, moderately limit, and lightly limit. A description of the assumptions tied to these treatments is provided on page 10. For example, a "strictly limit" treatment assumes that very little building occurs in areas covered by this treatment (primarily those parcels which are located entirely within the treatment area). A "moderately limit" treatment assumes that a certain moderate percentage of buildable lots within the resource area will be developed. A lightly limit treatment assumes an even higher percentage of buildable lots the resource area will be developed compared to moderately limit treatments. These assumptions will help model how much habitat will

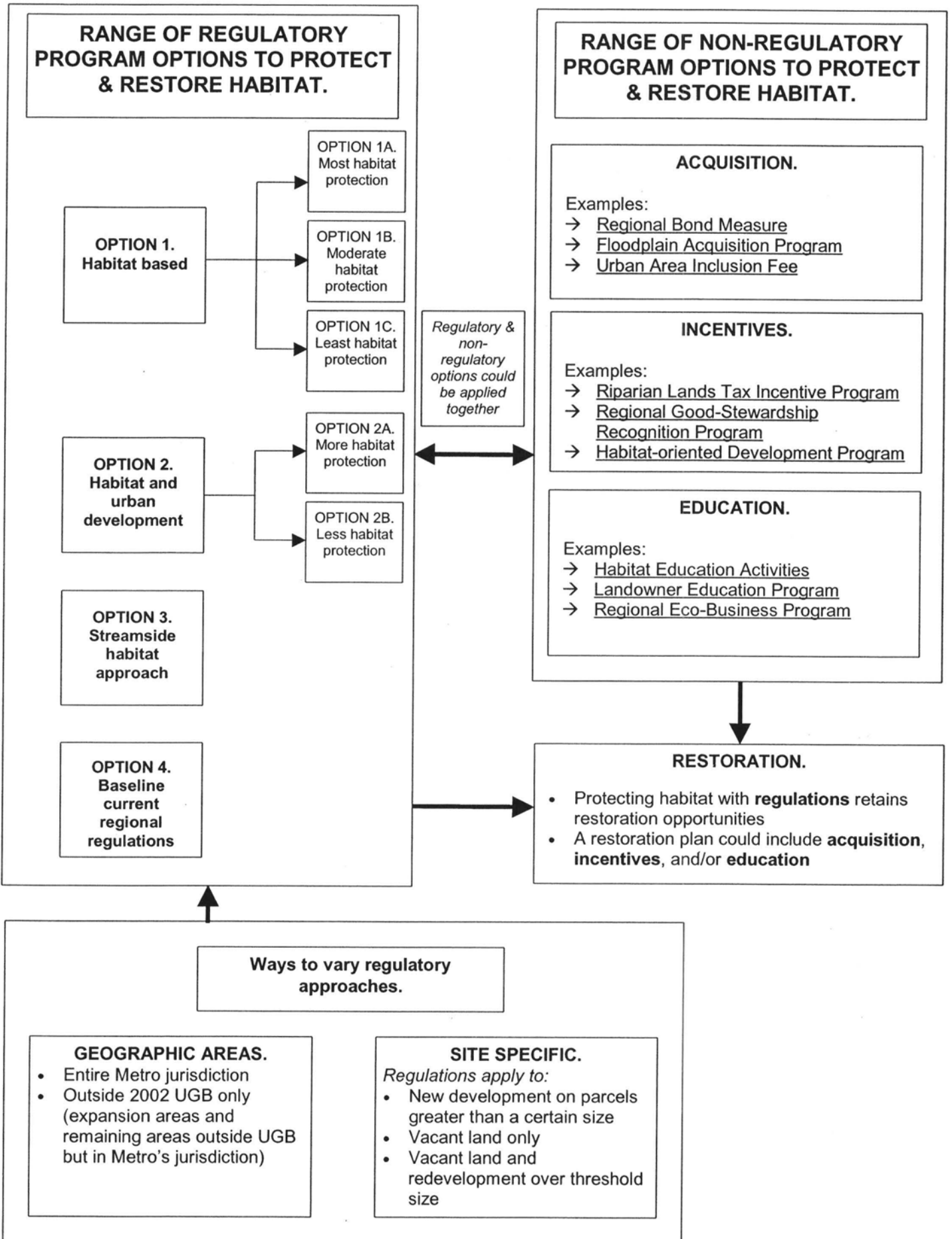
be protected, and conversely, how much development will be accommodated under various options.

4. Criteria and potential indicators and measures for evaluation of program options

Each program option will be evaluated according to criteria that reflect what was learned in the first phase of the ESEE analysis, as well as other considerations important in formulating regional policy. Table 7 (pages 11-12) lists criteria and corresponding potential indicators and measures for determining whether, or how well, a given criterion is addressed by a program option. In addition to criteria related to the economic, social, environmental, and energy factors, Table 6 lists criteria related to federal environmental laws, funding requirements, effectiveness of non-regulatory approaches, and the increment of additional protection beyond current levels required by the various program options.

Metro staff does not propose to weight the criteria, and any given option will result in a spectrum of economic, social, environmental, and energy tradeoffs. It is ultimately up to the Metro Council to determine, based on the results of the evaluation, which program option, or combination of program options, will be chosen to develop a regional fish and wildlife habitat protection program.

FIGURE 1: PROGRAM OPTION CHART (REVISED)



REGULATORY OPTIONS TO PROTECT AND RESTORE HABITAT.

Option 1. Habitat based.

Description: This approach recognizes fish and wildlife habitat as fixed assets in the urban landscape and orients urban development patterns around habitat areas based on the ecological values present.

Table 1. Option 1: Habitat based.

Resource Category	Option #1A Most habitat protection	Option #1B Moderate habitat protection	Option #1C Least habitat protection
Class I Riparian/Wildlife	Prohibit	Strictly limit	Moderately limit
Class II Riparian/Wildlife	Strictly limit	Moderately limit	Lightly limit
Class III Riparian/Wildlife	Moderately limit	Lightly limit	Allow
Class A Upland Wildlife	Prohibit	Moderately Strictly limit	Moderately limit
Class B Upland Wildlife	Strictly limit	Moderately limit	Lightly limit
Class C Upland Wildlife	Moderately limit	Lightly limit	Allow
Impact Areas--Riparian	Lightly Limit	Lightly limit	Allow
Impact Areas—Other	Lightly Limit	Allow	Allow

Option 2. Habitat and urban development.

Description: Applies 2040 policy priorities and economic data to modify habitat protection levels.

Option 2A. More habitat protection.

Table 2. Option 2A: Habitat and urban development. (More habitat protection).

Resource Category	High urban development value	Medium urban development value	Low urban development value	Other areas
	Primary 2040 components, ¹ high employment value, or high land value	Secondary 2040 components, ² medium employment value, or medium land value	Tertiary 2040 components, ³ low employment value, or low land value	Parks and Open Spaces, <u>interim design types, or no design types</u>
Class 1 Riparian/Wildlife	Lightly limit	Moderately limit	Strictly limit	Strictly limit
Class 2 Riparian/Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class 3 Riparian/Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Class A Upland Wildlife	Lightly limit	Moderately limit	Moderately limit	Strictly limit
Class B Upland Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class C Upland Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Impact Areas--Riparian	Allow	Lightly limit	Lightly limit	Lightly limit
Impact Areas--Other	Allow	Allow	Lightly limit	Lightly limit

¹Primary 2040 components: Regional Centers, Central City, Regionally Significant Industrial Areas

²Secondary 2040 components: Town Centers, Main Streets, Station Communities, Other Industrial areas

³Tertiary 2040 components: Inner and outer neighborhoods, Employment Centers, Corridors

Option 2B. Less habitat protection.

Table 3. Option 2B: Habitat and urban development. (Less habitat protection).

Resource Category	High urban development value	Medium urban development value	Low urban development value	Other areas
	Primary 2040 components, ¹ high employment value, or high land value	Secondary 2040 components, ² medium employment value, or medium land value	Tertiary 2040 components, ³ low employment value, or low land value	Parks and Open Spaces, <u>interim design types, or no design types</u>
Class 1 Riparian/Wildlife	Allow	Lightly limit	Moderately limit	Strictly limit
Class 2 Riparian/Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Class 3 Riparian/Wildlife	Allow	Allow	Allow	Moderately limit
Class A Upland Wildlife	Allow	Lightly limit	Moderately limit	Strictly limit
Class B Upland Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Class C Upland Wildlife	Allow	Allow	Allow	Moderately limit
Impact Areas--Riparian	Allow	Allow	Lightly limit	Lightly limit
Impact Areas--Other	Allow	Allow	Allow	Lightly limit

¹Primary 2040 components: Regional Centers, Central City, Regionally Significant Industrial Areas

²Secondary 2040 components: Town Centers, Main Streets, Station Communities, Other Industrial areas

³Tertiary 2040 components: Inner and outer neighborhoods, Employment Centers, Corridors

OPTION 3. Streamside habitat emphasis.

Description: Builds on Metro’s adopted Title 3 Water Quality and Floodplain Management program by increasing the width of vegetated corridors and protection levels for wetlands and floodplains.

Table 4. Option 3: Streamside habitat emphasis.

Resource type	Slopes less than 25%	Slopes greater than 25%
Primary Streams Draining > 100 acres	Moderately limit within 100 feet	Moderately limit up to 200 feet
Secondary Streams Draining 50 to 100 acres	Moderately limit within 50 feet	Moderately limit up to 100 feet
Other Streams	Moderately limit within 25 feet	Moderately limit up to 100 feet
Wetlands*	Strictly limit within 100 feet	Moderately limit up to 200 feet
Undeveloped Floodplains	Moderately limit	NA
Developed Floodplains	Lightly limit	NA

*All (regionally identified) wetlands are designated as Habitats of Concern.

Option 4. Baseline current regional regulations.

Description: Metro’s adopted Title 3 Water Quality and Floodplain Management program provides consistent regulations to vegetated corridors and floodplains throughout the region.

Table 5. Option 4: Baseline current regional regulations.

Resource type	Slopes less than 25%	Slopes greater than 25%
Primary Streams Draining > 100 acres	50 ft. from top of stream bank	Up to 200 ft. from top of stream bank (to break in slope)
Secondary Streams Draining 50 to 100 acres	15 ft. from top of stream bank	Up to 50 ft. from top of stream bank (to break in slope)
Wetlands	50 ft. from edge of wetland	Up to 200 ft. from top of stream bank (to break in slope)
Floodplains	Balanced cut & fill and prohibition of uncontained areas of hazardous materials as defined by DEQ	NA

NON-REGULATORY OPTIONS TO PROTECT AND RESTORE HABITAT.

Table 6. Non-regulatory options. (REVISED)

POTENTIAL FOCUS	HOW		Acquisition	Incentives	Education	Restoration
	Examples of existing programs	Examples of potential programs				
Natural areas (includes riparian and upland areas)	<ul style="list-style-type: none"> • <i>Metro Openspaces Acquisition Program.</i> Funded through \$135 million bond measure approved by voters in 1995. Focuses on targeted natural areas and regional trails. • <i>Three Rivers Land Conservancy Acquisition Program.</i> Works to encourage donation of conservation easements to protect targeted open space in the Metro region. 	<ul style="list-style-type: none"> • <i>Regional Bond Measure.</i> Focused on purchasing targeted Habitats of Concern and connector habitat from willing sellers and restoration. 	✓	✓		✓
		<ul style="list-style-type: none"> • <i>Regional Revolving Land Purchase Fund.</i> Develop a program to purchase habitat land, place development restrictions or conservation easements to protect habitat areas, and then sell remaining land for development. 	✓	✓	✓	
Watersheds	<ul style="list-style-type: none"> • <i>Oregon Watershed Enhancement Board (OWEB) General Grant Program.</i> Grants to carry out on the ground watershed restoration projects to restore aquatic habitat, improve water quality, and improve biodiversity. Projects include planting, culvert replacement, habitat improvements, wetland restoration, and others. • <i>Metro/USFWS Greenspaces Grant Program.</i> Provides funding for urban projects that emphasize environmental education, habitat enhancement and watershed health. 	<ul style="list-style-type: none"> • <i>Regional Restoration Plan.</i> Develop a restoration plan for the region based on watersheds. Start with Watershed Action Plans and build from existing/ongoing efforts. Include grant program to fund restoration projects, recognition of good stewardship, and targeted education. 		✓	✓	✓
		<ul style="list-style-type: none"> • <i>Regional stormwater management fee.</i> Implement a regional fee on stormwater to fund watershed based restoration activities. 				✓
		<ul style="list-style-type: none"> • <i>Habitat Education Activities.</i> Focus efforts to increase awareness of connection to streams and rivers, similar to fish stencil programs. 				✓
Floodplains	<ul style="list-style-type: none"> • <i>Sherwood program.</i> Requires SDC for development in floodplains, fee waived in flood area is donated to the city. • <i>Johnson Creek Willing Seller Program.</i> Portland program allows landowners in Johnson Creek floodplain to sell their property to the City at fair market value. After acquisition, properties are restored to natural floodplain function. Funded largely with dollars from FEMA after the 1996 flood. 	<ul style="list-style-type: none"> • <i>Regional SDC Program.</i> Develop a regional SDC program similar to the City of Sherwood to protect and restore floodplain function to reduce development's impact on stormwater. 	✓	✓		✓
		<ul style="list-style-type: none"> • <i>Floodplain Acquisition Program.</i> Coordinate and facilitate expansion of a willing seller program similar to Portland's to purchase and restore land within floodplains. 	✓		✓	✓
Streamside areas	<ul style="list-style-type: none"> • <i>East Multnomah Soil & Water Conservation District grants.</i> Provides awards for conservation and restoration projects, ranging from \$200-2,500. • <i>Wildlife Habitat Incentives Program (WHIP).</i> Implemented through NRCS to help landowners develop and improve wildlife habitat on their land. In Oregon approximately \$350,000 is targeted for salmon habitat, riparian habitat, and promotion of biodiversity. 	<ul style="list-style-type: none"> • <i>Regional Streamside Restoration Grant Program.</i> Program to target education and fund restoration projects in streamside areas. (May be part of a <i>Regional Restoration Plan</i>). 			✓	✓
		<ul style="list-style-type: none"> • <i>Riparian Lands Tax Incentive Program.</i> Allows property owners to gain a full tax exemption for improving or maintaining riparian lands up to 100 ft from a stream, must include a management plan developed in coordination with ODFW. Implement with local county approval, state limits tax relief to 200 stream miles per county. 		✓	✓	✓

POTENTIAL FOCUS	HOW		Acquisition	Incentives	Education	Restoration
	Examples of existing programs	Examples of potential programs				
Rural land	<ul style="list-style-type: none"> <i>Environmental Quality Incentives Program (EQIP)</i>. Provides payments through the Natural Resources Conservation Service (NRCS) to farmers and ranchers for assistance implementing conservation practices on their lands (including filter strips, manure management practices and others). Authorized by the 2002 Farm Bill, pays up to 74% of the costs of the implemented practice. 	<ul style="list-style-type: none"> <i>Urban Area Inclusion Fee</i>. Requires legislative changes. Captures a portion of the increased value of property (windfall) due to inclusion within the urban growth boundary. Funds could be used to purchase or restore habitat land within Metro's jurisdiction. 	✓		✓	✓
Property owners	<ul style="list-style-type: none"> <i>Metro's Natural Gardening and Landscaping Program</i>. Metro offers free natural gardening seminars and workshops in spring and fall. Also includes a demonstration garden, summer garden tour, and educational materials. <i>Downspout Disconnect Program</i>. Portland program that provides property owners with funds and technical expertise to disconnect downspouts to reduce flow into the stormsewer system. 	<ul style="list-style-type: none"> <i>Stewardship Certification Program</i>. Proposed by the Conservation Incentives Summit Group, this program would provide recognition to a variety of stakeholders for implementing best management practices and other practices of conservation value. 		✓	✓	✓
		<ul style="list-style-type: none"> <i>Regional Good-Stewardship Recognition Program</i>. Develop a regional program to recognize property owners in high value habitat areas for good stewardship and restoration efforts. (May be part of a Regional Restoration Plan). 		✓	✓	✓
		<ul style="list-style-type: none"> <i>Landowner Education Program</i>. Target landowners in regionally significant habitat areas to raise awareness of how individual activities impact fish and wildlife habitat. 			✓	
Businesses	<ul style="list-style-type: none"> <i>Eco Biz Program</i>. City of Portland program, started to recognize auto repair and service facilities that minimize their environmental impacts. Currently being extended to landscaping business. 	<ul style="list-style-type: none"> <i>Regional Eco-Business Program</i>. Develop a regional program to recognize and certify good business practices. Include an educational component describing ways to minimize impact on habitat. 		✓	✓	
Design and construction practices	<ul style="list-style-type: none"> <i>Metro's Green Streets Handbook</i>. A resource for designing environmentally sound streets that can help protect streams and wildlife habitat. <i>Eco-roof Program</i>. Portland provides sewer rate discounts to developers that build greenroofs minimizing stormwater runoff. Also provides an eco-roof floor area bonus, in which each square foot of eco-roof equals an additional three square feet of building area in the downtown. <i>G-Rated Incentive Program</i>. Portland program that encourages innovations in residential and commercial development and redevelopment for green building design practices. Provides up to \$20,000 for commercial projects and \$3,000 for residential projects. 	<ul style="list-style-type: none"> <i>Regional Habitat Friendly Development Program</i>. Work with local partners to develop technical assistance, incentives, recognition programs, and awards for development that helps protect fish and wildlife habitat. Develop regional low impact development standards. 		✓	✓	✓
		<ul style="list-style-type: none"> <i>Habitat-oriented Development Program</i>. Develop a program similar to Metro's Transit-oriented Development (TOD) Program to encourage construction of new developments or redevelopment that protects and restores fish and wildlife habitat. 		✓	✓	✓
		<ul style="list-style-type: none"> <i>Model Wildlife Crossing Program</i>. Develop a grant program to construct wildlife crossing facilities in key movement corridors. 		✓		✓

5. Definition of ESEE decisions for allow, limit or prohibit treatments

The following assumptions apply to all limit and prohibit treatments:

- No existing buildable lot would be rendered unbuildable
- Existing regulations remain in effect (local, regional, state, and federal)
- Existing legal development may be maintained and repaired
- Adverse impacts of development will be mitigated

Prohibit assumption:

- Development inside resource areas prohibited (unless prohibition removes all economic use of property)
- Horizontal expansion of existing buildings prohibited
- If development is allowed, mitigation will be required a maximum disturbance area will be allowed

Strictly Limit assumptions

- Very little building occurs in areas covered by a strictly limit decision (primarily those parcels which are located entirely within the resource area); public facilities allowed if no options with less impact on resources are available.
- Minimum-Maximum disturbance area allowed oriented to protect the resource, low impact development practices and best management practices
- No development in wetlands and undeveloped floodplains
- ~~Almost all~~ No net loss of forest canopy and low structure vegetation within resource area is retained
- ~~Negligible land divisions will occur~~ Land divisions not allowed except to establish open space lots or tracts within land divisions or planned developments
- ~~Mitigation to offset adverse impacts of development~~

Moderately Limit assumptions:

- A certain moderate percentage of buildable ~~lots within resource areas are~~ area is developed
- Minimum-Maximum disturbance area allowed oriented to protect the resource, low impact development practices and best management practices to avoid adverse impacts on resource functions
- Some development in wetlands and undeveloped floodplains will occur
- ~~Land divisions larger than a certain threshold size are assumed to occur~~ would provide flexibility to allow clustering, small lots, transfer of development rights to avoid adverse impacts while achieving planned densities on average
- Less forest canopy and low structure vegetation within resource area is retained compared to Strictly Limit decisions
- ~~Mitigation to offset adverse impacts of development~~

Lightly Limit assumptions:

- A higher percentage of buildable ~~lots~~ resource area compared to Strictly Limit and Moderately Limit decisions is developed

- Low impact development practices and best management practices to avoid adverse impacts on resource functions will apply
- More wetland and undeveloped floodplain loss compared to Strictly Limit and Moderately Limit decisions
- Land divisions will occur subject to underlying zoning
- Less forest canopy and low structure vegetation within resource area is retained compared to Strictly Limit and Moderately Limit decisions.
- ☐ ~~Mitigation to offset adverse impacts of development~~

Allow assumptions:

- Resources not covered by existing regulations assumed to be developed over time

Criteria for evaluation of program options

In October 2000, the Metropolitan Policy Advisory Committee (MPAC) developed a vision for fish and wildlife habitat protection for the region, which was adopted by the Metro Council.

The overall goal is to conserve, protect and restore a continuous ecologically viable streamside corridor system, from the streams' headwaters to their confluence with others streams and rivers, and with their floodplains in a manner that is integrated with the surrounding urban landscape. This system will be achieved through conservation, protection and appropriate restoration of streamside corridors through time.

The Metro Council is scheduled to consider, based on the results of the evaluation, which program option, or combination of program options, will be chosen to develop a regional fish and wildlife habitat protection program. Both regulatory and non-regulatory options may be assessed with the same criteria. Possible criteria to evaluate the performance of various program options are:

Table 7. Potential cCriteria, and potential indicators and measures for evaluation of program options.

Criteria	Potential indicators and measures
Economic factors 1. Higher market value areas retained for development 2. Key employment areas conserved for employment 3. Reflects 2040 design hierarchy priorities 4. Promotes retention of ecosystem services 5. Promotes potential for non-use or use for recreational economic purposes 6. <u>Economic equity</u>	1. Acres of buildable land with high land value affected 2. Acres of buildable land with high employment value affected 3. Acres of buildable land by 2040 hierarchy affected 4. Number of functions/ecosystem services affected 5. Acres of public land with resource function located near population centers 6. <u>Distribution of allow, limit, prohibit treatments</u>
Social factors 1. Maintains cultural heritage and sense of place 2. Reduces impact on types/location of jobs and housing 3. Minimizes impact on individual landowner rights 4. Preserves amenity value of resources 5. Preserves resources for future generations	1. Qualitative measure 2. Number of potential housing units or jobs affected 3. Number of tax lots by zoning type affected 4. Extent of reliability of protection 5. Total resource acres protected
Environmental factors 1. Retains forest canopy cover 2. Protects primary riparian corridor functions 3. Protects secondary riparian corridor functions 2. <u>Conserves existing watershed health (retains primary and secondary riparian corridor functions)</u> 3. Promotes conservation of sensitive habitats and species 4. Promotes habitat connectivity <u>and riparian corridor continuity</u> 5. Promotes large habitat patches 6. Promotes restoration 7. <u>Promotes no net loss of ecological function</u>	1. Total acres forest cover affected 2. Total acres containing primary <u>and secondary</u> riparian corridor functions affected 3. Total acres containing secondary riparian corridor functions affected 3. Acres of Habitats of Concern affected 4. Total acres in medium or high connectivity scores; maintains/enhances continuity of riparian corridors 5. Number of acres/patches in largest category affected 6. Acres of protected resource land in low structure vegetation 7. <u>Acres of habitat land protected</u>

<p>Energy factors</p> <ol style="list-style-type: none"> Promotes compact urban form Promotes retention of green infrastructure 	<ol style="list-style-type: none"> Potential for displacement of land uses by protection of habitat within UGB. Percent vegetative cover (or tree canopy) affected
<p><u>Federal ESA: Extent to which option assists in recovery of listed species and facilitates achieving blanket "exception to take" under the MRCI limits of the 4(d) rule.</u></p>	<ol style="list-style-type: none"> Protects slopes, wetlands, and areas of high habitat value Maintains hydrological conditions Protects area within one site potential tree height of all streams Maintains & restores native vegetation along stream corridors Minimizes stream crossings Retains channel migration zone (primary function for <i>Large wood and channel dynamics</i>) Reduces and prevents erosion and sediment runoff (primary function of <i>Bank stabilization, sediment, and pollution control</i>) Includes mechanism for monitoring, enforcement, funding and implementation of protection
<p><u>Federal CWA: protects beneficial uses that include drinking water, cold water fisheries, industrial water supply, recreation and agricultural uses Extent to which option assists in meeting state and federal water quality standards.</u></p>	<ol style="list-style-type: none"> Number of primary and secondary functions maintained Miles of stream within a watershed with Class I & II status protected
<p>Funding challenges</p>	<ol style="list-style-type: none"> Funding required to effectively carry out program elements, such as acquisition, conservation easements, education, technical assistance, incentives to landowners, and restoration New authority needed (such as for the Riparian Tax Incentive) for implementation
<p>Effectiveness for habitat protection</p>	<ol style="list-style-type: none"> Level of certainty as assessed from experiences with compliance or voluntary actions Potential use of incentive Reliability of protection
<p>Increment of additional protection</p>	<ol style="list-style-type: none"> Example of how local standards would need to change (e.g., extent of resource covered by local protection compared to the option, level of local protection provided to the resource compared to the option)

Issues for Council Consideration

1. Consider simplifying and refining options to reduce confusion

Possible amendment:

- Combine impact areas into one category
- Reduce number of options to analyze
- Combine resource classifications into three categories (e.g., Class I/A, Class II/B, Class III/C riparian/wildlife habitat)
- Narrow the “limit” decisions to two rather than three decisions (e.g., strictly limit, limit)

2. Eliminate program variables that would vary regulatory approaches by geographic area (e.g., inside/outside 2002 UGB)

3. Strengthen restoration element to have high importance in all of the regulatory and non-regulatory options.

Restoration has already been recognized in the ESEE analysis. The question is: when should staff develop details of a restoration plan?

Possible amendments:

- Build restoration into the work program now
- Leave restoration as an implementation activity

4. Consider increasing protection levels in Option 1.

Possible Amendment:

- Option 1A could be strengthened by increasing protection for Class II riparian resources to recognize their contribution for primary functional value.

Option 1: Habitat based.

Resource Category	Option #1A Most habitat protection	Option #1B Moderate habitat protection	Option #1C Least habitat protection
Class I Riparian/Wildlife	Prohibit	Strictly limit	Moderately limit
Class II Riparian/Wildlife	Strictly limit Prohibit	Moderately limit	Lightly limit
Class III Riparian/Wildlife	Moderately Strictly limit	Lightly limit	Allow
Class A Upland Wildlife	Prohibit	Strictly limit	Moderately limit
Class B Upland Wildlife	Strictly limit	Moderately limit	Lightly limit
Class C Upland Wildlife	Moderately Strictly limit	Lightly limit	Allow
Impact Areas--Riparian	Lightly Limit	Lightly limit	Allow
Impact Areas--Other	Lightly Limit	Allow	Allow

5. Consider revising Option 1C to change allow decisions to lightly limit decisions in riparian and wildlife areas.

Possible amendment:

Option 1: Habitat based

Resource Category	Option #1A Most habitat protection	Option #1B Moderate habitat protection	Option #1C Least habitat protection
Class I Riparian/Wildlife	Prohibit	Strictly limit	Moderately limit
Class II Riparian/Wildlife	Strictly limit	Moderately limit	Lightly limit
Class III Riparian/Wildlife	Moderately limit	Lightly limit	Allow Lightly limit
Class A Upland Wildlife	Prohibit	Strictly limit	Moderately limit
Class B Upland Wildlife	Strictly limit	Moderately limit	Lightly limit
Class C Upland Wildlife	Moderately limit	Lightly limit	Allow Lightly limit
Impact Areas—Riparian	Lightly Limit	Lightly limit	Allow Lightly limit
Impact Areas—Other	Lightly Limit	Allow	Allow

6. Drop Option 1 from further evaluation since is does not explicitly reflect the economic consequences from the ESEE analysis.

7. Consider the implication of the economic importance of Regionally Significant Industrial Areas, employment land, and corridors.

Possible amendment:

- This item is about making the economic priority ranking choices for different 2040 design types, which rankings will then apply to all of the Option 2 approaches to be studied. Should RSIA be given a different ranking from other industrial areas? Should Employment Centers and/or Corridors be ranked in the “high” or “medium” category, rather than the “low” category?

For example, as shown in the chart below, Council could decide that Employment Centers and Corridors not be considered as the “lowest” priority for economic development, but rather that they should be considered on an equal “high” priority basis with Regional Centers, the Central City, and RSIA.

Resource Category	High urban development value	Medium urban development value	Low urban development value	Other areas
	Primary 2040 components, ¹ high employment value, or high land value	Secondary 2040 components, ² medium employment value, or medium land value	Tertiary 2040 components, ³ low employment value, or low land value	Parks and Open Spaces, <u>interim design types, or no design types</u>
Class I Riparian/Wildlife	Lightly limit	Moderately limit	Strictly limit	Strictly limit
Class II Riparian/Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class III Riparian/Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Class A Upland Wildlife	Lightly limit	Moderately limit	Moderately limit	Strictly limit
Class B Upland Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class C Upland Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Impact Areas--Riparian	Allow	Lightly limit	Lightly limit	Lightly limit
Impact Areas--Other	Allow	Allow	Lightly limit	Lightly limit

¹Primary 2040 components: Regional Centers, Central City, Regionally Significant Industrial Areas, other Industrial Areas, Employment Centers and Corridors

²Secondary 2040 components: Town Centers, Main Streets, Station Communities, Other Industrial areas

³Tertiary 2040 components: Inner and outer neighborhoods, Employment Centers, Corridors

8. Consider eliminating residential land values from the land value measure and using the 2040 policy hierarchy only as the method to assess residential treatment.

Possible amendment:

- This item is about making the treatment of residential land based solely on 2040 design types rather than on land value. As shown in the chart below, a footnote could be added that describes this treatment,.

Resource Category	High urban development value	Medium urban development value	Low urban development value	Other areas
	Primary 2040 components, ¹ high employment value, or high land value	Secondary 2040 components, ² medium employment value, or medium land value	Tertiary 2040 components, ³ low employment value, or low land value	Parks and Open Spaces, <u>interim design types, or no design types</u>
Class 1 Riparian/Wildlife	Lightly limit	Moderately limit	Strictly limit	Strictly limit
Class 2 Riparian/Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class 3 Riparian/Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Class A Upland Wildlife	Lightly limit	Moderately limit	Moderately limit	Strictly limit
Class B Upland Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class C Upland Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Impact Areas--Riparian	Allow	Lightly limit	Lightly limit	Lightly limit
Impact Areas--Other	Allow	Allow	Lightly limit	Lightly limit

¹Primary 2040 components: Regional Centers, Central City, Regionally Significant Industrial Areas

²Secondary 2040 components: Town Centers, Main Streets, Station Communities, Other Industrial areas

³Tertiary 2040 components: Inner and outer neighborhoods, Employment Centers, Corridors

⁴Treatment of residential lands is based on 2040 policy hierarchy only. For example, residential land receiving high land value ranking would be treated the same as other residential lands (i.e., inner and outer neighborhood under 2040 policy).

9. Create a new option with the habitat and urban development category that provides stronger fish and wildlife habitat protection.

Possible amendment:

- Add new Option A (see Option 2AA below), as submitted by representatives of the Audubon Society and Tualatin Riverkeepers, that applies strictly limit to Class I riparian/wildlife with high and medium development values and prohibit in areas with low urban development value.

EXISTING OPTION: Option 2A: Habitat and urban development. (More habitat protection).

Resource Category	High urban development value	Medium urban development value	Low urban development value	Other areas
	Primary 2040 components, ¹ high employment value, or high land value	Secondary 2040 components, ² medium employment value, or medium land value	Tertiary 2040 components, ³ low employment value, or low land value	Parks and Open Spaces, <u>interim design types, or no design types</u>
Class 1 Riparian/Wildlife	Lightly limit	Moderately limit	Strictly limit	Strictly limit
Class 2 Riparian/Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class 3 Riparian/Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Class A Upland Wildlife	Lightly limit	Moderately limit	Moderately limit	Strictly limit
Class B Upland Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class C Upland Wildlife	Allow	Lightly limit	Lightly limit	Moderately limit
Impact Areas--Riparian	Allow	Lightly limit	Lightly limit	Lightly limit
Impact Areas--Other	Allow	Allow	Lightly limit	Lightly limit

Option 2AA: Habitat and urban development.

Resource Category	High urban development value	Medium urban development value	Low urban development value	Other areas
	Primary 2040 components, ¹ high employment value, or high land value	Secondary 2040 components, ² medium employment value, or medium land value	Tertiary 2040 components, ³ low employment value, or low land value	Parks and Open Spaces, <u>interim design types, or no design types</u>
Class I Riparian/Wildlife	Strictly limit	Strictly limit	Prohibit	Prohibit
Class II Riparian/Wildlife	Moderately limit	Moderately limit	Strictly limit	Strictly limit
Class III Riparian/Wildlife	Lightly limit	Lightly limit	Lightly limit	Moderately limit
Class A Upland Wildlife	Lightly limit	Moderately limit	Moderately limit	Strictly limit
Class B Upland Wildlife	Lightly limit	Lightly limit	Moderately limit	Moderately limit
Class C Upland Wildlife	Lightly limit	Lightly limit	Lightly limit	Moderately limit
Impact Areas--Riparian	Lightly limit	Lightly limit	Lightly limit	Lightly limit
Impact Areas--Other	Lightly limit	Lightly limit	Lightly limit	Lightly limit

¹Primary 2040 components: Regional Centers, Central City, Regionally Significant Industrial Areas

²Secondary 2040 components: Town Centers, Main Streets, Station Communities, Other Industrial areas

³Tertiary 2040 components: Inner and outer neighborhoods, Employment Centers, Corridors

10. Drop Option 3 from further evaluation since it does not seem to meet the Goal 5 rule or the Vision Statement and does not reflect the diversity of environmental values of the inventory.

11. Drop Option 4 from further evaluation since it does not seem to meet the Goal 5 rule or the Vision Statement, because the region has already documented the need for more than current protection for fish and wildlife habitat and because of concern there is a lack of symmetry because prohibit is ruled out (in the resolution) and allow is not.

12. If Option 4 remains for evaluation, call it the “baseline” rather than an option.

Option 4: Baseline evaluation (current regional regulations).

Resource type	Slopes less than 25%	Slopes greater than 25%
Primary Streams Draining > 100 acres	50 ft. from top of stream bank	Up to 200 ft. from top of stream bank (to break in slope)
Secondary Streams Draining 50 to 100 acres	15 ft. from top of stream bank	Up to 50 ft. from top of stream bank (to break in slope)
Wetlands	50 ft. from edge of wetland	Up to 200 ft. from top of stream bank (to break in slope)
Floodplains	Balanced cut & fill and prohibition of uncontained areas of hazardous materials as defined by DEQ	NA

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GOAL 5 PUBLIC COMMENTS RECEIVED ON OR AFTER 10/23/03 (PUBLIC HEARING)

10/20/03

10/20/03-04

COMMENT	PROVIDED BY
MISCELLANEOUS	
Educational institutions should be fit into the program framework.	Michael Sestril (Lewis & Clark College)
Refine factors that distinguish between limit categories – make assumptions clear (e.g., no takings, existing development can be repaired and maintained...)	City of Portland
Publicly owned lands are tax-exempt, yet this is not acknowledged in the economic analysis or the maps. Metro should apply primary 2040 design type designation to these properties.	Port of Portland
The ESEE report should cite the recently completed Portland Harbor Industrial Lands Study.	Port of Portland
Riparian District Plans, Local Options must be incorporated into Metro's programs.	Port of Portland
Confirm the status of intermodal facilities as a primary 2040 design type; not specifically called out in program options.	Port of Portland
Classify ALL industrial areas as primary 2040 design type designation.	Port of Portland
PROGRAM OPTIONS AND VARIABLES	
Proposed program options and variables – most will not achieve overall goal of protecting and restoring continuous stream corridors, nor will it meet minimum criteria for ESA compliance. Particularly true for Options 3 and 4.	Jim Labbe + 15 (hearing) Pat Russell Ron Carley
Eliminate program variation by geographic area. Doing nothing new inside the UGB should not be an option.	Jim Labbe + 15 (hearing) Pat Russell Ed Labinowicz Sue Marshall Mary Kyle McCurdy Friends of Forest Park Lynn Herring Johnson Cr. WS Council Steve Mullinax Richard Shook
Applying regulations based on development status, lot size, or land-use category will fragment habitat and ecological functions that transcend such boundaries. Based on definition of limit, it is not clear how continuity of primary function riparian habitats will be achieved through that means.	Jim Labbe + 15 (hearing) Pat Russell Mary Kyle McCurdy Johnson Cr. WS Council Steve Mullinax Richard Shook
Eliminate Option 4 as an actual option. Option 4 would fail to meet most of proposed evaluation criteria.	Jim Labbe + 15 (hearing) Pat Russell City of Portland Steve Mullinax USFWS
Establish "no net loss" of riparian function of Options 1C, 2A, and 2B by replacing "allow" with a minimum mitigation requirement. Metro should dispense with ALLOW as it has with PROHIBIT.	Jim Labbe + 15 (hearing) Pat Russell City of Portland Lynn Herring Johnson Cr. WS Council Steve Mullinax USFWS

Need a more protective Option 2.	Jim Labbe + 15 (hearing) Pat Russell Tom Wolf City of Portland USFWS
Simplify and clarify program options: reduce "limit" from three to two categories; consolidate or eliminate Options 3 and 4.	City of Portland Port of Portland
Option 3 should be eliminated.	City of Portland Port of Portland USFWS
Option 1 does not include the full range of resource protection levels – modify to include strict limitations for high-value upland habitats.	City of Portland
Diversify treatments for impact areas to include more than just allow or lightly limit. Different protection levels should be analyzed to facilitate discussion of the role of these areas.	City of Portland
ESEE analysis should only include non-regulatory elements that can be implemented with certainty (although uncertain elements are also vital).	USFWS
There should be more "prohibits" in other resource categories and program options so as to consider a wider range of potential outcomes.	USFWS
Option 1 is the only program option with a chance of accomplishing the overall goal for fish and wildlife habitat protection.	Jeffry Gottfried
Option 1 may not have the desired outcome – analyze carefully.	Port of Portland
Option 2A, combined with non-regulatory options, would be best.	Port of Portland
All program options should incorporate "avoidance, minimization and mitigation" as does Title 3.	USFWS
EVALUATION CRITERIA	
Environmental justice should be a criterion in program evaluation.	JoAnn Bowman, hearing
Retention of restoration opportunities should be included as one of the primary evaluation criteria for program options.	USFWS
ESA 4(d) and Clean Water Act compliance should be evaluation criteria. (Also comments that Metro should mandate and enforce these acts.) USFWS believes Metro should develop specific criteria to clarify what this would entail so that the degree to which program options will enable local governments to achieve compliance can be evaluated.	Pat Russell Sue Marshall City of Portland Lynn Herring Richard Shook USFWS
Issue of resource site analysis needs to be clarified. Watershed-scale analyses would be more meaningful than only region-wide analyses.	City of Portland
RESOLUTION LANGUAGE	
Include language in the Resolution or elsewhere as appropriate to ensure that existing regulations will not be weakened.	USFWS
Add language regarding Metro's authorities under Oregon's Statewide Planning Goal 6 (water quality) and Goal 7 (natural hazards/floodplains) resources.	USFWS

102803c-05



Transportation plan update begins

Public comment will be taken Oct. 31 to Dec. 4

Metro is starting a periodic update of the Regional Transportation Plan (RTP) in order to maintain continued compliance with the Federal Clear Air Act and state guidelines. The update will include an air quality analysis of the 2004 RTP and 2004-07 Metropolitan Transportation Improvement Program.

The plan, updated every three years to ensure that it addresses future travel needs, will focus on projects for roads and freight movement, bicycling, transit and walking. These projects already have been adopted in local and regional plans and corridor studies through a public process.

Public comment will be taken Oct. 31 through Dec. 4. The staff recommendation on the technical draft of the plan will be available for public review on Oct. 31.

Public hearing will be held Dec. 4

A public hearing will be held during the Thursday, Dec. 4, Metro Council meeting. The meeting begins at 2 p.m. at Metro Regional Center, 600 NE Grand Ave., Portland.

The council will take action on the update on Dec. 11 (tentative). For more information, visit www.metro-region.org or call (503) 797-1839.

Other ways to comment

- Phone (503) 797-1900 option 2
- Fax (503) 797-1911
- E-mail trans@metro.dst.or.us
- Mail Kim Ellis, Metro
600 NE Grand Ave.
Portland, OR 97232

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Portland, OR 97232



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2004 Regional Transportation Plan

Policy Packet



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2004 Regional Transportation Plan Policy Quick Facts

Recent Policy Amendments

Since the last update to the Regional Transportation Plan (RTP) in August 2000, a number of policy amendments have been adopted. These include a number of amendments mandated by the Oregon Land Conservation and Development Commission as part of acknowledging the plan in early 2001. These include the I-5 Partnership corridor study, the Elderly and Disabled Transit Study, the Corridor Priorities project and the Green Streets project. Subsequent amendments stem from transportation corridor studies, such as the South Corridor Transit Study, adopted in 2003. These amendments have already been adopted by ordinance prior to this RTP update.

Proposed Policy Map Amendments

The policy packet includes a number of proposed amendments to the Regional Street Design and Regional Freight System maps that reflect the Oregon Transportation Commission's interest in creating "special transportation areas" where compact urban centers and main streets are planned along state-owned arterial streets. These proposed map changes are shown in the enclosed Table 1.

The updated system maps also include a number of "housekeeping" amendments that reflect fine-tuning of the various model systems, as recommended by local transportation plans adopted since the last RTP update in August 2000. These changes are also summarized in Table 1.

Finally, a new map is proposed to be added to Chapter 1 of the RTP that identifies the Metropolitan Planning Organization (MPO) Planning Boundary. This boundary defines the area that the Regional Transportation Plan applies to for federal planning purposes. The boundary includes the area inside Metro's jurisdictional boundary, the 2003 urban growth boundary and the 2000 census defined urbanized area boundary for the Portland metropolitan region.

In addition to the enclosed summary information, more detailed information is available from Metro's website (www.metro-region.org) and on CDs that can be ordered with the attached public comment form or by e-mail at trans@metro.dst.or.us. Comments on the draft 2004 RTP are due to Metro by 5:00 PM on Thursday, December 4, 2003.

Comments:

Submitted by:

Name

Street Address

City/Zip _____ E-Mail _____

Send more info:

RTP Document CD Other RTP Info: _____

Regional Transportation Plan Update Calendar

- October 31** Public comment period begins; staff recommendation on draft 2004 RTP released for 30-day public comment period; draft RTP and conformity determination submitted to FHWA and FTA to begin review

- November 3** Air quality conformity analysis begins

- November 5** MTAC comments on draft 2004 RTP

- November 12** MPAC comments on draft 2004 RTP

- November 13** JPACT tentative action on draft 2004 RTP

- November 13** Metro Council first reading of Ordinance on draft 2004 RTP

- November 26** TPAC review and discussion of draft 2004 RTP and air quality conformity analysis

- December 4** Public hearing on draft 2004 RTP; public comment period ends at 5 p.m.

- December 5** TPAC special meeting to comment on draft 2004 RTP

- December 10** Tentative final MPAC action on 2004 RTP

- December 11** Tentative final JPACT action on 2004 RTP

- December 11** Metro Council second reading of Ordinance and consideration of adoption of 2004 RTP

Place first class postage here.

Metro
600 NE Grand Avenue
Portland, Oregon 97232
Attention: Marilyn Matteson



METRO

102803c-07

Guidelines for Developing the 2025 Financially Constrained System

2040 Emphasis	2000 RTP	2040 Component	2004 RTP
	40%	Central City Regional Centers	
	35%	Industrial Areas Intermodal Facilities	
	15%	Town Centers Station Communities Main Streets Corridors	
	10%	Other Areas	

Modal Balance	2000 RTP	Project Category	2004 RTP
	9%	Highway	
	24%	Road/ITS	
	55%	Transit	
	2%	Bridge	
	5%	Bicycle & Pedestrian	
	3%	Boulevard	
	2%	TDM	



Principles for Shaping the 2025 Financially Constrained System

1. Promote 2040 Growth Concept

- Emphasize 2040 priority areas (central city, regional centers, industrial areas & intermodal facilities)
- Seed projects in new urban areas
- Achieve geographic balance

2. Set Stage for Regional Funding Initiative

- Emphasize projects that support Transportation Task Force recommendations

3. Preserve AQ Conformity Status

- No net growth in non-exempt share of Financially Constraint projects
- Encourage exempt projects
- Meet TCMs as established in maintenance plan

**METRO**

DATE: October 28, 2003
TO: Council Members and Interested Parties
FROM: Tom Kloster, Transportation Planning Manager
SUBJECT: Regional Transportation Plan Update

* * * * *

Public Comment Period

The 2004 Regional Transportation Plan (RTP) public comment period is scheduled to begin on October 31. The public comment period will focus on a series of staff recommendations that will serve as the public review document. Because this update of the RTP constitutes a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall RTP document. The proposed amendments to the RTP are organized into four discussion packets, as follows:

- 1 Policy Amendments
- 2 Transportation Project Amendments
- 3 Technical Amendments
- 4 Air Quality Determination

These packets will be available for review on Metro's website, and as printed documents. The packets also include response forms and instructions for completing comments through the website, as well as opportunities to obtain more detailed amendment information from the website or on CDs. Comments will be accepted through 5:00 PM on December 4, 2003, which also coincides with a Council hearing on the RTP update.

The comment period has also been designed to incorporate public review of the Metro Transportation Improvement Program (MTIP) air quality analysis, a final step that formalizes the MTIP allocations that were made by JPACT and the Council in June 2003. This joint effort offers significant efficiencies for both the public and staffing demands for Metro.

The one-month public comment period concludes on December 4 with a hearing before the Council. JPACT and the Council are scheduled to consider final action on the proposed RTP amendments on December 11.

TPAC Workshops and the Financially Constrained System

Since early October, TPAC has held three RTP workshops, with a fourth (and final) workshop scheduled for tomorrow. At these workshops, staff has worked closely with TPAC members to ensure that the RTP update incorporates all "housekeeping" amendments generated by local plans that have been adopted since the RTP was approved in August 2000. Metro commented on all of these local plans during their respective adoption activities, and identified "friendly" amendments that were consistent with RTP policies, and should be included in the 2004 RTP update. These amendments are largely tied to RTP system maps (in Chapter 1 of the plan) and proposed transportation projects.

The principal focus of the TPAC workshops has been to define an updated "Financially Constrained" system of improvements. This exercise is a federal requirement, and defines a subset of roughly one-third of the "Preferred" system projects that are demonstrated to conform to the federal Clean Air Act, and subsequently eligible for federal funds. Some notable differences in this update include a somewhat larger revenue projection for the "constrained" system through the new plan horizon year of 2025. Coupled with the fact that projects from the current plan have been built since it was adopted, this revenue increase results in a net gain in projects than can be included under the "constraint" ceiling. The expanded "constrained" revenue is largely the result of modest increases in local revenue sources devoted to regional transportation improvements, or revenues that reduce the backlog of maintenance obligations, which in turn expands the budget for capital projects. There has also been an extensive discussion of factoring future OTIA revenue into the forecast, but due to the limited timeframe for completing the RTP update, this assumption was not possible.

Timing of the RTP Update

This RTP update comes at a critical turning point on a number of technical fronts. First, the current plan is due to lapse in late January 2004 under federal planning regulations, and must be updated in order to ensure the continued flow of federal funds for RTP projects. Second, the air quality analysis tool used in the region will soon be replaced with a new "Mobile 6" model that still requires testing to determine whether the current mix of RTP projects could conform to the Clean Air Act.

Compounding the transition to a new air quality tool is the fact that the Oregon Department of Environmental Quality (DEQ) is embarking on an update to their Air Quality Maintenance Plan, a governing document for RTP air quality assessments. This effort is expected to take as much as two years, counting federal approval of the updated air quality plan. During this period,

it could be difficult to add or change projects in the RTP, which underscores the importance of including critical projects in this RTP update, and completing the update well in advance of the January 2004 lapse date.

Policy Amendments

In addition to housekeeping amendments that are largely related to transportation projects, the proposed changes to the RTP include a series of RTP Regional Street Design and Regional Freight system map amendments that are part of helping the Oregon Transportation Commission implement "Special Transportation Area" designations. These designations are designed to allow special design standards to apply in 2040 centers, main streets and station communities that occur along state-owned arterial streets. The OTC has requested these proposed changes for their November 20 meeting, and Metro staff has worked closely with our local partners to develop the nominations that will be submitted to the OTC.

Councilor Values for the Solid Waste System

The following are the values for the solid waste system expressed by Metro Councilors at the public Work Session on July 2, 2003. They are ordered according to the priorities assigned by the Council.*

- 1. Protect the public investment in the solid waste system.**
- 2. "Pay to Play"**
Ensure that participants and users of the system pay appropriate fees and taxes.
- 3. Environmental sustainability. Ensure the system performs in a sustainable manner.**
- 4. Preserve public access to the disposal options (location and hours).**
- 5. Ensure regional equity—equitable distribution of disposal options.**
- 6. Maintain funding source for Metro general government.**
- 7. Ensure reasonable/affordable rates.**

*In addition to each value, the Metro Council has indicated that all system-relate scenarios or decisions will "maintain safety and public health throughout the solid waste system" as a minimal threshold for operation.

RSWMP Update Project
Phases and Major Tasks

