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## MEMO

**DATE:** June 17, 2013

**TO:** Comprehensive Plan Management Team

**FROM:** Shannon Buono, Sallie Edmunds and Roberta Jortner, Bureau of Planning and Sustainability, Marie Walkiewicz, Bureau of Environmental Services, and Dena Marshall, Solid Ground Consulting, PEG Facilitator

**CC:** Watershed Health and Environment PEG members

**SUBJECT:** Watershed Health and Environment Policy Expert Group Feedback

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The purpose of this memo is to summarize the feedback received from the Watershed Health and Environment Policy Expert Group (PEG) between June 2012 and February 2013, including feedback on Working Draft Part 1 of the Portland Comprehensive Plan.

The Watershed Health and Environment PEG began meeting in June 2012. The PEG began its work with a rough draft of the Watershed Health and Environment chapter of the draft Comprehensive Plan that staff developed by synthesizing watershed health-related policies adopted by City Council over the years (e.g., Portland Watershed Management Plan (2006), Urban Forestry Management Plan (2004), Climate Action Plan (2009), Natural Hazard Mitigation Plan (2010)). While many of the policies in the first draft were based on the documents listed above, several policy topics warranted further discussion.

At its monthly meetings, the PEG spent time learning about and discussing the following topics: ecosystem services, environmental justice/equity, habitat corridors, natural hazards, the Economic Opportunities Analysis and the projected industrial land shortfall, designing with nature, and cumulative impacts. (meeting notes attached) Feedback from the PEG on these topics was integrated into the Working Draft Part 1.

Several members of the PEG are also members of the Industrial Land Watershed Health (ILWH) Working Group where similar conversations addressing watershed health have occurred. Those summary meeting notes follow as an attachment.



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The Section I of this memo is organized by topic. Section II describes feedback on decision-making.

## Section I: Topic-related feedback

1. Environmental Justice
2. Ecosystem Services
3. Habitat Corridors
4. Natural Hazards
5. Industrial Land Shortfall
6. Design with Nature
7. Cumulative Impacts

### 1. Environmental Justice

**Background:** Environmental Justice means equal distribution of burdens from environmental and health hazards, and meaningful public participation in decisions that affect the environment in which people live, learn, work, play, and practice spirituality. Policies developed with a lack of attention to environmental justice can result in inequitable distributions of burdens such as poor air or water quality and inequitable distributions of benefits such as access to public parks, trails and natural areas. Environmental Justice Communities are described as those particularly vulnerable to such inequities and include minority, low-income and tribal communities, and other communities that have been underrepresented historically in public processes.

**PEG feedback/discussion:** Many Watershed Health and Environment PEG members expressed a strong desire to see Environmental Justice principles and terminology incorporated into the Comprehensive Plan planning process, outreach efforts, Comp Plan policies and implementation actions. PEG members said, among other things:

- Environmental Justice means that the community needs to be included in the planning process from the beginning and that the community has standing in decision-making.
- Decision making processes should consider environmental justice.
- Policy proposals should include language addressing disproportionate impacts, cumulative impacts, and unintended consequences of decision making.
- Addressing environmental justice issues can have positive impacts on the community at large, not just on communities of color, etc.
- Using an Environmental Justice lens in the creation of policy is not exclusive of job growth and economic development.
- Trends toward streamlining and increasing “efficiencies” in public processes often lead to the exclusion of environmental justice communities. Ensure that decision-making processes address environmental justice issues in the most comprehensive and inclusive manner.



- Make a better connection between watershed health and human health especially in policies relating to improving air and water quality, and environmental justice.

All PEGs held meetings in November 2012 that were devoted to race and equity. Then in January 2013, staff provided the WHE PEG with a summary of those sections of the draft Comprehensive Plan that touch on environmental justice and equity, among other topics. Some of the feedback on environmental justice included:

- Continued concern about the effectiveness of outreach to lower income and communities of color during this part of the Comp Plan update process.
- While one of the Goals in the Watershed Health and Environment chapter was titled “Environmental Justice” there appear to be no policies that directly support the goal.
- Concern that environmental justice policies were not adequately distributed throughout the document. Furthermore, the compartmentalized structure of the draft Comprehensive Plan document created a barrier to access for stakeholders in environmental justice communities.

## 2. Ecosystem Services

**Background:** Humankind benefits from a multitude of resources and processes that are supplied by ecosystems. Ecosystem services use natural resources, functioning ecosystems and green infrastructure to provide benefits such as recreation, flood mitigation, pollination of crops, carbon sequestration, stormwater management, and cultural and spiritual satisfaction. A variety of approaches can be used to assign value to those services, however some services are difficult to quantify in terms of dollars or other metrics. Most studies that analyze the relative values of ecosystem services focus on individual types of benefits, as it is challenging to understand how ecosystem services work together.

The current Comprehensive Plan update attempts to address ecosystem services overtly by incorporating ecosystem services and green infrastructure into new goals and policies, and clearly communicating the practical reasons for protecting and improving the functions of our existing natural resources. (Green infrastructure can either be natural (e.g., trees and vegetation) or built (e.g., bioswales and green roofs))

**PEG feedback:** PEG members suggested that Comp Plan policies and implementation actions:

- Distinguish between ecosystem services and ecosystem functions.
- Track the distribution of benefits over time.
- Recognize the costs incurred by the loss of an ecosystem function.
- Ensure that improvements to ecosystem services are considered asset management improvements.
- Consider the impact of climate change on ecosystem functions.



- Recognize the cultural and spiritual values that the natural world provides.
- Acknowledge “the intrinsic value of nature” independent of nature’s value to humans.

### 3. Habitat Corridors

**Background:** For purposes of the WHE PEG discussion, habitat corridors include existing anchor habitats such as Forest Park and Oaks Bottom, stream corridors, and interconnected patches of trees and vegetation. They include diverse habitat types - rivers, wetlands, floodplains, forests, woodlands and grasslands - and support a diversity of native plant and animal species. Habitat corridors also include areas of dense tree canopy in parks, along streets or in developed areas that provide important flyways, nesting areas, feeding places and rest stops for birds and pollinators.

#### PEG feedback/discussion:

PEG members explored the need to integrate habitat connectivity and development density, noting that although the two objectives may appear to be at odds with each other, several U.S. cities have designed infrastructure to accommodate habitat corridor connectivity. PEG members said:

- We need to build into Comprehensive Plan policies provisions for safe wildlife passage.
- We should allow for the cultivation of harvestable native plants in public areas in order to reduce instances of gleaning or harvesting in natural areas
- We can take heart that many of our resident and migratory species can adapt to an urban environment if we protect key habitats, maintain connectivity, and weave nature into development. We need to recognize that many backyards are providing habitat and can provide food for wildlife and people.

PEG members encouraged City staff to:

- Establish or refine definitions for habitat, corridor, connectivity, and habitat value;
- Explore habitat connectivity plans from other cities; and
- Seek to incorporate applicable Climate Action and Climate Adaptation Plan objectives into Comp Plan policies addressing habitat corridors.

### 4. Natural Hazards

**Background:** An important objective of the Comprehensive Plan is to incorporate goals and policies that will reduce the risks and impacts of natural hazards on people, property and ecological systems. The current Comprehensive Plan does not contain a cohesive set of policies addressing natural hazards. While existing City codes (flood, seismic, fire) do address natural hazards, considerable risks continue to exist. These risks may increase due to climate change.



Staff drafted new policies to protect natural resource systems, direct future growth away from high hazard risk areas, reduce structural and non-structural hazards, address infrastructure constraints, and promote emergency preparedness. The intent is that these policies will help inform future plans, codes and investments to make Portland neighborhoods more resilient in the event of a natural disaster. In addition, the City needs to consider balancing livability factors (e.g., trees in neighborhoods) with promoting effective access to emergency services. Staff also recognized the geographic overlaps of high hazard risk areas with relatively high functioning natural resource areas and pointed out that sustaining or increasing the amount of natural resource function in those areas could reduce infrastructure costs and the impact of the hazard.

#### PEG feedback/discussion:

- Use stronger language in policies: e.g. replace “encourage” with stronger verbs; use words such as “reduce,” “avoid,” and “commit.” (This theme was repeated throughout the review process, highlighting a rift between economic development interests and environmental interests. As the Comp Plan process continues to move forward, we can expect to hear continued dialogue around the use of “enforceable”, “strong”, “aspirational”, or “loose” verbs.
- Some PEG members acknowledged Bureau staff attempts to use verbs that allow some flexibility in future decisions.
- Members of the community often joined PEG meetings and provided important insights and reminders relating to emergency and disaster preparedness planning. One community member said: “It is important to recognize varying levels of risk and that we do not have a one-size-fits-all approach to these hazards.”
- The City should plan investments to avoid putting new infrastructure at risk. Where possible, infrastructure investments should be designed to match diverse strategies and benefits with clearly identified problems.

## 5. Addressing the projected industrial land shortfall

**Background:** A healthy economy *and* a healthy environment are both essential to community health and well-being, The Portland Plan and draft Comprehensive Plan policies call for actions to support industrial development and job growth, improve watershed conditions, and provide convenient access to nature for all Portlanders. Industrial businesses provide family-wage jobs and bring export income into the region.

Forecasts project that over the next 25 years Portland will likely develop more industrial jobs than we have the current capacity to accommodate. State Planning Goal 9 requires cities to provide enough land for projected industrial jobs, but it is challenging to figure out where more industrial jobs should go. The recently published Portland Economic Opportunities Analysis projects a 720-acre shortfall in industrial land supply, 635 acres of which are located in the Portland Harbor and Columbia Corridor. This has local land use implications as much of the Portland’s industrially-zoned land is located in environmentally-sensitive areas along the



Willamette and Columbia Rivers, and the Columbia Slough. Some industrial areas are near neighborhoods that lack ready access to parks and natural areas.

The PEG discussed this issue and related policies in various chapters of the Working Draft.

#### PEG feedback/discussion:

- PEG members pointed out that our economy is directly related to the value of our natural resources, as evidenced by Portland’s reputation for parks and outdoor recreation among tourism and commercial interests.
- Several PEG members urged staff to clarify or add policies that reinforce positive connections between a healthy environment and a healthy economy.
- Some PEG members challenged the long-term sustainability of Goal 9 and the Goal 9 rule, suggesting that those laws don’t work for land-locked cities. They stressed a need to recognize the limitations of conversion plans, noting that at some point we will no longer be able to convert more land for industrial uses. They urged a stronger focus on the intensification of existing industrial land, the development of brownfields and adaptive reuse of industrial lands. PEG members expressed frustration that the City converted a considerable amount of industrial land to housing and mixed use (e.g. the Pearl District, South Waterfront, and the Port of Portland Terminal 1), and now we are considering converting open space and habitat areas to provide more industrial land.
- PEG members pointed out that a healthy economy is inextricably linked to a healthy environment, and unabated growth to generate economic wealth will consume environmental wealth at the expense of our natural resources. “If there was no environment then there would be no economy; a poor economy complicates efforts to sustain a healthy environment.”
- Consider job allocation from a regional perspective, beyond political boundaries.
- The economic analysis is based on pre recession analysis. Need a little more explanation of the assumptions that were made for the current analysis?.
- The Comp Plan should have policies recognizing the relationship between a healthy environment and economic viability: “the carrying capacity of air, land and water should not be exceeded,” similar to that in Goal 9.

## 6. Designing with Nature

**Background:** In Portland’s urban environment we need to do more than protect our remaining natural resources in order to fully achieve healthy watersheds. Weaving nature and natural functions into the design of our urban development scheme will be necessary to preserve and improve watershed health. Although the City has established a number of programs intended to weave nature into development, including buildings, sites, streets and infrastructure projects, the current Comprehensive Plan does not recognize the importance of



built landscapes in maintaining clean air and water, reducing natural hazard risks, providing habitat and safe passage for fish and wildlife. Like more recent City plans such as the Portland Watershed Management Plan, Climate Action Plan, and Urban Forestry Management Plan, the Comprehensive Plan Update should affirmatively address Design with Nature aspects of our City's growth by incorporating policies that recognize the importance of built landscapes in maintaining clean air and water, reducing natural hazard risks, and providing habitat and safe passage for fish and wildlife.

**PEG feedback/discussion:**

- PEG members shared their enthusiasm for the proposed Design with Nature approach for the Comprehensive Plan.
- Policies should reflect the interconnectedness of nature and development, highlighting the importance to watershed health and to human health and wellbeing.
- Significant costs can be avoided by doing things in such a manner that aligns our built environment with nature. This decreases the burden on ratepayers. Draft policies should better address this.
- The draft Comprehensive Plan refers to protecting, restoring and enhancing native and other beneficial vegetation. There was some discomfort with the term “other beneficial vegetation.”

**7. Cumulative Impacts**

**Background:** Generally, the environmental impacts from one development project on an urban watershed are hard to perceive. In an urbanizing environment we see a gradual transformation of the landscape resulting from countless public and private developments that take place over long periods of time. And while the impacts of individual development projects may not be significant, the cumulative effect of incremental changes to the landscape can severely degrade environmental quality and watershed health. These impacts can also negatively affect human health, especially vulnerable populations (environmental justice communities, seniors, and children). The current Comp Plan does not include policies that explicitly address cumulative impacts.

**PEG feedback/discussion:**

There was general support for citywide policies to address cumulative environmental impacts, both negative and positive impacts. However, PEG discussions elicited no clear direction on how to successfully implement the policies. Some PEG members suggested including policies identifying focus areas and topics by watershed. Noting that environmental overlay zones are insufficient for landscape scale planning, City policy should call for looking at the whole watershed, not just identified significant natural resource areas. PEG members recommended that the City address issues in addition to, and related to, cumulative environmental impacts, including social and public health impacts of development.

PEG comments include:



- Conduct planning at a watershed scale. Portland is served by six distinct and interrelated watersheds. The City should monitor, evaluate, and plan at the watershed scale rather than limiting the planning to jurisdictional boundaries.
- We should be working to coordinate monitoring with upstream jurisdictions in order to understand and account for all the impacts on watershed health that may be originating in other jurisdictions.
- It is important to have policies that are flexible enough to deal with different watersheds and microenvironments.
- PEG members mentioned recent planning processes that resulted in regulations that allow mitigation without first requiring avoidance and minimization. Current and proposed Comp Plan policy requires avoiding impacts to natural resources as a first step, and then minimizing impacts as much as possible, with mitigation required for impacts that cannot be avoided. PEG members noted that mitigation often results in loss of habitat and therefore the City should continue to require that impacts first be avoided where possible before allowing mitigation and to include tools to ensure the success of mitigation.
- There was general support for policies that call for ongoing monitoring of watershed conditions, use of best available information in decision making, and tracking of trends to inform programmatic updates (aka adaptive management).
- Some PEG members supported the development of targets so we know where we want to head.
- PEG members stressed that off-site mitigation should occur within the same watershed and as close to the site as reasonable.

## Section II: Feedback related to Decision-making

1. Balanced Policies
2. Decision-making

### 1. Balanced policies.

The PEG spent much of its January and February 2013 meetings reviewing the draft Comprehensive Plan policies (Part I) and discussing the perceived differences between the language and verbs used in the Watershed Health and Environment chapter and those in the Economic Development chapter. Many PEG members described the economic development goals and policies as being “more definitive” while the environmental goals and policies were felt to be “more conditional.” Examples of definitive language in Chapter 3 include statements such as “maintain supplies of land that include adequate amounts to support economic vitality,” and “create a regulatory climate that attracts business investment.” Conditional language pointed out in Chapter 4 includes terms such as “require where practical,” “avoid where practical,” and words such as “encourage” or “strive.” Several PEG members expressed concern that the draft reads as if the City intends for the economic goals



and policies to be the higher priority, and the environmental goals and policies a lower priority that would be met only if possible after economic goals are met. The point was made several times during both meetings that the Comprehensive Plan should clearly state that the City is not prioritizing economic development over environmental health. PEG members urged that the Comprehensive Plan focus on how economic health and environmental health are interdependent and include goals and policies that are mutually supportive and are based on a shared vision.

While this view was expressed by many PEG members, it was not universally supported. Some members were not persuaded that the tone of Chapter 4 is less definitive than the tone of Chapter 3, and they expressed that the chapters both have a good deal of “wobble room” in their language. It was suggested that this is appropriate given the nature of a document like the Comprehensive Plan.

To test these two perspectives, staff asked the PEG to review a side-by-side comparison of the policies in the two chapters. The comparison was discussed at the February meeting, and the discussion seemed to reinforce the positions expressed at the January meeting, especially regarding industrial land supply. Most of the PEG members called for more specific, clear and legally binding language and additional definitions that make it clear how balancing goals and policies will be achieved. Looking at the Comprehensive Plan as a whole, some PEG members suggested that the City weave watershed health concepts throughout the plan.

## 2. Decision-making

In discussing the need to balance the tone and strength of the watershed health and economic goals and policies, the PEG also proposed adding language to the Comprehensive Plan that creates a framework or methodology for how conflicts between goals and policies will be resolved going forward. This request came up several times in the context of recommendations for more clear, affirmative and directive language and calls to include a clearly laid-out Definitions section in the document.

Several PEG members described the draft plan as compartmentalized and lacking in direction for how City bureaus will work together to resolve conflicts. Without such a framework, this PEG has expressed concern that future decisions will lack that important balance, and the intent to meet multiple objectives will not be fulfilled.

## Conclusion

In conclusion, the Watershed Health and Environment PEG explored important questions for the Comprehensive Plan update, including how to balance policies for economic development with policies for natural resources protection during a period of anticipated growth and draw in the region, and how to provide and sustain a growing economy with a thriving environment. PEG members highlighted their commitment to equity considerations, encouraging the City to strengthen its land use policies in a manner that improves access for communities of color and environmental justice communities to natural spaces, parks, sidewalks, clean air and water. PEG members urged new policies to acknowledge the intrinsic value of nature, while promoting design schemes that align with the natural environment and ecosystem functions.



Finally, the WHE PEG continues to think broadly, looking for watershed-size approaches beyond the jurisdictional boundaries of cities, counties, and states.

## References

- WHE PEG meeting notes.
  - June 2012
  - July 2012
  - August 2012
  - September 2012
  - October 2012
  - November 2012
  - December 2012
  - January 2013 (and Comprehensive Plan Update: Guide to the Working Draft)
  - February 2013
- ILWH meeting notes
  - February 2013

