

# ANNOTATED MINUTES

Tuesday, July 15, 1997 - 9:30 AM  
Portland Building, Second Floor Auditorium  
1120 SW Fifth Avenue, Portland

## LAND USE PLANNING HEARING

*Chair Beverly Stein convened the meeting at 9:30 a.m., with Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present, and Vice-Chair Gary Hansen excused.*

P-1 SEC 3-97 DE NOVO HEARING, TESTIMONY LIMITED TO 20 MINUTES PER SIDE on the Hearings Officer Decision Approving a Significant Environmental Concern Permit for a Single Family Dwelling on Property in a Wildlife Habitat Area and Located on Tax Lot 1, Lot 7 and a Portion of Lot 8, SHOPPE ACRES, Section 5, T1N, R1W

**CHAIR STEIN EXPLAINED QUASI-JUDICIAL PROCESS. AT CHAIR STEIN'S REQUEST FOR DISCLOSURE, NO EX PARTE CONTACTS WERE REPORTED. AT CHAIR STEIN'S REQUEST FOR CHALLENGES AND/OR OBJECTIONS, NONE WERE OFFERED. PLANNER CHUCK BEASLEY PRESENTED CASE HISTORY AND RESPONDED TO BOARD QUESTIONS. HEARINGS OFFICER DENIECE WON PRESENTED CONDITIONS, FINDINGS OF FACT AND CRITERIA USED IN DETERMINATION AND RESPONDED TO BOARD QUESTIONS. CHRIS FOSTER AND ARNOLD ROCHLIN TESTIMONY AND RESPONSE TO BOARD QUESTIONS. JACK ORCHARD AND JOHN REIMANN TESTIMONY AND RESPONSE TO BOARD QUESTIONS. MR. ROCHLIN, MR. ORCHARD, MR. REIMANN AND MR. BEASLEY COMMENTS AND RESPONSE TO TESTIMONY AND BOARD QUESTIONS. COUNTY COUNSEL LAURIE CRAGHEAD EXPLANATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COMMISSIONER COLLIER MOVED AND**

**COMMISSIONER SALTZMAN SECONDED, TO OVERTURN THE HEARINGS OFFICER DECISION. FOLLOWING DISCUSSION WITH MS. CRAGHEAD AND MR. BEASLEY, BOARD CONSENSUS. UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER SALTZMAN, THE HEARINGS OFFICER DECISION WAS OVERTURNED, WITH COMMISSIONERS COLLIER, SALTZMAN AND STEIN VOTING AYE, AND COMMISSIONER KELLEY VOTING NO.**

P-2 PLA 2-97 DE NOVO HEARING, TESTIMONY LIMITED TO 20 MINUTES PER SIDE on the Hearings Officer Decision Regarding Denial of an Appeal of the Planning Director's Decision Which Found that the Application for a Lot Line Adjustment Did Not Meet All of the Approval Criteria, for Property Located at 14007 NW SKYLINE BOULEVARD, PORTLAND

**UPON REQUEST OF CHAIR STEIN AND MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED TO RESCHEDULE PLA 2-97 TO 10:30 AM, TUESDAY, SEPTEMBER 16, 1997. CHAIR STEIN ADVISED APPELLANT'S ATTORNEY HAS PROVIDED WRITTEN WAIVER OF THE 150 DAY CLOCK.**

**CHAIR STEIN REOPENED THE MEETING TO COMPLETE THE PROCEDURAL PROCESS OF THE SEC 3-97 DE NOVO HEARING. IN RESPONSE TO CHAIR STEIN'S REQUEST FOR CONTINUANCE OR OBJECTION TO THE HEARING, NONE WERE OFFERED. CHAIR STEIN ADVISED ALL PARTIES WILL RECEIVE A COPY OF THE BOARD'S WRITTEN DECISION, WHICH MAY BE APPEALED TO LUBA.**

*There being no further business, the meeting was adjourned at 11:30 a.m.*

Wednesday, July 16, 1997 - 6:00 PM  
Sauvie Island School District #19 Gymnasium  
14445 NW Charlton Road, Portland

## **LAND USE PLANNING HEARING**

*Chair Beverly Stein convened the meeting at 6:10 p.m., with Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present, and Vice-Chair Gary Hansen excused.*

P-3 First Reading of an ORDINANCE Adopting the Sauvie Island/Multnomah Channel Rural Area Plan, a Portion of the Multnomah County Comprehensive Framework Plan

**ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. CHAIR STEIN EXPLAINED PROCESS FOR HEARING. LAURIE CRAGHEAD EXPLANATION AND RESPONSE TO QUESTION OF COMMISSIONER KELLEY. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER KELLEY SECONDED, APPROVAL OF FIRST READING. JANE HART, JULIE CLEVELAND, GINGER CURTIS, DONNA MATRAZZO, BILL CASSELMAN, JAN HAMER, BETSY CHARLTON POWELL, AND SHIRLEY LARSON TESTIMONY. MS. CRAGHEAD AND PLANNER GORDON HOWARD RESPONSE TO TESTIMONY, BOARD QUESTIONS AND DISCUSSION. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, AMENDMENTS TO POLICIES 15, 17, 20, 33, 38 AND 39 WERE UNANIMOUSLY APPROVED. STAFF TO PREPARE SPECIFIC LANGUAGE BEFORE SECOND READING. UPON MOTION OF COMMISSIONER SALTZMAN, SECONDED BY COMMISSIONER KELLEY, IT WAS UNANIMOUSLY APPROVED THAT THE CELL TOWER ISSUE BE POSTPONED UNTIL A POLICY IS DEVELOPED. COMMISSIONER SALTZMAN TO DISCUSS HAPPY ROCK ISSUE WITH SANDRA DUFFY BEFORE OFFERING AN AMENDMENT. COMMISSIONER SALTZMAN COMMENTS IN SUPPORT OF**

**PROCESS. FIRST READING UNANIMOUSLY APPROVED, AS AMENDED. SECOND READING THURSDAY, AUGUST 7, 1997.**

*There being no further business, the meeting was adjourned at 7:26 p.m.*

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Thursday, July 17, 1997 - 9:30 AM  
Portland Building, Second Floor Auditorium  
1120 SW Fifth Avenue, Portland

**REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 9:30 a.m., with Commissioners Sharron Kelley, Tanya Collier and Dan Saltzman present, and Vice-Chair Gary Hansen excused.*

**PUBLIC COMMENT**

R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

***CHAIR STEIN AND THE BOARD WELCOMED ROBERT HUGHLEY AND ST. ANDREWS SUMMER DAY CAMP STUDENTS. MR. HUGHLEY THANKED THE BOARD FOR THE DONATED COUNTY SURPLUS COMPUTERS USED AT THE CHURCH FOR JOB SKILL DEVELOPMENT.***

**DEPARTMENT OF SUPPORT SERVICES**

R-2 Presentation of Employee Service Awards Honoring 23 Multnomah County Employees with 5 to 25 Years of Service

***WITH THE ASSISTANCE OF SHERY STUMP AND LARRY BARTASAVICH, THE BOARD GREETED, ACKNOWLEDGED AND PRESENTED 5 YEAR AWARDS TO MEHRAN NABAVI, JULIE RAMOS AND JUDY ROBISON OF DFCS; SHIRLEY MOFFET OF DA; NOREEN GRANNEMAN AND SCOTT ROSENBERGER OF DES; GAIL FOSTER OF DSS;***

**AND NICOLE MITCHELTREE OF DLS; 10 YEAR AWARDS TO CHERYL MORGAN OF ASD; MICHELE GARDNER AND ROBERT LILLY OF DES; ELLEN ULLRICK OF DSS; GLORIA MAIER, AND JULIA STONE AND ALANDRIA TAYLOR OF DJACJ; 15 YEAR AWARDS TO MARCIA GARTRELL OF DCFS; AND KEVIN BOWERS OF DJACJ; 20 YEAR AWARDS TO JAN THOMPSON AND DON WINKLEY OF DSS; AND 25 YEAR AWARDS TO SHERRY WILLMSCHEN OF ASD; KATHLEEN GRAHAM OF DA; AND CATHEY KRAMER OF DES.**

**CONSENT CALENDAR**

**AT THE REQUEST OF COMMISSIONER COLLIER AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, CONSENT CALENDAR ITEMS C-1 AND C-3 THROUGH C-5 WERE UNANIMOUSLY APPROVED.**

**NON-DEPARTMENTAL**

C-1 Re-appointments of Suzanne Bader, Beverly Stein, Dan Saltzman and Gussie McRobert to the MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

C-3 ORDER Authorizing Execution of Real Estate Purchase and Sale Agreement for the Sale of Certain Foreclosed Real Property to Teresita M. Duffy and Timothy Ray

**ORDER 97-147.**

C-4 ORDER Authorizing Execution of Real Estate Purchase and Sale Agreement for the Sale of Certain Foreclosed Real Property to Penny L. Shepperd and Michelle A. Shepperd

**ORDER 97-148.**

**DISTRICT ATTORNEY'S OFFICE**

C-5 Budget Modification DA 1 Appropriating Additional \$13,596 VOCA Grant Funds for 2 .50 FTE Victim Advocates for the 1997/98 Fiscal Year

**REGULAR AGENDA**

**SHERIFF'S OFFICE**

C-2 Package Store Liquor License Renewal for ROCKY POINTE MARINA, LLC, 23586 NW ST HELENS HWY, PORTLAND

***AT COMMISSIONER COLLIER'S REQUEST, THE LIQUOR LICENSE RENEWAL WAS CONTINUED TO THE REGULAR AGENDA ON THURSDAY, JULY 24, 1997.***

**NON-DEPARTMENTAL**

R-3 First Reading of an ORDINANCE Relating to County Organization; Creating a Department of County Counsel

***UPON MOTION OF COMMISSIONER COLLIER, SECONDED BY COMMISSIONER KELLEY, R-3 WAS UNANIMOUSLY POSTPONED INDEFINITELY. COMMISSIONER COLLIER ADVISED SHE WILL SUBMIT A DIFFERENT ORDINANCE FOR FIRST READING ON THURSDAY, AUGUST 21, 1997***

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

R-4 ORDER Setting a Hearing Date to Consider Surrendering Jurisdiction to the City of Portland All County Roads Annexed to the City Effective June 30, 1996

***COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-4. BOB THOMAS EXPLANATION AND RESPONSE TO BOARD QUESTIONS. ORDER 97-149 UNANIMOUSLY APPROVED.***

*There being no further business, the regular meeting was adjourned and the briefing convened at 9:50 a.m.*

Thursday, July 17, 1997 - 10:00 AM  
Portland Building, Second Floor Auditorium  
1120 SW Fifth Avenue, Portland

## **BOARD POLICY DISCUSSION**

- B-1 Policy Discussion About a Budget Policy to Encourage Departments to Save Money by Allowing Them to Use the Under-spending in the Next Year. Presented by Dan Saltzman, Bill Farver and Dave Warren.

**COMMISSIONER DAN SALTZMAN AND WING-KIR CHUNG, PORTLAND COMMUNITY COLLEGE DIRECTOR OF FINANCIAL SERVICES PRESENTATION AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION. DAVE WARREN AND BILL FARVER COMMENTS AND RESPONSE TO BOARD QUESTIONS AND DISCUSSION.**

*There being no further business, the meeting was adjourned at 10:40 a.m.*

BOARD CLERK FOR MULTNOMAH COUNTY, OREGON

*Deborah L. Bogstad*



# MULTNOMAH COUNTY OREGON

**BOARD CLERK**

OFFICE OF BEVERLY STEIN, COUNTY CHAIR  
1120 SW FIFTH AVENUE, SUITE 1515  
PORTLAND, OREGON 97204-1914  
TELEPHONE • (503) 248-3277  
FAX • (503) 248-3013

**BOARD OF COUNTY COMMISSIONERS**

BEVERLY STEIN •	CHAIR	•248-3308
DAN SALTZMAN •	DISTRICT 1	• 248-5220
GARY HANSEN •	DISTRICT 2	•248-5219
TANYA COLLIER •	DISTRICT 3	•248-5217
SHARRON KELLEY •	DISTRICT 4	•248-5213

## MEETINGS OF THE MULTNOMAH COUNTY BOARD OF COMMISSIONERS

# AGENDA

### FOR THE WEEK OF

## JULY 14, 1997 - JULY 18, 1997

Tuesday, July 15, 1997 - 9:30 AM - Land Use Planning Hearing.....Page 2

Wednesday, July 16, 1997 - 6:00 PM - Land Use Planning Hearing..... Page 2

Thursday, July 17, 1997 - 9:30 AM - Regular Meeting ..... Page 3

Thursday, July 17, 1997 - 10:00 AM - Board Policy Discussion..... Page 4

Thursday Meetings of the Multnomah County Board of Commissioners are \*cable-cast\* live and taped and can be seen by Cable subscribers in Multnomah County at the following times:

Thursday, 9:30 AM, (LIVE) Channel 30

Friday, 10:00 PM, Channel 30

Sunday, 1:00 PM, Channel 30

**\*Produced through Multnomah Community Television\***

INDIVIDUALS WITH DISABILITIES MAY CALL THE BOARD CLERK AT (503) 248-3277, OR MULTNOMAH COUNTY TDD PHONE (503) 248-5040, FOR INFORMATION ON AVAILABLE SERVICES AND ACCESSIBILITY.

AN EQUAL OPPORTUNITY EMPLOYER

Tuesday, July 15, 1997 - 9:30 AM  
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## **LAND USE PLANNING HEARING**

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- P-2      PLA 2-97    DE NOVO HEARING, TESTIMONY LIMITED TO 20 MINUTES PER SIDE on the Hearings Officer Decision Regarding Denial of an Appeal of the Planning Director's Decision Which Found that the Application for a Lot Line Adjustment Did Not Meet All of the Approval Criteria, for Property Located at 14007 NW SKYLINE BOULEVARD, PORTLAND. ONE HOUR REQUESTED.
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Wednesday, July 16, 1997 - 6:00 PM  
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## **LAND USE PLANNING HEARING**

- P-3      First Reading of an ORDINANCE Adopting the Sauvie Island/Multnomah Channel Rural Area Plan, a Portion of the Multnomah County Comprehensive Framework Plan
-

Thursday, July 17, 1997 - 9:30 AM  
Portland Building, Second Floor Auditorium  
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## **REGULAR MEETING**

### **CONSENT CALENDAR**

#### **NON-DEPARTMENTAL**

- C-1 Re-appointments of Suzanne Bader, Beverly Stein, Dan Saltzman and Gussie McRobert to the MULTNOMAH COUNTY COMMUNITY ACTION COMMISSION

#### **SHERIFF'S OFFICE**

- C-2 Package Store Liquor License Renewal for ROCKY POINTE MARINA, LLC, 23586 NW ST HELENS HWY, PORTLAND

#### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

- C-3 ORDER Authorizing Execution of Real Estate Purchase and Sale Agreement for the Sale of Certain Foreclosed Real Property to Teresita M. Duffy and Timothy Ray
- C-4 ORDER Authorizing Execution of Real Estate Purchase and Sale Agreement for the Sale of Certain Foreclosed Real Property to Penny L. Shepperd and Michelle A. Shepperd

#### **DISTRICT ATTORNEY'S OFFICE**

- C-5 Budget Modification DA 1, Appropriating Additional \$13,596 VOCA Grant Funds for 2 .50 FTE Victim Advocates for the 1997/98 Fiscal Year

### **REGULAR AGENDA**

#### **PUBLIC COMMENT**

- R-1 Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.

**DEPARTMENT OF SUPPORT SERVICES**

- R-2 Presentation of Employee Service Awards Honoring 23 Multnomah County Employees with 5 to 25 Years of Service

**NON-DEPARTMENTAL**

- R-3 First Reading of an ORDINANCE Relating to County Organization; Creating a Department of County Counsel - (Continued from May 22, 1997) - PLEASE NOTE: COMMISSIONER TANYA COLLIER WILL REQUEST A MOTION TO POSTPONE THIS ITEM INDEFINITELY AND WILL SUBMIT A DIFFERENT ORDINANCE FOR FIRST READING ON THURSDAY, AUGUST 21, 1997

**DEPARTMENT OF ENVIRONMENTAL SERVICES**

- R-4 ORDER Setting a Hearing Date to Consider Surrendering Jurisdiction to the City of Portland All County Roads Annexed to the City Effective June 30, 1996

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Thursday, July 17, 1997 - 10:00 AM  
**(OR IMMEDIATELY FOLLOWING REGULAR MEETING)**  
Portland Building, Second Floor Auditorium  
1120 SW Fifth Avenue, Portland

**BOARD POLICY DISCUSSION**

- B-1 Policy Discussion About a Budget Policy to Encourage Departments to Save Money by Allowing Them to Use the Under-spending in the Next Year. Presented by Dan Saltzman, Bill Farver and Dave Warren. 20 MINUTES REQUESTED.

#1

# SPEAKER SIGN UP CARDS

DATE July 16, 1997

NAME JANE HART

ADDRESS METRO PARKS

PHONE 797-1585

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC SI Rural Area Plan

GIVE TO BOARD CLERK

FOR JANE HART

## SPEAKER SIGN UP CARDS

DATE July 16 '97

NAME STUART SANDLER

ADDRESS 19419 NW ZEEDEIL

PDX 97231

PHONE 681-3955

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC 3 more minutes for Jan. Hart

GIVE TO BOARD CLERK

#2

## SPEAKER SIGN UP CARDS

DATE 7-16-97

NAME

Julie Cleveland

ADDRESS

27448 NW St Helens

Scappoose OR 97056

PHONE

503 543 3206

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC RAP Policy 13-15

GIVE TO BOARD CLERK

FOR Julie Cleveland

## SPEAKER SIGN UP CARDS

DATE 7/16/97

NAME PAT Willis

ADDRESS 27448 NW St. Helena Rd.

Scappoose, OR 97056

PHONE 543-3200

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC \_\_\_\_\_

GIVE TO BOARD CLERK

FOR Julie Cleveland

# SPEAKER SIGN UP CARDS

DATE July 16-97

NAME DeWayne Derric<sup>H</sup>

ADDRESS 23532 N.W. St. Helens Rd  
Portland, OR 97231

PHONE 543-2244

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC \_\_\_\_\_

GIVE TO BOARD CLERK

#3

## SPEAKER SIGN UP CARDS

DATE 7/16/97

NAME

Ginger Curtis

ADDRESS

23548 N.W. St Helens Rd

PTUD ORE 97231

PHONE

543-7464

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC

GIVE TO BOARD CLERK

FOR GINGER CURTIS

SPEAKER SIGN UP CARDS

DATE 7-16-97

NAME

Jan Rojeski

ADDRESS

23550 N.W. St. Helens Rd

Portland, Ore

PHONE

543-7374

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC

GIVE TO BOARD CLERK

FOR GINGER CURTIS  
SPEAKER SIGN UP CARDS

DATE 7/16/97

NAME CURT CURTIS

ADDRESS 23548 N.W. St Helens Rd

PTLD ORE 97231

PHONE 543-7464

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC ~~MULT~~

GIVE TO BOARD CLERK

FOR GINGER CURTIS

SPEAKER SIGN UP CARDS

DATE 7-16-97

NAME

Chris Heywood

ADDRESS

23518 N.W. St Helens Hwy  
Scappoose

PHONE

2430641

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC

GIVE TO BOARD CLERK

#4

# SPEAKER SIGN UP CARDS

DATE 7/16/97

NAME DONNA MATAZZO

ADDRESS 19300 NW SAUME RD

PORTLAND OR 97251

PHONE 621-3049

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC P-3

GIVE TO BOARD CLERK

#5

# SPEAKER SIGN UP CARDS

DATE 7-16-97

NAME Bill Casselman

ADDRESS P.O. Box 1106

Scaboose Dr. 97056

PHONE 543-5183

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC CHANNEL

GIVE TO BOARD CLERK

#6

# SPEAKER SIGN UP CARDS

DATE 7-16-97

NAME Jan R. Hamer

ADDRESS 27448 NW ST. Helens Rd  
Scappoose, OR

PHONE 503-543-6223 <sup>97056</sup>

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC RAD. Sawt's Island - Melt

GIVE TO BOARD CLERK Channah

#7

# SPEAKER SIGN UP CARDS

DATE

7/16/97

NAME

Betsy Charlton Powell

ADDRESS

13829 NW. Charlton Rd.

Portland OR

PHONE

3574034

SPEAKING ON AGENDA ITEM NUMBER OR TOPIC

GIVE TO BOARD CLERK

mailing address  
1621 Main St. Forest Grove OR  
97116

#8

# SPEAKER SIGN UP CARDS

DATE 7/16/97

NAME SHIRLEY C. LARSON

ADDRESS 18325 NW Reeder Rd.

PORTLAND, OR 97231

PHONE 503-621-3472

SPEAKING ON AGENDA ITEM NUMBER OR  
TOPIC

GIVE TO BOARD CLERK



**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM BRIEFING  
SUPPLEMENTAL STAFF REPORT**

**To:** Multnomah County Board of Commissioners

**From:** Division of Transportation and Land Use Planning

**Today's Date:** July 7, 1997

**Requested**

**Placement Date:** July 16, 1997

**Subject:** First Reading on Adoption of the Sauvie Island/Multnomah Channel Rural Area Plan, a component of the Multnomah County Comprehensive Framework Plan

**I. Recommendation / Action Requested:**

Hold the public hearing, consider the first reading the ordinance adopting Sauvie Island/Multnomah Channel Rural Area Plan, and schedule a subsequent reading of the ordinance for an appropriate date.

**II. Background / Analysis:**

Multnomah County began work on the Sauvie Island/Multnomah Channel Rural Area Plan in 1995 with an issues identification process. The result of this process was a Scoping Report, identifying major issues expressed by citizens at a public workshop meeting, other governmental agencies, and organized interest groups. In September, 1995, the Board of Commissioners heard and accepted the Scoping Report.

After adoption of the Scoping Report, which identified major issues to be addressed in the plan, the Multnomah County Chair appointed the Sauvie Island/Multnomah Channel Rural Area Plan Citizen's Advisory Committee, consisting of fifteen members plus one Planning Commission ex-officio member, to work with Planning Division staff on preparation of this document. The Committee held monthly meetings between January 1996 and January 1997 to review all elements included within this document. The Committee's role was to review and comment upon materials prepared by Planning Division staff, make policy recommendations to the Multnomah County Planning Commission and Board of Commissioners, and provide a forum for additional public involvement in the preparation of the Sauvie Island/Multnomah Channel Rural Area Plan. In March, 1997 Multnomah County hosted a public forum in order to present recommendations which came from the Citizen's Advisory Committee meetings.

On April 21, 1997, the Multnomah County Planning Commission held a public hearing on the draft plan, and received a large amount of written and oral testimony on different aspects of the document. On June 2, 1997, after two additional deliberative meetings, the Planning Commission approved a recommended draft for transmittal to the Board of Commissioners.

The Sauvie Island/Multnomah Channel Rural Area Plan is guided by and must conform to three documents of regional and statewide significance. First, the plan is a subset of the Multnomah County

Comprehensive Framework Plan, and must conform to that plan's findings and policies. Second, the plan must conform to the METRO 2040 Concept, which designates the Sauvie Island/Multnomah Channel area as a "rural reserve," not to be added to the Portland Metropolitan Area Urban Growth Boundary. Third, the plan must conform to the goals and rules of the Oregon Statewide Planning Program. This plan cannot conflict with any of these three plans without amendments to those plans.

The guiding principle of the Sauvie Island/Multnomah Channel Rural Area Plan is the maintenance of this area as rural in nature. The primary goal on Sauvie Island is to maintain and enhance the existing agricultural land use character, with a secondary goal of protecting the island's areas of natural environment and permitting recreational uses which do not significantly detract from the island's agricultural economy. The primary goal for Multnomah Channel and its shoreline is the maintenance of a balance of recreational use, waterfront residential use, and the natural environment.

Among the most important policy directions set forth in the plan are the following items:

1. Maintain the predominant Exclusive Farm Use zoning on Sauvie Island.
2. Request the State of Oregon review the existing farm income standards for Sauvie Island in order to mitigate against potentially adverse side effects.
3. Encourage farm stands and u-pick facilities on Sauvie Island, which combine agricultural and recreational interests.
4. Request the State Marine Board more actively enforce and educate boat users about safety and courtesy issues on Multnomah Channel.
5. Recognize existing legal non-conforming marinas and moorages on Multnomah Channel as legitimate, long-term uses.
6. Conduct and maintain an inventory of existing moorages and marinas.
7. Provide a new regulatory mechanism (the Special Plan Area zoning district) which will allow Multnomah County and each marina or moorage property to work together on a land and water use plan which will enhance Multnomah Channel.
8. Direct the Multnomah County Bicycle Advisory Committee to study and recommend solutions to the conflicts between recreational cyclists and other road users.
9. Study methods by which the Sauvie Island Rural Fire Protection District can be reimbursed for providing emergency services to island visitors.
10. Make flood protection the highest priority among sometimes conflicting planning goals on Sauvie Island.

### **III. Financial Impact:**

Implementing the Sauvie Island/Multnomah Channel Rural Area Plan through amendments to the zoning and other County ordinances will require on-going long-range planning staff to complete the work and on-going current planning staff to apply the plan policies to land use permits. Of particular note is the commitment Multnomah County makes in this plan to initiate and process Special Plan Area amendments to the County zoning code on a no-fee basis.

### **IV. Legal Issues:**

The proposed East of Sandy River Rural Area Plan has been submitted to the Oregon Department of Land Conservation and Development (DLCD) for a 45-day review period regarding compliance with

the Goals of the Oregon Statewide Planning Program. The DLCD has submitted a letter of response with only a request for minor clarifications in the plan document.

## **V. Controversial Issues:**

The following is a discussion of issues staff expects to be controversial at the public hearing. Staff will be prepared to respond to any questions or comments regarding issues other than those discussed below at the public hearing.

### MARINAS AND MOORAGES ON MULTNOMAH CHANNEL

The future of marinas and moorages on Multnomah Channel occupied a large amount of the Citizens' Advisory Committee's time. The Committee appointed a representative subcommittee to review the issue more fully. The subcommittee, and then the committee, recommended a system of "preferences" for marine related uses, with marine residential uses such as houseboats and live-aboard boats ranking ahead of marine recreational uses such as boathouses. The committee's rationale was that residents along the channel act as better "stewards" of the channel's natural resources than do transient recreational users. The committee also recommended a policy which would legalize all existing moorages and marinas in their current configuration if they had all necessary permits except land use approval from Multnomah County. The Committee believed that there had been a lack of zoning enforcement by Multnomah County on Multnomah Channel, and that to begin such enforcement now would result in serious dislocation of existing houseboat residents and boaters.

However, the Planning Commission modified the recommendations of the Citizens' Advisory Committee by eliminating the "preference" rankings and by accepting the staff recommendation not to legalize existing moorages and marinas in their current configurations. The Planning Commission substituted a process (already contained within the Multnomah County Zoning Ordinance) by which existing moorage and marina properties would be considered as individual "Special Plan Areas." Each Special Plan Area would be adopted by the Board of Commissioners, upon the recommendation of the Planning Commission, and would be publicly initiated by Multnomah County either 1) when an existing marina or moorage wished to make significant changes to their facilities, or 2) if an existing marina or moorage was found to be in violation of existing land use permits and approvals and the owner did not wish to comply with existing approvals. Instead of a preference ranking system, the Planning Commission substituted a detailed list of criteria by which each Special Plan Area marina or moorage would be judged. These criteria are similar to those used by the Citizens' Advisory Committee to develop their "preference" ranking system, except that the Planning Commission added discussion of cumulative impacts to Multnomah Channel into the criteria list.

The Planning Commission's recommendations would 1) recognize (through the Special Plan Area process) the unique nature of Multnomah Channel, which does not fit into standard zoning categories, 2) recognize that each individual marina or moorage site has unique characteristics differentiating it from the others (e.g. one site may be more suited for houseboats, another for a public boat dock, another for a boat marina, etc.), 3) allow existing marinas and moorages not in compliance with their permits an opportunity to work through a process to resolve issues of conflict, 4) provide protection for natural areas on Multnomah Channel by limiting marine-related development to existing developed sites and infill areas between existing sites, and 5) provide an exhaustive list of criteria by which to judge marine-related development proposals.

## EXCLUSIVE FARM USE ZONING ON SAUVIE ISLAND

The Sauvie Island/Multnomah Channel Citizens' Advisory Committee expressed concern over what they considered the overly restrictive zoning provisions of the Exclusive Farm Use zoning district, mandated by the State of Oregon. The Committee approved a map showing approximately 500 acres of the island which they recommended be studied for consideration of an "exception" to Goal 3 (Agricultural Lands) of the Statewide Planning Program. This area included Wapato State Park, Bybee Howell Park, and approximately 250 acres of privately owned land in smaller parcels, all but one of which is less than 20 acres.

However, the Planning Commission did not adopt this recommendation of the Sauvie Island/Multnomah Channel Citizens' Advisory Committee, and removed the proposed policy from the draft plan. The Planning Commission's rationale was that consideration of additional exceptions to the Agricultural Goal would compromise continued agricultural land use on Sauvie Island, by bringing in more residents and allowing other potential uses conditionally (various commercial and civic uses). Allowing further non-agricultural uses would also have public safety impacts in terms of flood hazards if existing levees do not hold, and would exacerbate conflicts between residents and recreational visitors to the island.

A minority of planning commissioners recommended studying the two public parks currently zoned for Exclusive Farm Use on Sauvie Island for consideration of granting an "exception" to Goal 3 (Agricultural Lands) of the Statewide Planning Program. However, the majority recommended that, if either public park believes it is constrained by the Exclusive Farm Use zoning provisions, they should not be granted a status greater than private lands, but should file a plan amendment application, justify the need for the "exception," and pay all necessary processing fees.

### **VI. Link to Current County Policies:**

The Sauvie Island/Multnomah Channel Rural Area Plan would be the third adopted as part of Multnomah County's rural area planning program, begun in 1993. The aim of this program is the adoption of rural area plans (considered "subsets" of the Multnomah County Comprehensive Framework Plan) for all of Multnomah County's rural communities. The Board of Commissioners adopted the West Hills Rural Area Plan in October, 1996, and the East of Sandy River Rural Area Plan is scheduled for final adoption on July 10, 1997. Work has not yet begun on a West of Sandy River rural area plan.

### **VII. Citizen Participation:**

Prior to beginning plan preparation, Multnomah County completed a process of scoping all major issues associated with land use in the Sauvie Island/Multnomah Channel rural area. This process included a public forum noticed to all property owners at which the attendees were asked for input on major issues they wished to be addressed. The result was a scoping report presented to the Planning Commission and Board of Commissioners in September, 1995.

In November 1995, the Multnomah County Chair appointed a Citizens' Advisory Committee to provide input on the preparation of the Sauvie Island/Multnomah Channel Rural Area Plan. This committee met monthly through January, 1997 and came forth with a set of recommended policies and principles to

guide the plan. These policies and principles were presented to the public in March, 1997 at an open house at the Sauvie Island School.

Multnomah County mailed notice of the Planning Commission hearing on the Sauvie Island/Multnomah Channel Rural Area Plan in April, 1997 to all Sauvie Island/Multnomah Channel Rural Area property owners and also to all houseboat owners of record on the Multnomah County assessment rolls. Notice of this public hearing has also been mailed to all property owners.

#### **VIII. Other Government Participation:**

Multnomah County invited the participation of other local governmental agencies throughout the preparation of Sauvie Island/Multnomah Channel Rural Area Plan. We have received comments and input from the following state and local agencies:

- Oregon Department of Land Conservation and Development
- Oregon Department of Fish & Wildlife
- Oregon Department of Transportation
- Division of State Lands
- Army Corps of Engineers
- State Marine Board
- METRO Parks and Greenspaces Division
- Sauvie Island Rural Fire Protection District
- Columbia County Commissioners and Sheriff
- Sauvie Island Drainage District

## ORDINANCE FACT SHEET

### Ordinance Title:

An Ordinance adopting the Sauvie Island/Multnomah Channel Rural Area Plan, a portion of the Multnomah County Comprehensive Framework Plan.

### Give a brief statement of the purpose of the ordinance including rationale for adoption, description of persons benefited, alternatives explored:

The ordinance will result in the adoption of the Sauvie Island/Multnomah Channel Rural Area Plan, which will refine the Multnomah County Comprehensive Framework Plan by providing a policy direction for land use issues in the Sauvie Island/Multnomah Channel Rural Area.

The Sauvie Island/Multnomah Channel Rural Area includes those portions of Sauvie Island and the Multnomah Channel within Multnomah County. The Plan Area is bounded by U.S. Highway 30 on the west, Columbia County on the north, the Columbia River on the east, and the Willamette River and the city of Portland on the south. The rural area encompasses approximately 15,400 acres of land and several thousand additional acres of water. A population of about 1,300 is housed in approximately 650 dwelling units, 200 of which are houseboats or sailboats used as permanent residences.

### What other local jurisdictions have enacted similar legislation?

All local jurisdictions have adopted Comprehensive Plans which are subject to "acknowledgment" by the Oregon Land Conservation and Development Commission. While many local jurisdictions have more specific community or area plans, to date only urban communities have prepared such plans. Multnomah County is one of the first jurisdictions to prepare a "community" plan for rural areas. The Sauvie Island/Multnomah Channel Rural Area Plan is the third of these efforts. Other rural areas in Multnomah County are East of Sandy River, West Hills, and West of Sandy River.

### What is the fiscal impact, if any?

Implementing the Sauvie Island/Multnomah Channel Rural Area Plan through amendments to the zoning and other County ordinances will require planning staff to apply the plan policies and complete additional planning work.

### SIGNATURES

Person filling out form: *Jordan H. Harand*

Planning and Budget (if fiscal impact): \_\_\_\_\_

Department Manager/Elected Official: *KB* *Leung E. Nicholas*

1           BEFORE THE BOARD OF COUNTY COMMISSIONERS  
2                           FOR MULTNOMAH COUNTY, OREGON  
3   ORDINANCE NO. \_\_\_\_\_  
4  
5

6           An Ordinance adopting the Sauvie Island/Multnomah Channel  
7 Rural Area Plan, a portion of the Multnomah County Comprehensive  
8 Framework Plan.  
9

10                           Multnomah County Ordains as follows:  
11

12  
13 Section I. Findings  
14

15 (A) In October, 1995, the Multnomah County Board of Commissioners  
16 accepted the Sauvie Island/Multnomah Channel Rural Area Plan Scoping  
17 Report, prepared in July 1995 by Cogan Owens Cogan, which listed  
18 issues Multnomah County would address in the Sauvie Island/Multnomah  
19 Channel Rural Area Plan.  
20

21  
22 (B) The Chair of the Multnomah County Board of Commissioners  
23 subsequently appointed a Citizens' Advisory Committee of sixteen  
24 members to conduct public meetings and assist in the preparation of the  
25 Sauvie Island/Multnomah Channel Rural Area Plan.  
26

27  
28 (C) The Citizens' Advisory Committee held monthly meetings from  
29 January, 1996 through January, 1997, and formulated draft policies and

1 principles to be included within the Sauvie Island/Multnomah Channel  
2 Rural Area Plan.

3

4

5 (D) These draft principles and policies were presented at a public open  
6 house in March, 1997 within the Sauvie Island/Multnomah Channel Rural  
7 Community.

8

9

10 (E) The Multnomah County Planning Commission held a public hearing  
11 on the draft Sauvie Island/Multnomah Channel Rural Area Plan on April  
12 21, 1997. On June 2, 1997, the Planning Commission completed  
13 revisions to the Sauvie Island/Multnomah Channel Rural Area Plan  
14 document and recommended its adoption by the Multnomah County  
15 Board of Commissioners.

16

17

18 (F) On May 20, 1997, the draft Sauvie Island/Multnomah Channel Rural  
19 Area Plan was sent to the Oregon Department of Land Conservation and  
20 Development for a 45-day review period.

21

22

23 (G) On July 3, 1997, the Multnomah County Division of Transportation  
24 and Land Use Planning mailed notice of a public hearing on the Sauvie  
25 Island/Multnomah Channel Rural Area Plan to all property owners and  
26 other interested parties.

27

28

29 (H) On July 16, 1997, the Multnomah County Board of Commissioners  
conducted a public hearing on the first reading of Sauvie

1 Island/Multnomah Channel Rural Area Plan.

2

3 (I) On August 7, 1997 the Multnomah County Board of Commissioners  
4 considered the second reading of the Sauvie Island/Multnomah Channel  
5 Rural Area Plan.  
6

7

8 Section II. Amendment of Comprehensive Framework Plan

9

10 The Multnomah County Comprehensive Framework Plan is hereby  
11 amended to include the Sauvie Island/Multnomah Channel Rural Area  
12 Plan, attached hereto as Exhibit "A":  
13

14

15 ADOPTED this 7th day of August, 1997, being the date of its  
16 second reading before the Board of County Commissioners of  
17 Multnomah County.  
18

18

19

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

20

21

22

\_\_\_\_\_  
Beverly Stein, Chair

23

REVIEWED:

24

25 THOMAS SPONSLER, COUNTY COUNSEL  
26 FOR MULTNOMAH COUNTY, OREGON

27

28

By Sandra N. Duffy  
Sandra N. Duffy, Chief Assistant Counsel

29



DIVISION OF TRANSPORTATION & LAND USE PLANNING

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**SAUVIE ISLAND/MULTNOMAH  
CHANNEL  
RURAL AREA PLAN**

**PLANNING COMMISSION RECOMMENDATION**

**June 2, 1997**

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## INTRODUCTION

This document contains the Rural Area Plan for the Sauvie Island/Multnomah Channel Rural Area. It is part of the overall Multnomah County Comprehensive Framework Plan, and when adopted by the Board of County Commissioners, will constitute an official element of the plan.

This plan is a guide to decision making with regard to land use, capital improvements, and physical development (or lack thereof) of the community. It will be used by the County, other governmental agencies, developers and residents of the area.

This plan represents a commitment on the part of Multnomah County to see that the plan elements are carried out and implemented to the best of the County's financial and enforcement capabilities. It also represents a commitment on the part of the Sauvie Island/Multnomah Channel Rural Area community to support the accomplishment of the identified policies contained within this plan.

The elements of this plan reflect future trends and policies for the Sauvie Island/Multnomah Channel Rural Area during the next 15 to 20 years. The plan can be changed only if it goes through the process of an official plan amendment.

The Rural Area Planning Program was initiated in 1993 by Multnomah County. With the annexation of urban unincorporated communities and the increasing land use issues faced in the rural areas of Multnomah County, the Board of Commissioners directed the creation of five rural area plans in order to address land use issues faced by these areas. The first rural area plan to be completed was the West Hills Rural Area Plan. The second rural area plan for the area East of Sandy River will soon be completed as well.

This plan is the third of the rural area plans to be completed. Work began on the Plan in April, 1995 with the initiation of a scoping process. This process included interviews with other governmental agencies, solicitation of written comment, and a public forum held at the Sauvie Island School in order to gain input on major issues facing the community. A Scoping Report summarizing this material was presented to the Multnomah County Planning Commission and Board of Commissioners in August, 1995.

After adoption of the Scoping Report, which identified major issues to be addressed in the plan, the Multnomah County Chair appointed the Sauvie Island/Multnomah Channel Rural Area Plan Citizen's Advisory Committee, consisting of fifteen members plus one Planning Commission ex-officio member, to work with Planning Division staff on preparation of this document. The Committee held monthly meetings between January 1996 and January 1997 to review all elements included within this document. The Committee's role was to review and comment upon materials prepared by Planning Division staff, make policy recommendations to the Multnomah County Planning Commission and Board of Commissioners, and provide a forum for additional public involvement in the preparation of the Sauvie Island/Multnomah Channel Rural Area Plan. In March 1997 Multnomah County hosted a public forum in order to present recommendations which came from the Citizen's Advisory Committee meetings, attended by over 100 people.

**COLUMBIA  
COUNTY**

LUCY REEDER RD.

OAK ISLAND RD.

REEDER RD.

COLUMBIA RIVER

HIGHWAY 30

MULTNOMAH CHANNEL

CORNELIUS PASS RD.

SAUVIE ISLAND RD.

GILLIHAN LOOP RD.

WILLAMETTE RIVER

— PLAN  
BOUNDARY



**SAUVIE ISLAND/  
MULTNOMAH CHANNEL  
RURAL AREA**

This document is organized by subject, with relevant policies and strategies grouped with a discussion of the subject. Almost every policy is followed by a strategy which indicates how Multnomah County will implement the relevant policy. Maps are also interspersed throughout the document, and are noted in the Table of Contents.

## **OVERVIEW**

The Sauvie Island/Multnomah Channel Rural Area includes those portions of Sauvie Island and the Multnomah Channel within Multnomah County. The Plan Area is bounded by U.S. Highway 30 on the west, Columbia County on the north, the Columbia River on the east, and the Willamette River and the city of Portland on the south. The area is dominated by agricultural uses and a wildlife refuge, with various water-related uses on and along Multnomah Channel, ranging from protected wetlands to marinas.

The rural area encompasses approximately 15,400 acres of land and several thousand additional acres of water. Approximately 11,800 of these acres are designated in the Comprehensive Framework Plan as Exclusive Farm Use, with the remainder designated as Multiple Use Agriculture. A population of about 1,300 is housed in approximately 650 dwelling units, 200 of which are houseboats or sailboats used as permanent residences.

The Plan Area lies to the north and west of the Portland Metropolitan Area's Urban Growth Boundary, with a direct common boundary only along the west side of Multnomah Channel where it bounds the City of Portland. Sauvie Island and Multnomah Channel provide a mixture of agricultural uses (due to the fine soils on the island protected by the levees of the Sauvie Island Drainage District), recreational uses (due to proximity to the Portland Metropolitan Area), and natural protected areas (primarily wetlands and water areas) which provide excellent wildlife habitat. This combination is unique to both Oregon and the entire nation. The island and channel area have been protected from creeping urbanization and unwanted regional urban-serving facilities by the vigilance of its residents and recreational users and the Oregon State and Multnomah County land use laws.

## **SAUVIE ISLAND LAND USE**

### *EXCLUSIVE FARM USE ZONING DISTRICT*

The Exclusive Farm Use Zoning District protects farm lands in Multnomah County, pursuant to Statewide Planning Program Goal 3 related to Farm Lands. This zoning district is applied to lands with primarily Class I-IV soils (US Dept. of Agriculture ratings which indicate that the soil is suitable for agricultural purposes). The Exclusive Farm Use district applies to lands capable of commercial agricultural production, though not necessarily currently farmed.

In 1993, the Legislature enacted changes to the Exclusive Farm Use district, which were subsequently codified in 1994 by the Oregon Land Conservation and Development Commission into Oregon Administrative Rules. These changes included a new provision for "high value farmlands," consisting of lands with Class I and II soils (the highest rated) and certain Class III



**COLUMBIA COUNTY**

Sturgeon Lake

COLUMBIA RIVER

Reeder Rd.

Lucy Reeder Rd.

Sauvie Island Rd.

Oak Island Rd. 1

Highway 30

MULTNOMAH CHANNEL

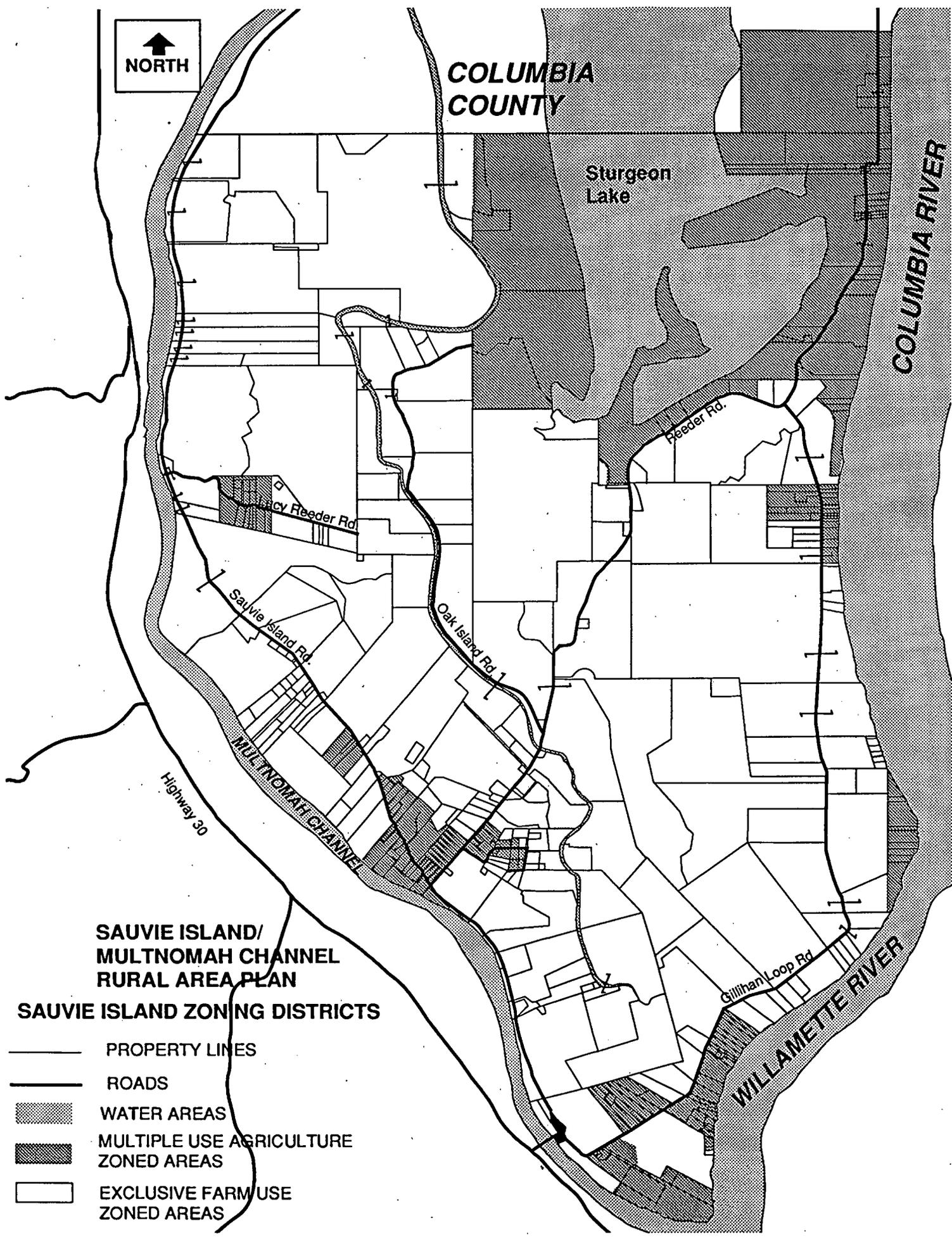
Gillihan Loop Rd.

WILLAMETTE RIVER

**SAUVIE ISLAND/  
MULTNOMAH CHANNEL  
RURAL AREA PLAN**

**SAUVIE ISLAND ZONING DISTRICTS**

-  PROPERTY LINES
-  ROADS
-  WATER AREAS
-  MULTIPLE USE AGRICULTURE ZONED AREAS
-  EXCLUSIVE FARM USE ZONED AREAS



and IV soils in the Willamette River Valley. Within such high value farmlands, the new rules require a minimum farm income requirement of \$80,000 per year in order to justify a new dwelling. Additionally, provisions for exceptions which would allow some dwellings in Exclusive Farm Use areas do not apply to "high value farmlands."

The \$80,000 gross income requirement is intended to ensure that new farm dwellings on high-value farmlands are occupied by full-time farmers, not part-time or "hobby" farmers. This policy direction from the State of Oregon is, in many minds, not appropriate for Sauvie Island. Sauvie Island has many large farm parcels which could be divided into smaller farm parcels where the \$80,000 gross income requirement could be met by the production of high value, high impact crops such as berries. Given the fact that Sauvie Island is within commuting distance to the Portland Metropolitan Area, there is a high market demand for rural residences which could be met by the creation of smaller parcels growing high value, high impact crops. The result would be a loss of the current diverse character of Sauvie Island agriculture, to be replaced by a more mono-cultural agricultural character which has more environmental impacts

All of the Exclusive Farm Use-zoned areas on Sauvie Island are classified as "high value farmlands." The areas zoned Exclusive Farm Use consist of, according to the 1977 Soil Survey of Multnomah County prepared by the United States Department of Agriculture Soil Conservation Service, five different soil types. These are 1) Burlington Fine Sandy Loam, 2) Sauvie Silt Loam, 3) Sauvie Silt Clay Loam, 4) Moag Silty Clay Loam, and 5) Rafton Silt Loam. The first three of these soil types are rated as Class II for agricultural production, while the last two are rated as Class III. The Oregon Administrative Rules state that "the soil ... designation of a specific lot or parcel may be changed if the property owner submits a statement of agreement from the Soil Conservation Service that the soil class, soil rating or other soil designation should be adjusted based on new information." Additionally, the rules state that a long-time property owner (since 1993) may request that the State Department of Agriculture determine that a lot or parcel designated as high value farmland, "cannot practicably be managed for farm use, by itself or in conjunction with other land, due to extraordinary circumstances inherent in the land or its physical setting that do not apply generally to other land in the vicinity" and thus should be allowed a single-family dwelling. One problem with the data from the 1977 Soil Survey is that it apparently does not take into account a diversity of soil types caused by the stripping of soil for levee construction or placement of dredge material from flood control activities. Additionally, some "high value" soils are poorly drained and thus not as suitable for agriculture.

Therefore, Multnomah County's ability to allow additional non-farm uses in Sauvie Island's Exclusive Farm Use designated areas is extremely limited by state law. There are currently 12,300 acres on Sauvie Island zoned Exclusive Farm Use, with approximately 119 existing dwellings. The number of potential new dwellings is impossible to quantify, given the complicated nature of the state law, but is certainly extremely limited in number.

The only alternative to the Exclusive Farm Use designation allowed by Oregon Planning law is called an "exception" to Goal 3 (Agricultural Lands) of the Oregon Statewide Planning Program. In order to qualify as an area which should be excepted from the Exclusive Farm Use classification (and thus rezoned to Multiple Use Agriculture, or Rural Residential), one of two findings must be made:

1. The land subject to the exception is physically developed to the extent that it is no longer available for exclusive farm use, or
2. The land subject to the exception is irrevocably committed to non-farm uses because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable

(A third type of "exception" for a specific land use does not apply in this situation).

The Oregon Land Conservation and Development Commission (LCDC) has adopted administrative rules which further clarify the "exceptions" process. The practical result of these rules are that it is very difficult to justify an exception to the Exclusive Farm Use designation. Any proposal from Multnomah County would be closely scrutinized by the LCDC, with potential for reversal. Multnomah County has a process for considering exceptions to Goal 3 (Agricultural Lands) of the Statewide Planning Process through a quasi-judicial plan amendment procedure outlined in the Multnomah County code.

Currently there is some flux in state law regarding exclusive farm use lands. Recent court decisions have called into question the LCDC's interpretation of 1993 changes in state law passed by the Oregon legislature. These legal questions are beyond the purview of this plan.

It should be noted that full protection of Sauvie Island agricultural lands will impact discussion not only of land use issues, but also of recreation and transportation issues, since increased use of the island by visitors has impacts on agricultural practices. One way of combining agriculture and recreation on the island occurs with the farm stands and U-pick farms on the island, which draw numerous visitors.

#### *MULTIPLE USE AGRICULTURE*

The Multiple Use Agriculture (MUA) zoning district applies to lands for which an "exception" to Goal 3 (Farm Land) of the Oregon Statewide Planning Program has been justified. It applies to agricultural lands not suited to full-time commercial farming because of other factors and is intended to conserve these lands for part-time agricultural practices and other compatible rural development. It is applied to approximately 3,600 acres in the plan area, 2,400 acres of which are on Sauvie Island. This acreage includes the Sauvie Island Wildlife Refuge (excluding the water area of Sturgeon Lake) as well as lands on Sauvie Island which are divided into smaller lots and mostly developed with existing homes.

<b>MUA Zoned Area</b>	<b>Acreage</b>	<b>Existing Dwellings</b>	<b>Potential Additional Dwellings</b>
Sauvie Island Wildlife Refuge	1,700	28	10
Gillihan Road, North	75	12	6
Gillihan Road, Middle	65	7	3

Gillihan Road, South	270	28	11
Lucy Reeder Road	75	12	5
Sauvie Island Road - Reeder Road -Charlton Road	220	57*	13
West Side, Multnomah Channel	1,200	7*	21
<b>Total</b>	<b>3,605</b>	<b>151</b>	<b>69</b>

\* Not including floating residences

These lands have approximately 151 existing dwellings. While the minimum lot size for new subdivisions in this zoning district is 20 acres, most lots in this area are already less than 20 acres in size (and most are less than ten acres in size. No additional subdivisions are possible in Multiple Use Agriculture-zoned areas. While lots along the west side of Multnomah Channel are theoretically subdividable into 20 acre homesites, the existence of wetlands and floodplain areas on these lands would make such subdivisions very difficult to meet all necessary development standards. All of the potential additional dwellings lie on existing legal parcels of less than 20 acres in size.

#### *RURAL CENTER*

One three acre parcel immediately north of the Sauvie Island Bridge is zoned as Rural Center. It contains an existing store. Any change of commercial use would require a conditional use permit under the rules of the Rural Center zoning district. The area in the vicinity of the Sauvie Island School serves as a community and cultural center for Sauvie Island.

#### **Sauvie Island Land Use Policies**

**POLICY 1: Support measures which will ensure that Sauvie Island maintains and enhances its agricultural diversity on Exclusive Farm Use lands.**

**STRATEGY:** Multnomah County shall use this policy as a guideline in reviewing proposed changes in Exclusive Farm Use statutes and administrative rules, and will review the appropriateness of the \$80,000 gross income level as a threshold for farm dwellings if state law allows consideration of different income standards.

**POLICY 2: Multnomah County shall promote the appropriate establishment of farm stands and u-pick facilities which will support the agricultural economy of Sauvie Island.**

**STRATEGY:** Multnomah County shall implement this policy through review of the Multnomah County Zoning Ordinance Exclusive Farm Use and Multiple Use Agriculture zoning districts.

**POLICY 3: Include deed restrictions protecting surrounding agricultural practices as a requirement for dwelling approval in the Multiple Use Agriculture zoning district.**

**STRATEGY:** Multnomah County shall implement this policy through amendments to the Multnomah County Zoning Ordinance Multiple Use Agriculture zoning district.

**POLICY 4: Encourage property owners to protect their lands as wildlife habitat through the use of tax deferral programs, and allow switching of tax deferral status from agriculture to open space-wildlife habitat without penalty.**

**STRATEGY:** Multnomah County shall forward this policy as an informational item to the Oregon State Legislature and the Association of Oregon Counties.

## **MULTNOMAH CHANNEL LAND AND WATER USE**

### **Background**

#### *Metro Regional Framework Plan*

The Multnomah Channel area is outside of the Portland Metropolitan Area's Urban Growth Boundary. This boundary is set by Metro, the regional government for the Portland Metropolitan Area. Since this area is outside of the Urban Growth Boundary, it is supposed to remain rural in nature.

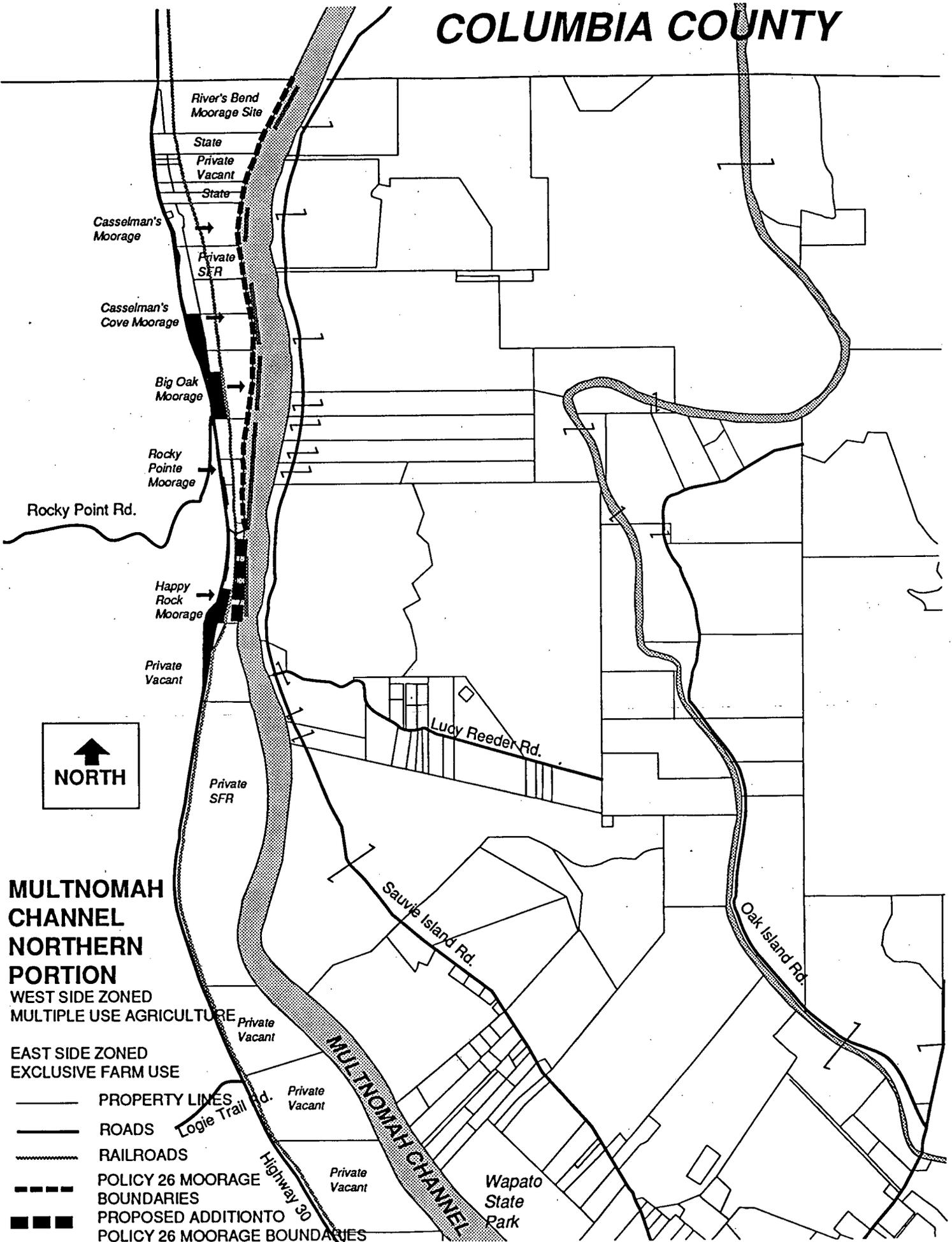
Metro is in the process of preparing a 50-year plan for the Portland area, entitled the 2040 Plan. As part of this 2040 plan, Metro has adopted a Greenspaces Plan. This plan would preserve significant natural areas in and around the Portland Metropolitan area, and develop a regional trail system among and between them. Land along Multnomah Channel is designated as a significant natural area, and purchase of additional open space lands in the vicinity of the existing Burlington Bottoms property owned by the Bonneville Power Administration is identified on the adopted map as a specific project which would implement the Greenspaces Plan. The adopted map also shows a future regional trail along Multnomah Channel from the Portland City Limits north to Burlington Bottoms, then turning westward to head up the Tualatin Hills along the Burlington Northern Cornelius Pass railroad alignment. In 1995, Metro received approval from Portland area voters for a bond issue to purchase and develop significant greenspaces and regional trails.

#### *Multnomah County Comprehensive Plan Policies Affecting Multnomah Channel*

### **POLICY 15 Willamette River Greenway**

The Comprehensive Framework Plan states that Multnomah County is to protect the natural scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette

# COLUMBIA COUNTY



## MULTNOMAH CHANNEL NORTHERN PORTION

WEST SIDE ZONED MULTIPLE USE AGRICULTURE

EAST SIDE ZONED EXCLUSIVE FARM USE

- PROPERTY LINES
- ROADS
- - - RAILROADS
- - - - POLICY 26 MOORAGE BOUNDARIES
- ■ ■ ■ PROPOSED ADDITION TO POLICY 26 MOORAGE BOUNDARIES

River. It is also the County's policy to require special procedures for review of certain types of development allowed in the underlying base zone in order to ensure the minimum impact on the values identified within the various areas.

#### POLICY 26 Houseboats

The Comprehensive Framework Plan states that Multnomah County's policy on houseboats is to assist in providing a broad range of housing options that conforms with:

Other County policies concerning off-site effects, air, water and noise quality, the Willamette River Greenway, natural resources, housing choice, housing location, capital improvements, traffic ways, transportation system development, utilities and facilities.

Any other applicable federal, state or local policies that regulate waterway area development.

Location criteria regarding the mean low water line, protection from siltation problems, protection from wind, wave action, icy conditions and other hazards, adequate land area to accommodate related facilities, ensuring proper maintenance of dikes, preservation of upland recreational, ecological or wildlife habitat values and exclusion from Exclusive Farm Use zoned uplands.

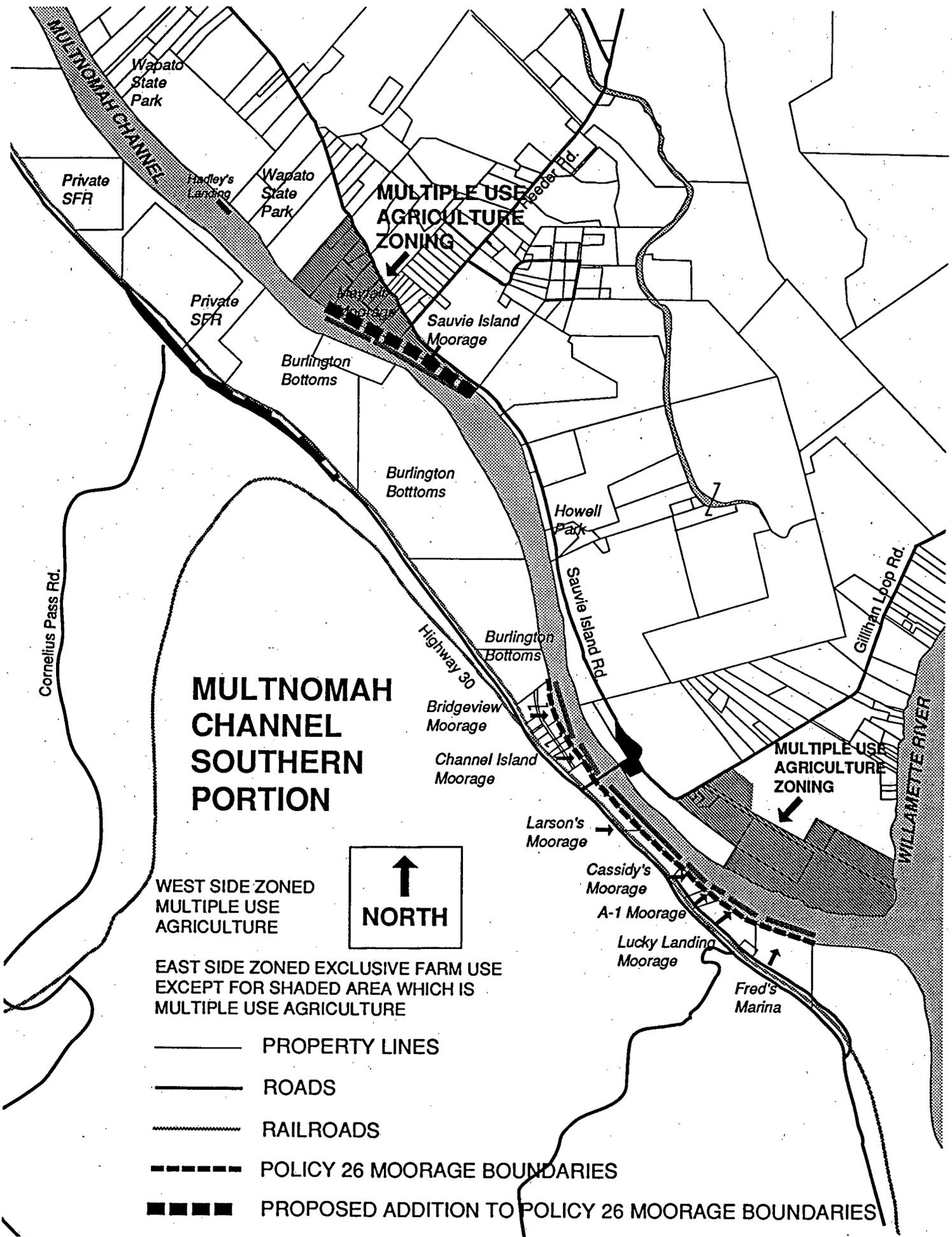
The current area included in Policy 26 of the Multnomah County Comprehensive Plan includes all of the existing moorages except for the Happy Rock site, the Mayfair Moorage, and the Sauvie Island Moorage. It should be noted that Policy 26 currently speaks to houseboats, not marinas which serve transient boaters.

#### Zoning Code Considerations

##### *Multiple Use Agriculture*

The entire west (mainland) side of Multnomah Channel is zoned Multiple Use Agriculture or MUA-20. Also, lands on Sauvie Island on which the two Sauvie Island moorages lie are also zoned MUA-20. Houseboats and houseboat Moorages are listed as a Conditional Use in the Multiple Use Agriculture zoning district. Boat moorages, marinas, and boathouse moorages are considered as Community Service uses which also require a Conditional Use permit in the MUA-20 zoning district. Transient water uses, such as boating, are not regulated by the Multnomah County Zoning Ordinance.

In addition to the Conditional Use criteria of the Zoning Code, all proposed individual houseboats and houseboat moorages undergoing a conditional use permit must meet certain code criteria set forth in Section 11.15.7500 of the Zoning Ordinance. Currently the Waterfront Uses section defines Houseboats to mean "any floating structure designed as a dwelling for occupancy by one family and having only one cooking facility." This definition does not have flexibility to consider other types of living quarters and recreational boats such as boathouses, live-aboard boats, and combos. There is also an issue of consistency in definitions between County



**MULTNOMAH CHANNEL SOUTHERN PORTION**



WEST SIDE ZONED  
MULTIPLE USE  
AGRICULTURE

EAST SIDE ZONED EXCLUSIVE FARM USE  
EXCEPT FOR SHADED AREA WHICH IS  
MULTIPLE USE AGRICULTURE

— PROPERTY LINES

— ROADS

..... RAILROADS

----- POLICY 26 MOORAGE BOUNDARIES

■■■■■ PROPOSED ADDITION TO POLICY 26 MOORAGE BOUNDARIES

Departments, Federal Agencies, Stage Agencies and Moorages themselves.

The Waterfront Use Zoning Criteria also determines the density allowed in houseboat moorages, which is currently not to exceed one houseboat for each 50 feet of waterfront frontage. There are also provisions for a reduction of the density below the maximum allowed if it can be demonstrated that the maximum density would place an undue burden on public services or would endanger an ecologically fragile natural resource or scenic area.

Boat moorages, marinas, and boathouse moorages are defined by the Zoning Ordinance as Community Service uses, and require approval of a conditional use permit. (Moorages for a single boat do not meet this definition and do not require a conditional use permit.) In order to approve a Community Service use, the approval authority must find that the proposed use is consistent with the character of the area, will not adversely affect natural resources, will not conflict with nearby farm or forest uses, will not require new public services, and will not create hazardous conditions.

#### *Exclusive Farm Use*

The remainder of the east (island) side of Multnomah Channel is zoned Exclusive Farm Use, or EFU. The EFU zoning district does not allow any houseboat moorages, marinas, or new private boat docks, as mandated by state law.

#### *Willamette River Greenway*

Another zoning section criteria that affects development along the Willamette River is the Willamette River Greenway overlay zoning designation, which is designed to protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of the lands along the Willamette. The criteria is designed to review proposed developments and make findings to maintain the maximum possible landscaped areas and open space, to provide reasonable public access, to direct developments away from the river, to preserve agricultural lands, to consider recreational needs, protect significant fish and wildlife habitats and natural and scenic areas and viewpoints and vistas, to maintain public safety and protection of public and private property, to enhance natural vegetation, to consider natural functions of flood plains and water areas, to protect significant wetlands, ecological, scientific, historical or archaeological areas and to minimize erosion potential. The ordinance also takes into account air and water quality and land resources.

It should be noted that maintenance and repair of existing flood control facilities is exempt from the Willamette River Greenway permit requirements.

#### **Multnomah Channel Land and Water Use Policies**

**POLICY 5: Assist METRO in development of a regional hiking, equestrian, and bicycle trail along Multnomah Channel south of Burlington Bottoms connecting to the Cornelius Pass rails-to-trails potential conversion, which runs in upland areas in the vicinity of**

**Highway 30 and the existing Burlington Northern Railroad, and minimizes impacts to existing waterfront uses.**

**STRATEGY:** Multnomah County shall forward this policy to Metro, and shall review and consider permit issuance for any proposed trail use by Metro.

**POLICY 6: The County should participate in educational information and programs to better educate channel users on safety issues and required laws including no wake and buffer zones.**

Discussion: The lack of education regarding the laws, most importantly speed limits and water pollution, must be addressed by Multnomah County. The County should consider such things as signage, informational handouts at central locations as well as partnerships with such agencies as the State Marine Board.

**STRATEGY:** Multnomah County shall forward this issue on as a recommendation to the State Marine Board.

**POLICY 7: The County should recommend to the State Marine Board that all boaters be required to obtain licenses through the state prior to operating motorized marine craft over 25 horsepower including personal watercraft.**

Discussion: Boat operators are not required at this time to meet any guidelines or qualifications prior to operating watercraft. Multnomah County should value the importance of safe conditions in the channel and work through the Marine Board in establishing minimum criteria for boat operators. The amount of horsepower was chosen to include personal water craft and exclude canoes and very small boats.

**STRATEGY:** Multnomah County should forward this issue on as a recommendation to the State Marine Board.

**POLICY 8: (a) Multnomah County should make river patrol and enforcement of laws a higher priority to the Sheriff's Department.  
(b) Multnomah County should make enforcement of zoning laws in the channel a higher priority to the Transportation and Land Use Planning Department.**

Discussion: The lack of Sheriff's presence in the channel presents a problem with regard to law enforcement. The County should prioritize enforcing the existing laws in place in the channel and maintain a presence to enforce the laws. The County should also consider prioritizing zoning enforcement.

**STRATEGY:** Multnomah County shall consider these issues when allocating funding and budgeting proposals and integrate a performance program within the framework of a strategic plan to successfully carry out this policy.

**POLICY 9: Multnomah County should begin studying the noise impacts of-motorized watercraft in order to establish base levels of noise pollution in the channel.**

Discussion: With the increase in noise associated with personal watercraft, the residents of the channel and island would like the County to start documenting base noise levels in the event of increases due to increased channel traffic. With increased volume and traffic on the channel, an inventory of average noise levels is needed to gather information for future studies because channel and island residents are currently concerned with existing noise levels.

**STRATEGY:** Multnomah County should forward this issue on as a recommendation to the State Marine Board.

**POLICY 10: Multnomah County Comprehensive Framework Plan Policy 26 should be amended and rewritten so that moorages and marinas will only be permitted in:**

- 1. The area where houseboats are currently permitted by Policy 26, and;**
- 2. The existing Happy Rock, Sauvie Island, Parker, and Mayfair moorage sites.**

Discussion: Policy 26 currently does not include the developed marina or moorage sites listed above, allowing them to continue as existing non-conforming uses with no ability to expand or reconfigure their sites. These uses are long-term substantial facilities which are an integral part of the Multnomah Channel environment. They should be allowed the same opportunities for change in land and water use afforded to the marinas and moorages which currently fall within the boundaries of Policy 26. This action, along with the inclusion of marinas into the Policy 26 framework, will convert Policy 26 into a statement of where marine related development is allowed on Multnomah Channel, vs. marine conservation areas outside of the Policy 26 boundaries.

**STRATEGY:** Multnomah County shall implement this policy with an amendment to the Comprehensive Plan.

**POLICY 11: The County should develop and maintain a current inventory of all marinas and moorages.**

Discussion: Multnomah County needs an accurate account of all floating structures on the channel in order to accurately administer and enforce zoning laws.

**STRATEGY:** In order to accomplish this, the budget should reflect an increase in funding and allocation of resources.

**POLICY 12: The County zoning code should be consistent with the County assessor and the state regarding the definitions of houseboats, boathouses and combos. For purposes of density calculations, "houseboats" shall be defined as 1) any houseboat, and 2) any boathouse or combo which is used as a residence (occupied 7 or more days per month).**

Discussion: There has been a problem with regards to the numbers of units allowed and permitted under existing approvals depending on the definition of dwelling the County uses. There have also been recent revisions to the assessor's definitions that may be even more of a problem. The County Zoning Code decides whether a structure is a dwelling based on information regarding kitchen and restroom facilities. The County assessor makes the determination based on different information, as does the State of Oregon. The issue becomes a problem when the County Staff uses the assessor's information to determine the number of dwellings existing within a moorage/marina and consistency becomes an issue of real importance to the moorage owners.

**STRATEGY:** Multnomah County shall amend the Zoning Ordinance to include this definition.

**POLICY 13:** Multnomah County should adopt procedures requiring each existing moorage/marina to become a 'special plan area' under MCC 11.15.6600 at the initiation of the County to determine uses and densities allowed for each moorage on the channel. The special plan area designation would be required at the time of citation for a zoning violation from Multnomah County, or when the property owner requests an expansion or alteration, or for any new marina/moorage developments.

Discussion: Each moorage/marina shall be allowed to enter into a special plan area (an existing part of the Multnomah County Zoning Code, which needs some minor amendments to fit the Multnomah Channel situation) procedure with Multnomah County to adopt essentially a master plan or comprehensive plan for each moorage/marina. As an attempt to take all issues into consideration, special plans can determine by looking at each existing or proposed moorage/marina on a case by case basis regarding the density, service levels and legal status of the property. At the County's initiation (no application fees), each individual marina/moorage could receive a special plan area designation which would be an overlay designation for each moorage and marina on the channel.

**STRATEGY:** Multnomah County shall implement this policy by amending the Special Plan Area code of the Zoning Ordinance and by requiring any moorage or marina which is determined to be in violation of the zoning code or which proposes changes to an existing moorage to go through the Special Plan Area process.

**POLICY 14:** The overall density for each existing moorage/marina shall not exceed the existing levels as measured by factors such as area and length of docks and number of slips (existing as of January 1, 1997). The actual number of slips for each moorage/marina shall be determined at the time a special plan area is approved for the moorage/marina. The specific plan will look at such things as 'legally existing' issues, non-conforming status and carrying capacity of the land to determine the number of dwellings and other uses allowed in each marina/moorage.

**STRATEGY:** Multnomah County shall implement this policy at the time each special plan area is adopted.

**POLICY 15: Development on Multnomah Channel within Special Plan Areas shall be judged upon the following criteria.**

**Water Environmental**

*River Bank Protection* - Development which protects the river bank from erosion caused by boat traffic.

*Water Quality* - Development which contributes to or does not significantly degrade water quality

*Septic tanks/Sewage* - Development which is more amenable to safe and sanitary sewage disposal, along with adequate upland facilities for disposal of sewage.

*Wildlife* - Development which contributes to or do not have a significant detrimental impact to the wildlife in the water.

**Land Environmental**

*Development in Wetland* - Development which does not impact wetlands.

*Traffic Increase* - Development which minimizes increases in traffic on moorage access roads, on railroad crossings, and onto Highway 30.

*Parking* - Development which minimizes the amount of parking area necessary.

*Ground Water Quality* - Development which minimizes impacts to ground water quality.

*Need for Restroom Facilities* - Development which minimizes the need for additional communal restroom facilities to serve the proposed uses.

*Land Wildlife* - Development which minimizes impacts to land wildlife.

*Necessary Utilities* - Development which requires fewer utilities to serve proposed uses.

*Floodplain Development* - Development which minimizes placement of permanent structures and uses in the floodplain.

*Accessory Structures* - Development which minimizes the need for accessory on-land structures to serve proposed uses.

**Aesthetic**

*Vegetation on Land* - Development which minimizes the loss of land vegetation.

*Visibility of Shore* - Development which minimizes changes to natural shoreline features.

*Massing and Scale* - Development which has a human scale or architectural quality to it.

*Diversity/Rural character* - Development which maintains the existing diversity and rural character of Multnomah Channel.

*Lighting* - Development which minimizes night lighting of uses.

*Vegetation/landscape on Water* - Development which minimizes its visibility from the Multnomah Channel waterway.

**Safety**

*Contribution to Channel Traffic* - Development which minimizes channel traffic.

*Residential Link* - Development with a permanent residence component which provides a human presence to both report emergencies and violations on Multnomah Channel.

*Fire Hazard* - Development which minimizes fire hazard.

*Emergency Services* - Development which minimizes the need for emergency services.

**Economic** - Development which provides economic value to Multnomah County in the form of assessment value and reduced need for public services.

**Recreation**

*Contribution to Public Recreation* - Development which contributes to public recreation opportunities on Multnomah Channel.

**Cumulative Impacts**

The cumulative impacts of the proposed development on the overall carrying capacity of Multnomah Channel shall be considered and minimized.

**The criteria listed shall be weighed and balanced by the hearing body considering each Special Plan Area so as to determine the most appropriate intensity and type of development allowed within each of these areas.**

**In reviewing each Special Plan Area, Multnomah County shall consult with other relevant local, state, and federal agencies, including but not limited to the following agencies:**

**Division of State Lands**

**Oregon Department of Fish and Wildlife**

**Oregon Parks and Recreation Department**

**Oregon State Marine Board**

**U.S. Army Corps of Engineers**

**Metro Parks and Greenspaces**

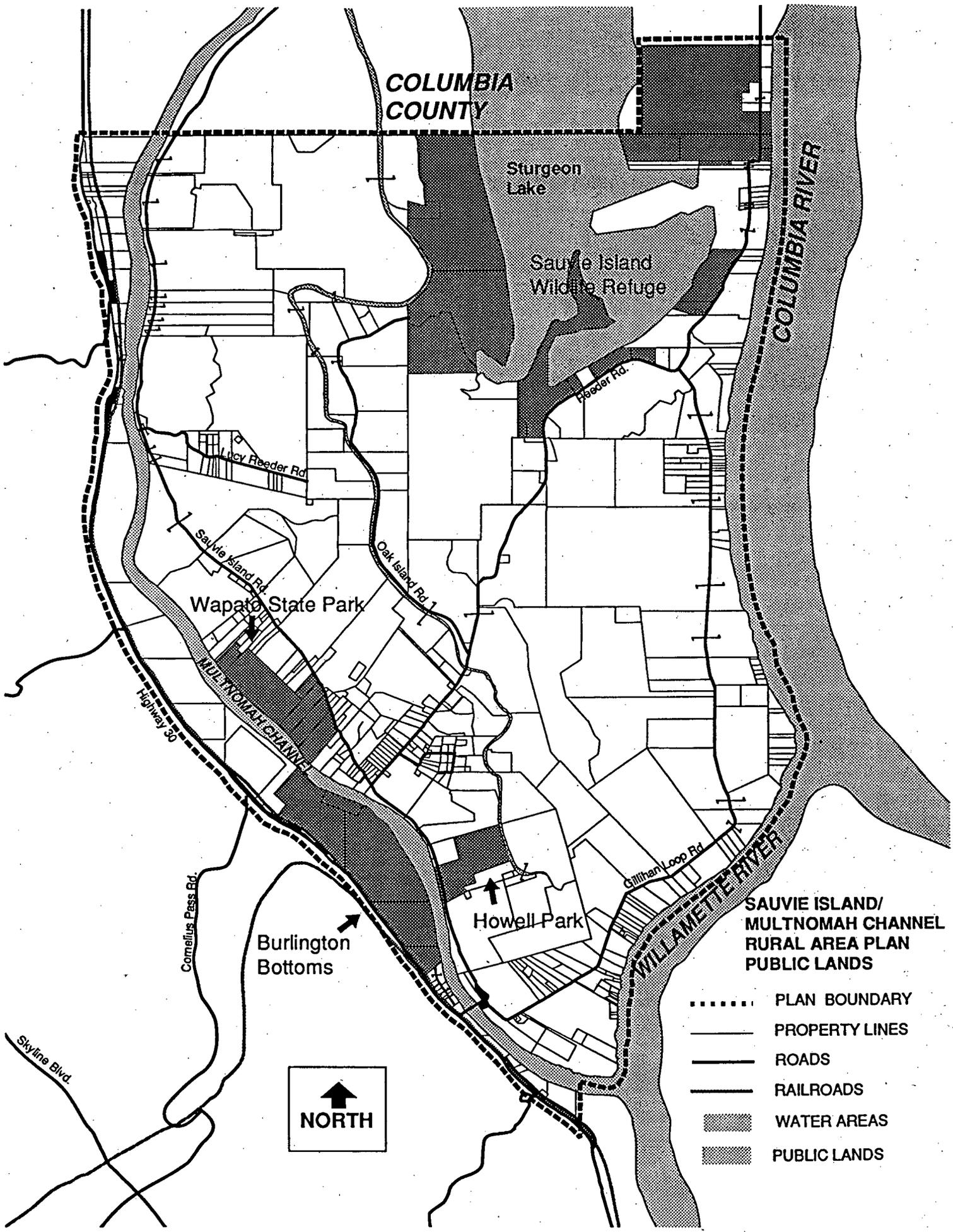
Discussion: It is not intended that each proposed use strictly meet each of the criteria listed above, but rather the criteria be used by the hearing body to weigh the appropriateness of different potential uses. It is assumed that each site within the boundaries of Policy 26 is appropriate for some sort of marine related development unless a single criteria weighs so strongly upon the site that it precludes all or some of the potential marine development uses.

**STRATEGY:** These criteria shall be included in the general special plan area code and shall be used to review proposed uses in each specific plan area is adopted.

**POLICY 16: Implement code language within the special plan area criteria that incorporates the more specialized ideas in these policies. This concept should be carried out with input from citizens on the channel and should include guidelines regarding lighting, landscaping and architectural design within the special plan areas for development.**

Discussion: Currently the WRG guidelines have vague language in them that make enforcement of them inconsistent. The County should look at adopting a set of design guidelines that the Planning Section can use to help interpret the WRG guidelines. This will allow for consistency in interpretation of the existing guidelines. These guidelines should specifically address the guidelines on lighting, landscaping and architectural design. The Citizens' Advisory Committee was very concerned about maintaining the character of the area of the channel and avoiding urban type marinas and moorages in the area.

**COLUMBIA COUNTY**



**SAUVIE ISLAND/  
MULTNOMAH CHANNEL  
RURAL AREA PLAN  
PUBLIC LANDS**

- ..... PLAN BOUNDARY
- PROPERTY LINES
- ROADS
- RAILROADS
- ▨ WATER AREAS
- ▩ PUBLIC LANDS



**STRATEGY:** Multnomah County shall implement this policy as part of the Special Plan Area process.

**POLICY 17: Multnomah County should promote responsible recreational uses in the channel by allowing public access or boat launches to occur as part of any redevelopment.**

Discussion: The other policies in this plan shall not be construed to discourage public access to the water from the land or vice versa.

**STRATEGY:** Multnomah County shall implement this policy as part of the Special Plan Area process.

## RECREATION

### *SAUVIE ISLAND WILDLIFE AREA*

The Sauvie Island Wildlife Area, owned by the State of Oregon and managed by the Oregon Department of Fish and Wildlife, comprises approximately 11,500 acres of land and inland water areas on Sauvie Island, slightly less than half of the Island's acreage. Approximately 1,500 of these acres lie in Multnomah County, the rest are in the Columbia County portion of the island. The State of Oregon acquired the Sauvie Island Wildlife Area in the 1940's as a waterfowl area. In 1974, the Oregon Department of Fish and Wildlife prepared a Coordinated Resource Plan. In 1993, the Department prepared a new Management Plan for the Wildlife Area. The approved management plan seeks to broaden the focus of activities in the wildlife area from the primary purposes of habitat management for waterfowl and other game species to a more general focus on protecting wildlife habitat for all native species, including non-game species.

Visitor use of the Sauvie Island Wildlife Area has increased markedly in the past decade, reaching 750,000 visitor days according to the Oregon Department of Fish & Wildlife (a visitor day is defined as a visit by one individual on one day, so that if one individual visited the refuge on 50 separate days, it would be counted as 50 visitor days) in 1991 and increasing further since then. The Oregon Department of Fish and Wildlife divides users into five categories, Fishing(20% of users), Hunting(2%), Viewing(10%), Beach (38%), and Other(30%). The goal of the Management Plan is to accommodate all user groups, but emphasize recreational activities which are wildlife-oriented (hunting, fishing, wildlife viewing) as opposed to uses which merely involve visiting the public use facilities within the area, such as camping and picnicking.

Included in the plan are specific objectives which would "Explore methods to control and regulate beach use, to improve the beach use for family oriented recreation area" and "Contact Columbia County to discuss the potential for a joint beach management program." The clothing optional beach is one of four located within the Wildlife Area, is heavily used, and is the subject of some controversy on both practical and moral grounds. Since the public beaches on Sauvie Island are entirely within Columbia County, Multnomah County has no jurisdiction over them. Traffic to and from the beach does impact Multnomah County roads and emergency service provision. For the past several years there has been controversy between users of the clothing optional beach and the occupants of an adjacent residences. However, there is no documented

evidence that the clothing optional beach in and of itself provides an undue strain on transportation or emergency service provision on Sauvie Island. Disputes between users of the beach and an adjacent residence are not within the jurisdiction of Multnomah County.

### *WAPATO STATE PARK*

Wapato State Park, located on the east side of Multnomah Channel on Sauvie Island, is managed by the Oregon State Parks Department. It is also known as the Virginia Lakes area, and is designated as a significant natural area and wetland in the Multnomah County inventory of significant natural and environmental resources. It contains Hadley's Landing on Multnomah Channel, a dock for transient boats. The park has nature trails which are accessed from Sauvie Island Road, and a picnic shelter. The Oregon State Parks Department has not adopted a management plan for the park, but is considering doing so. The Department began a draft management plan for the park several years ago, but did not complete it.

### *HOWELL PARK*

Howell Park, located on the east side of Sauvie Island Road north of the Sauvie Island bridge, consists of approximately 110 acres. It contains the Bybee-Howell House, a historic structure built in 1856. The site also contains Howell Lake, a significant wetland. The park is owned and managed by Metro Parks and Greenspaces. Metro is currently preparing a master plan for the park. Any changes to the park require land use approval from Multnomah County. The preliminary goals of the master plan are 1) increased facilities and use of the house as the focus of historical and archaeological information about Native American life and early Oregon events, and 2) increased use of the lake and wetland areas for wildlife viewing and educational activities. The current Exclusive Farm Use zoning on the park limits new park uses.

### *BURLINGTON BOTTOMS*

The Burlington Bottoms site (also known as the Rafton Tract) consists of approximately 400 acres located on the west side of Multnomah Channel. The site was purchased by the Bonneville Power Administration (BPA) in 1991 as mitigation for environmental impacts caused elsewhere. In 1994, the BPA completed a Management Plan and Environmental Assessment which recommended that the site be managed primarily for maintenance and enhancement of fish and wildlife habitat associated with the natural ecosystem on the site. The recommendation also states that "a low level of public access would be allowed under this alternative, with designated areas for trails and viewing blinds to provide for passive wildlife oriented recreation. Opportunities for research and environmental education would also be available under this alternative."

In 1995 Portland area voters approved a bond measure for Metro Parks and Greenspaces which allocated money for purchase of park and greenspace land throughout the Portland Metropolitan Area. The bond measure included, among its list of potential purchases, land in the vicinity of Burlington Bottoms and other lands along Multnomah Channel. Metro has identified land adjacent to and north of Burlington Bottoms as the primary target for acquisition. Of lesser priority, but still possible for purchase, is land on Sauvie Island adjacent to Wapato State Park.

## *WATERWAY RECREATIONAL USE*

Marine recreational activities on Multnomah Channel, the Willamette River, and the Columbia River, are the regulatory responsibility of the Oregon State Marine Board. In 1995, the State Marine Board adopted a Recreational Boating Management Plan for the Portland Metropolitan Waterways. The management plan focuses on four topics; education, law enforcement, facilities, and waterway management. Multnomah County shall rely upon the State Marine Board to determine the appropriate levels of recreational use on waterways adjacent to Sauvie Island.

## *OTHER RECREATIONAL ACTIVITIES*

There are commercial activities on Sauvie Island which are primarily focused on attracting visitors to the island. These include the Pumpkin Patch and other produce stands and u-pick farms.

As discussed under transportation, numerous bicyclists use the island's roads for recreational cycling. Conflicts between recreational bicyclists and automobile traffic, both residents and visitors, has been a major Sauvie Island issue for some time.

### **Recreation Policies**

**POLICY 18: Encourage managers of the Sauvie Island Wildlife Area to post information signs regarding closures of areas to public use which explain why the area is being closed.**

**STRATEGY:** Multnomah County shall forward this policy recommendation to the Oregon Department of Fish and Wildlife.

**POLICY 19: Encourage Metro to purchase additional greenspace lands on the west side of Multnomah Channel in order to expand and enhance the Burlington Bottoms wildlife area.**

**STRATEGY:** Multnomah County shall forward this policy recommendation to Metro.

**POLICY 20: Promote recreational activities within the rural plan area which are complementary to natural and environmental resources identified pursuant to Goal 5 of the Statewide Planning Program.**

**STRATEGY:** Multnomah County shall implement this policy through the current planning permitting process and the Special Plan Area process.

## **TRANSPORTATION**

### **Multnomah County Comprehensive Framework Plan**

The Transportation System Policy of the Multnomah County Comprehensive Framework Plan

**COLUMBIA COUNTY**

Sturgeon Lake

COLUMBIA RIVER

Cornelius Pass Rd.

Sauvie Island Rd.

Lucy Reeder Rd.

Oak Island Rd. 1

Reeder Rd.

Gillman Loop Rd.

WILLAMETTE RIVER

Skyline Blvd.

**SAUVIE ISLAND/  
MULTNOMAH CHANNEL  
RURAL AREA PLAN**  
functional classification of  
trafficways and bikeways.



- PROPERTY LINES
- LOCAL ROADS
- RURAL COLLECTORS
- RURAL ARTERIALS
- PLAN BIKEWAYS
- WATER AREAS

includes policies for the following three categories: 1) Transportation System (33A), 2) Marine Transportation System (33B) and 3) Bikeways/Pedestrian System (33C). Multnomah County's policy is to provide a balanced transportation system that offers alternative transportation facilities to people and commerce.

The purpose of Policy 33A is to establish criteria for Multnomah County to use in evaluating alternative transportation proposals in order to achieve its objective of a balanced, safe and efficient system.

POLICY 33B ensures that Multnomah County takes appropriate action to provide for needed marine transportation system facilities in those areas of the Portland region within its jurisdiction. The system includes appropriate backup land for marine terminal and waterfront industrial facilities. This policy addresses the Columbia River shipping channel only and does not include Multnomah Channel.

Bikeways and pedestrian ways are an integral part of a balanced transportation system. Policy 33C currently focuses on implementing a bicycle system without addressing the pedestrian system. However, this policy will be amended in the near future to reflect the recently adopted Pedestrian Master Plan as well as the Bicycle Master Plan. Policy 33C directs facility planning and route implementation based on the Bicycle Network Map.

Policy 34 of the Comprehensive Framework plan directs Multnomah County to develop the existing traffic way system to maximize efficiency, and to consider the mobility of pedestrians by providing safe crossings. There are three types of roads in the Sauvie Island/Multnomah Channel Rural Area. US 30 is classified as a Principal Arterial. Principal Arterials serve interstate, interregional, and regional traffic. Traffic volumes are high and access to adjacent land uses is limited.

Three roadways on Sauvie Island are classified in Policy 34 as Rural Collector roadways. They are Gillihan Rd, Reeder Rd and Sauvie Island Rd. Rural Collector roads distribute traffic over large areas and generally connect to urban streets or rural arterials. They also provide for necessary truck transport (agriculture, timber or minerals) out of rural areas.

All other roads in the Sauvie Island/Multnomah Channel Rural Area are Rural Local roads. Local roads provide access to abutting land uses and are generally low traffic volume and low speed facilities.

All road access to Sauvie Island runs across the Sauvie Island bridge, which crosses Multnomah Channel near the south end of the island. It is a narrow two-lane facility with no capacity for major increases in traffic over existing levels.

#### Portland-Astoria (US Highway 30) Corridor Plan

An inventory of US 30 was conducted as part of the Corridor Plan by the Oregon Department of Transportation. The segment of US 30 from the Portland City Limits to the Multnomah County line is a four-lane highway with high speeds and volumes. Traffic volumes range from 10,000 -

50,000 average daily traffic (ADT) with peak summer traffic increasing 10-30 % above ADT.

US 30 is a designated Statewide Bicycle Route. Bicycle travel is expected to increase for both commuter and recreational travel. The Plan recommends that, at a minimum, five-foot paved shoulders be provided to accommodate bicycle use along the entire corridor length. Additional pavement is needed in some areas to meet the five-foot shoulder width. Other recommendations include:

- Provide connections to local bicycle (and hiking) systems where feasible, and
- Provide bicycle crossings across US 30 where appropriate and feasible.

Pedestrians are allowed to use the shoulders on US 30, but pedestrian activity is expected to be concentrated in the urban areas.

### Multnomah County Bicycle Master Plan

The Bicycle Master Plan, adopted in 1990, was developed with assistance from a County wide Bicycle Planning Task Force and a Sauvie Island Bicycle Planning Task Force. Two objectives with related policies and implementation strategies are identified in the Bicycle Master Plan.

- 1) Develop and maintain an extensive network of bicycle transportation facilities that provide safe, efficient and enjoyable bicycle travel.
- 2) Increase bicyclist and motorist knowledge and awareness so as to resolve hazards and conflicts of bicycling, and reduce the occurrence of bicycle related accidents.

Included in the Bicycle Master Plan is a Bikeway Plan Map. The map identifies roadways that will provide a bikeway facility when the roadway is constructed to current standards. There are two bikeways identified on the map for the Sauvie Island/Multnomah Channel area: US 30 and Sauvie Island Rd from US 30 to Ferry Rd. Paved shoulders exist on US 30 providing a space for bicyclists to ride. Paved shoulders, the standard bikeway for Rural Collectors, do not exist on Sauvie Island Rd.

Reconstructing Sauvie Island Rd to improve safety for bicyclists and motorists has been estimated to cost over \$1 million. To add paved shoulders, the dike would need to be widened. Currently, there is no funding available or identified. Extensive coordination is required for this project with the Corps of Engineers, Sauvie Island Drainage District and Multnomah County.

The Bicycle Master Plan recommends establishing a Bicycle Citizen Advisory Committee to address current and future bicycling problems and opportunities.

### Multnomah County Pedestrian Master Plan

The purpose of the Pedestrian Master Plan is to establish a framework for developing a safe and convenient urban and rural pedestrian system on Multnomah County roads. County standards for pedestrian facilities on rural roads include 4-foot gravel or 8-foot paved shoulders. On

Sauvie Island roads, paved shoulders are very limited. There are currently no plans to widen the shoulders on Gillihan Rd., Reeder Rd. or Sauvie Island Rd. Other pedestrian facilities that may need to be provided on the island include pedestrian crossings at the school or at other destinations that attract pedestrians.

Shoulders exist on US 30 and may be used by pedestrians. The Oregon Bike and Pedestrian Plan states that where shoulders are expected to be used by bicyclists and pedestrians, shoulders should be 1.8m (6 ft) or wider. Shoulders on rural roads are shared with bicyclists.

The Pedestrian Master Plan recommends establishing a Pedestrian Citizen Advisory Committee to assist the County in identifying and resolving specific pedestrian issues, problems and opportunities.

### Street Standards

County standards for Rural Collector roadways include two 12-foot travel lanes and two 8-foot paved shoulders. Gillihan Rd, Reeder Rd and Sauvie Island Rd are not currently constructed to the County standards for Rural Collector roads. While right-of-way is owned to accommodate these standards, there are no plans to reconstruct the roadways. Widening the paved surface would require extensive fill to widen the dike to accommodate an additional 16 feet for paved shoulders.

### Transportation Policies

**POLICY 21: Recommend that the Multnomah County Bicycle and Pedestrian Advisory Committee has significant Sauvie Island representation.**

**STRATEGY:** Multnomah County shall implement this policy through the appointment process for the Committee.

**POLICY 22: Have the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee study and recommend to the Board of Commissioners short-term and long-term solutions to safely accommodate bicyclists, pedestrians, and motor vehicles on Sauvie Island including on-road bikeways, separated multi-use paths, and funding options.**

**STRATEGY:** Multnomah County shall implement this policy through the work program of the Bicycle & Pedestrian Citizen Advisory Committee and the Transportation and Land Use Planning Division budget.

**POLICY 23: Update Policy 33B Marine Transportation System in the Comprehensive Framework Plan.**

**STRATEGY:** Multnomah County shall implement this policy through the budgeting process for the Division of Transportation and Land Use Planning.

**POLICY 24: Oppose placement of regional roadways in the Sauvie Island/Multnomah**

**Channel Rural Area, should such roadways be under consideration by any regional transportation authority in the future.**

**STRATEGY:** Multnomah County shall use this policy in discussions and recommendations regarding regional roadways.

**POLICY 25: Review rural roadway standards to determine if 8-foot paved shoulder widths can be reduced to preserve the rural character of roads.**

**STRATEGY:** Multnomah County shall implement this policy through the budgeting process for the Division of Transportation and Land Use Planning.

**POLICY 26: Participate in a cooperative effort with the Sauvie Island Drainage District and the Army Corps of Engineers to study the dikes upon which public roads run including funding for dike improvements.**

**STRATEGY:** Multnomah County shall implement this policy by working with the Drainage District and Corps of Engineers to devise and then implement a process for studying the dikes with roads on them protecting Sauvie Island.

## **PUBLIC FACILITIES**

### *Schools*

The Sauvie Island School District's boundaries encompass all of Sauvie Island. The District has one school, located at 14445 NW Charlton Road, which serves Kindergarten through Eighth Grade students. High School students attend school outside of the district. The school was rebuilt after a fire in 1980, and is a modern facility.

The Oregon Education Act of 1991 requires school districts which do not have a high school program to provide one or merge into a school district which does. The issue of the Sauvie Island School District's fate has been very controversial.

The mainland side of Multnomah Channel is divided into two school districts. The far northern portion of this area, adjacent to Columbia County, is within the Scappoose School District (this area consists of only 200 acres, and has several existing residences and the approved but not yet occupied Rivers Bend Marina). Students attend Grant Watch Elementary School for grades K-3, Peterson Elementary School for Grades 4-6, Scappoose Middle School for grades 7-8, and Scappoose High School for Grades 9-12. The district is currently conducting a survey of existing facilities, with the expectation that growth in the Scappoose city area of Columbia County will result in increased enrollment at the district's schools. However, there are no current capacity or facility problems identified in the District.

The remainder of the mainland side of Multnomah Channel is within the Portland School District. Skyline Elementary School, located near Cornelius Pass, serves the West Hills and

Multnomah Channel. Multnomah Channel is within the attendance boundaries of West Sylvan Junior High School, located to the south, and Lincoln High School, located adjacent to downtown Portland. All three of these Portland district schools are operating well below capacity of the school sites.

### *WATER SERVICE*

A portion of the mainland side of Multnomah Channel is served by the Burlington Water District. The Burlington Water District receives its water supply from the City of Portland, via a pipeline along Highway 30. The District is bound by its bylaws to provide water service to any parcel within the district, however, the existing water distribution system is barely adequate to serve existing development and has little or no capacity to handle expanded water use.

The remainder of the Sauvie Island/Multnomah Channel plan area is not served by any water district, and relies on groundwater for its supply. Currently, proposed development must show an adequate water supply quantity prior to approval of building permits. Permits requiring discretionary review are conditioned so as to require proof of an adequate water supply quantity prior to building permit issuance so that an applicant is not subject to the expense of drilling a well prior to approval of the conditional use. However, the County has no standards as to the quantity or source of the adequate water supply. Quality requirements are pursuant to Oregon Department of Environmental Quality standards for potable drinking water.

### *SEWAGE DISPOSAL*

All existing development within the Sauvie Island/Multnomah Channel Rural Area is served by private on-site sewage disposal systems. No public sewers are planned or contemplated for the area, due to its rural nature. Approval for proposed private sewage disposal systems is the responsibility of the City of Portland Building Bureau, which implements standards set forth by the Oregon Department of Environmental Quality. A number of different methods for on-site disposal of sewage effluent are available for consideration.

### *POLICE PROTECTION*

Police protection for Sauvie Island and Multnomah Channel is provided by the Multnomah County Sheriff. The Sheriff's office is located at 122nd St. and Glisan St. in the Mid-County area. Currently the entire West Hills and Sauvie Island/Multnomah Channel Rural Areas are served by one patrolling officer at a time.

### *FIRE PROTECTION & EMERGENCY SERVICES*

The Sauvie Island/Multnomah Channel Rural Area is served by three different fire and emergency services providers -- Multnomah County Rural Fire District # 30, Scappoose Fire District, and Portland City Fire Bureau.

The Multnomah County Rural Fire District #30 serves Sauvie Island from a station on Charlton Road. It's fire-fighting and emergency response force consists of 25 volunteers. The District's

staff will be occupying a new eight bay fire station in the near future. The District has a limited agreement with Portland for use of a fire boat for marine fires. The District's fire and emergency response force serve not only Sauvie Island residents, but also the 1.5 million visitors per year who visit Sauvie Island. This puts an additional strain on the District's resources above that put upon most rural fire protection forces.

The Scappoose Fire District serves the northern portion of the mainland side of Multnomah Channel, south to Burlington. The District has three fire stations, one of which is located on Cleetwood Drive near Morgan Road in the West Hills. The District has 50 volunteers and two paid personnel. Equipment includes five engines with a combined capacity of 5,750 gallons, one 3,200 gallon water tender, two rescue units, two ambulances, three wild land fire fighting units with a combined capacity of 1,500 gallons, and one command vehicle. The District is concerned that fire safety standards for access roadways and fire suppression in the marinas and moorages along Multnomah Channel be properly met.

The Burlington Water District provides fire protection services to land within its boundaries. Currently it contracts with the City of Portland to provide fire and emergency services. The Portland Fire Bureau services the Burlington area from Station # 22, located in St. Johns, with a response time to the area of 15-20 minutes. Due to the lengthy response time the district receives a low level of current services.

### **Public Facility Policy**

**POLICY 27: Study methods by which the Sauvie Island Rural Fire Protection District can be reimbursed for providing fire and emergency medical services to island visitors.**

**STRATEGY:** Multnomah County shall implement this policy by reviewing any revenue or funding proposal from the Sauvie Island Rural Fire Protection District.

## **ENVIRONMENTAL QUALITY**

### *AIR QUALITY*

The Burlington Bottoms Wildlife Mitigation Project (December 1994) states that:

"The existing air quality in the Burlington Bottoms area is considered good to excellent, and air quality measurements fall within National Ambient Air Quality standards. The Department of Environmental Quality is responsible for air quality management in the State of Oregon."

However, the Department of Environmental quality has no staff to enforce its air quality standards as regards individual sites and uses.

Industrial facilities in the City of Portland lie to the east of Sauvie Island, across the Willamette River (Examples include Oregon Steel and Columbia Grain). These facilities have potential air quality and noise issues upon Sauvie Island associated with them which cannot be addressed

without coordination between Multnomah County, the City of Portland, and the Port of Portland.

Problems with odors and dust from individual facilities can be considered nuisances. Multnomah County Code Section 7.20 et. seq. defines and prohibits nuisances. Nuisances prohibited include such things as odorous ponds of stagnant water, animal carcasses which are not disposed of, explosive or radioactive substances, abandoned vehicles, and vegetative obstructions of good sight distance at intersections. Odors from industrial activities are not listed as nuisances under this code section. This ordinance does not apply to the City of Portland.

The Angell Brothers quarry may cause dust problems for nearby moorages along Multnomah Channel. Multnomah County must address such problems when considering additional conditional use permit approvals for the quarry. The quarry operator is responsible for mitigating dust impacts within the impact area of the quarry, defined as being 1,200 feet from the quarry property. This impact area includes several moorages along Multnomah Channel.

### *NOISE*

Multnomah County's noise ordinance (Section 7.30 et. seq. of the County Code) regulates the generation of excessive noise within the unincorporated areas of Multnomah County. The ordinance defines "sound producing device" to be regulated as 1) loudspeakers, 2) various electronic equipment, 3) musical instruments, 4) sirens & bells, 5) vehicle engine noise not in the right-of-way, 6) vehicle tires, 7) domestic tools during night hours, and 8) heat, air conditioning, and refrigeration units.

The County's noise ordinance does not include regulation of noise from organized athletic or other group activities on property generally suited for these purposes, noise caused by emergency work and equipment, noise regulated by federal law, such as railroad and aircraft operations, noise caused by bona fide use of emergency warning devices and alarm systems, sounds caused by permitted blasting activities between 9:00 A.M. and 4:00 P.M. Monday through Friday, and sounds caused by industrial, agricultural, or construction workers during their normal operations. The noise ordinance sets limits for sounds as measured in decibels (dbA). The ordinance is to be enforced by issuance of citations and, if necessary, by impoundment of the device producing the offending noise.

Aircraft noise from planes arriving and departing Portland International Airport and from over-flying national guard planes is cited by many Sauvie Island and Multnomah Channel residents as an annoyance. However, Multnomah County has no authority to regulate aircraft for noise impacts.

### *WATER QUALITY*

The January 1993 Sauvie Island Wildlife Area Management Plan published by the Oregon Department of Fish and Wildlife states:

"Water quality is generally not recognized as a problem to fish production on the Wildlife Area, but some lakes dry up during the summer and the stranded fish become a food

source to other wildlife. The water quality for fish will be met by the plan goals and objectives for water quality and by holding the water levels up where possible with existing water control structures."

The Management Plan further outlines objectives to:

"1) Manage Sturgeon Lake and its tributaries to protect, maintain and enhance water quality, comply with state water quality standards to support the designated beneficial uses such as human contact recreation, wildlife, fisheries (OAR 340-41), and to meet the requirements of the Clean Lakes Program (watershed management plan to control nutrient and bacteria sources into Sturgeon Lake)"

The ODF&W plan proposes tasks such as 1) defining and assessing the non-point source runoff problems in and around the lake that may contribute to water quality degradation, 2) seeking funding to continue water quality monitoring of closed lakes and Sturgeon Lake and its tributaries to document sources and seasonal patterns in water quality, 3) developing and implementing a grazing plan to control and/or eliminate grazing near the shoreline riparian areas to prevent animal access to the water, compacting of soils, erosion, and waste inputs into the lake, 4) protecting and encouraging riparian vegetation and emergent vegetation around the lake to provide stabilization of soils, and nutrient filters to the lake, 5) exploring opportunities to conduct selected dredging to increase depth, flows and flushing and circulation action in Sturgeon Lake, and to minimize temperature increases, 6) providing adequate sanitation facilities to prevent human wastes from entering lakes, 7) controlling boating activity and speeds to minimize shoreline erosion due to wave action and 8) conducting a shoreline inventory that may include vegetation, erosion, soil compaction.

The 1985 Atlas of Oregon Lakes identified Sturgeon Lake as a: "Large, shallow mud-bottomed lake located on Sauvie Island. Water quality problems include siltation and very high turbidity; the lake also experiences algae blooms and high bacterial counts. Hydraulic modifications over the years have exacerbated the sedimentation problem. Recommendations for rehabilitation include re-opening Dairy Creek, thereby re-establishing natural flushing from the Columbia River. Funding for this proposal has been difficult to obtain."

The 1992 federal Clean Vessel Act prohibits discharge of sewage from marine toilets on all freshwater lakes and reservoirs. Boaters must use Coast Guard-approved marine sanitation devices on the Columbia, Willamette and Snake Rivers and on navigable portions of coastal waters.

Marinas and moorages along Multnomah Channel have four basic sewage-producing types of boats or floating structures; 1) floating homes, 2) boathouses, which are primarily for interior boat storage, but may have a small living unit within the structure for "weekend" use, 3) live-aboard boats, and 4) transient boats, which may dock at a facility during the day.

Currently, the Oregon Department of Environmental Quality, the State Marine Board, and the Division of State Lands are discussing appropriate sewage disposal regulations for new and existing marinas and moorages. The Department of Environmental Quality is proposing that all

marinas and moorages provide a "hard" connection to city sewer or a private sewage disposal system for all floating homes and boathouses that are plumbed for sewer (even if they are not connected to a water system). New marinas and moorages are also required to have a "hard" connection for each "live-aboard" boat slip. The major discussion point remaining regards "live-aboard" boat slips in existing moorages. Alternatives include requiring "hard" connections at the time of any Division of State Lands lease renewal, or instead requiring easy access to a portable "pump out" facility, along with proof of its actual use. The Department of Environmental Quality has no authority to require sewage disposal facilities be available for "transient" boats -- it is considered the responsibility of the boat owner to safely and legally dispose of his or her sewage. However, it is within the authority of Multnomah County to require pump out facilities be made available for "transient" boats at marinas and moorages which provide service to such boats.

A final type of marine use in Multnomah Channel is the illegal houseboat or anchored live-aboard boat, which dumps its sewage directly into the channel in violation of the Clean Vessel act. Several such illegal "squatter" houseboats and anchored live-aboard boats exist in Multnomah Channel, and their existence is a chronic problem.

The West Hills Reconciliation Report, a subset of the Multnomah County Comprehensive Framework Plan, discusses potential impacts from the Angell Brothers quarry upon the water quality of Multnomah Channel. The quarry operator has worked with the Oregon Department of Environmental Quality to control the quality of quarry runoff, and will not be allowed to mine in the main drainage of the North Angell Brothers Creek, which empties into Burlington Bottoms. The reconciliation report allows some mining in a subsidiary drainage, but the quarry operator must divert all runoff from this area away from the North Angell Brothers Creek watershed.

### **Environmental Quality Policies**

**POLICY 28: Coordinate promulgation and enforcement of air quality, water quality, lighting, and noise pollution issues with the City of Portland and the Port of Portland.**

**STRATEGY:** Multnomah County shall implement this policy through developing a program of advocacy for protection of rural area environmental quality issues as part of the long-range planning and budgeting process

**POLICY 29: Provide for safe and easy collection and disposal of sewage from marine uses in Multnomah Channel.**

**STRATEGY:** Multnomah County shall implement this policy through the Special Plan Area review process for each marina and moorage. Marinas and moorages shall be required to meet, at minimum, state standards for sewage collection and disposal from various types of marine uses. They shall be required to provide connections to sewage disposal facilities for all floating homes and boathouses which are plumbed. Live-aboard boat slips must be provided with an on-site mechanism for disposal of sewage, either through connections at each slip or through the availability of on-site alternative pump out facilities which are

reasonably safe from accidental spillage. Marinas and moorages which serve "transient" boats to have reasonable geographic access to an on-site method of sewage disposal in order to service such boats.

**POLICY 30: Coordinate with the Division of State Lands to remove floating structures which are illegally sited and do not meet County zoning standards.**

**STRATEGY:** Multnomah County shall implement this policy by requesting the Division of State Lands to prepare a joint program for removal of illegal floating structures.

**POLICY 31: Recommend that any fill generated as a result of dredging activities in the Columbia River be located on Sauvie Island only under the following conditions:**

- **To assist in flood control**
- **Not on designated wetlands**
- **Not on high value farmland unless placement of such fill improves a farm's soils or productivity**
- **In areas where it will not negatively impact wildlife habitat**

**STRATEGY:** Multnomah County shall implement this policy when reviewing any federal dredging projects proposed for the Columbia River.

## **NATURAL HAZARDS**

### *FLOODING*

The Federal Emergency Management Agency (FEMA) requires local communities to maintain and enforce minimum floodplain management standards in order to be eligible to participate in the National Flood Insurance Program. FEMA accepted floodplain maps compiled by Multnomah County in 1980. The areas subject to inundation by a 100-year flood (expected to occur on average once every 100 years) include lands on Sauvie Island outside of the dikes maintained by the Sauvie Island Drainage District and virtually the entire area between Multnomah Channel and the Burlington Northern's Astoria rail line. The area behind the dikes on Sauvie Island (with minor exceptions) is subject to inundation by a 500-year flood (expected to occur on average once every 500 years). In addition, FEMA maps contain the following note regarding the area protected by levees: "This area protected from the 100-year flood by levee, dike, or other structures subject to possible failure or overtopping during larger floods." The only exceptions to this proviso on Sauvie Island are isolated high spots along Lucy Reeder Road, along Sauvie Island Road north of Reeder Road, in the vicinity of Sauvie Island School, and around the Bybee-Howell House.

The Sauvie Island Drainage District provides flood protection for the majority of Sauvie Island. The District was recently reconstituted as a private corporation in order to allow it to continue its assessment practices, which are based upon both the amount of acreage owned and the land elevation of each property (the lower the elevation, the more need for drainage facilities and the

COLUMBIA COUNTY

Sturgeon Lake

COLUMBIA RIVER

Lucy Reeder Rd

Pfeeder Rd

Sauvie Island Rd

Oak Island Rd 1

Cornelius Pass Rd

Gilman Loop Rd

MULTNOMAH CHANNEL

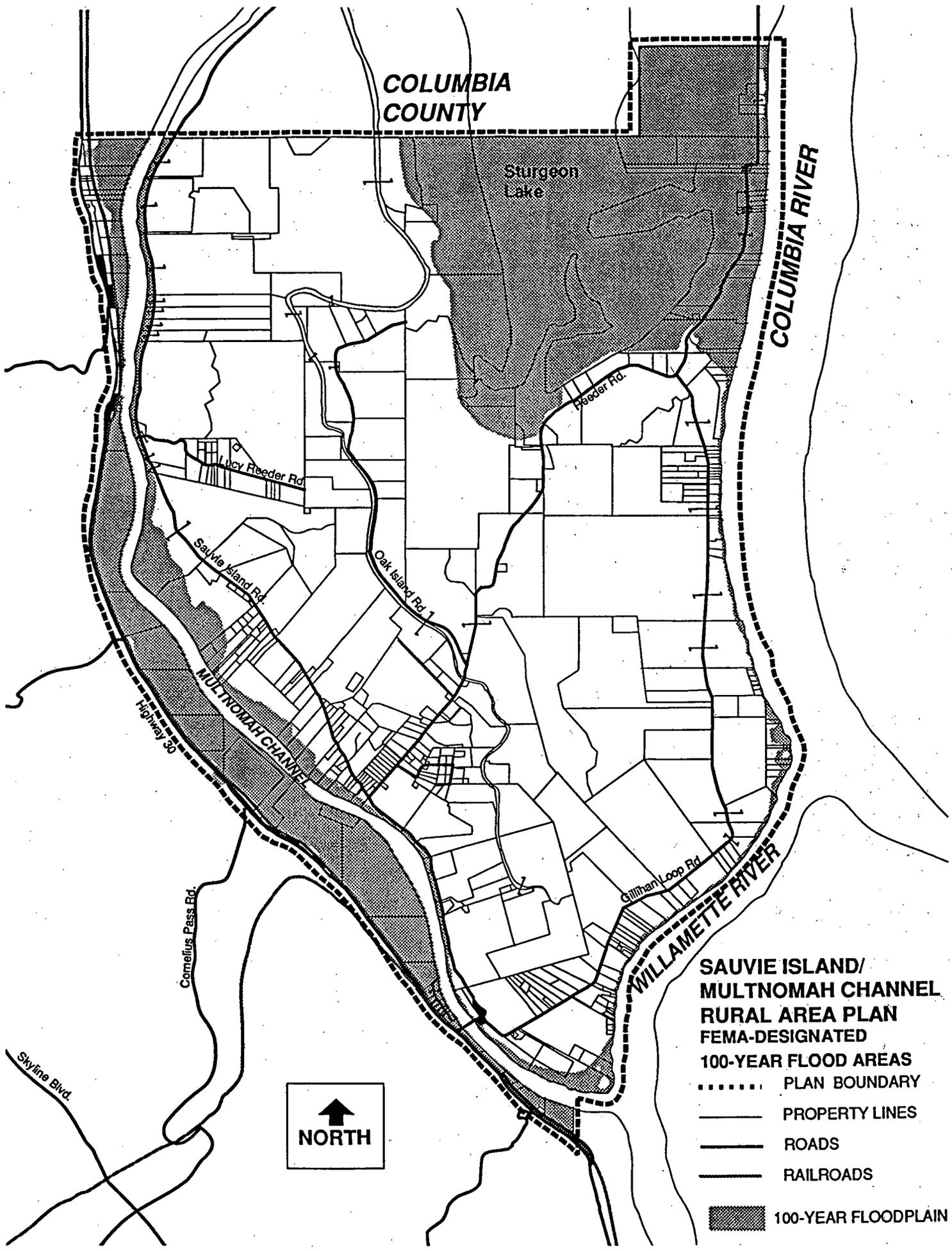
WILLAMETTE RIVER

Highway 50

Skyline Blvd

**SAUVIE ISLAND/  
MULTNOMAH CHANNEL  
RURAL AREA PLAN  
FEMA-DESIGNATED  
100-YEAR FLOOD AREAS**

- ..... PLAN BOUNDARY
- PROPERTY LINES
- ROADS
- RAILROADS
- 100-YEAR FLOODPLAIN



higher the assessment). The District operates a system of drainage-ways which feed into two main arteries, the Gilbert River in the central portion of the island and the A-1 canal on the eastern end of the island. These two drainage arteries flow northwesterly to the pumping plant, located in Columbia County at the end of Sauvie Island Road, where four pumps send the water over the levee in Multnomah Channel at a maximum rate of 750,000 gallons per minute. Additional feeder drainage ditches are owned and maintained by individual property owners and feed into the District's system. The District also maintains the system of levees and dikes which girdle the Multnomah Channel shoreline from the island's southern tip to the pumping plant site and the Willamette-Columbia shoreline from the island's southern tip to a point north of the intersection of Reeder and Gillihan Roads. A cross-island levee connects the northern ends of these two levees to encircle the area protected from flooding. Since most of Sauvie Island is at or below the elevation of the adjacent Columbia and Willamette Rivers, the operations of the Drainage District are vital to sustaining Sauvie Island's population and economy.

The District has identified the following problems it faces in accomplishing its mission:

1. The levees surrounding the island are subject to bank erosion due mainly to the wakes produced by wake-producing watercraft. The power of the wake depends upon the type of boat and the speed of the boat. This is a particular problem on the Multnomah Channel side of the island. Solutions include revetment of the levees, an expensive proposition, reducing boat speeds on surrounding waterways, or placement of intervening materials, from log booms to marinas, to absorb the wake's impact prior to its reaching the levee.
2. The levees are subject to seepage, especially during periods of high water as occurred in 1996.
3. One of the District's four pumps cannot operate when water levels are high, thus reducing the ability to pump out water when it is needed most.
4. The district's drainage ways are sometimes used by trespassing boaters, who have the potential to damage facilities. Since the drainage ways are easements provided to the District, such trespassing actually occurs on the private property of the individual owners.
5. The district's drainage ways are often clogged by vegetative matter during warmer periods of the year. This reduces the drainage capacity of the system.
6. When property owners allow vegetation to grow unchecked on the levees, this vegetation provides habitat for animals such as rodents which burrow and undermine the levees.
7. The district is generally concerned about the potential conflict between proper drainage facilities for Sauvie Island and the maintenance and enhancement of natural wetland areas.
8. The lowest levees on Sauvie Island are those which carry a roadbed atop them. The district is concerned about further compaction of these levees by vehicle traffic.

Outside of the Sauvie Island Drainage District, lands are generally unprotected from the

consequences of major flooding. Not only are most of the land areas subject to inundation from a 100-year flood, floods of 1996 have left significant amount of debris in the waters of Multnomah Channel. This debris constitutes a hazard to both marine vessels and floating structures along the channel.

### *GROUNDWATER LEVELS*

In Multnomah County a high ground water table is defined as groundwater between 0 and 24 inches below the surface. Areas with period high groundwater levels include parts of Sauvie Island. Groundwater is a significant factor in determining the suitability of an area for development. High groundwater tables can cause septic tank malfunction, basement flooding and can affect surface drainage.

### *SEISMIC HAZARDS*

Seismic monitoring stations were installed in the Portland area in 1980. The Portland area has a complex tectonic structure which includes faults that may be associated with past earthquake activity. The Portland Hills lineament, located in the Tualatin Mountains above Highway 30, was most likely responsible for a 1962 earthquake which measured 5.2 on the Richter scale. The approximate location of the epicenter was at Holbrook, near Highway 30, Logie Trail Road, and Multnomah Channel.

The U.S. Geological Survey and the Oregon Department of Geology and Mineral Industries are currently producing maps delineating the regional geology and potential for ground motion in the Portland Metropolitan Area. However, none of the Sauvie Island/Multnomah Channel rural area has yet been mapped, as the concentration to date has been on mapping for urban and future urban areas. Multnomah County has no mitigation program for seismic hazards at this time due to lack of information. Most likely, any mitigation program will be implemented through the enforcement of revised building codes which strengthen structures against seismic activities.

### *DISASTER PREPAREDNESS*

The floods of 1996 showed the need for emergency communications and evacuation plans during natural disasters such as flooding, or other potential disasters such as earthquakes or wildfire. Among the needs the flooding demonstrated are: method of notice for evacuation, method of distributing emergency information to Sauvie Island residents, and the need for coordination between Multnomah County, the Sauvie Island Drainage District and the Sauvie Island Fire Protection District. Another expressed need is a flood monitoring station for the reach of the Willamette and Columbia between Portland and St. Helens.

### **Hazards Policies**

**POLICY 32: Make protection from flood waters the highest priority among competing uses on Sauvie Island.**

**STRATEGY:** Through use of County ordinances, assist the Sauvie Island Drainage District in maintaining flood control facilities which protect the island.

**POLICY 33: Encourage property owners to control vegetation along Sauvie Island levees through methods that are least environmentally damaging as determined by the Sauvie Island Drainage District.**

**STRATEGY:** Multnomah County shall implement these two policies by amending the County nuisance ordinance and through the budgeting process.

**POLICY 34: Post signs prohibiting trespass on drainage waterways where they intersect with public roads.**

**STRATEGY:** Multnomah County shall implement this policy through the work program of the Division of Transportation and Land Use Planning.

**POLICY 35: Consider methods of alleviating the compaction effects of roadways on levees through relocation of such roadways or reconstruction of such roadways with additional fill under them to raise the levees.**

**STRATEGY:** Multnomah County shall implement this policy by working with the Drainage District and Corps of Engineers to devise and then implement a process for studying the dikes with roads on them protecting Sauvie Island.

**POLICY 36: Support the Sauvie Island Drainage district in its efforts to control vegetation growth in the district's drainage canals.**

**STRATEGY:** Multnomah County shall implement this policy by responding to requests for assistance from the Sauvie Island Drainage District.

**POLICY 37: Assist the Sauvie Island Drainage District in reviewing and changing assessment practices order to encourage fair assessment of all properties on Sauvie Island which benefit from the activities of the district.**

**STRATEGY:** Multnomah County shall implement this policy by responding to requests for assistance from the Sauvie Island Drainage District.

**POLICY 38: Take measures to protect Sauvie Island levees from bank erosion.**

**STRATEGY:** Encourage the Division of State Lands to promote the use of boom sticks and other materials which can absorb wakes for those portions of the Multnomah Channel and the Columbia and Willamette River shorelines where erosion is occurring and which do not have marinas or moorages in place.

**POLICY 39: Coordinate with federal and state agencies to remove hazardous debris from Multnomah Channel by preparing and implementing a program to remove such debris as**

a hazard to navigation and floating structures.

**STRATEGY:** Multnomah County shall implement this policy by requesting the Division of State Lands, the State Marine Board, and the Army Corps of Engineers participate in preparing a joint program to remove hazardous debris from Multnomah Channel.

**POLICY 40: Assist the Sauvie Island Fire Protection District in formulating emergency communication and evacuation plans for Sauvie Island.**

**STRATEGY:** Multnomah County shall implement this policy by responding to requests for assistance from the Sauvie Island Fire Protection District.

## **NATURAL AND ENVIRONMENTAL RESOURCES**

Multnomah County has conducted two levels of analysis for significant natural and environmental resources on Sauvie Island and Multnomah Channel. The first, done at the time of the initial adoption of the Multnomah County Comprehensive Framework Plan in 1980, identified several large-scale significant resource sites and historic and archaeological sites. The second, done in 1990, identified significant wetlands.

### *LARGE-SCALE SIGNIFICANT RESOURCE SITES*

Sturgeon Lake -- this site of approximately 3,000 acres encompasses that portion of the State Wildlife Refuge boundaries in Multnomah County as well as some adjacent private lands along Reeder Road north of its confluence with Gillihan Road. The site is designated as sensitive waterfowl habitat by the Oregon Department of Fish & Wildlife. Additionally, this area was found to have significant natural areas, water areas, wetlands, and groundwater resources, all categories for protection under Goal 5 of the Oregon Statewide Planning Program. Multnomah County protected these natural and environmental resources by placing the Significant Environmental Concern (SEC) Zoning Overlay on the site. This overlay requires review of all non-agricultural development in order to minimize or eliminate impacts to wildlife habitat, wetlands, water areas, and groundwater resources.

West Side of Multnomah Channel -- this site is bounded by Highway 30 on the west. It includes open space, fish and wildlife habitat, natural areas, water areas, wetlands, and groundwater resources which are significant. Multnomah County protected these natural and environmental resources by placing the Willamette River Greenway (WRG) Zoning Overlay on the site. This overlay requires review of all non-agricultural development in order to minimize or eliminate impacts to open space, fish & wildlife habitat, natural areas, wetlands, water areas, and groundwater resources.

Howell Lake and Virginia Lakes -- these two sites are found to be significant as open space, fish and wildlife habitat, natural areas, water areas, wetlands, and groundwater resources. Howell Lake is located on the Bybee-Howell County Park (now owned by METRO). Virginia Lakes (now known as the Wapato State Park) are located on the east side of Multnomah Channel, west

of Sauvie Island Road north of its intersection with Reeder Road. Multnomah County protected these natural and environmental resources by placing the Willamette River Greenway (WRG) Zoning Overlay on the sites. This overlay requires review of all non-agricultural development in order to minimize or eliminate impacts to open space, fish & wildlife habitat, natural areas, wetlands, water areas, and groundwater resources.

### *HISTORICAL AND CULTURAL SITES*

Bybee-Howell House -- This Greek Revival styled home was constructed in 1856, and is the oldest structure in rural Multnomah County. It is part of the Bybee-Howell County Park (now administered by METRO). The Oregon Historical Society has completely restored the house and it is listed on the National Register of Historic Places. It is considered protected because of its listing and its location within a public park.

Native American Archaeological Sites -- The area around the confluence of the Willamette and Columbia Rivers was a well-known and favored location for Native American settlements from perhaps 3,500 years ago up through the early 1800's. Sauvie Island has several known village sites which were mapped by the Lewis and Clark expedition, as well as the Sunken Village site, located on Multnomah Channel near the southern end of the island. Information about these sites is not made known to the general public, due to the potential for abuse and concern for the private property rights of affected landowners.

### *WETLANDS*

There are several definitions of wetland areas. The one used by the U.S. Fish and Wildlife Service for their National Wetland Inventory reads:

"Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: 1) at least periodically, the land supports predominantly hydrophytes, 2) the substrate is predominantly undrained hydric soil, and 3) the substrate is non-soil and LS saturated with water or covered by shallow water at some time during the growing season of each year."

Most of Multnomah County is covered by the National Wetland Inventory (NWI) at a scale of 1"=2,000' on U.S. Geological Survey base maps. The NWI maps and enlargement of the NWI overlays on property maps of 1"=1,000' and 1"=600' are on record in the Planning Division map files.

The federal and state regulatory agencies use a slightly more restrictive definition for a wetland:

"Wetlands - Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wetlands generally include swamps, marshes, bogs, and similar areas."

This definition, used by the U.S. Army Corps of Engineers and Oregon Division of State Lands, is also the one chosen by the county for use in the county's inventory and regulation of uses affecting wetlands.

As part of the State Goal 5 process, Multnomah County undertook a wetlands and riparian areas inventory during the spring and summer of 1988. Areas surveyed included Sauvie Island and Multnomah Channel.

Riparian areas adjacent to the wetlands and water areas were also evaluated and mapped as part of the inventory because of the inter-relationship they have for wildlife habitat.

The consultant's final report produced the following significant wetland and riparian areas for Sauvie Island and Multnomah Channel, along with each area's wildlife assessment rating, which measures its value as wildlife habitat (More detailed discussion of the wildlife habitat value of each site can be found in the original report):

1. Virginia Lakes (Score: 79-81 Points) -- now known as Wapato Access Greenway.

The Virginia Lakes area is approximately 280 acres, bordered on the south by Multnomah Channel and Sauvie Island Road to the north. It is a complex of six different vegetative community types.

Most of Virginia Lakes is owned and managed by the State of Oregon as a state park. The site is protected by the Willamette River Greenway Overlay Zone, which prevents all non-agricultural disruptions of the significant wetland area.

2. Rafton Tract (Score: 74 Points)

Rafton Tract (Burlington Bottoms) is located west of Sauvie Island, on the west side of Multnomah Channel. The site is a mosaic of riparian forest, emergent wetland, marshes and sloughs and grass/sedge meadows. Once a high quality wetland and wildlife habitat site, due to its species and structural diversity, the area's value has been greatly diminished by intensive cattle grazing.

In 1993 the Bonneville Power Administration (BPA) purchased most of the Rafton-Burlington Bottoms site as mitigation for impacts to wetlands elsewhere in the Northwest. It is anticipated that the BPA will transfer ownership of its holdings to METRO. The BPA, in coordination with the Oregon Department of Fish & Wildlife, produced an analysis of existing conditions on this land in 1994.

In 1995, Portland area voters approved a bond issue for METRO Parks and Greenspaces. This bond issue authorized METRO to purchase lands to the north of the BPA holdings in Burlington Bottoms for protection as open space and wetlands preservation. The Burlington Bottoms area has potential as a wildlife viewing area which could relieve the

pressure of such recreational uses on the Sauvie Island Wildlife Refuge. The site is protected by the Willamette River Greenway Overlay Zone, which prevents all non-agricultural disruptions of the significant wetland area.

### 3. Sturgeon Lake (Score: 71-73 Points)

Sturgeon Lake is a maze of floodplain lakes influenced by the Columbia River. Inflow and outflow of this shallow-bottomed lake is through the Gilbert River. The lake area is 2,928 acres with an elevation of eight feet and occupies the middle of Sauvie Island. Water levels are determined by Willamette Valley and Columbia River tidal influences. The lake complex receives a lot of human use: bird watching, hiking, canoeing, fishing and seasonal hunting on some portions of the lake. Much of the land surrounding Sturgeon Lake is owned by Oregon Department of Fish and Wildlife and is managed as a refuge, primarily for water fowl. The oak woodlands of Oak Island border Sturgeon Lake to the west with agricultural land to the south.

Sturgeon Lake and the surrounding lands are zoned with the Significant Environmental Concern (SEC) overlay zone. This zone prevents all non-agricultural/forest disruptions of the significant wetland areas.

### 4. Multnomah Channel (Score: 65 Points)

Multnomah Channel, located on the west side of Sauvie Island, flows north from the Willamette to the Columbia River. The Channel is approximately seven miles long. The degree of slope and type and width of riparian vegetation varies along the channel. The greatest wildlife habitat function of Multnomah Channel is as a travel corridor. The water and adjacent riparian vegetation provide habitat for waterfowl, heron, cormorants and kingfishers. Human use of the channel is high, including several boat moorages, log rafts, day boaters and fishers.

Multnomah Channel is zoned with the Willamette River Greenway (WRG) zoning overlay district. This zone prevents all non agricultural/forest disruptions of significant wetland areas, and requires review of all development proposals for their impact upon such wetlands and wildlife habitat.

### 5. Dairy Creek, Gilbert River and Misc. Drainage ways (Score: 56 Points)

The riparian strips along the water features are predominantly black cottonwood and Oregon Ash dominated with alder, willow, cherry, hawthorn and big leaf maple. The wildlife habitat value of these riparian strips on Sauvie Island vary depending upon the width of the riparian strip and the adjacent land uses.

These waterways are mostly privately owned. The Gilbert River serves as the main drainage way for the Sauvie Island Drainage District's system. Both of these streams are zoned with the SEC overlay zone which protects the wetlands associated with them from non-agricultural development. "Related drainage ways" are not protected with the SEC

overlay zone, because they are of relatively insignificant value as wetland wildlife habitat.

#### 6. Sand Lake (Score: 49 Points)

Sand Lake is a small isolated lake on Sauvie Island surrounded by agricultural land and houses. The land around Sand Lake is privately owned. Residents pump water in and out of the lake and have also treated the lake with chemicals to eradicate algal blooms. These activities effect the wildlife habitat value and use of the lake. Sand Lake is zoned with the SEC overlay zone, which prevents non-agricultural disruptions of the significant wetland areas.

#### 7. Howell Lake (Score: 47 Points)

Howell Lake and the adjacent wetland are located north of the Bybee Howell House. The lake is primarily open-water with about 5% of the surface area covered with emergent aquatic vegetation. Adjacent land use is agricultural. The lake receives limited human use by bird watchers and visitors to the Bybee Howell House. Most of the wetland areas are part of the Bybee-Howell Park, administered by METRO. METRO is currently preparing a master plan for the park. The site is zoned with the Willamette River Greenway (WRG) zoning overlay district, which prevents all non- agricultural and non-forest disruptions of significant wetland areas.

#### 8. Small lake near Wagonwheel Hole Lake (Score: 47 Points)

This small linear lake is densely vegetated with willow, black cottonwood and ash on one side and steep banks with red canary grass on the other. The impacts of diking, roads and fences limit the wildlife use of this site.

The site is privately owned. The SEC overlay zone which has been placed on the site prevents all non-agricultural disruptions of the significant wetland area.

#### 9. Agricultural Ditches and Sloughs on Sauvie Island (Score: 37-40 Points)

The majority of the waterways bisect agricultural lands. The steep banks and dense mat of vegetation limit access to and from the water for some wildlife species. Water quality may be affected by chemical runoff from adjacent agricultural fields. Water levels in these ditches fluctuate seasonally.

These ditches and sloughs are privately owned. Some of the ditches are maintained by the Sauvie Island Drainage District, while the rest are the responsibility of individual property owners. These sites are not protected by the SEC overlay zone because of their small, fragmented nature, and the fact that they are all zoned for rural uses. Most are zoned Exclusive Farm Use, and any non-agricultural use must be approved through a conditional use permit process. Such a process would serve to protect significant wetlands from development or degradation.

10. Wagonwheel Hole Lake (Score: 37 Points)

This is a small body of open water at the northern limit of the county on Sauvie Island. The banks have been severely disturbed and are eroding. Human use, primarily fishing, is heavy. The site is mainly important due to its location between Sturgeon Lake and wetlands and Multnomah Channel to the west. Significant wetlands on this site are protected from non-agricultural disruptions by the SEC zoning overlay.

**Natural and Environmental Resources Policies**

**POLICY 41: Explore and encourage opportunities to conduct selected dredging to increase depth, flows, flushing, and circulation action in Sturgeon Lake.**

**STRATEGY:** Multnomah County shall implement this policy by forwarding it to the Oregon Department of Fish & Wildlife.

**POLICY 42: Make recommendations and participate in the planning for Howell Park with METRO.**

**STRATEGY:** Multnomah County shall implement this policy by participating in and reviewing the Howell Park Master Plan.

## Summary of Staff recommended Policies

### Sauvie Island Land Use Policies

**POLICY 1:** Support measures which will ensure that Sauvie Island maintains and enhances its agricultural diversity on Exclusive Farm Use lands.

**POLICY 2:** Multnomah County shall promote the appropriate establishment of farm stands and u-pick facilities which will support the agricultural economy of Sauvie Island.

**POLICY 3:** Include deed restrictions protecting surrounding agricultural practices as a requirement for dwelling approval in the Multiple Use Agriculture zoning district.

**POLICY 4:** Encourage property owners to protect their lands as wildlife habitat through the use of tax deferral programs, and allow switching of tax deferral status from agriculture to open space-wildlife habitat without penalty.

### **MULTNOMAH CHANNEL LAND AND WATER USE**

**POLICY 5:** Assist METRO in development of a regional hiking, equestrian, and bicycle trail along Multnomah Channel south of Burlington Bottoms connecting to the Cornelius Pass rails-to-trails potential conversion, which runs in upland areas in the vicinity of Highway 30 and the existing Burlington Northern Railroad, and minimizes impacts to existing waterfront uses.

**POLICY 6:** The County should participate in educational information and programs to better educate channel users on safety issues and required laws including no wake and buffer zones.

**POLICY 7:** The County should recommend to the State Marine Board that all boaters be required to obtain licenses through the state prior to operating motorized marine craft over 25 horsepower including personal watercraft.

**POLICY 8:** (a) Multnomah County should make river patrol and enforcement of laws a higher priority to the Sheriff's Department.  
(b) Multnomah County should make enforcement of zoning laws in the channel a higher priority to the Transportation and Land Use Planning Department.

**POLICY 9:** Multnomah County should begin studying the noise impacts of-motorized watercraft in order to establish base levels of noise pollution in the channel.

**POLICY 10:** Multnomah County Comprehensive Framework Plan Policy 26 should be amended and rewritten so that moorages and marinas will only be permitted in:

1. The area where houseboats are currently permitted by Policy 26, and;

2. The existing Happy Rock, Sauvie Island, Parker, and Mayfair moorage sites.

**POLICY 11:** The County should develop and maintain a current inventory of all marinas and moorages.

**POLICY 12:** The County zoning code should be consistent with the County assessor and the state regarding the definitions of houseboats, boathouses and combos. For purposes of density calculations, "houseboats" shall be defined as 1) any houseboat, and 2) any boathouse or combo which is used as a residence (occupied 7 or more days per month).

**POLICY 13:** Multnomah County should adopt procedures requiring each existing moorage/marina to become a 'special plan area' under MCC 11.15.6600 at the initiation of the County to determine uses and densities allowed for each moorage on the channel. The special plan area designation would be required at the time of citation for a zoning violation from Multnomah County, or when the property owner requests an expansion or alteration, or for any new marina/moorage developments.

**POLICY 14:** The overall density for each existing moorage/marina shall not exceed the existing levels as measured by factors such as area and length of docks and number of slips (existing as of January 1, 1997). The actual number of slips for each moorage/marina shall be determined at the time a special plan area is approved for the moorage/marina. The specific plan will look at such things as 'legally existing' issues, non-conforming status and carrying capacity of the land to determine the number of dwellings and other uses allowed in each marina/moorage.

**POLICY 15:** Development on Multnomah Channel within Special Plan Areas shall be judged upon the following criteria:

**Water Environmental**

*River Bank Protection* - Development which protects the river bank from erosion caused by boat traffic.

*Water Quality* - Development which contributes to or does not significantly degrade water quality

*Septic tanks/Sewage* - Development which is more amenable to safe and sanitary sewage disposal, along with adequate upland facilities for disposal of sewage.

*Wildlife* - Development which contributes to or do not have a significant detrimental impact to the wildlife in the water.

**Land Environmental**

*Development in Wetland* - Development which does not impact wetlands.

*Traffic Increase* - Development which minimizes increases in traffic on moorage access roads, on railroad crossings, and onto Highway 30.

*Parking* - Development which minimizes the amount of parking area necessary.

*Ground Water Quality* - Development which minimizes impacts to ground water quality.

*Need for Restroom Facilities* - Development which minimizes the need for additional communal restroom facilities to serve the proposed uses.

*Land Wildlife* - Development which minimizes impacts to land wildlife.

*Necessary Utilities* - Development which requires fewer utilities to serve proposed uses.

*Floodplain Development* - Development which minimizes placement of permanent structures and uses in the floodplain.

*Accessory Structures* - Development which minimizes the need for accessory on-land structures to serve proposed uses.

#### **Aesthetic**

*Vegetation on Land* - Development which minimizes the loss of land vegetation.

*Visibility of Shore* - Development which minimizes changes to natural shoreline features.

*Massing and Scale* - Development which has a human scale or architectural quality to it.

*Diversity/Rural character* - Development which maintains the existing diversity and rural character of Multnomah Channel.

*Lighting* - Development which minimizes night lighting of uses.

*Vegetation/landscape on Water* - Development which minimizes its visibility from the Multnomah Channel waterway.

#### **Safety**

*Contribution to Channel Traffic* - Development which minimizes channel traffic.

*Residential Link* - Development with a permanent residence component which provides a human presence to both report emergencies and violations on Multnomah Channel.

*Fire Hazard* - Development which minimizes fire hazard.

*Emergency Services* - Development which minimizes the need for emergency services.

**Economic** - Development which provides economic value to Multnomah County in the form of assessment value and reduced need for public services.

#### **Recreation**

*Contribution to Public Recreation* - Development which contributes to public recreation opportunities on Multnomah Channel.

#### **Cumulative Impacts**

The cumulative impacts of the proposed development on the overall carrying capacity of Multnomah Channel shall be considered and minimized.

**The criteria listed shall be weighed and balanced by the hearing body considering each Special Plan Area so as to determine the most appropriate intensity and type of development allowed within each of these areas.**

**In reviewing each Special Plan Area, Multnomah County shall consult with other relevant local, state, and federal agencies, including but not limited to the following agencies:**

**Division of State Lands**

**Oregon Department of Fish and Wildlife**

**Oregon Parks and Recreation Department**

**Oregon State Marine Board**

**U.S. Army Corps of Engineers**

**Metro Parks and Greenspaces**

**POLICY 16: Implement code language within the special plan area criteria that incorporates the more specialized ideas in these policies. This concept should be carried out with input from citizens on the channel and should include guidelines regarding**

**lighting, landscaping and architectural design within the special plan areas for development.**

**POLICY 17: Multnomah County should promote responsible recreational uses in the channel by allowing public access or boat launches to occur as part of any redevelopment.**

Discussion: The other policies in this plan shall not be construed to discourage public access to the water from the land or vice versa.

## **RECREATION**

**POLICY 18: Encourage managers of the Sauvie Island Wildlife Area to post information signs regarding closures of areas to public use which explain why the area is being closed.**

**POLICY 19: Encourage Metro to purchase additional greenspace lands on the west side of Multnomah Channel in order to expand and enhance the Burlington Bottoms wildlife area.**

**POLICY 20: Promote recreational activities within the rural plan area which are complementary to natural and environmental resources identified pursuant to Goal 5 of the Statewide Planning Program.**

## **TRANSPORTATION**

**POLICY 21: Recommend that the Multnomah County Bicycle and Pedestrian Advisory Committee has significant Sauvie Island representation.**

**POLICY 22: Have the Multnomah County Bicycle and Pedestrian Citizen Advisory Committee study and recommend to the Board of Commissioners short-term and long-term solutions to safely accommodate bicyclists, pedestrians, and motor vehicles on Sauvie Island including on-road bikeways, separated multi-use paths, and funding options.**

**POLICY 23: Update Policy 33B Marine Transportation System in the Comprehensive Framework Plan.**

**POLICY 24: Oppose placement of regional roadways in the Sauvie Island/Multnomah Channel Rural Area, should such roadways be under consideration by any regional transportation authority in the future.**

**POLICY 25: Review rural roadway standards to determine if 8-foot paved shoulder widths can be reduced to preserve the rural character of roads.**

**POLICY 26: Participate in a cooperative effort with the Sauvie Island Drainage District and the Army Corps of Engineers to study the dikes upon which public roads run including funding for dike improvements.**

## **PUBLIC FACILITIES**

**POLICY 27:** Study methods by which the Sauvie Island Rural Fire Protection District can be reimbursed for providing fire and emergency medical services to island visitors.

## **ENVIRONMENTAL QUALITY**

**POLICY 28:** Coordinate promulgation and enforcement of air quality, water quality, lighting, and noise pollution issues with the City of Portland and the Port of Portland.

**POLICY 29:** Provide for safe and easy collection and disposal of sewage from marine uses in Multnomah Channel.

**POLICY 30:** Coordinate with the Division of State Lands to remove floating structures which are illegally sited and do not meet County zoning standards.

**POLICY 31:** Recommend that any fill generated as a result of dredging activities in the Columbia River be located on Sauvie Island only under the following conditions:

- To assist in flood control
- Not on designated wetlands
- Not on high value farmland unless placement of such fill improves a farm's soils or productivity
- In areas where it will not negatively impact wildlife habitat

## **NATURAL HAZARDS**

**POLICY 32:** Make protection from flood waters the highest priority among competing uses on Sauvie Island.

**POLICY 33:** Encourage property owners to control vegetation along Sauvie Island levees through methods that are least environmentally damaging as determined by the Sauvie Island Drainage District.

**POLICY 34:** Post signs prohibiting trespass on drainage waterways where they intersect with public roads.

**POLICY 35:** Consider methods of alleviating the compaction effects of roadways on levees through relocation of such roadways or reconstruction of such roadways with additional fill under them to raise the levees.

**POLICY 36:** Support the Sauvie Island Drainage district in its efforts to control vegetation growth in the district's drainage canals.

**POLICY 37:** Assist the Sauvie Island Drainage District in reviewing and changing assessment practices order to encourage fair assessment of all properties on Sauvie Island

which benefit from the activities of the district.

**POLICY 38: Take measures to protect Sauvie Island levees from bank erosion.**

**POLICY 39: Coordinate with federal and state agencies to remove hazardous debris from Multnomah Channel by preparing and implementing a program to remove such debris as a hazard to navigation and floating structures.**

**POLICY 40: Assist the Sauvie Island Fire Protection District in formulating emergency communication and evacuation plans for Sauvie Island.**

#### **NATURAL AND ENVIRONMENTAL RESOURCES**

**POLICY 41: Explore and encourage opportunities to conduct selected dredging to increase depth, flows, flushing, and circulation action in Sturgeon Lake.**

**POLICY 42: Make recommendations and participate in the planning for Howell Park with METRO.**

7/16/97  
JANE HART  
SPEAKER #1  
TESTIMONY



METRO

July 15, 1997

Multnomah County Board of Commissioners  
1220 SW 5th Avenue  
Portland, OR 97205

Subject: Sauvie Island/Multnomah Channel Rural Area Plan,  
Mult. Co. Planning Commission Recommended Draft, June 2, 1997

Dear Commissioners:

Thank you for the opportunity to submit these comments regarding the Planning Commission's recommended draft for the Sauvie Island/Multnomah Channel Rural Area Plan (June 2, 1997). This testimony is provided on behalf of the Metro Regional Parks and Greenspaces Department. We commend the staff of Multnomah County's Division of Transportation and Land Use Planning, the Citizen Advisory Committee and the Planning Commission for their work to date on this proposed Plan.

Sauvie Island Land Use Policies

We are concerned that the underlying EFU zoning designation at Howell Territorial Park on Sauvie Island does not accurately reflect the historical, current and continued future uses of this property for park and outdoor recreation uses. The park has been in public ownership since the 1960's for the purpose of protecting it's unique natural and cultural resources for the public's use and enjoyment. A Metro Council approved master plan for Howell Territorial Park identifies future improvements and public uses including interpretive programs and activities, trails, wildlife watching facilities, new picnic facilities, wildlife habitat enhancement, a ranger residence, bird of prey rehabilitation and more. The County Planning Department has made a preliminary determination that two of the proposed uses, rehabilitating injured birds of prey and a ranger residence are non-conforming uses on EFU land. We believe that the underlying EFU zoning has never served the park's historical, current and proposed future uses.

Metro believes that the County zoning map and Comprehensive Plan and Code should be corrected to reflect the historical, current and future uses identified in the master plan and that those uses be allowed outright as opposed to requiring costly and time consuming land use review and approval processes.

*Policy 19:*

Add to end of sentence '*and allow for appropriate recreational uses*'.

*Policy 20:*

We are concerned about the phrase "identified pursuant to Goal 5 of the Statewide Planning Program". Metro is currently attempting to acquire certain lands north of Burlington Bottom along Multnomah Channel which may not have been identified and acknowledged as Multnomah County Goal 5 resource lands. However, they have been identified as part of the Greenspaces Master Plan and Metro Council approved Acquisition Refinement Plans tied to the Opens Spaces bond monies. We recommend that Policy 20 include regionally significant natural areas adopted in the Greenspaces Master Plan and lands approved in Metro's Acquisition Refinement Plans.

Natural Hazards Policies

*Policy 33:*

We recommend changing Policy 33 by adding *in coordination with Oregon Department of Fish and Wildlife* to the end of the sentence.

*Policy 38:*

Add to the end of sentence... '*in a manner that protects fish and wildlife habitat and passage*'.

*Policy 39:*

We would like a clarification of what constitutes hazardous debris. Woody debris is beneficial to fish and wildlife and an important element of habitat.

Thank you again for the opportunity to provide these comments. Please feel free to call Jane Hart (797-1585) at Metro Regional Parks and Greenspaces if we can be of further help in development of policies for the Sauvie Island/Multnomah Channel Rural Area Plan.

Sincerely,



Charles Cieccko, Director  
Metro Regional Parks and Greenspaces

cc: Mike Burton, Metro Executive Officer



# Happy Rock Moorage

7/16/97  
CINCER CURTIS  
SPEAKER #3  
TESTIMONY



23548 N.W. St. Helens Rd

Portland, OR 97231

(503) 543-7464

July 16, 1997

To: Department of Environmental Services  
Transportation and Land Use Planning  
2115 S.E. Morrison Street  
Portland, Oregon 97214-2865

Re: The Multnomah Channel and Sauvie Island Rural Area Plan

The first item I would like to address is a misleading statement that some Mult. County officials have been making about Happy Rock Moorage. When they have been approached about the Happy Rock issue, their reply has been that the problem is that we are an illegal moorage. This is not true!

We are a legal moorage that in the opinion of the Multnomah County Planning Commission is in violation of its permit. To say that we are illegal is to imply that we are a squatter moorage. We are not!

We just renewed our 20 year lease with the Division of State Lands.

We have all the proper permits from the Corp. of Engineers.

We have a DEQ approved sewage system. In fact, We voluntarily let Ann Cox from DEQ do an on site inspection of our sewage system this year and also let her go into every floating structure on our moorage and she gave us an excellent letter of approval.

The Scappoose Fire Department has given us their approval.

Our access road has a legal egress and ingress rights that was just reinvestigated two years ago by an attorney because a moorage neighbor made false claims.

We have adequate parking.

And I can say with all honesty and pride that we have one of the most attractive and clean moorages around. From the beginning we have never polluted the waters of Oregon.

Now I would like to speak about the RAP Plan Citizens Task Force next. We presented our case on our grandfather rights to the task force. They agreed 100% percent that we should be grandfathered. In the plan you have before you those grandfather rights have been taken out. Instead the Special Area Permit has been added. And I believe this was never even presented to the task force.

I have been involved with members of the DSL task force. I have talked with people on previous task forces and I'm beginning to wonder. I'm beginning to wonder if task force groups are just a method to pacify the public into thinking they had a part in it. If the vote had been 50/50 or 40/60 I could see the County making the final decision. But to ignore a vote of 100% is rather astounding.

So, now we have a Special Area Permit Plan and some pretty good general criteria instead. You probably think, well, you should be happy with this. It could solve your problem. Maybe, Maybe not. How can I support a plan whose final criteria will not be written into the zoning code until after it is approved.

Let's talk about the window of time here. In numerous conversations with the County I have been told that it could be a year before the zoning code for this plan is done and we could apply. The RAP plan was to take a year and it is two years or more and it is not finished. So, judging on past performance we could be looking at one to two years before we know if it will solve our problem.

We have already lived with this violation for almost four years and now we might have to wait another two years!

During that time, as during the last four years, our tenant's houses will have no value. It will be difficult for them to sell them because no bank will loan on them. A houseboat that has no guaranteed spot has no value. Those who have sold had to sell at a lower value because of the violation.

If one of our tenants has a financial diaster or medical emergency, they cannot borrow on the equity of their home.

When I asked why the the grandfathering was taken out, the county said they were afraid that some squatter moorage could be legalized by it. How? The way it was to be phrazed was: "Happy Rock Moorage, Sauvies Is. Moorage and Mayfair Moorage whom have approval from all other regulatory agencies other than Mult. Co. Planning Commission shall be grandfathered as of January 1, 1997." I cannot see how this would allow squatters to fall between the cracks.

The other comment I heard from some county officials was that they were not comfortable with grandfathering an illegal use.

First, I believe if they check their records they will find that they have already. There are other moorages who have never actually been legal that are existing with no violation over their heads.

UNCOMFORTABLE ! I'm uncomfortable about many things that have gone on!

I'm uncomfortable - that in 1977 when we were approved to expand the southern end of our moorage and in the approved permit, under the history of the site, it states: "Development existing on the property consists of a boat ramp, gravelled parking area, restrooms, moorage spaces, boathouses and a caretaker's houseboat." But now the county says we can only have one caretaker's house.

I'm uncomfortable - that we were left out of policy 26 in 1980 and no one knows why.

I'm uncomfortable - that in 1983 the county amended the Comprehensive Plan and that amendment clearly grandfathered the houses at our moorage because there was no other reason for the amendment, but the county says now we can only have one caretakers house.

I'm uncomfortable - that in 1994 the county sent us a letter stating that we must get rid of twenty houses in sixty days or start legal action. So, instead of pushing twenty houses out into the channel, we have spent well over 55,000.00 dollars on attorney bills in three years, without any resolution.

I'm uncomfortable - with the fact that in 1989 when we hired an appraisal firm to set a monetary value on the moorage, so we could buy out our partners and they contacted a county agent he said these houses were grandfathered. We bought out our partners on that information.

WE WERE EXTREMELY UNCOMFORTABLE - when the windstorms preceding the 1996 flood took out 16 pilings, leaving us tied to trees on shore, almost damaging houses, and putting our tenants lives at risk because we had a violation over us and could not get a loan to replace the pilings.

I'm uncomfortable - with the fact that on December 5, 1995, we received a letter approved by all the Multnomah Co. Commissioners that stated they agreed that our houses were grandfathered under the 1983 amendment and then on August 15, 1996, we received a letter that said the December letter was a mistake and we were again only allowed one caretaker's house. This was after we had taken out a SBA disaster loan for \$65,000.00 to replace pilings and flood damage.

And yet, the county who has the authority to grandfather us and settle this issue right now is uncomfortable with grandfathering an illegal use. Somehow I do not follow their logic. It would surely have cost and still would cost the taxpayers less money.

So, what do I want? I say leave the Special Area Permit in the RAP plan. It could be beneficial in correcting many problems.

But, also reinstate Happy Rock's grandfather rights. We are the only moorage who has suffered emotional, physical and financial harm and will continue to suffer until this violation is lifted. Am I asking to much? I don't think so! We have been held hostage by the county for almost four years. Turn us free! Give us our grandfather rights back and let us live in peace again at Happy Rock.

Bill Casselman  
SPEAKER #5  
TESTIMONY

July 16, 1997

Att: Board of County Commissioners

SUBJECT: C 6-95 Sauvie Island/Multnomah Channel Rural Area  
Plan

Dear Commissioners,

As a member of the Sauvie Island/Multnomah Channel Rural Area Plan Citizen's Advisory Committee, a owner of waterfront property on the Multnomah Channel for 20 years, a builder of three moorages and Owner - Operator of a Houseboat/Boathouse moorage and a Sailboat moorage, I could be considered a stake holder in the future of the Multnomah Channel. Couple that with a 20 year oversight of what has happened to the Channel over those years makes me a concerned citizen. As a member of the Waterfront Owners and Operators of Oregon, we have for the last three years attended meetings, organized boat trips, and worked with all affected agencies concerning the problems and future of this area.

I support the staff recommended draft by the Multnomah County Staff pulling together the concerns of the various factions represented by the advisory comity and citizens attending the meetings. The overwhelming thing was preservation while meeting the recreation needs of an expanding population. Even the E.P.A. recommended in their report that existing facilities be maximized to minimize future expansion requirements.

Policy 12 creates a vacation status for boathouses allowing them to be used for that purpose. This would allow them to use the sewage collection on the boathouse instead of dumping into the river or traveling to a distant pump station. NOTE Under present code If a boathouse has a sewer connection it is considered a Houseboat which puts the moorage owner in violation of density. ( This does not make sense. )

The moorage community has lead the way in preserving the Multnomah Channel. We realize that a workable, flexible, zoning structure is necessary to accomplish that. The moorage provides public access, services, safety, electric, sewage, water, garbage collection, road access, parking and pays taxes on those investments.

GREAT JOB STAFF.

Yours Truly,



Bill Casselman Phone 503-543-5183  
Casselmann's Cove, Inc. and Casselman's Wharf, Inc.

SPEAKER # 6  
JAN HAMER  
TESTIMONY

July 16, 1997

**TO:** The Multnomah County Board of Commissioners

**RE:** Sauvie Island/Multnomah Channel Rural Area Plan  
Comments on Planning Commission recommendations dated June 2, 1997

Dear Commissioners:

I have been an active participant since the beginning of this Rural Area Plan and a member of the Citizen's Advisory Task Force. I own River's Bend Marina located on the Multnomah Channel (right at the county line). Through the numerous public and sub committee meetings, I feel the Task Force and participating citizens developed a philosophy and consensus of protecting the Island and Channel while recognizing the need to manage some growth and use in both areas. Particularly in the Channel, the need to maximize existing facilities within Policy 26 and each marina's existing boundaries was also built into this plan.

I also feel the staff and Planning Commission did an excellent job of converting the Citizen and Task Force recommendations into this plan.

**SPECIFIC MULTNOMAH LAND AND WATER USE POLICY COMMENTS:**

Policy No. 12

These structures that are used as casual and weekend recreation, can be easily managed through the marinas' lease program.

Policy No. 13, 14, 15 and 16

This combined program could allow some very site specific growth within each marina's existing boundaries while measuring the overall impact of the area. It is very important to note two issues here:

- 1) Most of the boat traffic on the Channel is not moored in the Channel, but cruises in from the Metro Area. Each marina stops the bank erosion where they are located.
- 2) All moorages and marinas in the Channel provide for most of the remaining public use and access to the Channel.

I respectfully ask the Board of Commissioners to support all of the Sauvie Island/Multnomah Channel Rural Area Plan and Policies.

Sincerely,



Jan R. Hamer  
River's Bend Marina  
Phone 503-543-6223

7/16/97

LETTER READ BY SPEAKER  
#7 Betsy Charlton Powell

7/16/97

Multnomah County Planning Commission  
Board of County Commissioners  
1120 SW 5th  
Portland, OR 97204

To whom it may concern:

Re: Cell Tower as a Land Use Issue on Sauvie Island

My name is Cherie Sprando and I served as a task force member on the Multnomah County Sauvie Island/Multnomah Channel Rural Area Management Plan. This task force met monthly from January of 1996 through January of 1997. It dealt with all the issues that have been and are currently affecting Sauvie Island and the Multnomah Channel, but one.

AT &T began negotiations with the Sauvie Island Grange to locate a cell tower on their property behind the school on Charlton Road in the middle of 1996, concurrently with the task force meetings. There was never any mention of a potential cell tower location on Sauvie Island. A major negotiator for the Grange was even a task force member.

This is a major land use issue. It should have been an issue brought before the task force and all the citizens to discuss and come to a recommended policy conclusion like all the other issues. Sauvie Island has been an environmentally sensitive, intensely protected area from the onset of the first comprehensive plan. It would be a great oversight to not amend the proposed Rural Area Plan with a policy addressing cell towers, or any such type of utility tower which so greatly impacts the Island's integrity.

It is quite well established, to date, that when one cell tower is allowed, others will follow. A precedence, such as a cell tower on Sauvie Island, is an open door to allow future degradation of the Island's scenic, rural, agricultural nature, and rolling, unobstructed low topography.

Please do not let this one issue escape your attention. Sauvie Island is not an appropriate location for cell towers of any kind. Please amend the Rural Area Plan to establish a moratorium against construction of any kind of cell tower that significantly impacts the scenic beauty and rural characteristics of Sauvie Island.

Thank You

  
Cherie Sprando



## Happy Rock Moorage

23548 N.W. St. Helens Rd

Portland, OR 97231

(503) 543-7464

July 21, 1997

To: All Multnomah County Commissioners

Re: Multnomah Channel/Sauvies Island Rural Area Plan  
Additional written testimony for Happy Rock Moorage

I would like the following information added to Happy Rock Moorage's written testimony. I did not feel it was in good taste to present this in my oral testimony at the Rural Area Plan on July 16, 1997.

It has been brought to my attention in the last few years through conversations with county officials and our attorneys that the main complaint against Happy Rock Moorage is Rich Tonneson of Rocky Pointe Marina and some county officials have indicated that he does have a valid argument. I believe IF the county intends to consider Mr. Tonneson's argument in making their decision on Happy Rock Moorage's future then it is important that they make sure his statements are completely true.

Mr. Tonneson's argument is one of discrimination. He claims that his reason for maintaining such a tenacious stand against our grandfather rights being honored is because he had to spend thousands of dollars to put his moorage into compliance with Multnomah Co. Planning Commission and other regulatory agencies. I would like you to consider this:

Mr. Tonneson did not to my knowledge bother to check the legal status of Rocky Pointe Marina before he purchased it. If he had he would have known it was out of compliance and he could have negotiated that factor in his purchase price.

We did have an appraisal firm check out our status before buying out our partners half of the moorage.

If you were to have Mr. Tonneson break down where this money he spent went, you would find that a small percentage of what he claims actually went to put the moorage into compliance (And on the river there is real doubt that he is in complete compliance). The greater percentage was used to reconfigure and expand the existing moorage.

If Mr. Tonneson is indeed interested in equality. Why hasn't he been upset by the squatter moorage which is about four moorages down from him. Or that the moorage next to

him has floating homes with no permit on file for floating homes.

He has maintained a constant war with Happy Rock Moorage. Why? We don't know for sure but it has to be one of the following or all of the following:

1. He wants our land to expand his moorage and would like to see our business fold or us to have emotional breakdowns so he could purchase it through a straw person.
2. He wants our houseboats.
3. He has a vendetta against us because we have tenants who moved from his moorage to ours. In fact, everytime a spot has come up at Happy Rock Moorage, someone from Rocky Pointe Marina applies to move here.

Mr. Tonneson immediately made false claims against Rivers Bend Marina after seven or eight houses moved from Rocky Pointe to River's Bend. Jan Hammer, owner of River's Bend, can testify to this. Mr. Tonneson made a complaint against Casselman's Wharf when a house from his moorage moved to Casselman's Wharf. Bill Casselman, owner of Casselman's Wharf, can testify to this.

In conclusion, I would just ask the commissioners to investigate Mr. Tonneson's arguments if they intend to let his claims affect their decision on the fate of Happy Rock Moorage.

Thank you,

Curt and Ginger Curtis  
Happy Rock Moorage