



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Lower Columbia River Refuge Complex  
P.O. Box 457, 210 N. Main Street  
Ridgefield, Washington 98642-0457

August 24, 1981

Mr. Stephen Roso  
10148 North Allegheny  
Portland, Oregon 97203

Dear Mr. Roso:

It is our understanding that you own or have interest in lands in the Smith-Bybee Lakes area. I am writing to provide you information concerning the long-standing problem of bird losses in that area resulting from avian botulism and a project we are proposing to control the disease.

Each year waterfowl, shorebirds and some colonial nesting birds in the Smith and Bybee Lakes area are infected with avian botulism. The infection is caused by a type of Clostridium botulinum bacteria which is particularly toxic to several species of water birds, but particularly to the dabbling duck species which feed in areas like Smith and Bybee Lakes. The disease is triggered by high water temperatures in shallow areas where there is an infusion of plant material. Development activities around the lakes have contributed to habitat changes which progressively intensify the disease problem.

Once the disease becomes established in a local area it can quickly reach epizootic proportions during which thousands of birds perish. The disease is spread when healthy feeding birds eat maggots or other organisms associated with the dead bird carcasses.

The most desirable solution to the problem would be to alter the water regime to prevent the disease outbreak. After the disease has become established the best control is to pick up all of the dead and dying bird carcasses and properly dispose of them. Each year control is becoming more difficult. As vegetation grows, the area is more difficult to penetrate and dead birds more difficult to find.

Presently our only control is to pick up the dead and dying birds because we have no way to control water levels. The Fish and Wildlife Service has applied for a Section 404 permit from the U.S. Army Corps of Engineers to place a water control structure at the point where the



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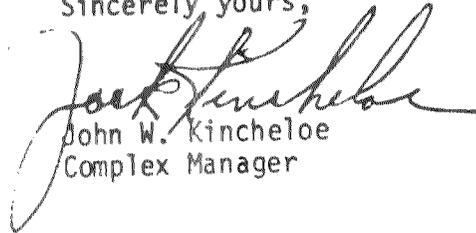
WATER RESOURCES DEPT.

*Save Energy and You Serve America!* SALEM, OREGON

lakes empty into North Slough near the east end of the Metro Landfill. The application also requests authority to fill the low area near the mouth of North Slough where Bybee Lake overflows. We have attached a map that shows the location of the proposed work. If authorized to complete the proposed work we will be able to hold water up to the line shown on the maps at the time of high water runoff in the rivers. The water level will be reduced by evaporation and seepage, but should provide adequate levels during most years to alleviate the disease problem. Holding the water should also clear some of the willow and cottonwood growth from the center of the lake.

The Fish and Wildlife Service has requested assistance from the U.S. Army Corps of Engineers, the Port of Portland, the Metropolitan Service District and the City of Portland Park Bureau during permit processing and construction. If you have any concerns or suggestions about this proposal would you call me, Jack Kincheloe, at the U.S. Fish and Wildlife Service office in Ridgefield, Washington, (206) 887-4071, as soon as possible. I would like to hear your suggestions or satisfy your concerns since we are requesting that the Corps allow only 15 days for comment on the public notice for the permit.

Sincerely yours,



John W. Kincheloe  
Complex Manager

Attachment

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Identical letter dated August 24, 1981 to the following:

Mr. James Klinenberg  
19438 S.W. Tualamere  
Lake Oswego, Oregon 97034

Mr. Herbert Margheim  
10030 North Tioga  
Portland, Oregon 97203

Mr. Paul Johnson  
19513 N.E. Davis Road  
Brush Prairie, Washington 98606

Mr. Donald Ratliff  
1500 S.W. 1st  
Portland, Oregon 97201

Mr. Donald Morris  
10004 North Polk  
Portland, Oregon 97203

Mr. Stephen Roso  
10148 North Allegheny  
Portland, Oregon 97203

Mr. Joseph Burger  
11020 N.W. Anderson Street  
Portland, Oregon 97229

Columbia Steel  
P.O. Box 03095  
Portland, Oregon 97203

Ms. Terri Smith  
22855 West Baseline Road  
Hillsboro, Oregon 97123

Mr. Louis Larsen  
Route 1, Box 493  
Portland, Oregon 97231

U.S. Bank  
Trust Department  
P.O. Box 3168  
Portland, Oregon 97208

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Mr. Theodore Smith  
22855 West Baseline Road  
Hillsboro, Oregon 97123

Port of Portland  
P.O. Box 3529  
Portland, Oregon 97208

City of Portland  
1700 S.W. 4th  
Portland, Oregon 97201

Parry Center  
3415 S.E. Powell  
Portland, Oregon 97202

Christie School  
Marylhurst Campus  
Marylhurst, Oregon 97036

Mr. Richard Niles  
4550 N.W. Neskowin  
Portland, Oregon 97229

Ms. Mary Rumble  
3311 N.E. 135th  
Portland, Oregon 97230

Mr. Raymond Steinfeld  
P.O. Box 03129  
Portland, Oregon 97203

Burlington Northern Railroad  
Lands Division  
621 S.W. Morrison  
Portland, Oregon 97201

Mr. Rance Niles  
4550 N.W. Neskowin  
Portland, Oregon 97229

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# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Lower Columbia River National Wildlife Refuges  
P.O. Box 457  
Ridgefield, Washington 98642-0457

September 8, 1981

James E. Sexson, Director  
Oregon Department of Water Resources  
555 - 13th Street N.E.  
Salem, OR 97310

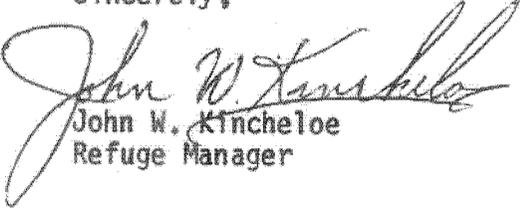
Dear Mr. Sexson:

The U.S. Fish and Wildlife Service's applications for Permits to Appropriate Surface Water and Construct a Reservoir at Smith-Bybee Lakes, Portland, are enclosed.

We are requesting that you waive the 30-day waiting period and expedite action on these applications since contact has already been made with the affected landowners and their support of the project has been received.

The attached letter is a copy of one sent to each person on the list following the letter on August 24, 1981. A meeting was subsequently held with a number of the landowners on August 31, 1981. All persons in attendance expressed support for the project. Copies of letters received in response to our letter are also attached for your information.

Sincerely,

  
John W. Kincheloe  
Refuge Manager

Application No. R-62601 & 62602  
Permit No.

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DATE: September 22, 1981  
TO: Larry Jebousek  
FROM: Lincoln Pearson  
SUBJECT: Water Right Applications 62601 & 62602

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We have no objections to a waiver of the 30 day waiting period for these applications.

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