

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: October through December

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 October through December 2010 quarter. This narrative describes the services and products provided for the budgeted tasks.

Project Accomplishments (October - December 2010) – The October – December quarter continued to work on producing draft wetland and riparian inventory reports, and working with Lane and Benton Counties in instituting riparian ordinances. We also began building the foundation for policy, and investigating the use of light detection and ranging (LiDAR) for the identification and assessment of wetlands and waterways.

LCOG moved forward in the work with Benton and Lane Counties in their work to identify and protect riparian areas. As was reported in the last report, Benton County is taking a somewhat traditional approach of working with a Technical Advisory Committee, periodic check-ins with the public, and modest setback distances. The project was initiated over a year ago and is just starting to reach the policy aspects. Lane County efforts were set at a faster pace relying on a Technical Advisory Committee and recommended a stricter 200 foot riparian setback. One highlight (or perhaps a low point) of the quarter is that both the floodplain and riparian protection ordinances proposed by Lane County failed to move forward due to a substantial “outcry” from the public that the process was lacking in stakeholder input and the proposed requirements were too onerous infringing on property rights.

Four of the draft inventory and assessment reports were completed by the contractors near the end of the quarter and submitted to LCOG for review and comment. During this quarter we began building the “Action Kit” that will provide jurisdictions (those we are working with and others) with the regulatory and non-regulatory tools to protect the valuable resources identified in the inventory. We also compiled the necessary data layers and began to examine the use of LiDAR for the wetland and riparian area inventory and assessment process.

Following is a brief summary of accomplishments towards each of the contract's major tasks for this reporting 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 meetings and coordination and project management. Activities completed during this quarter include:

- Maintained internal project management tasks, such as contractor, 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 about a year ago and is about 75 percent complete (note: last progress report estimated completion at 85 percent but was inaccurate given the substantial editing and revision that needed to be done). Activities accomplished during this reporting period include the following:

- Responded to inquiries from city staff and the public about the wetland and riparian inventory and assessment process and preliminary results.
- Completed Oregon Rapid Wetland Assessment Protocol (ORWAP) assessments for the wetlands in Creswell, Lowell, and Cottage Grove.

- Compared and analyzed the ORWAP assessment and the Oregon Freshwater Wetlands Assessment Methodology (OFWAM) in the City of Creswell. This comparison and analysis is expected to help Oregon Department of State Lands (DSL) establish numeric values for determining significance using ORWAP for local wetland inventories providing much richer data for the assessment.
- Developed and applied a methodology for identifying waterways using LiDAR technology.
- Gathered base map GIS data layers for LiDAR derived waterway maps and produced maps for the four cities to be analyzed (Scio, Adair Village, Monroe, Harrisburg).
- Prepared summary report of data layers used for LiDAR waterway methodology. Examined LiDAR derived waterways as compared to existing hydrology information to begin exploring the possibility of identifying additional waterways and the differences in accuracy.
- Gathered base GIS layers (wetland inventory, contours, etc.) used for the examination of the use of LiDAR in wetland identification and assessment for the cities of Adair Village and Monroe. Coordinated with SWCA, the contractor for the northern cities, to document in detail the procedures used to collect data in the field and map wetland boundaries in the office.
- Reviewed and revised the draft inventory reports for Lowell and Cottage Grove.
- Submitted the draft Lowell inventory report and mapping to DSL to conduct the completeness review so that needed changes will be caught early and other reports can incorporate necessary changes.
- Contractor finalized first draft of the Creswell inventory report.
- Finalized first draft mapping for all eight cities involving numerous iterations and quality control checks between the contractors and LCOG.
- Refined and finalized the inventory of riparian setback areas within Lane County prior to public hearings regarding the proposed 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.

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 are also being integrated into the options to be explored by the local jurisdictions. This task is about 40 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.
- Reviewed scientific literature and policy options regarding setbacks for riparian areas applicable in Lane and Benton Counties.
- Distributed and then gathered a gaps analysis worksheet for each jurisdiction providing information on current levels of activities, philosophies, and political realities that will help guide future activities related to water resource protection. Prepared a summary for each jurisdiction as well as a summary for the group of cities.
- Surveyed and examined local jurisdictions in Oregon and Washington to gather policy choices, setback standards, and rationale for water resource protection that might be used in the local region.
- Researched and compiled information on non-regulatory options for protecting the water resources.
- Began researching and drafting a list of mechanisms, both regulatory and non-regulatory that jurisdictions can choose from to protect water quality.
- Developed a framework platform for presenting information compiled in the Land Use Action Kit.
- Worked with Lane County staff and technical advisory committee to finalize floodplain and source water protection ordinances that will protect riparian areas and water quality in Lane County.
- Continued to work with Benton County Riparian Technical Advisory Committee to explore regulatory and non-regulatory options for riparian protection throughout Benton County.
- Reviewed draft Benton County riparian ordinance and provided feedback regarding flexibility to address issues such as nutrient retention, erosion and sediment factors, and flood attenuation.

- Served on the Technical Advisory Committee, and finalized Technical Memorandums supporting source water protection mechanisms including riparian setbacks, in both the floodplain and drinking water source protection ordinances in Lane County. The Technical Memorandums outlined and discussed the rationale and scientific backing for proposed language in the ordinances.
- Reviewed public comments regarding the proposed Lane County ordinances and attended public hearing set to gather testimony from citizens.

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 30 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.
- Presented project information and led discussion on the project goals, objectives, and process with a University of Oregon Regional Planning class.
- Helped prepare for a Lane County open house to present information and gather community input on the proposed floodplain and Source Water Protection ordinances. Attended 1st scheduled public hearing to take additional citizen input and County Commissioner deliberation although the ordinances were tabled indefinitely mid-way through the hearing.
- Contacted city officials cities within Lane County to present and discuss the water quality protection merits of the proposed Lane County ordinances.
- Participated in the Benton, Lane, Linn Water Resource Study Group discussing projects and potential projects of mutual interest to the three county area. Worked with state universities, state and federal agencies 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.
- Began drafting 3-D visualizations for each jurisdiction.
- Up-dated project website content, maps, and meeting notes.
<http://www.lcog.org/southwillamettelwi/default.cfm>