

Agenda



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Meeting: Smith and Bybee Wetlands Advisory Committee
Date: Tuesday, November 14, 2023
Time: 5:30 to 7:30 p.m.
Place: Zoom

5:30 p.m.	Welcome and introductions	All
5:35 p.m.	Approve September 2023 meeting minutes	Carrie Butler
5:40 p.m.	Bylaws discussion and decision: advisory to Metro Council or Parks & Nature?	Jonathan Soll
6:40 p.m.	Follow up on solar project and EAB	Jonathan Soll/All
7:20 p.m.	Goals and next meeting agenda	All
7:30 p.m.	Adjourn	

Upcoming SBWAC meetings:

Tuesday, January 23, 2024, on Zoom

For agenda/schedule information, contact Jonathan Soll at jonathan.soll@oregonmetro.gov.

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Meeting summary

Smith and Bybee Wetlands Advisory Committee

November 14, 2023

Committee members in attendance

Carrie Butler Port of Portland
Daryl Houtman City of Portland, Bureau of Environmental Services
Eric Stern Friends of Smith and Bybee Lakes
Jonathan Soll Metro
Max Samuelson Columbia Slough Watershed Council
Pat Jewett 40-Mile Loop Trust
Troy Clark Audubon Society of Portland

Committee members not in attendance

Eugenia Tam North Portland Neighbors

Others in attendance

Sofia Bermudez-Eredia Metro

WELCOME

The September 26, 2023, meeting minutes were approved.

CONSERVATION UPDATES

Nutria Control

Jonathan Soll provided updates: Still actively working on nutria control. Fellow from USDA was out earlier this week and saw a lot of beaver but did not kill a lot of nutria in the last outing.

Bank Stability Project

Contracting for the Bank Stability project. Doing seeding/buying seed for the prairie projects but not much else is happening on the ground right now.

Troy Clark noticed that the water control structure, all the rock and dirt that had washed out in the spring the rock had been replaced and new gravel had been laid down. Wanted to make sure that the sheet pile would be done in concert together and was surprised to see the water control structure repair already being done. All the gravel that was laid will have to be moved to do the sheet pile work. But it's good to see that the water control structure's protected again.

Solar Issue:

Jonathan updates that nothing further has happened on the solar issue. Jonathan tried to get a meeting with Dana who presented last time but she is out of town for a little bit. Jonathan expresses having grave concerns of using natural areas acres even for noble pursuit such as renewable energy and does not want to see them pursuing a planning grant. That is a way to do an end around opposition to gather political support and get momentum for the project that we won't be able to turn aside. He plans to share those concerns politely and asking Dana not to start on grant

applications until they have support from Parks and Nature to move ahead with the project on that site- which they will not get.

Troy suggests sending a note on behalf of the committee to weigh in.

Jonathan plans on meeting with Dana in the next couple of weeks and hopefully will get them redirected. Soll suggests holding off on the letter for the moment and see if they are going to pursue on the planning grant. Carrie can help draft a letter and the committee can vote to authorize the letter once Soll checks in with Dana. If Dana still wants to go ahead after, then that would be the time to start generating opposition through our director.

Troy offers to help put a letter together to Jon Blasher and if Jonathan feels like they need to move, they can vote now to support that letter. The committee unanimously agrees and votes that if needed, they approve to support a letter to Jon Blasher that will say they are against the planning grant.

Bylaws Discussion and Decision: Advisory to Metro Council or Parks and Nature?

Jonathan asks the committee: Will the advisory committee switch to formally advising metro parks and nature versus the metro council? That is important because if the advisory committee is formally advisory to the metro council, there would be several things that need to change. Number one, the council would have to appoint members and we would have to follow all the official public meeting rules which are quite restrictive compared to the ways in which we behave like having ad-hoc conversations through email occasionally, resolving issues by email when we aren't able to do it in meetings, and a bunch of other things that are all covered under Oregon public meeting laws that limit the flexibility that the committee currently has. The committee hasn't been acting in compliance with public meeting laws in several instances.

One could argue that being advisory to parks and nature is really what the committee has been. And talking to Dan Moeller who worked on bylaws a few years ago, he thought we switched that then but they missed some wording. On one hand, this gives the committee a direct line to parks and nature which they already have. But on the other hand, they might think they have less access to decision making power than if you're formally advisory to the council. It would require the consent of our council to become formally advisory to them, but that can be managed. If you were advisory to the metro council, then metro itself wouldn't be a voting member.

Troy thought they were always advising parks and nature and going up through the chain. He asks, do we want to saddle ourselves with the restrictions to become a formal advisory for metro council?

Pat Jewett expresses that it would change things if they had to appoint people. There would be term limits and the committee will not be able to email each other anymore, you will have to wait for the agenda to come out. Everything is public.

Carrie expresses that the committee already has a hard time recruiting folks to participate.

Jonathan confirms that the agendas are already public but there would be no email discussion or voting in between emails because it is not public.

Max feels like advising directly to Parks and Nature does feel like a path of least resistance where we would still be able to keep the form, we have going on right now and still be able to advise.

Troy moves that the committee changes the wording in the bylaws that specify that the committee is advising Parks and Nature.

Pat Jewett seconds that.

Carrie Butler asks, Thumbs up who agrees?

Everyone puts thumbs up

The next steps are that the committee will get on the council calendar and hopefully by the time the committee meets in January it should be a done deal. But even if it's not, the committee can rework on crafting this to identify all the things that they think should be tidied up as a result of this.

There will not be that much to change in the bylaws because the committee has been operating in a more casual mode. So, a bunch of things that Gary was asking to be stricken will no longer need to be stricken from the bylaws because they are legal to do as a committee advisory to a Parks and Nature or to a metro program. But there are some things like term limit for the chair that will be up to the committee.

Jonathan will make a nice tidy list with Carrie and will get it out to the committee. They have a list, but it is complicated by the lack of certainty on to whom the committee advising.

Carrie asks if they will have the list by the next meeting.

Jonathan suggests that it might be too soon with the holidays, but he and Carrie will get right on it and see because it may be able to be done as part of the consent agenda, and if so, it doesn't take a lot of time. But they might not be able to get on the calendar fast enough. Jonathan will let the committee know by email but in the meantime, the committee can continue in the current structure. There will be some choices. For example, some people who have drifted away, organizations that have drifted away and we might want to ask who else should be here? We might need to then have a way to officially add different people.

Old Marine Drive to North Portland Road

Troy mentions a final item regarding three old telephone poles that are along Marine Drive with lights on and they've been chain sawed. Troy was wondering if metro staff has felled them. Two of them are close to North Portland Road and one of the poles is wrapped around in caution tape.

Jonathan says he does not think this was done by Metro staff.

Troy contacted BES concerning the Columbia Steel Casting that this idea that TASS, the temporary housing project that is going to be right off North Portland Road between Columbia Steel and North Portland Road and whether BES has been in dialogue with Columbia steel casting. He got a response from Eli Callison that this project has been centered in the mayor office and BES has no responsibility of reaching out to Columbia Steel Casting. And I was wondering if Metro had any contact with what's going on there. But there is curiosity around if a targeted homeless facility is

going to be there. It's supposed to serve 200 people the guarantee from Callison was that the environmental issues along the slough are going to be respected but who is talking to who.

Daryl will send an email to Troy about an email that he received as BES employees from Hank at the mayor's office who is the project manager for that site and there was some outreach.

Goals for next meeting and wrap-up

- Jonathan will get a meeting with Dana regarding solar project.
- Following up next steps regarding committee advising parks and nature.

Meeting adjourned early at 6:30 p.m.