

# Appendix A: WHI ESEE Technical Work Session Summary

West Hayden Island Economic, Social, Environmental, Energy Analysis  
Technical Work Session  
April 24<sup>th</sup>, 2012 - 8:30 a.m. to noon, 1900 SW 4<sup>th</sup> Ave., Room 2500 B  
(*technical reviewer list attached*)

Four main topic areas were identified at the West Hayden Island ESEE Analysis Technical Work Session on April 24<sup>th</sup>, 2012. These topic areas are:

1. Metro's Title 13 "limit" decision and the City's ability to customize a decision through a local ESEE Analysis.
2. Assumptions related to the current county zoning on West Hayden Island
3. The depth and breadth of issues covered within the ESEE narratives as compared to requirements of the Goal 5 rule and the specific recommendations of the ESEE
4. Performing a Health Impact Assessment to inform the ESEE analysis

Below is a summary of each issue, a staff response and how the ESEE analysis will be updated to address the issue.

## 1. Title 13 Limit Decision

Title 13, adopted by the Metro Council in September 2005, established the Nature in Neighborhoods program to protect, conserve and restore significant riparian corridors and wildlife habitat. Metro completed the necessary State Land Use Goal 5 steps to inventory existing natural resources and perform a regional ESEE Analysis.

Metro describes that a decision to limit conflicting uses:

"strikes a balance between completely developing the Goal 5 riparian and upland wildlife resources and protecting them. This alternative provides opportunities including developing lands in ways that minimize negative environmental and economic tradeoffs; supporting the goals embodied by the 2040 Design Types and protecting the most important habitats. ...The economic tradeoffs for this alternative depend on the degree of limitation on development actions: lightly limit, moderately limit, or strictly limit.....The limit scenario will generate a more equitable distribution of positive and negative economic tradeoffs...Development interests and the resources will both experience positive and negative economic tradeoffs." (*Appendix C, Economic Report and Literature Review, Ord. No. 05-1077C, Attachment 3 to Exhibit F*)

Ultimately Metro established a limit decision for conflicting uses on WHI and designated it as a Moderate Habitat Conservation Area, acknowledging the important natural resource and economic values of WHI. The Title 13 program also directs the City of Portland to create an area-specific district plan for WHI in cooperation with the Port of Portland.

The City decided to follow the State Land Use Goal 5 steps to supplement and update Metro's natural resource inventory and ESEE analysis to inform the local decision of annexing WHI into the city and the preparation of a plan district. City staff first produced an updated natural resource inventory in

collaboration with technical experts; the Hayden Island Natural Resources Inventory – Riparian Corridors and Wildlife Habitat, 2012 (HINRI). Next, staff performed a conflicting uses analysis and described the ESEE consequences of allowing, limiting or prohibiting conflicting uses within significant natural resources areas as identified in the HINRI.

During technical review of the City’s draft ESEE analysis, some reviewers asked if the City has the authority to reexamine the consequences of allowing, limiting or prohibiting conflicting uses within natural resources area on WHI because of the Metro limit decision that applies to all of WHI. Reviewers also questioned the approach to focus the ESEE on a specific scenario of uses on WHI as set forth in the City Council Resolution 36805 and in the Final Base Concept Plan.

The City’s ESEE Analysis for WHI is being done under the auspices of Metro’s Title 13 limit decision and designation of Moderate Habitat Conservation Area for West Hayden Island and the study area generally. The City and Metro staff believe that the City has the authority and that it is appropriate to follow State Land Use Goal 5 steps to update, supplement, and hone the Metro Title 13 natural resource inventory and ESEE decisions, and to develop a customized district plan for WHI or other parts of the City.

In carrying forth Metro’s limit decision, the City is not considering as part of this ESEE completely allowing conflicting uses on the whole 800 acres nor completely prohibiting conflicting uses on the whole WHI. Staffs are focusing on a specific land split between industrial development and open space, as directed by City Council.

*Next steps:* The ESEE introduction will be updated to include more explanation of the relationship between Metro Title 13’s limit decision and a finer grain analysis by the City. Staff will also described, generally the consequences of a different land split – more or less industrial land – relative to the primary land use scenario of 300 acres industrial land and 500 acres open space.

## 2. County Zoning

In 1977, Multnomah County designated WHI “Natural Resource, Multiple Use Forestry” because the need for future urban uses had not yet been identified. In 1982, the county changed the designation from “Natural Resources” to a “Significant Environmental Concern” overlay, and stated that any long term environmental and recreational losses from urban uses would be identified and addressed in the local community planning process. The adopting ordinance also stated that future use of WHI is anticipated to be marine industrial.

Also in 1982 the regional government (Metro) expanded the Urban Growth Boundary (UGB) to include WHI. In conjunction with the UGB expansion, Multnomah County re-designated West Hayden Island from “Multiple Use Forestry” to “Future Urban” use within the Multnomah County Framework Plan, but the zoning remained Multiple Use Forestry (MUF). (Note: This is similar to the City’s comprehensive plan designations that indicate the future desired use while the zoning remains static.) The impetus for both regional actions was to provide a future site for waterfront industrial and marine terminal uses. In the City’s ESEE Analysis Technical Draft, staff described this history of legislative decisions.

Some technical reviewers suggested that the Goal 5 rule requires the City to consider potential conflicting uses under existing zoning in the ESEE Analysis. It was suggested that uses under the current zoning and their consequences should be addressed under the “prohibit” scenario.

The City concurs that Goal 5 requires local jurisdictions to evaluate the consequences of the existing zoning, which in this case is the Multnomah County zones.

*Next Steps:* In addition to generally considering the consequences of a different industrial/open space land split, the ESEE will be updated to include a general evaluation of the consequences were the City to decide not to annex WHI and it remain within Multnomah County.

### 3. Depth and Breadth of Information and Consequences Addressed in the ESEE Analysis

The ESEE Analysis is a framework that informs land uses decisions regarding whether to allow, limit or prohibit conflicting uses in areas with significant natural resources. However, the consequences of different decisions have economic, social, environmental and energy consequences that can be localized and/or far reaching geographically and cumulatively. There are also primary, secondary and tertiary impacts. The City has taken the approach to include relevant information and consider the broad range of consequences in the analysis to inform decisions to allow, limit or prohibit conflicting uses that could negatively affect significant natural resources.

Some technical reviewers asked if the ESEE should take such an expansive approach to including issues and topics, or if a narrow approach that only deals with the consequences from the perspective of natural resources is more appropriate.

While the ESEE decisions will inform land use actions to address natural resources, the City's approach of including a thorough explanation of consequences provides the community and City decision makers a better understand the full affects of the options, recommendations, and the proposed program. The City believes this is consistent with the intent and requirements of the Goal 5 rule.

*Next Step:* The ESEE methodology will be updated to explain the relationship between the narratives, trade-off tables and recommendations. The report will be clear that not all of the issues addressed in the narratives and trade-off tables are expected to be directly addressed by the program recommendations of the ESEE decision and that there are other programmatic tools, such as Intergovernmental Agreements, that could address these issues.

### 4. Health Impact Assessment

The ESEE Analysis Technical Draft includes a description of human health and welfare as it relates conflicting uses on WHI. Information in the ESEE comes from multiple sources including the WHI Public Costs and Benefits Draft report (ECONorthwest, 2012) and Local Impacts Report (Bureau of Planning and Sustainability, 2011). The Cost/Benefit report recommends the completion of a Health Impact Assessment to inform the annexation decision.

Some of the technical reviewers re-iterated the importance of doing a HIA to better understand the consequences of developing a marine terminal.

State Land Use Goal 5 requires that jurisdiction uses existing information when performing an ESEE analysis. Local jurisdictions are not required to develop new information (beyond completing a natural resources inventory). Therefore, a HIA is not a necessary step for completion of the ESEE. That being said, the community feels that a HIA is an important piece of information for the City to make a decision regarding annexation and marine terminal development.

*Next Steps:* While an HIA is not necessary to complete the ESEE work, the City acknowledges the importance of understanding health impacts when making the full WHI program recommendation. Therefore, staff will synthesize all the human health and welfare information currently being used to inform the ESEE Analysis and the project as a whole. The City will ask the Multnomah County Health Department to review that information and provide a letter explaining what additional information would be provided in a HIA, when in the development process a HIA can/should be completed, how long it would take to complete and how much it would cost. This information will be presented to the Planning and Sustainability Commission and the City Council during the hearings process.

<b>WHI ESEE Technical Reviewers</b>	
<b>Name</b>	<b>Organization/Affiliation</b>
Jeff Smith	ILWU
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