

## **Minutes of the River Plan Committee – North Reach**

**February 20, 2007**

**5pm – 7:00 pm**

**Portland Bureau of Planning, 1900 SW 4th Avenue, Room 4a (4th floor)**

**Committee Members Present:** Don Hanson, Jason Graf, Bob Naito, Krystyna Wolniakowski, Greg Wolley

**Absent:** Pauline Anderson, Brian Campbell, Melissa Powers

**City Staff Present:** Sallie Edmunds, Deborah Stein, Shannon Buono, Arianne Sperry, Barry Nugent, Matt Lustig, Roberta Jortner, Joan Hamilton (Recorder), Planning

**Others Present:** Steve Durrant, Kurt Schneider, Ann Gardner, Greg Theisen, Kennedy Smith, Larry Ksionzyk, Clark Balcom, Wayne Kingsley

Don Hanson convened the meeting.

### **1. Committee Business/Approve Minutes**

Don Hanson deferred approval of minutes of October 17, 2006 for later.

### **2. Watershed Health and Natural Resource Inventory**

#### **Documents Distributed:**

- Portland Natural Resource Inventory Update (summary)
- PowerPoint: <http://www.portlandonline.com/shared/cfm/image.cfm?id=154905>

Roberta Jortner described work on the City's Natural Resource Inventory, which is based on previous inventories and scientific data as well as Metro's recently adopted inventory of riparian corridors and wildlife habitat. She explained how the inventory relies on scientific-based data applied to a GIS model that ranks different points on the map according to their riparian function levels. She described riparian functions as conditions related to microclimate and shade, organic inputs and food availability, bank stabilization and control of sediments, streamflow moderation, channel dynamics, and riparian wildlife movement. She explained that function levels indicate the relative importance of different riparian areas to fish and wildlife habitat.

Jortner explained that the inventory will serve as an accessible and easy-to-update environmental tool with which to respond to State regulations, and promote goals and objectives expressed in the River Renaissance Strategy and City's Watershed Management Plan. She said the inventory responds to public concern that increasing population growth and development will place natural resources in jeopardy. She acknowledged that Portland is an urban area that includes natural as well as developed features and stressed that the inventory will aid management of natural resources.

Deborah Stein reported on the Watershed Health Task Group, which convened to identify issues, develop criteria for potential solutions, and evaluate options. She stressed that the River Concept continues to endorse the North Reach as a distribution hub and industrial area vital to the regional economy, but environmental cleanup, recreational access, and watershed health actions also will contribute to the harbor's vitality. She listed concepts that the Task Group identified for prioritization, action, and testing:

*Priorities* – conserve and restore where practicable – improve functions, protect key resources, provide setbacks between development and the river, take advantage of opportunities for preservation and conservation of portions of developed property or upon redevelopment of developed sites.

*Tools* –

- Code revisions to streamline review for projects that meet objective standards, including a menu of enhancement options approved through a standards track scaled to the amount of development or redevelopment.
- Code revisions to provide flexibility for mitigation of environmental impacts due to development, including allowances to provide compensation where impact is unavoidable, either monetary or provision of improvements at sites of highest ecological value.
- Resources and procedures for monitoring effectiveness of enhancement and mitigation projects.
- Process improvements – river handbook, illustrative examples, coordinated review process involving multiple agencies, permit process assistance and a fast track process.

Deborah Stein listed questions for further discussion:

1. Should requirements for protection and enhancement be linked directly to the Natural Resources Inventory, or should the inventory maps be used as a reference for functions that might trigger Code requirements?
2. Is bank restoration always a priority for enhancement on a site?
3. How should low-functioning areas be addressed?
4. What criteria should be used to determine when off-site mitigation is preferable?
5. What is the appropriate setback for development from the river?
6. Should non-river dependent industrial site plans be evaluated differently than river-dependent site plans?
7. Should upstream mitigation be considered as way to comply with balanced cut and fill requirements?
8. Should sites be restricted from future development after voluntary restoration occurs?

#### **Committee Comments**

- Regarding Question 1, Don Hanson said most developers would already have commissioned detailed surveys, so the inventory should serve as a reference indicating requirements that might be triggered.
- Regarding Question 4 regarding applicable criteria to allow off-site mitigation, Krystyna Wolniakowski reported she serves on a Washington State Task Force studying mitigation requirements on a statewide level, and they are considering State provisions that might supersede local regulations for on-site mitigation by directing efforts at high quality sites of ecological importance to the State. Hanson stressed the importance of first developing a plan that would define strategic sites where mitigation efforts would be beneficial.

Stein noted that the Natural Resources Inventory identifies opportunity sites, while Jortner said there's some debate whether it is more beneficial to focus on a specific site or along the entire riverbank corridor. Stein reported that Metro Council exempted four marine terminals along the North Reach from compliance with Title 13 provisions on the basis that their economic importance exceeds their importance to fish and wildlife habitat. She reported that the City will continue looking at all waterfront sites as a group before deciding on an approach.

- Hanson asked if Code revisions will require more discretion by City staff and whether the City has the means to administer the streamlined processes. Stein said there's desire to limit discretion and keep standards as clear and objective as possible at the same time there's some need for creative decision-making within a framework.

### **Public Comments**

- Ann Gardner reminded the Committee that the City's working harbor is Portland's door to global ports and is a major job center. She advocated an expedited process in developing the River Plan for the North Reach and maintenance of balance in blending proposals from the various task groups. She stated that Metro's exemption of the four terminal sites resulted after lengthy discussions and evaluation, including an ESEE analysis. She said Metro decided that on balance, the sites' economic contribution outweighs other benefits. She stressed that businesses have bought land parcels based on their reliance on Metro's exemptions, and she expressed dismay that the City would not acknowledge them.
- Larry Ksionzyk, DLCDC, asked how the River Plan will relate to the City's required update of its economic opportunity analysis in compliance with State Goal 9. He stressed that the State considers the North Reach as some of the State's most important industrial land because of its location. Edmunds indicated that economic planner Steve Kountz will convene a group to consider industrial land conversion criteria. Don Hanson encouraged continuing questions about how to keep the working waterfront vital and intact while also balancing environmental issues.
- Wayne Kingsley reminded the committee that the purpose of industrial zoning is to keep the value of land low so as to encourage more industrial development, not commercial or residential. He noted that concepts appear to relate more to nonindustrial, because there is scarce available land for mitigation on industrial sites. Kingsley said if Northwest Pipe should want to redevelop, regulations might drive them way. Don Hanson stated that approaches need to be feasible.
- Bob Salinger, Audubon Society, stated a different perspective on Metro's and the City's actions regarding Goal 5 compliance. He said the exemptions of four sites

to which Gardner referred related to last-minute, backdoor deals, but Metro was clear that local jurisdictions may go beyond what Metro did. He said the City can determine what to do with its own lands and has made a commitment to other goals.

- Greg Theisen said the Port of Portland appreciates the City's effort to move beyond regulation and consider options for enhancement, mitigation banks, and advocacy for funding and solutions. Hanson agreed this plan will be good tool.

### **3. Mitigation/Conservation Banks**

Matt Lustig, River Plan intern and PSU Grad student introduced his PSU Capstone team and described their work with the River Plan staff to explore concepts related to mitigation. He said that in relation to the work of the Watershed Health Task Group, the PSU team plans to research and consider mitigation banking, in-lieu-of-fees, conservation banking, and other opportunities for offsite programs that would provide natural resource functions as well as flexibility for property owners. He said the team will identify interests and issues and consider the following questions:

How would such an offsite program operate?

1. What would be the City's role?
2. Would there be opportunities for partnerships with businesses and nonprofits?
3. What would be the economic, legal, and jurisdictional challenges if a conservation banking model is considered appropriate for the North Reach?

Hanson confirmed the PSU team will look at related programs in other cities.

### **3. Site Design Workshop Results**

#### **Documents Distributed:**

- Site Design Workshop Results
- Workshop Illustrations

Steve Durrant summarized "big ideas" that came out of the site design workshops held in Portland on October 23-25, 2006. He reported that designers and specialists from around the country studied four sites considered representative of other sites on the river. He said those sites contained features that would support potential restoration activities as well as capacity for conversion back to industrial sites. He provided a summary of ideas related to four sites:

- The Cove (3.5 acres north of Fremont Bridge on western shore)
- Railroad Bridge (200-acre site at Railroad Bridge on western shore)
- St. Johns (20-acre site north of Cathedral Park on eastern shore)
- The Confluence (230 acres on both sides of Willamette south of Multnomah Channel)

Durrant and Sallie Edmunds highlighted ideas for vibrant industrial areas and opportunities to create a cleanup industry with a soil recycling machine. Ann Gardner stressed that her idea of a vibrant waterfront district is people working. Edmunds and Hanson suggested possibilities for adding areas where people could eat or have access to

trails. Regarding the soil recycling machine, Edmunds explained a site could be developed for a cleanup industry that would take in contaminated substances, isolate and stabilize dangerous substances, and recover materials that could be reused. She said this would enable the City to clean up land that could be used for industrial development.

#### Comments

Greg Theisen provided an example where the dream and reality clash. He noted both administrative and design challenges. He described a contaminated site north of the MarCom property that the Port is taking through greenway review for both remediation and then again for a development plan. He said the Port is restoring land for Toyota to use for parking, but the pavement will be porous and provide a different means for handling floodplain and stormwater runoff issues. He noted they will fill the site to above a 100-year floodplain area and cut elsewhere, and they can get cut credits from Toyota. However, he anticipated some difficulty working with City requirements to enhance the entire riverbank, because Port attorneys advise against riverbank enhancements below the ordinary high water line due to liability issues. He said the Port does not want people to go down there. He said replanting only above the line won't do much good because blackberry branches below the ordinary high water line would overrun anything they plant above it.

#### **4. Developing the River Plan Document Distributed**

- Developing the River Plan/North Reach. A summary of Willamette Greenway Plan implementation issues and potential solutions

Sallie Edmunds reported that the River Plan team has worked with property owners, land use consultants, neighborhood land use chairs, and various task groups to document issues related to developing the River Plan. She said the recently released draft report lists primary concepts that will form the basis of the eventual River Plan/North Reach, many of which also will be applicable to the Central and South Reach plans. She noted the draft report includes some directives, some continuing questions, and requires addition of more information, including proposals from the industrial task group that Steve Kountz will convene.

#### **5. Updates/Short Reports**

##### Contaminated Sites Task Group

Arianne Sperry reported that the Contaminated Sites Task Group has heard from property owners and others involved in cleanup efforts who describe difficulties with some of the City's requirements. She said the task group has focused on better coordination with DEQ and clarification of the City's main objectives, so that the City's requirements do not hinder cleanup but also uphold the City's interests.

##### **Greenway Trail & Alignment Task Group**

Shannon Buono reported that the Task Group will now focus on trail design illustrations produced by Steve Durrant and walk people through existing alignment proposals.

## **Industrial Land Use Issues**

### **Document Distributed:**

- Working Harbor Reinvestment Strategy Business Interview Results

Sallie Edmunds reported that Steve Kountz is searching for people to serve on the Industrial Land Use Task Group who will represent a variety of interests, including property owners, real estate people, development consultants, employers, and neighborhood, Superfund, harbor, recreational, and natural resources representatives. She distributed his summary of issues from business interviews for discussion at a future meeting.

### **Schedule**

Sallie Edmunds announced that future meetings in April, May and June will provide follow-up reports on task groups' work. She said the River Plan Committee will take the summer off but reconvene in the Fall to review draft code. She said the work will go to the Planning Commission and City Council in early 2008.

Greg Theisen asked when the River Committee will make decisions on the task groups' works, since the task groups have not reached consensus. Edmunds said she would add the date to the schedule. Hanson noted the Rive Committee will need to evaluate tradeoffs and make decisions.

The meeting adjourned at 7:00 p.m.

[Minutes unapproved until next River Plan Committee meeting]