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PA 1215

DATE: August 25, 2004 (First Reading)
September 15, 2004 (Second Reading / Public Hearing)

TO: LANE COUNTY BOARD OF COMMISSIONERS

PRESENTED BY: Stephanie Schulz/Planner, LMD

AGENDA ITEM TITLE: IN THE MATTER OF ADOPTING CRITERIA FOR DETERMINING SIGNIFICANT GOAL 5 RIPARIAN OR WILDLIFE HABITAT SITES OUTSIDE THE SPRINGFIELD CITY LIMITS AND WITHIN THE SPRINGFIELD URBAN GROWTH BOUNDARY; ADOPTING AN UPDATED GOAL 5 INVENTORY OF RESOURCE SITES OUTSIDE THE SPRINGFIELD CITY LIMITS AND WITHIN THE SPRINGFIELD URBAN GROWTH BOUNDARY; AND ADOPTING A SEVERABILITY CLAUSE (Metro Periodic Review, Work Task No. 7)

I. ISSUE OR PROBLEM

The Eugene-Springfield Metropolitan Area General Plan periodic review work program includes adoption of Goal 5 Natural Resource Inventories by all three jurisdictions under work task number seven. The City of Springfield has completed the city process to adopt the natural resources inventory as it applies inside their city limits, and is now requesting consideration and adoption by the Board of County Commissioners for those sites located outside Springfield's city limits and within the Springfield Urban Growth Boundary (UGB), commonly known as the urbanizable area.

II. DISCUSSION

A. Background

The Inventory has its roots in the Metropolitan Natural Resources Special Study that was drafted in 1991. The Natural Resource Study was launched to fulfill planning requirements for wetlands, natural areas and wildlife habitat areas under statewide planning Goal 5. The Study was considered by elected officials on a number of occasions, but never adopted by all three jurisdictions. In 2002, the three jurisdictions decided to separate what had been a single Metro-wide project into jurisdictional specific adoption processes for development of the Goal 5 resource inventories.

The City of Eugene and the Board of County Commissioners completed the co-adoption of Eugene's Natural Resources Inventory as it applies outside the Eugene city limits and within the Eugene UGB on April 14, 2004, through County Ordinance No. 1198.

Lane County has adopted riparian protection measures through County Ordinance No. 5-04 that apply to the area outside the UGB of both cities and within the Metro Plan Boundary, which is unincorporated land that falls within the Metro Area General Plan for policy and zoning consideration.

The Springfield City Council, having completed a public involvement process and adoption by Ordinance, is now presenting their Inventory of Natural Resources to the Lane County Board of County Commissioners for co-adoption as it applies outside Springfield's city limits and within the Springfield UGB.

B. Analysis

The City of Springfield initiated this Metro Plan amendment as allowed under Lane Code 12.210 (1) (b) (ii), and since the request is city-initiated, the timing of the request is not an issue. Lane County participates in the hearing and decision of all Metro Plan amendments outside city limits and within the UGB. This Inventory includes proposed resource sites within Springfield's city limits as well as sites that are outside the city limits and within the UGB.

Mailed notice of the city public hearings was sent to all property owners and residents with property within the Inventory sites for the City public hearings and the scheduled Board public hearing. In addition, notice was made to property owners and residents within 300 feet of the inventoried resource sites following Ballot Measure 56 requirements.

Lane Code 12.025 (2) requires that proposed land use actions be advertised in a newspaper of general circulation, providing information about the legislative action and the time, place and location of the hearing. The legal ad for this hearing was published in the Register-Guard on August 25, 2004.

The Lane County Planning Commission, on July 20, 2004, conducted a work session and public hearing to review the Springfield Natural Resources Inventory list of sites, public review process, and methodology used to create and refine the final Inventory. The minutes of that meeting are attachment B to this memo. A unanimous vote to approve the amendment was forwarded to the Board of Commissioners from the Planning Commission.

Lane Code 12.225 (2) provides the criteria for approval of Metro Plan amendments.

- (a) the amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and
- (b) adoption of the amendment must not make the Metro Plan internally inconsistent.

The proposed amendment is found to be consistent with the approval criteria. See the Findings, attached as Exhibit C to the Ordinance, for detailed responses to each of the criteria and relevant statewide planning goals.

III. RECOMMENDATION

Staff recommends adoption of the Springfield Natural Resources Inventory as it applies to the area outside the Springfield city limits and within the UGB. Adoption of the Springfield Inventory of Sites by the Board will complete the multi-jurisdictional, multi-year process for adoption of a Natural Resources Inventory that completes Goal 5 Periodic Review for the entire Metro Planning Area. In order for the ordinance to become effective, the Commissioners must adopt the same inventory, as presented here, for the area between the Springfield City Limits and the Springfield UGB as adopted by the Springfield City Council.

IV. ATTACHMENTS

- A. Ordinance No. PA 1215
 - Exhibit A - Significance Criteria for Site Selection
 - Exhibit B - Natural Resource Inventory Site Maps
 - Figure 2: Area-wide Map of all Sites
 - Maps 1-6: Sub-area Maps
 - Exhibit C - Findings of Consistency with Statewide Goals and the Metro Plan
- B. Lane County Planning Commission July 20, 2004 minutes

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. PA 1215

IN THE MATTER OF ADOPTING CRITERIA FOR DETERMINING SIGNIFICANT GOAL 5 RIPARIAN OR WILDLIFE HABITAT SITES OUTSIDE THE SPRINGFIELD CITY LIMITS AND WITHIN THE SPRINGFIELD URBAN GROWTH BOUNDARY; ADOPTING AN UPDATED GOAL 5 INVENTORY FOR RESOURCE SITES OUTSIDE THE SPRINGFIELD CITY LIMITS AND WITHIN THE SPRINGFIELD URBAN GROWTH BOUNDARY; AND ADOPTING A SEVERABILITY CLAUSE (Metro Plan Periodic Review Work Task No. 7).

WHEREAS, in December 1994 the cities of Springfield and Eugene and Lane County adopted the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Periodic Review Work Program; and

WHEREAS, on May 25, 1995 the Department of Land Conservation and Development (DLCD) approved the Metro Plan Periodic Review Work Program, which was revised on July 1, 2002 by DLCD under Periodic Review Order No. 1416, which includes Task 7, to bring the Eugene Springfield Metro Area into compliance with Statewide Planning Goal 5 and its administrative rules; and

WHEREAS, the Springfield Inventory of Natural Resource Sites (Inventory) is an element of Periodic Review Task 7, developed in compliance with the procedures and requirements of OAR 660-023, and includes significance criteria and an inventory of significant riparian corridors and upland wildlife habitat implementing the criteria within the Springfield Urban Growth Boundary (UGB); and

WHEREAS, the Springfield Planning Commission held Public Comment Sessions on March 6 and May 8, 2001, conducted a public hearing on April 15, 2003, deliberated on April 15, May 6, and September 16, 2003; and voted 5-0 to recommend that the Springfield City Council approve the significance criteria and the Springfield Inventory of Natural Resource Sites (Inventory); applying the "standard process" described in OAR 660-023 for riparian corridor sites and the "safe harbor" provision of OAR 660-023-0110(4) for upland wildlife habitat sites; and

WHEREAS, the Springfield City Council conducted a public hearing on Springfield City Ordinance No. 6086 on April 5, 2004, enacted that ordinance on May 3, 2004 based on the evidence and testimony in the record and the evidence and testimony presented at the public hearing, and requested county action; and

WHEREAS, substantial evidence in the record exists demonstrating that the proposal meets the requirements of the Metro Plan, Lane Code, and Springfield Development Code and of applicable state and local law as described in the attached findings, which is adopted in support of and as part of this Ordinance.

NOW THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

Section 1: The criteria attached as Exhibit A are hereby adopted as the City's additional criteria for determining the significance of riparian corridor sites for the area between the Springfield City Limits and the Springfield UGB as provided in OAR 660-023-0030(4)(c). The criteria for determining the significance of upland wildlife habitat sites are the safe harbor criteria found in OAR 660-023-0110(4).

Section 2: The list and map(s) (which consists of 7 tiles) entitled *Springfield Inventory of Natural Resource Sites*, attached as Exhibit B are hereby adopted as part of the inventory of significant

Goal 5 resources for those areas listed/depicted thereon that, as of September 15, 2004, are located outside the city limits and within the UGB of the City of Springfield.

Section 3: In addition to the portions of the list and map referred to in Section 2, the inventory of significant Goal 5 resources for the Springfield Urban Growth Area shall include, and be limited to, the resources sites shown for that area on the following documents: the April 12, 1978 Sand and Gravel Working Paper; the April 12, 1978 Scenic Sites Working Paper; the April 12, 1978 Willamette River Greenway Working Paper; the April 12, 1978 Archeological Sites Working Paper; the 1998 Springfield Local Wetland Inventory; the Washburne Historic Landmark District; the Historic Landmark Inventory; and the 1992 Gateway Historic Resources Survey.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopt the Legislative Findings set forth in the attached Exhibit C, and

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ENACTED this _____ day of _____, 2004.

Chair, Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 8-18-2004 Lane County


OFFICE OF LEGAL COUNSEL

**Goal 5 Significance Criteria for Riparian or Wildlife Habitat Sites
Outside Springfield City Limits, Within Springfield Urban Growth Boundary**

Tier 1 Significance Criteria

- 1. Areas mapped as wetland on the State/National Wetland Inventory (S/NWI).**
- 2. Areas designated as jurisdictional wetlands by the Division of State Lands (DSL) or U.S. Army Corps of Engineers.**
- 3. Streams and other water bodies mapped on the Oregon Department of Fish and Wildlife and Oregon Department of Forestry Fish-Bearing Stream maps.**
- 4. Undeveloped natural areas containing primarily native vegetation that are contiguous with a water feature and that provide fish or wildlife habitat.**
- 5. Locations of plants listed as threatened or endangered, or considered official candidates to be listed as threatened or endangered by state or federal government.**
- 6. Documented habitat of animals listed as threatened or endangered, or considered official candidates to be listed as threatened or endangered by state or federal government.**
- 7. Other ecologically significant areas identified by public natural resource agencies.**

Tier 2 Significance Criteria

Tier 2 criteria are then applied to further evaluate all Tier 1 sites under the approved Wildlife Habitat Assessment (WHA) methodology. A professional biologist was hired by the City of Springfield to implement the WHA methodology. The consultant visited the sites identified by the Tier 1 criteria and conducted the WHA. The Tier 2 criteria are:

- 1. Sites that have been filled or substantially altered to the degree that they no longer exhibit important natural resource functions and values shall be removed from the Goal 5 inventory.**
- 2. Sites with a WHA rating of 17 or greater shall be included on the Goal 5 inventory.**

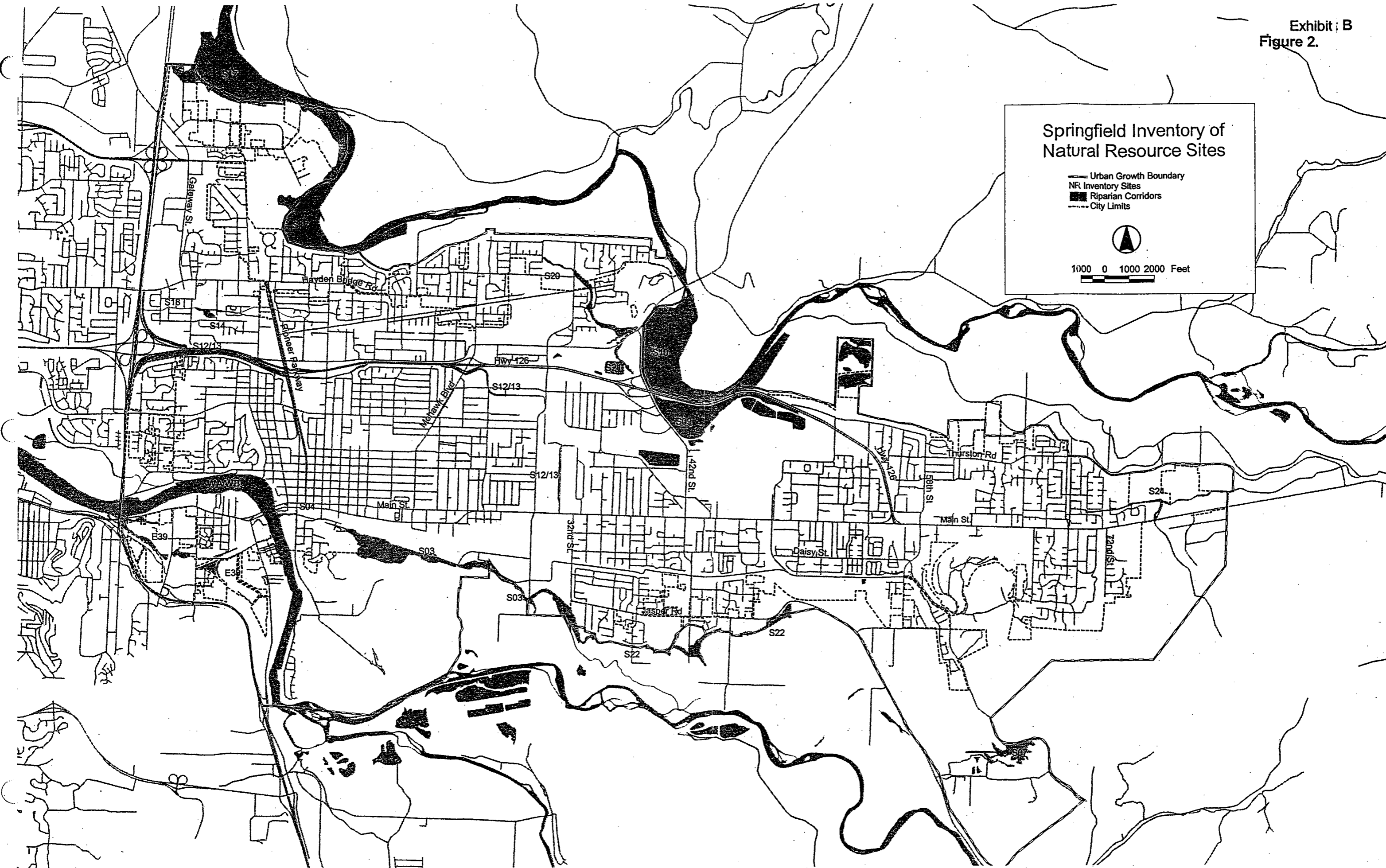
Exhibit B

Springfield Inventory of Natural Resource Sites

Site #	Acres	Site Name
S03 ¹	29.7	Mill Race A (Rural)
S04	42.9	Mill Race B (Urban)
S07	23.9	Brand S/Natron
S09	71.9	Weyerhaeuser B
S10 ¹	195.0	Weyerhaeuser A
S12/13	39.1	Q Street Ditch
S14	2.4	Guy Lee
S17 ¹	347.2	Maple Island Slough/ McKenzie River
S18	13.4	SCS Channel #6
S20	19.6	Irving Slough North
S21	13.7	South Irvine Slough and Pond
S22 ¹	44.9	Jasper Road Slough
S24	8.0	Gray Creek
WAWB	628.2	Willamette River
E39	23.8	Glenwood Slough
Total Acreage	1503.7	

¹All or part of these sites are outside the Urban Growth Boundary and are outside the jurisdiction of the City. Lane County applies the safe harbor provisions to resource areas outside of the Urban Growth Boundary, within their jurisdiction, under Ordinance No. 5-04. Setbacks or other development standards may be applied to land within Springfield's jurisdiction that is adjacent to these sites, under both safe harbor and standard process provisions.

Exhibit B
Figure 2.



Springfield Inventory of Natural Resource Sites

- Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors
- - - City Limits

1000 0 1000 2000 Feet

Map 1- Springfield Natural Resource Sites

- Springfield City Limits
- Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors



600 0 600 1200 Feet



Map 2- Springfield Natural Resource Sites

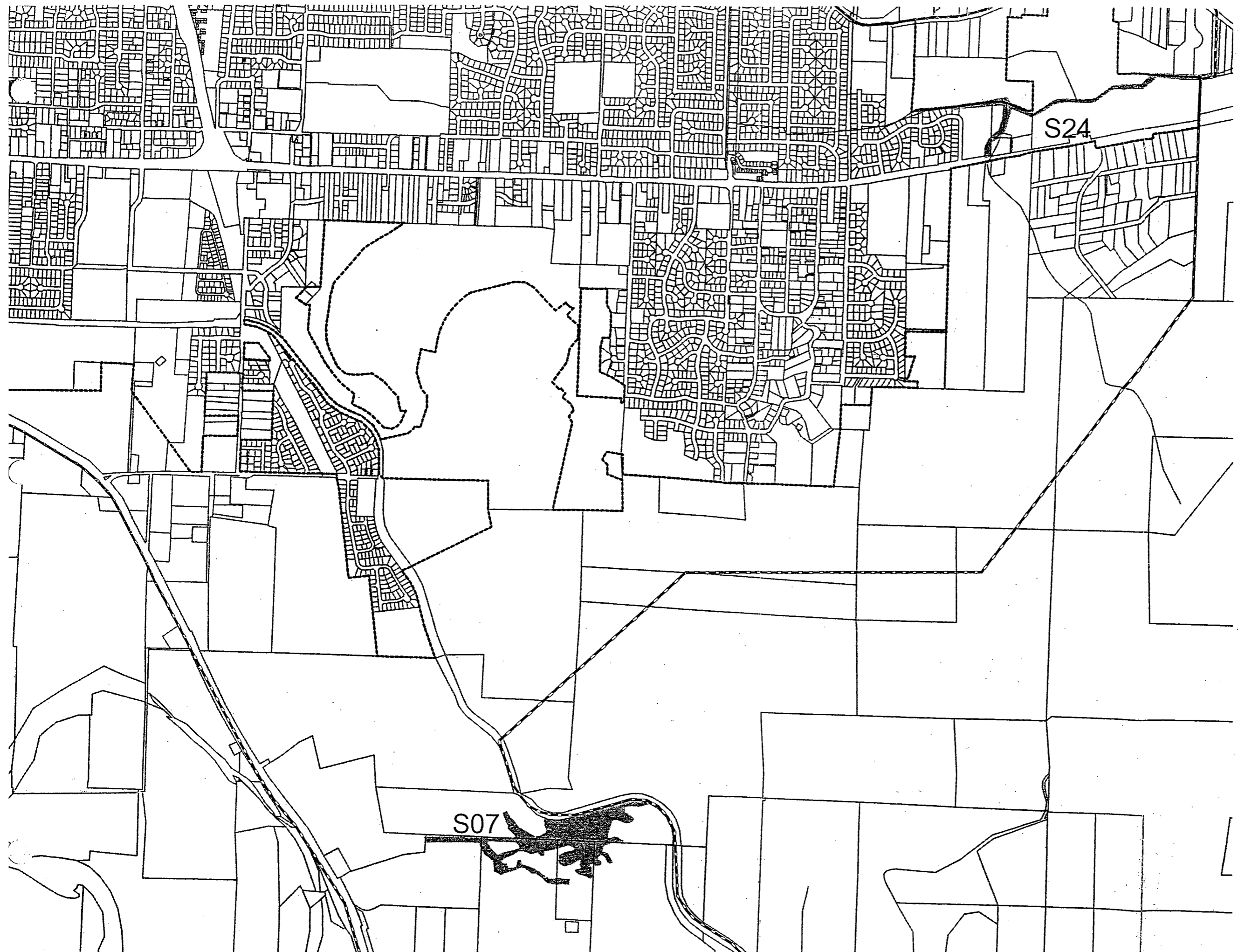
- Springfield City Limits
- Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors



600 0 600 1200 Feet

Map 3- Springfield Natural Resource Sites

- Springfield City Limits
- - - Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors

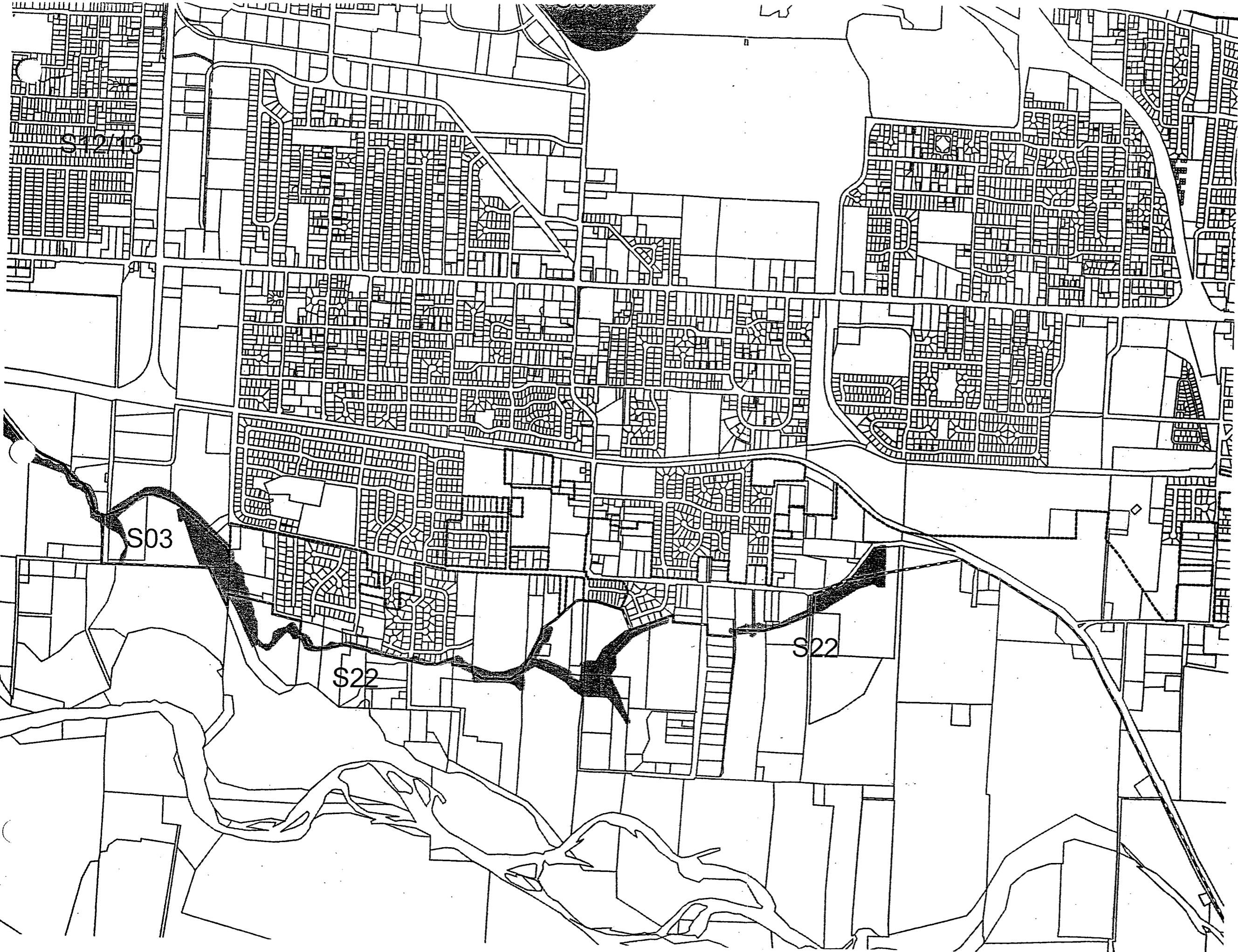


600 0 600 1200 Feet



Map 4- Springfield Natural Resource Sites

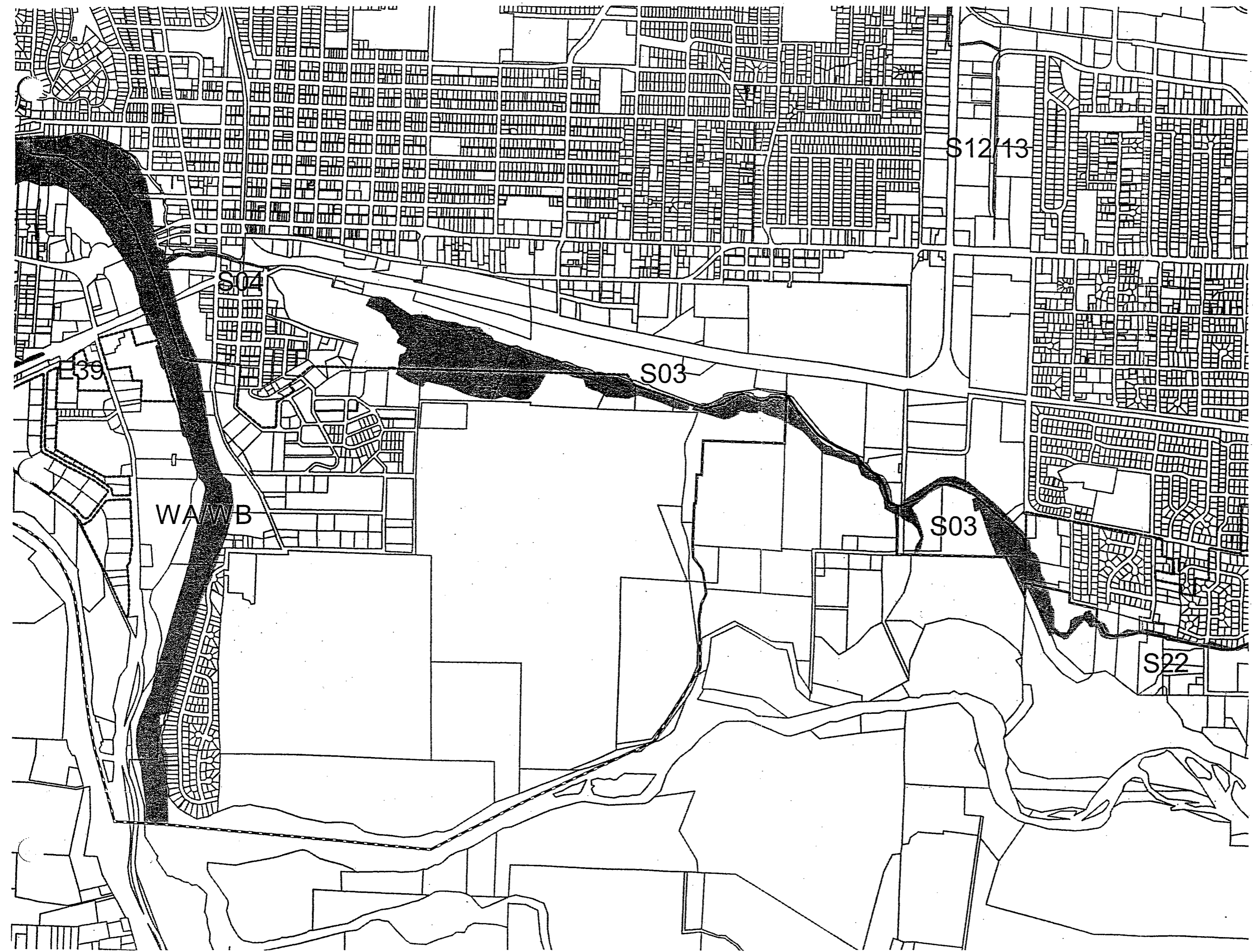
- Springfield City Limits
- Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors



600 0 600 1200 Feet

Map 5- Springfield Natural Resource Sites

- Springfield City Limits
- Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors



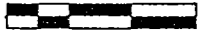
600 0 600 1200 Feet

Map 6- Springfield Natural Resource Sites

- Springfield City Limits
- Urban Growth Boundary
- NR Inventory Sites
- Riparian Corridors



400 0 400 800 Feet



**Ordinance No. PA 1215
Springfield Goal 5 Natural Resource Site Inventory
Findings**

I. Procedural Requirements

Adoption of the Springfield Natural Resources Inventory is proposed for processing as an amendment to the Metro Plan Natural Assets and Constraints Working Paper, which is a technical refinement subplan of the Metro Plan itself. Because the Inventory includes a new definition of the “significance criteria” for identifying important resource sites and affects specific sites within the Springfield UGB, it is a Type II amendment, which is defined as an “amendment to the Metro Plan that is not otherwise a Type I plan amendment and which: (1) changes the Plan diagram; or, (2) is a site-specific amendment of the Plan text (LC 12.205 and Springfield Development Code (SDC) Section 7.030).

The City of Springfield is initiating this Plan amendment as allowed under Lane Code 12.210 (1) (b) (ii) and SDC Section 7.040 (1) (b). Since the request is city-initiated, the timing of the request is not an issue.

All Metro Plan amendments outside the city limits of Springfield must be referred to the City of Eugene for consideration of Regional Impact. Lane County shall participate in the hearing and decision of all Metro Plan amendments outside the city limits. The Inventory includes proposed resource sites within Springfield’s city limits as well as sites that are outside the city limits and within the UGB.

Mailed notice of the city public hearings was sent to all property owners and residents with property within the Inventory sites. In addition, notice was made to property owners and residents within 300 feet of the inventoried resource sites (SDC Section 14.030 (1), 7.080 (3)). Under state regulations following Ballot Measure 56, mailed notice is required at least 30 days prior to the first public hearing by the elected officials.

Lane Code 12.025 (2) and SDC Section 14.030 (2) of the SDC requires that proposed land use actions be advertised in a newspaper of general circulation, providing information about the legislative action and the time, place and location of the hearing.

Findings:

1. The Planning Director has initiated this amendment of the Metro Plan to add the Springfield Inventory of Natural Resource Sites to the Natural Assets and Constrains Working Papers. Public hearings were scheduled before the Springfield Planning Commission on April 15, 2003, and before the City Council on May 19, 2003. Hearings before the Lane County Planning Commission were scheduled for July 20, 2004 and subsequently scheduled at the Board of County Commissioners in September 2004.
2. On April 8, 2003, the proposed amendment was referred to the City of Eugene for its consideration as an action of regional impact.
3. A “DLCD Notice Proposed Amendment” was mailed to the Department of Land Conservation and Development on February 2, 2003, alerting the agency to the City’s intent to amend the Metro Plan. The notice was mailed more than 45 days in advance of the first evidentiary hearing as required by ORS 197.610.

4. The proposed Inventory includes “significance criteria” that is not site specific and falls under the definition of a legislative action. The resource sites identified through application of the criteria are property specific. As such, mailed property owner and resident notifications required for quasi-judicial land use actions were made by the city of Springfield.
5. Mailed notice of public hearings concerning the Inventory was sent out on March 12, 2004 to property owners and residents within 300 feet of the resource sites. The mailing allowed more than 20 days notice before the first public hearing as required by Section 14.030 of the SDC.
6. Notice of the city public hearing concerning this matter was published on March 16, 2004 in the Springfield News, advertising both the hearing before the City Council on April 5th. The content of the notice followed the direction given in Section 14.030 (2) of the SDC for legislative actions.
7. Notice of the County Planning Commission public hearing concerning this matter was published on June 30, 2004 in the Eugene Register Guard, advertising the hearing before the Planning Commission. The content of the notice followed the direction given in Lane Code 14.070.
8. Mailed Notice of the Board of Commissioners public hearing concerning the Inventory was sent to the extensive mailing list used by the City on August 2, 2004, under the Ballot Measure 56 notification procedures.

Conclusion:

Procedural requirements described in Lane Code 12.235 and 12.245, and SDC Article 7 and Article 14 have been followed. Notice requirements established by DLCDC for amending the Metro Plan and for compliance with Ballot Measure 56 have also been followed.

II. Decision Criteria and Findings

The criteria for approval of Metro Plan amendments are found in Lane Code 12.225 (2) and Section 7.070 (3) of the Springfield Development Code:

- (a) *The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission; and*
- (b) *Adoption of the amendment must not make the Metro Plan internally inconsistent.”*

LC 12.225 (2)(a) “The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission.”

Goal 1 – Citizen Involvement. *To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”*

9. A Citizen Involvement Plan was approved by the Springfield Joint PCC on May 8, 2000. The procedures outlined above provided ample opportunity for citizen involvement through workshops, public hearings, and at both the city and county levels.

For adoption of the criteria and those sites as it applies outside the Springfield city limits and within the UGB, the Lane County Planning Commission conducted a public hearing on July 20, 2004, and forwarded a unanimous recommendation to adopt the Inventory to the Board of County Commissioners.

The Board conducted a public hearing on September 15, 2004 to provide citizens opportunity to comment again on the amendment prior to a final decision to co-adopt this Natural Resources

Inventory for the urbanizable area of Springfield. Therefore, adoption of this amendment will be in full compliance with Statewide Planning Goal 1.

Goal 2 – Land Use Planning. *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

10. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the acknowledged comprehensive plan that guides land use planning in Springfield. A Technical Supplement and various working papers were reference by ordinance when the Metro Plan was adopted (Metro Plan, pg. I-7). These working papers may be amended in conjunction with a Plan amendment.

In 1995, a periodic review work program was approved by the Land Conservation and Development Commission for the Eugene-Springfield area. Task #7 commits the cities to update and complete their Goal 5 planning responsibilities for wetlands, riparian corridors and wildlife habitat.

This proposal amends and updates the Natural Assets and Constraints Working Paper to include a more comprehensive inventory of natural resource sites that is consistent with the requirements of Statewide Planning Goal 5.

Development of the Inventory included consultations with the Corps of Engineers, Oregon Department of Fish and Wildlife and the Oregon Natural Heritage Program. Affected local governmental entities and utilities were notified of the inventory and given opportunity to respond. These contacts and the process that was conducted at the city and the county to adopt this amendment is found to be consistent with the coordination requirements of Statewide Planning Goal 2.

Goal 3 – Agricultural Land. *To preserve and maintain agricultural lands.*

11. This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any agricultural zoning districts. These amendments do not apply outside the urban growth boundary and, because of limitations on commercial and industrial development without full urban services, generally do not apply outside the city limits. All land outside the city limits and within the UGB carries City zoning. An exception to this goal was taken in 1982 when the comprehensive plan was acknowledged. Therefore, adoption of this amendment does not affect Statewide Planning Goal 3.

Goal 4 – Forest Land. *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by... use of efficient forest practices that ensure continuous harvest ...and sound management of soil, air, water, and fish and wildlife resources and to provide for recreation and agriculture.*

12. This goal does not apply within adopted, acknowledged urban growth boundaries. The City of Springfield does not have any forest zoning districts. These amendments do not apply outside the urban growth boundary and are limited to commercial and industrial zones, which are not developed before full urban services can be provided. All land in the City's urban transition area carries City zoning. An exception to this goal was taken in 1982 when the comprehensive plan was acknowledged, so adoption of this amendment does not affect Statewide Planning Goal 4.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. *To protect natural resources and conserve scenic and historic areas and open spaces. This goal establishes a process for each resource to be inventoried and evaluated.*

13. The proposed amendment to the Metro Plan updates the Natural Assets and Constraints Working Papers to include an updated inventory and revised significance criteria that are consistent with OAR 660-23-030. The Springfield Inventory of Natural Resource Sites replaces the criteria and inventoried sites within the Springfield UGB that are listed in the “Significant Vegetation and Wildlife Areas” table in the Natural Assets and Constraints Working Paper. The Inventory does not replace the working paper criteria or sites listed for areas within the Eugene UGB or those sites within the exclusive jurisdiction of Lane County. The Inventory updates the significance criteria used to identify Springfield resource sites as well as the list of sites that fit those criteria.

The inventory was conducted in accordance with the administrative rules for Goal 5 inventories for riparian corridors and upland wildlife habitat areas, as provided for in OAR 660-23, as detailed below.

OAR 660-023-090 (4) When following the standard inventory process in OAR 660-023-0030, local governments shall collect information regarding all water areas, fish habitat, riparian areas, and wetlands within riparian corridors. Local governments may postpone determination of the precise location of the riparian area on lands designated for farm or forest use until receipt of applications for local permits for uses that would conflict with these resources. Local governments are encouraged, but not required, to conduct field investigations to verify the location, quality, and quantity of resources within the riparian corridor. At a minimum, local governments shall consult the following sources, where available, in order to inventory riparian corridors along rivers, lakes, and streams within the jurisdiction:

- (a) Oregon Department of Forestry stream classification maps;*
- (b) United States Geological Service (USGS) 7.5 minute quadrangle maps;*
- (c) National Wetlands Inventory maps;*
- (d) Oregon Department of Fish and Wildlife (ODFW) maps indicating fish habitat;*
- (e) Federal Emergency Management Agency (FEMA) flood maps; and*
- (f) Aerial photographs.”*

The Springfield Inventory of Natural Resource Sites incorporated multiple reviews of the data sources listed in (4) (a-f) above, to create the inventory.

OAR 660-023-0110(3) When gathering information regarding wildlife habitat under the standard inventory process in OAR 660-023-0030(2), local governments shall obtain current habitat inventory information from the Oregon Department of Fish and Wildlife (ODFW), and other state and federal agencies. These inventories shall include at least the following:

- (a) Threatened, endangered, and sensitive wildlife species habitat information;*
- (b) Sensitive bird site inventories; and*
- (c) Wildlife species of concern and/or habitats of concern identified and mapped by ODFW (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, and pigeon springs).”*

The Springfield Inventory of Natural Resource Sites incorporated multiple reviews of the data sources listed in (3) (a-c) above, to create the inventory.

The information about a particular Goal 5 resource site shall be deemed adequate if it provides the location, quality and quantity of the resource, as follows:

(a) Information about location shall include a description or map of the resource area for each site. The information must be sufficient to determine whether a resource exists on a particular site. However, a precise location of the resource for a particular site, such as would be required for building permits, is not necessary at this stage in the process.

(b) Information on quality shall indicate a resource site's value relative to other known examples of the same resource. While a regional comparison is recommended, a comparison with resource sites within the jurisdiction itself is sufficient unless there are no other local examples of the resource. Local governments shall consider any determinations about resource quality provided in available state or federal inventories.

(c) Information on quantity shall include an estimate of the relative abundance or scarcity of the resource.”

The Springfield Inventory of Natural Resource Sites includes maps that show the location of each site with sufficient accuracy to determine whether the resource exists at each location. Each site was evaluated using the Wildlife Habitat Assessment method, which provides a numerical, relative rating of habitat values for each site in the inventory and against other sites within the Eugene-Springfield area. Although portions of some sites were deemed significant, the rule does not require that the comparative value analysis be applied to portions of sites.

Information gathered in conjunction with the inventory includes the number and acreage for all sites, including a total for each category, which provides an estimate of the relative abundance for each resource type within Springfield's jurisdiction.

OAR 660-023-0030(4) For sites where information is adequate, local governments shall determine whether the site is significant. This determination shall be adequate if based on the criteria in subsections (a) through (c) of this section, unless challenged by the department, objectors, or the commission based upon contradictory information. The determination of significance shall be based on:

(a) The quality, quantity, and location information;

(b) Supplemental or superseding significance criteria set out in OAR 660-023-0090 through 660-023-0230; and

(c) Any additional criteria adopted by the local government, provided these criteria do not conflict with the requirements of OAR 660-023-0090 through 660-023-0230.”

The Springfield Inventory was developed from the application of the two tier process for determining significance. This “standard process” for completing a Goal 5 inventory of Riparian Corridors and Wildlife Habitat is defined in OAR 660-23. In establishing an information base for developing the Inventory in compliance with OAR 660-23-0030 and 660-23-0110, sufficient information was gathered to allow the City of Springfield to apply the safe harbor provisions of OAR 660-23 as well.

Goal 6 – Air, Water and Land Resources Quality. *To maintain and improve the quality of the air, water, and land resources of the state.*

14. Compliance with Statewide Planning Goal 5 processes for wetlands, riparian corridors and wildlife habitat will unavoidably involve state and federal regulations for addressing clean air, clean water, safe drinking water, endangered species and other environmental policies. The purpose of the amendment is to comply with the natural resource inventory responsibilities and processes described in OAR 660-23-030.

As the Goal 5 planning process is completed, an evaluation of the impacts of future development on the inventoried sites will result in a program of protection for these sites. Protection measures for the inventoried sites will take into consideration existing state and federal regulations protecting wetlands, riparian corridors and wildlife habitat. The program of protection envisioned by Goal 5 gives cities discretion in developing protective standards that respond to their evaluation of the economic, social, environmental and energy (ESEE) consequences of allowing development on or near the inventoried sites. Established state and federal policies for environmental protection will be integrated into local planning, but the Goal 5 process was not intended to create detailed protective policy that specifically addresses Goal 6 issues.

The City of Springfield has already taken action to revise its Development Code to respond to National Pollutant Discharge Elimination System (NPDES) Phase II, the Clean Water Act, the Drinking Water Protection Act and is in the process of devising a response to the Endangered Species Act for listed species in our area. Therefore, adoption of this amendment is consistent with Statewide Planning Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards. *To protect people and property from natural hazards such as floods or landslides. Jurisdictions are required to apply appropriate safeguards such as floodplain zoning when planning for development in potentially hazardous areas.*

15. All sites within Springfield that are subject to these hazards (floodplain, erosion, landslides, earthquakes, weak foundation soils) are inventoried through a variety of sources. This amendment does not remove or exempt compliance with other Code standards that may apply to development. Therefore, adoption of this amendment is consistent with Statewide Planning Goal 7.

Goal 8 – Recreational Needs. *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts. Each community will evaluate its areas and facilities for recreation and develop plans to deal with the projected demand from citizens.*

16. Willamalane Park and Recreation District is the entity responsible for park planning, development and maintenance in the urban transition area of Springfield as well as the city limits. The proposed Inventory may encourage future action by the City or by Willamalane to acquire portions of some resource sites which are deemed to be significant riparian or wildlife habitat as park land or open space. Adoption of the Inventory will, therefore, be consistent with Statewide Goal 8.

Goal 9 – Economic Development. *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. Plans shall be based*

on inventories of commercial and industrial lands, projection of future needs for such lands, and zoning categories for enough land to meet those needs.

17. The proposed amendment may indirectly affect the inventory of commercial and industrial lands. The Inventory process does not, in and of itself, reduce the buildable inventory of commercial or industrial land. The Goal 5 planning process requires follow-up action by communities to establish a program for protecting resource sites. In most instances, protection will take the form of development standards that shape how development will occur. These standards may include setbacks or reductions in development density that will, in effect, reduce the amount of land that can be developed. In some cases, land may be designated for full protection from development. Such protection would also reduce the buildable land supply.

AR 660-23-070 requires communities to conduct a buildable lands inventory that assesses the impact of the natural resource inventory and the protective policies applied to sites on the inventory of buildable land. Where there is a demonstrable impact, the rule requires the City to make adjustments to recover the buildable land that is lost.

Goal 10 – Housing. *To provide for the housing needs of the citizens of the state. Jurisdictions plan for and accommodate needed housing types, such as multifamily and manufactured housing.*

18. The proposed new amendment may indirectly affect the inventory of residential lands. The Inventory process does not, in and of itself, reduce the buildable inventory of residential land. The Goal 5 planning process requires follow-up action by communities to establish a program for protecting resource sites. In most instances, protection will take the form of development standards that shape how development will occur. These standards may include setbacks or reductions in development density that will, in effect, reduce the amount of land that can be developed. In some cases, land may be designated for full protection from development. Such protection would also reduce the buildable land supply.

OAR 660-23-070 requires communities to conduct a buildable lands inventory that assesses the impact of the natural resource inventory and the protective policies applied to sites on the inventory of buildable land. Where there is a demonstrable impact, the rule requires the City to make adjustments to recover the buildable land that is lost.

Goal 11 – Public Facilities and Services. *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

19. The Eugene-Springfield Metropolitan Public Services and Facilities Plan (PFSP) is a refinement plan of the Metro Plan that guides the provision of public infrastructure, including water, sewer, storm water management, and electricity. Some of the inventoried resource sites are also public stormwater facilities (Q Street Ditch, SCS Channel #6, Gray Creek, Irving Slough, Millrace, etc.) listed in the PFSP. If adopted into the inventory, these sites will be subjected to an ESEE analysis that is meant to balance the public benefits derived from these resource sites as stormwater facilities compared to their environmental benefits. Protection policies, if applied to these sites, may enhance their stormwater treatment and filtration functions of these waterways by supporting the efforts already underway to make improvements to the Springfield Development Code in response to stormwater management policies set forth in NPDES Phase II and in response to the Drinking Water Protection Act.

Other public services such as police and fire protection are not likely to be impacted by the approval of the Inventory.

Goal 12 – Transportation. *To provide a safe, convenient and economic transportation system.*

20. The Springfield Inventory of Natural Resource Sites, if adopted, will not directly impact the approved transportation system plan for the Springfield area, TransPlan. Development standards that may be approved in the future as part of a program for protecting resource sites may have an impact on street design standards. Therefore, adoption of this amendment does not directly affect Statewide Planning Goal 12. Some communities have chosen to allow narrower streets in hillside residential areas to reduce the amount of impervious surface areas. Those same narrow street designs are being championed as an effective measure for traffic calming.

Goal 13 – Energy Conservation. *To conserve energy.*

21. Approval of the Inventory is not likely to have a direct impact on efforts to conserve energy. Therefore, adoption of this amendment does not affect Statewide Planning Goal 13.

Goal 14 – Urbanization. *This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs.*

22. The proposed amendment may affect the inventory of buildable lands, even though the Natural Resources Inventory process does not, in and of itself, reduce the amount of buildable lands in the community. The Goal 5 planning process requires follow-up action by communities to establish a program for protecting resource sites. Protection most likely will take the form of development standards that will shape how development occurs. These standards may include setbacks or reductions in development density that could, in effect, reduce the amount of land that can be developed. In some cases, land may be designated for full protection from development. Such protection would reduce the buildable land supply.

OAR 660-023-070 requires communities to conduct a buildable lands inventory that assesses the impact of the natural resource inventory and the protective policies applied to sites on the inventory of buildable land. Where there is a demonstrable impact, the rule requires the City to make adjustments to recover the buildable land that is lost. Therefore, adoption of this amendment is consistent with Statewide Planning Goal 14.

Goal 15 – Willamette River Greenway. *To enhance the Greenway that protects the Willamette River.*
Rewrite this one better..the title I mean

23. That portion of the Willamette River that flows through the Springfield area is identified as an inventoried resource site (site WA/WB). Adoption of the Springfield Inventory of Natural Resource Sites does not change the City's existing standards for development with respect to the Willamette River Greenway. Future protection measures adopted as part of a program of protection for the River may modify or add to existing development standards described in Article 25—Willamette Greenway Overlay District, of the Springfield Development Code. Therefore, adoption of this amendment is consistent with Statewide Planning Goal 15.

Goals 16 through 19 – Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

There are no coastal, ocean, estuarine, or beach and dune resources within the City's jurisdiction. Therefore, adoption of this amendment has no affect on Statewide Planning Goals 16 through 19.

The findings above demonstrate that adoption of the Springfield Inventory of Natural Resource Sites as an amendment to the Metro Plan Natural Assets and Constraints Working Papers is consistent with Oregon's Statewide Planning Goals as they apply.

LC 12.225 (2) (b). "Adoption of the amendment must not make the Metro Plan internally inconsistent."

24. The Metro Plan states that it was "developed in accordance with the statewide planning goals adopted by the State Land Conservation and Development Commission (LCDC) and published in April 1977, as amended through June 1997. The Metro Plan addresses each of the LCDC goals and contains objectives and policies aimed at compliance with LCDC Goals" (Metro Plan, pg. I-6).
25. The Metro Plan's "Natural Assets and Constraints Working Papers", in part, addresses the original Goal 5 requirements for identifying significant local natural resources. The working paper includes a subsection that describes criteria for identifying significant vegetation and wildlife areas as well as a listing of sites that fit the stated criteria (pages D-10 through D-12). The significance criteria and resulting inventory found in the working papers is a rudimentary attempt to inventory Eugene-Springfield's important natural resource areas as required by Statewide Planning Goal 5.
26. Statewide Goal 5 was updated in 1996. That update is reflected in the prescription for resource inventory and protection found in OAR 660-23. When enacted, OAR 660-23 described more specific procedures for communities to follow as they inventory and protect their significant natural resources. The inventory found in the Natural Assets and Constraint Working Papers do not meet the updated requirements for Goal 5.
27. As part of its periodic review work program, approved by LCDC, the Eugene-Springfield area committed to completing a Natural Resources Study meant to comply with the updated Goal 5 requirements. The Springfield Inventory of Natural Resource Sites and the process that created it, respond to the new Goal 5 requirements set out in OAR 660-23-030.
28. The updated Inventory and the follow-on process to conduct an ESEE analysis and develop a program for protecting resource sites is consistent with the prescriptive process described in OAR 660-23 for complying with Goal 5 planning requirements.
29. The process described in OAR 660-23 gives local jurisdictions a choice in following the "standard process" or the "safe harbor" process for identifying and protecting Goal 5 natural resources.
30. The Natural Assets and Constraints working papers are a supplement to the Metro Plan that addresses Statewide Planning Goal 5. The update of the working papers to comply with new Goal 5 requirements will bring the Metro Plan into compliance with its stated intent of addressing LCDC goals.

Conclusion

The findings shown above demonstrate adoption of the Springfield Inventory of Natural Resource Sites as an amendment to the Metro Plan's Natural Assets and Constraints Working Papers, does not create internal inconsistencies within the Metro Plan or it's related functional and refinement plans.

Based on the findings of staff with respect to the criteria defined in Lane Code 12.235 and SDC Article 7 for approving a Metro Plan amendment, the insertion of the Springfield Inventory of Natural Resource Sites into the Metro Plan Natural Assets and Constraints Working Papers is consistent with these criteria and recommend approval of the amendment.