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CITY OF PORTLAND
BUREAU OF ENVIRONMENTAL SERVICES

STREAMLINING AGREEMENT

Ten Year Status Report of the Streamlining Team Process (2003 – 2013)

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City of Portland

Highlights

- History of Streamlining Agreement
- Process and Progress
- City Permitted Projects
- Center for Public Service, Hatfield School of Government Assessment

US Army Corps of Engineers ®
Portland District

DEQ

Oregon Department of State Lands

STREAMLINING AGREEMENT

The Streamlining Agreement is with the City of Portland, U.S. Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service, Oregon Department of State Lands, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, and the City of Portland, Bureau of Development Services.

The Purpose is to build a collaborative process that encourages efficient and effective communication among multiple government agencies and City of Portland project teams.

The Goal is to secure timely, responsive and non-conflicting decisions from the agencies for proposed City projects that require permits and other authorizations.

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Executive Summary

Introduction

The idea for developing a streamlining process for environmental permits issued to the City began with the City of Portland's former Mayor Vera Katz and the River Trust Partners, consisting of federal agencies. This partnership was initially developed to explore how the City could address multiple regulatory requirements in a more efficient and coordinated manner.[1]

On February 14, 2003 the City and Federal agencies signed a Streamlining Agreement establishing a cooperative streamlining process for federal Endangered Species Act Section 7 consultations. The purpose of the Agreement is to develop a process that ensures City project and program timeframes are met in a timely manner and improves coordination and communication between the City, the National Marine Fisheries Service, the Army Corps of Engineers and the U.S. Fish and Wildlife Service. The Agreement also called for developing coordination strategies with other state and Federal regulatory programs. To achieve this end, an invitation was extended to state agencies that administer environmental regulations (e.g., Department of State Lands, Department of Environmental Quality and Oregon Department of Fish and Wildlife) and the City's Bureau of Development Services (BDS) to join the Streamlining Team shortly after the Team's formation in late 2003. A more formal invitation to participate in the Agreement was extended to these agencies in November 2006. This status report summarizes the progress that has been made between 2003 and 2013.

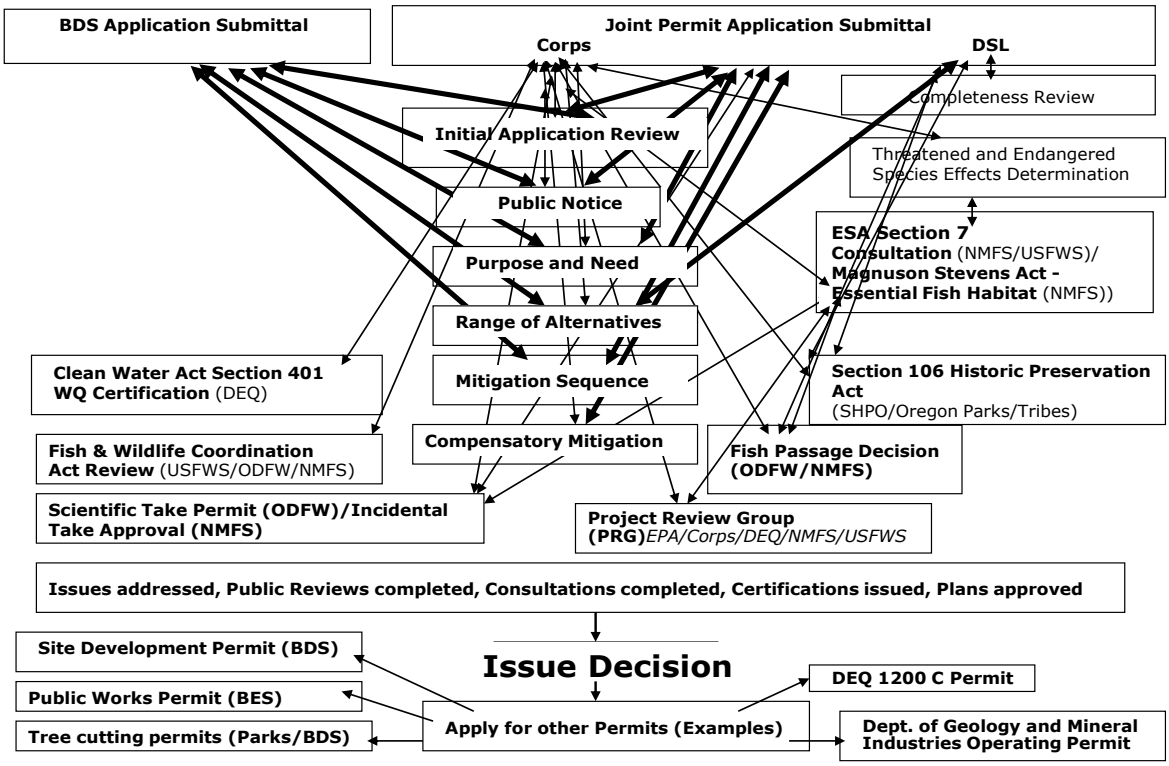
Why the Need for a Streamlining Agreement?

Applicants attempting to acquire environmental permits for water-related activities must maneuver through multiple federal, state and city laws in order to gain approval. Many of the laws have different application procedures, review timeframes and approval requirements. The process can be confusing and potentially costly for those that don't understand the different agency permitting processes. It has become very common to have the regulated public complain

1 At the time, the City was responsible for the schedule and requirements of the Amended Stipulation and Final Order (ASFO), a legal agreement between the City and the Oregon Department of Environmental Quality for reducing pollution caused by combined sewer overflows. The City had also begun its involvement as a potential responsible party for the placement of the lower Willamette River on the National Priorities List pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (commonly known as the Superfund),

about the time demands and difficulties associated with collecting the necessary permits (Figure 1).

Figure 1. Common Applicant Experience with the Permit Review Process



Keys to Streamlining – Identifying Shared Decision Opportunities and Building Trust

The City of Portland's Streamlining Team has been working together for over 10 years looking for ways to improve coordination and communication among federal, state and local agencies in order to integrate multiple decision-making criteria and approval timeframes into a predictable and consistent framework.

Standard operating procedures for meetings have been developed to guide the Streamlining Team meetings and communications between the member agencies and City project teams. The procedures are designed to help with the following:

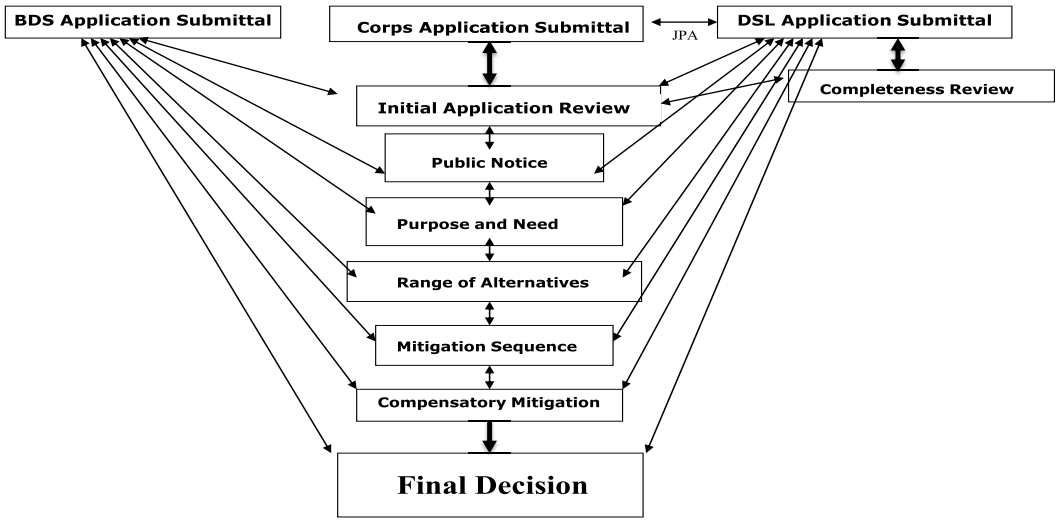
- Determining when project teams are ready to be scheduled for the Streamlining Team meetings.
- Understanding agency roles, permitting requirements and application processing timeframes for the proposed project
- Ensuring the proposed design has considered alternative designs and sites with less impact

Based on this approach, the Streamlining Team's standard operating procedures have the following benefits:

- Early review of the project designs give agencies a chance to provide input before a lot of time and money has been put into the designs
- Discussion of the preferred project option can allow for early agreement among the agencies or recommendation of a process for coming to agreement
- All agencies involved in the project are encouraged to work in a unified manner to deliver timely and consistent decisions

Opportunities exist for building collaborative streamlining arrangements between all of the participating Streamlining Team member agencies. In addition to shared environmental protection goals and geographic jurisdiction, many agencies share similar application review decision criteria that determine if the agencies can allow the proposal to move forward. From a streamlining perspective this allows opportunities to build collaborative streamlining arrangements (Figure 2).

Figure 2. The City's Streamlining Team process creates opportunities to arrive at similar or non-conflicting decisions



Report Layout

This report summarizes information that is useful for evaluating the Streamlining Team process during the years 2003 – 2013. The first section gives a brief history and overview of the Streamlining Agreement. The second section (referred to as "Process and Progress") summarizes the progress that has been made over the 10 year period listing the number of team meetings that have occurred during the years 2003 – 2013, number of city bureaus that have used the team meeting and the type and number of agency permits (and other agency authorizations) received by the City from the Streamlining Team. This section also summarizes the average time it took each agency to issue final decisions for City projects. City projects were placed in categories reflecting different levels of environmental impacts and benefits. The permitting agency's average permit issuance times were calculated for each of the project categories.

Section three provides examples of permitted projects to illustrate the variety of City-sponsored projects that the agencies have been permitted. Project examples in this section were chosen that best portray the range of projects that have worked with the Streamlining Team process.

Section four summarizes the Center for Public Service (CPS), Hatfield School of Government (Portland State University) third-party assessment of the City's Streamlining Team process.

Report Highlights

The following information lists the number of streamlining team meetings including the number of city projects and bureaus that have presented to the Streamlining Team and the permits issued for the years 2003 through 2013.

- **Forty –two (42) agency representatives** have served on the City's Streamlining Team since 2003 (Typically 7 agency members serve at any one time)[2]
- **Eighty-eight (88)** Streamlining Team meetings were held between the years 2003 and 2013
- **One-hundred eighty-seven (187) City Bureau presentations** were given to the Streamlining Team by City project teams between 2003 and 2013
- **One-hundred sixty-eight (168) permits** were issued by the Streamlining Team's participating agencies to **fifty-seven (57) City projects** between 2003 and 2013
- **Four City Bureaus** used the Streamlining Team meetings more often than other Bureaus during the 2003 – 2013 time period
    - Bureau of Environmental Services (BES) – 109 presentations
    - Portland Parks and Recreation (Parks) – 20 presentations
    - Portland Water Bureau (Water) – 10 presentations
    - Portland Bureau of Transportation (PBOT) – 10 presentations

Project Categories

City projects that received permits from the Streamlining Team member agencies were placed into categories reflecting different levels of benefits and impacts to the receiving waterbodies (e.g., For example, instream infrastructure construction projects such as a bridge or dock versus

22 Forty-two agency representatives have served on the Streamlining Team since its inception in 2003 including: Mike Reed (City of Portland Streamlining Team Chair); Nancy Munn, Ben Meyer, Genevieve Angel, Mischa Connine, Christy Fellas (NMFS); Joe Zisa, Greg Smith, Kathy Roberts (USFWS); Mary Headley, Tina Teed, Karla Ellis, Don Borda, John Barco, Harris, Shawn Zinszer, James Holm, Michael, Ladouceur, Jaimee Davis (Corps); Jim Grimes, Devin Simmons, Todd Alsbury, Mischa Connine, Tom Murtagh, Elizabeth Ruther (ODFW); Kirk Jarvie, Dan Cary, Joy Friebaum, Melinda Woods, Lori Warner-Dickason, Jevra Brown, Mike McCabe, Melinda Butterfield (DSL); Tom Melville, Christina Svetkovich, Alex Cyril, Corey Saxon, Sara Christensen, Amy Simpson (DEQ); Kate Green, Kathy Harnden, Stacey Castleberry (Bureau of Development Services, City of Portland).

projects that were designed with instream restoration such as placement of instream wood or streambank vegetation plantings). Depending on the project's perceived impacts or benefits to the receiving water bodies, the agency review of the project may require additional time as the agencies determine if the proposed design is the best approach for eliminating or reducing impacts to natural resources. Average times to receive each agency permit are summarized within each category. The categories include:

Category 1 - All City Bureau[3] projects (**52 City projects** received Corps, DSL and BDS permits between 2003 and 2013)
Category 2 – All Bureau of Environmental Services (BES) projects (**34 BES projects** received permits between 2003 and 2013)
Category 3 - BES projects that consisted of instream trunk sewer line repair/replacement designed with stream habitat restoration techniques (**8 BES projects received permits** between 2003 and 2013)
Category 4 - All City bureau projects that consisted of instream infrastructure repair and replacement (**23 City projects** received permits between 2003 and 2013)
Category 5 - All City bureau projects that consisted of instream habitat restoration projects (**15 City projects** received permits between 2003 and 2013)
Category 6 - Portland Water Bureau projects that were focused in the Bull Run Watershed (**7 Water Bureau** projects were permitted by the Streamlining Team between the years 2007 and 2013)

Permitted Project Examples

Nine project examples are described representing the variety of projects that have used the Streamlining Team process. Projects ranged from instream sewer pipe repair and replacement, water pipeline construction, fireboat boathouse and dock construction, bridge construction and

3 City Bureaus include the Bureau of Environmental Services, Portland Bureau of Transportation, Portland Development Commission, Portland Fire and Rescue, Portland Parks and Recreation, Bureau of Planning and Sustainability and Portland Water Bureau.

replacement. Four City Bureaus (BES, PF&R, PBOT and Water Bureau) and an outside agency (Trimet) managed these project examples.[4]

1. **Lents Interceptor Repair and Tideman Johnson Natural Area Restoration Project in Johnson Creek (BES)** (Category 3 - BES Trunk Sewer Line Repair/Replacement Projects Designed with Stream Habitat Restoration)

2. **Guilds Lake/Willamette River Sanitary Sewer Pressure Line Repair Project (BES)** (Category 4 - City Instream Infrastructure Repair and Replacement Project)

3. **Fire Station 21 Dock and Boathouse Construction Project (PF&R)** (Category 4 – All City Bureau Instream Infrastructure Repair and Replacement Projects)

4. **North Vancouver Avenue Bridge Repair and Replacement Project (Columbia Slough) (PBOT)** (Category 4 – All City Bureau Instream Infrastructure Repair and Replacement Projects)

5. **Light Rail Bridge Project (Trimet)** (Category 4 – All City Bureau Instream Infrastructure Repair and Replacement Projects)

6. **Crystal Springs Railroad Culvert Replacement Permit Timeframes (BES)** (Category 4 – All City Bureau Instream Infrastructure Repair and Replacement Projects)

7. **Schweitzer Natural Area Restoration in Johnson Creek (BES)** (Category 5 - All City Bureau Restoration Projects)

8. **Sandy River Conduit Crossing Project in the Sandy River (Water Bureau)** (Category 6 – Portland Water Bureau Projects)

4 City Bureaus that have used the Streamlining Team process include the Bureau of Environmental Services (BES), Portland Bureau of Transportation (PBOT), Portland Development Commission (PDC), Portland Parks and Recreation (PPR), Bureau of Planning and Sustainability (BPS) and Portland Water Bureau. Agencies outside of the City of Portland that have used the City's Streamlining Team process including Metro, Trimet, Multnomah County, Oregon Department of Transportation, Johnson Creek Watershed Council)

9. **Conduit Trestle Vulnerability Reduction Project – Burying Exposed Conduits between Bull Run Watershed and the City of Portland (Water Bureau)** (Category 6 – Portland Water Bureau Projects)

Section 4 – Center for Public Service (Hatfield School of Government) Assessment and Recommendations for the City of Portland Streamlining Team Process and Program

On June 17, 2014 the Hatfield School of Government's Center for Public Service (CPS) completed a third-party assessment of the City's permit Streamlining Team process. CPS conducted the assessment by reviewing program reports and documents; meeting with the team's chair; and interviewing team members, city project managers, consultants and city leaders about the program.

CPS found the following benefits with the Streamlining Team process:

- Ensures compliance with city, state and federal environmental regulations
- Leads to final project designs that meet the agencies expectations and concerns that are easily permitted
- Reduces permit processing time
- Builds and maintains consistency in messaging and decision-making
- Fosters constructive relationships (considered to be the most important function performed)
- Builds trust through collaborative relationships between city project managers and regulators

Streamlining Team Process Strengths

a. Consistency and efficiency
    - Provides unified voice from regulatory agencies
    - Reduces permit processing time for Project Managers and regulators
b. Training and education

- Provides highly regarded Permits Workshop training for PMs *and* regulators

c. Role of the team chair
    - Well prepared and efficient with everyone's time
    - Provides excellent facilitative leadership and continuity
    - Ability to adapt
d. Collaborative and voluntary nature of process

Benefits to all participants (e.g., Streamlining Team and City Project Teams/Managers):

- Provides the city with a unified, consistent statement of city values to regulators
- Provides project managers time and cost savings, consistent regulatory decisions and opportunities to engage with and educate regulators
- Provides the regulatory agencies with relationship-building and cross-training opportunities that foster a collaborative rather than competitive environment

Center for Public Service Endorsement and Recommendations

The Hatfield School of Government's Center for Public Service endorsed the Streamlining Team process and provided the following recommendations (the full report and recommendations are provided in a separate document):

- Continue the collaborative and voluntary nature of the process, the consistency and efficiency of the team process and the role of the team chair
- Develop outreach to inform senior leaders of participating agencies about the value of the process
- Continue to assess and improve the streamlining process (e.g., procedures for information dissemination)
- Explore exporting the process to other jurisdictions

Section 1 – Introduction

On February 14, 2003, the City and Federal agencies signed an *Endangered Species Act Section 7 Streamlining Agreement* establishing a cooperative streamlining process for federal ESA consultations (**Appendix A**). The purpose of the Agreement is to develop a process that ensures City project and program timeframes are met in a timely manner and improves coordination and communication between the City, the National Marine Fisheries Service, the Army Corps of Engineers and the U.S. Fish and Wildlife Service. The Agreement also called for developing coordination strategies with other state and Federal regulatory programs. To achieve this end, an invitation was extended to state agencies that administer environmental regulations (e.g., Department of State Lands, Department of Environmental Quality and Oregon Department of Fish and Wildlife) and the City's Bureau of Development Services (BDS) to join the Streamlining Team shortly after its formation in late 2003. A more formal invitation to participate in the Agreement was extended to these agencies in November 2006.

The Streamlining Team consists of representatives from each of the agencies and has been meeting since September 2003 to develop innovative ways to integrate federal, state and City laws that apply to proposed city activities.[5] The purpose of this Ten Year Status Report is to highlight the Streamlining Team's process and progress between the years 2003 and 2013, describing the history behind the agreement with the agencies, the goals of the Agreement and what the Agreement has achieved.

Lastly, findings from a third-party assessment conducted by the Center for Public Service with the Hatfield School of Government, Portland State University, are presented including recommendations to further the City's permit streamlining and environmental stewardship objectives of the Agreement.

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5 Forty-two agency representatives have served on the Streamlining Team since its inception in 2003 including: Mike Reed (City of Portland Streamlining Team Chair); Nancy Munn, Ben Meyer, Genevieve Angel, Mischa Connine, Christy Fellas (NMFS); Joe Zisa, Greg Smith, Kathy Roberts (USFWS); Mary Headley, Tina Teed, Karla Ellis, Don Borda, John Barco, Harris, Shawn Zinszer, James Holm, Michael, Ladouceur, Jaimee Davis (Corps); Jim Grimes, Devin Simmons, Todd Alsbury, Mischa Connine, Tom Murtagh, Elizabeth Ruther (ODFW); Kirk Jarvie, Dan Cary, Joy Friebaum, Melinda Woods, Lori Warner-Dickason, Jevra Brown, Mike McCabe, Melinda Butterfield (DSL); Tom Melville, Christina Svetkovich, Alex Cyril, Corey Saxon, Sara Christensen, Amy Simpson (DEQ); Kate Green, Kathy Harnden, Stacey Castleberry (Bureau of Development Services, City of Portland).

History of the Streamlining Agreement

The idea for developing a streamlined review process for surface water related permits began with the federal River Trust Partners consisting of federal agencies and the City of Portland. This City partnership with the regulatory agencies was envisioned by Portland's former Mayor Vera Katz for establishing a new and more effective relationship among federal, state, and local government agencies that have jurisdiction over activities in the lower Willamette River.[6] The partnership with the regulatory agencies was part of a larger goal to integrate watershed health and environmental needs of the Willamette River with economic and social goals of Portland called for by several City Council resolutions and related implementing programs.[7]

The first meeting of the Portland River Trust Partners was held on April 4, 2002. Federal agency leaders in attendance included Michael Tehan, Oregon State Director, NOAA Fisheries; Kemper McMaster, Oregon State Supervisor, U.S. Fish and Wildlife Service; Colonel Richard Hobernicht, District Engineer for the Portland District of the U.S. Army Corps of Engineers; and Dan Opalski, Director of Oregon Operations Office, U.S. Environmental Protection Agency. Members of the Oregon Federal delegation in attendance included Representative's Blumenauer and Wu. City Council representatives included former Mayor Vera Katz, former Commissioner Erik Sten and Commissioner Dan Saltzman.

One of the products of the meeting was a recommendation to develop a process for streamlining federal ESA Section 7 consultations with the federal agencies.

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6 The idea for creating a Portland River Trust was originally presented to the Portland City Club on January 26, 2001 as part of former Mayor Vera Katz' "State of the City 2001" speech. The form and content of the Trust was to be determined through consultation with relevant federal and state agencies.

7 Several examples include: (1) The Portland City Council adopted Resolution 35715 in July 1998 to guide the City's response to the Endangered Species Act. The resolution called for supporting the recovery of native salmonids and working proactively with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service; (2) In July 2000, the Council adopted a Framework for an Endangered Species Recovery Plan in Resolution 35894; (3) In March of 2001, City Council endorsed the River Renaissance Vision (Resolution 35978) as a general guide for creating and integrating future plans and actions related to the lower Willamette River. (The creation of the Portland River Trust is mentioned in this resolution); (4) In March 2006, the Council passed Resolution 36384 adopting the Portland Watershed Management Plan for implementing the River Renaissance goal to ensure a clean and healthy river system for fish, wildlife and people.

Goals of the federal ESA Section 7 Streamlining Agreement

The purpose of the federal Agreement is to create a process to meet the following goals:

- To ensure that City project and program timeframes are met in a timely manner;
- To improve coordination, communication and agreement on formal and informal consultations and conferencing on ESA listed and proposed species prior to and during project/program proposal development;
- To ensure that ongoing activities do not jeopardize ESA listed and proposed species or result in the destruction/adverse modification of designated critical habitat; and
- To support conservation and recovery of listed and proposed species.

Managing the Process - Standard Operating Procedures between the City and Federal Agencies

Standard operating meeting procedures have been developed to guide the Streamlining Team meetings and communications between the member agencies and City project teams (Appendix B).[8] The procedures are designed to help with the following:

- Determining when project teams are ready to be scheduled for the Streamlining Team meetings.
- Understanding agency roles, permitting requirements and application processing timeframes for the proposed project
- Ensuring the proposed design has considered alternative designs and sites with less impact

Based on this approach, the Streamlining Team's standard operating procedures have the following benefits:

- Early review of the project designs give agencies a chance to provide input before a lot of time and money has been put into the designs
- Discussion of the preferred project option can allow for early agreement among the

8 The standard operating procedures borrow from a successful federal streamlining process between the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Forest Service and the Bureau of Land Management. City and agency staff assisting in the development of the procedures include: Mike Reed (City of Portland), Mary Headley (Corps), Nancy Munn (NMFS) and Greg Smith (U.S. Fish and Wildlife Service). Additional assistance was provided by the Bureau of Land Management through a Memorandum of Agreement (April 2002) between Barbara Hill, Special Status Species Biologist for the Bureau of Land Management's Oregon State Office and Mike Reed with the City of Portland's Endangered Species Act Program.

agencies or recommendation of a process for coming to agreement

- All agencies involved in the project are encouraged to work in a unified manner to deliver timely and consistent decisions

Expanding the Streamlining Agreement to include Oregon State Agencies and the City of Portland's Bureau of Development Services

Due to the multiple federal, state and city laws that can be triggered by surface water-related activities, it became clear that focusing solely on ESA Section 7 consultations would not achieve the overall goal of streamlining City-sponsored activities. Due to their key role in surface water-related activities, Oregon State agencies (DSL, DEQ, ODFW) and the City of Portland Bureau of Development Services were invited to join the Streamlining Team shortly after its implementation in 2003. A more formal invitation was extended in November 2006 for these agencies to join the Streamlining Team.

The invited agencies and regulatory responsibilities they bring to the Streamlining Team include:

- *Oregon Department of Environmental Quality*: Section 401 Water Quality Certification for Corps Individual and Nationwide permits as well as reviewing/commenting on DSL Removal Fill permit applications
- *Oregon Department of State Lands*: Removal Fill Law and Wetlands Conservation Program
- *Oregon Department of Fish and Wildlife*: fish passage plan decisions, in-water work period approvals
- *City of Portland's Bureau of Development Services*: Greenway Review and Environmental Review

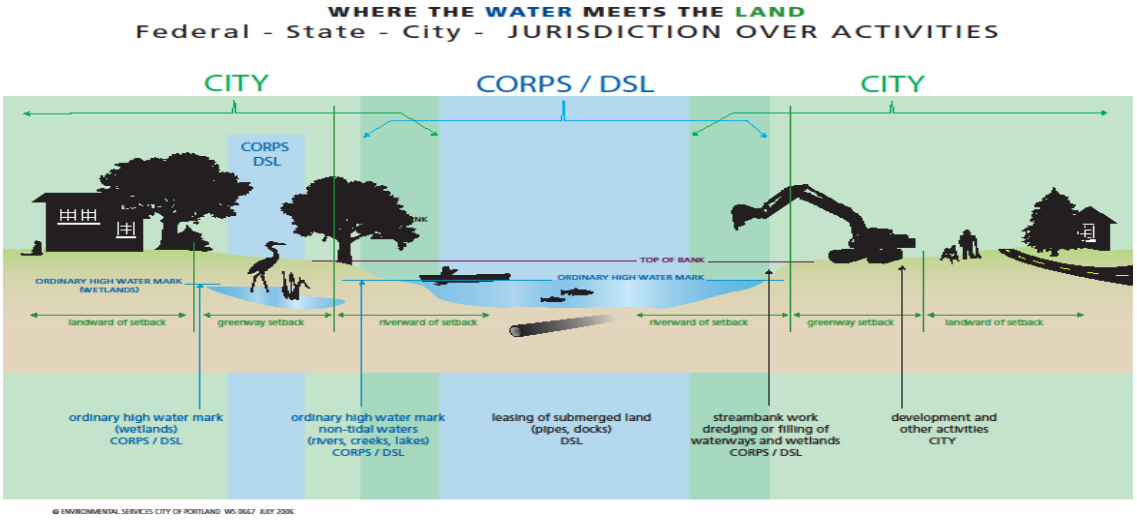
Key to Streamlining - Achieving Decision-Making Consistency between the Agencies

With the addition of federal, state and City regulatory agencies, one of the biggest challenges is the integration of multiple agency review requirements consisting of different decision-making criteria and approval timeframes into a predictable and consistent framework.

In order to carry out an effective and efficient coordination of multiple governments and agencies, it is important to understand how each law's decision-making requirements compare

including any potential coordination opportunities and challenges. Some of the laws administered by the Streamlining Team's participating agencies share similar environmental protection goals as well as similar jurisdictional coverage.[9] Overlapping jurisdictions are looked at as an opportunity to collaborate on key decisions shared by each of the agencies. The Army Corps of Engineers, Department of State Lands, and the City of Portland's Bureau of Development Services overlap in ways that offer opportunities to build a collaborate streamlining process (Figure 1) .

Figure 1. Corps, DSL and BDS Jurisdictional Coverage across the Landscape

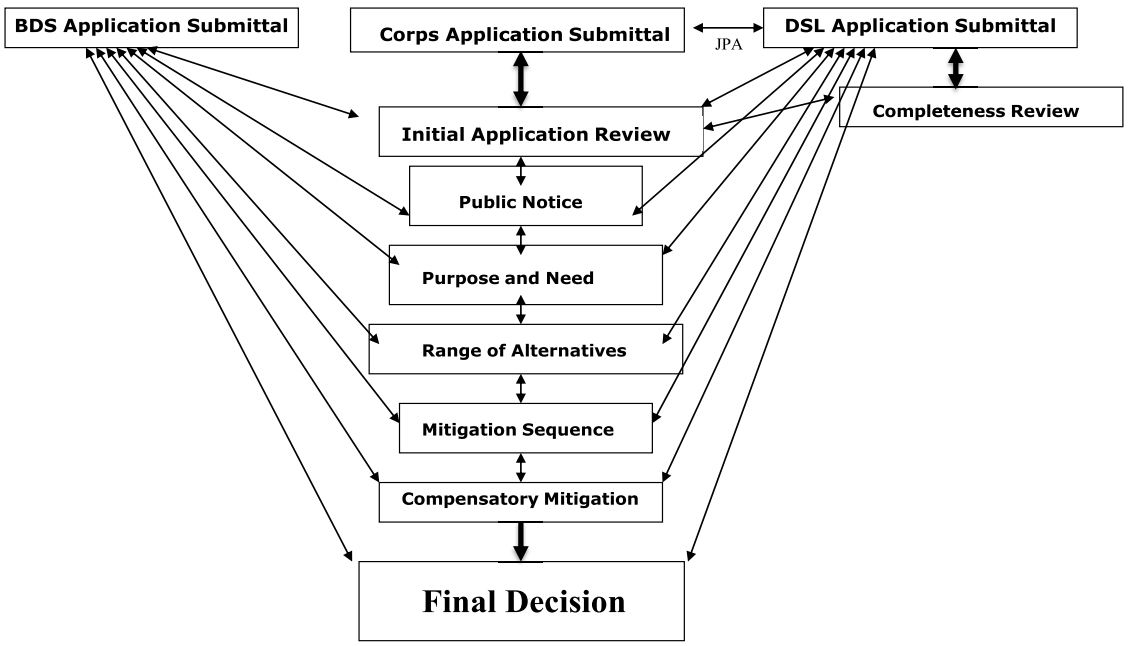


In addition to shared environmental protection goals and geographic jurisdiction, these agencies share similar application review decisions criteria that determine if the agencies can allow the proposal to move forward. These include; (a) project purpose and need, (b) range of alternatives

9 Several of the agencies participating in the Streamlining Agreement share similar environmental protection goals e.g., Corps, DSL and BDS: (a) Under the **Corps** consolidated review of all federal and state laws applicable to the proposed action under their jurisdiction (ESA and CWA among other laws), the Corps final permit decision is designed to ***protect, conserve, restore and maintain*** *the physical, chemical and biological integrity of waters of the U.S.*, (b) The **Department of State Land's Removal Fill Law** requires that the proposed activity's impacts be consistent with the ***protection, conservation and best use*** *of the water resources of the state*, (c) The City's **Greenway Program**, including the **Greenway Plan and code** (adopted by City Council Ordinance 148537), was established in 1979 to meet the requirements of the Statewide Land Use Planning Goal 15 mandate to "***protect, conserve, maintain, and enhance*** *the scenic, natural, historical, economic, and recreational qualities of lands along the Willamette River*", (d) The City's **Environmental Code regulations** derive from Title 3 of Metro's Urban Growth Management Functional Plan (Metro Code 3.07.340.B) and Oregon's Statewide Planning Goals are intended to ***protect*** *resources and functional values* that have been identified by the City as *providing important public benefits*.

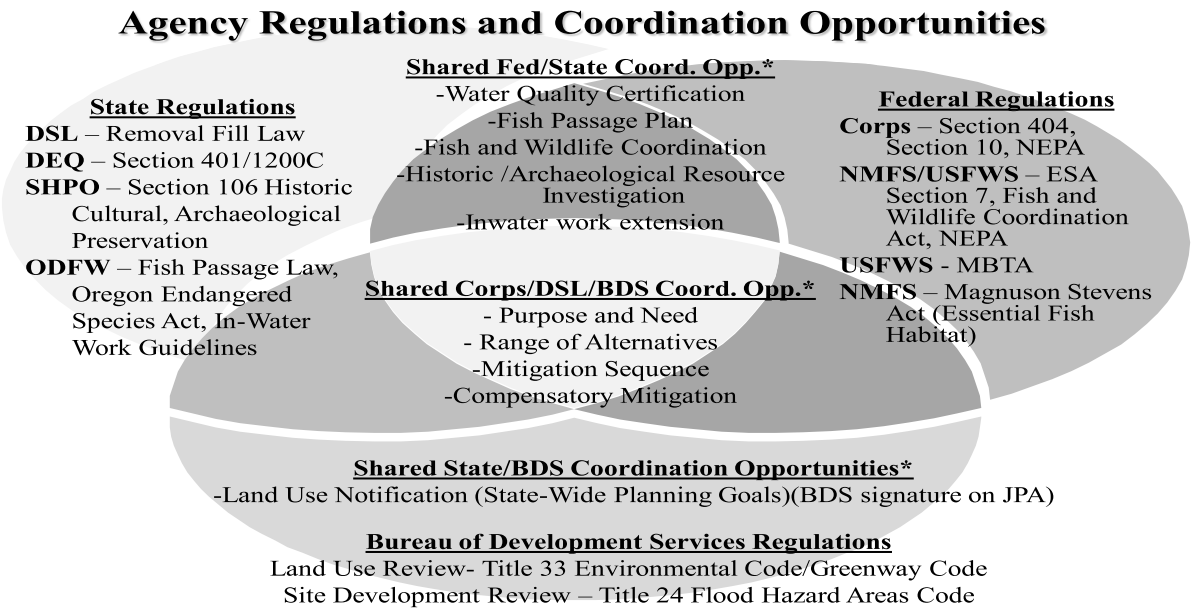
analysis, and (c) mitigation sequence and compensatory mitigation if the proposal may have some environmental impacts that must be compensated (Figure 2).

Figure 2. Keys to Streamlining - Identifying Decision Criteria Shared by the Corps, DSL and BDS



Other coordination opportunities exist with the other member agencies of the Streamlining Team. Figure 3 identifies the common federal, state and local laws where coordination opportunities exist.

Figure 3. Identifying shared decision criteria and coordination opportunities with multiple federal, state and local agencies



***Key regulatory decisions that offer opportunities for coordination between Federal, state and local agencies**

City Coordination of the Streamlining Agreement

In the early stages of the Streamlining Agreement, the City responded to the Streamlining Team member agencies request to centralize contacts regarding permitting and consultation questions and to ensure that city staff who work with the regulatory agencies possess sufficient knowledge of the regulations and facilitation skills. A City employee with the title of Permits Compliance Manager (now referred to as the Water Resources Program Manager) began serving as chair of the Streamlining Team to manage the goals and objectives of the Agreement. The Team Chair's responsibilities continue to evolve but have included the following types of services:[10]

- Acting as the point of contact between the agencies and project teams for addressing questions and giving guidance throughout the project planning, design and permitting phases
- Determining when project teams are ready for the interagency meetings (This is key to successful project team planning and conversely gives agency representatives a chance to provide early input)

10 The position responsibilities are described in various memos and letters (February 3, 2003 (Middaugh, J. to Bureau Directors. Proposed CIP ESA Permit Support Add-Package); June 9, 2003 (Letter from Mike Tehan, Oregon State Director, National Marine Fisheries Service to Mayor Vera Katz: Coordination for Federal Consultation within the City of Portland, Oregon), August 1, 2003. (City Council Memo to Bureau Directors)).

- Ensure that all questions, information needs and decisions from the Team meetings are recorded and followed through by providing a record of recommendations, suggestions and requests for additional information (The meeting notes are taken by professional administrative staff and circulated among the city project teams and Streamlining Team members upon request).
- Conducting annual Streamlining Permits training for city employees (These annual workshops have also been useful for helping the agencies understand the role and responsibilities of the other agencies that are members of the Streamlining Team)
- Facilitating all discussions between project teams and agency representatives helping to reducing the complexity of communicating with multiple agencies (This helps expedite decisions and reduces confusion among the project teams as well as the different agency representatives).
- Reducing the complexity of applying for permits by giving guidance on the where to find the appropriate resources, who to ask questions of, and how to manage the steps needed for preparing joint permit applications, biological assessments, land use review applications as well as other applications.
- Conducting annual Permits training for city employees (These annual workshops have been useful for helping the agencies understand the role and responsibilities of the other agencies that are members of the City Streamlining Team).
- Tracking permit compliance with issued permits to ensure that monitoring and reporting requirements called for in the permits are met (This reduces the potential for enforcement actions as well as the risk of losing trust with the special relationships that exists between the City and the agencies).[11]

11 The permits compliance manager role was identified in various documents to be the City's designated person responsible for tracking current and future permit monitoring requirements. These sources include: the Army Corps of Engineers (letter from Larry Evans, Chief, Regulatory Branch, April 18, 2007); City Attorney's Office (Jan Betz, personal communication), Bureau of Environmental Services' *Permitting Roles and Responsibilities* (July 25, 2007); Memo from City Council, *Coordination of state and federal permits related to the Endangered Species Act* (August 1, 2003).

Section 2 - Process and Progress – The Streamlining Team/City Permitting Experience

The Streamlining Agreement has created a unified multi-agency review process involving three levels of government and seven agencies that administer multiple environmental laws. This has been accomplished through the facilitation of standard meeting procedures whose purpose is to share information needed by federal, state and city agencies for their review and approval of the proposed activity.

The procedures identify the structure, content and management of the Streamlining Team meetings including a facilitative leadership role by the City. The Team meetings give multiple agencies with regulatory responsibilities over proposed City activities a forum to work in a unified manner to deliver timely, responsive and non-conflicting decisions.

In order to coordinate consistent decisions between the multiple agencies, the protocols encourage city project teams to meet with the Streamlining Team at crucial phases of the project's planning and predesign so that agency input can be incorporated into the designs (**Appendix B** – Pre-Application Guidance for City Project Teams).

The Streamlining Team's communication protocols have a number of benefits:

- Early project design reviews give agencies a chance to provide input before a lot of time and money has been put into the designs,
- The preferred project option can be agreed upon or a process can be identified for coming to an agreement,
- Multiple agency requirements and concerns are identified,
- Application review and approval timeframes can be discussed and agreed upon.

Streamlining Team Process

The following information lists the number of streamlining team meetings including the number of city projects and bureaus that have been presented to the Streamlining Team between the years 2003 - 2013.

Number of Streamlining Team Meetings between 2003 and 2013

- **Eighty-eight (88)** Streamlining Team meetings were held between the years 2003 and 2013
    - 45 Team Meetings were held between 2003 – 2008
    - 43 Team Meetings were held between 2009 – 2013

Number of Projects Presented and City Bureau use of the Streamlining Team

- **One hundred eighty-seven (187) City Bureau presentations** were given to the Streamlining Team by City project teams between 2003 and 2013
    - **Seven Bureaus presented 91 times** to the Streamlining Team between 2003 and 2008 (**Table 1**)
    - **Seven Bureaus presented 96 projects times** to the Streamlining Team between 2009 and 2013 (**Table 2**)
- **Four Bureaus** used the Streamlining Team meetings more often than other Bureaus through the 2003 – 2013 time period:
    - Bureau of Environmental Services (BES) – 109 presentations
    - Portland Parks and Recreation (Parks) – 20 presentations
    - Portland Water Bureau (Water) – 10 presentations
    - Portland Bureau of Transportation (PBOT) – 10 presentations

In addition, several organizations asked to use the Streamlining Team in order to help facilitate their projects through the agency permitting process. While the Streamlining Team process is set up for city sponsored projects, organizations that have projects that are supported by the City of Portland are allowed to use the Streamlining Team. Organizations such as Trimet and Multnomah County used the Streamlining Team to help permit their bridge projects (e.g., Tilikum and Sellwood). These and other organizations used the Streamlining Team a total of 15 times during this 2009-2013 time period.

Table 1. City Bureau Contacts with the Streamlining Agency Team Meetings between 2003 and 2008

BUREAU	2003 (Sept. – Dec.)	2004	2005	2006	2007	2008	TOTAL
BES	5	12	17	10	11	10	65
Parks	1	0	1	1	4	3	10
Water	0	0	0	1	2	2	5
PBOT/BOM	1	1	1	2	0	0	5
PCD	0	1	0	0	0	0	1
Fire	0	2	0	0	0	0	2
BPS	0	0	1	1	0	1	3
TOTAL	7	16	20	15	17	16	91

Table 2 - City Bureau Contacts at the Streamlining Team Meetings between 2009 and 2013

BUREAU	2009	2010	2011	2012	2013	TOTAL
BES	11	11	6	4	12	44
Parks	2	5	3	3	1	12
Water	1	6	2	1	2	12
PBOT	2	0	2	0	2	6
OHWR	0	1	1	1	0	3
PDC	1	1	0	0	0	2
Fire	0	0	1	0	1	2
BPS	0	0	0	0	0	0
Outside Jurisdictions	4	0	6	2	3	15
TOTAL	21	22	21	11	21	96

BES – Bureau of Environmental Services; PBOT – Portland Bureau of Transportation; Parks – Portland Parks and Recreation; Water – Bureau of Water Works; PDC – Portland Development Commission; Fire – Portland Fire Bureau; BPS – Bureau of Planning and Sustainability; OHWR – Office of Healthy Working Rivers

Streamlining Progress

This section summarizes the progress that has been made over the 10 year period with the agency permits (and other agency authorizations) that were received by the City from the Streamlining Team. The length of time to receive a permit is a useful means for evaluating the success of a streamlining process that looks to improve coordination and communication between multiple

agency members and project applicants. Section two looks at the average time it took each agency to issue final decisions for City projects. City projects were placed in categories reflecting different levels of environmental impacts and benefits. Agency permitting issuance times were calculated for each of the project categories.

Streamlining Team Agency Permits[12] Issued to the City - 2003 - 2013

- **One hundred sixty-eight (168) permits** were issued by the Streamlining Team's participating agencies to **fifty-seven (57) City-supported projects** between 2003 and 2013. For comparison purposes, number of projects permitted for the first five years of the Agreement (2003 and 2008) are compared with the second five years (2009 and 2013):
  - Between 2003 and 2008, **85 Permits** were issued to **25 City-supported projects (Table 3).[13]**
  - Between 2009 and 2013, **85 Permits** were issued to **32 City-supported projects (Table 4).[14]**

Table 3. Project Permit History for 2003 - 2008

No. of permits issued by agency each year	2003 (Sept-Dec.)	2004	2005	2006	2007	2008	TOTAL
Corps	2	5	4	3	8	2	24
DSL	2	3	4	3	7	2	21
BDS Land Use Review Decisions	2	4	4	3	5	1	19

12 The term 'permit' is used to refer to all the authorizations issued by agency members of the Streamlining Team including the Army Corps of Engineers (Section 404 and Section 10), Oregon Department of State Lands (DSL) Removal Fill and General Authorization permits, Bureau of Development Services (BDS) Greenway and Environmental Land Use Review decisions, National Marine Fisheries Service (NMFS) biological opinions, Oregon Department of Environmental Quality (DEQ) Section 401 Water Quality Certifications and Oregon Department of Fish and Wildlife (ODFW) Fish Passage Plan Approvals.

13 Permits issued during the 2003 – 2008 period included 24 Corps Permits, 21 DSL Permits, 19 BDS LUR Decisions, 10 NMFS Biological Opinions, 11 DEQ Water Quality Certifications

14 Permits issued during the 2009 – 2014 period included included 28 Corps Permits, 24 DSL Permits, 22 BDS LUR Decisions, 3 NMFS Biological Opinions, 1 DEQ Water Quality Certifications, 7 ODFW Fish Passage Approvals (Before 2008, fish passage approvals were more commonly issued verbally)

NMFS Biological Opinions (SLOPES)	0 (2)	2 (0)	4 (1)	0 (1)	2 (5)	2 (2)	10 (11)
DEQ Section 401 Water Quality Certifications*	1	5	3	1	1	0	11
TOTAL	7	19	19	10	23	7	85

Table 4. Project Permit History for 2009 – 2013

No. of permits issued each year	2009	2010	2011	2012	2013	TOTAL
Corps Permits	6	5	6	6	5	28
DSL Permits	6	5	6	4	3	24
BDS Land Use Review Decisions	2	5	5	6	4	22
NMFS Biological Opinions (SLOPES)	0 (4)	1 (5)	1 (2)	0 (5)	1 (3)	3 (19)
DEQ Section 401 Water Quality Certifications	0	1	0	0	0	1
ODFW Fish Passage Approvals/Exemptions/Waivers	1	2	1	2	1	7
TOTAL	16	19	19	18	13	85

Permitted Project Categories and Average Length of Time to Receive a Permit

Average mean permit issuance times (Average mean, median and ranges were calculated for each project category) were summarized for the Streamlining Team member agencies that issue environmental permits to proposed City in-water and near shore projects. These agencies and their associated permits include the Army Corps of Engineers (Section 404 and Section 10 permits), Oregon Department of State Lands (Removal Fill Law permits), City of Portland Bureau of Development Services (Environmental and Greenway Land Use Review decisions), National Marine Fisheries Service (ESA Section 7 Biological Opinions), Oregon Department of Environmental Quality (Section 401 Water Quality Certifications) and Oregon Department of Fish and Wildlife (Fish Passage Law approvals).[15]

15 It should be noted that the member agencies of the Streamlining Team also provide consultation and guidance on other issues that don't require permits e.g., For example: inwater work window approvals and extensions (ODFW, Corps, DSL, NMFS) and the Migratory Bird Treaty Act (USFWS).

City projects that received permits from the Streamlining Team member agencies were placed into categories reflecting different levels of environmental benefits and impacts to the receiving waterbodies. Depending on the level of impact, the agency review of the project may require additional time as the agencies determine if the proposed design is the best approach for eliminating or reducing impacts to natural resources (e.g., Agency decisions can include either approval of the project as proposed, denial of the proposal, or approval with required compensatory mitigation). Average times to receive each agency permit are listed within each category. The categories include:

Category 1 - All City Bureau[16] projects (All City permitted project timeframe averages are shown in three time periods: **10 year period** (2003 – 2013); **First five year period** (2003 – 2008); **Second five year period** (2009 – 2013)

Category 2 – All **Bureau of Environmental Services** (BES) projects (BES permitted project timeframe averages are shown in three time periods: **10 year period** (2003 – 2013); **First five year period** (2003 – 2008); **Second five year period** (2009 and 2013)

Category 3 - BES projects that consisted of instream trunk sewer line repair/replacement designed with stream habitat restoration techniques between 2003 and 2013

Category 4 - All City bureau projects that consisted of instream infrastructure repair and replacement between 2003 and 2013

Category 5 - All City bureau projects that consisted of instream habitat restoration projects between 2003 and 2013

Category 6 - Portland Water Bureau projects that were focused in the Bull Run Watershed between the years 2007 and 2013

16 City Bureaus include the Bureau of Environmental Services, Portland Bureau of Transportation, Portland Development Commission, Portland Fire and Rescue, Portland Parks and Recreation, Bureau of Planning and Sustainability and Portland Water Bureau.

Project Category Summaries

In project Categories 1 – 6, the average mean and median times to receive final approvals from the agencies are summarized below. Categories 1 and 2 summarize the average permit issuance time for three agencies – Army Corps of Engineers, Oregon Department of State Lands and Bureau of Development Services). These agencies issue the most common agency permits to proposed City projects. Category 1 summarizes average permit times for **all City permitted projects between 2003 and 2013**. Category 2 summarizes average permit times for **all BES permitted project projects between 2003 and 2013**. Project categories 3 – 6 summarize additional permits issued to City projects and their average issuance times. These include the National Marine Fisheries Service (NMFS) and Oregon Department of Environmental Quality (DEQ) in addition to Corps, DSL and BDS average permitting timeframes.

1. Category 1 - All City Bureau Projects (See Table 3, Appendix C)

Fifty-two City Bureau projects received all or a combination of permits from the Corps, DSL and BDS between the years 2003 and 2013. The average time to receive these permits are summarized below. Average mean and median permit issuance times are provided in three time periods: 10 year period (2003 – 2013) and 2003-2008 and 2009-2013 year periods.

1.a. 10 Year Period (Category 1) - All City Permitted Projects Between 2003 and 2013 - Average time (Mean/Median) to receive a permit from the Corps, DSL and BDS

- 52 Corps Permits issued to the City between 2003 and 2013 – Average issuance time - Mean - 4.95 months; Median - 3.75 months; Range 1 – 24 months
- 45 DSL Permits issued to the City – Average issuance time - Mean - 3.25 months; Median - 2 months; Range 0.5 – 11 months
- 41 BDS Land Use Decisions rendered – Average issuance time - Mean - 3.24 months; Median - 2 months; Range 0.5 – 18 months

1.b. First Five Year Period (Category 1) - All City Permitted Projects Between 2003 and 2008 - Average time (Mean/Median) to receive a permit from the Corps, DSL and BDS (See Table 5 in Appendix C)

- 24 Corps Permits – Mean – 4.8 months; Median - 3.0 months; Range 1 – 24 months
- 21 DSL Permits – Mean – 3.04 months; Median – 2.0 months; Range 1 – 11 months
- 19 BDS Land Use Decisions – Mean – 2.74 months; Median – 2.0 months; Range 1 – 4 months

1.c. Second Five Year Period (Category 1) - All City Permitted Projects Between 2009 – 2013 - Average time (Mean/Median) to receive a permit from each agency (Corps, DSL, BDS) (See Table 6 in Appendix C)

- 28 Corps Permits – Mean – 5.23 months; Median – 4.0 months; Range 1 – 20 months
- 24 DSL Permits – Mean – 2.52 months; Median – 2.0 months; Range 0.5 – 8 months
- 22 BDS Land Use Decisions – Mean – 3.95 months; Median – 3.0 months; Range 0.5 – 18 months

2. Category 2 - Bureau of Environmental Services (BES) - Average Time for BES Projects to Receive Permits (Appendix C)

The Bureau of Environmental Services received 34 permits during the 2003 – 2013 period. The average time for BES to receive a permit from the agency members of the Streamlining Team was calculated for the 10 year period. Average permitting timeframes are also provided for two five year periods for comparison purposes (e.g., 19 permitted projects from 2003 – 2008 and 15 permitted projects from 2009 – 2013).

2.a. Ten Year Average (2003 – 2013) (Category 2) Permit Issuance Time for 34 BES Projects (Mean and Median Values)

- 34 Corps permits – Mean – 5.16 months; Median – 3 months; Range 1 – 24 months
- 29 DSL Permits – Mean – 2.65 months; Median – 2 months; Range 1 – 11 months
- 25 BDS Land Use Review Decision – Mean – 2.84 months; 2 months; Range 0.5 – 10 months

2.b. First Five Year Average (2003 – 2008) (Category 2) Permit Issuance Time for 19 BES Projects (Table 7, Appendix C)

- 19 Corps Permits – Mean – 4.95 months; Median – 3.0 months; Range 1 – 24 months
- 16 DSL Permits – Mean – 3.12 months; Median – 2.0 months; Range 1 – 11 months
- 11 BDS LUR Decisions – Mean – 2.46 months; Median – 2.0 months; Range 1 – 4 months

2.c. Second Five Year Average (2009 – 2013) (Category 2) Permit Issuance Time for 15 BES Projects (Table 8, Appendix C)

- 15 Corps Permits – Mean – 3.93 months; Median – 4.0 months; Range 1 – 16 months
- 13 DSL Permits – Mean – 2.07 months; Median – 1.75 months; Range 1 – 4 months
- 14 BDS LUR Decisions – Mean – 3.21 months; Median – 2 months; 0.5 – 9 months

3. Category 3 - Average Time for Bureau of Environmental Services (BES) Trunk Sewer Line Repair/Replacement Projects Designed with Stream Habitat Restoration between 2003 and 2013 (Table 9, Appendix C)

Average permit timeframes are provided for eight (8) instream BES projects that involved more complex in-stream sewer line infrastructure repair/protection efforts combined with restoration techniques. Average mean and median issuance times for Corps, NMFS, DEQ, DSL and BDS permits were calculated for the 10 year period (**Table 9, Appendix C**):

- 8 Corps Permits – Mean – 9.5 months; Median – 7 months; Range 1 – 24 months
- 5 NMFS Biological Opinions – Mean – 6 months; Median – 8 months; Range 2 – 9 months
- 4 DEQ Water Quality Certifications – Mean – 9.25 months; Median – 5.5 months; Range 2 – 24 months
- 8 DSL Permits – Mean – 4.25 months; Median – 4 months; Range 2 – 11 months
- 6 BDS LUR Decisions – Mean – 2.33 months; Median – 2 months; Range 2 – 3 months

4. **Category 4 - All City Instream Infrastructure Projects - Average Permit Issuance Times for All City Bureau Projects Seeking Permits between 2003 and 2013 (Table 10, Appendix C)**

All instream infrastructure construction projects managed by six City of Portland Bureaus[17] between 2003 and 2013 that required permits from the Streamlining Team's agency members were examined. Twenty-three (23) infrastructure projects were permitted during this 10 year period that included the repair and replacement of culverts, outfalls, sewer/sanitary trunk lines, water mains, boat ramps, docks, bridges and fireboat stations. Trimet's Portland-Milwaukie Light Rail Bridge Crossing Project and Multnomah County's Sellwood Bridge Replacement Project were included because of their extensive use of the Streamlining Team meetings. Average mean and median issuance times for Corps, NMFS, DEQ, DSL and BDS permits were calculated for the 10 year period (**See Table 10, Appendix C**):

- 21 Corps Permits – Mean – 6.68 months; Median – 5 months; Range 1 – 24 months
- 7 NMFS Biological Opinions – Mean – 5.8 months; Median – 7 months; Range 3 – 8 months
- 6 DEQ Water Quality Certifications – Mean – 9.33 months; Median – 7 months; Range 2 – 24 months
- 20 DSL Permits – Mean – 3.72 months; Median – 3 months; Range 1 – 11 months
- 16 BDS LUR Decisions – Mean – 3.18 months; Median – 2.5 months; Range 1 – 10 months

5. **Category 5 - All City Restoration Projects - Average Permitting Times for All City Habitat Restoration Projects Seeking Permits between 2003 and 2013 (Table 11, Appendix C)**

There were 15 restoration projects constructed by 3 City Bureaus (BES (12), Parks (1) and Water (1) and one by the Johnson Creek Watershed Council that were permitted by the Streamlining

17 City Bureaus included Bureau of Environmental Services, Portland Bureau of Transportation, Portland Development Commission, Portland Fire and Rescue, Portland Parks and Recreation, Bureau of Planning and Sustainability and Portland Water Bureau.

Team member agencies. These projects included only instream habitat restoration elements and did not include infrastructure repair or replacement as part of the project proposal. Average mean and median times to receive permits from the Corps, NMFS, DEQ, DSL and BDS were calculated for the 10 year period (**See Table 11, Appendix C**).

- 15 Corps Permits – Mean – 4.56 months; Median – 3 months; Range 1 – 20 months
- 4 NMFS Biological Opinions – Mean – 3.66 months; Median – 6.5 months; Range 1 – 13 months
- 3 DEQ Water Quality Certifications – Mean – 3.66 months; Median – 3 months; Range 2 – 8 months
- 14 DSL Permits – Mean – 1.78 months; Median – 1.5 months; Range 1 – 3 months
- 12 BDS LUR Decisions – Mean – 3.25 months; Median – 2 months; Range 0.5 – 18 months

6. Category 6 - Portland Water Bureau (Water) - Average Time for Water Bureau Projects to Receive Permits between 2007 and 2013 (Table 12, Appendix C)

Seven (7) Water Bureau projects have been permitted by the Streamlining Team between the years 2007 and 2013. Projects associated with the Vulnerability Reduction effort were funded by the Department of Homeland Security Projects (Conduit Trestle Vulnerability Reduction Project and Sand River Conduit Bridge Crossing Project). After 2009, projects seen by the Streamlining Team listed in this report were associated with the Bull Run Water Supply Habitat Conservation Plan (HCP) developed by the Water Bureau for City of Portland water supply related activities in the Bull Run Watershed.[18]

The Water Bureau Bull Run projects contained a mixture of instream infrastructure construction and habitat restoration projects. Average mean and median times to receive the various permits

18 On January 5, 2009, the National Marine Fisheries Service issued a Biological Opinion on January 5, 2009 focused on the agreed upon 50-year incidental take of ESA-listed fish species under Section 10(a)(1)(B). The City prepared the Habitat Conservation Plan (HCP) to comply with the ESA and to address water supply activities and habitat conservation activities designed to minimize, mitigate and monitor the effects of the City's water supply activities and efforts to improve aquatic habitat in the Bull Run River and Sandy River Basin.

were calculated for the period between 2007 and 2013. Two Biological Opinions have been issued to Water Bureau Bull Run projects. One BiOp was issued by the National Marine Fisheries Service' Streamlining representative on December 18, 2008. The other BiOp was issued during the consultation for the Habitat Conservation Plan (HCP). Both NMFS BiOP timeframes are listed below. For all of the Water Bureau projects, DEQ issued Water Quality Certifications that were pre-certified with general conditions. This is a decision made by the Corps representative and does not include review by the Department of Environmental Quality. Therefore no timeframes are listed below for DEQ. The City's Bureau of Development Services is not involved in Water Bureau projects proposed in the Bull Run because these projects are located in Clackamas County outside of BDS' jurisdiction (**Table 12, Appendix C**).

Seven projects received 7 Corps permits, 7 DSL permits and 2 Biological Opinions from NMFS. Average mean and median timeframes are given below:

- 7 Corps Permits – Mean - 4.5 months; Median – 4.5 months; Range 2 – 9 months
- 7 DSL Permits – Mean 2.68 months; Median – 2 months; Range 0.5 – 8 months
- 2 NMFS Biological Opinions – Mean 7 months, Median 7 months; Range – 7 months

Section 3 – City Permitted Project Examples

Examples of permitted projects are provided for Categories 3 – 6. Project examples were chosen that best represent projects in the categories representing BES trunk sewer line repair combined with stream habitat restoration (Category 3), All City instream infrastructure repair and construction (Category 4), All City instream restoration (Category 5), and Portland Water Bureau projects in the Bull Run Watershed (Category 6).

1. Project Example Number One - Lents Interceptor Repair and Tideman Johnson Natural Area Restoration Project in Johnson Creek (BES) (Category 3 - BES Trunk Sewer Line Repair/Replacement Projects Designed with Stream Habitat Restoration)

This Category consists of projects that implemented instream sewer and stormwater pipe construction in combination with instream habitat restoration. All of these permitted projects were sponsored by the Bureau of Environmental Services (BES) as part of their Bureau mission to provide water quality protection, wastewater collection and treatment, sewer installation and stormwater management and watershed planning to the citizens of Portland. In this category eight (8) projects were permitted by the Streamlining Team. A project example is provided below.

The Bureau of Environmental Services completed the Tideman Johnson Natural Area Restoration Project in November 2006 to repair the Lents Interceptor sewer. The Lents Interceptor is a 60” concrete pipe that conveys combined wastewater and stormwater from SE Portland to a pump station on McLoughlin Boulevard. When it was built in 1922, the pipe was buried about five feet below the creek bed. Since that time, erosion of the streambed exposed the upstream section of the pipe leaving it vulnerable to damage.

Figure 1. Exposed Lents Interceptor in Tideman Park, Johnson Creek.

In the summer of 2006, the Lents Interceptor was enclosed in concrete and the creek was diverted around the pipe. The pipe was re-buried by raising the streambed with imported gravels and cobbles. Engineered logjams were placed in multiple areas downstream of the pipe to prevent future erosion. The engineered efforts to protect the pipe were designed to create multiple benefits including creation of salmonid spawning habitat with the placement of gravels. With the placement of large wood and boulders, stream velocities were reduced, stream banks were stabilized and habitat was created.

Many of BES larger instream sewer pipe project projects have incorporated instream restoration techniques to help dissipate flow velocities to protect the pipe through methods such as lengthening the stream and adding meanders, strategic placement of wood and boulders, laying back the bank and restoring floodplain functions such as flood storage and replanting riparian vegetation. The length of time to receive permits for the **Tideman Johnson Natural Area Restoration and Lents Interceptor Repair Project** are listed below:

- Corps Permit – 10 months
- NMFS Biological Opinion – 8 months
- DEQ Water Quality Certification – 7 months
- DSL Permit – 6 months
- BDS Environmental LUR Decision – 2 months

2. Project Example Number Two - Guilds Lake/Willamette River Sanitary Sewer Pressure Line Repair Project (BES) (Category 4 - City Instream Infrastructure Project)

In late 2004 the Bureau of Environmental Services discovered two exposed parallel 20- and 30-inch sanitary sewer lines that cross the Willamette River near the former McCormick and Baxter Creosoting Company site. Instead of being buried 14 – 16 feet under the riverbed as originally constructed, the pipes were suspended above the riverbed bearing weight loads that the pipes were not designed to hold. Each pipe carries several million gallons of raw sewage daily and if broken, there would be no immediate remedy to prevent raw sewage from entering the Willamette River.

In addition, the exposed pipes were directly in the path of the construction of a sediment cap by the Department of Environmental Quality associated with contaminant remedial activities for the McCormick and Baxter site – the site of the an old creosote plant. Approximately 60- to 70-foot sections of the submerged sewer lines were observed to be exposed. The exposed portions of the pipes were not adequately supported by gravel bedding and there was concern that the continued installation of the sediment cap over the top of the pipes could result in pipe failure if the lines were not properly supported.

DEQ asked BES to complete the restoration of the exposed pipes to allow enough time for the completion of the sediment cap as financial support for the sediment cap construction would not be extended beyond the end of 2005. With these multiple concerns, the Guilds Lake project team began meeting with the Streamlining Team in early 2005.

The length of time to receive permits for the **Guilds Lake/Willamette River Sanitary Sewer Pressure Line Repair Project** are listed below. The very short permit issuance timeframe for all the federal, state and local permits reflect the recognition by the agencies of the extreme urgency of the situation. In addition, the BES Project Manager (Dan Hebert) did an excellent job communicating and incorporating project design features that would address the multiple concerns and issues faced with instream construction in a river with ESA listed salmon as well as working on a site with known contaminants.

- Corps Individual Permit – 2 months
- NMFS ESA Biological Opinion – 2 months
- DEQ Water Quality Certification – 2 months
- DSL Individual Permit – 2 months
- BDS Greenway LUR Decision – 3 months

Figure 2. Construction and placement of the underwater pipe support assembly that was designed to support the weight of the pipes and the placement of the sediment cap (Guilds Lake/Willamette River Sanitary Sewer Pressure Line Repair Project)

3. Project Example Number Three – Fire Station 21 Dock and Boathouse Construction Project (PF&R) (Category 4 - City Instream Infrastructure Project)

In order to meet existing and future emergency response times in the city core including waterfront structures and floating home communities, the Portland Fire and Rescue proposed a new boathouse that would provide protection for two response boats and installation of a mooring dock that would be attached upstream of an existing dock. The existing Fire Station was also renovated with seismic upgrades to meet current code requirements.

The Office of Management and Finance's Operations Facilities Services and Portland Fire and Rescue (PFR) worked together to design the project. The Facilities manager managed the project schedules, budgets and development of designs. PFR was involved with all aspects of the project

including the development of the scope of the project. The length of time to receive permits for the **Fire Station 21 Dock and Boathouse Construction Project** are listed below:

- Corps Individual Permit – 6 months
- NMFS ESA Biological Opinion – No BiOp was issued because the project met the SLOPES programmatic BiOp
- DEQ Water Quality Certification – No Water Quality Certification was issued because the project was pre-certified by meeting general water quality conditions
- DSL Individual Permit – 6 months
- BDS Greenway LUR Decision – 3 months

Figure 3. Fire Station 21 Boathouse and Dock

4. Project Example Number Four – North Vancouver Avenue Bridge Repair and Replacement Project (Columbia Slough) (PBOT) (Category 4 - City Instream Infrastructure Project)

In 2008 the North Vancouver Avenue Bridge received structural damage from a fire requiring a replacement bridge to handle required weight loads. Additional issues included working with the Multnomah County Drainage District to address placement of utility lines and encroachment on their flood control levee. The length of time to receive permits for the **North Vancouver Avenue Bridge Repair and Replacement Project** are listed below.

- Corps Nationwide Permit – 9 months
- BDS Environmental Land Use Review Decision – 2 months
- NMFS ESA Biological Opinion – No BiOp was issued because the project met the SLOPES programmatic BiOp
- DEQ Water Quality Certification – No Water Quality Certification was issued because the project was pre-certified by meeting general water quality conditions
- No DSL Permit needed

Figure 4. North Vancouver Avenue Bridge before replacement.

5. Project Example Number Five – Tilikum (Portland-Milwaukie) Light Rail Bridge Project (Trimet) (Category 4 - City Instream Infrastructure Project) (with the South Waterfront Beach and Bank Restoration project and the Railroad Culvert Replacement Project)

Trimet and the Federal Highway Administration proposed a 7.3 mile Light Rail extension that included a new bridge over the Willamette River as well as crossings over Crystal Springs, Johnson Creek and four other streams along its proposed route. The river and stream crossings created nearshore impacts from the placement of in-water piers and abutments requiring mitigation of the lost shallow-water habitat. The money generated from the mitigation requirements created opportunities for a beach restoration project combined with bank restoration and a new boat ramp at the Central District site in South Waterfront and a culvert

replacement for the Union Pacific Railroad Culvert in Crystal Springs to improve fish passage. These two additional projects were also reviewed and permitted by the Streamlining Team's member agencies.

The length of time to receive permits for the **Tilikum (Portland-Milwaukie) Light Rail Bridge Project**, **South Waterfront Beach and Bank Restoration Project and the Crystal Springs Railroad Culvert Replacement Project** are listed below.

Figure 5. Tilikum Bridge construction over the Willamette River.

Tilikum (Portland-Milwaukie) Light Rail Bridge Project Permit Timeframes:

- Corps Individual Permit – 12 months
- NMFS ESA Biological Opinion – 8 months
- DEQ Water Quality Certification – 11 months
- DSL Individual Permit – 5 months
- BDS Greenway LUR Decision – 6 months

6. Project Example Number Six - South Waterfront at Central District – Beach and Bank Restoration with new Boat Ramp Project Permit Timeframes (Portland Parks and Recreation) (Category 5 – All City Instream Habitat Restoration)

The beach restoration project at South Waterfront was funded partially from Trimet to meet mitigation requirements for the nearshore shallow-water habitat impacts from the placement of in-water piers and abutments for the new bridge. The permits are summarized below.

- Corps Individual Permit – 20 months
- NMFS ESA Biological Opinion – 13 months
- DEQ Water Quality Certification – 8 months
- DSL Individual Permit – 2 months
- BDS Greenway LUR Decision – 18 months

Figure 6. South Waterfront at Central District – Beach and Bank Restoration – Partially funded by Trimet as mitigation for impacts associated with the Tilikum Bridge Crossing Project (Portland Parks and Recreation) (Category 5 – All City Instream Restoration)

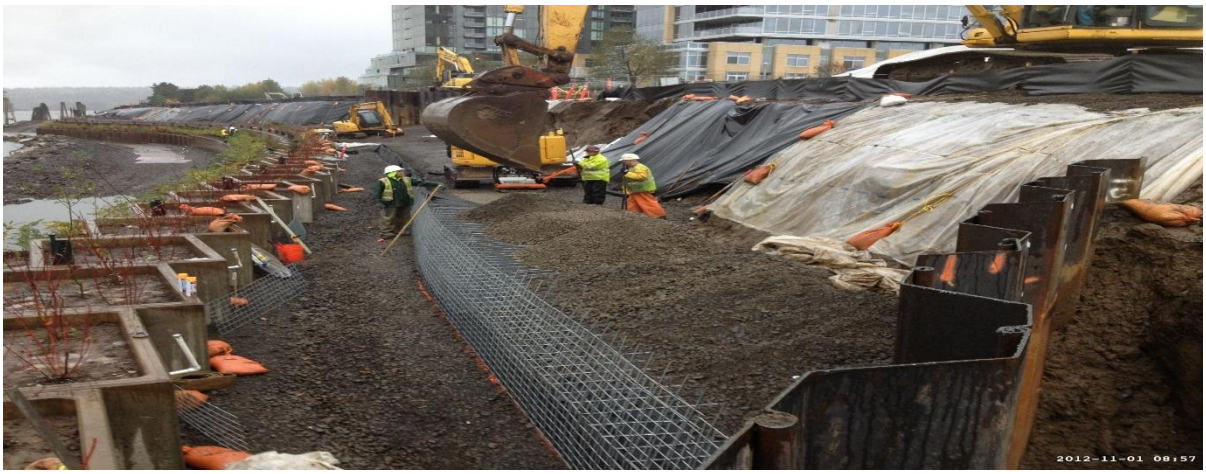
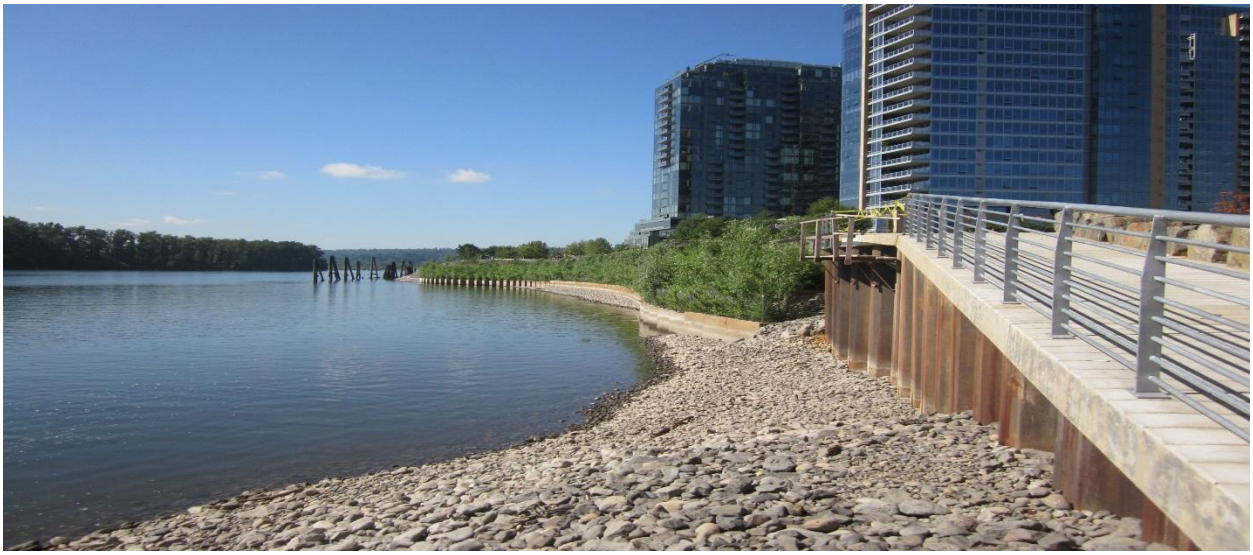


Figure 7. Completed South Waterfront Beach Restoration Project with new boat ramp



7. Project Example Number Seven - Crystal Springs Railroad Culvert Replacement Permit Timeframes (BES) (Category 4 – All City Instream Infrastructure Repair and Replacement)

The light rail extension stream crossings required mitigation where inwater impacts were determined to have occurred. The money generated from the mitigation requirements created opportunities for a culvert replacement at the Union Pacific Railroad Culvert in Crystal Springs to improve fish passage. The agency permits for this project are summarized below.

- Corps Nationwide Permit – 2 months
- DSL Individual Permit – 1 month
- BDS Environmental LUR Decision – 3 months
- NMFS ESA Biological Opinion – No BiOp was issued because the project met the SLOPES Programmatic BiOp conditions
- DEQ Water Quality Certification – No Water Quality Certification was issued because the project met pre-certified general conditions

Figure 8. Crystal Springs Railroad Culvert Replacement – Partially funded by Trimet, City of Portland and Union Pacific Railroad.

8. Project Example Number Eight– Schweitzer Natural Area Restoration in Johnson Creek (BES) (Category 5 - All City Bureau Instream Habitat Restoration Projects)

The Schweitzer Restoration Project was identified in the Johnson Creek Restoration Plan. The Johnson Creek Restoration Plan was completed in 2001 outlining actions to address serious "nuisance" flooding (events that occur about every 10 years), water quality and fish and wildlife habitat. In the past, flooding was the main focus, but due to increased regulations (e.g., Endangered Species Act) it became necessary to adopt a multi-objective focus and present projects directed toward meeting various restoration objectives as well as flooding issues. The length of time to receive permits for the **Schweitzer Natural Area Restoration Project** are listed below.

- Corps Nationwide Permit –7 months
- NMFS Biological Opinion – 11 months
- DEQ Water Quality Certification – No Water Quality Certification was issued because the project design met the pre-certified general conditions
- DSL Permit – 2 months
- BDS Environmental LUR Decision – 3 months

Figure 9. Schweitzer (Brownwood) Natural Area Restoration Project lengthened the channel creating meanders that mimic a more natural system with backwater channels providing high-flow storage and refugia.

9. Project Example Number Nine – Sandy River Conduit Crossing Project in the Sandy River (Water Bureau) (Category 6 – Portland Water Bureau Projects)

The Water Bureau's efforts to reduce vulnerability to the City's water pipe (referred to as conduits) crossings over the Sandy River as well as drainage channels between the Bull Run Watershed and the City of Portland were conducted in 2007 and 2009. These water pipes were identified as being vulnerable to natural as well as manmade hazards and were chosen to be buried below the river and stream channel crossings. Both related projects were funded by the Department of Homeland Security. The length of time to receive permits for the **Sandy River Conduit Crossing Project** are listed below.

- Corps Permit – 9 months
- NMFS Biological Opinion – 7 months
- DEQ Section 401 – No Water Quality Certification was issued because the project met the pre-certified general conditions
- DSL Permit – 8 months

Figure 10. Two Conduits (2 and 4) crossing the Sandy River attached to a 115 year old Steel Truss Bridge.

10. Project Example Number Ten – Conduit Trestle Vulnerability Reduction Project – Burying Exposed Conduits between Bull Run Watershed and the City of Portland (Water Bureau) (Category 6 – Portland Water Bureau Projects)

The Water Bureau's efforts to reduce vulnerability with water pipe (referred to as conduits) crossings over drainage channels between the Bull Run Watershed and the City of Portland were conducted in 2007. These water pipes were identified as being vulnerable to natural as well as manmade hazards and were chosen to be buried below stream and drainage channel crossings. The length of time to receive permits for the **Conduit Trestle Vulnerability Reduction Project** are listed below.

- Corps Permit – 5 months
- NMFS ESA Biological Opinion – No BiOp was issued because the project met the SLOPES programmatic BO
- DEQ Water Quality Certification – No Water Quality Certification was issued because the project was pre-certified by meeting general water quality conditions
- DSL Permit – 3 months

Figure 11. Burying exposed water pipes crossing drainage channels between the Bull Run and City of Portland.

Water Bureau Assessment of the Streamlining Process for Portland Water Bureau Projects

After the Sandy River Project received permits from the member agencies of the Streamlining Team, the Water Bureau asked their consultants to "assess the effectiveness of the City of Portland's Streamlining Process and provide input whether future Portland Water Bureau projects should utilize this forum." The findings were presented in a Memorandum dated March 12, 2009 (**Appendix D**). The findings are summarized below:

- The process provides a forum for all regulatory and resource agencies to hear a project as a group and provide feedback.
- The process allowed minor design adjustments that minimized impacts to the resources.
- The process also allowed for those within the project team who are not well versed in natural resource issues to understand the regulatory nexus and issues the agencies are looking for and consider when reviewing a project.
- For larger projects, such as the Sandy River Conduit Relocation project, that have a multitude of issues and complexities, the Streamlining Process is an excellent forum to provide information and obtain feedback.

- "Based upon the input received from the regulatory agencies[19] as well as experiences, we recommend the continued use of the Streamlining Process, especially for larger, complex projects." (Pete Geiger, Parsons Brinckerhoff and Jean Ochsner, Environmental Science and Assessment; March 12, 2009).

19 Agency input to the Water Bureau assessment was received from the Oregon Department of State Lands (Mike McCabe, 2/10/2009) and U.S. Army Corps of Engineers (James Holm, 2/6/2009):
Mike McCabe wrote: "the City of Portland's Streamlining Team meetings are very useful and important from our agency's perspective. The sooner that we can provide guidance in the planning process the better; early interaction and communication will result in a more effective permitting process."
James Holm wrote: I am very supportive of the City's streamlining process because of two important reasons: First, pre-application meetings give the Corps and other agencies time to voice their concerns with project designs and discuss permit issues at an early step of the project. It is much easier to address and avoid issues earlier rather than later and trying to force a project fit. Secondly, the streamlining process gives applicants an opportunity to ask questions, get feedback, and meet everyone face to face. This group setting saves a lot of time for each party involved."

Section 4 - Center for Public Service (Hatfield School of Government) Assessment of the City of Portland Streamlining Program

On June 17, 2014 the Hatfield School of Government's Center for Public Service (CPS) completed a third-party assessment of the City's permit Streamlining Team process. CPS reviewed program reports and documents; met with the team's chair; and interviewed team members, city project managers, consultants and city leaders about the program.

Based on the assessment, the Center for Public Service endorses the City's Streamlining process. The Center's full report is included in **Appendix E**. The following is a brief summary of the assessment's findings.

Streamlining Team's Purpose, Goals, and Functions – Four Dominant Themes Emerge

a. The Streamlining Team process fosters communication and coordination
    - City Project Managers (PMs) obtain early agency comments in unified setting
    - Opportunities for PMs to communicate to regulators on project challenges and constraints
b. Improved project quality
    - Perceived reductions in time and cost to obtain permits by PMs and regulators
c. Improved consistency in messaging and decision-making
d. Fosters constructive relationships (considered to be the most important function performed)

Streamlining Team Process Strengths

a. Role of the team chair
    - Well prepared and efficient with everyone's time
    - Provides excellent facilitative leadership and continuity

- Ability to adapt

b. Training and education
   - Provides highly regarded Permits Workshop training for PMs *and* regulators

c. Consistency and efficiency
   - Provides unified voice from regulatory agencies
   - Reduces permit processing time for PMs and regulators

d. Relationships and normative impacts
   - Allows team members opportunity to learn about fellow agencies
   - Inadvertently creates a forum for relationships and expanded trust between all parties

e. Collaborative and voluntary nature of process

Conclusions

a. For the City of Portland, the Streamlining Team process provides:
- Unified, consistent statement of city values to regulators
- Savings through process efficiency
- Transparency and accountability

b. For the Streamlining Team regulatory agencies, the process provides:
- Cross-training of other agency expectations
- Collaborative vs. competitive regulatory regime
- Relationships that extend beyond city projects

c. For project managers, the process provides:

- Time (and related cost) savings
- Consistent regulatory decisions
- Opportunity for constructive relationships with regulators
- Opportunity to educate regulators on constraints and challenges

Value of Annual Training (Permits Workshops)

d. Opportunity for Project Managers to receive training in environmental regulatory requirements

- Annual training serves as important introduction to process, as well as refresher for all parties

e. Opportunity for the Streamlining Team to receive training:
   - In fellow agencies' expectations
   - In challenges and realities of project management

f. Opportunity for team building between PMs and regulators
   - Challenge of collaboration vs. arms-length regulator review

Information management

g. Openness of process minimizes surprises, process delays, and potential project overruns

Recommendations

a. Continue process as essentially designed
b. Explore potential improvements:
   - Obtain additional input from additional PMs and consultants
   - Review procedures for information dissemination
   - Review opportunity for electronic information retrieval
   - Develop case study library
   - Develop outreach to inform senior leaders on process value
   - Incorporate site visits and PM input into annual training

Suggested Streamlining Process Improvements

a. Streamlining process management
   - Not all bureaus recognize team chair as process point-of-contact
   - PMs from all bureaus should engage in this process
   - Look for opportunities to improve uploading and electronic retrieval of information

b. Outreach
   - Look for opportunities to inform city politicians and bureau chiefs on process value
   - Educate senior leaders on impact of budget cuts to team

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APPENDIX A

Endangered Species Act Section 7 Streamlining Agreement

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ENDANGERED SPECIES ACT SECTION 7 STREAMLINING AGREEMENT BETWEEN THE CITY OF PORTLAND, NOAA FISHERIES, U.S. ARMY CORPS OF ENGINEERS AND U.S. FISH AND WILDIFE SERVICE

February 14, 2003

PURPOSE

This agreement establishes a cooperative process for streamlining Endangered Species Act Section 7 consultations between the City of Portland (City), NOAA Fisheries, Army Corps of Engineers (Corps), and the U.S. Fish and Wildlife Service (USFWS). The streamlined consultation will provide a number of benefits including increased coordination for reviewing and providing analysis and documentation of City projects, programs and activities in order that they proceed in a timely manner while meeting Federal agency and City goals for ensuring ESA compliance and assisting in the conservation and recovery of listed and proposed species.

GOALS

The purpose of this agreement is to create a process to meet the following goals:

(1) To ensure that City project and program timeframes are met in a timely manner;
(2) To improve coordination, communication, and agreement on formal and informal consultation/conferencing on listed and proposed species prior to and during project/program proposal development; and
(3) To ensure that ongoing activities do not jeopardize listed and proposed species, result in the destruction/adverse modification of designated critical habitat, or result in unauthorized take during consultations on an existing project or activity;
(4) To support conservation and recovery of listed and proposed species.

PROCESS

Coordination between the City and Federal agencies early in the planning process for projects, programs and activities that require or would benefit from federal agency review is expected to result in the early identification of potential impacts to listed and proposed species and critical habitat and means to address such impacts. Early cooperation is also expected to conserve listed and proposed species while at the same time minimizing delay of proposed City projects, programs and activities.

The City and Federal agencies will convene a team to meet on a quarterly basis or when mutually deemed necessary by the parties to work towards the following:

(1) Ongoing and future Section 7 consultations with the City will be discussed and streamlined (e.g., batching similar projects or with similar timing needs, combining multiple agency consultations, etc.);

Biological Evaluations/Assessments (BE/BA) and Biological Opinions;

(3) Agreement on the use of the Programmatic Biological Opinion for Standard Local Operating Procedures for Endangered Species (SLOPES) for Certain Activities Requiring Department of Army Permits in Oregon;
(4) Development of additional compliance strategies in addition to Section 7 (e.g., 4(d) rule limit, sub-basin planning and programmatic opportunities) as needed for City projects, programs and activities; and
(5) Achieve better coordination between strategies to comply with the ESA and additional regulatory requirements with other state and Federal regulatory programs.

A regular assessment of the progress made towards achieving the goals of this agreement will be made on an annual basis. A process for resolution shall be developed in a timely and expeditious manner where issues, barriers, or disagreements that would preclude meeting the intent of the agreement are identified.

Successful implementation of the intent of the agreement will require full cooperation and coordination. The agreement will be carried out based on trust, mutual respect and accountability.

Vera Katz, Mayor
City of Portland

Michael Tehan
USDC, NOAA Fisheries

Colonel Richard Hobernicht, District Engineer
U.S. Army Corps of Engineers, Portland District

Kemper M. McMaster, State Supervisor

Appendix B

Standard Operating Procedures

City of Portland Streamlining Team

Pre-Application Guidance for City Project Teams

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Standard Operating Procedures for the
City of Portland Streamlining Team
Pre-Application Guidance for City Project Teams

Updated October 1, 2014

Introduction

This document clarifies standard operating procedures for meetings between City project teams and members of the City's interagency Streamlining Team. The protocols identify the structure and content of the Streamlining Team meetings. These meetings are designed to provide a forum for multiple agency representatives to coordinate key decision criteria required by working in a unified manner to deliver timely, responsive and non-conflicting decisions.

Background

On February 14, 2003 the City and Federal agencies signed an Agreement establishing a cooperative process for streamlining Army Corps of Engineers permits and federal ESA consultations with the National Marine Fisheries Service and U.S. Fish and Wildlife Service. An invitation was extended in November 2006 to State agencies and the City's Bureau of Development Services to join the Streamlining Team. The Streamlining Agreement creates a unified pre-application review process involving multiple laws administered by agencies representing three levels of government. The purpose of these operating procedures is to facilitate the sharing of information needed by city project teams, federal, state and BDS agency representatives in order to encourage consistent decisions between the agencies and that multiple agency decisions will occur within the same time period whenever possible. Streamlining Team representatives include:

Streamlining Team Members	Phone	Email
Michael Reed (Team Chair, COP)	503.823.3399	Michael.Reed@portlandoregon.gov
Jaimee Davis (Corps)	503-808-4390	Jaimee.W.Davis@usace.army.mil
Christy Fellas (NMFS)	503.231.2307	christina.fellas@noaa.gov
Kathy Roberts (USFWS)	503.231.6179	Kathy_Roberts@fws.gov
Melinda Butterfield (DSL)	503.986.5202	melinda.butterfield@state.or.us
Amy Simpson (DEQ)	503.229.5051	simpson.amy@deq.state.or.us

Liz Ruther (ODFW)	503.621.3488 ext.228	elizabeth.j.ruther@state.or.us
Stacey Castleberry (BDS)	503.823.7586	Stacey.Castleberry@portlandoregon.gov

* Please note that turnovers can occur with agency representatives. Please contact Mike Reed for the most current list

Applicants attempting to acquire permits for water-related activities potentially must maneuver through multiple federal, state and city laws in order to gain approval. Some of the regulatory evaluation criteria are similar such as the use of an alternatives analysis to determine the preferred option that has the least impact to the environment.[20] Many of the agencies have jurisdictional responsibilities that limit them to administering environmental reviews that focus exclusively on either aquatic, terrestrial, or biological communities, with little overlap. In other cases, the laws can appear to overlap such as the Corps and DSL jurisdictional authority over proposed actions below the ordinary high water mark in surface waterbodies[21].

In spite of the myriad focus of these environmental laws, there are means for facilitating successful approaches to these requirements. The Streamlining Team's standard operating procedures facilitate the exchange of information between City project teams and the agencies in a predictable and consistent framework. The operating procedures can have the following benefits:

- Early review of the project designs give agencies a chance to provide input before a lot of time and money has been put into the designs
- Discussion of the preferred project option can allow for early agreement among the agencies or recommendation of a process for coming to agreement

20 The Corps, DSL and BDS each require applicants to identify the project purpose and need. This information guides the alternatives analysis. The Corps prohibits the discharge of dredged or fill material into waters of the United States unless the proposed discharge is the least environmentally damaging practicable alternative capable of achieving the project purpose. The Department of State Lands Alternatives Analysis (OAR 141-085-0029 (4)) requires that the activity cannot reasonably interfere with paramount state policy to preserve use of waters for navigation, fishing, and recreational use. City guidance for conducting an alternative analysis and mitigation are contained in Title 33 of the Zoning Code (Chapters 33.430 and 33.440). When a Review is required, supplemental application requirement includes an Impact Evaluation describing the type of information that is needed to determine compliance with the approval criteria and to evaluate development alternatives. The Environmental Code directs that the impact evaluation will be based on the resources and functional values identified as significant in the reports listed in section 33.430.020. The Greenway Code currently only requires an alternatives analysis in the River Water Quality Overlay Zone ("q" zone).

21 The U.S. Army Corps of Engineers administers Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. The Oregon Department of State Lands administers the Oregon Removal Fill law. These laws regulate the amounts of removal and fill placed into waters of the U.S. and State.

- All agencies involved in the project are encouraged to work in a unified manner to deliver timely and consistent decisions

These and other standard operating procedures can result in shorter application review and approval timeframes and the project is more likely to stay within projected budgets.

Standard Meeting Procedures

City project teams are encouraged to meet with the Streamlining Team at crucial phases of the project's planning and pre-design process so that agency input can be incorporated early. This is accomplished by scheduling the following information sharing opportunities:

1. **First Meeting - Presenting the project's Purpose and Need and the selection of the preferred option through an Alternative Analysis** - The first meeting should be scheduled early in the project planning/pre-design stages. A valuable use of this first meeting is to present the preferred project design option and the reasoning used to arrive at the decision.
2. **Follow-up meetings to address outstanding issues or need for additional information** – Follow-up meetings are encouraged for the following reasons:
    a. When there are issues identified from the first meeting that need to be further explored with one or more of the agencies.
    b. When additional issues or questions arise during the project team's planning.

    There can be several of these "follow-up" meetings in order to work out any concerns, confusions, disagreements that have arisen during the design of the project. "Off-line" meetings can be arranged with one or more of the agency representatives when the discussion is not important to all of the Streamlining Team members.
3. **Final Pre-Application Guidance meeting** – There are opportunities to present the final design that will appear in the Joint Permit Application, Biological Assessment and Land Use Application - For larger, more complex projects, a final meeting can be scheduled in order to present specific components of the project including the final design, construction BMPs, work isolation methods, etc. that will appear in the joint permit application package, biological assessment (if applicable) and Environmental/Greenway land use application before they are submitted. The purpose of this meeting can ensure application completeness and that all necessary information has been provided. This can

eliminate potential last minute surprises.

Tables 1- 4 below lists the type of information recommended for each meeting. Table 5 describes common reporting requirements to be aware of with the issued permits.

Table 1. Preparing for the Streamlining Team meeting

Information that should be collected prior to the first contact with the agencies

- **Identify project purpose, need, goals, and estimated timelines for the project**
- Project Team selects a preferred project option using a range of alternatives analysis
- Identify proximity to water body (river, stream, wetland) or other site features (trees, steep slopes, utilities, contamination, structures, ownerships of adjoining properties)
- Delineate the ordinary high mater mark on all water bodies within the project vicinity
- Identify wetlands within the project boundary
- Identify potential archaeological and historic information connected with the project
- Identify potential contaminants that might be associated with the project site (A level 1 assessment will need to be conducted if the agencies agree that contaminants are a potential concern)
- Identify potential fish passage issues
- Identify zoning designation(s)
- Identify project location including address, cross streets, state ID, or tax account number
- Project Team should contact Mike Reed, Chair of the Streamlining Team, to schedule a meeting with the Streamlining Team. Mike can also help the project team determine the type of information that should be prepared prior to the meeting

Table 2. First Meeting with the Streamlining Team

First Meeting Checklist

Project Team:

- Present the project purpose, need and the preferred project option as well as other alternatives that were considered. Use plans, maps, or diagrams (as needed) to describe proposal

- Present estimated timelines for the project

Streamlining Team:

- Streamlining Team members will identify which agencies have jurisdiction over the project proposal and potential permit pathways (e.g., Individual Permit, Nationwide permit, General Authorization, Section 7 consultation, SLOPES programmatic, BDS Land Use Review - Type I, II or III Reviews etc.)

- Determine if unavoidable impacts will be associated with the proposed project and if mitigation is necessary

- Determine if a level 1 environmental assessment is necessary to address contaminant concerns (If appropriate, the Corps will forward to the Project Review Group for review)

- Determine if the State Historic Preservation Office (SHPO) will need to be consulted with over potential archaeological/historic features associated with the project site

- Preliminary agreement on the Endangered Species Act determination of effect

- Determination if an ESA formal/informal consultation and biological assessment is necessary

- Determine if there are fish passage issues that need to be addressed with ODFW

- Determine if nesting birds could be impacted during construction e.g., Migratory Bird Treaty Act

Table 3. Follow-up Meetings with the Streamlining Team

Follow-up Meetings Checklist – Midway through the Project Design

Additional meetings can be scheduled as needed to ensure that designs and methods (e.g., staging areas, work isolation methods, fish passage design etc.) are supported or to discuss unresolved issues or questions raised during the first meeting.

- Follow-up with requested information, questions or unresolved issues from the earlier meetings or as a follow-up to submitted information

- Preliminary conservation measures are presented and agreed to (e.g., sediment and pollution control plan, work isolation plan, etc.)

- Additional meetings will be suggested if other issues are identified or as of yet unresolved

Table 4. Last Meeting – Presentation of the Joint Permit Application and Biological Assessment if needed

Last Meeting – Final Design Complete, Permit Applications ready for submittal

Final project design and information associated with the permit application and biological assessment (if

required) can be presented prior to submittal to the agencies.

Project Team:

- Final project design and associated conservation measures are presented
- Final details of the mitigation proposal are presented
- Biological Assessment is presented (If required) and federal agencies can give informal feedback on effects determination

Streamlining Team:

- Agency's permit review and approval timeframes are discussed

Once the permits have been acquired and the project has been closed out there are potential monitoring and reporting responsibilities that may be required for several years. The table below outlines some of the more common special and general permit conditions.

Table 5. Common Reporting Requirements associated with Permit Conditions

Common Special and General Permit Conditions

(Please send copies of the permits to Mike Reed for assistance with identifying permit conditions that will require special attention including notifications, monitoring and reporting requirements):

Before Construction Begins:

- Notify the Corps of the "**start of work**" date
- Obtain a **Site Development Permit** after BDS has submitted a final Land Use Review decision

After Project Completion:

- Submit a signed "**Compliance Certification**" to the Corps at the completion of the work
- Submit a "**project completion**" report to the Corps within 60 days of finishing the permitted work
- Submit a "**Action Completion Form**" if the project qualified for a SLOPES V Programmatic (These can be required for the three SLOPES Programmatic Biological Opinions covering Restoration, In-water/Over-Water Structures and Stormwater, Transportation and Utilities)
- For OWEB funded projects, DSL requires a "**Restoration Inventory Report**" to be submitted to OWEB and DSL
- "**As-Built Report**" to be submitted to the Corps within 60 days of completion of the vegetation planting
- "**A Zoning Permit**" can be required by BDS for inspection of the vegetative plantings 2-5 years after completion of the project

APPENDIX C

Permitted Project Categories

Average Length of Time to Receive a Permit

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Appendix C
Average Permitting Issuance Times for Project Categories

The length of time to receive a permit is a useful means for evaluating the success of a streamlining process that looks to improve coordination and communication between multiple agency members and project applicants. For this purpose one of the performance measures used to evaluate the City's Streamlining Agreement and Team process is the average time (mean and median) for a final decision to be issued measured from the date when an application is submitted to the agencies to the date when the agencies issue a final decision.

City projects that received permits from the Streamlining Team member agencies were placed into categories reflecting different levels of complexity (instream infrastructure repair versus instream restoration) requiring different agency review approaches with the potential to impact timeframes for approval. Categories included:

- **All City Bureau[22] projects**
- **All Bureau of Environmental Services** (BES) instream projects
- **All BES projects that consisted of instream trunk sewer line repair/replacement designed with stream habitat restoration techniques**
- **All City bureau projects consisting of instream infrastructure repair and replacement**
- **All City bureau projects that consisted of instream habitat restoration**
- **All Portland Water Bureau projects focused in the Bull Run watershed**

22 City Bureaus include the Bureau of Environmental Services, Portland Bureau of Transportation, Portland Development Commission, Portland Fire and Rescue, Portland Parks and Recreation, Bureau of Planning and Sustainability, Portland Water Bureau.

Appendix C
Category 1 - All City Bureau projects

Table 5 shows the average time it has taken to receive final authorizations from the Corps, DSL and the Bureau of Development Services between the years 2003 and 2008. Time is calculated from the time the application was submitted to the date the final decision is made.

Table 5. All City Bureaus - Average time taken to receive Corps, DSL and BDS permits between 2003 and 2008

Year	AVERAGE TIME TO RECEIVE A PERMIT FOR ALL PROJECTS/ALL CITY BUREAUS		
	Corps Average review times are given in both mean/median values	DSL Average review times are given in both mean/median values	BDS Average review times are given in both mean/median values
2003 (Sept. – Dec.)	6.5 /6.5 (Review times ranged between 5 - 8 months)	2 /2 (Review times ranged between 1 - 3 months)	2.5/2.5 (Review times ranged between 2 - 3 months)
2004	4.2 /3 (Review times ranged between 1 - 10 months)	3.33 /2 (Review times ranged between 2 -6 months)	1.75/2 (Review times ranged between 1 - 2 months)
2005	2.5 /2.5 (Review times ranged between 1 - 4 months)	2.5/2.5 (Review times ranged between 1 - 4 months)	2.25/2.5 (Review times ranged between 1 - 3 months)
2006	11/7 (Review times ranged between 2 – 24* months)	6.33/5 (Review times ranged between 3 – 11* months)	3/3 (Review times ranged between 2 - 4 months)
2007	4.3/2.5 (Review times ranged between 2 – 12 months)	2.57/2 (Review times ranged between 1 – 5 months)	2.8/3 (Review times ranged between 2 - 3 months)
2008	2/2 (Review times ranged between 1 - 2 months)	1.5/1.5 (Review times ranged between 1 – 2 months)	2/2 (Review times were consistently at 2 months)
Five Year Mean/Median Average (months)	4.8/3 (Review times ranged between 1 – 24* months)	3.04/2 (Review times ranged between 1 - 11* months)	2.47/2 (Review times ranged between 1 - 4 months)

*** The Burlingame Sanitary Trunk Sewer Rehabilitation project (BES)(Corps # 2005-00735) had lengthy federal and State agency reviews contributing to the longer average review time due to a leaking sanitary sewer line created concerns with DEQ's Cleanup**

and Section 401 Water Quality Certification programs requiring additional sampling and analysis before the permits would be issued.

Table 6 shows the average time it has taken to receive a permit from the Corps, DSL and BDS between the years 2009 and 2013.

Table 6. All City Bureaus - Average Time to Receive Corps, DSL and BDS Permits between 2009 and 2013

YEAR	AVERAGE TIME TO RECEIVE A PERMIT FOR ALL PROJECTS/ALL CITY BUREAUS		
	Corps Average review times are given in both mean/median values	DSL Average review times are given in both mean/median values	BDS Average review times are given in both mean/median values
2009	5.6/4 (Review times ranged between 2 – 9 months)	2.3/1 (Review times ranged between 1 - 8 months)	2/2 (Review times were consistently at 2 months)
2010	5.6/4 (Review times ranged between 2.5 – 12 months)	2.67/1.5 (Review times ranged between 1 - 5 months)	3.9/2 (Review times ranged between 0.5 - 10 months)
2011	4.4/4.5 (Review times ranged between 1 - 8 months)	3.08/3 (Review times ranged between 1.5 - 6 months)	2.5/2 (Review times ranged between 1.5 - 4 months)
2012	6.1/3.5 (Review times ranged between 2 – 20** months)	2/2 (Review times ranged between 1 - 3 months)	6.6/2 (Review times ranged between 2 – 18** months)
2013	5.2/3 (Review times ranged between 1 – 16* months)	2.83/4 (Review times ranged between 0.5 4 months)	2.75/2.5 (Review times ranged between 2 - 4 months)
Five Year Mean/Median Average (months)	5.23/4 (Review times ranged between 1 – 20** months)	2.52//2 (Review times ranged between 0.5 - 8 months)	3.95/3 (Review times ranged between 0.5 - 18** months)

***Luther Road Johnson Creek Restoration Project (BES) took 16 months in between 2012 2013 to receive a NMFS Biological Opinion and Corps Permit due to a number of factors including losing the lead NMFS biologist in charge of the Section 7 consultation on an assignment to Florida and the retirement of the Branch Chief overseeing the consultation.**

**** South Waterfront Beach Restoration project required addressing contaminated sediments in the nearshore of the Willamette River with the involvement of DEQ's Cleanup Program. This affected the review and submittal times of the Corps permit and BDS Greenway Land Use Review Decision.**

Appendix C
Category 2 - All Bureau of Environmental Services (BES) projects

Table 7 shows the average time it has took all BES projects to receive final authorizations from the Corps, DSL and the Bureau of Development Services between the years 2003 and 2008.

Table 7. Bureau of Environmental Services (BES) - Average Time BES Projects Received Permits between 2003 and 2008

YEAR	BES - AVERAGE TIME TO RECEIVE A PERMIT 2003 - 2008		
	Corps Average review times are given in both mean/median values	DSL Average review times are given in both mean/median values	BDS Average review times are given in both mean/median values
2003 (Sept. – Dec.)	No Corps permits issued to BES in 2003	No DSL permits issued to BES in 2003	No BDS decision rendered to BES in 2003
2004	6/6 (Review times ranged between 2 and 10 months)	4/4 (Review times ranged between 2 and 6 months)	2/2 (Review times were consistently at 2 months)
2005	2.5/2.5 (Review times ranged between 1 and 4 months)	2.5/2.5 (Review times ranged between 1 and 4 months)	2.25/2.25 (Review times ranged between 1 and 3 months)
2006	11/7 (Review times ranged between 2 and 24* months)	6.33/5 (Review times ranged between 3 and 11* months)	3/3 (Review times ranged between 2 and 4 months)
2007	4.3/2.5 (Review times ranged between 2 and 12** months)	2/2 (Review times ranged between 1 and 3 months)	2.75/3 (Review times ranged between 2 and 3 months)
2008	2/2 (Review times ranged between 1 and 3 months)	1.5/1.5 (Review times ranged between 1 and 2 months)	2/2 (Review times were consistently at 2 months)
Five Year Mean Average (months)	4.95/3 (Review times ranged between 1 and 24 months)	3.12/2 (Review times ranged between 1 and 11 months)	2.46/2 (Review times ranged between 1 and 4 months)

***Burlingame – Stephens Creek project**
**** Iron Mountain – Tryon Creek project**

Table 8 shows the average time it has took all BES projects to receive final authorizations from the Corps, DSL and the Bureau of Development Services between the years 2009 and 2013.

Time is calculated from the time the application was submitted to the date the final decision is made.

Table 8. Bureau of Environmental Services (BES) - Average Time for BES Projects to Receive Permits between 2009 and 2013

YEAR	BES - AVERAGE TIME TO RECEIVE A PERMIT – 2009 - 2013		
	Corps Average review times are given in both mean/median values	DSL Average review times are given in both mean/median values	BDS Average review times are given in both mean/median values
2009	4/4 (Review times were consistently at 4 months)	1/1 (Review times were consistently at 2 months)	2/2 (Review times were consistently at 2 months)
2010	4.74/4.75 (Review times ranged between 3 and 6 months)	1.16/1 (Review times ranged between 1 and 1.5 months)	3.8/1 (Review times ranged between 0.5 and 10 months)
2011	3.12/3.25 (Review times ranged between 1 and 5 months)	2.6/2 (Review times ranged between 1.5 and 3 months)	2.1/2 (Review times ranged between 1.5 and 3 months)
2012	2.33/2.33 (Review times ranged between 2 and 3 months)	1.5/1.5 (Review times ranged between 1 and 2 months)	4.6/3 (Review times ranged between 2 and 9 months)
2013	7.33/4 (Review times ranged between 2 and 16 months)	4/4 (Review times were consistently at 4 months)	3/3 (Review times ranged between 2 and 4 months)
Five Year Mean Average (months)	3.93/4 (Review times ranged between 1 and 16 months)	2.07/1.75 (Review times ranged between 1 and 4 months)	3.21/2 (Review times ranged between 0.5 and 9 months)

Appendix C
Category 3 - All BES projects that consisted of instream trunk sewer line repair/replacement designed with stream habitat restoration techniques

Table 9 shows eight (8) instream projects managed by BES that involved a more complex combination of sewer line infrastructure repair/protection efforts combined with restoration techniques. Average mean and median times to receive the various permits were calculated for the 10 year period.

Table 9. Average Time for Bureau of Environmental Services (BES) Trunk Sewer Line Repair/Replacement Projects Designed with Stream Habitat Restoration between 2003 and 2013

Year	BES Projects	BES Sewer Trunk Protection and Stream Habitat Restoration Time to Acquire Permits (2004 – 2013)				
		Corps (Individual and Nationwide)	NMFS (BIOP and SLOPES)	DEQ Section 401 Water Quality Certification and Pre-Certified with General Conditions	DSL (Individual Removal Fill and General Authorization	BDS (Greenway and Environmental Land Use Review Decisions)
2004	**Lents Trunk Interceptor Protection and Stream Habitat Restoration (Sewer and Sanitary Crossing) – Johnson Creek**	X 10 months	X BIOP 8 months	X Water Quality Certification 7 months	X 6 months	X 2 months
2005	**Guilds Lake Pump Station Pressure Line Repair (Exposed Sewer Line Repair) – Willamette River**	X 2 months	X BIOP 2 months	X WQ Certification 2 months	X 2 months	X 3 months
2005	**Tryon Creek Aquatic Habitat Enhancement Project (Tryon Trunk Sewer**	X 4 months	X BIOP 3 months	X WQ Certification 4 months	X 4 months	X 2 months

	Protection)					
2006	**Burlingame Sanitary Trunk Sewer Rehabilitation and Relocation Project (Stephens Creek)**	X 24 months**	* (NE)	X WQ Certification 24 months	X 11 months	X 2 months
2007	**Iron Mountain Sewer Repair and Streambank Restoration**	X 12 months	X BiOp 9 months	X Pre-Certified	X 5 months	****
2011	**Tryon Creek Sanitary Sewer Protection**	X 4 months	X SLOPES	X Pre-Certified	X 3 months	X 2 months
2013	**Luther Road Habitat Restoration (Lents Sewer Trunk Protection)**	X 16 months***	X BiOp 8 months	X Pre-Certified	X 4 months	****
2013	**South Ash Creek Stream Enhancement and Sewer Protection**	X 4 months	X SLOPES	X Pre-Certified	X 4 months	X 3 months
Five Year Mean/Median Average (months)		**9.5/7 (Range 2 – 24 months)**	**6/8 (Range 2 – 9 months)**	**9.25/5.5 (Range 2 – 24 months)**	**4.25/4 (Range 2 – 11 months)**	**2.33/2 (Range 2 – 3 months)**

*** NMFS not involved in the project due to an impassable culvert limiting ESA fish access to the project site.**
**** The Burlingame Sanitary Trunk Sewer Rehabilitation project (BES) (Corps # 2005-00735)) had lengthy federal agency reviews contributing to the longer average time e.g. A leaking sanitary sewer line created concerns with DEQ's Cleanup and Section 401 Water Quality Certification programs requiring additional sampling and analysis before the permits would be issued.**
*****Luther Road Johnson Creek Restoration Project (BES) took 16 months in between 2012 2013 to receive a NMFS Biological Opinion and Corps Permit due to a number of factors including losing the lead NMFS biologist in charge of the Section 7 consultation on an assignment to Florida and the retirement of the Branch Chief overseeing the consultation.**
******No BDS LUR required.**

Appendix C
Category 4 - All City bureau projects that consisted of instream infrastructure[23] repair and replacement

Table 10 shows the Mean and Median times for permits acquired for all City infrastructure projects constructed inwater during the period 2003 – 2013.

Table 10. Average Permitting Times for All City Infrastructure* Projects Seeking Permits between 2003 and 2013

Year	Infrastructure Projects*	Infrastructure Projects Time to Acquire Permits 2004 – 2013				
		Corps (Individual and Nationwide)	NMFS (Biological Opinion (BiOp) and SLOPES)	DEQ Section 401 Water Quality Certification and Pre-Certified with General Conditions	DSL (Individual Removal Fill and General Authorization	BDS (Greenway and Environmental Land Use Review Decisions)
2003	(PDC) Holman Dock (Willamette River)	X Nationwide 8 months	X SLOPES	X Water Quality Certification 8 months	X 3 months	X 3 months
2004	(BES) Lents Trunk Interceptor Protection and Stream Habitat Restoration (Sewer and Sanitary Crossing) – Johnson Creek	X Individual 10 months	X BiOp 8 months	X Water Quality Certification 7 months	X 6 months	X 2 months
2005	(BES) Guilds Lake Pump Station Pressure Line Repair (Exposed Sewer Line Repair) – Willamette River	X Individual 2 months	X BiOp 2 months	X WQ Certification 2 months	X 2 months	X 3 months
2005	(BES) Tryon Creek Aquatic Habitat Enhancement Project (Tryon Trunk Sewer	X Nationwide 4 months	X BiOp 3 months	X WQ Certification	X 4 months	X 2 months

23 Infrastructure Projects include Culverts, Boat Ramps, Bridges, Culverts, Docks, Fireboat Stations, Outfalls, Sewer/Sanitary Trunk Lines, and Water Mains

	Protection)			**4 months**		
2006	**(BES) Burlingame Sanitary Trunk Sewer Rehabilitation and Relocation Project (Stephens Creek)**	**X Individual 24 months****	*** (NE)**	**X WQ Certification 24 months**	**X 11 months**	**X 2 months**
2006	**(BES) Eastside Combined Sewer Overflow (Culvert Replacement)(Willamette River)**	**X Individual 7 months**	**X SLOPES**	**X Pre-certified**	**X 5 months**	**X 4 months**
2007	**(Water) Conduit Trestle Vulnerability Reduction Project (Bull Run to the City)**	**X Individual 5 months**	*** (NE)**	**X Pre-certified**	**X 3 months**	**No Jurisdiction - Outside City Limits**
2007	**(Fire) Fire Station 6 Piling and Boathouse Repair**	**X Individual 5 months**	**X BiOp 5 months**	**X Pre-certified**	**No permit needed**	**X 2 months**
2008	**(BES) High Creek Confluence Culvert Replacement**	**X Nationwide 1 month**	**X SLOPES**	**X Pre-certified**	**X 2 months**	**No Jurisdiction - Outside City Limits**
2009	**(PBOT) N. Vancouver Ave. Bridge Repair & Replacement (Columbia Slough)**	**X Nationwide 9 months**	**X SLOPES**	**X Pre-certified**	**No DSL Permit needed**	**X 2 months**
2009	**(Parks) Circle Avenue Pedestrian Bridge Repair (Johnson Creek)**	**Exempt**	**Exempt**	**Exempt**	**X 1 month**	**Exempt**
2009	**(Water) Sandy River Conduit Bridge Replacement**	**X Nationwide 9 months**	**X BiOp 7 months**	**X Pre-certified**	**X 8 months**	**No Jurisdiction - Outside City Limits**
2009	**(Water) Walker Creek Culvert Replacement (Bull Run)**	**X Nationwide 3 months**	**X SLOPES**	**X Pre-certified**	**X 2 months**	**No Jurisdiction - Outside City Limits**
2010	**(BES) Crystal Springs Culvert Replacement (Tenino – Umatilla)**	**X Nationwide 3.5 months**	**X SLOPES**	**X Pre-certified**	**X 1 month**	**X 10 months**
2010	**(BES) NE 33rd Drive Culvert Replacement (Columbia Slough)**	**Exempt**	**Exempt**	**Exempt**	**X 1 month**	**X 1 month**
2010	**(Trimet/FHWA) Portland-Milwaukie Light Rail Bridge (Willamette River)**	**X Individual 12 months**	**X BiOp 8 months**	**X WQ Certification 11 months**	**X 5 months**	**X 6 months**
2010	**(Parks) Cathedral Park Boat Ramp Repair (Willamette River)**	**X Nationwide 2.5 months**	**X SLOPES**	**X Pre-certified**	**Exempt**	**X 2 months**

2011	**(BES) Tryon Creek Sanitary Sewer Protection**	**X Nationwide 4 months**	**X SLOPES**	**X Pre-Certified**	**X 3 months**	**X 2 months**
2011	**(Multnomah County) Sellwood Bridge Replacement (Willamette River)**	**X Individual 8 months**	**X SLOPES**	**X Pre-certified**	**X 6 months**	**X 4 months**
2012	**(Fire) Fire Station 21 Dock and Boathouse Construction (Willamette River)**	**X Individual 6 months**	**X SLOPES**	**X Pre-certified**	**X 6 months**	**X 3 months**
2012	**(BES) Crystal Springs Railroad Culvert Replacement (Crystal Springs)**	**X Nationwide 2 months**	**X SLOPES**	**X Pre-certified**	**X 1 month**	**X 3 months**
2013	**(BES) Luther Road Habitat Restoration (Lents Sewer Trunk Protection)**	**X Nationwide 16 months**	**X BiOp 8 months**	**X Water Quality Certification 18 months**	**X 4 months**	**No Jurisdiction - Outside City Limits**
2013	**(BES) Wilkes Headwaters Restoration/Culvert Replacement (Columbia Slough)**	**X Nationwide 2 months**	**(NE)**	**X Pre-certified**	**Exempt**	**X 4 months**
2013	**(Water) Alder Creek Fish Passage (Culvert Replacement)(Bull Run)**	**X Nationwide 3 months**	**X SLOPES**	**X Pre-certified**	**X 0.5 months**	**No Jurisdiction - Outside City Limits**
Five Year Mean/Median Average (months)		**6.68/5 (Range 1 – 24)**	**5.8/7 (Range 3 – 8)**	**9.33/7 (Range 2 – 24)**	**3.72/3 (Range 1 – 11)**	**3.18/2.5 (Range 1 – 10)**

***Infrastructure Projects include Culverts, Boat Ramps, Bridges, Culverts, Docks, Fireboat Stations, Outfalls, Sewer/Sanitary Trunk Lines, and Water Mains**

Appendix C
Category 5 - All City bureau projects that consisted of instream restoration projects

Table 11 shows the mean and median times to acquire permits from the Streamlining Team agency members for all City Habitat Restoration Projects constructed between 2003 and 2013

Table 11. Average Permitting Times for All City Instream Habitat Restoration Projects Seeking Permits between 2003 and 2013

Year	Instream Habitat Restoration Projects	Instream Habitat Restoration Projects Time to Acquire Permits 2004 – 2013				
		Corps (Individual and Nationwide)	NMFS (Biological Opinion (BiOp) and SLOPES)	DEQ Section 401 Water Quality Certification and Pre-Certified with General Conditions	DSL (Individual Removal Fill and General Authorization)	BDS (Greenway and Environmental Land Use Review Decisions)
2004	Kelley Creek Confluence Project	X Individual 2 months	X BiOp 2 month	X WQ Certification 2 months	X General Authorization 2 months	X 2 months
2005	Ramsey Refugia (Columbia Slough)	X Individual 3 months	X BiOp 1 month	X WQ Certification 3 months	X General Authorization 1 month	X 1 month
2005	SW Texas Street	X Nationwide 2 months	No Effect	X Pre-certified	X General Authorization 3 months	Exempt
2007	Errol Creek Wetland Enhancement	X Nationwide 2 months	X SLOPES	X Pre-certified	X General Authorization 3 months	X 3 months
2007	Schweitzer (formerly Brownwood) Project (Johnson Creek)	X Nationwide (RGP - Stream and Wetland Restoration) 7 months	X BiOp 11 months	X Pre-certified	X Individual 2 months	X 3 months
2007	Powers Marine (Willamette River)	X Nationwide 3 months	X SLOPES	X Pre-certified	X General Authorization 1 months	X 2 months

2008	**Errol and Johnson Creek Confluence Fish Habitat Protection**	**X Nationwide 3 months**	**X BiOP 23 months**	**X Pre-certified 13 months**	**X General Authorization 1 month**	**X 2 months**
2008	**South Waterfront/Central District/Beach Restoration (Willamette river**	**X Individual 20 months**	**X BiOp 13 months**	**X WQ Certification 8 months**	**X Individual 2 months**	**X 18 months**
2008	**Stephens Creek Confluence Habitat Enhancement (Stephens Creek)**	**X Nationwide 2 months**	**X SLOPES**	**X Pre-certified**	**X General Authorization 2 months**	**X 3 months**
2009	**Bull Run Spawning Gravel Placement (Bull Run Watershed)**	**X Nationwide 2 months**	**X SLOPES**	**X Pre-certified**	**X General Authorization 1 month**	******
2009	**Columbia Slough Confluence Habitat Enhancement Project**	**X Nationwide 4 months**	**X SLOPES**	**X Pre-certified**	**X 1 month**	**X 2 months**
2009	**Tryon Creek Confluence Project (Tryon Creek)**	**X Nationwide 4 months**	**X SLOPES**	**X Pre-certified**	**X General Authorization 1 month**	******
2010	**East Lents/South of Foster/Johnson Creek (Phase 1 – Floodplain Restoration)**	**X Nationwide 2.5 months**	**X SLOPES**	**X Pre-certified**	**X Individual 1.5 months**	**X 1.5 months**
2011	**Veterans Creek Habitat Enhancement project (Tryon Creek)**	**X Nationwide 5 months**	**X SLOPES**	**X Pre-certified**	**Exempt (Notification-based General Authorization)**	**X 2 months**
2011	**Mason Flats Wetland Enhancement (Columbia Slough)**	**X Nationwide 6 months**	**X SLOPES**	**X Pre-certified**	**X General Authorization 1.5 months**	**X 0.5 months**
2013	**Tacoma Station Aquatic Habitat Enhancement (Johnson Creek)**	**X Individual 1 month**	**X SLOPES**	**X Pre-certified**	**Exempt (Notification-based General Authorization)**	**X 2 months**
Five Year Mean/Median Average (months)		**4.56/3 (Range 1 – 20*)**	**6.75/6.5 (Range 1 – 13*)**	**3.66/3 (Range 2 – 8*)**	**1.78/1.5 (Range 1 – 3)**	**3.25/2 (Range 0.5 – 18*)**

*** South Waterfront Beach Restoration project required addressing contaminated sediments in the nearshore of the Willamette River with the involvement of DEQ's Cleanup Program. This affected the review and submittal times of the Corps permit and BDS Greenway Land Use Review Decision.**

Appendix C
Category 6 - Portland Water Bureau projects focused in the Bull Run watershed

Table 12 shows the mean and median times for acquiring permits issued by members of the Streamlining Team.

Table 12. Portland Water Bureau (Water) - Average Time for Water Bureau Projects to Receive Permits between 2007 and 2013

Year	Water Bureau Projects	Portland Water Bureau - Bull Run Projects Average time to Acquire Permits			
		Corps (Individual and Nationwide)	NMFS (BiOp and SLOPES*)	DEQ Section 401 Water Quality Certification and Pre-certified with General Conditions	DSL (Individual Removal Fill and General Authorization
2007	Conduit Trestle Vulnerability Reduction Project	X 5 months	X SLOPES	X Pre-certified	X 3 months
2009	Bull Run Spawning - Gravel Placement Project	X 2 months	X SLOPES	X Pre-certified	X 1 month
2009	Bull Run – Walker Creek Culvert Replacement Project	X 3 months	X SLOPES	X Pre-certified	X 2 months
2009	Sandy River Conduit Bridge Crossing Project	X 9 months	X BiOp - 7 months	X Pre-certified	X 8 months
2010	Bull Run – Stilling Basin Right Bank Improvement Project	X 4 months	X SLOPES	X Pre-certified	X 2 months
2011	Bull Run – Dam 2 Towers	X 5 months	X (ESA Section 7 Consultation occurred with the Habitat Conservation Plan consultation) 7 months	X Pre-certified	X 2 months
2013	Bull Run – Alder Creek Fish Passage Project	X 3 months	X SLOPES	X Pre-certified	X 0.5 months

	Five Year Mean/Median Average (months)	**4.5/4.5 Range 2 – 9 months**			**2.68/2 Range 0.5 – 8 months**

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APPPENDIX D

City of Portland Streamlining Process

Issue Paper

Prepared by Parsons Brinckerhoff and Environmental Science & Assessment For the Portland Water Bureau

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MEMORANDUM

DATE: March 12, 2009

TO: Tim Collins, Kevin Larson and Brenda Nelson, City of Portland Water Bureau

FROM: Pete Geiger and Jean Ochsner

RE: City of Portland Streamlining Process – Issue Paper

In response to a request made by the City of Portland Water Bureau (PWB), Parsons Brinckerhoff and Environmental Science & Assessment prepared this issue paper to assess the effectiveness of the City of Portland's Streamlining Process and provide input on whether future PWB projects should utilize this forum. The PWB utilized the City of Portland's Streamlining Process in order to familiarize regulatory and resource agencies with the Sandy River Conduits 2 and 4 Relocation project, receive input regarding the project, and eventually expedite the state and federal permit review and approval process. The agencies that are represented in the Streamlining Committee consist of regulatory representatives from U.S. Army Corps of Engineers (USACE), Oregon Department of State Lands (DSL), and resource representatives from the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), and Oregon Department of Fish and Wildlife (ODFW). The City of Portland Bureau of Environmental Services (BES) hosts the Streamlining Committee.

The PWB presented the Sandy River Conduits 2 and 4 Relocation project in four (4) separate Streamlining Meetings. Because the Sandy River project was going to be undertaken under a Design-Build (D-B) process, it was thought that three to four meetings were necessary to present project information, obtain feedback on potential issues and concerns, and make appropriate design adjustments prior to advertising the project to D-B contractors.

Several issues arose in one of the later Streamlining meetings that drew into question the advantage of utilizing the City of Portland's Streamlining Process in future projects. One problem included questions regarding "Interdependent and Interrelated" issues (i.e., construction in jurisdictional areas such as wetlands and waters verses construction in upland areas and whether these activities were dependent on each other), and preparation of the Biological Opinion (which is needed before release of the USACE permit) verses schedule of project construction. Another issue included staff changes in several agencies, which resulted in loss of momentum from the earlier Streamlining meetings as new agency representatives needed to be educated about the project and the various environmental constraints.

While issues arose in almost all of the four Streamlining meetings, the process provides a forum for all regulatory and resource agencies to hear a project as a group and provide feedback. The process allowed minor design adjustments that minimized impacts to the resources. The process also allowed for those within the project team who are not well versed in natural resource issues to understand the regulatory nexus and issues the agencies look for and consider when reviewing a project.

For larger projects, such as the Sandy River Conduit Relocation project, that have a multitude of issues and complexities, the Streamlining Process is an excellent forum to provide information and obtain feedback. We believe it is essential to have realistic expectations that hinge on the following:

- Personnel turnover in agencies (regulatory and resource) have been consistent over the past five years. Plan on this trend to continue and make adjustments accordingly.
- There are timelines that must be followed by state regulators (i.e., 120-day review upon receipt of a complete application). This timeline should be built into the schedule. The state agencies can shorten the review time, but the permittee cannot necessarily "bank" on it.

- If the project requires approvals from resource agencies (i.e., Biological Opinion from NMFS or USFWS, Section 401 Water Quality Certification from the Oregon Department of Environmental Quality [if project is not pre-authorized]), this should also be addressed in the schedule. Though one could expect that the Streamlining Process should (or could) abbreviate preparation of the Biological Opinion, and thus receipt of the USACE permit, due to backlogs and workloads, this may not necessarily be the case.
- Plan on regular communication with the regulatory and resource agencies after the applications have been submitted, even though the Streamlining Process has been utilized. This should help expedite reviews. Also, provide information electronically. It tends to improve the ability of agency staff to prepare and assemble their documents in an expeditious manner.

In terms of the general timelines, the permit applications were received by the regulatory agencies on April 21, 2008. The Department of State Lands issued the Removal/Fill Permit on December 16, 2008. NOAA Fisheries issued the Biological Opinion on December 18, 2008. The U.S. Army Corps of Engineers issued the Section 404 Permit on January 27, 2009.

Following the Bureau's receipt of removal/fill and Section 404 permits, two of the main regulatory agencies provided their views on the merits of the Streamlining Process:

Michael V. McCabe, Oregon Department of State Lands (2/10/2009):

> ***"The City of Portland's Streamlining Team meetings are very useful and important from our agency's perspective. The sooner that we can provide guidance in the planning process the better; early interaction and communication will result in a more effective permitting process.***

The Design-Build contract is one that I became very familiar with during my 4 years as an ODSL-ODOT Liaison, so I am all too aware of the challenges and complications that it may result in if not managed properly. I prefer to see an active management approach for accountability purposes."

James A. Holm, U.S. Army Corps of Engineers (2/6/2009):

"I am very supportive of the City's streamlining process because of two important reasons.

First, pre-application meetings give the Corps and other agencies time to voice their concerns with project designs and discuss permit issues at an early step of the project. It is much easier to address and avoid issues earlier rather than later and trying to force a project fit.

Secondly, the streamlining process gives applicants an opportunity to ask questions, get feedback, and meet everyone face to face. This group setting saves a lot time for each party involved."

Based upon the input received from the regulatory agencies as well as our experiences listed above, we recommend continued use of the Streamlining Process, especially for larger, complex projects. The process provides a forum for the agencies to understand the project, including engineering/structural components, and to obtain feedback on issues and concerns. This may not be the forum to utilize for smaller projects, unless there are concerns about a particular resource issue.

APPENDIX E

City of Portland

Permit Streamlining Process

Assessment

Center for Public Service, Hatfield School of Government, Portland State University

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City of Portland

Permit Streamlining Process Assessment

Center for Public Service, Mark O. Hatfield School of Government,

Portland State University

Eric T. (Rick) Mogren Phd., Adjunct Associate Professor of Public Administration

Ben Fitch, Graduate Assistant

June 17, 2014

Background

On February 14, 2003 the City of Portland and three Federal agencies signed a Streamlining Agreement establishing a cooperative process for streamlining federal Endangered Species Act (ESA) consultations required of proposed city projects. The Agreement encouraged looking for better coordination strategies with other regulatory programs. An invitation was extended to the City's Bureau of Development Services and three state agencies to join the federal agencies soon after the Streamlining Team was formed in 2003. A formal invitation was later extended in 2006 to solidify the partnership with BDS and state agencies in the Streamlining Agreement. The member agencies of the Streamlining Team include the National Marine Fisheries Service, Army Corps of Engineers, U.S. Fish and Wildlife Service, Oregon Department of State Lands, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife and Bureau of Development Services.

The Agreement allows for a unified review of City projects by seven agencies representing City, state and federal levels of regulation. The goal is to create timely, responsive and non-conflicting decisions among the participating multiple agencies.

The Streamlining Team Chair, Mike Reed, is preparing a ten-year progress report that will be presented to the Portland City Council in the fall of 2014. To assist with this assessment, the

Center for Public Service (CPS) with the Hatfield School of Government[24] at Portland State University was asked to conduct a third-party review of the City's Streamlining Team process.

CPS' Summary Conclusions:

The permit streamlining process adds value to Portland City governance by:

- Ensuring compliance with city, state, and federal environmental regulations
- Reducing permit processing time
- Building trust through collaborative relationships between city project managers and regulators

Based on this review, the Center for Public Service endorses the City's streamlining process.

CPS Scope and Approach:

The methods and approach used by the Center for Public Service to assess the streamlining process included:

- Presentation by the Streamlining Team Chair, Mike Reed, covering the history, process and progress of the City's Streamlining Team
- Review of streamlining program-related reports and documents
- Conducted interviews with Streamlining Team members, City Project managers, consultants and City leadership

Findings: The Center's findings are summarized under the following categories:

1. **Purpose, goals, and functions of the streamlining process**
2. **Metrics (Quantitative and Qualitative measurements of the process)**
3. **Streamlining Process strengths**
4. **Process improvements**

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24 The Center for Public Service provides individuals and public sector and non-profit organizations access to the intellectual resources and practical experience of the Hatfield School of Government in order to improve governance, civic capacity and public management locally, regionally and nationally and around the globe. The Center strives to enhance the legitimacy and effectiveness of public service institutions and democratic governance through the integration of theory, scholarly research and practice.

5. **Conclusions**
6. **Recommendations**
7. **Parking Lot Issues**

Purpose, Goals and Functions of Streamlining Process

Four primary themes come out of CPS assessment of the Streamlining Team's purpose, goals and functions including:

- Fosters communication and coordination
- Improved project quality
- Improved consistency in messaging and decision-making
- Fosters constructive relationships (considered to be the most important function performed)

Discussion points for Purpose, Goals, and Functions:

Fosters Communication

- City Project Managers (PMs) obtain early agency comments in unified setting
- Consistent city values communicated to regulatory agencies
- "**Normative**" (See definition below) effects of cross-agency and PM-regulator discussions
- Opportunities for PMs to communicate to regulators on project "realities" (challenges and constraints)

Improved Project Quality

- Perceived reduction in environmental impacts and increased environmental benefits
- Perceived reductions in time to obtain permits by PMs and regulators
- Improved project quality by vetting and discussing project alternatives

Improved Consistency in Messaging and Decision-making

- Long tenure of team members leads to consistent project advice (Note was made of challenges that can occur with team member turnovers)
- Consistent regulatory advice translates consistent compliance
- Relationships and regulatory expectations affect other projects

- Process leads to final project designs that meet the agencies concerns and expectations that are easily permitted

Fosters Relationships

- *Considered by some as the most important function performed*
- Relationships maintained by agency members translates to projects outside this process

* "**Normative**" refers to the process' ability to influence the behavior of team members and those who routinely bring projects to the team. It sets up a new "normal" for expectations and ways of doing things. For example, Project Managers who have experience participating with the Streamlining Team over time leam to design their projects that anticipate the questions they know the team will ask. Streamlining Team members are also inclined to shape their perspectives not just from the policies of their parent agencies, but on what they know of the requirements and expectations of fellow team members in a given circumstance (the annual permits workshops are also helpful in this regard). Their behavior is being "normed" by the streamlining permit team culture and experience.

Metrics (Quantitative and Qualitative Measurements)

Ways to measure the success of the Streamlining Team were explored under the topic of metrics:

a. Quantitative measurements (Discussion topics include time and money saved and number of projects permitted)
b. Qualitative measurements (Discussion topics include relationships, project quality, knowledge gained, transparency and accountability, recognition)

Discussion points for Quantitative Metrics:

Processing time

- Facilitates efficient permit application follow-up negotiations with each agency
- Requires more time upfront, but increases the pay-off at back end
- Promotes faster regulatory decisions and minimizes surprises
- Makes more efficient use of regulatory agency time

Projects Implemented

- Details covering the number of city projects implemented and permit related information are covered in the 10 year Status report prepared by Mike Reed

Money

- Saves money by reducing redesign costs and time taken to receive approvals and begin construction

Discussion points for Qualitative Metrics:

Relationships

- Creates a forum for ongoing relationships between reviewers and applicants
- Expands trust
- Relationships carry forward to other permit application review situations
- Team creates close network between its members with the opportunity to learn from each other

Project quality

- Improves project design and construction
- Coordination of different laws gives opportunities for project designs that benefit a broader array of fish and wildlife species
- Obtains environmental compliance with reduced processing time

Knowledge gained

- Caliber of people on the team; expert knowledge of their domains
- Annual PM training by the Streamlining Team is ***very*** useful:
    - Forum to educate Project Managers on regulatory expectations
    - Forum to educate regulators of each other's regulatory requirements
- PMs opportunity to explain project "realities" (challenges and constraints)

Transparency and accountability

- Openness of the process between team members and PMs
- Applicants and agencies hear the same message

Recognition

- **Recognition and support from city leadership and bureaus**

- Message from the BES Director, BES Newsletter - Clarifier (Dean Marriot, April 2013)
- Water Bureau Streamlining Assessment – Issue Paper (March 12, 2009)

- **Awards**
  - Awarded the State Land Board's* "Partnership Award" for 2012 (*State Land Board consists of the Governor, Secretary of State and the State Treasurer)

Streamlining Process Strengths

Five themes emerged from the topic of Process Strengths:

a. Training and education
b. Consistency and efficiency
c. Relationships and normative impacts
d. Role of the team chair
e. Collaborative and voluntary nature of process

Discussion points for Process Strengths:

Training and education

- Provides highly regarded training for PMs *and* regulators
- Informs PMs of city, state, and federal regulatory expectations
- Informs regulators of fellow agency expectations

Consistency and efficiency

- Provides unified voice from regulatory agencies
- Provides common regulatory basis for follow-on negotiations with individual agencies
- Reduces permit processing time for PMs and regulators
- Expedites permit processing in emergencies

Relationships and normative impacts

- Minimizes conflicting guidance; builds confidence in advice given

- Fosters legitimacy through competence and consistency
- Allows team members opportunity to learn about fellow agencies
- Inadvertently creates a forum for relationships and expanded trust between all parties
- Relationships extend to projects outside of this process

Role of the team chair

- Ability to adapt
- Well prepared and efficient with everyone's time
- Provides excellent facilitative leadership and continuity

Collaborative and voluntary nature of process

- Voluntary participation by PMs is considered a major strength
  - Value may be lost if participation mandated* (**Merits further study)*
- Collaborative manner in which agencies provide coordinated advice
- Honest, candid, and open discussions

Process Improvements

- Originally intended to look for weaknesses in the process or with leadership, but told there were none. (e.g., **"I can't see the City without it**").

Five suggested areas for improvements were identified (e.g., **"If you could recommend on improvement for the Team, what would that be?**"):

a. Streamlining process management

b. Outreach

c. Participant motivations

d. Site visits

e. Miscellaneous suggestions

<u>Discussion points for Process Improvements</u>

Streamlining Process management

- Distribution of project materials before meetings* (*Challenge of reading material before meetings)
- Not all bureaus recognize team chair as process point-of-contact
- PMs from all bureaus should engage in this process
- Dissemination of meeting notes
- Provide for upload and electronic retrieval of information

Outreach

- "Agency leadership does not have a clue as to importance of the streamlining process to the agency's mission"
- Educate city politicians and bureau chiefs on process value
- Educate senior leaders on impact of budget cuts to team

Motivations

- Sometimes city code is being interpreted too literally by BDS applicants – looking for minimal letter of code
- Team members sometimes operate from personal preference, not requirements (example: maintenance projects)

Site visits

- Need for better monitoring and enforcement of permit conditions (Team Chair's annual tracking of permit monitoring and reporting is helpful)
- Site visits with team members helpful to PMs in design decisions
- Site visits teach team members "realities" of construction
- Visits very time consuming
- Incorporate site visits into annual training

Misc. Suggestions ("one offs")

- Obtain feedback from project clients: what improvements could applicants offer to the team?
- Develop case study library of project types, noting what worked and what didn't
- Expand process to include private applicants (Note: Can same process be used for private applicants? Needs to be explored further)

- Clarify as to when team participation is recommended (BES and BDS websites?)
- Improve timeliness of agency responses to PM questions
- Provide one-on-one time for PM-team member discussion after meetings
- Develop expedited process for emergency work

Conclusions

Three Themes Emerge as the most important

a. **Normative and instrumental* value added to:**
   - City governance
   - Regulatory decisions
   - Project management
b. **Value of annual streamlining process workshops**
c. **Information management**

<u>Discussion points for Conclusion themes</u>:

Normative and Instrumental Value

- For city, process provides:
  - Unified, consistent statement of city values to regulators
  - Savings through process efficiency
  - Transparency and accountability
- For regulatory agencies, process provides:
  - Cross-training of other agency expectations
  - Collaborative vs. competitive regulatory regime
  - Relationships that extend beyond city projects
- For project managers, process provides:
  - Time (and cost?) savings
  - Consistent regulatory decisions
  - Opportunity for constructive relationships with regulators
  - Opportunity to educate regulators on constraints and challenges

Value of Annual Training (Permits Workshops)

- Opportunity for PM training in regulatory requirements
    - Annual training serves as important introduction to process, as well as refresher for all parties
- Opportunity for regulator training:
    - In fellow agencies' expectations
    - In challenges and realities of project management
- Opportunity for team building between PMs and regulators
    - Challenge of collaboration vs. arms-length regulator review
- Opportunity for senior leader training in process value

Information management

- *Openness of process minimizes surprises, process delays, and potential project overruns*
- Process value could be enhanced by:
    - Timely dissemination of meeting notes
    - Development of electronic method for information retrieval
    - Development of "case study" library

***** "Instrumental" is the objective purpose for which the team was formed. In this case, it is the ability to reduce permitting time. In other words, it is serving as an "instrument" (think tool) to meet a policy end.

Recommendations and Parking Lot Issues for further study

- Continue process as essentially designed
- Explore potential improvements:
    - Obtain additional input from additional PMs and consultants
    - Review procedures for information dissemination
    - Review opportunity for electronic information retrieval
    - Develop case study library
    - Develop outreach to inform senior leaders on process value

    - Incorporate site visits and PM input into annual training
- Follow-up on “parking lot” issues (See next section)

Parking Lot Issues for further study and follow-up:

- Normative effects of process participation
- Better definition of qualitative metrics:
    - Relationships and trust
    - Project quality
    - Knowledge
    - Transparency and accountability
- Pros and cons of mandatory participation by other city project managers
- Exportability to other jurisdictions