

WILLAMETTE COVE PLAN FOR PUBLIC ENGAGEMENT—STAFF DISCUSSION WITH COUNCIL

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Department: COO/P&N
Meeting Date: July 27, 2021

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Length: 20 minutes (+ 40 Q&A)

ISSUE STATEMENT

Metro Council adopted Resolution 20-5149 on December 10, 2020, directing staff to, among other things, prepare a plan for meaningful public engagement to identify community priorities for future passive recreational opportunities and trail development consistent with protection and restoration of natural resources at Willamette Cove, and submit this plan to Metro Council within four months of the date DEQ issues its record of decision on remedial action. DEQ issued its Record of Decision on March 31, 2021. This presentation will describe the plan staff have prepared and share staff's direction to lead with racial equity and broaden the conversation around important decisions at Willamette Cove.

The DEQ Record of Decision selected a remedial action for the responsible party to implement to address upland soil contamination at the site in accordance with state statutes and DEQ administrative rules. Following implementation of the remedy, people can safely engage in passive recreation across the entire upland area, on and off trails, without restricted areas or fencing. Site conditions will also be safe for wildlife.

The inherent purpose of community engagement is to address these injustices by redistributing decision-making power to Black, indigenous and other people of color and other historically marginalized communities. For community engagement to live up to this purpose, racial equity needs to be embedded throughout each phase of the cycle to ensure that the voices of impacted communities have the power to substantially change the final outcome of a project.

This presentation describes the plan for Community Engagement that staff would implement following analysis of the Contingency Remedy and leadership direction or funding for development of the North Portland Greenway Trail or a passive recreation nature park at Willamette Cove.

Additional information and background on the site is included in the Strategic Context section of this staff report.

ACTION REQUESTED

Seeking Council direction on implementation of Community Engagement Plan or additional studies Council would like to see performed.

Timeline:

March 31, 2021	DEQ Record of Decision Issued
April 27, 2021	Work Session discussion of Record of Decision and additional or voluntary actions (Contingency Remedy Analysis)
July 31, 2021	Staff submittal of plan for meaningful public engagement to identify community priorities for future passive recreational opportunities and trail development consistent with protection and restoration of natural resources at Willamette Cove due
November 2021	Staff update on analysis of Contingency Remedy or other project features
Spring 2024	Remedial Design for Inwater (shoreline) and Upland Actions

IDENTIFIED POLICY OUTCOMES

Policy Outcomes for Willamette Cove are driven primarily by three governing documents.

Metro's Six Desired Regional Outcomes—Vibrant Communities, Economic Prosperity, Safe and Reliable Transportation, Environmental Leadership, Clean Air and Water, Fairness and Equity—direct Metro staff in evaluating programs, budgets, and decisions. It is staff's desire that decisions on the remediation of Willamette Cove further several of these desired outcomes, specifically Vibrant Communities, Environmental Leadership, Clean Air and Water, and Fairness and Equity.

Metro's Strategic Plan to Advance Racial Equity, Diversity, and Inclusion, adopted by Metro Council in June 2016, aims to remove barriers for communities of color through a series of recommendations and actions to create equitable outcomes for all residents of the region. It does this through sharp focus on five goals outlining how we support regional partners; engage with communities of color; hire, train and promote our workforce; create safe and welcoming services and destinations; and allocate resources to advance racial equity. It is staff's desire that decisions on the remediation of Willamette Cove further several of these goals, specifically creating safe and welcoming services and destinations.

Metro's 2019 Parks and Nature bond will invest \$475 million to protect clean water, restore fish and wildlife habitat and provide opportunities for people to connect with nature close to home. The bond provides funding across six program areas—Protect and restore land; Local parks and nature projects; Nature in Neighborhoods capital grants; Metro parks improvements (this is the portion of the bond identified in Resolution 20-5149); Walking and biking trails; and Large-scale community visions—and centers decision-making around racial equity. It prioritizes outcomes that benefit people of color, Indigenous people, people with low incomes, people with varying abilities and other historically marginalized groups who have not benefited equitably from past investments.

The bond measure also prioritizes work to make the region more resilient to climate change.

POLICY QUESTION(S)

What guidance does Metro Council want to provide staff in when and how it should implement this plan for meaningful public engagement?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Metro Council could direct staff to proceed with implementing this Community Engagement Plan.

Conversely, Metro Council could direct staff to await site funding decisions related to passive recreation and trail development and implement the plan when it is clear that the site will be developed for greater public use.

STAFF RECOMMENDATIONS

Staff recommends Metro Council accept this community engagement plan and direct staff to implement it once site funding decisions have been made through bond refinement.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

Background: Metro purchased the 27-acre Willamette Cove property in 1996 pursuant to the Open Spaces, Parks, and Streams Bond Measure 26-26 and has held the property for purposes of creating a green space and extension of the multi-use North Willamette Greenway trail. Habitat restoration plans include a natural area to support native aquatic, riparian, bird and vegetation species. The North Willamette Greenway trail is shown on the City of Portland's comprehensive plan and is part of the regional trail plan.

In November 2000, Metro and the Port of Portland entered into a Voluntary Agreement with Oregon Department of Environmental Quality to perform a remedial investigation/feasibility study (RI/FS) and implement any needed source control measure to prevent releases to Portland Harbor.

In December 2000, the US Environmental Protection Agency (USEPA) identified the Portland Harbor area of the lower Willamette River as a Superfund Site and placed it on the National Priorities List, primarily due to concerns of contamination in the Willamette River sediments and the potential risks to human health and the environment from consuming the fish.

Metro's agreement with the Port of Portland has supported a significant investment in environmental studies and testing to ensure the site is eventually cleaned up to support our region's desires for healthy, sustainable natural areas. In addition to the many studies and samples taken at the site, Metro and the Port of Portland have ensured interim actions were taken to stabilize and secure the site.

Metro is committed to meaningfully engaging the public to identify community priorities for future passive recreational opportunities and trail development consistent with protection and restoration of natural resources at Willamette Cove. In order to fulfill the criteria of meaningful engagement, racial equity and justice will be at the center of all engagement efforts.

Often, when Metro invokes the verb restoration it is in the context of conservation and ecology. With the history of Willamette Cove, with consideration to who has been on this land since time immemorial, with consideration to how the river came to be polluted—with particular thought to the Kaiser Shipyards and the Black and Brown folks who migrated for those jobs—we have an opportunity, through meaningful public engagement, to address the inequities of history, to attempt something that reaches towards restorative justice.

Metro Council Past Actions and Direction: In February 2020, the Portland Harbor Community Coalition (PHCC), anticipating the DEQ Staff Report about to be released signaling a preference for remedy selection, sent a letter to Metro Council with requests regarding Willamette Cove.

A Council business meeting was conducted in December 10, 2020, which attracted nearly 30 written comments in advance. Nineteen people provided verbal testimony during the meeting. Council also received a letter from the Yakama Nation regarding concerns of a proposed onsite containment cell at Willamette Cove.

Council adopted Resolution 20-5149 as amended, and directed:

1. Metro Council authorizes and directs Metro Chief Operating Officer to include Willamette Cove as a Metro parks and nature destination listed in Exhibit E to Resolution No. 19-4988 eligible for 2019 Bond Measure funds; and
2. Metro Council affirms its support of and commitment to explore trail development, habitat restoration, and a broad range of passive recreational activities at Willamette Cove consistent with its use as a natural area, for example but not limited to, walking, hiking, bicycling, beach access, wildlife viewing, picnicking, and cultural interpretation; and
3. Metro Council shall convene a work session within 30 days of the issuance of the DEQ record of decision for Willamette Cove to discuss additional and voluntary actions that Metro could take at the site to further improve its environmental condition.
4. Metro staff shall prepare a plan for meaningful public engagement to identify community priorities for future passive recreational opportunities and trail development consistent with protection and restoration of natural resources at Willamette Cove, and submit this plan to Metro Council within four months of the date DEQ issues its record of decision on remedial action.

At the work session conducted April 27, 2021, Metro Council directed staff to analyze the DEQ-offered Contingency Remedy. That analysis will be conducted separate from this Community Engagement Plan, which is specific to community

priorities for future passive recreational opportunities and trail development consistent with protection and restoration of natural resources at Willamette Cove

Financial Implications: A Council Budget Note reserves \$10M of Parks and Nature Bond Funds for possible site futures related to the contingency remedy. The availability of any 2019 Parks and Nature bond money for this aspect of the Willamette Cove project is yet to be determined.

Staff do not have information at this time of the possible financial costs or implications of implementing this Community Engagement Plan. Staff can research and develop that information should Council desire.

ATTACHMENTS

- A. Council Resolution 20-5149 for reference
- B. Community Engagement Factsheet
- C. Community Engagement Plan--DRAFT

For work session:

- Is legislation required for Council action? ☐ Yes ☒ No
- If yes, is draft legislation attached? ☐ Yes ☒ No