

MEMORANDUM

TO: Krista Mendelman, Environmental Protection Agency, Project Officer
Alan Henning, Environmental Protection Agency, Project Monitor

FROM: Denise Kalakay, Lane Council of Governments, Project Manager

SUBJECT: Lane Council of Governments Estuary Project, Cooperative Agreement Progress Report – Billing period: July through September

DATE: November 8, 2010

This memorandum describes services rendered, deliverables and outputs completed, and budget status for the EPA/LCOG cooperative agreement for the Multi-city/county Water Resource Assessment Project (MC-WRAP). This progress report is for the July through September quarter. This narrative coincides with the billing statement for the quarter and describes the services and products provided for the budgeted tasks.

Contract Status. The contract amount is \$471,638. Charges for the billing period are \$26,334 leaving a remaining balance of \$204,679.

Project Accomplishments (July - September 2010) – This quarter included progress in a number of areas including preparing the inventory reports and working on tasks that move us into the policy phase. The wetland and riparian inventory field work was completed last quarter and this quarter focused on the office research needed to complete the inventories, as well as drafting reports. While the wetland contractors are finishing their work on completing wetland and riparian area inventory and assessment reports, LCOG has been moving forward in our work with Benton and Lane Counties in their work to identify and protect riparian areas. Benton County is taking a somewhat traditional approach of working with both a Technical Advisory Committee, periodic check-ins with the public, and modest setback distances. At the direction of the County Board, Lane County efforts are set at a faster pace relying on a Technical Advisory Committee with little initial input from citizens. Compared to Benton County, Lane County is also taking a bolder approach in the recommendation of a 200 foot riparian setback which is uncommon in the Pacific Northwest.

Following is a brief summary of accomplishments towards each of the contract's major tasks for this time frame:

Task 1. Project Coordination and Introduction. This task ensures that the project process moves smoothly, high quality products are generated, and the values of each partner are fully integrated. The remainder of this task consists of on-going Steering Team coordination and project management. Activities completed during this quarter include:

- Maintained internal project management tasks, such as staff and budget oversight.
- Provided quarterly progress report.

Task 2. Landowner, Public Official, Community Notification and Involvement. This task created an initial support for the project throughout the region. It included initiation of outreach activities to raise knowledge and provide input regarding project goals, activities and approach among local governing officials, developers, and property owners with riparian areas or potential wetlands on their property. The core of this task included individually contacting potentially affected property owners and holding a public meeting in each city. Individual property owners have contacted members of the project team to get preliminary results in order to move forward with plans for their property. This task was completed during a previous reporting period.

Task 3. Data Collection and Consultant Selection. This task relates to the assurance of a high quality inventory and assessment through the compilation of all background materials and the selection of a wetland consultant.

This task was completed during a previous reporting period.

Task 4. Conduct Local Wetland and Riparian Area Inventory and Functional Assessments. This task represents the core of the project providing local jurisdictions and state agencies with an accurate depiction of where significant wetland and riparian resources are in order to protect those areas from development. This task was started during the previous two reporting periods and the remainder of the task will be conducted by the wetland contractor with LCOG support in the next 3-4 months. This task is about 85 percent complete. Activities accomplished during this reporting period include the following:

- Responded to inquiries from the public about the wetland and riparian inventory and assessment process and preliminary results.
- Completed office research for the Oregon Freshwater Wetland Assessment Methodology (OFWAM) for wetlands within each study area. Digitized wetland boundaries and completed wetland unit summary sheets for each site.
- Reviewed field data collected and mapped and performed quality control checks between LCOG and the wetland contractors.
- Incorporated wetland assessment components into digital (GIS) datasets. Prepared wetland and riparian inventory maps for six of the cities in the project (Harrisburg and Creswell are being completed this month).
- Prepared final review draft report for the City of Scio to use as a template for the northern group of cities (Adair Village, Monroe, Harrisburg, Mill City, and Scio).

Coordinated with the contractors and Department of State Lands to review and comment on a preliminary draft so that needed changes will be caught early and other reports can incorporate necessary changes.

- Met with Benton County GIS and planning staff to discuss methods of using light detection and ranging (LiDAR) data for wetland and/or waterway identification and assessment.
- Began exploring techniques for the use of LiDAR in identifying waterways.
- Completed draft reports for three of the cities. Coordinated reviews and changes with the Department of State Lands, LCOG, and wetland contractors. Drafting reports for all cities is slightly behind schedule but the reports are expected in the early phases of the next reporting period.
- Worked with Lane County to inventory riparian areas associated with drinking water sources for public water suppliers.
- Helped identify through GIS data layers, flood zones (floodplains and floodways) in Lane County to apply the proposed floodplain ordinance.
- Developed outreach materials for property owners (residential, commercial, industrial) that could be impacted by proposed regulations.
- Provided technical assistance to Benton County in refining riparian area definitions based on “landscape functions” such as flood attenuation, nutrient filtering, etc.
- Collected and mapped GIS data layers regarding fish bearing streams that could be one component of the riparian area inventory.

Task 5. Water Resource Land Use Action Kit Development. The policy portion of the project provides a menu of mechanisms for cities to choose from so that water resources are protected and their environmental values maintained. Oregon’s Statewide Land Use Planning Goals set the regulatory framework that the cities and counties are operating under. Planning Goal 5 relates to natural resources including wetland and riparian resources while Planning Goal 6 is the State’s water quality goal. Non-regulatory approaches will also be integrated into the options to be explored by the local jurisdictions. This task remains in its initial stages with about 30 percent complete. Activities from this period include:

- Applied background research of Statewide Planning Goals 5 and 6 to riparian protection efforts moving forward in Benton and Lane Counties.
- Began preparing review of scientific literature justifying setbacks for riparian areas and wetlands.

- Conducting a review a policy choices made by other jurisdictions for riparian and wetland protection.
- Prepared a gap analysis worksheet for jurisdictions to complete that will provide information on current levels of activities, philosophies, and political realities that will help guide future activities related to water resource protection.
- Continued to investigate a broad array of non-regulatory incentives based approaches to water resource protection. Refined survey to inquire about what other jurisdictions of similar size have done in Oregon and Washington.
- Interviewed and selected one of seven applicants for the Resource Assistance to Rural Environments (RARE) position which places AmeriCorps volunteers (college graduates) in positions in rural communities (or positions addressing rural issues). The selected candidate, Fraser MacDonald, brings energy, new ideas, enthusiasm, and solid skills to the project.
- Working with Lane County staff and meeting with the technical advisory committee to refine and finalize floodplain and source water protection ordinances that will protect riparian areas and water quality in Lane County. These ordinances were prepared as the final drafts to be place before Lane County citizens, the Planning Commission, and the Board of County Commissioners.
- Provided materials and presentation to the Lane County Planning Commission work session on the proposed Floodplain and Source Water Protection ordinances.
- Continuing to work with Benton County Riparian Technical Advisory Committee to explore regulatory and non-regulatory options for riparian protection throughout Benton County.

Task 6. Public Official and Community Involvement. This task is designed to provide a series of vehicles to generate informed decision making and give public officials and staff an accurate depiction of how their constituents feel on issues related to water quality. The task will help ensure that ordinances and programs are developed which meet public need and have public support, thus nurturing in policy makers the political will needed to take necessary implementation steps. This task is about 25 percent complete. Activities related to this task which were performed this reporting period include the following:

- Made occasional responses to public and public official inquiries and data requests.
- Organized training session on regional water resource planning and presented project information at the Oregon Planning Institute, the annual Oregon conference for planning professionals.

- Planned and designed public meetings in Benton County to gain input on riparian protections.
- Continued participating in the Benton, Lane, Linn Water Resource Study Group discussing projects and potential projects of mutual interest to the three county area. Worked with OSU, U of O, and others to examine water supply issues in the Willamette basin and develop scenario concepts for policy makers to determine the future of the water supply.
- Refined the concept development for the 3-D visualization components of creating an environment of “informed decision making,” and public understanding. This has included exploring available software programs, examining display options, and compiling GIS data layers for the displays.
- Up-dated project website content, maps, and meeting notes.
<http://www.lcog.org/southwillamettelwi/default.cfm>

Project Issues/Points of Interest:

Progress this quarter continued to focus on the riparian protection efforts of Benton and Lane Counties. As has been reported previously, each county is moving down a different path. Benton County is approaching riparian protection that is tiered depending on the landscape function served by various components associated with the riparian area and/or the adjacent upland area. Lane County is approaching riparian protection through updates to the floodplain ordinance and by creating a drinking water source protection overlay zone that will restrict development on all waterways within the Willamette River Basin and within some watersheds in the Coastal Range. Benton County has taken a path with fairly robust public participation whereas Lane County has determined that the public hearing process is sufficient for public input. As will be further described in the next quarterly report, the citizens of Lane County are “outraged” at the lack of public input prior to going to hearing.

We are experiencing a delay in getting the inventory data and reports from both wetland science contractors. For the northern group of cities, this delay is at least in part due to a greater complexity than anticipated. For the southern group of cities, the primary scientist that conducted the wetland and riparian area investigations is no longer with the firm. These delays do not present a problem now but on the current trajectory the delay could cause a problem with needing review by the Department of State Lands during the Department’s busy field season. We have sent two draft reports (one from each contractor) to the Department of State Lands for a completeness review process that will hopefully save time in the future and have better review drafts for city staff.