

Portland, Oregon

# FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT For Council Action Items

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

1. Name of Initiator Steve Kucas		2. Telephone No. 503-823-6976	3. Bureau/Office/Dept. Water / Resource Protection and Planning /
4a. To be filed (date):  May 23, 2013	4b. Calendar (Check One)  Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: May 15, 2013
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 Water Bureau to acquire a conservation and access easement on the YMCA Camp Collins property (Ordinance)

**2) Purpose of the Proposed Legislation:**

The purpose of this action is to acquire a conservation and access easement from YMCA Camp Collins to maintain and improve riparian conditions in the lower Sandy River watershed as part of the Bull Run Water Supply Habitat Conservation Plan (HCP).

In 2012, the Water Bureau approached YMCA Camp Collins regarding its parcels along the lower Sandy River to pursue an easement. This easement will result in a significant gain toward meeting the acreage requirements of the HCP and will advance the City's long-term interest in enhancing fish habitat in the Sandy River Basin consistent with its commitments in the HCP. In addition the easement will provide for 53 of the 373 acres of land in conservation easements required by the HCP.

The City will be responsible for maintaining and improving riparian habitat conditions in the lower Sandy River watershed by supporting the maintenance and planting of native riparian forest habitat and the removal of invasive species.

**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 checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast             | <input 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 year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. 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.)*

Funds to implement the measures of the HCP are allocated on an annual basis through the City's regular budgetary processes. The City has come to an agreement with YMCA Camp Collins based on the current appraised value of the easement area for an acquisition price of \$157,834, roughly \$2,978 per acre. The City also anticipates an additional cost of \$30,000 to fund the improvements to the easement acreage.

Funding of \$157,834 for the YMCA Camp Collins Easement is available in the FY 2012-13 Budget. Funding in the amount of \$30,000 for the improvements to the easement acreage will be requested in the FY 2013-14 through FY 2015-16 Budgets.

**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.

- 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?

The project is part of one of 49 measures the City committed to implement when it approved the Bull Run Water Supply Habitat Conservation Plan (HCP) in October 2008 under Ordinance No. 182235. The HCP is a 50-year plan to protect and improve aquatic habitat in and around the Bull Run River while continuing to manage the Bull Run watershed as a water supply for the City of Portland.

The HCP served as the official application for a federal Incidental Take Permit under the Endangered Species Act. The National Marine Fisheries Service (NMFS) granted the City an Incidental Take Permit for its water supply operations in spring 2009 on the basis of the restoration commitments described in the Bull Run HCP. Implementation of the projects defined in the HCP allows the City of Portland to be in full compliance with the federal Endangered Species Act and Clean Water Act.

Project impacts of the HCP include financial impacts to the rate-payers of the Portland Water Bureau and construction impacts from some measures on communities in the Sandy River Basin, where HCP projects will occur. Positive impacts include habitat improvements in the lower Bull Run River and Sandy River Basin benefitting anadromous fish and other species, and long-term regulatory compliance with the federal Endangered Species Act and Clean Water Act for Portland's drinking water utility.

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?

Since 2002, the Portland Water Bureau and NMFS have conducted multiple forms of public involvement related to the Bull Run HCP.

1) From 2002 to 2008, the Portland Water Bureau communicated with key stakeholders and the public about its application for an Incidental Take Permit, namely the draft Habitat Conservation Plan. Portland Water Bureau staff completed the following:

- Presented or met with six local government agencies 10 times.
- Engaged 10 national and local non-profit organizations in discussions about the HCP.
- Presented to seven community, civic and advisory organizations.

- Conducted additional public education and outreach activities consisting of:
  - four educational events about the HCP and the effects of the drinking water system on salmon (118 participants)
  - 71 water supply facility tours during which information on the HCP was presented (Approx. 1,400 participants)
  - three public open houses on the HCP (approx. 45 participants)
  - Sent out information on the HCP to 171,000 households and 15,000 commercial accounts (three separate times, as inserts in water bills)

2) As required by the NEPA, the NMFS conducted a public comment process for the draft HCP and the accompanying Draft Environmental Impact Statement. This involved:

- Two formal scoping meetings held in June 2006; 15 members of the public attended.
- Two formal public comment meetings held in May 2008; 21 members of the public attended.
- An extended 60-day public comment period; 14 comment letters were received.

Organizations and agencies that participated in the public involvement activities include:

- |  |   |
|--|---|
| * Portland Business Alliance           | * Columbia Corridor Association         |
| * Water Bureau Wholesale Customers     | * Portland Utility Review Board         |
| * Portland Large Water Users Coalition | * Bull Run Community Planning Org.      |
| * City of Troutdale                    | * City of Sandy                         |
| * City of Gresham                      | * Metro Council                         |
| * East Multnomah SWCD                  | * Oregon Congressional Delegation       |
| * Clackamas County Commission          | * Clackamas County                      |
| * Multnomah County                     | * The Nature Conservancy                |
| * National Marine Fisheries Service    | * Northwest Steelheaders                |
| * Oregon Department of Fish & Wildlife | * Oregon Dep. of Environmental Quality  |
| * Oregon Trout                         | * Portland General Electric             |
| * Sandy Basin Watershed Council        | * Bureau of Land Management             |
| * Forest Service                       | * Mt. Hood National Forest              |
| * US Fish & Wildlife Service           | * Western Rivers Conservancy            |
| * American Rivers                      | * Trout Unlimited                       |
| * NW Steelheaders - Sandy Chapter      | * Alder Creek Kayak & Canoe             |
| * Frank Gearhart                       | * Citizens Interested in Bull Run, Inc. |
| * Ed Hopper                            | * The Resort at the Mountain            |
| * Oregon Natural Resource Council      | * Council Native Fish Society           |
| * Multnomah County Commission          | * Clackamas County SWCD                 |
| * State Representatives:               |   |
| Dingfelder, Metzger, Smith, Minnis     |   |

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

The proposed HCP was shaped through a 10+ year planning process with the participation of a wide range of non-governmental agencies, public agencies and community interest groups. These groups provided key input that directly influenced the proposed set of measures the Water Bureau included in the proposed HCP which was then evaluated by NMFS through a federal NEPA process.

Under NEPA, NMFS was required to prepare an Environmental Impact Statement (EIS) to examine the proposed HCP. One of the key steps in the EIS process was NMFS's consultation with the public to obtain suggestions and information on the scope of issues to include in the EIS. When the EIS and Draft HCP were completed, there was an announcement and a public review and comment period for that draft.

NMFS received 14 comment letters and these comments were addressed when determining the environmental impacts of the final HCP.

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

The public involvement process for the HCP was conducted according to the regulations outlined in the NEPA and was conducted by NMFS.

Additional public involvement was designed and conducted by outreach staff at the Portland Water Bureau and consisted of community education, watershed tours, community events, presentations to local special interest, neighborhood and community groups and agencies, and media outreach.

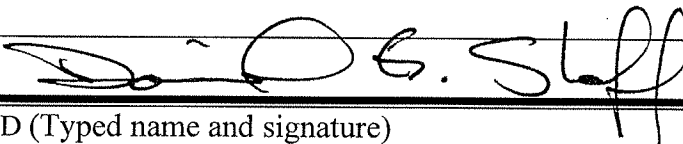
**e) Primary contact for more information on this public involvement process (name, title, phone, email):**

Terry Black, Sr. Community Outreach and Information Representative, (503) 823-1168, [terry.black@portlandoregon.gov](mailto:terry.black@portlandoregon.gov).

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

No future public involvement is necessary.

David G. Shaff, Administrator



APPROPRIATION UNIT HEAD (Typed name and signature)



**Mayor Charlie Hales**  
David G. Shaff, Administrator

1120 SW 5th Avenue, Room 600  
Portland, Oregon 97204-1926  
Information: 503-823-7404  
[www.portlandoregon.gov/water](http://www.portlandoregon.gov/water)



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**DATE:** April 22, 2013  
**TO:** Mayor Charlie Hales  
**FROM:** David G. Shaff, Administrator  
**RE:** Authorize the Water Bureau to acquire a conservation and access easement on the YMCA Camp Collins property (Ordinance)

1. **INTENDED THURSDAY FILING DATE:** May 23, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** May 29, 2013
3. **CONTACT NAME AND NUMBER:** Steve Kucas (503) 823-6976
4. **PLACE ON:** ☒ **CONSENT** ☐ **REGULAR**
5. **BUDGET IMPACT STATEMENT ATTACHED:** ☒ **Y** ☐ **N** ☐ **N/A**
6. **TWO (2) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED:** ☒ **Yes** ☐ **No** ☐ **N/A**

**7. BACKGROUND/ANALYSIS:**

In May 2005 the City Council directed the Water Bureau to develop a comprehensive Habitat Conservation Plan (HCP) for the Bull Run Water Supply to address its flow, temperature and habitat impacts on fish listed under the federal Endangered Species Act (ESA) and obtain long-term compliance with both the ESA and Clean Water Act. The HCP was finalized and approved by City Council on October 1, 2008, under Ordinance No. 182235 and committed the City of Portland (City) to implement the HCP. The HCP includes 49 measures, or actions, to protect and improve habitat and to avoid or minimize the impacts on threatened species from the Bull Run water supply system.

A set of measures in the HCP obligate the City to acquire land easements from willing private landowners to maintain and improve riparian zone conditions for a minimum of 373 acres throughout the Sandy River watershed. The purpose of the proposed restoration action is to improve riparian conditions in the lower Sandy River watershed by supporting the maintenance and planting of native riparian forest habitat and the removal of invasive species. This will advance the City's long-term interest in enhancing fish habitat in the Sandy River Basin consistent with its commitments in the HCP.

YMCA Camp Collins owns 53 riparian acres on reach 2 of the Sandy River. In 2012, the YMCA indicated that it was a willing partner with the City in establishing a conservation easement on its parcels along the lower Sandy River. This easement from YMCA Camp Collins will result in a significant gain toward meeting the City's acreage requirements in the HCP. The Water Bureau has obtained conservation easements for 76 acres in the Sandy River watershed to date. The YMCA Camp Collins Easement will result in the bureau acquiring 129 of its overall 373 acres of required conservation easements.

**8. FINANCIAL IMPACT:**

Funds to implement the measures of the HCP are allocated on an annual basis through the City's regular budgetary processes. The City has come to an agreement with YMCA Camp Collins based on the current appraised value of the easement area for an acquisition price of \$157,834, roughly \$2,978 per acre. The City also anticipates an additional cost of \$30,000 to fund the improvements to the easement acreage.

Funding of \$157,834 for the YMCA Camp Collins Easement is available in the FY 2012-13 Budget. Funding in the amount of \$30,000 for the improvements to the easement acreage will be requested in the FY 2013-14 through FY 2015-16 Budgets.

The projected cost of the conservation easement with YMCA Camp Collins is lower than previously estimated. At the time the HCP was adopted the City estimated that it would cost approximately \$6,000 per acre of land to acquire conservation easements which would have resulted in expenditures of approximately \$318,000 for this easement; however, the City and YMCA Camp Collins have agreed to a price of \$157,834, roughly \$2,978 per acre.

**9. RECOMMENDATION/ACTION REQUESTED:**

Authorize the Portland Water Bureau to acquire a conservation easement and an access easement on property owned by YMCA Camp Collins as part of the Bull Run Water Supply Habitat Conservation Plan.

Funds are available



Edward Campbell, Director, Resource  
Protection and Planning



David G. Shaff, Administrator