

NATURAL ENVIRONMENT POLICIES

This Section includes the following policies:

POLICY 13: AIR, WATER AND NOISE QUALITY

POLICY 14: DEVELOPMENT LIMITATIONS

POLICY 15: WILLAMETTE RIVER GREENWAY

POLICY 16: NATURAL RESOURCES

POLICY 13: AIR, WATER AND NOISE QUALITY

INTRODUCTION

In recent years, citizens have come to recognize the value of clean air and water and a quiet environment. Natural resources are not limitless, and the quality of human life is dependent on the quality of the natural environment. Awareness and concern for the natural ecology has led to legislation and government involvement in balancing the human and natural environments.

Government, business and private citizens are all responsible for maintaining a livable environment and for improving air and water quality and noise levels where pollution and deterioration exist. Federal, state and local laws and agencies have worked in the public interest to halt environmental deterioration. Continued vigilance is necessary to ensure that natural systems and resources are not threatened or unduly burdened by urban and rural development, and to maintain and balance high quality human and natural environments.

It is desirable to blend the human environment and the natural setting together in a way that reduces adverse effects. This section examines air and water and noise quality in unincorporated Multnomah County. Environmental quality standards have been established for each resource, with regulatory responsibilities assigned to a primary agency at the Federal and State levels. Multnomah County enforces environmental protection through zoning and development processes and police powers. However, pollution of the natural environment often exceeds local governmental boundaries and authority, requiring regional and cooperative efforts.

The federal government has previously taken the lead role in requiring regional solutions to environmental problems. Greater State and local initiative may be necessary in the future to mitigate air and water and noise pollution. Urban and rural areas of unincorporated Multnomah County and its six cities must work together within the regional context. Their mutual objective should be to minimize pollution and maintain established environmental quality standards, to resolve grievances whenever air, water and noise problems occur, and to ensure a healthful human environment in balance with a high-quality natural environment. These achievements can occur, to a great extent, through the conscientious efforts of local business and industry and private citizens, and through government regulation, where necessary.

POLICY 13

Multnomah County, recognizing that the health, safety, welfare, and quality of life of its citizens may be adversely affected by air, water and noise pollution, supports efforts to improve air and water quality and to reduce noise levels. Therefore, if a land use proposal is a noise-sensitive use and is located in a noise-impacted area, or if the proposed use is a noise generator, the following shall be incorporated into the site plan: *[Amended 1999, Ord. 933 § III]*

1. Building placement on the site in an area having minimal noise level disruptions.

2. Insulation or other construction techniques to lower interior noise levels in noise-impacted areas.

[Amended 1999, Ord. 933 § III]

STRATEGIES

A. As part of the ongoing planning programs, the County should:

1. Maintain staff capability to advise the legislative body and its representatives on Federal and State air, water and noise quality standards and programs, and to report pollution impacts on these resources.
2. Cooperate in the development and implementation of regional efforts to maintain and improve air, water and noise quality.
3. Inventory existing and potential air, water, and noise impacts at the local level as part of the community planning process.
4. Facilitate the establishment of expanded sewer infrastructure and wastewater treatment in urban unincorporated East Multnomah County, with priority given to areas where existing in-ground systems are failing, and where industrial, commercial, and intensive residential development is constrained by lack of sewers.
5. Evaluate the effectiveness of the 1982 Sound Control Ordinance in resolving noise problems.
6. Work with local jurisdictions, affected communities, and Port of Portland staff to adopt a noise impact overlay zone. Such a zone should be applied to all areas within the 65 Land noise contour once the noise abatement plan has been implemented.
7. As part of the Erosion and Sediment Control Ordinance, include development standards relating to erosion protection and local drainage capacity.
8. Cluster, buffer or isolate land uses which cause negative impacts on air and water resources, or are noise generators.

B. Air, water and noise quality enforcement should be provided by the appropriate Federal and State agencies.

POLICY 14: DEVELOPMENT LIMITATIONS

INTRODUCTION

Many natural features impose limitations on development and, if not recognized in the development process, they can create public health and safety hazards. For example, flood plains perform important water storage functions and, if filled, force the water into other lands formerly not affected. These newly affected areas may have buildings which will be flooded. Erosive soils create stream siltation and can affect water quality and fish life habitat. A high water table can preclude septic tanks from functioning properly and create ground water pollution. These are important features which must be considered.

The purpose of this policy is to protect the public health and safety and to ensure that development does not create an “on-site” or “off-site” public harm. It is not intended to prohibit development, except where design and construction techniques cannot provide for a safe development.

POLICY 14

The County’s policy is to direct development and land form alterations away from areas with development limitations, except upon a showing that design and construction techniques can mitigate any public harm or associated public cost and mitigate any adverse effects to surrounding persons or properties. Development limitations areas are those which have any of the following characteristics:

- A. Slopes exceeding 20%;
- B. Severe soil erosion potential;
- C. Land within the 100 year flood plain;
- D. A high seasonal water table within 0-24 inches of the surface for three or more weeks of the year;
- E. A fragipan less than 30 inches from the surface;
- F. Land subject to slumping, earth slides or movement.

STRATEGIES

- A. As a part of the ongoing planning program, the County should continue to:
1. Identify areas with development limitations; and
 2. Establish a process for reviewing development proposals in these areas.
- B. The following should be addressed in the preparation of the Community Development Title:
1. **The Zoning Code** should include:
 - a. Standards for development within the 100 year flood plain, recognizing the standards and criteria established by the Federal Emergency Management Agency. The Flood Plain should be applied to all areas within the 100 year flood plain as designated by the U. S. Army Corps of Engineers, U. S. Soil Conservation Service, and any special studies prepared by the County;
 - b. Approved criteria for conditional uses which address the need to avoid or mitigate hazardous conditions;
 - c. Provisions which allow the density, which would have been permitted in hazardous areas if it were not for the restrictions, to be transferred on-site or to adjoining property if held in the same ownership and if developed as a planned development.
 2. County development standards should include provisions for:
 - a. Geologic impact analysis utilizing the County's Geologic and Slope Hazard Study;
 - b. Sediment and erosion control;
 - c. Drainage; and
 - d. Retention of vegetation and significant natural or habitat areas where these will mitigate natural hazards.

POLICY 15: WILLAMETTE RIVER GREENWAY

INTRODUCTION

The Willamette River Greenway is a cooperative management effort between the State and local jurisdictions for the development and maintenance of a natural, scenic, historical, and recreational “greenway” along the Willamette River. The General Plan has been formulated by the Oregon Department of Transportation pursuant to ORS 390.318. The Land Conservation and Development Commission has determined that a statewide planning goal (Goal 15) is necessary not only to implement the legislative directive, but to provide the parameters within which the Department of Transportation Greenway Plan may be carried out. Within those parameters local governments can implement Greenway portions of their Comprehensive Plans.

POLICY 15

The County’s policy is to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River.

Further, it is the County’s policy to protect identified Willamette River Greenway areas by requiring special procedures for the review of certain types of development allowed in the base zone that will ensure the minimum impact on the values identified within the various areas. The procedures shall be designed to mitigate any lost values to the greatest extent possible.

STRATEGIES

- A. The Willamette River Greenway should be based on the boundaries as developed by the State Department of Transportation. For the County, those areas are generally depicted on the map entitled, “Willamette River Greenway.”
- B. The following strategies should be addressed in the preparations of the Community Development Title:
 - 1. **The Zoning Code** should include:
 - a. An overlay zone entitled, “Willamette River Greenway,” which will establish an administrative review procedure to implement the requirements of the State of Oregon, Greenway Goal. The overlay zone should contain provisions related to:
 - (1) Setback lines for non-water dependent uses;
 - (2) A design plan;

- (3) The review procedures;
 - (4) Specific findings required.
 - b. Those wetlands and water areas listed on Policy 16, Natural Resources, that are located within the Willamette River Greenway should receive a development review procedure comparable to the review procedure established for the Significant Environmental Concern zone.
- C. Other policies of this Framework Plan are applicable to the Greenway as follows:
- 1. Agricultural lands: Policies 9 - Agriculture, and 10 - Multiple Use Agriculture.
 - 2. Recreation: Policy 39 - Open Space and Recreation.
 - 3. Access: Policy 40 - Development Requirements.
 - 4. Fish and Wildlife: Policy 16 - Natural Resources.
 - 5. Scenic Qualities and Views: Policy 15 - Areas of Significant Environmental Concern.
 - 6. Protection and Safety: Policy 31 - Community Facilities and Uses Location.
 - 7. Vegetation Fringe: Policy 15 - Areas of Significant Environmental Concern.
 - 8. Timber Harvest: Policy 12 - Multiple Use Forest.
 - 9. Aggregate Extraction: Policy 16 - Natural Resources.
 - 10. Development away from River: Policy 14 - Development Limitations.

POLICY 16: NATURAL RESOURCES

INTRODUCTION

The purpose of the Natural Resources policy is to implement statewide Planning Goal 5: “Open Spaces, Scenic and Historic Areas, and Natural Resources.” These resources are necessary to ensure the health and well-being of the population, and include such diverse components as mineral and aggregate reserves, significant wetlands, historic sites, and scenic waterways. The individual components, as set forth by state law (OAR 660-16), are addressed below as sub-policies 16-A through 16-L. Natural resources within the Columbia River Gorge National Scenic Area are not subject to statewide Goal 5 and are addressed through Policy 41.

An overlay classification, “Significant Environmental Concern,” will be applied to certain areas identified as having one or more of these resource values.

POLICY 16

The County’s policy is to protect natural resources, conserve open space, and to protect scenic and historic areas and sites. These resources are addressed within sub-policies 16-A through 16-L.

STRATEGIES

- A. The County will maintain an inventory of the location, quality, and quantity of each of these resources. Sites with minimal information will be designated “1B”, but when sufficient information is available, the County will conduct the necessary ESEE analysis.
- B. Certain areas identified as having one or more significant resource value will be protected by the designation Significant Environmental Concern (SEC). This overlay zone will require special procedures for the review of certain types of development allowed in the base zones. This review process will ensure the minimum impact on the values identified within the various areas, and shall be designed to mitigate any lost values to the greatest extent possible.
- C. The following areas shall be designated as areas of Significant Environmental Concern based on “Economic, Social, Environmental, and Energy” (ESEE) evaluations and designations of: “2A,” “3A,” or “3C” under statewide Goal 5. Resource protection shall be provided by either the SEC or WRG overlay provisions in the Multnomah County Zoning Code (MCC 11.15) applied on:
 - 1. Resource sites designated “2A,” “3A,” or “3C” in the Multnomah County Goal 5 Inventory and identified for SEC or WRG protection in sub-policies 16-A through 16-L;

2. Hayden Island west of the Burlington Northern Railroad tracks;
3. Blue Lake, Fairview Lake (Ord. 234), and Columbia River shore area and islands;
4. Johnson Creek;
5. Other areas as may be determined under established Goal 5 procedures to be suitable for this “area” designation.
 - a. The County shall complete ESEE evaluations by June 30, 1994, for Significant Water Resources & Wetlands potentially affected by the Angel Brothers and Howard Canyon Mineral and Aggregate Resource sites; and

(Note: The ESEE evaluations are contained in the “West Hills Reconciliation Report, Revised – September 1995,” and the “Howard Canyon Reconciliation Report, Revised – September 1995,” which are both amendments to the “Multnomah County Comprehensive Framework Plan, Volume One: Findings”);

- b. The County will conduct ESEE evaluations and determine appropriate protections for Significant (“1C”) sites as part of the Rural Area Planning Program, to include 1B designated sites subsequently determined to be Significant (“1C”); and

(Note: The Rural Area Planning Program documents to date are: the “West Hills Rural Area Plan, October 1996,” the “East of Sandy River Rural Area Plan, Final, Adopted July 10, 1997,” and the “Sauvie Island / Multnomah Channel Rural Area Plan, Adopted October 30, 1997, Ordinance No. 887”). The Rural Area Plans are an amendment to this document, the “Multnomah County Comprehensive Framework Plan, Volume: Two”).

- c. The County shall complete all outstanding ESEE evaluations by January, 1998, for Significant Water Resources & Wetlands.
- D. Those wetlands and water areas listed in C above that are located within the Willamette River Greenway (Policy 15) will be protected by development review procedures within the WRG overlay zone instead of the SEC zone.

POLICY **16-A**: OPEN SPACE

It is the County’s policy to conserve open space resources and protect open spaces from incompatible and conflicting land uses.

STRATEGIES

- A. Designate agricultural and forest lands with large lot zones to conserve the open character of such areas.
- B. Apply SEC, WRG, FW and FF overlays along rivers and other water features, as appropriate, to restrict and control the character of development in these areas to enhance open spaces.
- C. Review uses conditionally allowed in farm or forest zones to insure that open space resources are conserved and enhanced.

POLICY 16-B: MINERAL AND AGGREGATE RESOURCES

It is the County's policy to protect and ensure appropriate use of mineral and aggregate resources of the County and minimize conflict between surface mining activities and surrounding land uses.

STRATEGIES

- A. The County shall protect significant gravel and mineral resources consistent with Statewide Planning Goal 5 and Oregon Administrative Rules, Chapter 660, Division 16.
- B. As a part of the ongoing planning program, the County will maintain an inventory of mineral and aggregate resource sites within the County. The Comprehensive Plan inventory is to include four classifications of sites:
 - 1. "Potential sites" are sites for which information about the location, quality, and quantity of a resource site is not adequate to allow a determination of significance (Goal 5 Process Flow Chart designation of "1B");
 - 2. "Not significant sites" are sites for which information about the location, quality, and quantity of a resource site shows that the site is not a significant resource (Goal 5 Process Flow Chart designation of "1A");
 - 3. "Protected sites" are significant resource sites which are identified through the Goal 5 process as resources that the County will protect from conflicting uses (Goal 5 Process Flow Chart designations "2A," "3A," and "3C"); and
 - 4. "Not protected sites" are significant resource sites for which the decision of the ESEE analysis is to not protect the resource from conflicting uses (Goal 5 Process Flow Chart designation of "3B").
- C. A resource site may include all or portions of a parcel, and may include contiguous parcels in different ownerships.

- D. For sites on the “potential sites” inventory, the County shall review available information about aggregate and mineral resources, and if the information on location, quantity, and quality is adequate, determine if the site is significant. Initiation of this process shall occur either:
1. As part of the next scheduled periodic review; or
 2. When a record owner or the authorized agent of the record owner submits information concerning the significance of a resource site and applies for a Comprehensive Plan amendment.
- E. The County will judge the significance of mineral and aggregate resources on a case-by-case basis under the standards and procedures in LCDC’s Goal 5 interpretive rules.
- F. For each site determined to be significant, the County shall complete the remainder of the Goal 5 process of identifying conflicting uses, analyzing the Economic, Social, Environmental, and Energy (ESEE) consequences of the conflicting use(s), and designating a level of protection from conflicting uses. If the final decision concerning the site is to preserve fully or partially protect the resource from conflicting uses, the County shall zone the site and the designated ESEE impact area with the Protected Aggregate and Mineral Resources Overlay Zoning Subdistrict (PAM).
- G. Mining and the associated processing of aggregate and mineral materials in excess of the limited exemptions in Subsection H below, may only be allowed at sites included on the “protected sites” inventory. Approval of a mining operation at a “protected site” shall be reviewed as a conditional use. The general conditional use provisions regarding time limits, conditions, restrictions, and approval criteria, (MCC .7110(C), .7110(E), .7115, .7120, .7122, and .7125, October, 1994), shall not apply.
- H. Exemptions
1. The following activities are exempt from the approval requirements and development standards of this policy:
 - (a) Mining auxiliary to forest practices;
 - (b) Lawful mining operating under a DOGAMI “Grant of Total Exemption” on (the effective date of the Ordinance) on property owned or controlled by the operator. Abandonment, restoration, or alteration of this use shall be in compliance with the non-conforming use provisions of MCC .8805 and .8810.
 2. Mining less than 1,000 cubic yards of material in conjunction with mining an area of less than one acre is exempt from the approval requirements and development standards of this policy. However, the mining activity shall require approval of a Hillside and Erosion Control permit and any other permits as may be required in any overlay subdistrict.

3. Mining a quantity and area in excess of 2 above, but less than 5,000 cubic yards of material, or disturbing less than one acre of land within a period of 12 consecutive months until mining affects five or more acres, is exempt from the approval requirements and development standards of this policy which require review by, and issuance of an operating permit from, DOGAMI. However, mining at this level of activity shall:
 - (a) Be on a “protected site” as determined by, and subject to restrictions warranted by, the Goal 5 process;
 - (b) Be approved as a mining conditional use; and
 - (c) Obtain approval of a Hillside and Erosion Control Permit in conjunction with the mining conditional use approval. The Hillside and Erosion Control permit shall be required in place of all references in the plan and code to obtaining a DOGAMI operating permit in recognition that this level of mining activity is exempted by DOGAMI rules for such a permit.
- I. To approve surface mining at a site zoned Exclusive Farm Use (EFU) the County shall find, as part of the conditional use approval criteria, that the proposed activity:
 1. Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
 2. Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
- J. To approve surface mining at a site zoned Commercial Forest Use (CFU), the County shall find, as part of the conditional use approval criteria, that:
 1. The proposed mining will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;
 2. The proposed mining will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and
 3. A written statement recognizing the rights of adjacent and nearby property owners to conduct accepted forest practices has been recorded with the property deed in accordance with OAR 660-06-025 (1994).
- K. The County shall not independently apply the Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM) to land within another county, or within a city or its urban growth boundary. The County shall encourage protection of significant sites through cooperative agreements with another county or a city where the resource or its impact area extends across jurisdictional boundaries.

- L. The County shall require increased setbacks, insulation, screening, or similar measures as conditions of approval for any new conflicting use within an impact area surrounding an aggregate or mineral resource site when such measures are necessary to resolve conflicts identified in a site-specific Goal 5 analysis.
- M. The County shall impose conditions on surface mining when necessary to lessen conflicts identified as part of a site-specific Goal 5 analysis. Where such conditions conflict with criteria and standards in the Protected Aggregate and Mineral Resources Overlay, the conditions developed through the Goal 5 process shall control.
- N. Based upon the Goal 5 ESEE analysis and the existing base zoning district, the County shall determine the appropriate post-mining use of the site.
- O. The County recognizes the jurisdiction of the Department of Geology and Mineral Industries (DOGAMI) over mined land reclamation pursuant to ORS 517.750 to 517.900 (1994) and the rules adopted thereunder.
- P. Unless specifically determined on a case-by-case basis, it shall be the policy of the County that DOGAMI delay its final decision on approval of a reclamation plan and issuance of an operating permit until the County decides all Comprehensive Plan amendments and/or conditional use approvals. It is also the policy of Multnomah County to participate in and cooperate with DOGAMI in their review of a permit application to that agency.
- Q. No surface mining or processing activity, as defined by the zoning ordinance, shall begin without land use approval from the County and approval of a reclamation plan and issuance of an operating permit by DOGAMI and Department of Environmental Quality.
- R. When the aggregate or mineral site has been reclaimed, the County may rezone land to remove the Protected Aggregate and Mineral Resources Overlay Subdistrict (PAM) without revising the ESEE Analysis for the site. Rezoning shall not relieve requirements on the part of the owner or operator to reclaim the site in accordance with ORS 517.750 through 517.900 and the rules adopted thereunder.

POLICY **16-C**: ENERGY SOURCES

It is the County's policy to protect sites required for generation of energy.

STRATEGIES

- A. Maintain an inventory of energy sources within the County.
- B. Coordinate with appropriate regulatory or licensing authorities in the protection of sites required for energy generation.

- C. The Zoning Code should include provisions for energy generation facilities as a conditional use.

POLICY **16-D**: FISH AND WILDLIFE HABITAT

It is the County's policy to protect significant fish and wildlife habitat and to specifically limit conflicting uses within natural ecosystems within the rural portions of the County and sensitive big game winter habitat areas.

STRATEGIES

- A. Utilize information provided by the Oregon Department of Fish and Wildlife to identify significant habitat areas and to delineate sensitive big game winter habitat areas. If necessary, supplement this information with additional professional analysis to identify additional significant habitat areas and natural ecosystems within rural portions of the County.
- B. Apply the SEC overlay zone to all significant habitat areas not already zoned Willamette River Greenway.
- C. Include provisions within the Zoning Ordinance to review development proposals which may affect natural ecosystems within the rural portions of the County and sensitive big game winter habitat areas.

POLICY **16-E**: NATURAL AREAS

It is the County's policy to protect natural areas from incompatible development and to specifically limit those uses which would irreparably damage the natural area values of the site.

STRATEGIES

- A. Utilize information from the Oregon Natural Heritage Program to maintain a current inventory of all ecologically and scientifically significant natural areas.
- B. Apply the SEC overlay zone to all areas not otherwise protected by Willamette River Greenway zoning or outright ownership by a public or private agency with a policy to preserve natural area values of the site.

POLICY **16-F**: SCENIC VIEWS AND SITES

It is the County's policy to conserve scenic resources and protect their aesthetic appearance for

the enjoyment of future generations.

STRATEGIES

- A. Apply the SEC overlay zone to the Sandy River State Scenic Waterway and other significant scenic areas designated “2A,” “3A,” or “3C” under statewide Goal 5 to assure the scenic resources of these areas are not diminished as new development occurs.
- B. Coordinate reviews of development proposals within SEC areas with other affected agencies (i.e., National Forest Service, State Parks and Recreation Division Rivers Program, etc.).
- C. Enforce large lot zoning regulations in resource areas to conserve scenic qualities associated with farm and forest lands.
- D. Apply the WRG overlay zone to lands within the Willamette River Greenway. Review new development within the greenway to assure scenic values are not diminished.
- E. Administer Design Review provisions to enhance visual qualities of the built environment.
- F. Apply a scenic overlay to the West Hills significant (“3C”) scenic area. Review new development that would be visible from Sauvie Island and other viewing areas identified in the Goal 5 analysis to assure that the overall appearance of a natural forested landscape is retained.

POLICY **16-G**: WATER RESOURCES AND WETLANDS

It is the County’s policy to protect and, where appropriate, designate as areas of Significant Environmental Concern those water areas, streams, wetlands, watersheds, and groundwater resources having special public value in terms of the following:

- A. Economic value;
- B. Recreation value;
- C. Educational research value (ecologically and scientifically significant lands);
- D. Public safety (municipal water supply watersheds, water quality, flood water storage areas, vegetation necessary to stabilize river banks and slopes);
- E. Natural area value (areas valued for their fragile character as habitats for plant, animal or aquatic life, or having endangered plant or animal species).

STRATEGIES

- A. Assess the economic values of Water Resource and Wetland Sites and designate as “significant” (1C) if:
1. Any use of the water resource can be shown to be feasible for use in significantly increasing a specified economic activity or function or substantially increasing the economic value of the land through which the waters flow.
- B. Assess the recreation values of Water Resource and Wetland Sites and designate as “significant” (1C) if:
1. The water resource lies within the boundary of a public park, publicly accessible recreational facility, or private recreational facility available for public or group use, and is an integral part of the facilities’ recreational activities; or,
 2. The water resource contributes water to a water resource within the boundary of a public park, publicly accessible recreational facility, or private recreational facility available for public or group use, and the diversion or degradation of the contributing waters would significantly diminish the recreational value of the water resource.
- C. Assess the educational research value of Water Resource and Wetland Sites and designate as “significant” (1C) if:
1. The resource has been identified by the Oregon Natural Heritage Program as being ecologically or scientifically significant; or
 2. The water resource is used for public educational purposes.
- D. Assess the public safety values of Water Resource and Wetland Sites and designate as “significant” (1C) if:
1. The water resource is within the Watershed Management Unit of an existing or proposed municipal water source as identified by the U.S. Forest Service, U.S. Geological Service, City of Portland, or other public agency; or
 2. The water resource is part of a groundwater area which provides a municipal water supply; or
 3. The water resource and surrounding lands are flood water storage areas whose removal or degradation would increase the frequency or height of floods to adjacent or downstream areas;
 4. The riparian or watershed vegetation associated with a water resource shall be considered part of the water resource area if that vegetation substantially contributes to the protection of water quality by reducing sedimentation and erosion, removing nutrients, or lowering water temperature / increasing BOD.

E. Assess the natural area value of Water Resource and Wetland Sites and designate as “significant” (1C) if:

1. The Oregon Department of Forestry has classified the stream or watercourse as “Class 1 waters” as defined in the State Forest Practices Act; or
2. The water resource or associated vegetation area is the habitat of an endangered or threatened plant or animal species as identified by the Oregon Natural Heritage Program, U.S. Fish and Wildlife Service or other public agency; or
3. A “Wildlife Habitat Assessment” (WHA) rating form has been completed and the site scored 45 or more points of the possible 96 points. Sites with scores between 35-44 points on the WHA form may be determined “Significant” (1C) if they function as essential connections between or demonstrably enhance higher rated adjacent resource areas.

The WHA is a standardized rating system for evaluating the wildlife habitat values of a site. The form was cooperatively developed by staff from the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, The Oregon Department of Fish and Wildlife, the Audubon Society of Portland, The Wetlands Conservancy, and the City of Beaverton Planning Bureau.

F. Significant water resource and wetland areas identified as a “2A,” “3A,” or “3C” site using the Statewide Planning Goal 5 “Economic, Social, Environmental, and Energy Analysis” procedure as outlined in OAR 660-16-000 through 660-16-025 shall be designated as areas of “Significant Environmental Concern” and protected by either the SEC or WRG overlay zone.

G. Wetlands information gathered by and made available to the County shall be utilized as follows:

1. The U.S. Fish and Wildlife National Wetland Inventory (NWI) maps should be consulted at the beginning stages of any development proposal in order to alert the property owner/developer of the U.S. Corps of Engineers and Division of State Lands permit requirements.
2. Wetlands shown on the NWI maps which are determined to not be important by the County after field study should be indicated as such on 1”=200’ aerial photographs made part of the State Goal 5 supporting documents.
3. Boundaries of “Significant” wetlands located within the SEC and WRG overlay zones should be depicted on 1”=200’ aerial photographs.
4. Additional information on wetland sites should be added to the plan and supporting documents as part of a scheduled plan update or by the standard plan amendment process

initiated at the discretion of the County.

- H. Although a wetland area may not meet the County criteria for the designation “Significant,” the resource may still be of sufficient importance to be protected by State and Federal agencies.
- I. The zoning code should include provisions requiring a finding prior to approval of a legislative or quasi-judicial action that the long-range availability and use of domestic water supply watersheds will not be limited or impaired.

INVENTORY OF WATER RESOURCES

Table 1

PROTECTED WATER RESOURCE AND WETLAND SITES [Sites designated 2A, 3A, or 3C in the Goal 5 Inventory: January, 1994]

(**Note:** See the following documents for additional sites and amended ESEE Analysis Reports: “West Hills Reconciliation Report, Revised – September 1995”; “Howard Canyon Reconciliation Report, Revised – September 1995”; “West Hills Rural Area Plan, October 1996”; “East of Sandy River Rural Area Plan, Final, Adopted July 10, 1997”; and the “Sauvie Island / Multnomah Channel Rural Area Plan, Adopted October 30, 1997, Ordinance No. 887”).

Rural Westside Sites (listed alphabetically):

- 1 Agricultural Ditches and Sloughs on Sauvie Island
- 2 “Audubon House” tributary of Balch Creek (in sub-basin #5; 1993 BES report)
- 3 Balch Creek (Class I reach outside Portland; below confluence of Thompson and Cornell forks)
- 4 Burlington Bottoms Wetlands
- 5 Dairy Creek
- 6 Gilbert River & tributary drainageways/wetlands (in R1W sections 5, 8, 9, 16, 21, 22, 28, 29, 31, 32 & 33)
- 7 Howell Lake
- 8 McCarthy Creek (Class I reach in R1W sections 18, 19, 30 & 31)
- 9 Miller Creek (sections outside Portland)
- 10 Multnomah Channel (reach outside Portland)
- 11 “Newberry” (or “Ennis”) Creek (reach in R1W sections 28 & 33)
- 12 Sand Lake
- 13 “Sheltered Nook” tributary of McCarthy Creek (in R2W sections 19 & 24)
- 14 Small Unnamed Lake/Slough west of Wagon Wheel Hole Lake
- 15 Sturgeon Lake
- 16 Unnamed creek which flows into Rainbow Lake (reaches in R2W sections 12 & 13)
- 17 Unnamed creeks with confluence south of Logie Trail Rd. (Class I reaches in R2W sections 13 & 24 and R1W section 18)

- 18 Unnamed creek between Logie Trail and Cornelius Pass Roads (in R2W section 24 and R1W sections 18 & 19)
- 19 Virginia Lakes
- 20 Wagon Wheel Hole Lake

Rural Eastside Sites (Does not include sites within the Columbia Gorge NSA):

- 1 Government Island wetlands
- 2 McGuire Island wetlands
- 3 Sandy River Gorge

Note: Sites listed above are protected by SEC or WRG zoning provisions, based on completed ESEE evaluations and designations: 2A, 3A, or 3C under statewide Goal 5.

Table II lists Significant Water Resources and Wetland sites designated 1C (Goal 5 ESEE processes pending).

Table 2

SIGNIFICANT WATER RESOURCE AND WETLAND SITES

[Sites designated 1C in the Goal 5 Inventory: January, 1994; ESEE evaluations pending]

(**Note:** See the following documents for additional sites and amended ESEE Analysis Reports: “West Hills Reconciliation Report, Revised – September 1995”; “Howard Canyon Reconciliation Report, Revised – September 1995”; “West Hills Rural Area Plan, October 1996”; “East of Sandy River Rural Area Plan, Final, Adopted July 10, 1997”; and the “Sauvie Island / Multnomah Channel Rural Area Plan, Adopted October 30, 1997, Ordinance No. 887”).

Rural Westside Sites (listed alphabetically):

- 1 Balch Creek Forks: Thompson, Cornell, and “South-Audubon” (outside Portland)
- 2 “Germantown Road” tributaries of Rock Creek (Class I reaches in R1W sections 8, 9 & 16)
- 3 Jackson Creek (Class I reach in R2W section 10)
- 4 Jones Creek (Class I reach in R2W section 25)
- 5 Joy Creek (Class I reach in R2W section 25)
- 6 McKay Creek, East Fork (Class I reach in R2W section 10)
- 7 Rock Creek (Class I reaches in R2W sections 22, 23, 26 & 36; includes East Fork)
- 8 Three unnamed creeks with confluence on Wildwood Golf Course (Class I reaches in R2W sections 1, 2, 11 & 12)

Rural Eastside Sites (listed alphabetically):

- 1 Beaver Creek (Class I reaches in R3E sections 1 & 12; and R4E sections 7, 8, 16 & 17)
- 2 Big Creek
- 3 Bridal Veil Creek (Class I reach outside Gorge NSA; R5E sections 24 & 25)
- 4 Buck Creek (Class I reaches)
- 5 Camp Creek (tributary to Bull Run River, in Mt. Hood National Forest)
- 6 Cat Creek (includes North Fork in sections 16 & 17)
- 7 Donahue Creek (Class I reach outside Gorge NSA; R5E sections 25 & 36)
- 8 Gordon Creek (includes South, Middle & North forks in Mt. Hood National Forest)

- 9 Howard Canyon Creek (Class I reaches in R4E sections 1 & 2; and R5E sections 5 & 6)
- 10 Johnson Creek (Class I reaches southeast of Gresham, including North Fork)
- 11 Kelly Creek (tributary of Johnson Creek)
- 12 Knieriem (or “Ross”) Creek (Class I reaches in R4E sections 2, 35 & 36 and R5E section 31)
- 13 Lattourelle Creek (reaches outside Gorge NSA; R5E sections 32 & 33; includes South Fork)
- 14 Mitchell Creek (tributary of Kelly Creek; in R3E section 19)
- 15 Pounder Creek (Class I reach outside Gorge NSA; in R4E sections 2 & 35)
- 16 Smith Creek (Class I reaches in R4E sections 3, 4, 5 & 36)
- 17 Thompson Creek (tributary of Gordon Creek)
- 18 Trout Creek (Class I reaches in R4E sections 13, 14 & 24 and R5E sections 17, 18 & 19)
- 19 Two unnamed creeks west of Springdale (Class I reaches in R4E sections 5, 6, 32 & 33)
- 20 Unnamed tributary of Bull Run River (Class I reach in R5E section 22)
- 21 Walker Creek (Class I reach in R5E section 22)
- 22 Young Creek (Class I reach in R5E section 35 & outside Gorge NSA)

Table 3**POTENTIALLY SIGNIFICANT WATER RESOURCE AND WETLAND SITES**

[Sites designated 1B in the Goal 5 Inventory: January, 1994]

(**Note:** See the following documents for relevant ESEE Analysis Reports: “West Hills Reconciliation Report, Revised – September 1995”; “Howard Canyon Reconciliation Report, Revised – September 1995”; “West Hills Rural Area Plan, October 1996”; “East of Sandy River Rural Area Plan, Final, Adopted July 10, 1997”; and the “Sauvie Island / Multnomah Channel Rural Area Plan, Adopted October 30, 1997, Ordinance No. 887”).

Rural Westside Sites (listed alphabetically):

- 1 Balch Creek watershed (except 1C or 3C designated reaches & sections in Portland)
- 2 Burlington Bottoms watersheds
- 3 Jackson Creek tributaries and watersheds (except Class I reaches)
- 4 Jones Creek tributaries and watersheds (except Class I reaches)
- 5 Joy Creek tributaries and watersheds (except Class I reaches)
- 6 McCarthy Creek tributaries and watersheds (except Class I reaches & “Sheltered Nook” tributary in sections 19 & 24)
- 7 McKay Creek tributaries and watersheds (except Class I reaches)
- 8 Miller Creek tributaries and watersheds (except 3C designated reach & sections in Portland)
- 9 Newberry Creek tributaries and watersheds (except 3C designated reach)
- 10 Rock Creek tributaries and watersheds (except Class I reaches)
- 11 Tributaries and watersheds to three unnamed creeks on Wildwood Golf Course (upstream of Class I reaches in R2W sections 1, 2, 11 & 12)
- 12 Tributaries and watersheds to unnamed creek which flows into Rainbow Lake (except 3C designated reaches)
- 13 Tributaries and watersheds above three unnamed creeks south of Logie Trail Rd. (except 3C designated reaches)

Rural Eastside Sites (Does not include sites within the Columbia Gorge NSA):

- 1 Beaver Creek tributaries and watersheds (except Class I reaches)
- 2 Bridal Veil Creek tributaries and watersheds (above Class I reach & outside Gorge NSA)
- 3 Buck Creek tributaries and watersheds (except Class I reaches)
- 4 Cat Creek tributaries and watersheds (except Class I reaches)
- 5 Donahue Creek tributaries and watersheds (above Class I reach & outside Gorge NSA)
- 6 Gordon Creek tributaries and watersheds (except Class I reaches)
- 7 Howard Canyon Creek tributaries and watersheds (except Class I reaches)
- 8 Johnson Creek/Kelly Creek watersheds (except Class I reaches)
- 9 Knieriem (or “Ross”) Creek tributaries and watersheds (except Class I reaches)
- 10 Lattourelle Creek tributaries and watersheds (above Class I reach & outside Gorge NSA)
- 11 Pounder Creek tributaries and watersheds (above Class I reach & outside Gorge NSA)
- 12 Smith Creek tributaries and watersheds (above Class I reach & outside Gorge NSA)
- 13 Thompson Creek tributaries and watersheds (except Class I reach)
- 14 Trout Creek tributaries and watersheds (except Class I reaches)
- 15 Tributaries and watersheds to two unnamed creeks west of Springdale
- 16 Young Creek tributaries and watersheds (above Class I reach & outside Gorge NSA)

POLICY **16-H**: WILDERNESS AREAS

It is the County’s policy to recognize the value of wilderness among the many resources derived from public lands.

STRATEGIES

- A. The Columbia Wilderness shall be designated as a Goal 5 Resource Site.
- B. The SEC overlay zone shall be applied to the Columbia Wilderness.
- C. The County shall coordinate with federal land management agencies and Congressional staff in the formulation of proposals for any additional wilderness areas.
- D. All parcels of federal land which meet federal guidelines for wilderness and which fit the definition outlined in the Findings document shall be recommended for wilderness designation.

POLICY **16-I**: HISTORIC RESOURCES

It is the County’s policy to recognize significant historic resources and to apply appropriate historic preservation measures to all designated historic sites.

STRATEGIES

- A. Maintain an inventory of significant historic resources which meet the historical site criteria outlined below.
- B. Utilize the National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation in the designation of historic sites.
- C. Develop and maintain a historical preservation process for Multnomah County which includes:
 - 1. A review of the laws related to historic preservation.
 - 2. A program for ongoing identification and registration of significant sites, working with area citizens groups, the Oregon Historical Society, the Oregon Natural History Museum and other historic and archeological associations.
 - 3. Developing a handbook on historic preservation to assist County staff, area citizen groups, land owners and developers in understanding and using applicable federal and state programs.
 - 4. Fostering, through ordinances or other means, the private restoration and maintenance of historic structures for compatible uses and development based on historic values.
 - 5. Encouraging the installation of appropriate plaques or markers on identified sites and structures.
- C. The Zoning Code should:
 - 1. Include an Historic Preservation overlay district which will provide for the protection of significant historic areas and sites.
 - 2. Include conditional use provisions to allow new sites to be established to preserve historic structures and sites.
 - 3. Provide for a 120-day delay period for the issuance of a demolition permit or a building permit that substantially alters the historic nature of the site or building. During this period, a review of the permit application, including the impacts and possible means to offset the impacts, should be undertaken.
 - 4. On-site density transfer in order to protect historic areas and protect unique features.

HISTORICAL SITE CRITERIA

- A. Historical Significance – Property is associated with significant past events, personages, trends or values, and has the capacity to evoke one or more of the dominant themes of national or local history.

- B. Architectural Significance (Rarity of Type and/or Style) – Property is a prime example of a stylistic or structural type, or is representative of a type once common and is among the last examples surviving in the County. Property is a prototype or significant work of an architect, builder or engineer noted in the history of architecture and construction in Multnomah County.
- C. Environmental Considerations – Current land use surrounding the property contributes to an aura of the historic period, or property defines important space.
- D. Physical Integrity – Property is essentially as constructed on original site. Sufficient original workmanship and material remain to serve as instruction in period fabrication.
- E. Symbolic Value – Through public interest, sentiment, uniqueness or other factors, property has come to connote an ideal, institution, political entity or period.
- F. Chronology – Property was developed early in the relative scale of local history or was an early expression of type/style.

POLICY **16-J**: CULTURAL AREAS

It is the County's policy to protect cultural areas and archeological resources and to prevent conflicting uses from disrupting the scientific value of known sites.

STRATEGIES

- A. Maintain information on file regarding the location of known archeological sites. Although not made available to the general public, this information will be used to insure the sites are not degraded through incompatible land use actions.
- B. Coordinate with the State Archaeologist in the State Historic Preservation Office regarding the identification and recognition of significant archeological resources.
- C. Encourage landowners to notify state authorities upon discovering artifacts or other evidence of past cultures on their property.
- D. Work with the LCDC Archeological Committee in devising equitable and effective methods of identifying and protecting archeological resources.

POLICY **16-K**: RECREATION TRAILS

It is the County's policy to recognize the following trails as potential State recreation trails:

Columbia Gorge Trail
Sandy River Trail
Portland to the Coast Trail
Northwest Oregon Loop Bicycle Route

STRATEGIES

- A. Coordinate with ODOT and any other public or private agency to resolve any conflicts which may arise over the development of these trails.
- B. Address these trails as Goal 5 resource sites whenever the trail route becomes specifically identified, built, proposed, or designated.

POLICY **16-L**: WILD AND SCENIC WATERWAYS

It is the County's policy to protect all state or federal designated scenic waterways from incompatible development and to prevent the establishment of conflicting uses within scenic waterways.

STRATEGIES

- A. Coordinate with the Oregon State Parks and Recreation Division in the review and regulation of all development proposals or land management activities within the Sandy River State Scenic Waterway.
- B. Apply the SEC overlay zone to the Sandy River State Scenic Waterway to ensure proper recognition of the waterway and to further mitigate the impacts on uses allowed within the underlying resource zones.
- C. Coordinate with the U.S. Forest Service in the review and regulation of all development proposals or land management activities within the federal wild and scenic river segment of the Sandy River.
- D. Work with state and federal agencies or other interested parties in developing proposals for scenic waterway protection of other stream segments in the County.

