

**Smith & Bybee Lakes Wildlife Area
Management Committee**
Nancy Hendrickson, Chair

Metro

600 NE Grand Ave.
Portland, OR 97232
(503) 797-1870

Smith & Bybee Lakes Management Committee Meeting

5:30 p.m. - 7:00 p.m., Tuesday, March 27, 2001
Metro Regional Center, Room 270
600 N E Grand Ave.
Portland, Oregon 97232

AGENDA

- | | |
|---|----------------|
| Arrive <u>early</u> , mingle /15 min. | 5:15 - 5:30 pm |
| Decision: Model airplane use of St. Johns Landfill site/ Comments to Metro
(Jim Sjulín) /60 min. | 5:30 - 6:30 pm |
| Discussion: Merit USA Inc. property and Natural Resources Management Plan
(Elaine Stewart/ Bill Briggs) /15 min. | 6:30 - 6:45 pm |
| Updates and Review/Approve February meeting notes: /15 min.
(All) | 6:45 - 7:00 pm |

~~Trail w/leg grp sign up (did not discuss)~~

Enclosures:
February meeting notes

Smith & Bybee Lakes Management Committee Summary Meeting Notes

Smith & Bybee Lakes Wildlife Area
March 27, 2001
5:30 PM

In Attendance:

Frank Opila *	Friends of Smith & Bybee Lakes
Patt Opdyke *	North Portland Neighborhoods
Jim Sjulín *	City of Portland Parks
Patricia Sullivan	Metro Parks & Greenspaces
Elaine Stewart	Metro Wildlife Area Mgr
Dennis O'Neil	Metro Regional Environmental Management
Troy Clark *	Portland Audubon Society
Pam Arden *	40-Mile Loop Trust

In Nancy Hendrickson's absence, Jim Sjulín facilitated the meeting.

Updates:

- Both Metro and City of Portland are continuing work on the trail IGA, according to Elaine Stewart. Sjulín and Stewart will begin the effort soon on the related Scope of Work.
- An IGA between Metro and the Port of Portland is being processed on the "triangle parcel". The IGA will outline such terms as what method of payment to Metro will be employed and who will conduct the environmental assessment.
- At a previous meeting, Smith & Bybee Lakes naturalist James Davis stated that transportation for school groups was the single biggest stumbling block to getting them to the wildlife area. Patt Opdyke reported on her research into field trip transportation needs.
 - possible funding sources were suggested
 - permanent funding source(s) were preferred
 - various bus companies were researched
 - possible billing and reporting responsibilities were discussed
 - most trips occur in the fall from Sept. to early Nov. and in the spring between April and mid June; Davis' capacity for field trips per school year was estimated at 40
 - Opdyke expressed a willingness to draft a letter of agreement or understanding once choices have been made.
 - Some schools are doing work that involves community service related to environmental issues. A suggestion was made for a percentage of the trips to be used to transport volunteers to the wildlife area.
- Stewart has worked with Ducks Unlimited on their OWEB grant for the final funding piece for the water control structure. The review committee for the Willamette Region met recently and ranked the S&B water control structure project #3 on their priority list of capital projects for the Willamette Region. A Metro grant application submitted to OWEB for biological monitoring at the lakes to cover amphibian and reptile sampling came out #2 on the priority list of monitoring projects for the Willamette Region. It looks promising that these projects will receive grant funds.
- According to Sjulín, the portion of the Peninsula Crossing Trail on N Portland Rd. from the slough north to Marine Drive is nearing completion.

Decision: Model Airplane Use Permit of St. Johns Landfill Site/Comments to Metro

As a quorum of committee members was not in attendance, a vote could not be held, a decision was not reached. A lengthy discussion took place, however, with concerns expressed and possible recommendations brought forward. Sjulín described the model airplaners participation in the development of the Natural Resources Management Plan and their expectations of a place for their activities at the landfill site. Ideas were exchanged on interpretation of the statement "Only those recreation uses that are compatible with environmental objectives of the Management Plan will be encouraged".

Dennis O'Neil and Stewart provided background on this permit application.

- The City of Portland has determined that no Type II land use authorization was necessary as no "development" was involved.
- Insurance requirements must still be met.
- A draft of safety rules has been submitted to Metro staff by the model airplaners.
- They have provided drawings and specifications for gas well covers for protection of the wells on the landfill.
- They will do the mowing at the site at their own expense with their own equipment.
- They will share the cost of the portable toilet that is located at the landfill site.
- A schedule of payment to Metro for the airplaners' share of the costs has yet to be agreed upon.

The following concerns were raised by the Committee:

- Killdeer nests on road
- Need to be careful in setting a precedent for this activity
- Hours of operation not restrictive enough
- Noise (95 dB) level allowed is high
- Ultimate use of landfill not decided yet
- Increased need for habitat as rest of Columbia Corridor is developed; increased value of landfill as habitat in this area
- Circumstances have changed since 1990 Natural Resources Master Plan (NRMP) was adopted
- Competing interests with potential trail alignment, other passive activity such as canoeing, school groups, etc.
- Need to accommodate more specialized species that may be attracted to the lakes as habitat restoration occurs; they may be sensitive to disturbance; could include birds and mammals, nesting and rearing needs

The Committee determined topics for recommendations:

1. Whether to issue permit
2. Specific conditions for permit
 - ability to exclude model airplaners for special circumstances (Columbia Slough Regatta, school groups, etc.); exclusion decision at discretion of wildlife area manager? Management committee?
 - list concerns above as possible reasons for excluding the group
3. NRMP provides framework for use but that use is a policy decision and not a given
4. Have other options for the model airplane sites been explored? e.g. Port property off 33rd Ave.
5. Annual review of permit

A consensus was reached that the issuing of the permit should be debated further by the Management Committee and that there be included in any kind of permit that is issued conditions that would address as many of the committee's concerns as possible. According to Troy Clark, it is incumbent upon the committee to issue a statement of its concerns to Executive Officer, Mike Burton and, he added that each of the Smith & Bybee Lakes constituencies should make known its concerns as well.

The meeting was adjourned at 7:10 p.m.

3/27/01

Opdyke, Patt

To: SMITH & BYBEE LAKES MGMT COMM
Cc: popdyke@pacifier.com; jdavis@dst.metro.or.us
Subject: Smith & Bybee Lakes Bus/Field Trip Info

Hi all --
and in particular Jim Sjulín, Jim ^{morgan} Desmond and Pam Arden (who rashly volunteered to look at funding possibilities):

Here is some of the information about the field trip transportation project. I have a call in to James to see if he can reduce the time needed for educational activities to 2.5 hours per class.

Now....who wants to start talking potential funding sources?

My sense/preference is that we secure a permanent funding source or two. Since we're only looking at \$4000 annually, my hope is that we can find a fiscal home for the program, perhaps with an agency or corporation that has community involvement goals that include an environmental focus.

I believe it is important that the S&BL enviro ed program is not always concerned about writing new grants or wearing out the welcome with grant proposals over a period of years. As we all know, pursuing \$\$ ties up time and energy.

We also need to consider who and how the funds are managed.

- Is it appropriate to put it through Metro? If so, what administrative fees might be charged, if any?
- What about asking Friends of Smith & Bybee Lakes to be a community partner and the primary applicant for the funding? Is the group set up for responding to regular billings?
- What kind of reporting (accounting for expenditure) and evaluation of project goals is required? Who will do that? Is it preferable that the S&BL naturalist program goals will be used to evaluate service delivery?

Let's start the discussion rolling.....

Over to you,
Patt

James Davis, S&BL field trip info

Active periods during school year:

April - May
Sept - early November

Time allocation at S&BL

1 class 3 hours
2 classes 4 hours

Field trip capacity 40 per year

100
40
\$ 4000.00

Bus companies:

LIDLAW Carleen Sturgill 503-284-6466

- During school year, buses only available between 9:30 am and 1:30 pm (complete field trip maximum time)
- Rates: Minimum \$100 a trip for three hours, \$31.00 per hour each additional hour or portion of.
- Bus capacity: either 47 or 56 riders
- Possible time lines:
 - Pick-up at school - 9:30 am
 - Drop at S&BL - 10:00 - 10:15 am (depending on location of school and how quickly bus is loaded)
 - Educational activities - 10:15 - 12:45 (2.5 hours)
 - Leave for school - 12:45 - 1:00

- Arrive school - 1:30
- No contract required. Recommends that do not have bus stay at S&BL for whole time. Should just have \$100 fee per field trip.
- To book, just need to contact her. Because a new program, may require a \$200 deposit and then will bill directly to whoever is secures grant/\$\$\$

I have calls in to the following bus service companies:

FIRST STUDENT Gloria 503-665-8193

Graham = 3-hr min. for \$100; \$30 add'l hrs., plus deposit.

PORTLAND MOTOR COACH John 503-236-1046

Work thru Fld. Pub. Sch.

- Permanent funding source needed. Stay out of grant cycle.
 - TIR needs?
 - Port?
 - CCA?
 - Businesses in area

- Also have some schools devoted to community service activities

SPECIAL USE PERMIT
To
PORTLAND AREA MODEL AIRCRAFT
FOR A
MODEL AIRPLANE FLYING FIELD
ON
ST. JOHNS LANDFILL

INTRODUCTION

There are certain risks to health, safety, and the environment at the St. Johns Landfill. Landfill gas is composed of 50% methane (a flammable, explosive gas) and other gases, most of which are toxic. Small amounts of landfill gas may leak into the air at well heads, the cover edge, etc. Leaking landfill gas has caused people to become ill. Underground fires have occurred and these fires, with an accompanying sudden cave-in and/or hazardous air emissions, may occur in the future.

There is a risk to health, safety, and the environment if the gas collection system is shut down for more than a day. The gas collection system is designed to shut down to prevent an explosion or other safety risk if there is damage to certain components by impact, tampering, vandalism, or by a fire such as a grass fire.

Also, there is a risk that the multi-layer cover cap may be damaged due to erosion, puncturing of the membrane, or differential settlement.

Access to the landfill and activity on the landfill is severely restricted to reduce these risks. The requirements listed below are designed to reduce these risks.

PRE-OPERATION CONDITIONS

1. Before placing materials, carrying out construction, or operating a radio controlled model airplane flying site at St. Johns Landfill, the Portland Area Model Aircraft Association (PAMAA) shall obtain written approval from the Metro Regional Environmental Management Department ("Metro") of the following:
 - A. Comprehensive general liability insurance which conforms to the requirements of Section 7, subsection "Terms of Coverage" of the Metro document "Special Use Permit, Application Procedures and Requirements", names Metro and its Council, members, officers and agents, as additional insureds, and provides thirty (30) days' notice to Metro of intent to terminate. This insurance shall cover risk of accidental death, injury, and property damage to PAMAA members occurring on the St. Johns Landfill, and risk of accidental death, injury, and property damage to others, including Metro, if caused by acts of PAMAA members occurring at the St. Johns Landfill.
 - B. Drawings and specifications for protective covers for all gas, groundwater monitoring wells, and piezometers within the overfly area and safety zone described in the AMA "Recommended RC Flying Site Specifications" attached to the special use permit application by PAMAA. Each cover shall protect the well from damage by model airplanes without interfering with routine monitoring, operation, and maintenance of the well or exposing workers to risk of sprains, strains, or other injuries.

- A. A site plan and drawings, specifications, and construction methods for all structures which will make up the model airplane flying field and parking structures, if any. These shall include a drawing showing the location and orientation of the runway, overfly area, and safety zone on a map of St. Johns Landfill furnished by Metro: The size of the overfly area and safety zone shall be no smaller than that shown in the "AMA Recommended RC Flying Site Specifications" attached to the PAMAA application. The outer edge of the safety zone shall be no less than 250 feet from the motor blower flare station, compressor station, planned operation and maintenance building, and power line rights of way. The overfly zone shall not include landfill roads as shown on a map supplied by Metro.
2. Before placing materials, carrying out construction, or operating a radio controlled model airplane flying site at St. Johns Landfill, the Portland Area Model Aircraft Association (PAMAA) shall submit to Metro:
 - A. The attached PAMAA/Metro Indemnification Agreement prepared by Metro and signed by an authorized PAMAA official.
 - B. The attached personal Indemnity, Waiver and Release Agreement prepared by Metro and signed by each adult member currently expected to construct the flying field. If minors help construct the flying field, a personal Indemnity, Waiver and Release Agreement shall be signed by a parent of each member who is a minor.
 - C. A signed agreement with Metro covering reimbursement to Metro of costs to it which are associated with construction. or operation.
3. Prior to operating model airplanes on St. Johns Landfill, PAMAA shall:
 - A. Complete construction of improvements in accord with Metro's conditions of approval. Metro shall be notified in advance of all construction so that Metro may inspect it. To facilitate inspection and access control by the Metro Site Supervisor, construction shall take place between 8:00am and 3:30pm Monday through Friday.
 - B. Obtain approval by Metro of an operations plan including, but not limited to days of operation, parking, health, safety, and site security rules and procedures for members.
4. Assuming all pre-operation conditions set forth above have been met, an application for development shall be submitted to the City of Portland Planning Bureau by PAMAA with Metro, the Smith and Bybee Lakes Trust Fund Manager, as co-applicant. The proposed development of the flying field and associated improvements must be then reviewed and approved by the City of Portland Planning Bureau. The City's procedural standard of review shall be determined by the Implementation Procedures set forth in the Natural Resources Management Plan for Smith and Bybee Lakes.

OPERATION CONDITIONS

1. All structures shall be maintained in conformance to the conditions of Metro's approval under Pre-Operation Conditions above. Structures may not be modified without prior written approval by Metro.

2. No person shall be allowed to enter St. Johns Landfill until that person has submitted a signed and dated Indemnity, Waiver and Release Agreement, attached hereto. Agreements shall be signed by all adult PAMAA members and by a parent of each minor PAMAA member.
3. No minor shall be permitted to enter the St. Johns Landfill unless accompanied by an adult.
4. The Metro Site Supervisor may at any time order flying or fueling operations to cease for any period designated by the Metro Site Supervisor. This order may be communicated verbally to the PAMAA Site Supervisor or members or by means of a sign posted on the St. Johns Landfill gate. Conditions which may interrupt flight operations may include, but are not limited to, grass fire danger due to dry weather, construction, construction mobilization, mowing, or other landfill maintenance operation. Use and access will not be unreasonably denied.
5. The Metro Site Supervisor may at any time direct any person on St. Johns Landfill to show identification or to leave the landfill. Failure of a PAMAA member to promptly follow this direction is a violation of this permit, and shall result in expulsion from the St. Johns Landfill.
6. PAMAA members shall be limited to the sites designated on documents approved by Metro as the flying field, parking area, and the road between the flying field and the parking area. No PAMAA member shall drive or park any vehicle on the landfill cover, except during construction of the flying field. PAMAA members may briefly park on the road adjacent to the flying field during the time they are loading or unloading aircraft or equipment.
7. No PAMAA member shall cause a model airplane to fly outside of the Metro approved overfly area.
8. No PAMAA member shall give the access key, key card, or other access code to any non-PAMAA member or other unauthorized person.
9. No PAMAA member shall smoke on the St. Johns Landfill, bring any pet or other animal, alcoholic beverage, incendiary device, fireworks, or rockets onto St. Johns Landfill.
10. PAMAA members shall not use gasoline as aircraft fuel. Fueling shall be done in a restricted area over a dry sink. A fire extinguisher approved by Metro shall be present at the flying site at all times and shall be maintained according to the manufacturer's directions.
11. By operating a model airplane flying field under this permit, PAMAA agrees that it will expel and prevent from entering St. Johns Landfill any member who is observed by any member to violate any PAMAA rule, the conditions of its operations plan, or this permit. PAMAA may give a violator one warning before permanently expelling the violator from the St. Johns Landfill.
12. By operating a model airplane flying site under this permit, PAMAA agrees that it will eject and prevent from entering St. Johns Landfill any member if notified by the Director of the Regional Environmental Management Department or his/her designee that the person is in violation of the PAMAA operation plan, or any rule, ordinance, statute, or special use permit conditions.

13. Metro and PAMAA desire to work together to resolve current or potential future problems and conflicts. However, the director of the Regional Environmental Management Department may revoke this Special Use Permit if the director finds that PAMAA or its members have violated any rule, ordinance, or statute related to use of the model airplane flying site or violated the Metro approved PAMAA, operations plan, or any Special Use Permit condition. Before revoking this Special Use Permit, the director shall notify the President of PAMAA of the pending revocation in writing. PAMAA shall thereafter be afforded 15 days from receipt of the notice in which to submit, in writing, a request that the Metro Chief Operations Officer reconsider the pending revocation. Absent a request for reconsideration, the pending revocation shall become final. Notice of Metro's pending revocation shall be sent to the President of PAMAA, or his or her designee. Notice of PAMAA's request for reconsideration under this provision shall be sent to the Metro Chief Operations Officer. Notice shall be deemed given and received upon personal service or deposit in the United States certified mail, postage prepaid, return receipt requested. Within 15 days after receipt of PAMAA's request for reconsideration, the Metro Chief Operations Officer shall issue a written response either reinstating this Special Use Permit (with or without additional conditions, at his/her sole discretion), or denying PAMAA's request for reconsideration and confirming the revocation of this Special Use Permit.
14. PAMAA shall effectively inform each member of the rules and regulations in its approved operations plan, and these operation conditions.
15. If PAMAA proposes that Metro construct or pay for construction of an automatic gate, wellhead protection, parking, or other improvements, PAMAA shall reimburse Metro for the cost of these improvements including 50% of the cost of an automatic gate. PAMAA may reimburse Metro for the cost these improvements plus appropriate interest over time from user fees collected by PAMAA. No cost of these improvements including 50% of the cost of an automatic gate. PAMAA may reimburse Metro for the cost these improvements plus appropriate interest over time from user fees collected by PAMAA. No less than 50% of user fees collected each year shall be remitted to Metro based on the terms of an agreement negotiated with Metro.

This permit shall be in force for one (1) year after the date of approval shown below. At that time it may be renewed, modified, or revoked at the discretion of Metro.

Approved By:

Director
Regional Environmental Management Dept.

Date

3/7/01

SAFETY RULES AND REGULATIONS:

St Johns Landfill Flying Site.

Welcome to the St. Johns Landfill Flying Site, which is being used in conjunction with Agreement with Metro by Portland Area Model Aircraft Association.

Metro, and PAMAA want you to have a good time flying at the site, but most of all, we want you to have a safe time. Please help us by following the rules below.

1. To enter the St. Johns Landfill you must be a current PAMAA member (which includes AMA membership) and have signed an Indemnity, Waiver, and Release agreement which is on file with Metro. If violations of these flying rules and regulations are observed by Metro staff and/or PAMAA officials the violator will be given a verbal warning. If the offense continues, the flier will be asked to cease flying. If a request to cease flying is given, the violator will not be allowed to enter St. John's Landfill until PAMAA has submitted evidence that the violator has met with PAMAA and receive proper instruction.
2. Before you can use the site you must have gone through the training and educational process as set forth by PAMAA and Metro.
3. Flying will be restricted to an area as followed: 100 feet from the access road near the pits; 750 feet to the left of and 750 feet to the right of a center line of the runway, and 650 feet out from the edge of the runway nearest the access road.
4. Flying will be allowed Monday through Sunday, 8:30 A.M. until 8:00 P.M.
5. No one will turn on a transmitter without first obtaining a frequency pin.
6. Fueling will be done on the fueling table, with all effort to not spill fuel.
A closed loop fueling system will be used, i.e., a line from the fuel can to the fuel tank in the airplane, and a line from the exhaust side of the airplane fuel tank to a separate container from the tank.
7. Mufflers are mandatory on all aircraft, with the 95 d.b. rule as defined by AMA in effect.
8. Each flier will safely check his/her airplane prior to flying.
9. All aircraft will safety check is/her airplane prior to flying.
10. While you are flying an airplane, you may have another person standing with you as a spotter, helper, instructor etc. There shall be no more than two persons at any pilot station.
11. While the field is being mowed no flying is allowed. The mower will finish with mowing completely the flying area as described above before flying can continue.
12. While Metro staff is on roadways near the designated flying area, flying will cease. Until the staff is completely clear of the area, no flying will occur. Failure to comply with this rule will result in loss of flight privileges for the offender.
13. when you come through the gate it should be locked both after you enter the area and

- after you leave. This is to maintain site security and your safety.
14. All flier will have completed a training course that covers all flight rules, Safety issues around flying, safety issues unique to the landfill, fire suppressant Procedures and equipment, personnel notification, and other issues as Metro and PAMAA see fit.
 15. Spectators will remain behind the pit area.
 16. Be courteous, direct exhaust and prop spin area away from spectators.
 17. Do Not Litter. Please clean up before you leave.
 18. Only 4 (four) aircraft in the air at a time.
 19. The penalty for flying outside of overfly zone and any other infraction: review of the Incident by PAMAA board and disciplinary action to include retraining, restriction or cancellation of flying privileges. A major infraction such as endangering wild life Or unsafe operation will result in cancellation of flying privileges.
 20. When birds cross the overfly area pilots will avoid the birds, and change flight path.
 21. Modelers who are authorized to fly at the site will have AMA cards and a gate pass Issued by PAMAA on their possession or in car. PAMAA will provide a list of qualified persons to Metro.
 22. Driving will be limited to rocked surfaces of the roadways.