



METRO

March 22, 2000

Linda Hval, Chair
St. Johns Neighborhood Association
8316 N Lombard St #441
Portland, OR 97203

Dear Ms. Hval,

I received your letter of March 14th relating the St. Johns Neighborhood Association's discussion and concerns about the use of an herbicide (glyphosate) on reed canary grass at Smith and Bybee Lakes Wildlife Area. In your letter, you requested that Metro refrain from using glyphosate until an herbicide policy has been developed by Metro.

Metro has a policy in place that covers herbicide use. In 1995, Executive Officer Mike Burton issued an executive order establishing an integrated pest management (IPM) policy for the agency. Integrated pest management focuses on long-term management of pest problems using a variety of control tactics to minimize impacts on human health and the environment. Glyphosate is specifically listed as a control agent for reed canary grass in our IPM plan, so the use of glyphosate on reed canary grass at Smith and Bybee Lakes Wildlife Area follows Metro policy.

I would like to explain why Metro is conducting this pilot project at Smith and Bybee Lakes. Reed canary grass is a serious problem at Smith and Bybee Lakes and elsewhere. Throughout the United States, reed canary grass is spreading and eliminating a wide array of native species and habitats. The monotypic stands of reed canary grass are much less diverse than the habitats they replaced, and natural resource managers across the country are scrambling to control it.

Our management objective for Smith and Bybee Lakes is to maintain and enhance the area in a manner that is faithful to its original natural condition, and suppression of reed canary grass is essential to re-establishing other native plant communities. The spread of reed canary grass and prolonged impoundment of water in the wildlife area have caused the loss of much of its diversity and habitat value.

We are planting a variety of native plants in areas dominated by reed canary grass, and glyphosate will be used to suppress the reed canary grass while the new plants become established. As the trees and shrubs grow, they will begin to shade out the reed canary grass and

should be able to hold their own against it. This is the first time that glyphosate will be used at Smith and Bybee Lakes, and we will carefully monitor its application and then evaluate the success of this approach.

Unfortunately, there are no silver bullets in dealing with reed canary grass. Land managers have used disking, herbicides, controlled burns, inundation and mowing, in all sorts of combinations, in attempts to control the plant. Eradicating reed canary grass is not an option; managers just hope to reduce its dominance to allow other plants to thrive.

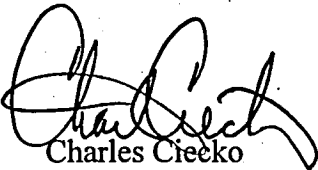
We do not take the use of glyphosate lightly – this is a pilot project and not a permanent choice. This method of spraying reed canary grass before planting other species has been one of the more successful approaches used elsewhere. Another promising approach, flooding the grass for consecutive growing seasons, is not available at this time and will never be an option in the more upland areas at Smith and Bybee Lakes. We will probably be experimenting with various methods for some time, seeking a balance of risk, cost and effectiveness of habitat restoration.

In your letter, you expressed concerns about Roundup and the surfactants it contains. We plan to use Rodeo, not Roundup, to spray the reed canary grass. Rodeo is approved for use in aquatic habitats and lacks the surfactants found in Roundup. Even though much of the area to be treated lies far enough from the water to allow the use of Roundup, we are choosing to use the other form (Rodeo).

Most of the herbicide application and subsequent planting will be located away from the public use area. We will post the small area near the interlakes trail where some spraying will occur.

If you have further questions or concerns about Smith and Bybee Lakes Wildlife Area, please do not hesitate to call Elaine Stewart, the refuge manager. Elaine can be reached at 797-1515.

Sincerely,



Charles Ciecko

Director

Regional Parks and Greenspaces Department

cc Metro Council
Executive Officer Mike Burton
Jeff Stone, Council Chief of Staff
Smith and Bybee Lakes Management Committee



St. Johns Neighborhood Association
8316 N. Lombard St., #441
Portland, OR 97203

March 28, 2000

TO: Charles Ciecko, Metro Parks

CC: Metro Council
Smith and Bybee Lakes Management Committee

RE: Herbicide Use at Smith and Bybee Lakes

This is in response to your letter, dated March 22. That letter raised more questions than it answered, and it deepened our concerns about the proposal to apply herbicides at Smith and Bybee Lakes.

In your letter, you stated that "Metro has a policy in place that covers herbicide use," and you referred to the 1995 executive order establishing an integrated pest management (IPM) policy. The application of glyphosate at Smith and Bybee Lakes therefore "follows Metro policy."

The SJNA would like to point out that, according to Jim Morgan, "there has never been an official policy" in the Smith and Bybee Lakes Management Plan, nor has a policy ever been established by the Management Committee, regarding herbicide use. (see page 3 of the January 25 meeting minutes for the Management Committee). Mr. Morgan also assured the Management Committee that the proposed herbicide application was "not the making of a unilateral decision." Further, as your letter stated, "This is the first time that glyphosate will be used at Smith and Bybee Lakes." Therefore, the SJNA firmly believes that Metro should allow the Management Committee to first establish an official herbicide policy for the Lakes, and until then, Metro should not proceed with any unilateral decision to apply glyphosate at Smith and Bybee Lakes.

Your letter stated that reed canary grass is a "serious problem" at Smith and Bybee Lakes. We remain unconvinced. What is the precise nature of this problem and just how serious is it? Is the canary grass spreading at Smith and Bybee Lakes? It seems to be fairly well contained by natural aquatic and vegetative barriers. How did the canary grass first become established? Wasn't its establishment a result of previous policy implementations at the Lakes (policies that in hindsight were ill-conceived)? We believe that between canary grass and herbicides, the grass is the lesser evil, particularly as its eradication may be unachievable, no matter what you do. In fact, many find the canary grass to be an aesthetically pleasing feature of the area.

Your letter stated that glyphosate will be used "while the new plants become established. As the trees and shrubs grow, they will begin to shade out the reed canary grass." This implies an excessively long period of time during which the glyphosate would need be applied – spanning several years - until the new vegetation takes hold. This is cause for grave concern, as glyphosate has a half-life of over 100 days, is highly toxic in many respects, and is considered "extremely persistent" by the EPA. Thus, the application of this chemical to this sensitive habitat and recreational area would be fairly permanent over a long period of time. We also take issue with your statement that "Rodeo is approved for use in aquatic habitats." Who approved its use, what were the approval criteria, and who developed those criteria?

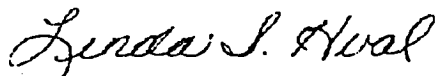
We believe that this proposed approach to canary grass eradication/control needs to be better researched and more fully assessed. George Kral, BES forester, told the Management Committee that he found "little hazard" after looking at only two websites - Monsanto's and Greenpeace's. It is our belief that, with further objective research, reasonable alternatives to pesticides can be found. We are very wary of the precedent that would be set by the introduction of a chemical-based revegetation program, especially one that doesn't involve the Management Committee and the neighbors.

Other questions we have: In "seeking a balance of risk, cost and effectiveness," what balancing criteria would you use and how were they developed? And what is the source of funding for this pilot project? What are the total project costs? How are risks measured and assessed? Have all risks been anticipated? We believe not. If this pilot project is deemed "successful", what then? More herbicide applications?

Finally, we disagree with your statement that the herbicide application "will be located away from the public use area." This is simply not true. The proposed 20-acre treatment area is an area of high public use. Fishermen (women and children) walk throughout the entire area, off trail. Many other recreationists (including small children), as well as many children on class field trips, also explore throughout the area, and wander off-trail through the tall canary grass as part of their enjoyment of the area. This is particularly alarming, given the proposed broadcast spraying, in addition to spot spraying. Posting the "small area near the interlakes trail" would be entirely inadequate. To adequately protect the public, the entire area would need to be closed off for a lengthy period. Even then, no protection would be afforded to the aquatic, terrestrial and sub-terrestrial wildlife.

We therefore urge you to postpone indefinitely this proposed herbicide project, and to work closely and cooperatively with the Management Committee, the St. Johns neighborhood, and the outdoor classroom teachers (and parents). Thank you.

Sincerely yours,



Linda Hval, Chair
St. Johns Neighborhood Association

April 3, 2000

TO: Mayor Katz
Commissioner Dan Saltzman
Director, Portland Bureau of Environment Services

RE: **Herbicide Spraying at Smith and Bybee Lakes**

I am writing to ask you to immediately cease and desist from the application of glyphosate herbicide at Smith and Bybee Lakes, which began on March 28. The city's Bureau of Environmental Services is applying the herbicide as a service for Metro Parks and Greenspaces. I am making this request as a member of the Metro Smith and Bybee Lakes Management Committee (SBLMC), as Vice-President of the St. Johns Neighborhood Association (whose boundaries include the lakes), as a resident of St. Johns, as a recreational user of Smith and Bybee Lakes, and as a parent of two young children. The SBLMC was never given any say in this herbicide pilot project for eradicating reed canary grass. Metro Parks Department made a unilateral decision to use herbicides and bypassed the SBLMC in clear violation of the Management Plan for Smith and Bybee Lakes. Until an herbicide policy consistent with the Management Plan for Smith and Bybee Lakes is developed by the SBLMC, and until the SBLMC fully evaluates the pros and cons of using herbicides in this popular recreation area and sensitive wildlife habitat, this herbicide project must stop.

The project will initially consist of broadcast spraying glyphosate over a 10 acre area. Spot applications will be done over another 10 acres. These 20 acres are an area of heavy recreational use by fishermen, hikers, birdwatchers, and children on classroom field trips. On Saturday, April 1, I visited the area to make observations. I was surprised and greatly dismayed to see that herbicide spraying had already begun. (Unfortunately, I brought my two pre-schoolers along with me, and I had to strictly supervise them to keep them away from the sprayed areas alongside the paths.). The SBLMC met just last Tuesday, March 28 (the day the application began), and yet the committee was never informed that the project had commenced that day, even though the subject had come up. The first and last time the Committee was given any information about the project was January 25, when they were briefly informed that the project might commence this year, but that nothing had supposedly been finalized yet. Metro Parks and Greenspaces has proceeded with this project without the Management Committee, even though the Management Plan very clearly designates the Committee "to oversee the implementation of the Management Plan and provide ongoing policy guidance." The Committee's duties also include making "recommendations for environmental programs" and the "assignment of or contracting with the appropriate public agencies for plan implementation." (pages 40, 50-51 of the Plan).

If this project continues, the area will be unsuitable for recreational uses this year because glyphosate is "extremely persistent" (according to the EPA), with a half-life exceeding 100 days. Humans are not the only ones at risk from exposure. Many biota will also be adversely affected by this project, including the fish. Metro recently wrote to the SJNA

stating that no spraying would occur near the water, but this is obviously untrue, as many areas being sprayed are directly alongside the shoreline, soon to be submerged when the spring waters rise.

The city's "warning" signs at the Lakes are entirely inadequate. I was therefore not surprised to observe people hiking in the application areas last Saturday. I also observed a couple sitting, fishing and picnicking right in the middle of an application area, just behind a sign. Many more people were arriving that day, as I was leaving. The signs are few and far between, and they state only that glyphosate is being applied. The signs fail to say what glyphosate is nor do they inform the public about the dangers from glyphosate exposure. At a minimum, the public should be told to keep out of the entire area and the area should be roped off for at least 6 months after the last application of this herbicide. Better yet, don't even apply herbicides in the area.

There are abundant scientific studies documenting the toxic effects on humans and other biota from glyphosate. The following are examples of what science has to say about glyphosate.

- The EPA calls glyphosate "extremely persistent." Half life exceeds 100 days. Glyphosate has been found in streams following agricultural, urban and forestry applications.
- Glyphosate is "acutely toxic to animals, including humans. Symptoms include eye and skin irritation, headache, nausea, numbness, elevated blood pressure, and heart palpitations." (Journal of Pesticide Reform, Fall 1998, p. 3)
- "Laboratory studies have found adverse effects in all standard categories of laboratory toxicology testing [of glyphosate]. These include medium-term toxicity (salivary gland lesions), long-term toxicity (inflamed stomach linings), genetic damage (in human blood cells), effects on reproduction (reduces sperm counts in rats; increased frequency of abnormal sperm in rabbits), and carcinogenicity (increased frequency of liver tumors in male rats and thyroid cancer in female rats)." (IBID)
- "In studies of people exposed to glyphosate herbicides, exposure is associated with an increased risk of miscarriages, premature birth, and cancer non-Hodgkin's lymphoma." (IBID)
- "Glyphosate treatment has reduced populations of beneficial insects, birds, and small mammals by destroying vegetation on which they depend for food and shelter." (IBID)
- Glyphosate products contain "inert" ingredients with toxic effects, including nervous system depression and severe fire hazard, fetal loss and reduced fetal weights in lab animals, increased incidence of miscarriages in lab tests, eye burns, skin blistering, nausea, diarrhea, irreversible eye injury, deep skin ulcers, and severe allergic reactions, to name a few.

I cannot help but conclude that Metro Parks and Greenspaces has misled not only the Management Committee and the public, but also the City. Upon receipt of this letter, the City can no longer plead ignorance nor be an innocent pawn of Metro. The city must not gamble with the public's health and the health of the lake's ecosystem. Portland's image and economy is already suffering from the Willamette River's listing as a superfund site. We can no longer afford environmentally harmful "business as usual," as practiced in the past. New, truly greener ways must be adopted; and what better time than now, at Smith and Bybee Lakes. This glyphosate application is a pilot project, so let's just nip it in the bud before more harm is done. A truly green precedent is needed now, more than ever before. Herbicides are not the way to pilot Portland into a green, healthy and prosperous future. I hope you agree.

Sincerely,



Kevin O'Sullivan
7624 N. Kellogg St.
Portland, OR 97203
Telephone 285-5322

Cc: Metro Council
Charles Ciecko, Metro Parks and Greenspaces
SBLMC
SJNA

April 5, 2000

TO: Mike Burton, Executive Director, Metro

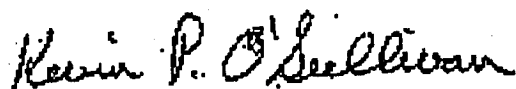
CC: Ed Washington, Metro Councilor

Dear Mr. Burton -

It is extremely hypocritical of Metro to be using herbicides while preaching to the public not to use them because of their harmful effects on living things and on our waterways. I am speaking specifically of the pilot project begun last week at Smith and Bybee Lakes, where glyphosate is being sprayed over 20 acres in an area of heaviest recreational use (see my letter to Metro Council, March 4, 2000). Glyphosate is an extremely persistent herbicide with many toxic effects, the very sort of herbicide that Metro's "Guide to Alternatives to Pesticides" warns the public to avoid using.

It's not just the hypocrisy that bothers me. By unilaterally forging ahead with this project, the Department of Parks and Greenspaces is in clear violation of the Management Plan for Smith and Bybee Lakes. The Management Plan established a Management Committee "to oversee the implementation of the Management Plan and provide ongoing policy guidance." Yet, the Committee was completely bypassed, and given no say in this glyphosate project. This unilateral action completely dilutes and undermines the Management Plan. The process has broken down and needs to be fixed.

Therefore, I am asking you to stop this herbicide project immediately, and allow the Management Committee to decide the issue. Thank you.



Kevin O'Sullivan, 7624 N. Kellogg Street, Portland, OR 97203
Vice-Chair, St. Johns Neighborhood Association
Voting Member, Smith and Bybee Lakes Management Committee
Parent
Nature lover
Telephone 285-5322 (h); 230-3693 (w)



METRO

April 10, 2000

Mayor Vera Katz
Room 340
1221 SW Fourth Ave.
Portland, OR 97204

Dear Mayor Katz:

I received a copy of Kevin O'Sullivan's letter of April 3rd regarding herbicide spraying at Smith and Bybee Lakes Wildlife Area. Although Mr. O'Sullivan is a member of the Smith and Bybee Lakes Management Committee, he does not represent the committee. The management committee was fully informed of the pilot project, and when Mr. O'Sullivan attempted to insert the issue on the committee's agenda at its last meeting, he received no support. The committee did agree to discuss the issue again at its April meeting.

The glyphosate application, part of a habitat restoration project at Smith and Bybee lakes, was finished last week. We are very pleased with the work of the Bureau of Environmental Services in project oversight and implementation. The herbicide application was performed with the highest regard for the safety of humans and the environment, and it followed all EPA requirements. The native plant starts and seeds have all been planted.

I am very disappointed that Kevin O'Sullivan chose to mis-represent the facts in his letter to you. If you have any questions regarding this habitat restoration project or any other activities at Smith and Bybee Lakes Wildlife Area, please do not hesitate to call Elaine Stewart, the wildlife area manager, or me. Elaine can be reached at 797-1515. I can be reached at 797-1843.

Sincerely,

Charles Ciecko
Director
Regional Parks and Greenspaces Departmentcc Metro Council
Executive Officer Mike Burton
Jeff Stone, Council Chief of Staff
Smith and Bybee Lakes Management Committee
St. Johns Neighborhood Association

**METRO**

April 10, 2000

Commissioner Dan Saltzman
Room 230
1221 SW Fourth Ave.
Portland, OR 97204

Dear Commissioner Saltzman:

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I am very disappointed that Kevin O'Sullivan chose to mis-represent the facts in his letter to you. If you have any questions regarding this habitat restoration project or any other activities at Smith and Bybee Lakes Wildlife Area, please do not hesitate to call Elaine Stewart, the wildlife area manager, or me. Elaine can be reached at 797-1515. I can be reached at 797-1843.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Ciecko". The signature is fluid and cursive.

Charles Ciecko

Director

Regional Parks and Greenspaces Department

cc Metro Council
Executive Officer Mike Burton
Jeff Stone, Council Chief of Staff
Smith and Bybee Lakes Management Committee
St. Johns Neighborhood Association



METRO

April 10, 2000

Linda Hval, Chair
St. Johns Neighborhood Association
8316 N Lombard St #441
Portland, OR 97203

Dear Ms. Hval,

I received your letter of March 28th discussing your concerns about the use of glyphosate on reed canarygrass at Smith and Bybee Lakes Wildlife Area. The herbicide application is complete; it was finished last week and the native plants and seeds have been planted. The contractor followed all EPA requirements relating to herbicide concentration, application and posting the area.

Your letter indicates that you still have many questions regarding reed canarygrass. For more information, I suggest that you visit the Society for Ecological Restoration reed canarygrass working group web page at www.halcyon.com/sernw/rc_home.htm. Other contacts that may be helpful to you are Eric Coombs, Oregon Department of Agriculture (Salem), at (503) 986-4624, and Holly Michael, Oregon Department of Fish and Wildlife, at 657-2000.

You asked how we balance risk, cost and effectiveness in our habitat restoration efforts. We do not have a set formula that we use. We look at areas with the greatest need and potential benefit, available funds, and ecological effects and feasibility of various methods. Researchers and managers across the country are experimenting with a variety of techniques for controlling reed canarygrass. The results of the Smith and Bybee lakes pilot project may be useful in determining the most effective method for controlling this pest. In any event, our highest priority will continue to be the health of Smith and Bybee lakes and those who use this resource.

Sincerely,

Charles Ciecko
Director
Regional Parks and Greenspaces Department

cc Metro Council
Executive Officer Mike Burton
Jeff Stone, Council Chief of Staff
Smith and Bybee Lakes Management Committee



CITY OF
PORTLAND, OREGON

Dan Saltzman, Commissioner
1221 S.W. 4th Avenue, Room 230
Portland, Oregon 97204
Telephone: (503) 823-4151
Fax: (503) 823-3036
Internet: dsaltzman@ci.portland.or.us

April 14, 2000

Kevin O'Sullivan
7624 N Kellogg St.
Portland, OR 97203

Post-It® Fax Note	7671	Date	4/18	# of pages	1
To	Elaine Stewart	From	Saltzman		
Co./Dept.		Co.			
Phone #	797-1515	Phone #	823-4151		
Fax #	797-1849	Fax #	823-3036		

Dear Mr. O'Sullivan,

Thank you for your correspondence regarding herbicide spraying at Smith and Bybee Lakes. The Bureau of Environmental Services (BES) is working hard to reintroduce native vegetation, and improve the bio-diversity of systems throughout the Portland region. METRO's pilot project at Smith and Bybee lakes is one tool being used to reach the goal I know we all desire. A healthy and diverse environment.

After looking into your concerns, I am confident that METRO has followed its policy on herbicide spraying, and has gone a step further by informing the St. Johns Neighborhood Association, and the Smith and Bybee Lakes Management Committee about the pilot project. METRO has assured me that they do not take the use of glyphosate lightly, and have chosen a type (Rodeo) that does not contain surfactants. The U.S. Environmental Protection Agency has approved Rodeo for use in aquatic habitats.

I want to assure you that I will continue to look closely at BES's use of herbicides and balance the need for bio-diversity with the concerns of active citizens such as yourself. Please stay in touch.

Sincerely,

Dan Saltzman
DS/mg



METRO

May 4, 2000

Kevin O'Sullivan
7624 N Kellogg Street
Portland, OR 97203

Dear Mr. O'Sullivan:

I received your request for public records dated April 25, 2000. First, I would like to review Metro's guidelines for responding to these requests. If a request is made that takes less than five minutes of staff time to fill, the record is provided at no charge to the person making the request. If the request will take more than five minutes to fill, we charge for staff time and photocopies. A less costly option is for the person making the request to come in and view the records; this also provides the opportunity to mark the only pages to be copied.

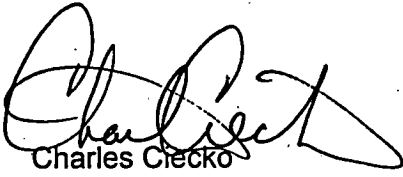
Regarding your specific request:

1. Bylaws: there are no bylaws for the management committee.
2. Committee roster: a copy is enclosed at no charge to you.
3. Herbicide policy: there are two parts, the executive order and the integrated pest management plan (IPM). It is my understanding that you are participating in a sub-committee, that has not met yet, that will be researching pesticide use and alternatives. This information will be provided to the sub-committee and you may want to view it there. Otherwise, the IPM cost is \$10 per copy and the executive order would take about 10 minutes of staff time (\$29 per hour) to research and photocopy (\$0.10 per copy).
4. Financial information: the Smith and Bybee Lakes Trust Fund financial information is found in the annual Metro budget and financial report documents. Staff time and photocopies would be charged at \$42 per hour and \$0.10 per copy (impression), respectively. It may take a half-hour to an hour to locate and copy the pages of interest. You may be able to find these documents at your local library.
5. Pilot project plan: some information is included in minutes of the management committee meetings, which have been sent to you with your regular meeting packet. Funding for the project is found in the trust fund budget, which would be covered under item (4). Other information would require 15-20 minutes staff time (\$42 per hour) to research and photocopy (\$0.10 per copy).
6. Copy of the Metro contract with Portland BES: would take about 10 minutes of staff time (\$42 per hour) to research and photocopy (\$0.10 per copy).

Elaine Stewart discussed this request with you at the April 25, 2000, management committee meeting. You indicated to her that you did not want to proceed with the request if there were charges involved, and Elaine informed you that you could come into Metro and examine the records if you desire.

Because you told Elaine Stewart that you did not want to incur costs, I will wait for your confirmation before I instruct staff to proceed on filling your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Ciecko". The signature is stylized and cursive, with the first name "Charles" written in a larger, more prominent script than the last name "Ciecko".

Charles Ciecko
Director
Regional Parks and Greenspaces Department

Enc. — Roster
Form