

**METRO**

Date: Oct. 20, 1997

To: Smith and Bybee Lakes Management Co.

From: Emily Roth, ^{Smith} Wildlife Area Manager

RE: Matson Property on N. Portland Road

The Port of Portland has approached Metro Parks and Greenspaces about purchasing the Matson Property and giving it (fee title) to Metro to include in the Smith and Bybee Lakes Management Area. The property is approximately 6 acres on the southern end of the management area, off of N. Portland Road. The purchase price is between 1 and 1.2 million dollars.

The property was filled with left over and non-commercial grade concrete from the Ross Island facility on N. Marine Dr. It varies in depth from 6-8 feet. There is a storage tank on the property that is being cleaned-up at this time. There are also 2 buildings.

Portland Container has 4 or 5 years left on their lease. They also have the right of first refusal when the property is offered for sale.

In the Smith and Bybee Lakes Recreation Master Plan, the area around the site is identified for trails and a boat launch. The property itself is not included in the master plan.

Metro is looking for direction from the management co. on whether to have the Port purchase the property. Issues to consider are:

- potential uses
- maintenance
- long-term management
- access.

The Port has indicated that the sale is on a fast track. Metro would like the management co. to make a recommendation as to whether the property should be purchased by the Port to be included in the management area or not at the October meeting.



METRO

Date: Oct. 20, 1997

To: Smith and Bybee Lakes Management Co.

From: Emily Roth, ^{cmr}Wildlife Area Manager

RE: Rivergate Agreement with the Port of Portland and signatory agencies

The Port of Portland, U.S. Fish and Wildlife Service, Oregon Department of Wildlife, Oregon Division of State Lands, U.S. Corps of Engineers and U.S. Environmental Protection Agency signed a cooperate agreement in January of 1989 to establish a Rivergate development program and an acceptable mitigation program for wetlands impact. The agreement implements, in part, the Smith and Bybee Lakes management area. Under the terms of the agreement, the Port was allowed to fill 203 acres of wetlands for industrial development in Rivergate and mitigate for the fill by completing ten lakes, wetland and riparian enhancement projects. Most of the mitigation projects detailed in the agreement are within the Smith and Bybee Lakes Wildlife Area.

The Port completed the wetland fill in 1994. The Ramsey Lakes mitigation area was built in 1990, the public storm drainage system constructed and the water control structure modified. Projects 8 and 9 in the agreement are no longer considered appropriate at this time. The signatory agencies, Metro and the Port are working to modify the agreement, substituting removal or modifying the present water control structure to return the lakes to tidal freshwater marsh for projects 8 and 9.

The Port has not fulfilled their obligations on many of the habitat enhancement project nor established a time table for revising the agreement to include the changes agreed upon by the management co. and the agencies. They have held a series of tours with the agencies and Metro where the work that needs to be redone or completed was discussed. The enclosed matrix, developed by the U.S. Fish and Wildlife Service, details the tasks in the cooperative agreement that have been or need to be completed.

Is the management co. interested in sending a letter to the Port asking them to detail when the projects in the management area will be completed and their timeline for modifying the cooperate agreement?

OK Field Guide

Nov 20 8:30

Sum Nov. 27

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

Metro

600 NE Grand Ave.
Portland, OR 97232
(503) 797-1850

Dec. 3, 1997

Rollie Montagne
Brian Campbell
Port of Portland
Box 3529
Portland, OR 97208

Dear Mr. Montagne and Mr. Campbell:

The Smith and Bybee Lakes Management Co. is concerned about the lack of progress by the Port of Portland on implementing and revising the Rivergate Agreement. The management committee would like information from the Port on timelines, budgets, and responsible parties for completing the projects in the agreement. The committee also requests a timeline be developed for revising the Rivergate Agreement that includes removal or modification of the water control structure, returning the lakes area to tidal freshwater marsh.

As the committee that directs the management of the lakes and oversees the implementation of the natural resource management plan, we are concerned that habitat restoration and creation agreed to by all signatory agencies in the Rivergate Agreement are not being completed in a timely manner. Although the Port completed the Rivergate wetland fills in 1994, the habitat improvements in the agreement have not been achieved.

The management committee meets again on Jan. 13, 1998 from 5:30-7:00 p.m. and starting in February the fourth Tuesday of the month at Metro Regional Center. Presently Susan Oman is the Port's representative on the committee. If you, Susan or someone else from the Port would like to make a presentation on the Rivergate Agreement implementation schedule, please contact Emily Roth at 797-1515. The committee requests a written response to our concerns by the January 13, 1998 meeting.

Sincerely,

Nancy Hendrickson
Chair
Smith and Bybee Lakes Management Co.

c: Jennifer Thompson, U.S. Fish and Wildlife Service
Dave Lohman, Port of Portland
Jerry Hedrick, ODSL
Judy Linton, Corps of Engineers
Ralph Rogers, EPA
Holly Micheal, ODFW
Smith and Bybee Lakes Management Co.