

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

*Nancy Hendrickson, Chair*

**Metro**

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

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February 27, 2003

Tim Spencer  
Oregon DEQ  
Suite 400  
2020 SW 4<sup>th</sup> Ave.  
Portland, OR 97204

Dear Tim,

The Smith and Bybee Lakes Management Committee appreciates the opportunity to comment on areas of interest for the upcoming closure permit renewal process for the St. Johns Landfill, including a Remedial Investigation/Feasibility Study and associated Risk Assessment. We anticipate a range of uses of the site and surrounding areas, including wildlife habitat and recreation. Typical recreational uses of the site include hiking (and possibly bicycling in the future), birdwatching, paddling and fishing. Metro's education program serves hundreds of children and adults at the wildlife area every year. The activities listed above occur at various locations throughout the wildlife area at this time, and they may also occur on the landfill in future years.

We would like DEQ to include many aspects of the landfill and future uses in its work with Metro. There are many questions that need to be answered in order to provide for informed decisions regarding future use and development at the landfill and nearby areas. Our areas of interest are listed below.

1. Risks associated with recreational use. What are the risks to people using a public trail that may be located on the dome or perimeter dike of the landfill? We are also interested in risks to paddlers boating in the slough and/or lakes, and anglers that catch and eat fish from the slough and lakes. Non-recreational human activities include the landfill workers performing their duties.
2. Fish and wildlife species to consider studying in the risk assessment include:
  - a. Benthic macroinvertebrates
  - b. Mussels
  - c. Crayfish
  - d. Juvenile salmonids
  - e. Amphibians
  - f. Western painted turtle
  - g. Great blue heron
  - h. Osprey
  - i. Savannah sparrow
  - j. River otter

3. Impacts to the lakes associated with water level management. Metro will be replacing the dam at the east end of North Slough with a water control structure in 2003. This will result in seasonal drawdowns of the lakes/wetlands occurring every year. Will there be changes to groundwater movement, particularly in the Bybee Lake area, and are there any associated risks?
4. Landfill stability – perimeter dike and cover/dome. We would like to see DEQ and Metro investigate the risks associated with breaches of the cover and perimeter dike, as well as the overall stability of the site.
5. Development issues. We anticipate construction of a public trail on the surface or perimeter of the landfill in future years. What risks might be associated with trail construction activities such as grading and installation of additional material (e.g., rock base, asphalt top)?
6. Other substances that may be released/piped out with the methane gas.
7. Air quality emissions.
8. Phytotoxic effects of releases on plants.
9. Will the closure permit specify allowed uses and management practices? We are very interested in any language that relates to wildlife habitat restoration and trail construction and use, as well as management requirements that may specify activities such as seeding, planting, mowing, irrigation, fertilizer use, etc. because of their relationship to habitat restoration.
10. We would like to see DEQ include the following substances in its investigation of leachate movement into groundwater with Metro:
  - a. Those that are close to or exceed drinking water standards in samples collected.
  - b. Others of interest – all that have been detected, and substances such as ammonia.
  - c. Substances for which there are TMDLs established for the Columbia Slough.
  - d. Pesticides.

Please continue to inform us as your work on the closure permit and associated investigation proceeds. This is an area of great interest for the management committee. If you have any questions or comments, please contact us through our staff person at Metro, Elaine Stewart (503-797-1515).

Sincerely,

Nancy Hendrickson  
Chair

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

*Frank Opila, Chair*

Coordinated by:

**Metro**

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

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May 13, 2003

Tim Spencer  
Oregon DEQ  
Suite 400  
2020 SW 4<sup>th</sup> Ave.  
Portland, OR 97204

Dear Tim,

The Smith and Bybee Lakes Management Committee has additional comments for DEQ regarding the closure permit renewal process for the St. Johns Landfill, and the Remedial Investigation/Feasibility Study and associated Risk Assessment.

Closure Permit

1. Public trails (including fencing to regulate access) and wildlife habitat restoration activities should be added as approved operations in the closure permit. Trails are a very likely future use, and habitat restoration is already occurring as part of the cover and vegetation work. Trails could conceivably be located on the perimeter dike and/or on the landfill cover. It is unclear where these would best fit in the permit, although we discussed locating them in section 5, 7 or 8. By including both items at this time, DEQ and Metro can avoid re-opening the permit later.
2. We would like to clarify whether item 6.3, prohibition against open burning, precludes the use of vegetation management techniques such as prescribed burns. There may be occasions when burning could be the optimum activity for establishing native plant communities and controlling weeds. Certain techniques for conducting prescribed burns (e.g., low-intensity burns using drip torches) may have reasonably low risk associated with them.
3. How are catastrophic events, such as earthquakes, handled? Are they included under the closure permit? The management committee does not have a recommendation in this area, but did note that response to natural disasters did not appear to be included in the permit.
4. In section 8.8, DEQ requires submission of engineering design plans at least six months prior to anticipated construction. Does this paragraph include trail construction activities?

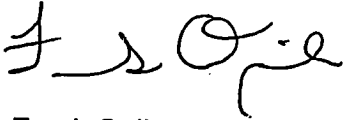
Clarification of Previous Letter

Item (3) in our February 27, 2003, letter may require clarification. Our intent was to inquire whether changes with the new water management in the lakes (and consequently North Slough) could exacerbate movement of contaminants between the lakes/wetlands and groundwater. Similarly, we are interested in any impacts to contaminant movement in surface water that would be associated with changes in surface water movement.

The Smith and Bybee Lakes Management Committee anticipates that this letter and our previous letter will go into DEQ's record. We have not received a response from DEQ to our February 27, 2003, letter, and would appreciate a response from DEQ to both letters.

Please continue to inform us as your work on the closure permit and associated investigation proceeds. This is an area of great interest for the management committee. If you have any questions or comments, please contact us through our staff person at Metro, Elaine Stewart (503-797-1515).

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Opila". The signature is written in a cursive style with a large initial "F" and a long horizontal stroke.

Frank Opila  
Chair