

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 22-5233 FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO PURCHASE CERTAIN REAL
PROPERTY IN THE CLACKAMAS RIVER BLUFFS AND GREENWAY TARGET AREA
UNDER THE 2019 PARKS AND NATURE BOND MEASURE

Date: January 3, 2022
Department: Parks and Nature
Meeting Date: January 20, 2022

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ISSUE STATEMENT

Resolution 22-5233 requests authorization for the Chief Operating Officer to acquire property (the “Property”) located within the Clackamas River Bluffs and Greenway target area in a transaction that does not meet all of the Acquisition Parameters and Due Diligence Guidelines described in the 2014 Natural Areas Implementation Work Plan. The appraisal of the Property does not support the purchase price, therefore, Metro Council must authorize the Chief Operating Officer to acquire the Property at the negotiated purchase price reflected in the purchase and sale agreement.

ACTION REQUESTED

Staff requests Metro Council approval to close on the purchase of the Property.

IDENTIFIED POLICY OUTCOMES

Purchase of the Property is consistent with the principles and criteria of the 2019 Parks and Nature bond measure generally, and the goals for the Clackamas River Bluffs and Greenway target area specifically.

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Approval to purchase the Property will enable Parks and Nature to achieve important conservation goals of the 2019 Parks and Nature bond measure for the Clackamas River Bluffs and Greenway target area. Failure to acquire the Property at the agreed upon purchase price could result in the Property’s sale to another party, likely leading to its development for rural residential use.

STAFF RECOMMENDATIONS

Staff recommends Council approve Resolution 22-5233.

BACKGROUND, STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Property, 31.88 acres in size, is located at 23800 SE Highway 224, outside the City of Boring, Oregon, County of Clackamas, and State of Oregon. It is situated at the confluence of Deep Creek and the Clackamas River and is adjacent to Metro’s 95.46-acre Barton Natural Area. It is also located immediately across the Clackamas River from Metro’s 195.59-acre

North Logan Natural Area. Acquisition of the Property has been a priority since the 1995 Open Spaces, Parks and Streams bond measure and was again identified as a priority for the 2006 Natural Areas bond measure. With the 2019 bond refinement process nearing completion, staff anticipates the Property will again emerge as a very high, Tier I priority. Metro's ownership of the Property will enable high-priority restoration and effective, consistent natural areas management while also removing the threat of additional residential development on the Property.

Additional acquisitions in this area have been sought for many years because of the opportunity to provide high value habitat for native wildlife, in particular, federally protected salmon, Pacific lamprey and native amphibians. The Property contains riparian habitat along both the Clackamas River and Deep Creek, and river confluences are especially important for native fish. To date, Metro has invested over \$4.9 million to purchase land along the Clackamas River and Deep Creek in the immediate vicinity of the Property, consisting of 15 separate land purchases totaling more than 677 acres. A short distance further downstream on the Clackamas River, Metro has invested an additional \$3.6 million to purchase another 370 acres spread across three different sites. Purchase of the Property builds on all of these past investments and amplifies their habitat and water quality value. Metro ownership of this property will also enable the restoration of a heavily impacted former sand and gravel quarry.

Though the refinement process for the 2019 Parks and Nature bond is not yet completed, the bond language pertaining to this target area clearly supports the purchase of the Property:

"The Clackamas River is one of two priority watersheds for salmon and steelhead recovery in the Willamette Valley. The source of drinking water for 300,000 people, it also supports Pacific lamprey and offers some the region's best opportunities for wildlife habitat conservation and river access for people. Investment in this target area helps connect existing public lands and expand efforts to new priority areas of the lower Clackamas River."

Purchase of the Property also aligns well with the goal of the 2007 refinement plan for the Clackamas River Bluffs and Greenway refinement plan, which was to:

"Protect sensitive riparian areas, wetlands, and side channels along the Clackamas River from Goose Creek west towards the confluence with the Willamette River for fish and wildlife habitat protection, enhancement and restoration. Protect water quality and improve fish and wildlife habitat in the lower Clackamas River by acquiring and restoring native plant communities and side channels."

In summary, purchase of the Property is consistent with both long-standing and future goals for the Clackamas River Bluffs and Greenway target area.

Consistency with Metro's Racial Equity, Diversity and Inclusion Goals

Purchase of the Property is consistent with the identified 2019 bond principles of protecting clean water for people fish and wildlife, and prioritizing protection and

restoration of culturally significant native plants in partnership with greater Portland's Indigenous community in regional land acquisition and management plans. The property also supports additional water access and potential for community gathering space, priorities identified by Indigenous community members during the 2019 bond refinement process.

Purchase of the property can meet five Protect and Restore Land program criteria, which were established by the Metro Council with input from many community members including communities of color.

- Protect clean water for people, fish and wildlife. Improve water quality and quantity.
- Protect headwaters, wetlands, floodplains, and riparian areas and help prevent flooding in urban areas.
- Protect, connect and improve habitat for native fish and wildlife. Increase focus on salmon, trout, steelhead and lamprey.
- Restore and enhance wildlife habitat prioritized in federal, state and regional conservation plans and/or identified through community engagement.
- Acquire land to provide future potential access to nature for people, scenic views, and community gathering spaces. Prioritize land acquisition with the potential to increase access to nature for communities of color, Indigenous communities, people with low incomes and other historically marginalized communities.

Consistency with Metro's Climate Action Goals

Purchase of the Property is consistent with the identified 2019 bond principle of reducing impacts of climate change through conservation and park development, emphasizing flood control, water quality and availability, habitat connectivity, and community access to water. Purchase of the property can meet the three 2019 bond climate resilience criteria:

- Protect, connect and restore habitat to support strong populations of native plants, fish and wildlife so that they can adapt to a changing climate
- Protect and restore floodplains, headwaters, streams and wetlands to increase their capacity to handle stormwater to protect vulnerable communities from flooding
- Invest in segments of the regional trail system to expand active transportation opportunities for communizing, recreation and other travel.

Protection of the property would help protect, connect and restore habitat to support strong populations of native plants, fish and wildlife that can adapt to a changing climate. Purchase of the property would also protect almost 1/2 mile of Clackamas River frontage and almost ½ mile of Deep Creek frontage and riparian forest, a benefit to native wildlife species, particularly native fish. This property also helps build on the scenic nature of the Clackamas River Greenway regional trail.

Known Opposition/Support/Community Feedback

Acquisition of the Property advances goals of the Clackamas Partnership, a coalition of 15 organizations and agencies working to recover Salmon, Steelhead, Cutthroat Trout and Lamprey in the Clackamas River watershed.

There is no known opposition to the Parks and Nature's acquisition of the Property.

Legal Antecedents

Metro's 2006 Natural Areas Bond Measure.

Resolution No. 07-3766A "Authorizing the Chief Operating Officer to Purchase Property with Accepted Guidelines as Outlined in the Natural Areas Implementation Work Plan", adopted by Metro Council on March 1, 2007.

Resolution No 07-3846, "Approving the Natural Areas Acquisition Refinement Plan for the Clackamas River Bluffs and Greenway Target Area", adopted by Metro Council on September 13, 2007.

Resolution No. 14-4536, "For the Purpose of Amending and Updating the Natural Areas Work Plan", adopted by Metro Council on August 14, 2014.

Resolution No. 19-5055, "Authorizing the Chief Operating Officer to purchase property with 2019 Measure funds in accordance with the Acquisition Parameters and Due Diligence Guidelines of the Natural Areas Implementation Work Plan", adopted by Metro Council on December 12, 2019.

Anticipated Effects

If this request is approved by Metro Council, staff will complete its remaining due diligence activities in accordance with the 2014 Natural Areas Implementation Work Plan requirements and then close on the purchase of the Property.

Financial Implications

Purchase of the Property will occur with 2019 Parks and Nature bond funds and is within the budget allocation for fiscal year 2022.

ATTACHMENTS

Maps:

- Meyers_Context_Council
- Meyers_Site_Council