F.A.R.M. Horticultural Parkplace LLC c/o Cascadian Nurseries, Inc.

February 16, 2007

Rod Park
METRO COUNCIL
Land Use Planning Dept.
600 NE Grand Avenue
Portland, OR 97232



I see your picture and comments in some of the publications. I read that you are committed and set an example to many of us. You make a difference and work hard on issues you feel is a positive direction for the State and the community of your district. Thank you!

I have included a copy of a packet I sent to Kathryn Harrington who's on your board Metro council. I have also contacted Nadine Smith of Washington County Dept. of Land Use and Transportation and Mr. Andy Dyck, Washington County commissioner, with the same information.

When you examine and go through this information, the main issues are:

- A 12-acre piece RIND surrounded by EFU with a conditional use permit, which makes this property impossible to
 make it productive. It has operated on a loss for many years.
- An adjacent 11.5-acre piece contaminated with PCBs, an old foundary which needs to be included in the urban growth boundary. It is on the EPA list for cleanup. If it is within the urban growth boundary, increased land values will support this cleanup.
- Dick Road is a newly graveled road—it used to be paved. Heavy commercial truck traffic in the area has wrecked
 the pavement. The road is now unsafe. Many cars have ended up in the farmers fields and some have rolled.
 Washington County has no money for pavement and improvements. We believe that if the urban growth
 boundary would include these non-farmable properties, the developers would pay for these road improvements.
- We have the support of the neighbors. The neighborhoods adjacent to these properties was considered inside the urban growth boundary in 2004 but was removed at the last vote by Metro.

When new areas northeast of Hillsboro and west of the Bethany development are considered again, could you please examine this area again? Thanks for your help.

Sincerely,

Alfred Meisner

Farm Horticultural Park Place LLC

AM:mg

Enclosures

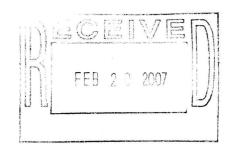
Mg/RodPark2-16-07

8900 NW Dick Road • Hillsboro, OR 97124 • Phone: 503.647.9292 • Fax: 503.647.9494

F.A.R.M. Horticultural Parkplace LLC c/o Cascadian Nurseries, Inc.

February 13, 2007

Kathryn Harrington METRO COUNCIL Land Use Planning Dept. 600 NE Grand Avenue Portland, OR 97232



Dear Kathryn:

I enjoy reading your messages in Metro News. They are fresh and new and informative, and . . . personable. . . thank you! When you gave us your vision for District 4, I couldn't have agreed with you more.

- A. Steep growth into existing commercial areas
- B. Promote vibrant mixed-use centers
- C. Use the land most efficiently
- D. Provide housing and transportation
- E. Manage expansion and the urban growth boundary
- F. Protect agricultural land
- G. Allow responsible growth in outlying areas

You closed your message with: "Let me know your thoughts on our region future."

The area I represent is north of Sunset Highway and west of Cornelius Pass Road. Around the West Union Road area this is a broken zigzag line of urban and rural properties on the fringes of the urban growth lines. Our property and those of our neighbors is within the 2040 master plan of Metro. Our property on tax map 1N211, tax lots 1602 and 1900 is a 41acre site. Within this is a 12-acre RIND with a conditional use permit. This 12 acres is surrounded by EFU land. The 12acre RIND is our main issue of interest. We are only allowed by the land use codes agricultural or forestry-related tenants, which makes it very difficult to add tenants and uses on this property.

I enclose correspondence we submitted to metro in October 2005 as well as several photos for your review, thereby to consider EXPANSION OF THE INDUSTRIAL AND RESIDENTIAL BOUNDARY urban growth line for us, and our neighbors. This land is not productive for farming.

If at all possible, I would ask you to meet with us and to also show you the Holcomb Creek and drainage area, which is adjacent to ours and other connected properties. Our nursery has committed itself to set aside and DONATE TEN ACRES FOR FISH AND WILDLIFE. The total is several hundred acres of wetlands and native and natural wildlife areas all the way up to Cornelius Pass Road to the east. These are our thoughts and those of our neighbors for our area's future. Your representation and interest is most welcome, and, if possible, to meet with you to show you our area. My phone number is (503) 647-9292.

Sincerely

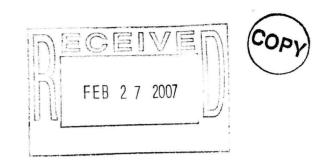
Alfred Meisner

Farm Horticultural Park Place LLC

AM:mg

Enclosures

Mg/KHarrington2-13-07



Enclosed is a letter, planning maps and photos about an area with a proposal to change the zoning by J.Jersey Co. that will negatively, directly effect not only Johnson Creek, but homeowners in the S.E. Dayspring neighborhood, on S.E.Barbara Welch Road, on S.E.141st, and S.E.142nd.. We homeowners ask you to deny the developers request to modify the current zoning.

February 20, 2007 Ingrid Wehrle/ Dayspring Homeowner 14405 S.E. Evergreen Ct. Portland, Or. 97236

Metro District 1 Commissioner Rod Parks 600 N.E.Grand Portland, Or. 97232

Dear Mr. Parks.

As one the many homeowners in the Dayspring, Barbara Welch Road, and S.E. 141st neighborhoods, I became very concerned when it was accidently brought to my attention in January that John L.Jersey Development had filed a request for potential residential development on the heavily forested 40 acre hillside above all our properties. We had believed this to be a protected area as a part of the Johnson Creek Watershed with active wildlife and many springs and creeks. All water runoff flows directly or eventually into Johnson Creek. We have numerous concerns:

- 1. the request to "modify the zoning" of an area that is currently zoned R10p as the most evironmentally sensitive, sacred, conservation zone or R10c, limited conservation zone
- 2. the environmental and geological impact of such a development on Johnson Creek (the steelhead), on the wildlife (deer, fox, coyote, raccoon, migrating flicker, owls, pileated woodpecker and other birds) and on the native trees and vegetation (maples, cedars, Douglas firs, red alder, Oregon Grape, Huckleberry, elderberry, sword fern)
- 3. the impact on stormwater runoff with lost canopy cover and the addition of impervious surfaces will increase the volume of runoff and decrease groundwater recharge, all of which would contribute to erosion, habitat destruction, ground movement and landslide problems not only for Johnson Creek, but for all the homeowners below this development
- 4. the increased traffic impact on local arterials that feed into Barbara Welch Road, going North to Foster and South to Clatsop

Residential development of the land under consideration would contradict current zoning that is designed to protect Johnson Creek Watershed.

- * Current zoning protects the designated area from residential development and requires a minimum of 10,000 square feet per lot/parcel.
- * The current zoning is R10p that labels the targeted development area the most environmentally sensitive piece of land.
- * Additionally, another parcel of land under consideration is zoned as R10c, a designation that limits development and identifies the land as a conservation zone.

These zoning labels are predicated upon the recognition of the Johnson Creek watershed as an environmentally sensitive and fragile area that should be protected from residential development.

At the January 31st Pleasant Valley Neighborhood Association Meeting, many of us who will be directly effected by this development attended. We became more concerned when John Jersey and his team gave us the impression that "The City" favored this development and wants it to have the most density possible requiring many houses on small lots. Mr. Jersey told us that he wanted fewer houses and larger lots, but "The City" did not want this. He told me also that "The City" thought the narrow, very steep street of 144th should be the main road.

This is a big concern for the 18 homeowners on 144th and on the Evergreen cul-desac. Many driveways are steep going into 144th. After a Winter storm people have to park on the sides at the bottom since there is no parking on Barbara Welch. Foot traffic is heavy on this sidewalkless road since sidewalks were not included and if they were to be built now, much landscaped property would be destroyed.

The Johnson Creek Watershed is a fragile area that the city, county and METRO have placed as a significant environmental focus and have provided funding/staff to maintain.

* The area around Foster Rd. and Lakeside Gardens underwent major reconstruction to accommodate the salmon run in Johnson Creek. As part of the "Johnson Creek Enhancement Project" much money was spent to restore the culvert at the intersection of Foster Rd. and 164th.

- * METRO has provided funds and staff to plant native grasses and trees along Johnson Creek as it runs adjacent to Barbara Welch to provide streamside stabilization and shade for the stream. This is part of an ongoing project to monitor the creek and the salmon run.
- * Land adjacent to Foster Rd. between SE 122nd and 99th has been returned to a natural state to provide for streamflow of Johnson Creek. Conservation of the Johnson Creek Watershed and enhancement of the native salmon run are priorities for local municipalities.

Denuding the hillside of many trees to develop 77 residential sites will have a substantial negative impact on the watershed, the stream, the salmon run.... and all the residents around this development. As concluded in a previous application file no. LUR 95-00166 EN from 1995, "Development will cause significant impact through the removal of resources and habitat on the site. Impacts include increased stormwater runoff, soil compaction, erosion, loss of wildlife habitat, a reduction in scenic qualities, loss of wetland diminishing flood storage, nutrient retention and removal and trapping of sediments."

The arterials that feed into Barbara Welch Rd. are already stretched beyong capacity. Additionally, bicyclists and pedestrians literally take their lives in their hands when attempting to traverse the roadway.

- * Barbara Welch Rd. is a narrow and steep two lane road that feeds into Foster at the Johnson Creek Bridge.
- * The stretch of Barbara Welch Rd. between Clatsop and Foster has two side streets (145th and144th) intersecting it that are very steep and dead-end into either Johnson Creek or the hillside. With additional traffic there is more risk for accidents with Winter's slippery icy weather. (Also ice can accumulate at the bottom of these roads)
- * A project has been given the okay to open up 152nd (with complete disregard for 5 homeowner's landscaped property) for the 450 residents of Hawthorne Ridge and 3 other homeowner associations which will GREATLY increase the traffic on Barbara Welch.

(We have been told that a light will be in place at the Foster/Barbara Welch Rd. this year to help the increase of traffic with the opening of 152nd to Hawthorne Ridge)

As very concerned homeowners and part of the Pleasant Valley Homeowners association, we request the following considerations regarding the potential development by J.Jersey Development. Our request is contingent upon the assumption that these would be precursors to any zoning modifications and/or granting approval for residential development.

- 1. Have the city complete their own impartial environmental impact study showing the impact on Johnson Creek Watershed with this type of residential development in this area.
- 2. Have the city complete their own impartial geological survey showing the impact of residential development on the stability of the current adjacent neighborhoods. Additional study would relate to the impact on Johnson Creek Watershed of potential erosion, runoff, mudslides, pollutants from homes caused by the denuding of the hillside.
- 4. With the new Lidar technology that will be intact in a week, the most accurate of landslide maps will soon be available and should be used. (There are several homes on Barbara Welch which will be extremely vulnerable to landslides with this development)
- 5. Consult an impartial arborist to record all trees prior to cutting that are over 6" in diameter and obtain a plan that outlines the impact of proposed trees to be cut for the potential development. This plan would include consideration of groups of trees needed to remain as a wind buffer and help as pumps to take up water in the rainy season.
- 6. Complete a traffic impact statement that studies the impact of additional traffic on Barbara Welch road at entrance points of the present 4 streets (145th, 144th, 152nd, Barbara Welch Lane) and the intersection with Foster Rd.
- 7. Conduct a series of neighborhood meetings that facilitate input from impacted residents and the Johnson Creek Watershed Council.
- 8. Consider alternative plans that might save this area :

public park (This is an area they are looking at and were not aware of J.Jersey's proposal. This lack in notifying them of the proposal to develop is neglectful and makes me wonder about "The City's concerns.)

- * Then, if "The City" must give permission for re-zoning, have larger lots, fewer homes, much more greenspace so the wildlife can survive, and minimizing the environmental impact.
- * Additionally, request provisions for entrance/egress of the development i into more major arterials such as Clatsop which could handle additional traffic. Mr.J.Jersey suggested that "The City" get together him and the other two developers owning the land South to Clatsop and talk about road access.

We would appreciate your attention to this matter as well as your assistance with resolution of these concerns. We would greatly appreciate a written response from you regarding these issues so that we may pursue our next plan of action. Thank you for your assistance in this matter. We look forward to hearing from you as soon as possible.

Sincerely yours,

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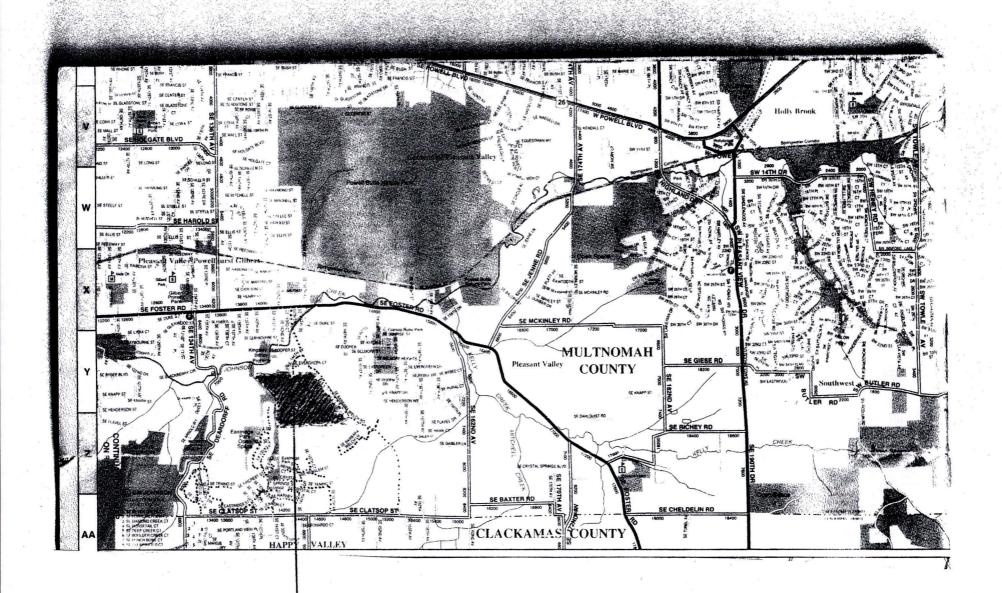
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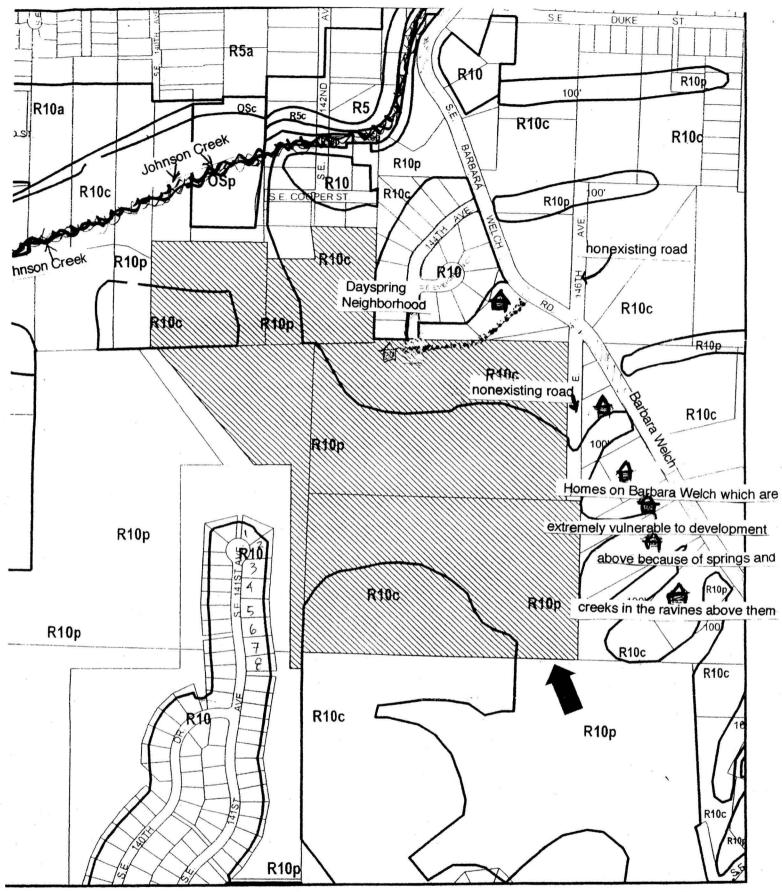
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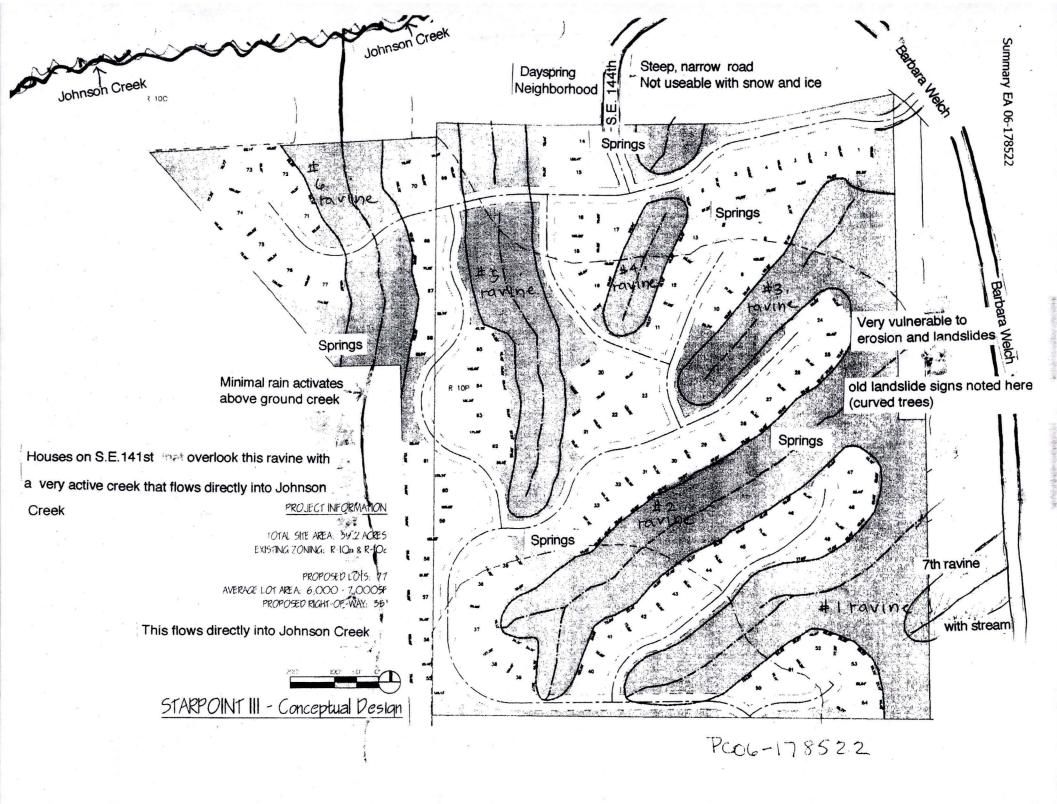


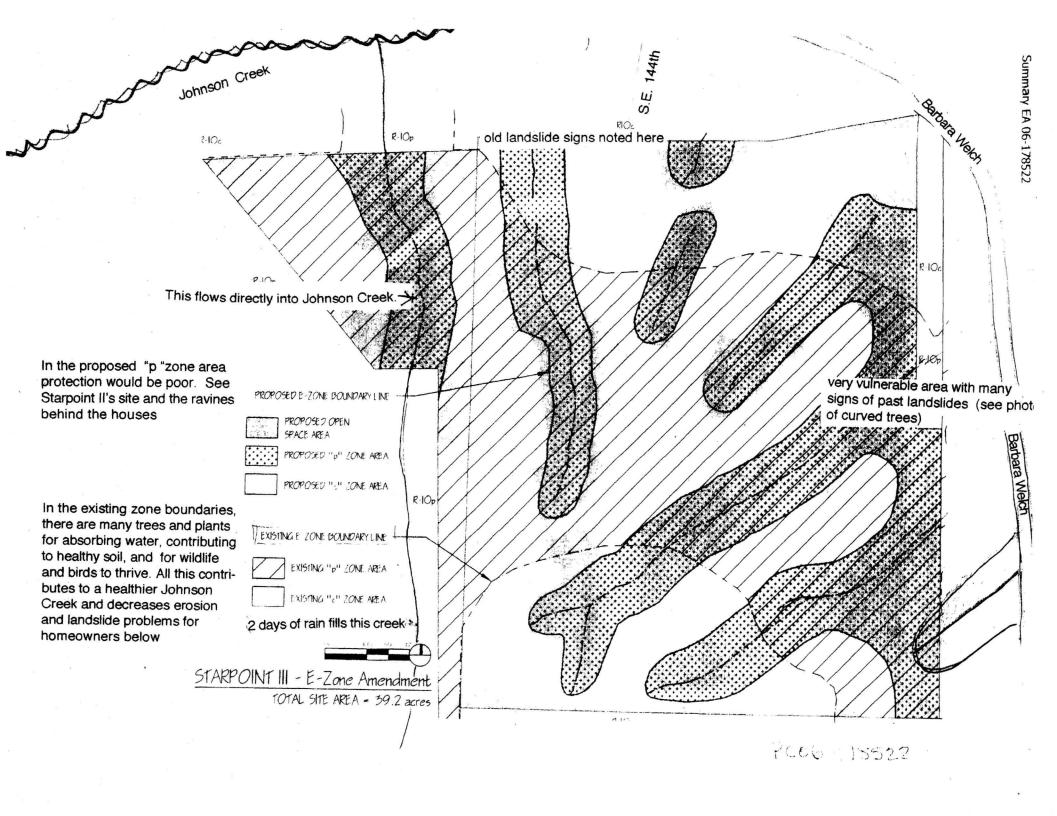


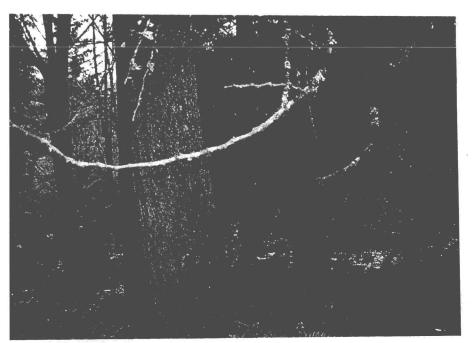


PC 06-178522 File No. 3744,3745,3844,3845 1/4 Section 1 inch = 400 feet Scale. 1S2E24B 1400 State Id.





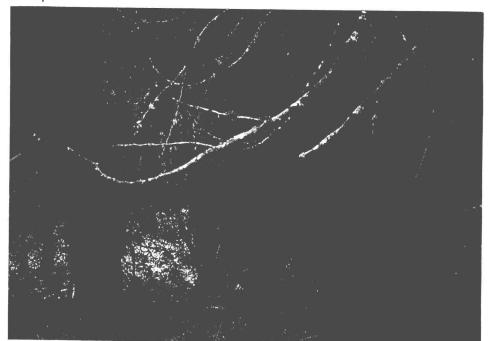




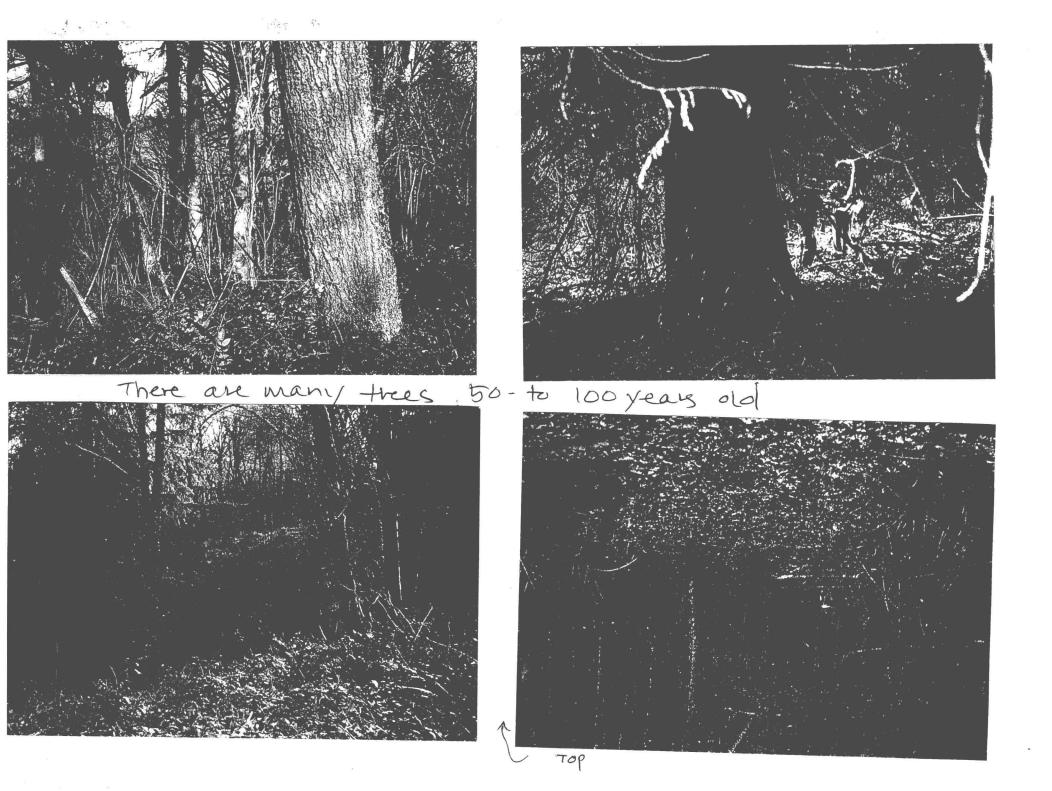


This 40 acre land now 20 ne 102p mostly 1s a beautiful area with





many trees - some 50 to 100 years old. It should be preserved as a park for Portland people





This hillside is south of 141st

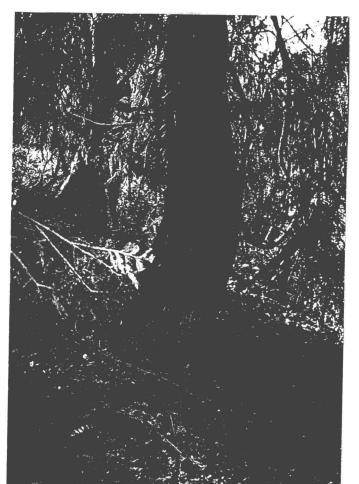




on 141st - directly into Johnson Creek



continuation of the stream below 141st that flows directly





"Pistol but" shows trees effected by old landslides









Starpoint II - shows disregard for area between houses - a sign







that a protested area millimithe material

Via fax 503 797 1898 1930 503 797 1839 7729

May 24, 2007

Board Of Metro Councilors Metro Portland, Oregon

Re: Res. # 07 3813 in Opposition, on Today's Council Meeting Agenda (Darby Heights Acquisition)

Reasons for Objection:

- 1. The price was negotiated by coercive means and although the Seller accepted the price it was influenced by the circumstances of objection thus litigation by the partner of METRO, the City of Gresham opposing the project.
- 2. The price is below its market value for highest and best use. This is further evidence of the fact that the Seller compromised unwilling to the coercive governmental influences.
- 3. The financing scheme of the partnership is illegal by virtue it depends on the illegal financing scheme of Gresham..
- 4.. The price is frivolous and extreme at about \$100,000 per acre which is beyond the intend of the ballot measure as to obtaining a reasonable value, for the purposes intended for the expenditure

Robert Butler 824 SW 18th Ave

824 SW 18" Ave Portland, Or 97205

503 222 4949

cc: Metro Auditor

COUNCILOR ROD PARK

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1547 | FAX 503 797 1793



April 24, 2007

The Honorable Larry Galizio Chair, Education Ways and Means Subcommittee 900 Court St NE, H-390 Salem, OR 97301

Dear Representative Galizio,

I am writing in support of the Oregon Agricultural Experiment Station, the OSU Extension Service and the OSU Forest Research Laboratory (the OSU Statewide Public Service Agencies) budgets that are separate items within the Oregon University System budget (SB 5515).

As a Metro Councilor, a former Chair of the Oregon Board of Agriculture, and post President of the Oregon Association of Nurseries, I have seen the benefits these programs have on the urban-rural connections that are so important for all Oregonians. The Statewide Public Service Agencies provide excellent research and development for balancing the economy, environment and community based systems in Oregon. The contributions of the Oregon Agricultural Experiment Station, the OSU Extension Service and the OSU Forest Research Laboratory are pivotal in moving Oregon toward a more sustainable future.

The three Statewides are the research and development arm of a major portion of Oregon's traded sector economy (agriculture and forestry economic segments account for approximately 20% of Oregon's economy) and are instrumental in maintaining an environmental balance that Oregon citizens in the Metro area require for their preferred quality of life.

Economists at OSU estimated that in 2006, more than \$200 million new dollars were created in Oregon's Economy through just the Agriculture related research and Extension programs. That is without adding in the multiplier effect of those dollars in the economy. In addition, numerous environmental benefits were realized from those same research and Extension programs. Such benefits as less pesticide use, reduced soil erosion, better water quality, etc. were implemented.

The Statewide Public Agencies are critical to generating new revenues that are needed need to fund every program in Oregon, from K-12 to public safety. Dollar for dollar, each investment Oregon makes in the OSU Statewides will produce one of the highest returns on investment of any program in Oregon.

The State Board of Higher Education recommended a \$15 million policy option package for the OSU statewide public service programs. The Governor's budget reduced that amount and the Co-Chairs' budget further reduced the amount to zero. The State Board of Higher Education policy option packages, if funded, will provide opportunities for enhancing existing businesses and creating new ones (such as environmental services using new plant material systems), and provide environmental enhancement.

I recommend you fund the OSU Statewide Public Service programs at the level recommended by the State Board of Higher Education. Oregon's economic and environmental future depends on it.

Sincerely

Rod Park

Deputy Council President

District 1

April 24, 2007

The Honorable Richard Devlin Vice Chair, Education Ways and Means Subcommittee 900 Court St NE, S-316 Salem, OR 97301

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District 1

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6 0 0 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 5 0 3 7 9 7 1 5 4 7 | FAX 5 0 3 7 9 7 1 7 9 3



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AGENDA

Council Coordinators/Public Affairs Joint Meeting April 27th, 2007 1:30pm Gustafson Room

dising ": WA county

1:30-1:50pm (20 minutes)

Current Departmental Projects/Issues

RTP
Parks Bond Measure - Statishedow groups.

Pub. Affairs

1:50-1:55pm (5 minutes)

Current Council Projects/Issues

Headquarters Hotel

Begislatur update

1:55-2:05pm (10minutes)

Councilors' Calendars

Council Staff

Council Staff

2:05-2:15pm (10 minutes)

Events check in

All

2/.15-2:20 (5 minutes)

Other items?

All

2:20pm ADJOURN

Next meeting: May 11th, Gustafson room

COUNCILOR ROD PARK

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6 0 0 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736 TEL 5 0 3 7 9 7 1 5 4 7 | FAX 5 0 3 7 9 7 1 7 9 3



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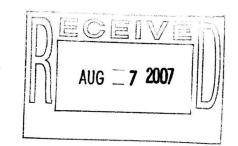
Sincerely

Rod Park

Deputy Council President

District 1

Bridgeton NEIGHBORHOOD ASSOCIATION



August 4, 2007

David Bragdon President Metro 600 NE Grand Avenue Portland, OR 97232-2736

Dear David:

The Bridgeton Neighborhood Association was very surprised and deeply disappointed to hear that Metro apparently has no objection to Peninsula Drainage Districts No.2 (Penn2)'s plan to cut down 600 trees along the levees and waterways of North Portland and up to 150 trees in the Bridgeton neighborhood. The district has informed us that they will start cutting our neighborhood's trees within 30 days (Bob Eaton letter of July 31, 2007).

Is it true that Metro has no objection to cutting all of these trees down?

We believe that the districts plan to cut down our trees is hasty and completely unnecessary. It will be devastating to our neighborhood.

I have attached a summary sheet and a copy of our neighborhood's letter in opposition to this plan. Please note that the Army Corps of Engineers in the Sacramento District, working under the same recertification mandate as Penn2, has taken a completely different course of action. They are working to save their trees. In addition, the national office of the Army Corps of Engineers has indicated that they are rewriting the national landscape standards to allow trees and other vegetation on levees. The new standards are set to be issued by early 2008. Why must Penn2 cut down Bridgeton's trees within 30 days?

Please help the Bridgeton neighborhood save North Portland's trees.

Sincerely,

Matt Whitney

Chair

417 N. Bridgeton Road Portland, OR 97217

503-285-3296

Bridgeton.neighborhood@comcast.net



August 2, 2007

Bob Eaton Executive Director Peninsula Drainage District No. 2 1880 NE Elrod Drive Portland, Oregon 97211-1810

Dear Bob

We have received your letter of July 31, 2007. The Bridgeton Neighborhood Association strongly opposes and will not accept the Peninsula Drainage District No.2 (Penn2) plan to remove nearly all the trees and shrubs in our neighborhood. We believe the decision to remove over 150 trees and bushes along a two mile stretch of North and Northeast Bridgeton Road starting next month is hasty, unnecessary and wrong for a number of reasons.

Rather than destroy the tree cover of an entire North Portland neighborhood we ask that you join with the Bridgeton neighborhood in implementing a creative plan that will meet many of your FEMA and U.S. Army Corps of Engineers imposed mandates as well as improve the environment and livability of Bridgeton and a large stretch of North Portland. We believe our plan will result in a stronger levee, a healthy riparian environment and a better Bridgeton neighborhood and will maintain the FEMA and the U.S. Army Corps of Engineers' highest certification ranking for the Bridgeton levee. I will send you a copy of our plan within the week.

Following are the major reasons we believe the decision to remove Bridgeton neighborhood's tree cover is wrong:

- It is unnecessary. The commanding officer of the U.S. Army Corps of Engineers (COE) for the Sacramento River/Central California area has granted an exception for the Sacramento area districts. Why hasn't Penn2 requested an exception?
- It is not supported by science. Tree removal ignores recent scientific studies that
 indicate tree and shrub cover on levees strengthen levees and tree removal may
 actually weaken the levee.
- New scientific studies show that the FEMA/COE assumption that tree roots conduct water and weaken levees during high water events is false.
- Penn2 misread of the U.S. Army Corps of Engineers (COE) June 11, 2007 letter requesting removal of trees is contrary to COE Encroachment Standards.

- The large scale tree removal in Bridgeton ignores the new Levee Landscape Guidelines developed by a Penn2 committee and adopted by the Penn2 Board in 2006.
- The urban built up nature of Bridgeton Road provides additional structural strengthening to the levee not foreseen by FEMA and COE guidelines.
- Lack of an NEPA required Environmental Assessment.
- Insufficient notification of landowners and residents.
- Tree removal will have a major negative impact on the health and livability of the Bridgeton neighborhood.
- Tree removal will have a negative impact on the environment and riparian habitat along a two mile stretch of the Columbia River.
- Tree removal will have a major negative impact on Bridgeton home and land values, and therefore impact the very tax base Penn2 relies on for funding its operations.
- Tree removal ignores a current and ongoing major rewrite of COE levee landscaping and encroachment guidelines expected by early 2008.
- The Bridgeton levee with its existing tree cover has always received the highest COE certification and safety ranking throughout the districts 90 year history.
 Nothing structurally has changed on the Bridgeton levee to warrant the wide scale removal of trees.
- The Bridgeton levee with its current tree cover also received certification by an authority higher than FEMA and the COE, having been tested by the two 100 year flood events of 1996 as well as lesser flood events in prior years.
- Ornamental tree and garden shrub removal according to COE guidelines is designed to make it easier for COE and Penn2 to make levee inspections by air or vehicle. This simply makes no sense and does not apply in a built up urban neighborhood environment.

Following is an explanation and elaboration of a number of the main objections listed above:

• It is unnecessary. The commanding officer of the U.S. Army Corps of Engineers (COE) for the Sacramento River/Central California area has granted an exception for the Sacramento area districts. Why hasn't Penn2 requested an exception?

On July 27, 2007 the newly appointed national commander of the U.S. Army Corps of Engineers Lt. Gen. Robert Van Antwerp said he intends to create a new flexible levee maintenance policy that allows levee managers to keep trees and other vegetation that now covers many levees. He said the new policy "will be based on science and collaboration with local, state and federal agencies". He said "We'll be reasonable. These are multipurpose levees in that we have habitat and endangered species, and were concerned with that too." Van Antwerp said that the COE is now drafting a new national

¹ The Sacramento Bee, Corps may leave most levee habitat" July 28, 2007

levee maintenance policy and that within a month it will issue a document that outlines steps required to comply. He said the goal is to "convey the intent" of the new policy.

- It is not supported by science. Tree removal ignores recent scientific studies that indicate tree and shrub cover on levees strengthen levees and tree removal may actually weaken the levee.
- New scientific studies show that the FEMA/COE assumption that tree roots conduct water and weaken levees during high water events is false.
- Bridgeton tree removal ignores a current and ongoing major rewrite of COE levee landscaping and encroachment guidelines expected by early 2008.

The June 2007 FEMA and COE notification to Penn2 and other drainage districts mandating a strict compliance of COE landscape and encroachment guidelines. The FEMA and COE policy stems from the belief that plant roots destabilize levees and create paths for seepage. However, a new study by University of California scientists at the UC Davis Amorocho Hydraulics Laboratory has found just the opposite.² The scientists found that the brush and tree cover in a flood event protected the test banks from erosion, slow down water velocity creating a bottom layer of slow moving water that provides young chinook salmon with a refuge. Stefan Lorenzato, Watershed Management Coordinator of the California Department of Water Resources, said "The benefits start kicking in at high flows when flood risk is worse. It's implying that plants may be helping us, not hurting us." Joe Countryman, president of MBK Engineers, a prominent designer of California flood control projects, said "This is pretty exciting research....this demonstrates that plants slow erosion, that's a real plus." Earlier research on the Sacramento River found no evidence that tree roots compromise levee strength or allow flood waters to seep though levees. A study by Douglas Shields a hydraulic engineer at the USDA Sedimentation Laboratory studied a 35 mile stretch of the Sacramento River before and after the major 1986 flood. He found levees with trees suffered less damage than those without them. He also found that trees did not impair levee performance. Levee vegetation, he reported in a 1991 study may have increased soil strength. In a 1992 study of large oak and cottonwood trees on a 10 kilometer stretch of the Sacramento River Shields found that "no evidence that trees compromised levee strength or caused 'piping' of water along roots. Instead roots tended to strengthen levees by binding the soil, and also grew downward, helping strengthen levees from within, rather than growing sideways. (See Exhibit A).

Army Corps of Engineers regional commander for central California Brig. General John McMahon was quoted³ as saying that removing trees won't necessarily make levees safer. He hopes to tailor the guidelines and only remove trees where levee-strengthening is needed, but also to allow vegetation where strength is not a concern. General McMahon said that "headquarters would like one standard applied broadly across the full spectrum of levees. I personally don't think that's the right tack to take ... not all vegetation on levees is bad".

² The Sacramento Bee, "A way to save the levee habitat?" July 16, 2007

³ The Sacramento Bee, "Tree-laden levees flunk federal inspection" April 7, 2007 www.sacbee.com/101/v-print/story/150966.html

A COE spokesman, Dana Cruikshank, said the corps is drafting a new national standard to allow vegetation on levees. The new standards are expected by year end. Until the new guidelines are released local COE officials have directed the 34 central California districts not to cut trees.

- Penn2 misread of the U.S. Army Corps of Engineers (COE) June 11, 2007 letter requesting removal of those trees that exist contrary to COE Encroachment Standards.
- The large scale tree removal in Bridgeton ignores the new Levee Landscape Guidelines developed by a Penn2 committee and adopted by the Penn2 Board in 2006.

The June 11, 2007 Corps of Engineers letter noted "Trees in violation of the Corps Encroachment Standards and the PDD No.2 operation and maintenance manual that exist along Bridgeton area levee need to be removed." We ascertain that very few if any of the over 150 trees and shrubs Penn2 personnel marked for removal on July 17, 2007 are in violation of the Penn2 Levee Landscape Standards (LLS) adopted in early 2006. The decision to review, revise and rewrite the prior existing levee landscape guidelines was a result of Penn2's and Bridgeton's recognition that the existing COE national guidelines primarily detailed in EM 1110-2-301 "Guidelines for Landscape Planting and Vegetation Management at Floodwalls, Levees and Embankment Dams", PDR 1130-2-5 "Levee Encroachment Standards and Procedures" (1980), and FFCW Maintenance Requirements 33CFR, Sec 208.10 Title 33, Chapter 11 part 208 were written for rural areas and did not envision dense urban neighborhood environments with condos, apartments, row houses, moorages and parking built on top of and adjacent to the levee as defined the Bridgeton neighborhood. The impracticality of the COE landscape and encroachment guidelines cited above is glaringly evident in EM 1110-2-301 Chapter 2 Section 2-2 "Vegetation-Free Zone" which states that in areas on the landward and riverward side of the levee "where no type of vegetation, with the exception of grass, is permitted." Other COE documents implied that small vegetable and flower gardens are not allowed on or adjacent to the levee and even small trees and flowers in containers would not be allowed. The obvious impracticality and impossibility of the COE rules led Penn2 and Bridgeton residents to form in early 2005 a 9 member adhoc committee composed of two Multnomah County Drainage District employees, a Penn2 Board member and 6 Bridgeton residents with the Mission Statement: "To incorporate the current US Army Corps of Engineers regulations, guidelines, and standards into a working policy that will allow landscaping, improve esthetic and wildlife values, and protect the managed flood plain from catastrophic flooding." After 12 months of work the new guidelines were finalized and Penn2 informed us was subsequently approved by various city and state entities, the Corps of Engineers and the Penn2 Board of Supervisors. The point of the new 2006 Levee Landscape Standards was to recognize the unique landscaping challenges of the existing urban environment and put in place guidelines and procedures that would maintain the strength and safety of the Bridgeton levee while protecting the urban environment

According to these guidelines trees and ornamentals would be allowed on the overburden or overbuilt sections of the Bridgeton Levee, there would be no large scale removal of trees in Bridgeton, a "case by case" approach would be taken and Penn2 and Bridgeton would work together in a cooperative manner. The July 17th notification that all of the 150+ trees and shrubs marked would be removed starting in 30 days is contrary to the intent and spirit of the 2006 LLS effort.

The urban built up nature of Bridgeton Road provides additional structural strengthening to the levee not foreseen by FEMA and COE guidelines.

The Bridgeton neighborhood is primarily located along N and NE Bridgeton Road which sits directly on top of the critical cross section of the Bridgeton Levee, and has experienced very strong in-fill development over the last few years. Nearly all of the neighborhoods small cottages that were built prior to the 1930's have been replaced by two or three level row houses. On the western end of the neighborhood even denser development has taken place with five and six story condos and apartments plus three new four and five story hotels. Encouraged by the City of Portland the neighborhood developed the Bridgeton Neighborhood Plan which sought to direct and mange this overwhelming growth. The Plan, which was adopted by Ordinance (No. 171238) of the Portland City Council, has been largely successful. The result, as envisioned by the Plan, has Bridgeton as a dense, pedestrian friendly urban environment. New row houses are primarily abutting the landward side of the Bridgeton levee. Houses are encouraged to have front porches facing Bridgeton Road (and the levee) with garage access in the rear. The result is a nearly continuous row of houses with their concrete foundations and structural walls abutting the landward toe of the levee. (See Exhibit A). Existing and new trees and shrubs grow adjacent to the homes and occasionally between the homes and the top of the levee. By a strict reading of COE guidelines nearly all of these trees, flowers and bushes would have to be removed. In reality, they represent absolutely no danger to the structural integrity of the levee. The trees, flowers and bushes are in effect contained in a defacto vault between the concrete of the row house foundations and the sidewalks and Bridgeton road surface. Similarly, the eleven cross streets (N. Haight to NE 5th) situated at a right angle to Bridgeton Road act as 100 foot long engineered buttresses to the levee. Larger trees growing in the overburden to riverward of the top of the levee do not endanger the critical cross section of the levee because of the support these buttresses supply.

Once again, it is obvious the COE guidelines were written for rural environments where the buttress support provided by the urban built up environment does not exist. The buttress support provided by the housing and side streets of Bridgeton strengthen the Bridgeton Levee far beyond what exists for a rural unbutressed levee.

Lack of an Environmental Assessment.

There can be no doubt that the large scale removal of nearly all of Bridgeton neighborhoods trees will have "a significant cumulative impact on the human environment" and the notice and marking of the trees and shrubs has generated "a high level of public controversy" with petitions circulated, complaints made to city, state and

county agencies, a public protest demonstration and extensive print and electronic media interviews. Furthermore, the removal of the trees would have a negative environmental impact on a 2 mile stretch of Columbia River riparian zone. Therefore according to the National Environmental Policy Act (NEPA) an Environmental Assessment is required.

• Insufficient notification of landowners and residents.

Your letter of July 31, 2007 indicating that Bridgeton's trees will be removed starting September 4th was not sufficient public notice for a major project with devastating environmental and livability impacts to the neighborhood. There was an initial "heads up" notification to officers of the neighborhood association on May 31. At that time it was explained that FEMA guidelines on levee certifications had changed and that there may be a negative impact on Bridgeton due to tree removal and Penn2 requested to be added to the agenda of the June 20th neighborhood association meeting. At the June 20th meeting Penn2 informed the audience that FEMA and COE had implemented new regulations and mandates that would have a negative impact on the neighborhood. Specific information as to the total impact of the mandates was not yet available. On July 17th, trees were marked throughout the neighborhood and a notice flyer indicating that the trees would start to be removed in mid August was posted. There was no notification by mail or email to the neighborhood association, Bridgeton residents and landowners, or the City of Portland's North Portland Office of Neighborhood Involvement. The first formal written notification the neighborhood received was your letter of July 31.

We have only elaborated on a few of the reasons we must oppose Penn2's plan to do irreparable harm to our neighborhood. Many of the trees marked for destruction are over 100 years old and can not be replaced. Penn2's plan is deeply troubling to our neighborhood and will change the character and livability of our neighborhood forever. Furthermore, Penn2's action is unnecessary considering that the commanding officer of the U.S. Army Corps of Engineers has announced that the COE is currently rewriting the national levee landscape guidelines and the new guidelines would allow significant trees and vegetation on top of the levees.

Sincerely,

Matt Whitney

Matth

Chair

Bridgeton Neighborhood Association

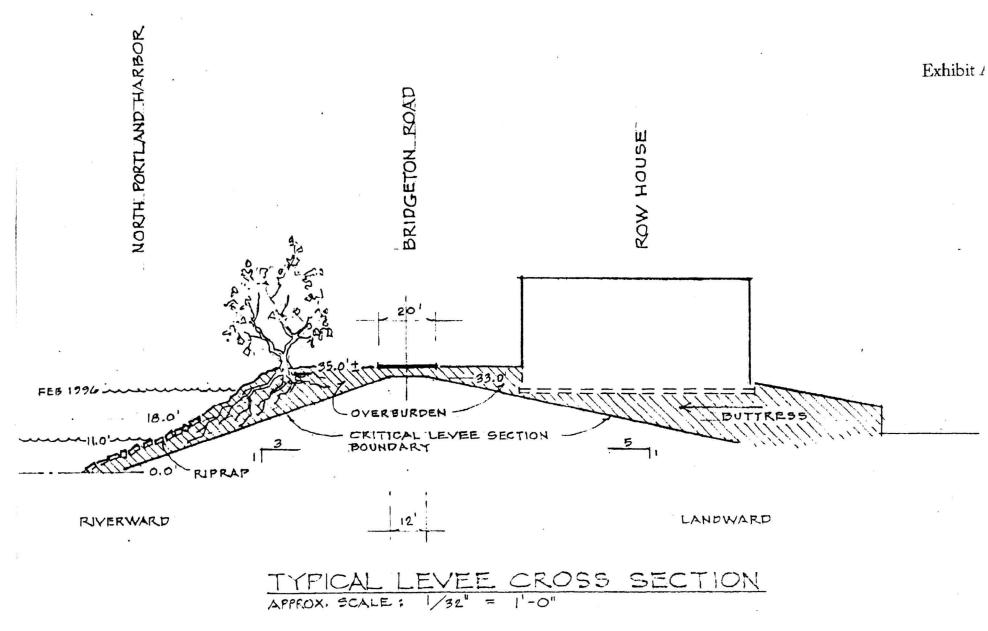
cc: Peninsula Drainage District No. 2 Board of Supervisors

Rich Halsten Mike McBride

Richard W. Shafer Jr.

cc: Congressman Earl Blumenauer

Attachment



NOTE : CLAYEY BOUNDARY LAYER OF CRITICAL LEVER SECTION TURNS TREE ROOTS

Bridgeton NEIGHBORHOOD SASSOCIATION

SAVE BRIDGETON'S TREES!

The drainage district is planning on removing over 150 trees on Bridgeton Road starting September 4th. We adamantly oppose and will not accept this damaging action. In order to protect our neighborhood our Board has authorized our consultation with an attorney, arborist and structural engineer.

VOLUNTEERS TO SAVE OUR TREES ARE NEEDED NOW! CONTRIBUTIONS TO SAVE OUR TREES ARE NEEDED NOW!

Email <u>Bridgeton.neighborhood@comcast.net</u>
Send contributions to Bridgeton NA, 417 N. Bridgeton Road 97217.

Following are the major reasons we believe the decision to remove Bridgeton neighborhood's tree cover is wrong:

- Removal is unnecessary. The commanding officer of the U.S. Army Corps of Engineers (COE) for the Sacramento River/Central California area has granted an exception for the Sacramento area districts. Why hasn't Penn2 requested an exception?
- It is not supported by science. Tree removal ignores recent scientific studies that indicate tree and shrub cover on levees strengthen levees and tree removal may actually weaken the levee.
- Recent studies contravene this decision. New scientific studies show that the FEMA/COE assumption that tree roots conduct water and weaken levees during high water events is false.
- The Army Corps of Engineers does not require it. Penn2 misread of the U.S. Army Corps of Engineers (COE) June 11, 2007 letter requesting removal of trees is contrary to COE Encroachment Standards.
- Penn 2's own 2006 landscape plan is being ignored. The large scale tree removal in Bridgeton ignores the new Levee Landscape Guidelines developed by a Penn2 committee and adopted by the Penn2 Board in 2006.

- Bridgeton Road is unique. The urban built up nature of Bridgeton Road provides additional structural strengthening to the levee not foreseen by FEMA and COE guidelines.
- No Environmental Assessment has been conducted of this riparian area. There is a total lack of any NEPA required Environmental Assessment of the impact of tree cutting on the rich wildlife and human environment here.
- No adequate notice to landowners & residents. There has been insufficient notification of affected landowners and residents. All of the trees are on private land.
- **Devastating and irreversible impact**. The proposed blanket tree removal will have a major negative impact on the health and livability of the Bridgeton neighborhood.
- Negative impact on habitat. Tree removal will have a negative impact on the environment and riparian habitat along a two mile stretch of the Columbia River.
- Negative impact on home values. Tree removal will have a major negative impact on Bridgeton home and land values, and therefore impact the very tax base Penn2 relies on for funding its operations.
- **Disregard of Corp's revised guidelines**. Tree removal ignores a current and ongoing major rewrite of COE levee landscaping and encroachment guidelines expected by early 2008.
- Long history of Corp's highest certification with existing trees. The Bridgeton levee with its existing tree cover has always received the highest COE certification and safety ranking throughout the districts 90 year history. Nothing structurally has changed on the Bridgeton levee to warrant the wide scale removal of trees.
- Bridgeton Levee has been reality tested. The Bridgeton levee with its current tree cover also received certification by an authority higher than FEMA and the COE, having been tested by the two 100 year flood events of 1996 as well as lesser flood events in prior years.
- Bridgeton residential owners' interests are ignored. Ornamental tree and garden shrub removal according to COE guidelines is designed to make it easier for COE and Penn2 to make levee inspections by air or vehicle. This simply makes no sense and does not apply in a built up urban neighborhood environment.

For a fuller explanation of our objections to the drainage district's plan please see www.bridgetonpdx.com.

Wooded Hills Homeowners Association

AUG - 8 2007

August 4, 2007

To: Councilor Rod Park

From: Members of the Wooded Hills Homeowners Association

Re: Regional Target Areas in Natural Areas Program

The Wooded Hills Homeowners Association comprises a group of homeowners that live on one of the South Butler Buttes in Damascus. All of our properties have been identified as regionally significant habitat in Metro's December 2004 inventory of riparian and upland areas and we are located in a conservation area identified in the Damascus/Boring Draft Concept Plan of October 8, 2005.

The attached list of members of the Wooded Hills Homeowners Association wishes the Metro Council to know that we <u>strongly</u> support the expansion of "Area A" in the Metro map "map_east_buttes2.pdf" (attached as Appendix A) to include all of the area on our butte as a priority area for acquisition.

Metro purchased multiple properties on our butte during the 1995 open spaces bond measure and, as a result, the north, east and south parts of our butte will be preserved in perpetuity. Development is proposed on the west side of our butte on tax lots 1202 and 303 (see property tax map attached as Appendix B). Both properties are currently zoned as forest and have dense tree canopy. Lot 303 is 21.90 acres. This lot drains to Kelley Creek, an important tributary of Johnson Creek. Lot 1202 is 4.20 acres and drains to Rock Creek, a tributary of the Clackamas River. The owner of these properties has been in touch with Metro staff and has stated that he is a willing seller.

The visual impact from developing these properties would be substantial since development would result in the removal of a significant number of trees. The city of Damascus, in its Concept Plan, has proposed residential development in the valley between our butte and Foster Road. Preserving these two key properties would retain, in perpetuity, a beautiful green butte for these future residents. Preservation would also provide an important corridor for wildlife. Wildlife is abundant on our butte – we observe woodpeckers, deer, coyote and, just last year, a black bear.

We applaud the effort of the Metro Council to preserve important natural areas for future generations and strongly encourage the Council to amend the current map to include all regionally significant areas in the South Butler Buttes.

Cc: Mayor Dee Wescott

Damascus City Councilors: Andrew Jackman, Diana Helm, Jim Wright, Barb Ledbury,

Randy Shannon

David Bragdon, Metro President

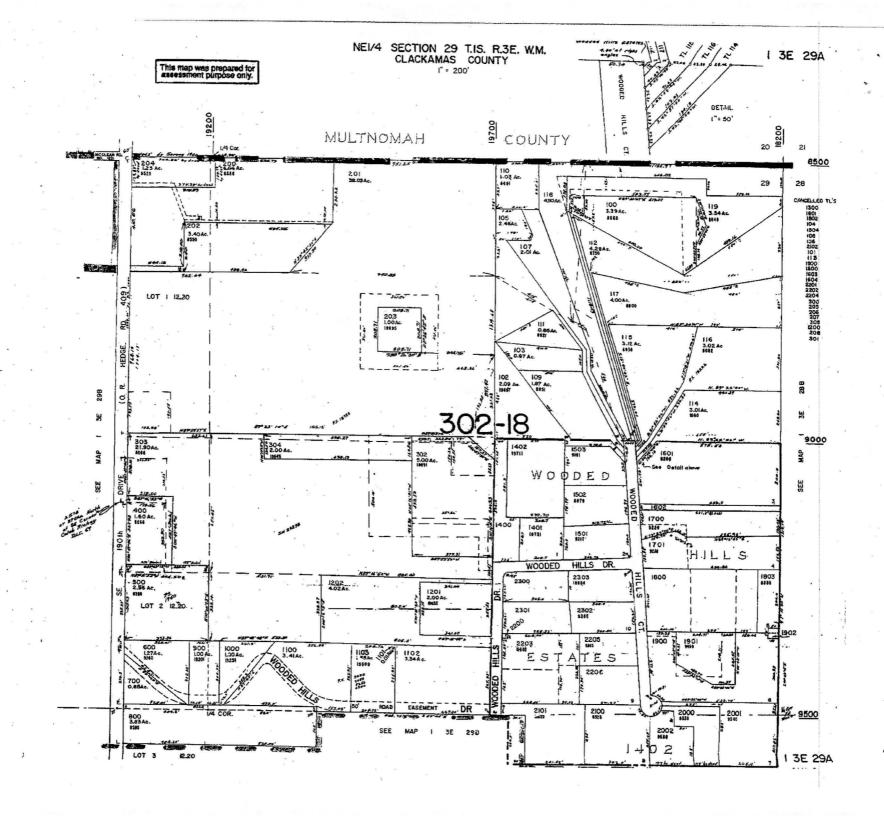
Metro Councilors: Brian Newman, Carl Hosticka, Kathryn Harrington, Rex Burkholder,

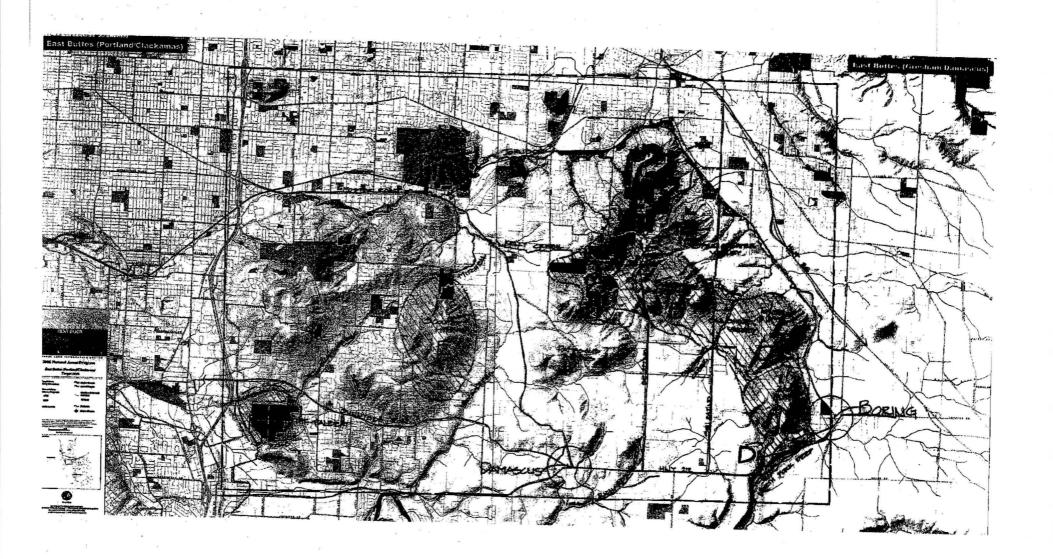
Robert Liberty

There are 35 members of the Wooded Hills Homeowners Association. We were able to reach thirty homeowners. Of those contacted, twenty-eight homeowners, listed below, strongly endorse the designation of our butte as a conservation area.

- 1. Debbie and Jim Butler 9360 SE 190th Drive
- Sandi Flack
 19201 SE Wooded Hills Drive
- Kirk and Lynn Loder
 19251 SE Wooded Hills Drive
- Bob Oeck
 19610 SE Wooded Hills Drive
- Mike and Kathleen Sala 19620 SE Wooded Hills Drive
- 6. Marty Ringle and Noelwah Netusil 19655 SE Wooded Hills Drive
- 7. Greg MacDowell 9540 SE Wooded Hills Court
- Bob and Pat Moeller
 19697 SE Wooded Hills Drive
- Tammy and Brance Wilson 19711 SE Wooded Hills Drive
- Chris and Gayle Repsold
 19731 SE Wooded Hills Drive
- Tim and Jerrielou Dougherty
 8630 SE Wooded Hills Court
- Terry Carragher
 9450 SE Wooded Hills Court
- David and Eileen Kendall
 19640 SE Wooded Hills Drive
- Jack and Elaine Simms
 8691 SE Wooded Hills Court

- Dave and Tricia Crockett
 9200 SE Wooded Hills Court
- Cheryl Barger
 9530 SE Wooded Hills Court
- Jill Pritchard
 8921 SE Wooded Hills Court
- Warren and Nancy Carpenter
 8930 SE Wooded Hills Court
- Tom and Vickie Woodward
 8951 SE Wooded Hills Court
- Rich and Janet Swanson
 8750 SE Wooded Hills Court
- Ron and Suzette Wells
 9100 SE Wooded Hills Court
- 22. Paul and Gerri Campbell 9079 SE Wooded Hills Court
- Chris and Patty Super
 8800 SE Wooded Hills Court
- Glenn and Judy Michael
 9238 SE Wooded Hills Court
- Dennis and Merideth Wilson
 9305 SE Wooded Hills Court
- 26. Scott and Joan Scegrin 8640 SE Wooded Hills Court
- 27. Bill and Teri Herzog 9345 SE Wooded Hills Court
- 28. Robert Ciaffoni 9525 SE Wooded Hills Court





East Buttes Target Area Map Legend

Map area A - Closing gaps in public ownership along Butler Ridge to create a biologically significant natural area.

Map area B - Protecting lands on Sunshine Butte and along the tributaries of Sunshine Creek to preserve a wildlife corridor and a connection to the Clackamas River.

Map area C - Protecting properties on Tower and Zion buttes for water quality benefits and connections to the Clackamas River.

Map area D - Protecting lands along the unnamed tributary north of the North Fork of Deep Creek connecting to Tower and Zion buttes and the Deep Creek riparian corridor to preserve a wildlife corridor.

Map area E - Protecting lands on Scouter Mountain in close proximity to other protected areas and creating a larger natural area on the butte to benefit wildlife and support water quality goals in Johnson Creek (Mitchell Creek).

Map area F - Protecting lands on the north side of Mount Talbert adjacent to other protected areas and including a connection to Mount Scott Creek .



Johnson Creek Watershed Council

1900 SE Milport Rd, Suite B • Milwaukie, OR 97222 ph: (503) 6527477 • fx: (503) 6527188 info@jcwc.org • www.jcwc.org

Advisory Circle Members

Bill Bakke President, Native Fish Society

Rep. Earl Blumenauer US House of Representatives

Paul Brandon President Emericas Reed College

Mike Burton Vice Provost School of Extended Studies Portland State University

Darlene Carlson Assistant to the Director Portland Parks & Recreation

Robin Cody Author

Howard Dietrich Vice President Oregon Worsted Mills

David James Duncan Author

Mary Edmeades Senior Vice President Albina Community Bank

Robert Gootee President and CEO ODS

Mike Houck Executive Director Urban Greenspaces Institute Fortland State University

Steve Johnson Founder JCWC

Al Jubice Chairman Jubice Family Foundation

Mike Lindberg Senior Consultant Fleishman Hillyard

David Mescowitz Consultant

Peter Schoonmaker Executive Director Illahee Society

Terry Toedtemeier Curator, Prints & Photography Portland Art Museum August 6, 2007

Councilor Rod Park and Metro Councilors

Metro

600 NE Grand Ave Portland, OR 97232

Dear Councilor Park,

We are writing in support of the Wooded Hills Homeowners Association's request to expand Metro's target area in the area of the East Buttes labeled "South Butler Buttes". Specifically, to include the following properties in the acquisition priorities: Tax ID's 13E29A 00303 and 13E29A 01202.

The larger of these properties drains to Kelley Creek, an important subwatershed of the Johnson Creek basin, and the other drains to Rock Creek in the Clackamas River watershed, listed as a water-quality limited stream by DEQ. The Johnson Creek Watershed Action Plan (WAP) identifies lower and upper Kelley Creek as key habitat protection areas, and mid-reaches as key restoration areas (improving connectivity and riparian conditions.) The headwater area is extremely important for providing high quality water to sustain core populations of at-risk coho salmon and listed steelhead trout downstream. Recovery of these populations in the greater Johnson Creek watershed will be highly dependent on maintaining and improving the populations in Kelley Creek, which in turn are dependent on improving water quality and habitat conditions downstream. Any further impacts to water quality, either temporary (from construction) or chronic increase in runoff and pollutants (from further density/development) puts some of Johnson Creek's best remaining salmon and steelhead spawning areas at unnecessary risk. In addition, these properties provide important habitat connectivity for terrestrial wildlife between the adjacent watersheds, as well as the properties acquired with 1995 bond measure funds.

Finally, these South Butler Buttes provide a scenic viewshed for the planned communities of Pleasant Valley and Damascus. Preserving these two key properties would retain, in perpetuity, a beautiful green butte for these future residents.

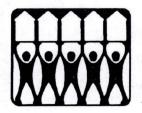
For these reasons, the Johnson Creek Wateshed Council urges Metro to work with the landowners to acquire these properties for protection as an urban natural area greenspace. Thank you for considering this nomination.

Sincerely,

Michelle Bussard Executive Director Christine Steele Community Outreach Coordinator

Justine State

Inspiring and facilitating community investment in the Johnson Creek Watershed for the protection and enhancement of its natural resources.



Southeast Uplift Neighborhood Program

3534 SE Main Street • Portland, Oregon • 97214 • Phone 503-232-0010 Fax 503-232-5265 • website www .southeastuplift.org

A non-profit coalition supportiing citizen partiicipation and community development in Southeast Portland.

August 30, 2007

President David Bragdon Councilor Robert Liberty Councilor Carl Hosticka Councilor Rod Park Councilor Brian Newman Councilor Kathryn Harrington Councilor Rex Burkholder

To Metro Council:

The Southeast Uplift Board of Directors strongly support the Metro Council's leadership in considering the establishment of the Regional Housing Choice Revolving Fund to support the growing need for affordable housing throughout the metropolitan region. Affordable housing is desperately needed throughout the region, particularly for low-income families, people with disabilities, seniors, and people of color. We recognize that the Regional Housing Loan Fund will not solve the affordable housing issue in our region, but it's a step in the right direction.

A Regional Housing Loan Fund, as has been proposed, is a smart public investment. Housing gives people an opportunity to build better lives. To succeed people need a place to call home. People with stable housing participate more in their communities. Employees who can afford to live near work drive less and place less demand on our transportation system.

Yet, as our region and economy grow, our lowest income population is struggling to pay for housing and still have enough money left for groceries, medicine and other basic needs. In the past fifteen years, we've seen dramatic change in our region's housing market. We've seen housing costs double, triple and even quadruple in that time, while incomes have remained relatively flat. Moreover, we've seen our most vulnerable residents—poor families, seniors and others on fixed incomes—displaced as a result of these sharp increases.

Recently, Southeast Uplift shared the Coalition for a Livable Future Regional Equity Atlas with our neighborhood and community partners. The Atlas shows a clear pattern of poor families and people of color moving at an alarming rate from our urban areas to the region's inner ring suburbs in search of housing they can afford, and yet, needed services are not following them.

SEP 1 3 2007

Your support for a regional loan fund can provide a unique opportunity for our region's people with low incomes. The establishment of a regional fund could provide a structure to leverage additional funding in the future including resources from voter-approved measures such as bonds or transfer fees. The fund uses existing structures for administration to maximize efficiency. The fund fills a gap in the housing delivery system—an ability to react quickly to purchase land or "at risk" properties.

Again, the Southeast Uplift Board of Directors urges you to support the establishment of Regional Housing Choice Revolving Fund to support community livability in all of our neighborhoods in the region.

Paul Leistner,

Chair, Board of Directors

Southeast Uplift Neighborhood Coalition

President David Bragdon
Councilor Robert Liberty
Councilor Carl Hosticka
Councilor Rod Park
Councilor Brian Newman
Councilor Kathryn Harrington
Councilor Rex Burkholder

August 31, 2007 SEP 4 2007

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Yet, as our region and economy grow, our lowest income populations are struggling to pay for housing and still have enough money left for groceries, medicine and other basic needs. In the past fifteen years, we've seen dramatic change in our region's housing market. We've seen housing costs double, triple and even quadruple in that time, while incomes have remained relatively flat. Moreover, we've seen our most vulnerable residents—poor families, seniors and others on fixed incomes—displaced as a result of these sharp increases. The Coalition for a Livable Future Regional Equity Atlas shows a clear pattern of poor families and people of color moving at an alarming rate from our urban areas to the region's inner ring suburbs in search of housing they can afford. Your support for a regional loan fund can provide a unique opportunity for our region's people with low incomes:

- \$1 million from Metro could leverage up to \$20 million from private foundations and banks.
- \$20 million could provide help affordable housing developers acquire land, and preserve "at risk" units and manufactured housing parks.
- The fund is estimated to help produce and preserve an estimated 250-350 homes every 2 years.
- The establishment of a regional fund could provide a structure to leverage additional funding in the future including resources from voter approved measures such as bonds or transfer fees.

- The fund uses existing structures for administration to maximize efficiency.
- The fund fills a gap in the housing delivery system—an ability to react quickly to purchase land or "at risk" properties.

Again, we urge you to support the establishment of Regional Housing Choice Revolving Fund. Please call Ian Slingerland (503-280-5403) or Sam Chase (503-335-9884) with any questions.

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