



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Agenda

Meeting: Smith and Bybee Advisory Committee (SBAC)
Date: Tuesday, March 23, 2021
Time: 5:30 to 7:30 p.m.
Place: [Zoom](#)

5:30 p.m.	Welcome and introductions	All
5:35 p.m.	Approve January 2021 meeting minutes	Troy Clark
5:40 p.m.	ORRCO wetlands cleanup update	Jill Betts
6 p.m.	CNRP renewal discussion	Gary Shepherd
6:35 p.m.	Planning projects update	Allan Schmidt
7:00 p.m.	Conservation projects update	Jonathan Soll
7:25 p.m.	Goals and next meeting agenda	All
7:30 p.m.	Adjourn	

Upcoming SBAC meeting:

Tuesday, September 28, 2021 on Zoom

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

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www.oregonmetro.gov/civilrights
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Meeting summary

Smith and Bybee Advisory Committee

March 23, 2021

Committee members in attendance

Troy Clark Audubon Society of Portland
Carrie Butler Port of Portland
Emily Roth Friends of Smith and Bybee Lakes
Daryl Houtman City of Portland, Bureau of Environmental Services
Jonathan Soll Metro
Pat Jewett 40-Mile Loop Trust
Eugenia Tam North Portland Neighbors

Others in attendance

Jill Betts Coles and Betts Environmental Consulting
Susan Barthel Friends of Smith and Bybee Lakes
Michelle Anastasia Job Corps
Andrea Berkley Metro
Gary Shepherd Metro
Allan Schmidt Metro
Annie Toledo Metro

Committee members not in attendance

Max Samuelson Columbia Slough Watershed Council

WELCOME

The January 2021 meeting summary was approved. Raven Russell of Bybee Lakes Homeless Center provided a written update of the facility progress via email. The handout was sent to the committee members prior to the meeting, it is included as Attachment 1.

ORRCO WETLANDS CLEANUP UPDATE

Jill Betts, an environmental consultant for ORRCO (Oil Re-refining Company), presented an update about environmental cleanup that is occurring in the wetlands next to the ORRCO facility. ORRCO is an oil recycling company that stores used oil, puts it through a refining process, cleans up both the oil and water, discharges the industrial wastewater to the sanitary sewer per BES permit and then sells the used oil. DEQ issued the first order for cleanup in the area about 15 years ago and has now issued a Certificate of Completion.

The wetlands adjacent to ORRCO is part of Smith and Bybee natural area and has been subjected to a variety of contaminants stemming from ORRCO's aluminum dross fill since the early 1980s. Contaminants include chromium, lead, zinc and fluoride. Jill showed a map of the property and outlined the panhandle area where her cleanup work is concentrated (Attachment 2, Map 1). The 15- to 20-foot-high panhandle juts out into the adjacent wetlands, which drains then through a culvert into the lakes. This drainage has caused the contaminants to leach into both the groundwater and surface water of Smith and Bybee, harming wildlife and habitat.

As part of the remediation process, all of the stormwater gathered onsite in the asphalt cap runs toward a catch basin into a treatment vault which filters out the sediment and oil. In addition, a swale has been installed and planted with native vegetation which also helps treat the stormwater. DEQ has issued permits for ORRCO to continue monitoring the water at the end of the swale and throughout the site. With DEQ's approval, ORRCO worked to excavate out sediment from hotspots within 35 feet away from the wetlands, which were then removed and capped with clean fill. The sides of the panhandle were capped with clean fill and native plants. The top of the panhandle was capped with asphalt.

After the remediation activities, the consultants collected sediment samples and monitored groundwater, surface water and sediment pore water for the contaminants of concern. Groundwater was tested using monitoring wells, some of which are located in the wetlands and some in the panhandle. The blue dots on the Map 2, Attachment 2 depict the pore water monitoring points; surface water samples were taken in the middle of the each group of blue dots.

Remediation has been successful in reducing the levels of all metals. Chromium, zinc and lead are not being detected at levels that are above standards. The black dashed line on Map 2 shows the extent that the surface water on the site is impacted by fluoride. There used to be an elevated chromium concentration within the boundary but that has since decreased—there are no elevated contaminants of concern outside of that boundary. Fluoride has shown considerable reduction over time, although it is still present and will continue to be monitored for the next 5 years. If the levels are reduced to an acceptable about earlier than 5 years, the monitoring will cease sooner per DEQ approval.

Susan inquired about risks to wildlife and human health associated with high fluoride contaminants in surface water. Jill replied that there are fluoride standards set for groundwater but not for surface water. The high fluoride contaminants is a unique occurrence found with aluminum dross.

Troy asked if the metals stored in the sediment will resurface if Portland experiences another flood like the one it had in 1996. Jill said that project engineers took into account the flood variable; it is unlikely the metals would resurface since the area is secured with 3 feet of clean fill, capped with asphalt and revegetated with native plants. Surface water and groundwater have no hydrologic connection and, therefore, high water levels would not impose a threat. In addition, she mentioned that they are going through a permitting and design process with geotechnical engineers to secure and seismically retrofit storage tanks to minimize the chance of them being swept up in a flood or earthquake. If a spill does occur, it will be contained.

COMPREHENSIVE NATURAL RESOURCE PLAN (CNRP) RENEWAL

Gary Shepherd, senior attorney at the Office of Metro Attorney, joined the meeting today to answer questions about the potential for CNRP renewal. The document is unique to the city—there isn't another one like it as far as he knows.

The plan is not regulatory, but benefits the agency by having a group of projects identified and therefore theoretically making the development process of those projects easier to accomplish under city code. He doesn't think it has much land use benefit. The plan was a big effort, taking roughly 3 years to complete. The process of engagement and acknowledgement of environmental

benefits from the surrounding landowners/stakeholders was a success. However, for the amount of effort that went into drafting the plan, he doesn't feel it has successful due to many projects not being completed. Emily Roth disagreed with Gary and said that the plan is regulatory document at the City of Portland; a conditional document that was adopted from the City under administrative issue. They did not come to an agreement on the issue.

The planning projects that Allan Schmidt is working on (Columbia Blvd. Bridge and St. Johns Prairie Trail) were considered under the plan. Unfortunately, the CNRP did not have a sufficient enough look forward and failed to account for current trail construction accessibility requirements. The CNRP does not expressly prohibit projects that weren't contemplated by it, so this situation can be remedied and accessible trails and features can be developed.

Troy asked what would happen if the CNRP is not renewed. Gary is not sure what benefit the plan continually provides to the agenda, and said that Metro creates management documents for their sites such as Site Conservation Plans that would address similar issues that the CNRP has outlined. Jonathan Soll confirmed that if the decision not to renew the CNRP is made, a conservation plan for the site would be completed—resetting the ecological vision for the next 10 years. The planning and development components of the plan, and their opinions regarding rules and regulations is outside the scope of the SCP. The CNRP outlines the committee's position that no dogs should be allowed on the property, and since this is Metro policy the rule will still be in place regardless if the CNRP is amended or renewed. Only Metro Council can provide direction on implementing a change to that regulation.

If the CNRP expires, the area would return to base zoning which it is currently already heavily protected by. The only change to protection would be the additional layer that the CNRP provides, which Gary says isn't necessary because it is already very well protected under base zoning and will continue to require a Type III Land Use Review Procedure. Allan mentioned that there is a 3-year extension option for the CNRP once the process of permitting and review is kicked off for his projects. He will need to know where the agency and committee want to go when the time comes to submit those applications.

A big lift for renewing or creating a new CNRP is coordination between all of the other entities that own land within Smith and Bybee natural area—Metro only manages their own property. There have been discussions with the City of Portland about how they will fit into a new plan and folks aren't quite sure because of little precedence and the complex web of legal ownership. The committee was surprised by this—they were under the impression that Metro managed more of the area and that they had an IGA with the Port of Portland. Carrie clarified that there used to be an IGA, but it has since sunset. She's not sure if another one was drafted. Emily stated that it is important to follow up and get clarification on who manages which properties and which holdings.

Update from Carrie Butler, 4/1/2021 (Attachment 3):

I just have some clarification for the CNRP renewal section with regards to Port-owned parcels. The Port and Metro signed an Intergovernmental Agreement (IGA) in 2019 to clarify roles and responsibilities relating to Metro's management of the Natural Area, including the Port-owned property within the management area (see attached exhibit). In addition to that a Conservation

Easement was recorded in 2019 to ‘ensure the property will be retained forever in its existing natural condition for the protection of a relatively natural habitat for fish, wildlife, or plants or similar ecosystem’.

The conservation easement was put in place in exchange for the former Metro-owned parcel on the east end of Government Island. This land is now managed by the Port and OPRD (through the Port’s management agreement with OPRD).

PLANNING PROJECTS UPDATES

Columbia Blvd. Bridge

The project is continuing and ready to meet the 30 percent design submittal. Forty feet of asphalt shingles were found along the asphalt road near the project site, but since the shingles do not inhibit the structure itself, they’ll remain in the ground and the team will build on top. In order for the asphalt material found in the ground to support the added weight of the fill dirt required to create a slope from the bridge to the rail crossing, the fill dirt will need to rest in place for several months before building atop can commence. This will give the needed time for the fill and the material below to settle or compact. Although this will extend the project schedule, the budget remains the same.

After the 30 percent design submittal, Metro will be handing the project management back over the City of Portland. Due to the variety of entities who own land in the project area, it has been decided that Metro is not the appropriate government agency to manage this project as it exposes them to a higher amount of liability. There is currently a funding gap for the project, but discussions are underway regarding how to fill that. The bridge has a lot of community support, but complications of engineering and politics have extended the timeline for completion to 2023, at the earliest.

Eugenia Tam asked if Allan expects the committee to continue to have the same level of communication about the project once it is transferred to the City. Allan said that the committee is a major stakeholder and they’ll commit to continue updates. He could provide the updates or the new project manager might want to depending on the public engagement strategy. Daryl Houtman is concerned with agency relations and hopes that attorneys won’t start guiding the project instead.

St Johns Prairie Trail

The trail project is also at 30 percent and the design is the same as was shown during the January 2021 meeting. The drawings were refined internally through a multilayer process with the planning, science, and parks operations teams, as well as the landfill staff; all stakeholders are on board with the design.

The project team is currently going through a refinement process to determine what the funding looks like for the next phase. Consultant KPFF is continuing to design the project fully—designing all the way to the potential future slough bridge. It is unclear whether or not funding will be available to build out the entire design, but funding is available to at least build out to the overlook at this time. If permitting goes well, the trail could be built in 1.5 years.

Members of the committee are interested in touring the project site with Allan sometime in the near future.

CONSERVATION PROJECTS UPDATES

Over the next year, Metro is intending to do a major check-in on the ecological condition of Smith and Bybee against the KEAs (key ecological attributes) that were established in the CNRP. They plan on hiring a consultant to work with the scientists to monitor restoration areas against those KEAs, and will practice adaptive management in the appropriate areas. Metro scientists Andrea Berkley and Elaine Stewart are reviewing the CNRP and listing out all of the KEAs to figure out the methodology. The project will hopefully wrap up by the end of June 2022.

Troy inquired about the essential questions being asked of the wildlife area. What regional assessment will Metro compare the gathered data to? Jonathan said they will be comparing the data against standards that were established in the process of identifying KEAs, and what is in the CNRP. This will help to understand the status of different habitat types. Emily would like to see detailed analysis of past planting successes included in the evaluation.

Jonathan showed a map that Elaine put together that outlined the current Carex vegetation. She suspects the Carex was thriving during the period when more water was being held, but it may have suffered when the wetlands were drained for a while. It's possible that other grasses took advantage of the drier periods, and Elaine plans on researching this more in the spring. They are lining up the next round of weed suppression treatments. Emily remarked that there is no Carex left in sedge 2, but the information Jonathan received from Elaine is different—saying that the edge of sedge 2 isn't in good shape but the rest of it looks okay.

SOCIAL TRAILS AND PARK MAINTENANCE

Emily asked for an update regarding the management of social trails at the site. Is there a possibility to put a sign or split-rail fence? Jonathan remarked that social trails are not easy to resolve and that the pandemic has exacerbated this issue all over the country. He's started a conversation about this with the park operations lead to decide the best course of action, whether that be a sign, split-rail fence or ranger patrols. It is a big challenge in a staff-limited environment and is additionally hampered by insufficient cross-team communication.

Emily mentioned that the Graham Oaks Nature Park is very well maintained in relation to Smith and Bybee. She said there is a discrepancy between efforts put into building new parks vs. maintaining older ones, and also identified an equity issue in relation to the geographic locations of these sites. Graham Oaks is in a white, middle class area whereas Smith and Bybee is in a more diverse community. Jonathan encouraged her to write a letter to the Parks and Nature director to express her concerns. It should be noted that Elaine Stewart added after the meeting that Smith and Bybee was purposefully designed to be "rustic," while Graham Oaks Nature Park had to meet the design standards established by the City of Wilsonville.

A large stick structure has been built near the Bybee blinds and it keeps getting larger. Emily would like park operations to go assess the situation and potentially dismantle it. Jonathan will reach out to staff about this. Update: By the time Jonathan spoke to Monty (next day) and Monty spoke to his staff (day after), they had already found and dismantled it.

GOALS FOR NEXT MEETING AND WRAP-UP

Members of the committee would like to tour the project site with Allan in the coming months.

ACTION ITEMS

- Property ownership follow-up.
 - Who manages properties within Smith and Bybee?

NEXT MEETING

September 28, 2021

5:30 to 7:30 p.m.

via Zoom

Meeting adjourned at 7:32 p.m.

ATTACHMENT 1

From: [Annie Toledo](#)
To: [Annie Toledo](#)
Subject: RE: Update on BLHC for the SBAC
Date: Thursday, March 04, 2021 3:34:58 PM
Attachments: [Bybee Lakes Hope Center Victory Garden with VetREST and HH 2_14_21 final.pdf](#)

From: Raven Russell
Sent: Tuesday, March 2, 2021 2:34 PM
To: 'troyc1949' <troyc1949@gmail.com>
Subject: RE: Update on BLHC for the SBAC

Hi Troy!

It's great to hear from you! I hope you're out enjoying this beautiful sun today.

We are happy to report that we are at our highest occupancy since we opened in October, with over 40 individuals enrolled in our long-term Reentry Program. With proper spacing to keep people apart for safety, this is near our current Covid-limited capacity. We're still operating in about 1/3 of the building as we fundraise to complete renovation of the rest of the building, and although Covid-19 has impacted our programs and our fundraising campaigns, we are very optimistic to be able to open more bed space capacity later this year.

We were lucky to receive a donation of a beautiful play structure which will be installed by PlayCraft later this month, and I'm attaching a photo in case you'd like to see it. We also were awarded a grant from the ODVA for a therapeutic community garden in partnership with local nonprofit vetREST. Friends of Trees will be doing a planting project in April to bring in some native trees in meditative walking paths, and the West Linn Rotary Club is installing a peace pole. I'm attaching the current design which we just shared on Facebook – I waited to answer you until I could include the design so you could see it! We're very excited about it!

I hope you're doing well and staying warm & healthy!!

Raven

Raven Russell (she/her)
Director of Data & Major Projects
Helping Hands Reentry Outreach Centers
Serving the Homeless in Clatsop, Tillamook, Yamhill, Lincoln, & Multnomah Counties
www.helpinghandsreentry.org
www.bybeelakeshopecenter.com
Mobile: 503-298-9104

From: troyc1949 <troyc1949@gmail.com>
Sent: Tuesday, February 23, 2021 6:40 AM
To: Raven Russell <r.russell@helpinghandsreentry.org>
Subject: Update on BLHC for the SBAC

ATTACHMENT 1

Hi Raven. Hope you are well. The Smith and Bybee Advisory Comm. Meets 3-22. Will you update us on how things are going please? A number of people have asked for an update. If you could send me a few paragraphs on operations, numbers of residents and planned next steps for 2021 I will pass on the update to the committee. Thanks.

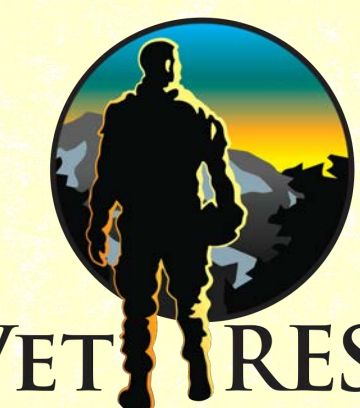
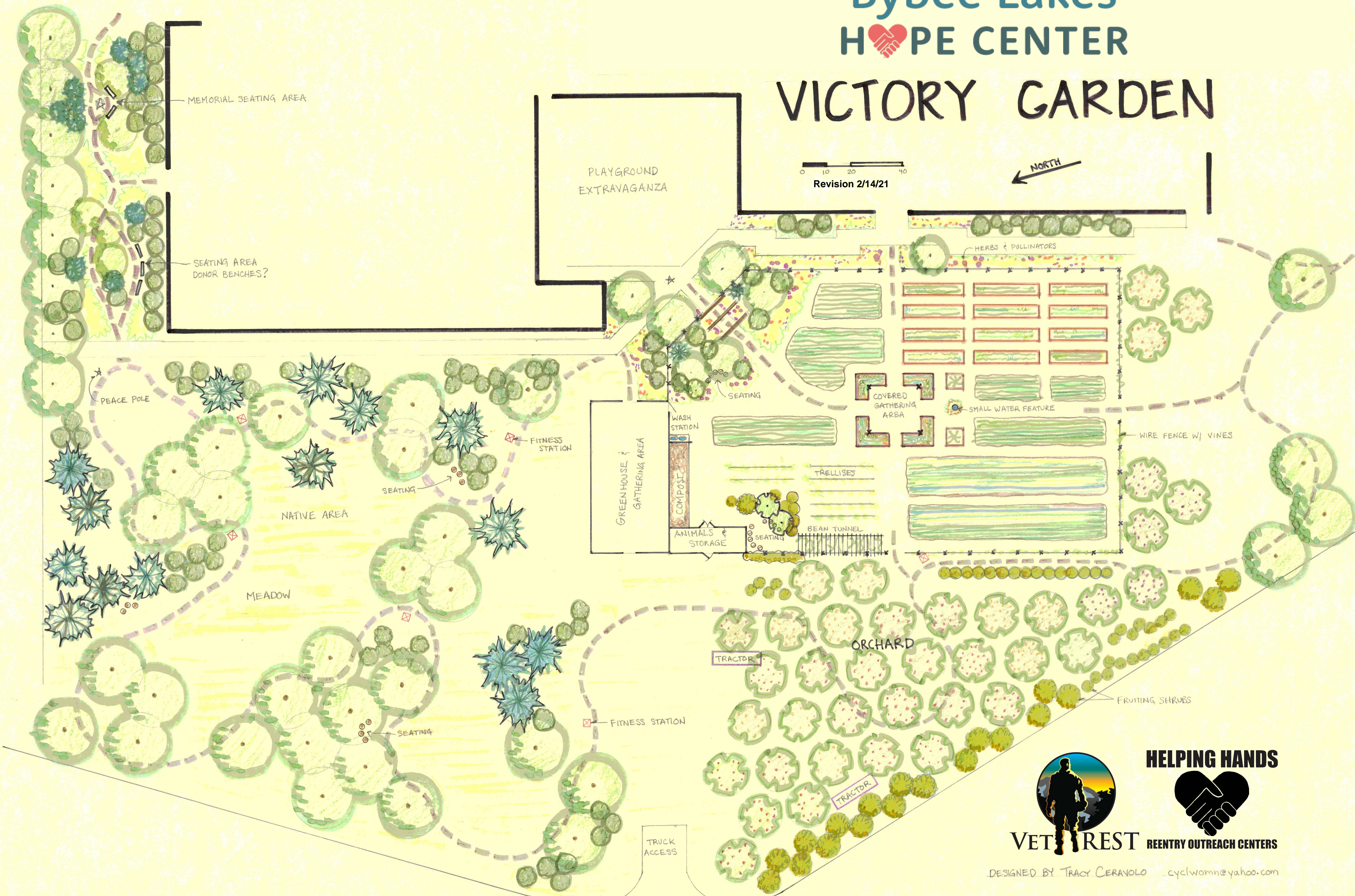
Troy

Sent from my Verizon, Samsung Galaxy smartphone



Bybee Lakes HOPE CENTER

VICTORY GARDEN



VET REST REENTRY OUTREACH CENTERS

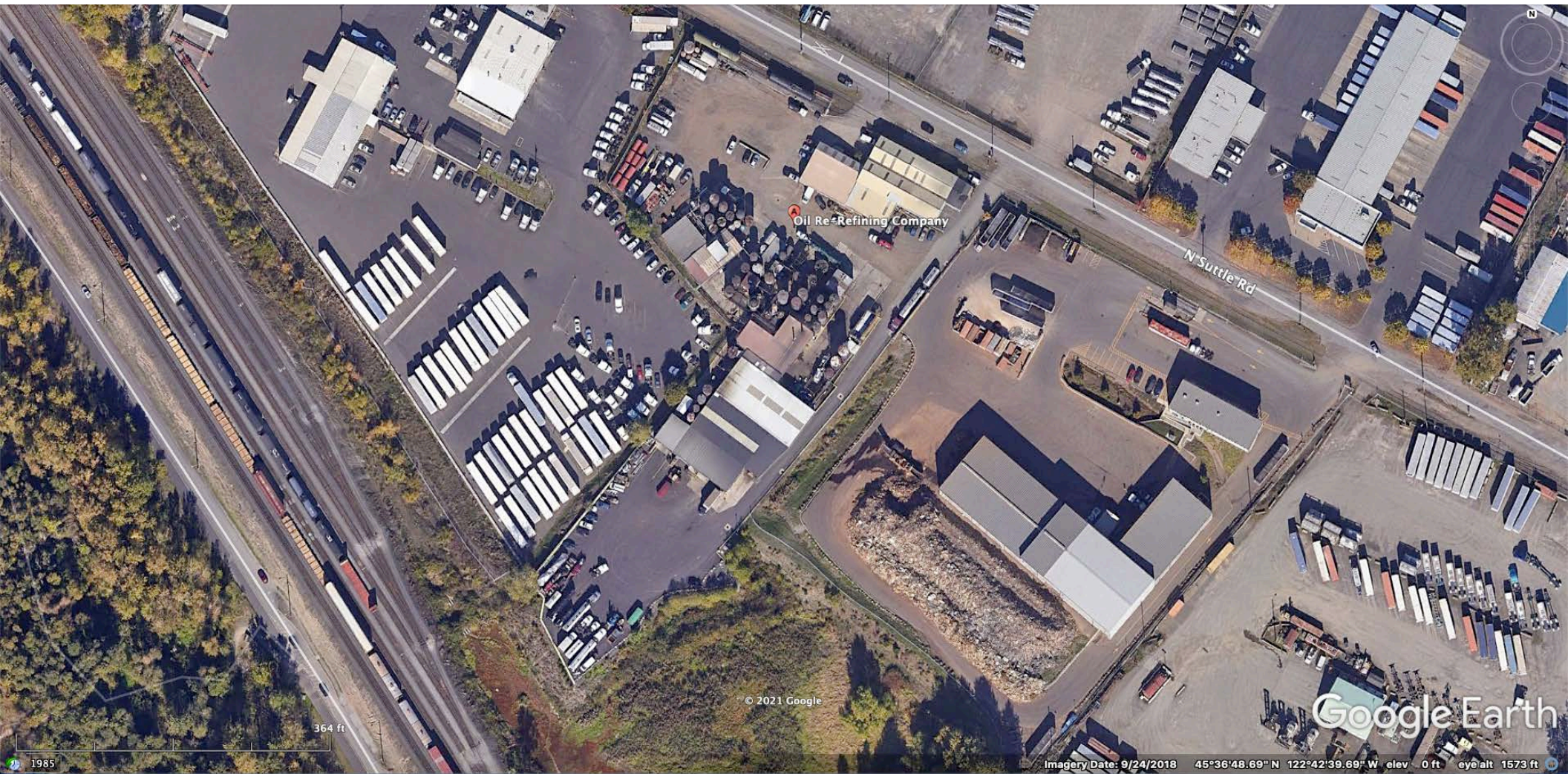
HELPING HANDS



DESIGNED BY TRACY CERANOLO cyclwomn@yahoo.com

TO HELP BUILD AND GROW IN THE GARDEN,
EMAIL: garden@helpinghandsreentry.org

ATTACHMENT 2



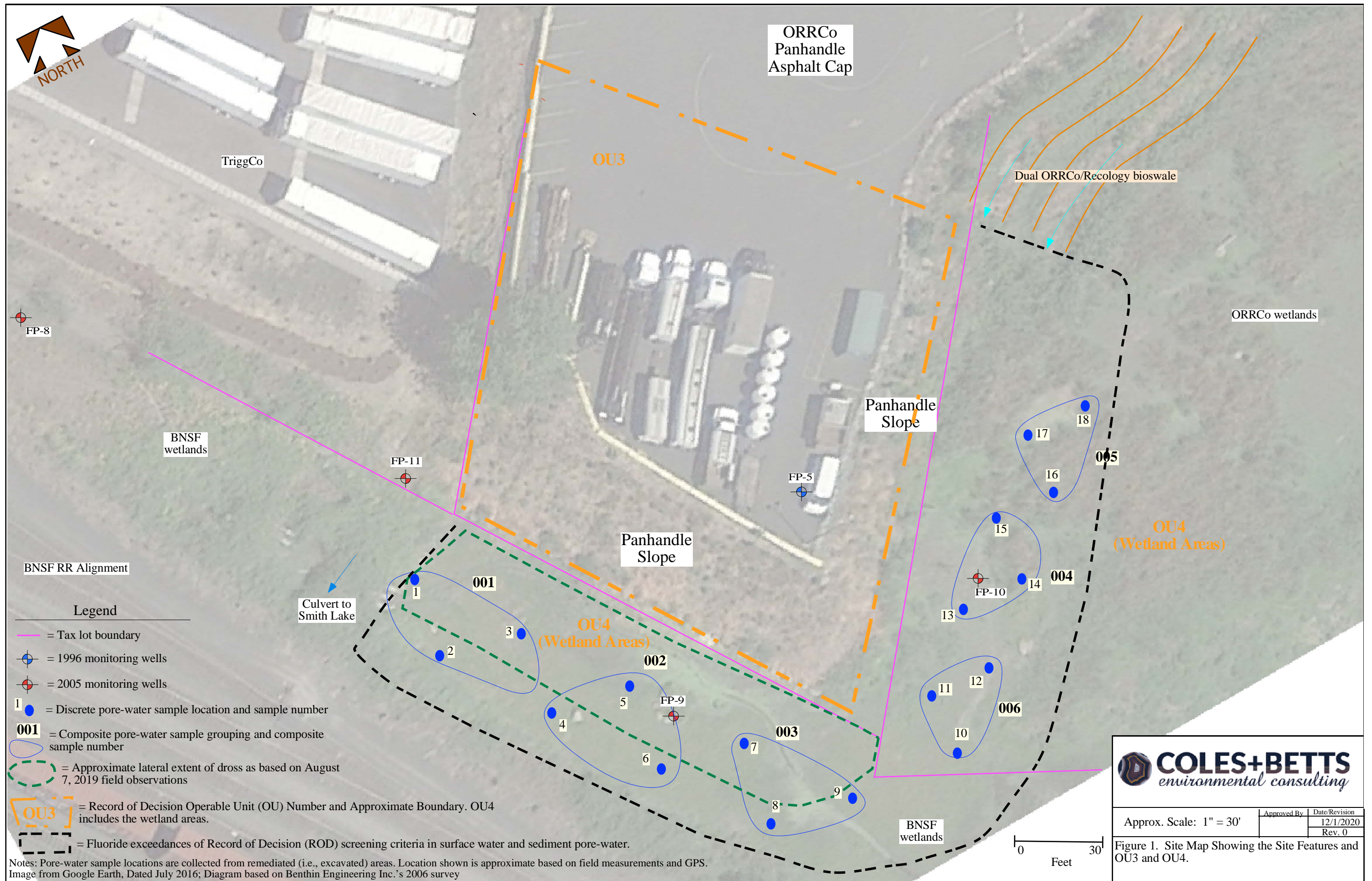
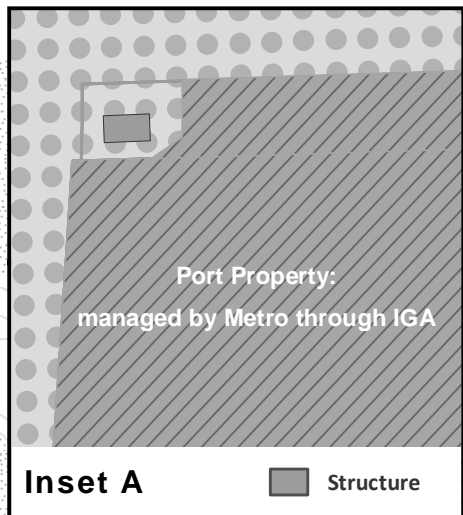
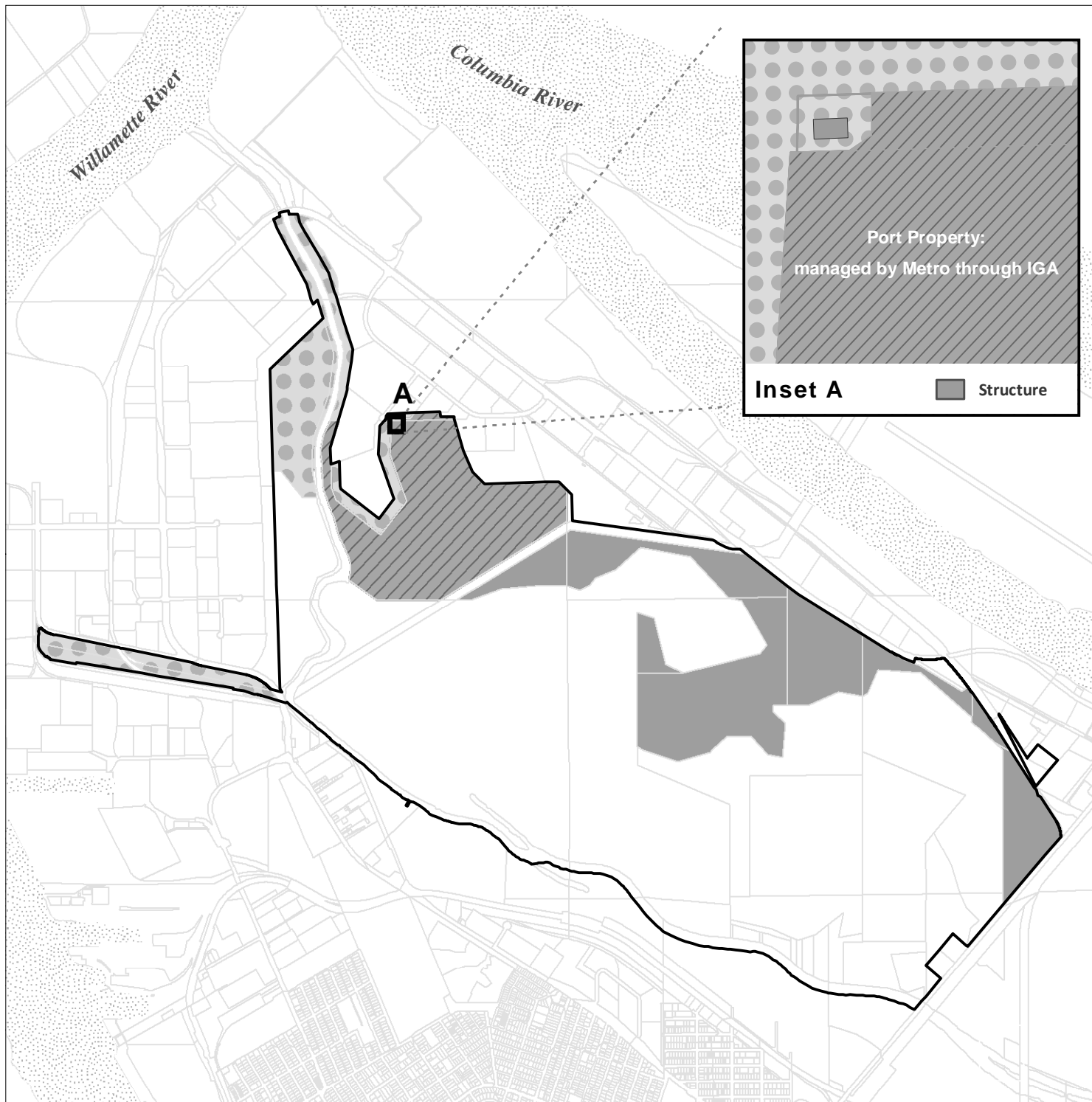




Exhibit A



Smith and Bybee Wetlands Natural Area



Conservation Easement Property (CE Property)



Port Property: Property owned by Port, managed by Metro through IGA



Exclusive Port Management Area: Property owned by Port and managed by Port

