

# ORDINANCE No. 186807

Authorize an Intergovernmental Agreement with Oregon State University in an amount not to exceed \$11,500 to process and analyze data from Portland watersheds (Ordinance)

The City of Portland ordains:

## Section 1. The Council finds:

1. In March 2000, the Portland City Council adopted the Clean River Plan, which included monitoring and watershed assessment to determine project effectiveness and partnering with other jurisdictions.
2. The Portland City Council adopted the Framework for Integrated Management of Watershed Health on March 8, 2006 as part of the 2005 Portland Watershed Management Plan, Resolution No. 36384. The Framework defines healthy urban watersheds and watershed health goals, including biological communities that are frequently the first and most sensitive indicators of drainage way impairment and improvement. Salmon are highlighted because of their special legal, economic and cultural status in the Pacific Northwest.
3. In July 1998, the Portland City Council adopted Resolution No. 35715 to guide the City's response to the Endangered Species Act (ESA). The City's urban activities, primarily sewer and stormwater management, land use, and transportation, were identified as key causes for the decline of salmon and steelhead. The resolution called on the City to:
  - i. Create an integrated, comprehensive city-wide approach;
  - ii. Work to support the recovery of native salmonids;
  - iii. Work proactively with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service;
  - iv. Work with local, regional and state partners;
  - v. Engage the community in the ESA response.
4. The Bureau of Environmental Services is the bureau most significantly impacted by the ESA listings, requiring more than 20 federal ESA permits since 2003 for projects related to outfalls, sewer crossings, drainage way improvements, floodplain restoration and culvert replacements among others. In addition, many private landowners are also subject to the ESA. Recovery of ESA listed salmon and steelhead within the City would reduce project and permitting costs, help the city comply with the Clean Water Act (CWA) permits and requirements, and support economic and ecological gains throughout the City.
5. The National Marine Fisheries Service has adopted three salmon and steelhead recovery plans that affect the City of Portland: The Columbia River Estuary ESA Recovery Plan

Module (2011), the Upper Willamette River Conservation and Recovery Plan (2011), and the Lower Columbia River Recovery Plan (2013). Each of the plans recommend measures to improve water quality, in particular stormwater management, as among the most potent and high priority recovery actions. BES represented the City in the stakeholder processes.

6. Since 2000, the City has dramatically improved its understanding of salmon and steelhead interactions, behavior, location, habitat needs and obstacles to recovery, which has resulted in better project prioritization, improved project designs, and streamlined permitting which minimizes costs for compliance with the ESA. This information has allowed the City to secure outside funding for construction, ensuring that limited ratepayer dollars are leveraged effectively, and is used to refine requirements and demonstrate compliance with the City's CWA permits. However, the City has not conducted a genetic analysis of the salmon and steelhead sampled. Genetic analyses will improve the City's competitiveness in securing outside funding for projects, affect project prioritization and design especially for stormwater and drainage way improvement projects, influence conditions and requirements in the NPDES permit negotiations, and increase the attention to the Lower Willamette River as a keystone ecosystem for three different recovery domains.
7. The Oregon State University works with local, state and federal partners to better understand fish, wildlife, and plants and their habitats for the benefit of Oregonians while providing educational opportunities for students. OSU operates the Marine Fisheries Genetics Laboratory in Newport, Oregon and is a leader in processing and analyzing chinook genetics. Coupled with genetic analysis completed by the US Fish and Wildlife Service, Portland will be able to more strategically and cost effectively manage ESA listed salmon for BES operations.
8. BES and OSU agree through this IGA to analyze the genetics of all chinook samples collected by BES and USFWS. The total cost shall not exceed \$11,500. Funds are available in the Watershed Services operating budget in FY15.

NOW, THEREFORE, the Council directs:

- a. The Director of the Bureau of Environmental Services is authorized to execute an Intergovernmental Agreement, in substantially similar for to Exhibit A, with the Oregon State University for the purpose described in Section 1, in the amount not to exceed \$11,500.
- b. The Mayor and Auditor are hereby authorized to draw and deliver warrants chargeable to the Sewer System Operating Fund Budget when demand is presented and approved by the proper authority.

186807

Passed by the Council,  
Commissioner Nick Fish

SEP 17 2014

Kaitlin Lovell/Melissa Brown  
August 8, 2104  
ESWS000011

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By

A handwritten signature in cursive script, appearing to read "Susan Pearson".

Deputy

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Agenda No. **ORDINANCE NO. 186807**

Title

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>FISH</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott <i>[Signature]</i></p> <p>Prepared by: Kaitlin Lovell Date Prepared: August 8, 2014</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date <b>September 16, 2014</b></p>	<p>CLERK USE: DATE FILED <b>SEP 05 2014</b></p> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p><b>SEP 10 2014 PASSED TO SECOND READING</b></p> <p><b>SEP 17 2014 9:30 A.M.</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input checked="" type="checkbox"/> <i>Pulled</i></p> <p><b>REGULAR</b> <input type="checkbox"/></p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	3. Saltzman	_____
4. Novick	4. Novick	_____
Hales	Hales	✓