

July 19, 2012

13-010

DELEGATE AUTHORITY TO DISTRICT PRESIDENT
OR HIS DESIGNEE TO NEGOTIATE A
CONSERVATION/MITIGATION EASEMENT WITH
CLEAN WATER SERVICES AT THE ROCK CREEK
CAMPUS

PREPARED BY: Linda Degman, Director, Bond Program

FINANCIAL
RESPONSIBILITY: Linda Degman, Director, Bond Program

APPROVED BY: Wing-Kit Chung, Vice President Administrative Services
Randy McEwen, District Vice President
Dr. Preston Pulliams, District President

REPORT: Clean Water Services (CWS) is the utility regulating surface and storm water in the Tualatin River watershed, which includes the Rock Creek campus. As such, PCC's development plans at the campus fall within CWS's review and approval authority, to at least the extent that campus projects will potentially impact the amount and/or quality of surface and storm water generated at the campus.

CWS and PCC have a mutual interest that PCC's facilities be developed in ways that contribute positively to water quality, do not create added demands on existing water treatment systems, and to the extent possible mitigate on PCC's own property the impacts of development on that site. PCC's interests include ensuring that public resources spent for mitigation measures create public benefit and not private benefit. CWS's interests include creating larger land areas for mitigation to create richer natural environments. Staff understands this interest, which to an extent can complement the campus' environmental studies program. Additionally, the northwest corner of PCC's Rock Creek campus property is a wetland area that is part of the Rock Creek watershed.

PCC and CWS have discussed at length the mitigation measures that will be needed due to future campus development. Directionally those discussions have been that PCC would grant CWS a conservation easement for an area in the NW corner of the Rock Creek campus. This area would be managed by CWS, and would fulfill the mitigation requirements of the campus' current development plans. It is likely that the easement area could also provide credits for future campus development beyond the current bond program.

Staff wishes to note also that if future mitigation credits are created by this easement beyond those required by current development plans, those can potentially be sold to others as mitigation for non-PCC (public or private entities) projects. The current staff perspective is that PCC should hold those credits for the benefit of the college in the future.

RECOMMENDATION: That the Board of Directors delegate its authority to the District President or his designee to negotiate an easement agreement with Clean Water Services for the purpose of implementing mitigation measures required by current campus development plans. The easement agreement will be subject to the prior concurrence of College Counsel and the Board Chair.

That any recommendation to sell "excess" mitigation credits, should they exist, will be brought to the Board for consideration separately.