

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL WORK SESSION MEETING – revised 2/6/04
DATE: February 10, 2004
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, FEBRUARY 12, 2004 | |
| 1:15 PM | 2. | REGIONAL SOLID WASTE MANAGEMENT PLAN
(RSWMP) PUBLIC INVOLVEMENT PLAN | Blauer/
Matthews |
| 1:45 PM | 3. | LATEX PAINT LEASE | Hoglund/
Watkins/Eadie |
| 2:15 PM | 4. | INTERGOVERNMENTAL AGREEMENT TO FUND
FINAL ENVIRONMENTAL IMPACT STATEMENT
(FEIS), CONTRACT EXTENSION FOR FEIS AND
UPDATE ON LIGHTRAIL STATION | Roberts |
| 2:45 PM | 5. | FREIGHT PROJECT PRIORITIES | Weighart |
| 3:05 PM | 6. | GOAL 5 COORDINATION WITH OTHER
JURISDICTIONS ON FISH AND WILDLIFE
HABITAT PROTECTION | Deffebach |
| 4:05 PM | 7. | CITIZEN COMMUNICATION | |
| 4:15 PM | 8. | EXECUTIVE SESSION, HELD PURSUANT TO ORS 192.660(1)(h),
TO CONSULT WITH LEGAL COUNSEL CONCERNING THE LEGAL
RIGHTS AND DUTIES OF A PUBLIC BODY WITH REGARD TO
CURRENT LITIGATION. | |
| 4:30 PM | 9. | CHIEF OPERATING OFFICER COMMUNICATION | |
| 4:40 PM | 10. | COUNCILOR COMMUNICATION | |

ADJOURN

Agenda Item Number 2.0

REGIONAL SOLID WASTE MANGEMENT PLAN (RSWMP) PUBLIC INVOLVEMENT PLAN

Metro Council Work Session
Tuesday, February 10, 2004
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: February 10, 2004 Time: Length: 30 minutes

Presentation Title: Public involvement plan for the Regional Solid Waste Management Plan update

Department: Solid Waste and Recycling

Presenters: Janet Matthews, Project Manager and Karen Blauer, Public Involvement Coordinator

ISSUE & BACKGROUND

The Solid Waste and Recycling Department is seeking Council comment on the scope of the public involvement plan for the Regional Solid Waste Management Plan (RSWMP) update.

Metro coordinates the development and administration of the Plan. RSWMP provides a guiding framework for solid waste policy and programs within the region, identifies roles and responsibilities for those whose efforts are vital to Plan implementation, and fulfills a state requirement that Metro have a waste reduction plan.

Plan implementation relies on the cooperative efforts of many public and private sector parties. Therefore, issues, goals, and strategies found in RSWMP are shaped through an inclusive regional process.

The Plan update process occurs as resources for regional programs are tightening; a potential policy shift from voluntary to required recycling for the business sector is under discussion; capacity at existing transfer and recycling facilities far exceeds demand; the two publicly-owned transfer facilities are close to retiring bonded indebtedness; and the scope and cost-benefit of toxicity and waste reduction programs are being questioned. These factors provide some of the context from which regional planning issues will emerge and be discussed among stakeholders. From these discussions, the Plan's updated direction will evolve.

Public involvement plan

The public involvement plan (attached) outlines a process to support development of the Regional Solid Waste Management Plan update and its eventual consideration for adoption by Metro Council and approval by the Oregon Department of Environmental Quality. The implementation period for this public involvement plan began in January 2004, and runs through August 2005.

The main objectives for the public involvement effort are to:

1. Ensure that those most affected by solid waste policies and programs have an opportunity to participate in the RSWMP update process;
2. Provide context for an informed dialogue with stakeholders about the choices, tradeoffs, and costs of various options for the regional solid waste system;
3. Help Metro staff and Council understand stakeholders' preferences; and,
4. Meet legal requirements and agency principles for public participation.

Council involvement in the update will be on an on-going basis over the next 18 months.

QUESTION(S) PRESENTED FOR CONSIDERATION

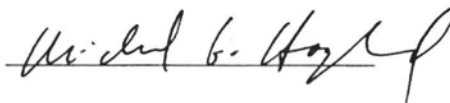
At this preliminary planning stage, staff is seeking reaction from Council on the draft public involvement plan.

1. Is the draft plan sufficient for involving the broadest range of those affected by solid waste policies and programs?
2. There are differences between the solid waste system's service providers and "end users." Is there particular input the Council wants gathered from either group?
3. Does the Council have any particular issue it would like to probe through the public involvement process?

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

SCHEDULE FOR WORK SESSION

Department Director/Head Approval



Chief Operating Officer Approval _____

Regional Solid Waste Management Plan Update Public Involvement Plan

The following plan outlines the public involvement process to support development of the Regional Solid Waste Management Plan Update and its eventual consideration for adoption by Metro Council and approval by the Oregon Department of Environmental Quality. The implementation period for this public involvement plan is expected to be from January 2004 to August 2005.

Situation Analysis

Metro coordinates the development and administration of the Regional Solid Waste Management Plan (RSWMP), a long-range plan for managing solid waste in the Portland metropolitan area. Plan implementation relies on the cooperative efforts of many public and private sector parties. Issues, goals and strategies found in RSWMP are shaped through an inclusive regional process.

The current RSWMP expires in 2005 and planning is underway to update the document for the next ten-year period (2005 to 2015).

The Plan update process occurs as resources for regional programs are tightening; a potential policy shift from voluntary to required recycling for the business sector is under discussion; existing transfer and recycling capacity far exceeds current demand; the two publicly-owned transfer facilities are close to retiring bonded indebtedness; and the scope and cost-benefit of toxicity and waste reduction programs are being questioned. These factors provide some of the context from which regional planning issues will emerge and be discussed among stakeholders. From these discussions, the Plan's updated direction will evolve.

The updated RSWMP will provide a guiding framework for solid waste policy and programs within the region, identify roles and responsibilities for those whose efforts are vital to Plan implementation, and fulfill a state requirement that Metro have a waste reduction plan.

Public involvement objectives

The main objectives for the public involvement effort are to:

1. Ensure that those most affected by solid waste policies and programs have an opportunity to participate in the RSWMP update process;
2. Provide context for an informed dialogue with stakeholders about the choices, tradeoffs, and costs of various options for the regional solid waste system;
3. Help Metro staff and Council understand stakeholders' preferences; and,
4. Meet legal requirements and agency principles for public participation.

Stakeholders

The regional solid waste system has many stakeholders that provide essential functions, play vital roles in service provision or are en-users of services. Metro works with these groups to maintain and improve a regional system that benefits the public and the environment. In general, this group of stakeholders includes the following:

- citizens and businesses that use services and pay solid waste fees;
- cities and counties, which franchise or license private waste haulers, regulate collection rates and administer local solid waste and recycling programs;
- waste and recycling hauling companies which serve residential and commercial customers;
- private solid waste facility owners, whose operations range from composting and material recovery to disposal;
- Oregon's Department of Environmental Quality, which enforces state solid waste statutes, approves the Regional Solid Waste Management Plan, and monitors compliance of the Plan with state law;
- host communities for landfills and other disposal facilities, whose accommodation of these sites (both near and far) serves the entire region; and,
- end-users of materials from the region that recycle the material into new products.

Stakeholders include other parties that will be affected by and/or interested in the Plan update, including but not limited to the following: Metro advisory groups (e.g., Solid Waste Advisory Committee) and environmental and advocacy groups (e.g., Coalition for a Livable Future, Recycling Advocates).

Metro will need to acknowledge and be aware of stakeholders' interests and concerns in order to effectively involve them in the RSWMP update. While a similar approach will be used to involve various stakeholders, it is likely that different perspectives will be heard from participants. Convening a constructive and frank dialogue to support the update will require that Metro's process reflect certain public involvement guidelines, including but not limited to:

- being inclusive and transparent with stakeholders, the public and other interested parties;
- establishing trust with stakeholders; and,
- increasing understanding of the roles and responsibilities among stakeholders in the regional system.

Approach

Metro will use a four-phase approach to the public involvement process for updating the RSWMP:

- Phase One – interviews and survey
- Phase Two – discussions and questionnaires
- Phase Three – draft plan “show and tell”
- Phase Four – Metro Council process and ordinance

Input gathered during each phase of the process will help shape the approach to the next stage of activities and, ultimately, the Metro Council action. This will require a systematic approach for analyzing and reporting results, reviewing needs for additional research or clarification, and designing activities to further probe an issue.

Input collected during public participation activities will be recorded en masse, thematically and by subgroup variation (e.g., function). Participants will be routinely informed about the comments Metro collects as a way to keep the process transparent and to encourage more meaningful and ongoing participation.

Phase One – interviews and survey (January through March 2004)

- Finalize Metro's public involvement plan.
- Develop stakeholder questions and approach.
- Conduct interviews and survey focus groups.
- Produce summary report based on interviews.

The public involvement process will be launched in late-January 2004. The existing RSWMP will serve as the starting point for the update effort. With this in mind, public involvement in Phase One will target a representative group of stakeholders for interviews in small groups that will help determine if the plan's core values and principle vision are still relevant; rate how well the current Plan, solid waste system and services respond to the Plan's goals and objectives; identify perceived obstacles to achieving the vision; assess how times and needs may have changed since 1995 and whether current circumstances require a different approach; and, isolate some of the key planning issues. Participants will also have an opportunity to help shape questions to be asked during Phase Two.

Input generated from these interviews will be summarized and reported back to staff, Metro Council and Metro's Solid Waste Advisory Committee. It will serve as a springboard to the next stage of public involvement – developing questions on topical issues related to functions or interests in the solid waste system. Metro will advise focus group members of the ways in which their input will help shape Plan direction.

Phase Two – discussions and questionnaires (March through May, 2004)

- Write stakeholder-specific discussion guides and questionnaires.
- Conduct stakeholder interviews and meetings.
- Produce summary report.

During Phase Two, from February through May 2004, the public involvement process generates discussion of the critical issues and approaches that will be woven into the RSWMP update. Metro will conduct discussions with stakeholders using discussion guides to survey groups on topical issues and approaches, to get input on tradeoffs and find points of agreement or dissent for further discussion. Throughout Phase Two, there will be opportunities to participate in discussion groups, individually, by completing written questionnaires and by visiting Metro's web site.

Input gathered from participants - with an emphasis on common themes, trends and concerns - will be summarized and reported to staff, Metro Council and Metro's Solid Waste Advisory Committee. The report will be distributed to discussion participants to make certain input was accurately reported.

Phase Three – draft plan “show and tell” (September 2004 through January 2005)

- Present preliminary draft to stakeholders; gather comments.
- If needed, further probe approach or issue to achieve clarity.
- Produce summary report.
- Distribute Metro report to stakeholders describing how their input was considered in the Plan update.

During the summer and early fall of 2004, a preliminary draft of the RSWMP will be presented to stakeholders. From September 2004 through January 2005, stakeholder comments on the preliminary draft will be collected. If needed, another round of stakeholder interviews will be scheduled to further probe a particular approach and to achieve clarity on outstanding issues.

Specific concerns and general comments about the preliminary draft of the RSWMP will be summarized and reported to staff, Metro Council and Metro's Solid Waste Advisory Committee. Metro will produce and distribute a “responsiveness report” to stakeholders.

Phase Four –Metro Council process and ordinance (February 2005 through August 2005)

- Metro staff review final draft RSWMP update.
- DEQ review final draft RSWMP update.
- Prepare staff report, file ordinance with Metro Council.
- Public hearings at Metro Council.
- Consideration by Metro Council.
- Review by EQC.

After a full-slate of public involvement activities have been conducted to let stakeholders participate in shaping the Plan, Metro staff and the Department of Environmental Quality will review the revised draft of the RSWMP. Staff will file a report and ordinance introducing the Plan for Metro Council's consideration.

The Council will schedule a series of public hearings to take stakeholder testimony concerning the updated Plan. Through the Council's process, stakeholders will have another opportunity to review the Plan, ask questions and testify before the Council. Metro Council will consider adoption of the updated Plan. The state Environmental Quality Commission must legally acknowledge and review the Plan and Metro Council action before the Plan goes into effect.

Agenda Item Number 3.0

LATEX PAINT FACILITY LEASE

Metro Council Work Session
Tuesday, February 10, 2004
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: February 10, 2004 Time: Length: 30 minutes

Presentation Title: Proposed Lease for Relocating Metro's Latex Paint Recycling Facility

Department: Solid Waste & Recycling

Presenters: Michael Hogle and William Eadie

ISSUE & BACKGROUND

Metro's latex paint recycling operation has been housed in its current building at the Metro South Transfer Station since August of 1999. For several reasons, as outlined below, it is advantageous to move the operation to a leased off-site location. Staff has negotiated a proposed lease with Oregon Park Development, LLC, for a 22,500 square foot warehouse located on Swan Island. This building is well suited for production, storage and sales of Metro's recycled paint.

There are several factors that make it advantageous to move Metro's latex paint recycling operation to a new location:

- There are substantial traffic congestion problems at the current Metro South location that make it difficult to retail Metro's recycled paint to a large number of customers. There is limited parking, competing truck traffic, and at times, long lines of transfer station customers make it difficult to get to the latex facility.
- The new facility would increase available processing and storage space from 11,000 to 22,500 square feet. An increase in processing and storage space is beneficial because it will eliminate the current \$26,000 annual expenditure for offsite warehouse space, allow for automated production of one-gallon cans which are more profitable to sell, provide the ability to store more incoming paint feedstock, and facilitate increased paint production and stockpiling over the winter for sale during the busy painting season.
- The new facility will be more centrally located and accessible to a larger portion of the region, expanding the potential customer base.
- There will also be a substantial financial benefit by using the current building on the Metro South site to house maintenance activities and provide meeting space, as called for in the Capital Improvement Plan.

Leasing a building is preferable to new construction for two reasons: the current climate is very favorable for leasing, and leasing allows for greater flexibility.

(A more detailed explanation of the operational, financial, and marketing aspects of the paint recycling program can be found in the "Metro Latex Paint Recycling Business Plan," dated August 2003.)

Summary of Proposed Lease

Property: 4825 N. Basin Avenue, Swan Island

Landlord: Oregon Park Development, LLC

Tenant: Metro Latex Paint Recycling

Premises: 22,500 sq. ft of shell space, including approximately 1665 sq. ft of interior office space

Commencement/Occupancy: March 1, 2004

Early Access: Allowed

Term: 84 months

Option to Renew: Yes; 1-5 year term

Right of First Refusal: Yes (on 30,680 square feet, including approximately 5,250 square feet of office space)

Assignment and Subletting: Allowed

Building Rent: Average rental rate over first 5-years is 32.8 cents per sq. ft.

Average rental rate over entire 7-year term is 33.8 cents per sq. ft.

Tenant (NNN) Expenses: 8.5 cents/sf/mo

Tenant Improvements: Landlord will build-out as requested and recover cost in rent payment over term of lease

Parking: 30 assigned parking spaces

Signage: Yes

Rent schedule:

<u>Months</u>	<u>Rent</u>
1	\$7,720
2-6	\$0
7-24	\$7,720
25-48	\$8,106
49-60	\$8,511
61	\$0
62-72	\$8,511
73	\$0
74-84	\$9,192

Justification for Selection of This Property

The proposed lease satisfies the following selection criteria:

- Market location
Swan Island is centrally located
- Convenient Access to I-5
Less than 1.5 miles from the I-5 interchange
Less than 3 minutes drive time to I-5 interchange
- Adequate size (22,500 sq. ft.)

- Adequate building clear height (24 feet)
- Adequate power (400a/480v)
- Adequate striped parking and staging area (30 striped spaces)
- Adequate loading and staging area (2 dock-doors, 3 grade-doors)
- Includes a 5 year lease renewal option
- Includes a right of first refusal on additional space in the same building
- Allows for assignment and subletting

The proposed lease exceeds the following selection criteria:

- Competitive lease rate
*Average rental rate for the proposed building over the first 5 years is 32.8 cents per sq. ft; Average rental rate over the 7-year term is 33.8cents per sq. ft;
 The Range of rental rates of the comparable buildings (adjusted for build-out allowances and operating expenses) is 32.4-48.4 cents per sq. ft; three of the four buildings indicate a higher range of from 34.6-48.4cents per sq. ft. in comparison to the proposed building*
- Positive exposure
Street signage allowed; plus, building is easily visible to passing vehicles
- Convenient access
A 4-lane, one-way street (N. Basin Ave.) provides direct access to the building

OPTIONS AVAILABLE

For a comparison of the proposed lease with several other warehouse properties that were considered, see the attached comparison table.

IMPLICATIONS AND SUGGESTIONS


Signing of this lease commits Metro to leasing the building for 7 years. For the remainder of FY03-04 the lease commits Metro to about \$18,000 in expenditures. For FY04-05 the total lease cost is \$100,150, which is less than the amount anticipated in the department's proposed budget for FY04-05. In future years there are modest cost increases, due to the increases in the rent schedule shown above.

QUESTION(S) PRESENTED FOR CONSIDERATION

Does the Council approve of the proposed lease with Oregon Park Development, LLC, for a 22,500 square foot warehouse located on Swan Island?

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

SCHEDULE FOR WORK SESSION

Department Director/Head Approval 
 Chief Operating Officer Approval _____

Attachment One

Comparison of Proposed Lease to Comparable Properties:

<u>Selection Criteria</u>	<u>Proposed Lease</u>	<u>Hayden Island</u>	<u>Columbia Blvd.</u>	<u>Airport Way</u>	<u>Airport Way</u>
Location	<i>Adequate</i>	<i>Adequate</i>	<i>Adequate</i>	<i>Adequate</i>	<i>Adequate</i>
Access	<i>Very Good</i>	<i>Below Ave</i>	<i>Good</i>	<i>Good</i>	<i>Good</i>
Exposure	<i>Very Good</i>	<i>Below Ave</i>	<i>Good</i>	<i>Average-Good</i>	<i>Very Good</i>
Loading	<i>Adequate</i>	<i>Adequate</i>	<i>Adequate</i>	<i>Inadequate</i>	<i>Adequate</i>
Parking	<i>Good</i>	<i>Adequate</i>	<i>Adequate-Good</i>	<i>Adequate-Good</i>	<i>Adequate-Good</i>
Size	22,500	16,969	17,250	20,625	18,660
Signage	<i>Good</i>	<i>Good</i>	<i>Good</i>	<i>Good</i>	<i>Good</i>
Ave. Rental Rate/SF	32.8 cents	38.9 cents	40.4 cents	31.4 cents	44.9 cents
	33.8 cents (7-yr average)				
Adjusted Rental Rate/SF*	32.8 cents	34.6 cents	39.6 cents	32.4 cents	48.4 cents
Lease Renewal	<i>1-5yr</i>	<i>1-5yr</i>	<i>1-5yr</i>	<i>1-5yr</i>	<i>1-5yr</i>
Operating Expenses per square foot	\$0.085	\$0.120	\$0.114	\$0.127	\$0.120
Clear Height	24'	20'	23'	<i>adequate</i>	20'
Power	400a/480v	250a/480v 150a 120/240v	<i>adequate</i>	400a/480v 300a-208/120v	<i>adequate</i>
Management Quality	<i>Very Good</i>	<i>Very Good</i>	<i>Good</i>	<i>unknown</i>	<i>unknown</i>
ROFR	<i>yes</i>	<i>yes</i>	<i>yes</i>	<i>unknown</i>	<i>unknown</i>

*adjusted for different build-out allowances and operating expenses structures

Agenda Item Number 4.0

***INTERGOVERNMENTAL AGREEMENT TO FUND FINAL ENVIRONMENTAL IMPACT
STATEMENT (FEIS), CONTRACT EXTENSION FOR THE FEIS AND UPDATE ON LIGHTRAIL
STATION***

Metro Council Work Session
Tuesday, February 10, 2004
Metro Council Chamber

Metro Council

Work Session Worksheet

Presentation Date: 2/10/04 **Time:** Late in Agenda if possible **Length:** 15 minutes

Presentation Title: South Corridor Intergovernmental Agreement (IGA) and Contract Amendments for *Final Environmental Impact Statement*

Department: Planning

Presenters Richard Brandman, Ross Roberts, other attendees will include Sharon Kelly, FEIS consultant contract manager.

ISSUE & BACKGROUND

The issues to be covered in this Council Work Session are follow-ups to the recent selection of the Locally Preferred Alternative for the Downtown Segment of the South Corridor. Two resolutions are scheduled to be brought to the Metro Council for action on February 26th. The first is a revenue IGA with TriMet to pass through \$2.7 million to Metro to produce the *South Corridor I-205 / Portland Mall Light Rail Project Final Environmental Impact Statement (FEIS)* and provide assistance for the project's New Starts submittal and Final Design Application. The second resolution would allow Metro to increase the budgets (by approximately \$750,000) and lengthen the schedules for existing consultant contracts (through FY 2005) with URS/BRW, DKS Associates and Siegel Consulting to produce the FEIS.

OPTIONS AVAILABLE

The actions being proposed are required in order to complete the FEIS and move the project into Final Design and Construction. Contract language included in the consultant contracts allows for contract extensions for the FEIS subject to Council approval. The other option of procuring a new environmental consultant would have caused undue delay in the schedule and would have been less cost effective given the consultant's current familiarity with the project and their successful completion of the SDEIS and its amendment.

Metro is not in a position to fund the FEIS, however TriMet can pass through funds immediately through the IGA to start the FEIS work. TriMet is the project lead and is the federal grantee for project funds.

IMPLICATIONS AND SUGGESTIONS

If the IGA and consultant contract extensions are not approved, we would have no way to access TriMet's funding to complete the FEIS or to hire consultants in support of the FEIS.

QUESTION(S) PRESENTED FOR CONSIDERATION

We are asking that the Council pass the two resolutions required to: 1) access TriMet funds and; 2) to amend consultant contracts to complete the FEIS.

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION XYes No
DRAFT IS ATTACHED Yes XNo (Being drafted at this time – will have in time for worksession on February 10th).

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 5.0

FREIGHT PROJECT PRIORITIES

Metro Council Work Session
Tuesday, February 10, 2004
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: 2/10/04 Time: Length: 20 minutes

Presentation Title: Regional Freight Project Priorities

Department: Planning

Presenters: Andy Cotugno and Bridget Wieghart

ISSUE & BACKGROUND

House Bill 3364 from the 2001 legislative session required the Oregon Freight Advisory Committee (OFAC) to advise the Oregon Transportation Commission on high priority freight mobility projects in each Oregon Department of Transportation (ODOT) region.

House Bill 2041, known as OTIA III, from the 2003 Legislative session expanded on HB 3364 by authorizing \$100 million in bonding for projects that a) are recommended by the Freight Advisory Committee, b) provides or improve access to industrial land sites, or c) provide or improve access to sites where jobs can be created. HB 2041 provides for another \$400 million in funding for modernization projects, some of which could also be used for projects that support freight mobility.

The OFAC developed eligibility criteria and prioritization factors and requested input on a list of candidate high priority freight mobility projects. Metro staff has led a process for prioritizing the freight projects that is consistent with the OFAC criteria, was reviewed and approved by JPACT in October 2003 and was reviewed with the Metro Council in November 2003. After public input, the Regional Freight Advisory Committee evaluated a number of candidate high priority projects.

The Regional Freight Advisory Committee has proposed a prioritization of the freight mobility projects to be submitted as input to the OFAC. This recommendation was reviewed and approved by TPAC and is Exhibit A to the attached resolution. The details of the prioritization process and criteria are contained in the staff report to the resolution.

OPTIONS AVAILABLE

Resolution number 04-3419 would result the adoption of proposed regional freight mobility priorities for submission to OFAC. The Metro Council could approve or amend the recommendation, which is scheduled to go to JPACT on February 12. The deadline for input to OFAC is March 1, 2004.

IMPLICATIONS AND SUGGESTIONS

If approved, the recommended priorities will be submitted to OFAC and could influence the establishment of statewide funding priorities. If the region cannot agree on a list of priority projects to be submitted to OFAC, the region will lose an opportunity for input

into a statewide prioritization process. The failure to submit input to OFAC could potentially reduce the funding of regional projects.

QUESTION(S) PRESENTED FOR CONSIDERATION

Does the Council support the recommended freight mobility priorities for submission as input to OFAC?

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

SCHEDULE FOR WORK SESSION

Department Director/Head Approval _____

Chief Operating Officer Approval _____

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3419, FOR THE PURPOSE OF RECOMMENDING FREIGHT PROJECT PRIORITIES TO THE OREGON FREIGHT ADVISORY COMMITTEE

Date: January 28, 2004

Prepared by: Andrew C. Cotugno

BACKGROUND

House Bill 3364 from the 2001 legislative session required the Oregon Freight Advisory Committee to advise the Oregon Transportation Commission on high priority freight mobility projects in each Oregon Department of Transportation (ODOT) region.

House Bill 2041, known as OTIA III, from the 2003 Legislative session expanded on HB 3364 by authorizing \$100 million in bonding for projects that a) are recommended by the Freight Advisory Committee, b) provides or improve access to industrial land sites, or c) provide or improve access to sites where jobs can be created. HB 2041 provides for another \$400 million in funding for modernization projects, some of which could also be used for projects that support freight mobility.

The Oregon Freight Advisory Committee developed a set of eligibility criteria and prioritization factors to screen more than 200 projects statewide. During the summer and fall of 2003, OFAC worked with the various ODOT regions throughout the state to identify potentially high priority freight projects that met the eligibility criteria.

To assess priority, OFAC established four factors. The prioritization factors are: 1) the project would remove identified barriers to the safe, reliable, and efficient movement of goods; 2) the project would facilitate public and private investment that creates or sustains jobs; 3) the project would support multi-modal freight transportation movements and 4) the project is likely to be constructed within the time frame contemplated (project readiness). The complete eligibility criteria and prioritization factors are set forth in Attachment 1 to this staff report.

On November 28, 2003 OFAC distributed information about the prioritization process to regional and local jurisdictions and asked for comments on a preliminary list of priorities by March 1, 2004. In December and early January, Metro solicited comments and recommendations from interested parties. More than 50 pieces of correspondence were received.

In mid-January, the Regional Freight Committee reviewed all materials received, evaluated projects for which information was submitted and developed a proposed prioritized list of projects (Exhibit A to this resolution). The Regional Freight Committee is composed of representatives from Clackamas, Multnomah and Washington Counties, the cities of Gresham, Portland, Wilsonville, Vancouver and Tualatin, the Ports of Portland and Vancouver and the Oregon Department of Transportation. Vancouver representatives did not participate in this prioritization process.

Each member of the Regional Freight Committee evaluated each project based on the four prioritization factors. In accordance with direction provided by JPACT, Committee members were asked to give additional consideration to projects located within Regionally Significant Industrial Areas and intermodal

facilities. Projects are listed in order of their total average score by committee members. The highest ranking projects represent the priority freight mobility projects for funding in the near term.

All projects for which information was submitted are listed in Exhibit A, with three exceptions. The replacement of the swing span with a lift span on the Columbia River rail bridge is not eligible for funding as part of OTIA III because the funds are limited to roadway improvements by the state constitution. Information was submitted both on the Going Street Overcrossing and the Going/Greeley Climbing lanes. Those projects had been reviewed by the Regional Freight Committee earlier and ranked as lower priorities. The additional information was submitted too late or was insufficient for the Regional Freight Committee to re-evaluate these projects in the available timeframe. Although the City of Portland has not requested that the Going Street Overcrossing be included in the regional priority list, it will be submitting it separately to OFAC.

The Regional Freight Committee recommended prioritized list of high priority freight mobility projects is attached as Exhibit A.

ANALYSIS/INFORMATION

1. **Known Opposition** None known at this time.
2. **Legal Antecedents** This resolution provides input to the Oregon Freight Advisory Committee, which was established by HB 3364 and directed to recommend freight priorities to the Oregon Transportation Commission as part of HB 2041. (See Background).
3. **Anticipated Effects** Adoption of this resolution would provide input to a State committee, which has been charged with establishing freight priorities for use by the Oregon Transportation Commission in making funding decisions. It could result in funding of key freight mobility projects, which would improve the creation and retention of jobs in the region.
4. **Budget Impacts** Adoption of the resolution would not result in any additional requirement of Metro resources.

RECOMMENDED ACTION

Approve Resolution 04-3419 as recommended.

Attachment 1

Freight Mobility Project Eligibility Criteria and Prioritization Factors (Approved by the Freight Advisory Committee, September 9, 2003)

Eligibility Criteria	Prioritization Factors
<p>Projects can be considered for funding if they</p> <ul style="list-style-type: none"> • Are modernization projects¹ on freight routes of statewide or regional significance, including <ul style="list-style-type: none"> ✓ highways on the State Highway Freight System as designated in the 1999 <i>Oregon Highway Plan</i>, or ✓ highways or local roads designated as National Highway System intermodal connectors, or ✓ other highways with a high volume or percentage of trucks or which are important for regional or interstate freight movements, or ✓ local freight routes designated in a regional or local transportation plan • Are estimated to cost \$1 million or more² • Have not previously been programmed for construction in a <i>Statewide Transportation Improvement Program</i> approved by the Oregon Transportation Commission³ • Are consistent with the applicable acknowledged Transportation System Plan (TSP) or, in the absence of an applicable acknowledged TSP, the applicable acknowledged comprehensive plan and any applicable adopted TSP⁴ • Support 1999 <i>Oregon Highway Plan</i> policies per the provisions identified in the process approved by the OTC for the selection of projects to be included in the STIP 	<p>Priority shall be given to projects that</p> <ul style="list-style-type: none"> • Would remove identified barriers to the safe, reliable, and efficient movement of goods, • Would facilitate public and private investment that creates or sustains jobs⁵ • Would support multimodal freight transportation movements • Are likely to be constructed within the time frame contemplated (project readiness)⁶

¹ Other types of projects (e.g., operations or safety) may be considered if they would accomplish purposes similar to those of modernization projects or would otherwise substantially support freight mobility.

² A project costing less than \$1 million may be considered if it meets other eligibility criteria, is critical to removing barriers to goods movement, or would otherwise substantially support freight mobility.

³ Multi-phased projects or STIP-listed projects that have been delayed and otherwise meet the eligibility criteria may be considered. Additionally, projects that are scheduled for construction during the latter two years of an approved STIP may be considered for inclusion in future STIPs or freight mobility project listings. Costs of planning, development, and design may be included in the identification of projects eligible for funding consideration.

⁴ The FAC may consider projects that are not identified in an acknowledged or adopted plan if efforts to amend the applicable planning document are underway or expected to proceed within timelines for developing state or Metropolitan Planning Organization transportation improvement programs.

⁵ Examples of investment leveraging would include, but not be limited to, additional federal funds, local matching funds, donation of project right-of-way, or private-sector contributions.

⁶ Project readiness is dependent on an assessment of the remaining requirements that must be met before a project can be constructed, and the likelihood that the requirements can be met and construction started within the time frame anticipated. Assessment of project readiness includes assessment of the timing and likelihood of obtaining environmental approvals.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING) RESOLUTION NO. 04-3419
FREIGHT PROJECT PRIORITIES TO THE)
OREGON FREIGHT ADVISORY COMMITTEE) Introduced by Councilor Rod Park

WHEREAS, House Bill 3364 from the 2001 Oregon Legislative session calls for the Freight Advisory Committee to advise the Oregon Transportation Commission and regionally based advisory groups about the Statewide Transportation Improvement Program and its consideration and inclusion of high priority freight mobility projects in each Oregon Department of Transportation region, and

WHEREAS, House Bill 2041 from the 2003 Legislative session expands on House Bill 3364 by authorizing \$100 million in bonding for projects that: a) are recommended by the Freight Advisory Committee, b) provide or improve access to industrial land sites, or c) provide or improve access to sites where jobs can be created, and

WHEREAS, in September 2003 the Oregon Freight Advisory Committee (OFAC) approved a set of eligibility criteria, prioritization factors and a process for evaluating candidate projects, and

WHEREAS, at its October 9, 2003 meeting, JPACT reviewed the legislation, proposed OFAC eligibility criteria and prioritization factors and approved a process for developing regional recommendations to be submitted to OFAC, and

WHEREAS, information on this issue was reviewed by the Metro Council at a November 25, 2003 work session on freight, and

WHEREAS, the process approved by JPACT called for a public comment solicitation and review by the Regional Freight Committee, and

WHEREAS, the Regional Freight Committee is chaired by Metro and includes representatives from Clackamas, Multnomah and Washington Counties, the cities of Gresham, Tualatin, Wilsonville and Portland, the Port of Portland and the Oregon Department of Transportation, and

WHEREAS, on November 28, 2003 OFAC sent a letter to Area Commissions on Transportation, the Association of Oregon Counties, the League of Oregon Cities and Metropolitan Planning Organizations advertising the freight project prioritization criteria and preliminary list of candidate high priority freight mobility projects and requesting comments by March 1, 2004, and

WHEREAS, Metro has solicited public comments and information on potential freight project priorities between December 1 and January 5, 2004, and

WHEREAS, the Regional Freight Committee has provided recommendations to TPAC, JPACT and the Metro Council on a proposed prioritized list of freight mobility projects based on the eligibility criteria and prioritization factors developed by OFAC and in accordance with policy direction set by JPACT at its October 9, 2003 meeting, and

WHEREAS, TPAC and JPACT have acted on the recommendations of the Regional Freight Advisory Committee and recommended that the prioritized list of projects in Exhibit A be submitted as the region's priorities for consideration by OFAC; now therefore

BE IT RESOLVED that the Metro Council adopt the recommendation of JPACT on the regional freight mobility project priorities as shown in Exhibit A.

BE IT FURTHER RESOLVED that consistent with the JPACT recommendation, the Metro Council forward to OFAC the prioritized list of regional freight projects as shown in Exhibit A.

ADOPTED by the Metro Council this day of, 2004

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING) RESOLUTION NO. 04-3419
FREIGHT PROJECT PRIORITIES TO THE)
OREGON FREIGHT ADVISORY COMMITTEE) Introduced by Councilor Rod Park

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WHEREAS, TPAC and JPACT have acted on the recommendations of the Regional Freight Advisory Committee and recommended that the prioritized list of projects in Exhibit A be submitted as the region's priorities for consideration by OFAC; now therefore

BE IT RESOLVED that the Metro Council adopt the recommendation of JPACT on the regional freight mobility project priorities as shown in Exhibit A.

BE IT FURTHER RESOLVED that consistent with the JPACT recommendation, the Metro Council forward to OFAC the prioritized list of regional freight projects as shown in Exhibit A.

ADOPTED by the Metro Council this day of, 2004

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Exhibit A

Regional Freight Advisory Committee Recommended Freight Project Priorities

Project Name	Description	Requested Amount (in \$ millions) ¹	Average Score	Potentially Regional Significant Industrial Areas	State Opportunity Sites or Proposed Shovel Ready Sites	Local/Private Leverage	Potential Other Funding Sources ²	Freight Route Designation
Leadbetter Extension Overcrossing RTP 4087	Extend Leadbetter to Terminal 6/Marine Drive, including a rail overcrossing.	\$6	7.6	✓	OP	✓	✓	RTP/TSP/OHP
East End Connector RTP 4022	Provide a free-flow connection from Columbia Boulevard/SE 82nd Avenue to US 30 Bypass/I-205 interchange, and widen the southbound I-205 on-ramp at Columbia Boulevard.	\$3.5	7.4			✓		NHS/RTP
North Lombard Access Improvements RTP 4063	Improve access and mobility of freight to Rivergate intermodal facilities and industrial areas.	\$3.6	7.3	✓	OP	✓	✓	NHS/RTP/TSP
I-5 North Improvements RTP 4005	Widen to six lanes between Lombard and the Expo Center.	\$41	7.2	✓	OP	✓	✓	NHS/RTP/OHP/TSP
I-5/Columbia Boulevard Improvements RTP 4006	Construct full direction access interchange based on recommendations from the I-5 Trade and Transportation Partnership Study.	\$56	7.1	✓	OP	✓	✓	NHS/RTP/OHP/TSP
Lake Yard, BNSF Hub Facility Access Not in RTP	Provide access road/drive and new signalization to relieve conflicts with US 30 traffic.	\$2	7.1			✓	✓	NHS/RTP
Alderwood Air Cargo Access Improvements RTP 4041 & 4038	Widen/Channelize/signalize intersections @ NE Alderwood Rd./NE Columbia Blvd. and NE Alderwood Rd./SE 82nd Avenue.	\$2.1	7.0			✓		NHS/RTP/TSP
Cornfoot Air Cargo Access Improvements RTP 4042 & 4055	Widen/channelize/signalize intersections at NE Airtans Way/NE Cornfoot Rd., and NE Alderwood Rd./NE Cornfoot Blvd.	\$1	7.0			✓		NHS/TSP/RTP
NE 47th Intersection and Roadway Improvements RTP 4040	Widen and channelize NW 47th Avenue/ NE Columbia Boulevard.	\$3.3	7.0			✓		RTP/TSP
NE Columbia Boulevard/SE 82nd Avenue RTP 4044	Signalize ramps and provide additional capacity.	\$1.1	6.9			✓		RTP
Sunrise Highway (Phase I of Unit One) RTP 5003	Construct new four-lane facility and interchanges (I-205 to SE 135th Ave.).	\$85	6.7	✓	PSR	✓	✓	OHP/RTP

¹ Total project cost may exceed Requested Amount ² Funding in whole or in part

Regional Freight Advisory Committee Recommended Freight Project Priorities

Project Name	Description	Requested Amount (millions) ¹	Average Score	Potentially Regional Significant Industrial Areas	State Opportunity Sites or Proposed Shovel Ready Sites	Local/Private Leverage	Potential Other Funding Sources ²	Freight Route Designation
NE 257th Ave. (Division St. To Powell Valley Road) RTP 2041	Construct two travel lanes in each direction, center turn lane/median, sidewalks, bike lanes, drainage and street lighting.	\$4.8	6.7					*
Wilsonville/I-5 Interchange Improvements (Phase 1 and 2) RTP 6138 & 6139	Construct ramp improvements Town Center to Boones Ferry Road.	14.5	6.4	✓		✓	✓	NHS/RTP/OHP/TSP
OR 217 Improvements RTP 3001	Widen northbound OR 217 to three lanes between OR 8 and US 26 and make ramp improvements.	\$33	6.2			✓	✓	NHS/OHP RTP
I-205 Auxiliary Lanes, I-5 to Stafford Rd. RTP 5199	Construct permanent auxiliary lanes as part of I-5 to Willamette River Preservation project.	\$8	5.9			✓	✓	OHP/RTP
SE 172nd Ave. Improvement RTP 7000	Extend to Hwy 212 and signalize intersection. Widen to 4 lanes with turn lanes from Hwy 212 to SE Sunnyside Road	\$15	5.9	✓	PSR	✓	✓	**
US 26 (Sunset Highway) Improvements RTP 3009	Widen US 26 to six lanes from Cornell Rd. to NW 185th Avenue.	\$13	5.6	✓	OP/PSR	✓		NHS/OHP RTP
Terminal 4 Driveway Consolidation RTP 4088	Consolidate driveways.	\$1	5.6		OP			RTP/TSP
I-5/99W Connection (Tualatin - Sherwood Hwy Phase I Arterial Connection) RTP 6141	Construct arterial connection From I-5 to 99W that protects through traffic movements between these state hwys, and that would provide for future expansion to Expressway or freeway.	\$53	5.5	✓		✓	✓	NHS/TSP/RTP
US 26 (Mt.Hood Hwy) Springwater Corridor Interchange (Hogan Corridor Improvements) RTP 2051	Element of Hogan Corridor Improvements. New interchange on US 26 proposed to access industrial lands in Springwater Corridor.	\$25	5.4	✓		✓	✓	NHS/RTP/TSP

* NHS Route is currently 181st Ave./Burnside Road. 242nd Ave. is proposed as NHS route in RTP upon completion of improvements in the corridor. Completion of 242nd Ave. will be difficult and expensive. Multnomah Co. recognized the need for a freight route connecting I-84 and US 26 and will recommend the designation of 257th Ave. as an RTP freight route.

** Clackamas Co. has identified as SE 172nd Ave. as a major industrial area and will request freight designation in the next RTP.

1 Total project cost may exceed Requested Amount 2 Funding in whole or in part

Regional Freight Advisory Committee Recommended Freight Project Priorities

Project Name	Description	Requested Amount (millions) ¹	Average Score	Potentially Regional Significant Industrial Areas	State Opportunity Sites or Proposed Shovel Ready Sites	Local/Private Leverage	Potential Other Funding Sources ²	Freight Route Designation
Sandy Boulevard Widening Revised RTP 2074	Widen to five lanes between NE 162nd to NE 238th Avenues.	\$11.8	5.2			✓		RTP/TSP
OR 217 Interchange Improvements RTP 3023	Improve the highest priority interchange that comes out of the Hwy217 Corridor study.	\$15	5.2	✓		✓	✓	NHS/OHP RTP
Belmont Ramp Reconstruction RTP 1039	Reconstruct ramp to provide better access to the Central Eastside.	\$1.5	4.9			✓		RTP/TSP
I-5/North Macadam Access Improvements RTP 1025	Construct new off-ramp from I-5 northbound to Macadam Avenue northbound.	\$25	4.3		PSR	✓	✓	NHS/RTP/OHP/TSP

Total Estimated Cost \$400.2

1 Total project cost may exceed Requested Amount 2 Funding in whole or in part

***GOAL 5 COORDINATION WITH OTHER JURISDICTIONS ON FISH AN WILDLIFE HABITAT
PROTECTION***

Metro Council Work Session
Tuesday, February 10, 2004
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: 2/10/04

Time:

Length: 1 hr

Presentation Title: Fish and Wildlife Habitat Protection- related activities in Portland, Clackamas County and Tualatin Basin,

Presenters: Brent Curtis, Washington County, Gil Kelly, City of Portland, Doug McClain and Ela Whelan, Clackamas County

ISSUE & BACKGROUND

Many jurisdictions in the Metro area are actively involved in Goal 5 planning or in other activities related to the protection of Regionally Significant Fish and Wildlife Habitat. In the Tualatin Basin, Metro's work is directly tied to the Basin work through an intergovernmental agreement. The Tualatin Basin Natural Resource Coordinating Committee is scheduled to consider "allow, limit and prohibit" recommendations in February and March, with a final recommendation in April. The City of Portland is actively involved in an update to their existing natural resource inventories and environmental zoning program and in a larger, multi-departmental effort called River Renaissance. With a Goal 5 program adopted in the late 1990s, Clackamas County's natural resource focus is now visible in the Damascus Concept planning and in storm water management planning.

Each of these efforts considers Metro's inventory of fish and wildlife habitat areas or uses the Metro ESEE analysis. All of these programs will be affected by the Metro fish and wildlife habitat program recommendation. These representatives have been invited to update Councilors on their current fish and wildlife habitat work, comment on how Metro can support this work or improve efficiencies between the various projects and identify strategies for how Metro's work can be most utilized at the local level.

Though these three jurisdictions do not reflect the full diversity of planning in the region for fish and wildlife habitat, they represent good examples and, together, cover a large geographic area.

Metro Councilors and the public will have the opportunity to see how local and regional programs are related at the fish and wildlife habitat open houses. Metro staff has invited jurisdiction staff to review the materials for the workshop and have materials of their own at the open houses that help answer citizen's questions.

In addition, the Phase 2 ESEE evaluation criteria include an "other criteria" section which gives an opportunity to explain the increment of additional protection that many jurisdictions currently provide, beyond the flood plain and water quality resource area protection in Metro's Title 3, and the implications of these varying "baselines" for the ESEE consequences.

OPTIONS AVAILABLE

This is an information item that brings an opportunity for Metro to better understand fish and wildlife habitat programs at the local level and potentially lead to identifying improvements in coordination between the local and regional efforts.

IMPLICATIONS AND SUGGESTIONS

Information presented by the local jurisdiction staff will help councilors understand the variety of programs in the region and their relationships. This discussion should be particularly helpful prior to the open houses in March. The information should also help Councilors consider coordination opportunities in the longer term.

QUESTION(S) PRESENTED FOR CONSIDERATION

Councilors will be able to consider, “What are Tualatin Basin, City of Portland, and Clackamas County’s major fish and wildlife habitat protection programs that directly relate to Metro’s program?” and “What are some issues and opportunities for Metro and the local jurisdictions to work together more efficiently.”

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

SCHEDULE FOR WORK SESSION

Department Director/Head Approval _____
Chief Operating Officer Approval _____

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: February 12, 2004
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. STATUS OF AUDIT RECOMMENDATIONS – 2003 Dow

4. CONSENT AGENDA

4.1 Consideration of Minutes for the February 5, 2004 Metro Council Regular Meeting.

5. CONTINUATION OF PUBLIC HEARING - 2003 URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN COMPLIANCE REPORT

6. ORDINANCES – FIRST READING

6.1 **Ordinance No. 04-1035**, For the Purpose of Amending Metro Code Chapter 2.04 To Require Retention of Contract Records by Metro Contractors and to Assure the Ability of Metro to Audit Contract Records.

6.2 **Ordinance No. 04-1039**, For the Purpose of Amending the FY 2003-04 Budget and Appropriations Schedule by Transferring \$450,000 from Contingency to Capital Outlay in the General Account in the Solid Waste Revenue Fund, and Declaring an Emergency.

7. ORDINANCES – SECOND READING

7.1 **Ordinance No. 04-1032**, For the Purpose of Amending the FY 2003-04 Budget And Appropriations Schedule by Transferring \$70,000 from Capital Outlay to Personal Services in the Convention Center Project Capital Fund; and Declaring an Emergency. Burkholder

8. RESOLUTIONS

- 8.1 **Resolution No. 04-3409**, For the Purpose of Endorsing the Updated Regional Position on Reauthorization of the Transportation Equity Act for the 21st Century (TEA-21). Park
- 8.2 **Resolution No. 04-3410**, For the Purpose of Approving Portland Regional Federal Transportation Priorities for Federal Fiscal Year 2005 Appropriations. Park
- 8.3 **Resolution No. 04-3417**, For the Purpose of Accepting the Oregon Convention Center expansion CM/GC delivery project report. Monroe

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

- 9.1 **Resolution No. 04-3420**, For the Purpose of Authorizing the Chief Operating Officer to Purchase the Salinas Property in the Tualatin River Access Points Target Area. McLain

10. CHIEF OPERATING OFFICER COMMUNICATION

11. COUNCILOR COMMUNICATION

ADJOURN

<p>Clackamas, Multnomah and Washington counties, Vancouver, Wash. Channel 11 -- Community Access Network www.yourtv.org -- (503) 629-8534 Thursday, Feb. 12 at 2 p.m. (live)</p> <p>Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.</p> <p>Portland Channel 30 (CityNet 30) -- Portland Community Media www.pcatv.org -- (503) 288-1515 Sunday, Feb. 15 at 8:30 p.m. Monday, Feb. 16 at 2 p.m.</p>	<p>Washington County Channel 30 -- TVTV www.yourtv.org -- (503) 629-8534 Saturday, Feb. 14 at 7 p.m. Sunday, Feb. 15 at 7 p.m. Tuesday, Feb. 17 at 6 a.m. Wednesday, Feb. 18 at 4 p.m.</p> <p>West Linn Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.</p>
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PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

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).

021003602

Milwaukie Transit Center and Light Rail Alignment Working Group Process

Next Steps - 2/10/04

Potential Meeting Dates

Milwaukie Working Group

February 4th

City of Milwaukie Planning Commission

Feb 24th
March 9th

City of Milwaukie City Council

April 20th

South Corridor Policy Committee

April 21-May 19th

TriMet Board

May 12th

Metro Council adopts transit center and Light rail alignment

TPAC May 28th
JPACT June 10th
Metro Council June 17th

Milwaukie Transit Center
Environmental Assessment
Complete Funding package (Federal and Regional)
Engineering and design
Transit Center Construction

Milwaukie Light Rail
Revised Environmental Impact Statement (Willamette River, South Downtown and Milwaukie)
Revised Locally Preferred Alternative (Metro)
Preliminary Engineering and Final Environmental Impact Statement
Light Rail Funding Package
Light Rail Construction

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 04-3424, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH TRIMET FOR COMPLETION OF THE SOUTH CORRIDOR PROJECT (I-205/PORTLAND MALL) FINAL ENVIRONMENTAL IMPACT STATEMENT

Date: February 10, 2004

Prepared by: Sharon Kelly

BACKGROUND

The South Corridor Project (I-205 and the Portland Mall) is the region's next light rail priority for Federal New Starts funding. Completion of the Federally mandated Environmental Impact Statement (EIS) must be done prior to federal approval of funding for final design and construction of the project. The South Corridor Project represents the southern portion of the larger South/North Project. Interstate MAX is the northern part and is expected to open this spring. Phase 2 of the South Corridor Project will include the Milwaukie light rail project.

ANALYSIS/INFORMATION

1. **Known Opposition.** None
2. **Legal Antecedents.** There is a long history of legal actions that have led to the current action on the South Corridor Project, including federal authorizing legislation for the South/North Project, state legislative action, and numerous regional and local jurisdiction actions. The most recent actions by the Metro Council include:
 - adoption of Resolution No. 03-3303 in April 2003 amending the Locally Preferred Alternative for the South Corridor to include the I-205 Light Rail Alignment,
 - adoption of Resolution No. 04-3403 in January 2004 amending the Locally Preferred Alternative to include the Portland Mall light rail alignment with a terminus at PSU in downtown Portland, and
 - adoption of Resolution No. 04-3372 in January 2004 amending the South/North Land Use Final Order to include the I-205 light rail alignment and the downtown Portland Mall alignment to PSU.
3. **Anticipated Effects.** Execution of this IGA will provide the resources for Metro staff and consultants to complete the Final Environmental Impact Statement for the project, allowing it to ultimately move into Final Design and then construction and operations.
4. **Budget Impacts.** Through this IGA, TriMet will pass \$2.7 million through to Metro to fund Metro staff and consultant work on completing the South Corridor Project (I-205 and the Portland Mall) Final Environmental Impact Statement. The revenue provided through this IGA will fund staff in the Corridor Planning section of the Planning Department. The adopted budget assumes that these resources would be available to complete the FEIS. The work on the FEIS will continue into FY 04-05, and is proposed to be in next years budget also.

RECOMMENDED ACTION

Approval of Resolution No. 04-3424.

ATTACHMENTS

Attachment A: Draft IGA Scope of Work and Budget

Staff Report for Resolution No. 04-3424

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page 1 of 1

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE) RESOLUTION NO. 04-3424
CHIEF OPERATING OFFICER TO ENTER INTO)
AN INTERGOVERNMENTAL AGREEMENT WITH) Introduced by Councilor Brian Newman
TRIMET FOR COMPLETION OF THE SOUTH)
CORRIDOR PROJECT (I-205/PORTLAND MALL))
FINAL ENVIRONMENTAL IMPACT STATEMENT)

WHEREAS, The South Corridor Project is the Metro Region's next light rail transit priority project for Federal New Starts Funding after the North Corridor Interstate MAX Light Rail Project, and

WHEREAS, Authorization of Federal New Starts Funding for the South Corridor Project will require that the region maintain an aggressive schedule to get the project included in the next Federal 6 year Surface Transportation Bill, and

WHEREAS, In December 2002 the Federal Transit Administration (FTA) the Federal Highway Administration (FHWA) and Metro published the South Corridor Project SDEIS, and

WHEREAS, In April 2003 the Metro Council approved Resolution No. 03-3303 adopting a two phased Locally Preferred Alternative (LPA) for the South Corridor Project including the I-205 LRT Alignment as Phase 1 and the Milwaukie LRT Alignment as Phase 2, and

WHEREAS, In October 2003 the FTA, FHWA and Metro published the Downtown Portland Amendment to the South Corridor Project SDEIS, and

WHEREAS, In January 2004 the Metro Council approved Resolution No. 03-3403 affirming the Portland Mall light rail transit alignment as the LPA for downtown Portland, and

WHEREAS, In January 2004 the Metro Council approved Resolution No. 03-3372 amending the South/North Land Use Final Order (LUFO) to include the I-205, Portland Mall and Milwaukie light rail transit alignments, and

WHEREAS, Metro serves as the local lead agency for regionally significant transit projects with assistance from TriMet during the planning phase and for the preparation of the Environmental Impact Statement, and

WHEREAS, In October 1999 Metro executed an IGA with TriMet for project design assistance during the Planning Phase of the South Corridor Project that allowed Metro to pay for TriMet's design assistance during the planning phase of the project, and

WHEREAS, Local lead agency responsibility for the project shifts from Metro to TriMet after the selection of the Locally Preferred Alternative (LPA) when TriMet takes the lead to do Preliminary Engineering (PE), Final Design (FD), construction and operation for the project, and

WHEREAS, Entering into an Intergovernmental Agreement with TriMet will allow TriMet to reimburse Metro for work required to complete the environmental process required by the National Environmental Policy Act (NEPA) that will be documented in the FEIS, now therefore

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operations Officer to execute an Intergovernmental Agreement with TriMet for work on the South Corridor Project Phase 1 FEIS.

ADOPTED by the Metro Council this 26th day of February, 2003

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney



TUALATIN BASIN GOAL 5

- BASIN APPROACH - PROJECT UPDATE -
Metro Council Meeting - 2/10/04

Tualatin River Watershed



Overview of Presentation

- Metro / Basin Coordination efforts
- Goal 5 – Where are we in the process?
- Tualatin Basin ESEE approach [2 parts]
 - Part 1: General ESEE – Recommendations
 - Part 2: Local Sites ESEE
- Questions

Metro / Tualatin Basin Goal 5 Coordination efforts

- Metro and Basin project management staff meet regularly to coordinate activities;
- All Basin Goal 5 activities reviewed by project Steering Committee;
- Metro Staff directly participates in Steering Committee activities;
- All key Basin decisions made by TBNRCC;
- Metro Council members participate in TBNRCC meetings;
- Basin Staff provides regular updates to Metro Committees.

3

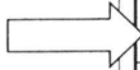
Clean Water Services Partnership

- Healthy Streams Plan
 - NPDES: Watershed-Based Permit to comply with CWA and ESA requirements
 - ❖ integrated approach to managing water quality, quantity and habitat
 - ❖ employs entire Tualatin River Basin as framework for management
 - ❖ first integrated approach in the Country
 - Vegetated Corridors: Regulatory Standards to comply with Title 3 requirements

4

Goal 5: Where are we in the process?

	Tualatin Basin	Metro	When
Step 1	n/a	Inventory	2002
Step 2	ESEE - Basin-wide - Local (69 sites)	ESEE - Regional - 6 Options	2003- Spring 2004
Step 3	Program	Program	2004
Step 4	Adopt Ordinances	Compliance Reviews	2005-2006



5

Goal 5 ESEE Basic Steps

- Inventory of Significant Resources (Metro Riparian Corridor 1 to 30 points, Habitats of Concern, and Wildlife Habitat 2 to 9 points with HOCs)
- Identify Conflicting Uses
- Define Impact Areas
- Perform ESEE analysis

6

Tualatin Basin ESEE Approach

■ **2 PARTS to Basin ESEE**

- PART 1: Basin-wide General Analysis and documentation;
- PART 2: Local / Site-level Analysis and documentation for 69 streamsheds within the Basin.

7

Tualatin Basin ESEE – Part 1

■ **Part 1: General ESEE - Basin-wide**

- ESEE consequence analysis of “Analysis Categories”
- General in nature
- Positive and negative consequences of Allowing, Limiting, and Prohibiting conflicting uses on resources and on land uses
- Quantitative analysis from GIS
- Recommended ALP for each Analysis Category
- Recommended ALP Map

8

Methodology of Basin Approach

- **Classify Conflicting Uses into 4 primary categories:**
 - Higher Intensity Urban
 - Other Urban
 - Future Urban (new UGB lands)
 - Non-Urban

- **Classify Resources into 5 primary categories:**
 - Class I *Similar to Metro Methodology:
 - Class II •Metro uses 3 Resource classes + Impact areas
 - Class III •Basin Approach adds Outer Impact Areas.
 - Inner Impact Areas
 - Outer Impact Areas

- **Utilize matrix of conflicting uses and resource categories to develop “ANALYSIS CATEGORIES”**

9

Four Conflicting Use Categories

<i>Category</i>	<i>Characterization</i>
1) Higher Intensity Urban <ul style="list-style-type: none"> ▪ Commercial (COM) ▪ Industrial (IND) ▪ Mixed-Use (MU) ▪ Additional areas for Regional Centers, Town Centers and Station Areas 	These areas are characterized by a high potential for impact to the resource due to the intensity of activity, and the existing or expected amount of impervious surface due increased lot coverage and minimum FAR. Also a high expectation for development or redevelopment.
2) Other Urban <ul style="list-style-type: none"> ▪ Residential (SFR, MFR) ▪ Other (INST, PF, POS) 	Medium impacts to resources and a medium/low expectation for change.
3) Future Urban <ul style="list-style-type: none"> ▪ 2002 UGB Expansion Areas 	Varying impacts to the resources depending on 2040 design types, and a high expectation for change and potential for future protection.
4) Non-Urban <ul style="list-style-type: none"> ▪ Farm/Forest (FF) ▪ Rural (RUR, RR) 	Low impacts from EIA, but more impacts from agriculture, low expectations for change in these areas

10

Five Resource Categories

- Significant Resources
- Resource size and quality based on scores provided in Metro's Goal 5 Inventory
- Inner and outer impact areas



	Class I Sig. Resource	Class II Sig. Resource	Class III Sig. Resource	Inner Impact Areas	Outer Impact Area
Riparian	18 to 30 points and HOC	6 to 17 points	1 to 5 points	Inner Impact Areas	Remainder of basin / Watershed
Wildlife	7 to 9 points and HOC	4 to 6 points	2 to 3 points		

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Impact Areas

- **Impact Areas:** a geographic area within which conflicting uses could adversely affect a significant resource
 - Inner Impact Areas
 - Outer Impact Areas

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Impact Areas

■ Inner Impact Areas

- Generally, the area within 150 feet of a stream, wetland or lake that is not within a significant resource site; and
- The area within 25 feet of Wildlife Habitat and HOC significant resource sites and within 25 feet of the edge of remaining Riparian Corridor significant resource sites (not already covered in first part).

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Impact Areas

■ Outer Impact Areas

- Remainder of Tualatin Basin (beyond 'Inner Impact Areas')
- Why have an Outer Impact Area?
 - Supports a watershed-based approach
 - Consistent with CWS's Effective Impervious Area data
 - Believe area has to be analyzed in order to qualify for application of potential programs
 - Enables the eventual program to be more equitable
 - Nexus to significant resource sites: Literature cited throughout Metro's work establishes a nexus between general development throughout watersheds to the significant resources
 - ❖ For example, Booth and Jackson, 1997, establishes that altered hydrology and increased impervious surfaces increase flooding and damage streams.

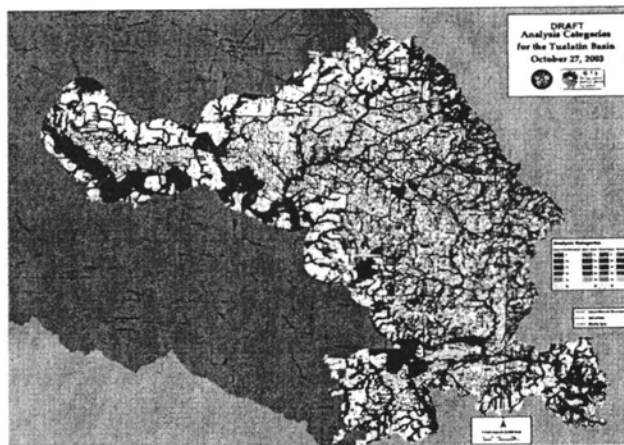
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Analysis Categories

Resource Value		Conflicting Use Category			
		1	2	3	4
		High Intensity Urban	Other Urban	Future Urban	Non-Urban
A	Class I resource	1A	2A	3A	4A
B	Class II resource	1B	2B	3B	4B
C	Class III resource	1C	2C	3C	4C
D	Inner Impact Area	1D	2D	3D	4D
E	Outer Impact Area	1E	2E	3E	4E

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ESEE Maps



■ ESEE Study Area Map of Analysis Categories

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Allow, Limit, Prohibit

■ Allow

- Uses and activities are permitted;
- Existing rules would continue to apply:
 - ❖ Clean Water Services Title 3/Vegetated Corridors,
 - ❖ Clean Water Act (Army Corps of Engineers and Division of State Lands), and
 - ❖ Existing local Goal 5 rules and regulations.

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Allow, Limit, Prohibit

■ Limit

- Existing rules would continue to apply:
 - ❖ Clean Water Services Title 3/Vegetated Corridors,
 - ❖ Clean Water Act (Army Corps of Engineers and Division of State Lands), and
 - ❖ Existing local Goal 5 rules and regulations.
- The level of limit could vary based on the nature and severity of the impacts or the proposed location of the use.

18

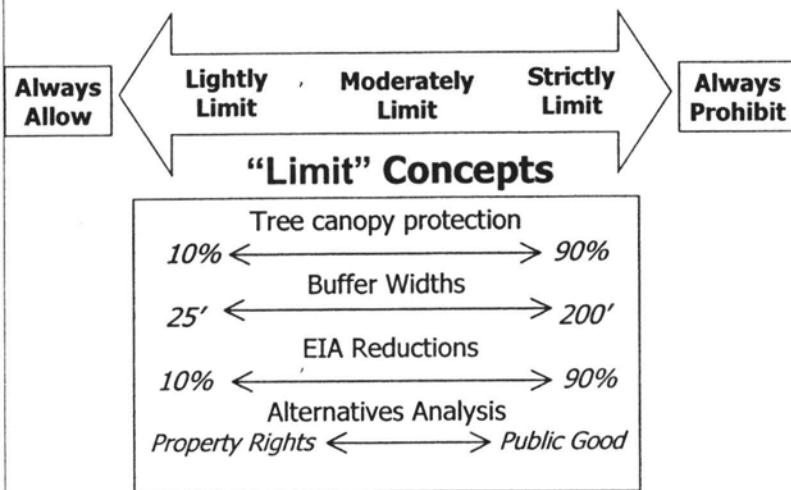
Allow, Limit, Prohibit

■ Prohibit

- Restrictions on uses and activities within resource areas;
- Provisions that allow owners some economic use of the property would be included in any program;
- Existing rules would continue to apply:
 - ❖ Clean Water Services Title 3/Vegetated Corridors,
 - ❖ Clean Water Act (Army Corps of Engineers and Division of State Lands), and
 - ❖ Existing local Goal 5 rules and regulations.

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What could "Limit" mean?



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ESEE Consequence Scenarios by Analysis Category

- 20 tables – one for each analysis category
- Analysis based on the definitions of Allow, Limit and Prohibit
- Each table addresses:
 - Both the consequences on the resource and on the conflicting use
 - The Economic, Social, Environmental and Energy consequences (positive and negative) of allowing, limiting or prohibiting a Conflicting Use in a Resource Category
- Recommendation to Allow, Limit or Prohibit for each analysis category

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General ALP Recommendation

Summary of General ESEE Preliminary Recommendations
Cross Tabulation of Conflicting Use and Environmental Categories

Environmental Category	Conflicting Use Category			
	1	2	3	4
	Higher Intensity Urban	Other Urban	Future Urban	Non-Urban
A Class I resource	1A	2A	3A	4A
B Class II resource	1B	2B	3B	4B
C Class III resource	1C	2C	3C	4C
D Inner Impact Area	1D	2D	3D	4D
E Outer Impact Area	1E	2E	3E	4E

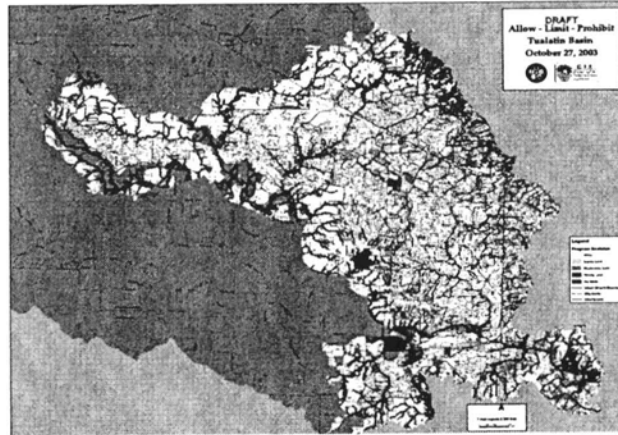
Legend

Prohibit	
Strictly Limit	
Moderately Limit	
Lightly Limit	
Allow	
Not Addressed	

- Allow, Limit, Prohibit Recommendation by Analysis Category
- Three Levels of "Limit"

22

ESEE Maps



■ ESEE Study Area Map of Preliminary ALP Recommendations

Metro ALP - Option 2B

[Metro considering 6 ALP alternatives - Basin approach is closest to this option]

Table 3. Option 2B: Habitat and urban development. (Moderate 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 ⁴	Secondary 2040 components, ² medium employment value, or medium land value ⁴	Tertiary 2040 components, ³ low employment value, or low land value ⁴	Parks and Open Spaces, no design types
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	Allow	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, Employment Centers

³Tertiary 2040 components: Inner and outer neighborhoods, Corridors

⁴Land value excludes residential lands.

Note: Staff will define regionally significant public facilities and recommend the appropriate urban development value rank during Phase II of the ESEE analysis.

Metro-Basin Program Comparison

Scores = Tualatin Basin point value - Metro

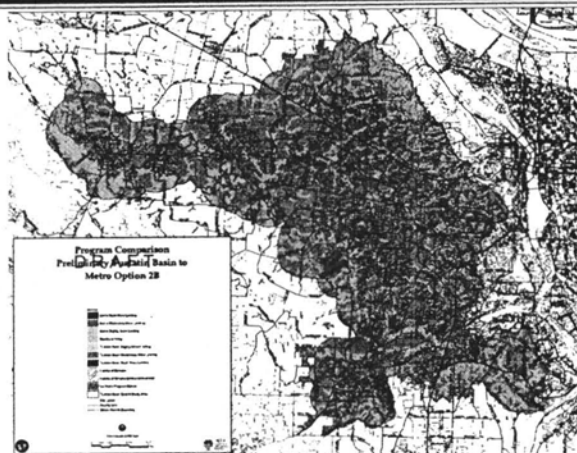
2	Tualatin Basin Much More Limiting
1	Tualatin Basin Moderately More Limiting
0	Tualatin Basin Slightly More Limiting
0	Equally Limiting
-1	Metro Slightly More Limiting
-2	Metro Moderately More Limiting
-2	Metro Much More Limiting
-4	Metro Extremely More Limiting

Tualatin Basin

	Prohibit 5	Strictly Limit 4	Moderately Limit 3	Lightly Limit 2	Allow 1
Prohibit 5	0	-1	-2		-4
Strictly Limit 4	1	0	-1	-2	
Moderately Limit 3	2	1	0	-1	-2
Lightly Limit 2	3	2	1	0	-1
Allow 1	4		2	1	0

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Metro-Basin Program Comparison (Option 2B)



- Areas with similar program recommendations shown in yellow

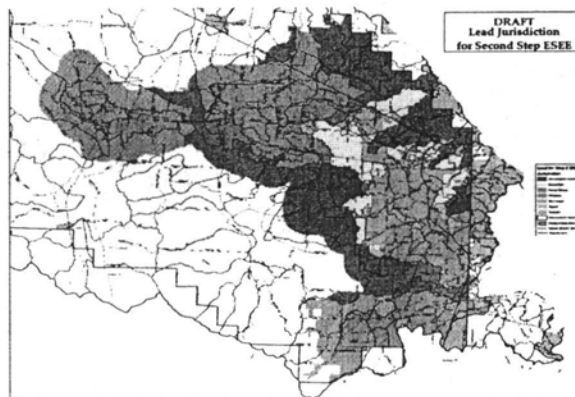
26

Tualatin Basin ESEE – Part 2

- **Part Two: Detailed ESEE for 69 streamsheds by local government staff**
 - Review and refinement of proposed ALP map
 - Identify unique circumstances
 - Analyze consequences of limit concepts at watershed scale
 - GIS data and other information will be used
 - Adjustment criteria established for consistency
 - Outcome: possible refinements to analysis categories
- General ESEE recommendations, suggestions for program elements, refinements to ALP map

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ESEE Maps








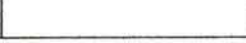
- **ESEE Map of Local Sites and Jurisdictional Responsibility**

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- Memorandum - continued
- Page 2

TABLE 2: Tualatin Basin Cross Tabulation of Conflicting Use and Environmental Categories					
Environmental Category		Conflicting Use Category			
		1	2	3	4
		Higher Intensity Urban	Other Urban	Future Urban	Non-Urban
A	Class I resource	1A	2A	3A	4A
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C	Class III resource	1C	2C	3C	4C
D	Inner Impact Area	1D	2D	3D	4D
E	Outer Impact Area	1E	2E	3E	4E

Legend


Prohibit	
Strictly Limit	
Moderately Limit	
Lightly Limit	
Allow	
Not Addressed	

DRAFT Timeline for Metro-Tualatin Basin Goal 5 Coordination – early 2004

Date	Metro Schedule	Tualatin Basin Schedule	Consultant
February 2	Notice to printer		
February 5		TBSC – provide initial comments to lead jurisdictions on local site reviews; comments on Metro comparison (Brian will have maps printed); feedback on schedule Sites subcommittee begin to discuss adjustment issues	
February 9	Mail Public Notice of Open House Events and Hearing (bulk)	NRCC – discuss local review and adjustment process; review open house & public involvement events; review updated schedule	
February 10	TB update to Metro Council at Informal	Basin update to Metro Council	
February 12		Sites Group - internal review complete; sites subcommittee meeting to begin shaping up adjustment issues for discussion with TBSC (case studies and recurring issues)	Two-week review and completion of EEHR
February 16	Public Notice Received	Public Notice Received	
February 17	Federal agency regulation presentation to Council at Informal	possible follow-up subcommittee meeting to review adjustment issues	
February 19		TBSC – sites subcommittee presents adjustment issues for larger group discussion (how to best display issues at open houses and for NRCC)	
February 23	Metro Joint Advisory Committee meeting – presentation on options analysis	final decision on open house displays in order to prepare display boards	
February 24	Council Informal on options analysis	TBSC – more discussion of adjustment issues (if needed)	
February 26	Present program options to TBSC	TBSC – final decisions on adjustment issues for OH; Metro present program options (may need one more meeting next week, either Tues. or Thurs.)	
March 1	open house Hillsboro	Open House event [Hillsboro PSB]	
March 3	MTAC presentation on TB and Metro work		
March 4	open house Tualatin	(possible TBSC meeting before open house) Open House event [Tualatin PD]	

March 8		NRCC – briefing on public hearing, draft ALP map/staff report and adjustment issues; public testimony procedures	
March 10	MPAC presentation on TB and Metro work		
March 11	open house Gresham	TBSC – respond to public issues/comments received at open houses; finalize issues for presentation at public hearing; submit final general ALP adjustments for mapping	Consistency review of local site analysis work (to be complete by April 2 nd to allow time to incorporate maps and prepare document as part of R&O for April 12 th NRCC decision)
March 15	open house West Linn		
March 16	open house Clackamas		
March 17	open house N Portland		
March 18	open house SW Portland	TBSC – review draft adjusted ALP map & draft staff report; verify accuracy of map for public review	
March 19	Metro Joint Advisory Committee meeting	Brian to begin incorporating adjustments to general ALP map for March 22 release to public	
March 22		Draft adjusted ALP recommended program decision map available to public, along with staff report	
March 25		TBSC – prepare for public hearing	
March 29		NRCC Public Hearing, Beaverton Library	
April 1		TBSC – respond to public testimony received at hearing, to be incorporated into staff report for NRCC decision	
April 5		NRCC – regularly scheduled meeting [<i>postponed to April 12th</i>]	
April 8		TBSC – review draft staff report for NRCC decision	
April 12		NRCC – ESEE/ALP Decision [<i>continued to April 19th, if necessary</i>]	
April 15	Metro hearing on recommendation	TBSC –	
April 16	Metro Joint Advisory Committee meeting		
April 19		NRCC – ESEE/ALP Decision, continued [<i>if needed</i>]	
April 21	MTAC review of Metro proposed recommendation and TB adopted ALP recommendation		
April 22		TBSC –	
April 28	MPAC review of Metro proposed		

	recommendation and TB adopted ALP recommendation		
April 29		TBSC –	
May 4	Metro hearing on recommendation		
May 5	MTAC consideration of Metro recommendation		
May 10		NRCC –	
May 12	MPAC consideration of Metro recommendation		
May 20	Metro hearing and consideration of recommendation		


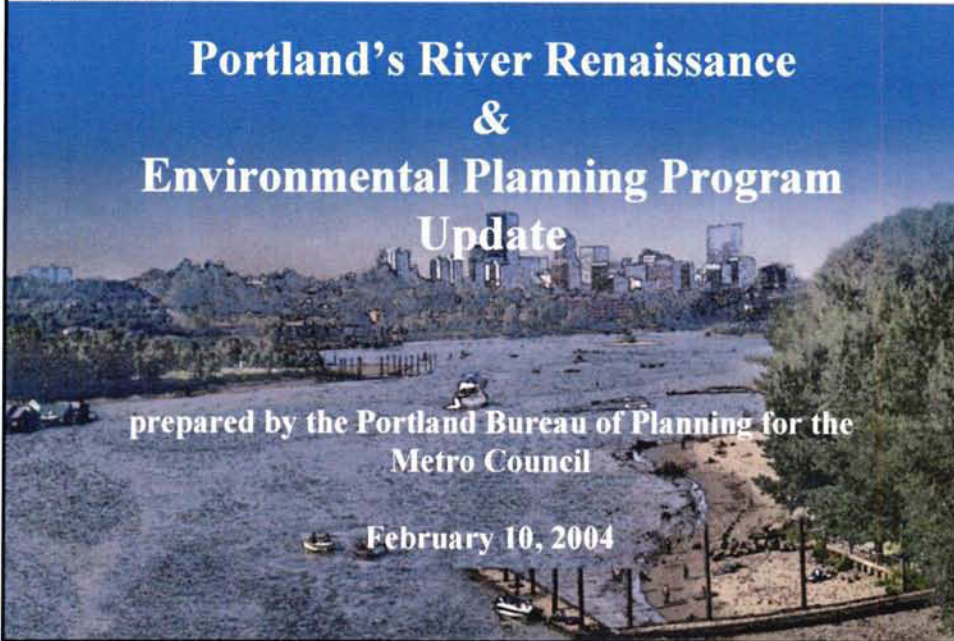


**RIVER
RENAISSANCE**

Portland's River Renaissance & Environmental Planning Program Update

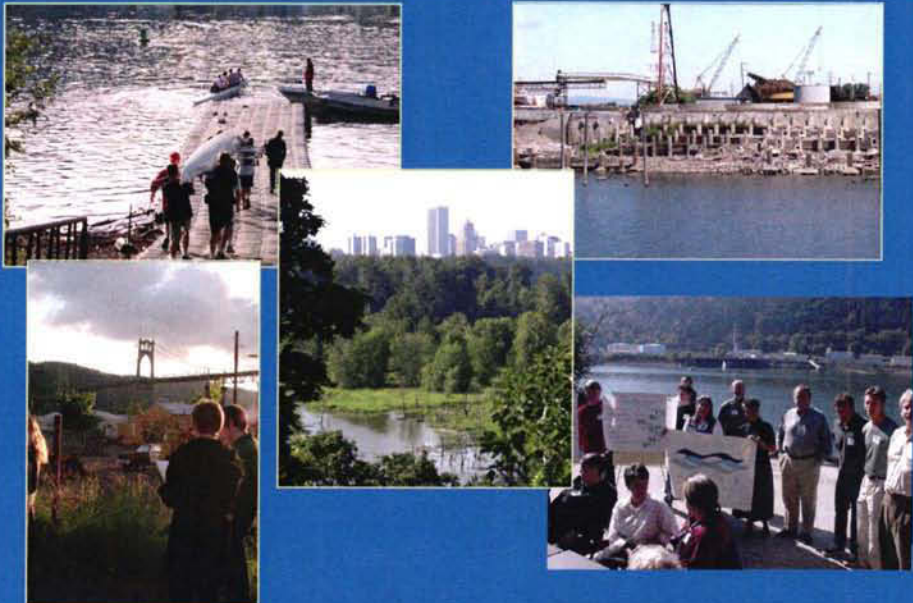
prepared by the Portland Bureau of Planning for the
Metro Council

February 10, 2004



**RIVER
RENAISSANCE**


Celebrating the Many Roles of the Willamette River in our Community



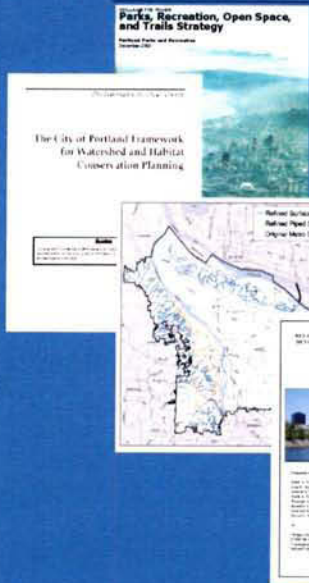


RIVER RENAISSANCE INITIATIVE

The River Renaissance Initiative is comprised of five efforts:

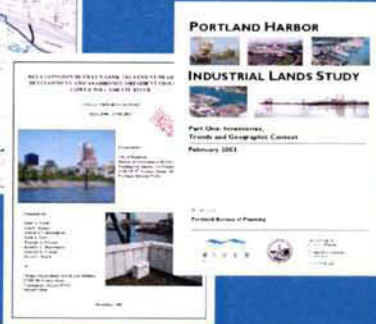


- Developing a River Renaissance Strategy and River Plan to guide ongoing work
- Showcasing early and ongoing implementation projects
- Creating partnerships
- Raising funds to leverage City investment
- Engaging the public



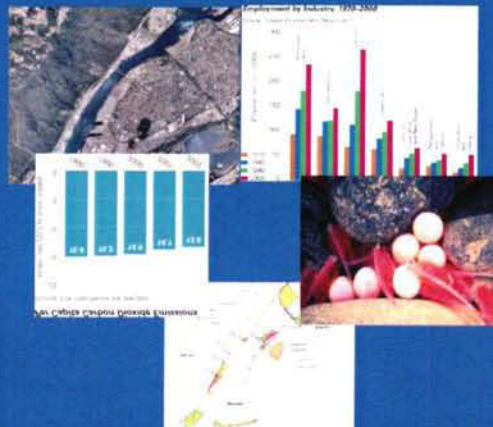
Building blocks –

Projects that establish our foundation of knowledge



- to inform current projects
- to inform the plan

An overview of existing conditions, trends and opportunities for each of the five River Renaissance themes



Explaining the systems and what each needs to achieve health

Early actions –

Packages of projects that work together to achieve desired results and demonstrate possibilities



PROJECT

5

Fanno Creek Project --

- Removed 14,000 square feet of pavement
- Stormwater swales and curb cuts have been constructed
- Planting will begin this spring
- 100 volunteers from St. Andrews Church and neighborhood



PROJECT

6



Smith and Bybee Lakes Restoration

- Project will reconnect 1000+ acres of shallow water habitat to the Willamette River
- Construction of new dam structure finished by December

PROJECT

7



South Waterfront Bank Restoration

- 200+ linear feet of riverbank restored in September
- Stormwater swale is built, planting is underway
- Private developer covered construction costs and City helped coordinate federal, state and local permits



Clean and Healthy River - Key Efforts underway and upcoming

Watershed plans - broad array of actions, programs and projects



Natural resources (Goal 5) - riparian areas and upland habitat

Willamette Greenway Update; Portland Harbor Cleanup



Environmental Overlay Zones Conserving significant natural resources Portland's Goal 5 program since 1989

Protection zone (dark green)
development strictly limited

Conservation zone (light green)
development moderately limited.

~19,000 acres in City; applies to urban services boundary (MultCo pockets)

Standards and criteria require development to avoid, limit and mitigate impacts on resources.

Maps trigger regulations - approach provides certainty.





Environmental Zones based on Adopted Natural Resource Inventories



1. Columbia Corridor (1989)
2. Balch Creek (1991)
3. Northwest Hills (1991)
4. Johnson Creek Basin (1991); Boring Lava Domes Supplement (1997)
5. Southwest Hills (1992)
6. Fanno Creek and Tributaries (1993)
7. East Buttes, Terraces and Wetlands (1993)
8. Skyline West (1994)



Updating Portland's Resource Inventories and Environmental Zoning Program - Why now?

- Incorporate recent science and new information
- Meet City watershed health goals
- Reduce risk to public safety and property
- Support public and private investments
- Improve existing regulations
- Comply with recent and emerging regulations



Planning Projects Underway

- **Environmental code improvement** - simplify and improve existing regulations (e.g., resource enhancement, trails, landslide repair, violations enforcement, etc.)

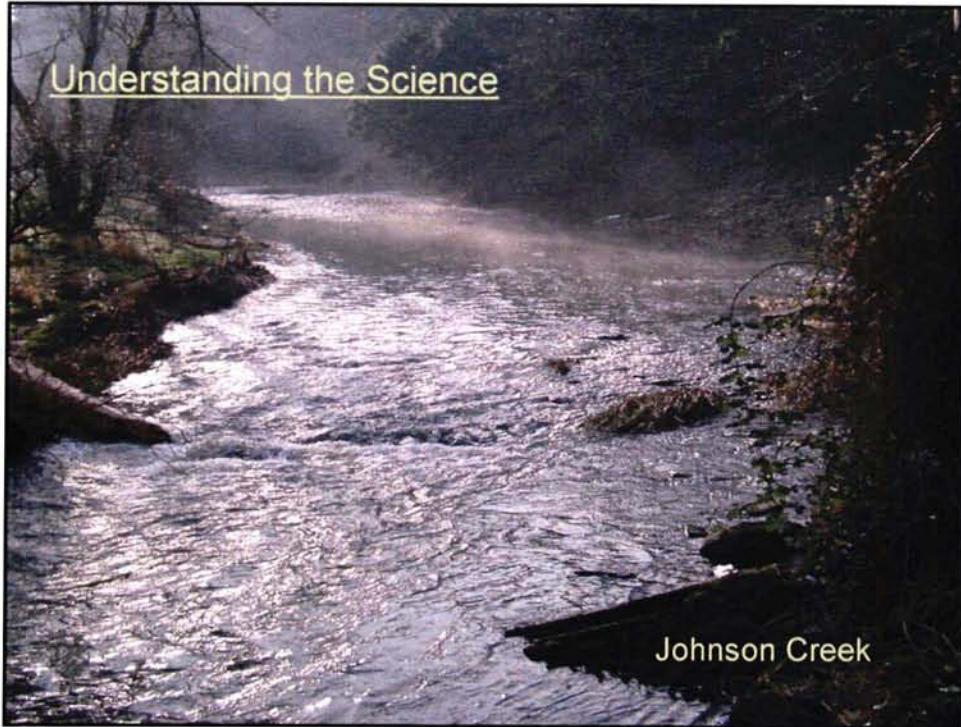


Planning Projects Underway

Natural resource inventory update

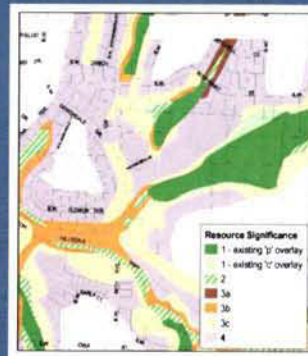
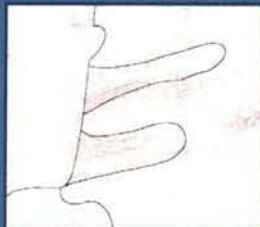
- Will address streams, wetlands, water bodies, riparian resources and wildlife habitat citywide
(incorporates/broadens/refines previous Healthy Portland Streams draft riparian inventory)
- Will be compatible with Metro's regional Goal 5 inventory, while providing more detail and accuracy needed to support City programs and projects. (~ 30,300 acres of regionally significant habitat in Portland ~10,500 not covered by environmental overlays)
- Will inform an update to the environmental zoning program, and other plans, projects and programs.

Understanding the Science



Inventory will map and rank landscape features associated with key riparian functions

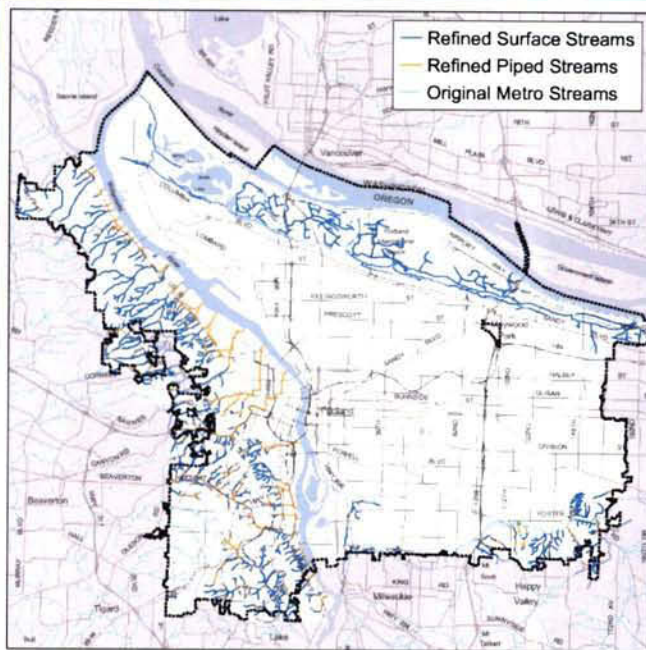
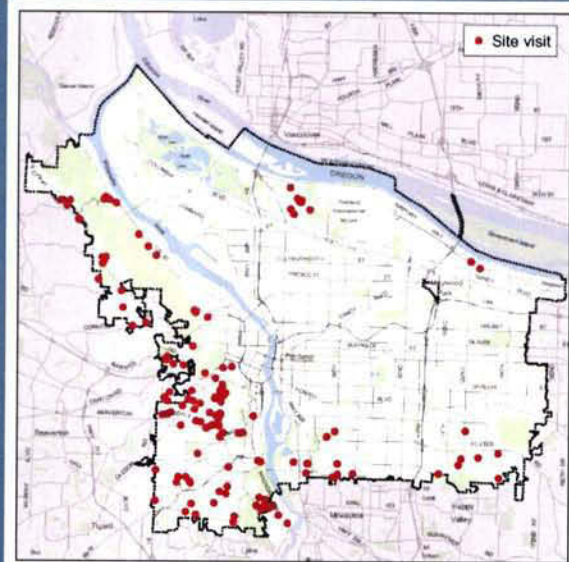
... such as slopes and drainages, wetlands, floodplains and vegetation.





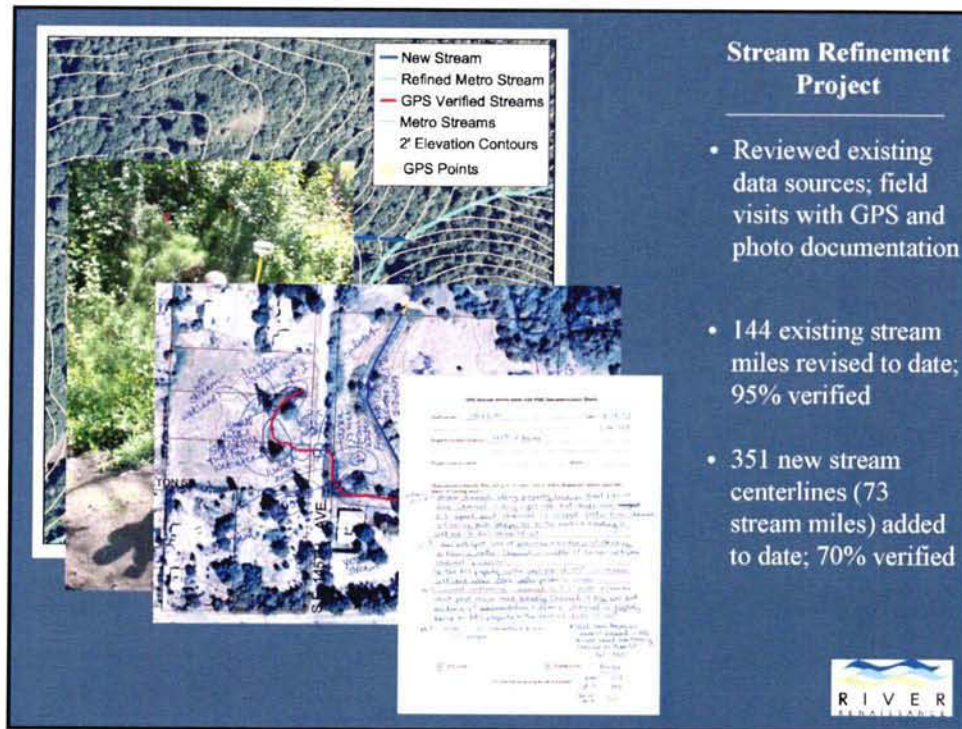
Improving the Inventory - Site Visits

- Conducted more than 180 site visits to date
- Diverse uses on public and private land
- Checking accuracy of landscape feature data and draft inventory maps



Stream Map Refinement Project

- Improving knowledge and stream data accuracy
- Reviewing all streams in Portland and Multnomah County pockets
- Connecting streams to the stormwater system; also mapping culverts



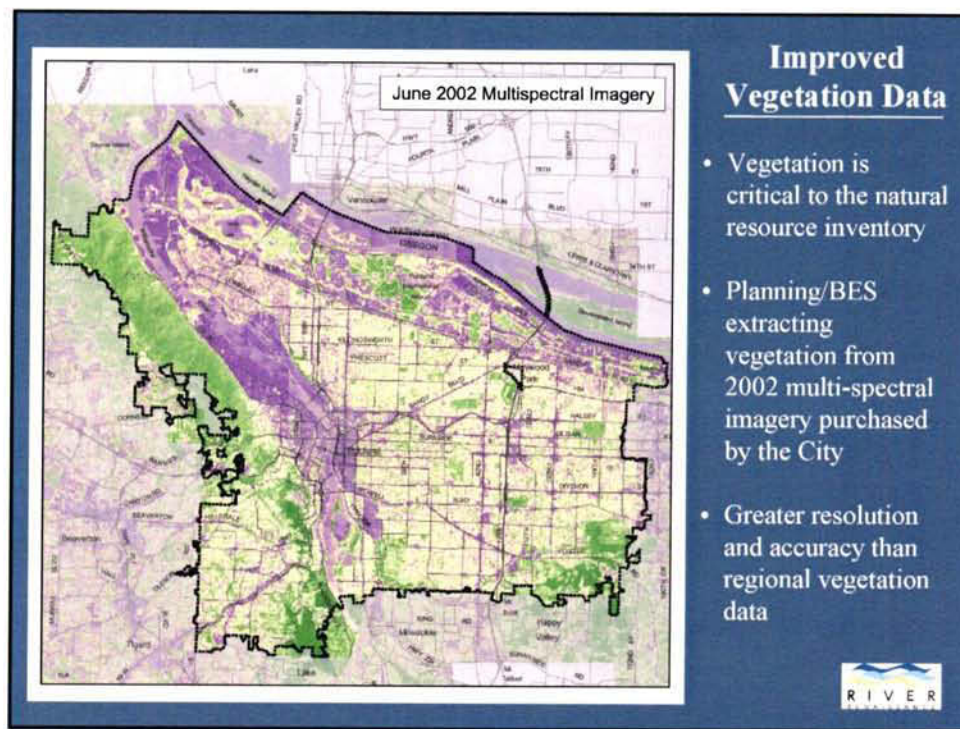
Stream Refinement Project

- Reviewed existing data sources; field visits with GPS and photo documentation
- 144 existing stream miles revised to date; 95% verified
- 351 new stream centerlines (73 stream miles) added to date; 70% verified

Legend:

- New Stream
- Refined Metro Stream
- GPS Verified Streams
- Metro Streams
- 2' Elevation Contours
- GPS Points

RIVER CONSULTANTS



Improved Vegetation Data

June 2002 Multispectral Imagery

- Vegetation is critical to the natural resource inventory
- Planning/BES extracting vegetation from 2002 multi-spectral imagery purchased by the City
- Greater resolution and accuracy than regional vegetation data

RIVER CONSULTANTS

Clear documentation of model outputs -- Easy to view and update over time -- helpful to staff and the public

Wildlife Habitat Inventory

- Metro model with new vegetation data for base map.
- ID significant habitats - refine HOC criteria; incorporate additional information
- Conduct field assessment as needed
- Integrate with riparian inventory



Portland's Resource Inventory Update process and timeline

Winter 2004	Spring/Summer 2005	Fall/Winter 2005	...
<ul style="list-style-type: none">• Finish stream verification	<ul style="list-style-type: none">• Review concept map with key stakeholders	<ul style="list-style-type: none">• Revise maps and reports	<ul style="list-style-type: none">• Inventory adoption and begin program phase
<ul style="list-style-type: none">• Prepare vegetative data	<ul style="list-style-type: none">• Compare with Metro inventory	<ul style="list-style-type: none">• Publish drafts for public review	
<ul style="list-style-type: none">• Test/refine GIS models	<ul style="list-style-type: none">• Significant wildlife habitat areas	<ul style="list-style-type: none">• Begin hearing process	
<ul style="list-style-type: none">• Documentation	<ul style="list-style-type: none">• Field work	<ul style="list-style-type: none">• Develop scope for program phase (e.g. e zone update, other tools)	
	<ul style="list-style-type: none">• Draft inventory reports		



Next Steps

- Once the new natural resource inventory is adopted, Portland will update its significant resource protection program.



- The strategy will include regulatory and non-regulatory approaches (e.g., environmental zone update, incentives, restoration projects).



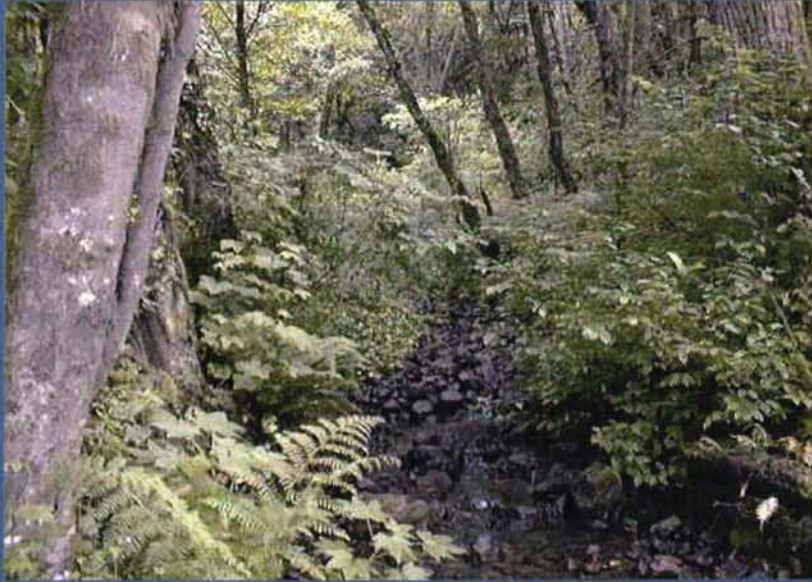
How are Portland and Metro working together?

- Sharing data
- Collaborating on inventory methodology, ESEE and program development
- Participating in Metro committees and reviewing draft products
- Coordinating in preparing outreach materials
- Participating in regional and local public events



Coordination Priorities

- Recognizing existing local conservation programs as baseline
- Engaging the community - providing consistent messages; avoiding community overload and confusion
- Addressing community interests and concerns through a broad set of tools



Portland Bureau of Planning's Environmental Planning Program Selected projects in progress

The Bureau of Planning is in the process of updating Portland's natural resource inventories and improving the environmental zoning codes. These projects are a part of Portland's River Renaissance Clean and Healthy River Program and the Bureau of Planning's ongoing environmental planning program.

Current projects include:

- **Environmental Code Improvement** – Updating existing environmental zone codes and procedures to make them clearer, simpler, and easier to use and enforce.
- **Natural Resource Inventory** – Updating Portland's existing natural resource inventories to reflect guidance from recent scientific literature and new and better resource data. This update focuses on rivers, streams, wetlands, water bodies, riparian resources and wildlife habitat.

The Bureau of Planning is working with other bureaus, agencies and community stakeholders to develop documents that will be published for public review and hearings before the Planning Commission and City Council.

Once the natural resource inventories and code improvements are complete, the Bureau of Planning will begin working on updating the environmental zoning maps and regulations.

All of this work will continue to be coordinated and integrated with other Clean and Healthy River Program elements across City bureaus. This work is also designed to meet Metro's Fish and Wildlife functional plan requirements, contribute to the City's compliance with the Endangered Species and Clean Water Acts and the City's regulatory improvement goals.

Portland's Clean and Healthy River Program is comprised of a number of projects, including:

- Watershed characterizations
- Development of Citywide and watershed objectives, indicators, targets and benchmarks for watershed health
- Watershed action plans
- Update to Comprehensive Plan policies to address watershed health and other issues
- Development and implementation of resource protection measures such as willing-seller land acquisition and riparian area tax credits
- Update to the Willamette Greenway Plan
- Code amendments to promote green development across watersheds
- Development of non-regulatory programs to protect and conserve natural resources



Environmental Overlay Zoning Fact Sheet

Portland's Zoning Code – Base Zones and Overlay Zones

Land use and development in the city is regulated in part through the assignment of base zones, such as residential, industrial or commercial zones.

To meet special land use needs, a second kind of zoning is applied in some parts of the city as an overlay to the base zones. Overlay zones address specific community or city goals such as ensuring high-quality design, protecting scenic resources, and conserving natural resources.

Environmental Overlay Zoning

In 1988, the City established environmental overlay zones to protect and conserve natural resources and the benefits they provide. The purpose of the environmental overlay zone regulations is to ensure that development is designed to avoid adversely affecting significant natural resources, where possible, and to ensure that unavoidable impacts are mitigated. The regulations benefit the public by protecting water quality and wildlife habitat, and preventing erosion, landslides and flooding.

The environmental overlay zones typically cover streams, wetlands, and other water bodies, upland forests, and steep slopes.

Environmental overlay zones apply to just over 19,000 acres in the city; approximately 60% of that land is in public ownership. There are two types of environmental overlay zones.

The **environmental protection overlay zone** provides the highest level of protection to urban natural areas and streams. It typically allows new development only when there is a public need and benefit, such as trails and interpretive facilities. Access through protection zones may also be allowed if there are no feasible locations outside of the protection zone.

Within the city of Portland, the *protection zone* covers almost 9,800 acres of land. About three-quarters of the land is in public ownership, including Forest Park, Tryon Creek State Park, Powell Butte, and Smith and Bybee Lakes.

The **environmental conservation overlay zone** is less restrictive than the protection zone. It allows development as long as it is sensitive to the natural environment. The conservation zone limits the amount of land area that can be disturbed by development and the extent to which trees can be removed. It also sets minimum distances between development and streams, wetlands, and other water bodies, and sets standards for what may be planted in resource areas.

There are about 9,400 acres with *conservation zone* within the city limits.

Environmental zoning was developed and is updated by the Bureau of Planning but is implemented by the Bureau of Development Services. The Bureau of Planning is in the process of updating the City's inventory of significant riparian and wildlife habitat resources through a River Renaissance project called Healthy Portland Streams. Subsequent phases of this project may result in an update to the environmental zoning program.

