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

Jim Morgan
Metro
Regional Parks & Greenspaces

Coordinated by:

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, May 22, 2001
Metro Regional Center, Room 270
600 N E Grand Ave.
Portland, Oregon 97232

AGENDA

Welcome and introductions/ 5 min.	5:30 - 5:35 pm
Approve April meeting notes/ 5 min.	5:35 - 5:40 pm
Discussion: Merit USA property and NRMP boundary (Stewart)/ 20 min.	5:40 - 6:00 pm
Discussion: Consent decree implementation progress report (Stewart)/ 15 min.	6:00 - 6:15 pm
Discussion: Long-term plans for St. Johns Landfill site (Hendrickson)/ 20 min.	6:15 - 6:35 pm
Updates/ 20 min.	6:35 - 6:55 pm
Set June agenda/ 5 min.	6:55 - 7:00 pm

Enclosures:
April meeting notes
SBMC letter to PAMAA

REVISED

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Discussion: Long-term plans for St. Johns Landfill site (Hendrickson)/ 20 min.	6:15 - 6:35 pm
Updates/ 20 min. Model airplane use of landfill site-response to letter (O'Neil) Trail planning subcommittee (Stewart) North Marine Drive stormwaters facilities (Blum) Recreational facility plan (Stewart) Habitat restoration progress (Stewart) Turtle monitoring progress (Stewart) Budget (Stewart)	6:35 - 6:55 pm
Set June agenda/ 5 min	6:55 - 7:00 pm

next mtg - SJLF

- N Mar. Dr. - stormwater facilities
mgt/maint.

Enclosures:
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**Smith & Bybee Lakes Management Committee
Summary Meeting Notes**

May 22, 2001
5:30 PM

In Attendance:

Elaine Stewart	Metro Wildlife Area Mgr
Frank Opila *	Friends of Smith & Bybee Lakes
Jim Sjulín *	City of Portland Parks
Dennis O'Neil	Metro Regional Environmental Management
Holly Michael *	OR Dept of Fish & Wildlife
Patt Opdyke *	North Portland Neighborhoods
Troy Clark *	Portland Audubon Society
Nancy Hendrickson *	City of Portland BES
Jim Morgan *	Metro Executive Office
Denise Rennis *	Port of Portland
Steve Fancher	City of Portland BES

* denotes voting member

Review/ approve April meeting notes

One correction was made to the notes, that Councilor Rex Burkholder is a voting member of the management committee. *A motion was made and passed to approve the April meeting notes as corrected.*

Discussion: Merit USA property and management area boundary

Bill Briggs could not attend the meeting, but members discussed the issue. Briggs believes that the management area boundary erroneously includes part of Merit USA's property. Elaine Stewart explained that there are two options. The first is a map error correction, which is an administrative task that can be performed by city planners if they find that the current line's location is in error. The second, and expensive, option is a Type 3 Land Use Review, which would be the only course of action if city staff concludes that the boundary on Merit USA property was not an error. Nancy Hendrickson and Jim Sjulín will draft a letter from the management committee to the Office of Planning Development and Review (OPDR) explaining the situation and asking for clarification. After OPDR's response is received, additional information may be needed, including site history, hydrology and management goals for that portion of the wildlife area. Stewart will provide opportunities for management committee members to participate in setting management objectives.

Updates

Trail IGA: is still under review by Portland Parks and Recreation. Stewart reviewed the list of groups that she would like to see on the trail working group, and management committee members suggested additional groups. The full list includes Port of Portland, Rivergate tenant association, St. Johns Neighborhood Association, North Portland Neighbors, Friends of Smith and Bybee Lakes, Oregon Department of Fish and Wildlife, 40-mile Loop Trust, Audubon Society of Portland, Metro and Portland Parks and Recreation.

North Marine Drive: Stacy Bluhm of Portland Department of Transportation provided an email update for the management committee (see attached). Bids were opened May 3rd; Robison Construction Inc. (RCI) was awarded the contract. PDOT will hold an open house in late June and start construction in July. Construction will take 16-18 months. Planting will occur in fall 2002.

North Marine Drive stormwater treatment and spill containment: Steve Fancher of Portland Bureau of Environmental Services reviewed the new facilities. These are different from the final construction drawings, and PDOT agreed to make the changes requested by BES if there was no objection by interested parties such as the management committee. The new design will trap sediment in two manholes, and water is subsequently treated in the water quality facility. The sedimentation manholes have approximately 1,000-gallon capacity; the upstream storage capacity is more than 20,000 gallons when the shutoff valve is closed. Fancher did not know what the spills of greatest concern might be or whether this system could handle them,

because of the great variety of materials shipped through the area. The new system could handle small spills, which are the most common, and function better for overall water quality. PDOT's current specifications (in the final construction drawings) called for a 15,000-gallon underground tank, but design problems would prevent it from functioning effectively. A number of operational issues remain, for example, members pointed out that a one-year maintenance interval may not be adequate. *The management committee voted (with one abstention, Friends of Smith and Bybee Lakes) to endorse a goal of storage comparable to the 15,000-gallon capacity in the current specifications, while working on unresolved operational issues at a later time.*

Consent decree implementation: Stewart discussed the loss of nesting habitat for painted turtles with required fill removal at the Ramsey site and her concerns about whether the vegetation plans will pair plant communities with appropriate elevations and soil conditions. Sjulín discussed concerns about the elevation of the trail along the east end (by Leadbetter Peninsula). Stewart reviewed discussions with Ducks Unlimited and the Port regarding possible location of the emergency spillway at the southwest corner of Bybee Lake, crossing the trail. Stewart expressed the need to develop performance measures and a plant list for the restoration work.

Long-term plans for landfill: Jim Morgan related Metro Executive Officer Mike Burton's comments about this task. Burton stated that he has ordered a review of the legal, technical and management issues surrounding the landfill, to be done in preparation of any future planning for the site. Because the landfill will need 7-10 years before methane depletion will be sufficient for intensive human use of the site, Burton believes that it is premature to plan use of the landfill. His primary concern is proper closure and stabilization of the site. Burton interpreted the model airplane use of the landfill as a permitted use according to the NRMP for Smith and Bybee lakes. The management committee can forward any recommendations to him.

Model airplanes: Dennis O'Neil reported that a draft agreement went out to PAMAA in early May, and he has not received a response yet. Nancy Hendrickson called representatives of PAMAA to schedule a meeting to discuss the management committee's concerns. A member asked whether Metro has looked at the ramifications of proceeding with an activity on the landfill if Metro staff has recommended that the landfill is not ready for human use. (Staff attending the meeting did not have an answer.)

Submitted by Elaine Stewart and Jim Morgan

**Smith & Bybee Lakes Wildlife Area
Management Committee**

*Nancy Hendrickson, Chair
Troy Clark, Vice Chair*

Metro

600 NE Grand Ave.
Portland, OR 97232
(503) 797-1515

May 7, 2001

Dick Wisher
1930 N Ainsworth
Portland, OR 97217

Dennis Meyer
4370 NE Halsey
Portland, OR 97213

Dear Mr. Wisher and Mr. Meyer,

The Smith & Bybee Lakes Management Committee (SBLMC) has had several conversations with the Portland Area Model Aircraft Association (PAMAA). Representatives from your club have come to the Management Committee meeting on at least two occasions in the past few years, and members of the SBLMC have gone on a field visit to PAMAA's facility in Camas.

The Natural Resources Management Plan (NRMP) lists model aircraft use as a potential recreation development project, and also lists other possible projects. While this project is listed as a possible use of the Wildlife Area, it is certainly not a guaranteed use of the Wildlife Area, as there are many potential uses of this site, not all of them compatible.

After lengthy consideration, the SBLMC felt it could not support the permit as written. This decision was unanimous. We discussed conditions under which we might be able to support the club's use of the Wildlife Area, which I will outline below. However, I must tell you that the committee was evenly divided between supporting and not supporting the permit even with these conditions. As it stands now, one third of the committee would support the permit with conditions, one third would not, and one third is still undecided, pending discussions with PAMAA. In the longer term it appears that the SBLMC may not support this use and that PAMAA should be encouraged to search for other locations for its facilities.

Intent

The purpose of the SBLMC is to serve as an advisory body to Metro on the management of the entire Wildlife Area. The NRMP accommodates recreational uses that are compatible with protection of natural resources at the lakes. While the NRMP clearly states that model airplane flying could occur on the south portion of the landfill, it is also clear that model airplane flying is not a natural resource dependent use and may not even be compatible with the protection of wildlife and the preservation of the natural environment. (A natural resource dependent use is one which depends on the natural environment for enjoyment such as hiking, birding, canoeing, etc). Our intent is to consider this use as a temporary use, subject to yearly review and re-application. Specifically, if a special use permit is granted, it should not be considered to set a precedent for this use. For this reason, we caution against significant capital outlay. We understand from Metro Regional Environmental Management that they are funding capital improvements for this use, collecting annual user fees to defray this cost, and are willing to absorb the cost if the special use permit is not renewed – even after only one year. The SBLMC will be working with Metro this year to develop a long-term plan for the Landfill as part of the Wildlife Area and will consider all potential uses during this process.

Concerns

Precedent: There is a strong concern that allowing PAMAA to use the site at this time will be construed as an agreement to use the site permanently, excluding passive recreational uses such as hiking, birding, canoeing, etc. If a permit is granted, it must be under the strict acknowledgement that it is a temporary use subject to annual review for compatibility with environmental protection goals.

Planning: As the Landfill closure proceeds, potential uses of the Landfill as part of the Wildlife Area will be considered. Existing use of the site for model aircraft flying may compromise planning efforts by altering the habitat value of the overfly area (see birds and other wildlife, below).

Canoeing: It is our understanding that people would not be allowed in the overfly area or safety zone. We have seen plans showing the overfly area and associated safety zone located over the perimeter road and completely spanning the Columbia Slough in one area. Not only would it be difficult to mark this area to keep people out, it is highly undesirable to limit canoeing of the Slough in this area. In addition, there are very few canoe launch sites on the Columbia Slough. One of the two canoe launches on the Lower Columbia Slough channel is located at the St. John's Landfill Bridge. One of the few canoe routes to the Lakes is from this launch, through the proposed safety zone, down the North Slough with a portage into Bybee Lake. The proposed safety zone needs to be moved so that it does not go over the Slough channel.

Trails: Although the alignment of the 40-mile Loop Trail is not yet set, upcoming trail planning may site the alignment along the perimeter road of the Landfill where the overfly area and safety zone are. These are clearly conflicting uses. The proposed safety zone needs to be moved so that it does not go over the perimeter road.

Birds and other wildlife: The landfill area is a unique open grassland habitat for wildlife. Large tracts of grassland are increasingly rare in this area. It provides habitat for many species, including species in decline such as Oregon's state bird, the Western Meadowlark. The noise, human activity, and the aircrafts' similarities to raptors may drive birds away from the area. Ground-based wildlife will likely also be affected. The landfill is used by wildlife for foraging, breeding, and roosting. Restriction to user hours and days, and to seasons of operation might help with this. There is also concern that the natural control of rodents by raptors will be disrupted, as the raptors will avoid the area for hunting while the planes are there. Another concern is the possible harassment of wildlife by chasing, buzzing, or dive-bombing with the planes, or by dogs accompanying club members.

Noise: Noise is a concern for both people and wildlife. Nearby residents are concerned that the noise from flying aircraft will disturb them at their homes. This concern might be allayed by information you can provide, such as a noise contours study or monitoring of noise levels. In addition, there is the wildlife disturbance concern mentioned above.

Conditions:

We developed specific conditions to address these concerns. We would like to meet with you to discuss these conditions to see if we can come to some accommodation.

Dimensions of overfly area and safety zone:

- Boundaries cannot cross existing roads (including the perimeter road) or the Slough
- Boundaries of safety zone need to be clearly delineated

Hours of operation:

- Club use should be restricted to 3-4 days per week on alternating days. (This is similar to the schedules set by state and federal agencies for hunting on wildlife areas and refuges.)
- Club use should be prohibited during the months of April through June, to protect wildlife nesting on the landfill and along the slough. (This is also similar to access restrictions on local wildlife areas, to protect ground nesting wildlife.)

Stop Use Authority

- The authority to stop flying operations for a period of time should be extended the Wildlife Area Manager for any reason, including:
 - human health and safety
 - non-compliance with conditions of permit
 - scheduled conflicting uses (Slough Regatta, planting, monitoring, etc)
 - observed conflicts with wildlife

- This authority should also be extended to the SBLMC such that if the Committee determines that this is a conflicting use within the Wildlife Area, the permit can be ended before the annual renewal period occurs.

Noise avoidance/monitoring

- Noise should be monitored to show that it is not excessive. Additional noise concerns could be addressed by limiting the number of planes, vehicles or people (see below).

Number of planes, vehicles, people

- While there was concern about the amount of activity that would be occurring at any one time, we did not have enough information about likely numbers of planes, vehicles or people. We would like to work with you to see if we can resolve this concern by limiting the number of people, vehicles and events on the site, and by prohibiting dogs.

Demonstrate Good Faith Effort to find another site

- PAMAA should demonstrate that it is searching for another location for its use.

Annual Renewal Criteria

- Annual Renewal Criteria need to be developed from these conditions to fairly evaluate the use each year.

I hope we can meet to discuss these concerns and conditions. With some clarification and cooperation, we may be able to come to an agreement.

Sincerely,

Nancy Hendrickson
Chair, Smith & Bybee Lakes Management Committee

cc Mike Burton, Metro Executive Officer
Rex Burkholder, Metro Councilor, District 5
Charles Ciecko, Director of Parks and Greenspaces, Metro
Elaine Stewart, Smith & Bybee Lakes Wildlife Area Manager, Metro
Terry Petersen, Director of Regional Environmental Management, Metro
Dennis O'Neil, Landfill and Environmental Management Program Supervisor, Metro
Pam Arden, SBLMC
Bill Briggs, SBLMC
Troy Clark, SBLMC
Holly Michael, SBLMC
Jim Morgan, SBLMC
Kevin O'Sullivan, SBLMC
Frank Opila, SBLMC
Patt Oppdyke, SBLMC
Denise Rennis, SBLMC
Jim Sjulín, SBLMC
Pat Sullivan, SBLMC recorder

From: Elaine Stewart
To: Patricia Sullivan
Date: 5/14/01 12:06PM
Subject: agenda

Pat, here it is. Nancy, if you see errors, let me know. Thanks to both of you.

Welcome & introductions - 5 min.

Approve April meeting notes - 5 min.

Discussion: Merit USA property and NRMP boundary - 20 min.
(Stewart)

Discussion: Consent decree implementation progress report - 15 min.
(Stewart)

Discussion: Long-term plans for St. Johns Landfill site - 20 min.
(Hendrickson)

Updates - 20 min.

- Model airplane use of landfill site - response to letter (O'Neil)
- Trail planning subcommittee (Stewart)
- North Marine Drive stormwater facilities (Bluhm)
- Recreational facility plan (Stewart)
- Habitat restoration progress (Stewart)
- Turtle monitoring progress (Stewart)

Set next agenda (Hendrickson) - 5 min.

CC: Nancy Hendrickson

From: Mike Burton
To: Charlie Ciecko
Date: 5/16/01 12:12PM
Subject: Re: S/B Lakes Mgmt Committee Meeting

Jim should inform the group that I have directed a survey of the legal, technical or management issues surrounding the Landfill. This will be done in preparation of any future planning for the landfill. The REM department informs me that the landfill will need 7-10 years before there is depletion of methane on the site and perhaps longer than that before the area stabilizes for any intense usage.

If asked it would seem to me that it is a bit premature to talk about use of the landfill, but if the group has any ideas they want to recommend, they can forward them to me. My primary concern in the next few years will to be certain that then landfill is closed properly and that the area and site are stabilized. It is my personal belief that the area remains hazardous and has potential for creating environmental damage if not properly tended to and that is what I intend Metro concentrate on for the next few years

>>> Charlie Ciecko 05/16/01 11:05AM >>>

Mike, One of the agenda items on next Tuesday's Mgmt Committee agenda is "Long term plans for St. Johns Landfill site". I expect this will be an introductory discussion only. You may recall that you are represented on the Mgmt Committee by Jim Morgan. Do you have a specific message that you would like conveyed at the meeting? My personal feeling is that final completion of the landfill closure plan is still years out (maybe 7-10yrs/). a lot is likely to change in that time frame and consequently it makes little sense to be attempting to make decisions which may well be out-dated before the landfill is even ready for any future use.

If you can let me know your thoughts, I will make sure they are conveyed through Jim.

Fancher, Steve

From: Bluhm, Stacy
Sent: Monday, May 21, 2001 9:06 AM
To: Fancher, Steve
Subject: Smith & Bybee Lakes - Marine Drive Project Update Talking Points

A FEW ITEMS OF INTEREST FOR YOU TO SHARE AT YOUR MEETING:

A small contract was let specific to the outfalls (the two that were upsized) so that we would be able to do all work directly adjacent to the shoreline in the month of May. Cipriano & Sons was awarded that contract for \$36,000. That contract has gone quite smoothly thanks in part to some input and assistance from Elaine Stewart. Work on those outfalls is almost complete (repaving of the parking lot was to occur today).

In regards to the main contract:

- Bids were opened May 3rd.
-
- Contract price is 9.6 million dollars.
-
- Contractor is RCI (Robison Construction Inc.)
-
- We expect to have an Open House to discuss construction staging/impacts in late June.
-
- We expect to start construction the first week of July.
-
- PDOT and the Contractor will have field offices located at the intersection of Marine Drive and the private road just west of the rail tracks. Stacy Bluhm (project manager) and Denise Dietrich (contract manager) will be on-site thru the duration of the contract.
-
- The construction period is expected to be 16 to 18 months; landscaping installation to be installed in the Fall of 2002.

Any further questions? Call Stacy Bluhm at (503) 823-7723.

From: Peter Sandrock
To: Charlie Ciecko; Dennis O'Neil; Elaine Stewart; Jim Morgan; Terry Petersen
Date: 5/22/01 11:38AM
Subject: Fwd: Mike's Guidance on Long Term Use of Landfill

Just to make sure that we're all on the same page, here's Mike's guidance about what to say at the S/B Lakes Mngmt Committee meeting this evening regarding planning for end use of the landfill.

As far as the model airplanes are concerned, our response should be that Mike understands their concerns but believes that it is a permitted use that can be properly managed---- we will be paying close attention to the details of the club's operations plan and will carefully monitor its execution.

Pete
1505

CC: Mike Burton

Friends of Smith & Bybee Lakes



Who We Are

The Friends of Smith & Bybee Lakes is a community based group that advocates the conservation, restoration and enhancement of the Smith and Bybee Lakes Wildlife Area as a historical remnant of the Columbia River Estuary System. The Friends support the permanent protection of Smith and Bybee Lakes in recognition that natural areas are a valuable resource in an urban environment.

The Wetlands

Smith and Bybee Lakes, comprising about 2000 acres, make up the nation's largest urban freshwater wetlands. Located near the confluence of the Columbia and Willamette Rivers, the lakes function as a flood absorption system for the lower Columbia River. The wetlands provide for diverse communities of plant and animal life. Over 100 species of birds have been recorded in the area. Osprey nest here and bald eagles winter here. The wetlands are inhabited by Western Painted turtles, beavers, otters and deer. Numerous local schools use Smith and Bybee Lakes for a variety of outdoor education programs. The lakes are a popular area for wildlife viewing, fishing and non-motorized boating.

To get to the Smith and Bybee Lakes parking lot on N. Marine Dr.

Take I-5 to west N. Marine Dr. exit (307). (If you're going north on I-5, the exit road continues for about 1 mile before a right turn onto N. Marine Dr.) After about 2 miles on N. Marine Dr., you'll be on a overpass from which you can see Smith Lake on the left. At the bottom of the overpass, proceed for about 200 yards and turn left into the parking lot.

Canoe and Kayak rentals are available from:

Alder Creek Kayak & Canoe	503-285-0464
REI - Janzten Beach	503-283-1300
Sportcraft Marina - Oregon City	503-656-6484

Check Us Out! Get Involved!

Meetings are held the first Wednesday of each month from 6:30 - 8 pm. The location is the BES Water Pollution Control Lab, 6548 N. Burlington Ave. in the Smith and Bybee Lakes meeting room. (This is next to Cathedral Park, just east of the St. John's Bridge. From Willamette Bd. go south on Burlington Ave until it ends.) The Friends are a 501(c)(3) nonprofit corporation. Your donations are tax-deductible.

For more information

Troy Clark	503-249-0482
Jeff Kee	503-240-0233
Frank Opila	503-283-1145

Friends of Smith & Bybee Lakes
P.O. Box 83862
Portland, OR 97382-0862

Friends of Smith & Bybee Lakes



Paddle Trips – 2001

- May 19 Sat 1 pm – 4 pm Smith and Bybee Lakes Day** call Frank 503-283-1145
June 17 Sun 11 am - 3 pm Paddle trip celebrating the Summer Solstice
Leader: Troy Clark 503-249-0482
July 21 Sat 10 am – 2 pm Canoe/kayak trip Leader: Polly 503-285-5208
Dec 22 Sat 11 am - 2 pm Paddle trip celebrating the Winter Solstice
Leader: Frank Opila 503-283-1145

For Our Paddle Trips:

The water levels in the lakes change with seasonal fluctuations. Our paddle trips depend on sufficient water levels in the lakes. **A trip may be cancelled or changed to a different location.** So call the trip leader first.

Meet at: Smith and Bybee Lakes parking lot on N. Marine Dr.

Bring: Canoe or kayak. Personal Floatation Devices required. Binoculars.

Cost: Free. Call the trip leader to reserve space.

Special Events

May 19 Sat Smith and Bybee Lakes Day

Bird Watching 8:30 am – 10 am with naturalist James Davis, just show up

Journey into Wetlands 11 am – 4 pm (continuous) Great for kids

Paddle trip 1 pm - 4 pm Leader: Frank Opila 503-283-1145

Oct 3 Wed 6:30 pm Presentation on Archeology of the Area by Don Ellis of Archeological Investigations NW. At the Friends regular meeting. For directions to the meeting see *Check Us Out* on the other side.

Work Parties

Jun 10 Sun

Jul 7 Sat

Aug 5 Sun

Sep 8 Sat

Oct 6 Sat

Nov 3 Sat

Dec 1 Sat

Help with restoration of native plants, removal of invasive species and clean up of trash.

All work parties are from 9 am - 1 pm.

Wear your bushwhacker boots and clothes. Bring snacks and water. For information and registration call Metro Regional Parks and Greenspaces 503-797-1850 option 8.

PLEASE PRIORITIZE

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Further Instructions:

Prepare minutes for Smith & Bybee
Lakes Nat Cmte and agenda. Compile packets for
mailing and mail them a week before the meeting.

NAME: E. Stewart DATE: 5/15/00 TIME: 2:15 pm

BELOW LINE FOR CLERICAL USE

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Time Received: _____

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