

Meeting: Smith and Bybee Wetlands Advisory Committee (SBAC)

Date: Tuesday, November 24, 2015

Time: 5:30 p.m. – 7:30 p.m.

Place: Metro Regional Center – Room 270

600 NE Grand Ave, Portland Oregon 97232

5:30 p.m.	Welcome and introductions	All
5:35 p.m.	Approve Apr. & Sep. 2015 meeting minutes	Troy Clark
5:45 p.m.	Trails update	Mel Huie & Olena Turula
6:15 p.m.	Employment Zoning Project update	Robert Spurlock
6:35p.m.	Winter Water Management Plan	Dan Moeller
6:45 p.m.	Review Communications Plan's November meeting purpose	Troy Clark & Dan Moeller
7:05 p.m.	Review Committee Attendance Bylaws	Troy Clark
7:20 p.m.	Goals and next meeting agenda	All
7:30 p.m.	Adjourn	

Upcoming SBAC meetings:

Tuesday, January 26, 2016 at Metro Regional Center For agenda/schedule information, contact Christy Carovillano at 503.797.1545 or christy.carovillano@oregonmetro.gov

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Smith and Bybee Wetlands Advisory Committee

November 24, 2015

Committee members in attendance

Troy Clark*Audubon Society of Portland (Chair)
Carrie Butler*Port of Portland (Vice Chair)

Adele Rife*Columbia Slough Watershed Council

Dale Svart*Friends of Smith & Bybee Lakes

Dan Moeller*.....Metro, Parks and Nature

Dave Helzer*City of Portland, Bureau of Environmental Services

Eric Tonsager*.....Oregon Bass and Panfish Club

Pam Arden*40 Mile Loop Trust

Sara Henderson*.....St. Johns Neighborhood Association

Others in attendance

Christy Carovillano	Metro, Parks and Nature
Mel Huie	Metro, Parks and Nature
Olena Turula	Metro, Parks and Nature
Robert Spurlock	Metro, Parks and Nature

Committee members not in attendance

Bill Briggs*	ORRCO
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Susan Barnes*Oregon Department of Fish and Wildlife

WELCOME

Brief introductions and announcements were made – Dave Helzer announced that he recently took a new position at City of Portland, Bureau of Environmental Services, and is no longer a part of the Columbia Slough Watershed team; therefore, a new representative for that team will replace him on the committee beginning with the next meeting.

The April 28, 2015 and September 22, 2015 meeting minutes were approved as written.

TRAILS UPDATE

Mel Huie, a Metro principal regional planner, provided an update around the upcoming trail plans at Smith and Bybee Wetlands for a connection of the North Portland Greenway, a legacy project for the region, which Metro is working on in partnership with many other agencies (<u>Attachment 1</u>).

The portion of the North Portland Greenway that Metro is the lead on is the Chimney Park trail, Columbia Boulevard trail bridge, and St. Johns Prairie trail and overlook. The trail will start where it is connected to all the neighborhoods to the south and will cross multiple ownerships. There are also potential plans for a trail bridge over the North Slough and restoration of the existing trail to Kelley Point Park, which is damaged from past floods and lack of maintenance; however, these are not funded yet.

Some of the partners Metro is working in cooperation with on this project are PES, PPR, BES, PBOT, ODOT, DEQ, UPRR, utility firms, local businesses and residents, 40-Mile Loop Land Trust, npGreenway, SB Wetlands Advisory Committee, and NPEC. Metro is working with the transportation organizations because of the bridge

^{*}Denotes voting Smith and Bybee Wetlands Advisory Committee member.

that goes over Columbia Boulevard, a city street; DEQ because there might be contaminated land on the north side; and the railroad organizations because there will also be a crossing over railroad lines.

Current funding is from four sources as follows:

\$1.5 million from ODOT STIP Enhance grant \$1.9 million from Metro 2006 Bond Investment funds \$851,000 from North Portland Enhancement funds \$200,000 from PPR SDC funds

Funding allows Metro up to ten years to build trails, but the current plan is complete project in five years. Metro also recently submitted a new grant application to ODOT for possible funding for the North Slough bridge.

Mel then shared some photos including:

- Historical photo of Chimney Park during the pre-landfill era and current photos of the Portland Parks'
 maintenance facility and popular dog park that occupy the area now. Mel mentioned Metro will have
 to work with the dog park community around the trail design in order to not take away any of the dog
 park. There will be various design options to consider in this process.
- Historical and current photos of St. Johns landfill that Mel mentioned the City sold to Metro for \$1 in 1990 when it closed as a landfill. He also commented on how it has turned into a beautiful natural area, but with methane gas still burning off, we are lucky perimeter access is being allowed there will be a low cable fence serving as a boundary for the trail.
- Map of a similar trail in the San Francisco bay area that is on land still privately owned by a landfill
 company that allowed a natural area in the middle. Mel said they will use this trail as an example and
 inspiration for the new trails around Smith and Bybee Wetlands.

Finally, Mel presented a rough timeline for the project:

Chimney Park to St. Johns Prairie

2014 - Grant awarded

2016 – IGA with ODOT and City of Portland because eventually the City will take over and manage the trails

2017 – Alignment and design work on how the trail will get through Chimney Park and to the south end of the current existing landfill bridge, as well as utility relocation

2018 – Right-of-way and easements work, although Mel does not think there will be any non-public land they will have to deal with on this front

2018/2019 - Construction

2020 – Possible grand opening

The accuracy of this timeline depends on how the design phase pans out. Some potential major issues are alignment to avoid the dog park, UPRR at-grade trail crossing, potential of hazardous waste on BES properties, and utility relocations.

Trail and Viewpoint on Landfill

TBD – this trail will be owned and maintained by Metro and could be designed by the Parks & Nature department in partnership with consultants.

Trail Bridge over North Slough

TBD – no funding yet and need updated feasibility study as well as cost estimates, and ownership and maintenance has yet to be decided.

Restoration of existing trail from North Slough to Kelley Point Park

TBD – no funding yet, this is owned and maintained by PPR on Port of Portland land, PPR is interested in turning over the trail to Metro after it is restored.

Discussion

There was a brief discussion on the topic of dogs and the rules surrounding them for the new trail plan. Dan Moeller mentioned that typically, Metro does not interrupt a continuation of usage of trails for the purposes of dogs. Troy Clark reminded the group however, that it was specifically called out in the Natural Resource Plan that dogs will not be allowed in the Smith and Bybee Wetlands area. Pam Arden said as long as dogs remain on the regional trails, then it shouldn't be an issue. Troy closed the topic by stating that it is a matter of education, and will likely be a topic of many future discussions.

Next, Troy asked Mel at what location City responsibility ends, to which Mel responded at the landfill bridge. Troy also asked if any work has been done on the trail on the other side of the North Slough and who will be managing it. Mel said roles and responsibilities are still to be determined, especially with the North Slough having been a difficult area to define, possibly the City or the Port or Portland, but the trail was not in Portland Parks' recent bond measure.

Dave Helzer brought up discussion from a previous meeting of a tentative plan for a new canoe launch and parking on the landfill side of Smith and Bybee, and asked if this was tied into the new project. Mel replied that the trail will not be going to the area that this was proposed for, but the design plan will allow possible future incorporation of these features. Troy then asked if it will be included in the design, and Mel said they will take it into consideration.

Finally, Pam Arden asked if there are plans to attend to the area where Marine Drive and the 40 Mile Loop end and transition into Kelley Point Park because the access there is terrible. Mel said this is important and there would have to be discussion with Portland Parks since this would be a key segment of the trail and is the type of area that tends to get forgotten, but does need a better connection. Dave mentioned it just seems like an alignment issue that once fixed will have a big impact. Mel suggested sharing thoughts and concerns on this topic with the planners at Portland Parks and possibly even having a representative from their group meet with the SBAC.

Next Steps

The Metro planning team plans to have Rod Wojtanik attend either the winter or spring SBAC meeting and present more details on the scope of work and schedule.

EMPLOYMENT ZONING PROJECT UPDATE

Robert Spurlock, a Metro regional planner, provided an update around the Employment Zoning Project that the City of Portland is working on (Attachment 2). He was involved in Metro's submission of comments to the Portland Bureau of Planning and Sustainability (BPS) on this proposed plan to help ensure all new areas would be zoned correctly.

The City of Portland, as a part of their comprehensive plan, will be implementing new directions for industrial and employment land uses with expected outcomes to include code changes to industrial and employment zones and zoning map changes. In the first draft of their plan, parks and natural areas were to be excluded from prime industrial overlay zones for the purposes of reserving as much land as possible for employment land use.

In this process, BPS made the stance that Metro code also prohibited parks and natural areas in prime industrial areas, to which Metro disagreed and said was a misinterpretation of the code. A few other areas of contention in the first draft were that BPS wanted to require a monetary fee any time new land was acquired for natural areas, and that the Expo Center was zoned as a prime industrial area, which was asked to be removed.

BPS's new draft incorporated most of Metro's comments and proposed changes, but still left a prohibition on undeveloped natural areas and parks in the prime industrial overlay zone. Metro responded by putting more emphasis on not wanting this ban for natural areas because Metro, oppositely, allows it. The Planning Commission did agree that Metro's comments should be taken into account, and the draft is to be revised to allow the natural areas, which is good news for restoration purposes.

With regards specifically to Smith and Bybee Wetlands, Robert said in the preparation of Metro's comments, the boundaries of the Smith and Bybee area were misunderstood, and so, the comments stated that all of Smith and Bybee should be removed from the prime industrial area. The Port of Portland however, responded by saying part of the property Metro identified was actually under the Port's ownership, and they wanted it to remain in the prime industrial area due to the industrial project, the BPA power line, they have going on there.

Robert said the misinterpretation of Metro's Smith and Bybee boundaries was mainly due to staff turnover during the work on the Comprehensive Natural Resource Plan (CNRP), and the new team not being aware that the boundary the CNRP identified did not constitute the boundary of the natural area, so Metro agreed with the Port of Portland's argument.

Discussion

Troy Clark asked what it means if a piece of property was called out in the Smith and Bybee area, and is now zoned as a prime industrial area. The response was that the area was already zoned as industrial, so the prime industrial overlay just strengthens the industrial zoning and the retention of the land so it won't get converted to commercial or open land zoning in the future, a completely new concept in Portland zoning.

Troy also mentioned the piece of property in discussion with the Port is not really discussed in the CNRP, and so asks if this means it will still be identified as a part of Smith and Bybee Wetlands. Committee members clarified that it is not a part of the Smith and Bybee Natural Area that Metro owns, but is considered a part of the overall Smith and Bybee Wetlands area. There are a few other similar properties that the Port owns, but Metro manages, but this was the main one the Port was concerned with due to its use as a major power line corridor, and because of this, major development probably won't be seen there anyway, other than something along the lines of road improvements.

Dave Helzer said he has a summary of the decisions BPS made and that they also wanted to look into establishing a conditional review for active use developed parks to the prime industrial overlay zone. Robert said this will probably be a violation of Metro code, and so if they want to push it, it would require a Metro code change.

ODOT GRANT APPLICATION UPDATE FOR NORTH SLOUGH BRIDGE

Robert Spurlock also shared a brief update on the ODOT grant Metro's planning team recently applied for to help fund the potential North Slough bridge trail connection (Attachment 3).

ODOT is the primary agency that holds available funds for regional trail projects, called Enhance Grant funds. Robert said Metro planners determined the North Slough trail was the main priority because Metro owns the land and it would close the gap left from all the work done over the last few years. With Metro's application, drawings of the North Portland Greenway trail alignment and bridge feasibility study were submitted to show ODOT that Metro has already done a lot of work and it is a project that is ready to go. However, Robert noted that strong public support would still be extremely beneficial, as it was with the grant Metro was awarded previously for the bridge over Columbia Boulevard.

The grant request was for an estimated project cost of \$2.37 million (in 2019 dollars) for a 14 foot wide bridge and 300 feet of trail. This amount includes the PE and design, construction, and contingency, and a decision should be made in late winter or early spring.

Discussion

Troy Clark asked about the proposed piers on the north side of the slough bridge shown in previous design drawings, and whether this concept has been run by the coastguard and other important parties to make sure

it will be acceptable. Robert replied that this is one of the big questions that still needs to be answered, and Mel weighed in that Metro will probably have to do an update on the previously done bridge feasibility study. The design work from that study is from five years ago and it will need to be taken further and some assumptions that were made need to be changed, as well as incorporate how the removal fill law, discussed at the prior SBAC meeting, may affect things.

WINTER WATER MANAGEMENT PLAN

Dan Moeller shared information about Metro's water management strategy for this winter from scientists Jeff Merrill and Elaine Stewart.

The reason Metro started managing the water last year was due to the large amount of planting projects that were going on at Smith and Bybee. There will be additional plantings scheduled this year as well, so Metro will again allow the water to flow naturally this year.

There are also still safety concerns with the operation of the water control structure, and the hope is that by the time the plantings are established, and we are ready to use the control structure again, the safety issues should be resolved.

Discussion

With Smith Lake having been dry for four months now, Troy Clark said he is excited, and in strong agreement, to try the same management again, allowing the water flow to be open, to see what they might have been missing in previous years since this is the first time in 35 years they have seen this type of response. Dan agreed that Metro is learning a lot along the way as they try different things and it should be an interesting couple of years.

Troy also noted that Bybee Lake hasn't drained as much, so there wasn't the same seed germination as Smith Lake. From what he could tell the last time he was out there, there were tens of thousands of waterfowl on Bybee Lake, and with a lot more food available on Smith Lake if the water level does rise, there is potential for an awesome season for waterfowl with many species not seen in years. However, since there are currently no fish in Smith Lake, if the water level doesn't go up and over the beaver dam, there will be no food for fishing ducks.

Discussion around the beaver dam continued with Troy mentioning that the dam normally does not allow Smith Lake to drain, but seems to have worked in reverse this year and isn't allowing water back in, and asked what Metro's plan is for managing the dam. Dan said no decisions have been made yet and they will be leaving the dam for now, which Troy agreed was important. Carrie Butler asked if the water level goes up again, will the beaver dam cause a problem, but both Dan and Troy said it won't be an obstruction and the water should go right over it.

Dave Helzer then brought up that after the last SBAC meeting, it seemed like the preferred method to promote better drainage at Smith and Bybee had been to dredge. Dan replied he thinks there is still an option to control the water in Smith Lake through the Columbia Slough instead of a channel, and wants to look into this more because it seems like it would be a much better option. Dave said he found it interesting that the Pacific Habitat Services report, presented at the last meeting, included assumptions about needing a concrete slab and long length of piping to achieve this, but he is aware of at least three other projects in the area that handled construction differently and so, agrees with Dan that it would be worth spending more time on before making a final decision.

Next Steps

Dan said he will try to have the science staff back at an upcoming meeting to discuss this topic further.

REVIEW OF COMMUNICATIONS PLAN'S NOVEMBER MEETING PURPOSE

Dan Moeller asked for discussion on the topic of whether the November meeting purpose as outlined in the SBAC Communications Plan was working as intended. He said the other three months appear to be working

well, but November doesn't usually seem to follow according to the plan, and asked if it should potentially be amended or left as is.

As outlined in the Communications Plan, the November meeting is described as being a Special Work Session to plan the Committee's project and funding priorities for the coming year. The Committee will discuss any initiatives they'd like to pursue, assign roles and responsibilities, and address other outstanding issues.

Discussion

Eric Tonsager recommended leaving it as it because he said Smith and Bybee is currently too much in the development phase, and in time, as trails get completed, there may be projects to discuss that weren't included in the other plans. He doesn't want to close the door on that possibility.

Troy Clark said he recalls the Communications Plan using the language it did in order to bring responsibility and work to the committee by allowing room in the schedule for a work meeting, to take on potential tasks and help push them forward.

Pam Arden suggested possibly adding wording to the Communications Plan that says the topic is optional and can be done if needed because she doesn't want the committee to become too rigid with bylaws and plans. Dan agreed to leave as is; he just wanted to make sure Metro was meeting their obligations, so if people do have topics that fall under this category, to please bring them forward and they'll cover them at a November meeting.

REVIEW OF COMMITTEE ATTENDANCE BYLAWS

Troy Clark initiated discussion surrounding review of the committee's attendance bylaws due to concern around difficulty achieving a quorum at each meeting and not being able to make decisions.

The bylaws call out 14 stakeholders and state that if a stakeholder misses two meetings in a year, they will be notified and asked if they wish to continue to be on the committee. The two names cited that fall into this category were Susan Barnes representing Oregon Department of Fish and Wildlife (ODF&W) and Bill Briggs representing ORRCO and private landowners.

Discussion

Troy asked if the committee should start approaching other organizations who may be interested in joining, and Carrie Butler said a letter should first be sent to Susan and Bill asking if they would like to continue or appoint someone else to take their place. Pam Arden added that the communication should also include a note that they are still always welcome to attend meetings, but she believes it isn't worth saving a stakeholder spot for them if they aren't going to come.

Dave Helzer mentioned that ODF&W has had a lot of staff cuts which may be what is causing their absence at meetings and asked if their slot can just be taken off the quorum, and the number of stakeholders required for a quorum be reduced, if they can no longer attend. Troy replied yes and reminded the committee that this is what happened with the Portland Parks stakeholder position – they previously asked to be removed, but were willing to continue to consult with the committee as needed.

Carrie noted however, if ODF&W chooses to do the same, the committee may need to seek out new stakeholders. To which Troy brought up the industry stakeholder spot he believes is vacant and said he is willing to take on approaching potential interested parties. A few names tossed out for potentially filling this spot were Columbia Sportswear, Purdy Paint Brushes, Subaru, and Recology. Dave noted that Recology has attended meetings in the past when they wanted the committee to be apprised of projects that might affect the land. Dan then asked what the difference was between the private landowner and industry stakeholder positions, and believes this was a definition the committee struggled with in the past. Troy replied that he doesn't recall why they were kept distinct.

Sara Henderson asked if it was ok for the committee to pick and choose new possible stakeholders, or if they needed to approach all local industries to be fair. Pam said there are different reasons for the different groups,

and Carrie said as far as industrial representation, it was designed to represent the industries in the area so we should allow those parties to offer someone to represent them on the committee.

At Troy's request, Carrie said she will work with the Port of Portland to gather an industry outreach list to send a letter to. Dan then asked if the committee sends out the letter and no one responds, should they next try targeting specific companies. Carrie replied that she feels if no one responds, the committee should remove that stakeholder position, or maybe just put it back in a holding pattern, so it does not count towards the quorum. Troy said he likes the idea of keeping the stakeholder list intact, but listing some positions as unoccupied if that is the case.

Dan then brought up the topic of beginning to request RSVPs from committee members for upcoming SBAC meetings so it can be ensured there will be a quorum, and plan accordingly if not. Everyone agreed with this new request.

Next Steps

Attendance notification letters will be drafted for ODF&W and Bill Briggs, and the vacant stakeholder subject will be put on hold until Carrie has an outreach list for the industry stakeholder position.

Christy Carovillano will begin requesting RSVPs from committee members about two weeks prior to future SBAC meetings.

GOALS FOR NEXT MEETING AND WRAP-UP

- Troy Clark asked if Gary Shepherd, Metro attorney, will have an update on the removal/fill law by the next meeting. Dan responded that Gary has the issue before DSL's attorney who is processing the matter for him, and is still waiting for a response. Dan is hoping to include this update at the upcoming winter or spring meeting.
- Troy also asked about planning updates and would like a follow-up because as he recalls the improvement of the entrance was the main priority when last discussed. Dan responded that Metro is currently working extensively on levy funded projects, so the planning team has had a pretty full plate, but he will have Lisa Goorjian, the new planning manager, come to the next meeting to give a general range of the costs of projects. It was also mentioned that the SBAC needs to decide if they want to use the fund to support one of the projects.

Meeting adjourned at 7:27 p.m.

N. Portland Greenway







A LEGACY PROJECT for the Region ATTACHMENT 1 **Draft Nov 2015**

North Portland Greenway: Chimney Park Trail / Columbia Blvd. Trail Bridge / St. Johns Prairie Trail and Overlook / Trail Bridge over N. Slough / Restoration of existing trail to Kelley Pt. Park:





Project Management

- Led by Metro with our partners: PES, PPR, BES, PBOT, ODOT, DEQ, UPRR, utility firms, local businesses and residents, 40-Mile Loop Land Trust, npGreenway, SB Wetlands Advisory Committee, NPEC, and others.
- Funding from ODOT, PPR, Metro 2006
 Bond Investment funds, PPR and NPEC.



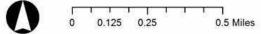
- ODOT/STIP Enhance Grant \$1.5 million
- Metro 2006 Natural Areas Bond \$1.9 million
- PPR SDC funds: \$200,000
- North Portland Enhancement Funds \$851,000
- N. Slough Bridge: not funded yet. Grant application submitted to ODOT.
- Trail: N. Slough to Kelley Pt. Park not funded. Existing trail is damaged from past floods and lack of maintenance.

Project Overview









Chimney Park



Chimney Incinerator today





Chimney Park Dog Park





St. Johns Landfill: 1940-90



14 million tons 70 feet tall Circa 1972



St. Johns Landfill: 1940-90



238 acres of garbage filled wetlands





St. Johns Landfill: 1940-90



Imagine a prairie & trail





Landfill today with methane gas pipes





Habitat Protection and Restoration





Chimney Park to St. Johns Prairie

2014: Letter of Understanding with ODOT

2016: IGA with ODOT

2017: Alignment/Design/P.E.: Chimney Park Trail

and Bridge Crossing over Columbia Blvd.

2018: Right-of-way and easements work

2017 Utility Relocation

2018-19: Construction

2019-20: Grand Opening

(Major issues: alignment to avoid dog park in Chimney Park, UPRR at-grade trail crossing; potential of hazardous waste on BES properties, utility relocations)



Timeline: (estimated)

TBD: Trail and Viewpoint on Landfill (to be owned and maintained by Metro PES). Could be designed by Metro Parks & Nature Dept. /PES team or in partnership with consultants.

TBD: Trail Bridge over N. Slough (no funding yet). Need updated feasibility study and cost estimates. Ownership and maintenance has yet to be decided.

TBD: Restoration of existing trail from N. Slough to Kelley Point Park (owned and maintained by PPR on Port of Portland land). PPR is interested in turning over the trail to Metro after it is restored. (no funding yet)



Metro Project Lead Staff:

Rod.Wojtanik@oregonmetro.gov

Olena.Turula@oregonmetro.gov

Mel.Huie@oregonmetro.gov

Ellen.Wyoming@oregonmetro.gov (public engagement)

At your next meeting: Rod will attend and present more details on the SOW and schedule.

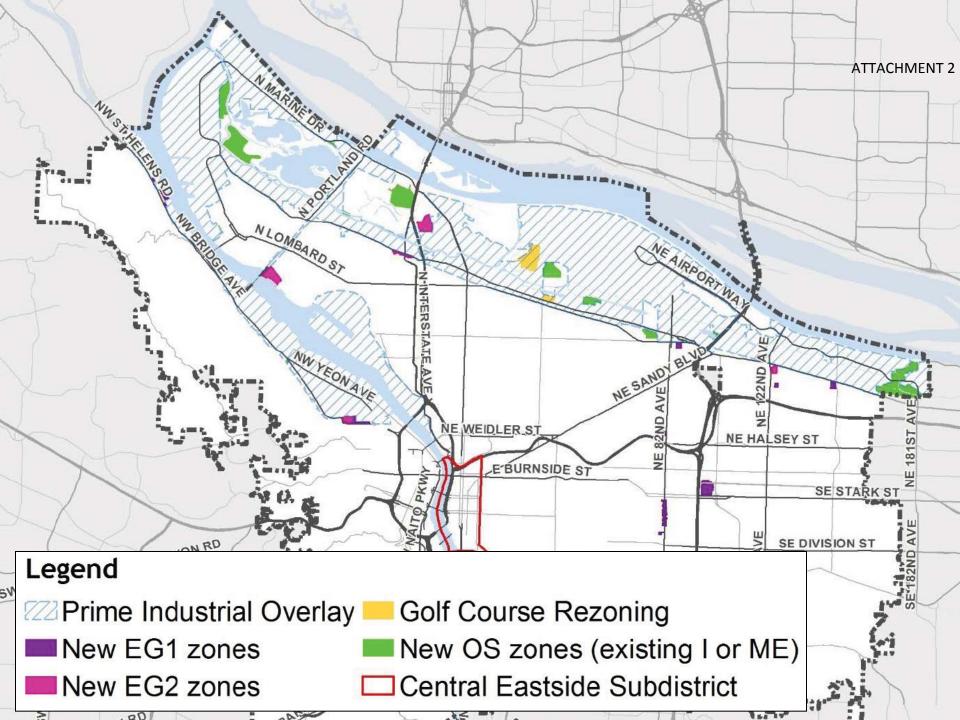


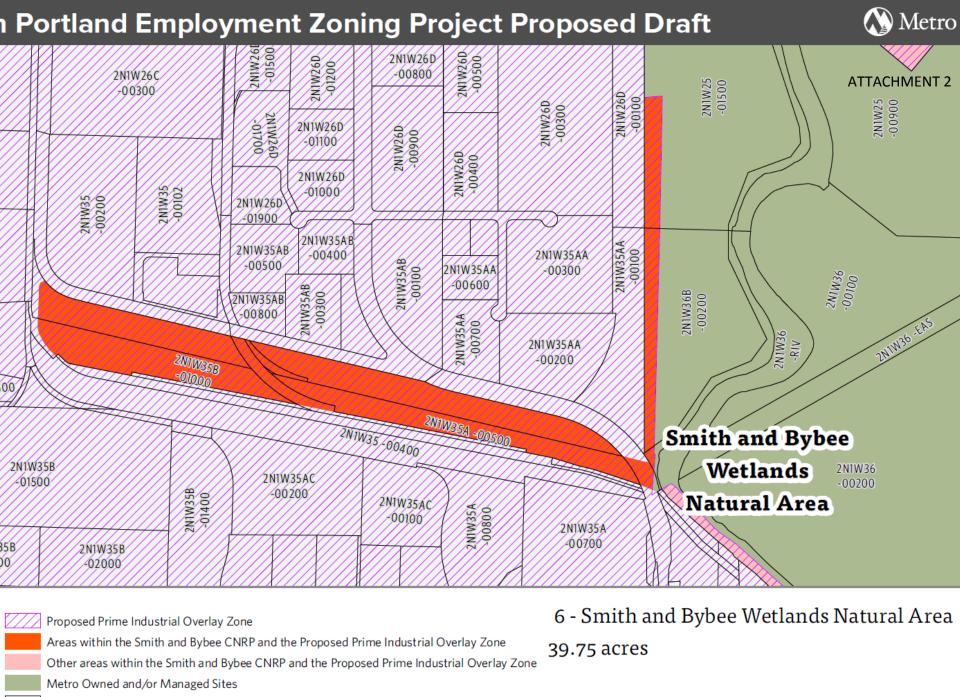


Thank you!

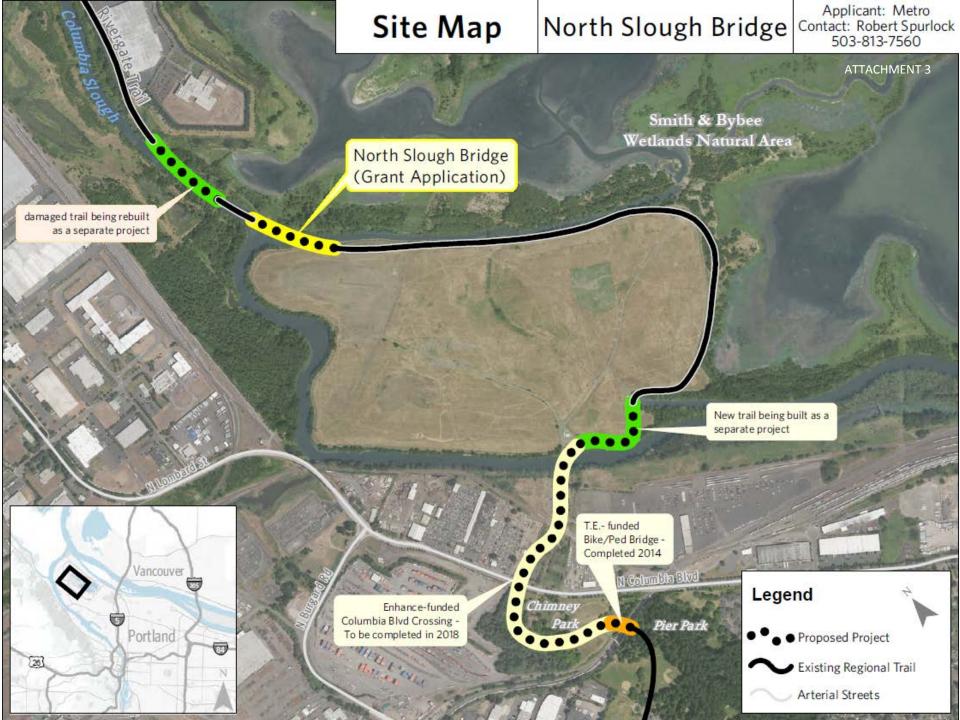
Questions/More Information?

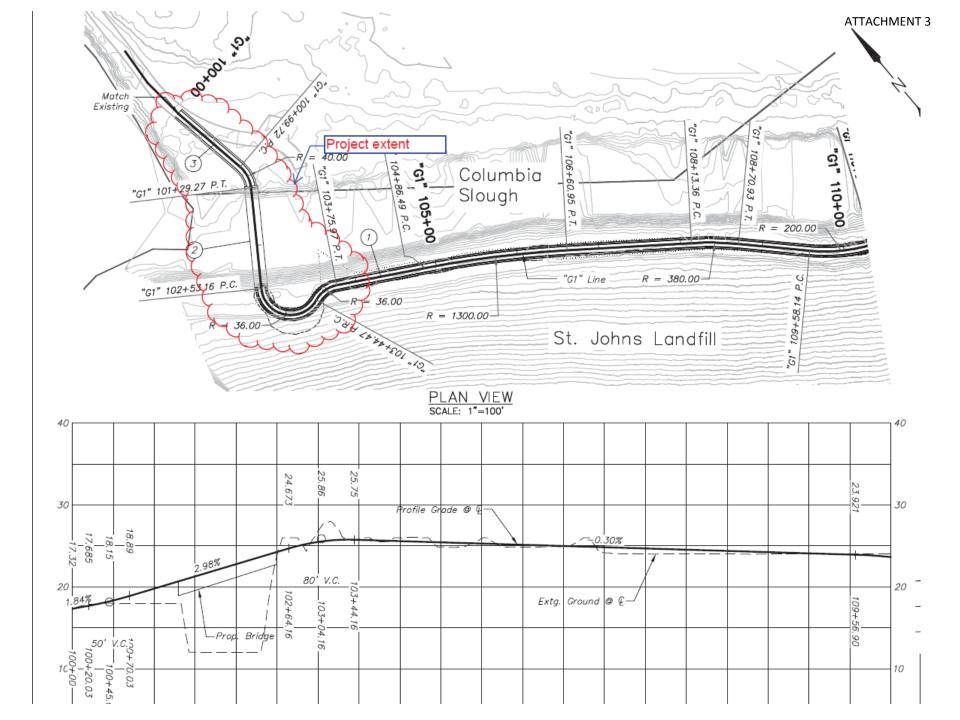
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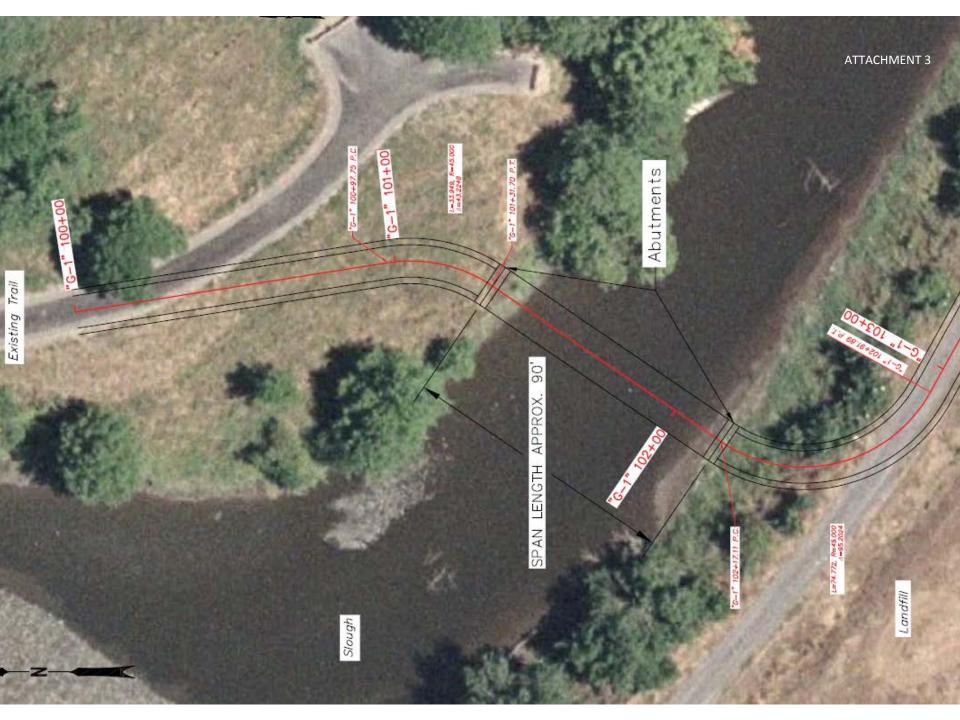




Taxlot Parcels



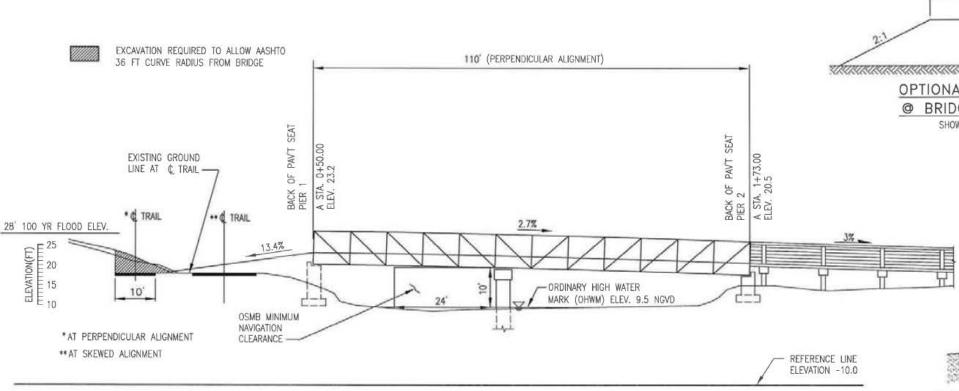




ATTACHMENT 3



TRAIL SEC



NOTE: COMPLIANCE W/ ADA STANDARD 3% SLOPE WOULD EXTEND EXCAVATION APROXIMATELY 150 FEET HORIZONTALLY INTO LANDFILL.

ELEVATION SCALE: 1"=20" OP