



Bureau of Planning and Sustainability

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West Hayden Island
Technical Work Session #1 Meeting Summary
August 5, 2011

Agenda

8:30-9:30 – Recreation

9:45-10:45 – Hayden Island Natural Resources Inventory

11:00-noon – Regulatory Requirements

Recreation

Staff gave a brief presentation of City Council's resolution as it relates to recreational research to be conducted during phase 2 of the West Hayden Island project. The focus of the discussion for the work session was practical approaches to reconcile recreation uses and natural resources protection/restoration on the island.

Comments from Technical Reviewers (TR) and Advisory Committee (AC) members:

(TR): "boots on the ground" should be significantly limited. There are broader definitions of access that should be considered other than just physical, on the ground access. Look more closely at visual access opportunities; look at Ross Island as an example.

(TR): There should be separation between marine terminal and recreation and security for the terminal is necessary, but it is also important to note that this type of separation can remove ability of wildlife to move.

(AC): This memo is too generic. As it relates to the specific geography of West Hayden Island, we should use specific examples of the challenges that we will face controlling access to some areas and allowing access to others. It really needs to be clear about unique circumstances of WHI.

(TR): The general nature of current memo is due to hypothetical nature of proposal, prior to concept planning. It will be important to hear from residents during the concept planning phase and offer some more specific examples on the ground.

(AC): The type of recreation on the island is going to be dependent upon who manages that area. If Portland Parks manages, there are protocols for habitat management areas including protecting first then thinking about access. If the Port is managing the area there may be different strategies. The management is a big piece and this recreation memo should be complemented by the Land Management Options with a detailed discussion of different types of management. More detail can be worked out once we know this.

(TR): Start with no recreation at all, then think about what may be acceptable



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1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

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(AC): Use recreation to support habitat. We need to define access. It could be visual or a trail or a boat dock. The memo over uses the word “balance” –please use exact language from the resolution, which uses more positive, supportive language. The resolution states: “within the 500 acres of open space, low impact recreational facilities may be considered as a means to direct and manage human access in ways that support habitat objectives....”

(TR): A trail can be used to control access to areas where you want it. The public has access up to ordinary high water anyway—we need to define ways to control beyond this.

(AC): The island community wants to get something out of this project besides just negative impacts to livability. The residents want recreation on WHI. There are also regional recreational needs for beach access- this island is a resource for all of Portland. There are very few sandy beach sites –we need to look at this for more than just the local community.

(AC): Recreation could be guided tours that focus on education and stewardship or natural trails in certain areas, but the trail shouldn't serve many different functions like hiking, biking, etc. If you don't manage people, they will come anyway and destroy the habitat. There could be a small nature center. Without a terminal, a natural center would be great or it could be a gateway on the edge of WHI (Manheim property). It could be combined with the Port facility and provide education about the Port.

(AC): Questions about the wastewater treatment outfall and public health. The best public beach is at the location where a proposed terminal could be.

(TR): I like the nature center idea. Chicago's Lincoln Park is a good example of a nature center. Keep in mind that you can't control boat access to WHI because of DSL jurisdiction below ordinary high water.

(TR): You will need to exclude people from mitigation areas.

(TR): The memo should talk about how mitigation sites and recreation trails may or may not work together

(AC): A nature center could also have a tribal education component.

(AC): A key property to some of this discussion is the auto auction site, east of the railroad tracks. (*The City Council resolution says to look at this property as it relates to the planning for WHI- staff insert.*) Can the property be used for heavy impact stuff, such as parking for a boat launch on the Oregon Slough, restrooms, new access points for ingress/egress to the terminal.

(TR): The Oregon Slough is great for kayaking. Is there a no wake zone in that area east of the rail bridge? This location seems like it would be better for human powered launch. (*It was noted that areas east of the railroad bridge, by the houseboats, are no-wake zones – staff inserted.*)

(AC): Land east of the railroad track is very key to this discussion. The City needs to pursue discussions with the land owner and make sure they are aware of the planning process and become involved.

(AC): You could put a nature center on the east side of the rail as a gateway, have access under the rail and have a trail system that controls people's impacts. It would be nice to have a park relatively close to WHI and ways to explore WHI by kayak. Don't fence off the beach around the terminal.

(AC): If the east side is used for more active recreation, then the west side can be saved for natural areas. Need to talk with the Manheim property soon and be aggressive.



(AC): Yes the Oregon Slough would be an easier location for a human powered launch. Parks did talk to property owner on Columbia River (just east of rail bridge) about a purchase of the property. The price was very high. The acquisition of this property by Parks is discussed as part of the Hayden Island plan.

(AC): The Port needs to answer the question about security and public access on the beach and around any future docks structures. Could there be a trestle over, access under? A fence at the upland side to prevent people from accessing the terminal?

(TR): Yes, Terminal 6 is a good example of beach access at a terminal. It is important that the memo also pay attention not just to the conflict between habitat areas and human use areas, but the conflicts between shipping activity and human contact.

(AC): We do need a public boat launch on the island for motor craft as well as human powered crafts. What about a powered launch on the Slough at the auto auction site?

(AC): Important to keep in mind that any recreational facility will have traffic impacts as well.

(TR): Motorized and non-motorized boat launches should be kept separate. There could be motorized on the north side of the island and non-motorized on the south. The Marine Board is about to release their survey which should provide some information on boating needs.

(BPS Staff) – An Advisory Committee member, through submitted notes, mentioned that a combined launch should not be removed from the discussion. There are good examples where they work well together with very clear instruction for separation.

(TR): Humans bring dogs and dogs have a big impact on ground nesting wildlife.

Hayden Island Natural Resources Inventory

Issue 1 - Dredge Deposit Management Area as a Special Habitat Area

Staff gave a brief presentation. Below is a list of comments from Technical Reviewers (TR) and Advisory Committee (AC) members:

(TR): This discussion should be set in context because the DDMA is an active dredge deposit area therefore we (Port) will be putting deposits on the vegetation in 10-15 acres increments and consider the manipulation and fill of the area as an industrial use. Sparsely vegetated land is a state that will change therefore it is not a Special Habitat Area.

(TR): I agree with the context of the impacts and the issue of scale is important. The element of disturbance actually creates habitat for grassland wildlife species. If the area was left fallow it would not stay grassy, it would grow in with shrubs and then cottonwoods. We should keep in mind that less than 1% of the historic extent of grasslands still exists in the Willamette Valley.

(AC): I have a question about how the deposits are put on the island. Is it over the whole area or a portion?



(TR): There are cells within the 108 acres

(AC): So there are always some areas with sparse vegetation?

(TR): Yes

(TR): In 1997 the whole area was disturbed to deal with flooding impacts. Now, the deposits are put in locations based on elevation. Also, police dogs have used the area for training.

(AC): Yes, this is a Special Habitat Area. The grassland associated wildlife species are here and persistent through these disturbances. Management of an area doesn't preclude it being a Special Habitat Area. For example, the bridges are Special Habitat Areas for peregrine falcons and bridges are significantly managed.

(TR): At the airport there are stockpiles of dirt that were excluded from the Special Habitat Areas because of regular disturbance. The DDMA is analogous.

(AC): Those examples are not analogous. The DDMA is analogous to the airport fields that are designated Special Habitat Areas.

(AC): Why does this matter? What difference does it make if an area is a Special Habitat Area or not? Are parts of East Hayden Island (EHI) considered SHA? The report notes that there are 1000 acres of SHA in the inventory site.

(BPS Staff): The inventory is just information, there are no regulations associated with a Special Habitat Area designation. The developed areas on EHI are not SHA; there are pockets like the eastern forest tip. The inventory site also includes the Columbia River around the island and the river is all a SHA. The river represents nearly 1,000 acres.

(BPS Staff): I have reservation about the Special Habitat Area application to the DDMA and whether it sets a precedent. If this area is a SHA for grassland-associated species, does that mean if we look at any other vacant piece of land with low structure vegetation we will find the same grassland-associated species and it will become SHA as well?

(TR): To answer your question, no we would not find grassland-associated species in all other vacant lots. We know where the grassland associated species are in the city. They are not in North Portland south of Columbia Boulevard. They are in the historic Columbia River floodplain on large, flat lands with low structure vegetation. They are at Portland International Center, the Airport, Rivergate, St. John's Landfill and here.

(TR): I agree with this answer. It should be pointed out that the disturbance a TR is talking about is making the habitat the grassland species-like.

(AC): Will this be a dredge management area in the future? If not, where will the dredge materials go?

(TR): The need to dredge will not go away so the dredge materials will have to go somewhere.

Issue 2 - Health of the Cottonwood Forests



Staff gave a brief presentation. Below is a list of comments from Technical Reviewers (TR) and Advisory Committee (AC) members:

(TR): Again, the context is important. The cottonwood forests in the Lower Columbia River are greatly diminished. Without flooding there will be no new cottonwood forests. Yes, in our lifetime the WHI forests are self-sustaining but in the longer timeframe maybe not.

(AC): Yes, the cottonwood forests on WHI are self-sustaining. There is periodic flooding. There is continual growth of young cottonwoods on the WHI.

(AC): Why did the previous study conclude otherwise? And did grazing affect the cottonwood forests?

(TR): This is not a new stand of cottonwoods, which was what the previous study was focused on. This is an existing forest.

(TR): I agree with all the conversation if you assess the stand alone, but not at a watershed scale. The stand is self-sustaining, but at a watershed scale the cottonwood forests are dying out.

(AC): Bottomland hardwood forests are an Oregon conservation strategy habitat. ODFW thinks the forests should be protected.

(TR): This is a habitat to protect, even if it is just for the next 200-300 years.

(TR): The emphasis seems to be on cottonwoods. What about the ash, which is also impressive.

(TR): I don't know that there is a tit-for-tat argument against the previous study. The SWCA memo represents management activities on WHI and in the Columbia River. What I want to focus on is how to set priorities for the future.

(AC): What do we do with this information? Based on this report the forest is self-sustaining. How we use this information is what matters.

(TR): Yes the forest is self-sustaining but only for some period of time.

(AC): From ODFW's perspective, WHI would be ranked as a category 1 or 2. 1 meaning the forest should be avoided complete; 2 meaning that avoidance is a high priority and full mitigation plus a net benefit should occur if there are impacts to the forest.

(TR): The new memo is just the facts and explores more the conditions on WHI. WHI is a big forest in the City and forest functions increase with size. WHI is bigger than Smith/Bybee Lakes.

(TR): What would the climax species be on WHI?

(TR): Not sure. Maybe ash, maybe some maple in areas, maybe some confers in higher elevations.

(AC): (*Disagreement*) There won't be confers. Because of climate change there may be more flooding on WHI.



Regulatory Requirements

Staff gave a brief presentation. Below is a list of comments from Technical Reviewers (TR) and Advisory Committee (AC) members:

(AC): There are a lot of regulations here and I'm interested if there is a sequencing?

(TR): We are trying to figure that out. Through the streamlining process we have been looking at sequencing. The City, when getting permits, does a conceptual alternative analysis to identify a preferred alternative. This helps us identify all the agencies that would need to be involved.

(AC): Do you do the EIS before streamlining?

(AC): It can be done first or along with other permits.

(AC): FEMA – how do we consider balance-cut-and-full?

(TR): Within the DDMA, we don't have to balance because that area was excluded by Metro from Title 3.

(TR): It's not just the DDMA, it's a larger area and it was probably excluded for more than just dredge deposits. Like locations along the Willamette were excluded based on development priorities, the exclusion may have been also looking forward at development.

(AC): We need guidance for the concept planning process, to know if we can use the area. We need a map of the Title 3 area.

(AC): The goal of this project is net improvement, which goes way beyond the regulations. Keep in mind that there is a FEMA lawsuit related to ESA and we should be hearing about that soon.

(TR): There are DSL lands on the island that would be impacted by development and /or mitigation and recreation. Any use of the state owned lands need to go through DSL analysis with public input to state land use board because it is public land.

(AC): Since DSL owns lands on WHI, then the ODFW Habitat Mitigation Policy is a requirement, correct?

(TR): Need to look into that language. SB944, for state owned lands, ODFW oversees Oregon ESA.

(TR): An ownership map is needed. (*City staff will produce*)

(AC): If the land is needed for Superfund mitigation, for NRDA, does that trump other mitigation? Is there any formal commitment of the lands to NRDA?

(TR): There is no formal commitment and no requirements, but WHI is identified by NRDA as a potential site.

(BPS Staff) : NRDA will impose requirements on parties and parties will have to figure out how/where to meet those requirements.

(AC): So NRDA mitigation could have to go somewhere else than WHI. This should be assessed in the Cost/Benefit Analysis.



(AC): The trustees did identify WHI. I agree it should be in the Cost/Benefit Analysis.

(BPS Staff): There are tribal obligation related to the fisheries.

(TR): The Tribal governments get involved with SHPO and CWA 404.

(TR): The tribes are looking for connectivity along the river.

(AC): The City Council wants to know about jobs but jobs don't trump NEPA. When NEPA is applied there will be an EIS and that is an opportunity for the City and others to influence the outcome. Even if the City balances now, there is still the NEPA process. Is there an opportunity to do a programmatic EIS on the project concept to get "buy off"? Something similar to this was done in the '90s.

(BPS Staff): This is an annexation and zoning agreement and there are no plans for the next step of the full project. The Concept Plan doesn't go into practice; it provides the City with a planning base to work from.

(TR): There does need to be more added about NEPA.

(AC): I want to know more about the options for NEPA review – EIS, EA, programmatic, etc.

(TR): NEPA EIS must be married with state regulations like CWA Section 10.

(TR): There will be impacts to state owned lands and mitigation required. There is rulemaking going on now related to shallow water habitat and beaches.

(TR): DSL will have to look at longterm management for public lands. Removal and fill could need compensatory mitigation.

(TR): You could look at the "worse case scenario" for the concept plan and text the regulations against that.

(BPS Staff): Just a reminder that this process will be looking at a concept plan for annexation and zoning, not a plan to be built.

(AC): In 1999 there was an inadequate alternative analysis. Are we wasting our time if we don't look at if WHI is the right location for this type of development?

(BES Staff): We/City always need to do an alternative analysis that considers location. Any alternative must meet the purpose and need of the project.

(BPS Staff) : We are looking at alternatives. The Harbor Lands and EOA will help us understand the alternatives. The Port/Vancouver coordination will also help. Keep in mind that WHI is within the UGB so WHI is considered for urbanization.

(TR): Before talking alternatives, you have to have a purpose and need statement and all the alternatives must meet that statement.

(TR): Regarding state lands and mitigation – The Port and City are in discussion regarding a "Pearl" in the North Reach on Swan Island. There would be shallow water habitat mitigation on DSL lands and there will be no allowance for water crafts, autos, anchoring, fishing, etc within the mitigation site.



(TR): Is there a lease or conservation easement on DSL lands? I think we will need to work out the goals for recreation and mitigation on WHI.

(TR): Will DSL issue a conservation easement for lands on Swan Island? Not sure about WHI because the process is not far enough along.

