

Hilly Habitat

Council moves to protect natural areas.

The Eugene City Council voted June 8 to move toward protecting rare natural areas in the south hills, potentially reversing a developer victory over regulations two years ago.

The move on a 5-4 vote directing staff to consider pileated woodpecker habitat as part of a pending natural resource inventory could effectively reverse a 5-3 decision two years ago by a pro-development City Council to block protection of valuable upland natural areas.

"This will get us roughly the same result" as reversing the earlier developer victory, said Kevin Matthews, president of the citizen group Friends of Eugene (FoE), after the council meeting.

Efforts to protect rare natural areas in Eugene have had a long and tortured history. Thirty years ago, state land use laws required cities to inventory residential, commercial and industrial land for development and also inventory sensitive natural resource lands for possible protections from development. Eugene completed its inventory of developable lands long ago, but never did the inventory of natural areas required by state land use Goal 5.

A decade ago, pro-developer Lane County commissioners and Springfield councilors blocked implementation of the natural resource inventory as part of the Metropolitan Plan.

In 2003, development interests successfully pushed for a last-minute switch in the Eugene inventory process to a "safe harbor" approach. The switch threw out years of staff work and a Eugene Planning Commission recommendation that the city inventory 3,500 acres for natural resources, including valuable wooded areas of the south hills. Instead, the council voted to inventory only about 1,000 riparian acres, about half of which was the Willamette River.

The inventory crawled forward under the new methodology and in the meantime a more progressive Mayor Kitty Piercy and City Councilor Andrea Ortiz won election. This year, the state told the city to complete the natural resource inventory by the end of this month, a deadline the city says it won't make.

Last month, the Planning Commission held a hearing on the inventory and FoE objected that the city was not complying with state law regarding the "safe harbor" inventory process. FoE wrote

that state regulations require the city to include upland areas in the inventory if they are habitat for a sensitive species. The pileated woodpecker is a sensitive species with documented habitat throughout the south hills, FoE noted.

Last week the council directed staff to review and update the natural area inventory in light of FoE's new information concerning the presence of the sensitive pileated woodpecker in substantial areas of the south hills.

The vote wasn't to directly reverse the pro-developer safe harbor decision two years ago, but FoE's Matthews said it will have a similar result because most of the areas dropped from the inventory under Republican Mayor Jim Torrey in 2003 are woodpecker habitat.

"The Torrey council thought they were pushing the inventory through a loophole.

But it's not really a loophole," Matthews said. "The OARs [regulations] aren't that stupid."

City Manager Dennis Taylor and environmental planner Neil Bjorklund objected to expanding the inventory, arguing it would require they do more work and delay protections for riparian areas in the existing inventory.

But Matthews said the city's proposed protections were developed "behind closed doors" for the past two years and are "toothless." In many cases, "what staff did in a black box was a lower degree of preservation" than already exists under current regulations, he said. "It's trash."

Matthews faulted the city for shrinking "ribbons of habitat" protection and a provision allowing the city manager to waive protections for any developer without cause, arguing such a provision would needlessly politicize the process. Matthews said some of the provisions are worthwhile, but the city could still separate those provisions and move forward with them while conducting the expanded south hills inventory.

The already three-decade battle over the natural resource inventory is likely to continue for years to come. Even after the inventory is completed, the council will have to vote on new regulations for included land to make the inventory meaningful. City staff quickly scheduled a June 27 council meeting at which they and developer interests will likely urge the council to reconsider their June 8 vote. **ew**



High Country Expeditions Northwest Whitewater Trips

- Upper McKenzie River — class 1-3
- Upper Klamath River — class 1-4
- Cal-Salmon River — class 1-5
- Rogue River — class 1-4
- Trips daily
- 1/2 to 3 Day Excursions
- Student & Group Discounts
- Locally owned and operated
- Come see us at Belknap Hot Springs



www.HighCountryExpeditions.com

1-888-461-7238 • 541-822-8288

"Let us guide you through your next outdoor adventure."



FEEL THE JOY



Helmuth Rilling, artistic director

Celebrate musical expressions of joy at the

OREGON BACH FESTIVAL

JUNE 23-JULY 10

The Kronos Quartet

Adventurous, Latin-flavored music by the leading quartet of our time

July 1, 8 pm

Sponsored by Valley River Inn, IP/Koke, Oslund Design; media sponsor KLCC-FM

The Uncle From Boston

Dazzling and delightful music in this newly discovered comic opera by the genius composer Felix Mendelssohn.

July 3, 4 pm

Sponsor: Timber Products; media sponsor OPB.

L'Allegro

Lilting melodies, beautiful choruses and vivid imagery spark Handel's entertaining masterpiece of the Baroque.

July 7, 8 pm

Sponsors: Pepsi Cola Bottling of Eugene, Hilton Eugene Hotel and Conference Center; media sponsor: Eugene Weekly.



Concerts at the Hult Center for the Performing Arts.

oregonbachfestival.com

(541) 682-5000



UNIVERSITY OF OREGON

internet access & community support



• dial up, DSL and web hosting

• low income access only \$6-\$9 monthly

• I-5 corridor

efn.org 484.9637

powered by emerald people's utility district