

Siuslaw Estuary Partnership

An Integrated Multiple Objective Approach To Watershed Protection and Restoration

Elected Official Stakeholder Group April 11, 2011 Meeting Notes May 12, Draft

Monday April 11, 2011
6:30-8:00 p.m.
Florence City Hall
250 Highway 101, Florence

Present:

Stakeholders: Jim Grano, Siuslaw Watershed Council Leadership Board/Executive Committee Member, Chair; Sally Owens, Port of Siuslaw; Phil Brubaker, Florence Mayor; Bob Garcia, Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians (absent); Fuzzy Gates, Siuslaw Soil and Water District (absent); Jerry Nordin, Heceta Water District; Jay Bozievich, Lane County Board of Commissioners
City of Florence Staff (City): Sandra Belson, Community Development Director, Project Manager; Mike Miller, Public Works Director; Carol Heinkel, Planning Consultant, Project Coordinator; Wendy Farley, Senior Planner
City of Florence Riparian Volunteer: Clarence Lysdale

1. Welcome and Introductions

Jim Grano, Siuslaw Watershed Council, Chair, introduced himself and asked others to do the same.

2. Agenda Review and Meeting Notes (Attachments)

Carol Heinkel, Facilitator, Project Coordinator

Carol asked if there were any requested changes to the meeting notes. None were requested. She went over the agenda and asked if there were any requested changes. None were requested.

3. Public Comment

There was no public comment.

4. Newsletter (Attachment) Information and Distribution

Wendy Farley-Campbell, Senior Planner, Public Education Lead Staff

Wendy handed out the finished newsletter. She said she incorporated comments from both Stakeholder Groups; it has gone to print and should be in people's mail

boxes by Saturday or Monday. She said she took it to the Full Team today and they agreed to help distribute it. She asked them to let her know if they have any ideas for graphic support next year. They suggested she check in with the High School because they may be willing to take it on as a school project. Wendy said there will be plenty of extra newsletters and asked the Stakeholders to please help get them out into the community. She said if they want to distribute them, to contact her on Monday and she will get them some.

Jim Grano said it looks very good and that she did a fine job.

5. April 25 Open House
Discuss and Provide Guidance

Sandra Belson, Project Manager, Community Development Director

■ Overview and EPA Visit Coordination

Sandra reminded the Group that the Open House is on April 25 from 4-7 pm with presentations starting at 5:00. She said the Open House will be a stop by EPA Region 10 staff who will be on a week long tour in Oregon. She said this will be a great opportunity to network. She said their goal is to learn more about EPA funded projects like this one along the Oregon Coast. She said the Team hopes that the community will make a good showing of interest in the project.

■ Power Point Presentation (Hand-out)

Carol said the Full Team met that morning and discussed the power point. There was not enough time to revise to hand out at the Stakeholder meeting. She said the project has now advanced to the point where there is a lot to say about all of the individual elements and products, and there is not enough time in a brief presentation to cover any one of them in detail. So, the direction was to use the same approach as the newsletter – provide highlights to spark questions and interest and direct folks to the staff at the tables to engage one on one in discussions. She asked if there were any points the Group wanted made in the presentation or any specific images they want to show. None were offered. Carol said if they think of any after the meeting to just send her an email.

- Room set up
- Stakeholder Participation and Tables
- Comment Forms and Surveys

Sandra said the plan is to set the room up the same as last year with tables around the room staffed by the Interdisciplinary Team and Stakeholders, with comment forms and surveys on each table to get input and feedback. She said it is an opportunity for the Group to interact with the public, and for the Stakeholders to interact with the Interdisciplinary Team members. She said the feed-

back on the Open House last year was very good and people said they particularly enjoyed those aspects of the event.

■ Getting the word out

Wendy said it will be important to get the word out about the Open House to help get as many people to attend as possible because it is an opportunity to inform a lot of people at the same time about all of the different products and to find out what they think. She asked the Group if they had suggestions.

Jay suggested talking to Bob Sneddon about getting on Our Town.

6. Consensus Process

(Attachments: Table of Products and Stakeholder Roles;
Elected Official Stakeholders Group Consensus Process)

Information

Jim Grano, Siuslaw Watershed Council, Chair
Carol Heinkel, Facilitator

Jim explained the Consensus Process the Group had agreed to use to move items forward in this process – thumbs up for agree, thumbs down for disagree, and thumbs sideways for want to discuss or have issues. He said if there is disagreement or issues, there will be discussion and then a second round of thumbs; after the second round, any dissenting opinions will be recorded and passed along in the process.

7. Climate Change Report Draft 3/24/11 (Attachment)

Carol Heinkel, Facilitator

Questions and Answers; Agree on Comments to Forward to Team

(Use Consensus Process)

Carol said the staff were doing their best to try to make sure that all issues are fully processed with the Interdisciplinary Team and both Stakeholder Groups and that with such large groups, this was not always easy to do, especially timing wise with the Open House just two weeks away.

She said the Interdisciplinary Team met this morning and she said she took the comments made by Jay at the last meeting to the Full Team meeting and asked them if they would make edits in response; and the Interdisciplinary Team agreed to release the Climate Change Report for public review with the following edits to address the concern he raised.

Amend the Introduction, as follows:

"Purpose of this Report

This report acknowledges that a great deal is yet to be discerned about the short term and long term effects of climate change and that there is on-going public debate as to the nature and causes of climate change. However, regardless of the nature and causes of climate change, the sources cited in this report contend that it is worthwhile to monitor our environment and strategize how best to adapt to the potential impacts of climate change. Furthermore, the potential strategies identified are relevant approaches to long-term livability and the resilience of our community."

Carol asked Jay if this addressed his concern. Jay said this change does exactly what he wanted it to do. He said he thinks the Strategies in the report are great and that he just wanted the report to recognize that there is some debate about the science.

Carol asked other Group members if they are ok with this change. Sally said she thinks it is a good change.

Phil agreed with this change. He added that the Climate Change Report does not contain original research on the Florence area or the Siuslaw estuary. He said he noticed that many of the sources of the data are from the National Oceanic and Atmospheric Administration (NOAA) and that he would expect that NOAA would continue in this research role in the future. He said he is aware that there is no NOAA activity in Florence, although there is in other communities along the coast. He said he believes this is because Florence is not a county seat, like the others where NOAA has a presence. He asked if the Stakeholders want NOAA to do specific research on Florence. He said the Potential Strategies rely on studies done in other places along the coast; and that sea level rise is a particular concern for Florence, given the threats posed by Tsunamis.

Other Group members discussed this issue and noted that the Siuslaw estuary is unique and there should be recognition of this and special focus paid in studying it. Phil asked staff if they thought the report could include a Potential Strategy for the partners to work together to help get NOAA to have a presence in Florence, recognizing the unique characteristics of the area and the estuary.

Carol said that NOAA has not participated directly at the staff level; their staff are on the team lists and receive all the agenda packets; but they do not communicate with the Team or participate in the meetings or comment on the materials. She agreed that NOAA, and especially the National Marine Fisheries Service (NMFS) has an important role to play in protecting the estuary. Carol asked Mike Miller for his thoughts. Mike agreed that the estuary is unique and it would be good for NOAA to be more directly involved in the project and the community.

Carol said she will propose to the Team via email that the Climate Change Report include the issue of NOAA's role and the need for the agency's participation and a Potential Strategy for the partners to work together to encourage NOAA to conduct research specific to Florence and the Siuslaw Estuary.

Jim asked for a show of thumbs on this change and the other edits to the report that were proposed. The Group gave the changes a thumbs up – unanimous agreement.

Note: After the meeting, the Interdisciplinary Team agreed, via email, to additional changes to the report. The April 11, 2011 Climate Change Report includes the edit above and the following edits:

Amend the Potential Strategies in Chapter III and the Executive Summary as follows:

Issue #5: Research Needs and Action Planning

Add Issue:

"The National Oceanic and Atmospheric Administration (NOAA) has a presence in many communities along the Oregon coast, although it is not currently active in studying climate change impacts on the Florence area or the Siuslaw estuary. The Oregon Coastal Atlas, Oregon State University, recognizes that all estuaries in Oregon are unique: "Each of Oregon's estuaries is a unique ecosystem influenced by many variables - watershed size, geology, and land use; river gradient; the estuary's shape and size; and annual patterns of precipitation, river runoff, solar heat input, ocean tides, and fresh water-salt water mixing."

Potential Strategies:

Add Strategy:

"5. The partners will work together to encourage NOAA to play an active role in studying the effects of climate change on the Florence area and the Siuslaw Estuary."

8. Siuslaw Estuary Trail Vision: Location and Design Options, Stakeholder Review Draft 2/17/2011 (Attachment)

Wendy Farley-Campbell

Agree on Comments; Agree to Release for Public Review

(Use Consensus Process)

Staff handed out edits to the report forwarded by the Interdisciplinary Team at their meeting that morning. The edits are to clarify that the natural footpath in the

estuary adjacent to the Dredged Materials Disposal Site (section 2 in the draft report) would be an option only “if no upland alternative is feasible,” as per the requirements of the Oregon Department of State Lands and the Army Corps of Engineers. Regarding Section 6, Highway 126 Crossing, Sandra and Wendy relayed the discussion the Team had that morning about this section.

They said the Team agreed that the vision for this section is to cross the highway, for connectivity to the City’s park and trail system; and the Team discussed a number of different ways that might occur, i.e., via a bridge, a culvert system, and/or a crosswalk. They relayed that the option selected needs to be based on the results of further analyses, specifically: cost, funding, and engineering; and there are special considerations for each option. Maintaining mobility during construction is a major concern with any option. The ODOT staff member on the Team encouraged City staff to work directly with the ODOT District Manager on the options. The Team acknowledged that the culvert is undersized for fish passage and that that is a problem; and the Watershed Council staff said that the Council might potentially partner with the City on seeking OWEB funding for a bridge solution if it solved the fish passage problem.

Jay said that he agrees that the bridge would be the best solution, although the most expensive.

Phil said that connectivity is a big issue in Florence and he personally would not support stopping the trail on the south side of Highway 126. He said he would like the trail to have the greatest benefit possible for Florence residents.

Jay noted that he uses the bike path along Amazon Creek frequently and that sections of the path are closed in the winter due to flooding; that users of the path are aware of that and plan their use accordingly, but that there are street level crossings available in those locations.

Phil said that the main objective should be to get people across Highway 126 and asked the Group if we want to offer the option of stopping at the south side of the Highway. Carol asked if the issue could be addressed by changing the report to clarify that the “preferred vision” was to cross the highway in some manner and that the “Redwood Option” crosswalk is an example of how the vision could be implemented and not an alternative to the preferred vision. Phil said yes that would address the issue for him.

Jim asked for consensus on the two changes to the report, i.e., the text change to section 2 proposed by the Team and the change agreed to for the Highway 126 crossing; and given agreement, to forward the report for public review and comment. He asked for a show of thumbs. All thumbs up: 100% agreement.

9. Wetlands and Riparian Inventory (Attachment)
Sandra Belson and Clarence Lysdale

Questions and Answers; Agree on Comments to Forward to Team (Use Consensus Process)

Sandra said that last meeting, she and Clarence Lysdale provided background information to introduce this topic for the Group. That memo included definitions of key terms, an explanation of the processes, and introduced the subject of local options. Tonight, they will present the key findings from the draft Inventory and Assessment for wetlands and riparian areas. She said they now have a better idea of where these resources are and a preliminary assessment of significance.

Sandra referred the Group to the Memo in their packets. She said this memo highlights the key findings on the inventories, assessments, and local options. Sandra said she will go over the wetlands piece and that Clarence will go over the riparian piece. She referred the Group to the maps on the wall which were also included in their packets and pointed out that the study area was broken into regions or quadrants as well as a City-wide map.

Wetlands Inventory and Assessment

Sandra said there are a total of 34 wetlands in the Inventory and 21 of them were found to be significant, based on the methodology used in the Draft Report. She referred the Group to two additional maps in the memo on page 3. The first one shows the types of wetlands based on the type of vegetation, so they could get a feel for the types of wetlands we have. She said the three most common wetlands in the area are: PFO - Forested Wetlands, PSS - Scrub Shrub Wetlands, and PEM – Emergent Wetlands, such as the “seasonal lakes.”

Sandra said Table 6 shows wetlands grouped by similar characteristics, as allowed in the ORWAP (Oregon Rapid Wetland Assessment Protocol) method used for the assessment. She said scores are given to both functions and values and the wetland needs to meet the criteria for significance for both values and functions in order to be considered “locally significant.”

Sandra said, for example, if wetland #1 serves high value for water quality but not a high function, it would not be deemed significant for that criterion.

Sandra said that the locally-endorsed Guiding Principles for wetlands provide policy direction on optional criteria to use in addition to the required criteria in the Oregon Administrative Rules. She read the first Principle which says: “1. Protect the functions and values of significant wetlands for water quality, water storage, fish and wildlife habitat, public recreation and use, and education.” She said that “Public Use and Recognition” is an optional criterion which was used in the draft wetlands assessment because the Guiding Principles, although not adopted policy, do provide direction to staff in developing these products.

Referring to Table 6 in the memo, Sandra said there are four wetlands that would be deemed locally significant by virtue of the “Public Use and Recognition” services they provide: wetlands #10, #27, #29, and #33. She said these areas are shown in orange on the map in the memo.

She said that wetland #33 is on City property which is why it scored high for Public Use and Recognition. The Tribes own wetland #10, by the Casino, west of the North Fork, which scored high for Public Use and Recognition because it is owned by the Tribes.

Wetland #29 is termed the “seasonal lakes” and is partially in private ownership and partially in public – county land. She said this area is already protected through the Prime Wildlife Overlay Zone in the City Comprehensive Plan and in the Lane County Coastal Zone Management Plan. She said the area is a little south of Heceta Beach Road and extends onto the southwest corner of Sand Ranch.

Jerry asked if that wetland was originally a lake that has been drained; he said he has a map that shows it as a lake that he can bring in to the City.

Sandra said yes there are still seasonal lakes there now.

Jay said he was surprised that wetlands #27 and #29 were not considered significant due to their function for water storage and connectivity to the dunal aquifer system. He said he is less likely to be concerned about it being on public property than its function for water quality and quantity and possible interaction with the dunal aquifer. Phil agreed.

Jerry asked if these wetlands have been developed. He said he will bring in maps of the seasonal lakes that show the area where the lakes once were.

Sandra said Wetland #27 is partially in and partially outside of the UGB; the southwest portion is in the UGB in an area platted in the County named “The Reserve;” and any land use measures adopted as part of this project will apply only within the UGB. So, it is really up to the county as to whether they want to adopt measures to apply to the portion of this wetland that is outside the UGB. She said “The Reserve,” is a development developed by Mike Van, although not all of the homes have been built; some wetlands have been integrated into the subdivision design and those must be protected, according to their county land use approvals.

Sandra said when you look at how these wetlands scored, it is important to consider that the scores are relative, i.e., that the wetlands score in relation to the qualities of other wetlands. She said the question now is whether or not to call these significant.

Carol noted that the Wetland and Riparian Area Team will be meeting this Thursday, April 14, and the Stakeholder comments on both the wetlands portion and the riparian portion will be forwarded to the Team to address. Sandra said one change she knows will be made is to change the references to the “City of Florence” in the report and replace those with “Siuslaw Estuary Partnership.”

Jim and Carol asked the Group what comments they wanted to forward to the Wetlands Team and Carol recorded the following comments on the flip chart:

1. Check on wetlands #27 and #29 and research what their function is for water storage and connectivity with the dunal aquifer.
2. Functionality is preferred over simple public ownership in determining significance.
3. It is important to obtain input from Bob Garcia, Stakeholder representing the Tribes, on wetland #10, because Bob was absent from the meeting.
4. Find out what mechanism the County has to assess significance outside the UGB. If the County just needs to co-adopt measures coming out of the Siuslaw Estuary Partnership process, that is doable, but if it requires the County to undertake a whole separate study, that is probably not doable with the current fiscal situation and workforce issues the County is facing (Jay).
5. “Public Use and Recognition” to determine significance is arbitrary and depends on who you are talking to at any given time; thus, it is very subjective.

Jim asked for a show of thumbs; all thumbs up, meaning the Group agreed unanimously to forward the above comments to the Wetlands Team to address.

Sandra noted that the EPA grant provides funding for county staff involvement.

Riparian Area Inventory and Assessment

Clarence discussed the riparian areas. He said a lot of property owners are involved and potentially affected because these riparian areas are not isolated like wetlands.

Phil asked if grandfathering has already been discussed.

Clarence said yes, that is one advantage of using the standard approach he will be covering. He said, for example, a culvert under Rhododendron Drive would be needed to improve fish passage for RAIR-B.

Phil said that would require a jurisdictional overlay.

Clarence went on to describe how the riparian widths were determined – using typical tree height in some cases and topographical break (i.e., a level area pro-

viding a natural edge to the riparian area) in others. He said there are 48 sites in total, 16 riparian reaches, 11 streams, and 5 lakes. For each reach, a score of low, medium, or high is assigned. He said there is flexibility in the assessment method and no pre-ordained definition of significance, as there is with wetlands. He said it is also possible to change the weighting of criteria; that all we know now is high, medium, or low. Also, there is a lot of flexibility in how to protect and what measures to use to protect locally significant riparian areas, unlike wetlands.

Clarence said the inventory and assessments were conducted according to State rules. Now, how to go forward is a local call. He said the Guiding Principles help guide us in that.

He said we start with the inventory before moving on to protection measures after that. Looking at the Northeast Region, the eastern side of the lakes is pristine; so tree height made sense for that area and a 120 foot width was assigned based on typical tree height; the north side is developed and 50 feet to top of bank was assigned; the west side is sand dunes with no substantial riparian widths. The lakes are outside the UGB, so, the city won't be saying how those will be treated.

In the Southeast Region, there is Munsel Creek and 50 feet based on topographic break makes sense for this area; 50-50/each side, for the most part. He said there are four different reaches along Munsel Creek down to Highway 126; the area south of 126 is tidal with characteristics of its own; it is already protected in City Code. There are some areas where the creek boundaries have changed and the buildings are no longer setback the required 50 feet. If the City wants to set exemptions for prior development, it can do that; there is more flexibility than there is with wetlands.

In the Southwest Region, from the high school, by the airport, along the back side of Greentrees Development, the streambed has been bulldozed and straightened out; the water resource here is judged to have very narrow widths – 20 feet on each side.

East of the hospital, the riparian area has the densest vegetation he has ever seen; this is a very valuable resource. There is a fair amount of water that runs through here; 65 feet on each side, based on the typical tree height of Alder, was determined to be an appropriate width. He said there are large trees, rhododendrons, huckleberry, woody debris, and very dense habitat. He said he recommends 65 feet because this is the most valuable riparian area within the city limits.

Clarence said the reach at the far north – RHB-B – is nice and wide and not very dense. Shore Pine is the dominant tree here. 50 feet makes the most sense;

seems reasonable for all the property along it. In terms of value, it is not as valuable as the area to the south.

In the Northwest Region, RHB-A is in the UGB and in the city through a culvert; it is a surprising riparian resource, connected to a wetland. There is a lot of water coming out of it. RHB-A ranked high according to the rules; a lot of value in this resource.

Clarence said that about sums up his findings. He said there are a lot of judgments and detail in the report and he encouraged the Group to go through it in detail to find out exactly how he went about making the assessments he made; he said the standard process used needs to be logical as well as consistent and reproducible.

10. **Information Items and Update Reports:**

Mike Miller, Florence Public Works Director

For Information Only:

- Groundwater Monitoring Well Locations (see link to Map, below)
- Water Monitoring Program Status Reports (Attachments)
- Aquifer Protection Plan Work Plan (Attachment)
- *Florence Stormwater Design Manual* (Attachment)
- *Stormwater Demonstration Site*

Mike said the first ten test wells were installed in October and the first round of testing was done then. He said it was interesting that nitrate levels in one well, B-2, at Harbor Vista and Rhody Drive, showed 29.7 mg/Liter, way above the threshold level of 10 mg/Liter in State Drinking Water Standards; and even more above the level expected in native groundwater which should have a level of 2 mg/L. He said in the agreement with Lane County and the Heceta Water District, the trigger level is set at 5 mg/L for native groundwater; so, 29 is quite high. He said they retested that well in November and it was 27 mg/L and that total coliform was found also, which is an indicator of surface contamination; and that the well tested positive for e coli, which is definitely not good. So, there may be a surface impact in that area. He said they retested in January and February and the well did not test positive in those months for e coli and that nitrates levels were low then or not present; and that could be due to the diluting influence of the rains. So, further testing is needed in order to determine if there is in fact surface contamination in that area or if the November test was an anomaly.

Mike said it is important to look at everything: dissolved oxygen, conductivity, etc. which also have an impact. He said the first ten monitoring wells were installed to a depth of 20 feet; and in March five additional wells were installed to a depth of 30 feet.

Mike said rainfall data in February showed that further north rainfall is much less than it is closer to the Siuslaw River. He said they recently did a round of testing

for groundwater and that this was the first comprehensive testing done for all constituents and that report should be available in May.

In terms of surface water, Mike said in November there was an interesting decrease in stream flow in the mid portion of Munsel Creek and down stream an elevated flow. He said December, February and March were as expected, i.e., an increase as water flows further from the source due to the influx of water from tributaries into Munsel Creek (including stormwater outfalls).

Mike said there are no conclusions yet from the monitoring program, although there have been some surprises. He said it is important to keep tracking the data to determine if there are any trends, rather than just anomalies.

Jay asked if one reason that nitrates are showing up is because the wells are shallow.

Mike said yes, that could be a reason; that is why the new wells were installed at a depth of 30 feet; and it is also the reason why staff did not sound the alarm when they saw the results; he said they don't want to over-react to any testing; and want to find out what is actually going on.

Jay commented that streams do behave differently at different times.

11. Public Comment

There were no public comments submitted.

12. Adjourn

The meeting adjourned at 8:30 p.m.

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