

Metro | Agenda

Meeting: Smith and Bybee Wetlands Advisory Committee
Date: Tuesday, January 27th, 2014
Time: 5:30 p.m. – 7:30 p.m.
Place: Metro Regional Center - Room 270
600 NE Grand Ave, Portland Oregon 97232

- Meeting Minutes – discuss how minutes
Are reviewed and approved 5:30 – 5:35 p.m. Carrie Belding
- Approve meeting minutes 5:35 – 5:40 p.m. Troy Clark
- 40 Mile Loop Trail Connection Update 5:40 – 6:05 p.m. Mel Huie/Janet Bebb
- Wapato Jail Update 6:05 – 6:15 p.m. Troy Clark
- By-Laws – plan for the development
of by-laws for the Advisory Committee 6:15 – 6:45 p.m. Dan Moeller/Troy Clark
- Metro Staffing Update
and Special Use Permit Update 6:30 – 6:40 p.m. Dan Moeller
- City of Portland and Port of Portland 6:40 – 6:50 p.m. Lynn Barlow/Carrie
Butler
- General Updates 6:50 – 7:10 p.m. All
- Adjourn 7:30 p.m.



Smith and Bybee Wetlands Advisory Committee

January 27, 2014

Committee members in attendance

Sara Henderson*St. Johns Neighborhood Association
Dan Moeller*Metro, Sustainability Center
Patt Opdyke *North Portland Neighbors
Troy Clark*Audubon Society of Portland (Chair)
Carrie Butler*Port of Portland (Vice Chair)
Pam Arden*40 Mile Loop Trust
Eric Tonsager *Oregon Bass and Panfish Club
Liz Ruther for Susan Barnes*Oregon Department of Fish and Wildlife
Dale Svart*Friends of Smith & Bybee Lakes
Dave Helzer*City of Portland, Bureau of Environmental Services
Lynn Barlow*City of Portland, Parks and Recreation

Others in attendance

Carrie BeldingMetro, Sustainability Center
Mel HuieMetro, Sustainability Center

Committee members not in attendance

Bill Briggs*ORRCO

*Denotes voting Smith and Bybee Wetlands Advisory Committee member.

Welcome

Carrie Belding mentioned that she hasn't been receiving any feedback after meeting minutes are sent out (good or bad), and that we always end up reviewing minutes at the beginning of the next meeting before voting. If folks can spend a few minutes reading the notes after they receive them and respond that they are okay or suggest any changes, approving meeting minutes at the beginning of each meeting might be a little easier. The group agreed to review minutes as soon as possible and respond if things look okay or with suggestions.

Minutes from the September meeting were approved as written.

Mel Hue gave a PowerPoint presentation on trails around the region. Mel mentioned that the grand opening of the Blue Lake Trail will be soon. Mel also spoke about the Waud Bluff Trail (more information can be found here: <http://bikeportland.org/2013/03/15/first-look-new-waud-bluff-trail-connects-north-portland-to-swan-island-84300>) and the Chelatchie Prairie Rail with Trail (more information can be found here: <http://www.clark.wa.gov/publicworks/chelatchie/index.html>)

Mel let the Committee know that the Pier Park to Chimney Park Bridge is up and Metro is planning a celebration for this spring/summer, date to be determined. Metro will make sure the Committee gets details and Mel hoped someone from the Committee might be able to speak or help lead the bike ride.

Mel gave a brief update on the state transportation grant that Metro applied for; it's in the final stages of review and is for \$2.5 million. Metro also applied for a ConnectOregon V grant in the fall and we might have more details on that by summer.

Troy cited an article that was in The Oregonian a couple months ago featuring the Wapato Jail (link below). The article suggested that Multnomah County is exploring some options for Wapato Jail. Troy contacted David Austin, a county liaison, and he assured Troy that no decisions will be made without the Committee's knowledge. http://www.oregonlive.com/portland/index.ssf/2013/12/wapato_jail_back_in_the_conver.html

Dan Moeller began a discussion about Committee bylaws; simpler is better. Dan handed out a general checklist that the group used to get the discussion started. He said that one of the things we should do is make sure we are documenting the groups that are contributing to the committee. The idea is to capture how this particular committee works. The original Natural Resource Management Plan called out the original stakeholders and the Comprehensive Natural Resource Plan updated that to be more flexible.

Patt noted that we are a committee made up of stakeholders who choose their own representatives. We have invited people to come to the table over the years, but they haven't always come. Often the stakeholder makes the choice about who their alternate representative will be. There is only one voting position from each stakeholder.

Dave Helzer said that bylaws should say, "these are the member organizations, it is their responsibility to..." Decision making should be a separate section in the bylaws. The Committee suggested that a subcommittee that can get a draft of bylaws started might be helpful. The bylaws should be sure to state somewhere that there aren't any term limits, as well as who has the right to sign off on something when a the committee isn't able to convene. The bylaws would be helpful if they outlined how and when we select a new committee Chair and Vice Chair. We'll also need to think about whether there should be a limit on how many times someone should be the Chair.

A few other things we ought to make sure to clarify is whether we need to abide by the Oregon Public Meetings Law, how to define a quorum, what constitutes decision making and what does consensus mean.

Patt Opdyke, Carrie Butler and Sara Henderson volunteered to be on the subcommittee and begin drafting Committee bylaws. We did not give the subcommittee a deadline.

Dan gave general updates to the group. These included sharing updated Sustainability Center Org Chart and Metro's Special Use manual (manual can be found at www.oregonmetro.gov/specialuse) with the group. Dan mentioned that there were very few Special Use Permits issued at Smith and Bybee last year, and he will keep the Committee updated if there are any controversial projects. Dan also handed out a copy of the 2013 Natural Areas Program Performance Oversight Committee report and a document outlining the levy that voters passed in May of 2013. Dan reminded the committee that the levy is primarily for natural area maintenance (managing weeds, etc.). He briefly mentioned that we may be able to leverage some levy funding with the Smith and Bybee fund on particular projects. Dan also distributed a card with contact information for key Metro staff.

Troy asked that the appendices of the CNRP be included in the meeting minutes, specifically the section on the Smith and Bybee Wetlands Advisory Committee Meeting and Communication Plan. The full appendices can be

found here: http://library.oregonmetro.gov/files//8-17-11_sbcrrnp_appendices.pdf and the communications plan is attached.

Carrie Butler gave a Port of Portland update. She said that the vegetation management plan is in the process of being updated and will be posted on website just like the program report for mitigation she worked on. Carrie also said she is now the Senior Mitigation Specialist.

Dave Helzer told the group that there is a lot of good information in Carrie's mitigation report and that he uses it frequently.

Troy mentioned that when the port trail was built, a certain species of tree was planted and they all died. He would like to see the trail revegetated. He suggested a site tour for the next meeting might be a good idea.

Lynn Barlow gave a quick City of Portland update. She said that Mel covered some of what she planned to mention. The City of Portland is a major partner on some of the trails (acquisition, etc). The pedestrian bridge that just went in will be open soon. It will be exciting to see if the ConnectOregon V grant comes through.

Lynn said that Emily Roth, a parks planner with the City, and member of the Friends of Smith and Bybee was approached by some Portland State University architect students who came up with some conceptual ideas for overlook areas at the landfill. We may coordinate with Emily Roth and the students to have the concepts presented at an upcoming meeting.

Dave is with Bureau of Environmental Services and they manage stormwater and do a lot of habitat work Portland. Dave's group fulfills many different functions and one of them is to evaluate sites each year (there are 128 sites in the city they look at total). Two sites they looked at recently landed adjacent to Smith and Bybee this year. They did fish sampling and caught three Chinook and a bunch of large carp in December. He briefly mentioned that two Peninsula drainage districts are embarking on a massive re-governance that could change how surface water and floodwater is managed. The area in drainage district could be allowed to flood more frequently. He said that the Multnomah County Drainage District website would have the updated information on this undertaking.

The meeting adjourned at 7:30 p.m.

Minutes recorded by Carrie Belding.

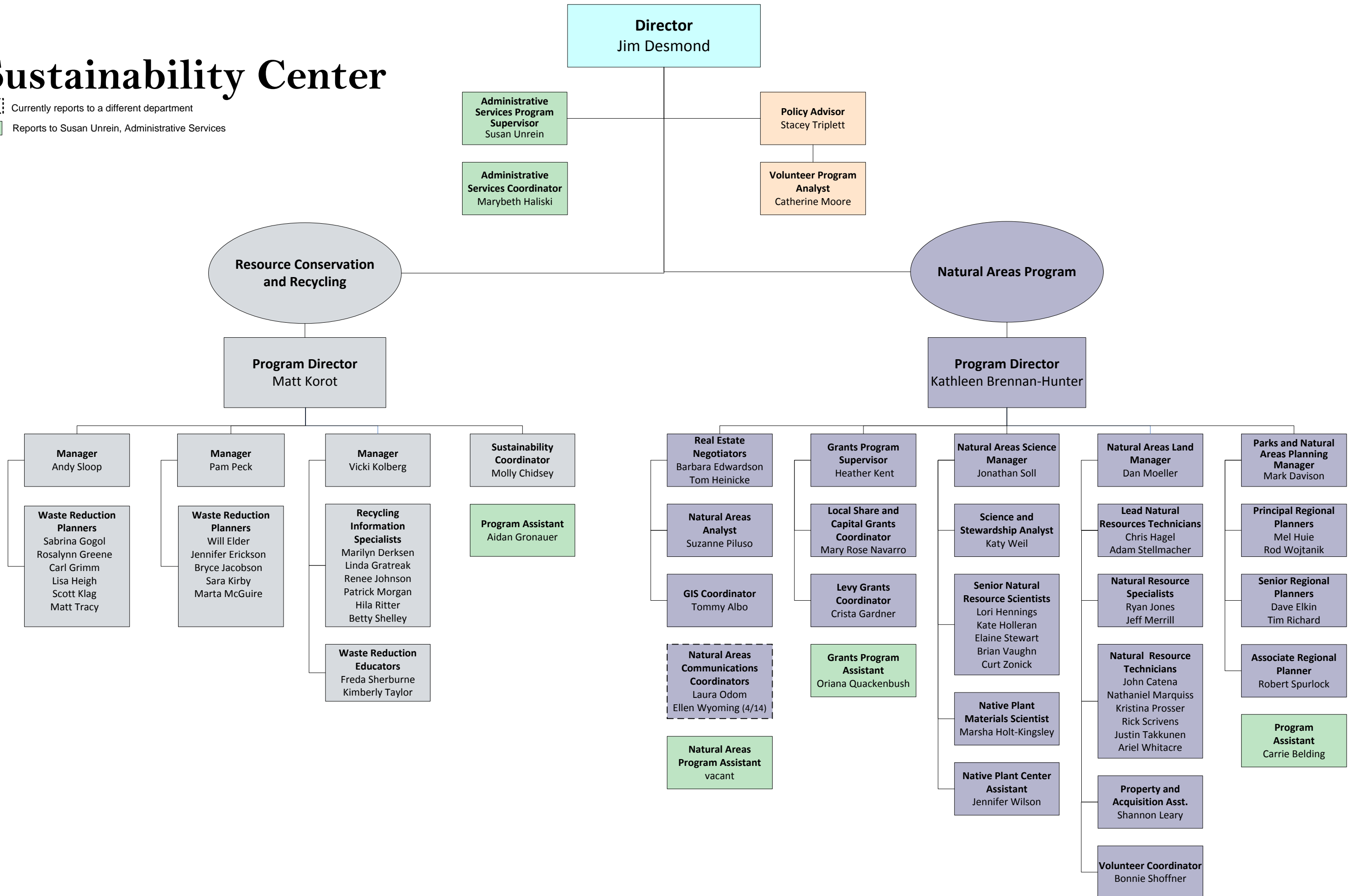
Checklist to ensure the most important provisions are included in your bylaws.

1. **Minimum and maximum number of board members.** Example: minimum of five and a maximum of fifteen board members. Some states specify a minimum, and some specify a formula for a minimum and maximum, so check your state's law.
2. The number required for a **quorum**. A quorum is the minimum number of board members who must be present for official decisions to be made. For example, if an organization currently has fifteen members, and the bylaws state that one-third of the members constitutes a quorum, then official decisions can only be made at board meetings where five or more members are present.
3. **Terms and term limits.** Example: two years, with term limits of three consecutive terms (making a total of six years); after a year off, a board member may be permitted to return. Similarly, terms can be staggered so that, for instance, one-third of the board is up for reelection each year.
4. Titles of **officers**, how the officers are appointed, and their terms. Example: appointed by majority vote at a regular meeting of the board; an officer term is for one year with a maximum of two consecutive officer terms.
5. Procedure for **removing a board member** or officer. Example: by majority vote at a regularly scheduled meeting where the item was placed on the written agenda distributed at least two weeks ahead.
6. **Conflict of interest policy.** Alternatively, many bylaws simply state that there will be a conflict of interest policy but keep its exact wording out of the bylaws.
7. **Minimum number of board meetings per year.** Example: four, with one in each quarter.
8. How a special or **emergency board meeting** may be called.
9. **How a committee may be created** or dissolved.
10. **What committees exist**, how members are appointed, and powers, if any. It may be easiest not to specify committees in the bylaws at all; instead, permit the board to create and dissolve standing and temporary committees as it sees fit. As a result, the bylaws need not be changed each time a committee is created or changed.
11. **Conference calls and electronic meetings.** Example: votes by e-mail or web forum are prohibited. Meetings may be held by conference call if all members can simultaneously hear one another. As Internet usage grows, some boards are adding sections to the bylaws that describe how to hold a board meeting on the Internet, or whether and how decisions can be made by e-mail.
12. **How the bylaws can be changed.** Example: by majority vote at a regularly scheduled board meeting.

Every few years, review the bylaws. Occasionally, individuals are invited to join boards without much scrutiny and are later found to be disruptive and destructive. Too often the board looks to the bylaws to see how to remove such a person, only to discover that the bylaws were written twenty years ago (and seldom looked at since) and have no such provision. Appropriate changes to the bylaws should be recorded in the board minutes, added to copies of the bylaws, and, in some cases, reviewed by an attorney experienced in nonprofit law.

Sustainability Center

Currently reports to a different department
 Reports to Susan Unrein, Administrative Services



METRO PARKS, NATURAL AREAS AND CEMETERIES: SPECIAL USE GUIDE

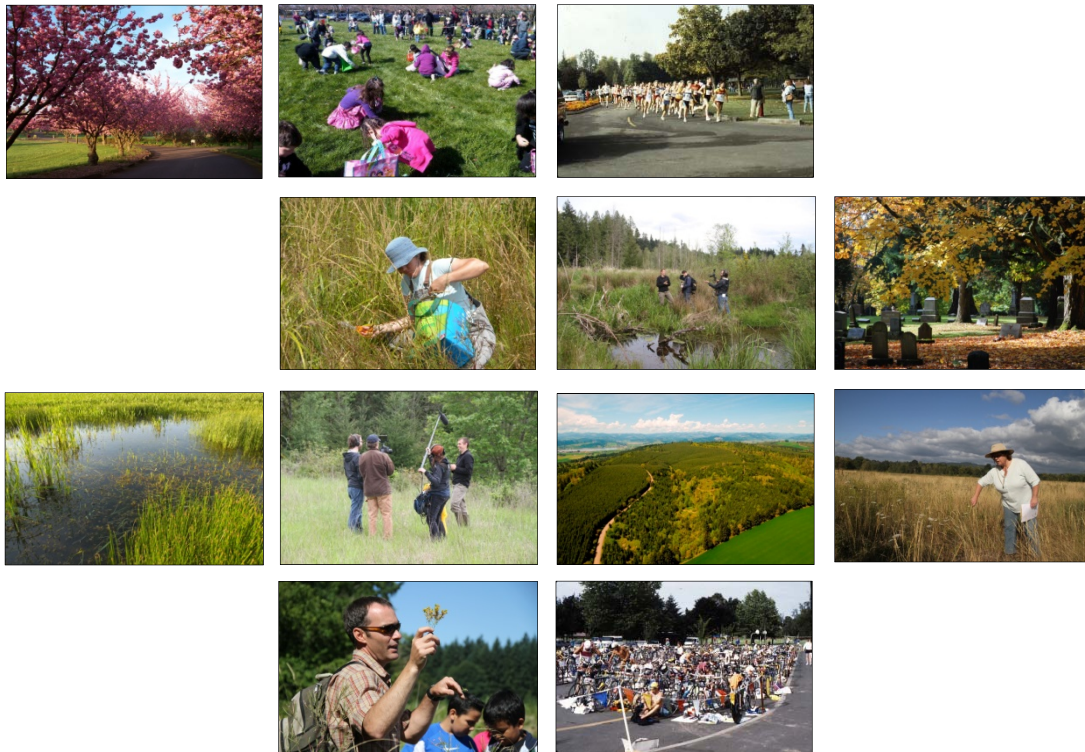


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PURPOSE AND INTRODUCTION

This document sets forth Metro's parks, natural areas and cemeteries administrative policies and permit requirements for special uses and special events at these Metro facilities.

Metro has a regional role in providing affordable, accessible, reliable and innovative services at its parks, natural areas and cemeteries that best protect these community assets while serving the residents of the Portland metropolitan region.

REQUIREMENTS FOR A SPECIAL USE PERMIT

Special Use Permits are required for certain regulated and non-traditional uses to ensure public health and safety, to prevent conflicts with other scheduled activities and to protect natural resources, properties and facilities owned or managed by Metro.

Special uses are any activity, gathering or use of Metro parks, natural areas and cemeteries that are required to have authorization by Metro Code regulations, which can be found at www.oregonmetro.gov/metrocode. Special Use Permits give permission, without conveying an interest in land, to occupy and use Metro managed properties or facilities for specified purposes, and are revocable and non-transferable.

Metro sponsored or managed activities, projects and events may not be required to secure Special Use Permits.

CONDITIONS REQUIRING PERMIT

Metro reserves the right to require any group using a Metro park, natural area or cemetery to apply for a Special Use Permit. However, the following activities or conditions require the issuance of a Special Use Permit:

- Any organized activity or gathering involving 26 or more people.
- Education groups of 16 or more people.
- Documentary or student videography or photography (commercial productions or groups of more than 10 require a Location Agreement in lieu of a Special Use Permit; please contact Metro directly to inquire at 503-665-4995).
- Use of alcohol, amplified sound, animals, equipment or other elements posing safety risk or public nuisance.
- Concession services of goods, food or beverages.
- Activities that include biological research, scientific collection and harvesting of biological materials.
- Access to, and use of, Metro natural areas that are not open for public use.

TYPES OF PERMITS

Special Use Permits are issued under a *single event* or *series* designation. Single event permits can be granted for up to six months. Series permits can be granted for up to twelve months.

Single event permits are defined as one of the following:

- A single activity held on one or consecutive days in one location. Location means at a Metro park, natural area or cemetery.
- A single activity occurring over consecutive weeks in one location.
- A single activity held on the same day in more than one location.
- A series of activities, promoted as one event, held in one location.

Series permits are defined as one of the following:

- A single activity that occurs in one location on a periodic basis over multiple weeks or months.
- A single activity that occurs in multiple locations over consecutive weeks.
- A series of related activities that occur in one location on a periodic basis over multiple weeks or months.

APPLYING FOR THE PERMIT

To apply for a Special Use Permit, an application must be submitted to Metro. A *non-refundable* application fee must be received before Metro will process the application. See *Fees and Charges*, page 3 and see *Usage Fee Exemptions, Waivers and Reductions*, page 7.

Applications and payment instructions can be found online at www.oregonmetro.gov/specialuse.

Applications should be submitted to Metro by email at specialusepermits@oregonmetro.gov or by fax at 503-797-1849. For questions or inquiries contact 503-665-4995.

Application will not be processed without payment of the application fee.

WHEN TO APPLY

An application for a Special Use Permit shall be made at least 30 days prior to a planned activity or event. Applications received fewer than 30 days prior to a planned activity or event will be subject to higher fees.

Applications received less than 10 business days from the activity or event date will be denied. Exceptions may apply. If an exception is allowed, additional fees will be charged.

PERMIT APPROVAL

Metro will review the Special Use Permit application within 10 business days of receipt of the application and application fee. A Metro Director or designee may approve, approve with conditions, or deny the permit request.

Approval Considerations

Approval or denial of a Special Use Permit will be based on one or more of the following considerations:

- The ability of the applicant to manage the proposed use consistent with Metro Code, state or local laws or ordinances.
- The ability of the applicant to provide for the protection of Metro parks, natural areas and cemeteries.
- The extent to which a regulated use is consistent with the highest and best use of Metro parks, natural areas and cemeteries.
- The extent to which the use is compatible with authorized and customary uses of Metro parks, natural areas and cemeteries.
- The ability of the applicant to finance the proposed use or meet insurance, licensing, bonding or deposit requirements.
- The applicant's experience in the past with similar activities.
- The applicant's ability to meet application requirements or timelines.
- The proposed use conflicts with other Metro activities such as an herbicide treatment, tour and/or event.

- The proposed use may affect Metro’s efforts to improve or maintain water quality, wildlife habitat, native vegetation and/or access to nature.
- The proposed use is for biological harvesting which may affect the health of plant populations.
- The proposed use conflicts with or will directly impact a burial service in one of Metro’s cemeteries.

Appeals

Application fees cannot be appealed and must be paid prior to making an appeal. All other restrictions, conditions and fees, or the denial of a permit, may be appealed to the Director or designee. Appeals must be in writing and state the name of the applicant, a description of the proposed event and event name, if applicable, the site to be used, the date of the requested usage and the nature of the appeal.

FEES AND CHARGES

There are specific fees and charges which make up the total cost of a Special Use Permit. All Special Use Permits require payment of an *application fee*. A *usage fee* and *additional fees* may apply depending upon the nature and scale of an activity or use. Some activities, events or groups are exempt from paying usage fees. See *Usage Fee Exemptions, Waivers and Reductions*, page 7.

Application Fees

Application fees are required and must be paid when submitting a Special Use Permit application.

Application fees are not refundable and are as follows:

- \$40 per standard application
- \$75 per application if a site plan is required. See *Site Plans, Monitoring and Utilities*, page 10.

Usage Fees

Usage fees are required for Special Use Permits and are dependent upon the type of event, the number of people attending, whether there are entrance fees to the Metro site and if the user charges the attendees a fee. The standard usage fee schedule is outlined in the table on page 4.

Usage fees must be paid in full within 10 business days after permit approval or not less than 10 business days prior to activity or move in date, *whichever is earlier*.

Metro reserves the right to cancel the permit if usage fees are not paid 10 business days prior to the event or move in date. If Metro cancels the permit for non-payment, Permittee will be assessed a cancellation charge. See *Cancellation and Fees*, page 4.

Metro Parks, Natural Areas and Cemeteries Special Use Fee Schedule

GENERAL EVENTS	26-100 people	101-250 people	251-500 people	501-1000 people	Each add'l 500 people
At facility with gate fee	\$125	\$200	\$300	\$425	\$150
At facility without gate fee	\$250	\$400	\$600	\$850	n/a

EDUCATIONAL ACTIVITIES <i>(no SUP required for 15 or less people)</i>	16-30 people	31-50 people	51-75 people	75 + people
Non fee based group	No fee	No fee	No fee	\$50
Fee based group	\$40	\$60	\$80	\$100

FILMING* <i>(10 or less people)</i>	Up to 6 hours	6+ hours/daily rate
	\$40 per hour	\$350
<i>*Filming with more than 10 people requires a Location Agreement; please contact Metro directly to inquire.</i>		

PHOTOGRAPHY	Up to 4 hours	Daily
	\$75	\$150

PLANT MATERIALS HARVESTING OR BIOLOGICAL COLLECTION	See plant materials collection policy, attached as an addendum.

Cancellation and Fees

Permittee has the right to cancel the Special Use Permit once the permit is issued. A cancellation fee may apply.

Cancellation fees, if deemed appropriate, will be assessed as follows:

- 90% Refund of paid fees - Events canceled more than a month in advance before event date (does not include non-refundable application fee).
- 25% Refund of paid fees - Events canceled less than a month before event date (does not include non-refundable application fee).
- No refunds will be issued for cancellations on the day of the event.

Metro has the authority to cancel or revoke a Special Use Permit and charge cancellation fees due to the Permittee's failure to comply with the Special Use Permit policies and procedures, payment schedule or terms of the permit and/or upon the finding of violation of any rule, ordinance, statute or any special use or reservation permit provision.

Metro reserves the right to cancel the event for circumstances beyond its control, such as natural disasters, infrastructure failures, etc. In such cases, no cancellation fee will be charged to Permittee. Metro will not be held liable for any financial or other damages caused by its cancellation of the event.

Additional Fees

Additional fees may be assessed as part of the cost of a Special Use Permit. Additional fees relate to the impact of the regulated activity or use of Metro parks, natural areas and cemeteries. Additional fees include key deposits, vehicle access, park shelter fees, alcohol permits, event monitoring staff, site restoration and other charges as applicable. Payments of additional fees are made at the same time as the usage fee, unless otherwise indicated.

As part of the Special Use Permit, the Permittee may be required to reserve a picnic area or a “first come first served” area at Blue Lake Regional Park, Oxbow Regional Park and Howell Territorial Park.

The Permittee may include reservable picnic areas and “first come first served” areas as a component of the Special Use Permit. The Permittee must pay the applicable reservation fee for the areas at the same time as the usage fee, unless otherwise indicated.

Metro may require the Permittee to pay for reservable and “first come first served” areas to protect the parks from becoming overcrowded during the peak season of May through October, or for other appropriate reasons.

If Metro requires the Permittee to pay for these areas, the number of areas to be reserved will be at the discretion of Metro. Considerations for how many reservable areas are to be secured will be:

- the nature of the activity
- the time of year, especially during peak seasons
- the expected attendance during the Special Use Permit period
- other relevant factors, such as safety of the casual park user

The amount of the reservation fee will be determined based on the current reservation fees listed on the Metro website at <http://oregonmetro.gov/picnic>.

Key Deposits

A key deposit will be required for Permittees who have been authorized to access a secured area under the terms of their Special Use Permit. The deposit must be received prior to Permittee being issued a key.

- Key deposits are \$100 per key. Key deposits are paid to the designated Metro representative where the key is obtained.
- Keys may be obtained up to 48 hours in advance of activity or move-in date from the Metro Regional Center or respective Metro offices during regular business hours.
- Key deposits will be fully refunded if keys are returned within 48 hours of the permit ending date. If the key is not received within the 48 hour timeframe, the key deposit will be retained by Metro, unless emergency arrangements have been made with the designated Metro Representative where the key was obtained.

Vehicle Fees and Access

Vehicles used as part of the permit must pay the daily vehicle admission fee at parks where vehicle fees are charged. No vehicle fees will be assessed at Metro parks, natural areas or cemeteries where admission fees are not charged.

All vehicles must park in designated areas. Vehicles parked in other than designated parking areas must be approved and be actively used in loading/unloading and/or be an active part of the event and shown on the site plan.

Alcohol Permit Fees

Alcohol Permits may be issued as a component of a Special Use Permit as defined in *Conditions Requiring Permit* on page 1 and by following the conditions set forth in Metro Code 10.01.200. Permittees must apply for the use of alcohol at their activity or event. The Alcohol Permit fee is \$225.00 and must be paid at the same time as the usage fee. This fee is in addition to any other fees. The Permittee must comply with all OLCC requirements as a condition of the Alcohol Permit.

Event Monitoring Fees

An event monitoring fee will be assessed for each employee that Metro requires to be on site to monitor and/or assist in the Permittee’s activities. The monitoring fee will be an hourly fee equal to 1.5 times the employee’s hourly rate, regular or overtime, whichever is applicable. Overtime is calculated at a rate of 1.5 times the regular hourly rate when the employee works more than 8 hours in a single day or exceeds 40 hours in a work week.

For sites not staffed on a daily basis, such as Metro cemeteries, Howell Territorial Park, Graham Oaks, etc., staff travel time to and from the site will be charged as part of the monitoring fee.

Metro will determine the monitoring fee and the Permittee shall remit with the usage fee. Any additional fees incurred will be deducted from the security deposit. See *Security Deposits*, page 6.

Catering/Amusement Permit Fees

Permittees, who desire concessions for their event, operating under a Special Use Permit, shall be required to obtain a Catering/Amusement Permit from Metro and pay the applicable permit fees. See *Concessions*, page 8. The Catering/Amusement Permit fee is based upon the number of participants:

Number of participants	0-125	126-250	251 and up
Permit fee	\$75	\$125	\$200

Other Fees and Charges

Additional fees and charges established in the Metro Code will be charged when applicable.

Security Deposits

Metro may require a security deposit as a condition of the Special Use Permit. A security deposit provides Metro assurance that all costs and repairs for damages caused as a result of the permitted activity will be paid by the Permittee. The necessity for and the amount of a security deposit shall be determined by the appropriate Metro Director or designee.

Conditions under which Metro will require security deposits are:

- When the activity presents a risk of damage to Metro property.
- When the activity or use appears likely to cause unusual cleanup or restoration expenses.

If Metro incurs any expense as a result of non-compliance with the conditions of the permit or other damages caused by Permittee, Metro will charge the expense incurred against the deposit. If damages or expenses exceed the deposit amount, Metro will bill Permittee for the difference.

Security deposits must be received at the time all usage fees are paid. Security deposits may be made by credit card, cashier’s check or money order. No cash, business or personal checks will be accepted for security deposits.

USAGE FEE EXEMPTIONS, WAIVERS AND REDUCTIONS

The following permits are eligible for up to 100% reduction of usage fees:

- News Production, Cable Access and Public Service Announcements.
- Documentary/Advertising/Marketing for the promotion of Metro, the Portland metro region or Oregon.
- Student Film for class projects or non-commercial student productions.

Certain groups or users are exempt from paying Special Use Permit usage fees. These groups may be required to secure a Special Use Permit depending on the activity as outlined in *Conditions Requiring Permit*, page 1. The following individuals or groups may be exempt from paying usage fees:

- Schools and other non fee based groups using Metro parks, natural areas and cemeteries for educational field trips within the specified group size limit. See table on page 4. If your group exceeds the specified group size limit, usage fees apply.
- Individuals, service groups or organizations whose activities will directly benefit Metro.
- Groups whose activity or use fall under the conditions of a Special Use Permit but have already paid for a reservable picnic or group camp area.
- Individuals or groups conducting biological research or scientific collection activities (not including harvesting of biological materials for personal or commercial use).
- Agencies or organizations providing a public safety benefit and/or conducting a training exercise that benefits the public (i.e. military, law enforcement).

All groups or individuals exempt from usage fees must still pay other fees where applicable. These may include, but are not limited to, picnic reservation fees, park vehicle fees and camping fees.

Criteria for Waivers and Reductions

Metro may reduce or waive Special Use Permit usage fees or additional fees based on the following criteria:

- Metro determines the activity to be an overriding public service, the activity is free and it will not have concessions or sales of any type.
- The activity is co-sponsored by Metro and a percentage of event proceeds go to Metro.
- The activity is produced by an outside group as a benefit for Metro's parks, natural areas or cemeteries with all or a portion of profits donated to Metro.
- Metro determines its interests will be best served by offering a reduction in the usage and/or additional fees.
- The individual or group meets the financial hardship criteria as established in the Metro Code 10.02.

Requests for fee reductions or waivers shall be submitted in writing to the Director or designee at the time the application is filed, or not less than 30 days prior to the activity date, whichever is greater. Organizations requesting fee waivers shall submit their request on the organization's official letterhead.

The following information must be included in the letter of request:

1. Name of the group or individual.
2. Park, natural area or cemetery to be used.
3. Description, date and time of the activity.
4. Expected attendance and number of vehicles.
5. Explanation of why the group should receive a fee waiver or reduction.

CONCESSIONS

Regulated Concessions

Concessions are regulated by Metro Code. Concessions are defined as any goods or services that are offered to the public for sale or fee for consumption, entertainment or recreation purposes on Metro parks, natural areas and cemeteries.

Generally, concessions (i.e. food, beverages, amusement, etc.) are allowed only under a Catering/Amusement Permit with Metro.

Third Party Concessions

In cases when the Permittee has hired concession vendors to provide a service for an activity then the concessionaire must operate under the terms and conditions of the Special Use Permit issued to the Permittee.

INSURANCE, TERMS OF COVERAGE, INDEMNIFICATION

Requirements

Certain activities and uses authorized by Special Use Permit are required to have commercial general liability (hereafter liability) insurance coverage extending over the term of the permit. Metro reserves the right, on a case-by-case basis, to assess the potential liability and risk and determine whether liability insurance coverage will be required for any use or activity that is authorized under a Special Use Permit.

The following activities and uses require liability insurance:

- Any organized activity or gathering involving 51 or more people.
- Events, festivals and organized sports activities.
- Use of equipment, animals or other devices posing a public safety or property damage risk.
- Concession or other business services.
- Serving or sale of alcohol as outlined in Metro Code 10.01.
- Other uses or activities that Metro determines represent significant or probable public safety or property damage risk.

Exemptions

Some regulated uses or activities are exempt from liability insurance coverage. In Metro's opinion, these uses or activities must have a level of risk similar to normal or traditional park uses or which have minimal risk potential for personal safety or property damage.

Permittees whose activities or use are exempt from liability insurance are still responsible for the liability and risk presented by the regulated use or activity.

Specific uses and activities that are exempt from liability insurance coverage are:

- Organized activities or gatherings of less than 250 people that do not include any uses or activities requiring insurance coverage as defined in this section
- Educational activities
- Site restoration and monitoring
- Biological research and scientific collection

Terms of Coverage

The liability insurance must be evidenced by a certificate or policy of insurance. The certificate or policy of insurance must be presented to Metro prior to the activity or event date.

Organizations that are self insured must provide a certification of insurance to Metro stating the organization's self insured status and its insurance limit terms. Commercial general liability insurance must meet the following requirements:

- Coverage for all the Permittee's activities, including volunteers, arising out of the use or activity. The Commercial General Liability coverage includes bodily injury, property damage and personal injury with automatic coverage for premises, operations and product liability.
- Coverage shall be a minimum of \$1,000,000 for each occurrence. If coverage is written with an annual aggregate limit, the aggregate limit shall not be less than \$1,000,000.
- The certificate or policy will name Metro as an additional insured. Permit holder will provide Metro thirty (30) days advance notice of any material change or cancellation. The following wording is required:
 - Metro and its council, members, officers, agents and employees shall be named as an additional insured.
- Policy effective dates cover Special Use Permit dates.
- All insurance changes and requirements are the responsibility of permit holder and are to be initiated by permit holder's insurance agent.

Indemnification

The Permittee must agree to defend, indemnify and hold harmless Metro and their elected or appointed officials, employees and or agents from and against any and all claims for liability, property damage, personal injury or death, and any cost or expense which are related in any way to the activities authorized by or conducted pursuant to the permit including but not limited to the acts of employees, agencies and invitees of the Permittee entering the site with the express or implied permission of the Permittee.

The Permittee must agree to protect the site or structure against any damage, agreeing to repair, restore and/or replace at own cost to complete satisfaction of Metro. If this is not done within the number of days specified in the permit, Metro is authorized to complete the restoration work and deduct the costs from the security deposit or bond or charge back restoration costs to Permittee.

The Permittee agrees to comply with Title 10 of the Metro Code, and the Special Use Permit policies, procedures and conditions.

ALCOHOL

Alcohol use at Metro parks, natural areas and cemeteries is regulated by Metro Code 10.01.200. An alcohol permit must be secured for alcohol use or sales associated with regulated activity or use. Alcohol use is limited to beer and wine only. Alcohol may be allowed in restricted areas of parks, natural areas and cemeteries when associated with a Special Use Permit.

Any vendor selling alcohol must be duly licensed by the OLCC and will be required to provide insurance coverage as outlined in the previous section, *Insurance, Terms of Coverage, Indemnification*. Permission to serve alcohol is subject to all OLCC rules, regulations and requirements.

Fees for Alcohol Permits issued as part of a Special Use Permit are found in *Alcohol Permit Fees*, page 6.

USE OF METRO NAME

Permitted activities that will be promoted via advertising or other means shall include the name 'Metro' after the park or facility name when the location of the activity is being described (example: *Graham Oaks Nature Park, Metro*).

ADDITIONAL LAWS, ORDINANCES AND PERMITS

All regulated activities are required to comply with applicable state and local building, electrical, noise, sanitation, health, fire and mass gathering codes, rules and ordinances. Any additional permits required by other agencies are the responsibility of the Permittee and shall be obtained prior to the beginning of the activity.

SITE PLANS, MONITORING AND UTILITIES

Site Plans

Certain activities granted by Special Use Permit may require site plans. A site plan must be submitted no less than 30 days before the activity or event date.

Site plans are necessary for any of the following conditions:

- Events or activities where restoration, plant materials collection, or site alterations are to be made or could potentially occur.
- Spectator, competitive or contestant events or activities.
- Events or activities where entry or admission fees will be charged.
- Events or activities where concessions, fencing, canopies or other props or appurtenances are to be used.
- Activities or events which pose potential safety hazards to participants, the public or park resources or property.
- Any other activity or event the Director or designee deems necessary to protect Metro's and/or the public's interest.

At minimum, a site plan must contain the following:

- A map of the site showing key features of the activity or event including but not limited to, access points, walkways, fire escape routes, fences, main activity area, vehicle parking, locations of tents and booths, equipment, registration area, concessions, restrooms and security.
- An activity or event agenda, which includes timeframes for set-up and take-down, a list of and timeframes for the primary activities, and any other relevant components where movement of equipment, goods or people will occur.

An on-site meeting with a Metro representative may be required prior to the event or activity for permits requiring site plans as outlined above. More than one on-site meeting may be required. The on-site meeting shall review permit terms and conditions, event activities, proposed set-up and break-down of the event, and any other issues deemed relevant.

Site monitoring

Any activity which has the potential of site damage or alteration may have a mandatory walk through prior to and after the event by a designated Metro official. The walk through will determine the condition of the site prior to the event and immediately following the event to note post event conditions. If there is any damage which has not been repaired or alterations which have not been returned to original condition, these shall be noted and discussed with the Permittee to determine the action to be taken.

Metro may require an on-site monitor during the permitted activity period. Metro will designate a staff representative to be the on-site monitor. The Metro representative shall have decision authority within the parameters of the terms and conditions of the permit.

The permit holder is responsible to pay for monitor costs. Monitor costs are explained in *Event Monitoring Fees*, page 6.

Utility Services

Electricity

Some established regional parks have limited electrical access. Electrical access is primarily only available at group shelters and picnic areas. Permittees should be advised about the availability of electrical service. Permittees with large electrical demands and/or events that require electricity away from existing outlets must provide their own generators and cables.

Natural area properties and cemeteries do not have electricity. Power needs must be provided by the Permittee.

Water

In some of Metro's developed parks, water is available at various locations, which may include sinks at reservable picnic shelters. Natural area properties, cemeteries and some developed parks do not have potable water. Water must be provided by the Permittee, and auxiliary water devices must be pre-approved by Metro.

Restrooms

A limited number of restroom facilities are available for events. Where projected attendance exceeds the capacity of existing restroom facilities, Permittee shall provide additional portable toilets at their own expense. The acceptable ratio of portable toilets to people is 1:100.

The Permittee is responsible for all cleaning, pumping and maintenance of sanitary conditions of portable restrooms throughout the event or activity.

Portable restrooms shall be delivered and picked up the same day as the event, unless other arrangements have been made prior to the event. Any damage to the portable facility is the responsibility of the Permittee and any damage to the site resulting from the installation, removal or storage of the unit on site is also the responsibility of the Permittee.

Garbage

At all Metro facilities, the Permittee is responsible for keeping their area free of litter and garbage and for the proper disposal of garbage from their activity or event. Disposal means placing garbage in appropriate trash receptacles and emptying receptacles when full.

At developed parks and facilities, Metro will provide garbage removal service at no additional cost for events or activities having less than 250 people. When events or activities exceed 250 people, the Permittee must provide supplemental trash and recycling receptacles at their own expense.

Metro natural area properties and cemeteries have no waste receptacles or services. The Permittee will be required to legally dispose and remove off-site all garbage and recycling generated by the event.

SITE ACCESS

Public Access

- General public access to and within Metro's developed parks and facilities must be maintained during events and activities unless otherwise provided for in the Special Use Permit.
- Service and emergency evacuation roads shall be open and unobstructed at all times.
- Park roads must remain unobstructed unless restricted access is specifically designated as part of the permit.
- Metro's natural area properties may not have developed public access. On these lands, the interim access plans will define appropriate public use.

Fencing

- Fencing for events and activities must be provided by the Permittee.
- Fencing may not block access or use of areas which have been reserved for use by other groups.
- If the Permittee requests placement of fencing which may block use or access to reservable areas, the Permittee may be required to pay the reservation fee for this privilege.
- All fences used should be self supporting. If stakes are necessary, stake locations must be indicated in the site plan and approved by the Metro representative and local fire marshal.
- Fencing may be erected up to 48 hours prior to opening of the event, and must be removed within 24 hours of the closing of the event.
- Permittees may be charged for fencing installed before or left beyond the conditions of the permit.

Vehicles and Parking

- Vehicles are allowed to travel only on designated roads within the park, natural area and cemetery boundaries. Service roads may be used on a temporary basis as a condition of the permit and must not obstruct or prevent staff from performing their normal work functions.
- Vehicles may not park in unauthorized areas or obstruct roadways or vehicular traffic unless provided for in the Special Use Permit. Unauthorized parking or obstruction may result in the vehicle being towed at owner's expense.
- If the activity or event necessitates travel across a turfed area not designated for vehicle traffic, permission must be obtained as a condition of the permit.
- Vehicles will obey posted speed limits. In areas where no speed limits are posted, vehicle speed will not exceed 20 MPH.
- The Permittee may be required to pay for and provide parking services for events or activities where the volume of vehicles is expected to exceed the capacity of park personnel to manage.
- Citations may be issued for any vehicle use or parking infraction.

Gates, Locks and Keys

Entry into select parks and facilities with locking entrance gates will be controlled by Metro employees. Event or activity set-up and take-down and event operation at these locations must occur during park operating hours. If the Permittee requires access outside of park operating hours, a Metro employee will be made available to open and close the gate. In such cases, the Permittee will be billed for employee costs, including travel time, at 1.5 times the Metro employee's overtime rate.

Most of Metro's natural areas and cemeteries and some developed parks are unstaffed. If the Permittee requires access to these sites, Metro will determine whether staff will provide access or whether the Permittee will receive a key for access. Metro will base its decision on site location, sensitivity of the resource, and other issues deemed relevant. Considerations will also be based on whether access occurs outside of normal business hours, the location of the site being accessed, the amount of time required by Metro staff, and other relevant factors. Additional staff fees shall apply.

Set-up and Take-down

Set-up and take-down coordination and labor is the responsibility of the Permittee. Adequate time must be included in the permit for set-up and take-down before and after the event. Metro reserves the right to order the removal of equipment that is set up prior to the agreed-upon set-up and after the agreed-upon take-down date. In lieu of equipment removal, Metro may impose additional fees. Each additional day beyond the agreed upon start and ending dates will be charged the appropriate additional daily fees.

Security and Safety

The Permittee is responsible for providing and paying for adequate security for the event. The level of security necessary for the assurance of public safety will be determined by Metro. Security requirements will be included in the permit provisions. Security issues and concerns will be discussed with the Metro representative during a pre-event meeting. Metro may require the Permittee to arrange and pay for on-site first aid response depending on the nature of the event or activity, location, and expected number of participants.

ADA Compliance

The Permittee must comply with all ADA (Americans with Disability Act) guidelines regarding public events and activities granted by a Special Use Permit.

FILMING AND PHOTOGRAPHY

Special considerations and requirements relative to filming (film and video) and still photography use on Metro parks, natural areas and cemeteries are described in this section. The Permittee must comply with the general guidelines, policies and other requirements set forth in this guide.

Film and photography requiring a Special Use Permit

Filming and photography at Metro parks, natural areas, and cemeteries require a Special Use Permit when any of the following conditions apply:

- Film or video is intended for use as a feature film or movie, documentary or television commercial.
- The film or photos will be offered for sale.
- The film or photos feature a commercial product or service.
- The film or photos will be used to promote a cause or are political in nature.
- The filming and photography activities that may disrupt or adversely affect Metro visitors and/or staff activities.
- The production lasts for more than a half day including time to scope the site.

Film and photography requiring a Location Agreement

Filming and photography in Metro parks, natural areas and cemeteries with more than 10 people on site require a Location Agreement; please contact Metro directly to inquire at 503-665-4995.

Use of Metro's brand

The portrayal or employment of Metro personnel and use of the Metro uniforms, facilities, or any other depiction must be approved by Metro.

Acknowledgement

Metro and the filming location shall be acknowledged in screen credits.

Film and photography Fees

Usage fees for filming and photography are outlined in the table on page 4. If filming or photography runs over the time approved in the permit or agreement, Metro will charge for the additional use. The fee will be the rate most applicable as defined in the usage fee schedule. Metro will bill the Permittee for the overage fee under separate invoice.

Site Scoping

The production company or other designated representative may contact Metro prior to submitting an application for a *brief discussion* about the type of location desired and the activity or effect to be captured on film. Metro may suggest areas which it believes will fit with the production company's goals.

If the proposed activities are incompatible with Metro’s management plan or other policies, then Metro will suggest another location.

No preliminary, on-site, scoping or other meetings will be held without receipt of the application and payment of the application fee.

Site Considerations

A site plan may be required for filming and photography. The site plan must list the number of people that will be involved on location, a schedule of times, dates and location of operations, list all equipment, chemical and other hazardous materials that will be on location, animals to be used, and other special requests. A script or story board and a written description of the film project must also be included with the site plan.

Film Monitors

The Permittee may be required to have a Metro representative to act as a monitor during filming. The monitor will act as the authorized representative in approving or disapproving proposals which occur during filming and will also have the authority to suspend activities for noncompliance.

If Metro provides an event monitor, Metro will charge the Permittee a monitor fee as part of the Special Use Permit or Location Agreement. This fee will be based on an estimate of staff time and other expenses during the production. If staff time or expenses exceed estimated costs, the Permittee will be billed for the remainder after the production is complete. The monitor fee is detailed in *Event Monitoring Fees*, page 6.

Fire and Special Effects

The use of special effects, explosions, pyrotechnic devices or other fire-related activities must be approved by Metro prior to filming. Metro reserves the right to deny or change the use of any fire or special effects to protect public safety and/or parks, natural areas, cemeteries and facilities and property or for such other reasons deemed applicable.

A fire plan may be required as part of the Special Use Permit or Location Agreement and the Permittee must comply with the fire plan provisions during all phases of filming. During periods of high fire danger, additional fire monitors may be required, or fire related activities may be prohibited. The Permittee may be required to provide, at their expense, fire monitors, fire equipment, water trucks, and other fire safety equipment as designated.

Metro Resolution No. 11-4262A prohibits the use of all tobacco products and smoking devices at all Metro facilities.

Animals

Except for “Service Animals” as defined by ORS 346.610, pets, exotic and domestic animals are prohibited in Metro’s parks, natural areas and cemeteries. These animals may be allowed on Metro parks, natural areas and cemeteries as part of the filming or photography event with approval in the Special Use Permit or Location Agreement.

The Permittee will comply with all federal, state and local regulations related to wild and exotic animal treatment, care and handling. The Permittee will treat all animals under its management in a humane and respectful manner.

Animals must be kept safely contained at all times while not being filmed. The Permittee will provide trained handlers at all times with animals approved under the Special Use Permit or Location Agreement.

Filming in Cemeteries

Because Metro's historic cemeteries still provide burial services to the community, it is the expectation that care and consideration for the respect of the deceased and their families be taken seriously at all times when filming in Metro's cemeteries. Please read and understand the following requirements if you wish to film in one of Metro's cemeteries:

- Burials in Metro's cemeteries take precedence over the special use. Activities in these agreements must work around the burial service. Metro will work with the production company to keep them informed of any Metro cemetery customer in need of a burial service at the time of the film production.
- The Permittee may not open or dig in the cemetery ground.
- To prevent conflicts with grieving families the Permittee is required to modify, mask and/or omit the names on headstones of the deceased for deaths within the past 50 years.
- The Permittee must take care and precaution when filming in and around upright monuments that exceed 4 feet in height.

Film Schedules

In developed parks, filming may be restricted on weekends during peak season (May through October), between 5:00 p.m. Fridays until 6:00 a.m. Mondays, or when other large events have been permitted. Filming may also be restricted during hours when parks are closed, which is generally at legal sunset. Filming may also not be allowed on legal holidays.

If night filming is allowed, the Permittee must abide by and obtain permits for all local noise and light ordinances for activities at night. If filming occurs near Oxbow Park's campground between 10:00 p.m. and 6:00 a.m., the Permittee shall take care in not disturbing campers with noise, lights or any other filming related activity. Metro staff is required to be on site for all night time filming activities. Additional staff fees shall apply.

Metro will determine, at its discretion, whether breaks in the filming schedule are necessary for the benefit of wildlife.

RESOURCE PROTECTION

Management Objectives

Metro manages its parks, natural areas and cemeteries under the principle of *"highest and best use."*

The highest and best use of Metro parks, natural areas and cemeteries are defined as *"balancing protection of natural resources, wildlife and botanical diversity with providing opportunities for natural-resource based recreation."*

A regulated use which may adversely impact the highest and best use of Metro parks, natural areas and cemeteries will be taken into account when determining whether a permit will be granted or denied.

Resource Protection Regulations

Metro parks, natural areas and cemeteries are protected under Metro Code Title 10. The Permittee will comply with all Title 10 rules and regulations and Special Use Permit conditions to protect park, natural area and cemetery resources.



Metro | *Plant Materials Collection Policy*

Background

There has been a steady demand for the collection of seed and plant material on Metro lands. Management of wildland seed resources is an important component of ecosystem based resource management that benefits both Metro and the public. These benefits include complementing other resource programs managed by local municipalities and contributing to the economic stability and wellbeing of local communities.

Policy

1. Metro is committed to supporting native seed producers and encourages partners to first explore the commercial market to meet their needs.
2. Metro's first obligation is to ensure that we have seed from our sites for projects on our sites. In years when we have special projects (prescribed fire etc.) we may not allow collection at certain sites. Annual seed production is uneven and we often do not know what will be available until shortly before it is ready. Some plants on Metro sites are from seed we purchased and will not meet "local source" requirements.
3. Seeds are a public resource and we want their use to provide a public benefit. Such benefit may certainly include a private nursery producing the species in question for sale to restoration practitioners.
4. Just as with any use of public property, we cannot subsidize private enterprise and are obliged to collect the full value of what it costs to provide oversight on collection.
5. We are interested in engaging partners on the issue of availability of diverse native seed and look forward to public-public and public-private partnerships to advance this effort.
6. Early notification about collection needs helps us plan better and accommodate your request.
7. Only hand powered collection of seed will be permitted.
8. Seed harvest will only be permitted for specific areas and acreages specified on a map included with the permit application.
9. An original permittee signed copy of the permit with specified provisions and a map will be maintained by the Metro Natural Areas Land Manager. A second copy of the permit, with all required attachments and signatures, must be in the possession of the permittee/harvester/collector while on site collecting or scouting seed and/or plant materials.
10. Permittees are required to keep a seed collection log listing materials collected by species, amounts and location.

Pricing Policy

The following methods will be used to determine fair market value of seeds.

1. Commercial or Personal Use permits will only be issued in 1 lb. increments by species or variety.
2. Cost of seed is determined on per pound basis as bulk or uncleaned/unprocessed seeds.
3. Minimum pricing for bulk seeds is set at 2.5 percent of the current average retail price for a cleaned and processed pound of certified seed of a particular species.
4. The following pricing will be used per bulk pound of collected material if a current average retail price cannot be established for a particular species:
 - a. Sedges - \$3.00/bulk pound
 - b. Forbes - \$3.00/bulk pound
 - c. Grasses - \$0.70/bulk pound
 - d. Shrubs - \$2.10/bulk pound

5. Every collection on Metro property will be supervised by the Native Plant Center Coordinator to ensure that collections are consistent with issued permits. Permittees will cover the cost of this supervision at \$35/hour.
6. Metro may make any unused seed that Metro collected for restoration projects and other business needs available to permittees who were denied collection of a particular species because of availability. Cleaned and processed seed for those species would be made available at current average retail prices.

Special use Permit Types:

Commercial Sales Definition:

Permittee is a for-profit entity (individual, partnership, corporation or otherwise) and is collecting plant materials to be used in any phase of a commercial or industrial operation. This includes direct or indirect sale(s), barter, trade or other forms of profit.

Personal Use Definition:

Vegetative materials collected (purchased) under the personal use permit is for use other than for sale, barter, trade, or obtaining a profit from the collected materials.

Free Use (includes Research and Education):

Applicants must meet certain criteria to obtain a free use permit. They must be a resident of the state of Oregon, a Federal or State governmental agency, municipality, or non-profit organization, a participant in an academic research project or education program from an accredited college or university. The free use materials may not be used for commercial or industrial purposes of resale. A non-profit organization may not receive more than \$100.00 worth of materials in any one calendar year.

Free use permits for vegetative materials will be issued to Native Americans for ceremonial purposes when requested and based upon availability. Quantities will be limited to the amount identified in the personal use section above.

Payment for commercial and personal permits is due no later than 30 days from the date of the invoice that will be based on the submission of the Collection Log. Failure to pay within this timeframe may result in the denial of future permit requests.

MAKING A GREAT PLACE



Thanks to voters, Metro is protecting clean water, clean air and healthy habitats for animals – and curious humans. Over the course of two bond measures, the region has preserved 13,000 acres of land and 100 miles of rivers and streams, opened three major nature parks, planted 2 million trees and shrubs, and supported hundreds of community projects.

Learn more:
www.oregonmetro.gov/naturalareas

Get in touch:
503-797-1545 or
naturalareas@oregonmetro.gov



Canemah Bluff Natural Area

Voters invest in nature

Metro's parks, natural areas get boost from levy

Voters in the Portland metropolitan area approved a five-year local option levy in May 2013 to care for Metro's growing portfolio of natural areas and regional parks. Oregonians value these special places, and the fish and wildlife that depend on them. Their investment will raise about \$10 million per year, allowing Metro to do an even better job restoring and managing its 16,000 acres across the region.

The levy will make a difference for most of the land Metro oversees. Planning is underway for a detailed list of projects that are coming during the next five years. Some are complex and will take several years to complete. Others are one-time actions that will be phased in.

Improvements will span the region, from western Washington County to eastern Multnomah County. They'll also span Metro's destinations, from developed parks and boat ramps that attract thousands of visitors each year to natural areas that are havens for wildlife.

The chief operating officer will approve a detailed work plan for each of the six areas receiving levy funds: natural area restoration and maintenance, natural area improvements for visitors, park maintenance and improvements, volunteer programs, conservation education and Nature in Neighborhoods community grants.

The Metro Council will approve a budget for first-year levy expenses by the end of June. Each year, Metro will produce a report to the public detailing the accomplishments and expenses of the levy program.





Improvements on the way

The levy will fund improvements at Metro parks and natural areas across the region. Check out a few of the sites that will get makeovers for plants, animals and human visitors.



Chehalem Ridge Natural Area



Newell Creek Canyon



Oxbow Regional Park



Mason Hill Park

LEVY INVESTMENTS

Six program areas have been identified for levy funding

NATURAL AREA RESTORATION AND MAINTENANCE

Large-scale, intensive restoration projects will significantly improve the health of the highest-priority habitats. Smaller restoration projects will enhance ecological function at a variety of sites. And natural area maintenance across Metro's properties will help control invasive species and give native plantings a chance to thrive.

CONTACT: Jonathan Soll, jonathan.soll@oregonmetro.gov or 503-797-1727

NATURAL AREA IMPROVEMENTS FOR VISITORS

A number of natural areas will receive low-impact, low-cost improvements that make them safer and easier to visit. Hiking and walking opportunities will be a focal point.

CONTACT: Janet Bebb, janet.bebb@oregonmetro.gov or 503-797-1876

PARK MAINTENANCE AND IMPROVEMENTS

Capital improvements such as new restrooms, playgrounds and parking will enhance Metro's developed parks, which attract more than 1.3 million visitors every year.

CONTACT: Justin Patterson, justin.patterson@oregonmetro.gov or 503-797-1886

VOLUNTEER PROGRAMS

Volunteer resources will be expanded to support opportunities for meaningful community engagement across all programs funded by the levy.

CONTACT: Dan Moeller, dan.moeller@oregonmetro.gov or 503-797-1819

CONSERVATION EDUCATION

Metro will expand classes and exhibits that help people learn from regional parks and natural areas. New opportunities will be developed for youth, including skill-building programs focused on underserved communities.

CONTACT: John Sheehan, john.sheehan@oregonmetro.gov or 503-972-8542

NATURE IN NEIGHBORHOODS COMMUNITY GRANTS

The Nature in Neighborhoods restoration and enhancement grant program will expand, supporting habitat restoration, conservation education and other projects that connect people with nature close to home. Since launching the program in 2006, Metro has funded nearly 100 community projects across the region.

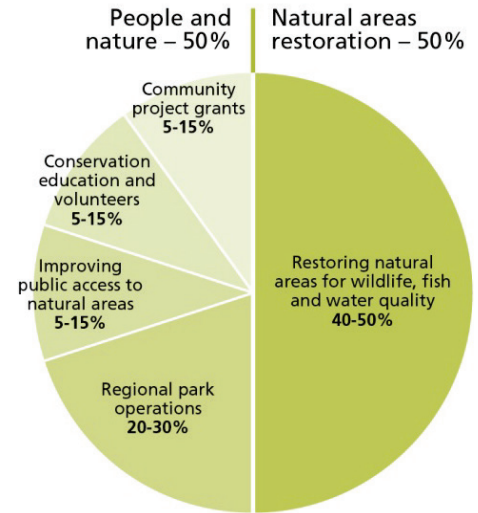
CONTACT: Heather Nelson Kent, heather.kent@oregonmetro.gov or 503-797-1739

For information about job opportunities, visit www.oregonmetro.gov/jobs

For information about contracting opportunities, visit www.oregonmetro.gov/contracts

Where levy funds will go

All percentages are approximate



Steady progress

A report to the community from the Natural Areas Program Performance Oversight Committee

The Natural Areas Program continued to make steady progress during the last year, building on the strong work accomplished since the program began.

Portland area voters expressed the value they place on natural areas when in 2006 they passed the \$227.4 million bond measure that funds Metro's Natural Areas Program. As mandated by the bond measure, the Natural Areas Program Performance Oversight Committee provides independent citizen review to help ensure this money is well spent. Our charge is to determine if the program is on the right path in terms of structure, management, expenditures, personnel and achievement of defined goals. This is our fifth annual report to the Metro Council and the community, presenting our findings on how the program has progressed during the period from July 2012 through June 2013.

"Progress" can be defined as movement forward toward a goal or as satisfactory development, growth or advance. With this definition in mind, the Oversight Committee believes the Natural Areas Program continued to make steady progress over the last year, building on the strong work accomplished since the program began:

- Program expenditures through June 2013 total approximately \$162 million, about 71 percent of the total bond measure amount.
- Regional acquisitions, local share projects and Nature in Neighborhoods capital grants are on track to fulfill the intent and goals of the bond measure.
- Sound management and staffing, effective tools and appropriate evaluation processes are working well.

Highlights of the program status and accomplishments are presented on the following pages. We also make recommendations we will follow up on during the next year to ensure the ongoing success of the program.

As designated in the 2006 bond measure, Metro's Natural Areas Program acquires and preserves natural areas throughout the Portland metropolitan region to safeguard water quality, protect fish and wildlife habitat and ensure access to nature for future generations. The program has three components:

- Regional acquisition: The acquisition of 3,500-4,500 acres from willing sellers in 27 target areas (\$168.4 million).
- Local share: \$44 million allocated to local governments for park improvement projects and locally important acquisitions.
- Nature in Neighborhoods capital grants: \$15 million for grants to community groups, nonprofits and local governments for projects that "re-green" or "re-nature" neighborhoods.



Metro has created a program that has steadily grown to protect the best of our region's open spaces for the future.

—Drake Butsch, committee chair

REGIONAL ACQUISITION

The Oversight Committee continues at each meeting to review dashboard reports that provide useful information about acquisitions in each of the 27 target areas (20 natural areas and seven trail/greenway corridors). These reports show that:

- This year, Metro acquired 377 acres of natural areas. Acquisitions to date total 4,313 acres, exceeding the overall goal of 3,546 acres.
- Metro has acquired 274 acres of trails and greenway corridors. Several of these acquisitions will help fill missing sections in trail networks throughout the region.
- Total expenditures for regional acquisition to date are \$120.6 million, about 72 percent of the \$168.4 million allocated in the 2006 bond measure.
- The performance measures applied to all acquisitions indicate that the program is on track in terms of achieving water quality, wildlife habitat, public and financial benefits.
- There are still some target areas where few acquisitions have been made. Metro continually monitors these areas to identify and pursue acquisition opportunities.

Based on this information, the committee is satisfied with the progress of regional acquisition.

The committee recommended last year that staff should apply the performance measures to all target areas as a whole to obtain a composite picture of program performance and benefits. With more consideration, however, staff and the committee determined that the results would be too general to be of use. Instead, staff will continue to apply the performance measures to individual target areas to assess the cumulative effects of multiple acquisitions within each area.

Recommendations

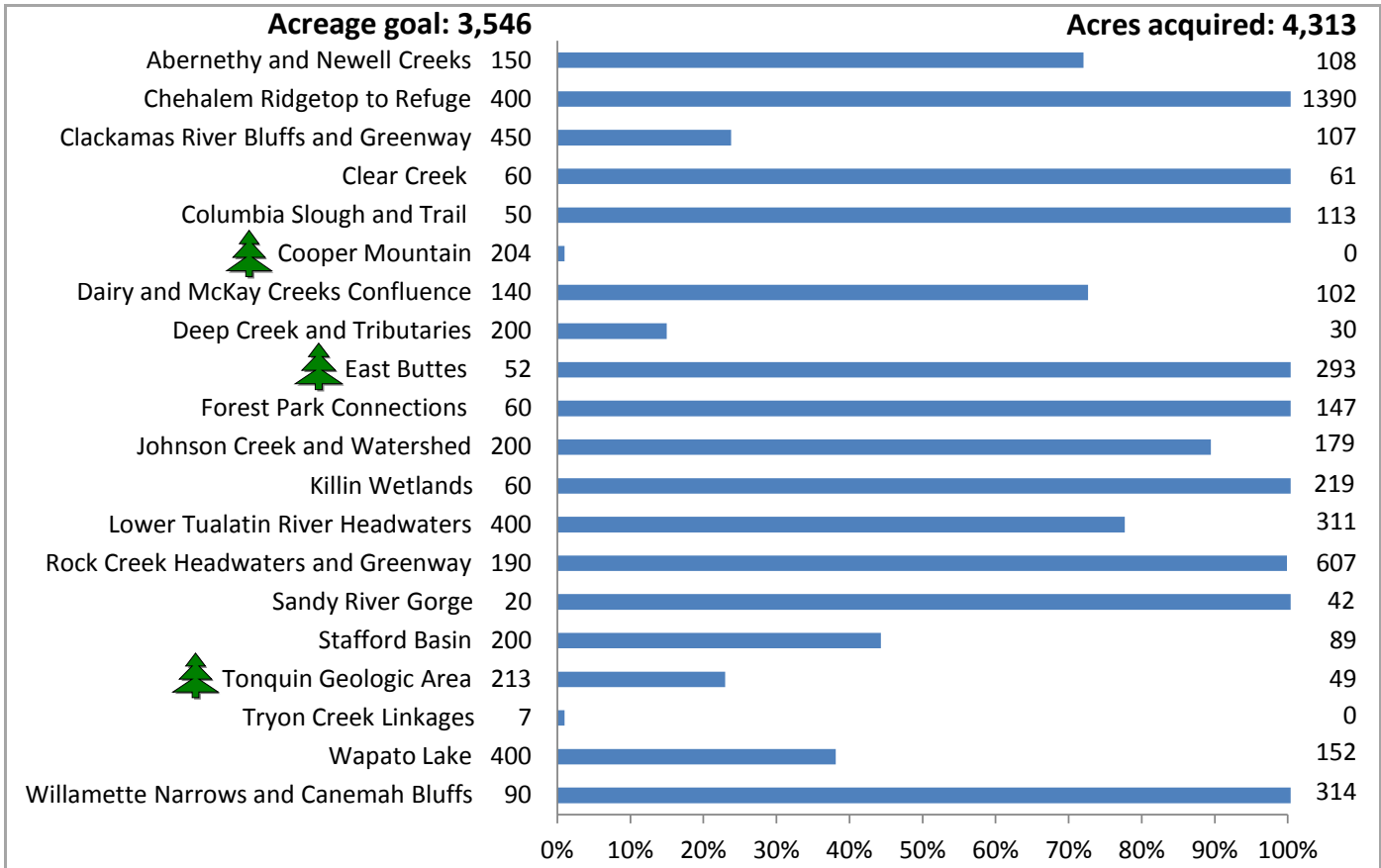
- Staff and the Oversight Committee should continue to track progress in target areas where few acquisitions have been made to date.
- The Oversight Committee should assess the process for evaluating acquisition opportunities outside of target areas.

OVERSIGHT COMMITTEE MEMBERS

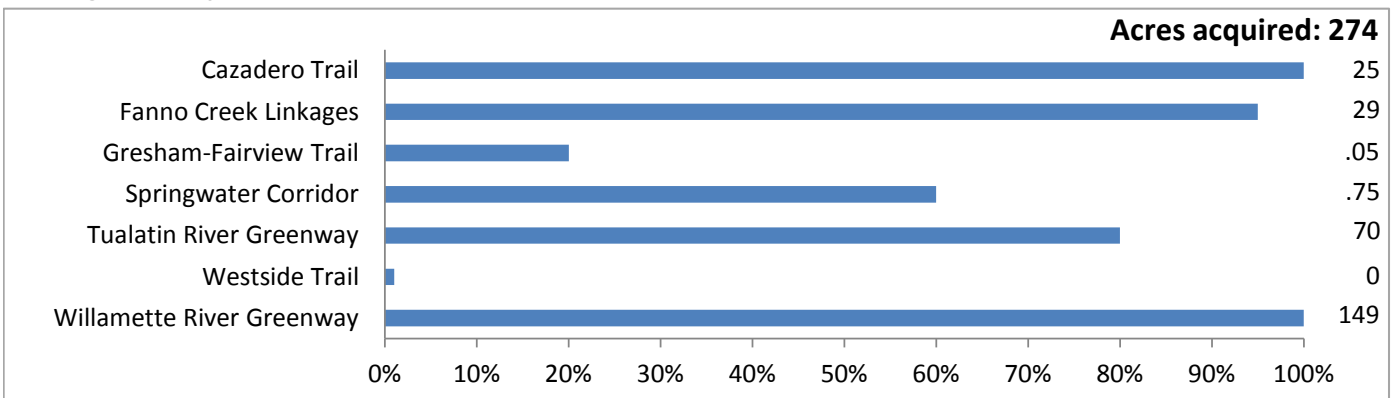
Drake Butsch	Builder's Services Manager/VP, First American Title
Dean Alterman	Attorney, Folawn, Alterman & Richardson LLP
Michelle Cairo	Chief Financial Officer, Opus Solutions
Bill Drew	Attorney, Elliott, Ostrander & Preston, PC
Christine Dupres	Project Manager, National Policy Concensus Center
Autumn Hickman	Senior Vice President, Umpqua Bank
Walt McMonies	Attorney, Roberts Kaplan LLP
Rick Mishaga	Wildlife Ecologist, Environmental Consultant (Retired)
Peter D. Mohr	Attorney, Jordan Ramis PC
Shawn Narancich	Vice President of Research, Ferguson Wellman Capital Management
Andrew Nordby	Principal Broker, GRI, SRES, Re/Max Equity Group
Norman Penner	Lt. Col., MSC Retired; Board Member, Friends of the Tualatin Refuge and Washington County Visitors Association
Kendra Smith	Willamette Watershed Program Director, Bonneville Environmental Foundation
Cam Turner	Principal, United Fund Investors

DASHBOARD REPORT HIGHLIGHTS June 30, 2013

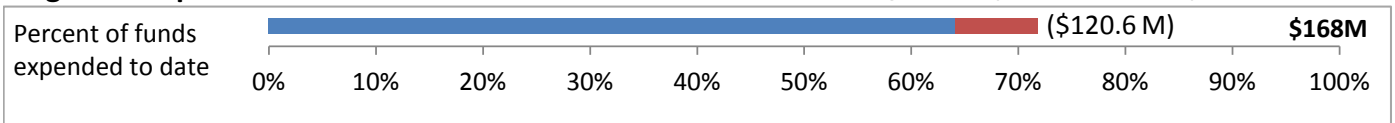
Natural area acquisition  **Park built**  **Percent of 2006 refinement plan acreage goals met or exceeded**



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



Regional acquisition  **Regional acquisition funds expended through 6/30/12**  **Regional acquisition funds expended FY 2013**



LOCAL SHARE

This year, local jurisdictions expended \$5.6 million for local share projects. To date, local jurisdictions have expended \$36.6 million for local share projects, representing 83 percent of the total \$44 million allocated to this program component. This comprises a total of 93 acquisitions, 45 park improvement projects and nine trail enhancements.

In response to the committee's recommendation last year to develop performance measures for local share projects, staff created a new summary report that combines quantitative and qualitative information about this program component. The committee reviews an updated report at every meeting and believes the reports serve as an appropriate evaluation tool in lieu of performance measures.

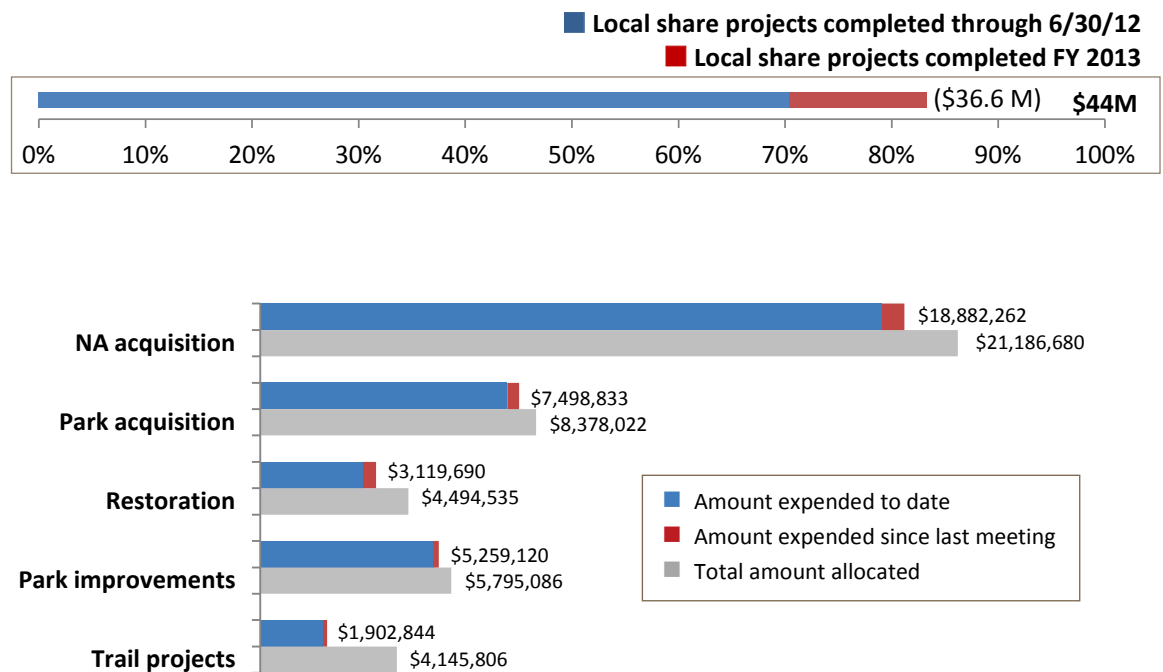
Staff also conducted a survey in summer 2012 to help evaluate program performance and benefits to local communities. The survey results show that both the program and Metro are well regarded by the participating agencies and that many examples of successful leverage and partnerships have occurred.

The Oversight Committee agrees that the local share component is progressing satisfactorily.

Recommendation

- The Oversight Committee should continue to monitor expenditures within the local share program via the summary report.

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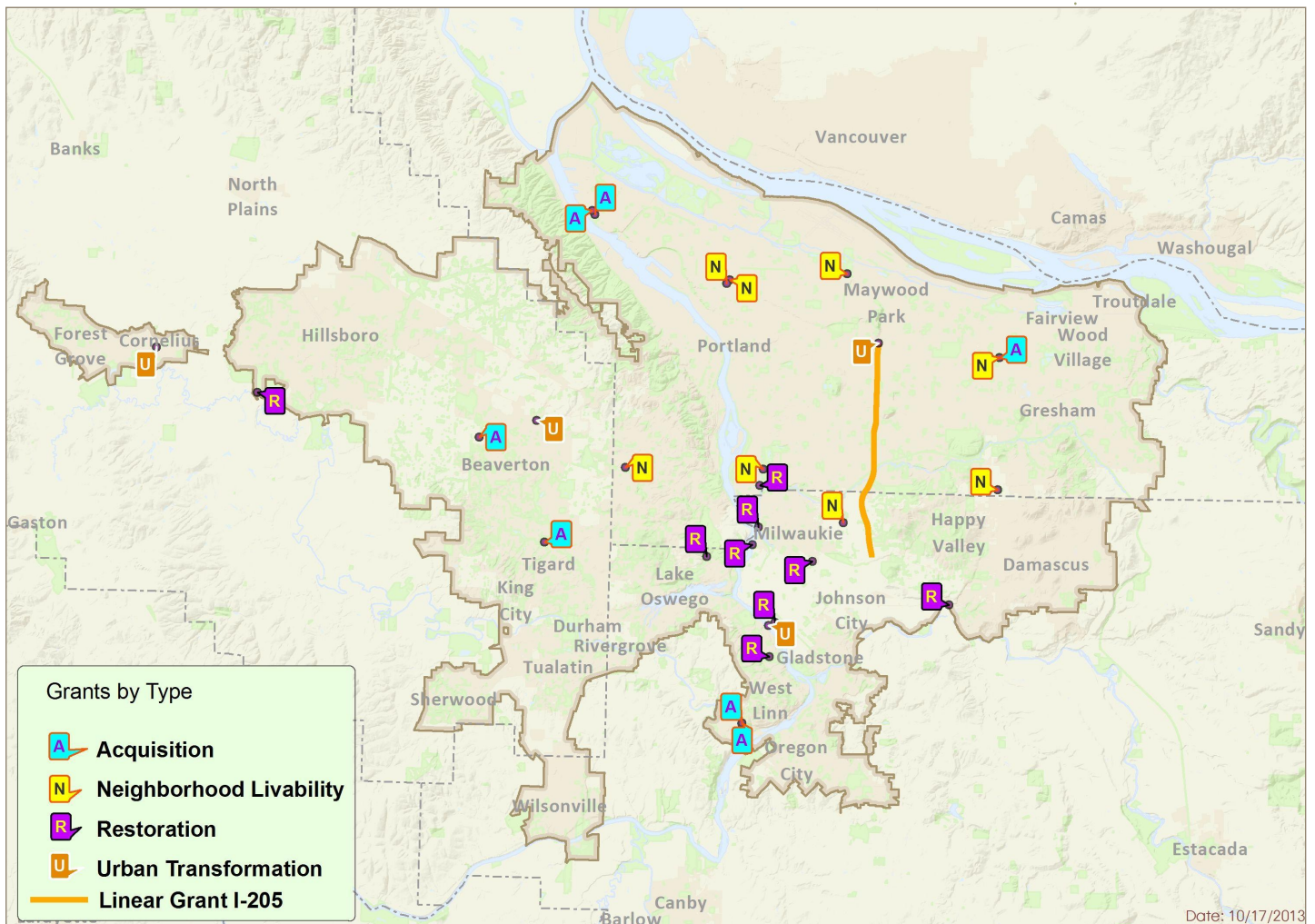
NATURE IN NEIGHBORHOODS CAPITAL GRANTS

Metro awarded four capital grants this year, bringing the total number of projects to 28.

Total grants to date add up to \$7.5 million, representing 50 percent of the \$15 million allocated to this program component.

As the map below shows, grant projects are located throughout the region and comprise four project categories: land acquisition, urban transformation, restoration and neighborhood livability. Staff continues to conduct comprehensive outreach and work with applicants to facilitate projects in underserved communities.

CAPITAL GRANTS BY TYPE OF PROJECT AWARDED



The capital grants program was designed to stimulate innovation by encouraging new agency/community partnerships and allowing a variety of matching funding sources. This approach has been borne out by the success of projects that would likely otherwise not have occurred. For example, Friends of Trees and the Oregon Department of Transportation recently completed a three-year planting project along the Interstate 205 pedestrian path, which serves as a model for other roadside landscaping projects.

The Oversight Committee is kept apprised of this program component through a new capital grants summary report developed by staff and through periodic briefings

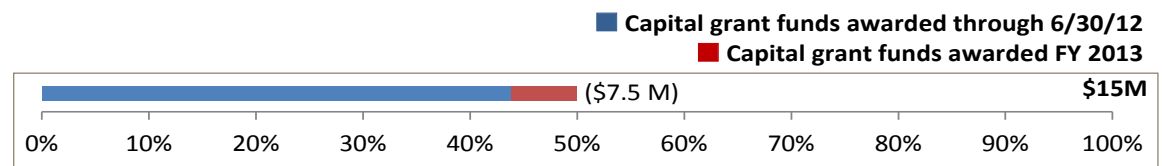
by the chair of the Capital Grants Review Committee. Performance measures, grant review reports and closing memos also continue to serve as tracking and evaluation tools.

The committee believes this program component has adequate tools in place, is demonstrating advantageous flexibility and innovation, and is on track to meet goals.

Recommendation

- The Oversight Committee should review the capital grants program and the selected projects following each award cycle.

DASHBOARD REPORT HIGHLIGHTS June 30, 2013



Project type	Number of projects	Amount awarded
Acquisition	7	\$2,937,681
Urban transformation	4	\$1,435,811
Restoration	9	\$1,734,304
Neighborhood livability	8	\$1,391,241
Total	28	\$7,499,037

Program staff are very receptive to the committee's concerns of how bond funds are used, providing members opportunity to both question and understand how and why certain commitments to acquisition and other programs have been made as they have. —Peter Mohr, committee member

OTHER OVERSIGHT COMMITTEE REVIEW

TERRAMET: NATURAL AREAS INFORMATION SYSTEM

The Terramet information system provides a single integrated database for the Natural Areas Program. Phase I has been in place since July 2012 and Phase II began implementation in July 2013. The system provides accurate, up-to-date information about each acquired property, tracks restoration and land management activities, and facilitates data access and reporting.

The Oversight Committee agrees with staff that Terramet enhances program management and efficiency and will result in long-term savings. The committee also supports Metro's exploration of whether other groups could also use Terramet's framework to realize potential regionwide savings and coordination.

ADMINISTRATIVE COSTS AND STAFFING

The committee reviewed Metro's cost allocation system, which is based on federal guidelines. With this system, central services costs (such as accounting, information services, human resources and general administration) are allocated among various Metro programs, based on program budgets and other factors. A new allocation method implemented in fiscal year 2012-13 included capital costs in the program budget totals for allocation purposes. As a result, the Natural Areas Program's overall administrative costs (as a percentage of total program expenditures) were higher this year than in previous years. The Oversight Committee expressed some concern about this result, while noting that administrative costs over the course of the program still average only 6.44 percent, well under the 10 percent limit required by the bond measure.

Last year, the program had turnover with three of its negotiators leaving Metro, which limited property acquisition. Other staffing levels appear to be adequate.

SITE STABILIZATION

Two years ago, the committee asked staff to make some changes in how acquired properties are stabilized to protect or improve site conditions. Staff reported this year that the revised guidelines, which emphasize each site's specific ecological characteristics and needs, are working very well.

UNUSUAL CIRCUMSTANCES

Staff informs the committee of any unusual circumstances in property transactions that must be authorized by the Metro Council. The committee found the three transactions brought to the Metro Council last year to be an appropriate use of this process. For example, one acquisition involved the unusual procedure of bidding on the steps of the Clackamas County courthouse and resulted in a very cost-effective acquisition. Staff also continues to update the committee on the status of the Blue Heron Co. paper mill property (within the Willamette River Greenway target area). Metro is a partner in a master planning process for the site and could consider acquiring a portion of it for public access at a later date.

"IT'S OUR NATURE" COMMUNICATIONS INITIATIVE

Metro conducted the "It's Our Nature" communications initiative in summer 2011 to engage and inform citizens about the Natural Areas Program. The intent was to undertake similar public outreach campaigns every two years. In light of the five-year parks and natural areas local option levy passed in 2013, however, Metro decided instead to conduct combined public outreach for the levy program and the Natural Areas Program in summer 2014.

About Metro

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy, and sustainable transportation and living choices for people and businesses in the region. Voters have asked Metro to help with the challenges and opportunities that affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to providing services, operating venues and making decisions about how the region grows. Metro works with communities to support a resilient economy, keep nature close by and respond to changing climate. Together, we're making a great place, now and for generations to come.

Stay in touch with news, stories and things to do.

www.oregonmetro.gov/connect

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Tom Hughes

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Craig Dirksen, District 3
Kathryn Harrington, District 4
Sam Chase, District 5
Bob Stacey, District 6

Auditor
Suzanne Flynn

Recommendations

- Metro staff should continue to pursue the potential use of Terramet by other regional groups.
- The Oversight Committee should review Metro's annual cost allocation method to ensure that it is equitable and that the program's administrative costs remain under 10 percent of program expenditures.
- The Oversight Committee should continue to monitor staff capacity to ensure it is adequate for program implementation.
- The Oversight Committee should continue to monitor the effectiveness of the site stabilization guidelines.
- The Oversight Committee should continue to monitor the application of unusual circumstances.

THE YEAR AHEAD

In the next year, the Oversight Committee will follow up on the recommendations made in this report and will review the Natural Areas Implementation Work Plan and opportunity acquisitions that arise outside of established target areas.

HOW TO LEARN MORE

We encourage you to learn more about Metro's Natural Areas Program and how you can be involved by visiting the Metro website.

We also welcome your feedback about what you would like to hear from us next year. Are there specific areas of concern or processes you think we should focus on? Please contact us with any ideas, suggestions or questions.

Website

www.oregonmetro.gov/naturalareas

Email

naturalareas@oregonmetro.gov

Phone

503-797-1545

For ongoing information, subscribe to GreenScene, Metro's quarterly guide to great places and green living.

www.oregonmetro.gov/greenscene

Smith and Bybee Wetlands Advisory Committee Meeting and Communications Plan

The Smith and Bybee Wetlands Advisory Committee will hold at least four meetings each year. The Committee may decide that additional meetings are necessary.

Meeting#1 (January) – The results of the yearly Special Work Session will be discussed. The Committee’s project priorities and funding strategies for the coming year will be finalized and presented to the Committee and Metro staff for discussion. (Note that grants each have their own schedule and will need to be coordinated with the Smith and Bybee Wetlands Fund for match. The Committee will be involved based on the timing of the grants which may not fit with the January funding meeting.)

The Metro Natural Areas land manager will present a Metro staffing update, organizational chart and Metro contact list to the Committee. The land manager will provide an update on proposed projects, permit requests or other changes that may affect the wetlands for discussion and comment from the Committee. The City of Portland and Port of Portland will provide general updates.

Meeting #2: (March) – The Metro scientist responsible for Smith and Bybee Wetlands will present a work plan for the coming field season and the Metro naturalist assigned to Smith and Bybee Wetlands will present a programming plan for the coming year. The committee will discuss the plans and provide feedback to Metro.

The Metro Natural Areas land manager will provide an update on proposed projects, permits or other changes that may affect the wetlands for comment from the Committee. The City of Portland and Port of Portland will provide general updates.

Meeting #3: (September) – The Metro scientist for Smith and Bybee Wetlands will present a summary of the work that was completed during the spring and summer field season and a “State of the Wetlands” report. The scientist will also present a draft work plan for next year’s restoration actions including what grant funding will be pursued. The Committee will discuss the plan and provide feedback to Metro.

The Metro land manager will update the committee on proposed projects, permits or other changes that may affect the wetlands for comment from the Committee.

Meeting#4: (November) – The Committee will conduct a Special Work Session to plan the Committee’s project and funding priorities for the coming year. The Committee will discuss any initiatives they’d like to pursue, assign roles and responsibilities and address other outstanding issues.