

Agenda



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: Smith and Bybee Wetlands Advisory Committee
Date: Tuesday, November 15, 2022
Time: 5:30 to 7:30 p.m.
Place: Zoom

5:30 p.m.	Welcome and introductions	All
5:35 p.m.	Approve September 2022 meeting summary	Carrie Butler
5:40 p.m.	Emerald Ash Borer response efforts	Rob Hamrick
6:25 p.m.	BREAK	
6:30 p.m.	Turtle monitoring at Smith and Bybee Wetlands	Laura Guderyahn/Jim Holley
7 p.m.	Planning projects update	Allan Schmidt
7:15 p.m.	Conservation projects update	Andrea Berkley
7:25 p.m.	Goals and next meeting agenda	All
7:30 p.m.	Adjourn	

Upcoming SBAC meeting:

Tuesday, January 24, 2023, on Zoom

For agenda/schedule information, contact Annie Toledo at annie.toledo@oregonmetro.gov

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August 2016



Meeting summary

Smith and Bybee Wetlands Advisory Committee

November 15, 2022

Committee members in attendance

Carrie Butler.....Port of Portland
Daryl Houtman.....City of Portland, Bureau of Environmental Services
Eugenia TamNorth Portland Neighbors
Eric SternFriends of Smith and Bybee Lakes
Jonathan Soll.....Metro
Max Samuelson.....Columbia Slough Watershed Council
Troy Clark.....Audubon Society of Portland

Committee members not in attendance

Pat Jewett40-Mile Loop Trust

Others in attendance

Rob Hamrick.....Metro
Laura GuderyahnPortland State University
Jim HolleyPortland State University
Allan SchmidtMetro
Andrea BerkleyMetro
Annie Toledo.....Metro

WELCOME

The September 2022 meeting summary was reviewed and approved.

TURTLE MONITORING AT SMITH AND BYBEE WETLANDS

Laura Guderyahn and Jim Holley presented on their separate research projects regarding monitoring turtle populations near Smith and Bybee Wetlands Natural Area. *Attachments 1 and 2.*

Population dynamics and life history exploration of Western painted turtles

Laura Guderyahn presented PhD research that involves trapping turtles at Smith and Bybee Wetlands and Ramsey Wetlands (a nearby Port of Portland property) to collect long-term data on populations of Western painted turtles in the area. This specific population of turtles was studied extensively from 1999 to 2001; Laura's research spanned approximately 20 years later, from 2020 to 2022. There were a few documented 20+ year recaptures, showing that the same turtles are still present in the area.

To date, there have been 339 captures, which include 266 native turtle species and 73 non-native turtle species (red-eared sliders). The team has found the most red-eared sliders at Smith and Bybee Wetlands. If trapped, these invasive red-eared sliders are removed from the wetlands and humanely euthanized. A lot of helpful data is continuing to be gathered during this research project—the attached presentation gives more detailed information.

Laura will be continuing the data collection next year, and invited anyone on the committee to get in touch if they'd like to join in. Spring is a fun time to do so because the water is high, making it easy to grab the turtles off logs in the water. Reach out to Laura Guderyahn if you're interested in helping with this research effort.

Nutria control. There has been an increase in holes showing up in turtle trapping nets this year. Are holes in the nets being created by nutria? What are the nutria control efforts being done at Smith and Bybee and Ramsey Wetlands? Carrie Butler said that there has not been any nutria control at Ramsey Wetlands and there are no plans to do so. Katy Weil is the point person for nutria control efforts at Smith and Bybee Wetlands, which are carried out by the USDA APHIS Wildlife Services. Andrea mentioned the contract is usually active in the winter but will follow up with Katy Weil about the efforts and get back to the group.

Smith and Bybee Wetlands turtle nesting monitoring

Jim Holley presented on the research he's done regarding turtle nesting in the area. He has monitored for the last three years at Smith and Bybee Wetlands. Oregon has two native turtles: Western painted and Western pond. The invasive red-eared slider turtle that is found at the site looks a lot like the Western painted turtle, making it difficult to tell these two apart.

Conclusive data patterns about turtle nesting habits didn't emerge from this research. There are still a lot of outstanding questions, and more research needs to be done. There have been many turtle nests documented, but nearly all of them have been eaten. There was a zero percent known nest survival rate in 2021 due to a high amount of depredation by garter snakes, skunks, and raccoons, among other predators. In turtle life history, over 70 to 90 percent of turtles nests are eaten, so this finding is in line with that history. There are still a lot of turtles at Smith and Bybee Wetlands. Because turtles live so long, 40 to 50 years, there don't need to be many successful nests for the population to survive.

EMERALD ASH BORER RESPONSE EFFORTS

Rob Hamrick, Integrated Pest Management program manager at Metro, gave an update to the committee about the response efforts being taken to combat the invasive emerald ash borer that has recently been found in Oregon. *Attachment 3*.

This beetle attacks ash trees and can have a devastating impact on canopy. Rob explained the telltale signs of EAB infestations, such as woodpecker damage and epicormic shoots, and educated the committee on how to identify the beetle (there are a lot of lookalikes out there) and the importance of not moving firewood. The S.L.A.M. method is being used to slow the ash tree mortality rate. This method includes survey and monitoring, girdling ash detection trees, using high density trapping and intense monitoring, releasing biocontrol, and injection of emamectin benzoate using Arbor jet on specimen trees and "detection trees" to kill EAB. Injection is a very expensive method. Rob showed a slide of potential ash tree replacement species; Andrea Berkley mentioned that the idea of replacing ash trees is to prevent canopy opening which could result in overgrowth of invasive species such as reed canarygrass and blackberry in the understory.

Much survey and monitoring work is being done in the area. Oregon Department of Agriculture is inventorying every ash tree in Fernhill Wetlands (Metro property) and biocontrol (wasps) will be released in the spring. The U.S. Department of Agriculture is inspecting every ash tree within a 15-mile radius of “ground zero” in Forest Grove, where the first emerald ash borer was discovered in Oregon.

EAB resources

- [Emerald Ash Borer in Oregon: Initial Detections Dashboard](#)
- [Oregon Invasive Species Council: EAB](#)
- [Emerald Ash Borer Information Network](#)
- [Oregon Forest Pest Detector training](#)

PLANNING PROJECTS UPDATE

Allan Schmidt, senior regional planner, gave updates on two planning projects going on near the wetlands.

Bridge Over Columbia Boulevard

The City of Portland’s Bridge Over Columbia Boulevard project has been funded – majority of which is through a Regional Flexible Funds Allocation (RFFA) grant and a grant from Metro. The budget to build the bridge is \$7 million and will likely go up. Allan plans to bring the new project manager, Evan Cunningham, to a future committee meeting and introduce him to the group.

St. Johns Prairie Trail

Allan has started the land use effort on this project and will be submitting a full land use application soon; he mentioned the design should be wrapped up shortly after land use submittal. Metro is contributing \$4 million for project design funding. Construction funding has not yet been acquired.

In total, Metro is contributing at least \$10 million to the bridge and St. Johns Prairie Trail projects. The funding is just to get from Chimney Park to the St. Johns Prairie Trail overlook, not across the north slough. Allan is going to submit the land use effort to go all the way to the potential bridge over the north slough. Although there is not yet a design for that, the land use application is good for three years so it’s best to add that detail in.

Agency presence at St. Johns Prairie

At the last meeting, Allan told the group that Metro’s landfill staff were ready to vacate the office at the site. He updated the committee that staff is currently in negotiation with the City of Portland (owner of the office building) and may potentially stay at the site. Negotiations are in progress and no decisions have been made.

CONSERVATION PROJECTS UPDATE

Andrea Berkley gave updates on conservation projects going on at the site. *Attachment 4.*

- **Cascadia Prairie-Oak Partnership tour.** Andrea and Elaine Stewart gave a tour of the St. Johns Prairie for attendees of the Cascadia Prairie-Oak Partnership conference last week. This tour was originally scheduled for 2020 but had been delayed due to the pandemic.
- **St. Johns Prairie.** A contractor mowed about 36 acres of the prairie to physically break up thatch and prepare the site for annual native grasses. By removing the thatch buildup, they can get better herbicide application on targeted plants like rattail fescue.
- **OWEB grant funding** decision for St. Johns Prairie Phase 4 should be made in February or March 2023. Andrea will keep the committee updated.
- **Ludwigia mapping** by Institute for Applied Ecology has been completed. Metro has received the data, but they haven't dug into it yet. Ludwigia didn't flourish much this year, so it wasn't the most typical year for weed mapping. In addition to mapping Ludwigia, the crew also looked for yellow flag iris, purple loosestrife and other EDRR species.
- **Plantings at the site.** Willow, ash and cottonwood are being planted in the wetlands. The team replaced some planned ash trees for cottonwood due to the presence of EAB in the Portland region. Columbia sedge meadow plantings are in the works.
- **Comprehensive Natural Resource Management Plan update.** Andrea is still incorporating comments and edits to the document and will be going over the critical project timeline with Metro's Conservation Program Director this week. She plans to distribute to the committee a clean version and a redline version (showing edits) of the interim Master Plan document when it is ready, in late 2022 or early 2023. The updated document will likely go before Metro Council for vote sometime in March or April 2023.
- **Water control structure management.** The water control structure will be closed this winter; we can expect drier conditions and more azolla growth (mosquito fern). Andrea will make sure that paddling information is accurate on our website.

OTHER TOPICS

Lombard Pump Station expansion

Troy Clark mentioned that the City of Portland recently put in an application for an upgrade to their pump station that is within the CNRP boundary. He encouraged the group to review the application and wants everyone to be aware that this is something the committee can comment on, if needed. The proposal includes removal of 45 trees, planting of 82 new trees and expansion of the pump station footprint. There won't be any wetland fill or removal and the pump station is above the 100-year floodplain. *Attachment 5.*

Columbia Steel Casting Company going out of business

Columbia Steel Casting Company, a large company on the south side of the slough between BES and Union Pacific Railroad, is going out of business, Troy said. They own a small parcel on the south side of the Smith and Bybee Wetlands natural area, across the Columbia Slough from Columbia Steel Casting Company, and now would be a good time for one of Metro's real estate negotiators to contact them regarding purchasing the property (if they plan on selling). This company has been very resistant to cooperating on environmental issues and trail development in the past, so it is a good thing that they may be moving out of the area.

Wapato on the Slough Project

Daryl and Max shared a [story map](#) that Chris Rempel, Naomi Rodriguez and Greg Archuleta from the Confederated Tribes of Grand Ronde put together about the Wapato on the Slough Project that was funded through the BES's Community Watershed Stewardship Program.

FUTURE MEETING AGENDA TOPICS

- Sebrina Nelson, Metro, is scheduled to attend the January 2023 meeting to discuss the bridge assessment, landfill site assessment and office space.
- Review of Bureau of Development Services meeting notes – yet to be provided to Carrie Butler by Kate Green (BDS). These notes will contain information about the future zoning of Smith and Bybee Wetlands upon implementation of the updated hybrid CNRP.
- Columbia Steel Casting Company. Troy would like to have some presentation regarding the land that this company is vacating. Would DEQ be interested in presenting?

ACTION ITEMS

- Andrea Berkley to check in with Katy Weil regarding status of nutria control efforts at Smith and Bybee Wetlands and update the committee.
- Daryl Houtman to reach out to BES regulators to see if there is a stormwater inspection scheduled at the Columbia Steel Casting Company property.
- Committee members to get in touch with Laura Guderyahn if interested in participating in the turtle monitoring research.

NEXT MEETING

January 24, 2023
5:30 to 7:30 p.m.
Zoom

Meeting adjourned at 7:22 p.m.



NW pond turtle
(*Actinemys marmorata*)



Western painted turtle
(*Chrysemys picta belli*)

Guderyahn PhD Project

Population Dynamics and Life History Exploration of Western Painted Turtles



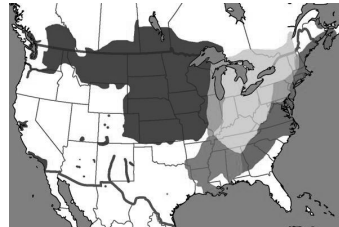
Red-eared slider
(*Trachemys scripta elegans*)



Common Snapping Turtle
(*Chelydra serpentina*)

Western Painted Turtle Demographics

- **SE Michigan**
 - 1953 to 2003 (Sexton, Wilbur, Tinkle, Congdon)
- **SW Michigan**
 - 1964 to 1990 (Gibbons and Frazer)

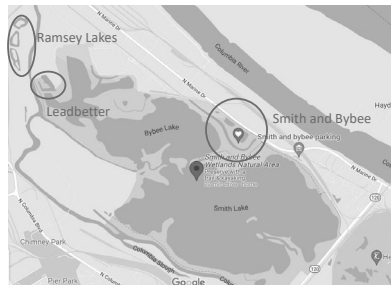


Approximate Natural and Introduced Range of *Chrysemys picta* - Painted Turtle
● C. p. belli - Western Painted Turtle
● C. p. marginata - Midland Painted Turtle
● C. p. picta - Eastern Painted Turtle
● Intergrade Zone

- **Western Nebraska**
 - Climate Effects (1990's) – Costanzo and Hedrick
 - Life Histories (2000's) – Iverson and Rowe

Western Painted Turtle Demographics

- Extensive Surveys 1999-2001
- Resurvey 2021-2022

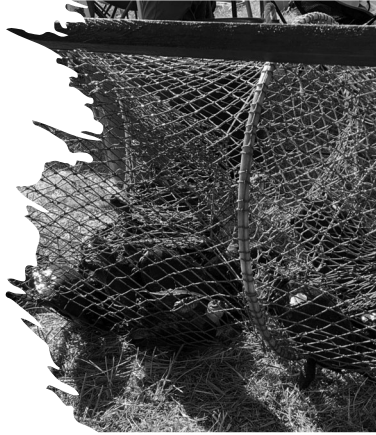


Key Questions to Answer

1. Age at Maturity - Body size of adults
2. Fecundity - Relationship of reproductive output to body size and age
3. Growth Curves
4. Longevity
5. Survivorship Curves
 - a. Nesting and hatching success among groups
 - b. Survivorship of males and females
 - c. Survivorship of age classes
 - d. Age at Death
6. Age Structure
7. Sex Ratios

Trapping Effort

- 3 “water” years (Fall thru Spring)
- Session: 4 nights on, 3 nights off
- Effort to date:
 - Fall 2021: 2 sessions
 - Spring 2022: 3 sessions
 - Fall 2022: 3 Sessions
- Effort Still to Do
 - Spring 2023: 3 sessions
 - Fall 2023: 3 sessions
 - Spring 2024: 3 sessions

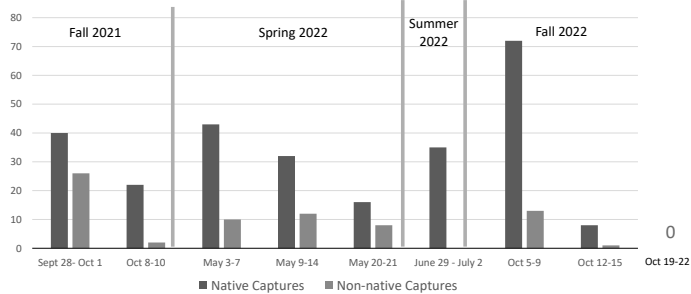


Trapping Results (to date)

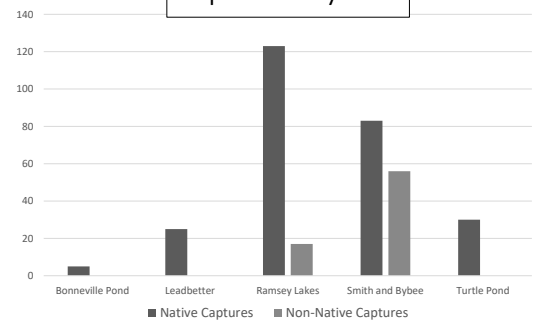
- Total Captures: 339
- Total Native Captures: 266 (78.5%)
- Total Non-native Captures: 73 (21.5%)
- Avg # Turtles/trap: 28 traps, 31 total trap days = .378 turtles/trap/day
- # Individual Native: 222 (75.8%)
- # Individual Non-native: 71 (24.2%)



Captures Over Time



Captures by Site



ATTACHMENT 1

20+ Year Recaptures (NW Naturalist, in print)

#517 – 9/15/2000



#256 – 5/21/1999



20+ Year Recaptures (Cont)

#1657 – 7/11/2001



#1664 – 7/14/2001



3 Years Later...

- #2606 – 9/11/2020 Peninsula Canal (7.5km away!)



Non-native Biomass

- 92,247 grams
- 203+lbs of turtles!





Key Questions to Answer

1. Age at Maturity - Body size of adults
2. Fecundity - Relationship of reproductive output to body size and age
3. Growth Curves
4. Longevity
5. Survivorship Curves
 - a. Nesting and hatching success among groups
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 - c. Survivorship of age classes
 - d. Age at Death
6. Age Structure
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Eastern Populations

- 7.2% population growth rate
- 28.3kg native turtle/ha (Smith and Bybee 3.14kg/ha)
- Annual survivorship for adults both sexes (94-96%); juveniles 46%
- Sex ratio – roughly 50-50

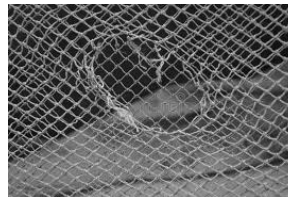
TABLE 4.—Bailey triple-catch estimates of population size, survivorship, recruitment and losses for *Chrysemys picta*. N_t is the population size estimate, S_t is the survivorship estimate and recruitment and losses are represented by b and d , respectively.

Category	N_t	S_t	b	d	$b - d$
Juveniles	138 ± 5	0.457	21.2	1.0	20.2
Adult males	182 ± 3	0.956	10.7	0.9	9.8
Immature females	40 ± 4	0.944	4.4	0.9	3.5
Adult females	157 ± 5	0.963	4.7	0.8	3.9
Total	517 ± 17	0.834	41.0	3.6	37.4

Eastern Populations Cont.

Average Carapace Length	Eastern	Smith and Bybee
Mature Male	100.0 +/- 2.29mm	160.61mm
Mature Female	125.60 +/- 1.29mm	189.15mm

Nutria???



Questions?

- Laura Guderyahn
gud@pdx.edu
815-388-4803





Oregon Turtles

Western Painted Turtle

Chrysemys picta bellii



Photo Credit: Oregon Wildlife

Northwestern Pond Turtle

Actinemys marmorata



Photo Credit: ODFW



2019 Turtle Nesting Project Site Map

Site Criteria

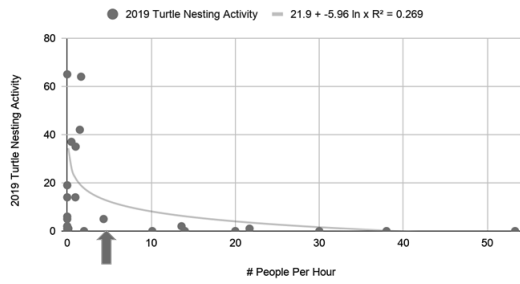
>1 Native
Turtle



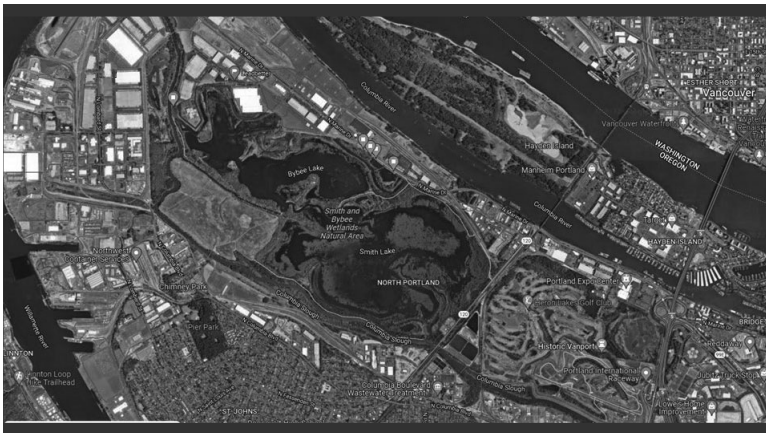
ATTACHMENT 2

>5 Pedestrians/Hour → 0 nesting

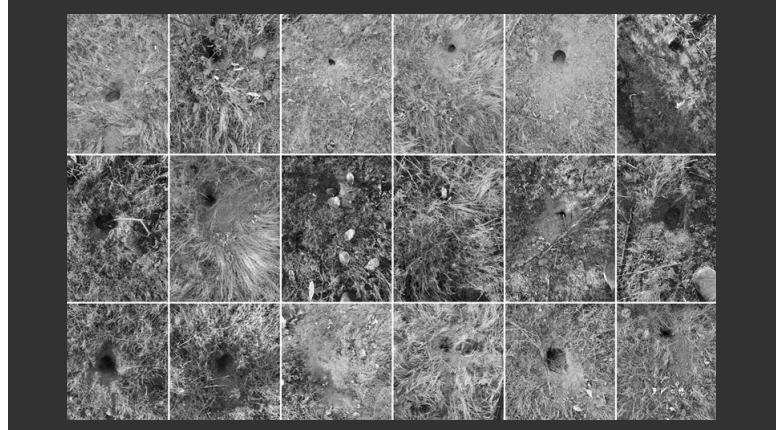
Human Impact on Nesting Rates



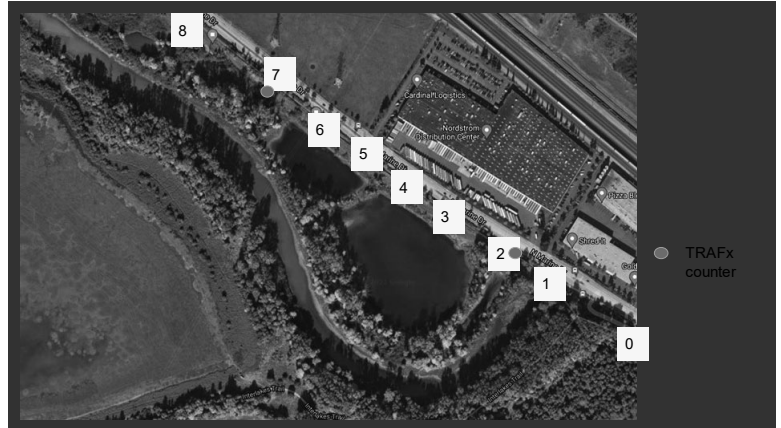
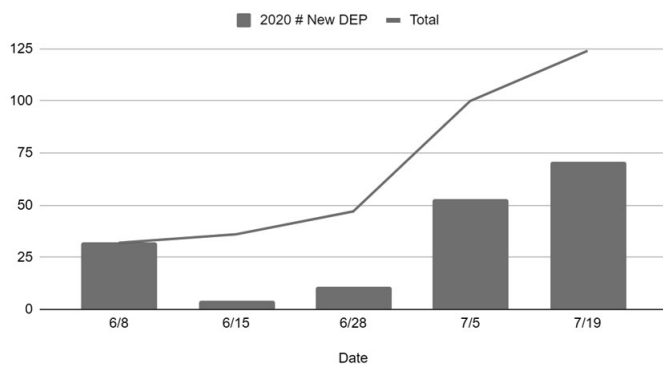
TRAFx Counters



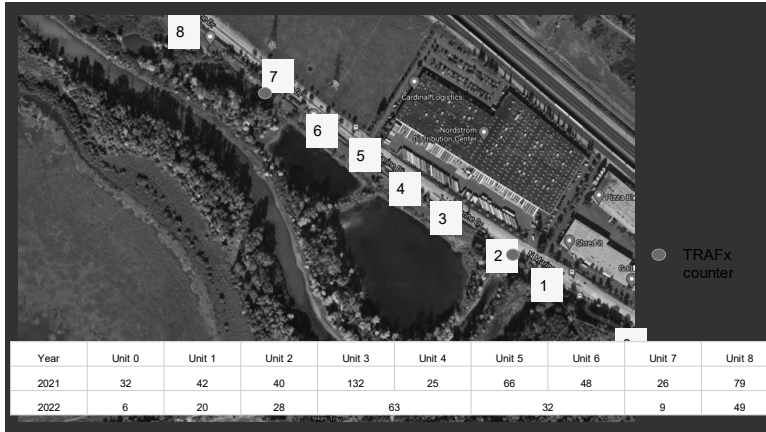
ATTACHMENT 2



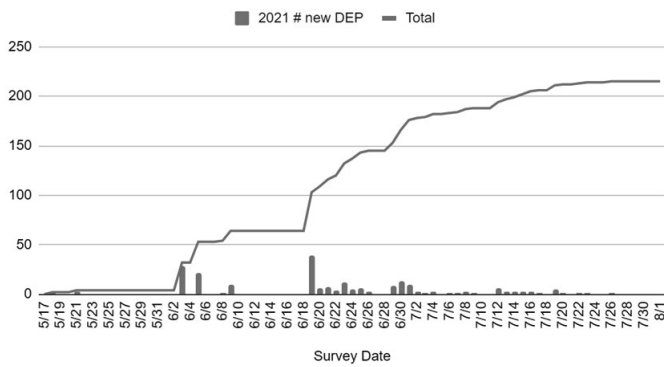
2020 # New DEP and Total



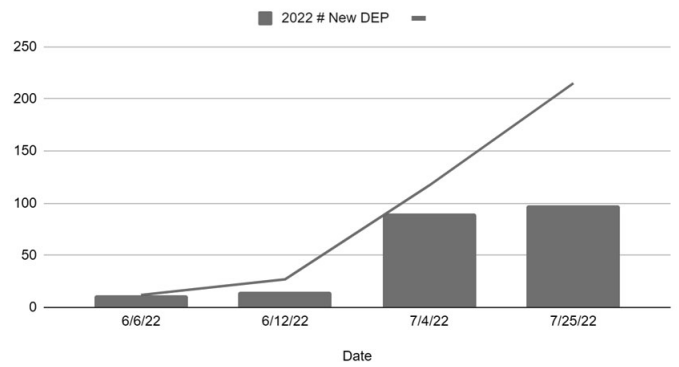
ATTACHMENT 2



2021 # new DEP and Total



2022 # New DEP and Total and



Nest survival

Chrysemys picta bellii average nest survival time < 24 hours

2021: 0% known survival



Predators



<https://nhpts.org/natureworks/stri-pedikunk.htm>



<http://www.californiasherps.com/snakes/pages/t2/elegans.html>



<https://audubonportland.org/our-work/rehabilitate-wildlife/having-a-wildlife-problem/raccoons/>

Predators



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ATTACHMENT 2

Predators



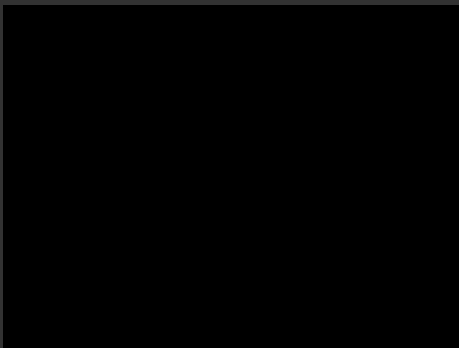
<https://myodfw.com/wildlife-viewing/species/bitterns-herons-and-egrets>



<https://www.opb.org/audio/programset-link-out-loud/article/portland-coyote-project/>

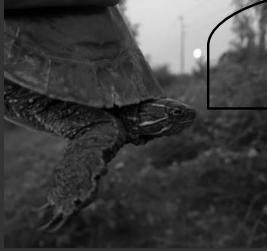


<https://www.oregonconservationstrategy.org/g/key-conservation-issue/invasive-species/>



0:51
10:10





Questions?

Improving turtle plight

- Habitat improvements
 - SWDs
- Caging nests



<https://www.huronstewardship.ca/2020/07/16/thats-a-wrap-on-turtle-nesting-season/>

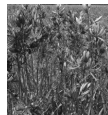


Smith and Bybee Wetlands Advisory Committee: EAB

By Rob Hamrick,
Metro IPM Program Manager

You Will Learn The Following Today

:



- What is EAB
- Signs and Symptoms of EAB
- What can be done?
- Resources for EAB

What is EAB

- Emerald ash borer: adult beetles are metallic green ½" long
- Attacks only ash tree (two others now)
- Adults leave D-shaped exit holes in the bark
- Heavy woodpecker damage in winter on ash may be a sign of infestation

Signs and Symptoms

Signs and Symptoms

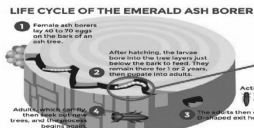


A branch sprouts from bark along the trunk — a phenomenon known as epicormic branching.

Credit: Minnesota Department of Natural Resources. Reprinted from CC BY SA

Signs and Symptoms

Safe to move ash wood?



EAB spends significant time in sapwood



Pest free...

- Chipped
- Kiln-dried
- Fumigated
- Incinerated



Signs and Symptoms

- This tool allows for peeling bark until moist layer of tree to inspect for EAB
- Use to girdle



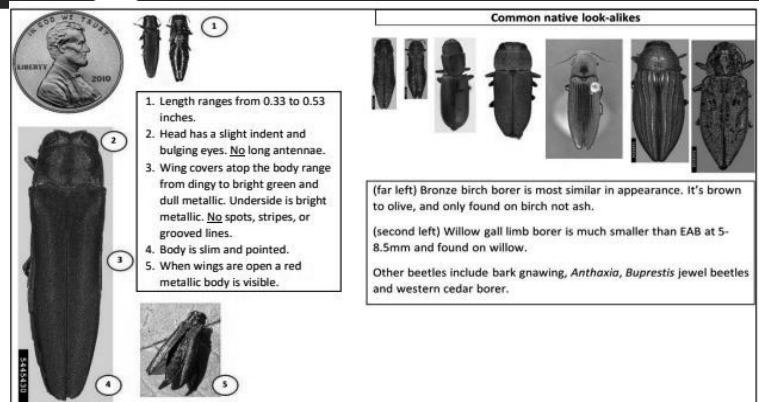
- Draw knife for inspecting trees for EAB

Signs and Symptoms



Photo credit: Rob Hamrick

Signs and Symptoms



Slowing Ash mortality

- S.L.A.M. METHOD
- Survey and monitor
- Girdle ash detection trees
- Use high density trapping and intense monitoring
- Release bio control
- Injection of emamectin benzoate using Arbor jet on specimen trees and “detection trees” to kill EAB

Slowing Ash mortality



EAB Bio control

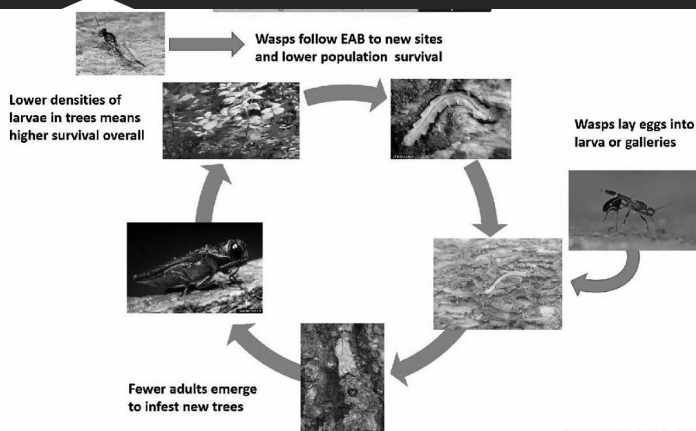
Treatments - Biological Control

- *Tetrastichus planipennisi*, plus other species
- 21-35% parasitism rate
- Not enough to slow EAB population growth
- Rates still rising

Duan et al. 2013



EAB BioControl

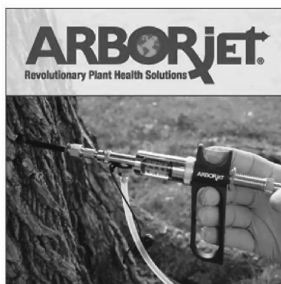


Slide Source: Robert Immanuel Clean Water Service

Arbor jet

Treatments - Chemical

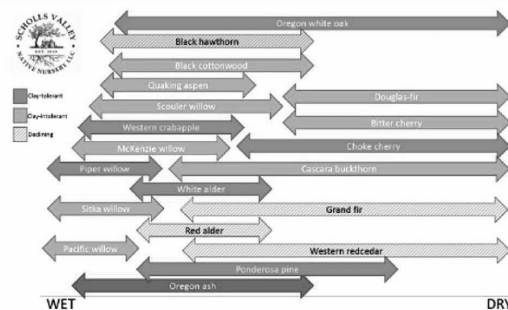
- Tree injections, soil drenches
- Systemic insecticides
 - ~~Imidacloprid~~
 - Emamectin benzoate
- Costly (\$100-\$300 per tree)
- Repeat applications – every 1-3 years.
- Not feasible on large scale



Ash tree replacement species

Ash Replacement Species*

This chart incorporates soil moisture, groundwater seasonality, soil texture and other variables that influence what grows where. These variables occur at landscape and microsite scales, so folks need to use this kind of information with caution when pinpointing planting locations for each species.



EAB Resources

- <https://geo.maps.arcgis.com/apps/dashboards/e6ff6b60f63b4c489cdee61315a85535>
- <https://workspace.oregonstate.edu/course/oregon-forest-pest-detector>
- <http://www.emeraldashborer.info/>
- <https://www.oregoninvasivespeciescouncil.org/eab>

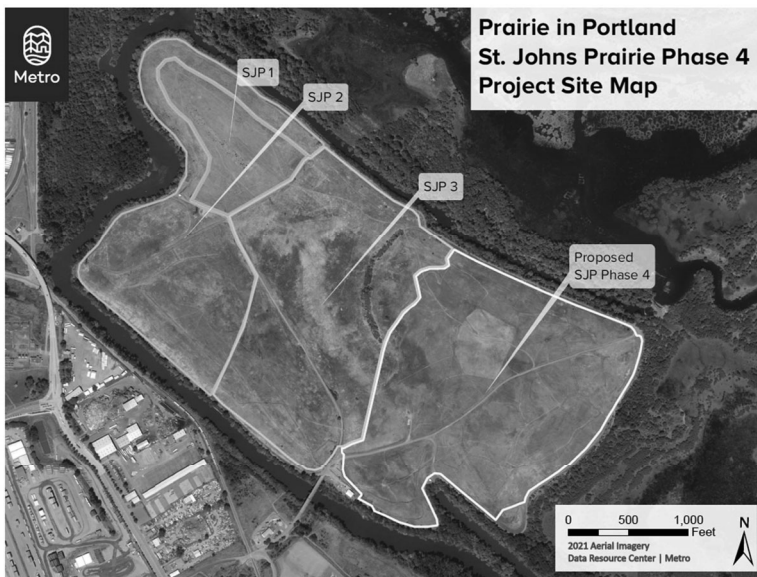
Thank you!

Rob Hamrick, IPM Program Manager

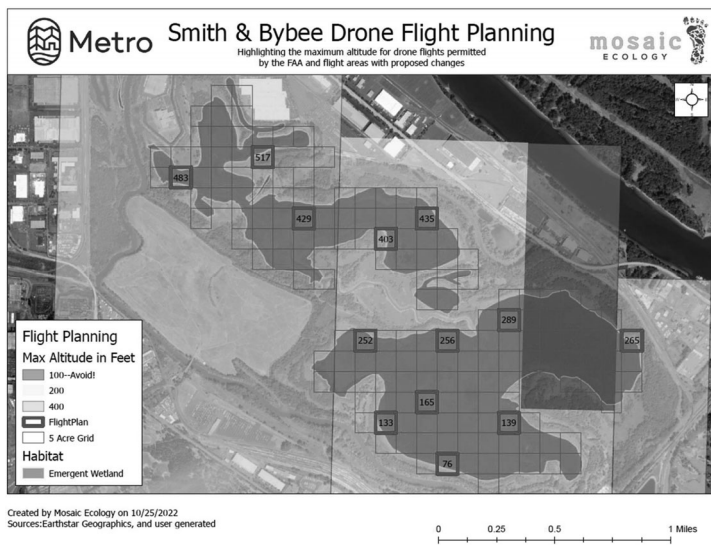
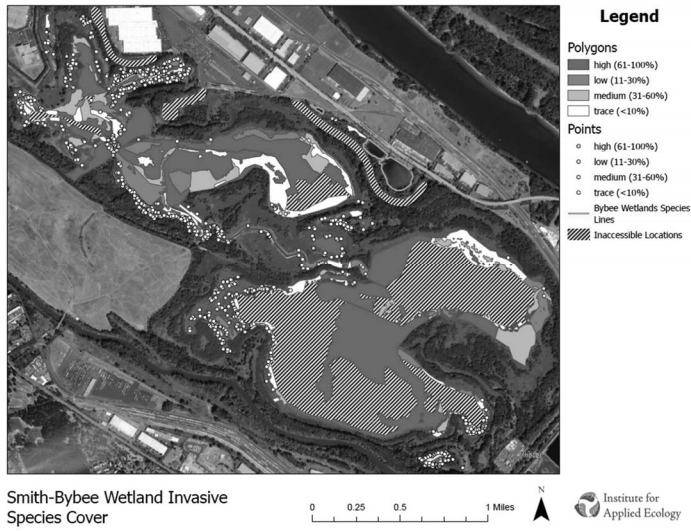
rob.hamrick@oregonmetro.gov
503.807.2476

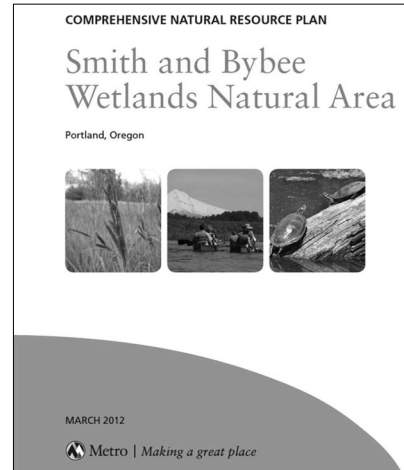


ATTACHMENT 4



ATTACHMENT 4







City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Dan Ryan, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portland.gov/bds

Date: November 10, 2022
To: Interested Person
From: Morgan Steele, Land Use Services
503-865-6437 / Morgan.Steele@portlandoregon.gov

NOTICE OF A PUBLIC HEARING ON A PROPOSAL
IN YOUR NEIGHBORHOOD

CASE FILE: LU 22-145104 CN
PC # 21-091623

REVIEW BY: Hearings Officer
WHEN: December 7, 2022 @ 1:30pm

This land use hearing will have two options for participation:

- (1) Remote via the Zoom platform, or
- (2) In person at 1900 SW 4th Avenue, Room 3000 (3rd Floor).

See the instructions on how to participate attached to this notice.

Development has been proposed in your neighborhood requiring a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map are attached. I am the staff person handling the case. Please contact me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

It is important to submit all evidence to the Hearings Officer. City Council will not accept additional evidence if there is an appeal of this proposal.

Applicant: Cyrus Osborn | City of Portland - Bureau of Environmental Services
400 SW 6th Avenue | Portland, OR 97204
503.823.8635 | Cyrus.Osborn@portlandoregon.gov

Owners: Port of Portland
PO Box 3529 | Portland, OR 97208-3529

City of Portland
1120 SW 5th Ave #1000 | Portland, OR 97204-1912

Representatives: Jen Murphy and Jennifer Hughes | Parametrix
700 NE Multnomah Street, Suite 1000 | Portland, OR 97232

Site Address: No Situs: Lombard Pump Station (North of 12610 N Columbia Boulevard)

Legal Description: LOT C TL 200 SPLIT MAP R251977 (R687100030), RAMSEY LAKE IND'L PARK; LOT A TL 100, HARBORGATE INDUSTRIAL PK

Tax Account No.: R687100040, R359400020

State ID No.: 2N1W36B 00200, 2N1W35AA 00100

Quarter Section: 1720, 1721

Neighborhood: St. Johns, contact Patrick Theiss at landuse@stjohnspdx.org

Business District: Columbia Corridor Association, contact at mking@columbiacorridor.org, St. Johns Boosters Business Association, contact at info@stjohnsboosters.org

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-8877.

Plan District: None

Other Designations: *Smith & Bybee Wetlands Natural Area Comprehensive Natural Resource Plan*; FEMA Special Flood Hazard Area

Zoning: *Bases Zones:* Heavy Industrial (IH), Open Space (OS)
Overlay Zones: Environmental Conservation (c), Aircraft Landing Zone (h), Prime Industrial (k)

Case Type: CN – Comprehensive Natural Resources Plan

Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal:

The applicant, Bureau of Environmental Services (BES), is requesting approval to update and improve several components of the existing Lombard Pump Station. These updates are required to bring the station, built in 1983, to modern standards and fulfill current and future pumping capacity needs. In addition to the design life limitations, this pump station is at risk of failure in the event of a seismic event due to surrounding soil conditions. The pump station is located in North Portland near the intersection of N Columbia Boulevard and N Lombard Street within the Smith & Bybee Wetland Natural Area. In addition to the pump station upgrades, the project will replace components of the force main the majority of which is within N Lombard and N Columbia rights-of-way and is not subject to this review.

Approximately 154 square feet of permanent disturbance and 16,828 square feet of temporary disturbance is proposed for all aspects of the project at the pump station site, including installation of a monopole, pig launch pad, and backflow preventer as well as groundwork for seismic vulnerability ground improvements. Further, 45 trees are planned for removal for the purposes of the seismic upgrades as well as general construction. To help mitigate for impacts to resources, the applicant proposes to plant 82 trees, 845 shrubs and 161 groundcover plants within the project area. In addition to mitigation plantings, the applicant will utilize wood from the removed trees to create two habitat brush piles and two deadwood tree snags.

The site is located within the boundaries of the *Smith and Bybee Wetland Natural Area Comprehensive Natural Resource Plan* (Plan). The Plan, approved on May 30, 2013, by LU 12-167334 CN, provided final approval for eleven specific and listed activities or projects within the plan area, and tentative approval for nine projects within the plan area. Project 3B from the *Smith and Bybee Wetlands Natural Area CNRP* was tentatively approved and describes the new Lombard pump station generator, upgrades of the electrical system, and installation of native plantings. However, the approval did not include seismic vulnerability ground improvements, construction of a new access port for the force main, and associated removal of trees on the site; therefore, a Type III Comprehensive Natural Resource Plan Review is required to amend the Plan.

Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- ❖ **33.809.200** – Comprehensive Natural Resource Plans

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 filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on May 19, 2022, and determined to be complete on October 7, 2022.

DECISION MAKING PROCESS

The Bureau of Development Services will be making a recommendation on this proposal; our report and recommendation will be available 10 days before the hearing. The Staff report will be posted on the Bureau of Development Services website at <http://www.portlandoregon.gov/bds/35625>. Land use review notices are listed by the District Coalition shown at the beginning of this document.

If you are interested in viewing information in the file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

The neighborhood association, listed on the first page of this notice, may take a position on this application and may have scheduled an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

We are seeking your comments on this proposal. The evidentiary proceeding before the Hearings Officer will be the only opportunity for the parties to submit oral and written evidence in this matter. Any appeal to the City Council will be limited to legal arguments concerning the Hearings Officer decision and the evidence in the record compiled by the Hearings Officer in support of that decision.

To comment, you may write to the Land Use Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201, FAX your comments to 503-823-4347, or e-mail your comments to HearingsOfficeClerks@portlandoregon.gov, or testify during the hearing. Please see the enclosed insert for further information on how to testify. In your comments, you should address the approval criteria. Please refer to the file number when seeking information or submitting testimony. Written comments must be received by the end of the hearing. Please note that all correspondence and testimony received will become part of the public record. The applicant and Bureau of Development Services staff will be available during the hearing to answer questions and respond to comments. The general order of appearance for oral testimony at the hearing is as follows: Bureau of Development Services staff report, applicant testimony, testimony of interested parties who wish to ask questions or testify, staff response and closing comments, and applicant's closing comments. Hearings Officer will make a decision about this proposal within 17 days of the close of the record.

The applicant and proponents have the burden of proof to show that each and every element of the approval criteria are satisfied. To prevail, the opponents must persuade the Hearings Officer to find that the applicant has not carried the burden of proof with regard to one or more of the approval criteria. The opponents may also explain to the Hearings Officer how or why the facts asserted by the applicant are not supported by evidence in the record. Opponents may wish to recommend conditions of approval which will make the proposal more acceptable, if approved.

Prior to the conclusion of the hearing, any participant may request an opportunity to present additional evidence or testimony regarding the application. If such a request is made, the record will be held open for seven days to receive the new evidence and the record shall be held open for at least an additional seven days to provide the other parties an opportunity to respond to that new evidence.

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 extended at the request of the applicant.

APPEAL PROCESS

You can appeal the Hearings Officer decision to City Council. However, the appeal to City Council will be conducted as an on-the-record review of the Hearings Officer decision. The City Council will consider legal arguments (for example

arguments pointing out ways the Hearings Officer decision improperly interprets or applies relevant approval criteria). The City Council will also consider arguments that the Hearings Officer findings are not supported by the evidence submitted to the Hearings Officer. However, the City Council will not accept or consider new evidence that was not submitted to the Hearings Officer.

A fee is charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver. City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue, in person or by letter, by the close of the record by the Hearings Officer in this case may preclude an appeal to LUBA on that issue. Also, if you do not provide enough detailed information to the Hearings Officer, they may not be able to respond to the issue you are trying to raise. In such a situation, an appeal to LUBA on that issue may not be allowed.

Thank you for any information you can provide to help us make this decision. Please call me if you have any questions. My name and number are on the first page of this notice.

HEARING CANCELLATION

This public hearing will be cancelled due the inclement weather or other similar emergency.

- Hearings Officer: This public hearing will be cancelled if the City of Portland is closed. Check local television or the City of Portland website (www.portlandoregon.gov) for closures. Contact the Hearings Office at 503-823-7307, for immediate information regarding cancellations or rescheduling.
- Design Commission, Historic Landmarks Commission or Adjustment Committee: This public hearing will be cancelled if Portland Public Schools close due to inclement weather or other similar emergency. Check local television and radio reports for school closures. Please call the Bureau of Development Services at 503-823-7617, for information regarding cancellations or rescheduling.

The hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent.

To attend the hearing, public transportation is available. Tri-Met buses stop near the BDS building at SW Fifth or Sixth Ave. at SW Hall St. and SW Harrison St. Call Tri-Met at 503-238-7433 (or www.trimet.org) for routes and times. Hourly rated public parking is available a half block south of the building on Fourth Ave.

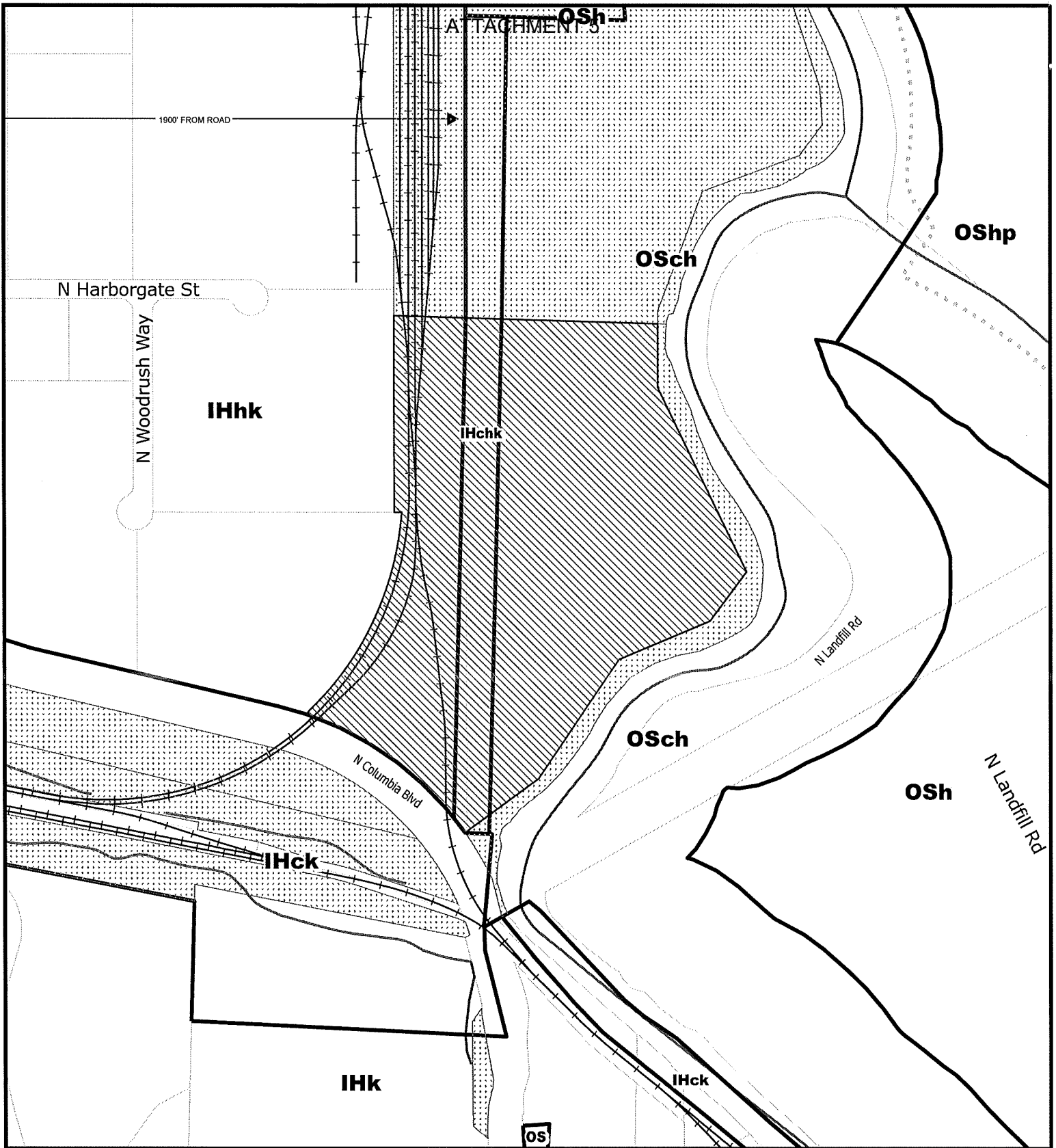
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map





Site Plan

Land Use Hearing Participation Information

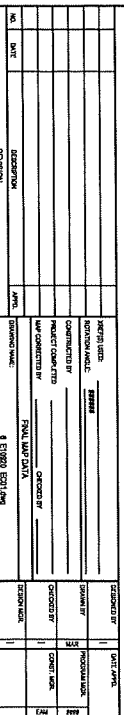


For Zoning Code in effect Post August 1, 2021

ZONING 

-  Site
-  Also Owned Parcels
-  Stream
-  Recreational Trails

File No.	<u>LU 22 - 145104 CNRP</u>
1/4 Section	<u>1720,1721</u>
Scale	<u>1 inch =400 feet</u>
State ID	<u>2N1W36B 200</u>
Exhibit	<u>B Jun 21, 2022</u>



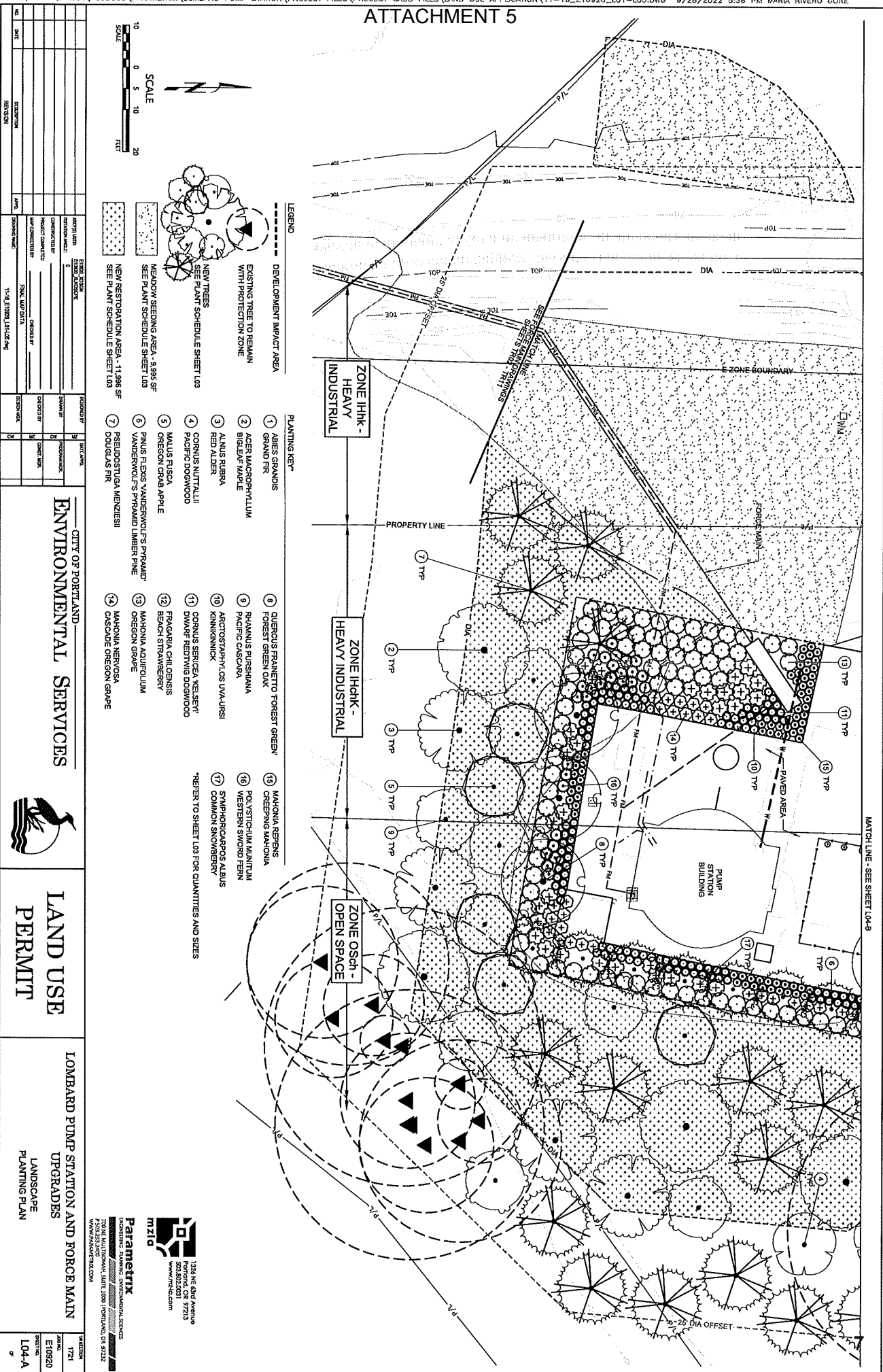
LAND USE PERMIT

**LOMBARD PUMP STATION AND FORCE MAIN
UPGRADES**

UN SECTION	1721	JOB NO.	E10920	DIRECT NO.	EC01
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- ### **EROSION CONTROL NOTES:**
1. SEE SHEET E-2 FOR CONTAMINATION OF THE EROSION CONTROL PLAN AND CONSTRUCTION ENTRANCE.
 2. DEEP SOIL MOULDING STAGING AREA FOR GROUND PROTECTION OF THE EXISTING AND PROPOSED EROSION CONTROL ZONE, WEST OF THE RAILROAD.
 3. CONSTRUCTION ACCESS TO THE SITE SHALL USE THE EXISTING GRAVEL DRIVE.
 4. FOR TREE REMOVALS, SEE SHEET L-01
 5. FOR PLANTING AREA, SEE SHEET L-04.

ATTACHMENT 5



CITY OF PORTLAND
ENVIRONMENTAL SERVICES



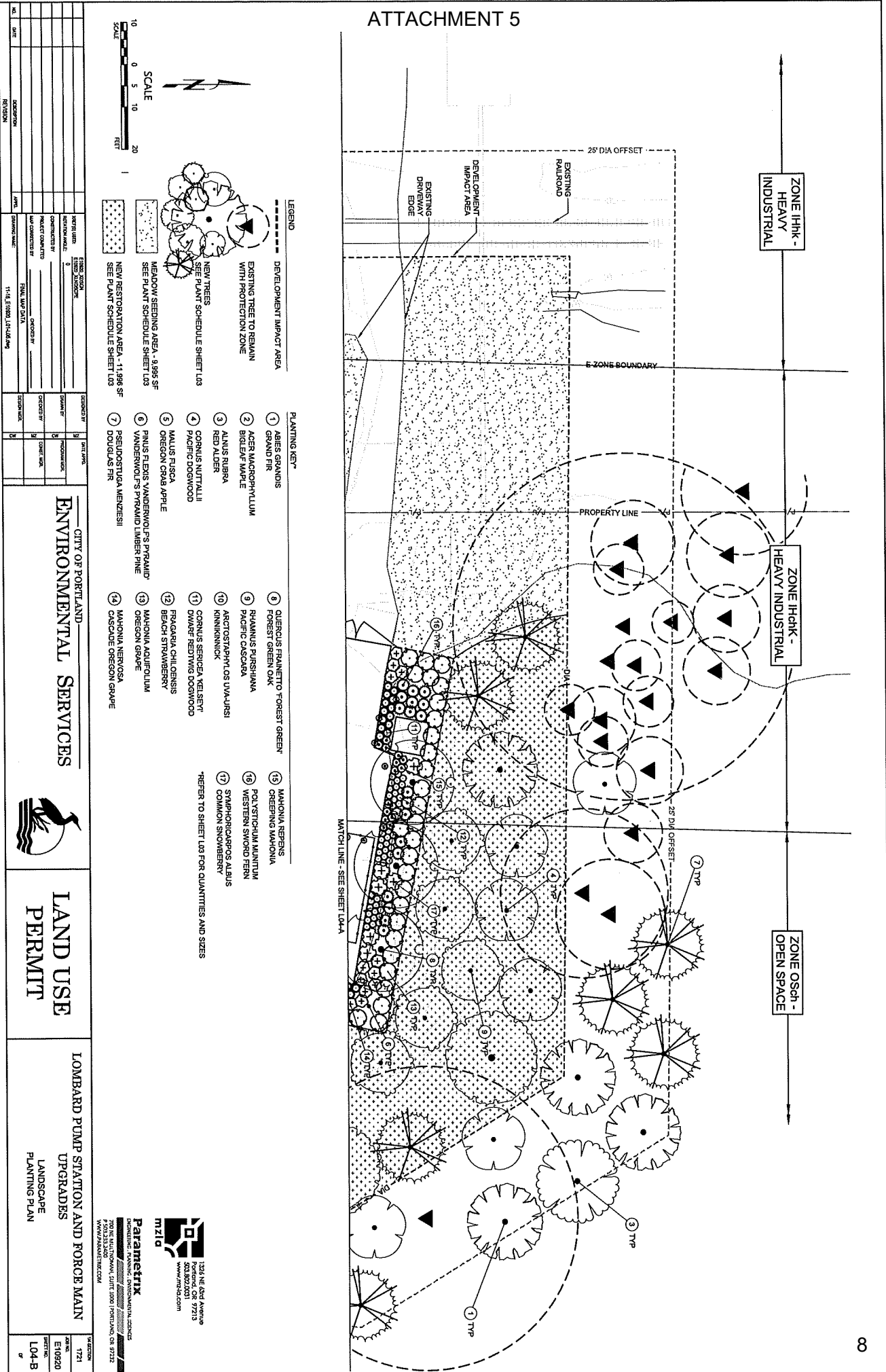
LAND USE
PERMIT

LOMBARD PUMP STATION AND FORCE MAIN
UPGRADES
LANDSCAPE
PLANTING PLAN

1721
E10920
L04-A

Parametrix
1234 NE 6th Avenue
Portland, OR 97232
503.233.3200
www.parametrix.com

ATTACHMENT 5



REVISION		DATE		BY		CHECKED BY		APPROVED BY	
1	11-14-2020	11-14-2020	11-14-2020	11-14-2020	11-14-2020	11-14-2020	11-14-2020	11-14-2020	11-14-2020

CITY OF PORTLAND - ENVIRONMENTAL SERVICES

LAND USE PERMIT

LOMBARD PUMP STATION AND FORCE MAIN UPGRADES

LANDSCAPE PLANNING PLAN

L04-B

Parametrix
 1234 NE 42nd Avenue
 Portland, OR 97213
 503.867.0031
 www.parametrix.com

**Hearings Office****City of Portland**1900 SW 4th Avenue, Room 3100, Portland, OR 97201

phone: 503.823.7307

www.portland.gov/omf/hearings

fax: 503.823.4347

email: HearingsOfficeClerks@portlandoregon.gov

**Land Use Hearing Participation Information****Case Number:** 22-145104 CN Type III (Hearings Office Case Number 4220015)**Site Address:** Lombard Pump Station**Hearing Date:** December 7, 2022**Hearing Time:** 1:30 PM / PST

The above-referenced land use hearing will have two options for participation:

- (1) remotely via the Zoom platform (either with internet connection or by phone only) or
- (2) in person.

1. Zoom Participation Options and Instructions**Zoom Option**

- You will need an internet connection and a personal computer or other internet capable device.
- You can listen, view the City Planner's PowerPoint presentation, and you have the opportunity to provide oral testimony.
- Instructions:

Go to:

<https://us06web.zoom.us/j/87275518653>
Telephone Option

- You will need a telephone.
- You will be able to listen and testify but you will not be able to view documents and presentations shared on the Zoom platform (if any).
- Instructions:

Dial: +1 669 900 6833

Meeting ID: 872 7551 8653#

2. In Person Option and Instructions

Enter the Hearings Room (1900 SW 4th Avenue, Room 3000 on the third floor) at the above scheduled hearing date and time to listen, view the City Planner's PowerPoint presentation, and have the opportunity to provide oral testimony and submit written

documents. Note that if the 1900 Building is locked to the general public, then you must ring the bell or knock on the door, advise security the purpose of your visit, and then proceed to the third floor.

Written Testimony

- Prior to the Hearing and until the close of evidence, you may submit written testimony. In other words, written testimony can be provided up to the close of the record, which will be announced at the hearing.
- *Note: A document's timeliness is determined by the date/time when it is received by the Hearings Office Clerks.*
- Please reference the case number in any documents you wish to submit.
- Instructions/Options:

Online Case Management System <https://www.portland.gov/omf/hearings/land-use>



Email: HearingsOfficeClerks@portlandoregon.gov

Fax: 503-823-4347

Mail: Hearings Office, 1900 SW 4th Avenue, Room 3100,
Portland, OR 97201

View File Contents

We use a fully electronic case file. Your online viewing options are available at our website: <https://www.portland.gov/omf/hearings/land-use>

If you do not have online access, you may make a written request for a hard copy of any exhibit to be mailed to you.

Meaningful Access

The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation, or other services, please call 503-823-7307, the TTY at 503-823-6868 or the Oregon Relay Service: 711. Traducción e interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译

Письменныйили устный перевод | 翻訳または通訳 | Traducere sau Interpretare 번역
및 통역 | Письмовий або усний переклад | Turjumida ama Fasiraadda|

Questions or Concerns

You may contact the Hearings Clerks via email or by leaving a voicemail with the office:
HearingsOfficeClerks@portlandoregon.gov; 503-823-7307.