

**From:** [Regna Merritt](#)  
**To:** [Council Clerk – Testimony](#)  
**Cc:** [Theodora Tsongas](#)  
**Subject:** Bull Run Project Impact Assessment Rules Testimony Agenda Item 850 12.1.2021 AM  
**Date:** Tuesday, November 30, 2021 6:26:03 PM  
**Attachments:** [Bull Run Project Impact Assessment Rules Testimony.pdf](#)

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Attached please see testimony of Dr. Theodora Tsongas on behalf of BARK, which counts 25,000 community members among its supporters.  
Thank you.

Testimony of: Dr. Theodora Tsongas on behalf of Bark

Good afternoon, Mayor Wheeler and Councilors. Thank you for taking this opportunity to listen to the concerns of the public regarding this city's most precious resource, the waters of the Bull Run watershed.

Today, I am speaking on behalf of Bark, a non-profit organization dedicated to providing the community with resources to protect and restore of Mt. Hood National Forest. Bark counts 25,000 community members among our supporters.

Bark would like to emphasize the public concern about the loss of federal environmental protections and the application of federal environmental laws and guidelines in planning projects in the now city-owned areas within the Bull Run Closure Area.

Specifically, the Council on Environmental Quality (CEQ) within the Executive Office of the President has issued guidance for federal agencies in their consideration of the effects of greenhouse gas emissions and climate change when evaluating proposed actions under the National Environmental Policy Act. This guidance was issued in 2016 following a series of court rulings addressing the issue of greenhouse gases and NEPA, which found that whenever greenhouse gases are significant or rise from the project, either directly or indirectly, they must be analyzed.

**As these city-owned lands are no longer under the jurisdiction of the US Forest Service, the City is now accountable for assessing the climate impacts of proposed actions and will be held responsible for any City directed actions that exacerbate negative climate impacts to the ecosystem and ecosystem benefits for our communities.**

In the City's proposed Project Impact Assessment and Mitigation Requirements, climate change impacts are very nearly excluded, the only mention being in the Project Assessment Template which says, for "Carbon Emissions - Describe the number of truck trips anticipated to occur during construction."

**This rudimentary assessment of vehicle emissions does not come near the guidelines that should be applied to projects were they still under federal management.**

Forests play a role in the carbon cycle in several ways. As natural ecosystems, they remove (sequester) CO<sub>2</sub> from the atmosphere through photosynthesis, storing the carbon primarily as wood and other biomass, and in the soil. These stores are referred to as a carbon pool, stock, or reservoir. Impacts to the carbon stores are a significant factor of climate impact and need to be addressed in the Project Impact Assessment. **The City should elect to quantify all carbon emitted from any project and the potential loss of future carbon sequestration because of any project.**

**We recommend the City update the Project Impact Assessment requirements to align with the CEQ's Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews.**

Thank you for your time and consideration today.

**From:** [Regna Merritt](#)  
**To:** [Council Clerk – Testimony](#)  
**Cc:** [Courtney Rae](#); [Theodora Tsongas](#)  
**Subject:** BARK testimony to City Council 12.15.2021 Agenda Item 908  
**Date:** Tuesday, December 14, 2021 8:34:03 PM  
**Attachments:** [BARK TESTIMONY for Dec 15 2021 AM hearing.docx](#)

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Please accept this testimony by Dr. Theodora Tsongas on behalf of BARK. Bark counts 25,000 community members among our supporters.

Testimony of: Dr. Theodora Tsongas on behalf of Bark

Good morning, Mayor Wheeler and Commissioners. Thank you for taking this opportunity to listen to the concerns of the public regarding this city's most precious resource, the waters of the Bull Run watershed.

Today, I am speaking on behalf of Bark, a non-profit organization dedicated to providing the community with resources to protect and restore of Mt. Hood National Forest. Bark counts 25,000 community members among our supporters.

We acknowledge that the Portland Water Bureau may modify the draft rules before Dec 31 and appreciate that there is recognition of our previous testimony. However, the language in the report and in Exhibit A remain the same and we have not seen new drafts. Therefore we continue to request that the City Council NOT ACCEPT the report and Exhibit A associated with this agenda item.

Bark would like to emphasize the public concern about the loss of federal environmental protections and the application of federal environmental laws and guidelines in planning projects in the now city- owned areas within the Bull Run Closure Area.

Specifically, the Council on Environmental Quality (CEQ) within the Executive Office of the President has issued guidance for federal agencies in their consideration of the effects of greenhouse gas emissions and climate change when evaluating proposed actions under the National Environmental Policy Act. This guidance was issued in 2016 following a series of court rulings addressing the issue of greenhouse gases and NEPA, which found that whenever greenhouse gases are significant or rise from the project, either directly or indirectly, they must be analyzed.

**As these city-owned lands are no longer under the jurisdiction of the US Forest Service, the City is now accountable for assessing the climate impacts of proposed actions and will be held responsible for any City directed actions that exacerbate negative climate impacts to the ecosystem and ecosystem benefits for our communities.**

In the City's proposed Project Impact Assessment and Mitigation Requirements, climate change impacts are very nearly excluded, the only mention being in the Project Assessment Template which says, for "Carbon Emissions - Describe the number of truck trips anticipated to occur during construction."

**This rudimentary assessment of vehicle emissions does not come near the guidelines that should be applied to projects were they still under federal management.**

Forests play a role in the carbon cycle in several ways. As natural ecosystems, they remove (sequester) CO<sub>2</sub> from the atmosphere through photosynthesis, storing the carbon primarily as wood and other biomass, and in the soil. These stores are referred to as a carbon pool, stock, or reservoir. Impacts to the carbon stores are a significant factor of climate impact and need to be addressed in the Project Impact Assessment. **The City should elect to quantify all carbon emitted from any project and the potential loss of future carbon sequestration because of any project.**

**We request that the City update the Project Impact Assessment requirements to align with the CEQ's Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews.**

Thank you for your time and consideration today.

**From:** [David De La Torre](#)  
**To:** [Council Clerk – Testimony](#)  
**Subject:** Oregon PSR Testimony for Agenda Item 908 Dec 15 AM  
**Date:** Tuesday, December 14, 2021 9:11:21 PM  
**Attachments:** [OPSR Bull Run Testimony Agenda Item 908.pdf](#)

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Please accept this testimony on Agenda Item 908 from Oregon Physicians for Social Responsibility.

David

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David De La Torre  
Healthy Climate Program Director  
Oregon Physicians for Social Responsibility  
Pronouns: he / him / él  
email: [David@oregonpsr.org](mailto:David@oregonpsr.org)  
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We live on stolen land.

The place we call Portland sits on the traditional village sites of the Multnomah, Kathlamet, and Clackamas bands of the Chinook, Tualatin Kalapuya, Molalla and many other Tribes that made their homes along the Columbia River. Today, many descendants are part of the [Confederated Tribes of Grand Ronde](#), the [Confederated Tribes of Siletz Indians](#), as well as the [Chinook Nation](#) and [Cowlitz Nation](#). [Read Oregon PSR's Land Acknowledgment](#) and [learn whose land you inhabit](#).



December 14, 2021

To: Mayor Ted Wheeler, Portland City Commissioners Mingus Mapps, Jo Ann Hardesty, Carmen Rubio, and Dan Ryan:

Re: Agenda Item 908 December 15, 2021 AM Council Session

From: Oregon Physicians for Social Responsibility

### Board of Directors

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Bonnie Reagan, MD

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Frances Storrs, MD

Dear Mayor Wheeler and Portland City Commissioners Mapps, Hardesty, Rubio, and Ryan,

Thank you for this opportunity to comment. My name is David De La Torre and I am the Healthy Climate Program Director for Oregon Physicians for Social Responsibility which represents over 2,600 members. Though I've very recently joined staff to lead our Healthy Climate Program, Oregon PSR has been engaged in the protection of Bull Run for decades.

We were fully engaged in the development of the Title 21 code last year and in September 2021, Damon Motz-Storey testified on behalf of Oregon PSR and partners during the hearing on draft Bull Run rules.

I'd like to address three specific issues covered in testimony we previously submitted. **Water Bureau staff indicated 2 days ago that they do not intend to modify new draft rules to address these concerns.** These are: 1) a problematic exclusion from Project Impact Assessment; 2) the need to address tribal government engagement; and 3) the need to address community engagement through these rules.

We request that you make recommended changes now. These steps will help the public and City Council understand whether and which negative impacts are adequately identified and help us determine if a large project should move forward, be modified, and which mitigation measures are appropriate.

**Exclusion from Project Impact Assessment (PIA) for Dam & Hydropower Repair**  
Project Impact Assessment IV C. Exclusions 7. (see p. 4/18)

It is very reasonable to support safety-related repairs for dams and hydro facilities. However, such projects should be preceded or accompanied by development of a Project Impact Assessment if repair or replacement requires disturbance of 0.5 or more acres of areas that have **not** been previously developed or paved (this is the quantitative marker in the rest of the rules). This is the best means of identifying and developing appropriate mitigation if there will be significant negative impacts.

This modification would be fully consistent with other areas of proposed rules which read in part (see p. 3 /18) :



Oregon Physicians for Social Responsibility  
*The US affiliate of International Physicians for the Prevention of Nuclear War, Recipient of the 1985 Nobel Peace Prize*

4110 SE Hawthorne Blvd. #758 Portland, OR 97214  
Tel: 503-274-2720 info@oregonpsr.org www.oregonpsr.org

#### **IV. Project Impact Assessment**

**A. Projects Requiring Assessment.** Projects in each of the following categories may have the potential to result in significant impacts on the watershed:

1. Infrastructure projects, ancillary structures or construction staging located outside previously developed, paved or otherwise non-forested areas.
2. Construction of new roads outside existing road corridors, or reconstruction of existing road segments, if the total area of new ground disturbance or vegetation removal is 0.5 acres or larger.

We do not read the Bull Run code as providing any support for exclusion of large dam or hydro repair from the requirements of PIA development. In fact, Title 21 includes a provision for development of PIA in the event of any emergency response is expected to last longer than 30 days. (See 21.36.050 Bull Run Protection Policy M. Emergencies 3.) Title 21 also mandates that if the situation creating the emergency requires a multi-year capital planning and design project to fully resolve, the comment objection and appeal processes are required. (See 21.36.050 Bull Run Protection Policy M. Emergencies 5.)

**RECOMMENDATION:** Add text to C 7 (Exclusion from PIA).: Safety-related repairs of dams and hydropower facilities causing disturbance of undeveloped or unpaved areas less than 0.5 acres and resulting from the orders from the FERC Regional Engineer...

#### **Tribal Government Engagement**

After a November 30th discussion with Laura Johns of the City's Tribal Relations program, we recommended to Commissioner Mapps' staff that the Water Bureau add a new section with language that reflects this intent.

**RECOMMENDATION** (add new Section on Tribal Government Engagement and language): The Water Bureau will coordinate with the City's Tribal Relations program to hold consultations with sovereign tribal nations to hear their priorities and input on the draft projects before public comment periods. The Bureau will respect requests to be kept in the loop as the plans are adopted and implemented. The Bureau is committed to maintaining open communication with the tribal governments.

**Note:** If Laura Johns has changed her opinion on this language subsequent to November 30th, this would be important to know.

#### **Public Notification/Community Involvement**

We very much appreciate that the Water Bureau gave public notice for the August-September public comment period through outreach to known past stakeholders, tribal staffs, on the City's website, on social media and in the newspaper of record.

We ask that this best practice, wholly consistent with Title 21 Code, be incorporated in the administrative rules.

Existing Code, as follows, requires notice to the public for individual capital projects and/or non-routine projects, notice of Project Impact Assessments, and notice of comment periods for Mitigation Summary.

#### **F. Public Notice and Comment.**





1. The Portland Water Bureau must provide an opportunity for members of the public to comment on individual capital projects and/or non-routine projects identified on the quarterly project list...
2. Project Impact Assessment. The Portland Water Bureau must provide an opportunity for members of the public to comment on a Project Impact Assessment as defined in Subsection 21.36.050 G.1...
3. Project Mitigation. During the project's design phase, the Portland Water Bureau must provide an opportunity for members of the public to comment on a Mitigation Summary as defined in Subsection 21.36.050 G.2....

RECOMMENDATION:

(See p.1/18 draft rules.)

Add: Section III Community Impacts and Community Involvement

Add: Text

The PWB will send 1) notice of individual capital and/or non-routine projects on City-owned lands in the BRMU; 2) notice of comment period for Project Impact Assessment; and 3) notice of comment period for Mitigation Summary to stakeholders, including non-profit organizations with a history of engagement on water, wildlife and/or forest issues on the Mt Hood National Forest. Notice of the opportunity to comment will be published on-line and in the paper of record for the City of Portland because these organizations will vary over time.

Again, we request that you make these changes before December 31. Thank you for your time and attention to our concerns.

Sincerely,

David De La Torre

Healthy Climate Program Director  
Oregon Physicians for Social Responsibility



**From:** [Regna Merritt](#)  
**To:** [Council Clerk – Testimony](#)  
**Cc:** [Micah Meskel](#); [David De La Torre](#); [Kelly Campbell](#); [Damon Motz-Storey](#); [Brenna Bell](#); [Courtney Rae](#); [Mitch and Nancy](#); [Debra Higbee-Sudyka](#); [Doug Heiken](#); [Bob Sallinger](#)  
**Subject:** Comment for Agenda Item 908 Dec 15 2021 AM  
**Date:** Wednesday, December 15, 2021 8:42:45 AM  
**Attachments:** [Agenda 908 12.15.21 Bull Run Comment Ltr to Council.pdf](#)

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Please find attached comments submitted on behalf of Oregon Physicians for Social Responsibility (2,600 members), Portland Audubon (17,000 members in the Metro area), Oregon Wild (20,000 members), BARK (25,000 members), Oregon Chapter of the Sierra Club (75,000 members and supporters), 350PDX (8,000 members), and the Mt. Hood Stewardship Council.

Thank you,  
Regna Merritt

Date: December 15, 2021

To: Portland City Council via [cctestimony@portlandoregon.gov](mailto:cctestimony@portlandoregon.gov)

Re: Portland City Council Hearing December 15, 2021 Agenda Item 908

Public Comment on Proposed Bull Run Administrative Rules

Thank you for this opportunity to provide public comment on draft administrative rules for the City-owned lands in the Bull Run Closure Area. These comments are submitted on behalf of Oregon Physicians for Social Responsibility (2,600 members), Portland Audubon (17,000 members in the Metro area), Oregon Wild (20,000 members), BARK (25,000 members), Oregon Chapter of the Sierra Club (75,000 members and supporters), 350PDX (8,000 members), and the Mt. Hood Stewardship Council.

We thank the Portland Water Bureau for taking our previous testimony into consideration in drafting the version of the rules attached to Agenda Item 908. However, these primary areas of concern remain:

- Climate and Carbon Sequestration;
- Exclusion from Project Impact Statement;
- Field Surveys;
- Tribal Government Engagement; and
- Public Notification/Community Involvement

Please note that Council Agenda Item 908 reads, in part:

“The Commissioner of Public Works has reviewed and approved this Report and its Exhibit A, and;

### **RECOMMENDS**

That the Council accepts the Report on Portland City Code Title 21 (Water), Administrative Rules: Bull Run Protections.”

**We request that the Mayor and Commissioners not accept this report and its Exhibit A and, instead, advocate for modifications to address**

**our deep concerns prior to finalization and adoption of the rules by the Water Bureau Administrator on December 31, 2021.**

We thank Commissioner Mapps and staff for listening to concerns voiced in our November 30, 2021 letter and to the Water Bureau for agreeing to some change in the rules as indicated in their December 13 letter. However, we feel somewhat stymied because we cannot review/support/oppose changes in the rule language that we have not seen. Additionally, Water Bureau staff indicated in that letter that the Bureau does not intend to modify new draft rules to address some of our concerns. Therefore, we stand by our earlier comments, as detailed below.

The City of Portland and U.S. Forest Service land exchange is complete now, with nearly 3,000 acres of crown jewel Bull Run lands (including those beneath rivers and reservoirs and adjacent old-growth forests) leaving federal protection and coming into City ownership.

Remember that we were not fans of the land exchange. While it streamlined process and permits and saved the City and the Portland Water Bureau money, we were concerned about the loss of federal environmental protections and the application of federal environmental laws, like the National Environmental Policy Act in planning projects in the protected Bull Run Closure Area.

When considering that future activities in the Bull Run could range from a) a huge new road project cutting into an old-growth forests or b) a complex system of firebreaks crisscrossing the protected area or c) construction or reconstruction of a massive dam, one can understand the importance of structuring new rules that clearly define an inclusive, transparent planning process with an administrative appeal process to allow challenges to potentially damaging projects if necessary.

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Climate and Carbon Sequestration

The climate crisis is upon us. Management of Oregon's mature and old growth forests will play a pivotal role in determining the extent to which our

communities and ecosystems will be disrupted. As currently managed, mature and old-growth forests in the Bull Run watershed are excellent allies in drawing down and storing atmospheric carbon and helping mitigate the worst impacts of climate change by providing refugia for climate-stressed species, and producing clear, cold water. Any management changes that would allow these important forests to be logged for infrastructure projects must include thorough analyses of the adverse impact to carbon sequestration and storage of the Bull Run watershed as well as decreasing the ecosystem's resilience to the changing climate.

The current rules fail to include the complex and important relationship between forests and the carbon cycle, instead indicating only a commitment to describe (in Exhibit B Template for Project Impact Assessment) the number of truck trips anticipated to occur during construction.

This is unacceptable, especially given that the Greenhouse Gas (GHG) emissions and loss of near future GHG sequestration potential from a huge project removing large swath(s) of mature and old-growth trees could dwarf GHG emissions from trucks.

**Recommendation:**

Projects Requiring Assessment (see p. 5/18 draft rules)

Add: Section IV G on Climate Change, Carbon Sequestration, and avoidance of GHG emissions. The Water Bureau will consider direct, indirect, and cumulative impacts of the proposed project in regards to its climate impacts. This will include an analysis in the Project Impact Assessment of GHG emissions, effects on the climate resilience of an affected habitat, and the potential loss of carbon stocks and sequestration capacity of an impacted area.

**Recommendation:**

Exhibit B Project Impact Assessment (see p.12/18 draft rules)

Current text of Template: “Carbon Emissions”

- Describe the number of truck trips anticipated to occur during construction.

Add to Template:

- Describe the potential carbon released through the logging, clearing of vegetation, or removal of downed wood on site.
- Describe the time required for a similar amount of carbon to be accumulated on the site in the future.
- Describe impacts on climate resilience of affected habitat.

Understand that there are tools readily available to estimate these carbon losses because the Water Bureau will have described the approximate number, species, age, and diameter of alive and dead trees that might be removed. (See Exhibit B Template Project Impact Assessment.)

In a letter dated December 13, 2021 in response to our written testimony of November 30, 2021, Water Bureau staff states that the Bureau:

“anticipates ... adding wording to the final rules that directs bureau staff to analyze carbon emissions, changes in carbon storage and sequestration, and climate resilience of habitat for projects subject to the Project Impact Assessment requirements. This analysis would be commensurate with the scope and scale of the project, and the detail required would be tiered to the amount of acreage affected. The bureau anticipates, therefore, adding wording to the final rules that directs bureau staff to analyze carbon emissions, changes in carbon storage and sequestration, and climate resilience of habitat for projects subject to the Project Impact Assessment requirements. This analysis would be commensurate with the scope and scale of the project, and the detail required would be tiered to the amount of acreage affected.

*While this appears promising, we cannot comment on text we have not seen and therefore repeat our call to incorporate our recommendations of November 30, 2021, as detailed above.*

### Exclusion from Project Impact Assessment for Dam & Hydropower Repair

Project Impact Assessment IV C. Exclusions 7. (see p. 4/18)

It is very reasonable to support safety-related repairs for dams and hydropower facilities with an order from FERC Regional Engineer. However, such projects should be preceded or accompanied by development of a Project Impact Assessment (PIA) if that repair (or replacement) requires disturbance of 0.5 or more acres of areas that have not been previously developed or paved. This is the best means of developing appropriate project mitigation in the event of significant negative impacts to City-owned lands in the Bull Run Closure Area, including irretrievable and irreversible loss.

This modification would be fully consistent with other areas of proposed rules which read in part (see p. 3 /18):

#### **IV. Project Impact Assessment**

**A. Projects Requiring Assessment.** Projects in each of the following categories may have the potential to result in significant impacts on the watershed:

1. Infrastructure projects, ancillary structures or construction staging located outside previously developed, paved or otherwise non-forested areas.
2. Construction of new roads outside existing road corridors, or reconstruction of existing road segments, if the total area of new ground disturbance or vegetation removal is 0.5 acres or larger.

We do not read Title 21 Bull Run code as providing any support for exclusion of large dam or hydropower repair from the requirements of PIA development. In fact, Title 21 includes a provision for development of PIA in the event of any emergency response is expected to last longer than 30 days. (See 21.36.050 Bull Run Protection Policy M. Emergencies 3.) Title 21 also mandates that if the situation creating the emergency requires a multi-year capital planning and design project to fully resolve, the comment objection and appeal processes are required. (See 21.36.050 Bull Run Protection Policy M. Emergencies 5.)

**RECOMMENDATION:** Add text to C 7 (Exclusion from PIA).: Safety-related repairs of dams and hydropower facilities causing disturbance of undeveloped or unpaved areas less than 0.5 acres ...

*In the letter dated December 13, 2021 in response to our written testimony of November 30, 2021, Water Bureau staff indicated that “the Bureau does not anticipate changing the rule to delete or modify this exclusion.”*

*We repeat our call to incorporate this change into the final rules.*

### Field Surveys

We ask that field surveys for at-risk wildlife and plant species (as defined in the current draft rules) be performed during project planning if species presence is known or expected in the proposed Project Area.

The cost of surveys would be a sliver of the cost of a huge project, such as construction or reconstruction of a dam. We emphasize that collaborating with Federal, State, expert specialists, and higher education partners is a good strategy to limit costs and foster collaboration. We are prepared to provide contact information for experienced field staff who could perform appropriate surveys and train Water Bureau staff at the same time, providing key internal skills at minimal cost that will be beneficial across various aspects of the management of the Bull Run Closure Area.

### **Recommendation:**

E. Surveys for At-Risk Species, 2<sup>nd</sup> to last sentence (see p. 5/18 draft rules)

Change sentence to: If species presence is likely, adverse effects are likely and surveys are necessary to avoid impacts, the Water Bureau must conduct surveys to identify the presence of at-risk species.

*In a letter dated December 13, 2021 in response to our written testimony of November 30, 2021, Water Bureau staff indicated in part that “ the Bureau anticipates changing the rule language to direct Bureau staff to describe conclusions about the necessity and feasibility of surveys, and when appropriate to propose and implement an alternative strategy.*

*...Alternative strategies could include collaboration with species experts to identify effective strategies to avoid or minimize impacts on at risk species and their habitats through methods other than surveys, such as avoidance of habitat in project design and the construction schedule.”*

*While this appears to be movement of the Bureau in the right direction, we cannot comment on or support rule text we have not seen and, therefore,*



*repeat our call to incorporate our recommendations of November 30, 2021, as detailed above.*

## **Tribal Government Engagement**

After a November 30th discussion with Laura Johns of the City's Tribal Relations program, we recommended to Commissioner Mapps' staff that the Water Bureau add a new section with language to the rules that reflects the substance of our discussion regarding tribal government engagement. We understand that Tribal Government Engagement involves consultations with sovereign nations and should be considered separate and apart from a section on public involvement. But that should not preclude adding a new and discreet section to the Bull Run rules. If Laura Johns has changed her opinion on this language subsequent to November 30th, this would be important new information.

**RECOMMENDATION** (add new Section on Tribal Government Engagement and language): The Water Bureau will coordinate with the City's Tribal Relations program to hold consultations with sovereign tribal nations to hear their priorities and input on the draft projects before public comment periods. The Bureau will respect requests to be kept in the loop as the plans are adopted and implemented. The Bureau is committed to maintaining open communication with the tribal governments.

*In a letter dated December 13, 2021 in response to our written testimony of November 30, 2021, Water Bureau staff indicated that the Bureau does not intend to modify new draft rules to address this concern.*

## **Public Notification/Community Involvement**

We appreciate that the Portland Water Bureau gave public notice for the August-September public comment period through outreach to known past stakeholders, tribal staffs (through the City's Tribal Relations program), on the City's website, on social media and in the newspaper of record. We ask that this practice, wholly consistent with Title 21 Bull Run Code, be incorporated in the administrative rules.

Existing Code of January, 2021 reads, in part:

**F. Public Notice and Comment.**

1. The Portland Water Bureau must provide an opportunity for members of the public to comment on individual capital projects and/or non-routine projects identified on the quarterly project list...
2. Project Impact Assessment. The Portland Water Bureau must provide an opportunity for members of the public to comment on a Project Impact Assessment as defined in Subsection 21.36.050 G.1...
3. Project Mitigation. During the project's design phase, the Portland Water Bureau must provide an opportunity for members of the public to comment on a Mitigation Summary as defined in Subsection 21.36.050 G.2....

**Recommendation:**

(See p.1/18 draft rules.)

Add: Section III Community Impacts and Community Involvement

Add: Text

The Bureau, in meeting its commitment to maintaining open communication with the tribes, will coordinate with the City's Tribal Relations program to hold meeting(s) with members of tribal staffs to hear their questions, concerns, priorities and input on proposed City projects on City-owned land in the Bull Run Management Unit (BRMU).

The PWB will send 1) notice of individual capital and/or non-routine projects on City-owned lands in the BRMU; 2) notice of comment period for Project Impact Assessment; and 3) notice of comment period for Mitigation Summary to stakeholders, including non-profit organizations with a history of engagement on water, wildlife and/or forest issues on the Mt Hood National Forest. Notice of the opportunity to comment will be published on-line and in the paper of record for the City of Portland.

*In a letter dated December 13, 2021 in response to our written testimony of November 30, 2021, Water Bureau staff indicated that "the Bureau does not anticipate adding new language to the rule about public engagement and involvement."*

We request that you make recommended changes now, not after the rules have been adopted on December 31, 2021. Taken together, these steps will help the public and current and future City Commissioners (the final decision-makers should a project be appealed) better understand whether and which negative impacts are adequately identified and explained when deciding whether to move ahead, modify, mitigate or halt a proposed City project in the protected Bull Run Closure Area.

Thank you for consideration of our comments.

David De La Torre, Healthy Climate Director  
 Regna Merritt, Advisory Board  
 Kelly Campbell, Executive Director  
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 503-274-2720

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**City Council Meeting - Wednesday, December 15, 2021 9:30 a.m.**

<b>Agenda No.</b>	<b>First Name</b>	<b>Last Name</b>	<b>Zip Code</b>
908.1	Regna	Merritt	97210
908.2	Micah	Meskel	97210
908.3	Theodora	Tsongas	97215
908.4	Damon	Motz-Storey	97211