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CITY OF PORTLAND
BUREAU OF DEVELOPMENT SERVICES
1900 SW Fourth Avenue, Suite 5000
Portland, OR 97201

P524

Land Use Review Notice Enclosed
Case # LU 03-162374 EN



U.S. POSTAGE



01.06:

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FRANK OPILA
SMITH & BYBEE LAKES WILDLIFE AREA MGMT COMM
600 NE GRAND AVE
PORTLAND OR
97232



City of Portland
Bureau of Development Services
Land Use Services Division

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Portland, Oregon 97201
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Date: April 16, 2004
To: Interested Person
From: Tricia R. Sears, 503-823-0632, Land Use Services
Kathy Harnden, 503-823-7834, Land Use Services

**NOTICE OF A TYPE II DECISION ON A PROPOSAL IN
YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 03-162374 EN

GENERAL INFORMATION

Applicant: Jane Mcfarland and Greg Theisen
Port of Portland
P.O. Box 3529
Portland, OR 97208
Phone #503-944-7522 (Greg Theisen)

Site Address: Port of Portland mitigation sites

Legal Description: LOT A NEW PLAT-1998 (10/97), RAMSEY LAKE IND'L PARK; LOT B NEW PLAT-1998 (10/97), RAMSEY LAKE IND'L PARK; TL 1700 LOT J SPLIT PLUS & SPLIT MAP R256273 (R70888-2644), RIVERGATE INDUSTRIAL DIS; TL 1900 LOT J SPLIT PLUS & SPLIT MAP R256272 (R70888-2640), RIVERGATE INDUSTRIAL DIS; LOT L TL 500, RIVERGATE INDUSTRIAL DIS; LOT M TL 200, RIVERGATE INDUSTRIAL DIS; LOT 1 BLOCK 24, RIVERGATE INDUSTRIAL DIS; BLOCK 24 LOT 2 TL 100, RIVERGATE INDUSTRIAL DIS; TL 800 LOT W SPLIT PLUS 70888-3184, RIVERGATE INDUSTRIAL DIS; TL 1800 LOT W SPLIT PLUS 70889-3180, RIVERGATE INDUSTRIAL DIS; TL 400 84.50 ACRES, SECTION 04 1N 1E; TL 100 1.53 ACRES, SECTION 04 1N 1E; TL 300 1.72 ACRES, SECTION 04 1N 1E; TL 500 1.72 ACRES, SECTION 04 1N 1E; TL 200 1.72 ACRES, SECTION 04 1N 1E; TL 200 133.11 ACRES, SECTION 12 1 N 1 E; TL 400 1.75 ACRES, SECTION 12 1 N 1 E; TL 100 1.25 ACRES, SECTION 13 1 N 1 E; TL 100 2.90 ACRES, SECTION 13 1 N 1 E; TL 200 1.72 ACRES, SECTION 13 1 N 1 E; TL 300 1.62 ACRES, SECTION 13 1 N 1 E; TL 500 1.06 ACRES, SECTION 13 1 N 1 E; TL 700 1.80 ACRES, SECTION 13 1 N 1 E; TL 200 1.12 ACRES, SECTION 13 1 N 1 E; TL 300 1.08 ACRES, SECTION 13 1 N 1 E; TL 400 2.46 ACRES, SECTION 13 1 N 1 E; TL 600 1.36 ACRES, SECTION 13 1 N 1 E; TL 1500 44.63 ACRES, SECTION 30 2N 1E; TL 400 105.50 ACRES, SECTION 31 2 N 1 E; TL 500 9.96 ACRES UND 1/2 INT, SECTION 31 2N 1E; TL 1500 14.89 ACRES SPLIT MAP R490295 (R95131-0080), SECTION 32 2N 1E; TL 1200 0.07 ACRES, SECTION 32 2 N 1 E; TL 1800 36.83 ACRES, SECTION 32 2N 1E; TL 500 4.98

ACRES, SECTION 32 2N 1E; TL 900 170.41 ACRES, SECTION 25 2N 1W; TL 1300 19.50 ACRES, SECTION 25 2N 1W; TL 100 46.98 ACRES SPLIT MAP R95132-0020 (R323381), SECTION 31 2N 1E; LOT L TL 1000, RIVERGATE INDUSTRIAL DIS; LOT A, BYBEE LAKE INDUSTRIAL PARK

Tax Account No.: R687100010, R687100020, R708882640, R708882644, R708882680, R708882700, R708886500, R708886600, R708893180, R708893184, R941040070, R941040220, R941040240, R941040250, R941040260, R941120390, R941120600, R941130580, R941130630, R941130820, R941131580, R941131590, R941131600, R941131810, R941131820, R941131830, R941131870, R951300030, R951310020, R951310030, R951320020, R951320320, R951320800, R951320810, R971250010, R971250030, R951310080, R708882666, R123600010

State ID No.: 2N1W25 01600, 2N1W25 01800, 2N1W25 01700, 2N1W24 01900, 2N1W35A 00500, 2N1W35A 00200, 2N1W35A 00100, 2N1W35B 00100, 2N1W25 00800, 2N1W24 01800, 1N1E04A 00400, 1N1E04A 00100, 1N1E04A 00300, 1N1E04A 00500, 1N1E04A 00200, 1N1E12 00200, 1N1E12D 00200, 1N1E13AA 00100, 1N1E13A 00100, 1N1E13AA 00200, 1N1E13AA 00300, 1N1E13AA 00500, 1N1E13AA 00700, 1N1E13A 00200, 1N1E13A 00300, 1N1E13AA 00400, 1N1E13AA 00600, 2N1E30 01500, 2N1E31 00400, 2N1E31 00500 U1, 2N1E32B 01500, 2N1E32D 01200, 2N1E32D 01800, 2N1E32 00500, 2N1W25 00900, 2N1W25 01300, 2N1E31 00100, 2N1W35B 01000, 2N1W25C 00100

Quarter Section: 1927, 1928, 2028, 2334, 2234, 2235, 1925, 1926, 1623, 1624, 1823, 1824, 1825, 1826, 1720, 1621, 1521, 1522, 1622, 1621, 1622m 1

Neighborhood: St. Johns, contact Ray Piltz at 503-286-5444.
Kenton, contact Jerry Rust at 503-285-4276.
Sunderland, contact Allison Stoll c/o CNN at 503-823-3156.

Business District: Columbia Corridor Association, contact Mary Gibson at 503-944-7519.

District Coalition: St. Johns and Kenton, North Portland Neighborhood Services /North Portland Neighborhood Office, contact Tom Griffin-Valade at 503-823-4524.
Sunderland, Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.

Plan District: *Peninsula Drainage District No. 1 Natural Resources Management Plan; the Smith & Bybee Lakes Natural Resources Management Plan*

Other Designations: Portions of the site are within the 100-year floodplain and the *Inventory and Analysis of Wetlands, Water Bodies and Wildlife Habitat Areas for the Columbia Corridor*, Sites No. 36 and 51 and Water Feature No. 27. Portions of the sites are also designated as a recreational trail system.

Zoning: Base zoning: General Industrial 2 (IG2), Heavy Industrial (IH), Open Space (OS), Residential Farm/Forest (RF) with the following overlay zones: Portland International Airport Noise Impact Overlay Zone (x), Aircraft Landing Overlay Zone (h), Environmental Conservation Overlay Zone (c), and Environmental Protection Overlay Zone (p)

Case Type: EN – Type I Environmental Review for sites located in the *Inventory and Analysis of Wetlands, Water Bodies and Wildlife Habitat Areas for the*

Columbia Corridor and Peninsula No.1 Drainage District NRMP and Type II Environmental Review for the Smith and Bybee Lakes NRMP.

Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

PROPOSAL: The Port of Portland requests approval to place large woody debris (LWD) on its existing mitigation sites on an as-needed basis for 8 to 10 years. The request applies to natural areas owned and managed by the Port of Portland (Port) where mature plant life is limited due to a modified environment. These sites are typically located in the City's environmental zones and used as mitigation areas for Port projects.

The areas identified for receiving LWD in this land use application are located in North and Northeast Portland, and include: Elrod Road (16 acres); Buffalo Street (17.8 acres); Vanport Wetlands (90.4 acres); Smith and Bybee Lakes (461 acres); Ramsey Lakes and Rivergate Consent Decree Areas (109.7 acres); Pickle Pond (6 acres); West Wye (2.4 acres); and the Bonneville Ponds Corridor (33 acres). The attached zoning maps and site maps illustrate the location of the proposed work (see Exhibits B.1-5 and C.2.a through C.2.f).

Large Woody Debris is defined as a log having at least a 10-centimeter mid-point diameter and being at least 2 meters in length. The Port obtains LWD from Port projects in the local area that result in tree removal. Availability is unpredictable and storage is frequently a challenge. The Port would like to place LWD on any of its existing mitigation sites listed above, as the need is identified and deemed appropriate by the Port's Natural Resources Program Manager and as LWD becomes available.

The LWD will serve to enhance habitat where naturally occurring woody vegetation is lacking. Fish, amphibians, birds, reptiles and upland wildlife species all use or benefit from LWD that is placed in or around water. The LWD will be placed in various locations throughout the identified areas in clusters of one to 10 pieces in lakes, sloughs, wetlands and uplands. It will be stored in upland areas throughout the identified sites. Where possible, it will be stored on existing paved or graveled surfaces. Storage piles could accumulate from one to several dozen pieces of LWD. LWD will be distributed according to the needs of the particular lake, wetland, slough or upland site.

The applicant intends that all LWD will be placed with minimal disruption to existing habitat. Tree species that could have historically occurred at these sites or been transported to the site by winter floods or spring freshets will be used. Much of the LWD will be placed on site by hand. During dry summer months, equipment such as a spider hoe, which is a wheeled vehicle, may be used to place larger pieces of LWD in dried out lakes or wetlands. Wheeled equipment minimizes disturbance. This equipment will follow existing maintenance routes and trails. Any naturally occurring or mitigation plants damaged during the transport or placement of LWD will be replaced.

Boats may also be used to float LWD into some of the deeper areas of the lakes and sloughs. Large woody debris that could move during flooding conditions, and that could impact infrastructure, will be anchored. In other areas where log movement will not occur or the movement will not impact infrastructure, the LWD will not be anchored. Anchors will consist of galvanized cable wrapped around one or more portions of the LWD, depending on size, and anchored to the ground by a duckbill anchor or concrete block. Installation of the duckbill anchor, which is inserted into the ground to a depth of approximately 30 inches, will be completed with handheld equipment. These anchors, although obvious at first, will eventually be covered by vegetation as it matures (see Exhibit C.3).

Because no "development" is associated with the placement of LWD, a construction management plan is not required for this project. Further, because the proposal is a Resource Enhancement Project, additional mitigation is not required. Monitoring reports are currently required for each of the identified existing mitigation sites that will receive the additional large woody debris. Replacement of any vegetation that is damaged by the proposed LWD project will be included in these reports. Replacement will be completed under the same requirements as were applied in

the original Land Use Review cases that created these mitigation sites. Because most of the LWD will be hand placed, it is expected that any damage to existing vegetation will be minimal.

Why Review is Required:

Some of these sites lie within the *Smith and Bybee Lakes Natural Resources Management Plan* (*Smith and Bybee Lakes NRMP*) area and some within the *Peninsula Drainage District No.1 Natural Resources Management Plan* (*Pen 1 NRMP*) area. Other sites are outside the boundaries of Natural Resource Management Plan areas, but are included in the Environmental overlay zones. Section 33.430.060 of the Portland Zoning Code specifies that when projects will occur within designated NRMPs, Environmental Reviews for projects located in these areas must be administered using the guidelines in the associated NRMPs. The sites that lie outside the NRMPs remain subject to the Approval Criteria of Chapter 33.430 in the Zoning Code.

Because those sites that lie outside the two NRMPs will not meet the standards for Resource Enhancement Projects (Section 33.430.170. A. and B, the applicant must demonstrate through the Environmental Review process that the project meets the Approval Criteria of Section 33.430.250.B. Specifically, the project will not meet the standards because it will occur in the Resource Area of the Environmental Protection Overlay Zone.

The “Actions in Conformance with the Plan” section of the Pen 1 NRMP (page 69) indicates that Resource Enhancement Projects must be processed through the Type I procedure.

The “Implementation Procedures” section of the Smith and Bybee Lakes NRMP (page 67-69) indicates that development in conformance with the NRMP, such as this project, must be reviewed using a Type II procedure. When two or more reviews are requested, the overall application is processed using the highest procedure type requested, in this case a Type II (Section 33.730.042).

Relevant Approval Criteria:

To be approved, this proposal must comply with the following Approval Criteria:

- Zoning Code Section 33.430.250.B Resource Enhancement Projects
- *Peninsula Drainage District No.1 Natural Resources Management Plan*, Actions in Conformance with the Plan, B. Development Standards, and D.2.b –d Minor Modifications
- *Smith and Bybee Lakes Natural Resources Management Plan*, Approval Criteria for Development in Conformance and the Goal Statement

ANALYSIS

Site and Vicinity: The site consists of several locations in North and Northeast Portland that serve as mitigation sites for the Port of Portland’s projects. Each site consists of a number of tax lots with a total site area of approximately 740 acres. The sites are shown on the attached site plans (Exhibit C.2.a – g.) and are identified as described below:

The most easterly sites include the Buffalo Street site located at Buffalo St. and NE 42nd (Exhibit C.2.a) and the Elrod Road site, located at Elrod Road and NE 33rd (Exhibit C.2.b).

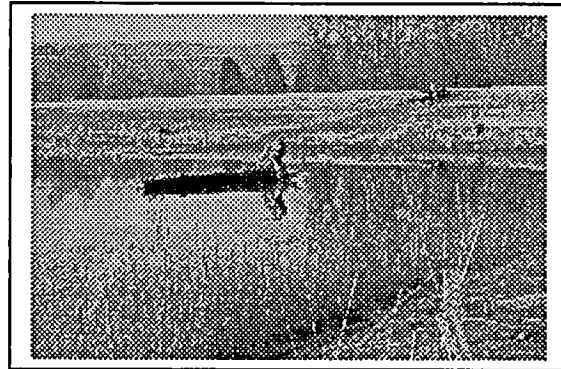
The Vanport Wetlands site is located along I-5 near its junction with Marine Drive, just south of the Multnomah County Expo Center and consists of 90.4 acres (Exhibit C.2.c).

The fourth site is the Smith and Bybee Lakes site that totals 461 acres (Exhibit C.2.d).

The fifth site is located near the confluence of the Willamette and Columbia Rivers. This site is adjacent to the northwestern reach of the Columbia Slough and includes Ramsey Lakes and portions of the Leadbetter Peninsula (Rivergate Consent Decree Area) totaling 109.7 acres (Exhibit C.2.e).

South of the Ramsey Lakes site is a cluster of wetlands located under the Bonneville powerline corridor, stretching from the Columbia Slough west to the junction of Time Oil Road and Rivergate Boulevard, totaling 41.4 acres. This site includes the Pickle Pond, West Wye, and Bonneville Pond sites (Exhibits C.2.f – g).

These properties consist of wetlands and uplands that are managed with the goal of establishing long term viable habitats. The Port of Portland monitors these sites.



Photos: Staff took the above photos during the site visit on March 2, 2004. The photo on the left shows the Elrod Road site. Large Woody Debris will be placed on upland areas as shown in the photo. The photo on the right shows the Vanport Wetlands site. Large Woody Debris will be placed in the water as shown in the photo.

Zoning: The zoning designations on these sites include General Industrial 2 (IG2), Heavy Industrial (IH), Open Space (OS), and Residential Farm/Forest (RF) with the overlay zones Portland International Airport Noise Impact Overlay Zone (x), Aircraft Landing Overlay Zone (h), and the Environmental Conservation (c) and Environmental Protection Overlay Zones (p).

The General Industrial zones are two of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zones provide areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and preserve land for industry. The development standards for each zone are intended to allow new development, which is similar in character to existing development. The intent is to promote viable and attractive industrial areas. This zone is designated with the mapping symbol "IG2" on the official zoning maps. Portions of this site are within the IG2 base zone. General Industrial zone standards are not relevant to this project.

The Heavy Industrial zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where all types of industries may locate including those not desirable in other zones due to their objectionable impacts or appearance. The development standards are the minimum necessary to assure safe, functional, efficient, and environmentally sound development. Portions of this site are within the IH zone; the standards of this zone are not relevant to this project.

The Open Space base zone is intended to preserve public and private open and natural areas identified in the Comprehensive Plan. These areas serve many functions including: providing opportunities for outdoor recreation; providing contrasts to the built environment; preserving scenic qualities; protecting sensitive or fragile environmental areas; and preserving the capacity of and protecting water quality. This zone is designated with the mapping symbol "OS" on the official zoning maps. Portions of this site are within the OS zone; the standards of this zone are not relevant to this project.

The Residential Farm and Forest Zone (RF) zone is generally an agricultural zone with allowed single dwelling residential uses. This zone is intended for agricultural and forested areas in the city which are presently deficient in public services. Agriculture, forestry and extremely low density single-dwelling residential and agricultural will be the primary uses. The maximum

density is generally one unit per two acres. Portions of this site are within the RF zone; the standards of this zone are not relevant to this project.

The Aircraft Landing Overlay Zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation. This zone is designated with the letter "h" on the official zoning maps. Portions of the site are within the h overlay zone. This project is to place LWD either in the water or on the ground and the pieces will typically be only a couple of feet high. The height limit requirements of this overlay zone will not be impinged.

The Portland International Airport Noise Impact Overlay Zone reduces the impact of aircraft noise on development within the noise impact area surrounding the Portland International Airport. The zone achieves this by limiting residential densities and by requiring noise insulation, noise disclosure statements, and noise easement. This zone is designated with the letter "x" on the official zoning maps. Portions of this site are within the x zone. The regulations of this zone are not applicable to this large woody debris project because it does not include residential or other structures with interiors that require noise protection.

Environmental zones protect environmental resources and functional values that have been identified by the City as providing benefits to the public. The environmental regulations encourage flexibility and innovation in site planning and provide for development that is carefully designed to be sensitive to the site's protected resources. The environmental regulations also carry out Comprehensive Plan policies and objectives. The purpose of this Land Use Review is to ensure compliance with the regulations of the environmental zones.

The Environmental Protection Overlay Zone provides the highest level of protection to the most important resources and functional values. These resources and functional values are identified and assigned value in the inventory and economic, social, environmental, and energy (ESEE) analysis for each specific study area. Development will be approved in the environmental protection zone only in rare and unusual circumstances. This zone is designated with the letter "p" on the official zoning maps. Portions of this site are within the p zone.

The Environmental Conservation Overlay Zone is intended to conserve important resources and functional values in areas where the resources and functional values can be protected while allowing environmentally sensitive urban development. This zone is designated with the letter "c" on the official zoning maps. Portions of this site are within the c zone.

The environmental zone is divided into Resource Area and Transition Area. The Resource Area contains important environmental resources to be protected. The Transition Area is the outermost 25 feet of the environmental zone and is intended to buffer the Resource Area from impacts of surrounding development.

The public recreational trail requirements are intended to: increase recreational opportunities and connect these recreational opportunities with a regional recreational trail system; increase public access along significant natural resource areas; provide emergency vehicle access; assist in flood protection and shoreline anchoring; support alternative modes of transportation; provide connections to other transportation systems; implement the City's Comprehensive Plan policies regarding public recreational trails; help create a pleasant, aesthetically pleasing urban environment; and provide consistent standards for trail development. Portions of the site are designated as public recreation trails. However, the public recreational trail requirements do not apply to the proposed placement of LWD.

Land Use History: City records indicate that prior Land Use Reviews include the Land Use Reviews identified below and sorted by category. These prior cases will not be impacted by the current case except that large woody debris will be added to their mitigation sites. Any vegetation that may be damaged by placement of the large woody debris will need to be replaced at the same ratio and under the same requirements as the mitigation plants that were required for these prior cases. Replacement plants will also be subject to the same monitoring requirements of the prior cases. The prior cases include:

CP/DZ/ZC: These case types are for Zone Changes. PC 5042; PC 6626; PC 6861; PC 6911; ZC 6926; PC 6947; PC 6948; 7849-PA; SRZ 49-89; SRZ 13-90; SRZ 29-90; SRZ 38-90; SRZ 55-90.

CU/VZ/AD: These case types are for Conditional Uses, Variances, or Adjustments. CU 56-79; ADJ 7-86; CU 29-86; CU 164-87; CU 55-88; CU 95-89; ADJ 15-90.

MP/VA: These case types are for Minor Partitions or Street Vacations. V 10-85; V 9-90; V 19-90.

SU/PD: These case types are for Subdivisions or Planned Developments. S 23-73; S 23-75; S 24-80.

LUR: This case type is for Land Use Reviews for Environmental Reviews, Conditional Uses, Master Plans, Subdivisions, or Adjustments. 91-00272 SU; 91-00540 EN; 92-00021EN; 92-00163 SU EN; 93-00174 MS AD; 93-00503 EN; 93-00538 EN; 93-00539 EN; 94-00979 SU; 95-00358 SU EN; 95-00359 ZC; 95-00599 GW; 95-00943 EN; 95-00964 EN; 96-00113 EN; 96-00121 SU; 96-00373 EN; 98-00426 EN; 99-00786 CU EN; 99-00832 SU; 99-00929 EN; 00-00365 EN; 00-00554 CU; 00-00560 EN; 00-00667 EN; 01-00040 EN; 01-00050 EN; 01-00567 EN; 01-00568 EN; 01-00606 EN; 02-113706 EN; 02-125102 EN; 02-134231EN; 02-146814 CU MS CU AD; 03-109957 EN.

MCF: This case type is for cases that are located in Multnomah County's jurisdiction. M 40-65; M 31-69; M 31-69IIB; M 31-69III; DR 78-10-02; LD 76-79.

Environmental Resources: The subject properties are located in the *Peninsula Drainage District No. 1 Natural Resources Management Plan*, the *Smith & Bybee Lakes Natural Resources Management Plan*, and the *Inventory and Analysis of Wetlands, Water Bodies and Wildlife Habitat Areas for the Columbia Corridor*.

The application of the environmental zones is based on detailed studies that have been carried out within eight separate areas of the City. The City's policy objectives for these study areas are described in reports that identify the resources and describe the functional values of the resource sites. Functional values are the benefits provided by resources. The values for each resource site are described in the inventory section of these reports. Historically, all of the subject sites were part of an extensive complex of sloughs, marshes, and lakes that occupied the south shore of the Columbia River. Most of this original complex has been drained, filled or subject to other development impacts. The Smith and Bybee Lakes complex represents the largest remnant of this habitat in the Portland area.

The Smith and Bybee Lakes area was inventoried and analyzed in the *Natural Resource Management Plan for Smith and Bybee Lakes*. The study area is approximately 2,100 acres. It includes the Smith and Bybee Lakes wetlands bounded by North Marine Drive, North Portland Road, the Columbia Slough, the Ramsey Lake wetland mitigation area, and the St. Johns Landfill.

The Smith and Bybee Lakes area can be characterized as two shallow lakes surrounded by extensive shrub willow swamp and forested areas. The most extensive forested areas contain willows, stands of cottonwood and Oregon ash, or mixtures of these. The lakes include areas of open water and smartweed swamp, with Bybee Lake being more open than Smith Lake. Sedge meadows, grasslands, and small seasonal ponds are interspersed throughout the area. Upland, or non-wetland, areas include the landfill and the areas bordering the study area, and are dominated by grassland, forest, or developed fill areas.

Seventeen species of fish have been identified in the lakes, including several warm water game species. An abundance of juvenile Chinook salmon were found throughout the study area during the spring, indicating that the sloughs and lakes provide winter and spring rearing habitat for young salmon. High river levels during the late winter and early spring allow salmon to enter and leave the lakes. Wildlife data collected for the study area identified 72 species of

birds observed (with an additional 25 species expected to be present). Bald eagles have been observed over the study area, but no roosting or nesting eagles have been seen.

The *Natural Resources Management Plan for Peninsula Drainage District No. 1* (Pen 1 NRMP) contains about 900 acres and includes the Vanport wetlands site, also known as the Excel Communications site, that is included in this review. The Vanport wetlands site was originally the larger of two lakes in the northeast corner of the Pen 1 NRMP site and was known as Force Lake. Apparently this lake was filled in, and a smaller lake west of the Vanport wetlands became known as Force Lake. The Vanport wetland site is described as being a disturbed, open water/tidal flat wetland surrounded by prairie and riparian forests. Resources associated with the Vanport wetlands include flood storage, open water and emergent wetlands, and wildlife resting and feeding areas. Several forested sloughs occur adjacent to the Vanport Wetlands.

Several of the project sites are located in the *Inventory and Analysis of Wetlands, Water Bodies and Wildlife Habitat Areas for the Columbia Corridor*. They include portions of the Rivergate Site No. 55 that includes the Ramsey Lake and Rivergate Consent Decree site; Site No. 51 that includes the West Wye Mitigation, Pickle Pond, and Bonneville Pond sites; Site No. 36 that includes the Elrod Road site; and Water Feature Site No. 27 that includes the Buffalo Street site. These various sites contain all types of wetlands as well as both riparian and upland forests and meadows. The Ramsey Lake/Rivergate Consent Decree site is influenced by the tides that travel up the Columbia and Willamette Rivers. It has the highest wildlife habitat score of 106 found in the entire *Columbia Corridor Inventory*. The West Wye, Pickle Pond and Bonneville Pond sites are surrounded by industrial uses, and functions as a stormwater drainage and sediment trap. These combined sites form an emergent and scrub-shrub wetland complex that has good interspersions with other natural areas. The Elrod Road site is described as a juncus/willow wetland that is unusual in Portland due to its size and isolation. It rated a wildlife habitat score of 92 due to the wide variety of birds that use it for food, roost, perch and nesting sites. The Buffalo Street site is an upland meadow adjacent to a section of the Columbia Slough.

Agency Review: A "Notice of Type II Proposal in Your Neighborhood" was mailed March 9, 2004. The following Bureaus and agencies have responded.

The **Bureau of Environmental Services** responded that some of the stockpile and LWD placement sites may impact existing public stormwater or sanitary sewer sites. Please see Exhibits E.1 and F.3 for additional details.

The **Site Development Section of BDS** responded that there are no Title 10 or Title 24 issues with this project because there is no "construction" activity associated with this project. Please see Exhibit E.2 for additional details.

The **Multnomah County Drainage District** responded that LWD placed within the 100-year flood conveyance channel could negatively impact the flood conveyance capabilities of those flood conveyance systems (Exhibit E.3). The Port responded that large woody debris will not be placed in any conveyance channels and will be placed a minimum of 15 feet back from the ordinary high water marks of such channels. Please see Exhibit E. 3 for additional details.

Metro Regional Parks and Greenspaces responded in support of the large woody debris project and stated that it would assist the applicant with site access and other installation considerations. Please see Exhibit E.4 for additional details.

The **Smith & Bybee Lakes Wildlife Area Management Committee** responded in support of the large woody debris project. Please see Exhibit E.5 for additional details.

The **Columbia Slough Watershed Council** responded in support of the large woody debris project. Please see Exhibit E.6 for additional details.

The **Fire Bureau** responded with no concerns on April 8, 2004. See Exhibit E.7 for details.

Neighborhood Review: A "Notice of Type II Proposal in Your Neighborhood" was mailed on

March 9, 2004. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Title 33.340.250.B In resource areas of Environmental zones, resource enhancement projects will be approved if the applicant's impact evaluation demonstrates that all of the following are met.

These Approval Criteria apply to the Elrod Road and Buffalo Street sites.

1. There will be no loss of total resource area.

Findings: The project involves placing large woody debris (LWD) throughout a number of wetland and upland sites. The large woody debris will consist of root wads and cut up trees with branches attached. It will be comprised of native species that could have historically occurred at the site or been transported to the site by winter floods and spring freshets. The LWD will be placed in areas where live native vegetation is not prevalent. No development, as defined by City Code Section 33.910.030, is associated with this project. There will be no grading, construction activities, or impervious surfaces involved with this project. Because of the lack of construction activities and because of the methods used to place the LWD, which minimize impacts to the site, there will not be any loss of resource area incurred by this project.

Therefore, this criterion is met.

2. There will be no significant detrimental impact on any resources and functional values.

Findings: Most of the LWD sites are easily accessed by vehicles. In most cases, the LWD will be carried by hand to their respective locations. In some cases, it will be carried to water where people in boats will float it to the desired location. In water sites, the LWD will be anchored if floating could impact drainage facilities such as culverts or pump stations or other infrastructure. The purpose of the LWD project is to provide additional habitat to amphibians, reptiles, and birds. It will also provide more versatile habitat for fish as well as upland wildlife species. The transport or placement of LWD at these sites could damage existing native vegetation or mitigation plants. This vegetation will be replaced in accordance with the original land use decisions that required mitigation at these sites. Monitoring of the replacement vegetation should also be required to ensure its health and survival. (See replacement and monitoring conditions under the *Smith and Bybee Lakes NRMP* analysis below.)

Therefore, with conditions for replacement of damaged vegetation and monitoring replacement plants to ensure their survival, *this criterion can be met.*

3. There will be a significant improvement of at least one functional value.

Findings: Large woody debris is lacking in these environments due to the diking of the Columbia and Willamette River which were the historical sources of LWD in the past. Since these sites are no longer prone to direct flooding, LWD is no longer deposited at them. Except for the occasional existing tree that falls, these sites do not contain LWD as part of their structure. Therefore, the addition of LWD to these sites should have a significant positive impact on the habitat value of these resource areas. LWD enhances habitat and functional values for a variety of species, from fish to amphibians, birds and mammals. It adds to the diversity of micro and macro-habitats by serving as perching and resting sites for amphibians, reptiles and birds in pond environments. It provides resting, nesting and hiding habitat for both aquatic and upland species. LWD that is placed on end provides additional perching areas for birds. Insects that are drawn to woody debris provide an additional food source for many species. Because of the significant improvements to the habitat for a wide variety of aquatic and upland species caused by the placement of LWD, *this criterion is met.*

NATURAL RESOURCES MANAGEMENT PLANS**Section 33.430.030**

As described in the "Relevant Approval Criteria" section of this review, additional relevant Approval Criteria for this application are found in the *Natural Resources Management Plan for Smith and Bybee Lakes* and the *Natural Resources Management Plan for the Peninsula Drainage District No. 1*. Section 33.430.030 of the Portland Zoning Code identifies these two Plans as having regulations that may supersede or supplement the environmental regulations of Chapter 33.430 for sites within their jurisdictions.

Natural Resources Management Plan for Smith and Bybee Lakes

Potential Environmental Project ENV 7 on page 28 of the *Plan* identifies habitat enhancement and restoration projects that are to be implemented within the *Plan* boundary. Specifically ENV 7 provides a policy to restore lost historical habitats. As described previously, these sites occur in the Columbia and Willamette River floodplains where frequent high water and flooding left tons of large woody debris annually. Since these areas have been extensively diked to prevent flood losses, LWD has declined and both aquatic and upland habitat has been degraded. This project is in conformance with Environmental Project ENV 7 of the *Plan*, because it helps restore a main historical component of these habitat areas. Therefore, this project is reviewed as "Development in Conformance with the Plan" and must meet the approval criteria listed on page 67 of the *Plan*. The Implementation Procedures Section of the NRMP (pages 67-69), indicates that development in conformance with the *Plan* must be reviewed using a Type II procedure.

These Approval Criteria apply to Smith and Bybee Lakes, the Ramsey Lakes/Rivergate Consent Decree area, and the West Wye, Pickle Pond and Bonneville Pond sites.

Approval Criteria for Development in Conformance (pg. 67):

CRITERION 1.a of the NRMP: The proposed development meets the goals and objectives of the *Plan*.

Goal Statement (pg. 9): The goal of the Management Plan is to protect and manage the Smith and Bybee Lakes area as an environmental and recreational resource for the Portland region. The lakes will be preserved as historical remnants of the Columbia River riparian and wetlands system. They will be maintained and enhanced, to the extent possible, in a manner that is faithful to their original natural condition. Only those recreational uses that are compatible with environmental objectives of the Management Plan will be encouraged. Smith Lake and adjacent uplands will be the principal location for recreational activities. Bybee Lake will be less accessible. Its primary use is as an environmental preserve.

Findings: As required by the Goal Statement of the NRMP, this Resource Enhancement Project will work to restore and enhance the project area as an environmental resource. The current proposal will achieve this by providing greater habitat diversity both in the water and on uplands surrounding the lake, consistent with the historical placement of LWD during flood events. The LWD will serve to enhance habitat where naturally occurring woody vegetation is lacking. Fish, amphibians, birds, reptiles and upland wildlife species all use or benefit from LWD that is placed in or around water. The Western Painted Turtle that is found in the Smith and Bybee Lakes area is a "sensitive" species that will benefit from this project as turtles like to "sunbathe" on semi submerged logs. The LWD will be placed in various locations throughout the identified areas in clusters of one to 10 pieces in lakes, sloughs, wetlands and uplands. LWD will be distributed according to the needs of the particular lake, wetland, slough or upland site, when deemed appropriate by the Port's Natural Resources Program Manager and as LWD becomes available.

As described above, the proposal meets the Goal Statement of the NRMP. The findings below for Objectives 1 through 13 of the NRMP provide specific descriptions as to how the proposal meets the Objectives of the NRMP.

Objectives (pg. 9):

1. Control water level in order to manage the lakes' environmental system.

Findings: The project does not involve modification of the water levels in the lakes and will have no affect on the management of water levels in the lake area.

This Objective is not applicable.

2. Provide for and maintain habitat diversity representative of lower Columbia River floodplain wetlands.

Findings: Historically, annual floods deposited large woody debris throughout these sites. Since the area has been cut off from the Columbia River floods by diking improvements, these sites now lack LWD, which is a major component of wetlands and floodplains. This project will help maintain and preserve prime habitat of the Western Painted Turtle in the NRMP, as well as other amphibians, fish, birds and upland wildlife. LWD enhances habitat by adding to the diversity of micro and macro-habitats. Root wads and logs serve as perching and resting sites for amphibians, reptiles and birds in both pond and upland environments. They provide resting, nesting and hiding habitat for both aquatic and upland species. LWD that is placed vertically on end provides additional perching areas for birds. Insects that are drawn to woody debris provide an additional food source for many species. Because the project will restore habitat features that were lost when the Columbia River was diked, this project is also consistent with ENV 7 of the NRMP, Habitat Enhancement and Restoration Projects.

Because of these significant improvements to the habitat of a wide variety of aquatic and upland species caused by the placement of LWD, *this Objective is met.*

3. Maintain and enhance water quality in the lakes.

Findings: Water quality will not be impacted by this project. The LWD will be hand carried to water bodies and placed on site. These logs and root wads will not be drug across the ground or into the water. Logs that are to be placed in the water will be hand carried into the water and then floated into place and anchored using a duck-bill anchor system or concrete blocks that will cause very little and only temporary sediment disturbance. Some LWD will be transported using spider hoes or small tracked equipment. Mechanical equipment will follow paths defined by the least vegetated areas or other designated paths or roadways. Existing vegetation may be damaged by such equipment and should be replaced and the site restored to its pre-existing condition. Replacement rates will be in compliance with the rates required by the original Land Use Reviews that required mitigation at these sites.

With a condition that requires re-planting all vegetation damaged by this process with native species in conformance with applicable Land Use Reviews, *this Objective can be met.*

4. Implement a monitoring program to assure early detection of potential environmental problems, and to quantify management programs.

Findings: Monitoring reports are currently required for each of the identified existing mitigation sites that will receive the additional large woody debris due to the requirements of previously approved land use cases. Replacement of any vegetation that is damaged by the proposed LWD project should be identified and completed under the same requirements as were applied in the original Land Use Review cases that created these mitigation sites.

The applicant requests unlimited LWD placement over a period of 10 years. A monitoring plan is important to verify that the quantity of LWD being placed on the site does not overwhelm the site or make the site less appropriate for other approved uses.

Monitoring plans are usually required for the length of time it takes for mitigation plants to become well established. In this case, however, the applicants have asked for a 10-year timeline for the continued placement of large woody debris in and around the wetland sites. Since there are no standards to guide the amount of LWD placement, a monitoring plan that spans the entire 10-year period would provide valuable data regarding the LWD capacity of these sites. Since potential damage to vegetation will also be on-going over the 10-year span of this project, replacement plants will also need to be installed and monitored over the 10-year life of this project.

Therefore, annual monitoring reports will be required for the duration of the LWD placement at all sites included in this project. The required components of the monitoring reports will include:

- a. The contact name, number, and address of the responsible party for the monitoring and maintenance of the site.
- b. The approximate number of LWD pieces placed at each site during the previous year.
- c. Photographs of each site showing the location of the new pieces of LWD. All photographs provided to BDS LUS staff shall include site identification and direction of photo. Electronic photographs emailed to LUS staff will fulfill this requirement to eliminate printing costs.
- d. If a study evaluating LWD effectiveness is done for the sites during the 10-year project duration, a copy of the study shall be provided to BDS LUS staff. Documenting that sites can continue to accept the LWD and describing the project's success at enhancing the wildlife habitat of each site is valuable.
- e. A list of damaged plants and replacement plants that were installed will be included with the LWD monitoring report. In addition, a site plan showing the replacement plant location shall be included. If no plants were damaged and replaced during that year of monitoring, then no action is required.

With the above conditions, *this Objective can be met.*

5. Provide access to Smith and Bybee Lakes, which supports appropriate types and levels of recreation.

Findings: Access to the Smith and Bybee Lakes area is already available. Other projects have resulted in recreation paths for walking, running, and bike riding on the 40-Mile Loop Trail. There is a designated access road and parking area for cars on the northwest side of Smith Lake. A recently approved access facility will include all of the basic visitor needs for providing public access: a clear entrance, parking accommodations that include vehicles with canoes; drop off areas for school buses; staging areas; orientation areas with interpretive signage; a restroom; easy canoe access to the water; and improvements to the 40-mile loop trail. These improvements have been planned to support the compatible recreational experiences envisioned for the wildlife area. The scale and simplicity of the improvements have also been designed to define and limit the levels of recreation at the lakes.

The proposed addition of LWD at the lakes will not interfere with or have impacts on these improvements. *As a Resource Enhancement project, this Objective is not applicable.*

6. Encourage appropriate types and levels of recreational activities, which are compatible with environmental objectives.

Findings: The goal of this project is to enhance habitat diversity in the Smith and Bybee Lakes Natural Resource Management area by placing large woody debris throughout a number of sites. *Therefore, this Objective does not apply.*

7. Incorporate Smith and Bybee Lakes into the Metropolitan Wildlife System Project, Metro's Regional Natural Areas Program, and the 40-Mile Loop recreational trail system.

Findings: As described above, the proposal ties the Smith and Bybee Lakes into the Metropolitan Wildlife System Project and Metro's Regional Natural Areas program by diversifying habitat for both aquatic and upland wildlife species and by reintroducing large quantities of large woody debris that historically characterized these sites. This project is not associated with the 40-Mile Loop Trail.

This Objective is met.

8. Develop upland areas in a manner that is compatible with the preservation of the wetlands and use of the lakes for passive recreation.

Findings. The placement of large wood debris at these sites will be compatible with preserving wetlands and passive recreation around the lakes. The LWD will increase and enhance the use of wetlands and adjacent uplands by both aquatic and upland wildlife species. Woody debris is an important natural component to both types of environments that has diminished over the years since the Columbia River was diked along the Portland area. Since much of the proposed LWD will be placed on uplands adjacent to water bodies, recreationists will be able to sit on logs in various places around the lakes to contemplate nature and observe wildlife.

This Objective is met.

9. Provide opportunities for wetland and environmental system research and education.

Findings. The goal of this project is to enhance habitat diversity in the Smith and Bybee Lakes Natural Resource Management area by placing large woody debris throughout a number of sites. The 10-year monitoring program will provide valuable research on the effects of LWD on wetland and especially upland functions.

Therefore, this Objective is met.

10. Develop appropriate funding strategies to implement environmental and recreational improvement projects.

Findings: The goal of this project is to enhance habitat diversity in the Smith and Bybee Lakes Natural Resource Management area by placing large woody debris throughout a number of sites. *Therefore, this Objective does not apply.*

11. Provide opportunities for compensation to private landowners for public use of their property.

Findings: Private land owners are not included in this project. *Therefore, this Objective does not apply.*

12. Provide an organizational structure to manage all lake area properties as a single management unit to ensure consistent implementation of the Management Plan.

Findings: This project does not involve all lake area properties and does not affect the management of the lake area. *Therefore, this Objective does not apply.*

13. Integrate management of the lakes with management of the St. Johns Landfill property when landfilling activities are terminated.

Findings: This project does not affect the management responsibilities of either the lakes or the landfill. *Therefore, this Objective does not apply.*

The proposal either meets or will meet the applicable Objectives listed in the NRMP. *Therefore, with the conditioning required above Criterion 1 of the NRMP is met.*

Criterion 1.b. of the Smith and Bybee Lakes NRMP (pg. 67). There will be no significant negative impacts on the resources covered in the Management Plan.

Findings: As the foregoing analysis has described, this project will enhance habitat for both aquatic and upland wildlife by adding structural diversification to these environments. As described above, sources and occurrences of LWD are reduced or missing in modified environments such as cut-off floodplains and wetlands. Large woody debris will assist in the diversification of the Smith and Bybee Lakes' habitat by providing perching and sunning sites for all types of amphibian, bird and upland species, resting and protection sites for fish species, food source for aquatic and upland species, and resting and nesting sites for upland species.

As the project description stated and in findings listed on page 9 of this review, much of the LWD pieces will be hand carried to their respective locations. During dry summer months, equipment such as a spider hoe, which is a wheeled vehicle, may be used to place larger pieces of LWD in dried out lakes or wetlands. Wheeled equipment minimizes disturbance. This equipment will follow existing maintenance routes and trails. In some cases, the pieces will be carried to water where people in boats will float them to the desired location. In water sites, the LWD will be anchored if floating could impact drainage facilities such as culverts or pump stations or other infrastructure. Any incidental damage to existing vegetation will require replacement of that vegetation in accordance with the mitigation requirements of previous land use decisions as described above. Monitoring of the replacement vegetation will also be required to ensure its health and survival.

With conditions for replacing damaged vegetation and monitoring the survival of replacement vegetation, *this criterion can be met.*

Natural Resources Management Plan for Peninsula Drainage District No. 1

A.2.G1. Actions in Conformance with the Plan. Resource Enhancement (pg.69). Resource enhancement projects that take place on sites identified in the Pen 1 Enhancement/Mitigation Plan must substantially conform to the enhancement specifications stated in the plan for that site.

These Approval Criteria apply only to the Vanport wetlands/Excel Communications Restoration and Wetland Enhancement site.

Pen 1 Enhancement/Mitigation Plan for:

- A. Excel Communications Restoration (13.6 Acres). This area could be excavated to produce wetland hydrology (perhaps to the original surface if it can be found) and planted with diverse native trees, shrubs, and ground covers. Open water, emergent, scrub-shrub, and forested areas can be created in an oxbow pattern like the other remnant sloughs of Pen 1.**
- B. Excel Communications Wetland Enhancement (71.8 Acres). This site could be enhanced by the creation of more diverse topography including extensive open water up to six feet in depth (during high water) and the establishment of emergent, scrub-**

shrub, and forested wetlands. Enhancement of the Northeast Drainageway would only consist of the removal of non-native vegetation and planting additional native species.

Findings: Both A. and B. above are limited in their concept of desired Resource Enhancement Projects for the Excel Communications site. Resource enhancement is described as excavation to produce wetland hydrology that results in deep oxbow type sloughs that can be planted with native trees, shrubs and groundcovers to create various wetland types. Although the proposed project will enhance the functional value of these wetlands by diversifying habitat structure, this project does not "conform to the enhancement specifications stated in the plan for that site." All actions must meet the development standards stated in Subsection B. Because this project does not conform to the enhancement specifications for the site, it is also subject to the requirements for minor modifications detailed under Subsection D.2 of the Procedures section of the *NRMP*.

Subsection B. Development Standards. All Actions in Conformance with the Plan listed under subsection A above must meet the development standards listed below:

- 1. No wetland creation may occur within existing forested uplands (see Exhibit 10, Pen 1 Opportunities for Enhancement and Mitigation).**

Findings: This project does not include creation of wetlands anywhere within the project areas. *Therefore, this standard does not apply.*

- 2. Primary water quality treatment for any development site must take place within the proposed development site. For example, water quality swales located with a parking lot.**

Findings: This project does not include any "development" within any of the project sites or any associated water quality treatment plans. *Therefore, this standard does not apply.*

- 3. Each tree removed within a Resource Area of an Environmental Zone that is over 6 inches in diameter must be replaced with at least three trees and two shrubs selected from the plant list in Appendix 1. Tree replacement planting must take place within the Resource Area of an Environmental Zone.**

Findings: This project does not include or foresee the need to remove any trees on any of the project sites. Since some of these sites are existing mitigation sites from previous land use cases, it is possible that some new mitigation plants could be impacted when the logs are carried to their resting places. The applicant plans to replace any plants, mitigation or naturally occurring plants that are damaged in any of the project sites.

With a condition to implement the applicant's proposal to replace damaged plants, as previously described, *this standard can be met.*

- 4. All vegetation planted must be selected from the Pen 1 *NRMP* plant list in Appendix 1. Plants listed in Appendix 1 are native and consistent with the plant communities found within the Columbia River floodplain.**

Findings: The plant list in Appendix 1 contains two herbaceous species that are no longer considered appropriate species for planting in the environmental zones. These species are Northwest manna grass/*Glyceria occidentalis* and curled pondweed/*Potamogeton crispus*. These two species should be excepted from consideration from planting in the environmental zones. With a condition to not allow use of the two identified nuisance species listed in Appendix 1 of the *NRMP*, *this standard can be met.*

- 5. Planting plans must contain the following:**
 - a. A survey of existing native vegetation by location, type and size;**
 - b. A landscape plan prepared substantially in accordance with the requirements of Portland City Code Chapter 33.248, Landscaping and Screening; and**

c. A monitoring/reporting plan substantially in accordance with Portland City Code Section 33.248.090.E.

Findings: The project does not include a planting plan, so technically Standards 5.a and 5.b do not apply. Any loss of existing vegetation will be incidental. The Port has conducted extensive revegetation, monitoring and reporting about these sites over the years and has detailed information about the vegetation found at these sites. Therefore, a requirement to survey all existing vegetation at these sites would be excessive. Replacement for incidental damage to existing vegetation and monitoring requirements are described above in the analysis for the *Smith and Bybee Lakes NRMP*, Findings 3 and 4. These requirements will be applied to all the sites within the LWD project area to ensure that any damaged vegetation is replaced in kind and that monitoring will guarantee the survival of these plants.

With a condition to implement the applicant's proposal to replace damaged plants throughout the entire LWD project area and to apply the Monitoring conditions throughout the entire LWD project area, *Standard 5.c can be met.*

Subsection D.2. Minor Modifications. Procedure. Minor modifications to the Plan are reviewed through a Type II environmental review procedure (see Zoning Code Chapter 33.430.210 through .240). Environmental reviews for minor modifications will be approved if the following Approval Criteria are met:

a. There is a demonstrated need for the modification.

Findings: Historically, annual floods deposited large woody debris throughout these sites. Since the entire area has been cut off from Columbia River and Willamette River floods by diking improvements, these sites now lack a major habitat component of wetlands and floodplains. The incorporation of large woody debris back into these sites will provide a more diversified habitat for both aquatic and upland species that is consistent with the *NRMP's* stated purpose of improving wildlife habitat. Therefore, *this criterion is met.*

b. The proposed action is consistent with Peninsula Drainage District No. 1 Natural Resources Management Plan Policies and Management Objectives.

Findings: The *NRMP's* Natural Resource Policies and Objectives revolve around preserving, enhancing and protecting vegetation and wildlife habitat within Pen 1. Objective 5 specifically calls for placement of "stumps, logs, or rocks in sunny open water locations to provide basking sites" for Western Painted Turtles. This LWD project will provide logs and root wads to the water environment of Pen 1, which should have a direct, positive impact on the turtles as well as on other aquatic and upland species as described above.

Therefore, *this criterion is met.*

c. Alternative locations and design modifications were evaluated to show that the proposal or modification has the least significant detrimental environmental impact on identified Plan resources of all the practicable alternatives.

Findings: The applicant proposes to transport logs and root wads by hand, where feasible, to reduce impacts to existing vegetation. Small equipment such as Spider hoes and track hoes will be used only on dry upland sites and when the LWD is too big or too heavy for people to carry. Any damaged vegetation will be replaced in accordance with the original land use decisions that required mitigation at these sites.

Therefore, *this criterion is met.*

d. A construction management plan and a mitigation plan demonstrate that unavoidable impacts on identified Plan resources are fully mitigated within the Plan boundary, or outside the Plan boundary if no suitable mitigation sites remain within the boundary,

and are in conformance with the Management Objectives for wetlands and natural resources (see Chapter 3).

Findings: Because no "development" is associated with the placement of LWD, a construction management plan is not required for this project. Further, because the proposal is a Resource Enhancement Project, additional mitigation is not required. Monitoring reports are currently required for each of the identified existing mitigation sites that will receive the additional large woody debris. Replacement of any vegetation that is damaged by the proposed LWD project will be included in these reports. Replacement will be completed under the same requirements as were applied in the original Land Use Review cases that created these mitigation sites. Because most of the LWD will be hand placed, it is expected that any damage to existing vegetation will be minimal.

Therefore, *this criterion is met.*

DEVELOPMENT STANDARDS

Unless specifically required in the Approval Criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a Land Use Review prior to the approval of a building or zoning permit.

CONCLUSIONS

The Port of Portland proposes to place large woody debris (LWD) on numerous mitigation areas owned and managed by the Port on an as-needed basis for 8 to 10 years. Large woody debris enhances habitat where naturally occurring woody debris is lacking. Fish, amphibians, birds, reptiles and upland wildlife species all use or benefit from LWD that is placed in or around water. The LWD will be placed in various locations throughout the identified areas in clusters of one to 10 pieces in lakes, sloughs, wetlands and uplands. The Port frequently has the ability to acquire LWD, but doesn't have storage areas suitable to hold it until permits can be approved. The LWD will be stored in upland areas throughout the identified sites. Where possible, it will be stored on existing paved or graveled surfaces. Storage piles could accumulate from one to several dozen pieces of LWD. LWD will be distributed according to the needs of the particular lake, wetland, slough or upland site.

The receiving sites are primarily existing wetlands and adjacent uplands that serve as mitigation sites for previously approved Port projects. Some of the sites are located in the Natural Resource Management Plan areas for Smith and Bybee Lakes and the Peninsula Drainage District No. 1's Vanport wetland site. The project was analyzed for consistency with these two plans as well as with the Approval Criteria of Chapter 33.430.250.B for those sites that are outside of the NRMP areas. This proposal, to enhance aquatic and upland habitat by diversifying the structural components of various wetlands and uplands through placement of large woody debris, was found to be consistent with the Approval Criteria of these NRMPs and with 430.250.B, with only minor conditioning.

Because no "development" is associated with the placement of LWD, a construction management plan is not required for this project. In addition, because the proposal is a Resource Enhancement Project, additional mitigation is not required. However, because many of these mitigation sites have been planted with small trees and shrubs, the delivery and placement of the LWD could damage some of this mitigation vegetation. Conditions of approval include replacing damaged vegetation, whether it is mitigation plants or naturally occurring plants. Monitoring reports are currently required for each of the identified existing mitigation sites that will receive the additional large woody debris. Additional monitoring will be required to verify that the quantity of LWD being placed on the site does not overwhelm the site or make the site less appropriate for other approved uses. Conditions for replacement of any vegetation that is damaged by the proposed LWD project and monitoring both the LWD and the new plantings will

be included in these reports. Because most of the LWD will be hand placed, it is expected that any damage to existing vegetation will be minimal.

ADMINISTRATIVE DECISION

Approval of an Environmental Review to place large woody debris throughout the Buffalo Street, Elrod Road, Vanport, Smith and Bybee Lakes, Ramsey Lake, Rivergate Consent Decree, Pickle Pond, West Wye, and Bonneville Pond wetland mitigation sites over a span of 10 years, all within the Environmental Conservation or Protection Overlay Zones, per the approved site plans, Exhibits C.1 through C.3, signed and dated April 2, 2004, subject to the following conditions:

- A. The applicant shall monitor the impacts of placing unlimited amounts of large woody debris in the wetlands and adjacent uplands for the duration of the 10-year project. The purpose of monitoring is to: 1) document the success of improving wildlife habitat by adding LWD to wetland and upland environments, 2) ensure that additional LWD does not negatively impact these environments or the passive recreational opportunities currently available at these sites, and 3) ensure replacement and survival of any needed revegetation due to the impacts of transporting or placing LWD on these sites.
 1. Each year for ten years, the applicant shall provide a written monitoring and maintenance report to the Land Use Services Division of the Bureau of Development Services (Attention: Environmental Planner LU 03-162374 EN) with the monitoring information described below. Compliance with the monitoring and maintenance requirements may be demonstrated through the submittal of the Port's Mitigation Management Annual Report (MMPAR) or a separate monitoring and maintenance report.
 - a. The contact name, number, and address of the responsible party for the monitoring and maintenance of the site.
 - b. The approximate number of LWD pieces placed at each site during the previous year.
 - c. Photographs of each site showing the location of the new pieces of LWD. All photographs provided to BDS LUS staff shall include site identification and direction of photo. Electronic photographs emailed to LUS staff will fulfill this requirement to eliminate printing costs.
 - d. If a study evaluating LWD effectiveness is done for the sites during the 10-year project duration, a copy of the study shall be provided to BDS LUS staff. Documenting that sites can continue to accept the LWD and describing the project's success at enhancing the wildlife habitat of each site is valuable.
 - e. A list of damaged plants and replacement plants that were installed will be included with the LWD monitoring report. In addition, a site plan showing the replacement plant location shall be included. If no plants were damaged and replaced during that year of monitoring, then no action is required.
- B. Placement of LWD shall not interfere with canoe access to Smith and Bybee Lakes, or with pedestrian access to the 40 Mile Loop Trail.
- C. Replacement of damaged plants shall be completed under the same mitigation requirements as were applied in the original Land Use Review cases that created these mitigation sites.
- D. Replacement vegetation shall be identified and monitored in accordance with existing mitigation and monitoring requirements found in the required monitoring reports for the land use cases listed on page 7 of this report and shall be identified and presented separately in these reports.
- E. Northwest mannagrass (*Glyceria occidentalis*) and curled pondweed (*Potamogeton crispus*) are no longer considered appropriate species for planting in the environmental zones and shall not be used as replacement species in the environmental zones.

- F. Large woody debris shall be anchored, where necessary, in accordance with the requirements of the Multnomah County Drainage District.
- G. Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and /or enforcement of these conditions in any manner authorized by law.

Staff Planners: Tricia R. Sears and Kathy Harnden

Decision rendered by: Rebecca Esau on April 14, 2004

By authority of the Director of the Bureau of Development Services

Decision mailed: April 16, 2004

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this Land Use Review was submitted on **October 1, 2003**, and was determined to be complete on **February 20, 2004**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on **October 1, 2003**.

Oregon Revised Statue (ORS) 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant requested that the 120-day review period be extended for a period of seven days (Exhibit F.2).

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the Approval Criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable Approval Criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. This approval may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future Land Use Reviews. As used in the conditions, the term "applicant" includes the applicant for this Land Use Review, any person undertaking development pursuant to this Land Use Review, the proprietor of the use or development approved by this Land Use Review, and the current owner and future owners of the property subject to this Land Use Review.

Appealing this decision. This decision may be appealed to the Hearings Officer, which will hold a public hearing. Appeals must be filed by **4:30 PM on April 30, 2004** at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fourth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. Recognized neighborhood associations are not subject to the appeal fee. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify

for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7702 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the Internet at www.ci.portland.or.us.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Hearings Officer is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Salem, Oregon 97310 or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Hearings Officer an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

Before the applicant can proceed with their project, the final Land Use Review decision must be recorded with the Multnomah County Recorder.

A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **May 1, 2004 – the day following the last day to appeal.**

The applicant, builder, or a representative may record the final decision as follows:

- **By Mail:** Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- **In Person:** Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

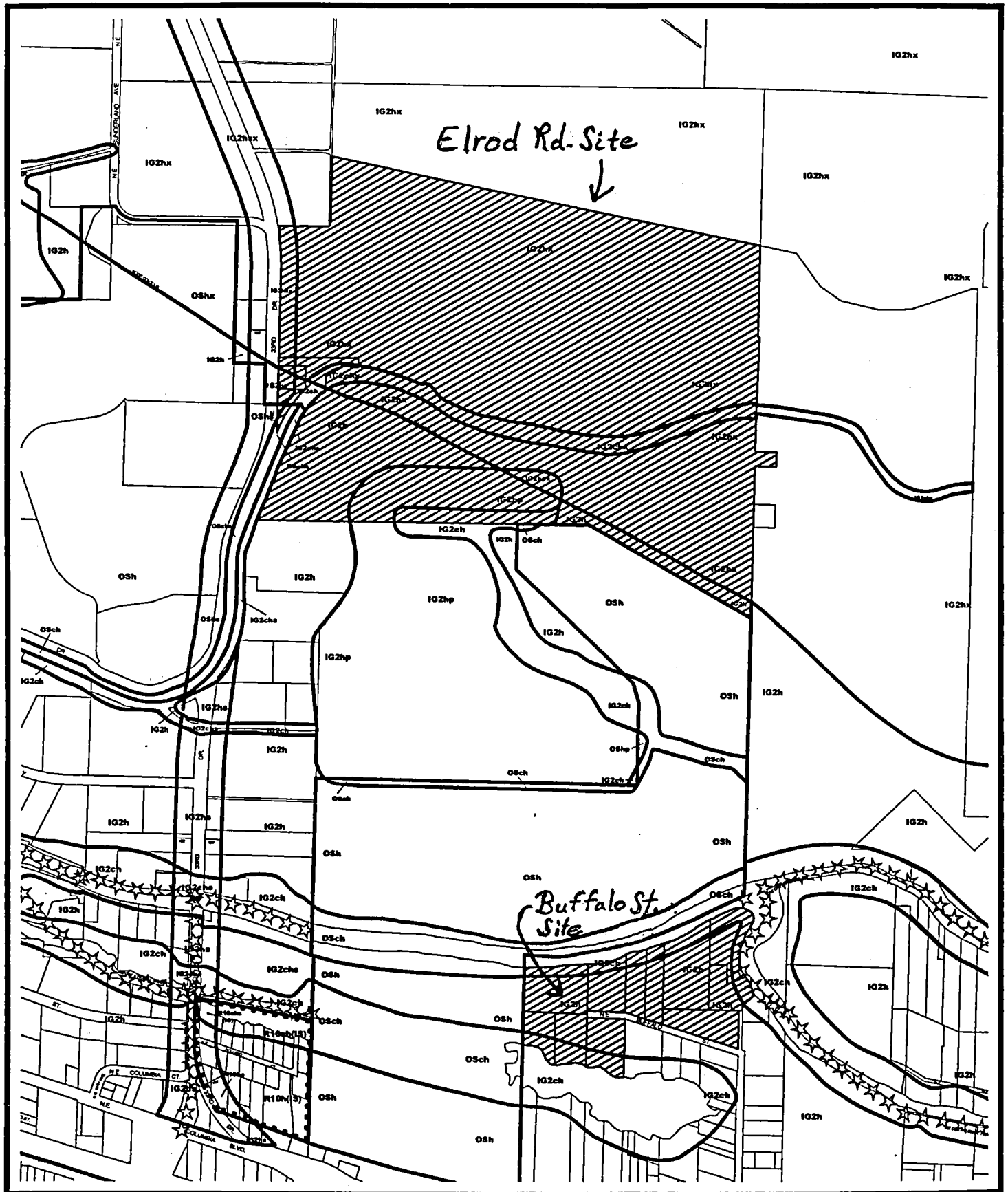
Expiration of this approval. This decision expires three years from the date the final decision is rendered unless:

- A building permit has been issued, or
- The approved activity has begun, or
- In situations involving only the creation of lots, the land division has been recorded.

EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
 - 1. Applicant's submittal dated October 1, 2004
 - 2. Applicant's submittal received February 20, 2004
- B. Zoning Maps (attached)
- C. Plans/Drawings:
 - 1. Large Woody Debris Site Locations and Vicinity Map (attached)
 - 2.a. Buffalo Street Site Plan (attached)
 - 2.b. Elrod Road (attached)
 - 2.c. Vanport Wetlands (attached)
 - 2.d. Smith and Bybee Lakes Site Plan (attached)
 - 2.e. Ramsey Lakes and Rivergate Consent Decree Site Plan (attached)
 - 2.f. West Wye Mitigation Site and Pickle Pond (attached)
 - 2.g. Bonneville Pond (attached)
 - 3. LWD Anchor Sketch (attached)
 - 4. All other site plans submitted during the review of the case
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Bureau of Environmental Services response dated March 31, 2004
 - 2. Site Development Review Section of BDS response dated March 11, 2004
 - 3. Multnomah County Drainage District email response dated March 22, 2004
 - 4. Metro Parks and Greenspaces response dated March 23, 2004
 - 5. Smith & Bybee Lakes Wildlife Area Management Committee response dated March 23, 2004
 - 6. The Columbia Slough Watershed Council response dated March 31, 2004
 - 7. Fire Bureau, received April 8, 2004
- F. Correspondence:
 - 1. Incomplete letter from staff to applicant, dated October 15, 2003
 - 2. Memo from applicant requesting a seven-day extension of the 120-day review period.
 - 3. Email correspondence between staff and applicant dated October 20, 2003 through April 14, 2004
 - 4. Cover page of fax from staff to applicant, dated April 1, 2004
 - 5. Fax from staff to applicant regarding proposed conditions of approval, dated April 2, 2004
 - 6. Letter from Land O'Lakes and staff communication, dated April 7 and 9, 2004
 - 7. Letter from applicant (also received by email on April 7, 2004), received April 9, 2004
- G. Other:
 - 1. Original LU Application
 - 2. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-7702 (TTY 503-823-6868).



ZONING



Site

Property also owned not shown

| | |
|-------------|--------------------|
| File No. | LU 03-162374 EN |
| 1/4 Section | 1421+ |
| Scale | 1 inch = 800 feet |
| State-Id | 2N1W24 -01800+ |
| Exhibit | B.1 (Oct 14, 2003) |



NORTH

ZONING



Site

Property also owned not shown



This site lies within the:

Peninsula Drainage District No. 1 NRMP

File No. LU 03-162374 EN

1/4 Section 1421+

Scale 1 inch = 800 feet

State-Id. 2N1W24 -01800+

Exhibit B.2. (Oct 14, 2003)

File No. LU 03-162374 EN
 Section 1421+
 Scale 1 inch = 1000 feet
 State-Id 2N1W24 -01800+
 Exhibit B.3. (Oct 14, 2003)

ZONING



Site

Property also owned not shown

File No. LU 03-162374 EN

1/4 Section 1421+

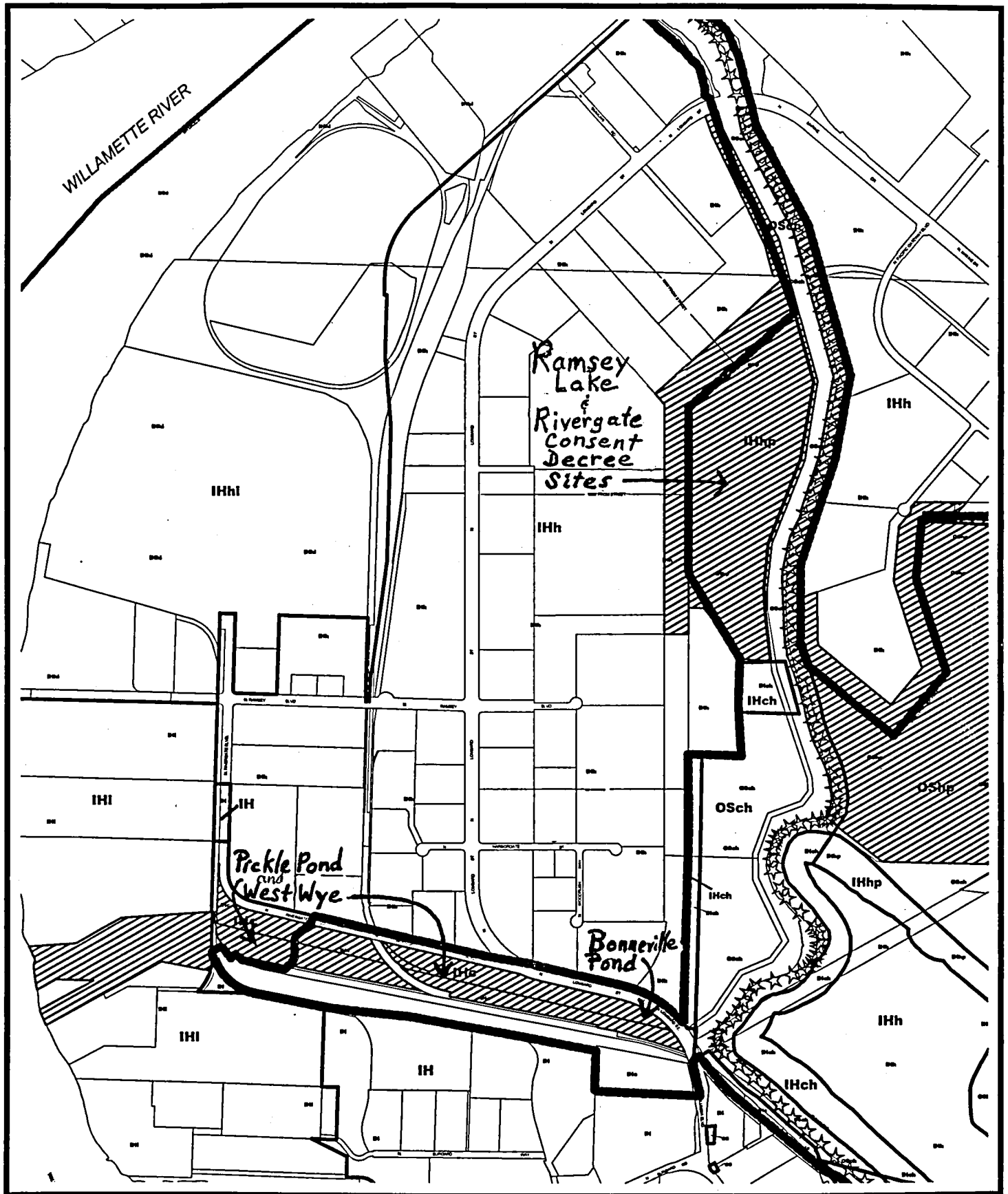
Scale 1 inch = 1000 feet

State-Id 2N1W24 -01800+

Exhibit B.4. (Oct 14, 2003)



This site lies within the:
Smith & Bybee Lakes NRM



ZONING

 Site

Property also owned not shown

File No. LU 03-162374 EN

1/4 Section 1421+

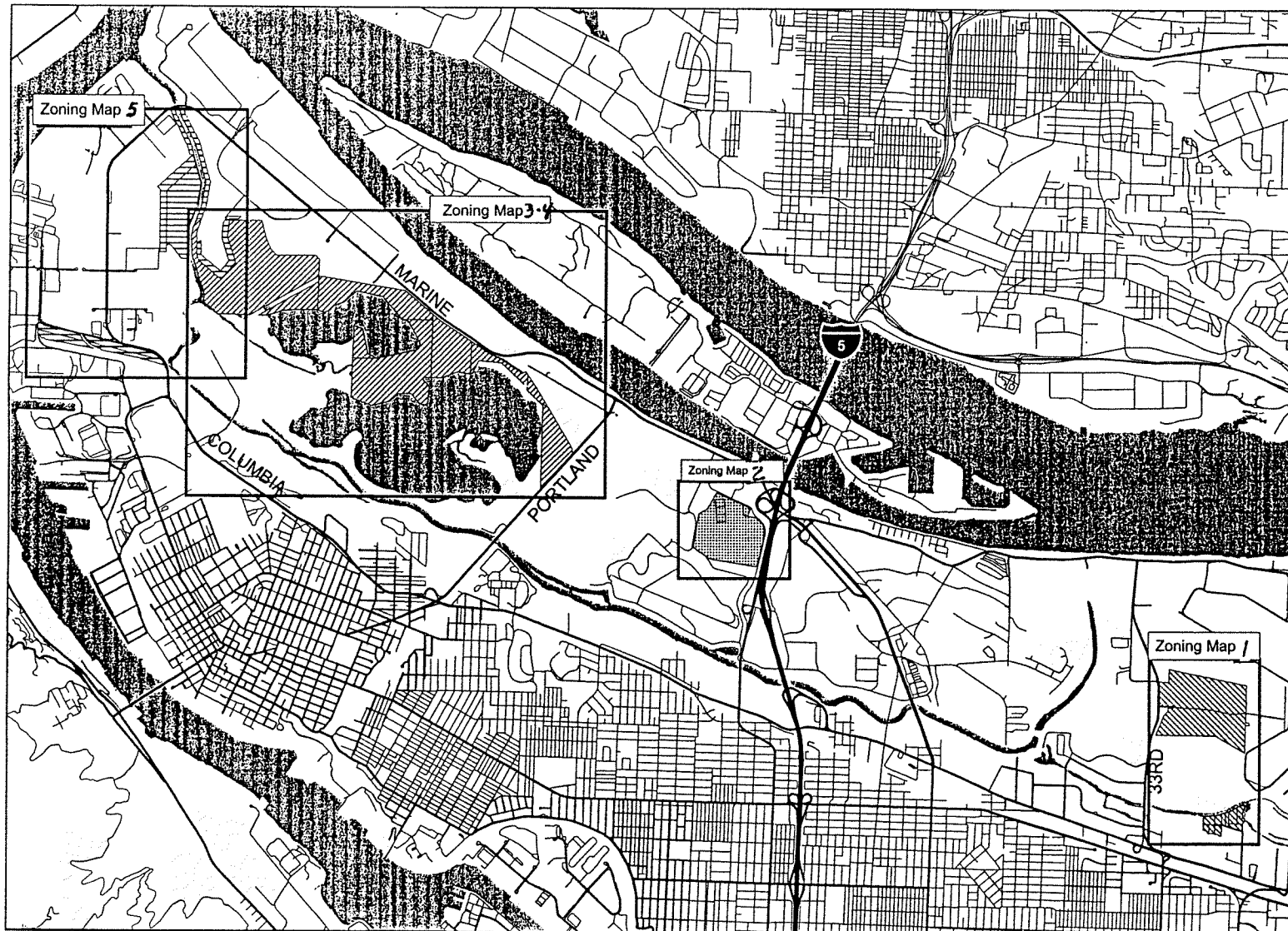
Scale 1 inch = 1200 feet

State-Id 2N1W24 -01800+

Exhibit B.5. (Oct 14, 2003)



This site lies within the:
Smith and Bybee Lakes NRMP



Large Woody Debris Site Locations and Vicinity Map

- Large Woody
Debris Tax Lots
- Elrod Rd. & Buffalo St.
 - Vanport
 - Ramsey, Rivergate
and Bonneville
 - Smith & Bybee Lakes
 - Rivers Streams Lakes
- Streets
- Freeways
 - Arterials
 - Minor Streets

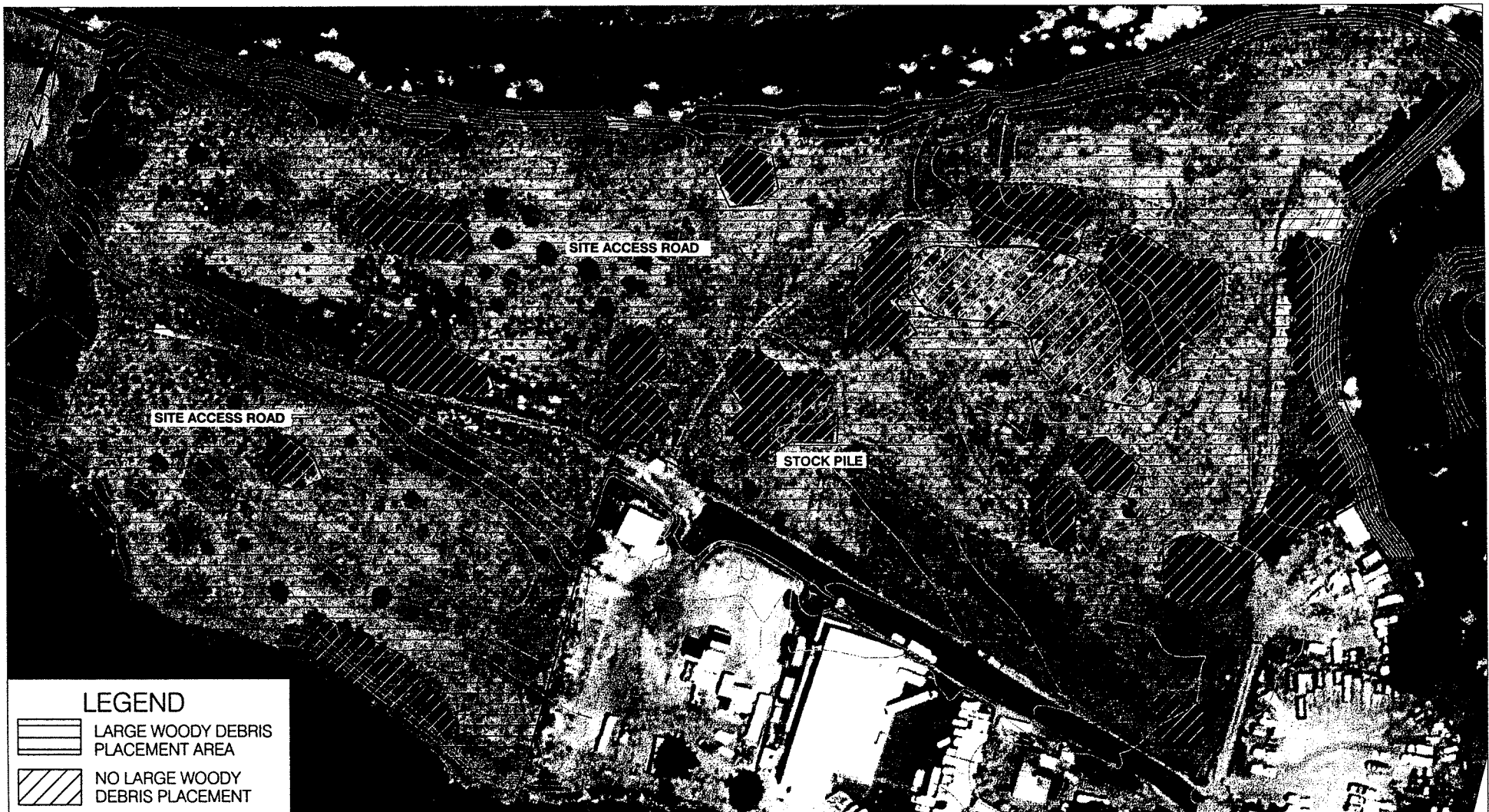
0.2 0 0.2 0.4 0.6 Miles

Geographic Data Standards:
Projected Coordinate System Name:
NAD 1983 HARN State Plane, Oregon North
Map Projection Name: Lambert Conformal Conic
Units: International Feet

Port of Portland
PO Box 3529
Portland, OR 97208
(503) 944-7000
the.regreenapi
Date: August 2003
Source PortMap: 2001



North



| NO. | DATE | BY | REVISIONS | CKD | APPROV |
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PORT OF PORTLAND
PORTLAND, OREGON

MAR 04 2004

LARGE WOODY DEBRIS LOCATIONS

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|---------------------------|------------------------|
| 2004PGEN DESIGN NUMBER | 1113 PROJECT NUMBER |
|---------------------------|------------------------|

| | |
|-------------|----------------------|
| DESIGNED BY | G. THEISEN / L. VOGT |
| DRAWN BY | L. VOGT |
| CHECKED BY | G. THEISEN |
| DATE | FEB 2004 |
| SCALE | 1" = 100' |

| | |
|--------------------------------|-------------------------|
| PORTLAND INTERNATIONAL AIRPORT | |
| BUFFALO STREET | |
| SUBMITTED BY | TYPE |
| PROJECT ENGINEER | DRAWING NO. |
| | PD ANZ 2004-4339 3/7 P3 |

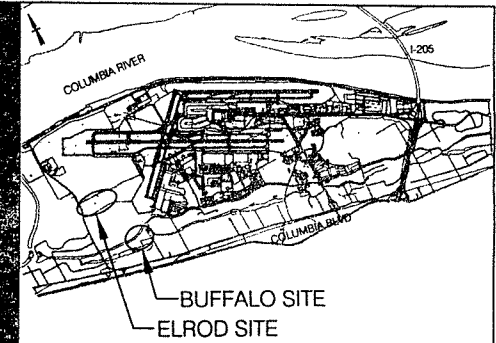
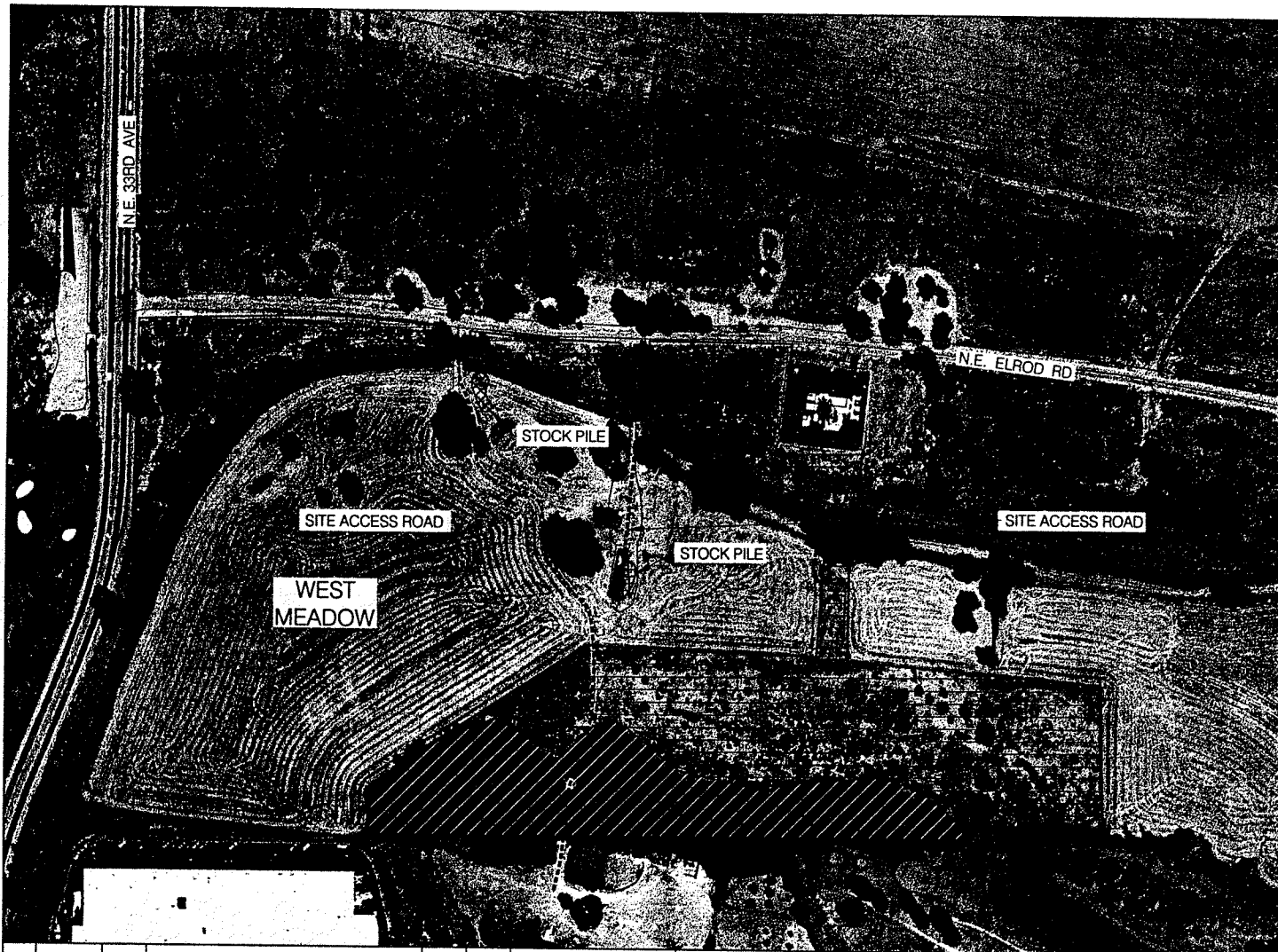
Approved
 City of Portland - Bureau of Development Services
 LU # 03-162374 EN



Planner Kathy Harnden / Tricia Sears Date April 2, 2004

* Approval for Environmental Review only. Not a building permit.
 Additional zoning requirements may apply.

LU 03-162374 EN
 EXHIBIT 2

LU 03-162374 EN EXHIBIT



- LEGEND**
-  LARGE WOODY DEBRIS PLACEMENT AREA
 -  NO LARGE WOODY DEBRIS PLACEMENT

| NO. | DATE | BY | REVISIONS | CKD | APPVD |
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| PORT OF PORTLAND PORTLAND, OREGON | |
| MAR 04 2004 | |
| LARGE WOODY DEBRIS LOCATIONS | |
| 2004PGEN DESIGN NUMBER | 1113 PROJECT NUMBER |

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|-------------|----------------------|
| DESIGNED BY | G. THEISEN / L. VOGT |
| DRAWN BY | L. VOGT |
| CHECKED BY | G. THEISEN |
| DATE | FEB 2004 |
| SCALE | 1" = 200' |

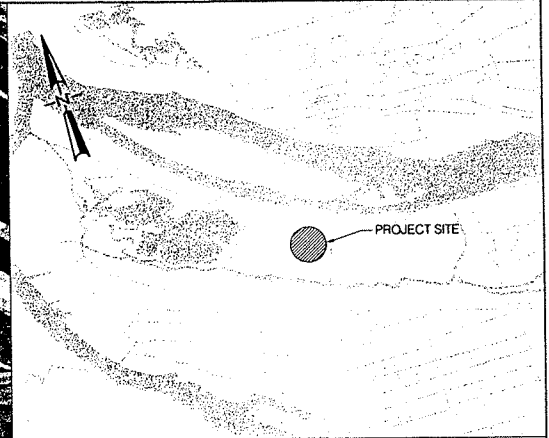
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| PORTLAND INTERNATIONAL AIRPORT | | |
| ELROD ROAD | | |
| SUBMITTED BY | TYPE | DRAWING NO. |
| PROJECT ENGINEER | PD | ANZ 2004-4339 4/7 P4 |

Approved

City of Portland - Bureau of Development Services
LU # 03-162374 EN



Planner Kathy Harnden & Tricia Sears Date April 2, 2004


* Approval for Environmental Review only. Not a building permit.
Additional zoning requirements may apply.



VICINITY MAP

LEGEND

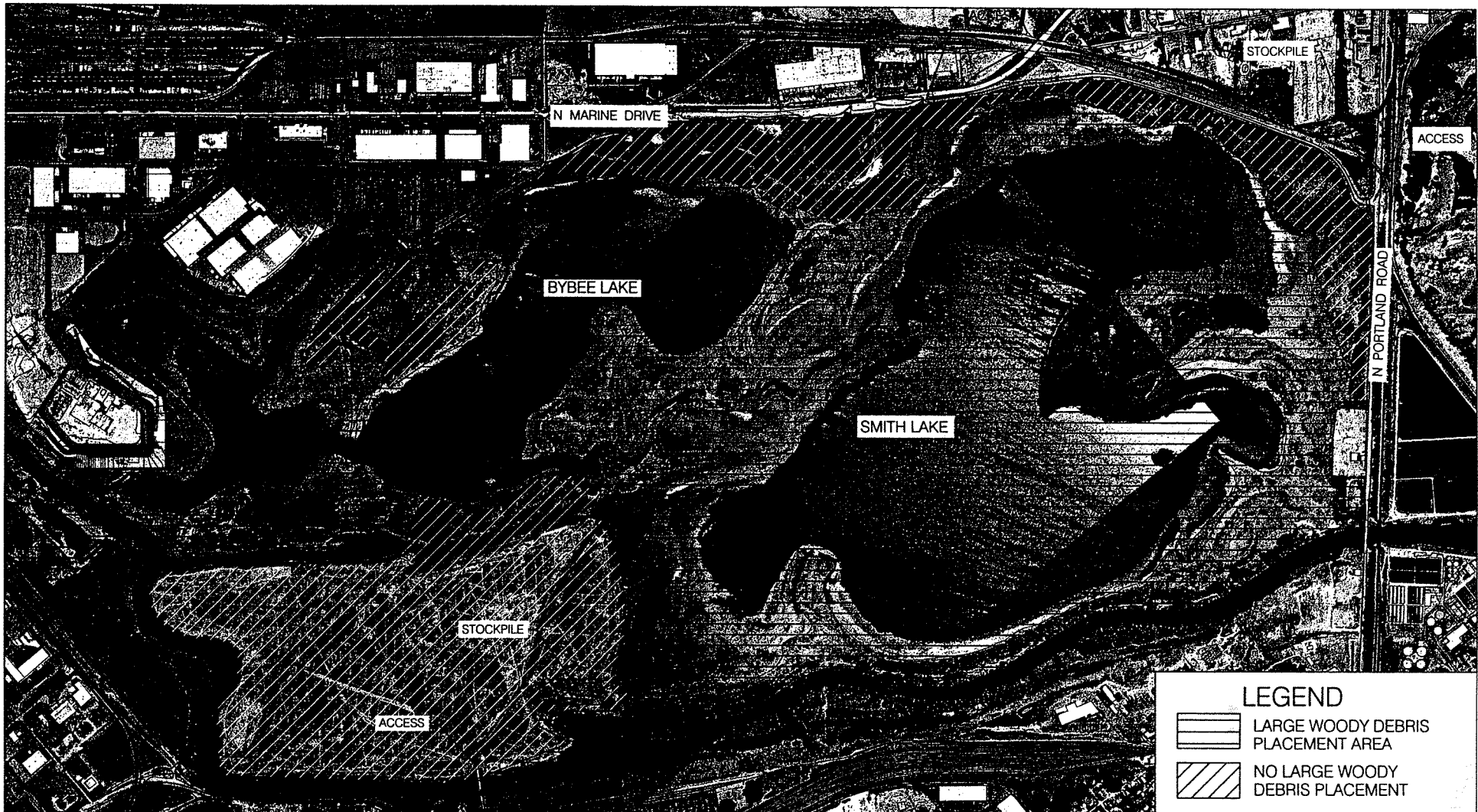
-  LARGE WOODY DEBRIS PLACEMENT AREA
-  NO LARGE WOODY DEBRIS PLACEMENT

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| | | | | NO. | DATE | BY | REVISIONS | | | | | | | | | | | | | | | | | | | |
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| LARGE WOODY DEBRIS LOCATIONS | | DRAWN BY <u>L. VOGT</u> | | VANPORT WETLANDS | | | | | | | | | | | | | | | | | | | | | | |
| | | CHECKED BY <u>G. THEISEN</u> | | | | | | | | | | | | | | | | | | | | | | | | |
| | | DATE <u>FEB 2004</u> | | | | | | | | | | | | | | | | | | | | | | | | |
| 2004PGEN DESIGN NUMBER | | 1113 PROJECT NUMBER | | SCALE <u>1" = 300'</u> | | SUBMITTED BY _____ | | TYPE <u>PD</u> | DRAWING NO. <u>ANZ 2004-4339</u> | 5/7 | P5 | | | | | | | | | | | | | | | |
| | | | | | | PROJECT ENGINEER | | | | | | | | | | | | | | | | | | | | |


Approved
 City of Portland - Bureau of Development Services
 LU # 03-162374 EN
 Planner Kathy Harnden & Tricia Sears Date April 2, 2004
 * Approval for Environmental Review only. Not a building permit.
 Additional zoning requirements may apply.


LU 03-162374 EN
 EXHIBIT


2004-4-2 03:16 LU 03-162374 EN - R:\projects\2004\4\339\PR sheets 1 and 2.dwg



LEGEND

 LARGE WOODY DEBRIS PLACEMENT AREA

 NO LARGE WOODY DEBRIS PLACEMENT

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| | | | |  | | PORT OF PORTLAND PORTLAND, OREGON | | DESIGNED BY <u>G. THEISEN</u> | | RIVERGATE INDUSTRIAL DISTRICT | |
| | | | | | | MAR 04 2004 | | DRAWN BY <u>P. REYNOLDS</u> | | LARGE WOODY DEBRIS PERMIT APPLICATION | |
| | | | | | | | | CHECKED BY <u>G. THEISEN</u> | | SMITH & BYBEE LAKES SITE PLAN | |
| | | | | | | | | DATE <u>FEB 2004</u> | | SUBMITTED BY _____ | |
| | | | | | | | | SCALE <u>1"=100'</u> | | TYPE <u>PD</u> DRAWING NO. <u>ANZ 2004-4339 2/7</u> | |
| NO. DATE BY REVISIONS CKD APPVD | | | | DESIGN NUMBER _____ PROJECT NUMBER _____ | | | | PROJECT ENGINEER _____ | | P-2 | |

Approved

City of Portland - Bureau of Development Services

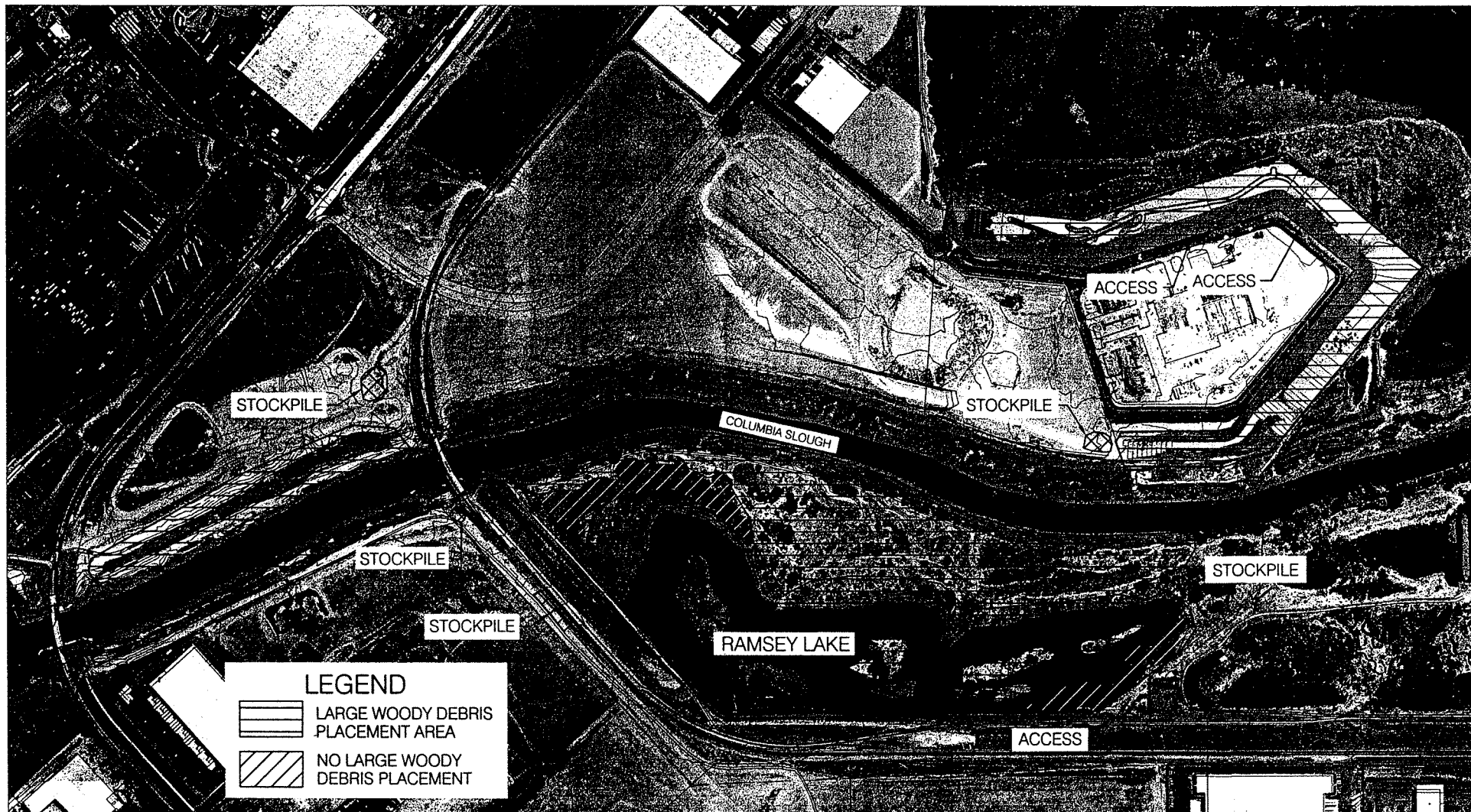
LU # 03-162374 EN

Planner Kathy Harnden & Tricia Sears Date April 2, 2004

* Approval for Environmental Review only. Not a building permit.
 Additional zoning requirements may apply.

LU 03-162374 EN
 RXH/RTT

0304/04 - 151pm - mynd - R:\mishan_2004\4339\PR sheets 1 and 2.dwg



LEGEND

LARGE WOODY DEBRIS PLACEMENT AREA

NO LARGE WOODY DEBRIS PLACEMENT

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PORT OF PORTLAND
PORTLAND, OREGON

MAR 04 2004

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|---------------|----------------|
| DESIGN NUMBER | PROJECT NUMBER |
|---------------|----------------|

| | |
|-------------|-------------|
| DESIGNED BY | G. THEISEN |
| DRAWN BY | P. REYNOLDS |
| CHECKED BY | G. THEISEN |
| DATE | FEB 2004 |
| SCALE | 1"=500' |

| | |
|---------------------------------------|------|
| RIVERGATE INDUSTRIAL DISTRICT | |
| LARGE WOODY DEBRIS PERMIT APPLICATION | |
| RAMSEY LAKES & RIVERGATE | |
| CONSENT DECREE SITE PLAN | |
| SUBMITTED BY | TYPE |
| PROJECT ENGINEER | PD |
| DRAWING NO. | P-1 |
| ANZ 2004-4339 1/7 | |

Approved

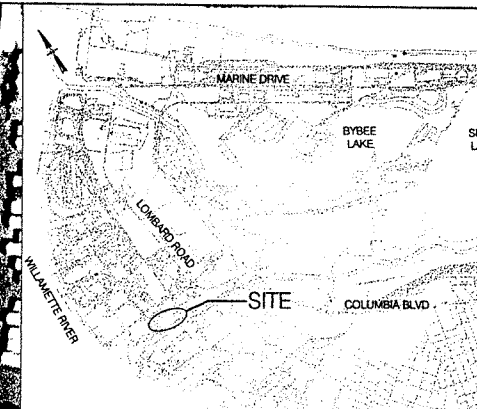
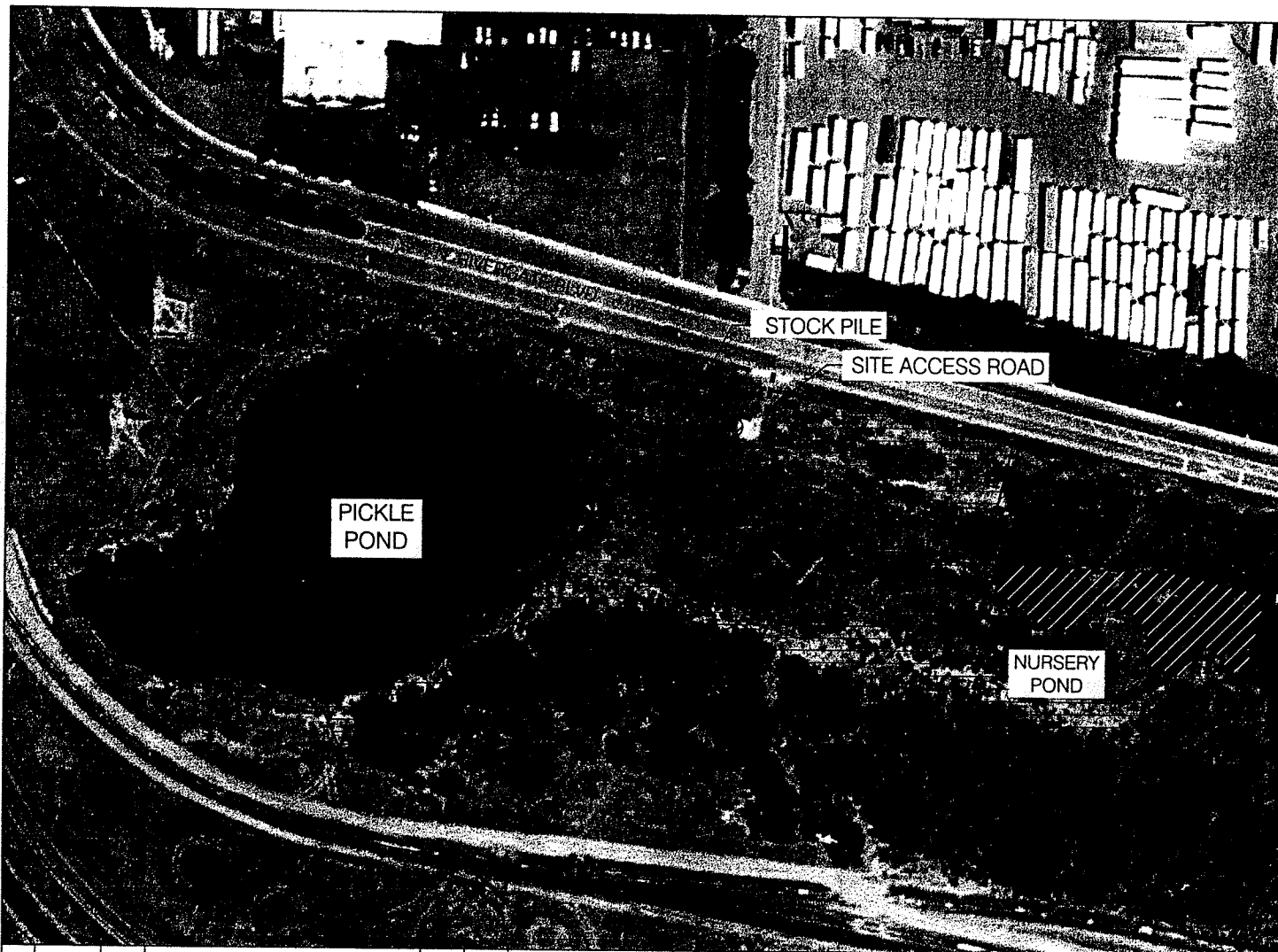
City of Portland - Bureau of Development Services

LU # 03-162374 EN

Planner Kathy Harnden / Tricia Sears Date April 2, 2004



* Approval for Environmental Review only. Not a building permit.
Additional zoning requirements may apply.

LU 03-162374 EN
FVJ11217



VICINITY MAP

LEGEND

-  LARGE WOODY DEBRIS PLACEMENT AREA
-  NO LARGE WOODY DEBRIS PLACEMENT

| NO. | DATE | BY | REVISIONS | CKD | APPVD |
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PORT OF PORTLAND
PORTLAND, OREGON

MAR 04 2004

LARGE WOODY DEBRIS LOCATIONS

| | |
|---------------------------|------------------------|
| 2004PGEN DESIGN NUMBER | 1113 PROJECT NUMBER |
|---------------------------|------------------------|

| | |
|-------------|----------------------|
| DESIGNED BY | G. THEISEN / L. VOGT |
| DRAWN BY | L. VOGT |
| CHECKED BY | G. THEISEN |
| DATE | FEB 2004 |
| SCALE | 1" = 100' |

| | |
|--|----------------------|
| RIVERGATE INDUSTRIAL DISTRICT | |
| WEST WYE MITIGATION SITE AND PICKLE POND | |
| SUBMITTED BY | TYPE |
| PROJECT ENGINEER | PD |
| DRAWING NO. | ANZ 2004-4339 6/7 P6 |

Approved

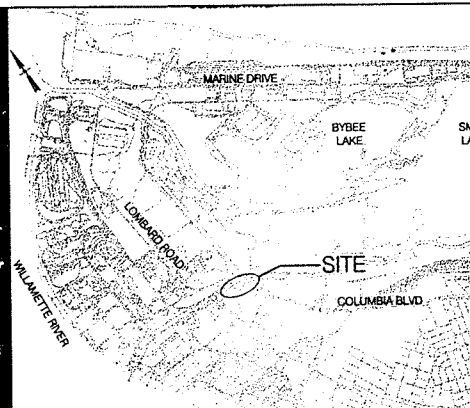
City of Portland - Bureau of Development Services

LU # 03-162374 60

Planner Kathy Harnden & Tricia Sears Date April 2, 2004

* Approval for Environmental Review only. Not a building permit.
Additional zoning requirements may apply.

LU 03-162374 EN EXHIBIT



LEGEND

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Approved

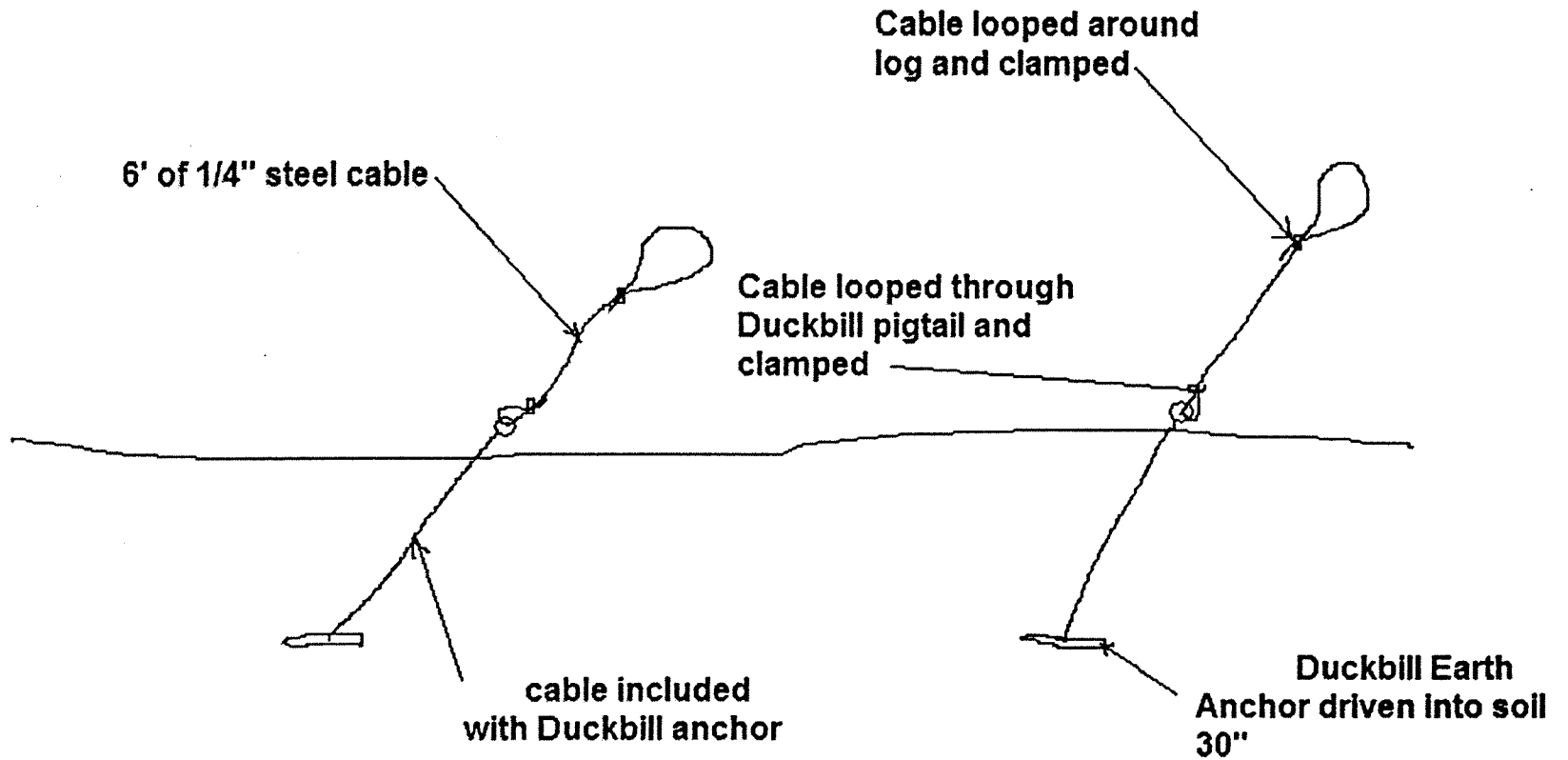
City of Portland - Bureau of Development Services

LU # 03-162374 EN

Planner Kathy Harnden & Tricia Sears Date April 2, 2004

* Approval for Environmental Review only. Not a building permit.
Additional zoning requirements may apply.

LU 03-162374 EN
FYHTRIT 7



Approved

City of Portland - Bureau of Development Services

LU # 03-162374 EN

Planner Kathy Harnden & Tricia Sears Date April 2, 2004

* Approval for Environmental Review only. Not a building permit.
Additional zoning requirements may apply.

RECEIVED

FEB 20 2004

By _____

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2