

Friends of Smith & Bybee Lakes
P.O. Box 83862
Portland, OR 97283-0862



March 18, 1999

Commissioner Bev Stein, Chair
Commissioner Diane Linn, District 1
Commissioner Serena Cruz, District 2
Commissioner Lisa Naito, District 3
Commissioner Sharron Kelley, District 4

Dear County Commissioners,

We would like to inform you about a current situation involving the Friends of Smith & Bybee Lakes. The Friends are being confronted with a hostile attempt to overturn our position on the proposed new jail. A group of citizens, primarily from the St. John's community, consider themselves to be "members" of the Friends and are attempting to schedule a General Membership meeting of the Friends. These citizens, with perhaps 1 or 2 exceptions, have not attended any meetings of the Friends of Smith & Bybee Lakes prior to December 1998. The vast majority have not attended any Friends' meetings. Several of these citizens have already testified in opposition to the jail at the February 22, 1999 public hearing before the Board of County Commissioners.

We have not changed the Friends' position of conditional support for the proposed jail. The Friends of Smith & Bybee Lakes advocate the conservation and restoration 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 the lakes in recognition that natural areas are a valuable resource in an urban environment.

Sincerely,

Frank Opila
President

Board of Directors
Friends of Smith & Bybee Lakes

Copies: Smith and Bybee Lakes Management Committee
Donna Babbitt
Kevin O'Sullivan

Position of Friends of Smith & Bybee Lakes On Siting of the Proposed County Jail at Rivergate, adjacent to Northwest Bybee Lake

The Friends of Smith & Bybee Lakes conditionally support the siting of a jail adjacent to Bybee Lake in the Rivergate Industrial District. We believe that Multnomah County should be willing to contribute environmental and community amenities for siting a jail, especially such a potentially large one, adjacent to the Smith and Bybee Lakes Wildlife Area. We request the following as conditions:

- **Vegetative and Wildlife Buffers** – Buffers are necessary to protect this regionally significant natural area, provide wildlife habitat and corridors, contain stormwater and provide visual screening. We request vegetative buffers that extend at least 150 feet from the top of the bank to the outer edge of development. The buffers should be comprised of native vegetation, consisting of several layers including shrubs and ground cover. Evergreens should be included so that the facility is not visible from the lakes or the trail system during all seasons of the year. The buffers should be designed to provide wildlife habitat. Sufficient soil should be brought in to support root systems for large trees. (The sand fill on the peninsula may be up to 30 feet deep.)
- **Wildlife** – Western Painted turtles have been seen in this area of Bybee Lake. The Western Painted turtle is listed “sensitive - critical” by the Oregon Department of Fish and Wildlife. The turtles may use sand areas, particularly on south facing slopes, for nesting. Turtle and other wildlife use in the area needs to be examined and protected or mitigated.
- **Canoe/kayak Access** – As a community amenity for siting a jail adjacent to the Wildlife Area, we request that Multnomah County fund a boat launch somewhere within the Wildlife Area – not necessarily on the Leadbetter peninsula. The location and design of the launch will be determined by a public process that is currently being developed by Metro and the Smith and Bybee Lakes Management Committee.
- **Lighting** – Lighting at the facility should not cast any direct light into the Wildlife Area so that nocturnal wildlife is not disturbed. Lighting should be controlled by lighting type and direction, distance from the lakes and vegetative screening. The headlights of evening visitors using the access road to the facility should also be screened.
- **Water Quality** – Smith and Bybee Lakes are listed as 303(d) “water quality limited” by the Oregon Department of Environmental Quality. There is a need to maintain and enhance the water quality of the lakes. We request that no stormwater be discharged into the lakes. This includes stormwater during construction. Stormwater from the building, parking lots and all impervious surfaces needs to be properly treated. Emergency containment capability should be built in.
- **40-Mile Loop Trail** – There are plans to build a portion of the 40-Mile Loop Trail along the Columbia Slough in this area. Design for the site should allow for the trail, including vegetative buffers.

The Preliminary Site Assessment presentation to the community on December 3 showed a 40-foot buffer from top of the fill bank to the outer edge of the development. The Friends of Smith & Bybee Lakes consider this to be unacceptable; we have requested a 150-foot buffer as an environmental amenity. The Friends of Smith & Bybee Lakes urge Multnomah County to consider the following alternatives:

1. **Purchase more land from the Port of Portland.** On October 27, the Port’s manager of Property and Development Services told the Smith and Bybee Lakes Management Committee that the Port will not sell the County any additional land for buffers. We urge the Board of County Commissioners to take this up with the Port of Portland Commission, if necessary.
2. **Limit the scope of the potential expansion for this site.** In May 1996 the voters of Multnomah County approved the \$80 million bond measure, reportedly allowing for 450 new jail beds (with 225 at the proposed new jail). Providing for expansion to 2000 beds may not be necessary.
3. **Modify the design of the site to allow for a larger buffer.** One alternative is to reduce the amount of parking or provide for underground parking.

The Friends of Smith & Bybee Lakes acknowledge that there are community concerns about the public process for selecting this site. If this site is chosen, the Friends are willing to work with the County to ensure a solution that is environmentally sound and acceptable to the community. We would like to participate in any working or advisory group to help address our concerns and any other issues that may arise.

Position of the Friends on the Siting of An Amphitheater at P.I.R.

The Friends of Smith and Bybee Lakes stands in opposition to the siting of an amphitheater at PIR for the following two reasons:

1. Two previous sound tests indicate 62 dBA at the west boundary of Pen 1. Although no readings were obtained within the Smith and Bybee Wildlife Area it is certain that programs projected from a sound stage at PIR and directed in the quadrant of West to North would penetrate well into the area interior, this being facilitated by travel over flat water. At the Smith Lake eastern edge levels in excess of the proposed 55-dBA (until 10pm and 50 dBA after 10pm) could be anticipated with the dBA varying according to wind, temperature, and atmospheric conditions. In addition to its Open Space designation the Environmental Protection Zone overlay applies placing it in the highest category of protection.

The essential activity at the Lakes is wildlife observation, birding, and canoeing. The Lakes serve as a retreat, affording solitude for visitors. The rare serenity they provide so close to a central urban area is unique. Primary to the enjoyment of the Lakes is quiet. Even noise levels considerably below the 55/50 dBA limit degrades the experience, masks the bird call, destroys the experience. The ambient noise that now penetrates we can do little about but unwanted sound from a new and unnecessary source upward to double the permissible limit is an affront. We haven't strenuously protected and planted vegetated buffers to allow the Lake's peace to be ruined by added uninvited noise that the neighborhoods don't want.

2. Despite their different usage Smith and Bybee Lakes Wildlife Area and Pen 1 Management Area share wildlife populations and function as overlapping and to some extent complimentary ecosystems. The habitat value of both areas is greater than their sum if they were apart.

Impacts which could be expected with the construction of an amphitheater are of great concern.

* Additional paved surface and construction, estimated 40-70 acres .

Impact: loss of Open Space -natural habitat, for example wet meadow for wintering waterfowl.

* Noise: 110 dBA at stage = 65-85 dBA over Heron Lakes Golf Course (Open Space), 68 dBA at Blue Heron

Rookery (northwest corner, James River property).

Wildlife impact: predator/prey sound masking, nesting disturbance, elevated stress levels; habitat abandonment.

Human impact: intolerable sound levels on golf course—70-85 dBA

Instead of more high density entertainment usage we urge a thoughtful, holistic evaluation of Pen I for its greatest value in the future— a contextual look with East Delta Park to the east, Smith and Bybee Lakes to the west and the Columbia Slough to the south. Pen I is presently a balanced transitional area with a worthy Management Plan (NRMP) describing its resources and projecting environmental restoration and enhancement for its improvement. Great possibilities exist for wetland mitigation, a mitigation bank for example. Trails are envisioned for recreation.

In this time of shrinking greenspace and ever higher urban density Pen I's best and highest use is preservation and knowledge abounds in how to do it. We do not need an amphitheater there, we need a vision and an appreciation of what we already have.

Friends of Smith and Bybee Lakes ——— Peter Teneau, Board Member

THE FRIENDS OF SMITH & BYBEE LAKES

March 22, 1999

To: Commissioner's Serena Cruz
Beverly Stein
Sharon Kelly
Lisa Nato
Diane Lynn

Sheriff Dan Noelle
Lt. Luna
Smith & Bybee Lake Management Committee & Emily Roth
Mike Thorne, Exec. Director, Port of Portland
Mike Burton, Dir., Metro

Responses to this letter may be sent to Ray & Ellie Piltz at 7209 N. Buchanan, Ptlld, Or. 97203

Please be advised that the Friends of Smith & Bybee Lakes no longer give "conditional support" to build a jail on Leadbetter Peninsula. Further, as of March 22, 1999, The New Position of the Friends of Smith & Bybee Lakes follows: We are in total opposition to the County Jail being built on the Leadbetter Peninsula, or the surrounding Wetland Areas.

Signed, Members of the Friends of Smith & Bybee Lakes.

Edward Crabb
Raymond R. Piltz
Eleanor E. Pietz
Marie Rankin
Beatrice M Walker
Jane Bogus
Jack L. Smith
Janet Smith
Daisy Lanna
Colleen Wray
Donna Meyer
Loretta Barnett
Lynn Jones

Dennis Keeper
Robert J. Boyer
Killer J. Loran
Gailyn M. Melgoza
Kevin O'Sullivan
Lewis J. Marcus
Candace A. Wana
Bud Nahlen
Sharon Jackson
Edgar A. Smith
Edlyn L. Smith
Barbara Kapuscinski

Friends of Smith & Bybee Lakes
P.O. Box 83862
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To: Smith and Bybee Lakes Management Committee
Re: Smith and Bybee Lakes Facilities Plan
August 23, 1999

Dear Committee members,

These are the recommendations for the Facilities Plan from Friends of Smith & Bybee Lakes.

Definition of Rustic (Thanks to Peter Teneau)

Rustic means a rougher rather than finished look and simple rather than developed, "improved" look. This might be achieved by textured surfaces, blending colors on structures, and eliminating structures or hardware that are not required to meet code requirements or convenient use of the facility. Planting of natives should be casual to eliminate the need for any but the most minimal maintenance (no lawn). Try as far as possible to mimic the natural Smith and Bybee Lakes environment. Gravel would be fine, but it may not be possible (pavement may be a requirement in this situation). A "park like" appearance should be avoided because it is not compatible with the activity or the atmosphere that we are trying to provide and preserve here (wildlife area). When determining detail choose less rather than more.

Recommendations for Facilities Plan

- Keep it rustic, simple, and low-key.
We would like to see this adopted as a goal that is communicated to the landscape architects and/or contractors who perform further design and development. Items in the current design budget could remain as placeholders, with exceptions noted below.
- Some design items (i.e. pavement for parking lot, double vault toilet) may be acceptable if they lessen the cost of long term maintenance.
- One kiosk is sufficient.
- Landscaping should be casual with natural looking distribution. All landscaping should be native.
- Paving overlay may not be necessary. Old N. Marine Dr. was designed to handle a lot of weight.
- 10 directional signs may be excessive.
- Vehicle access from under the existing overpass should be blocked with either a gate or boulders. This should be included in the Facilities Plan and budget.
- The actual boat launch should be budgeted higher.
The rubber mat system in the Facilities Plan "is considered to be experimental". The Plan also says that the launch area "needs to be designed by an expert in shoreline systems at the design development stage of this project."
- Funding should be from sources other than the Trust Fund as much as possible.
- If implementation is done in phases, the first phase should include boat access to the water.
This includes removal of log debris and at least a rough pathway to the water. Formal development could occur in the second phase.

Sincerely,

Frank Opila, President

Friends of Smith & Bybee Lakes
P.O. Box 83862
Portland, OR 97283-0862



Mike Burton, Metro Executive Officer
Councilor Rod Park
Councilor Bill Atherton
Councilor Carl Hosticka
Councilor Susan McLain
Councilor Rex Burkholder
Councilor Rod Monroe
Councilor David Bragdon, Presiding Officer

April 30, 2001

Dear Mike and Metro Councilors,

As you know, Metro Regional Parks and Greenspaces manages the Smith and Bybee Lakes Wildlife Area. There are many issues at the lakes upon which the Council may have to make decisions. The *Natural Resources Management Plan* (NMRP) for Smith and Bybee Lakes was adopted in 1990 to protect the lakes area. The NRMP goals state that the lakes "will be maintained and enhanced, to the extent possible, in a manner that is faithful to their original natural condition."

The Friends of Smith & Bybee Lakes invite you and/or some members of your staff to visit the lakes. You are welcome to join one of our scheduled paddle trips:

Saturday May 19 1 pm – 4 pm (Smith and Bybee Lakes day)
Sunday June 17 11 am – 3 pm

Alternatively, we will gladly give you a canoe or walking tour at your convenience. Note that this is a low water year and the water level in the lakes may soon be insufficient for paddling. To make arrangements please contact Frank Opila at 503-283-1145 or franko@hevanet.com.

We have provided tours to other community and civic leaders. Invariably they have found a new appreciation for the lakes and understand why we want to preserve this unique natural resource.

Thank you for your consideration.

Sincerely,

Frank Opila
Board Director, Friends of Smith & Bybee Lakes

✓ c: Elaine Stewart, Smith and Bybee Lakes Wildlife Area manager

Friends of Smith & Bybee Lakes
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David Bragdon, Metro President
Rex Burkholder, Metro District 5 Councilor
Jim Desmond, Director, Parks and Greenspaces

January 19, 2004

Dear David, Rex and Jim,

We are delighted that you are willing to participate in the Friends of Smith & Bybee Lakes event on February 4, 2004.

In order that you may better understand our organization, here are the primary purposes of the Friends of Smith & Bybee Lakes (from our bylaws):

- To support the conservation, restoration and enhancement of the Smith and Bybee Lakes Wildlife Area as a historical remnant of the Columbia River Estuary System.
- To support the permanent protection of Smith and Bybee Lakes in recognition that natural areas are a valuable resource in an urban environment.
- To support the preservation of habitat for native fish and wildlife in the lakes area.
- To support recreational activities that are passive in nature.

Our prepared questions to Metro are as follows:

1. What is Metro's 20-year vision for the Smith and Bybee Lakes Wildlife Area? We are interested in the vision for each of the following:

- Management policies (such as dogs and bicycles in the area)
- St. Johns Landfill (when will management oversight be transferred to Parks and Greenspaces?),
- Levels of development and use (structures in the wildlife area and numbers of people using the resource)
- Protection of wildlife

2. What is Metro's plan for updating the *Natural Resources Management Plan for Smith and Bybee Lakes*? The Friends believe that the goal statement is very good. The Friends also like the section on "Original Natural Condition" on page 49. However, we believe that some aspects of the plan that seemed feasible at its adoption 14 years ago are no longer consistent with the goals (Examples in the plan include an archery range and a RV Park).

3. How will management of the Wildlife Area be adequately funded in the future? We are concerned for the following reasons:

- Diminished interest revenue from the trustfund
- Anticipated increase in use from new trails, a new access facility and ever-greater public exposure to this resource

Thank you for your thoughtful consideration of our questions. Note that participants at this event may also ask other questions. We're looking forward to seeing you on February 4th.

Sincerely,

Troy Clark
President, Friends of Smith & Bybee Lakes

Friends of S&B questions

1. What is Metro's 20-year vision for the Smith and Bybee Lakes Wildlife Area? We are interested in the vision for each of the following:
 - Management policies (such as dogs and bicycles in the area),
 - St. Johns Landfill (when will management oversight be transferred to Parks and Greenspaces?),
 - Levels of development and use (structures in the wildlife area and numbers of people using the resource),
 - Protection of wildlife.

The Friends have expressed concerns that Smith-Bybee will be "loved to death" when it is inevitably discovered by the general public. They are also concerned that Smith-Bybee will be developed into an Oxbow or Blue Lake type of park. They'll be hoping for a commitment from Metro to place wildlife and habitat as the top priority. The management plan is Metro ordinance, so of course we're committed to it (the plan's goal statement says clearly that natural area management is the primary use, and recreation is a secondary use of the site).

That said, S&B is a great public resource and we want the public to know about it and use it appropriately. We're not modeling S&B after existing parks like Oxbow; instead, we're using S&B as the model for developing new properties like Cooper Mountain. Our facility improvements set for this year are the full extent of our planned facilities, except for trails. As they know, we're tackling the trail issue this year. The trail issue is a challenging one, but we do plan to use the best information available and a public process to arrive at a good balance of use and protection.

The landfill is part of the wildlife area but is regulated by DEQ separately; it will be monitored by the Solid Waste dept. for as long as any of us can foresee. Solid Waste will also be maintaining the landfill "forever". Solid Waste and Parks will need to integrate other management (e.g., public access on trails, wildlife habitat management, etc.). We've been moving toward this in recent years and are working together on various projects like the trail study and vegetation management.

Re structures in the wildlife area: some of the Friends may refer to the public art pieces that are planned for installation within the wildlife area boundary. These rustic pieces include several rootwads, roughly carved canoe shapes in basalt and a few "habitat poles" with nestboxes. If the Friends press that this seems inappropriate, it might be good to remind them that it was 2 members of the Friends who pushed the idea of art within the wildlife area in the first place. Those 2 members attended a public art workshop in St. Johns and lobbied heavily at that meeting for "restoration art" to be placed in the wildlife area.

Dogs and bikes: dogs are not allowed in any of our park facilities. People traveling on the 40-mile loop trail within the wildlife area may want to bring their dogs along, and we're looking at that issue in our trail planning work. Bicycles are allowed in Metro parks and other facilities on approved paths. Bikes are not allowed on the interlakes trail, however, the 40-mile loop trail is intended to be a high-use trail that includes bicycle traffic. We'll be looking at that too.

Vision: restored natural area, achieving its potential as a regionally significant natural area to support biodiversity. It serves the recreational and educational needs of Portland's population appropriately, and is a prime example of the successful integration and balancing of human use and habitat protection.

2. What is Metro's plan for updating the *Natural Resources Management Plan for Smith and Bybee Lakes*? The Friends believe that the goal statement is very good. The Friends also like the section on "Original Natural Condition" on page 49. However, we believe that some aspects of the plan that seemed feasible at its adoption 14 years ago are no longer consistent with the goals (Examples in the plan include an archery range and a RV Park).

The management plan's goals and objectives are pretty clear and timeless. We might change some details in the plan if we could. However, opening up the plan for modification puts us at risk of changes going either way – we could end up with more OR LESS protection of the area's natural resources. Any desire to change parts of the plan has to be weighed against the possibility that other parts we support could be changed once that door is opened.

Here is a list of various parts of the plan that might be appropriate for updating:

- *Trails section – alignments need to be re-evaluated based on new information, modified if necessary;*
- *Model airplane & archery use on landfill – allowed in the plan, Metro chose not to issue a permit for model airplane club use of the landfill a couple of years ago;*
- *Recreational facility locations – plan shows facilities in different locations than we're using;*
- *Dredging fish channels and boat lanes – we would be extremely unlikely to get permits for these, even if we wanted to do this;*
- *Portland Parks IPM policy – Metro has its own IPM policy and procedures (IPM = integrated pest management);*
- *Land Use Review requirements – there should not be a need to go through land use review for projects that are not construction or development (e.g., habitat projects);*
- *Landfill vision – the plan simply acknowledges the end use plan and states that the landfill should be managed as open meadow; it lists a couple of activities that might be allowed. Metro may want to elaborate on its vision for the site;*
- *Resolve conflicts between Metro Title 10 and the plan – Metro prohibits model airplanes from parks (10.01.180). Also, Metro prohibits pets in our parks (10.01.220); the plan is silent on this, but how will we apply that rule on 40-mile Loop segments, where people will want to take their dogs?*

Recreational projects such as the possible RV park mentioned by the Friends are not mandated by the plan. The plan simply allows their development in a more streamlined manner, if we decide to implement them.

3. How will management of the Wildlife Area be adequately funded in the future? We are concerned for the following reasons:

- Diminished interest revenue from the trustfund
- Anticipated increase in use from new trails, a new access facility and ever-greater public exposure to this resource

Problems:

- 1) *Increased O&M demands, under-staffing*
- 2) *Ongoing cost of maintaining restoration sites*

Solutions:

- 1) *Shift manager and naturalist salaries to another fund*
- 2) *Shift staff responsibilities**
- 3) *Other solutions?*

** This option may concern the Friends also. I mentioned one possible scenario at a management committee meeting a few months back – maybe I could go to half-time at the wildlife area (adding another site or sites to my responsibilities) and that, with the dollars previously used for 0.3 FTE seasonal, could free up enough money to bring on a full-time technician/ranger. That didn't go over too well. I had really only meant to introduce the subject as a "for instance", but people fixated on it and grew very concerned about possible loss of professional attention and expertise at the site. The Friends may remember this conversation (several of them were at that meeting) and may bring it up. (Incidentally, I still consider it a viable option for 2005-06 or so...)*

Friends of Smith & Bybee Lakes
P.O. Box 83862
Portland, OR 97283-0862



April 12, 2004

County Chair Diane Linn
Commissioner Maria Rojo de Steffey
Commissioner Serena Cruz
Commissioner Lisa Naito
Commissioner Lonnie Roberts
Bill Wyatt, Executive Director, Port of Portland

Dear County and Port officials:

The Friends of Smith & Bybee Lakes are writing to express our current views regarding the Wapato Correctional Facility. We would like to thank you for your time and effort in meeting with us and discussing our concerns. We particularly thank Lt. Jay Heidenrich for coming to our March meeting to discuss this. We appreciate the Port meeting with us at the Port's excavation site and explaining the constraints of the consent decree.

The Friends still believe that the outcome is somewhat less than what we agreed to with the County. We acknowledge that much of this was beyond the County's control. Nevertheless, the restorations (both the County's and the Port's) are certainly better than most restoration projects. In time, with proper maintenance, the restoration sites will provide good habitat and will ultimately screen most of the facility. We trust that in time the moat-like shape of the Port's excavation will soften. We urge that maintenance of the restoration/mitigation projects be a very high priority for the County and the Port.

The Friends thank you for your efforts on the restoration projects. Thanks again for your consideration.

Sincerely,

Frank Opila
Board Director, Friends of Smith & Bybee Lakes
Phone: 503-283-1145

cc: Bernie Giusto, Multnomah County Sheriff
Lt. Jay Heidenrich, Multnomah County Sheriff's Office
Denise Rennis, Port of Portland
Bill Bach, Port of Portland
Elaine Stewart, Metro, Smith and Bybee Lakes Wildlife Area manager
David Bragdon, Metro President
Rex Burkholder, Metro District 5 Councilor