

Council work session agenda

Tuesday, January 30, 2018 **2:00 PM** **Metro Regional Center, Council Chamber**

2:00 **Call to Order and Roll Call**

2:05 **Chief Operating Officer Communication**

Work Session Topics:

2:10 2030 Regional Waste Plan's Draft Vision and Goals [18-4950](#)

Presenter(s): Matt Korot, Metro
 Marta McGuire, Metro

Attachments: [Work Session Worksheet](#)
 [2030 Draft Vision and Goals](#)

2:40 Metro Title 10 (Parks and Nature Rules) Update [18-4951](#)

Presenter(s): Dan Moeller, Metro
 Brian Kennedy, Metro
 Suzanne Piluso, Metro

Attachments: [Work Session Worksheet](#)
 [Draft Staff Report](#)

3:40 **Councilor Communication**

4:00 **Adjourn**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានកាតបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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2030 Regional Waste Plan's Draft Vision and Goals

Work Session Topics

Metro Council Work Session
Tuesday, January 23, 2018
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: Jan. 30, 2018

LENGTH: 30 minutes

PRESENTATION TITLE: 2030 Regional Waste Plan's Draft Vision and Goals

DEPARTMENT: Property and Environmental Services

PRESENTER(S): Marta McGuire, Principal Planner (ext. 1806) and Matt Korot, Resource Conservation and Recycling Program Director (ext.1760)

WORK SESSION PURPOSE & DESIRED OUTCOMES

1. **Purpose:** To present the draft vision and goals for the 2030 Regional Waste Plan for Council consideration (Attachment A).
2. **Outcomes:**
 1. Council endorsement of the proposed vision and goals.
 2. Council understanding of how the vision and goals work fits into the process for developing the 2030 Regional Waste Plan.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Metro initiated development of the 2030 Regional Waste Plan in March 2017 to fulfill its responsibility to plan, manage and oversee the regional solid waste system. The plan will be the greater Portland area's blueprint for managing and reducing the environmental impacts of goods consumed in the region, from production to disposal, from 2019 to 2030. From spring 2017 to fall 2018, Metro will work with communities around the region to develop this plan. The development of the plan is broken into five phases of work, with phase 2 coming to completion with this work session.



Phase 1

Phase 1 developed values and guiding principles to inform plan development and implementation. The concepts for the values are drawn from existing guidance, including regional, state and federal policies and plans regarding waste management, recycling, toxics and other related environmental programs. The values were further shaped through public surveys, community discussions with culturally specific organizations and the application of an equity lens.

To inform the values, Metro partnered with eight community-based organizations to co-organize, recruit for and facilitate discussions with community members on the garbage and recycling system. These groups were: North by Northeast Community Health Center, Trash for Peace,

Momentum Alliance, Constructing Hope, Rosewood Initiative, Centro Cultural, Immigrant and Refugee Community Organization, and the Environmental Professionals of Color group hosted by the Center for Diversity and the Environment.

In addition, Metro convened an ongoing Equity Work Group to review draft value concepts from an equity perspective. The work group met four times between May and June 2017 and, in addition to refining the values, developed a set of guiding principles. Members of the Equity Work Group are listed below.

Name	Affiliation
Rob Nathan	Individual; Referred by Coalition of Communities of Color
Emma Brennan	Oregon Tradeswomen, Inc.
Pa Vue	Individual; Referred by Asian Pacific American Network of Oregon
Marilou Carrera	Individual; Referred by Oregon Health Equity Alliance
Juan Carlos Gonzalez	Individual; Referred by Centro Cultural
Andre Bealer	National Association of Minority Contractors of Oregon
Tommy Jay Larracas	Individual; Referred by OPAL Environmental Justice Oregon

Following review by the Metro Policy Advisory Committee and Solid Waste Alternatives Advisory Committee, Metro Council endorsed the values and principles on August 1, 2017.

Phase 2

The purpose of phase 2 is to develop the vision and goals that will set the priorities for the garbage and recycling system for 2030. Building on community discussions held in the first phase, from August to December 2017 Metro conducted a series of engagements to inform the development of the vision and goals.

Planning workshop

In August 2017, Metro hosted a planning workshop with local government staff and Equity Work Group members to generate ideas for the future vision of the system.

During the workshop, participants considered the future of the garbage and recycling system. First, participants were asked to provide feedback on a future scenario that reflected where the region would be if we followed the current trajectory of existing plans and policies. Then, participants were asked to discuss where we would be in a more ambitious or transformational future informed by the plan values and principles.

Nine major themes emerged from these discussions: education, service, reuse and repair, healthy products, good jobs, local economy, operations, company responsibility and preparedness.

Each of these themes contained ideas for the vision of greater Portland's garbage and recycling system in the future. Metro used the input collected at the planning workshop, along with that collected through the community discussions held in Phase 1, to develop an online survey to gather broader input on the future vision of the garbage and recycling system.

Online Survey

The online interactive survey was released in September 2017 and asked participants to rank priorities for the regional garbage and recycling system

	<p>according to their preferences for the future.</p> <p>The survey was distributed electronically through email, social media and Metro’s website. In addition, postcards were handed out at Metro facilities and callers to the Recycling Information Center were invited to take the survey. Individuals who participated in the community discussion groups were also asked to take the survey. Nearly 4,000 individuals participated in the survey over the course of two months. The survey results were compiled to share at the leadership forums described below and to inform the vision, goals and actions in the plan.</p>
Leadership Forum Series	<p>In October 2017, Metro co-hosted three leadership forums at locations around the Portland area with Immigrant and Refugee Community Organization, Rosewood Initiative and Centro Cultural, respectively. Local elected officials, business representatives and Metro councilors connected with community members from Clackamas, Multnomah, and Washington counties. More than 120 individuals participated in the events.</p> <p>Attendees shared and discussed ideas for how they would like to see the region’s garbage and recycling system operate in the future. As a part of the forum, participants reviewed and discussed results from the online survey. Input from the forums helped identify additional priorities for the future and shared agreement for important areas of work.</p>
Equity Work Group	<p>The Equity Work Group members were engaged to help produce the initial draft of the vision and goals following the planning workshop, online survey and leadership forum series. The work group also reviewed the revised draft of the vision and goals prior to the advisory committee review.</p>
Technical Forum	<p>Metro convened a technical forum on December 7, 2017 at which more than 60 participants from local governments, reuse organizations, advocacy organizations, haulers and others provided additional feedback on the vision and goals.</p>
Solid Waste Alternatives Advisory Committee	<p>The draft vision and goals were discussed at the Solid Waste Alternatives Advisory Committee meeting on January 10, 2018. The committee expressed overall support for the vision and goals and did not suggest any substantive changes. Major themes from the discussion included:</p> <ul style="list-style-type: none"> • Strongly aligning the 2030 Regional Waste Plan with Oregon’s 2050 Materials Management Plan • Support for advancing equity through the plan and appreciation for how Metro has included and engaged communities of color and other underrepresented groups in the plan development • Highlighting the importance of addressing service gaps and access issues on the west side and defining the meaning of equitable access in the next phase
Metro Policy Advisory Committee	<p>The draft vision and goals were discussed at the Metro Policy Advisory Committee meeting on January 10, 2018. The committee engaged in an interactive exercise to provide input on the goals. Input from the discussion included:</p> <ul style="list-style-type: none"> • Importance of information and education that focuses both on youth and adults

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- Prioritizing efforts to reduce consumption and packaging and promoting reuse of materials
 - Working towards a community where everything is recycled, composted or reused
 - Investigating new technologies to reduce environmental impacts of products and more efficient ways for collecting recyclable and garbage
 - Addressing access issues where there are service and facility gaps in the region, including west side deficiencies
 - Concerns about the impact of international markets on local recycling programs

All of the engagements to date informed the development of the current draft of the vision and goals. The vision and goals are written to set the direction for the future and accommodate a range of actions the region can take to accomplish the goals.

Next Steps

Following the endorsement of the goals, work will move into phase 3, system analysis that will establish a baseline of where the region is today relative to the goals. Then, in phase 4, Metro will convene technical work groups to identify actions to close the gap between today and the desired future. The work groups will be composed of representatives from local governments, haulers, facility operators, community organizations and others that play a role in the garbage and recycling system. Staff will return to Metro Council in early summer with the draft actions.

QUESTIONS FOR COUNCIL CONSIDERATION

1. Do Councilors have questions or input on the draft vision and goals?
2. Do Councilors endorse the draft vision and goals as guidance for the 2030 Regional Waste Plan?

PACKET MATERIALS

Legislation would be required for Council action ☐ yes ☒ no

Draft is attached ☐ yes ☒ no

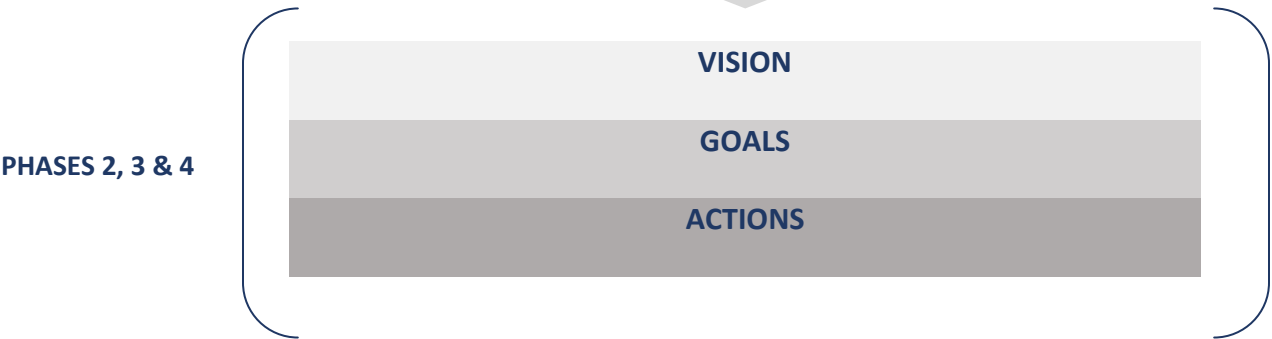
ATTACHMENTS: *A) 2030 Draft Vision and Goals*

2030 Regional Waste Plan

January 2018

Phase 1: Values and Principles

Metro Council endorsed values and principles for the 2030 Regional Waste Plan in August 2017. The values and principles, summarized below, serve as the foundation of the plan. The values lay out the essential concepts that serve as a basis for the plan’s vision and goals and will guide plan implementation. The principles serve to advance racial equity by guiding the actions to achieve the plan’s vision and goals.



Phase 2: Draft Vision and Goals

The vision and goals are grounded in the plan values and principles. The draft vision and goals are currently in eight areas of work. Each area has a *future desired outcome* statement in bold and a set of draft goals to achieve that vision.

Healthy Products

Companies that manufacture and sell products and packaging share responsibility with consumers for minimizing the impacts of these items on public health, climate, air quality, waterways and wildlife throughout product life cycles.

1. Decrease chemicals of concern in products and packaging with a focus on those that most impact vulnerable populations.
2. Reduce the climate, air quality, water quality and wildlife impacts of products and packaging that are manufactured, sold, used, or disposed in Oregon.
3. Increase the availability and affordability of products that are less toxic and include recycled materials, are proven to be recyclable or compostable, and have minimal packaging.
4. Increase the types of products and packaging for which manufacturers and retailers provide environmentally sound, convenient and accessible recovery opportunities.
5. Increase the types of products for which companies provide easy to understand, accessible information about health and environmental impacts and reparability.

Education and Information

Everyone has the culturally relevant, age appropriate information and educational resources needed to make decisions on products from purchasing to disposal that will protect their health and the environment.

1. Increase understanding among community members about garbage, recycling and reuse services.
2. Increase understanding among community members about the connections between consumer products and nature.
3. Increase engagement of youth and adults in garbage and recycling decision-making through civic engagement and leadership opportunities.

Reduce, Reuse and Repair

Reduce, reuse, repair, and donation are mainstream practices accessible to all, creating economic opportunity and building community self-reliance.

1. Increase opportunities for reuse and repair of prioritized materials and products at garbage and recycling facilities.

2. Improve prevention, reuse and repair opportunities for textiles and other high environmental impact materials and products.
3. Increase building deconstruction and improve prevention, reuse and repair opportunities for high impact building materials.
4. Prevent the overproduction of prepared food and increase donation of nutritious, edible food to communities in need.

Quality Service

Garbage and recycling services meet the needs of all people and all communities.

1. Ensure regionally consistent services for garbage, recycling and food scraps that meet the needs of all users.
2. Increase the access, affordability and consistency of services for bulky, hazardous, illegally dumped and other challenging materials.
3. Ensure rates for all services are reasonable, responsive to user economic needs, regionally consistent and well understood.
4. Proactively address and resolve community concerns and service issues.

Garbage and Recycling Operations

From trucks to facilities, our garbage and recycling system is safe for workers and the public, minimizes pollution of air, soil and water, and is financially sustainable.

1. Minimize health and safety risks to workers and customers at garbage and recycling facilities.
2. Minimize the health and safety impacts experienced by communities near garbage and recycling facilities.
3. Invest in communities that receive garbage and recyclables from the Metro region, so that solid waste facilities are regarded as assets by those communities.
4. Collection, processing, transfer and disposal operations are designed and implemented to reduce their nuisance, safety and environmental impacts.
5. Maintain a sustainable financial and revenue infrastructure that advances the overall values and principles of the plan.
6. Improve material quality in the region's recycling and composting streams.

Good Jobs

All garbage and recycling industry jobs pay living wages and provide opportunities for career advancement. All occupations in the industry reflect the diversity of our local communities.

1. Ensure that all jobs in the garbage and recycling industry pay living wages and good benefits.

2. Increase the diversity of the workforce in all occupations where marginalized communities, including women and people of color, are underrepresented.
3. Create strong career pathways and training opportunities within all garbage and recycling industry occupations for underrepresented workers and people entering the workforce.

Economic Prosperity

Innovation, investments and partnerships support a thriving recycling, reuse and repair economy that benefits local communities.

1. Increase government support for employment and business development opportunities in the local recycling, reuse and repair economy.
2. Increase the percentage of solid waste system revenue that benefits local communities and locally-based companies.
3. Increase the capacity and diversity of local markets to make our recycling, reuse and repair system more effective and resilient.
4. Increase government purchasing of environmentally preferable products, made regionally, that use recovered materials.

Preparedness and Resilience

The region's garbage and recycling system is resilient and prepared to recover quickly from disruptions like natural disasters, while minimizing harmful impacts to the most affected communities.

1. Improve the coordination between local, state and federal governments and private and non-profit sector partners in planning for the impact of disruptions on the solid waste system.
2. Ensure communities in the region have access to accurate and reliable data and timely information about the impact of disruptions to solid waste facilities and services, as well as an inventory of capabilities and resources to respond and recover.
3. Improve public and private solid waste infrastructure and facilities to make them resilient and minimize the impacts of disruptions.
4. Ensure routine garbage and recycling collection, processing, transport, and disposal operations are resilient and are restored quickly following a system disruption.
5. Improve disaster debris response operations to expedite the clearance and removal of debris, making the best use of locally-based resources.
6. Ensure disaster debris recovery operations maximize the amount of material recovered and recycled, while minimizing potential environmental and public health impacts.

Metro Title 10 (Parks and Nature Rules) Update

Work Session Topics

Metro Council Work Session
Tuesday, January 23, 2018
Metro Regional Center, Council Chamber

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: January 30, 2018

LENGTH: 1 hour

PRESENTATION TITLE: Metro Title 10 (Parks and Nature Rules) Update

DEPARTMENT: Parks and Nature

PRESENTERS: Dan Moeller, Conservation Program Director, x1819
Brian Kennedy, Community/Business Services Program Director, x1914
Suzanne Piluso, Management Analyst/Project Manager, x1845

WORK SESSION PURPOSE & DESIRED OUTCOMES

- Purpose:
 - Provide an overview of updates to Metro Code Title 10 recommended by Parks and Nature staff and the bases for those updates.
- Outcome:
 - Council awareness and support of a set of proposed updates to Title 10, and an opportunity for Councilors to ask questions and provide policy direction in advance of the Council Meeting to decide on those updates.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

In this work session staff will summarize a set of proposed updates to Title 10 of the Metro Code, the parks and natural areas rules and regulations. These changes will be brought to the Metro Council for decision making at a Council Meeting in early 2018. This work session provides an opportunity for the Council to understand the changes and their bases, and provide input on them in advance of the meeting to adopt or reject them.

Title 10 of the Metro Code sets forth the regulations governing the use of Metro owned parks and natural areas in order to protect the land, habitat, wildlife, water quality and improvements, and to provide for the safety and enjoyment of visitors and staff visiting these places. Title 10 is due for a review and update in a few respects. It has been several years since Metro has significantly updated Title 10. In that time, Metro's parks and natural areas system has grown significantly, with new natural areas acquired and new parks recently opening to the public, plus an additional six parks anticipated to open in the next few years. In 2016 the Parks and Nature System Plan was adopted that defines Metro's role in the region as an open space provider, and helps frame any changes to Title 10. Additionally, the Parks and Nature department has evolved over the years, with department reorganization in 2016 and changes to how Title 10 is enforced.

As an additional impetus for this project, there has been significant interest by external stakeholders in including or expanding certain uses of Metro parks and natural areas, such as the presence of dogs, horses, hunting, and off-road cycling. New circumstances have also emerged that have implications for how Metro manages the sites, including the growing popularity of recreational drones and the legalization of marijuana.

A thoughtful process was conducted to consider diverse perspectives on these and other issues that are, or should be, addressed by the park rules. This included a “sounding board” process through which an external facilitator guided a group of stakeholders with a variety of perspectives through a review Title 10 to gather input on key topics. Additional outreach was conducted to solicit input from community partners, agency enforcement partners, and the entire Parks and Nature staff.

The outcome of this process is a set of recommended updates to Title 10, including:

- Reduce the amount of time Metro can exclude a person from a park or natural area for violation of the rules;
- Enable the Parks and Nature Director to establish property-specific rules to allow hunting on a limited basis if necessary and beneficial for conservation efforts to control animal populations;
- Adopt a tobacco-free policy for Metro parks and natural areas, with a delay in implementation to allow for development of an implementation plan including outreach, education and signage;
- Prohibit the operation of unmanned aircraft (i.e., drones) at Metro parks and natural areas;
- Streamline the alcohol provisions by removing references to specific parks;
- Allow dogs and other domestic animals on regional trails that traverse Metro parks and natural areas and at certain boat ramps; otherwise, no change to the general prohibition on dogs and other domestic animals in Title 10;
- Add a new provision prohibiting improper exposure and sexual activities within the bounds of Metro parks and natural areas;
- Remove the fee schedule from Title 10 and allow the Parks and Nature Director to set parks and natural area-related fees; and
- Additional technical and “housekeeping” updates intended to clarify or streamline provisions, or remove obsolete provisions.

QUESTIONS FOR COUNCIL CONSIDERATION

- Does Council have any questions or concerns about the information presented today, or need additional information?

PACKET MATERIALS

- Would legislation be required for Council action? Yes
- If yes, is draft legislation attached? No
- What other materials are you presenting today? Draft staff report

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. _____, FOR THE PURPOSE OF
ADOPTING AMENDMENTS TO METRO CODE TITLE 10 TO UPDATE THE PARKS AND
NATURAL AREA REGULATIONS

Date: [insert date]

Prepared by: Dan Moeller
(503) 797-1819
Suzanne Piluso
(503) 797-1845

Adoption of Ordinance No. _____ will amend Metro Code Title 10 (Parks and Nature Regulations) to add, remove and revise certain provisions as described in this staff report. This ordinance will also make various non-substantive technical amendments to the title to streamline and improve clarity and consistency.

BACKGROUND

Title 10 of the Metro Code sets forth the regulations governing the use of Metro owned parks and natural areas in order to protect land, habitat, wildlife, water quality and improvements, and to provide for the safety and enjoyment of visitors and staff visiting these places. Title 10 applies to all of the parks, natural areas, trails, and cemeteries that Metro owns and/or manages (hereafter “Metro property”). It supports Metro’s delivery of its parks and nature mission: to protect water quality and fish and wildlife habitat, and create opportunities for people to enjoy nature close to home through a connected system of parks, trails and natural areas.

There is an inherent tension in the parks and nature mission. Providing people with access to nature has well-documented physical, psychological and spiritual health benefits. People who have contact with nature learn to care about the environment, which can translate to personal conservation practices, volunteerism, voter support, and funding to protect and restore nature. At the same time, recreational uses of natural spaces—whether by people on foot, bicycle or horse, and with or without pets—impacts the plants, fish and wildlife living in these areas. Unmanaged, these impacts can undo many of the benefits these areas provide. Metro Code Title 10 is a key mechanism for balancing the various public uses of Metro property and minimizing the impacts of those uses where possible.

Title 10 is due for a comprehensive update in several respects. Many provisions of Title 10 were inherited from Multnomah County regulations beginning with the initial transfer of county parks to Metro. Over the years, some of these rules have become duplicative and certain provisions and chapters are no longer necessary or relevant. It has been several years since Metro has significantly updated Title 10. In that time, Metro’s parks and natural areas system has grown significantly, with new natural areas acquired and new parks recently opening to the public, plus an additional six parks anticipated to open in the next few years. In 2016 the Parks and Nature System Plan was adopted that defines Metro’s role in the region as an open space provider, and provides a framework for revisions to Title 10. The Parks and Nature department has also

evolved, with department reorganization in 2016 and related changes to how Title 10 is enforced. Refining Title 10 to address current needs and be more clear and consistent helps provide the public with a thorough understanding of the rules that govern these public spaces, enhancing Metro's transparency.

As additional impetuses for this project, there has been significant interest by external stakeholders in including or expanding certain uses of Metro parks and natural areas, such as the presence of dogs, horses, hunting, and off-road cycling. These issues frequently arise during access planning for new parks and natural area sites. New circumstances have also emerged that have implications for how Metro manages the sites, such as the growing popularity of recreational drones and the legalization of marijuana.

TITLE 10 UPDATE PROCESS

Over the past year, an internal Parks and Nature team completed a thoughtful process to consider how these and other issues are, or should be, addressed by the parks and natural area rules, particularly in light of Metro's commitment to the region to protect water quality and wildlife habitat. The process to pass the ordinance amending the Metro Code will be an opportunity for the public to comment on the proposed changes. In addition, input on proposed changes to Title 10 was provided by the following key stakeholders:

- An external "Sounding Board." JLA Public Involvement, a public engagement firm with extensive experience working with public agency processes, was hired to design and facilitate an engagement process to help Metro thoughtfully consider diverse perspectives. Eight members of the public met three times as a "Sounding Board" to take a deep dive into Title 10 and provide input on whether and how individual rules should be updated. The results of the Sounding Board process are summarized below, and in more detail in JLA's final report, attached as Exhibit ____.
- Connect With Nature community partners. Connect With Nature is a Parks and Nature program through which Metro and leaders representing diverse communities work together to help Metro develop and manage inclusive and welcoming parks and natural areas. Four Connect With Nature community leaders reviewed Title 10 and provided input and suggestions for improvements.
- Enforcement agency partners. Input was solicited from agencies that are responsible for enforcing Metro rules on parks that Metro does not manage, such as Mount Talbert Nature Park, and agencies that have Metro parks in their jurisdictions. These included enforcement teams of City of Portland, City of Happy Valley, North Clackamas Parks and Recreation Department, Tualatin Hills Parks and Recreation Department, county sheriff offices, Gresham Police Department, Multnomah County River Patrol, and others. It also included Metro's Regional Illegal Dumping (RID) program.
- Natural Areas Oversight Committee. Staff presented an overview of the project to update Title 10 to the oversight committee for input.
- Parks and Nature staff. Staff across the department provided feedback on the current rules and potential updates. In particular, conservation (science and land management) staff provided technical information on the impacts of various options on fish, wildlife, plants and water quality, and enforcement staff provided valuable insight into how the

current rules are working on the ground from a visitor service, safety and overall effectiveness perspective. Parks and Nature's Intertribal Cultural Resource Specialist was consulted, as well.

PROPOSED AMENDMENTS TO TITLE 10

The outcome of the engagement described above is a set of proposed amendments to Title 10 that clarify or update the regulations to more effectively manage uses of Metro properties while protecting habitat, water quality and park improvements, and supporting the safety of both visitors and staff. These amendments are summarized below in the order they appear in the amended version of Title 10 (Exhibit ____).

It is important to note that the Parks and Nature "special use" permit application process provides an additional mechanism for approving certain uses of Metro properties. Metro allows almost any use of the parks and natural areas it manages so long as the uses are consistent with the Parks and Nature mission, safety and site-specific considerations. Even for uses precluded or restricted by Title 10 or property-specific rules, the special use permit procedures allow members of the public to request a permit to engage in those uses. These permits are issued on a case-by-case basis, depending on the proposed use, site(s) involved, and other considerations such as sensitivity of habitat and visitor experience impacts.

1. Reorganization of Title 10 and non-substantive "housekeeping" updates:

This ordinance proposes to reorganize Title 10 in order to improve clarity by consolidating the rules into the following five chapters:

- 10.01 Definitions
- 10.02 Permits, Enforcement and Appeals
- 10.03 Rules and Regulations
- 10.04 Parks and Nature Fees
- 10.05 Historic Cemeteries

This reorganization eliminates several areas of duplication. For example, most sections in the prior version had enforcement provisions, which in the amended version are consolidated in a single chapter (10.02) that applies throughout Title 10. In addition, the amended version includes non-substantive "housekeeping" changes to clean up the code, including deletion of excess or non-relevant words and added language where needed for clarity or specificity. One example is the removal of the antiquated prohibition on "games of chance" (10.01.250). An example of a rule change intended to increase Metro's transparency is the proposed update to include additional detail about how Metro can post the rules so they are accessible to the public.

2. Metro can issue a formal exclusion from a park or natural area for up to one year.

This ordinance recommends that Metro's right to exclude people from the park be reduced to no more than one year. Currently Metro Code 10.01.400 authorizes Metro to exclude from a park any person acting in violation of the rules or the laws of the State of Oregon for an undefined period of time, with exclusions of more than one year to be approved by the Parks and Nature Director. Such broad authority to grant lengthy exclusions could raise legal issues that capping the length of exclusions avoids.

3. Enable Parks and Nature Director to establish property-specific rules to allow hunting if Metro determines it is necessary for conservation efforts.

This ordinance proposes adding a provision to allow the Metro Council to establish property-specific rules to allow hunting if Metro, in its sole discretion, determines it is necessary for achieving conservation objectives.

The current version of Title 10 bans hunting (10.01.160), and to date no exceptions to this policy have been made. With the acquisition of large properties such as the 1,600-acre Chehalem Ridge Natural Area, some members of the public have expressed an interest in changing Metro's rules to allow hunting of deer and elk at some Metro properties. In addition, there is interest by some in allowing hunting of duck and other waterfowl at sites such as Killin Wetlands, Smith and Bybee Wetlands Natural Area and the Multnomah Channel Natural Area.

In many, if not most, cases hunting does not align with the conservation goals for Metro properties. Metro supports these lands and their water features as a way to provide important habitat for wildlife species to rest, breed, and rear young, and then these species are available to hunt on land where hunting is more appropriate. However, there may be some cases in which a limited hunt at certain sites would benefit conservation efforts on those properties. For example, a targeted hunt could help manage wildlife where the population grows to such a size that it negatively impacts the establishment of native vegetation that supports multiple species.

Allowing hunting would need to address significant management challenges and would require substantial resources to implement. Hunting impacts both vegetation and wildlife from people traveling off established trails. Impacts to wildlife include noise from firearms and pollution from lead bullets/shots, and limits Metro's ability to create and sustain areas where wildlife can rest, feed and reproduce. It also poses safety risks to other site users. Even a limited hunt would require careful coordination with wildlife management agencies and partners including Oregon Department of Fish and Wildlife and Oregon Hunters Association, and that Metro develop a new system to issue and monitor permits/tags. It would require Metro to prevent or restrict other uses (hiking, cycling, equestrian riding, etc.) while hunts take place to ensure safety. Additional monitoring would likely be needed to ensure that permitted hunting levels are appropriate to wildlife population levels. Metro does not currently have the resources to design, implement and monitor these systems.

Given these challenges and Metro's mission of conserving and protecting fish and wildlife species, this provision was crafted to emphasize that hunting would only be permitted on an extremely narrow basis solely for conservation purposes, to be determined at Metro's discretion.

4. Prohibit use of tobacco in all forms on Metro parks and natural area properties, with a one year delay in implementation.

This ordinance proposes addition of provision to prohibit tobacco use on Metro Property, consistent with the Metro Council Resolution No. 11-4262 adopting a tobacco-free grounds policy. The proposed provision carves out a narrow exception to the policy that would allow the Parks and Nature Director to adopt a property-specific rule for Glendoveer Golf Course (for example, to allow smoking during tournaments).

While cigarette smoking and other use of tobacco is a source of enjoyment for some adults, particularly while participating in outdoor recreation activities such as camping and fishing, tobacco use negatively affects other visitors and the environment. Secondhand smoke contains more than 7,000 chemicals,

including hundreds that are toxic, and no level of exposure is safe.¹ Even brief exposure can be harmful to human health, and especially to children and pregnant women. The impacts are amplified in confined areas like picnic shelters, restrooms and doorways, as well as near children such as at playgrounds.

Further, tobacco waste products are the most common items found in litter cleanups and contain numerous pollutants, posing a serious risk to children who might pick them up and fish and wildlife that may ingest them. Discarded tobacco waste pollutes the health of watersheds through chemical contamination. Cigarettes and other smoking materials present a serious fire risk to forests, parks and natural areas. Last year a carelessly tossed cigarette started a fire that burned 13 acres of Metro's North Logan Natural Area.

The proposed tobacco provision is consistent with a resolution adopted by the Metro Council in 2011 that establishes the agency's tobacco-free grounds policy. The policy acknowledges that tobacco-free parks and recreational facilities "will further Metro's mission of environmental stewardship and promoting livable, sustainable communities, as they help provide healthy, clean, attractive places for people to be physically active and enjoy the outdoors while upholding environmental values and protecting fish and wildlife." [Resolution No. 11-4262]. The proposed policy is also consistent with national trends: Municipalities across the country are limiting smoking and/or the use of tobacco in parks. In 2015, all city of Portland sites where Portland Parks and Recreation rules apply became smoke- and tobacco-free, including vaporizers and marijuana.

Enforcement of the tobacco ban would be challenging and limited, and would rely primarily on voluntary compliance elicited through educational and outreach efforts. Research into the experience of other park providers in implementing tobacco or smoking bans makes clear that a well planned implementation and outreach strategy is key to the success of the policy. Therefore, Parks and Nature staff propose a one year delay in implementation of the policy to allow for the development of an implementation plan that would include outreach and education methods, development of signage, and training for enforcement staff.

5. Prohibit the use of drones on Metro Properties.

This ordinance proposes addition of unmanned aircraft (i.e., drones) to the "prohibited games" chapter that prohibits power-projected model airplanes and boats at Metro Properties.

Since Title 10 was adopted there has been dramatic growth in the operation of drones. As drones have become more affordable and easier to operate, drone users are looking for places to use them. Although drone use remains relatively infrequent at Metro properties at this point, staff report continuing to see more of them and it can be expected that the interest will continue to increase.

Drone operations have the potential to cause harm to visitors and pose safety risks. They can disturb the visitor experience by causing noise pollution, invade personal space (particularly since many drones have cameras), and impact viewsheds. Drones also have the potential for negatively impacting wildlife, particularly birds but also ground-dwelling species.

The proposed prohibition on the use of drones at Metro Properties will reduce or eliminate these impacts on people and wildlife. It protects both conservation values and the visitor experience for all park and natural area users, consistent with the Parks and Nature mission. Were this provision to be adopted, drone operators could apply for a permit to operate drones for specific purposes (for example, to conduct

¹Centers for Disease Control and Prevention secondhand smoke fact sheet, https://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/general_facts/index.htm

research or photography). These permit applications would be evaluated on a case-by-case basis pursuant to the Parks and Nature Special Use Permit Guidelines.

6. Streamline alcohol provisions.

This ordinance proposes removing the references in Metro Code to the sale and/or consumption of alcohol being allowed by issuance of permits at specific named parks. These types of alcohol use by permit are covered in the new version of chapter 10.02.040, which provides that acts of third parties or the public that are officially authorized by agreement or permit with Metro do not violate Title 10, and by Metro's special use permit process. By removing reference to specific parks from this section of the Code, Metro can more easily adjust the sites where alcohol is allowed as a management tool to protect health and welfare as conditions change. Sites where alcohol is allowed to be consumed by permit will be clearly identified in property-specific rules on Metro's website and elsewhere as needed to provide public notice.

7. Allow dogs and other pets on-leash on regional trails that pass through Metro property and certain boat ramps; otherwise maintain current pet policy.

This ordinance proposes formalizing Metro's current practice of allowing dogs and other pets to be on Metro property when traversing via a regional trail and at most of Metro's boat ramps, and otherwise maintaining the ban on domestic animals on Metro property, except for assistance animals.

This recommendation to largely maintain the current no-pet policy is based on two main factors: the impacts of pets on wildlife and water quality, and the impacts of pets on people. The topic of Metro's domestic animals policy often comes up when Metro is planning for public access at a new site. Some members of the public have expressed interest in changing Metro rules to allow dog walking at some or all Metro park and natural areas, saying they'd like the opportunity to enjoy these sites with their pets. Other residents have expressed support for Metro's current rules, saying they feel more comfortable without pets present or appreciate having a place where protection of wildlife is the priority.

The evidence that dogs negatively impact wildlife is overwhelming. It is clear that people with dogs—on leash or off leash—are much more detrimental to wildlife than people without dogs. In April 2016, Parks and Nature's senior scientists conducted an extensive review of current and relevant scientific research on the impacts of dogs on wildlife and water quality (report attached as Exhibit ____). Numerous studies demonstrate that dogs impact wildlife by causing physical and temporal displacement (i.e., wildlife moving away, temporarily or permanently removing the habitat available for them to feed, breed and rest). The scent of dogs repels wildlife, and these effects remain after dogs are gone. Animals become alarmed and cease routine activities in the presence of dogs, and such repeated stress causes long-term impacts on wildlife including reduced reproduction and growth, suppressed immune system and increased vulnerability to disease and parasites. These impacts on wildlife are cumulative—they result from a steady stream of dogs, not from introducing an occasional dog into a site. Dogs also transmit diseases to wildlife, such as canine distemper and rabies, and dog waste pollutes water and can transmit harmful parasites and diseases to people.

The staff recommendation is also based on the negative impacts that dogs can and do have on the experience of some visitors to parks and natural areas. This is particularly true of some members of underserved and historically marginalized communities. Feedback received from several of the Sounding Board suggests that underrepresented groups may perceive dogs as a threat and not feel comfortable accessing parks with them present. Several Connect With Nature partners representing underserved communities echoed this sentiment.

The Sounding Board did not reach consensus on the issue of dogs and other domestic animals at Metro properties, and reflected diverse views on whether and to what extent Metro should prohibit dogs in parks and natural areas. Most do not support expanded access for dogs out of concern for impacts to wildlife and people, and feel the current policy is appropriate and appreciate the exceptions it already makes for regional trails and boat ramps. A couple of members felt that this disturbance is not severe enough to warrant a complete prohibition on dogs, and strongly advocate for allowing dogs on leash at most natural areas. A summary of the Sounding Board's input, as well as the meeting notes, is in the report attached as Exhibit ____ for Council's consideration.

Metro views its park system as part of a larger regional network of parks, trails and natural areas, with different park different providers meeting different needs. People have many options when they want to spend time outdoors with their pets, but few places focused on protecting sensitive habitat and providing a unique experience in nature. Among the 100 largest cities in America, Portland leads the country with the most off-leash dog parks per capita — 5.4 such parks per 100,000 residents — according to the 2015 City Park Facts report from The Trust for Public Land. Additionally, there are larger, more natural areas available for exploration with pets, such as Forest Park, Sandy River Delta, Tryon Creek, Powell Butte, Stub Stewart State Park, and in large tracts of state and federal land framing the Portland region. Metro has contributed over \$40 million from two bond measures to parks and natural areas that allow dogs.

8. Add a new provision prohibiting improper exposure and sexual activities within the bounds of Metro Properties.

This ordinance recommends addition of a provision prohibiting people from exposing themselves while in a place visible to another person or to engage in sexual activity. Metro field staff working in parks report observing people engaged in this type of activity. This addition to the Metro Code makes it clear these types of activities will not be tolerated at Metro parks and natural areas.

9. Remove specific fee amounts from the Metro Code, and delegate authority to adjust fees to the Parks and Nature Director.

This ordinance recommends simplifying the Title 10 fee provisions, and transferring the authority for setting and adjusting fees from the Metro Council to the Parks and Nature Director.

Title 10 currently includes specific dollar amounts for parking fees and annual passes at certain parks and boat ramps. A comprehensive review is currently underway of these and other fees, such as those associated with picnic area reservations, and "special use" permits, to determine whether there is a need for adjustments. As an interim step prior to recommending any changes to specific fees, this ordinance recommends removing the dollar amounts from the Metro Code, and delegating authority for setting and adjusting fees with the Parks and Nature Director. These technical changes to the Metro Code will facilitate adjustments to Parks and Nature fees in the future, if needed. A process will be identified in consultation with the Metro Council office and Chief Operating Officer to provide notice to the Metro Council prior to implementation of specific fee changes.

This ordinance also recommends removing the references to fees for alcohol permits and special events, as these fee types would fall within the "additional fees" that the Director can establish. All Parks and Nature fees will be maintained in a single fee schedule posted on the website and at parks and facilities as necessary to provide the public with notice of relevant fees.

ANALYSIS/INFORMATION

1. Known Opposition

- Some members of the public—including a member of the Sounding Board convened to assess and recommend updates to Title 10—are strongly opposed to the Staff recommendation within this report pertaining to dogs. The report attached as Exhibit_____ from the Sounding Board process include meeting notes and a summary that reflects arguments in opposition to the Staff recommendation.

2. Legal Antecedents

- Metro Code Title 10
- Metro Council Resolution 11-4262: For the Purposes of Directing the COO to Implement a Tobacco-Free Policy

3. Anticipated Effects

With the exception of the tobacco-free policy, the changes to the Metro Code would be implemented immediately. Most of these provisions reflect how Metro is currently managing the parks and natural areas, so neither staff nor members of the public would experience much change. Staff recommend a one year delay before implementing the tobacco-free policy to allow for the development of a thoughtful and thorough implementation plan, including signage, outreach, and training for enforcement staff.

Additionally, while the provision allowing the Director to set and adjust fees would be implemented immediately, a process for setting those fees and providing notice to the Metro Council will need to be finalized before any fee adjustments would be made. The development of that process is underway and anticipated to be completed in 2018.

The proposed changes to Title 10 will result in the need for internal policies and procedures to be reviewed and updated. These include:

- Parks and Nature fees (*review underway*)
- Special use permit procedures and fees (*review underway*)
- Rule enforcement manual update, including forms (citations, warnings, exclusions, etc.)

4. Budget Impacts

No direct budget impacts are anticipated with the proposed changes to Title 10.

It is anticipated that staff time spent responding to issues that were previously ill-defined will be reduced.

RECOMMENDED ACTION

Staff recommends that Council adopt Ordinance No._____.

ATTACHMENTS

Exhibit_____ Ordinance_____ with Title 10 redlines

Exhibit _____ Sounding Board Final Report

Exhibit_____ *The impacts of dogs on wildlife and water quality: a literature review*, L. Hennings (2016)

Materials following this page were distributed at the meeting.



Metro

2030 Regional Waste Plan

Phase 2: Vision and Goal Setting

January 2018



What is the 2030 Regional Waste Plan??

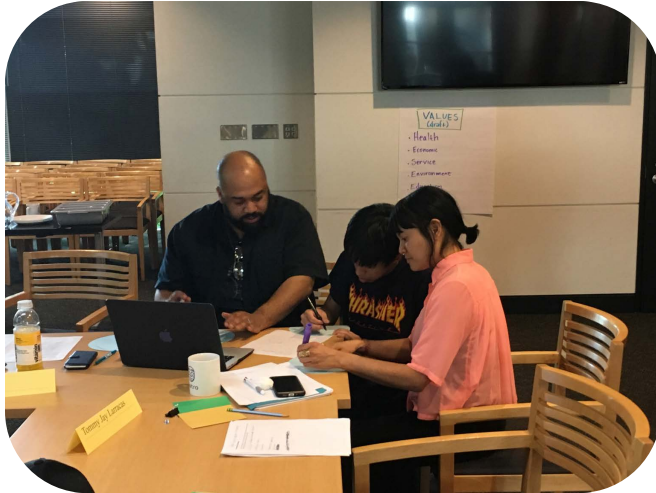


- Establishes direction
 - vision
 - goals
 - actions
- Outlines roles and responsibilities
- Fulfills state requirements and provides cities/counties with framework

2030 Regional Waste Plan Development

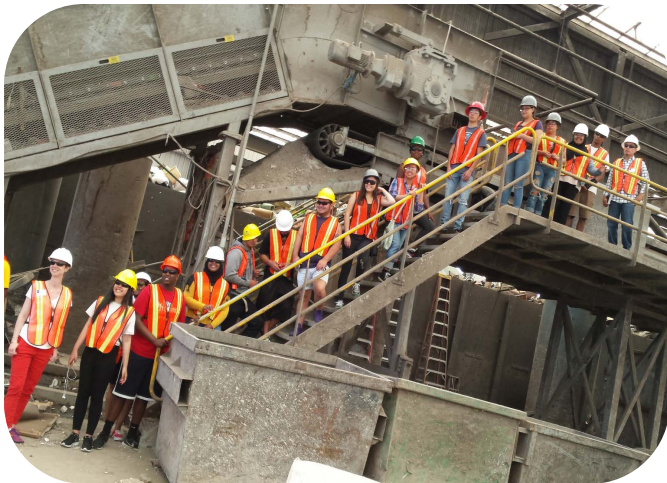
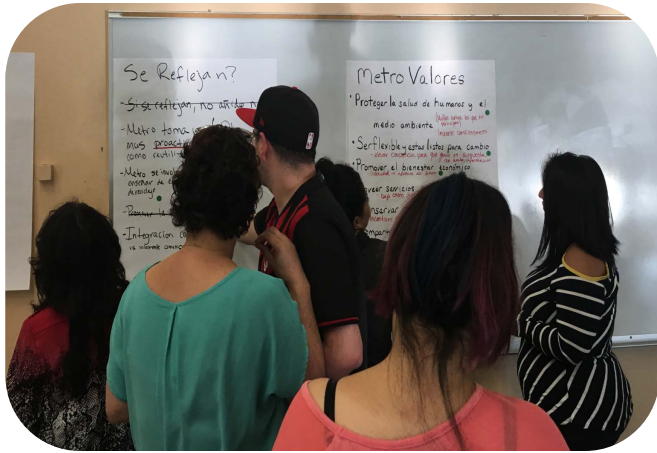


Equity Work Group



Name	Affiliation
Rob Nathan	Individual; Referred by Coalition of Communities of Color
Emma Brennan	Oregon Tradeswomen, Inc.
Pa Vue	Individual; Referred by Asian Pacific American Network of Oregon
Marilou Carrera	Individual; Referred by Oregon Health Equity Alliance
Juan Carlos Gonzalez	Individual; Referred by Centro Cultural
Andre Bealer	National Association of Minority Contractors of Oregon
Tommy Jay Larracas	Individual; Referred by OPAL Environmental Justice Oregon

Community-Based Organizations



- North by Northeast Community Health Center
- Trash for Peace
- Constructing Hope
- Rosewood Initiative
- Centro Cultural de Washington County
- Momentum Alliance
- Immigrant Refugee Community Organization
- Center for Diversity and the Environment's Environmental Professionals of Color

Community Tours & Discussions



Constructing Hope



Momentum Alliance



Trash for Peace



Rosewood Initiative

Phase 1: Values



1. **Protect and restore the environment and promote health for all**
2. **Conserve natural resources**
3. **Advance environmental literacy**
4. **Foster economic well-being**
5. **Ensure operational resilience and adaptability**
6. **Provide excellent service and equitable system access**

Phase 1: Principles

Community Restoration

Take action to repair past harm and disproportionate impacts caused by the regional solid waste system.

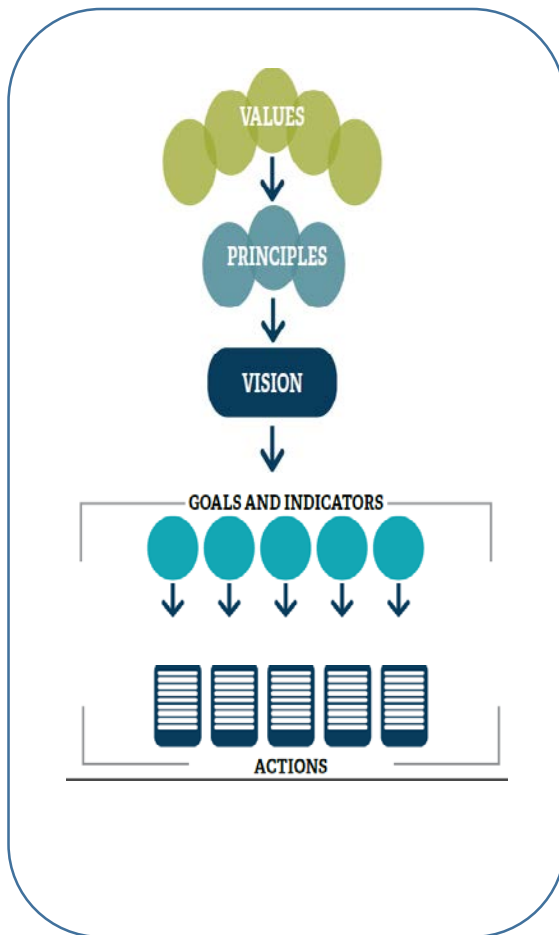
Community Partnerships

Develop authentic partnerships and community trust to advance the plan vision.

Community Investment

Emphasize resource allocation to communities of color and historically marginalized communities within the regional solid waste system.

Phase 2: Vision and Goal Setting




- Draft vision and goals developed in collaboration with Equity Work Group members
- Shaped by community conversations, forums, a workshop and online survey
- Informed by principles and values

Planning Workshop



Phase 2: Vision and Goal Setting

2030 Regional Waste Plan: Developing a Vision

Progress 

What to do Next Task

1 2 3 4

WELCOME PRIORITIES TELL US MORE ABOUT YOU

1 Quality service

Order your top 5 items
↑ above this line ↑

Education and information

Good jobs

Healthier products

Company responsibility


Safe, clean operations

Reuse and repair

Local economy

Suggest another

Quality service



Recycling and garbage services meet the needs of houses, apartments and businesses in all communities and rates are stable and reasonable.

Comment

Phase 2: Vision and Goal Setting



Leadership Forums



Former Metro Councilor Ed Washington



Equity Work Group

Phase 2: Vision and Goal Setting



Goals Forum



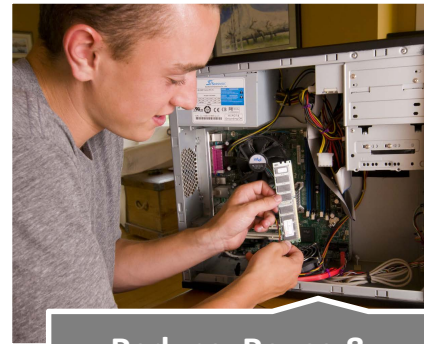
Goal Areas



Healthy Products



Information & Education



Reduce, Reuse & Repair



Quality Service



Good Jobs



Garbage & Recycling Operations



Economic Prosperity



Preparedness & Resilience

Advisory Committee Review



- Expressed support for vision and goals
- Proposed minor revisions

Jan. 10th: Solid Waste Alternatives Advisory Committee

Jan. 10th: Metro Policy Advisory Committee

Next Steps

Dec.- March 2018

Phase 3 System Analysis

Feb.-June 2018

Phase 4 Building a Strategy

Questions

1. Do Councilors have questions or input on the draft vision and goals?
2. Do Councilors endorse the draft vision and goals as guidance for the 2030 Regional Waste Plan?

Metro Code Title 10 (parks & natural area rules) update

January 30, 2017

Goals of Title 10 revision

- Protect wildlife and water quality and support safety and well-being of visitors
- Reflect current conditions and management needs
- Increase clarity and transparency



Stakeholder input

- “Sounding Board” (*more on next slides*)
- Connect With Nature community partners
- Enforcement agencies; Metro RID
- Natural Area Oversight Committee
- Parks and Nature staff

Sounding Board members

- Jim Thayer (Oregon Recreational Advisory Council)
- Ken McCall (Oregon Hunters Assoc.), *alternate Brian Cook*
- Mike Houck (Urban Greenspaces Inst.), *alternate Ted Labbe*
- Tony Deis (Trackers NW)
- Arlene Kimura (Hazelwood Neighborhood Assoc.)
- Jorge Guzman (Vive NW)
- Micah Meskel (Audubon Society)
- Dr. Phillip Wu (Kaiser)

Sounding Board process

- Facilitated by JLA Public Involvement
- 3 meetings to take deep-dive into individual rules and proposed changes
- Invaluable input!
- Final report from JLA will be included in staff report

Housekeeping/ technical updates

- Reorganize to eliminate duplication; revise to increase clarity
- Remove antiquated provisions, *e.g.*, prohibition on “games of chance” and conservation easement section
- Increase transparency, *e.g.*, add additional detail about how rules will be accessible to public

Overview of substantive amendments

- Allow dogs/pets on regional trails and some ramps
- Allow hunting if necessary for conservation
- Prohibit tobacco use
- Delegate authority to set fees to P&N Director
- Prohibit use of drones
- Prohibit improper exposure & sexual activities
- Limit exclusions to up to one year

Allow pets on regional trails and some boat ramps

- To address impacts of pets on wildlife, water quality, and people, and consistent with Metro role in region
- Formalizes Metro's current practices
- Community input suggests dogs make some visitors feel unsafe
- 6 of 8 Sounding Board members agree with the proposed amendment

Hunting if necessary for conservation

- May be future need at Chehalem Ridge NA and other sites to control wildlife populations
- Narrowly tailored: must be determined by Metro (in sole discretion) to be necessary for conservation efforts
- Significant management challenges

Prohibit tobacco use

- To reduce risk of secondhand smoke, litter, fire
- Consistent with Council Resolution 11-4262 (tobacco-free policy), & with national park trends
- Enforcement = light (education and outreach)
- Propose 1 year delay in implementation to develop thoughtful implementation/outreach strategy

Delegate authority to set fees to P&N Director

- To facilitate future adjustments to fees as needed
- Separate project underway to comprehensively review specific P&N fees and policies (completion: August 2018)
- That project includes development of process for providing COO and Council notice of planned fee changes before implementation

Prohibit drone use

- To protect wildlife and visitor experience, for safety, and consistent with Metro's role
- Rapidly emerging issue
- Exceptions can be made through special use permit process (*e.g.*, drone photography, drone races) on a case-by-case basis

Limit exclusions to no more than one year

- Title 10 currently allows the Director to issue exclusions > 1 year
- This may implicate constitutional due process issues; amendment resolves this

Prohibit improper exposure & sexual activity

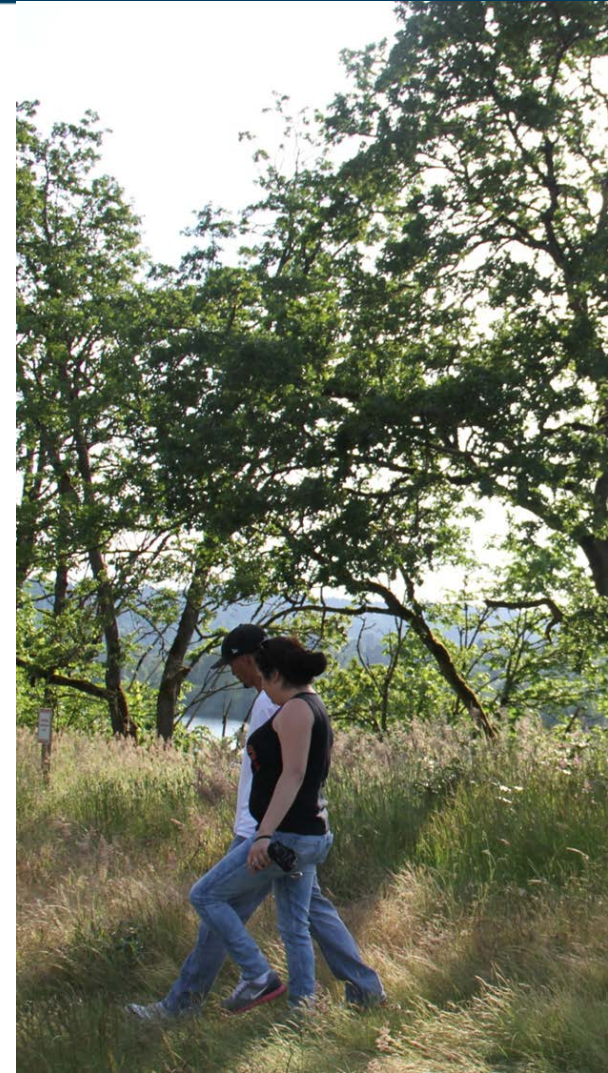
- To protect safety and visitor experience
- Increasing issue according to field staff
- Amendment provides additional tool for enforcement staff

Next steps

Metro Council meeting to
decide on legislation in April

Questions? Concerns?
Suggestions?

Council feedback welcome!



oregonmetro.gov

