

Agenda



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: Smith and Bybee Wetlands Advisory Committee (SBAC)
Date: Tuesday, September 26, 2017
Time: 5:30 p.m. – 7:30 p.m.
Place: Metro Regional Center – Room 270
600 NE Grand Ave, Portland Oregon 97232

5:30 p.m.	Welcome and introductions	All
5:35 p.m.	Approve Mar. 2017 meeting minutes	Troy Clark
5:40 p.m.	Multnomah County Jail updates	Troy Clark
6:00 p.m.	Planning projects update	Memo from Allan Schmidt
6:15 p.m.	Smith and Bybee fund update	Jonathan Soll
6:30 p.m.	Conservation projects updates	Jonathan Soll
7:20 p.m.	Goals and next meeting agenda	All
7:30 p.m.	Adjourn	

Upcoming SBAC meetings:

Tuesday, November 28, 2017 at Metro Regional Center
For agenda/schedule information, contact Christy Carovillano at 503.797.1629 or
christy.carovillano@oregonmetro.gov

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Meeting minutes

Smith and Bybee Wetlands Advisory Committee

September 26, 2017

Committee members in attendance

- Troy Clark*Audubon Society of Portland (Chair)
- Carrie Butler* Port of Portland (Vice Chair)
- Bill Briggs*ORRCO
- Eric Tonsager* Oregon Bass and Panfish Club
- Jennifer Devlin* City of Portland, Bureau of Environmental Services
- Jonathan Soll* Metro, Parks and Nature
- Matthew Lee* Columbia Slough Watershed Council
- Patt Opdyke* North Portland Neighbors
- Sara Henderson* St. Johns Neighborhood Association

Others in attendance

- Christy Carovillano Metro, Parks and Nature

Committee members not in attendance

- Don VandeBergh* Oregon Department of Fish and Wildlife
- Emily Roth* Friends of Smith & Bybee Lakes
- Pam Arden* 40 Mile Loop Trust

*Denotes voting Smith and Bybee Wetlands Advisory Committee member.

WELCOME

The March 28, 2017 meeting minutes were approved as written.

MULTNOMAH COUNTY JAIL UPDATES

Troy Clark heard back from Christian Gaston, Policy Research Director for Multnomah County Chair Deborah Kafoury, via email with an update on the Multnomah County Jail ([Attachment 1](#)) after an article appeared in the Oregonian on the topic a few months ago. Christian said the article was from the point of view of the realtor, and Troy confirmed that after speaking with the reporter, most of her sources were from the realtor.

Christian said currently there is one non-binding Letter of Intent in place with a California developer. Carrie Butler reminded the committee of the Port’s position that the Warranty Deed with Restrictive Covenant requires that the County notify the Port in writing with at least 120 days notice which has not yet happened. Additionally, the landscape buffer adjacent to the wetland mitigation site shall not be used in a way inconsistent with the obligations under the Consent Decree.

Troy noted that Christian said that the Good Neighbor Agreement (GNA) lies with the county, not the property, so it’s unclear if a buyer would enter into a similar agreement. Troy has a copy of the GNA if anyone would like to see it. Essentially, it has the County maintaining the vegetative buffer around the jail that shields the facility from view.

Jonathan Soll asked if there is a way to convince the County to encumber the property with a conservation easement so that another party is able to maintain the property and the future buyer has

to maintain the vegetation screen. Troy was interested in this approach and asked if the committee should reach out and propose it to the County.

Jonathan said yes, there is no point in waiting however, someone has to hold the easement so he will look into Metro's interests. Sara Henderson noted that the current GNA supplies a nice possible segue into this approach.

Next Steps

The email from Christian Gaston will be shared with the committee via an attachment ([Attachment 1](#)) to the minutes and if anyone has any further questions or concerns for the time being, Troy is happy to follow-up again with Christian. Otherwise, Christian will be keeping Troy posted if anything happens and Carrie has asked the Port's property people to keep her informed as well.

Jonathan will research the proposal of a conservation easement internally with Metro to determine whether it is something they would be interested in pursuing and follow-up with the committee.

PLANNING PROJECTS UPDATE

Allan Schmidt, the senior planner with Metro Parks and Nature who has taken over management of the various access projects at Smith and Bybee Wetlands, provided a memo with status updates on the continued work on ([Attachment 2](#)).

Columbia Blvd Bike/Ped bridge and St. Johns Prairie Regional Trail

Troy was hoping to have more specific dates for the public engagement piece of this project and was curious to hear about a meeting with Union Pacific on the project that he had heard about.

Jennifer Devlin said she was at the meeting which was initiated by ODOT, funder of the project. It was regarding legal work that needs to happen between BES, as owner of the road, and Union Pacific. The main issue is that the railroad has a private crossing and they want to make it public which would require approval, probably through the City. The rationale from the railroad for wanting to make this change now was that they hadn't looked at the agreement in a while and felt that it shouldn't be a private crossing.

The alternative is to have another bridge go over the section in question, but it is unknown whether this would be financially feasible. Troy Clark noted that this could encumber the project with a huge expense that was not expected. Jennifer added that the BES funding source is different from others and comes from rate paying that has to go to pre-identified sources, so it could be tricky funding wise for them and they may have to look at partners for help resolving the issue.

Patt Opdyke asked if there was any talk from Union Pacific about other crossings that are also held in private easements and is concerned about how often this may happen. Jennifer responded that they have not addressed other crossings and this meeting was to specifically discuss this one crossing and so they were solely focused on that. Patt also asked if there was room for pushback and Jennifer said they want a safe and thoughtful crossing and it seems like it is going to take a little extra work.

Jennifer said there is another meeting a few weeks out and the ball is in the City of Portland's court since they are the property owner and will need to work with the railroad to determine next steps. She said it is a slightly complicated part of moving the project forward and may need to be renegotiated between the jurisdictions.

Troy requested another update on this topic at the November meeting from Jennifer and Allan.

Restriping of the bus parking zone at trailhead

The committee had no comments on this project.

Additional benches and kiosk replacement

The committee asked if there has been any further development on the design of the benches to limit vandalism and prevent them from being slept on and whether there had been a change in the intent of the benches.

Entry sign replacement

The committee was glad to hear the update on timing for this project.

Viewing blind railing replacement

The committee asked about the previous discussion of incorporating artwork into the railings and whether this concept was scrapped, and if so, why.

Comment from Sara Henderson, 11/22/17: Sara said she felt they had resolved the question of the artwork and that it was deemed too complicated and had sharp edges or whatnot. She said she is sure they'd all love to see a design, but the group was okay that it was discontinued.

Next Steps

With a lot of the work scheduled to be done in the fall, the committee would still like to know the associated costs and design details for all the projects if they have been determined and would love to see graphics if there are any. Troy noted that they would have liked to have been more involved in the decision making process.

Jennifer and Allan to provide new updates on the Columbia Blvd Bike/Ped bridge project at the November meeting.

SMITH AND BYBEE FUND UPDATE

Jonathan Soll provided a handout ([Attachment 3](#)) that included the current status of the Smith and Bybee Fund balance as of July 1, 2017 (\$2,509,866) and budget for FY17-18. His figures did not include spend for any planning or naturalist projects that would also have to be factored in.

Jonathan will be meeting with Rod Wojtanik, Parks and Nature Planning Manager, to discuss any possible planning projects that may also access the Smith & Bybee Fund and how that may affect things. He also noted the co-investment leverage that is bringing an additional almost \$1mil to the table for restoration projects.

CONSERVATION PROJECT UPDATES

Along with his handout ([Attachment 3](#)) that also included Levy 1 project status reports, Jonathan Soll shared a power point of the stewardship projects ([Attachment 4](#)).

Channel management

This project is essentially done with the excavated material spread out over marginal emergent wetland to raise it up and plant as ash forest which will provide better habitat. The road crossing that was used was then removed, and the rock that was hauled is going to be used by the landfill staff for their projects which helped reduce costs. The beaver dam was removed with a new deeper beaver pool added for them in a more preferred location. The final pieces needed are re-grading and then planting this winter.

Patt Opdyke asked how many nutria were eliminated in this process and Jonathan said this was unknown, but Metro did renew their contract with USDA for nutria control.

Jonathan said he has a video of the work he will share with the committee and asked if they would be interested in a trip out to see it.

Water control structure

Jonathan reminded the committee that the purpose of this project was two-fold – to better control inflow and outflow of water for better hydraulic control of the wetland, and to provide safety enhancements for staff that operate the structure, as well as a better wildlife escape ramp.

The structure was designed by a Ducks Unlimited engineer working with NOAA fisheries, Elaine Stewart, Metro site scientist, and the Metro technician team. The concrete work is done with the footings in place. There is a delay with the steel manufacturer for the gates but they should be delivered and installed in the next few weeks. Jonathan said he will share detailed photos at the November meeting.

St. Johns Prairie

There have been two phases of this project and it is still on track. Elaine Stewart has been monitoring insects and the difference between the restored areas and the non-restored areas is dramatic – birds are eating a lot of insects in the restored areas, but in the non-restored areas they are eating a lot of the burrowing rodents that inhabit that area.

The next steps are to treat invasive grasses, over-seeding, and spot treatment of occasional weeds. Elaine is also suggesting planting out the rest of the prairie with the next levy.

Emergent wetland

This project has also had two phases and is still on track. After reed canary grass was aggressively treated, *Carex aperta* plugs were planted in a grid and will fill in quickly.

Forested wetland

This project is still largely on track. The high water last winter led to some mortality of bare root plantings so staff will be doing some infill with live stake cuttings that have proved more resilient this winter. It will be a mix of willow, spiraea and ash.

Matt Lee asked if the planting would be done by a contractor or could be a potential stewardship event. Jonathan responded that the plan was to use a contractor but if the Columbia Slough Watershed Council is interested in coordinating on stewardship that would be great. Jonathan said he would talk with Jeff Merrill, lead scientist on the project, and get back in touch with Matt.

Vegetation management

The aggressive treatment of *Ludwigia* is looking good. As for further treatments, staff will be spot checking and doing one last sweep of some areas that are still drying that they couldn't access previously.

The drier than usual years combined with weed treatments has led to an amazing response from vegetation such as willow and wapato. Metro has a graduate student analyzing the data and Jonathan hopes to have a summary by the November or January meeting to show the response of management.

Levy 2

Jonathan will discuss a draft budget for Levy 2 and get input from the committee at the November meeting, but if the committee has any comments prior, they can reach out to him directly.

The plan is to continue with all three major restoration projects, advance the other two projects, and possibly finish the last St. Johns Prairie section so the whole thing is under management. The timing would also be right towards the end of the next levy to do another round of monitoring with graduate students.

Next Steps

Jonathan will share the link to the video of the channel management project work with the committee and look into organizing a trip out to see the project in person. He will also share photos of the water control structure project, the graduate student summary of the vegetation management efforts (if ready), and a draft budget for Levy 2 at the November meeting. Jonathan will also follow-up with Matt on the potential for a stewardship event to assist with the forested wetland infill planting.

GOALS FOR NEXT MEETING AND WRAP-UP

Troy Clark brought up the fact that Comprehensive Natural Resource Plan was approved in 2013 and is due to expire in 2023 and asked when they should anticipate needing to revisit the next ten year plan and how much time they should plan on giving it as they will need to take into consideration all the decisions and impacts that are happening now.

Bill Briggs updated the committee that North Suttle Road is being renewed and was approved as an LID. They are fighting it and he will keep the committee apprised.

Patt Opdyke asked if there was a response from Metro Council on the dog letter. Troy said yes, Metro Council said it is under consideration and that the response was similar to the one given to the 40-mile Loop letter. Troy said he agrees that due to the ambiguity of the trail itself, it is hard to address now, but he wants it addressed before it goes to the open house.

Patt asked if some committee members should get together to strategize future discussions with Metro Council members before they are under pressure, but not so far ahead that Council doesn't want to talk about it yet. Troy said they should hold that thought until after the November meeting when they might have more updates on the design and can have a clearer picture.

Eric Tonsager asked if bicycles are allowed in Smith and Bybee Wetlands and Troy responded that the new regional trail will be multi-modal and he doesn't think they have a chance asking for no bikes, but Eric is concerned about bikes based on his experience with them at Graham Oaks.

Comment from Sara Henderson, 11/22/17: Sara said they also noted a study on the impacts to wildlife on trails looking at walking vs. bike riding, vs. other human presence on trails which showed bikes had a decreased impact to wildlife compared to walking..

- Jonathan Soll will report back on his findings around a conservation easement for the jail property.
- It was requested that Allan Schmidt provide further updates on the various planning projects at the November meeting, including partnering with Jennifer Devlin to update the committee on the Columbia Blvd project.
- Jonathan Soll to share the link to the video of the channel management project work with the committee and look into organizing a field trip to see the project in person.

- Jonathan Soll to follow-up with Matt Lee on the potential for a stewardship event to assist with the forested wetland infill planting.
- Jonathan to share photos of the water control structure project, the graduate student summary of the vegetation management efforts (if ready), and a draft budget for Levy 2 at the November meeting.

Meeting adjourned at 6:48 p.m.

Christy Carovillano

Subject: RE: Wapato update

On Wed, Sep 13, 2017 at 1:46 PM, Christian GASTON <christian.gaston@multco.us> wrote:

Troy,

Thank you for getting in touch. I wanted to send along this update on the Wapato property.

Multnomah County is actively marketing the site. We currently have a non-binding Letter of Intent in place with a California developer. But we are also seeking additional offers through CBRE, who we have contracted to dispose of a range of surplus property.

The last time I had an opportunity to update the group there were some questions regarding the good neighbor agreement and conditional use permit. I wanted to provide an update on those items.

Technically, the good neighbor agreement probably is still in effect, because the county still owns the property. We continue to meet the terms of the agreement, although the property has never operated as a jail. The agreement lies with the county, not the property, so it's unclear if a buyer would enter into a similar agreement.

The conditional use permit to operate the facility as a jail is still in effect. It has never been used as a correctional facility and it is unlikely to be used as such. Given the statewide ban on private prisons in Oregon, it is our current understanding that only government entities (the county, another division of local government, the state or federal government) are able to legally operate a correctional facility in Oregon. We have heard no interest from government entities in the purchase of the facility within the past several years.

Please let me know if you have additional questions.

--

Christian Gaston

Policy and Research Director

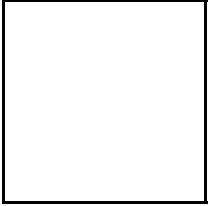
Multnomah County Chair Deborah Kafoury

[503-988-8428](tel:503-988-8428)

christian.gaston@multco.us

On Wed, Sep 13, 2017 at 3:03 PM Troy clark <brillobrain8@gmail.com> wrote:

Click With Caution -



Thank you Christian. Not much has changed but it is good to know the latest thinking. Please let me know if/when things change. It would be great to have you come and address the SBAC again before some major change occurs.

Enjoy, Troy

----- Forwarded message -----

From: **Christian GASTON** <christian.gaston@multco.us>

Date: Wed, Sep 13, 2017 at 3:15 PM

Subject: Re: Wapato update

To: Troy clark <brillobrain8@gmail.com>

Thanks Troy. I'll be in touch if something changes.



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Memo

Date: September 26, 2017
 To: Smith and Bybee Advisory Committee
 From: Allan Schmidt, Senior Planner
 Subject: Smith and Bybee Wetlands Access Improvements – Project Update

The following is an update on the status of the various access projects adjacent to, or within, the Smith Bybee Wetlands.

Scheduled Work – Please keep in mind Metro staff work on/in many different properties and priorities can change quickly, but staff have added the Smith and Bybee projects to the 2017 FALL/WINTER schedule. If there are any substantive changes to the schedule Metro will inform the Committee.

1. Columbia Blvd Bike / Ped Bridge and St. Johns Prairie Regional Trail

This trail project is coupled with the larger Columbia Blvd Bridge project. The intent is that both of these projects move forward at generally the same pace with a goal of seamlessly opening both projects at the same time. The Columbia Blvd Bridge (CBB) project is larger and more complex due to site constraints and federal funding, therefore it's contracting and design process needs to begin well before the St. Johns Prairie Trail work. Metro and PP&R are anticipating the public engagement effort with the CBB bridge will include the Prairie Trail as well. Given the complexity of the CBB Bridge and the ODOT process, we hope to begin public engagement in 2018. It is our hope to have both projects constructed by end of 2021.

2. Restriping of the bus parking zone at trailhead – *WORK IS SCHEDULED FOR FALL*

The Committee requested Metro to investigate the possibility of restriping the existing bus parking zone at the trailhead to an accessible parking stall. An initial design effort determined that one accessible stall could be striped in that location and meet current ADA parking requirements.

The design was reviewed on site with a Metro ranger and education specialist. During discussion it was determined that removal of the bus parking stall would impact current education tour access to the site. School buses and tour vans frequently use that stall for both parking and drop off. Repainting the existing loading area language has been scheduled and staff is looking into adding signage for a “15 minute drop-off zone” near the bus parking area.

3. Additional benches and kiosk replacement – *WORK IS SCHEDULED FOR FALL*

During a conformation site walk with the new project manager, the Metro ranger and education specialist, confirmed three locations that were identified for new benches. They are still:

- Trailhead drop off – one (1) bench
- Turtle turnout – two (2) benches (one at this time, benches are back ordered)
- Rookery view – one (1) bench

The specific layout of the benches will be determined by Metro staff to ensure they do not disrupt habitat, education and maintenance activities on site. Benches will be installed in a way that will reduce possibility of vandalism (i.e. removal) and disturbance to habitat.

Benches have been delivered and available for installation this fall.

The development of graphics, writing, and ordering of the new signs for the kiosks will be managed by Communications staff. Given recent staff changes there is not a schedule for this work, but we should have one soon!

4. Entry sign replacement – *WORK IS SCHEDULED FOR FALL/WINTER*

We will be ordering a new sign to replace the existing park entry sign. The existing posts are in good condition and will remain in place. The new sign will cost \$5,000 to \$6,000.

5. Viewing Blind Railing Replacement – *WORK IS SCHEDULED FOR WINTER*

Existing wood railings are unsafe and need replacement. Metro Ranger staff will replace existing wood railing with steel railing. Project is planned to be completed this winter.

Smith and Bybee Restoration and Vegetation Management Status Report: Sept 2017

FY2017-18

Smith and Bybee Fund Balance as of July 1, 2017 = \$2,509,866

Budget for restoration and management = \$430,000

- Restoration projects (TBD) \$350,000
- Water Control Structure \$80,000
- Transfer for the Naturalist positions \$72,510

Co-investment = \$919,789

- Metro = \$594,789
- Rivergate Consent Decree = \$325,000

Levy 1 Project Status Reports

- Water channel management: essentially done, 2 acre fill area to be planted to ash forest this winter.
- Water control structure: waiting for gate manufacturer, expect to finish mid-October
- St. John's prairie (80 acres): Phases 1 and 2 on track
- Emergent wetland (10 acres): Phases 1 and 2 on track
- Forested wetlands (145 acres): Phases 1 and 2 on track, although high water led to some mortality in some plantings, targeted replanting to occur this winter
- Natural areas maintenance: site-wide treatment of Ludwigia was major focus

Stewardship Project Update

Presentation to
Smith and Bybee Advisory Committee
September, 2017
Jonathan Soll

St Johns Prairie restoration



Early May 2017

Meadowlark 1
17 acres
Planted 2014



Late June 2017

Chap-legged
bee on
gumweed
(Grindelia)



St. Johns Prairie restoration

Meadowlark 2
40 acres
Planted 2016



Next steps

Meadowlark 1

Treat invasive grasses

Overseed with sedges, grasses and wildflowers

Meadowlark 2

Overseed with sedges, grasses and wildflowers

Ongoing spot treatment of occasional weeds

Dewatering with pumps and sunshine



Careful construction, respectful of site



Road crossing used, then removed



Before (downstream view)



Used to access from north side for part of channel (downstream view)



After (upstream view)

Rock hauled up onto landfill where it will be reused for repairs

Beaver dam removal



Before



Staff (Cooley) notched daily



After

New pool for beavers to use



Sediment will support wetland forest

About 3 acres will be elevated by 1-2 feet to support ash and willow forest (planting Feb 2018)



Forested wetland: Bareroot plantings



Emergent Wetland: *Carex aperta* plugs



Volunteers responding to weed control and dry conditions

