



Nick Fish, Commissioner
David G. Shaff, Administrator

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IMPACT STATEMENT

187036

Date: January 28, 2015

Council Date: February 25, 2015

Legislation Title: Authorize an Agreement in the amount of \$128,500 to acquire a 17-acre conservation and stream enhancement easement and to fund improvements to the easement acreage (Ordinance)

Contact Name: Steve Kucas
Contact Phone: 503-823-6976

Presenter Name: Steve Kucas

Purpose of Proposed Legislation and Background Information:

The purpose of this legislation is to grant the Water Bureau permission to enter into an Agreement for the purchase of a 17-acre conservation and stream enhancement easement from Roger R. and Kathleen M. Harrison for the appraised value.

The Water Bureau operates the Bull Run water supply in compliance with the federal Endangered Species Act and Clean Water Act through implementation of the 49 measures of the Bull Run Water Supply Habitat Conservation Plan (HCP) approved by City Council on October 1, 2008 (Ordinance No. 182235).

The HCP commits the City of Portland to acquire a minimum of 373 acres of land in conservation easements within the Sandy River Basin for the purpose of preserving and enhancing habitat for ESA-listed threatened or endangered fish species impacted by the operation of the Bull Run water supply.

Currently, the City has acquired 221 of the minimum 373 acres of conservation easements required by the terms of the HCP and the City's regulatory permit with the National Marine Fisheries Service.

The Water Bureau hired a professional appraiser to evaluate the value of a conservation easement on the property of Roger R. and Kathleen M. Harrison. The appraised value was \$97,000.

The proposed legislation does not change City policies.

Financial and Budgetary Impacts:

Funds to implement the measures of the HCP are allocated on an annual basis through the City's regular budgetary processes. The total cost of this Agreement to purchase the easement and fund improvements to the property will not exceed \$128,500. The City has come to an agreement with Roger R. and Kathleen M. Harrison based on the current appraised value, which is \$97,000. The Water Bureau anticipates additional costs of \$5,000 to fund the improvements to the easement acreage and \$1,500 for easement closing costs in FY 2014-15, and will request an additional \$25,000 for easement improvements in the FY 2015-16 through FY 2017-18 Budgets. Water Bureau staff will manage the improvement projects within the scope of their current work duties, and staff time will be approximately 200 hours to complete the improvements over three fiscal years.

The Water Bureau also anticipates approximately \$100,000 of instream fish habitat work that will be constructed in the creek within the conservation easement area. The instream habitat work at this location is part of a larger package of habitat restoration efforts in the area that meets one of the HCP commitments for stream restoration. Funding for the instream work is in the current 5-year CIP program budget.

Community Impacts and Community Involvement:

The action that would be authorized by this legislation is one of the 49 measures the City committed to implement when it approved the Bull Run Water Supply Habitat Conservation Plan (HCP) in October 2008, Ordinance No. 182235. The HCP is a 50-year plan to protect and improve aquatic habitat in and around the Bull Run River while continuing to manage the Bull Run watershed as a water supply for the City of Portland. Implementation of the projects defined in the HCP allows the City to be in full compliance with the federal Endangered Species Act and Clean Water Act for Portland's drinking water.

Total project impacts were considered during the development of the HCP and they included financial impacts to water ratepayers and construction impacts from some measures on communities in the Sandy River Basin, where HCP projects will occur. For this legislation, there would be positive impacts resulting from the fish habitat improvements in the conservation easement area. Implementation for this project would also allow the City to be in full compliance with federal laws for Portland's drinking water.

The HCP had a formal public involvement process that was conducted according to the regulations outlined in the National Environmental Policy Act, and it was conducted by the National Marine Fisheries Service (NMFS). NMFS received 14 comment letters and these comments were addressed when determining the environmental impacts of the final HCP. Most of the comment letters were in support of the HCP.

Additional public involvement was designed and conducted by outreach staff at the Water Bureau and consisted of community education, watershed tours, community events,

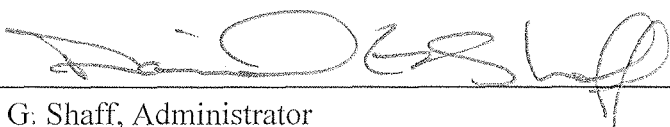
presentations to local special interest, neighborhood and community groups and agencies, and media outreach.

There are no significant concerns/objections to this legislation and there are no anticipated speakers for this item at Council.

Budgetary Impact Worksheet**Does this action change appropriations?**

- ☐ YES: Please complete the information below.
☒ NO: Skip this section

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


David G. Shaff, Administrator02.13.2015
Date