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# 191470

Emergency Ordinance

## \*Authorize application to the National Oceanic and Atmospheric Administration for a Transformational Habitat Restoration and Coastal Resilience Grant for \$25 million

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services (BES) has an opportunity to apply for a grant of up to \$25,000,000 for a project to protect public health and environmental resiliency by managing stormwater, enhancing Portlanders' connection to their waterway, and improving habitat for threatened and endangered species.
2. Authorized under the Bipartisan Infrastructure Law and Inflation Reduction Act by the Department of Commerce National Oceanic and Atmospheric Administration (NOAA), the Transformational Habitat Restoration and Coastal Resilience Grant (CFDA 11.463 Habitat Conservation, Funding Opportunity NOAA-NMFS HCPO 2023 2008081) provides grants to local governments to support projects that restore healthy coastal ecosystems using approaches that enhance community and ecosystem resilience to climate hazards and incorporate indigenous knowledge to develop nature-based solutions. The Lower Willamette River and its tributaries are considered coastal ecosystems because they are tidally influenced and support salmon and steelhead, which are ocean migrating species.
3. The project, titled "Transforming Johnson Creek's Ecosystem through Salmon Habitat Improvements, Climate Resilience and Community Investments," is composed of the high-priority Johnson Creek Oxbow (JCO) and West Lents Floodplain (WLF) Restoration projects. If awarded, funds will be used to restore approximately 32 acres of City-owned property to restore fisheries, enhance ecosystems and support community resilience to climate change.
4. Johnson Creek provides critical habitat for threatened and endangered salmonids protected by the federal Endangered Species Act (ESA) and helps sustain fisheries below the Columbia River dams by supporting spawning and rearing habitat, cold water, and high-flow

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Environmental Services](#)

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

October 11, 2023

refuge habitat critical for salmonid recovery. Proposed grant projects restore this creek at the following locations: JCO is between SE 45<sup>th</sup> Ave and SE Harney St, and WLF is between SE 87<sup>th</sup> Ave and SE Lambert St.

5. Funding from the Transformational Habitat Restoration and Coastal Resilience Grant will support implementation of the City's Johnson Creek Restoration Plan (JCRP, 2001), which calls for restoring natural resource functions to reduce flood risk, improve water quality and enhance wildlife habitat. It also follows the direction of several important state, and federal recovery plans for threatened and endangered species including NOAA Fisheries' 2011 Columbia River Estuary ESA Recovery Plan Module for Salmon and Steelhead.
6. Low-income and other residents and businesses in the JCO and WLF areas have disproportionately suffered from environmental justice issues including urban heat island effects, poor air and water quality, and flood hazards. This project will include environmental and community investments for residents in the Lents and Ardenwald-Johnson Creek neighborhoods.
7. Investing in habitat restoration and resilience in historically underserved communities protects the health and livability communities, enhances climate resilience and adaptation, and contributes to the recovery and conservation of threatened and endangered species.
8. If the grant application is successful, sub-grant awards to community groups would be implemented to provide local education, engagement and stewardship activities. Awards to community groups would include groups such as those working with unhoused community members, students, and Lents and Ardenwald-Johnson Creek residents.
9. No match is required for this grant. However, BES anticipates leveraging up to 38% of the overall project cost.

NOW, THEREFORE, the Council directs:

- A. The Mayor to apply to NOAA for a Transformational Habitat Restoration and Coastal Resilience Grant for an amount up to \$25,000,000.
- B. The Mayor to provide such information and assurances as are required for the grant period.
- C. The Office of Management and Finance Grants Management Division to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor's behalf.

Section 2. The Council declares that an emergency exists because the grant application must be submitted no later than November 17, 2023. Per the Office of Management and Finance Grants Management Division, submittal

of the application sooner than this deadline is preferred; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council

October 11, 2023

Auditor of the City of Portland

Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

If awarded, the grant funds will be used to restore habitat and ecosystem functions in the Johnson Creek floodplain in Portland's Ardenwald-Johnson Creek and Lents neighborhoods. Johnson Creek provides both essential habitat for threatened salmonids and open green space where the community can connect with nature and its benefits to human health.

Parts of Johnson Creek are designated critical habitat for three populations of threatened salmonids (salmon, steelhead) in the NOAA Fisheries lower Columbia River management unit. Additionally, both local and out-of-subbasin salmonid populations use Johnson Creek habitat to sustain all life stages: spawn, hatch, rear, and migrate. This type of habitat, particularly in a large urban area, is rare and vital for salmon and steelhead production, which requires high functioning, high-quality habitat. Large contiguous sections of streams, riparian areas, and connected floodplains like Johnson Creek help attenuate downstream flood hazards, cool air temperatures, and provide refuge for people facing the impacts of climate change. This is particularly important in these two neighborhoods, Ardenwald-Johnson Creek and Lents, that face historic issues of inequity and rank among the highest in the county's heat vulnerability index.

Funding from the grant will directly support implementation of the City's Johnson Creek Restoration Plan (JCRP, 2001), which calls for restoring natural resource functions to reduce frequent flooding, improve water quality, and improve habitat. It will also help implement the following:

- Willamette River Subbasin Plan, NW Power and Conservation Council, 2004.
- The Oregon Conservation Strategy, ODFW, 2006.
- Lower Columbia River Conservation and Recovery Plan for Oregon Populations of Salmon and Steelhead, ODFW & NOAA Fisheries, 2010.
- Upper Willamette River Conservation & Recovery Plan for Chinook Salmon and Steelhead, ODFW & NOAA Fisheries, 2011.

- Columbia River Estuary ESA Recovery Plan Module for Salmon and Steelhead, NOAA Fisheries, 2011.

The recommended suite of actions to rebuild Columbia Basin salmon and steelhead stocks that are common to all of these recovery plans include: increasing habitat restoration, improving riparian buffer size and function, reintroducing salmon into blocked areas, breaching dams, managing predators, reforming fish hatcheries and harvest, and reconnecting floodplain habitat. Although some of these endeavors are beyond the scope of what a local government can do for recovery, the City has vast knowledge and experience implementing many of them. Of these, the most important addressed by the projects to be built with this funding: habitat restoration, riparian vegetation planting and maintenance, removing fish passage blockages, and reconnecting floodplain habitat.

### **Financial and Budgetary Impacts**

This Council action does not amend the City budget. If this grant application is successful, BES will bring the award to Council for acceptance.

### **Community Impacts and Community Involvement**

This project will include environmental and community investments for residents in the Lents and Ardenwald-Johnson Creek neighborhoods. Low-income and other residents and businesses in the JCO and WLF areas have disproportionately suffered from environmental justice issues including urban heat island effects, poor air quality, and flood hazards. The City has, and continues to, invest in flood management projects and climate resiliency actions such as tree planting that support eastside neighborhood livability

Both the Johnson Creek Oxbow and West Lents projects have been priorities for years. The City of Portland and numerous community groups including the Johnson Creek Watershed Council have coordinated on planning and design work to develop projects that benefit both nature and the community. The City of Portland has ongoing and planned outreach with the community. Partnership activities will be further co-developed as funds become available. Some community project elements include:

- Indigenous, Traditional Ecological and Cultural Knowledge (ITECK) educational presentations, tours and activities with PSU's Indigenous Nations Studies Program.
- Community engagement activities at the West Lents site
- Educational access at the Johnson Creek Oxbow site
- Historic interpretation of the Works Project Administration 1930s era rock work
- Ongoing Johnson Creek Watershed Council support and partnership

Neighbors near both projects have voiced support for the project elements but have ongoing concerns about camping, dumping, and violence. BES is

highly aware of these concerns. The team will engage with the community to address these issues in design and will use this grant to help local community groups increase their activity in the area. These sites fall within the recent Portland Camping Restrictions under City Code 14A.50.020.C.2 and the team can gauge whether these new restrictions are helping to address some of the community's concerns.

### **100% Renewable Goal**

This action may not directly impact the City's total energy use. However, streams, riparian areas, and floodplains provide critical ecosystem services that mitigate and adapt to climate change. The Transforming Johnson Creek's Ecosystem through Salmon Habitat Improvement, Climate Resilience, and Community Investments project provides natural protection and climate adaptation benefits to the surrounding Portland neighborhoods by holding more stormwater on City property during flood events, recharging groundwater to protect against drought, storing carbon, expanding riparian forest areas, and enhancing habitat for stressed native plant and animal species.

### **Agenda Items**

**852 Consent Agenda in [October 11, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/10/11) (<https://www.portland.gov/council/agenda/2023/10/11>)**

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea