

OREGON DEPARTMENT OF FISH AND WILDLIFE

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Clackamas, OR 97015

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DATE: 2-3-00

PAGES TO FOLLOW: 2

TO: Jim Morgan.

FROM: Al Smith

SUBJECT: Letter to Bill Egan

- As Requested
- Per Conversation
- For Your Information

- Approval
- Comment
- Confer

COMMENTS: Would you review this, please. It is in response, as you know, to a letter Bill sent to the chair of the Fish + Wildlife Comm. Can you turn this around in a couple of days?

Thanks,
Al Smith

Date

William E. Egan
6884 N. Hudson
Portland, OR 97203

DRAFT

Dear Mr. Egan:

Thank you for taking the time to express your concerns about Metro's proposed change in water management at Smith-Bybee Lakes. I will try and address some general issues about management of the lakes and then address some of the specific points you brought up.

Metro is independent of the Department of Fish and Wildlife in its management direction for the lakes. However, ODFW has had a representative on the advisory group that led to the Smith-Bybee management plan. ODFW (and other groups and agencies) will have the opportunity to comment on the fill removal permit needed before the new water management structure is built.

Circumstances have changed since the current structure was completed. ODFW, as well as other natural resource agencies, have to consider a broad range of native animals in any resource decision. Paramount for the Columbia River drainage are the federally listed salmon and steelhead species. Rearing and migrating young of these species use areas like Smith-Bybee Lakes and will benefit from a more natural water level regime. They will be able to enter and then leave when they are ready.

Many native wildlife species will benefit from a return to more natural water level fluctuations. This should increase forage and cover for native wildlife such as the red-legged frog, long-toed salamander and painted turtle. The changing water levels should reduce numbers of non-native bullfrogs which prey on juvenile turtles. More seasonal foraging areas would be available to mink, red fox and weasels. Other small mammal populations would also increase. Many of the native plants that depend on natural water level fluctuations, such as wapato and sedges, are important food for waterfowl and shorebirds. *The over-population of beaver in Smith-Bybee Lakes will be reduced; thereby, allowing restoration of the willow, ash, cottonwood forests they have decimated.*

The proposed water management structure will have the flexibility for a wide range of management options, not just the one proposed. The proposed plan will be evaluated and could be changed to meet unforeseen needs. One of these needs that you mentioned would be botulism if it again occurs in waterfowl at Smith-Bybee.

Several years ago ODFW warmwater fish biologists met with Metro biologists to try and evaluate the impacts to warmwater fish and fishing from the proposed water management change. It was not clear how the change would impact the biology of the warmwater fish species. There were thought to be positives and negatives. The flushing should reduce carp numbers which are by far the dominant fish species in the lakes. There will

definitely be reduced angler access after July as you pointed out. Access for spring fishing, which more people take advantage of, should remain the same.

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I hope I have addressed some of your concerns, and, again, thank you for expressing your views.

Sincerely,

Paul N. McCracken
Chairman, Oregon Fish and Wildlife Commission

The negative impacts of the artificial reservoir conditions caused by the existing dam is well documented. Replacing the dam with a flow control structure will provide many more management options currently not available, such as allowing an impeded exchange of daily tidal flows and seasonal flooding and drying. The proposed water control structure is intended to help meet the management goal of increasing species richness and diversity of the flora and fauna of the Smith and Bybee Lake Wildlife Area.

Water Management and Conservation Plans:

The Oregon Water Resources Commission's policy on Conservation and Efficient Water Use requires major water users and suppliers to prepare water management and conservation plans. Under Division 86 of the Department's administrative rules, the Department is required to give notice and to invite public review and comment on such plans.

Any person may review and comment on a draft plan within 30 days of the date of this public notice. Comments should focus on elements in the draft that do not meet the requirements of Division 86 rules and should include suggestions on how to bring the draft into compliance with the rules.

The Department will consider all public comments in its review of the draft plan and will report the results of the review to the water supplier 90 days from the time the plan was submitted.

Notice is hereby given pursuant to OAR 690-86-910(1) that a draft municipal water management and conservation plan has been received and is available for review at the Water Resources Department, 158 12th St. NE, Salem, Oregon.

Draft plans were submitted by:

Port of Portland
121 NW Everett
Portland, Oregon 97208

The deadline for comments on the draft plan is February 18, 2000. Any person may review and comment on the draft plans. The Department will consider comments which identify concerns with the plan and propose specific modifications to resolve the concerns. After the comment period, the Department will review the plan and any comments received. Members of the public wishing to review the plan should make prior arrangements by calling Bill Fujii of the Water Resources Department, Salem office at 1-800-624-3199, extension 254 or by contacting the Port of Portland.

11-16-2000

to: Smith and Bybee Lakes Management Committee

re: sub-committee for evaluation of tidegate option

Dear committee members,

It has come to our attention that there is currently an active sub-committee investigating the feasibility of placing a tidegate structure connecting the Columbia Slough and Bybee Lake. The Friends of Smith and Bybee Lakes (The Friends) believe this evaluation of options for a tidegate and the expenditure of funds to study options is premature.

We believe there are more pressing matters in the management area such as beaver control, siltation in the lakes, enforcement of buffer requirements and a vegetation master plan.

Going forward with resource expenditures based on a possible scenario at this time is not justified in our opinion. There are claims that there is polluted water moving around the Lakes/slough system. But despite years of water quality data gathered by METRO the public has yet to receive any summarized water quality data for the lakes, the North Slough and the water bodies around the landfill. Without data supporting the placement of a tidegate between the Columbia Slough and Bybee Lake it seems a waste of time to proceed with this evaluation.

The Friends are also concerned with issues involving permits, long term maintenance of a possible tidegate and a cost/benefit analysis. These are questions that need to be addressed.

The Friends recommend that the committee looking into the tidegate feasibility issue either be put on hold or proceed slowly. We further suggest that the management committee develop an action plan for the lakes based on OWEB guidelines. An action plan would identify the most pressing concerns within the management area, prioritize them and develop strategies for addressing these concerns.

The Friends are bound by our mission statement advocating the conservation, maintenance, restoration and enhancement of the lakes as an historical remnant of the Columbia River system. We are particularly concerned with the restoration of the lakes, as much as is practicable, to mimic its historic courses and functions.



Jeff Kee

Vice President of the Friends of Smith and Bybee Lakes

Received 12/6/00
-ems



METRO

December 11, 2000

Jeff Kee
Friends of Smith and Bybee Lakes
P.O. Box 83862
Portland, OR 97382-0682

Dear Jeff:

I received the Friends of Smith and Bybee Lakes (FOSB) letter to the Smith and Bybee Lakes Management Committee last week. I will see that the committee gets the letter and hears your recommendation against funding a feasibility study for a tidegate at the southwest arm of Bybee Lake at this time. Thank you for taking the time to weigh in on the issue.

The FOSB recommendation to put the tidegate feasibility study on hold or proceed slowly is in keeping with the Wetland Technical Advisory Committee's and management committee's recommendations. The TAC suggested replacing the current structure first, and then evaluating the necessity of a tidegate at the southwest arm of Bybee Lake. The management committee endorsed that approach twice, in 1996 and 2000. Your representative has been active in the sub-committee looking into the tidegate issue, and I anticipate that his report to the management committee will include the FOSB recommendation.

There are a number of other issues raised in the letter that I should address as manager of the wildlife area. Beaver control is one of several pressing matters listed in the letter; this often refers to trapping efforts, but I believe you intended a more generic meaning. Beavers are an important part of Smith and Bybee lakes, and their current population size is a response to the lakes' increased carrying capacity due to the dam. Attempts to remove animals will be ultimately ineffective, because births and immigration will offset removals. The most effective way to regulate the number of beavers is to stop impounding water in the lakes and restore more innate hydrologic processes that will profoundly change the lakes' habitat. The carrying capacity for beavers will be lower, and their population size will change accordingly. This habitat management approach is my preferred method for managing all native wildlife at the lakes.

Another issue listed was the development of a vegetation plan. I am continuing previous managers' efforts on vegetation planning on three fronts: controlling invasive species, creating a working master plan for the entire wildlife area and proceeding with revegetation efforts. I am glad that you agree this is essential, and I would like to review my plans with FOSB at one of your meetings.

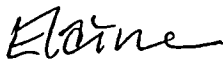
Regarding water quality data, no summary for the management area has been provided to the general public. For citizens actively participating in management issues, like FOSB, Metro continues to provide detailed presentations on the lakes' environmental quality. For example, at the September 2000 management committee meeting, Metro provided a detailed briefing on sediment and water quality monitoring and a summary page on landfill leachate. I have enclosed a copy of the handouts and notes from that meeting for your information; please let me know if you have questions about the data.

FOSB recommends an action plan based on OWEB guidelines. I like to take advantage of all good information sources that are available, and I will look into the guidelines. There is an existing management plan for the lakes that outlines and prioritizes the goal and objectives for managing the lakes, and forms the basis for management actions. I believe that the management plan objectives are as relevant today as they were 10 years ago, when the plan was adopted. This particular comment in your letter tells me that I need to attend more of your meetings and help you stay better informed on activities and plans for the wildlife area. Although you have a representative on the management committee, it is often engaged in land-use issues. I have been working to re-focus some of the management committee meetings on short- and long-term management of the lakes, to keep it better informed also.

I am very gratified to read that FOSB is especially interested in the restoration of the lakes. Restoration is my highest priority, and FOSB has a vital supporting role to play in that work. As we discussed at your meeting last week, I am very excited about building your organization and involving your members in expanded vegetation management activities at the lakes.

Thank you for writing to the management committee with your recommendation on the tidegate feasibility study. I appreciate your interest in and advocacy for Smith and Bybee Lakes Wildlife Area. I will plan to attend your meetings quarterly (at least). In the meantime, please call me if you have any questions.

Sincerely,



Elaine M. Stewart
Smith and Bybee Lakes Wildlife Area Manager

Enclosures

RECOMMENDED WATER MANAGEMENT OPTION

In accordance with the management goal for the Smith and Bybee Lakes area, which is “to **maintain and enhance the lakes (area) in a manner that is faithful to their original natural condition**”, the water management option recommended is Option III discussed above. This preferred option includes:

1. Remove the existing dam and control structure;
2. Construct an open structure that will allow unrestricted flow between the lakes and the Columbia Slough and Willamette River while maintaining the ability to retain water in the lakes; and,
3. Develop the ability to augment water to the lakes by pumping from another source.

Additional information is needed to refine the cost estimates for developing the ability to pump water from the Columbia River or groundwater aquifer to the lakes on a limited basis.

The environmental impacts of placing a weir structure separating the western arm of Bybee Lake and connecting the lakes directly to the Columbia slough will be evaluated. Additional data will be gathered for estimating cost of constructing this option.