

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUPPORTING THE) RESOLUTION NO. 92-1595
1992 NOMINATION OF THE COLUMBIA)
RIVER TO THE NATIONAL ESTUARY) Introduced by Executive
PROGRAM) Officer Rena Cusma

WHEREAS, the Metropolitan Service District is the designated Water Quality Management Planning Agency for the Portland metropolitan region under Section 208 of the Clean Water Act; and,

WHEREAS, water quality of the Columbia River is vitally linked with the fish and wildlife in the region; and,

WHEREAS, the Columbia River is a critical natural resource in the region providing fish and wildlife habitat for unique species; and,

WHEREAS, the Columbia River estuary provides vital commerce and recreational uses to the people of the Portland and Vancouver metropolitan area; and,

WHEREAS, the National Estuary Program offers financial and technical resources for promoting local solutions to identified problems; and,

WHEREAS, the National Estuary Program will promote development of a comprehensive assessment and management plan for the lower Columbia River; and,

WHEREAS, acceptance of the Columbia River into the National Estuary Program will promote participation of a broad representation of affected entities, including local and regional governments; and,

WHEREAS, the Metro Council endorsed the nomination of the Columbia River to the National Estuary Program in 1989; now therefore,

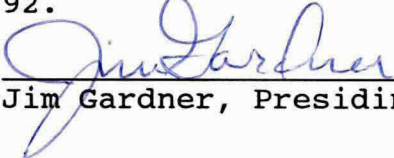
BE IT RESOLVED:

1. That the Council of the Metropolitan Service District supports the nomination of the lower Columbia River from its mouth to the Bonneville Dam to the National Estuary Program; and

2. The Council requests that the Governors of Oregon and Washington support the nomination of the Columbia River to the National Estuary Program; and,

3. The Council directs staff to submit this resolution to the Governors of Oregon and Washington, the Oregon Department of Environmental Quality, the Washington Department of Ecology, and the U.S. Environmental Protection Agency.

ADOPTED by the Council of the Metropolitan Service District this 9th day of April, 1992.



Jim Gardner, Presiding Officer

TRANSPORTATION AND PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1595 SUPPORTING THE
NOMINATION OF COLUMBIA RIVER TO NATIONAL ESTUARY PROGRAM

Date: April 2, 1992

Presented by: Councilor Bauer

Committee Recommendation: At the March 24 meeting, the Transportation and Planning Committee voted unanimously to recommend Council adoption of Resolution No. 92-1595. Voting in favor: Councilors Devlin, Bauer, Buchanan, McLain and Washington.

Committee Issues/Discussion: Rosemary Furfey, Associate Management Analyst, Planning and Development Department, presented the staff report. She characterized the resolution as an "important opportunity" to have a nationally known resource added to the national system of estuary programs. She stressed that the Environmental Protection Agency, which administers the program, has no regulatory "hammer" to force implementation of the Comprehensive Conservation and Management Plan (CCMP). The program is fully implemented locally.

Metro approved a like-resolution in 1989, when the Governor's of Oregon and Washington nominated the Columbia River but later withdrew the nomination. Instead, a Bi-State Program was established for the Columbia River to assess water quality trends. The Bi-State Program, now existing, should be separated from the broader Management Plan that would be adopted under the National Estuary Program.

Management Plan activity would involve consideration of other resources besides water quality (i.e. wildlife, habitat, recreation). It would also involve a greater public involvement component.

Councilor Bauer reviewed the 1989 process which approved a similar resolution with an "overwhelming" vote of confidence. He believes the resolution makes excellent sense financially. He explained the opposition from the ports that forestalled the issue previously to be their belief that this designation would imply additional federal regulation on maritime uses. This was discussed at Bi-State and was determined to be inaccurate.

Staff Note: Since approval of this resolution by the Transportation and Planning Committee, Governor Booth Gardner of Washington, and Governor Barbara Roberts have again withdrawn the nomination of the Columbia River. The Council may now choose to table the measure, since the question is apparently moot. Or you may wish to approve it to voice your support in anticipation of another nomination in the future.

STAFF REPORT

FOR THE PURPOSE OF SUPPORTING THE 1992 NOMINATION OF THE COLUMBIA RIVER TO THE NATIONAL ESTUARY PROGRAM

Date: February 26, 1992

Presented by: Jim Morgan

FACTUAL BACKGROUND

In 1989, the Governors of Oregon and Washington initially decided to jointly nominate the lower 146 miles of the Columbia River, that portion from its mouth upstream to the Bonneville Dam, to the National Estuary Program. On October 26, 1989, the Council of the Metropolitan Service District adopted Resolution No. 89-1160A which supported the nomination of the Columbia River to the National Estuary Program. After hearing concerns from local ports and industries, the Governors decided to withdraw the nomination.

In February 1992, another opportunity has been given to nominate the Columbia River estuary to the National Estuary Program. The Governors of Oregon and Washington are responsible for submitting the nomination.

ANALYSIS

The National Estuary Program (NEP), established by the 1987 Water Quality Act, provides federal funding to assess environmental problems in the estuarine zone and to develop management plans to work toward their solutions. Administered by U.S. Environmental Protection Agency (EPA), the NEP consists of establishing a Management Conference, assessing environmental trends, and developing a management plan to tackle the problems.

The Management Conference is the organizational framework under which the estuary program operates. It's structure is flexible but must be widely represented, including:

- (a) states bordering the estuary;
- (b) interstate or regional agencies having jurisdiction over a significant part of the zone;
- (c) appropriate federal agencies;
- (d) local governments;
- (e) affected industries;
- (f) public and private educational institutions; and,
- (g) general public.

The Management Conference is responsible for environmental trend assessment and development of the management plan.

Environmental assessment will include examining trends in water quality, natural resources and uses in the estuary to identify problems and their causes. From this assessment, the Management Conference will develop a Comprehensive Conservation and Management Plan (CCMP). This plan will include a coordinated implementation

component that will define specific actions to attack the problems, monitor the effectiveness of the actions taken, and review federal financial assistance programs and development projects for consistency with the CCMP.

EPA has no regulatory hammer to force implementation of the CCMP. The NEP is a voluntary program to promote local solutions to identified problems.

A Bi-State Study Program for the Columbia River estuary was established after the initial nomination was withdrawn. Supported by the ports, pulp and paper industries, and the States of Oregon and Washington, the Bi-State Program is focused primarily on assessing water quality trends. The NEP includes a more comprehensive assessment and plan development that includes fisheries, wildlife, habitat and uses. The current Oregon staff to the Study Program is federally funded and is scheduled to lose that support. Additional state funding is questionable given fiscal restraints recently imposed in Oregon.

The Governor's of Oregon and Washington must submit their nomination to EPA by April 20, 1992. Metro's Executive Officer forwarded a letter dated March 3, 1992, to Governor Barbara Roberts urging the governor to nominate the Columbia River to the NEP.

Currently, there are 17 estuaries in the program nation-wide, each receiving \$350,000-\$1,000,000 annually from the federal government. If the Governors nominate the Columbia River estuary and it is accepted by EPA, federal funds will be made available that will exceed the current Bi-State Program funds. The 25% non-federal match (in cash or "in-kind") for the NEP costs will most likely come from the states, ports, and affected industries.

Metro will have the opportunity to participate in the NEP upon acceptance of the nomination. Metro's participation in the NEP was endorsed in the 1989 Water Quality Issues Report adopted by the Council through Resolution No. 89-1121.

Proposed Resolution No. 92-1595 states that the Metro Council supports the nomination of the lower Columbia River to the National Estuary Program.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer's recommends adoption of Resolution No. 92-1595.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: March 17, 1992

TO: Transportation and Planning Committee Members

FROM: Gail Ryder, Council Analyst

RE: Resolution No. 92-1595, Supporting the Nomination of Columbia River to the National Estuary Program

Background

Resolution No. 92-1595 which supports the nomination of the Columbia River to the National Estuary Program, will be before the Transportation and Planning Committee at the March 24, 1992 meeting. The lower 146 miles of the Columbia River were nominated to the National Estuary Program in 1989. This nomination was made jointly by the Governor's of Washington and Oregon. The Council, through Resolution No. 89-1160A, supported the nomination. Later the Governor withdrew the nomination because of the concerns from local ports and industries.

Another opportunity to made such nominations came available in February, 1992 and the Governor's of Washington and Oregon have again made this nomination.

Questions

The committee may wish to address the following questions:

- 1) What were the concerns, in 1989, raised by local ports and industries, which led the Governor to withdraw the nomination of the Columbia River? How have these issues been addressed since that time?
- 2) What types of federal funding will be made available under the National Estuaries Program that would be specifically of aid to the region? Is this envisioned as a potential source of funding for the Bi-State Study Program for the Columbia River estuary? If not, are there any other efforts being made in this regard?

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