

Portland, Oregon

**FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items**

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Kaitlin Lovell		2. Telephone No. (503) 823-7032	3. Bureau/Office/Dept. BES/Watershed Services
4a. To be filed (hearing date): January 30, 2013	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst:
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

*Authorize the Bureau of Environmental Services to accept a conservation easement from TriMet as part of the Crystal Springs Railroad Culvert Replacement and Restoration Project

2) Purpose of the Proposed Legislation:

Accept a conservation easement to conduct revegetation, restoration, and monitoring activities on site.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|---------------------------------------------|-----------------------------------------------|------------------------------------|--------------------------------|
| <input type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input checked="" type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |

FINANCIAL IMPACT**4) Revenue:** Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No

5) Expense: What are the costs to the City as a result of this legislation? What is the source of funding for the expense? (Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the *level of confidence*.)

The conservation easement will be donated from TriMet at no cost to the City. Revegetation, monitoring and maintenance is expected to cost no more than \$20,000 during the entire five-year monitoring period. BES Stormwater capital funds are approved for this purpose.

6) Staffing Requirements:

- Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? (If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)

No new positions or changes in class.

- Will positions be created or eliminated in *future years* as a result of this legislation?
No

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

YES: Please proceed to Question #9.

NO: Please, explain why below; and proceed to Question #10.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

Significant public involvement and community outreach specific to this ordinance has occurred, as part of a broader effort to focus on salmon recovery in one watershed – Crystal Springs Creek. BES staff prepared numerous presentations, conducted open houses, and participated in tabling, and public events related restoration and the potential for salmon recovery in Crystal Springs Creek between February and October of 2012. In addition, as part of the Portland-Milwaukie Light Rail project, TriMet also conducted many outreach events that included discussion of this project. On September 20, 2012 Commissioner Saltzman joined officials from TriMet and Union Pacific Railroad for a public celebration of the railroad culvert project, which was widely covered by the local media.

In April and May of 2012, BES presented to the Eastmoreland, Reed, and SMILE Neighborhood Associations about the Railroad culvert project, specifically. BES works closely with SMILE Neighborhood Association, Crystal Springs Partnership, and Reed College to promote stewardship, educate, and inspire action around restoration.

With the acceptance of this conservation easement to the City from TriMet, long-term access is guaranteed for BES staff to ensure revegetation, compliance with permits, and the long-term success of the project. No public impacts are expected from this council item, but rather, this action is supportive of the long-term restoration campaign in the community.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

BES involved the SMILE Neighborhood Association, Eastmoreland Neighborhood Association, Reed Neighborhood Association, Johnson Creek Watershed Council, and the newly formed Crystal Springs Partnership in the design and construction of this and other culvert projects.

c) How did public involvement shape the outcome of this Council item?

The bureau conducted public outreach and involvement during the design and construction phases of the Railroad culvert project including neighborhood and business association presentations, mailings, tabling at community events and fairs; and meetings with individual property owners. Public support for this project helped encourage both TriMet and Union Pacific Railroad to cooperate with BES on this project.

d) Who designed and implemented the public involvement related to this Council item?

Public involvement to date has been a joint effort by the Science, Fish and Wildlife Division and the Johnson Creek Watershed Team, with assistance from TriMet. Ronda Fast and Maggie Skenderian

designed and implemented public involvement to-date and will continue to collaborate on future public involvement activities.

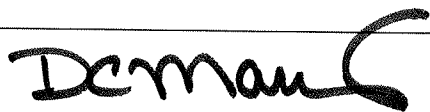
e) Primary contact for more information on this public involvement process (name, title, phone, email):

Ronda Fast, Environmental Program Coordinator, 503-823-4921, Ronda.Fast@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No additional public involvement is anticipated or necessary for this council item, but outreach and involvement will continue as the culvert replacement and restoration program continues (through 2015).

Dean Marriott, Director



APPROPRIATION UNIT HEAD (Typed name and signature)



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

City Council
Agenda Item
Staff Supplemental Report

TO: Commissioner Dan Saltzman
THROUGH: Matt Grumm or Amy Trieu

FROM: Kaitlin Lovell

DATE: *January 10, 2013*

RE: *Authorize the Bureau of Environmental Services to accept a conservation easement from TriMet as part of the Crystal Springs Railroad Culvert Replacement and Restoration Project

Requested Council Hearing Date: *January 30, 2013*

I. RECOMMENDATION Accept the conservation easement from TriMet. City Council should pass this ordinance to authorize acceptance of a conservation easement from TriMet as part of the Crystal Springs Railroad culvert replacement and restoration project.

II. BACKGROUND

In 2007, the City launched the Grey to Green Initiative (G2G), aimed at accelerating the implementation of the Portland Watershed Management Plan. G2G focuses on seven key components. Most pertinent to this proposal are the removal and/or repair of 9 fish barrier culverts, the acquisition of over 400 acres of land, and invasive species removal, among other focal areas that add up to a \$150 million effort. Of the \$50 million earmarked by the City Council, \$2 Million were specifically targeted to the culvert effort. After an exhaustive inventory, ranking and review by a steering committee comprised of professional representatives from NOAA Fisheries, US Fish and Wildlife Service, Oregon Department of Fish and Wildlife, Johnson Creek Watershed Council, and Portland Bureaus of Transportation, Parks, and Environmental Services, the City selected the 9 fish barrier culverts in Crystal Springs as the top priority for replacement. The idea is to focus all of the culvert effort in one watershed that has the highest potential for salmon recovery.

The Railroad culvert is the ninth culvert – the only culvert not initially targeted by the Grey to Green program because it is privately owned by Union Pacific Railroad (UPRR). The partnership between TriMet and UPRR on the Portland-Milwaukie Light Rail project provided the opportunity for a successful partnership to replace the elusive ninth culvert. The railroad culvert will carry both UPRR trains and TriMet light rail trains over the creek.

The conservation easement, which will be provided at no cost to the City, is necessary to allow BES Reveg staff access for planting, monitoring, and maintenance to maintain the bureau's hydrology and habitat investments.

III. FINANCIAL IMPACT

The conservation easement from TriMet will be provided at no cost to the city. BES Stormwater capital funds have been approved to pay for revegetation, monitoring and maintenance estimated at \$20,000 total over the next five years.

IV. LEGAL ISSUES

None

V. CONTROVERSIAL ISSUES

None

VI. LINK TO CURRENT CITY POLICIES

Acceptance of the railroad culvert Conservation Easement is consistent with the City's policies put forth in the Endangered Species Program, the Portland Watershed Management Plan, the Grey to Green Initiative, and Council Resolution 183819 that delegates certain real property contract authority to the Director of the Bureau of Environmental Services.

VII. CITIZEN PARTICIPATION

SMILE Neighborhood Association	Project supporter
Eastmoreland Neighborhood Association	Project supporter
Reed Neighborhood Association	Project supporter
Bonneville Environmental Foundation	Project supporter
Johnson Creek Watershed Council	Project supporter
Trout Unlimited	Project supporter
East Multnomah Soil & Water Conservation District	Project funder

VIII. OTHER GOVERNMENT PARTICIPATION

TriMet	Project Partner
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IX. FINANCIAL IMPACT ON LOCAL ECONOMY

IF APPLICABLE, PROVIDE INFORMATION ON ESTIMATED NUMBER OF JOBS CREATED BY THIS ACTION

N/A

IF THIS ACTION IS CONTRACT-RELATED, PROVIDE INFORMATION ON M/W/ESB PARTICIPATION (NUMBER AND PERCENTAGE)

N/A

- X. IF THIS IS A CONTRACT, DOES CONTRACTOR HAVE A CURRENT BUSINESS LICENSE? ____ WHAT IS THEIR BUSINESS LICENSE NUMBER? ____ IS THEIR ACCOUNT WITH THE CITY CURRENT? ____ IF NOT, HOW MUCH IS OWING? _____