

**Moore-Love, Karla**

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**From:** Jeff Lesh [jeff@jefflesh.com]  
**Sent:** Tuesday, February 16, 2010 8:27 PM  
**To:** sam.adams@ci.portland.or.us; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** North Reach River Plan

**Hello! In regards to the North Reach River Plan:**

- **It is time to reverse more than a century of degradation in the North Reach of the Willamette. It is time to restore habitat for fish, wildlife and people!**
- **City Council should adopt the Draft River Plan**
- **Industry should pay their fair share. They should have to mitigate for their impacts to the river and they should contribute to helping restore the river.**
- **The city should not give up its regulatory authority. The people of portland have a right to have a say over what industry does in our river!**
- **The plan is the product of years of public input and spent more than six months under review at the Planning Commission. Giving into last minute demands by industry would be disrespectful of public process.**

THanks  
Jeff Lesh  
97210

183694

**Moore-Love, Karla**

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**From:** james.kysela@daimler.com  
**Sent:** Tuesday, February 16, 2010 2:42 PM  
**To:** Moore-Love, Karla  
**Cc:** Anderson, Lenny; jasontimm08@comcast.net; jkysela@q.com  
**Subject:** Swan Island Bicycle Commuter Group (SIBCG) Letter for the River Plan / North Reach Feb 17th Meeting  
**Attachments:** North Reach River Plan Swan Island 2nd Access SIBCG signed.doc

Council Clerk  
1221 SW 4th Avenue, Room 140  
Portland, OR 97204

Good afternoon,

Please find attached a letter for the "**City Council Public Hearing on the River Plan / North Reach Recommended Draft - February 17, 2010, 6 pm**" meeting tomorrow night from the Swan Island Bicycle Commuters Group (SIBCG). The SIBCG is a newly formed group of adventurous commuters accessing the Swan Island / Mock's Bottom area of North Portland, currently made up almost exclusively by Daimler Trucks North America (DTNA) engineers and other professional/technical workers. DTNA is Portland's largest industrial employer, and the SIBCG is looking to expand the group to the many other businesses located in the vicinity over time.

The letter attached is signed by 54 engineers and professional/technical workers from DTNA who believe we deserve a better commuting infrastructure than is currently presented to us. We may not be located in the hippest section of town, and possibly are left out of consideration at times in the bike planning process, but are excited by plans published in the recent North Reach proposal and the 2030 Bike Plan. Specifically we would like to see the Swan Island - Lower Albina connector route (Project A14 in the North Reach Plan - High Priority ranking) put in to the south as part of the North Portland Greenway. A secondary consideration would be for the Mock's Crest trail (Project A13 - Low Priority ranking) for bike/pedestrian access put in to the east.

I will also be present tomorrow night to present the letter in person and would like to testify during the meeting if time allows. Thanks very much for your consideration.

James Kysela  
Swan Island Bicycle Commuter Group  
Senior Test Engineer  
Product Validation Engineering - Shaker Test Lab  
Daimler Trucks North America LLC  
5115 N Lagoon Ave CII-SHK  
Portland, OR 97217 U.S.A.  
Phone: 503.745.5485 Email: James.Kysela@daimler.com

If you are not the intended addressee, please inform us immediately that you have received this e-mail in error, and delete it. We thank you for your cooperation.

2/16/2010

183694

**Moore-Love, Karla**

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**From:** Steve Berliner [forcreeks@earthlink.net]  
**Sent:** Tuesday, February 16, 2010 1:41 PM  
**To:** Adams, Sam; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** Adopt the Draft River Plan - North Reach of Willamette River Plan  
**Attachments:** 2010 Willamette River Plan testimony.doc

Feb. 16, 2010

Dear Mayor Adams, and Portland City Councilors:

The Friends of Kellogg and Mt. Scott Creeks Watershed, a Clackamas County watershed advocacy group strongly supports and recommends adoption by Portland of the Draft North Reach River Plan. Please do **NOT** let the polluters make the rules.. or avoid them! The Willamette River is the greatest geologic, scenic, recreational, and commercial treasure the citizens of the Portland Region have, and it should be protected for all of us, not left prey to the narrowly focused industrial interests and property owners.

Please find attached our letterhead with further thoughts urging your adoption of the Draft River Plan.

Sincerely,

Steve Berliner, Director  
Friends of Kellogg & Mt. Scott Creeks Watershed  
503-653-7875

[forcreeks@earthlink.net](mailto:forcreeks@earthlink.net)

183694

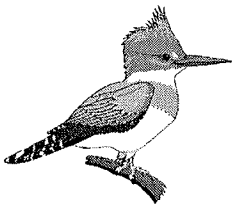
**Moore-Love, Karla**

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**From:** Nancy Mattson [nmattson@audubonportland.org]**Sent:** Tuesday, February 16, 2010 2:06 PM**To:** Moore-Love, Karla**Subject:** North River Reach Plan

As a Portland resident for almost 40 years, I appreciate the value and beauty of our city's signature river. Citizens, local businesses and our planning commission have worked together to create a much needed plan for restoration of the Willamette, one of our most precious natural resources. The city council should take advantage of the years of hard work that have gone into the North River Reach Plan by passing the plan as proposed. Please do not be swayed by last minute attempts to alter the plan or to give up our city's existing regulatory authority over the river. I also feel that those business interests who benefit from development of our river resources should have a hand in financing the maintenance of the river's health for future generations. The plan as proposed is an opportunity to leave a legacy of improvements by reversing the current pattern of continual degradation of our river. I urge the City Council to take this opportunity to act as enlightened stewards of this precious resource by voting to adopt the North River Reach Plan.

Nancy Mattson  
Nature Store Manager  
Audubon Society of Portland  
503.292.9453  
[www.audubonportland.org](http://www.audubonportland.org)



# ***Friends of Kellogg & Mt. Scott Creeks Watershed***

183694

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10824 SE Oak St., #311

Milwaukie, OR 97222

email: [forcreeks@earthlink.net](mailto:forcreeks@earthlink.net)

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Feb. 16, 2010

Dear Mayor Adams and Portland City Council:

Our citizens' watershed group represents the preservation of and contribution to good water quality into the Willamette River by the largest watershed in the North Clackamas Urban area. We are also a stakeholder member group of the North Clackamas Urban Watersheds Council, a newly formed watershed council in 2009.

We don't normally "meddle" in Portland affairs; but the Draft North Willamette River Plan is an urgent matter. We are doing all we can, and working hard to contribute clean, high quality waters of the State to the Willamette River. Please send the message out to all tributary reaches of our region that the Willamette River habitat and water quality is a top priority of your City. Please adopt the Draft River Plan, and do not make concessions to narrow interests like individual property owners. The River is too important to the general welfare of all citizens to chop its habitat and health up into pieces that suit only a few here, a few there.

A great deal of time and energy have gone into drafting an effective Plan that meets the needs of the City and the citizenry, and importantly the fish and the wildlife. Do not compromise it now! Thank you for taking our testimony in this critical issue of saving the River we all use, love, and impact.

Sincerely,

Steve Berliner, Director

183694

**Moore-Love, Karla**

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**From:** Teresa Huntsinger [TeresaH@oeconline.org]  
**Sent:** Tuesday, February 16, 2010 11:22 AM  
**To:** Adams, Sam; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** OEC position on N Reach River Plan  
**Attachments:** OEC letter on N Reach River Plan.pdf

Dear Mayor Adams and members of the City Council:

Please find attached a letter from the Oregon Environmental Council regarding the North Reach River Plan. Thank you for the opportunity to comment.

Teresa Huntsinger | Program Director  
Oregon Environmental Council  
222 NW Davis Street, Suite 309  
Portland, OR 97209-3900  
503.222.1963 x112  
[teresah@oeconline.org](mailto:teresah@oeconline.org) | [www.oeconline.org](http://www.oeconline.org)  
*~It's Your Oregon~*



Oregon  
Environmental  
Council  
It's Your Oregon

222 NW Davis Street  
Suite 309  
Portland, OR 97209-3900  
503-222-1963  
[www.oeconline.org](http://www.oeconline.org)

February 16, 2010

Dear Mayor Adams and members of the City Council:

I am writing to express the Oregon Environmental Council's (OEC) support for the North Reach River Plan and to urge you to approve the plan at your February 17 hearing.

As a statewide organization, we are not always able to comment on local planning issues. However, we believe this plan is significant because it seeks to restore the most polluted and degraded stretch of river in the state. We want you to know that the environmental community is paying attention to your hard work.

We appreciate that the City has spent years working with stakeholders to develop this plan, and we believe the plan adequately balances industrial development and habitat restoration in a way that will allow both the economy and the environment to thrive within the city. This balance has been off-kilter for decades, and the results can be seen in the condition of the Willamette River. Given this history, it is understandable that some of the businesses along the river will not be happy with efforts to shift some previously externalized environmental costs back onto industry. However, in our experience most businesses are willing to do their part as long as they feel there is a level playing field.

It is necessary for the City to maintain its regulatory authority below ordinary high water, and we appreciate the City's efforts to create a process that streamlines the various local, state, and federal agency permitting processes. We encourage you and your staff to continue working with businesses, conservation groups and other stakeholders to ensure that implementation of the plan takes place as smoothly, transparently and predictably as possible.

We applaud your efforts to update the zoning code and design guidelines for this stretch of river in order to restore habitat and improve public access, and we believe the designated restoration sites are an important step in creating safe passage for endangered salmon species. The Environmental Zoning and the mitigation funding structure will help reverse the trend of degradation and put the lower Willamette on a path toward rehabilitation.

Extensive damage has already occurred in this stretch of river, but it cannot simply be written off because endangered salmon species must pass through it to reach their spawning and feeding areas. This plan firmly states that we will not give up on the Willamette and we will not give up on Oregon's iconic salmon.

We support your efforts to create a healthier working river.

Sincerely,

A handwritten signature in black ink that reads "Teresa Huntsinger". The signature is written in a cursive, flowing style.

Teresa Huntsinger  
Program Director, Clean & Healthy Rivers

183694

**Moore-Love, Karla**

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**From:** Doug Geisler [fuzzy\_geisler@yahoo.com]  
**Sent:** Tuesday, February 16, 2010 10:45 AM  
**To:** Moore-Love, Karla  
**Subject:** a message in support of the North Reach River Plan

Councilors and Mayor Adams,

I wanted to dash off a note of support for the North Reach River Plan that you are looking to approve this week. I live in St Johns and would love the opportunity to ride from there to down town along the river on a path free from cars and trucks. I used to live in Eugene and made frequent use of their river front bike path to get to work and commute to the civic center. Even with dedicated lanes I don't feel quite that safe riding along the same streets as tractor trailers and speedy cars to get down town and thus ususally drive my car to go shopping or visit the art museum. If I had a waterfront trail that had a low, rolling grade I'd make that trip by bike far more often.

Thanks for the invsetment in North Portland,

Doug Geisler



183694

**Moore-Love, Karla**

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**From:** DelRosario, Cesar [Cesar.DelRosario@abam.com]  
**Sent:** Tuesday, February 16, 2010 9:02 AM  
**To:** Moore-Love, Karla  
**Subject:** Proposed Trail Alignment in the North Reach River Plan

Dear City Council,

I support the trail alignment proposed in the North Reach River Plan. This alignment combined with the bike master plan to strengthens the commitment to more safe, off-street trails. This trail will take cars off the road providing more capacity for industrial and commercial use.

Please consider this trail alignment.

Thank you,  
Cesar del Rosario

183694

**Moore-Love, Karla**

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**From:** Marilyn Block [mblockportland@hotmail.com]  
**Sent:** Tuesday, February 16, 2010 8:42 AM  
**To:** Moore-Love, Karla  
**Subject:** cleaning up the Willamette

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Dear K Moore-Love,

We need to aggressively clean up the north reach of the Willamette. The toxic river water emptying into the ocean is causing pollution of our coastal shellfish and kelp. The phytoplankton in the ocean are dying. These tiny aquatic plants make 60% of our oxygen, more than the trees!

Sincerely,

Marilynn Block

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Your E-mail and More On-the-Go. Get Windows Live Hotmail Free. [Sign up now.](#)

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Hotmail: Trusted email with Microsoft's powerful SPAM protection. [Sign up now.](#)

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Your E-mail and More On-the-Go. Get Windows Live Hotmail Free. [Sign up now.](#)

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Hotmail: Free, trusted and rich email service. [Get it now.](#)

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Your E-mail and More On-the-Go. Get Windows Live Hotmail Free. [Sign up now.](#)

183694

**Moore-Love, Karla**

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**From:** david.w.maier@daimler.com  
**Sent:** Tuesday, February 16, 2010 7:07 AM  
**To:** Moore-Love, Karla  
**Subject:** River Plan North Reach support

February 16, 2010

Mayor Sam Adams  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
Commissioner Randy Leonard  
Commissioner Nick Fish

c/o Council Clerk  
1221 SW 4<sup>th</sup> Avenue, Room 140  
Portland, Oregon 97204

Re: The River Plan North Reach Recommended Draft November 2009

Dear Mayor and City Commissioners,

I request that the Portland City Council adopt the Willamette River Greenway Tail alignment as envisioned in the River Plan North Reach Recommended Draft November 2009 now. It will become a vital and necessary link in the regional trail and transportation system (that includes the 40-Mile Loop Trail, the Eastbank Esplanade, Springwater Trail and others). To date, the North Portland segment represents a major gap in the Regional network. The Willamette River Greenway Trail is a piece of infrastructure connecting residents with jobs on the working waterfront while also affording a connection to the rest of the city.

I would also request that no mitigation sites be designated in areas where the trail is to be located as it is my/our understanding that mitigation sites would not permit any conflicting uses such as a trail.

I wish to thank the Portland Planning Staff, the River Plan Committee and the Planning Commission for all the many hours and months of work on the draft plan. And thanks to the City Council for their consideration of our comments and requests.

Sincerely,

2/16/2010

David Maier

**Swan Island business bike commuter, Daimler LLC**

If you are not the intended addressee, please inform us immediately that you have received this e-mail in error, and delete it. We thank you for your cooperation.

183694

**Moore-Love, Karla**

**From:** Darlene B [darlenebetat@gmail.com]  
**Sent:** Tuesday, February 16, 2010 10:01 PM  
**To:** Adams, Sam; Commissioner Fritz; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** North Reach of the Willamette River

Dear Mayor Adams and Commissioners:

As I may not be able to attend tomorrow evening's hearing, I am writing to ask that you support the North River Plan and will share some of my personal experiences as testimony.

I lived in the home at 6752 N Willamette Blvd. from January 2002 until April 2005. This home sits on the bluff overlooking the river just above the McCormick and Baxter superfund site --eight properties down from the railroad bridge. My backyard was essentially a cement patio that ended in small raised beds for gardening and then gave way to a sloped bank of feral field with grasses, weeds and blackberry. My property sported a single garyanna Oak that was charred in the August 2001 fire, along with small stand of thriving Oregon grape, blue elderberry and a sprinkling of post-fire saplings and shrubs. Certainly nothing that would draw in lots of wildlife on its own.

In the three years that I lived there, I documented over ninety (90) species of birds from my property. If you are not familiar with birds in Portland, Backyard Bird Shop (a locally-owned chain offering wild bird supplies) sells an identification poster of thirty (30) common Portland-Vancouver yard birds. Most yards cannot boast all thirty --thanks to the river below my property my yard could boast three times as many species!

I had anticipated that this yard would be 'birdy' because of the river, but was not prepared for how much difference I would see. I was dumbstruck that first spring when a Say's Phoebe perched on my shepherd's hook and Western Kingbirds on that charred Oak tree! Say's Phoebe's are typically found *east* of the Cascades and, while kingbirds are found in the valley, Sandy River Delta would be the closest place to possibly finding them for Portlanders.

Though I'm a bird enthusiast, I appreciate all wildlife, but confess much less species identification knowledge. Still, I documented garter snakes, rabbits, raccoons, bats, California ground squirrels, Douglas squirrels, voles, moles, mice and a tremendous variety of bees, wasps, dragonflies, damselflies, butterflies, moths, cool beetles and spiders all on my property. Pretty astounding for a little city lot --thanks to the river below it. I also heard tree frogs below, saw an occasional coyote and, most exciting, watched river otters in the water from my property.

Based on my personal observations, the river, its wetlands and its uplands are a vital resource for birds and wildlife during all seasons. Mayor and Commissioners, I love that river and all the wildlife it supports. It is a Portland gem that needs to be polished, cared for again.

It is truly unimaginable that the city would give up its regulatory authority below ordinary high water. **Please** preserve my right, your right, and every Portlander's right to have a say over what happens in **our** river!

2/17/2010

Please adopt the Draft River Plan with Mayor Adam's proposed amendments. It is time to restore habitat for fish, wildlife and people! It is also time to ask Industry to pay their fair share. Industry should mitigate for their impacts to the river and should contribute to helping restore the river.

Thank you for the many long hours you have dedicated toward the North Reach River Plan. I so appreciate your time and your sincere consideration.

Sincerely,

Darlene Betat  
9913 SW Quail Post Rd  
Portland, OR 97219  
503.892.BIRD  
[darlenebetat@gmail.com](mailto:darlenebetat@gmail.com)

183694

**Moore-Love, Karla**

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**From:** Lindsay Parks [lindsayvparks@yahoo.com]

**Sent:** Monday, February 15, 2010 11:50 AM

**To:** Moore-Love, Karla

**Subject:** North Reach River Plan

I am in favor of the trail alignment proposed in the North Reach River Plan. It will take cars off the road providing more capacity for industrial and commercial use. This will strengthen our city's commitment to more safe, off street trails. Thanks, Lindsay Parks, 2700 NE Thompson, Portland, OR 97212 (a 65 year old retired, avid bike rider on the streets of Portland)

183694

**Moore-Love, Karla**

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**From:** elisabeth minthorn [eminthorn@msn.com]  
**Sent:** Sunday, February 14, 2010 9:25 PM  
**To:** sam.adams@ci.portland.or.us; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** North Willamette River Reach Plan

February 13, 2010

Dear Mr. Mayor and the Board of Supervisors:

As a member of Audubon Portland I am writing concerning the February 17, 2010 Meeting for the North River Plan. Also, as a native Northwesterner I am concerned about the degradation of both the Willamette and Columbia River. You have the capacity to make decisions for the present and for future generations for residential and industrial uses, and for our wildlife.

I urge you to consider adopting the draft River Plan which has been in process for a number of years; to restore the riverside areas for wildlife and and give industry a chance to develop and pay for appropriate use of this rapidly degrading area. One only has to drive past Montgomery Park and access Highway 30 West to become aware of the intense industrial odors in the area. We all care deeply about our beautiful Northwest and I am sure a plan for those concerned can be created.

Best wishes for the project,  
Elisabeth Minthorn  
Portland Audubon Member

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**Moore-Love, Karla**

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**From:** Rebecca Freeman [rebeccajfreeman@gmail.com]  
**Sent:** Sunday, February 14, 2010 2:25 PM  
**To:** Moore-Love, Karla  
**Subject:** comment in support of North Portland Greenway

I support the trail alignment in the North Reach River Plan. It is time to make progress towards more off-road trails for cyclists in North Portland. Many many more folks will use bicycles for routine transportation when they can do so without risking their lives. It is time to make the North Portland Greenway a reality. Getting folks onto bikes makes citizens and the environment healthier and relieves traffic congestion.

Hard-core cyclists will cycle no matter what-- but when trails are available, many more people will take up cycling more regularly.

Thank you.

Sincerely,  
Rebecca Freeman

183694

**Moore-Love, Karla**

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**From:** Ann Littlewood [alittlew@europa.com]

**Sent:** Saturday, February 13, 2010 3:46 PM

**To:** Adams, Sam; Fritz, Amanda; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla

**Subject:** North Reach River Plan

Dear Mayor Adams and Portland City Council

I am unable to attend the February hearing on the North Reach River Plan and send this note instead. Thank you for your careful consideration of the zoning code and design guidelines for this stretch of the river. I strongly support the existing draft river plan and ask that you adopt it. Please do not yield to industry efforts to weaken this plan. Industry must be required to mitigate their impacts to the river. The city should not abandon its regulatory authority. This plan was developed after a lengthy process and should not be weakened now by river industries.

Thank you.

Ann Littlewood  
Portland, Oregon

183694

**Moore-Love, Karla**

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**From:** Deanna [deanna@involved.com]  
**Sent:** Friday, February 12, 2010 2:37 PM  
**To:** Moore-Love, Karla  
**Subject:** Support North Reach Willamette Plan

Dear Ms Moore-Love:

Please include the following as testimony for the hearing on the North Reach of the Willamette on Feb. 17 as I am unable to attend the hearing in person.

- One of the boasts our Region makes to the world is how lucky we are to be located at the confluence of two great rivers, and what benefits this brings us. Unfortunately, the condition of the North Reach of the Willamette is currently not much to boast about.
- My husband and I have sail boated on the North Reach, and have benefited from its beauty and the restorative recreation it offers us city-dwellers. The Draft Plan will enhance both the recreational and commercial potential of the River.
- In order to maintain and restore river quality for fish, wildlife and people, I urge the City Council to adopt the Draft River Plan with the Mayor's proposed amendments.
- Without a strong funding structure, the Plan will not be implemented. Industry must do its part to clean up the river. Industry has a responsibility to restore past degradation of the river, and equally a responsibility to mitigate any future adverse impacts of development/operation.
- Importantly, the City must not give up its regulatory authority below ordinary high water. The people of Portland through their elected officials have a right to have a voice over industry's activities that impact the River.
- The Plan has been developed over several years, and has undergone long review. It should not be subject to last-minute industry demands.

Thank you.

*Deanna Mueller-Crispin*

1221 SW 10<sup>th</sup> Ave, #1013

Portland, OR 97205

deanna@involved.com

**Moore-Love, Karla**

183694

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**From:** Pat Campbell [patecv@comcast.net]  
**Sent:** Friday, February 12, 2010 6:56 AM  
**To:** Adams, Sam; Commissioner Fritz; Leonard, Randy; Commissioner Fish; Moore-Love, Karla; Commissioner Saltzman  
**Subject:** North Reach River Plan

Dear Mayor Adams,

February 11, 2010

For the last 36 years my husband Joe and I have sustainably farmed 150 acres of vineyard at 4 different sites near the Portland Metro Area. We have worked hard to make sure that the water which ultimately drains into the Willamette from our properties is clean and free of pesticides. We care for riparian areas bordering the sites, use cover crops for fertilization and use no insecticides.

Please support the North Reach River Plan. The water we strive to keep clean eventually flows into the North Reach area. For the sake of salmon, birds, mammals and all the amazing trees which remove carbon dioxide from the air we breathe, please preserve the small amount of natural habitat that remains in our great city.

Most Respectfully, Patricia and Joe Campbell  
Founders and owners of Elk Cove Vineyards

183694

**Moore-Love, Karla**

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**From:** Terri Stahly [tstahly@riadmin.com]  
**Sent:** Thursday, February 11, 2010 5:25 PM  
**To:** Moore-Love, Karla  
**Subject:** Comments on River Plan North Reach  
**Attachments:** SCAN1115\_000.pdf

Attached you will find a scan of A. Charles Steinwandel's original letter to Mayor Adams and Commissioners. Hard copy to follow by US First Class Mail.

Thank you

*Terri Stahly*  
*Human Resource Generalist*  
*Ross Island Sand & Gravel Co.*  
*503-797-2050*



183694

# ROSS ISLAND SAND & GRAVEL CO.

February 11, 2010

**VIA U.S. FIRST-CLASS MAIL AND  
E-MAIL (KMOORE-LOVE@CI.PORTLAND.OR.US)**

Mayor Sam Adams and Portland City Council  
c/o Council Clerk  
1221 SW 4th Avenue, Room 140  
Portland, Oregon 97204

**Re: Comments on River Plan North Reach**

Dear Mayor Adams and Commissioners:

This letter is submitted in response to the River Plan North Reach Recommended Draft, which the Council will consider at a public meeting on Wednesday, February 17, 2010. Ross Island Sand and Gravel Company ("RIS&G") and its sister company K.F. Jacobsen & Co., Inc. ("K.F. Jacobsen") own and operate industrial facilities within the North Reach of the Willamette River near the Fremont bridge. RIS&G also owns and operates industrial facilities within the Central and South Reaches of the Willamette River, so RIS&G has great interest in all three phases of the River Plan.

Although RIS&G supports the vision of the River Plan generally, RIS&G believes that the City can improve the environmental function of the Willamette River while maintaining a prosperous working waterfront that provides opportunities for job creation and growth. Thus, while RIS&G supports the vision of the River Plan, RIS&G remains concerned that certain aspects of the Recommended Draft will negatively impact businesses along the North Reach.

First, RIS&G is concerned about the cost of complying with the vegetated area requirements. Although the Recommended Draft provides for a payment in lieu option, the 15 percent standard is much more extensive than under existing greenway review, particularly because the new vegetated area standard is triggered by any development anywhere on the site. RIS&G supports the ongoing efforts to provide multiple options for complying with the standard.

Second, the Recommended Draft will make it even more difficult to remediate contaminated sites along the Willamette River. Although the Oregon Department of Environmental Quality currently seeks the City's feedback in its administration of the state's cleanup program, under the Recommended Draft, the City's role would be formalized, adding yet another layer to an already cumbersome process. Such a change will cause significant delays in DEQ's ability to process applications and result in unnecessary cost to businesses like RIS&G.

Portland's working waterfront is a tremendous asset to the region, but the capacity of businesses located along the waterfront to grow and prosper depends on those businesses' ability to seize opportunities and compete on the global market. As such, we should not unnecessarily handicap businesses as they seek to reinvest in the City's working waterfront.

Thank you for your consideration of this important matter.

Sincerely,

ROSS ISLAND SAND & GRAVEL CO.

A handwritten signature in black ink, appearing to read 'A. Charles Steinwandel'. The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

A. Charles Steinwandel  
President & Chief Operating Officer

cc: Dr. Robert B. Pamplin, R.B. Pamplin Corporation  
Sarah Stauffer Curtiss, Steel Rives

PortInd1-2608716.1 0039735-00009

**REGARDING THE MATTER OF THE DRAFT NORTH REACH RIVER PLAN**

To the Mayor and City Council, City of Portland, Oregon  
For the public hearing on February 17, 2010 at 6:00 pm  
City Council Chambers, City Hall  
1221 SW 4th Avenue, Portland, OR 97204

My name is Lynn Herring. I live in Lake Oswego, also a Willamette River town. I have tracked Willamette River issues for years through my affiliation with Audubon and other groups.

The Willamette River flows past and through numerous political boundaries on its way to the Columbia River. As it reaches Portland, it has already and continues to be intermittently corralled and often stripped of its wildness. The stretch by the North Reach is no exception. The land beside it has been left raw bereft of ecological dignity. You are no doubt aware of the value of native riparian habitat and positive impacts for wildlife that use it for food and shelter there on land and in the water. The North Reach is in desperate need of some ecological TLC -- help that will restore and sustain its former riparian integrity and biodiversity.

I urge you to adopt the draft North Reach River Plan. The general framework of the draft Plan under discussion for more than two years promotes increased baseline protection for in-water, riparian and upland habitat and methodology to link banks and uplands, including a system of twenty-one permanently protected and restored sites providing safe haven to listed juvenile salmon desperately seeking their way to the ocean.

The City must retain permitting authority below ordinary high water to cover the gap left for protecting species not covered by state and federal agencies and help prevent future listings. This action is necessary to help meet River Plan environmental objectives.

North Reach stewardship must include the industrial property owners, doing their part to fully mitigate/ replace existing habitat destroyed in the course of development and a restoration fee that will go toward supporting habitat restoration. My understanding is that the draft River Plan proposes more than \$500 million in public dollars for new infrastructure to support river industries along with new trail alignments in the North Reach.

Please -- Listen to the river and its people and do all you can to protect and restore the biological integrity of the Willamette's North Reach. I urge the City Council to consider what its best for the entire community.

Thank You.

Lynn Herring  
1090 Chandler Road  
Lake Oswego, OR 97034



**Moore-Love, Karla**

183694

---

**From:** Roberta Schwarz [roberta.schwarz@comcast.net]  
**Sent:** Tuesday, February 09, 2010 3:13 PM  
**To:** Adams, Sam; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** Please adopt the Draft North Reach River Plan

**Dear Mayor Adams and Portland City Council,**

**Please adopt the draft of the North Reach River Plan for the following reasons:**

**It is time to reverse more than a century of degradation in the North Reach of the Willamette. It is time to restore habitat for fish, wildlife and people!**

**Industry should pay their fair share. They should have to mitigate for their impacts to the river and they should contribute to helping restore the river.**

**The city should not give up its regulatory authority. The people of Portland have a right to have a say over what industry does in our river!**

**The plan is the product of years of public input and spent more than six months under review at the Planning Commission. Giving into last minute demands by industry would be disrespectful of public process.**

#### **What does the North Reach River Plan Do?**

**The North Reach River Plan is the first major update to the zoning code and design guidelines for this stretch of river since 1987. The plan took more than two years to develop and proposes more than \$500 million in new infrastructure to support river industries and new trail alignments that will provide the public with greater access to the river. The Plan also proposes critical new strategies to protect and restore habitat in the North Reach. Specifically the plan proposes the following:**

**Environmental Zoning to provide baseline protections for the most important in-water, riparian and upland resources;**

**A system of 21 permanently protected restoration sites designed to allow listed salmon and steelhead and other wildlife to safely pass through the North Reach;**

**A funding structure that requires industry to fully mitigate to replace existing habitat that is eliminated in the course of development and a restoration fee which will go towards supporting habitat restoration in the North Reach**

**The idea that the city would abandon its regulatory authority over what happens in our river is outrageous! Why should the people of Portland and our elected officials have no voice over what happens in our river? If industry has its way, the regulations established under the new river plan would be even weaker than the regulations that we have today--the regulations that have already allowed the north reach to become the**

**most degraded stretch of river in Oregon.**

**Please support the citizens and adopt the Draft North Reach River Plan.**

Thank you,

Roberta Schwarz

**Moore-Love, Karla**

183694

**From:** Meg Ruby and Jonathan Lindgren [linruby@teleport.com]  
**Sent:** Sunday, February 07, 2010 9:33 PM  
**To:** Adams, Sam; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman; Commissioner Fish; Moore-Love, Karla  
**Subject:** North Reach River Plan

Dear Mayor Adams and Portland City Council Members,

I support Audubon's position on the North Reach River Plan. I am a parent of two children and am an avid outdoorswoman. I will be unable to attend the hearings on this plan, so I'm submitting my statement by email.

I care about what happens on the river and want to see it restored to health. The North Reach of the Willamette matters. My husband, kids and dogs and I love to visit Kelly Point Park, but I worry about the safety of the site due to industrial activity immediately down stream between the Fremont Bridge and the Confluence. We fish. We kayak. We explore wetlands. Neither we nor the wildlife who live there should be a risk from industrial contamination.

This is an important step to achieving livability in Portland. If you are afraid to go to nature in the city, why live here?

It is time to reverse more than a century of degradation in the North Reach of the Willamette. It is time to restore habitat for fish, wildlife and people!

City Council should adopt the Draft River Plan with your, Mayor Adams', proposed amendments.

The costs of production should not be unfairly shifted to the environment or the people of Portland. It is important that industry pay its fair share---Part of the reason that the river is so degraded today is that industry has not had to incorporate environmental impacts into the cost of doing business. If industry does not pay its fair share, then we will either have to pay for them or the river will continue to degrade.

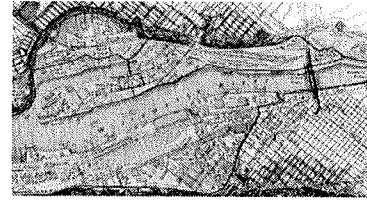
**THE CITY SHOULD NOT GIVE UP ITS REGULATORY AUTHORITY BELOW ORDINARY HIGH WATER. THE PEOPLE OF PORTLAND HAVE A RIGHT TO HAVE A SAY OVER WHAT INDUSTRY DOES IN OUR RIVER!**

The River Plan is the product of years of public input and involvement--Please respect that public process and adopt the River Plan to restore our river. Thank you for your consideration.

Sincerely,

Meg Ruby, MS  
1807 NE 52nd Ave.  
Portland, OR 97213

Swan Island Bicycle Commuters Group  
4567 N Channel Ave  
Portland, OR 97217  
January 29, 2010



Mayor Adams and Commissioners,  
City of Portland  
1221 SW 4<sup>th</sup> Avenue Rooms 340, 210, 220, 230, 240  
Portland, OR 97204

Dear Mayor Adams and Commissioners Leonard, Fritz, Fish and Saltzman:

The newly formed Swan Island Bicycle Commuters Group (SIBCG) is writing regarding the upcoming River Plan / North Reach hearing scheduled for February 17, 2010 at 6:00 pm. Specifically the SIBCG would like to submit this letter in favor of a "Swan Island 2<sup>nd</sup> Access" route that would link the central city more directly and safely to the ten thousand jobs in Swan Island Industrial Area. The route would also provide a safe and scenic connection to other existing and planned bike/trail infrastructure in North Portland and beyond.

Currently there is only one legal, all weather access onto the entire Swan Island/Mock's Bottom area and the thousands of jobs located there including Portland's largest industrial employer Daimler Trucks North America (DTNA), UPS, Federal Express, Vigor Industrial Shipyards, Columbia Distributing and many smaller businesses. In spite of this limited access for bike commuters, in past years DTNA has regularly been in the Top 10 (region-wide for employers with 500+ employees) in the annual Bike Commute Challenges held during September.

One access to Swan Island used for many years by Swan Island bike commuters, (including the Project Manager of Daimler Truck's latest Class 8 Cascadia vehicle) comes from the south along the private Ash Grove Cement access road along the Albina railyard. Even though cyclists are sometimes stopped and warned by Union Pacific Security, this route is still seen as more desirable in both safety and convenience (even in its current 'unfinished' form) when compared to the legal route along the Greeley Avenue connector to I-5 and Interstate Ave.

The Swan Island Bike Commuters Group advocates for solutions outlined in two reports in the city's North Reach River Plan: Volume 4 Access Background Information: *Swan Island/Albina Connector Transportation Feasibility Study* by Alta Planning + Design and the *North Reach Greenway Trail and Viewpoints - Revised Staff Proposal for River Plan Committee Discussion*. A short excerpt from the Staff Proposal notes:

## Swan Island/Lower Albina

Urban renewal resources will help stimulate new industrial and manufacturing investments that will produce jobs and encourage existing business to remain and expand. Transportation improvements to North Going Street and a secondary access route will enhance capacity to accommodate increased freight movement in the district. Other transportation investments to expand employee travel choices and reduce single occupancy vehicle trips to the area will help protect roadway capacity for freight movement.

The Swan Island Bicycle Commuters Group looks forward to working with the City and all stakeholders to make the vision of safe, scenic and convenient cyclist and pedestrian access to the thousands of jobs located on Swan Island and Mock's Bottom a reality. It is our view that the integration of this Willamette Riverside connection route into Portland's existing and planned bicycle infrastructure will be a great and necessary achievement for a future world-class, bicycle-friendly, green city.

Sincerely,

Jason Timm, Andreas Presthofer, Lenny Anderson, Jim Kysela, Richard Rampone, Bart Spencer, Ian Green, Derrick Calandrella, Ryan Jefferis, Jim Harrington, Geert Dobbels, Kevin Goldsmith, Colin Miller, Sam Digard, Jason Wilkening, Dan Schlesinger, Susan Moote, Clay Hert, David Filmer, Mark Bywater, David Pinson, Nathan Pierson, Judy Stevenson, Robert J Hanson, Michael Heath, Frank Crow, Daniel Deaville, Craig Birkett, Kathy Chang, David Maier, Tim Ehlbeck, Eric LeVan, Peter Strause, Matthew Rogers, Joel Lucchesi, Tom Foster, Christopher Gedraitis, Justin Demallie, Matthew Zabrocki, Terry Mitchell, Jeffrey Lind, Marcus Malinosky, Todd Gilbert, Mike Espil, John Livingston, Jacob Keiner, Mark Long, Carl Trabant, Andrew Smith, Sean McKenna, Jonathan Perlman, Michael Turnauer, Joel Chiang, Mark Verbitsky.

Swan Island Bicycle Commuters Group



Figure 1: Looking downriver with Albina Yard on right.

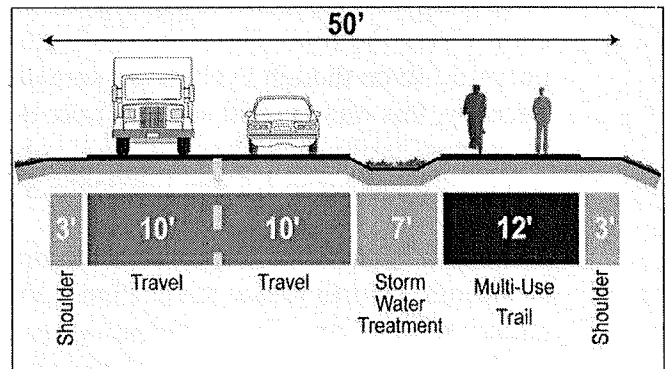


Figure 2: Alternative 1 from the Alta Planning + Design report.

FW Council  
Sallie Edmunds  
2-3-10

**npGREENWAY**

friends of the north portland greenway trail

183694

20 January 2010

AUDITOR 02/03/10 AM 10:00

Mayor Sam Adams  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
Commissioner Randy Leonard  
Commissioner Nick Fish  
c/o Council Clerk  
1221 SW 4<sup>th</sup> Avenue, Room 140  
Portland, Oregon 97204

Re: The River Plan North Reach Recommended Draft November 2009

Dear Mayor and City Commissioners,

npGreenway is a group of citizens advocating a multiuse trail along the Willamette River from the Steel Bridge to Kelley Point Park. We, along with numerous businesses and organizations (see enclosed letters of support), feel the Willamette River Greenway Trail is a vital link in the regional trail and transportation system (that includes the 40-Mile Loop Trail, the Eastbank Esplanade, Springwater Trail and others). The North Portland segment represents a major gap in the Regional network. By creating new ways for workers to access the Working Waterfront, and for others to get to and use the Willamette River and expanding the network of parks, trails and open space in the North Reach, the River Plan Willamette River Greenway Trail completes major gaps in our region's trail and transportation network. The Willamette River Greenway Trail is a piece of infrastructure that will ensure the economic viability of the industrial zoned parcels on the North Portland peninsula connecting residents with jobs on the working waterfront while also affording a connection to the rest of the city.

npGreenway members have assisted in the development of the plan. We have participated on the trail committee, the industrial lands and harbor committee, provided information on other trails (Astoria, Seattle and others) that are in and adjacent to railroad operations), led tours etc.

npGreenway wishes to thank the Portland Planning Staff, the River Plan Committee and Planning Commission for their consideration of our comments and participation (including our various letters and testimony). Some of our suggestions have been added to the proposed plan and we think that it makes for a better document.

With respect to the Recommended Plan (November 2009) we urge that the City Council adopt it now, not six months or a year from now. Specifically we strongly support the following recommendations:

1. Adoption of the Willamette River Greenway Trail alignment as shown in Volume 1A on Map 8 (page 139) entitled Access: Proposed Willamette Greenway Trail, Viewpoints and Action Items with the following change:
  - a. construction of the multipurpose trail above the Big Pipe that is to be located immediately adjacent to the eastside of the Lagoon, then along the Lagoon to Ensign Ave, then easterly to Basin Ave. on Swan Island instead of that shown exclusively shown on Basin Avenue (we understand that this will necessitate working/negotiating with local property owners but feel the trail users will benefit by having this safer and more secure route than along the much heavier used Basin Ave route).
2. To include all segments of the near-term Willamette River Greenway Trail alignment shown in Volume 1A (with the exception noted in #1 above) on the Parks and Recreation Trail Maps, the Transportation System Plan, Bicycle Master Plan, and the Pedestrian Plan as soon as is possible.
3. Conduct feasibility studies to evaluate rail-with-trail proposals adjacent to the BNSF Railroad Bridge (reference A15, page 145) and connecting Lower Albina with Swan Island (reference A14, page 145) as noted in Volume 1A.
4. All the Access projects A1 through A15 listed on page 145 of Volume 1A.
5. Working with Metro to include all segments of the planned Willamette Greenway Trail alignment in the Regional Trail Plan.

6. Revision of plan to include waterfront trail when uses are no longer river dependent OVER time.

7. That any mitigation or restoration sites that are to be designated not preclude the development of the multipurpose Willamette River Greenway Trail alignment referenced above.

We thank you for your consideration of these requests.

Sincerely,

On behalf of npGreenway

Francie Royce, Co-Chair

Scott Mizee, Co-Chair

Pam Arden, Treasurer

Curt Schneider, Secretary

Lenny Anderson, Swan Island TMA

Paul Maresh

Joe Adamski

Mark Pickett

Shelley Oylear

Jason Starman

Cc:

Sallie Edmunds

Shannon Buono

Enclosed letters of support:

Adidas America

Terrafirma Building, Inc.

Swan Island Business Association (SIBA)

Columbia Slough watershed Council

Lloyd Transportation Management Association (LMTA)

Friends of Baltimore Woods

Jeff Cogen, Multnomah County Commissioner, District 2

Kenton Neighborhood Association



July 17, 2007

183694

Mayor Tom Potter  
1211 SW 4<sup>th</sup> Ave, Suite 340  
Portland, OR 97204-1995

**RE: npGreenway Vision for the North Portland Greenway Trail**

Dear Mayor Potter:

On behalf of adidas America, this letter serves as our endorsement and support for the npGreenway vision for the North Portland Greenway Trail and the associated projects that intend to improve access, and create recreational opportunities on and around Swan Island.

As a sports company we promote and advocate healthy active lifestyles for our employees and members of the community who share this commitment. Our employees exemplify this as many run, walk, and bike as part of their work day.

With the close proximity of our US headquarters to the proposed improvements, it would be a great benefit and welcome addition for use by our employees as well as for the surrounding community. We recognize the importance of accessibility and safety for everyone who walks, runs, or bikes as a means of transportation and/or recreation.

As a neighboring business to Swan Island and the North Portland community, we urge that the North Portland Greenway Trail be put on official zoning and comprehensive plan maps, and that land acquisition and development decisions be made in support of this goal.

Sincerely,

Patty Goffe  
Community Relations Manager

cc: Commissioner Sam Adams  
Commissioner Dan Saltzman  
Gregg Everhart, City of Portland Parks Bureau  
Shannon Buono, Bureau of Planning, City of Portland

September 5, 2007

Mayor Tom Potter  
1211 SW 4th Ave., Suite 340  
Portland, Oregon 97204-1995

Dear Mayor Potter,

Terrafirma Building, Inc. would like to voice its support of the npGreenway vision for the North Portland Greenway Trail.

As real estate developers in the North Portland area, we understand the need for, and positive impact projects like this have on our community and the city in general.

This is more than just a bike path; it is one of the many choices we make in Portland to create an incredible city. A choice that we will enjoy today, but truly understood by generations to come.

Sincerely,

David Hassin  
President

cc: Commissioner Sam Adams  
Commissioner Dan Saltzman  
Greg Everhart, City of Portland Parks Bureau  
Shannon Buono, Bureau of Planning, City of Portland



183694

*Swan Island Business Association  
P.O. BOX 4773, Portland, OR 97208*

October 10, 2007

To Whom it May Concern,

Swan Island Business Association endorses a North Portland Greenway Trail from the Eastbank Esplanade to St Johns.

Swan Island businesses and their employees have enjoyed the benefits of a segment of the Greenway Trail on Swan Island since the 70's. It is an important amenity for employees as well as a key link in the area's transportation options.

Extending the Greenway south to the Esplanade and north to St Johns will improve job access to businesses throughout Swan Island and all along the river, and expand recreational opportunities for employees and neighbors in the adjacent communities.

We believe that the Trail must be designed and constructed so as to minimize impacts on businesses...SIBA does not support a Trail segment through the Shipyards!...and urge the City of Portland to move decisively to construct segments where publicly owned right of way and/or public/private partnerships offer once in a lifetime opportunities.

Links to North Portland neighborhoods, such as recent improvements to Going Street and the funded Waud Bluff Trail, make it easier for Swan Islanders to live and play close by to where they work, reducing commuter trips on the area's constrained roadways.

SIBA looks forward to working with Swan Island's many businesses, City and Metro staff, and citizen advocates like npGreenway to see this decades old dream come to fruition.

Sincerely,

Dave Panchot, SIBA President

November 16, 2007

Commissioner / Council / Mayor  
Street Address  
City / State / Zip

Dear Commissioner / Council / Mayor:

At a recent meeting of the Columbia Slough Watershed Council, representatives of the City of Portland and the North Portland Greenway group discussed the proposed North Portland Greenway Trail. The presenters outlined the proposed trail routing, highlights of the route, and some of the challenges that the proposed alignment presents.

The proposed North Portland Greenway Trail would provide a critical link in Metro's 40-mile loop trail system and will connect many of the existing trail sections and North Portland to the rest of the City. Likewise, it will provide an important link for the City to North Portland. This will make the Columbia Slough Watershed more accessible to a greater number of residents of the Metro area, which is one of the key elements of the Columbia Slough Action Plan.

There is widespread support in the Columbia Slough Watershed community for increased bike connectivity to all parts of the City and region. While the proposed North Portland Greenway Trail provides some of that connectivity, the proposed alignment may conflict with operations, safety and security at waterfront facilities in the Willamette Harbor. Determining the final route of the alignment will be a challenging proposition. Placing the trail away from the water to minimize or avoid potential conflict with specific waterfront uses should be weighed against the loss or rewarding experiences from proximity and vistas offered by the river. We understand that this is a fine balancing act and all parties must be willing to compromise if a trail alignment is to be agreed upon. Some property uses depend entirely on access to the river, could not thrive otherwise, and truly represent the highest and best use. Significant disturbances to such properties and their operations should be avoided.

The Columbia Slough Watershed Council encourages the City to continue its efforts and discussions with the ultimate goal of defining a North Portland Greenway Trail that can be accepted by the neighboring property owners and business operations as well as those residents of the metro area who will benefit from its adoption and construction. We believe that a workable compromise can be achieved and embraced by all parties.

Please feel free to contact the Council in the future regarding the alignment, adoption and progress related to the North Portland Greenway Trail or if there is some way we can assist the City in keeping this process moving forward to an agreeable resolution.

Sincerely,

Jane Van Dyke  
Executive Director



\*\*\* MEMORANDUM \*\*\*

**TO:** Francie Royce  
North Portland Willamette Greenway Trail Project

**FROM:** Rick Williams  
Executive Director, LTMA

**DATE:** January 20, 2010

**RE:** *Board of Directors Endorsement of Greenway Trail Project*

---

Let me begin by expressing our thanks to you for briefing the Lloyd Transportation Management Association (LTMA) Board of Directors on the North Portland Willamette Greenway Trail Project. The project is certainly ambitious and, when completed, will provide a marvelous asset to North Portland and the entire City of Portland. The LTMA Board truly appreciated the time you took to walk us through the project vision.

As you know, the LTMA's mission is to support the economic vitality and livability of the Lloyd District through business based programs and services that facilitate the transition of auto trips to non-single occupant vehicle modes of access, particularly employee trips. Our 2007 – 2009 Strategic Plan calls for increased efforts to improve pedestrian and bicycle options for the district. Our goal is to increase bicycle commute trips from 5% to 10% and walk trips from about 2% to 5%.

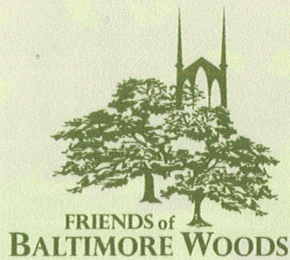
The North Portland Willamette Greenway Trail Project truly meshes with our strategic goals for the Lloyd District, particularly for the 9% -15% of our employees who currently live north of the district. Like the Eastbank Esplanade and the Springwater Corridor, the envisioned water-level trail connection from Cathedral Park to the Steel Bridge has the potential to become a central component of the region's multi-modal transportation infrastructure, serving thousands of cyclist and pedestrian commuters and recreational users. We are confident that many can and will be Lloyd bound trips. Particularly important for the Lloyd District is that the trail will link North Portland with the Eastbank Esplanade, downtown across the Steel Bridge and other neighborhoods and business districts south. Lloyd's place along the trail will add to its significance as a central link to the rest of the Central City.

We know that as you move forward with this project that issues of how the trail interacts with private property interests, and how the trail will be designed to assure a high level of quality and safety, will come up. It is our hope that everyone involved can see the positive contribution such a link can make to meet our multi-modal transportation goals and work positively and creatively to arrive at a project that is truly unique, if not world class. The LTMA Board immediately recognized the positive impact this project will have on the accessibility and attractiveness of our business district.

Please use this endorsement as you move forward to communicate the LTMA's full support for this important project. We urge that the North Portland Greenway Trail be put on official zoning and comprehensive plan maps, and that land acquisition and development decisions be made in support of this goal.

Also, continue to keep us up to date and informed on the project and how we can stay abreast and participate. We look forward to the project's progress.

Cc: LTMA Board of Directors



**FRIENDS of  
BALTIMORE WOODS**

*An urban greenspace on the  
Willamette Greenway  
trail from Cathedral Park  
to Pier Park*

Board members:

Jim Barnas

Larry Magee

Stephanie Magee

Barbara Quinn

Ivy Storvall

Wil Thompson

183694

October 25, 2008

**Metro Board of Councilors  
600 NE Grand Ave.  
Portland, Oregon  
97232-2736**

**Dear Metro Councilors,**

**The Friends of Baltimore Woods enthusiastically supports the proposal to move ahead with the planning and ultimate construction of the North Portland Willamette Greenway trail from the Steel bridge to Kelley Point park with Regional Flexible Funding.**

**We envision an alternative transportation connection and recreational trail accessible to all North Portland residents and various employment centers including the St. Johns town center / pedestrian district.**

**The Friends of Baltimore Woods is actively promoting a number of St. Johns access points to the trail from the residential area, industrial businesses and town center. We hope to make them easily identifiable with the development of the Baltimore woods connectivity corridor as a green space and trail amenity between Cathedral and Pier Park. The Willamette Greenway trail would also create important access to the regional trail system for walkers and bikers since it connects to the 40-Mile Loop trail.**

**The trail will create a safe, fast route for bike commuting to work, school and local shopping without the concern of on street auto traffic and it would be an important addition to Portland's transportation infrastructure.**

**We ask you to support Regional Flexible funding for the planning of the North Portland Willamette Greenway trail.**

**Sincerely,  
Friends of Baltimore Woods**



## Commissioner Jeff Cogen, District 2

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### MULTNOMAH COUNTY OREGON

---

501 SE Hawthorne, Suite 600  
Portland, Oregon 97214  
(503) 988-5219 phone  
(503) 988-5440 fax  
[www.co.multnomah.or.us/cc/ds2/  
district2@co.multnomah.or.us](http://www.co.multnomah.or.us/cc/ds2/district2@co.multnomah.or.us)

October 21, 2008

Metro Board of Councilors  
600 NE Grand Ave.  
Portland, Oregon  
97232-2736

Dear Metro Councilors,

The North Willamette Greenway Trail has been talked about in this region for many years. Now there is a specific proposal before you to move the planning and ultimate construction of the trail ahead with Regional Flexible Funding. The trail will link North Portland, Rivergate, Swan Island and the University of Portland residents and businesses with downtown and the rest of the region for bike commuting and walking.

The multipurpose trail will be a safe route for commuting, to school, local shopping and errands. There are many in the North Portland community who wish to bike to work but are concerned about riding in a street with vehicular traffic. The large number of bicyclists using the East Bank Esplanade and the Spring Water Corridor is a testament to the desire for safe, direct and motor vehicle free transportation. Completion of the North Willamette Greenway Trail from the Steele Bridge to Columbia Boulevard will make safe, healthy transportation options to and from North Portland possible.

I urge you to approve Regional Flexible Funding for the North Willamette Greenway Trail, RFFA ID 50077 on your list of projects.

Sincerely,



Jeff Cogen

CC. Ted Leybold, Metro MTIP Manager  
Francie Royce, npGREENWAY



December 10, 2008

Portland Planning Commission  
C/o Planning Bureau  
1900 SW 4<sup>th</sup> Ave, Suite 7100  
Portland, Oregon 97201

Dear Chair Hanson and Members of the Commission:

We, the representatives of Kenton Neighborhood Association are writing to express our support of the vision of npGreenway for the North Portland Willamette Greenway Trail, and to ask for your support.

Like the Eastbank Esplanade and the Springwater Corridor, the envisioned water-level multi-purpose trail from the Steel Bridge to the Columbia Slough has the potential to become a central component of the region's multi-modal transportation infrastructure, serving thousands of cyclist and pedestrian commuters and recreational users. The trail will provide a much-needed additional transportation choice for employees of Lower Albina, Swan Island, St Johns and other North Portland businesses. The trail will link North Portland with the Eastbank Esplanade, downtown across the Steel Bridge and other neighborhoods and business districts south. The trail will enhance Portland's place as a good walking and bicycling city and our future as a leader in providing infrastructure for clean transportation choices.

The North Portland Greenway Trail will provide an additional transportation choice to transit and roadways and provide connections to transit lines, roads, and other trails. The connection through Portland's working waterfront is essential to maintaining its economic viability and will accomplish one of the River Renaissance plan's primary goals by educating area residents about industry and transportation's role in the regional economy.

There are many residents and employees in North Portland who would ride their bikes if there were a safe, vehicle free route.

We urge that the North Portland Greenway Trail be put on official zoning and comprehensive plan maps, and that land acquisition and development decisions be made in support of the goal to create a first class multipurpose trail from the Steel Bridge through St Johns.

Sincerely,



Kenton Neighborhood Association  
KNA Co-Chair: Angela Moos

CC: npGREENWAY [info@npgreenway.org](mailto:info@npgreenway.org)

*emailed 1/27*  
*cc Sallie Edmunds*

January 23, 2010

183694

AUDITOR 01/27/10 AM 8:37

Mayor Sam Adams  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
Commissioner Randy Leonard  
Commissioner Nick Fish

c/o Council Clerk  
1221 SW 4<sup>th</sup> Avenue, Room 140  
Portland, Oregon 97204

Re: The River Plan North Reach Recommended Draft November  
2009

Dear Mayor and City Commissioners,

We request that the Portland City Council adopt the Willamette River Greenway Trail alignment as envisioned in the River Plan North Reach Recommended Draft November 2009 now. It will become a vital and necessary link in the regional trail and transportation system (that includes the 40-Mile Loop Trail, the Eastbank Esplanade, Springwater Trail and others). To date, the North Portland segment represents a major gap in the Regional network. The Willamette River Greenway Trail is a piece of infrastructure connecting residents with jobs on the working waterfront while also affording a connection to the rest of the city.

We would also request that no mitigation sites be designated in areas where the trail is to be located as it is my/our understanding that mitigation sites would not permit any conflicting uses such as a trail.

We wish to thank the Portland Planning Staff, the River Plan Committee and the Planning Commission for all the many hours and months of work on the draft plan. And thanks to the City Council for their consideration of our comments and requests.

Sincerely,

Carl Levin and Laura Zalent



183694  
Emailed  
1/25/10  
pu

20 January 2010

Mayor Sam Adams  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
Commissioner Randy Leonard  
Commissioner Nick Fish

c/o Council Clerk  
1221 SW 4<sup>th</sup> Avenue, Room 140  
Portland, Oregon 97204

AUDITOR 01/25/10 AM 11:13

Re: The River Plan North Reach Recommended Draft November 2009

Dear Mayor and City Commissioners,

I request that the Portland City Council adopt the Willamette River Greenway Trail alignment as envisioned in the River Plan North Reach Recommended Draft November 2009 now. It will become a vital and necessary link in the regional trail and transportation system (that includes the 40-Mile Loop Trail, the Eastbank Esplanade, Springwater Trail and others). To date, the North Portland segment represents a major gap in the Regional network. The Willamette River Greenway Trail is a piece of infrastructure connecting residents with jobs on the working waterfront while also affording a connection to the rest of the city.

I would also request that any mitigation or restoration sites that are to be designated not preclude the development of the multipurpose Willamette River Greenway Trail alignment referenced above.

I wish to thank the Portland Planning Staff, the River Plan Committee and the Planning Commission for all the many hours and months of work on the draft plan. And thanks to the City Council for their consideration of my comments and requests.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Streeter', with a long horizontal flourish extending to the right.

183694

Simone Streeter

8225 N. Edison St.

Portland Oregon 97203

*Emailed  
1/22/10*

20 January 2010

Mayor Sam Adams  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
Commissioner Randy Leonard  
Commissioner Nick Fish

c/o Council Clerk  
1221 SW 4<sup>th</sup> Avenue, Room 140  
Portland, Oregon 97204

AUDITOR 01/22/10 AM 9:53

Re: The River Plan North Reach Recommended Draft November 2009

Dear Mayor and City Commissioners,

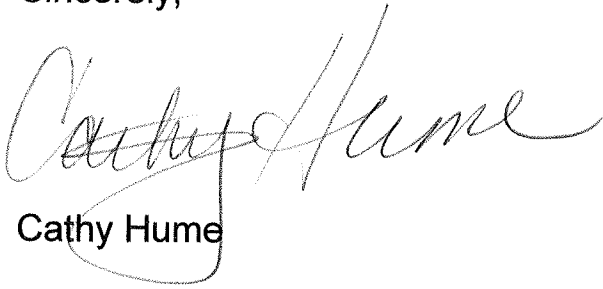
I request that the Portland City Council adopt the Willamette River Greenway Trail alignment as envisioned in the River Plan North Reach Recommended Draft November 2009 now. It will become a vital and necessary link in the regional trail and transportation system (that includes the 40-Mile Loop Trail, the Eastbank Esplanade, Springwater Trail and others). To date, the North Portland segment represents a major gap in the Regional network. The Willamette River Greenway Trail is a piece of infrastructure connecting residents with jobs on the working waterfront while also affording a connection to the rest of the city.

I would also request that any mitigation or restoration sites that are to be designated not preclude the development of the multipurpose Willamette River Greenway Trail alignment referenced above.

I wish to thank the Portland Planning Staff, the River Plan Committee and the Planning Commission for all the many hours and months of work on the draft plan. And thanks to the City Council for their consideration of my comments and requests.

Sincerely,

183694

A handwritten signature in cursive script that reads "Cathy Hume". The signature is written in black ink and is positioned above the printed name.

Cathy Hume

6904 N. Charleston Ave.

Portland Oregon 97203

183694

**Moore-Love, Karla**

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**From:** Lani Bennett [lbennett@marquiscompanies.com]  
**Sent:** Thursday, December 17, 2009 9:44 AM  
**To:** Moore-Love, Karla  
**Subject:** Support for the River Plan/North Reach

Honorable Mayor Adams and City Council Members,

I attended the Public Forum at City Hall on December 16, 2009 and wanted to express my support for the River Plan/North Reach with Mayor Adams' proposed amendments. Portland is special in its appreciation and protection of the natural areas within its boundaries. I think we have a responsibility to repair the degradation to the North Reach area of the Willamette. I believe that improving the health of the North Reach will ultimately benefit wildlife, people and industry.

Thank you for your time and consideration of this issue.

Lani Bennett

12/17/2009



# SCHNITZER STEEL INDUSTRIES, INC.

3200 NW Yeon Avenue PO Box 10047 Portland, Oregon 97296-0047  
Phone (503) 224-9900 FAX (503) 323-2804

183694

September 11, 2007

Ms. Roberta Jortner  
Project Manager  
City of Portland - Bureau of Planning  
1900 SW Fourth, Suite 4100  
Portland, OR 97201

Dear Ms. Jortner:

Schnitzer Steel Industries supports the city's efforts to create a comprehensive River Plan. Over the past several years, we have actively participated in discussions on the plan and remain focused on the goal of improving the Willamette River's environmental quality while at the same time stimulating economic investment in Portland's working harbor.

We are submitting this letter and the attached Windward Environmental memorandum dated August 31, 2007 in response to the city's requests for comments on the "Natural Resource Inventory: Riparian Corridors and Wildlife Habitat, Willamette River, Portland, Oregon Discussion Draft Report June 2007 (NRIU)."

While the needs of the Willamette River remain great, we are encouraged by the progress made in recent years. The city has just completed the west side Big Pipe, and work is underway on the east side project. Businesses are also doing their part by investing in improved stormwater management systems and changing business practices. Together, these actions improve water quality in the harbor.

Yet more needs to be done. As we move toward making River Plan regulatory and investment choices, it is imperative that we clearly outline the desired outcomes and use the best available technical information.

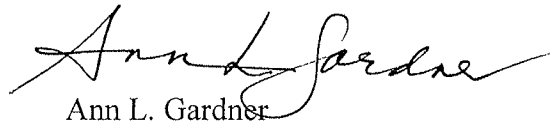
The NRIU could be an important tool used to formulate the River Plan. We appreciate the opportunity to provide the following comments, which are intended to further strengthen its contribution. Kathleen Hurley, a natural resource scientist with Windward Environmental who specializes in marine and freshwater environments, studied the draft report, met with city staff and inspected our facility in the Portland Harbor. Her comments, attached, are summarized below:



- It is unclear in the draft report how the NRIU will be used. We recommend adding language that will clarify its application.
- Model inputs should be included in the report for greater transparency and evaluation.
- Maps should include map symbology, displaying intermediate functions used to create summary figures.
- It is inappropriate to use the 2005 Oregon Department of Fish & Wildlife study as basis for designating beach areas as “Special Habitat Areas.” The study did not conclusively find statistically significant results that would support this designation.
- Two of the criteria used to designate the Schnitzer Steel riverfront as medium to high riparian function are questionable.
  - Criterion 3, bank stability, is a result of the built environment. Because this is an industrial site, the bank may be altered to meet business needs. We therefore cannot assume that this condition will be there in the future.
  - On criterion 5, we disagree that the streambank at this location affects channel dynamics or provides large woody debris.
- We recommend that the inventory should include a contextual map that presents piers, rip rap and other improvements.
- Finally, a developed flood plain, such as found on the Schnitzer property, does not provide the ecological functions of an undeveloped flood plain. The report should describe the functions that this developed flood plain actually provides.

Thank you for the opportunity to comment. We look forward to continued discussions with the city on how best to invest in an improved Willamette River and its natural environs.

Sincerely,



Ann L. Gardner  
Government Relations Manager

Attachment

cc: Mr. Gil Kelley  
Mr. Brian Campbell  
Ms. Sallie Edmunds  
Mr. Steve Kountz

## MEMORANDUM

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To: Ann Gardner, Schnitzer Steel Industries  
From: Kathleen Hurley  
Subject: Review of Natural Resource Inventory Discussion Draft  
Date: August 31, 2007

Schnitzer Steel Industries, Inc. requested a technical review of the recently published "Natural Resource Inventory: Riparian Corridors and Wildlife Habitat, Willamette River, Portland, Oregon Discussion Draft Report June 2007" (NRIU) produced by the City of Portland Bureau of Planning. The purpose of the inventory report is to summarize the current condition of riparian corridors and wildlife habitat located within the vicinity of the Willamette River in Portland, OR. This NRIU updates Metro's inventory of regionally significant fish and wildlife habitat adopted in September 2005. The purpose of this document is to provide updated information on the location, extent, and relative condition of natural resources along the Willamette River. The NRIU has several purposes and potential uses including, but not limited to, inform the design of land use and zoning tools for the City's and Willamette Greenway zoning programs and to fulfill programs developed to meet statewide land use planning goals to protect significant natural resources and meet multiple objectives for the Willamette River Greenway. Furthermore, the inventory fulfills requirements to provide current natural resource information for the River Renaissance Strategy (2001, adopted 2004) and the Portland Watershed Management Plan (2005). These comments focus primarily on the designation of riparian habitat and the Special Habitat Areas as the property of interest (Schnitzer Steel Industries, Inc.) did not provide wildlife habitat.

The intent of the NRIU is to document the current location, extent, and relative condition of natural resources along the Willamette River. The report divides the resource mapping of the river into three reaches, the North, Central, and South. At this time, only the results of habitat mapping for the North Reach, which includes the Portland Harbor Superfund site, are presented. While the intent of the report is to

provide a “snapshot” of current natural resources, it is unclear throughout the report how the inventory will be used in development of regulation and potentially affect river-dependent industry within the highly developed North Reach of the Willamette River.

The updated NRIU mapped wildlife habitat, riparian function, Special Habitat Areas (SHA), and combinations of the above components. The individual riparian function and wildlife habitat maps represent the results of a model that relatively ranked and summed criteria for each inventory site within the North Reach. The rationale for the development of the riparian rank based on primary and secondary features is not clear. How are secondary relative ranking incorporated into the ranking scheme?

Furthermore, what are the “relative ranks” relative to? Summaries of the specific model input of riparian corridor model criteria and wildlife habitat ranking for each individual inventory site are not presented in the report. We recommend including summary tables of the model input for inventory sites to provide greater transparency and evaluation of site ecological function.

When a wildlife habitat and a riparian function overlap, the higher ranking habitat value “trumps” a lesser rank, thus masking the individual habitat rankings used to compile the summary figures. We recommend the incorporation of map symbology on the combined riparian/wildlife relative ranking figures to clearly indicate the combination of functions overlain to create the summary figures (e.g. low wildlife ranking, high riparian, etc.). It would be more accurate and informative to include a scale including intermediate ranks, for example distinguishing a low plus high rank from a high plus high ranking. This would allow for a more transparent evaluation of the habitat rankings. This level of detail in the figures will provide a more informative management tool.

Special Habitat Areas (SHA) were designated based on identified based on several attributes and designations. In general, the criteria for SHAs seem reasonable. However, the assignment of Willamette Beach areas as SHAs based on the 2005 ODFW fish study is generally not appropriate. The study did not find statistically significant correlations for salmonids and beach habitat. The report concludes that it “found little evidence to suggest that nearshore habitat as it currently exists is a critical factor affecting yearling salmonids” while *suggesting* nearshore habitats “appear to be important to smaller fish (Friesen 2005) <sup>1</sup>.” As the study did not conclusively find (i.e. statistically significant results) it does not provide a substantive basis from which to designate SHAs for beach areas within the North Reach.

Most of the North Reach as well as Site WR5, the location of the Schnitzer property, is designated as medium to high riparian function. The City used six criteria to identify and score riparian habitat:

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<sup>1</sup> Friesen, T.A. (ed). 2005. Biology, Behavior, and Resources of Resident and Anadromous Fish in the Lower Willamette River: Final Report of Research, 2000 – 2004. ODFW.

1. Microclimate and shade
2. Stream flow moderation and water storage
3. Bank stability and sediment, pollution and nutrient control
4. Large wood and channel dynamics
5. Organic inputs, food web, and nutrient cycling
6. Wildlife movement corridor

Within the vicinity of the Schnitzer property, riparian function is primarily assigned by criterion 3 and criterion 4, mainly because these areas lie within 50' of the mapped water's edge. Bank stability, sediment and pollution control within the 50' buffer zone in this inventory area is generally ascribed to the riprapped bank and active piers. The small herbaceous area at the head (eastern) of the slip may provide the bank stabilization function in the ecological context more similar to the studies from which the criterion was derived. While the current engineered bank structures may stabilize the bank, it does not have the ecological features necessary to provide the ecological functions as described in the Project Report (p.15). Furthermore, the bank stabilization currently provided by the rip rapped bank may not be sustainable (i.e. permanent) in an active, river-dependent industrial site. Criterion 4 also contributes to the ranking of the shoreline area as a medium to high riparian function. The functions assigned to the site for this criterion are generally not appropriate base on the lack of woody debris available for input into the channel which contributes to stream complexity and channel dynamics for fish habitat.

In conclusion, we disagree with the default assignment (within 50' of water's edge) of a medium to high riparian function without incorporation of current bank conditions and whether those conditions actually have the ecological capacity to support the functions defined in the inventory. The GIS model assumes that riparian functions occur within certain distances of stream and wetland, but does not consider whether the appropriate riparian features truly exist to provide the described function. We suggest including information on current bank conditions, such as presented in the Willamette River Atlas, to provide a context for the riparian rankings.

The upland area of the Schnitzer property is assigned a low riparian function as a result of being located within the 100-year flood plain. Developed floodplain areas, such as the 680 acres of non-vegetated flood plain within the Willamette River watershed, do not provide equivalent ecological functions, such as flood control, groundwater recharge or stormwater attenuation as undeveloped flood plains. As a developed site covered by impervious surfaces, the site lacks the vegetation and soils necessary for a functioning flood plain. Assignment of an ecological function for flood plain solely because it lies within the 100-year flood plain does not necessarily correspond to the capacity of the area to perform flood plain function. The City needs to consider current

site conditions within each inventory area and their potential to fulfill the ecological function assigned.

The NRIU summarizes riparian function, wildlife habitat, and SHAs for the Willamette River in order to update the resource inventory adopted by Metro in 2005. The purpose of the document is to provide updated information on the location, extent, and relative condition of natural resources along the Willamette River in order to inform future regulation. In order to effectively accomplish its goals, we respectfully request the City consider these comments to better represent current habitat conditions in the highly developed industrial North Reach of the river.

**SCHNITZER STEEL INDUSTRIES INC.**

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Phone 503.286.5771  
Fax 503.286.6948

February 16, 2010

Mayor Sam Adams  
City of Portland  
1221 SW 4<sup>th</sup> Ave., Suite 340  
Portland, Oregon 97204

Dear Mayor Adams,

In addition to my testimony and submitted comments, I ask that the following comments be submitted for the record and also ask that the record remain open until such time as we have had more time to review the Natural Resource Inventory as it impacts Schnitzer Steel properties near Rivergate.

As background, I am attaching our letter to the Bureau of Planning of September 11, 2007 and a memorandum from Kathleen Hurley of Windward Environmental, LLC to Schnitzer Steel, dated August 31, 2007. While I understand from Ms. Hurley that some of our site was reclassified from high to medium value as a result of this correspondence and subsequent meetings with staff, I am not satisfied that all of our issues have been addressed. We have reopened our contract with Windward to provide additional review of this document and will offer additional comments within two to three weeks.

Thank you for your consideration.

Sincerely,

James H. Wilson  
Regional Director

enclosures

**Submitted Comments  
Portland City Council  
River Plan Hearing  
Wednesday, February 17, 2010**

Mayor Adams and Members of Council:

My name is Jeff Swanson, and I am the Logistics Manager for Schnitzer Steel in Portland and vice chair of the Portland Freight Committee.

Industrial and freight mobility interests support the goals of the River Plan – a healthy river system for all stakeholders. The practical mechanism for balanced attainment of those goals is clearly at issue, and so it is wise to take more time as you have determined to do to examine policy impacts, ecological and economic.

As a regional hub and global magnet, Portland is a unique place. It is situated at the confluence of natural geography such as the Cascade and coastal mountain ranges, the Columbia and Willamette Rivers, and important built transportation infrastructure like US Interstates 5 and 84. It is served by two major trans-continental railroads, the Union Pacific and BNSF Railway. It is the trans-loading hub of a vast inland waterway network connecting the Inland Empire Region with the Pacific Rim. Vast quantities of goods pass through Portland, some of which are vitally important to feeding large portions of the world's population, and they are loaded from trains and barges to ocean-going vessels in the North Reach of Portland's working harbor.

Portland is truly a dynamic, complex, and vital multi-modal highway, rail, and marine transportation hub. Many of the connection points between modes that make this hub function occur on private industrial lands in the North Reach. It is critical

that these businesses continue to be able to invest in the infrastructure that allows for selection and use of the most cost-effective and sustainable modes of transportation available.

As we look for ways to reduce our carbon footprint, one of the most effective methods is to shift modes of transportation. For instance, Schnitzer could potentially shift a large volume of shipping from truck to barge, reducing highway congestion, carbon emissions, and transport costs were our dock facilities not already near capacity with other traffic. This project alone would take 235 truckloads per month off the highways. Doing this would require construction of additional dock facilities on site.

Jamie Wilson, my boss, mentioned the difficulties involved in securing capital for major construction and expansion projects. These projects are extremely sensitive to permitting time length and cost, as to whether or not funding can be obtained, issues which are likely to be exacerbated in the public process as described in River Review in its present form.

In a broader sense then, the River Plan could have some unintended effects, such as causing increased systemic reliance on truck transportation to move goods that could otherwise move by different modes such as marine. This could directly conflict with other important policy pursuits, like the City's Carbon Action Plan goals and objectives. We think it would be well advised to take more time and explore with stakeholders and staff the potential impacts of the proposed review process to all aspects of the region, from employment, private business investment levels, and freight mobility to ecological metrics.

I appreciate your time, leadership, and thoughtful attention to this important discussion.



**Testimony of Ronald G. Russ  
President and General Manager, Portland & Western Railroad  
December 16, 2009  
Mayor Adams' Forum on the River Plan**

Good evening Mayor Adams and Commissioner Fritz. My name is Ronald Russ and I am the President and General Manager of Portland & Western Railroad. Portland & Western provides commercial freight services and manages over 500 miles of railroad lines here in northwestern Oregon and the Willamette River Valley. Those lines run from Astoria to Portland through the Linnton community and southward from the west suburbs to Eugene and hauls freight for industrial customers intra-regionally and both to and from BNSF and Union Pacific Railroads.

I am here this evening to share with you a couple of my views regarding the Portland River Plan and how it could potentially adversely affect the employees and customers of Portland & Western. But I want to be clear from the beginning, I am very much in support of the City's efforts and commitment to restore the habitat and quality of the areas along the harbor front, and particularly along the North Reach.

Having grown up in the Pacific Northwest in Tacoma, I understand the balance that needs to be maintained between industry and our natural resources. As a career railroad manager and executive, I have had the responsibility of analyzing and implementing restoration and rehabilitation of infrastructure programs throughout the nation. I have also had some recent activity on the Portland & Western supporting local communities regarding trails and restoration of abandoned facilities and right-of-way. Benton County has been very active in developing such a trail near the Portland & Western tracks between Corvallis and Albany. As a result, I am

a firm believer that environmental concerns can be adequately balanced with industrial and business community needs. That brings me to my testimony this evening.

I recently forwarded a letter to you, Mayor Adams, detailing some specific concerns and my suggestions about the trails being proposed to cross Portland and Western tracks and the Plan itself, so I won't necessarily repeat those this evening nor will I read that letter. You should have a copy and I have brought a copy for the record this evening just in case. But, allow me to provide some additional comments in a concise manner.

While I am the President and General Manager of Portland & Western, I've had the opportunity to serve in a variety of capacities in my career. I have filled the role of Chief Financial Officer for several listed railroad companies in the Midwest and, as such, was required to analyze the feasibility of various corporate investment proposals. One of the first items that comes to my mind when developing or expanding a business is determining how much capital to invest, the return on that investment and how long it will take for that return to be generated for the firm. You have undoubtedly seen the report from a Seattle engineering firm stating that potentially 18 more months could be added to the permitting process due to the requirements of the River Plan as it is now proposed. I understand that some folks have also told you that this suggestion of additional time getting through the permitting process is bogus and unfounded, so allow me to give you a CFO's perspective.

If I were to decide on a further or new investment in the North Reach., it is not clear at this point if permitting would require the current 36 to 40 months, which is quite long as it stands, or if it would be closer to 48 to 60 months. Since the permitting time period is unclear, a prudent funds manager would be hard pressed to be justified in approving any initial permitting

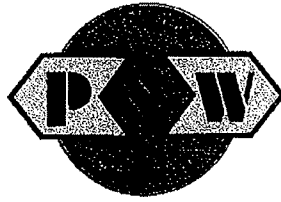
process and pre-engineering expenditure in the North Reach without some assurances at the end of the day there would be successful outcome to the permitting process. Also, the longer the permitting time period and the complexity of that process would weigh heavily on the reducing most investment returns. I would be looking to make a decision that avoids risk and limits my exposure to front-end costs that eat into potential returns.

I would have a responsibility to review all other options, to investigate a variety of scenarios and, in all honesty, I could not recommend to my board or prepare a presentation to a funder that we go with the location that could potentially cost us more time and investing dollars due to the complications associated with permitting over an uncertain time period. I would most likely recommend looking elsewhere for a locale with a better investment climate. And, we are fooling ourselves to think that these questions will not be asked in the boardrooms of all the businesses along the North Reach, if the currently proposed Plan is passed without further interaction between the stakeholders. I use this example to offer some reality and to suggest a pathway to a better plan.

I have not heard any business owner along the North Reach state absolute opposition to the restoration that the City wants to do along the river. I have not heard any business owner state the business will pick up and immediately move out of town if the Plan is implemented. However, I have personally heard that stakeholders and businesses want to cooperate and take part in the Plan. However, they need certainty of outcome and a balanced approach to take in the concerns of all stakeholders. They are also asking for more time. You have heard from the Working Waterfront Coalition regarding the concerns that have been identified and I support those concerns and the Coalition. I am here tonight to ask you to do the same thing.

The concerns have been clearly articulated and the River Plan can work for everyone if those issues are addressed. That may mean that we cannot get to agreement by January 28, 2010, but then maybe we can. I am certain that with your leadership and direction members of the City staff and the industry folks you are hearing from can work together, as long as you instruct them to do so and come up with a Plan that works so all parties can accept it. That is all I hope to achieve tonight and that is how I have managed to make these types of issues work for Portland & Western and other rail carriers throughout my career.

I appreciate you providing this opportunity to share my views and concerns and look forward to our continued good working relationship as we serve customers throughout northwest Portland and the rest of Oregon. I look forward to hearing more about how we will solve the trail concerns I have shared with you and the staff and I'm eager to resolve those as well. Thank you again Mayor and Commissioner Fritz and I'd be happy to answer any questions you might have.



a Genesee & Wyoming Company

December 9, 2009

Mayor Sam Adams  
City of Portland  
1221 SW 4th Avenue Room 340  
Portland, Oregon 97204

Dear Mayor Adams:

I would like to take a moment to introduce myself as the President and General Manager of the Portland & Western Railroad ("PNWR") and offer my credentials to you as a third generation and career railroad employee who grew up in Tacoma. I understand you too are from a railroad family, so I am certain you already have a keen appreciation for the role rail transportation plays in the City of Portland, as well as throughout the Pacific Northwest and North America. I look forward to the opportunity to meet with you in person to swap stories about our railroad families and backgrounds.

Since we unfortunately have yet to meet face-to-face, I'd like to offer my thoughts regarding The River Plan as it makes its way toward adoption and implementation. As you are probably aware, PNWR operates as a short line railroad in northwest Oregon and the Willamette River Valley with over 500 track miles of routes in this region. Our lines offer cost effective rail transportation of commercial products and operate in the City's Linnton community with the industrial interests along our route paralleling the North Reach. We are proud to be part of Oregon's economy and look forward to our continued partnership with the City, as well as a prosperous future.

The safety of every employee, every customer and every citizen along our lines is the highest priority for the company and represents the greatest challenge I face as President and General Manager of PNWR. For that reason I have visited with both Sallie Edmunds and Shannon Buono regarding the proposed walking trails along our line in the Linnton area to discuss the proposed trail alignment. I am extremely concerned about the potential hazards to public safety that develop when any person crosses a rail line at grade. The current proposed trail alignment in Linnton indicates several at-grade trail crossings of railroad tracks and PNWR is seriously opposed to any such configuration. I conveyed this same message to Shannon and Sallie when we met and want to make certain you are aware of this concern as well.

I have personally dealt with developments such as trail alignments many times during my career and believe solutions can be developed which reduce the risk of creating a public safety issue. I suggested to Sallie and Shannon that if PNWR could obtain a more detailed map of the area's proposed trails and at-grade crossings of PNWR tracks, I would work with my civil engineering team and ODOT-Rail Division to offer alternative configurations. That offer still stands and in the meantime, you should know that I've extended an offer to help the City achieve its goals regarding walking trails along the North Reach, if done along the same lines as Benton County is utilizing on its proposed Corvallis to Albany trail. I trust we will be able to partner in developing reasonable alternatives to the current proposal. While the walking trail concerns may well be unique to PNWR and our customers along this route, we all share in the burden of not putting public safety at risk by allowing this proposed trail to cross PNWR tracks at grade without investigating alternatives that avoids this potential conflict of traffic flows.

I also have some general business concerns about The River Plan that merit mention and hope you will take these issues into consideration as well.

I fully support the City's interest and ingenuity regarding the River Renaissance and the proposal to enhance the sustainability of the Willamette waterfront along the North Reach. I admire your efforts and I'm willing to work with you and the other businesses along the river to maintain the vitality of the waterfront in this important industrial base for the City.

However, the businesses along the North Reach are PNWR customers as well, and if they are not able to develop and grow their investments along the river, they will eventually become uncompetitive and go out of business. This is simply a fact of the business life cycle and is not peculiar to Portland. During my short tenure here at PNWR, we have already lost a significant volume business as a result of the permanent shutdown of several lumber mills. When PNWR customers cannot grow and sustain themselves to remain competitive, then the business at PNWR becomes distressed and that is situation we want to avoid.

The River Plan, as it appears to me from the latest version, will be more of a burden than an enhancement to our City's North Reach industrial cluster. The specific proposals regarding vegetation mitigation, river review and mitigation banking continue to be of great concern to all the members of the waterfront industrial community, and I believe the concerns have merit. Allow me to offer just one specific example on this.

The Working Waterfront Coalition had an independent analysis done of just the permitting aspect of the River Plan. Again, I am not an environmental engineer or an urban planner, but I am business executive who has specialized my entire career in railroad and financial management. According to that analysis, the additional plan reviews and permitting process the City will impose upon all existing and any new

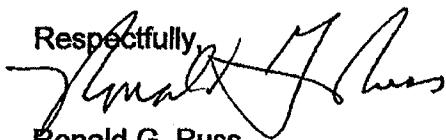
industrial concerns would extend the permit processing and review period an additional year-and-a-half. That would take place on top of the current permitting process which can take up to three-and-a-half years. From an investment perspective, no corporate development director or officer (public or private) would ever recommend to its financial executive team or Board of Directors on expanding or starting a business venture that has a five-year permitting process that still does not guarantee a definite start date. This proposal would stifle, if not completely cripple all growth and business expansion in Portland's waterfront industrial base.

Ironically, the more significant effect this issue could have upon The River Plan is with regard to its intention to fund a restoration plan. If businesses choose not to expand or locate due to the extraordinary regulatory and development requirements suggested by the City, it will be impossible to fund the mitigation plans the City's planning staff has developed. In other words, it is my sincere belief the very guidelines being developed to restore the North Reach are so onerous they will have an effect upon the community that will yield exactly the opposite results they are proposed to achieve.

It is my understanding the Working Waterfront Coalition, of which PNWR is a member, has provided the City a letter outlining the outstanding concerns regarding The River Plan, along with some suggested alternative solutions. Therefore, I will not dwell upon my point here. I do want to assure you that PNWR is willing and interested in working with the City to achieve the intended goals of The River Plan. It is an issue of balancing interests and issue of those interests collaborating on a mutually agreed upon solution. I believe these issues still need to be addressed.

I appreciate your consideration of my remarks and concerns and look forward to meeting with you in person soon. I felt compelled to forward my thoughts to you now due to the urgency of the issue and the scheduled forum and City Commission hearings on this matter. Should you have any questions about my remarks, feel free to contact me directly. Thank you for your attention.

Respectfully,



Ronald G. Russ  
President & General Manager

Cc: Commissioner Randy Leonard  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
Ann Gardner  
Bernie Bottomly



# Brotherhood of Locomotive Engineers and Trainmen

*A Division of the Rail Conference-International Brotherhood of Teamsters*

OREGON STATE LEGISLATIVE BOARD  
 2509 NE 83<sup>rd</sup> Way • Vancouver, WA 98665  
 Phone: (360) 907-4187 • mlneale@pacifier.com

**Mike Neale**  
*L/R Division 416*

December 16, 2009, via email

Mayor Sam Adams  
 City of Portland  
 1221 SW 4<sup>th</sup> Avenue  
 Portland, Oregon 97204

Subject: City of Portland River Plan, North Reach

Dear Mayor Adams:

I would like to take this opportunity to introduce myself as the Legislative Representative of BLET Division 416, representing 92 engineers and conductors on the Portland & Western Railroad. I have worked in the transportation industry for 29 years of which the last 22 years have been with railroads. Recently I have become aware of the plans for the North Reach and I applaud the city's efforts. However, my union position focuses on the safety and health of our members, and there are a couple of areas in the River Plan that concern me.

First, I noticed that in Linnton the proposed Greenway Trail crosses the P&W tracks at-grade several times. Since trains don't have steering wheels the engineers can't swerve to avoid people, so any at-grade crossing of the tracks is a great safety concern for both our members and for the general public. In fact, the Portland & Western has worked for several years with ODOT and the FRA to reduce the number of at-grade crossings to improve safety. I would urge you to take the time to work with the Portland & Western to come up with alternate trail alignments that would avoid such unnecessary crossings of the railroad.

Secondly, I am concerned about the negative financial impact the River Plan would impose on freight customers in Linnton. The plan as drafted looks very complicated and could end up delaying development as well as being very expensive. I'm a locomotive engineer, not a civil engineer or planner, but it seems to me that this plan will hurt our customers and could result in the loss of family wage jobs not only to our members but also to BLET and UTU divisions on the BNSF and UP railroads. I urge you to take additional time to work through the concerns of all businesses and come up with a truly balanced River Plan. I thank you for your consideration of my concerns.

Respectfully,  
*Mike Neale*

Legislative Representative, BLET Div 416

cc: Ron Russ, Ann Gardner, Scott Palmer



NORTH REACH PLAN IMPACT ON LINNTON  
by  
Edward Jones, Linnton Land Use Committee Chair

## SUMMARY

Linnton finds some good and some bad in the North Reach Plan, but supports it overall. The plan takes some baby steps (too few and too slow) towards improvements on St Helens Road and supports (weakly) community access to the river and the creation of habitat along the Linnton shoreline. It does not, however, confirm Linnton's waterfront exclusion from designation as Prime Industrial Land (or, in Metro speak, from designation as a Regionally Significant Industrial Area). Nor does it display any sense of urgency about the need to protect the river and the shoreline, and while circumstances suggest that stakeholders are close to an agreement to dedicate the larger part of Linnton mill site to habitat, neither the NRP or the city seem to be ready to provide the leadership needed to close the deal.

Linnton is aware that there is industrial resistance to the plan based on alleged concerns about job loss. The small burdens placed on the industrial users of the river have to be compared to the benefits the plan confers upon those users. The city goes to great lengths (unnecessary lengths, in the opinions of many) in the NRP to protect the industrial users of the river but fails to require those users to respect the river that supports them. The NRP, as drafted, asks far too little of those industries. The mitigation and vegetation requirements are not burdensome and will create rather than destroy jobs on the waterfront. The only jobs at risk because of the North Reach Plan belong to industry lobbyists.

## BACKGROUND

The Linnton waterfront is one of Portland's original industrial areas. At the heart of the Linnton waterfront is the Linnton Plywood mill site. The mill has been closed and for sale for many years but has failed to attract a new industrial user. In 2006, after more than a decade of planning, the Planning Commission voted to address the problem of what to do with the mill site by voting to recommend the opening the Linnton waterfront to the possibility of mixed use development. The neighborhood strongly supported that decision, seeing the potential mixed use development of the waterfront as a recreation of Linnton's lost downtown, which had been largely destroyed when St. Helens Road was widened in the early 1960s. In August of 2006, however, the City Council rejected the Planning Commission recommendation and directed the Commission to take no further action to change the industrial status of Linnton under the Comprehensive Plan or the zoning regulations.

The Council decision left two possible futures for the site, a new industrial user or the dedication of the site to habitat (open space is a permitted use in industrial zones). Until very recently there was no industrial interest in the site; now BP, the industrial user just to the south of the site, is negotiating with the mill owners to purchase the site. Their announced plan for the site

would limit the expansion of their operations to the south end of the site and dedicate much of the rest of the site to open space. The neighborhood supports the concept but has concerns about the future of the mill buildings and the extent to which there would be community access to the river. This plan seems to be blocked; rumor has it that the EPA has placed unreasonable burdens on the sale.

Since the surfacing of the BP proposal NOAA has presented a site drawing which dedicates the entire Linnton waterfront (the mill site and the rest of the land between the tank farms) to habitat restoration. It calls for the removal of the buildings but is unclear about community access.

The North Reach Plan identifies the Linnton waterfront as a potential "in lieu" site where North Reach property owners who were unable to restore their own waterfront could engage in off site mitigation. If the "in lieu" fees were established at a useful level this process could generate money to finance habitat creation along the Linnton waterfront.

While both the NOAA and the NRP concepts for the future of the Linnton waterfront have time lines which make them little more than dreams, they reflect a growing consensus about the best use of the site. The Linnton neighborhood has embraced the concept of habitat restoration on the Linnton waterfront and believes that the City should embrace it as well.

## SPECIFIC ISSUES

### 1. PRIME INDUSTRIAL LAND

The NRP creates a new classification, Prime Industrial Land, and imposes additional restrictions on the owners of such property. Those restrictions are similar to those created years ago for the Guild's Lake Industrial Area. At the time that Guilds Lake Industrial Area was created the land north of the St Johns Bridge (ie, the Linnton neighborhood) was expressly excluded from it and from the additional restrictions that came with it. (This history is discussed on page 18 of Volume 1A of the NRP). Now, through the creation of the Prime Industrial Land designation, the city seeks to extend those additional restrictions beyond the St Johns Bridge and into Linnton, contrary to the commitment made when the Guilds Lake Industrial Area was created. As

proposed, the new restriction would not apply to the area between the tank farms because that area is not designated as Prime Industrial on the NRP maps. Because the maps could change, apparently without notice or process, the Linnton neighborhood wants an explicit statement in the NRP that the Linnton waterfront is not Prime Industrial Land (or, in Metro talk, a Regionally Significant Industrial Area) and will not be so designated.

The neighborhood has opposed the restriction on quasi-judicial amendments to the comprehensive plan which the NRP imposes on Prime Industrial Land. The restriction is bad for Linnton and bad for the city: bad for Linnton because it carries the potential of foreclosing

### 2 - NORTH REACH PLAN IMPACT ON LINNTON

alternatives to the habitat plans now under consideration; and bad for the city because it will preclude even consideration of potentially good alternative uses for industrial land. This restriction ties the city's hands in a historical moment that calls for flexibility rather than rigidity.

The city should abandon the restriction on quasi-judicial amendments to the Comprehensive Plan for Prime Industrial Land. The proposal is a solution to non-problem and undermines the land use process as a whole by suggesting that the quasi-judicial process cannot be relied on to enforce land use policy.

A LACK OF URGENCY

The NRP identifies sites and even estimates costs related to the acquisition and restoration of habitat along the North Reach. Other agencies and programs are also looking at those sites, yet everyone acknowledges that we are years away from funding and purchases, and that most of these sites will be gone before money is found to preserve them. If the city cannot find a way to gain control of as many of these sites as possible while the economy remains weak, the entire river restoration effort will be compromised. The river cannot afford years of process while habitat continues to disappear.

MITIGATION BANKS AND IN LIEU SITES

The neighborhood supports current discussions about using the mill site to restore habitat. That plan is itself supported by the NRP's proposed no-loss-of-habitat policy regarding new construction and the proposed riverfront vegetation policy. Through the mitigation bank and the imposition of fees as an alternative to on-site mitigation or vegetation, resources may become available to achieve the restoration of the Linnton waterfront as an "in lieu" site. The proposed one percent fee, however, is too small to achieve the goals of the plan. It should be set at three percent because even when investment resumes historic levels, if it ever does, one percent will not generate sufficient cash to make a meaningful contribution to the necessary habitat restoration.

Three percent, on new development, when mitigation or vegetation cannot be done on site, is a reasonable contribution to the health of the river.

Under the proposed rules neither mitigation efforts nor habitat landscaping (vegetation) requirements will reduce available land or cause job losses. The Council should reject such arguments. Overall, employment is driven by economic factors far larger than nominal fees such as proposed here. For those sites on which the bank is given over to commercial necessity and mitigation cannot be achieved without compromising existing or future employment, off-site mitigation compensates for it without job loss. Restoring the river will create jobs.

Nor should the council be worried about placing local businesses at a competitive disadvantage when competing with similar businesses in other ports. In every port businesses

face a complex collection of imposed costs and enjoy an equally complex set of subsidies and incentives which, together, make teasing out the consequences of a particular cost or incentive impossible. For example, how is the cost of river dredging reflected in the cost of each vehicle that comes into Portland, or in each ton of scrape that leaves? Fears of job losses are an old argument, yet despite years of such fears there has yet to be any documented job loss due to prior environmental regulation and there is no reason to think the future will be different.

Reflecting on the failure of the Willamette Greenway Plan to stanch habitat losses on the river over the last 20 years, one might wish that the fee structure now recommended by the NRP (weak as it is) had been put in place then. There can be no doubt we, and the river, would be in much better shape today had that been done. If we are unable to control new losses it makes a mockery of our efforts to undo older losses.

The Working Waterfront Coalition has invested great effort in getting a recommendation from the Planning Commission for a low (1%) fee and for complex limits on the circumstances in which such fees might have to be paid. Now they will come to the Council and argue that even those burdens are far too great. Nonetheless, and regardless of claims they might make to the contrary, even if the fee were reduced again, to one half percent, the WWC, or one of its members, will sue the city. And if the city is going to get sued anyway, it might as well get sued for imposing a fee that is sufficient to achieve the goals of the plan. There is little point to establishing and then going to the trouble to defend an insufficient fee.

#### ZONING ISSUES

The NRP makes zoning changes in Linnton's core area. All of the changes are improvements over prior designations, but none will be sufficient to achieve any of the city or the neighborhood's goals.

- a) The land between the highway and the tracks, from 107th to 112th is changed from CG (General Commercial) to CS (Storefront Commercial).

This change is intended to encourage pedestrian-oriented main street style development in Linnton's business district. Given the traffic on St Helens Road, improving the appearance and financial health of the district will be difficult, but some important steps have already been taken. Changing the zoning is another small step in the right direction, but there still needs to be a plan and some funding before there is any chance of a reborn downtown. The NRP should include a fresh immediate re-start of the Linnton Village Plan with the explicit goal of revitalizing the downtown area.

- b) The land between the highway and the tracks, south of 107th, has new environmental restrictions covering the outlet just south of the community center, and south from there is changed from river industrial (IH<sub>i</sub>) to regular industrial (IH).

- c) The land between the tracks and NW Front, from 107th to what would be 114th, is changed from river industrial (Ih) to regular industrial (IH).

## STUDIES AND PROJECTS

- a) A circulation study in Linnton "to evaluate the potential for combining accesses and improving safety on St Helens Road.

Since there are only two public access points to the riverfront, "combining accesses" has a worrisome sound to it. The word choice suggests a pre-disposition to close the crossing at 112th and leave only one access point to the waterfront on 107th. This is bad idea for both safety and circulation reasons. Implementation would be inconsistent with other aspects of the NRP (see illustration #7, page 79, volume 1A). The neighborhood desires improved rather than reduced access to the riverfront and will pay close attention to this study.

- b) The development of an "action program" to improve the vitality of Linnton Village. (Project RC1).

This program is ranked as a "medium" with a timeline of start within two years. This is much too slow, the Council should reclassify the program as a "high" and insist the action program start immediately (see above discussion of re-starting the Linnton Village Plan) so conclusions can be ready for inclusion in the Portland Plan. This project can be done with existing funding, and also has an active constituency (both neighborhood and industrial) and substantial momentum as well, it deserves to be a "high" for either reason.

- c) Apply for a PDC storefront improvement grant for St Helens Road. (Project RC2)

This is ranked "high" yet would seem to depend on the completion of planning associated with the creation of the RC1 action program before an application could be filed. Another reason to upgrade RC1.

- d) Creation of a Linnton whistle-free zone. (Project RC3)

Appropriately a "medium", the number and nature of the crossings and what improvements are needed at each will have to be determined and completed before such a zone could be created.

- e) Greenway path through Linnton. (Projects A10 – Front Ave. and A16 – Rail/Trail)

The Front Ave loop would take users off St Helens from 107th to 112th. It would connect to the Beach Trail and allow access to the waterfront. Both south and north of downtown

Linnton the trail would be along St Helens Road (as it is now) or, ideally, it would share the BNSF right of way in a rail/trail configuration.

An upgrade for the Greenway path could play an important part in the re-vitalization of the Linnton downtown

f) Community Access to the River: Beach Trail  
(Project A11)

Using access along 107th, there would be a trail along the river front from 107th north to 112th. This project is related to RS16 and needs to be done in conjunction with that project. As with the Greenway path, community access to the river will serve multiple purposes and play an important part in the re-vitalization of the Linnton downtown.

g) Linnton Area Habitat Restoration  
(Project RS16)

This project calls for the daylighting of the outflow now piped to river along 107th and the restoration of the bank from 107th north to 112th. Total cost is estimated at \$12 to \$18 million and the priority is "high-medium". This project should be a "high" as it has an active constituency (both neighborhood and industrial) and substantial momentum as well.

This proposal is another manifestation of the current consensus about the best use of the Linnton waterfront. As mentioned above several times, there is an opportunity now for progress that must be responded to in the Plan and by the City.

Projects RS17 and RS18, which are the next two sites downriver from the Linnton waterfront are also immediate opportunity sites. The City needs to move aggressively to gain control of these sites.



# PORTLAND BUSINESS ALLIANCE

*Leading the way*

Testimony of Bernie Bottomly  
Portland Business Alliance  
North Reach Town Hall  
December 16, 2009

Mayor Adams, Commissioner Fritz, thank you for the opportunity to appear before you today on behalf of the Portland Business Alliance to provide comments on the River Plan North Reach Recommended Draft.

The Alliance supports the overall goals and objectives of the River Plan, to enhance the environmental attributes of the Portland Harbor while preserving and enhancing the historical and high value industrial uses in the North Reach. And we appreciate the city's efforts to reduce the burden and increase the certainty of certain types of permitting. The goal, we believe, is to strike an appropriate balance that provides for enhancement while encouraging growth and investment in harbor businesses. It is that development and investment which will allow us to achieve our enhancement objectives.

Our concern is that the draft recommendation does not strike that balance in a number of areas and that, unless modified, the plan will negatively impact a number of city and regional economic development and land use objectives. I'd like to touch on three of those briefly.

First, the region has adopted a strategy of constrained growth in its urban area. Our strategy is to focus more development on existing urbanized areas, such as the Portland Harbor. Under our land use strategy the region's future economic health depends on our ability to readily and affordably redevelop at higher densities and brownfield redevelopment becomes critically important. The provisions of the draft plan that make it significantly more expensive and bureaucratically burdensome to redevelop in the Harbor run counter to our adopted regional land use strategy – which the city has strongly endorsed.

A second and related issue is how the recommended draft would impact the city's efforts to redevelop harbor brownfields through the Harbor ReDI effort. Having sat on the technical advisory committee for this effort for more than a year I can tell you that the vast majority of sites being targeted for brownfield redevelopment are simply uneconomic due to the remediation costs and the uncertainty associated

with the superfund cleanup. The recommended draft would make remediating these sites even more difficult by adding costs, reducing the economic viability of projects and increasing bureaucratic uncertainty. Again, we only achieve remediation and enhancement if businesses are able to make investment in the harbor work financially.

Finally, the city's very welcome and much needed economic development strategy calls for the creation of 10,000 jobs in five years. The North Harbor's industrial jobs are just the kind of employment growth we need: family wage jobs with benefits. Like you, Mr. Mayor, we are concerned with our declining capture ratio for new jobs in the region. The Portland Plan Analysis points out that the one employment land area where we have a deficit is in general industrial transportation. We believe the draft plan makes investment in the North Reach more expensive and more difficult and hurts our ability to achieve the goals of the economic development strategy, regain our historical level of job capture and increase median family incomes.

The Working Waterfront Coalition has proposed changes which we believe strike the appropriate balance that will both accomplish significant enhancements to the river, require businesses to pay substantial fees and meet strict environmental requirements while at the same time making investment in the Harbor attractive from a financial and regulatory perspective.

Thank you for the opportunity to share our thoughts with you on this important subject.



## Testimony on River Plan

Sebastian Degens

December 16, 2009

Good evening Mayor Adams, Commissioner Fritz. My name is Sebastian Degens, Planning & Development Manager for Marine & Industrial Development at the Port of Portland. Thank you for the opportunity to talk to you about the seaport, the working harbor, and the City's River Plan.

First, Mayor Adams, I'd like to compliment you and your staff on the Portland Plan meeting I attended last night. It was a fascinating and managed to cover the breadth of issues that I, as a longtime Portlander am concerned about. I was particularly pleased to see the focus you placed on Portland's manufacturing base, and, (I hope I am not reading too much into it here), the spotlight you placed on the Hapag-Lloyd container vessel at Terminal 6 as foundations to our prosperity and a sustainable city business model.

Because this brings me to the 2 points I want to make in my discussion tonight:

- The City of Portland, through its River Plan, is best served by establishing a climate for investment in the North Reach, so that industry, large and small, is encouraged to modernize, rehabilitate, expand, and, in some cases, choose to locate in our seaport.
- Secondly, without such a climate for investment, we are unlikely to ever successfully return the brownfield sites in the harbor, those challenged by contamination and unsustainable past practices, to a productive use.

It is my belief that the achievement of other important city goals will be more successful, and will occur hand in hand with these public and private developments. Facilitation, not regulation, is truly the most important strategy at your disposal.

Collectively, we have made the most significant gains and improvements in reducing the footprint of our activities specifically at those times when we have built a new facility or modernized an old one- The Toyota facility is a good example, or the storm water investments at multiple facilities. These are the paradigm-shifting moments when the old ways can be supplanted by the newer and we hope- more sustainable ways. These are the opportunities we would like to be able to seize in the seaport and the North Reach.

Few will disagree that we sorely need to create such opportunities at the many challenged brownfield sites in the North Reach, at least 25 in number based on the City's Economic Opportunity Analysis.

There has been significant investment in the harbor in the last years, to support growing manufacturing output, trade, and competitiveness of the harbor- over \$440 million. But it is only a down payment on

what needs to be attracted to maintain economic health of the seaport and to support the City's associated needs-

- sites to grow, locate, or support the transportation needs of clean-tech
- opportunities for meaningful and well-paying work for the region's non-college labor force,
- close in jobs at facilities dependant on the alternative freight modes available in the North Reach-rail and water
- And without investment, even the environmental goals we support will not be met

Fortunately, you have a seaport and an industry that is bullish on growth- We expect to emerge out of the current recession stronger and more viable, more competitive and sustainable than before.

As an example, the Port has only one waterfront site remaining for redevelopment , a 28 acre parcel at Terminal 4. It is a site originally constructed by the City's Commission of Public Docks to take advantage of the opening of the Panama Canal. The site has been productive and successful for decades, protected from encroachments by public policy and good planning.

We are pursuing Stimulus monies to get the land Harbor Redi, and taking the opportunity to partner with the City to improve access, address storm water run-off issues, and remove obsolete in-water structures. The keys to our success will be flexibility, ability to move fast, and move forward with clear objectives.

These are exactly the same conditions our tenants and our other members of the Working Waterfront require to invest in the modernizations, capacity expansions, and facility upgrades on their developed sites. The north reach can deliver for the City, if the waterfront is working.

Thank you

Sebastian Degens, AICP

Marine & Industrial Development Planning & Development Manager

Port of Portland

121 NW Everett

Portland, Oregon 97202



## LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION

2435 N.W. FRONT AVE. PORTLAND, OREGON 97209 PHONE 503-224-9310 FAX 503-224-9311

*Local 8*

December 15, 2009

My name is Bruce Holte and I represent the International Longshore and Warehouse Union, Local 8. ILWU works on the waterfront loading and unloading all types of vessels. For example, container ships, wheat ships, still ships, river barges and bulk ships of all types, like soda ash and pot ash, to name a few. In Portland we have approximately 900 members, and in the river (explain the river) we have approximately 1500 members.

More than 900 members are employed in this harbor today, which is up from ten years ago. The harbor is obviously a place of work for thousands of employees and it is also part of the historical, cultural and social fabric of this city.

At a time when unemployment is hovering around 11%, and the dropout rate is 68%, we must be focused on how this proposal impacts jobs in the harbor.

I cannot overstate how important it is to protect the diversity of jobs that are housed in the harbor. These are unique jobs, as they are for a diversity of skill and education levels.

I am concerned because just from looking at this chart that compares regulation in the Columbia River; where we work, in the Willamette; it seems like the River Plan is adding more regulation and cost.

If Industry can absorb this and continue to grow, that is great, but I worry that they cannot.

We are on track for progress, but urge you to continue to work with industry to ensure that this is a plan that we can move forward with together.

Thank you for the opportunity to participate in this forum.

Opeiu11

## Jerry Grossnickle

CFO, Bernert Barge Lines, Inc.  
Member, Portland Freight Committee  
13510 NW Old Germantown Rd.  
Portland, OR 97231  
Phone 503-289-3046  
E-mail: [jerrygbw@aol.com](mailto:jerrygbw@aol.com)

December 16, 2009

Mayor Sam Adams  
Commissioner Amanda Fritz  
North Reach Town Hall

Dear Mayor Adams and Commissioner Fritz:

### **Who is Bernert Barge Lines?**

Bernert Barge Lines has been operating on the Willamette and Columbia river system for over 100 years. We are a family business with deep roots in Oregon and a profound appreciation of the Willamette River and the Portland harbor. We barge rock products to the sand and gravel companies in the North Reach, steel products for recycling at Schnitzer Steel, and we have barges built at Gunderson.

A few years ago Gunderson built our largest barge, an 8,000-ton self-offloading gravel barge. To put this in perspective, that's 400 20-ton dump trucks of rock.

### **Barge Efficiency**

One modal measure of fuel efficiency is how far you can move a ton of cargo on a gallon of fuel. In terms of national averages, the US Maritime Administration says trucks move one ton 155 miles on one gallon, rail 419 miles, barge 576 miles.

### **Trade - Portland's Economic Engine**

So what does this carrying capacity and fuel efficiency have to do with the River Plan? For one, it helps explain the tremendous value of the Portland harbor to our economy. Because moving products by water is so energy and cost efficient, and because our river system provides access to ocean-going vessels, Portland has become the important trading center that it is.

**Access to the River**

But in order for products to move on the river, you have to be able to load to and from the land. Loading docks are absolutely essential. I did a quick survey of the dock facilities we use and found that over 80% of our cargo comes from or is delivered to private docks, several of them in the Portland area.

**New River Business**

We are currently talking with a company in the North Reach about beginning a new barge service taking about 7,000 tons or 4 container-barge loads a month on the river. This would replace about 235 truck-loads. Our boats are powered by diesel engines that are similar to truck engines, and our typical boat has the horsepower of about four trucks. So in essence, every month these four engines would in four voyages be doing the work of 235 truck trips. That's a tremendous savings in road wear, congestion, emissions, and the carbon footprint.

**Effect of River Plan**

So why am I telling you this? In order to move our customer's product by barge, they will need to expand their dock facility. Under the proposed River Plan the added costs and added review time may result in a no-build decision. The capital costs of this project are high, running into the millions of dollars. Consequently the fees, particularly the off-site mitigation fees, may be very high as well, too high for the project to pencil out.

**Portland's Climate Action Plan**

I would like to refer you to Portland's Climate Action Plan 2030 Objective 7:

"Central to the efficiency of the freight system is the location of industrial areas and the integration with the regional transportation system. The Portland area is a major freight hub, with strong shipping, rail, barge and highway interconnections. Minimizing emissions from freight movement requires protecting these facilities and continuing to connect them to the transportation system."

**A New Approach**

This statement suggests an approach to the River Plan that I would like to recommend. Where we have docks and land uses that are dependent on river traffic, we ought to protect and encourage them as much as we can, for these intermodal connections are vital to our region's prosperity and can sometimes be key to transportation efficiency.

**Encourage River Transportation**

So for example, when a project comes along to increase dock capacity, especially if it will result in transportation efficiencies like modal shifts from truck to barge, Portland should encourage such a project with whatever assistance it can provide. We most definitely should not discourage such a project with high fees and unnecessary regulatory hoops.

**Site-specific Environmental Projects**

So what do we do about the environmental health of the harbor? There are many river frontage industrial properties that are not dependent on the river for their business operations. We should concentrate our remediation efforts on shoreline and waters adjacent to these lands. I like the Bob Salinger formulation of environmental pearls, places that migrating salmon and steelhead can use to rest and feed, strategically placed along the river.

**Both Efficient Transportation and Pearls**

We should strive to have the best possible connections to river transportation while at the same time restoring suitable riverfront sites and creating new habitat where possible to benefit native and endangered species. The riverfront doesn't have to be all one or all the other. We can have a highly efficient and competitive transportation system, and we can have ecosystems that work, all within the North Reach.

**Funding from Fees and Taxes**

Let's come up with a reasonable plan to do both. Let's not have a regulatory system and fee structure that discourage efficient water transportation, and let's target fees that, combined with tax support from the broader public, are specific to well-thought-out riverfront projects that can be shown to significantly benefit native and endangered species.

Thank you.

River Plan – North Reach – Portland City Council Forum – Dec 2009 – West Multnomah Soil & Water Conservation District (Dick Springer, manager, speaking points)

WMSWCD – Special District with elected board, tax base (2006) – partner with USDA / Natural Resource Conservation Service (NRCS) and Oregon Dept of Agriculture, Oregon Watershed Enhancement Board (OWEB), Oregon Dept of Fish & Wildlife (ODFW), OSU Extension – Master Gardener program, watershed councils, and more.

80,000 acres from Lake Oswego to St Helens – urban / rural – Sauvie Island, NW MC Forest Park, Wildlife Refuge, prime agriculture and forest lands, wildlife habitat.

GOALS -- Work with local land owners to protect water quality, soil productivity, control invasive plant species, restore watershed health, preserve wildlife habitat & endangered species. GRANTS to assist community groups – Forest Park Conservancy, Linnton Environmental group, Backyard Habitat (with Audubon & Three Rivers Land Conservancy), Tryon Creek watershed council, and many individual property owners.

WMSWCD staff & board have followed River Plan & related Portland Harbor Superfund study for many years. More recently, participated in NOAA / Marine Fisheries, and Harbor Trustee meetings to review potential habitat restoration sites within North Reach and adjoining areas on Sauvie Island (SI) / Multnomah Channel (MC).

WMSWCD is strengthening its relationship with OWEB & Willamette River conservation leaders. The District is paying local matching funds to leverage private, state & federal resources for critical riverfront & riparian habitat, particularly off-channel refugia abundant in adjoining SI waterways, lakes, sloughs and seasonal wetlands.

WMSWC is identifying & assisting private property owners in sensitive Forest Park & Tualatin Hills sub-watersheds (Balch, Miller and McCarthy Creeks) to eradicate invasive knotweed, reduce sediment & other contaminants plus restore native plant species.

Since Clean Water Act & EPA, billions of dollars of public and private funds spent to clean up Willamette River -- fed grants for municipal treatment upgrades, dams for flood control and summer flow augmentation, tax credits for industry clean-up / pulp and paper, shipbuilding, many others plus recent CSO project costing Portland ratepayers \$1.4 billion. Dredging, dams and levees continue to impact natural river flows & native species migration.

WMSWCD works closely with Portland Audubon on many projects. Bob Sallinger from the AS staff has closely followed the deliberations of the River Plan by interested groups. The District supports and endorses the comments and recommendations of the Portland Audubon Society.

The District also support opportunities for NW Portland & Multnomah county residents to re-establish access to the Willamette River and viewing points at stream confluences where bank vegetation buffers, habitat & fish migration refugia can be restored.

~~I could be incorrect in my assessment, but I feel~~ <sup>E</sup> emergency preparedness has a place in the North Reach Plan and was left out. At an ECHO meeting( emergency coalition of hazardous occurrences) I recently heard Yumei Wang, state geologist, Emergency Response Team Leader talk about how unprepared we are for the major Cascadia subduction zone earthquake which is overdue to occur.

90 % of our fuel sources <sup>FOR OUR REGION</sup> are located in the Linnton- Willbridge area. These fuels that will <sup>BE</sup> needed immediately to respond and rebuild our city could be inaccessible in the advent of a major earthquake. The projection is that all of our bridges are most likely to collapse, the exception might be the 5-1 railroad bridge which will get stuck in place and not be able to raise. St Helens Rd. will be covered by slides. The pipe line will be compromised due to earth shifts.

Plans should be made to locate some of these oil resources elsewhere. The Linnton area has the added risk of being a triple earthquake zone and a triple fire zone. Besides the fact that most cities are moving tank farms off their waterways because they don't meet with the Clean Water Act. The infrastructure of the tanks in Linnton are at risk with some of the tanks being more than 80 years old.

Access to fuels should be considered in the NRP. An example: the floating bridge that the Army has stored in North Portland could be used. An east side access point to the river would be the St. Johns boat landing but the only nearby westside access at the Coast Guard facility will not be of use because it will be blocked by of the collapse of the St. Johns Bridge.

To keep from crippling the recovery of our city and to protect the Willamette river from devastating pollution, the NRP should include relocating fuel sources to other areas and investigate how to access critical fuels that will be isolated in the event of a major earthquake.

Thank you for you time and consideration on this matter.

Darise Weller



A citizen's view and comments on the proposed River Plan: December 16, 2009

May of 2004: City Council adopts the St Johns/Lombard Plan. It contains the action item of a water-level bicycle/pedestrian trail connecting Cathedral Park to the Eastbank Esplanade. This connection was one of two pieces of transportation infrastructure the Citizen's Working Group, CWG, felt were necessary to ensure the economic viability of the St. Johns Business District, a Metro Regional Town Center. In recognition of challenges resulting from the unique geography of the North Portland Peninsula the CWG felt improvements in transportation infrastructure were important for the economic viability of the town center. Four members of the CWG are North Portland natives, three small businessmen and one a banker.

The recommendations of the St Johns/Lombard CWG were arrived at independently and without knowledge of the June 2002 North Portland Willamette Greenway Feasibility Study" conducted by the Port of Portland, Metro, and Portland Parks Bureau.

November 2006: Voters pass Metro's Greenspaces Acquisition Ballot Measure. Many North Portland residents vote for the measure because of a green line on the map, which runs north of the Steele Bridge following the alignment of North River St, representing the North Portland Willamette Greenway.

October 5, 2009: PDOT releases a "Draft Bicycle Master Plan for 2030" in which the North Willamette Greenway Trail is relegated to Tier 2 status. There is much public outcry over the fact that NPgreenway, Sullivan's Gulch, and Red Electric trails are not recognized as important, Tier 1 level, transportation spines that will greatly contribute to Portland's economic viability in the post-petroleum economy. The comment period for the Bike Plan is extended. There is much public demand for meaningful, safe, bike/ped transportation spines that are segregated from motor vehicle traffic. As a result of public demand, the tier system is deleted from the plan.

October 17, 2009 NPgreenway conducts a design charette on Swan Island at the Daimler conference Center attended by 45 plus North Portland residents and city of Portland Staff. One recommendation out of the charette is for a robust twenty foot wide segregated bike/ped trail. The vast majority of the proposed right-of-way is already within the public domain.

#### More Background:

1966: State Treasurer Bob Straub proposed the Willamette River Greenway during his failed 1966 gubernatorial campaign against Tom McCall. McCall also supported the plan for a Willamette River Greenway on both sides of the Willamette River from Eugene to the Columbia and worked with the legislature to approve a study of the plan in 1967.

1979: The Willamette River Greenway Plan was adopted by City Council, over strenuous objections by commercial interests.

1987: The Willamette Greenway plan is updated. It identifies streamside alignment of the Primary Trail from the St. Johns Bridge to N. Edgewater, and from Ports O'Call on Swan Island to the Steele Bridge.

**Summary/conclusions:**

The proposal for a North Portland Willamette Greenway Trail is the result of at least four legislative processes, one State and three City, that were both thorough and arduous.

The people of North Portland who have been advocating for the north section of the Willamette Greenway Trail have always embraced the concept of Portland's Working Waterfront. We understand that the Port of Portland has been the main economic driver for our City and State for over one hundred years.

I have sailed from Portland and Astoria on ships. Four generations of my family have worked, and two generations still work, in our transportation industry. People in North Portland see the Willamette Greenway Trail providing a necessary transportation link between north Portland, Portland's Gateway to Nature, and the rest of our city and the Metro region, at the same time that it connects us to jobs.

The River, the estuary, the riparian and riverine environments, and the Columbia and Willamette basins belong to all of us, and belong to none of us. We are their guardians. We are borrowing them from those who will come after us. My grandfather swam in the Willamette when sailing ships filled the harbor. I and my siblings developed an appreciation of nature playing, fishing and swimming in the river and the swamps at Mocks Bottom. We want our grandchildren to be able to appreciate the natural wonders of our riparian environment. Books don't quite cover it. There is nothing to replace the experience of walking along the riverbank and seeing ducks, geese, fish, beavers, and other wildlife in their natural settings.

Those who represent industry have some concerns and they should be listened to. In a city where 40 plus percent of kids do not graduate from high school we certainly do need industrial jobs. However, industrial property owners do not own the River. The River belongs to everybody. And we all are its custodians. Over the last forty plus years there have been numerous hearings by the legislature, planning and zoning commissions, as well as City and County Commissioners. The Willamette Greenway Trail has been re-affirmed more than once or twice.

Now is the time to keep faith with the public and the voters. People voted for the Metro Greenspaces Acquisition Ballot measures, more than once. The Public has stated, more than once, that we want to see a robust bike/ped connection to the Eastbank Esplanade, Spring Water Corridor and other bike transportation spines.

Portland citizens clearly see that these transportation spines are vital to Portland's future economic viability.

There are some well meaning people who are in favor of turning Willamette Cove into a mitigation site. The major problem with this idea is that it will require the exclusion of people from the area.

To exclude people from property that we bought, with the idea of appreciating nature, is at best a bait and switch. The public has bought Willamette Cove TWICE!

First. In the 1980's we bought it with UDAG money.

Second. In 1996 we bought Willamette Cove a second time, with money from Metro's 1995 Greenspaces Ballot measure.

Metro's 1995 Bond Program was for the acquisition of natural areas to integrate with the Willamette Greenway, and to provide access to nature. The idea was for open space acquisition to establish 5 regional trails in support of the master plan.

To turn Willamette Cove into a mitigation site would be to essentially give a public resource to a private entity for it, the private entity, to use to mitigate violations of environmental laws and regulations in the estuary.

Stealing a public resource is not mitigation. Mitigation is buying property, such as Tanner Creek, day-lighting it, and returning it to a salmon spawning stream. Mitigation would be buying part of Ross Island and returning it to wildlife habitat.

I implore you as representatives of the people, elected as stewards of our public resources, to speed development of the North Portland Willamette Greenway Trail and to instruct staff to ensure the River Plan abides by the spirit and the letter Oregon's Statewide Land Planning Law specifically of Goal 15: Willamette River Greenway. (It appears that statutory requirements such as boundaries of the approved Willamette River Greenway being shown on the comp plan map, and public access, are not being met.)

Sincerely Yours



Paul Maresh  
7425 N. Portsmouth

183694



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December 16, 2009

Mayor Sam Adams and  
Portland City Council  
City of Portland  
1221 S.W. Fourth Avenue  
Portland, Oregon 97204

Subject: River Plan

Dear Mayor Adams and Commissioners:

I am writing as a member of the Working Waterfront Coalition ("WWC") to provide you with my perspective on the potential benefits of River Plan, and how the Plan should be amended to get River Plan back on track.

During the course of the conversation on River Plan, the WWC has continually tried to make River Plan better. As you know, the WWC and other businesses in the harbor have provided ongoing feedback to the City and other stakeholders on River Plan. The WWC has also provided specific suggestions, alternative code language, and an alternative fee proposal for the City to consider.

Despite some of the changes that have been incorporated into the plan, the current version of River Plan still discourages new investment in the Working Waterfront. In the North Reach, River Plan discourages investment in the harbor primarily because it replaces Greenway Review with a highly complex and extremely confusing set of new local land use regulations and fees. These regulations and fees create significant uncertainty, delay, and costs for businesses as they consider whether or not to invest in the property along the Willamette River in Portland. During the course of our conversation, the City has taken the position that River Plan is good for businesses in the North Reach. We respectfully disagree with that conclusion. To help clarify our perspective, I am providing a copy of the WWC's rebuttal to the perceived business advantages of River Plan. In our view, the perceived business advantages of River Plan are overstated and offset by significant disadvantages created elsewhere in the plan. Simply put, the perceived business advantages of River Plan are false-positives.



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Mayor Adams and Commissioners  
December 16, 2009  
Page 2

Stepping back for a moment, it is important to understand what the chief potential benefit of River Plan really is, and how it can be achieved.

What is unique about River Plan is its potential to create a series of restoration sites ("pearls") along the working harbor, where environmental mitigation and restoration efforts can be concentrated. The potential benefits of these restoration sites are both ecological and economic. If implemented effectively, these sites can help protect other prime industrial lands, facilitate development and redevelopment in the working harbor, and can eventually become the focus of our restoration efforts in the North Reach. What is critical to remember, however, is that the success of these restoration sites and ultimately the success of River Plan itself, depends upon a thriving working waterfront. Without a thriving working waterfront, River Plan will not create real ecological and economic benefits along the river. Without a thriving working waterfront, River Plan will simply replace our current set of greenway regulations with a much more cumbersome and complex set of land use regulations that will deter investment along the river. In short, economic prosperity along the river is what will drive the success of River Plan and future investment in its restoration sites. We must find a way to implement River Plan that encourages reinvestment along the river. Discouraging investment in the harbor is not something we should be willing to risk.

In order to get River Plan back on track, I urge you to consider the solutions proposed by the WWC in its November 30, 2009 letter.

Very truly yours,

Phillip E. Grillo

**WWC Rebuttal to the Perceived Business Advantages of River Plan  
(December 16, 2009)**

At various times and in various materials, the City has articulated what it believes to be the business advantages of River Plan. The WWC disagrees with the City's assertions that the current version of River Plan creates significant business advantages. In an attempt to summarize our response to the City's perceived business advantages of River Plan, the WWC is responding to the October 28, 2009, memo from the Bureau of Environmental Services ("BES") to Commissioner Saltzman. As explained below, the perceived business advantages of River Plan are, in reality, false positives.

In the above-mentioned memo, BES asserts that the Portland Business Alliance letter of October 20, 2009, "neglects to mention the following important aspects of the North Reach Plan. The WWC disagrees for the following reasons:

1. **"Providing certainty to industry by bolstering (sic) sanctuary policy and prohibiting conversion of industrial land to non-industrial uses."**

Response: Metro's regulations already require the City to prohibit quasi-judicial conversion of industrial land to non-industrial uses. With regard to industrial land conversions, the City was simply implementing what it was already required to do under Metro's regulations. In other words, this is a false positive, because the prohibition on industrial land conversions already existed under applicable law.

2. **"Strengthening the River Industrial Overlay Zone as a tool to reserve riverfront industrial land for river-dependent and river-related uses (such as beefing up nonconforming uses and land division provisions)."**

Response: The minor adjustments to nonconforming use and land division provisions in the River Industrial Overlay Zone, are more than offset by the additional local regulations and fees imposed on development within this overlay zone, particularly on river-related and river-dependent uses and development along the shoreline and in the water, that will now be subject to the new River Environmental Overlay Zone. The River Environmental Overlay Zone makes it much more difficult for most river-dependent and river-related businesses to use the shoreline and the river, and in doing so, frustrates economic prosperity along the working waterfront. In other words, this is a false positive, because the economic and regulatory burdens created by the River Environmental Overlay Zone far exceed the minor economic and regulatory relief provided by the revisions to the River Industrial Zone.

3. **"Improving regulations to increase predictability and flexibility for industrial development and expansion (such as standards for bulkheads, cargo conveyors, rail ROW)."**

Response: The special standards for bulkheads, cargo conveyors, and rail ROW in River Plan were purposely crafted by the City to have limited applicability. As such, these standards

provide a very limited benefit. Most river-related and river-dependent development along the shore and in the river will be subject to much more rigorous review under the River Environmental Overlay Zone and related regulations. As noted above, these regulations frustrate economic prosperity along the working waterfront, and the limited standards mentioned above do not offset the economic and regulatory burdens created by River Plan for most development in the working harbor. In other words, these standards are a false positive, because the minor increases in predictability and flexibility for development such as certain bulkheads, cargo conveyors, and rail ROW do not offset the much more significant economic and regulatory impacts created by the River Environmental Overlay Zone and River Review.

4. **"Eliminating greenway setback in the River Industrial zone."**

Response: It is true that greenway setbacks are eliminated in the River Industrial Zone. This is an advantage for businesses who may intend to develop within the setback, so long as the area within the existing greenway setback is not located within either the new River Environmental Overlay Zone or within newly designated Environmental Conservation or Environmental Protection Overlay Zone areas in the North Reach. It is important to understand, however, that all medium- and high-value natural resource areas along the river will be regulated by the new River Environmental Zone. In other words, eliminating the greenway setback is a false positive for the vast areas along the working waterfront that will be regulated by the new River Environmental Zone, because the economic and regulatory burdens associated with these new regulations significantly outweigh the burdens currently imposed by the existing greenway review. With that said, we acknowledge that in upland areas that are currently within the greenway setback, where no medium- or high-value natural resource areas exist, some local regulatory relief will occur. However, it seems to us that since we now know that these areas do not contain any significant natural resources, we also now know that these areas have been over-regulated for many years by local greenway review. In these areas, regulatory relief is long overdue.

5. **"Fueling Harbor Reinvestment Strategy through coordinated public and private investments in infrastructure and land development."**

Response: The potential investments listed in the Harbor Reinvestment Strategy do not represent a commitment by the City to fund all the projects on that list. Many of the projects will be funded with Port, private, and grant funds, not just resources the City controls. In fact, many of these projects will be or have already been funded by gas taxes, which are paid by harbor businesses and others who buy gas in the state. In short, the Harbor Reinvestment Strategy does not commit the City to fund projects along the river. Since many of the projects listed in the Harbor Reinvestment Strategy will be or are already funded by the Port, the private sector, grants, or gas taxes, River Plan by itself does little to actually commit the City to reinvest in the working harbor.

6. **"Integrating (sic) of local, state and federal permit reviews."**

Response: We continue to disagree with the City's assertion that River Review will be "integrated" with state and federal permit reviews. The fact is, River Review will occur through

a separate local review process. River Review is a local land use review process, and is subject to all of the normal land use procedural requirements, including notice and an opportunity for a hearing and the opportunity for any party to appeal the City's decision to LUBA and the courts. In the event that River Review triggers a hearing, there will be nothing "integrated" about that hearing. The City's hearings officer is not bound by the opinions of state and federal officials regarding to the criteria in River Review. River Review is a separate and independent land use permit decision-making process. Even in cases where a hearing doesn't occur (which will not be known until after City staff completes its review and issues its decision), local review will not occur in an integrated way, because the City's regulations are different and regulate different functions and values than state and federal regulations do. In cases where regulatory overlap occurs, the potential for conflict exists between the city, state, and federal regulatory agencies. In other words, "integration" is a false positive, because the River Review is inherently a separate local review process. River Review is subject to all of the usual land use procedural requirements. Those requirements and the potential for appeal add significant cost, uncertainty, and delay to a project, well above and beyond the cost, uncertainty, and delay associated with state and federal permit processes. There is simply no way to know what the costs, uncertainties, and delays will be in any particular case until the results of River Review are known and a final decision is reached.

7. **"Providing options for off-site mitigation."**

Response: Off-site mitigation options are important. River Plan, however, does not provide assurances that an applicant can mitigate off-site. Under River Plan, off-site mitigation is a possibility, not an option available by right. In that regard, it is a false positive, because off-site mitigation is merely a possibility, not an option available by right. Under River Review, any party, including members of the public, can appeal the City's decision to allow off-site mitigation to the hearings officer, then to LUBA and the courts. In other words, the possibility of off-site mitigation, by itself, is a false positive, because as long as off-site mitigation is a discretionary decision made by the City as part of a local land use permit decision, the possibility of off-site mitigation provides no certainty. Rather, it adds additional uncertainty, cost, and delay. Instead, off-site mitigation should be allowed by right, and should be coupled with the option of a fee-in-lieu for any mitigation required by River Plan.

8. **"Allowing in-lieu fee options to meet vegetation requirements."**

Response: We have made some progress in this area through ongoing discussions with the Mayor and BPS, but this issue is still not fully resolved. Nonetheless, under the existing greenway code, vegetation requirements are much less than what would be required under River Plan. Under River Plan, the vegetation requirement would be triggered by development anywhere in the site, rather than by development within the greenway or greenway setback, as is currently the case under greenway review. In other words, the fee-in-lieu option to meet the new vegetation requirement under River Plan is a false positive, because the new vegetation requirement is triggered by any development anywhere on the site, and the 15 percent standard is more extensive than it would be under existing greenway review.



Good evening.

Dave Harvey, Gunderson LLC and The Greenbrier Companies.

Thank you Mayor Adams and Commissioner Fritz for this forum so that all can be heard. Mayor Adams, thank you also for recently facilitating several meetings with a cross section of interested parties to begin the process for a workable solution.

Gunderson supports a balanced revision to the Greenway Code where the environment wins if workers and businesses win.

That is we support a River Plan that will promote a healthy working harbor, achieved through the principles of sustainability.

The principles to apply are:

- Environmentally beneficial
- Socially desirable
- Economically viable

I think we all agree on this as the objective. I hope we do.

Sustainability is a three legged stool where to be successful in the long term, all three attributes must be optimized.

The current version of the proposed River Plan is more like a pogo stick, furiously jumping up and down, focusing almost exclusively on the environment, with little chance to provide any long term environmental benefit.

Let's consider socially desirable for a moment.

- Socially desirable – in this case jobs, because jobs are at stake. At our site alone 1,000 family wage jobs. 1,000 family wage jobs on average. Think about it. 1,000 family wage jobs.
- The problem with the proposed River Plan is that it puts some portion of these jobs in jeopardy.
- Others may be willing to risk those jobs for the environment to TRY a new process, but we are not, because it is NOT necessary to do so.

We can all win; let's make sure we do.

As to economically viable – Our CEO has said:

- The Greenbrier Companies is committed to being a US based manufacturing company.
- We are committed to trying to be a Portland based company, even though there are cost disadvantages in being located here.
- Disadvantages, geographic distance from some key markets and a very short window to perform work in the water.

Environmentally beneficial - Why should you believe Gunderson when we say that the environment is important to us?

- Because we walk the walk.
- This year, in the worst economic conditions that have ever faced our company, we spent \$250,000 to protect and enhance the quality of the land along the river.
- We spent ANOTHER \$130,000 on water quality improvement project.
- No one said we had to, we just did it.
- Why?
- Because we care and we want to improve our environmental performance.

For us to all win, we CANNOT simply spend more money at will on improving the environment.

In order to be sustainable, the environmental benefit must be tied to jobs and improved economic performance.

How do we achieve sustainable environmental improvement?

Through a River Plan that will work.

If we succeed, if our workers succeed, the environment succeeds.

There are a number of issues with the proposed River Plan, many of them very detailed.

They have been the subject of significant correspondence and proposals over the last 8 months, and very few of them have been acted upon.

- Conversion of industrial property
- A process that is complicated and duplicative.
- Proposed mitigation fees are not proportional to actual impact.

The best example of the process that is broken is the City's insistence in approving work that occurs below the Ordinary High Water Mark.

- This is duplicative of multiple state and federal agencies.
- We have demonstrated that, for a project whose impact is below OHW, if you do what is good for the salmon, you will do what is good for the environment.
- We are willing to spend money; we are not willing to waste money.

This is a failed leg on the three legged stool.

If we fail, the environment fails; if we succeed the environment succeeds.

We either win together or we fail together.

How do we change the River Plan so that we all win.

- Streamline the process – eliminate duplication
- Avoid unnecessarily complex analyses – Like use of the Habitat Evaluation Procedures.
- Tie mitigation fees need to be proportional to the impact – not 10X what that impact is.
- We are offering to pay higher fees than we do now – 1% of project cost for enhancement and another fee in lieu based
- The timeline for the process cannot expand the current time frame.

If we do those things, we will see an improved environment and a healthy, WORKING harbor.

If we do those things,

- workers will win,
- businesses win, and
- the environment will win.

My name is Dee Burch and I am the President of Advanced American Construction and a member of the Working Waterfront Coalition.

I would like to start by thanking Mayor Adams and the City Council for holding this town hall and your efforts to hear from stakeholders. I understand the public process pretty well as I served on the West Linn City Council as Council President for four years. I appreciate the difficult task that you have in listening to all of the stakeholders and producing a River Plan that is well supported and will balance the environmental and economic needs of the Portland Harbor.

I will tell you a little bit about my company and our experiences working in the Portland Harbor. Advanced American Construction is a Heavy Civil/Marine/Industrial General Contractor located on the west side of the Willamette River underneath the St. Johns Bridge. Some of our notable projects include the majority of the Eastbank Esplanade, Industrial Docks for the Port of Portland and the Port of Vancouver, and Multiple projects for the Corps of Engineers to modify dams on the Columbia and Snake Rivers to improve fish passage. This year we received a national award from AGC for our work on the Lower Monumental Dam Removable Spillway Weir. This project included the fabrication and installation of a 2.5 million pound steel structure that greatly improved salmon migration. This structure was fabricated by Oregon Iron Works at the Cascade General shipyards and was transported to Lower Monumental Dam. The majority of our projects are public work projects for infrastructure and or projects required by the Clean Water Act or to improve fish passage and survival.

Our company was headquartered in Oregon City for many years. In 1999 we started actively pursuing property to relocate our headquarters. After 7 years we moved into our facility under the St. Johns Bridge in 2006. The process was difficult, challenging and expensive. We nearly abandoned our efforts to locate in the Portland Harbor and considered locating to Vancouver, Longview or St. Helens. The biggest problem that we faced was finding property that did not have a significant indefinable Superfund liability and the river frontage that we needed. There are many underutilized properties that technically worked for our needs but the challenge of finding one that did not have indefinable liabilities and the bank would consider lending on was daunting.

The River Plan as currently proposed adds significant costs and review time to future projects. I believe that if the plan is not modified it would have a chilling effect on future projects. I have firsthand experience with trying to build projects in the Portland Harbor and the amount of time required to get permits and the alphabet soup of agencies that have to review permits is extensive, expensive and time consuming. The last thing that is needed is more regulation, cost, and additional review processes.

There has been the start of a resurgence of activity and employment in the Portland Harbor that should be encouraged. The work that Mayor Adams has led thru the Harbor ReDi process is critically important, please be very cautious about putting additional regulatory and financial burdens on projects, public agencies and businesses in the Portland Harbor.

Thank you for the opportunity to speak to you and I would be happy to take any questions.

Dee Burch,

President

Advanced American Construction

# ASH GROVE CEMENT COMPANY



RIVERGATE LIME DIVISION - WESTERN REGION  
13939 N. RIVERGATE BLVD.  
PORTLAND, OREGON 97203  
PHONE (503) 286-1677  
FAX (503) 289-2272

Good evening Mr. Mayor and Commissioner Fritz. Thank you for the opportunity to speak to you tonight.

My name is Glenn Dollar. I'm an Environmental, Health and Safety Manager for the Ash Grove Cement Company operations here in Portland.

Ash Grove Cement Company is the largest American owned cement company in the United States. The Company began operations in 1882 and is still owned by the same family.

We have two water dependant facilities located in the Portland Harbor. One is located in Lower Albina; and the other is in the Rivergate Industrial Park.

The Albina facility sat vacant for a number of years until it was purchased by Ash Grove Cement Company in 2005 and with substantial financial investment restructured for importing cement. The Terminal now has a capacity of 25 ships per year each loaded with approximately 40,000 tons of cement from foreign ports.

The Rivergate plant receives raw materials by barge from an island in the Straights of Georgia which is part of the Province of British Columbia. Over the last 5 years we have averaged 40 barges per year with each barge transporting approximately 12,000 tons of limestone.

One interesting fact about our business that you may not know is that since 1998 the Rivergate Plant has been using landfill gas from the St. Johns landfill as a source of fuel for drying our raw materials. Through a unique public-private partnership with Metro we have been able to save energy and reduce the emission of greenhouse gases.

Many of the materials we import are the building blocks for our region. Our products are used in the manufacture of roofing shingles, there used in agriculture as a soil additive, and there used for building roads, bridges, and transit malls, or they could be used for an expansion at Portland State, or a new wing at a hospital.

Even with the current economy, Ash Grove continues to explore opportunities for the Rivergate facility. The River Plan will play a role in these discussions. Mr. Mayor and Commissioner Fritz we are here tonight to encourage you to adopt regulations within the River Plan that will not deter investments in our facilities located in the Portland Harbor.



We, like the majority of companies within the Portland Harbor, pride ourselves on being good companies to work for providing family wage jobs and benefits. We support investing in the enhancement of natural resources within the Portland Harbor; we support the cleanup of the river, and balanced goals within the River Plan. We believe a mitigation bank would realize greater environmental benefit and be more cost effective if administered by a third party with a successful mitigation track record. We also have concerns the river review process will further complicate the permitting process and add considerable delays and cost to any future development.

Thanks again for the opportunity to comment.

Glenn Dollar  
Environmental, Health and Safety Manager  
Ash Grove Cement Company

# Willamette RIVERKEEPER®

## Comments by Travis Williams re: North Reach Plan Town Hall

Mayor Adams and Commissioner Fritz:

I am here today in support of the North Reach River Plan. There has been a tremendous amount of effort put into this plan by a host of people, and it is time to move it forward. I have traveled this area numerous times by canoe, and know the riverside lands very well in this area.

We believe that this plan is an essential component of improving the Willamette River's ecological function in the North Reach section of the river which has been greatly diminished due to the myriad activities that have taken place there over the decades. In addition to the Superfund Cleanup, and upholding the Clean Water Act, the River Plan can play an essential and timely role in improving habitat along the Willamette River.

I have the following additional points on this matter:

- If we get Portland Harbor wrong, and fail to undo some of the damage that has been done to riverside habitat, we risk a tremendous amount of investment in habitat restoration that is occurring upstream, and will continue to occur. The North Reach Plan, as designed, can play an important role in ensuring that the absolute ecological mess, that is Portland Harbor today, doesn't harm the recovery of native fish in the Willamette Basin in years to come.
- Too many people have gotten used to the degradation that has affected much of the riverside land in Portland Harbor, and justify it on the grounds that business will suffer if they are required to mitigate for the impact their development has. This is a false choice. There can be sound environmental improvements to riverside lands in the Harbor area, and thriving businesses.
- With this Plan, we are talking about a fundamental issue of fairness. In essence, most of the riverside landowners in this stretch are not voluntarily stepping up to do the right thing today. That is the reality in Portland Harbor, and recent history bears

this out. If the case was otherwise, we would not be here tonight. As it is, Portland Harbor is the most negatively impacted stretch of river along the entirety of the Willamette's near 200-mile path northward.

- This is one piece, but an important one to the river's overall health. The North Reach River Plan, working in tandem with Superfund and the Clean Water Act can help make this area viable for business, wildlife, and use by everyday people who want to recreate and enjoy this area.
- We have heard a lot about this plan being somehow "unfair" to business, and that it demands too much of them on top of the legal requirement for some entities to clean up the highly contaminated Superfund site. One must recall that Superfund is a separate responsibility that is far different from how one redevelops a riverside property today, the negative environmental impact it may have, and the associated level of mitigation that is needed. Those who have a responsibility related to the Superfund have it for a good reason, just as those who would pay to mitigate for the impact of their development along the river would need to mitigate for that impact, for a good reason.
- We can plainly see the river's balance sheet. We can see the lack of income for ecological function on this stretch of river, and we can see that the natural assets of the river have been nearly destroyed throughout this stretch. We can also see what the river continues to pay by continuing business as usual. Clearly it pays far too much today. It is time for riverside landowners in this stretch to pay some of it back.

The North Reach River Plan can help to reverse this tide. The Plan makes sense for the river, is fair, and very timely.

Thanks for your consideration and the opportunity to share my views.

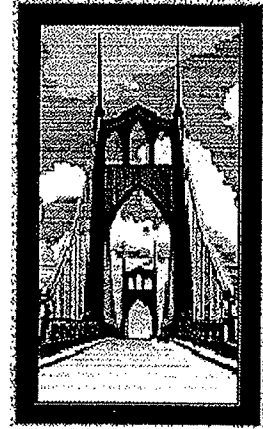


Travis Williams

Willamette Riverkeeper

## FRIENDS of CATHEDRAL PARK NEIGHBORHOOD ASSOCIATION

December 16, 2009  
 City Council  
 City Hall  
 1221 SW 4th Avenue,  
 Portland, OR 97204



Dear commissioners,

The citizens of St. Johns recognized in the St. Johns plan 2004, that a healthy Willamette River that restores endangered river species is a community-wide value. In recent months the Cathedral Park neighborhood has started an education campaign about backyard habitat creation to improve the health of our watershed and river and help upland connectivity. All community members need to do what we can to increase Willamette River health. We invite our industrial partners who have benefited greatly from using what were once rich natural resources in our community, the North Reach, to get on board with others. We would like your partnership.

I went to most of the North Reach Integration Task Group meetings as an observer, where industrial and other stakeholder representatives tried to come to agreement on the Plan. The meetings started in the summer of '07 and continued for about one year until the Spring of '08. Since then, there have been private meetings between industrial, environmental, and agency stakeholders. In 2½ years, it is shocking that after hours and hours of meetings and taxpayer resources, our industrial partners have rejected all options and even complain about standing regulations that have contributed to the endangered species crisis we are now facing. 2½ years is enough. We should not have to spend any more tax dollars continuing to try to placate the industrial partners if they don't share wider Portlanders' interest in a healthy, viable Willamette River.

I notice some of our industrial partners list environmental work prominently on their websites. However, it appears they prefer to ignore their own land which is sitting at the crux of the largest environmental crisis of species loss in the history of Willamette River. If their interest in the environment is not just cursory PR, why not work on their own land first?

This plan is for the next thirty years and it is a crucial thirty years. This is the point of crisis in which our decision will likely see either a complete collapse or a restoration of endangered species. And there will be more species to follow. The eleven-mile stretch which makes up the North Reach once offered at least 25+ miles of prime riverside habitat necessary for now endangered species. There is currently close to zero riverside habitat in the same stretch. The restoration of the North Reach will greatly affect the health of the entire river both north and south. It is too important to allow industries' personal interests to dictate restoration. A Willamette River that restores endangered species is a St. Johns and wider Portland community value. Industry, we need you to get on the train with other Portlanders...not hold it up. I urge the city council to adopt the North Reach Plan without further delay.

Thank you sincerely

*Barbara Quinn*

Barbara Quinn, chair,  
 Friends of Cathedral Park Neighborhood Association  
 7034 N. Charleston  
 Portland OR 97203

Alan Sprott  
Working Waterfront Coalition  
Opening Remarks  
River Plan Forum  
December 16, 2009

Good evening, Mayor Adams and Commissioner Fritz.

I appreciate the opportunity to speak with you about Portland's working harbor and the River Plan, and to join Chet Orloff in helping tell the story of our working waterfront, and its importance to Portland.

I also want to thank city staff, particularly Ann Beier and Patti Howard, for taking time to tour the working waterfront and engage with us in a meaningful discussion about how best to proceed with the challenges of achieving our common goals for the river.

I am here representing the Working Waterfront Coalition. Our members include manufacturers, exporters and importers, energy storage and distribution companies, the railroads, barge builders and operators, aggregate firms, and a ship repair company.

We are here to support the vision and goals of the River Plan. Our members firmly believe that we can improve the quality and environmental functions of the river in the North Reach, and maintain a prosperous working harbor providing opportunities for continued job growth and creation. The proposed River Plan offers many features to reach this goal.

We support the creation of enhancement sites, strategically located along the river, where resources can be focused to make meaningful improvements in the North Reach. We support paying a vegetation fee equivalent to 1 percent of a new project's cost to help fund improving these enhancement sites.

We also appreciate that the River Plan will eliminate land use reviews for some projects that are now subject to the outdated Greenway Review.

Yet, while we support the River Plan goals, we remain concerned that the implementing tools, most specifically, the River Review, will prevent all of us from achieving our collective goals of a prosperous and healthy working harbor.

I will not repeat the content of our November 30 letter to you, but let me highlight the most critical of our remaining issues. That is, the River Review process. It will add cost, complexity, and uncertainty to precisely those kinds of projects that are possible only in

the working harbor, and will discourage the kind of investment the plan seeks to protect and promote, and that will be the primary funding mechanism for the natural resource enhancement program.

We are not looking for a pass from mitigating the impacts of our projects. Most projects subject to the proposed River Review will already be reviewed and permitted by nine federal and state agencies staffed with experts in natural resources, and will be required to mitigate for any losses. The city will still be at the table through this process, as it is now.

We respectfully request that together we revisit the River Review process, and seriously consider our offer to help invest in the resource enhancement sites through the proposed fee-in-lieu. In the end, every site that would be subject to River Review would require mitigation that would predominantly occur at an enhancement site. Consequently, we should not impose unnecessary process and cost on development projects, and instead get the resources to enhancement sites where they will do the most good.

We also believe it is important to consider the long-term consequences of the impending harbor Superfund cleanup. Every company in the North Reach will contribute to the projected billion dollar cleanup and mitigation for natural resource damages, even though many of these companies didn't even exist when the contamination that will drive the cleanup occurred. The cost to businesses and the scale of mitigation projects resulting from this effort will be significant, and must be considered in the River Plan given the time frame in which the cleanup will unfold.

Portland's industrial waterfront is a tremendous asset to the region that is little known to most people. Over the past century, the North Reach has developed into a highly interconnected collection of marine, transportation, and manufacturing companies employing enough people to fill the Rose Garden Arena, twice. Most of the activity in the North Reach is traded sector, and the wealth that our businesses bring into the region contributes significantly to the high quality of life that we all enjoy.

Our capacity to grow and prosper depends in large part on our ability to rapidly seize opportunities and compete. As a region, we have to realize that we are all in this together, and that we are competing with literally hundreds of other communities around the world to capture business and economic development opportunities. As such, we should not unnecessarily handicap our businesses and economic development institutions from competing. Otherwise, all of us will suffer for it, and in the end the river enhancement projects we all seek to accomplish will not achieve any of our expectations.

Again, thank you for your time. The River Plan will profoundly impact the future of Portland's working harbor. We need to get it right, and I commit to work with you to find the right balance so that the vision and goals of a thriving river and prosperous working harbor can be achieved.

**REGARDING THE MATTER OF THE NORTH REACH WILLAMETTE RIVER PLAN****Public Forum before the Mayor and City Council, City of Portland, Oregon**

**Wednesday, December 16, 2009 at 6:30 pm  
City Hall, City Council Chambers, 1221 SW 4th Avenue, Portland, OR 97204**

My name is Lynn Herring. I live in Lake Oswego, another Willamette River town. I have tracked Willamette River issues for years through my affiliation with Audubon and other groups.

The Willamette River flows past and through numerous political boundaries on its way to the Columbia River. As it reaches Portland, it has already and continues to be intermittently corralled and often stripped of its wildness. The stretch by the North Reach is no exception. The land beside it has been left raw -- bereft of ecological dignity. You are no doubt aware of the value of native riparian habitat and positive impacts for wildlife that use it for food and shelter there on land and in the water. The North Reach is in desperate need of some ecological TLC -- help that will restore and sustain its former riparian integrity and biodiversity.

The general framework of the North Reach River Plan under discussion for more than two years promotes increased protection for riparian habitat, methodology to link banks and uplands as well as a system of twenty-one permanently protected and restored sites. This latter restoration effort would provide safe haven to listed juvenile salmon desperately seeking their way to the ocean.

The City Council should adopt the Draft River Plan with Mayor Adams' proposed amendments that include critical environmental elements in addition to the economic and recreational aspects. Environmental zoning will provide baseline protections for the most important in-water, riparian and upland resources.

The City must retain permitting authority below ordinary high water to cover the gap left for protecting species not covered by state and federal agencies and help prevent future listings. This action is necessary to help meet River Plan environmental objectives. Furthermore, state and federal regulations clearly have not been sufficient, because our river continue to degrade.

My understanding is that the River Plan includes more than \$500 million in public dollars for infrastructure to support industrial development in the North Reach along with new and better trail access to the river. Over \$400 million of this funding is to be spent in the next ten years. Industrial property owners must be held accountable for their impacts to the river, including restoration for harm done to habitat and mitigation for habitat that is destroyed. The funding structure proposed through Mayor Adams' amendments will insure industry participation in this reconciliation.

As William Stafford, the late Poet Laureate of Oregon, said,  
"You and I can turn and look at the silent river and wait.  
We know the current is there, hidden;  
and there are comings and goings from miles away  
that hold the stillness exactly before us.  
What the river says, that is what I say."

Listen to the river and its people and in the face of these constant comings and goings do all you can to protect and restore the biological integrity of the Willamette's North Reach. I urge the City Council to assert its regulatory authority that will continue to give citizens voice over what happens in the river. Consider what is best for the entire community -- not just that serving the needs of industry.

Thank You.

*Testimony to City Council re North Reach River Plan*

183694

12/16/09

I'll defer to the experts in commenting on the particulars with regard to the North Reach of the Willamette River Plan; riparian protection and restoration of upland resources, mitigation requirements to replace existing habitat and restoration sites for salmon and steelhead, all necessary requirements and components of the River Plan. If the North Reach is to resemble anything like a healthy natural system the Plan's restoration goals and protections are a no brainer and they hang together.

And although I am only a resident of North Portland, I do have a technical interest in all of this; mitigation, Willamette Cove, trails, Smith and Bybee Lakes, the old landfill, Columbia Slough restoration, and even a superfund site that I'm currently involved with.

In fact the North Reach is NOPO's entire border. We like to think that we have a say in improving it, and to not allow further desecration.

No my point tonight is different. It's about the responsibility of a city to its citizens and the power of citizens to uphold it against that of corporations and all power structures driven primarily by commercial motives and aligned in opposition.

In fact, I am sick of corporate dominance in determining how much of the environment and quality of life will be left over after they get what they want. There is a movement arising in the country that says NO this is not right.

Now the City has spent two years on the North Reach Plan with citizen input. It has met its responsibility to its citizens and I compliment them for the vision and the effort that has gone into it.

To those who would chip away at the Plan, make end runs around it, sabotage it or emasculate it I say back off.

This is the citizens' waterfront. They want it cleaned up and protected as an expression of their values.



Peter Teneau  
2715 N. Terry St.  
Portland, Oregon 97217

503-978-0119

tenwa@jps.net





# MANUFACTURING 21 COALITION

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norme@cfmpdx.com

Testimony by Norman R. Eder  
Executive Director  
Manufacturing 21 Coalition  
1100 SW 6<sup>th</sup> Avenue, Suite 1425  
Portland, Oregon 97204

My name is Norm Eder. I serve as Executive Director of the Manufacturing 21 Coalition.

Our region is blessed by a diverse manufacturing economy that, even in the height of a recession, accounts for a large share of Portland's family wage jobs. The supply chains of our companies run deep into our economy, from providers of hard components to service providers such as doctors, lawyers and accountants across the metro region.

The river is the heart of our export/import manufacturing economy that spreads to all corners of our metro region. The industrial lands along the Willamette River and the jobs they support are regional economic assets. These demand care, respect and support from our entire community.

Access to the river is an irreplaceable asset for our entire region. This is why, years ago, a large section of the riverfront was reserved for industrial use. Our riverfront manufacturing economy is perhaps even more important today as we struggle to maintain, and even build, living wage jobs against the intense winds of international competition.

The members of Manufacturing 21 urge you to listen to industry voices very closely as you chart the future of our river.

Thank you for your time and commitment to a healthy and vibrant job-producing economy.

### Comments on the North Reach of the Willamette River Plan

I support the North Reach River Plan, with the mayor's proposed amendments. I have been a user of this part of the river sailing with friends. It is one of closer-in areas with enough "elbow room" to sail leisurely in a fantastic setting. The Plan offers a blueprint for making the quality of the water match the beauty of its surroundings.

The Willamette is our signature river, and our signature salmon have to navigate through it. We have known for years through the City's own studies that salmon are significantly affected by the river's degradation.

This degradation has happened over many years, cut by cut. It will take many significant actions over time to bring about improvement. But many small-seeming actions, pursued with diligence, can make a huge difference.

The current Plan points the way to achieving the "prosperous working harbor" & "clean & healthy river" envisioned in the City's River Concept document (adopted in 2006). It supports the Concept's guiding principles that the city's economic & natural systems are interrelated, and that the costs and impacts of reestablishing the river must be allocated equitably among the citizens including corporate citizens. Industry has not had to incorporate environmental costs of doing business in the past; it needs to provide its fair share in the future.

To make this all work, the City needs to maintain its regulatory authority below "ordinary high water."

Many people have had input into the making of this Plan. It's high time that we started making it happen.

Deanna Mueller-Crispin  
1221 SW 10<sup>th</sup> Ave, #1013  
Portland, OR 97205



183694

December 16, 2009

Mayor Sam Adams and  
Portland City Council  
City of Portland  
1221 S.W. Fourth Avenue  
Portland, OR 97204

Subject: Greenway Trail Locations Impacting Harmer Steel Property in Linnton

Dear Mayor Adams and Councilors:

Harmer Steel is a supplier of railroad rail and track materials. In addition to new material, we sort, grade and recycle used materials for re-use in railroad construction. We have been in business since 1928, and now have four locations in the United States and Canada. Our headquarters and main yard have been located in Linnton since the 1940s. Our address is 9933 NW 107<sup>th</sup> Avenue, Portland, OR 97231. We lease this site from our sister company, Babcock Land Company LLC.

We have been growing over the years and even during the current economic downturn have hired several additional people. We provide health insurance, retirement plans and family wage jobs. The future looks bright for railroads in North America. In addition to the growth in store for passenger trains such as transit and high speed rail, freight railroads are expecting significant growth in the next ten years. Railroads are three times as fuel efficient as trucks and emit only one third of the greenhouse gases. Highways are congested and deteriorating. This is caused in large part by heavy truck traffic. As fuel prices and environmental consciousness increases, more and more traffic will move by rail.

The growth of the rail industry will allow us to continue to grow and we expect to need additional adjacent property to accommodate this growth. Unfortunately, the proposed locations of the Greenway Trail in this area severely impact our site. As shown on the attached map, three branches of the proposed trail will significantly impact our industrial operations.

1. The N.W. 107<sup>th</sup> Street branch of the Trail crosses the Portland and Western Railroad main line and cuts across an area of our storage yard and rail cutting operation. This would eliminate an important work and storage area and make it impractical or impossible to expand our operations southward.

2. The N.W. Front Avenue branch of the Trail bisects our Linnton yard. In doing so, this branch of the trail creates operational, safety, and security impacts for us. Rail cars, loading equipment, and personnel regularly cross Front Avenue to load, move, and sort rail and rail-related products. Encouraging pedestrian and bicycle traffic in this location is unsafe. If pedestrians are encouraged to travel in this area, we would need to consider fencing our entire yard for safety and security reasons, making travel between our yards more difficult.
3. The Top-of-Bank branch of the Trail would be located west of the river, adjacent to the eastern edge of our rail yard. If a trail was built in this location, it would be on our property and directly abut our yard and would require us to fence the portion of our yard adjacent to the river. This trail also presents significant liability concerns for us, given the grade of the proposed trail, its proximity to our operations, its steep slope, and the river. We have already had trespassers building illegal and dangerous fires on the beach which threaten the trees and shrubs growing on the riverbank. This area has also been identified as a potential restoration site by the City and the Natural Resource Trustees and the presence of a trail in this area would be in conflict with this use. Our property is one of the few in the Portland Harbor with beach and natural vegetation, and as such could be very important as a restoration site. This, in and of itself, would be reason enough to eliminate the Top-of-Bank branch.

Overall, we do not believe that it is appropriate for our business, or any business, to be so severely impacted by the Greenway Trail. Harmer Steel is located at this site along the river because of the site's proximity to the rail line. We have no plans to relocate our headquarters or our rail yard and are in fact planning to expand our operations here. Putting pedestrians and bicyclists in direct conflict with our heavy industrial operation is not appropriate, and in the end will create significant safety, security, operational, and liability impacts.

We would ask that the Greenway Trail not be located in these areas. At the very least, we would ask that the NW 107<sup>th</sup> and Top-of-Bank branches of this Trail be eliminated, so that our site is not so severely impacted.

Thank you for taking our concerns into consideration.

Sincerely,



George Webb, President  
Harmer Steel Products Company

GW:ar

December 16, 2009

Mayor and City Council  
City Hall  
1221 SW 4th Avenue Room 110  
Portland OR 97204

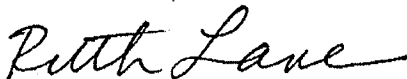
Dear Commissioners,

I am a member of the Friends of Baltimore Woods, a group dedicated to preserving and restoring the Baltimore Woods Connectivity Corridor, a 30-acre continuous green space more than a mile long, with several stands of remnant native oak which connects Cathedral and Pier Parks.

We recognize that riparian/riverbank restoration is the most important problem that needs to be addressed in the North Reach plan due to the crisis of threatened salmon and steelhead species. Yet we also feel that upland connectivity is an important goal for the next 30 years of the plan.

- Baltimore Woods should be preserved and a trail provided to fill the gap in green connectivity between natural areas.
- We agree with the proposed Special Habitat Area and conservation overlay designation for Baltimore Woods for connectivity and native Oregon oak.
- Native oak have the highest habitat value of any tree species and should be preserved. Only 2% of native oak that once covered the Willamette Valley is left.
- We agree with the proposed alignment of the Willamette Greenway Trail in the Baltimore Woods corridor.
- Baltimore Woods serves as an important buffer between industry and residences as well as a future Willamette Greenway Trail amenity.
- We need to have tightened regulations to restore the riverbank habitat rather than allow further degradation.
- The plan should be adopted without further delay.
- The citizens of North Portland and the City want to retain a voice in what happens in their river. Don't give up regulatory authority over the river.
- Industry needs to pay its fair share. The proposed alternative fee is less than their actual impacts and would lead to continued habitat losses in the North Reach.

Thank you,



Ruth Lane  
Friends of Baltimore Woods member

**Moore-Love, Karla**

183694

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**From:** Ann Gardner [agardner@schn.com]  
**Sent:** Wednesday, December 16, 2009 3:44 PM  
**To:** 'Mike & Beth Neale'; Moore-Love, Karla  
**Cc:** Ronald Russ; ORSLBC@aol.com  
**Subject:** RE: Testimony letter on North Reach

Absolutely excellent. Thanks for taking time. It is much appreciated.

**Ann L. Gardner**  
**NW Public Relations/Government Affairs Manager**  
**Schnitzer Steel Industries, Inc.**  
**t. 503 737-6839 \*\***  
**f. 503 471-4501**

*\*\*Please note my new phone number.*

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**From:** Mike & Beth Neale [mailto:mlneale@pacifier.com]  
**Sent:** Wednesday, December 16, 2009 3:42 PM  
**To:** kmoore-love@ci.portland.or.us  
**Cc:** Ronald Russ; Ann Gardner; ORSLBC@aol.com  
**Subject:** Testimony letter on North Reach

Portland City Council Clerk,

Attached is my letter to Mayor Adams regarding the River Plan, North Reach which will be discussed at tonight's hearing.

Respectfully,

Mike Neale,  
Legislative Representative, BLET Div 416

183694

**Moore-Love, Karla**

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**From:** Mike & Beth Neale [mlneale@pacifier.com]  
**Sent:** Wednesday, December 16, 2009 3:42 PM  
**To:** Moore-Love, Karla  
**Cc:** Ronald Russ; agardner@schn.com; ORSLBC@aol.com  
**Subject:** Testimony letter on North Reach  
**Attachments:** North Reach Letter.doc

Portland City Council Clerk,

Attached is my letter to Mayor Adams regarding the River Plan, North Reach which will be discussed at tonights hearing.

Respectfully,

Mike Neale,  
Legislative Representative, BLET Div 416



# Brotherhood of Locomotive Engineers and Trainmen

*A Division of the Rail Conference-International Brotherhood of Teamsters*

OREGON STATE LEGISLATIVE BOARD  
2509 NE 83<sup>rd</sup> Way • Vancouver, WA 98665  
Phone: (360) 907-4187 • mneale@pacifier.com

183694

**Mike Neale**  
L/R Division 416

December 16, 2009, via email

Mayor Sam Adams  
City of Portland  
1221 SW 4<sup>th</sup> Avenue  
Portland, Oregon 97204

Subject: City of Portland River Plan, North Reach

Dear Mayor Adams:

I would like to take this opportunity to introduce myself as the Legislative Representative of BLET Division 416, representing 92 engineers and conductors on the Portland & Western Railroad. I have worked in the transportation industry for 29 years of which the last 22 years have been with railroads. Recently I have become aware of the plans for the North Reach and I applaud the city's efforts. However, my union position focuses on the safety and health of our members, and there are a couple of areas in the River Plan that concern me.

First, I noticed that in Linnton the proposed Greenway Trail crosses the P&W tracks at-grade several times. Since trains don't have steering wheels the engineers can't swerve to avoid people, so any at-grade crossing of the tracks is a great safety concern for both our members and for the general public. In fact, the Portland & Western has worked for several years with ODOT and the FRA to reduce the number of at-grade crossings to improve safety. I would urge you to take the time to work with the Portland & Western to come up with alternate trail alignments that would avoid such unnecessary crossings of the railroad.

Secondly, I am concerned about the negative financial impact the River Plan would impose on freight customers in Linnton. The plan as drafted looks very complicated and could end up delaying development as well as being very expensive. I'm a locomotive engineer, not a civil engineer or planner, but it seems to me that this plan will hurt our customers and could result in the loss of family wage jobs not only to our members but also to BLET and UTU divisions on the BNSF and UP railroads. I urge you to take additional time to work through the concerns of all businesses and come up with a truly balanced River Plan. I thank you for your consideration of my concerns.

Respectfully,  
*Mike Neale*  
Legislative Representative, BLET Div 416

cc: Ron Russ, Ann Gardner, Scott Palmer