



Meeting minutes

Smith and Bybee Wetlands Advisory Committee

November 28, 2017

Committee members in attendance

- Troy Clark* Audubon Society of Portland (Chair)
- Carrie Butler* Port of Portland (Vice Chair)
- Bill Briggs* ORRCO
- Emily Roth* Friends of Smith & Bybee Lakes
- 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
- Pam Arden* 40 Mile Loop Trust
- Patt Opdyke* North Portland Neighbors
- Sara Henderson* St. Johns Neighborhood Association

Others in attendance

- Christy Carovillano Metro, Parks and Nature
- Allan Schmidt Metro, Parks and Nature

Committee members not in attendance

- Don VandeBergh* Oregon Department of Fish and Wildlife

*Denotes voting Smith and Bybee Wetlands Advisory Committee member.

WELCOME

The September 26, 2017 meeting minutes were approved after a few minor edits from Sara Henderson.

SMITH AND BYBEE 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, introduced himself and provided status updates on the continued Smith and Bybee access improvement work ([Attachment 1](#)).

Viewing platform

The tentative schedule for replacement of railings is winter 2017. The incorporation of an artistic railing is on hold at this time and can be addressed at a future meeting if needed. Pam Arden noted that she is concerned about safety and the potential for graffiti if this design option moves forward.

Additional seating

Images were shown of the two new benches that were installed at the drop off and rookery viewing locations. Turtle Turnout is the third bench location and should hopefully be installed soon. It is the same size as the other two. Allan worked with the naturalists and rangers for the bench placements.

The question was raised by the committee that they thought two benches were being placed at Turtle Turnout, to which Allan responded that the benches were ordered prior to his start at Metro and he was handed a receipt that only included three benches total. The benches were \$1500 each and Allan also noted that they are moving towards standardization of benches for all Metro locations.

Pam noted her concerns about the flat area of the benches being conducive for the houseless and said she was surprised that was the design used. Allan said he will make note of this in their future standardization efforts.

Kiosk and signage upgrades

The flood marker will remain on the new trailhead kiosk but the graphic will be updated with a tentative installation schedule of spring 2018. Allan said he will bring the final draft to a future committee meeting for discussion. He also shared an image that shows the standardization for Metro kiosks. Pam asked if all the future signage will not have a solid ground base. Allan responded that it could potentially be a compressed gravel pad.

The new entry sign was installed in early fall 2017. They used the existing holes to avoid amendment to CNRP – Type III review. Troy Clark noted that he likes the address on the new sign and asked if the address is also being reflected on literature.

Improved drop off

The restriping of the bus parking is tentatively schedule for spring 2018. Allan noted that he would also like to have a future conversation about the bollard at this location as well.

St. Johns prairie regional trail

Trail planning, design and construction will be a staggered start with the Columbia Blvd bridge project, but the public involvement in the designs will happen together. At that time, Allan will plan to come routinely to meet with the committee.

The trail will be done in two phases. Phase one will connect the landfill bridge to viewpoint. Phase two will be a path from the viewpoint to the proposed North Slough bridge and will be completed when funding becomes available.

Next Steps

Allan will continue to keep the committee up to date and will bring a proof of the new trailhead signage to the committee for approval, but this will probably not be ready by the January meeting.

COLUMBIA BOULEVARD BRIDGE PROJECT UPDATE

Allan Schmidt also shared updates on the Willamette Greenway Trail - Columbia Blvd. Bridge ([Attachment 2](#)). He said it is a complicated but exciting project. It is funded for \$3.5 million for design and construction and will be owned and operated by Portland Parks and Recreation. Metro is just a project manager along with ODOT.

Phase one is for design and engineering in fall 2018. Based on the complications that have come up, Allan believes this project is underfunded, but by 30% design (of the whole project), they should have a better understanding of project feasibility. After the project team has an understanding of the feasibility of the project, the public involvement for the design will happen, maybe in winter 2018 but it will depend on when they have the 30% design. Troy asked if the complications were due to the bridge or the project as whole to which Allan responded that it is the project as a whole and that the bridge is almost the easy part.

Allan said they are trying to advance the project and addressing issues as they arise. He has extended the previously aggressive schedule and is working with ODOT on the scope of work which will then go out as a RFP for a consultant and they hope to have a consultant on board by early-to-mid summer. After which, they will jump right into the environmental work and engineering constraints.

The design process could be short or long depending on the public involvement process and what comes out of that. Construction is tentatively schedule for fall 2019 with an opening in 2021.

Allan also touched on the many issues that Metro and City of Portland are trying to understand the constraints of and how properties with possible bridge locations will be impacted to help the design engineer, such as:

- Properties owned by the City of Portland but managed by Metro and zoned industrial
- Age of the site with a lot of varying things on it – sewer pipes with easements, dog park with slope, Union Pacific crossing, heavy freight uses, large established trees
- Contaminants on the site where the bridge may land that will need to be cleaned up
- Utility constraints

Sara Henderson asked if the bridge was going to be going over the dog park to which Allan responded not necessarily, but it will be going through it and he knows there will be a lot of conversation around this.

Emily Roth asked about the status of the contaminant cleanup because it has been known about for 15 years. Allan said the project will have to explore how to clean up level two contamination. Jennifer Devlin noted that BES doesn't want to get involved in this site and the contamination stems from the illegal parking and wrecking of vehicles on site that were leaking. The whole site also has ash on it from the previous incinerator. Matt Lee followed up and asked if the \$3.5 million budget would be used towards the soil contamination cleanup to which Allan said he doesn't think so because it was not budgeted for, but the project will have to figure these things out because many things were not planned for in the grant because they were not known about.

Allan also provided details on the Union Pacific crossing. Metro has an agreement with Union Pacific in which they will allow a public crossing, but they want Metro to handle all the complicated details to convert it from private to public. Since it is not a public road and has heavy freight use, it is unclear whether the project should pay for this.

Pam Arden asked if there are other available funding sources for this project. Allan said they won't know for a little while what the actual funding gap is and at that time they will need to investigate other funding opportunities, maybe PBOT and/or ODOT for safety improvements, but it is really unknown. Emily asked about the potential for freight money since one of the reasons there is a bridge and not a street crossing is because of it being in a freight community. Pam also mentioned the Columbia Corridor Association as another potential funding source since they had supported and wanted the over crossing previously, so they may be inclined to help out now.

Pam also noted that she thinks the project should identify all available funding now instead of waiting to see what the gap is and only looking for that amount. The question was raised as to whether the Port is involved at all to which Carrie said she doesn't know and said it is a good question for her planning department.

Allan concluded saying that he doesn't think he will have a lot of updates by the January meeting but will share if does.

MULTNOMAH COUNTY JAIL UPDATES

Troy Clark shared the most recent email update from Christian Gaston, Policy Research Director for Multnomah County Chair Deborah Kafoury, on the Multnomah County Jail sale ([Attachment 3](#)). The email included links to the resolution authorizing the sale and the Purchase and Sale Agreement approved by the board which includes the full deal terms.

Emily Roth asked if the forest would be protected and Troy noted that Christian had said that the Good Neighbor Agreement was with the county, so if the property sells, the Good Neighbor Agreement would end.

Jonathan Soll updated the committee that he did get support from Dan Moeller, Metro's Parks and Nature Conservation Program Director, to have one of their Real Estate Negotiators investigate a potential conservation easement option but that Metro did not get a chance to meet with the County before they found a buyer for the property. Jonathan also noted that the sale still has not closed, so it is not too late yet. The next opportunity would be to reach out to the buyer. Troy asked if they should reach out to the buyer now, but Jonathan believes they won't be interested until they actually own the property.

Carrie Butler asked if there is a Restrictive Covenant for the property, and if so, maybe they would let it be amended to include the forested buffer. She will find out more at the Port.

UPDATE 12/19/17 from Carrie: There is not a restrictive covenant or conservation easement specific to the Leadbetter Peninsula site. The wetland mitigation site and slope is protected under the USACE and DSL 404 permits as well as the Consent Decree but there is nothing that pertains to the upland buffer that she can find. She believes this is because the property was sold and is not owned by the Port.

Emily asked if there have been any issues with camping in the buffer to which Carrie and Jonathan both responded not that they are aware of. Emily also noted that there is no environmental zone protection over the forested buffer, but the buyer would need to get permits to remove native trees under Title XI, so that would make changes a little harder to accomplish for the buyer.

Patt Opdyke is concerned about the lighting aspect of the Good Neighbor Agreement and losing those protections and feels it is as great a concern as the protection of the vegetation. Emily said a buyer may need to do land use review if they want to change anything on the outside of the building.

Troy would like to communicate to the buyer how hard they worked to get the Good Neighbor Agreement in the first place, and Carrie thinks early communication may help mitigate the issues and make the buyer aware of the concerns. Troy said he will call Christian Gaston and ask for the contact information for the realtor to see if the buyer would accommodate a meeting, and suggested a small subcommittee be created to approach this issue with the buyer outside of the easement discussion. Sara Henderson and Emily Roth were interested in participating and Jonathan mentioned Elaine Stewart as a potential Metro representative.

Next Steps

Jonathan will update the committee at the January meeting with any new developments on a conservation easement and Troy will explore the possibility of a small subcommittee meeting with the buyer to discuss concerns.

CONSERVATION PROJECT UPDATES

Jonathan Soll shared updates on the various conservation projects taking place at Smith and Bybee Wetlands and St. Johns Prairie.

Channel management

Jonathan showed a video of the channel excavation work. The major construction is done and the contractor is off the site, so this project is mostly wrapped up except for the replanting of a couple of acres where the excavated material was spread out over marginal emergent wetland to raise it up and plant as ash forest. They are hoping no planting work will be needed along construction road, but will be ready to do so if needed. For now the area is covered with straw and they are waiting to see what comes back. They have been seeing tremendous natural recruitment on site.

The road crossing that was used has been 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 also removed with a new deeper beaver pool added for them in a more preferred location.

The project was built as designed and they didn't hit any big roadblocks that forced change. A letter has been submitted to the Corp of Engineers requesting reimbursement. The construction contract was for \$575,000 and with various small additions for things that came up, the total was \$581,000. Including costs associated with permit support, construction support, and archeological support, the grand total came to \$633,000 (\$625,000 was budgeted). Funding will come from the following sources:

- ~\$325,000 from the Rivergate Consent Decree
- ~\$100,000 from the Smith & Bybee Fund
- ~\$200,000 from the levy (to make up the difference)

Jonathan said he is unsure of the design costs, but they will have a final report on this whole project sometime in the next year.

Water control structure

The water control structure (WCS) upgrade is almost done. There have been a lot of delays from the fabricator, but it should be wrapped up in the few days following the committee meeting. Next steps are training staff on operation and the new aluminum stop logs. Troy asked how the stop logs will be removed. Jonathan said there have been lots of conversations about it and he will update the group next time with the ultimate approach. Troy suggested having a video of the training to demonstrate how it works.

Jonathan will also share project budget figures at next meeting. He said it came in a little high, but the engineer's estimate was a little low, and the overages will be covered by the levy.

Troy Clark asked what the water management regime would be for this winter. Jonathan said he does not yet know and they will be having this conversation now that they have regained control of the WCS. They originally thought they would go back to the old plan, but now seeing the amazing response of vegetation after having drier years, they need to think about the plan more.

He noted that they have had intensive monitoring every five years by graduate students, which has shown that reed canary grass has been reduced dramatically in the areas where the water was controlled. With native willow and ash coming back on their own, they don't necessarily want to drown them out now. They will plan for another round of monitoring in five years to continue this great story of adaptive management. Jonathan will update group on whether WCS will be open or closed at January meeting.

Troy asked about the new gauge on the WCS that is in a different position by approximately 5 feet, and he wants to know if the Metro website can use the new gauge values and include a note about best conditions for paddling. Carrie Butler also suggested including the details of the management of the WCS on the website.

St. Johns Prairie

They are well into Phase 2 with supplemental seeding being done. Otherwise, there is nothing new to report.

Emergent wetland

200,000 *Carex aperta* plugs were planted for Phase 2 this fall. Jonathan will share a map of the location at the next meeting.

Forested wetland

This project is still largely on track. The high water last winter led to some mortality of bare root plantings so staff did some infill with live stake cuttings from Smith and Bybee or other local sources that have proved more resilient this winter. It was a mix of willow, spiraea and ash. Costs were ~\$15,000 for the plants and ~\$15,000 to get them in the ground.

Vegetation management

It is still hard to tell whether the aggressive treatment of *Ludwigia* the last few years has been a success. They are hoping the flush that happened this year was just a seed bank coming out from drier conditions and will watch what happens next year and be prepared to make another year of substantial investment in treating it.

At the same time, they also need to determine if it is a big enough threat to continue to use all those resources as a couple hundred thousand dollars has already been spent thus far. Not much is known about the plant and they are not aware of upstream sources. Multnomah County Drainage District (MCDD) and BES are also treating *Ludwigia* at a site in the watershed. The Watershed Council is not currently doing any treatments on it at this time.

Patt Opdyke is concerned about stopping treatment now and the financial and environmental impacts of that. Troy says they need to find a place that has been completely taken over by this plant to see what happens and whether it eventually crashes. Carrie Butler noted that Smith & Bybee Wetlands is a little different of an approach than channel environment and Jonathan said they are working on figuring all this out while still aggressively treating it.

Levy 2 and Smith & Bybee Fund

Jonathan updated the committee that right now they are in the proposal phase of budgets for next year. Some of the projects have been put on hold until the Smith & Bybee Advisory Committee can have a conversation about the Smith & Bybee Fund and when there will be a cap on what can be spent. Project managers were encouraged to pursue OWEB grants where appropriate. In January he will report what has been formally proposed and what he plans to fund to hear the committee's feedback.

Jonathan also noted that he would like to start this discussion with the committee at the January meeting – What does success look like? What is the future of the fund? And not just in terms of

restoration work, but also access work. Emily Roth also brought up grant matching capabilities. Troy Clark said to have that discussion they will need a breakdown of the normal yearly outlay.

Jonathan mentioned he has asked Dan Moeller about the possibility of moving the fund to a different organization that could invest it more aggressively, but Dan doesn't think that can be done as lots of similar previous asks of this were turned down.

Next Steps

At the January meeting, Jonathan will provide a comprehensive funding update for FY19 including initiating a discussion with the committee on the future of the Smith & Bybee Fund. He will also share whether the WCS will be open or closed.

In addition, if not available by the January meeting, the following will be shared at future meetings:

- The final channel management report
- The method used for removing the stop logs and operating the water control structure
- The budget figures for the water control structure project
- A map of the location of the emergent wetland planting
- A plan for a potential tour next spring or summer one things dry out

GOALS FOR NEXT MEETING AND WRAP-UP

Metro's possible acquisition of the Dreiling property was brought up and the fact that this could open up the area to camping and Troy strongly advocated that rangers will be need to check on the property with some regularity to make sure it is clear. Jonathan noted that they will also be planting out this property and mentioned the fact that with Levy 2, four natural resource technician positions are being replaced with four ranger positions, two of which will be dedicated to natural areas to increase their capacity to implement rule enforcement work.

Patt Opdyke mentioned a volunteer community group she works with that has a representative that does outreach to the houseless in natural areas and may be able to assist with trash removal. Matt Lee mentioned the Watershed Council is trying to do more on the water clean-ups and would love to get in touch with this group.

Carrie Butler mentioned that there is a land transfer in the works between the Port and Metro for a parcel on Government Island (Metro to Port) and multiple parcels in the Smith & Bybee Area (Port to Metro).

- Allan Schmidt provide further updates on Smith and Bybee access improvement projects and Willamette Greenway Trail - Columbia Blvd. Bridge at the January meeting if he has any.
- Jonathan Soll will share any updates on a conservation easement for the jail property.
- Troy Clark to report back to the committee about a potential meeting with the buyer of the jail property.
- Jonathan Soll to continually report further conservation project updates as he has them.
- Jonathan Soll to provide a comprehensive funding update at the January meeting for FY19 including initiating a discussion with the committee on the future of the Smith & Bybee Fund.

Meeting adjourned at 7:17 p.m.