



Portland Planning and Sustainability Commission

Eli Spevak, Chair

Chris Smith
Jeff Bachrach
Ben Bortolazzo

Mike Houck
Katie Larsell
Oriana Magnera

Daisy Quiñonez
Steph Routh, Vice Chair
Katherine Schultz, Vice Chair

July 8, 2020

Josh Mulhollem, Environmental and Policy Program Manager
Oregon State Marine Board
435 Commercial St. NE, Ste. 400
Salem, OR 97301

Sent via email

Dear Mr. Mulhollem,

The Portland Planning and Sustainability Commission (PSC) is pleased to share the results of the June 23, 2020, PSC public hearing on river recreation for the River Plan / South Reach project. While the issue of wakes was not considered in the earlier draft of the Plan, at this hearing there was tremendous public interest and huge amount of both written and oral testimony regarding river recreation and the issue of wakes on the Lower Willamette.

We heard loud and clear that Portlanders love this river! Following testimony, the PSC deliberated on whether to address the wake issue in the Plan and our recommendation to City Council. We also informed testifiers that we would share all testimony received with the Oregon State Marine Board (OSMB), which you should have received from us already. This letter provides context, a summary of public comment received, and our recommendation that the City of Portland petition the Oregon State Marine Board to establish a Slow No Wake Zone between the Hawthorne and Sellwood Bridges and at Powers Marine Park and Elk Rock Island.

Background

River Plan / South Reach is a 20-year plan that focuses on watershed health and resilience, recreation, tribal engagement and collaboration and riverfront communities. It updates the city's 1987 Willamette Greenway Plan. The Plan includes a future vision, policy guidance and a list of implementation actions to achieve the vision. The Plan includes changes to Comprehensive Plan and Zoning Code text and maps. It also includes Natural Resources and Scenic Resources protection plans.

The plan has been developed over a two-year period with staff holding 63 meetings and events where 960 participants had an opportunity to provide input to city planners. A first public hearing on the proposed draft plan was held on February 25, 2020, where 64 people testified.



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

Printed on 100% post-consumer waste recycled paper.

The PSC's mission is to ensure that City plans are consistent with and implement the 2035 Comprehensive Plan and the Climate Action Plan. This takes thoughtful consideration of many important topics and can lead to recommendations that balance different goals and objectives. The PSC makes recommendations to City Council. City Council takes final action on plans after holding a public hearing with testimony.

Portland Bureau of Planning and Sustainability leads the City's long-range planning and sustainability agenda and coordinates with bureaus and agencies at all levels to ensure consistency with and implementation of planning and climate change policy mandates.

River Plan / South Reach is an example of a community planning effort that addresses policy mandates and guidance. It furthers and implements statewide planning goals, Portland's 2035 Comprehensive Plan, Climate Action Plan, and other local plans, policies and programs.

June 23, 2020 PSC Public Hearing on River Recreation in River Plan / South Reach

Minutes from the June 23 public hearing that includes oral testimony are available [online](#).

At the hearing, we learned that there are hundreds of people who are passionate about river recreation on the Willamette River. Nearly all the approximately 930 testifiers wanted to comment on boating safety and shared comments that specifically related to the April 28, 2020, letter we sent to you asking for consideration of a Slow No Wake zone from the Hawthorne Bridge to the Sellwood Bridge.

June 23, 2020 PSC Public Hearing Summary

We began the hearing with an introduction that I provided and then one by a Bureau of Planning and Sustainability (BPS) staff person that highlighted governmental roles related to river recreation and river recreation highlights from the River Plan/South Reach Proposed Draft (January 2020). Key points in the presentations included:

- Key state agencies for river recreation are the Department of State Lands (DSL), Oregon State Marine Board (OSMB) and Department of Land Conservation and Development (DLCD).
- Multnomah County Sheriff's Office River Patrol is the primary enforcer of laws associated with river recreation.
- Portland Parks and Recreation is responsible for the planning, development, operations and maintenance of city parks facilities and natural areas.
- There are 5 objectives and associated actions related to river recreation in the draft plan. They address the provision of facilities and services for a variety of river recreation activities and seek to minimize conflicts between different river users and minimize impacts on natural resources, especially shallow water habitat. ([See pages Pt. 1, pages 56-60](#))
- BPS staff Debbie Bischoff provided a summary of the written testimony received, which totaled 890. Staff's summary was based on review of over 600 pieces of testimony. At that point, about 2/3 of the comments received supported a Slow No Wake Zone. Attached to this letter is a summary of all written testimony received.

The PSC then received oral testimony from 33 people. Nearly all the testimony seemed to be prompted by the Slow No Wake Zone recommendation that we sent to you in the April 28, 2020 letter. As stated



earlier, the PSC then considered public input from the written and oral testimony to determine if wake related recommendations should be added to the Plan. Some folks supported a Slow No Wake Zone; others did not. The biggest concern expressed by those who supported a Slow No Wake Zone was the impacts of large wake generating activities on light watercraft, floating home moorages, shallow water habitat and the riverbank. A few people testified that addressing climate change was important, suggesting the promotion of electric engines to replace gas fueled motorboats. Those who spoke against the Slow No Wake zone want the river to be used by all boaters, that implementation of such a recommendation would increase boater conflicts not reduce them, and that boater education should address safety concerns. A couple of commenters asked for more racial diversity on the river and equity in terms of access to the river for recreation, noting that swimming and light watercraft are affordable to a wider range of residents than motorboats.

The PSC also considered information from the National Marine Fisheries Service and input from the City's Bureau of Environmental Services regarding ecological impacts of wakes on Threatened and Endangered species of salmonids and on their habitats.

After that, the hearing was closed, and the PSC held a discussion. Commissioner Chris Smith noted asymmetry in safety concerns among river recreation users and indicated interest in seeing an analysis of the demographics of the different communities of river users. Commissioner Oriana Magnera voiced consideration of racial justice in this context. Additionally, she recommended that staff check in with the City's Tribal Government Liaison and interested tribes about the restoration and maintenance of salmon habitat; and to be conscious of people living on boats don't get displaced.

The PSC also considered the City's obligation to address land use planning Goals in its decision-making process, with particular focus on Goal 15, the Willamette River Greenway state-wide goal. Ecological, equity and climate impacts were significant factors in the PSC's adoption of a new Action item related to boat wakes.

Recommendation

Commissioner Mike Houck proposed a new action be formally added to the River Plan/South Reach:

New action R11D: The City of Portland, to address river recreational safety and ecological health of the river, will petition the Oregon State Marine Board to establish a Slow No Wake Zone between the Hawthorne and Sellwood Bridges and at Powers Marine Park and Elk Rock Island.

Timeframe: Ongoing

The PSC unanimously supported the amendment to add a new action R11D and will highlight this action in their transmittal of the River Plan/South Reach PSC recommended draft to City Council.

River Plan / South Reach Next Steps

After the June 23, 2020 public hearing the Planning and Sustainability Commission unanimously approved the River Plan / South Reach Proposed Draft as amended by PSC at work sessions held on March 10, May 12 and 26 and June 23 of this year. They recommended forwarding the



revised draft plan to City Council for their consideration. We are aiming to bring the project to Council for a public hearing in late summer or early fall.

Upcoming OSMB Meeting

We are aware that the OSMB would like to have a Portland Planning and Sustainability Commissioner attend the July 22-23, 2020 OSMB meeting for the Lower Willamette rule making discussion. Unfortunately, I am not able to attend the meeting, but Vice-Chair Commissioner Steph Routh and Commissioner Mike Houck have agreed to attend your virtual meeting. Several City staff also plan to be there in case you have questions that they can answer. Please let me know if you have any questions about this letter.

We appreciate the OSMB engaging in a democratic rule making process to address boating safety issues in the Lower Willamette.

Sincerely,



Eli Spevak
Chair

[attachment]

C: Portland Planning and Sustainability Commission
Andrea Durbin, Director, Bureau of Planning and Sustainability
Sallie Edmunds, Supervising Planner, Bureau of Planning and Sustainability
Debbie Bischoff, Senior Planner, Bureau of Planning and Sustainability



ATTACHMENT

SUMMARY OF WRITTEN TESTIMONY RECEIVED ON RIVER PLAN / SOUTH REACH PROPOSED DRAFT

June 23, 2020 Planning and Sustainability Commission (PSC) Public Hearing

The PSC received a tremendous amount of testimony from passionate river users. There were 896 total submissions in the electronic Map App tool.

Nearly all of it was on boating regulations, which is not in the direct purview of the City of Portland or addressed in the River Plan/South Reach proposed draft . That said, it is fairly common for the PSC to receive testimony suggesting action items beyond the current project's scope or even the city's authority. The PSC appreciates all testimony.

The testimony received is from a broad spectrum of river users from wake boaters to paddle boarders, fisher people and swimmers too. Some folks enjoy both motorized and nonmotorized boating activities on the river.

Some testimony emphasized the need for more education for all river users and the need for more enforcement of rules.

Of the 896 written testifiers, 517 or 58% supported a Slow No Wake (SNW) zone. And 358 (40%) were against a SNW zone (a few of whom favored a compromised approach).

Some reasons cited by testifiers supporting less regulation and not supportive of a Slow No Wake Zone included: (1) the river should be for all users, (2) a SNW zone would force motorboaters to other areas adding to congestion at those locations, (3) the SNW zone as proposed is too large an area and (4) light watercraft shouldn't be prioritized over motorized boats.

For light watercraft users their biggest concern was with boats that produce large wakes and concerns for capsizing, injuries and damages to watercraft (particularly for less experienced river users). The PSC heard from a lot of nonmotorized boating club members. The PSC heard from families on the river desiring to feel safe while recreating. Some testifiers are concerned about turbidity, erosion and fish habitat. Other testimony cited concerns of wave energy damaging floating homes. Some folks want to see a SNW zone from Hawthorne Bridge to city limits or Elk Rock Island.

