

Moore-Love, Karla

From: davidahyde@earthlink.net
Sent: Wednesday, July 27, 2011 4:44 PM
To: Moore-Love, Karla
Subject: Very Tentative Draft GNA between the Lents Neighborhood Association and Recology
Attachments: LentsRecologyGNAdraftV_7-26-11.docx

Karla,

I think one or more of the commissioners might be interested in seeing this. This document is still to be refined in LNA Subcommittee after a decision is made by the council.

David Hyde

**Lents Neighborhood Association
Draft V_7-26-11 Good Neighbor Agreement with
Recology Oregon Material Recovery, Inc.**

1.0 Background

Recology Oregon Material Recovery, Inc. is a business (hereinafter simply referred to as the “Recology”) located at 6400 Southeast 101st Avenue, within the boundaries of the Lents Neighborhood Association (LNA). The parties to this agreement are committed to promoting business practices that serve the needs of the community and contribute to neighborhood livability.

2.0 Formation of the Partnership

The following Good Neighbor Agreement is made between LNA and Recology Oregon Material Recovery, Inc. (hereinafter referred to as the “Partners”), operated by Dave Dutra, General Manager. The issues addressed in this Agreement have been developed by Recology, LNA, and the Office of Neighborhood Involvement Crime Prevention.

This Agreement is founded in the belief that successful business relies, in part, on the strength, cooperation, and support of the neighborhood around it, and that the strength of the neighborhood relies, in part, on the responsibility, vitality, and strength of the businesses operating within it.

The issues addressed in this Agreement have been agreed upon by all of the parties mentioned above. We acknowledge that this document represents the good faith effort by all parties to resolve the issues identified herein.

3.0 Effective Date

This agreement shall begin *September 1, 2011*. The Partners to this agreement will be available to meet annually to review the status of the agreement.

4.0 Goals of this Good Neighbor Agreement are to:

- Maintain the livability and safety of the neighborhood.
- Minimize negative impacts to the neighborhood; including increased heavy truck traffic, odors, vectors and noise.
- Develop and maintain clear communication channels between the Partners.

5.0 Business Operating Policies

5.01 Operations Plan

Recology currently operates Monday-Friday 6:00am to 5:00pm, Saturday 8:00am to 12:00pm, and is closed on Sunday. It is understood by the Partners that Recology may need to adjust its hours of operation.

Recology shall post on its sign at the boundary of the Jameson Partners “Freeway Lands” site and on its website operating hours during which the facility is open for the receipt of authorized waste.

Should a change be necessary, Recology will notify the LNA 30 days prior to the change.

Recology shall operate the facility in compliance with an operations plan approved by DEQ and Metro. Recology shall provide the LNA a copy of the proposed operations plan when submitted to DEQ and Metro for approval. Any time Recology proposes to change aspects of the operations plan governing truck traffic, hours of operation, noise or odor, Recology shall provide the LNA a copy of the proposed changes when submitted to DEQ and Metro for approval. When it proposes changes to its operations plan to Metro, Recology shall (1) explain the reasons for the change; (2) describe how Recology has evaluated any impact to the neighborhood; and (3) include a copy of the notice of the change provided to the LNA. Recology acknowledges that Metro will accept comments for 30 days after plan submission to Metro.

5.02 Plan Freight Routes/Truck Traffic

In cooperation with the LNA, Recology shall develop preferred truck routes for truck traffic to and from the Facility. Recology shall inform drivers of the preferred truck routes and shall encourage their use. Recology will refer to the preferred truck routes in its supplier agreements. Recology will make every effort to ensure that truck traffic generated by its own operations stay on Southeast 101st Avenue, south of Foster Road, and Southeast Foster Road, east of I-205. Exceptions to the designated routes are reserved for regularly scheduled pick-ups or other business activities within the neighborhood.

Additional signage at both of the I-205 off-ramps and the intersections of SE 101st Avenue and SE Foster Road and SE 101st Avenue and Woodstock Boulevard will be installed by Recology to reduce the likelihood of truck drivers, unfamiliar with their location, turning into the wrong residential streets.

5.03 Noise

Recology shall manage and control noise levels inside and outside the facility in a manner which minimizes the creation of noise sufficient to cause adverse off-site impacts. The facility shall be operated at all times to comply with all applicable laws, regulations and ordinances respecting noise.

Noise generated outside of normal business hours will be subject to additional scrutiny and conditions.

5.04 Water Quality

Recology shall comply with all applicable laws to ensure that the facility and its operations do not negatively impact the water quality in Johnson Creek.

Recology will produce a flood plan for events that effect delivery to or actual operations within the facility. The plan will include details for ceasing deliveries and other truck traffic to the facility when 101st Avenue is submerged. This plan will also include a plan for the highly unlikely, but possible, flooding of the actual facility and measures that would be taken to prevent the commingling of materials on the Recology site with the flood waters of Johnson Creek.

5.05 Complaint Procedures and Complaint Log

Recology shall post on its website and the Facility gate an e-mail address and phone number at which complaints may be made 24 hours a day to Recology and also the phone numbers at which complaints may be submitted to Metro and DEQ.

Recology will respond to all nuisance complaints in the manner required by its Metro License agreement (including but not limited to, litter, dust, odors, noise, traffic, and vectors), and will keep a record of such complaints, including actions to remedy the conditions that caused the complaint. This record shall be available for inspection by members of the LNA board with advance notice to Recology of two business days.

For every nuisance complaint received, Recology will record the following details within a log:

- The nature of the complaint
- The date and time the complaint was received
- The name, address, and telephone number of the person or persons making the complaint
- Any actions taken by Recology in response to the complaint
- Recology will retain each complaint record for a period of three years

Should 10 complaints deemed legitimate by DEQ occur in 45 day period, the LNA will seek to have the Recology facility cease operating until it has performed the necessary remediation to prevent a future outbreak of problems and violations. The LNA will contact the City of Portland, Metro and DEQ for enforcement of this clause. Should civil court action be necessary, Recology will be held responsible for any legal costs.

5.06 Litter/Vandalism

Recology will make every effort to operate in a manner that minimizes and mitigates the generation of litter, and will make attempts to keep litter from migrating beyond its property boundaries. Recology will keep all areas within the site and all vehicle access roads within ¼ mile of the site free of litter and debris generated directly or indirectly as a result of the facility's operation. Should litter in this area be originating from another business it will be the duty of Recology to notify the LNA and also be willing to participate in shared responsibility for litter collection in the area.

Recology will take reasonable steps to remind persons delivering waste materials to the facility, and require from those delivering materials on behalf of Recology, that all loads must be secured and covered to prevent materials from blowing off the load during transit.

Recology will make efforts to document any graffiti by taking pictures and/or writing down descriptions of the graffiti before cleaning it off of the premises. All pictures or descriptions of graffiti will be shared with either the Graffiti Abatement Program (phone: 503-823-4824, or at their website: www.portlandonline.com/oni/index.cfm?c=28984), or the Portland Police Bureau.

Recology will attempt to secure the site during non-business hours, in order to minimize availability of garbage and recycling for transients.

6.0 Collaboration

6.01 Jobs and Business Opportunities

Recology shall encourage residents of Lents neighborhood and other stakeholders near the facility to apply for employment opportunities at the Facility. Among qualified candidates, Recology shall prefer residents of Lents neighborhood and stakeholders near the facility for filling open positions. Stakeholders to develop programs for workforce and contracting opportunities that will benefit workers and businesses in the neighborhoods near the facility.

6.02 Byproduct, Fertilizer and Soil Amendment Products

Recology also shall consider proposals for uses of fertilizer and soil amendment products that benefit the community and shall give reasonable preference to proposals that benefit the community provided all material terms are comparable to other available options.

6.03 Education

Recology shall make the Facility available for tour by educational institutions, including local schools, colleges and after-school programs.

6.04 Community Enhancement Fee

The partners shall make every effort to work with the Metro Oregon regional governing body to establish a community enhancement fee to mitigate the impact the operation of the Recology operation on the Lents Neighborhood. This fund is created to benefit community enhancement programs in Lents and Stakeholders affected by the Facility.

7.0 Roles/Duties of Partners

7.01 Business agrees to:

- Follow the operation guidelines agreed upon in the previous section.
- Make an effort to maintain an ongoing relationship and open communication with neighbors and partners.
- Participate in follow up meetings regarding this Agreement.
- Make an effort to promptly respond to neighborhood concerns related to Recology or its customers.
- Maintain a copy of this agreement with all other regulatory documents onsite.

- 7.02 Lents Neighborhood Association and Neighbors agree to:**
- Assist in the general success of Recology.
 - Report any nuisance issues to Recology management.
 - Report any crime issues to the police and Business management.
 - Document incidents occurring in and around Business and forward documentation to the appropriate partner and/or agency.
 - Participate in follow up meetings regarding this Agreement.

- 7.03 The Office of Neighborhood Involvement Crime Prevention Program agrees to:**

- Maintain a copy of the Good Neighbor Agreement and provide copies to the partners upon their request.
- Provide technical assistance.
- Facilitate meetings and mediate minor disputes among parties if requested.
- Provide information and updates to partners regarding problems in the area.
- Provide follow-up training upon request.

8.0 Agreement Maintenance and Future Changes

8.01 Maintenance

The Crime Prevention Specialist will keep this agreement at the East Portland Neighborhood Office (EPNO). The ONI Crime Prevention Program shall maintain this Agreement and make it available to the undersigned partners at their request.

8.02 Meetings

Recology is encouraged to attend the general meetings of LNA to facilitate communication. Apart from LNA general membership meetings, the Partners will meet annually to continue to coordinate efforts and evaluate the Agreement. These meetings may be coordinated by Crime Prevention staff, or by Recology and LNA independently of the Crime Prevention Office. At any other time, any of the partners may call a meeting on an as-needed basis. Upon written request from a partner, Recology and LNA, or Crime Prevention staff will coordinate a meeting by sending notice to all partners of this agreement. The notice will include the date, time, and location of the meeting. Every effort will be made to ensure that the written notices are sent in a timely fashion.

The LNA would like for these annual meetings to include a tour of the facility at LNA's request subject to reasonable limitations imposed by Recology for safety or protection of confidential business information. The purpose of these tours will be to demonstrate the pumping and air filtration systems in proper operation as well as back-up procedures and alarms for when a full leachate tank capacity or equipment failure has occurred.

8.03 Sale of the Business

The owners of Recology will attempt to give LNA sixty (60) days notice of intent to sell. In the event that the Recology sells the business, Recology agrees to provide the buyer a copy of the Good Neighbor Agreement. As a condition to any sale or other transfer of ownership of the Facility, Recology shall assign this agreement to the new owner and shall require the new owner to assume this agreement and all of Recology's rights and obligations under this agreement.

8.04 Notices.

All notices under this Agreement shall be in writing and personally delivered or sent by first-class mail, postage prepaid, or e-mail to the other Party at the address set forth below. Notices shall be deemed given when received and shall be deemed received when personally delivered, 48 hours after they are postmarked, if sent by mail, or upon confirmation of receipt if delivered by e-mail. Notices shall be sent to the following addresses, which a Party may change by giving notice to the other Party.

8.05 Binding Effect

This Agreement shall be binding upon the Partners and their respective successors and assignees. If in any judicial proceeding a court shall refuse to enforce all the provisions of this Agreement, the scope of any unenforceable provision shall be deemed modified and diminished to the extent necessary to render such provision valid and enforceable. In any event, the validity or enforceability of any such provision will not affect any other provision of this Agreement, and this Agreement shall be construed and enforced as if such provision had not been included.

8.06 Entire Agreement

This Agreement and any referenced attachments, exhibits or schedules are the entire agreement between the Partners and supersede all previous agreements or understandings between them.

8.07 Amendment

This Agreement may not be amended, except in writing and signed by authorized representatives of both Partners.

8.08 Understanding

Each Party has carefully read this Agreement. Each Party acknowledges that it is familiar with the contents of this Agreement, and that they fully understand and voluntarily accept its terms and conditions.

8.09 Trade Secrets

Nothing in this Agreement shall be construed to require Recology to disclose to LNA or the Stakeholders its trade secrets or confidential business information and Recology may redact such trade secrets or confidential business information from documents provided to LNA or the Stakeholders under this Agreement.

8.10 Waiver

Either Party may waive rights, powers or privileges under this Agreement, provided that any waiver must be in writing and further provided that no such waiver in one instance will constitute a waiver of the same right, power or privilege in any other instance unless specifically stated in writing.

9.0 Dispute Resolution

9.01 Amicable Negotiation

If a problem does arise, neighbors will first attempt to contact Recology management to resolve the problem amicably. Management will make every effort to address the concerns in a timely fashion.

9.02 Illegal Activities

All partners recognize that if problems involve illegal activities, neighbors will contact the police to report the activity, as well as following the steps outlined above.

9.03 Negotiation Meeting

At the request of either Party, representatives of each Party with authority to resolve the dispute will meet (in person if requested by either Party) within five business days of receipt of the request and the representatives shall negotiate in good faith to resolve the dispute. Neighbors shall contact the Neighborhood Crime Prevention Specialist for assistance in resolving the problems. Additional resources (mediation, other agencies) may be utilized to resolve the problems.

9.04 Mediation

If the meeting described in the paragraph 9.03 does not resolve the dispute, either Party may require that the dispute be submitted to mediation before Resolutions Northwest or such other mediator as the City of Portland contracts to provide such mediation services to Portland residents. Following the meeting described in paragraph 9.03, either Party may commence the mediation process by providing notice to the other Party and following the procedures prescribed by the mediation service. This mediation shall occur within 45 days of all partners notified. Recology shall pay the mediator's fee for mediation pursuant to this paragraph.

9.05 Court Action

If the mediation described in paragraph **9.04** does not resolve the dispute, either party may seek to enforce this Agreement through a court (either an Oregon state court, sited in Multnomah County or federal district court for the state of Oregon), which enforcement may include specific enforcement and injunctive relief provided, however, that neither party shall file such an action with a court until at least five business days following completion of the mediation processes as prescribed by the mediator

8.0 Signatures

By their signature, all parties agree to abide by the Good Neighbor Agreement.

Owner # 1 – Print and Sign Date

Owner # 2 – Print and Sign Date

Owner # 3 – Print and Sign Date

LNA # 1 – Print and Sign Date

LNA # 2 – Print and Sign Date

LNA # 3 – Print and Sign Date

Moore-Love, Karla

From: Moore-Love, Karla
Sent: Thursday, July 28, 2011 12:56 PM
To: 'King, Seth J. (Perkins Coie)'
Cc: Frugoli, Sheila
Subject: RE: Appeal of Hearings Officer's Decision to Approve Recology Oregon Material Recovery, Inc. Applications (File No. LU 10-194818 CU AD); First Open Record Period Submittal of Recology Oregon Material Recovery, Inc.

Received.

Thank you,
Karla

Karla Moore-Love
Council Clerk
City of Portland - Office of the City Auditor
1221 SW 4th Avenue, Room 140
Portland, OR 97204-1900
voice 503.823.4086 fax 503.823.4571
Clerk's Webpage: <http://www.portlandonline.com/auditor/index.cfm?c=26979>

From: King, Seth J. (Perkins Coie) [mailto:sking@perkinscoie.com]
Sent: Wednesday, July 27, 2011 4:57 PM
To: Frugoli, Sheila; Moore-Love, Karla
Cc: Alfred, Roger A. (Perkins Coie); 'ddutra@recology.com'; 'pbranda@recology.com'; 'alecocq@recology.com'; 'emerrill@recology.com'; 'trask@kelrun.com'; Robinson, Michael C. (Perkins Coie); King, Seth J. (Perkins Coie)
Subject: RE: Appeal of Hearings Officer's Decision to Approve Recology Oregon Material Recovery, Inc. Applications (File No. LU 10-194818 CU AD); First Open Record Period Submittal of Recology Oregon Material Recovery, Inc.

On behalf of Michael Robinson, attached are Exhibits W, X, Y, and Z of Recology's submittal.

This is the sixth and final message. Please confirm receipt.

Thanks very much.

Seth J. King | Perkins Coie LLP
1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2024
FAX: 503.346.2024
E-MAIL: sking@perkinscoie.com

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Moore-Love, Karla

From: Ryan, Corinne F. (Perkins Coie) [CRyan@perkinscoie.com] on behalf of Robinson, Michael C. (Perkins Coie) [MRobinson@perkinscoie.com]
Sent: Wednesday, July 27, 2011 4:35 PM
To: Frugoli, Sheila; Moore-Love, Karla
Cc: King, Seth J. (Perkins Coie); Alfred, Roger A. (Perkins Coie); Robinson, Michael C. (Perkins Coie); 'ddutra@recology.com'; 'pbranda@recology.com'; 'alecocq@recology.com'; emerrill@recology.com; trask@kelrun.com
Subject: Appeal of Hearings Officer's Decision to Approve Recology Oregon Material Recovery, Inc. Applications (File No. LU 10-194818 CU AD); First Open Record Period Submittal of Recology Oregon Material Recovery, Inc.

Attachments: Ex. A.pdf; Ex. C.pdf; Appeal of Hearings Officer Decision.pdf; Ex. B.pdf; Ex. D.pdf; Ex. E.pdf; Ex. F.pdf

Mike asked that I send you copies of his letter and exhibits addressed to Mayor Adams and Members of the City Council regarding the above-referenced.

Please place a copy of this letter in the official Bureau of Development Services file and in the record of this appeal.

NOTE: Due to the size of the exhibits, they are being transmitted in several emails.

Please contact Mike at (503-727-2264) if you have any questions.

Michael C. Robinson | Perkins Coie LLP

1120 N.W. Couch Street

Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2264

MOBILE: 503.407.2578

FAX: 503.346.2264

E-MAIL: mrobinson@perkinscoie.com

18388-0006

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Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 4:15 PM
To: Moore-Love, Karla
Subject: FW: Rebuttal to Springwater Trail Preservation Society appeal of Recology Land Use Permit
For the record, in case you have not yet received it.

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

From: Aaron Waldorf [mailto:waldorfa@gmail.com]
Sent: Friday, July 22, 2011 7:49 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Cc: Melanie
Subject: Re: Rebuttal to Springwater Trail Preservation Society appeal of Recology Land Use Permit

Hello, my name is Aaron Waldorf. I am writing to you asking to please support the permit for Recology to process food waste in Lents. Recology has been a good neighbor to us and they may need this permit to stay in business. As a Lents resident, I would very much like this permit to go through. Feel free to call or email if you have any questions. Thank you for your assistance.

Aaron Waldorf
8819 SE Ellis St.
Portland OR 97266
503 708 9807

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 4:10 PM
To: Moore-Love, Karla
Subject: FW: Recology Concerns

For the record, in case you have not yet received it.

Amanda Fritz
Commissioner, City of Portland

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From: Dan Fick [mailto:danfick34@yahoo.com]
Sent: Wednesday, July 27, 2011 11:46 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Recology Concerns

Mayor Adams and Commissioners,

Thank you for reviewing this message that outlines my concerns with the Food Waste Processing Center, proposed to be built in the Lents neighborhood. While I do not live in Lents, (I live at SE 76th Ave and SE Knight St. (one block north of Woodstock)), I would certainly be impacted by the proposed Recology location due to the increased traffic on Woodstock and Foster.

I have lived in our home in SE Portland for over four years and during this time, I have always been employed by Vancouver, WA employers. As a result, I could have moved to Washington long ago to take advantage of the lack of income taxes and have been told to do so by both employers and co-workers. (This is especially true since I work for high tech startups where large amounts of stock options are in play). Despite the taxes, my response has always been that the property value will eventually be worth more than the tax breaks as I live in an up-and-coming neighborhood.

If the Recology proposal is approved though, I am deeply concerned that the property value and quality of life at home will suffer. If either occurs, I will be moving to Washington as I will no longer have the patience or the belief that the city of Portland cares about its citizens in far SE / NE and East Portland.

As my wife and I are founding partners of a software company that will be hiring employees in

the next six months, if we move to Washington, our company will as well.

After all, there is a long held perception that the city sees East Portland as the second class citizens in the city of Portland. (There are no sidewalks, safety concerns, the schools and roads are in terrible condition, and progress east of I-205 has always been slow). Approving Recology will only strengthen that perception for obvious reasons.

In addition to the decreased property values and increased traffic, I am also very concerned about:

- Odors
- Vectors
- Recology's track record
- The Springwater Corridor Bike Trail
- Lent's image and the image of Portland east of I-205.
- Bike and pedestrian safety on Woodstock, Foster, and surrounding roads

Please know that I am very grateful for all the work and funds that the city has put into the Lents Community as well as the Foster Road improvements. I am just very concerned that the benefits of those programs will be overshadowed and minimized by the addition of Recology.

Thank you again for reviewing this letter and I hope that you reconsider your position on Recology.

Best regards,

Dan Fick

7604 SE Knight Street

503-679-0736

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 3:38 PM
To: Moore-Love, Karla
Subject: FW: statement in support of Recology conditional land use appeal

For the record, in case you have not yet received it.

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: John Notis [mailto:notisj@gmail.com]
Sent: Wednesday, July 27, 2011 2:32 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman; Frugoli, Sheila; Moore-Love, Karla
Subject: statement in support of Recology conditional land use appeal

Dear Mayor and City Council,

I'm writing in support of Recology's conditional land use application for their proposed waste facility upgrade at the Foster Road Recovery Facility in the Freeway Lands Industrial Park. Case number LU 10-194818 CU AD (HO 41 10004). I'd heard about odor complaints for years from the composting facility near North Plains, so I was originally alarmed when I received warning letters and information from a group calling itself the Springwater Trail Preservation Society. At the same time, it was apparent that some of their claims were false (flood risk, for example) and so I started to do my own research.

I've visited the site, as well as a couple of other transfer facilities in Troutdale and Oregon City. I've spoken with representatives of Recology, the Springwater Trail Preservation Society, and Metro, and read as many documents as I could find. The most informative has been the Solid Waste License Application which was submitted to Metro. It is still technically in preliminary form, but it contains a huge amount of information that shows the amount of design, planning, and attention that has been spent to make sure that this transfer station will have no negative impact on our neighborhood. The application is available from Metro's waste office: (503) 797-1835 or I have posted it online at:

https://docs.google.com/viewer?a=v&pid=explorer&srcid=0BzNcGonq1310MzdiZjM3YzUtM2Y5Ni00YjZhLThjMzYtNWUyYjA3OTM2MjJm&hl=en_US

In my opinion, if the facility is operated competently, there will be zero additional impact to my community. I believe it will be a non-issue. On the other hand, if the facility is operated incompetently, we have a multitude of tools to deal with it. In addition to Metro and Oregon DEQ's significant operational oversight, Recology is willing to enter into a Good Neighbor Agreement, which is evidence of their good will and gives us another way to ensure that they won't abuse us.

I've read through the conditional land use decision report from April 6, 2011, and agree with the findings throughout. In addition, I would add to the public benefits described in that report. Recology's operation provides a very convenient place for the public to dispose of many types of waste - some of it for free. This is

a valuable local service, in my opinion. Providing more local transfer options for haulers to offload the future stream of mixed compostable waste is also a public benefit, not just because it helps the implementation of the food waste composting plan, but because the system that we all pay for can operate more efficiently. If a hauler from my neighborhood has to drive down to the Metro South transfer station to unload, for example, that's about 16 more miles of driving, consuming time and fuel, which results in higher costs to me and my neighbors.

This is something worth doing. I support it, and I hope you do the same.

Sincerely,

John Notis

10135 SE Yukon St.

Portland, OR 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 3:38 PM
To: Moore-Love, Karla
Subject: FW: NO on Recology conditional use permit

For the record.

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

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From: Kathleen Juergens de Ponce [mailto:redemma13@yahoo.com]
Sent: Wednesday, July 27, 2011 2:18 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Dan Saltzman
Cc: Frugoli, Sheila
Subject: NO on Recology conditional use permit

Dear Mayor Adams and Commissioners:

I am writing as a resident of the Lents neighborhood to oppose the application of Recology to operate a compost transfer facility in our neighborhood. I am not a member of the "Springwater Trail Preservation Society," but believe that the concerns expressed by STPO in their appeal are shared by many people in the neighborhood.

Although the proposed compost transfer location is on an industrial site, it is surrounded by a residential neighborhood. Any facility processing any kind of wet waste, let alone compostable food waste, is not a good fit for a residential neighborhood. Although we have received many promises about the measures that will be taken to control odor, pest vectors, etc., they are just that - promises. There is no proven track record for facilities like this being good neighbors this close to people's homes, because facilities like this aren't typically allowed this close to people's homes. I am concerned the Lents neighborhood is going to be used as a testing ground for something whose consequences are potentially disastrous for liveability, if it does not work as promised. This would never be proposed for Laurelhurst or Irvington, so why is it being proposed for Lents?

I am a strong supporter of curbside food composting, but I do not believe the City's pilot program requires a facility of this type to be sited in my back yard - or anybody else's back yard! As County Commissioner Shiprack and State Senator Monroe have pointed out, there are plenty of options for a compost transfer facility to be located in a non-residential area. Lents should not be

asked (again!) to sacrifice the liveability of our neighborhood for the alleged common good of the region. There is a better way.

I want to see good jobs and economic development in my neighborhood, but do not trust that a non-union company like Recology will provide this. I am also concerned about the possible opportunity costs of locating this type of facility on a site where it might deter other development.

I urge you to uphold the STPO appeal and vote no on the Recology application.

Sincerely,
Kathleen Juergens
4636 SE 92nd Avenue
Portland, OR 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 3:37 PM
To: Moore-Love, Karla
Subject: FW: please keep Recology out of Lents

For the record.

Amanda Fritz
Commissioner, City of Portland

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From: Katherine Sheehan [mailto:katherinetsheehan@gmail.com]
Sent: Wednesday, July 27, 2011 2:11 PM
To: katherinetsheehan@gmail.com
Cc: david@ilovelents.com
Subject: please keep Recology out of Lents

I urge you to vote against the proposal by Recology to operate a facility in Lents or anywhere in close proximity to urban dwellings in Portland. I attended the city council public hearing, as well as attending the neighborhood meetings hosted by Recology. Each time I have had the distinct impression that Recology is merely paying lip service to both city council and to the Lents neighbors.

I don't believe that Recology will perform as they say they will any more than what their past history has demonstrated - a history and a track record that they choose to misrepresent.

If Recology is approved, my property value will be negatively impacted most severely, causing a hardship in this already difficult housing market.

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 3:37 PM
To: Moore-Love, Karla
Subject: FW: Recology

For the record.

Amanda Fritz
Commissioner, City of Portland

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From: alb0401 [mailto:alb0401@gmail.com]
Sent: Tuesday, July 26, 2011 6:26 PM
To: Commissioner Fritz
Subject: Recology

Dear Commissioner Fritz,

Although I testified at the hearing earlier this month in support of the appeal to Recology's permit application for the Lents area, I have now been satisfied that Recology has taken the appropriate steps for its site in SE Portland, as long as they have to apply again to extend their operations.

Sincerely,

Anthony Bonillo
10736 SE Knapp Circle
Portland, Oregon 97266

On Fri, Jul 8, 2011 at 10:10 AM, Commissioner Fritz <amanda@portlandoregon.gov> wrote:
Dear Portlander,

I am out in the community working most evenings and weekends over the summer. As a result, I am not able to spend as much time responding to constituent emails. I'm currently about 100 messages behind. I read urgent emails pertinent to upcoming City Council items,

but I can't always respond.

If your message is time-sensitive, please take additional action as follows:

- 1) Call 503-823-4000 during business hours. The Information and Referral specialists in the Office of Neighborhood Involvement can often help you more quickly than I can.
- 2) Call my office front desk during business hours, or leave a message at 503-823-3008, so my staff can connect you with whichever of my team can help you with urgent matters
- 3) Check the Meet the Team page of my web site, and forward your message to the staffer assigned to the area of concern. <http://www.portlandonline.com/fritz/index.cfm?c=49206>
- 4) For meeting requests and other scheduling issues, please contact my assistant Milena, milena.hermansky@portlandoregon.gov or 503-823-4124.
- 5) If the content your message is only for me, I will respond as soon as I can.

Thank you for your understanding.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 3:35 PM
To: Moore-Love, Karla
Subject: FW: No Recology

For the record, in case you have not yet received it.

Amanda Fritz
Commissioner, City of Portland

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From: paul1949@q.com [mailto:paul1949@q.com]
Sent: Tuesday, July 26, 2011 9:43 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; portlandoregon.gov
Subject: No Recology

I live in lenses and I do not want this company in my neighborhood stinking it up. This is a no brainer. It is disgusting to even think about it. Please do not allow this to happen. thank you.

Kate Mytron

8604 SE Glenwood, Portland, OR 97266
(503)788-5366

July 27, 2011

Commissioner Amanda Fritz
Portland City Council
1221 SW 4th Ave. #220
Portland, OR 97204

Dear Commissioner Fritz:

Please do the right thing for Lents and give Recology the permit to operate a reload station. I know my neighborhood well, having served in the past as vice Chair of the Neighborhood Association, and I am very troubled by recent events.

When yard signs began to appear in the neighborhood against Recology, I wondered who they were, and why they were such a threat. When a flier for a community meeting appeared in my screen door, I decided I would find out. It was not hard to get excited about the reload station. As far as I could tell there were no negatives. Recology was doing everything right, and I really liked the idea that they were an employee owned company rather than a big corporation. It would be great if Lents could benefit from the city's sustainability movement.

As expected there were negative comments from some familiar faces I recognized from my days on the LNA board. There are a number of old timers who are so angry and bitter. It is true that Lents has not been treated fairly in the past, but listening to them you would think that we were the only neighborhood in the entire country who had a freeway built through the middle of their community. That was a long time ago, and while there is still room for improvement things have changed.

It was only when I went to the neighborhood association meeting last night that everything became perfectly clear. I did some homework the night before and discovered that the Springwater Trail Preservation Society was the organization behind the anti-Recology campaign. Organized in May of this year, they seemed to be one person with deep pockets and not a sliver of transparency.

In an effort to keep this somewhat brief and concise, I won't tell you all of the details of the meeting. It only took a few minutes to see what was happening.

I knew the pushy guy in the suit was not from the neighborhood. He is the kind of attorney that gives the profession a bad name. His first name was Tom, and he told us that the opposition had retained two attorneys to fight Recology and "they had spent a lot of time and money," in the fight. Those were his own words, and at probably \$200 an hour he paid for another one of those flashy suits at the meeting. I promise you no one in Lents has that kind of money. As one of the old ladies said, "we're a poor neighborhood." You could tell that Tom didn't think much of us, but only the person paying the bills.

As Deep Throat told Woodward and Bernstein during their search for the truth about Watergate, "Follow the money." There is one place to go to find out who will benefit by taking away Recology's permit and that is Allied. No one will say it, but they don't have to. Allied is the other company that received a grant from the city for compost hauling, and they have much to gain if they can stop Recology. I would bet you money they're behind all of this, and they have done a good job of brainwashing a number people in Lents.

There have been a few arguments against Recology repeated over and over again. By what I can tell they are all unfounded. But, when people have ideas set in their minds, logic or facts are not going to change their mind.

7/27/11

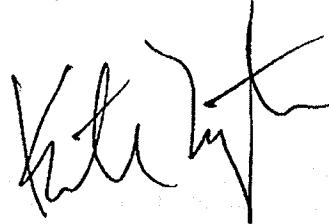
Page 2

That was clear in the conversations I had with people after the meeting. I've attached a few bullet points with my response to complaints.

I am probably only one of a few letters supporting Recology, but I do hope you will consider what I have said. I know the opposition handed out a lot of those expensive postcards. You would think this is a major political campaign with the money they have been spending.

I have lived in Lents for ten years, and I love my neighborhood. Though not economically diverse, we are a true melting pot of good people.

Sincerely,



UNFOUNDED ARGUMENTS AGAINST RECOLOGY

- **THE SMELL.** The biggest complaint is the potential odor. My immediate answer is “asphalt”. There is a company next door that makes asphalt and there is not much that smells worse than that. Didn’t you get a memory of the smell when you read the word? Yuck! Recology will be doing a variety of things to eliminate any odors in their facility. There is also a company that makes concrete. Which leads me to the next point., but remember “asphalt.”
- **PROPERTY VALUES.** At the meeting last night there was a woman who worked in real estate, and was very concerned about property values. A few minutes later she explained that she was not an agent, but someone who worked for a national mortgage company, but this has been a complaint I’ve heard from a number of people.

Recology is in the middle of an industrial park with a number of companies that do little to improve property values, including the above mentioned concrete and asphalt companies. The facility will be in an existing building already operated by Recology. No outside expansion is required.

If anything a company connected to the sustainability movement would be an asset to the neighborhood, and I am proud that we can be a part of that. I strongly support the cities move to composting food scraps. I bought a Metro composting bin years ago, and quickly discovered it was more trouble than it was worth. I’d be very happy to have the city do this for me.

We live in a neighborhood known throughout the city as “Felony Flats”. I think that property values are much more affected by that reputation along with the disreputable used car lots and prostitutes on our main street, 82nd Avenue. Thankfully, with the new regulations meth houses are gone.

- **RATS.** It is true that food scraps do bring rats. But the Recology facility is not a dump. It is a transfer station. Nothing will be there long, and great effort is being made to minimize the problem. The Springwater Corridor and Johnson Creek do much more to contribute to any rat problem in Lents. I’ve heard no talk of getting rid of the blackberry bushes that provide a great amount of food and shelter for rats.
- **WHY LENTS?** “We’re always the city’s dumping ground.” This is not a dump. Again, it is a transfer depot. Everything will go into an existing building and then out of the building. I know about dumps. It was one of my favorite things to do as a kid. Riding out with my dad and seeing the mountains of trash with swarms of seagulls that really did smell. This is a company that is already doing business in our neighborhood, and there are other facilities like it in the city. St. Johns and Cully were mentioned. I also want to keep the tax dollars in Portland rather than pushing them off to Clackamas County. It is my understanding that drop fees per truck are considerable. Portland needs the money. Keep it here.

Thank you for your time.

Moore-Love, Karla

From: John Notis [notisj@gmail.com]
Sent: Wednesday, July 27, 2011 2:32 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman; Frugoli, Sheila; Moore-Love, Karla
Subject: statement in support of Recology conditional land use appeal

Dear Mayor and City Council,

I'm writing in support of Recology's conditional land use application for their proposed waste facility upgrade at the Foster Road Recovery Facility in the Freeway Lands Industrial Park. Case number LU 10-194818 CU AD (HO 41 10004). I'd heard about odor complaints for years from the composting facility near North Plains, so I was originally alarmed when I received warning letters and information from a group calling itself the Springwater Trail Preservation Society. At the same time, it was apparent that some of their claims were false (flood risk, for example) and so I started to do my own research.

I've visited the site, as well as a couple of other transfer facilities in Troutdale and Oregon City. I've spoken with representatives of Recology, the Springwater Trail Preservation Society, and Metro, and read as many documents as I could find. The most informative has been the Solid Waste License Application which was submitted to Metro. It is still technically in preliminary form, but it contains a huge amount of information that shows the amount of design, planning, and attention that has been spent to make sure that this transfer station will have no negative impact on our neighborhood. The application is available from Metro's waste office: (503) 797-1835 or I have posted it online at:

https://docs.google.com/viewer?a=v&pid=explorer&srcid=OBzNcGonq1310MzdiZjM3YzUtM2Y5Ni00YjZhLThjMzYtNWUyYjA3OTM2MjJm&hl=en_US

In my opinion, if the facility is operated competently, there will be zero additional impact to my community. I believe it will be a non-issue. On the other hand, if the facility is operated incompetently, we have a multitude of tools to deal with it. In addition to Metro and Oregon DEQ's significant operational oversight, Recology is willing to enter into a Good Neighbor Agreement, which is evidence of their good will and gives us another way to ensure that they won't abuse us.

I've read through the conditional land use decision report from April 6, 2011, and agree with the findings throughout. In addition, I would add to the public benefits described in that report. Recology's operation provides a very convenient place for the public to dispose of many types of waste - some of it for free. This is a valuable local service, in my opinion. Providing more local transfer options for haulers to offload the future stream of mixed compostable waste is also a public benefit, not just because it helps the implementation of the food waste composting plan, but because the system that we all pay for can operate more efficiently. If a hauler from my neighborhood has to drive down to the Metro South transfer station to unload, for example, that's about 16 more miles of driving, consuming time and fuel, which results in higher costs to me and my neighbors.

This is something worth doing. I support it, and I hope you do the same.

Sincerely,
John Notis
10135 SE Yukon St.
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Wednesday, July 27, 2011 2:19 PM
To: Moore-Love, Karla
Subject: FW: NO on Recology conditional use permit

From: Kathleen Juergens de Ponce [mailto:redemma13@yahoo.com]
Sent: Wednesday, July 27, 2011 2:18 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Dan Saltzman
Cc: Frugoli, Sheila
Subject: NO on Recology conditional use permit

Dear Mayor Adams and Commissioners:

I am writing as a resident of the Lents neighborhood to oppose the application of Recology to operate a compost transfer facility in our neighborhood. I am not a member of the "Springwater Trail Preservation Society," but believe that the concerns expressed by STPO in their appeal are shared by many people in the neighborhood.

Although the proposed compost transfer location is on an industrial site, it is surrounded by a residential neighborhood. Any facility processing any kind of wet waste, let alone compostable food waste, is not a good fit for a residential neighborhood. Although we have received many promises about the measures that will be taken to control odor, pest vectors, etc., they are just that - promises. There is no proven track record for facilities like this being good neighbors this close to people's homes, because facilities like this aren't typically allowed this close to people's homes. I am concerned the Lents neighborhood is going to be used as a testing ground for something whose consequences are potentially disastrous for liveability, if it does not work as promised. This would never be proposed for Laurelhurst or Irvington, so why is it being proposed for Lents?

I am a strong supporter of curbside food composting, but I do not believe the City's pilot program requires a facility of this type to be sited in my back yard - or anybody else's back yard! As County Commissioner Shiprack and State Senator Monroe have pointed out, there are plenty of options for a compost transfer facility to be located in a non-residential area. Lents should not be asked (again!) to sacrifice the liveability of our neighborhood for the alleged common good of the region. There is a better way.

I want to see good jobs and economic development in my neighborhood, but do not trust that a non-union company like Recology will provide this. I am also concerned about the possible opportunity costs of locating this type of facility on a site where it might deter other development.

I urge you to uphold the STPO appeal and vote no on the Recology application.

Sincerely,
Kathleen Juergens
4636 SE 92nd Avenue
Portland, OR 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 27, 2011 12:27 PM
To: Moore-Love, Karla
Subject: FW: Recology Concerns

From: Dan Fick [mailto:danfick34@yahoo.com]
Sent: Wednesday, July 27, 2011 11:46 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Recology Concerns

Mayor Adams and Commissioners,

Thank you for reviewing this message that outlines my concerns with the Food Waste Processing Center, proposed to be built in the Lents neighborhood. While I do not live in Lents, (I live at SE 76th Ave and SE Knight St. (one block north of Woodstock)), I would certainly be impacted by the proposed Recology location due to the increased traffic on Woodstock and Foster.

I have lived in our home in SE Portland for over four years and during this time, I have always been employed by Vancouver, WA employers. As a result, I could have moved to Washington long ago to take advantage of the lack of income taxes and have been told to do so by both employers and co-workers. (This is especially true since I work for high tech startups where large amounts of stock options are in play). Despite the taxes, my response has always been that the property value will eventually be worth more than the tax breaks as I live in an up-and-coming neighborhood.

If the Recology proposal is approved though, I am deeply concerned that the property value and quality of life at home will suffer. If either occurs, I will be moving to Washington as I will no longer have the patience or the belief that the city of Portland cares about its citizens in far SE / NE and East Portland.

As my wife and I are founding partners of a software company that will be hiring employees in the next six months, if we move to Washington, our company will as well.

After all, there is a long held perception that the city sees East Portland as the second class citizens in the city of Portland. (There are no sidewalks, safety concerns, the schools and roads are in terrible condition, and progress east of I-205 has always been slow). Approving Recology will only strengthen that perception for obvious reasons.

In addition to the decreased property values and increased traffic, I am also very concerned about:

- Odors
- Vectors
- Recology's track record

- The Springwater Corridor Bike Trail
- Lent's image and the image of Portland east of I-205.
- Bike and pedestrian safety on Woodstock, Foster, and surrounding roads

Please know that I am very grateful for all the work and funds that the city has put into the Lents Community as well as the Foster Road improvements. I am just very concerned that the benefits of those programs will be overshadowed and minimized by the addition of Recology.

Thank you again for reviewing this letter and I hope that you reconsider your position on Recology.

Best regards,

Dan Fick

7604 SE Knight Street

503-679-0736

Moore-Love, Karla

From: Kat [molasses@q.com]
Sent: Tuesday, July 26, 2011 8:24 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman; Griffin-Valade, LaVonne; Moore-Love, Karla; Frugoli, Sheila; Moore-Love, Karla
Subject: Recology Facility @ 101st & Foster - letter in support

Dear Mayor Adams and Members of the Council,

I see that the Springwater Trail Preservation Society (STPS) has organized a click-and-send letter in opposition to Recology expanding their operations to include compostable food waste at the 101st & Foster facility.

My opinions are the exact opposite of the STPS (probably aka Allied Waste). If garbage is going to be privatized anyways (and I'm not sure if that's good or not), if the big rigs get better gas mileage than the garbage trucks on the freeway (which I can't confirm), and if having a transfer station closer to the source of the garbage cuts down the total miles the garbage travels, then it's a good thing for our environment and a good thing for Lents. It would be even better if they were close to rail lines, I suppose.

Assuming the ifs above, and assuming the vented slab and biofilters work properly (which it sounds like they do), Recology in Lents seems like a good idea. It could end up being a model for a better way of doing garbage. But if it doesn't work properly - please do anything you can do to give the Good Neighbor Agreement some teeth. David Hyde of the LNA is working on the GNA now.

Those of us who have really looked into this think the same way I do.
Hopefully you will hear from them as well in support of this expansion.

Kathleen Mitchell
4303 SE 91st Ave
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Tuesday, July 26, 2011 5:50 PM
To: Moore-Love, Karla
Subject: FW: Letter of support for Recology landuse application
Attachments: RecologySupportLetter_GreenLents.pdf

From: Jalene Littlejohn [mailto:jalene31@gmail.com]
Sent: Tuesday, July 26, 2011 5:14 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Cc: Frugoli, Sheila; Jessica Anders; John Notis; Melanie McCandless; Jalene Braun
Subject: Letter of support for Recology landuse application

Dear Mayor Adams & City Council,
Attached please find a letter of support for the landuse application for Recology. Please feel free to contact me or any of the Green Lents leadership copied here if you have any questions.

Thank you,

--
Jalene Littlejohn
971.506.2972
jalene@greenlents.org



Our Place, Our Community, Our Home: Lents!

July 26, 2011

MEMO

RE: Land use application for Recology to add food waste to compost transfer facility

TO: Mayor Adams & City Council Commissioners

CC: Green Lents Leadership, Sheila Frugoli

Green Lents is a grassroots community group that was created in 2009 with a mission to provide education, volunteer and leadership opportunities in and around the Lents neighborhood to promote a thriving, sustainable community. Green Lents is a group of neighbors that supports positive personal, neighborhood and city-wide changes, particularly those that impact Portland's goal to be a sustainable city.

The Green Lents leadership would like to show support for the land use application submitted by Recology for the following reasons:

- **With appropriate infrastructure, enclosed storage, and sufficient measures that are approved by DEQ,** Green Lents believes that the food waste compost transfer facility is appropriate for the site.
- The land that Recology occupies is industrially-zoned land that has been filled and is above the historic floodplain. Optimally, the floodplain and creek bed would be restored to their natural condition, but this option is not on the table. **Green Lents would prefer food waste at this site to many of the toxic contaminants associated with other industrial uses.**
- **With a proper Community Benefit Agreement and open communication, Recology can be a positive member of the Lents community.** They have been in touch with neighborhood residents in an attempt to offer volunteer time and donated resources for community efforts.
- Curb-side composting is an important piece of urban sustainability that is missing from our system. **Green Lents is in support of composting transfer facilities in the city that will hopefully speed up the process of expanding curb-side food waste disposal city-wide.**

Please consider working with Recology to approve the land use application and help them be an asset in the Lents community.

Thank you,
Green Lents Leadership

Find us online: Greenlents.wordpress.com Facebook.com/green.lents Twitter @greenlentsnow

Green Lents Leadership: Jessica Anders (jessica@greenlents.org) Jalene Littlejohn (jalene@greenlents.org)
Melanie McCandless (melanie@greenlents.org) John Notis (notis@greenlents.org)

Moore-Love, Karla

From: Sami [shhambo@gmail.com]
Sent: Tuesday, July 26, 2011 2:20 PM
To: Commissioner Fritz
Cc: Moore-Love, Karla; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Yes to Recology in Lent

I understand a vote is coming up soon as to whether Recology will be allowed to start a composting transfer station in Lents. I live in Lents and and I am all for city wide composting.

I have also been made aware that the largest group opposed to Recology, The Springwater Trail Preservation Society is based out of Salem and will not reveal their source of funding. So they have no business in local business anyhow.

As I understand it, Recology will have technology in place so there will not be an odor. If this is true, I would like to encourage you to vote to let Recology open up shop in Lents.

City wide composting would be a smart step forward for the green city that Portland is.

Thank-You for your service to the city

Sam Oliver McDaniel

7366 SE 87th
Portland, OR
(971)219-4119

Moore-Love, Karla

From: Commissioner Fritz
Sent: Monday, July 25, 2011 1:49 PM
To: 'a.allen'
Cc: Moore-Love, Karla
Subject: RE: Vote NO on Recology's Permit!

Dear Portlander,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region. I am copying the Council Clerk, and ask you to include her in your reply so your comments are entered into the record.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

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-----Original Message-----

From: a.allen [mailto:peoplespeak@hotmail.com]
Sent: Monday, July 25, 2011 10:57 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in

and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

a. allen
4012 se 98th
portland, oregon 97266

Moore-Love, Karla

From: Melanie McCandless [melanie.mccandless@gmail.com]
Sent: Monday, July 25, 2011 7:14 AM
To: Commissioner Fritz
Cc: Frugoli, Sheila; Moore-Love, Karla
Subject: RE: Rebuttal to Springwater Trail Preservation Society appeal of Recology Land Use Permit
Commissioner Fritz,

Thank you for the opportunity for further comment. Should I direct others to include Ms. Frugoli and Ms. Moore-Love on any comments submitted? As I understand it, the deadline for public comment is this Wednesday 7/27 -- please let me know if that is correct.

The odor complaints at North Plains were discussed at Thursday's open community forum, and as I understand it, only a handful of the complaints were actually associated with Recology's operations; several of them may have been related to the grain silo storing fish meal at the same industrial site. I also learned on Thursday that Recology has added a negative airflow system (similar to the Foster Rd facility proposal, but perforated pipes directly underneath the windrows instead of a perforated concrete slab) earlier this year and has received no odor complaints since.

Additionally, we learned more details of the odor control biofilters proposed at the Foster Rd. facility. They were originally designed to remove volatile organic compounds (VOCs) from the air to protect the building; the odor control is an added benefit since the Recology staff did not expect any significant odor issues to begin with.

As I understand it, the biofilters will consist of wood chips inoculated with microorganisms; I've found some citations of other applications:

General overview: <http://en.wikipedia.org/wiki/Biofilter>

Use in wastewater treatment: www.odor.net/images/Biofilters.pdf

Treatment of odors from swine farrowing house:

www.ipic.iastate.edu/reports/01swinereports/asl-1785.pdf

Since the biofilter technology was effective at controlling odors associated with a swine facility - - which is more noisome than the proposed food compost material -- I am confident that there will be no odor concerns associated with Recology's Foster Rd. facility.

Thank you,
--Melanie

On Sun, 2011-07-24 at 21:16 -0700, Commissioner Fritz wrote:

Dear Melanie,

Thank you for your thoughtful comments. I am copying the planner, Sheila Frugoli, and Council Clerk, Karla Moore-Love, to ensure your testimony is in the record.

You linked the thisdoesntsmellright.org site, which states that Recology's North Plains site has received 69 odor complaints. Please comment for the record on this assertion and your opinion with regard to it, since odor control is one of the key approval criteria in the case. Comments are due this week (Sheila or Karla can tell you exactly when). Thank you for participating in this land use review.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: Melanie McCandless [mailto:melanie.mccandless@gmail.com]
Sent: Thursday, July 21, 2011 10:39 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Rebuttal to Springwater Trail Preservation Society appeal of Recology Land Use Permit

Hello,

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Sincerely,
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8819 SE Ellis St #8
LENTS, 97266

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No citation is given.

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In summary, please approve Recology's permits since the claims made by this NIMBY group are invalid.

Moore-Love, Karla

From: Commissioner Fritz
Sent: Monday, July 25, 2011 2:28 PM
To: 'Melanie McCandless'
Cc: Frugoli, Sheila; Moore-Love, Karla
Subject: RE: Rebuttal to Springwater Trail Preservation Society appeal of Recology Land Use Permit

Thank you for your response. Sheila or Karla will confirm the time and date deadline for comments. Yes, please ask all participants to copy Sheila and Karla on all input.

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Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 3:00 PM
To: 'Melanie McCandless'
Cc: Moore-Love, Karla; Commissioner Fritz; McKinney, Susan
Subject: RE: Rebuttal to Springwater Trail Preservation Society appeal of Recology Land Use Permit

Melanie,

Yes, the deadline is **Wed., July 27th at 5 pm**. All comments and new information must be submitted to the Council Clerks before the deadline. Your comments have been entered into the record.

Staff has been given 2 weeks, August 28-August 10, to provide additional feedback/comments to the Commissioners. These comments will be submitted in writing into the record. There will be a 2-week rebuttal period August 11-24th. All interested persons may submit letters that rebut/refute the information in the record.

Again, no new information such as letters of support/opposition that provide new facts, details, arguments may be submitted after July 27th.

Best Regards,

Sheila

Sheila Frugoli, Sr. Planner

Land Use Services Division
Bureau of Development Services
503-823-7817

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Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:28 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:56 PM
To: 'Dorothy Riedman'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Dorothy,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: Dorothy Riedman [mailto:dotart90@comcast.net]
Sent: Wednesday, July 20, 2011 11:22 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Dorothy Riedman
7608 S E 104th Ave.
Portland Or. 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:27 PM
To: Moore-Love, Karla
Cc: Sperry, Arianne
Subject: FW: Recology Food Waste in outer Southeast

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:55 PM
To: 'David Heddy'
Cc: Frugoli, Sheila
Subject: RE: Recology Food Waste in outer Southeast

Dear David,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13. Issues of odor and traffic were raised, however the applicant presented evidence asserting those problems will be controlled.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

From: David Heddy [mailto:dheddy19@gmail.com]
Sent: Tuesday, July 19, 2011 4:43 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy
Subject: Recology Food Waste in outer Southeast

Greetings! My name is David Heddy and I live with my family on 85th and Knapp St. We live very close to the proposed expansion area of Recology and I have some concerns about this. First, I am concerned that food waste in this area will attract more rats and other critters that are already in full swing in our neighborhood. Most of my neighbors have had to deal with rat problems in the past year and I'm concerned that the new food waste center will increase population in this area. Second, I am concerned with the smell that would come along with rotting food. A small backyard compost pile works fine, but a large amount of food in a contained area will not be pleasant. This type of activity should be done outside or densely populated areas! There are already a ton of manufacturing, waste, etc. processing that goes on around this area and this will only add to the activity that affects this population. Third, I am making an assumption here, but believe that this type of facility would not be allowed in closer-in neighborhoods of Portland. Please help to make outer SE Portland a beautiful place to live and help to ensure that we continue to develop into a good neighborhood. Fourth, my family and I are daily bicycle users and often head East on the Springwater trail. We already contend with a high number of large vehicles at the entrance to the Recology (among other businesses) and I'm concerned that the proposed expansion would increase this number significantly. We feel vulnerable in this area and hope that there can be an alternative plan that moves the facility to another location outside of a densely populated neighborhood.

Thank you for your time!

--
David Heddy

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:27 PM
To: Moore-Love, Karla
Subject: FW: Out of Office: Vote NO on Recology's Permit!

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:52 PM
To: 'Daniel Heath'
Cc: Frugoli, Sheila
Subject: RE: Out of Office: Vote NO on Recology's Permit!

Dear Daniel,

Thank you for sending the standard message, and also for this follow up. Council is not allowed to consider whether there may be a better location for a facility, only whether the requested siting meets the approval criteria in the code. And Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

No vote was taken. The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region. The final decision will be made in August.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: Daniel Heath [mailto:daniel.heath@rocketmail.com]
Sent: Sunday, July 17, 2011 1:38 PM
To: Commissioner Fritz
Subject: Re: Out of Office: Vote NO on Recology's Permit!

i hope you voted no! please and thank you! move it off ne airport way theres no residential there!

From: Commissioner Fritz <amanda@portlandoregon.gov>
To: daniel heath <daniel.heath@rocketmail.com>
Sent: Sunday, July 17, 2011 12:30 PM
Subject: Out of Office: Vote NO on Recology's Permit!

Dear Portlander,

I am out in the community working most evenings and weekends over the summer. As a result, I am not able to spend as much time responding to constituent emails. I'm currently about 100 messages behind. I read urgent emails pertinent to upcoming City Council items, but I can't always respond.

If your message is time-sensitive, please take additional action as follows:

- 1) Call 503-823-4000 during business hours. The Information and Referral specialists in the Office of Neighborhood Involvement can often help you more quickly than I can.
- 2) Call my office front desk during business hours, or leave a message at 503-823-3008, so my staff can connect you with whichever of my team can help you with urgent matters
- 3) Check the Meet the Team page of my web site, and forward your message to the staffer assigned to the area of concern. <http://www.portlandonline.com/fritz/index.cfm?c=49206>
- 4) For meeting requests and other scheduling issues, please contact my assistant Milena, milena.hermansky@portlandoregon.gov or 503-823-4124.
- 5) If the content your message is only for me, I will respond as soon as I can.

Thank you for your understanding.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:26 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:49 PM
To: 'Dan McElligott'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Dan,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Dan McElligott [mailto:dan_mcelligott@yahoo.com]
Sent: Tuesday, July 19, 2011 2:58 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Dan McElligott
5643 SE 83rd
Portland

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:25 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:48 PM
To: 'Dan Fick'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Dan,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Dan Fick [mailto:Danfick34@yahoo.com]
Sent: Sunday, July 24, 2011 8:27 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Dan Fick
7604 se knight street
Portland or 97206

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:25 PM
To: Moore-Love, Karla
Cc: Sperry, Arianne
Subject: FW: Recology

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:48 PM
To: 'Carly Vollet'
Cc: Frugoli, Sheila
Subject: RE: Recology

Dear Carly,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13. Although assertions were made that the facility will be smelly and noisy, the applicant provided information asserting the plans indicate it will not.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: Carly Vollet [mailto:carly.vollet@pcc.edu]

Sent: Monday, July 18, 2011 12:32 PM

To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman

Subject: Recology

Dear Mayor Adams and Commissioners,

I have some concerns about Recology beginning to accept food scraps for composting. I think many citizens have brought up some important points, but rather than reiterate those, I'd like to provide a few thoughts of my own. I am all for composting as much as possible. I compost heavily in my yard, but I limit it to vegetable matter in order to ward off pests and unsightly smells. When I first heard of the Recology proposal from a neighbor, I thought it was an obvious solution to the problem of dealing with waste. That was until I heard that they were going to be located right off the Springwater trail and that they would be accepting ALL food waste. I use the Springwater trail several times a week. While there is certainly a lot of industry on the trail, most of it is obscured from sight by blackberry bushes and grasses. However, it would be impossible to cover up the smell produced by a commercial composting facility. The Springwater trail is a great resource for the city of Portland and especially for outer Southeast Portland where our recreation choices are not as great as our neighbors closer to the city.

After living in the Lents/Powellhurst-Gilbert area for 5 years, I have noticed that my neighbors are very sensitive to changes in the neighborhood. One only has to think back to the bike lanes installed on Holgate Blvd (92nd-122nd) or I-205 splitting the Lents city center to know what I mean. (By the way, I love the bike lane and think it is a step in the right direction, but it still made a lot of people furious). There is also the perception that our part of town doesn't get a fair shake when it comes to city resources and money. Many roads are unimproved and there are no sidewalks on even major streets like Holgate Blvd. Pedestrian safety is a major concern. With a high proportion of renters to home owners, many decisions about the neighborhood are made with the input of only a small few. Allowing a noisy, smelly composting facility will only reinforce the idea that Lents is treated like a slum by the city. So all I am asking is that you take our concerns seriously. Many of us live here because we can't afford to live anywhere else. Please don't make our area a dumping ground for the city's waste. I applaud your effort to deal with our waste in an alternative fashion, just don't do it within the city.

Carly Vollet

Mathematics Instructor

PCC-Cascade Campus

Student Services Building Room 315

971-722-5564

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:24 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:45 PM
To: 'Brian D'Agostine'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Brian,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Brian D'Agostine [mailto:b.dag.name@gmail.com]
Sent: Wednesday, July 20, 2011 9:00 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Brian D'Agostine
9818 SE Reedway
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:24 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:45 PM
To: 'barbara Fick'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Barbara,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: barbara Fick [mailto:Danfick34@yahoo.com]
Sent: Sunday, July 24, 2011 8:27 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

barbara Fick
7604 se knight street
Portland or 97206

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:23 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:44 PM
To: 'Barbara Bader'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Barbara,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Barbara Bader [mailto:bbader53@gmail.com]
Sent: Sunday, July 17, 2011 1:07 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Barbara Bader
9240 S.E. Gladstone
portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:22 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:44 PM
To: 'Adam Saari'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Adam,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: Adam Saari [mailto:arsaa123@gmail.com]
Sent: Tuesday, July 19, 2011 7:21 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Adam Saari
1821 SE Minter Bridge Rd. # 5
Hillsboro, OR 97123

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:13 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:12 AM
To: 'Yolanda Prado'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Yolanda,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Yolanda Prado [mailto:pradoyolanda@hotmail.com]
Sent: Thursday, July 14, 2011 7:15 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Yolanda Prado
10645 SE Rex St
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:32 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 9:20 PM
To: 'THAI TRAN'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Thai,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: THAI TRAN [mailto:susie.jackie@hotmail.com]
Sent: Tuesday, July 19, 2011 3:04 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

THAI TRAN
9727 SE WOODSTOCK BLVD
PORTLAND, OR. 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:32 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 9:19 PM
To: 'Tamera Barth'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Tamera,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

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Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Tamera Barth [mailto:tlb796@yahoo.com]
Sent: Tuesday, July 19, 2011 2:31 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Tamera Barth
7003 se 86th ave.
portland or. 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:32 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 9:18 PM
To: 'Monica Keehn'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Monica,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

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Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Monica Keehn [mailto:mrkeehn@gmail.com]
Sent: Tuesday, July 19, 2011 6:56 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Monica Keehn
5135 se 63rd ave
Portland, OR 97206

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:31 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 9:18 PM
To: 'Mellanie'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Mellanie,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Mellanie [mailto:mellanie_mt@comcast.net]
Sent: Monday, July 18, 2011 4:17 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Mellanie
8416 SE Sherrett st
Portland, OR, 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:30 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:59 PM
To: 'Matt Ruhland'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Matt,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Matt Ruhland [mailto:mattru@hotmail.com]
Sent: Monday, July 18, 2011 6:54 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Matt Ruhland
6342 SE 89th Ave
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:29 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:59 PM
To: 'matt mascarenas'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Matt,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: matt mascarenas [mailto:mattm2@comcast.net]
Sent: Tuesday, July 19, 2011 12:37 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

matt mascarenas
5810 se 101st ave
portland or 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:29 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:58 PM
To: 'MARIA MILLAN'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Maria,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: MARIA MILLAN [mailto:maricarmen7319@hotmail.com]
Sent: Tuesday, July 19, 2011 3:01 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

MARIA MILLAN
9727 SE WOODSTOCK BLVD
PORTLAND, OR. 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:29 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:57 PM
To: 'Jessica Callahan'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Jessica,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Jessica Callahan [mailto:jessicamarlow@yahoo.com]
Sent: Tuesday, July 19, 2011 8:17 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit

and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Jessica Callahan
8531 SE Brooklyn St
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:28 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Sunday, July 24, 2011 8:57 PM
To: 'Jennifer Beillard'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Jennifer,

Thank you for your message. Council must make our decision based on the evidence in the record, and on whether the proposal meets the applicable approval criteria in the Code. I was impressed with the quality of testimony at the hearing on July 13.

The record is being held open for two weeks until this coming Wednesday, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Jennifer Beillard [mailto:jazcam311@gmail.com]
Sent: Wednesday, July 20, 2011 3:27 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Jennifer Beillard
7229 SE Terrace Trails Drive
Portland, OR 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Friday, July 22, 2011 10:22 PM
To: McKnight, Bonny
Cc: Moore-Love, Karla; Frugoli, Sheila
Subject: RE: Potential Food Scrap Recycling Pilot Project in Lents

Thanks, Bonny, I appreciate the information you sent. As you know, since this is a quasi-judicial appeal, I cannot comment outside of the public record and hearing. I am copying Karla and Sheila to ensure your comments are included in the case file. Please be sure to send your observations to my colleagues on the Council, if you haven't already. Thank you for sending your expert advice and evidence-based experience.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: Bonny McKnight [mailto:bonnymck@comcast.net]
Sent: Friday, July 22, 2011 7:25 PM
To: Commissioner Fritz
Subject: Potential Food Scrap Recycling Pilot Project in Lents

Amanda

I read about this in Neighborhood Notes and wanted to provide some background information for you before it hits Council.

The oldest, largest, and most sophisticated business doing this sort of work came to Wilkes in May of 2005 to attempt to site a facility at the very end of the south shore area in East Portland. They were very informative about what they were exploring, had already held significant talks with METRO since METRO would have to allow them to do the work of recycling food scraps, and also explained their use of tested, state of the art Scandinavian technology in their processing. Ross Monn, Alice Blatt, and I were flown up to their Everett, Washington site which was along a river, in a reasonably large undeveloped area, and collected

food waste from major haulers in the Everett-Seattle area. They added the food waste to other sorts of materials and made compost.

The site had no odor at all, was huge, collected everything within large, self-processing buildings, and had very sophisticated methods of moving materials from one place on site to another as they were breaking down into compost, using the heat the process generated naturally and collecting the water runoff, separating it, collecting the pure water to reuse in their processes, and collecting the other water residue within sealed buildings to avoid any runoff at all.

Their investment was impressive and we all came away supporting the proposal which was eventually shot down by house boat owners along the Columbia river who claimed loss of property values.

I bring this up because Cedar Grove was the state of the art in recycling food waste, still is serving the Seattle area, and has recently been fined by the State of Washington for violations of the clean air act due to noxious odors. If the area's best, oldest, and most sophisticated food scrap recycler could not avoid an odor problem when they were located outside the city it is a fair indicator of a problem in siting anything similar within a city.

The pilot project in Lents is being proposed by Recology Oregon which has never before handled food scraps in any of its recycling sites and was denied by the City the right to process food scraps in a recent land use review, which I have attached -

LU 10-203967 CU AD. The City approval did not include the acceptance of commercial food waste at the Suttle Road Recovery Facility. This would have been their first attempt to add food waste to their recycling work.

I have attached four pieces of information for you to review:

Recology website info
Recology licensing information/METRO
Cedar Grove website info/rates
Cedar Grove fine information/Seattle Times

I hope you will make this issue your own. This is not a "nimby" question, in my opinion. It is a non-dumping ground question for East Portland and it is recognizing the city responsibility to not use areas at the fringes of the city for things that would not be even considered closer to the center. I think the argument is that we recognize mistakes made in the past and will act much more carefully in the future when untested impacts on residential areas are proposed. Equity has meaning and that includes the equitable consideration of neighborhood impacts in whatever we do.

Here are the attachments:

Moore-Love, Karla

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 9:04 PM
To: 'fjfleck@comcast.net'
Cc: Moore-Love, Karla; Frugoli, Sheila
Subject: RE: City of Portland TrackIT Submission: Commissioner Amanda Fritz Item 515271

Dear Frank,

Thank you for your message submitted via my web site. I am copying the Council Clerk and the planner assigned to the case, since all interactions on a land use case must be entered into the record.

State regulations require that the Council must make this decision based only on the Approval Criteria listed in the Code. Whether the neighbors or elected officials support the proposal is not one of the specified factors. I am not allowed to consider whether the application has approval from the Neighborhood Association, Commissioner Shiprack, or Senator Monroe in making my decision.

The issues raised at the hearing regarding noise, odor, vermin and litter are indeed Approval Criteria. The record is being held open to allow more evidence to be submitted in support of or against concerns on these factors, and whether the facility's proposed design adequately addresses the potential problems. Again, we are not allowed to consider how many neighbors are concerned, rather only the evidence supporting whether or not the application proves all standards will be met.. I am also not allowed to consider if there is a better location for the facility elsewhere, since the owner and applicant have the right to apply to locate it on this property.

If I had joined Commissioner Leonard's motion approving the appeal last week, it seemed likely the vote would have been 2-2. The motion would therefore have failed, and the application would be approved and moving forward at this time. This is because the default is the Hearings Officer's approval, if the appeal does not get three votes. I did not believe there was enough information in the record at the hearing to either deny or approve the application, therefore I supported keeping the record open so that both sides can put more evidence into the record.

Sheila Frugoli, the planner on the case, can give you more information on the issues raised at the hearing and evidence submitted or still pending. Her number is 503-823-7817. Thank you for participating in this land use review.

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: noreply@portlandoregon.gov [mailto:noreply@portlandoregon.gov]

Sent: Thursday, July 14, 2011 4:32 PM

To: Commissioner Fritz

Subject: City of Portland TrackIT Submission: Commissioner Amanda Fritz Item 515271

The following item has been submitted to the TrackIT system

TrackIT Item: 515271

Category: Question

Date Created: 07/14/2011 4:32 PM

Date Received: 07/14/2011

Contact: Frank Fleck

PortlandOnline User
ffleck@comcast.net

Contact Type: Website

Subject: Other

Attachment: Microsoft Word - Ina recology.docx.pdf

Letter to City Council on Recology from Judy Shiprack.pdf

Letter to City Council on Recology from Sen Rod Monroe.pdf

Summary:

Dear Commissioner Fritz,

Regarding City Council meeting July 13, 2011. Item #736

Please help me understand the city council's response at the meeting.

In regards to the proposal by Recology to operate a food waste operation in Lents:

1. The people in Lents are against it.
2. The Lents Neighborhood Association is against it (see letter attached).
3. Multnomah County Commissioner Judy Shiprack, who represents Lents, is against it (see letter attached).
4. State Senator Rod Monroe, who represents Lents, is against it (see letter attached).
5. There are Metro facilities that can handle this food waste.

So, why is it that you did not join us and oppose the locating of the food waste operation in Lents? Thank you.

Sincerely,

Frank Fleck

Moore-Love, Karla

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 2:15 PM
To: 'Yolanda Prado'
Cc: Moore-Love, Karla; Frugoli, Sheila
Subject: RE: [Approved Sender] RE: Vote NO on Recology's Permit!

Thank you for your further comments, Yolanda. State regulations require that the Council must make this decision based only on the Approval Criteria listed in the Code. Value of neighboring properties is not one of the specified factors. The issues raised at the hearing regarding noise, odor, vermin and litter are indeed Approval Criteria. The record is being held open to allow more evidence to be submitted in support of or against concerns on these factors. Again, we are not allowed to consider how many neighbors are concerned, rather only the evidence supporting whether or not concerns are valid.

Sheila can give you more information on the issues raised at the hearing and evidence submitted or still pending. Her number is 503-823-7817.

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: Yolanda Prado [mailto:pradoyolanda@hotmail.com]
Sent: Saturday, July 16, 2011 8:38 AM
To: Commissioner Fritz
Subject: [Approved Sender] RE: Vote NO on Recology's Permit!

Amanda,

In addition to the evidence presented, I am very concerned about the value of my house decreasing. Due to the financial crisis, my house has decrease in value by \$137k, and now I am afraid that his facility will put a nail in my house value coffin to where it is worth nothing.

As a heavily taxed Multnomah resident, I should have a voice about what goes on in my community especially when it might affect the value of my property.

Thank you for your consideration.

> From: amanda@portlandoregon.gov
> To: pradoyolanda@hotmail.com

> CC: Sheila.Frugoli@portlandoregon.gov
> Date: Sat, 16 Jul 2011 00:11:30 -0700
> Subject: RE: Vote NO on Recology's Permit!
>
> Dear Yolanda,
>
> Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.
>
> The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.
>
> Thank you for participating in helping the Council to make this important decision.
>
> Sincerely,
>
> Amanda
>
>
> Amanda Fritz
> Commissioner, City of Portland
>
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>
> -----Original Message-----
> From: Yolanda Prado [mailto:pradoyolanda@hotmail.com]
> Sent: Thursday, July 14, 2011 7:15 AM
> To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
> Subject: Vote NO on Recology's Permit!
>
> Dear Mayor Adams and Commissioners,
>
> I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.
>
> Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.
>
> Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.
>

> Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

>
> Thank you for your consideration,

>
> Yolanda Prado
> 10645 SE Rex St
> Portland, OR 97266
>

Moore-Love, Karla

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:03 AM
To: 'sharon neyman'
Cc: Frugoli, Sheila; Moore-Love, Karla
Subject: RE: Vote NO on Recology's Permit!

Dear Sharon,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugal, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: sharon neyman [mailto:twilightlady@q.com]
Sent: Friday, July 15, 2011 2:45 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

sharon neyman
9902 SE Knight St.
portland OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:13 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:11 AM
To: 'Josie Benfield'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Josie,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

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Commissioner, City of Portland

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-----Original Message-----

From: Josie Benfield [mailto:josie_benfield@yahoo.com]
Sent: Thursday, July 14, 2011 9:29 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

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Thank you for your consideration,

Josie Benfield
10360 SE Reedway St
Portland, OR, 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:13 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:10 AM
To: 'Rebecca Storey'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Rebecca,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: Rebecca Storey [mailto:btoo@comcast.net]
Sent: Thursday, July 14, 2011 12:09 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Rebecca Storey
6034 SE 101st Avenue
Portland Oregon 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:12 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:09 AM
To: 'Cindy M Matthews'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Cindy,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

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Sincerely,

Amanda

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Commissioner, City of Portland

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-----Original Message-----

From: Cindy M Matthews [mailto:cindymmatthews@gmail.com]
Sent: Thursday, July 14, 2011 5:09 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Cindy M Matthews
8728 SE Knapp Street
Portland, OR 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:12 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:08 AM
To: 'James Mays'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear James,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: James Mays [mailto:general_lee97236@yahoo.com]
Sent: Thursday, July 14, 2011 7:12 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

James Mays
7435 s.e. 86th.ave.
portland or.97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:12 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:07 AM
To: 'Ben Franco'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Ben

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

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Commissioner, City of Portland

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-----Original Message-----

From: Ben Franco [mailto:bobnixnorf@care2.com]
Sent: Thursday, July 14, 2011 9:30 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

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Thank you for your consideration,

Ben Franco
8708 SE Foster Road
Portland, Oregon

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:11 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:06 AM
To: 'Nora E Pickering'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Nora,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Nora E Pickering [mailto:prospector49@comcast.net]
Sent: Friday, July 15, 2011 9:33 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

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Thank you for your consideration,

Nora E Pickering
6501 S.E. 97th Ave
Portland , Or. 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:11 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:06 AM
To: 'Kenneth Lie'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Kenneth,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Kenneth Lie [mailto:untwed@yahoo.com]
Sent: Friday, July 15, 2011 10:30 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Kenneth Lie
11006 se henderson dr
portland or 97266

Moore-Love, Karla

From: Frugoli, Sheila
Sent: Monday, July 25, 2011 2:10 PM
To: Moore-Love, Karla
Subject: FW: Vote NO on Recology's Permit!

-----Original Message-----

From: Commissioner Fritz
Sent: Saturday, July 16, 2011 12:05 AM
To: 'Annmarie E.Bruning'
Cc: Frugoli, Sheila
Subject: RE: Vote NO on Recology's Permit!

Dear Annmarie,

Thank you for your message. Council must make our decision based on the evidence in the record. I was impressed with the quality of testimony at the hearing this past week.

The record is being held open for two weeks, for review of the evidence presented at the hearing. Please copy the planner assigned to the case, Sheila Frugoli, with your testimony on the details of the proposal, if you have comments on the issues presented. I am particularly interested in neighbors' experience with odor and noise with the facility as it currently operates, and with any information gathered from Recology sites elsewhere in the Metro region.

Thank you for participating in helping the Council to make this important decision.

Sincerely,

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Commissioner, City of Portland

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-----Original Message-----

From: Annmarie E.Bruning [mailto:annmarie-bruning@hoffmancorp.com]
Sent: Friday, July 15, 2011 1:42 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten

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Thank you for your consideration,

Annmarie E. Bruning
10214 SE Knight Street
Portland, OR 97266

Moore-Love, Karla

From: Ryan, Corinne F. (Perkins Coie) [CRyan@perkinscoie.com] on behalf of Robinson, Michael C. (Perkins Coie) [MRobinson@perkinscoie.com]
Sent: Friday, July 15, 2011 4:49 PM
To: 'ddutra@recology.com'; McKinney, Susan; Frugoli, Sheila; Moore-Love, Karla
Cc: Robinson, Michael C. (Perkins Coie)
Subject: City of Portland Case File No. LU 10-194818 CU AD (Recology at SE 101st Avenue)
Attachments: fritz ltr.pdf; Exhibit 1.pdf

Mike asked that I send you a copy of his letter and exhibit addressed to Commissioner Fritz regarding the above-referenced. The original letter and exhibit were sent today to Commissioner Fritz via U.S. Mail.

Please contact Mike at (503-727-2264) if you have any questions.

Michael C. Robinson | Perkins Coie LLP

1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2264
MOBILE: 503.407.2578
FAX: 503.346.2264
E-MAIL: mrobinson@perkinscoie.com
18388-0006

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1120 N.W. Couch Street, Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2000

FAX: 503.727.2222

www.perkinscoie.com

Michael C. Robinson

PHONE: (503) 727-2264

FAX: (503) 346-2264

EMAIL: MRobinson@perkinscoie.com

July 15, 2011

VIA U.S. MAIL

Commissioner Amanda Fritz
1221 SW Fourth Avenue, Room 220
Portland, OR 97204

Re: City of Portland Case File No. LU 10-194818 CU AD (Recology at SE 101st Avenue)

Dear Commissioner Fritz:

This office represents the applicant in the above-referenced matter. I am copying the appropriate staff at the Bureau of Development Services and City Clerk Karla Moore-Love so that this letter and its enclosure can be made part of the official record before the City Council in this matter and also to ensure that this communication is not an *ex parte* contact. This letter is part of the applicant's evidentiary submittal which is due no later than July 27, 2011.

You asked during the public hearing on July 13, 2011 what the prevailing winds are in this area. I have attached a map (labeled as "Exhibit 1") that shows the prevailing wind directions at the Recology site. Recology prepared this map as part of its food waste application to Metro. During the months of May through October, the prevailing winds blow from the north/northwest. During the months of November through April, the prevailing winds blow from the east/southeast.

I hope this evidence is helpful to you and that it answers your question. I will address this map in more detail in the applicant's remaining evidentiary submittal. The only point regarding wind direction that I would make now is that, regardless of which way the wind blows at this facility, someone's house will be in its path. What is equally true is that Recology can and will operate the proposed facility in a way which respects its neighbors by avoiding the creation of odor and meeting applicable noise standards. In fact, no one testified at the hearing about any odor from the existing facility which presently recycles yard debris outside of the building.

18388-0006/LEGAL21334375.1

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Perkins Coie LLP and Affiliates

Commissioner Amanda Fritz
July 15, 2011
Page 2

I would also like to add a final point regarding noise. You noted during the hearing the warning device sound that trucks make when they are in reverse. As Kerrie Standlee testified, this is a common sound in industrial parks and Recology's trucks will not be distinguishable from other trucks in the Freeway Lands industrial park. Warning device sounds are also exempt from City and Oregon Department of Environmental Quality ("DEQ") standards when they operate continuously for less than three (3) minutes under the City of Portland Code ((PCC 18.14.010(F)) and for less than five (5) minutes under DEQ administrative rules ((OAR 340-035-0035(5)(b)).

Very truly yours,

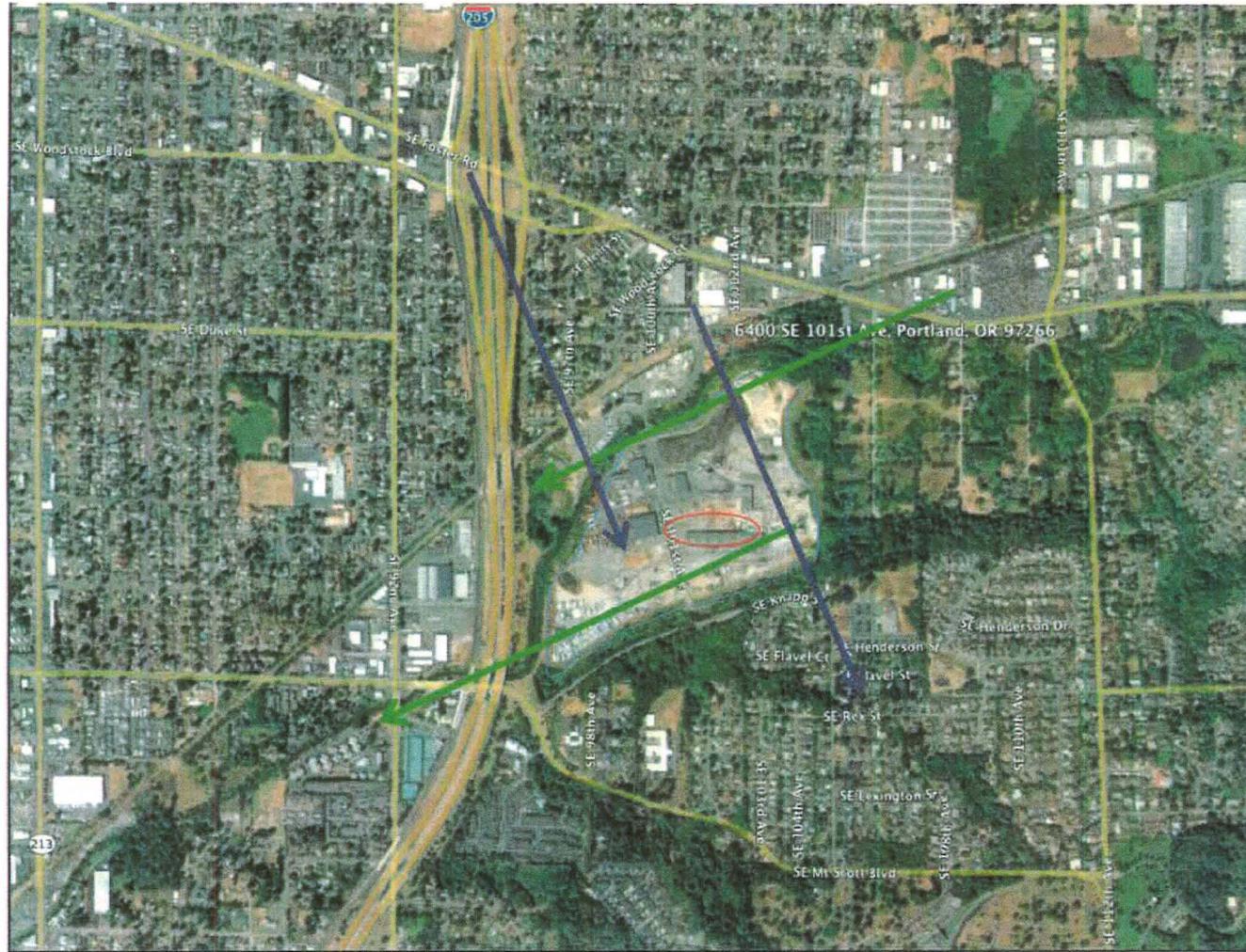


Michael C. Robinson

MCR:cfr

Enclosure

Cc: Mr David Dutra (w/encl.) (via email)
Ms Susan McKinney (w/encl.) (via email)
Ms Sheila Frugoli (w/encl.) (via email)
Ms Karla Moore-Love (w/encl.) (via email)



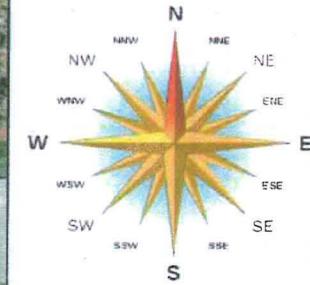
= Freeway Land Complex

= FRRF Facility

= November – April Prevailing Winds = ESE

= May – October Prevailing Winds = NNW

Foster Road Recovery Facility – Prevailing Winds by Season



**OPPOSE
APPEAL**

APPEAL OF COTTONWOOD CAPITAL PROPERTY MGMT,
FLECK, GOSSETT RE APPLICATION OF RECOLOGY

6400 SE 101ST AVE LU 10-194818 CU AD

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
MICHAEL ROBINSON	1120 NW COUCH ST, TENTH FLOOR PORTLAND, OR 97209-4128	MROBINSON@PERKINSCOPE.COM
DAVID PUTRA	6161 NW 61 ST AVE, PORTLAND	DPUTRA@RECOLOGY.COM
✓ Kevin Loftus	2495 NW Nicolai Portland OR 97210	KevinLoftus@shadysquarellc.com
✓ MATT HOGHART	KITTELSON + ASSOCIATES INC 610 SW ALDER, SUITE 700 PORTLAND OR 97205	MHOGHART@KITTELSON.COM
✓ Alex Schay	4921 SE 74 TH 97206	Alex@CarbonSolutionsNorthwest.com
✓ Kerrie Standke	4900 SW Griffith Dr #205, Beaverton 97005	icstandke@acovstechgroup.com
✓ Roy Hatchett	6030 SE 90 TH Ave	Crow042@yahoo.com

**SUPPORT
APPEAL**

**APPEAL OF COTTONWOOD CAPITAL PROPERTY MGMT,
FLECK, GOSSETT RE APPLICATION OF RECOLOGY**

6400 SE 101ST AVE LU 10-194818 CU AD

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Steve Clayton MICHAEL D. CLAYTON	120 MOUNTAIN COUCH ST , 10TH 6350 S. 3000 E., Ste. 510, SLC, UT 84106 KENTZ	sclayton@cottonwoodcap.com
✓ Gigi DuBose	7828 SE Aspen Summit Drive OFFICE	gottmountainmgr@CottonwoodAp.com
✓ FRANK FLECK	7507 SE 105 th Ave 97266	fjfleck@comcast.net
✓ Debra Fleck	7507 SE 105 th 97266	—
✓ Kathleen Gossett	1108 SE Henderson St 97266	Kathleen.gossett@comcast.net
✓ Gary Gossett	- - - same -	604angtree@hotmail.com
✓ Peter Arbozov	6106 SE 100 th Ave Portland OR	503 777 8327
✓ Katherine Sheehan (formerly Milton)	7641 SE 109 th Ave Portland 97266	503-313-9955
✓ Paul L Dieter	7414 SE 86 Ave. Portland OR 97206	503-775-1293
✓ Bill Endicott	10313 SE. Reedway Port. OR 97266	503-484-4888

**SUPPORT
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NAME (print)

ADDRESS AND ZIP CODE

Email

✓ Joe Apasadero	5500 SE 109th Ave 97266	
✓ Rose Causey	10137 SE Lexington St Portland OR 97266	causeyfr1440@comcast.net rose
✓ Tiffany Murray	6123 SE 101st Ave Portland OR 97266	tiffanyraemurray@yahoo.com
✓ Tony Bonillo	10736 SE KNAPP CIR 97266	
Joni Coffman	9703 SE Claybourne St. Portland 97266	Justabove65@aol.com
Kelly Alwin	4525 NE 118th Ave Portland 97266	kellylynnalw@yahoo.com

Rec'd 7-13-11

July 11, 2011



Recology Oregon Material Recovery, Inc.
4044 N. Suttle Road
Portland, Oregon 97217

Daly • Standlee & Associates, Inc.

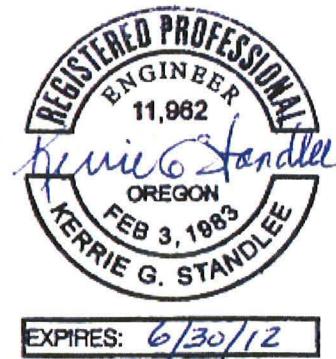
4900 S.W. Griffith Drive
Suite 205
Beaverton, Oregon 97005
(503) 646-4420
Fax (503) 646-3385

Attn: Ame LeCocq, Regional Environmental Compliance Manager

From: Daly-Standlee & Associates, Inc.

A handwritten signature in blue ink that reads "Kerrie G. Standlee".

Kerrie G. Standlee, P.E.
Principal



Re: Recology Organic Waste Transfer Operation Noise Assessment
Project #: 141111

Introduction

Daly-Standlee & Associates, Inc. visited the SE Foster Road Recology solid waste material recovery center to become familiar with the current operations at the facility and to gather sound data that could be used to help predict and assess the noise that will radiate from the facility if an organic waste transfer operation is added to the facility. This report presents the findings of our measurements and observations and the conclusions drawn from that data.

Summary of Findings

Operations at the Recology solid waste recovery facility on Monday, July 11, 2011 included the delivery, unloading and sorting of solid waste materials inside the building located at the facility and the delivery, unloading and stockpiling of yard debris at an area north of that building. The operations on July 11, 2011 did not include the running of the wood debris grinding machine that is only used when there is enough accumulated wood debris to warrant the use of the equipment.

The maximum noise levels radiating from the existing Recology solid waste material recovery center on Monday, July 11, 2011, were found to be in the range of 53 to 57 dBA at the nearest residence south of the facility, approximately 550' from the facility. The maximum noise levels radiating from the facility were generally very short in duration and observed to only occur on a random basis when something inside the tipping room was



Recology Organic Waste Transfer Operation Noise Assessment

dropped on the floor of the facility or into a waiting commercial hauling trailer. The maximum noise levels measured at the nearest residence were found to be less than the maximum level of 65 dBA allowed in the City of Portland noise ordinance (Chapter 18.10 Maximum Permissible Sound Levels) for industrial noise sources radiating sound to residential receivers. The facility will not be operating at night, so the nighttime noise standards from the City of Portland noise ordinance do not apply.

In general, the noise radiating from the existing Recology solid waste material recovery center on Monday, July 11, 2011, would be considered a minor contributor to the ambient noise levels at residences south of the facility. In fact, much of the time, noise radiating from the Recology facility was inaudible at the measurement location due to the sound radiating from other sound sources such as traffic on the I-205, traffic on SE Knapp Street, the Cemex concrete batch plant east of the facility, the Oregon Pallet refurbishment facility west of the Recology facility and the Ryerson metal building fabrication operation located in the same building occupied by the Recology center. A sound level of 57 dBA was exceeded 50% of the time during a 20-minute measurement period at a point along SE Knapp Street just below the nearest residence south of the Recology facility (see Figure 1 and Figure 2). This data is considered representative of the hourly L_{50} noise level (the noise level that would be exceeded 50% of the time during an hour) at the residence nearest the Recology facility. A sound level of 63 dBA was exceeded 10% of the time during the same measurement period at the same location and this data is considered representative of the hourly L_{10} noise level that would be found at the same residence. Both measured statistical sound levels exceed the DEQ maximum allowable hourly statistical noise level limits of 55 dBA and 60 dBA (the daytime DEQ hourly L_{50} and L_{10} noise limit, respectively) but it was observed that I-205 and SE Knapp Street traffic contributed the majority of the noise resulting in the measured statistical noise levels and not the noise coming from industrial operations north of the residential area. The hourly statistical L_{50} and L_{10} noise levels radiating from the existing Recology facility are projected to be less than 50 dBA and 52 dBA respectively at any residential receiver. The facility will not be operating at night, so the DEQ night noise limits do not apply.

The noise predicted to radiate from the proposed organic waste transfer operation will, at most, increase the maximum sound levels radiating from the operations inside the building at the Recology facility by as much as 3 dB due to the fact that the proposed organic waste transfer operation will basically be a duplication of the operation that is already present inside the building and a doubling of sound is an increase of 3 dB in the sound pressure level radiating from the building. A 3 dB increase is just noticeable to most people. If the noise radiating from the existing wood debris grinder is louder than that radiating from inside the solid waste recovery building, the addition of the organic waste transfer operation inside of the building would likely cause zero to 1 dB increase in the total noise radiating from all operations at the facility. A 1 dB increase in noise level is not detectable by most people.

Even with the possibility that the maximum noise levels radiating from inside the building from the combined Recology solid waste recovery and organic waste transfer operations will be 3 dB higher than that radiating from the existing operations in the building, the noise radiating from the facility to residential receivers south of the facility will continue to



Recology Organic Waste Transfer Operation Noise Assessment

be only a minor contributor to the noise levels found at the residences. And the noise levels radiating from the combined solid waste recovery and organic waste transfer operations are predicted to remain in compliance with both the City of Portland and the Oregon DEQ noise regulation limits. The noise radiating from the Recology facility with the inclusion of the new organic waste transfer operation will be in compliance with PCC 33.262.050 and PCC 33.815.220 sections C, D and E.

Description of the Existing Recology Solid Waste Recovery Operations

Operations at the Recology solid waste recovery facility include the delivery and off-loading of solid waste from garbage packer trucks, dumpsters and pick-up trucks inside the building, the sorting and handling of that material using a front-end loader, and the use of a front-end loader to load rejected materials into a large trailer that transports the material off-site to a landfill. Typically, the garbage packer trucks and other large vehicles will back into Bay 2 of the solid waste recovery center and off-load their waste onto the floor. Pick-ups and other smaller vehicles will back into Bay 3 to off-load their waste. The rejected waste transport trailer is backed into a fourth bay on the south side of the building. The door to that bay is opened to allow the trailer to be backed into the building and it is closed once the trailer is in place. The door remains closed until the trailer is full and needs to be hauled out of the building at which time the door is opened and closed again after the trailer has been removed.

Operations at the facility also include the delivery and off-loading of yard debris and wood debris from pick-ups and small trailers brought in by individual homeowners and from large dumpsters brought in by commercial haulers into an area located north of the solid waste recovery building. The yard debris material is loaded into transfer trucks and sent to an existing off-site composting facility and the wood debris is stockpiled on site using a front-end loader where it remains until enough material is obtained to warrant the operation of a grinding machine. The grinding machine is used to shred the wood material into hog fuel. A front-end loader is used to fill commercial hauling trailers that transport the yard debris and hog fuel material off-site when enough has been accumulated.

Delivery of materials to the solid waste recovery center inside the building is heaviest during an early morning hour (sometime between 8:00 a.m. and 10:00 a.m.) and during an early afternoon hour (sometime between noon and 2:00 p.m.), but deliveries can occur at any time during operating hours from 7am to 5pm. Yard debris typically occurs on a steady basis throughout the day.

Hauling of material from the solid waste recovery center typically occurs during the afternoon when the trailer is full and hauling of hog fuel and yard debris tends to occur on a regular basis when there has been enough material stockpiled.

The noise radiating from the Recology facility with the inclusion of the new organic waste transfer operation will be in compliance with PCC 33.262.050 and PCC 33.815.220 sections C, D and E.



Description of the Proposed Recology Organic Waste Transfer Operation

The proposed organic waste transfer operation will involve the delivery of food waste mixed with organic (yard debris) material, and in some cases food waste alone, by garbage packer trucks and dumpster trucks and the off-loading of that material into a portion of the building on-site currently used for some of the solid waste recovery operations and a portion of the building currently used as an equipment maintenance shop. The material will be delivered into the building the same way the solid waste is delivered into the building (trucks back into the building off-load the material on to the floor and then drive back out of the same door they backed into). After the food/organic wastes are off-loaded onto the building floor, a front-end loader will be used to spread the material over the floor and mix the material if needed. The yard debris collection area currently located outside on the north side of the building will be relocated to inside the building where the food/organic waste will be delivered and that material will be used to mix in with food waste materials when needed.

Blowers located inside the building will be used to draw air from inside the building and blow it through a bank of bio-filters located on the north side of the recovery building. The air that flows through the bio-filters will be returned to the building through under-floor ports that allow the air to flow up through the mixed organic waste.

Once the food waste and yard debris has been adequately mixed, the front-end loader will load the mixture into large haul trailers that will be used to transport the material to an off-site composting production site.

Sound Level Measurements Made at the Existing Recology Solid Waste Recovery Facility

Sound level measurements were made at the Recology solid waste recovery facility located at 6400 SE 101st Avenue in Portland on July 11, 2011 to obtain reference sound level data for the operations that occur inside the dry-waste recovery building. Measurements were made inside the building where garbage trucks deliver and off-load dry-waste materials and a front-end loader separates and transfers unusable materials into a large trailer inside the building so it can be transported to the landfill. Sound level measurements were also made outside a doorway on the south side of the building to provide information on the amount of sound that radiates into the direction of the residences located south of the building. Finally, sound level measurements were made along the edge of SE Knapp Street approximately 500 feet southeast of the eastern most door in the building where sound from the operations inside the building exit the building (see Figure 1). The measurement position was approximately 50 feet north of the residence nearest the facility that would receive noise from the proposed new operation.

Short-term sound level measurements were made inside and outside the building with a Larson Davis Model 831, Type 1 sound level meter. The meter has the ability to determine and store both overall sound levels and octave and one-third octave band sound level data on a second by second basis and it has the ability to determine and store statistical



information about those sound levels for the period of time the meter is monitoring the sound.

Long-term sound level measurements were made along SE Knapp Street with a Larson Davis Model 720, Type 2, sound level meter which has the ability to continuously monitor the sound level and determine and store statistical data about the sound levels found during the measurement period. The meter was used to monitor the existing sound levels that would be representative of the ambient sound at the residence located nearest the Recology facility which would experience sound from the organic waste transfer operation proposed inside the material recovery building. A 20-minute measurement was made to obtain a representative measurement of the ambient noise levels at the residence and short-term measurements were made to help determine the amount of that sound that was radiating from the Recology facility. A graph of this measurement data is shown in Figure 2.

The calibration of both sound level meters used in measuring sound levels around the Recology facility was checked prior to the measurements with a Larson Davis Model CA250 calibrator.

It was noted during the sound level measurements both inside and outside the building that the highest sound radiating from the dry-waste recovery operation occurred when material was dropped onto the concrete floor inside the building. That sound was short in duration and only occurred occasionally when a garbage truck or dumpster truck off-loaded rigid material onto the floor or the front-end loader picked up the material and dropped it at another location causing an impact sound. Typically, the sound generated by the operation was that of the engines of the trucks and front-end loaders inside the building and it too was present only as long as the engines were operating at an elevated speed.

Predicted Sound Levels Radiating from Existing and Proposed New Operations and the Assessment of those Levels

The sound level data measured at the Recology facility was used to predict the amount of sound that would radiate from the existing dry-waste recovery operation and the new organic waste transfer operation to the residence nearest the facility. Since the organic waste transfer operation will utilize the same equipment that is used in the dry-waste recovery operation inside the building at the Recology facility, the sound level data measured for the dry-waste recovery operation were considered representative of the sound levels that would radiate from the organic waste transfer operation.

Since both the dry-waste and organic waste transfer operations would basically be occurring inside the building at the same time using the same equipment to do both operations, as a worst case noise modeling assumption, it was assumed that the noise generated by the new operation would basically double the sound generated inside the building. With that assumption, the sound radiating outside the building would basically be increased by 3 dB since a doubling of acoustic energy raises the total sound level by 3 dB. With these assumptions in place, it was predicted that the maximum sound level radiating from the dry-waste recovery operation and the maximum sound level radiating from the organic waste transfer operation would be in the range of 53 to 57 dBA at the



Recology Organic Waste Transfer Operation Noise Assessment

residence nearest the facility. The maximum total sound from both operations would be in the range of 56 to 60 dBA at the residence if the maximum sound generated by both operations happens to occur at the same moment. Two events causing a maximum sound to occur at the same time is very unlikely on an on-going basis but it is possible that it might occur on occasion at some time in the future.

Regardless of the number of times when two events might occur to cause the predicted maximum noise level at residences south of the recovery building, the predicted maximum noise level is below the maximum noise level allowed under Title 18, Noise Control, of the City of Portland noise ordinance. Section 18.10.010 of the noise ordinance sets the maximum noise level of 65 dBA for a noise source located in an industrial zone (the Recology site is in an industrial zone) radiating noise to a residential zone. The predicted maximum noise level above of 56 to 60 dBA is well below the maximum allowed under the City Code. Consequently, it is predicted that the noise associated with both the solid waste recovery operation and the organic waste transfer operation will comply with the requirements of Portland City Code ("PCC") 33.262.050 and 33.815.220.C, D, and E.

It should be mentioned that the maximum sound predicted to radiate from the dry-waste and organic waste transfer operations would not be present continuously at the residences south of the facility. The maximum sound level predicted at the nearest residence is just that, the maximum level; not the constant level. From observations made during the long-term measurements along SE Knapp Street, we were able to determine that the noise currently radiating from the recovery building at the Recology site is basically a minor contributor to the ambient noise at residences over-looking the site due to the fact that much more noise is contributed by source unrelated to the Recology operations such as traffic on I-205, traffic on SE Knapp Road and other operations within the industrial park such as the Cemex concrete batch plant east of the facility, the Oregon Pallet refurbishing operation west of the facility and the Ryerson metal building fabrication operation in the same building as the Recology recovery operation. A sound level of 57 dBA was exceeded 50% of the time during a 20-minute measurement period at the SE Knapp Street measurement location and a sound level of 63 dBA was exceeded 10% of the time during the same measurement period. In both instances, the sound from the Recology facility was only audible for short periods of time while the sound from the freeway traffic was constant and the sound from traffic on SE Knapp Street was the loudest sound observed.

The statistical data measured during the long-term measurement along SE Knapp Street are considered representative of the hourly L_{50} and L_{10} noise levels (the noise level that would be exceeded 50% of the time during an hour and the noise level that would be exceeded 10% of the hour respectively) at the residences nearest the Recology facility. Both measured statistical sound levels exceed the DEQ maximum allowable hourly statistical noise level limits of 55 dBA and 60 dBA (the DEQ hourly L_{50} and L_{10} noise limit respectively). However, it was observed that I-205 and SE Knapp Street traffic contributed the majority of the noise resulting in the measured statistical noise levels and not the noise coming from industrial operations north of the residential area. The hourly statistical L_{50} and L_{10} noise levels radiating from the existing Recology facility are projected to be less than 50 dBA and 52 dBA respectively at any residential receiver. The hourly statistical noise levels that will radiate from the facility with the addition of the organic waste transfer



Recology Organic Waste Transfer Operation Noise Assessment

operation into the building are expected to be no more than 3 dB over those projected to radiate from the existing operations. Even with the inclusion of the new operation, the hourly statistical noise levels radiating from the Recology facility are projected to remain below the DEQ maximum daytime hourly L_{50} and L_{10} noise level limits of 55 and 60 dBA respectively for the time when the organic waste transfer activity will be in operation.

Conclusion

The noise levels radiating from the existing solid waste and proposed organic waste transfer operations at the Recology facility located off SE Foster Road are predicted to remain in compliance with both the City of Portland and the Oregon DEQ daytime noise regulation limits. The facility will not be operating at night, so the nighttime noise standards do not apply.

The noise radiating from the Recology facility with the inclusion of the new organic waste transfer operation will be in compliance with PCC 33.262.050 and PCC 33.815.220 sections C, D and E.

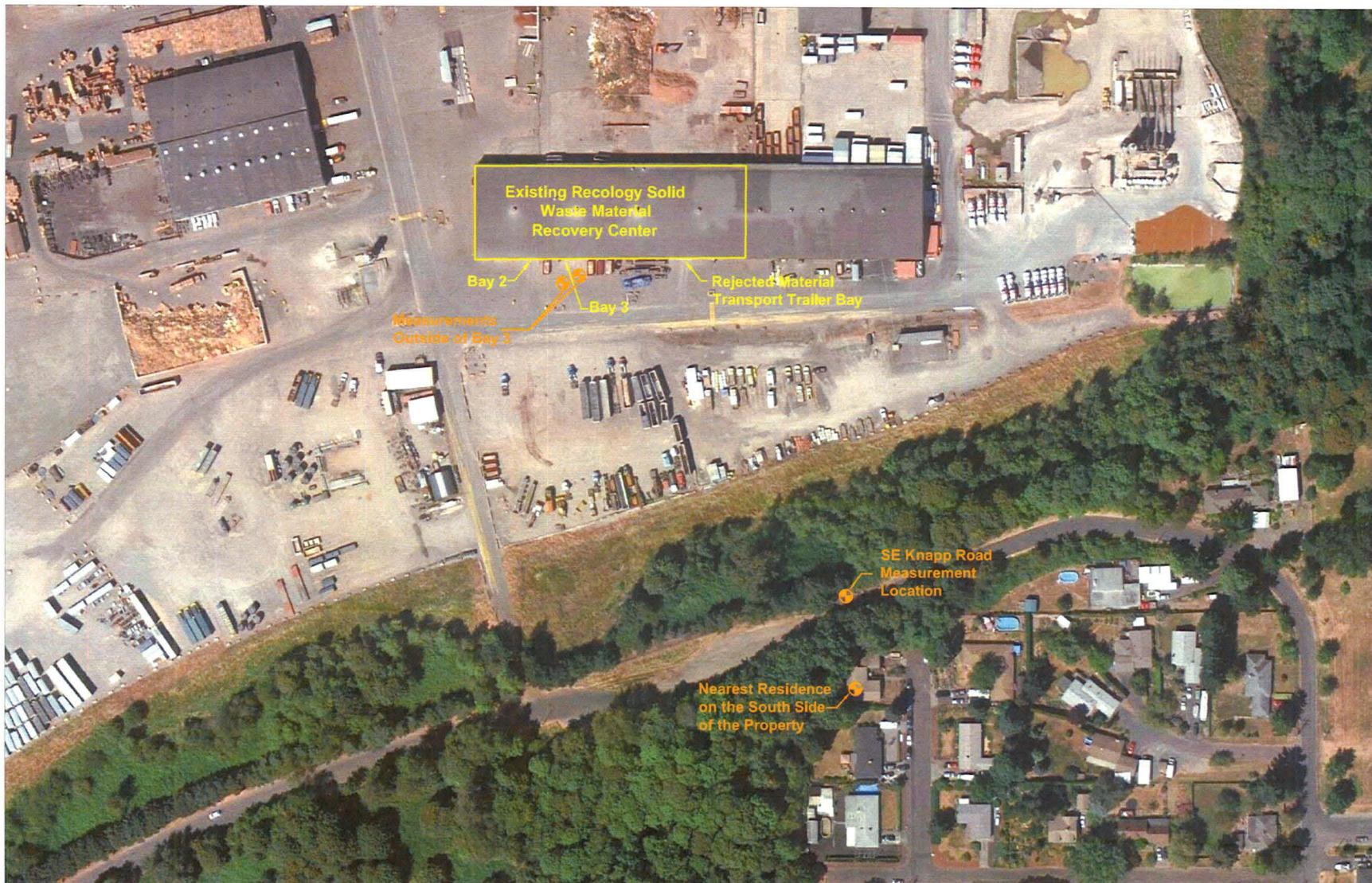


IMAGE FROM GOOGLE EARTH

Daly-Standlee & Associates, Inc.

ph: 503-646-4420

fax: 503-646-3385

email: DSA@acoustechgroup.com

Recology Sound Measurement Locations

PROJECT NO.

141111

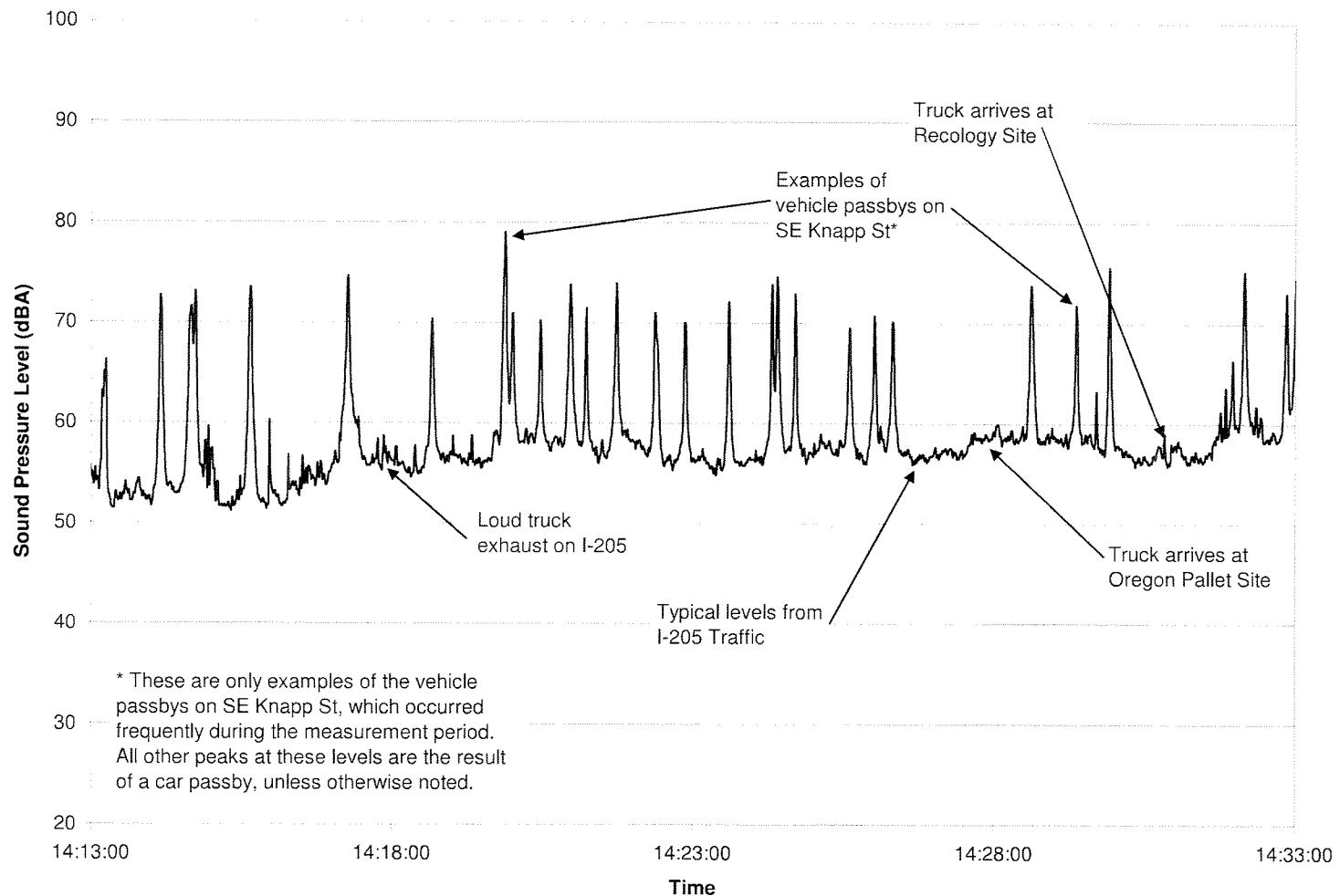
Project Engineer:

VCS

DATE:

07/12/2011

FIGURE # 1



Daly-Standlee & Associates, Inc.

Phone: 503/646-4420
Fax: 503/646-3385
Email: DSA@acoustechgroup.com

Ambient Noise Levels Measured on SE Knapp Street, July 11, 2011

DESIGNED BY:

VCS

DRAWN BY:

VCS

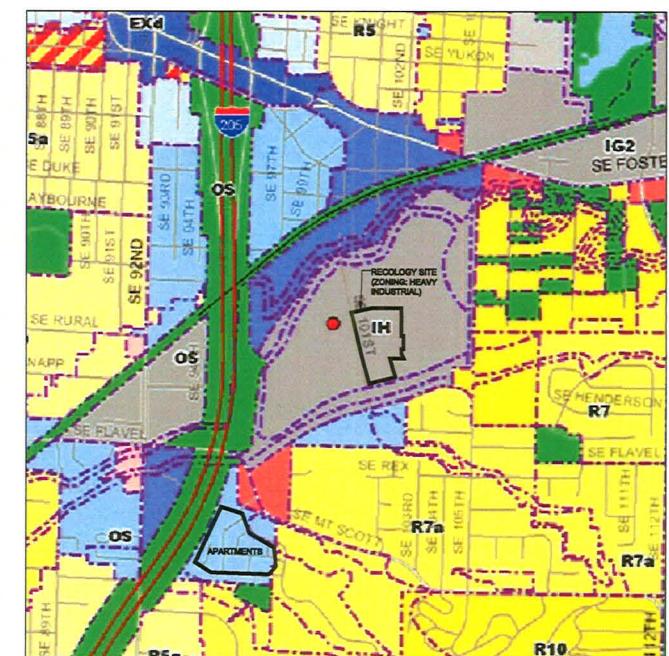
DATE:

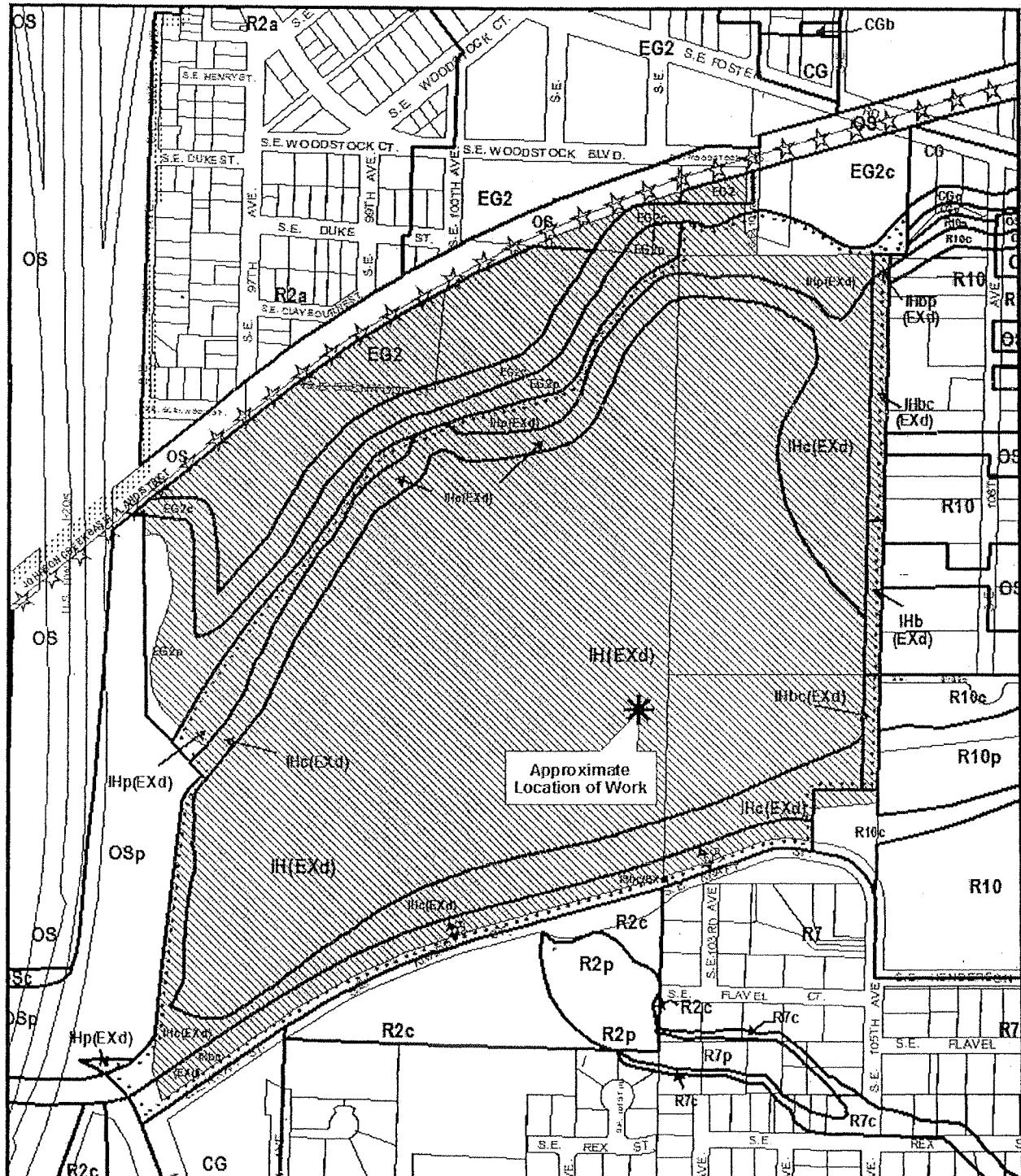
07/12/11

PROJECT NO.

141111

Figure 2





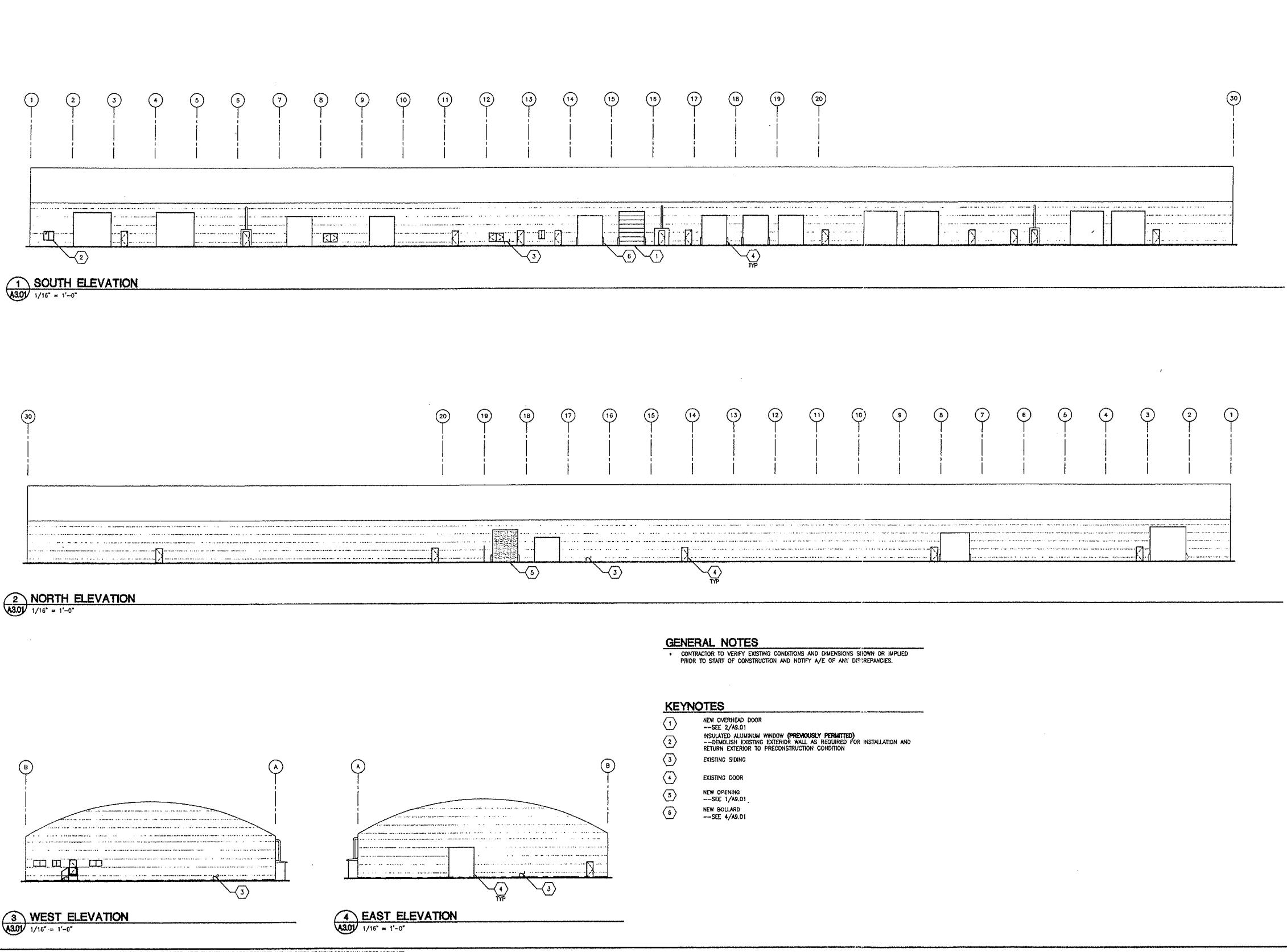
ZONING



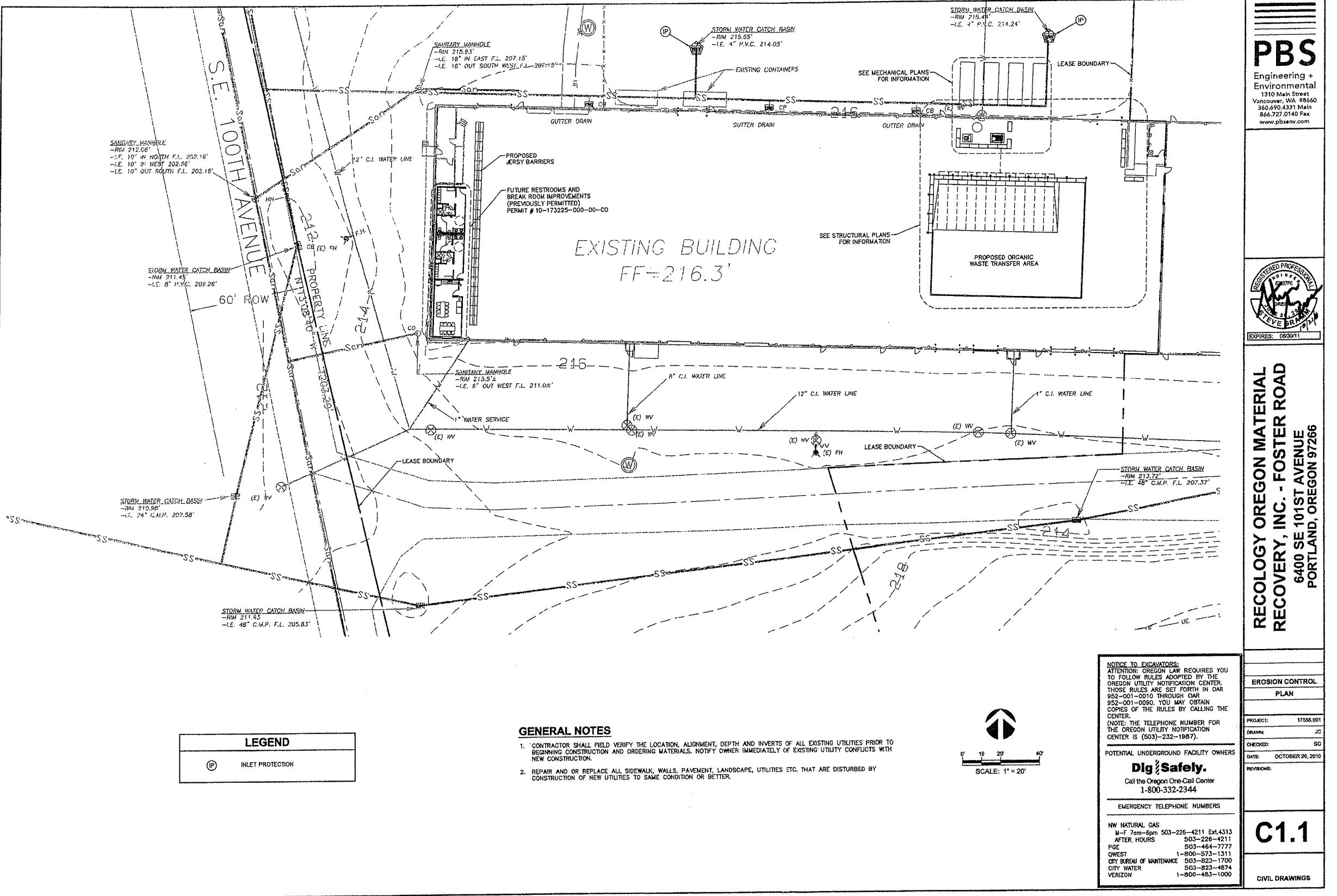
A small black arrow pointing upwards, indicating the direction of North.

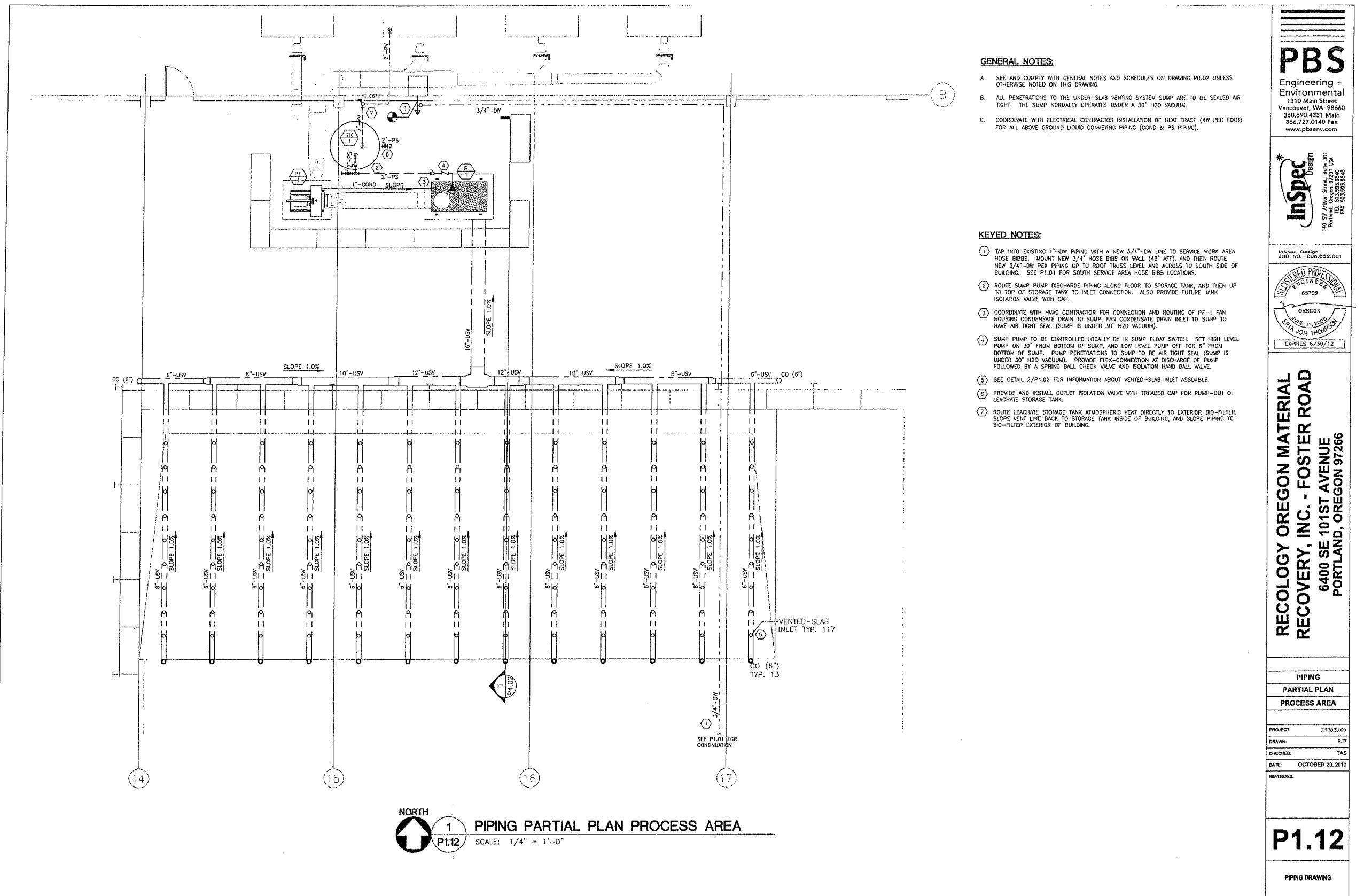
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JOHNSON CREEK BASIN PLAN DISTRICT

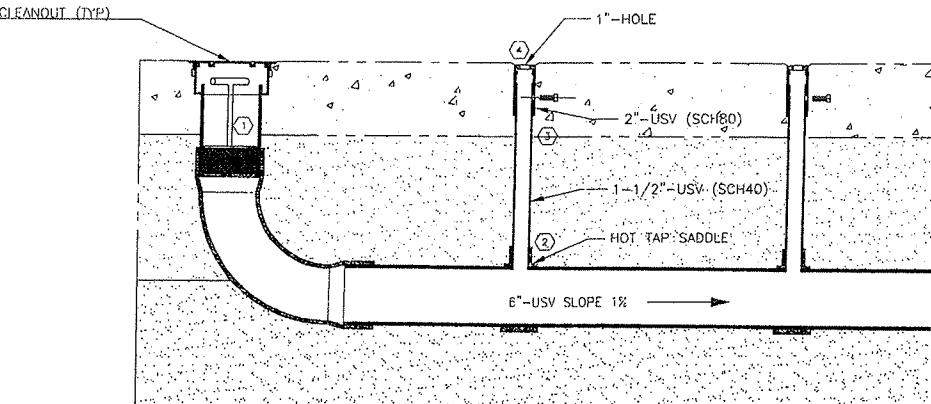
File No. EA 10-152033 PC
4 Section 3740,3741,3840
Scale 1 inch = 400 feet
State_Id 1S2E15CC 5100
Exhibit B (Aug 09,2010)



PBS	
Engineering + Environmental	
1310 Main Street Vancouver, WA 98660 360.690.4331 Main 866.727.0140 Fax www.pbsenv.com	
<p>140 SW Arthur St., Ste. 300 Portland, OR 97201 TEL: 503.995.6548 FAX: 503.995.6548</p> <p>LIVERMORE</p> <p>140 SW Arthur Street, Suite 200 Portland, Oregon 97201 TEL: 503-867-3003 FAX: 503-867-3003</p>	
<p>STRUCTURAL PROFESSIONAL ENGINEERS INC. - PORTLAND, OREGON 13057 W.F. WILSON, P.E. J. H. BROWN, S.E. 11/27/10</p>	
<p>RECOLOGY OREGON MATERIAL RECOVERY, INC. - FOSTER ROAD</p> <p>6400 SE 101ST AVENUE PORTLAND, OREGON 97266</p>	
<p>ELEVATIONS</p>	
<p>PROJECT: 210023.00 DRAWN: CSN CHECKED: GML DATE: OCTOBER 20, 2010 REVISIONS:</p>	
<p>A3.01</p>	
<p>ARCHITECTURAL DRAWING</p>	

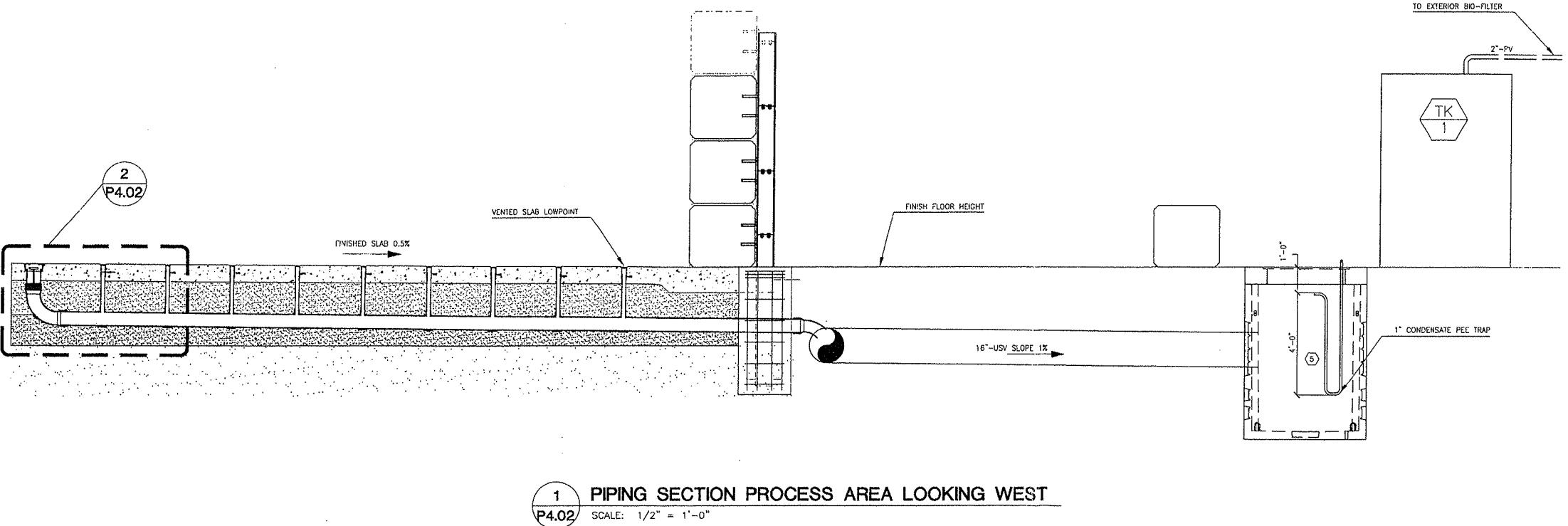






2 ENLARGED PIPING DETAIL PROCESS AREA
P4.02 SCALE: 1-1/2" = 1'-0"

2 SCALE: 1-1/2" = 1'-0"



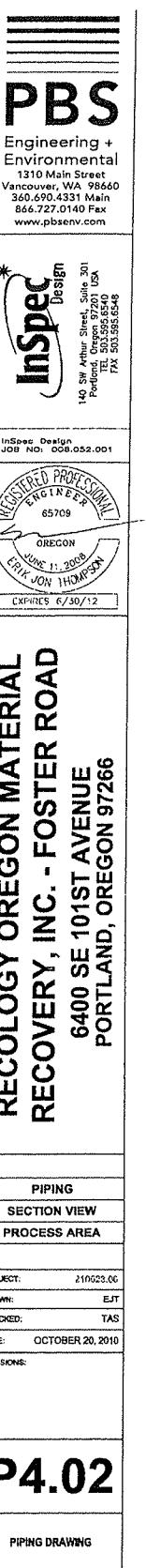
1 PIPING SECTION PROCESS AREA LOOKING WEST
P4.02 SCALE: $1/2"$ = $1'-0"$

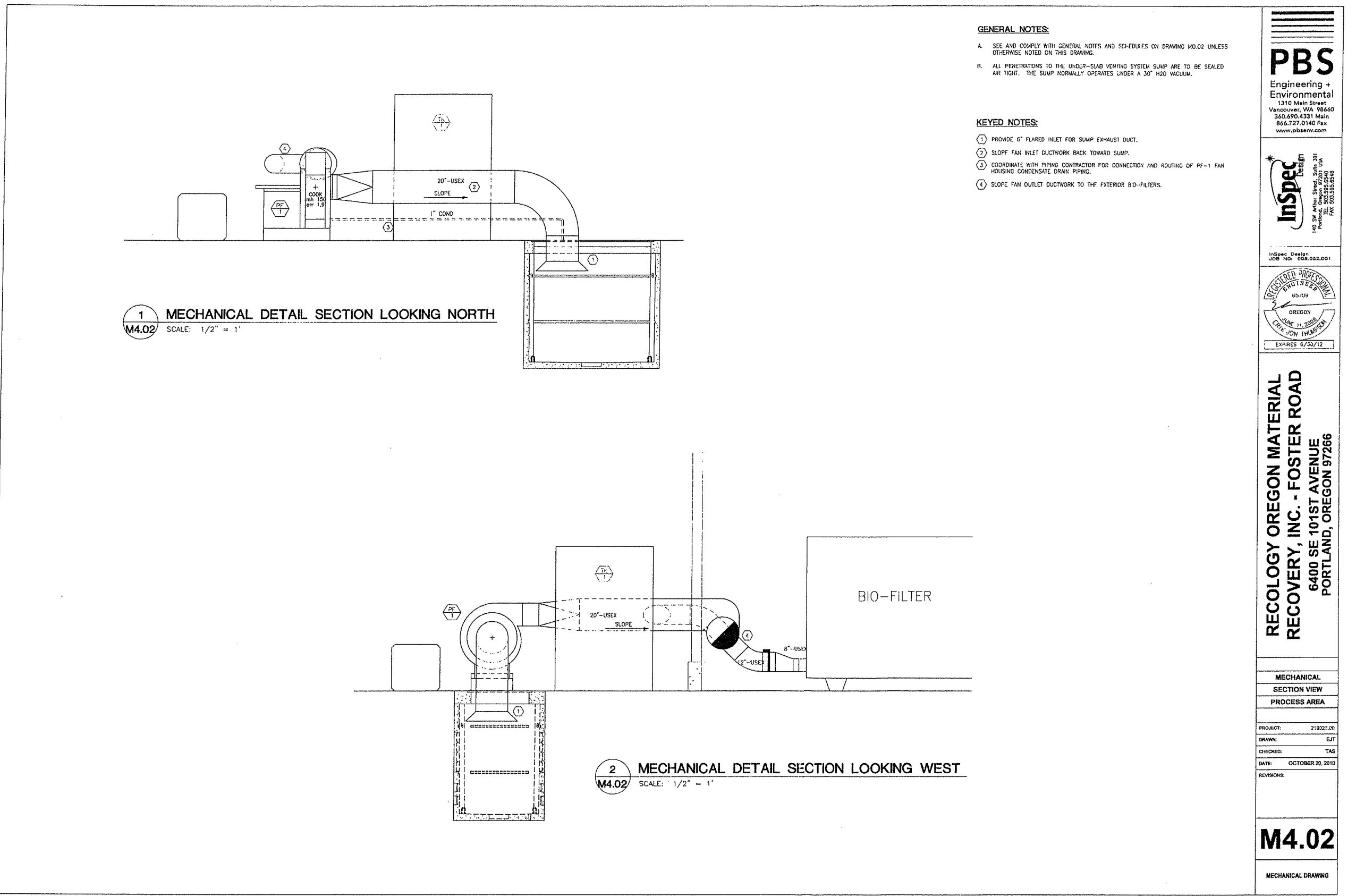
GENERAL NOTES:

- A. SEE AND COMPLY WITH GENERAL NOTES AND SCHEDULES ON DRAWING P0.02 UNLESS OTHERWISE NOTED ON THIS DRAWING.
 - B. ALL PENETRATIONS TO THE UNDER-SLAB VENTING SYSTEM SUMP ARE TO BE SEALED AIR TIGHT. THE SUMP NORMALLY OPERATES UP TO 30" H2O VACUUM.
 - C. DETAIL 2 "ENLARGED PIPING DEVAL PROCESS AREA" SHOWS VENT PIPING IN FT ASSEMBLE, TYPICAL FOR ALL 117 INLETS.

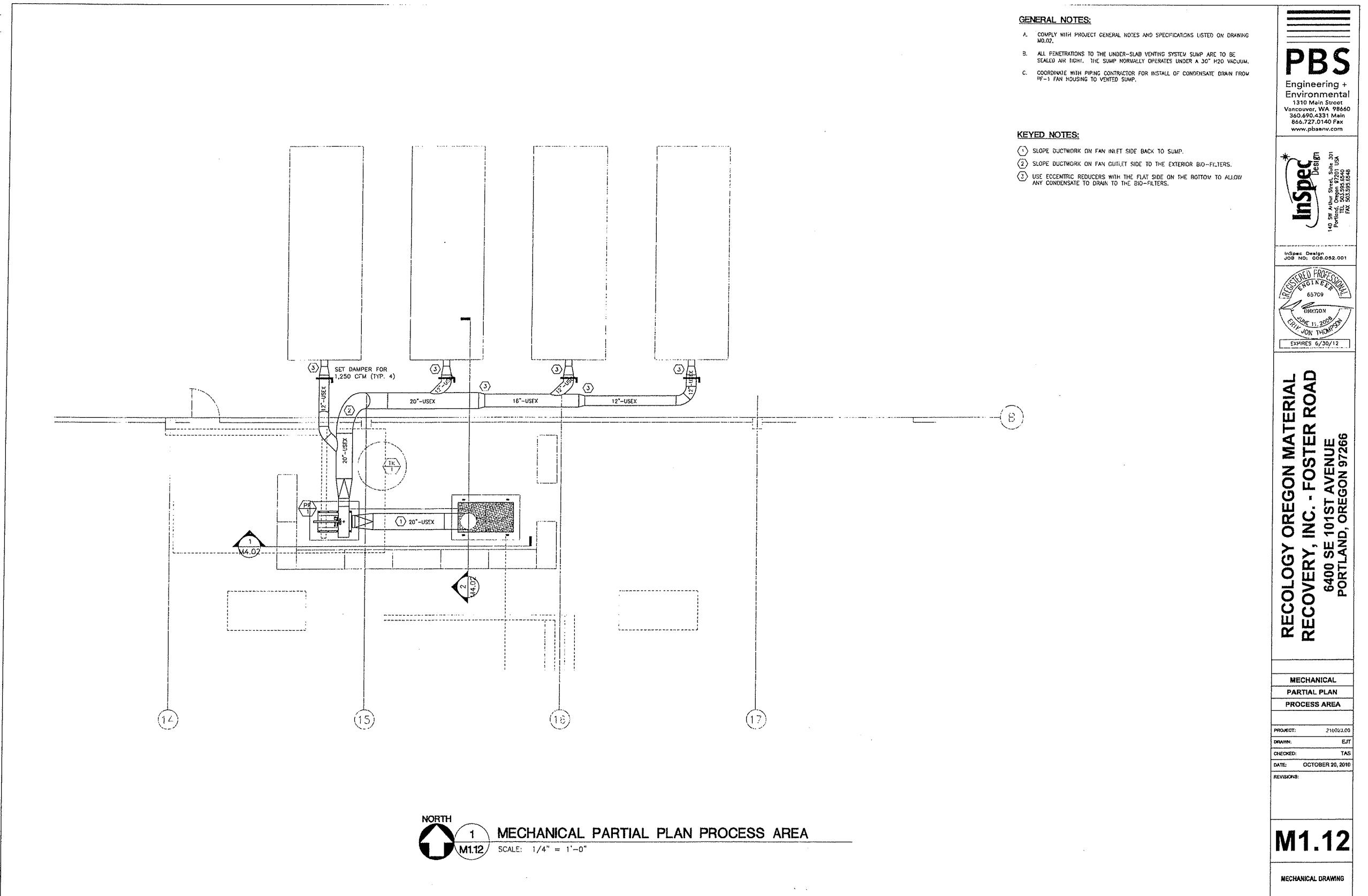
KEYED NOTES:

- ① PROVIDE 12" VERTICAL PIPE SECTION WITH 6" T-HANDLE GRIPPER (CHERNE MODEL 272998) WITH STAINLESS HARDWARE FOR EACH UNDER-SLAB CLEANOUT (TYP 19).
 - ② USE "HOT-TAP" SADDLES FOR EACH VENT TAP TO THE 6" UNDER-SLAB VENT PIPE, DO NOT USE TRADITIONAL "TEE" FITTINGS.
 - ③ 1-1/2" VERTICAL PLUMBING TO BE SCH 40 PVC (1.900" ID) TO PROVIDE A TIGHT SLIP JOINT FOR 5' LONG 2" SCH 80 PVC (1.939" ID) PIPE TO SLIDE OVER 1-1/2" SCH 40 PIPE. IT IS IMPORTANT THAT AT LEAST 1-1/2" OF THE TOP END OF THE 2" PIPE BE CLEAR AND FREE, WITH KONE ON THE 1-1/2" PIPE BLOCKING. USE A PIN OR SET SCREW THROUGH THE 2" PIPE WALL TO INVERT THE MANIFOLD FLOOR SLAB REQUIREMENT, AND NOT SOLVENT WELD SLIP JOINT INTO PLACE BEFORE POURING THE FLOOR SLAB. REMOVE PIN OR SET SCREW AFTER SOLVENT WELDING, TO KANTAN A CLEAR INLET. ADDITIONALLY, SET THE INLET OF THE 2" SCH 80 PIPE TO BE ABOUT 1/4" BELOW THE FINISHED SLAB ELEVATION WHEN A FLAT PLUG IS INSERTED TO TOP OF 2" SCH 80 PIPE, TO ALLOW FOR LOCAL SLOPING OF THE SLAB TO INLET VENT.
NOTE: THE 6" PIPE IS SLOPED AT 1% SLOPE, AND THE FLOOR IS SLOPED AT 0.5%.
 - ④ PROVIDE AND INSTALL FLAT PLUG IN END OF EACH 2" SLAB VENT PIPE (LCOSE FIT) DO NOT GLUE AND DO NOT SOLVENT WELD. DRILL 1" HOLE IN END PLUG AFTER COMPLETION OF CONCRETE VENTED SLAB, AT OWNER'S DIRECTION.
 - ⑤ SUPPORT FOR FAN CONDENSATE DRAIN P-TRAY IN VACUUM SUMP. ALSO, PRIME P-TRAP WITH WATER.





卷之三



Submitted by
 Martha Sharp
 (Appellant's Attorney)
 7/13/11 pm

City Council Meeting - Recology Project			
Issue		Reference	Codes
General	Application incomplete		
	No complete proposed/revised Operating Scenario	Exhibit A pg 8 Brief pp. 14-17	33.254.040
	No complete nuisance mitigation plan (litter, vectors, dust, noise)	Exhibit A pg 18 Brief pp. 18-22	33.254.060 OAR340-096-0040 (Litter)
	No studies for noise impacts caused by proposed operations and facility changes.	Exhibit A pg 15 Breif pp.7-8; 20-21	33.262.050 OAR340-035-0035
	No engineering specifications, design calculations, frequencies for systems or methods used to control nuisance issues	Exhibit A pg 7, 9, 11, 13, 18, 19 Brief pp. 5-9; 11, 13, 15-17-22	33.815.220G 33.252.060 33.262.040
	No groundwater study for potential direct pathway impacts to the shallow groundwater table and Johnson Creek by the below ground leachate collection system.	Exhibit A , pg 6 Brief pp. 10-11	33.815.220 D
Nuisance - Odor	Application includes the use of biofilters to mitigate odors. Includes general dimesions of the biofilter. No engineering specifications, calculations or design parameters were provided as to the systems adequacy to meet the City's narrative standard for odor control for the waste area or the building.	Exhibit A pg 13 Brief pp. 5-7, 8, 11, 18-20	33.262.070 OAR340-210-0205 OAR340-090-0040
Nuisance - Leachate	Application includes the use of a leachate collection system, storage tank, spraying system and potential off site disposal. No engineering specifications, calculations or design parameters were provided as to the systems adequacy to collect, store or dispose of the leachate. No indications of application rate was given for respraying leachate on incoming deliveries and the potential impact on odor control. No method for "off site disposal" was defined.	Exhibit A, pg 10 Brief pp. 6-7, 11, 16-17	33.254.040
	No method or system was proposed to prevent "track out" of food waste liquids outside of the building where it would co-mingle with stormwater.	Exhibit A, pg 10 Brief pp. 9-10, 13-14, 15-16	33.254.040

Nuisance - Vectors	Application says that sanitary conditions will be maintained inside of MRF. Since there is no nuisance mitigation plan, no detailed systems or methods were described as to how sanitary conditions were to be maintained	Exhibit A pg 19 Brief pp. 15-17	33.254.040
Shallow groundwater, Johnson Creek	Application says the leachate collection will be below ground. The depth to groundwater based on nearby monitoring wells and geotech borings indicates that shallow groundwater can be encountered at 5 ft. No information is presented on how leaks in the collection system will be prevented so that biological pathogens do not have a direct pathway to the shallow groundwater table or Johnson Creek	Exhibit A pg 4 Brief pp. 10-11, 15-16	33.815.220 D

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 13, 2011 11:49 PM
To: 'Carolee Harrison'
Cc: Moore-Love, Karla; Frugoli, Sheila
Subject: RE: Recology proposal for waste transfer station at 6400 SE 101st

Dear Carolee,

Thank you for your message. I am copying the Council Clerk and planner assigned to the case, to ensure your comments are included in the record. If you have not already done so, please send your comments to all my colleagues on the Council.

I was impressed with the quality of testimony today. Thank you for participating in helping the Council to make this important decision.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

From: Carolee Harrison [mailto:eelorac@gmail.com]
Sent: Wednesday, July 13, 2011 11:46 PM
To: Commissioner Fritz
Subject: Re: Recology proposal for waste transfer station at 6400 SE 101st

Dear Commissioner Fritz,

Thank you for making it possible for me and a number of my neighbors to hear the proceedings today during City Council's hearing of the appeal of Recology's proposal to located a food waste transfer station in the Lents neighborhood.

I had hoped that I might hear something from Recology that would reassure me that their project would have no negative impact on my quality of life as a Lents resident, but I did not leave with any such reassurance. In fact, the hearing confirmed for me that Recology's case was made without specific consideration of the unique qualities of the location, which as you know is more

than an industrial site. It is also the Johnson Creek watershed, an active floodplain, and above all, in the midst of a residential neighborhood.

Commissioner Leonard's points about the potential growth of the project over time drove home to me the insupportability of placing this facility in a residential area.

Recology did not sufficiently prove to me that their technology for preventing leakage into the shallow groundwater around Johnson Creek would be sufficient, nor did they demonstrate that their process for filtering odor had ever been tested in any intra-urban facility, which should be a high consideration for this location. Their touted San Francisco facility is not located within the San Francisco city limits. Waste is removed up to three hours away, to Yuba City.

The spokespeople for Recology remarked that vector control should not be an issue because rats and other pests require "a water source, a nesting site, and a food source." With Johnson Creek as the water source, the nearby forested area of Mt Scott (or our homes) as the nesting areas, and the waste site as a food source, I don't see how vector control would NOT become an issue. Rats live where people throw out their food.

Though Recology argued that their trucks would only be entering and exiting the site up to 110 (only!) times per working day (6 days of 7, 10 hours of 12), there is no disputing that this project would add to the already large number of trucks using the same location. My concern is less with noise than with traffic -- trucks regularly travel up and down SE 102nd, which bears signage forbidding truck traffic.

If Recology will not spend the time, effort, and money to make their very best case to you and to us NOW, when will they? Shouldn't their initial proposal be as complete and airtight (pun intended) as possible? I believe this is the first sign that Recology will not be a "good neighbor." It is not the responsibility of the community to police Recology's practices; however, they seemed accustomed to responding only to "complaint-driven" inspections and adjustments.

I live in Lents. I know firsthand how frustrating and nearly impossible it is to get any kind of action out of a complaint to a governmental agency. I don't mean to sound flippant, but I believe it's the truth that this neighborhood is pretty low on Portland's priority list when it comes to direct response to citizens' concerns -- and honestly, I don't think I'm alone in saying that I don't want to have to wait to smell gagging decay on the air for fifteen minutes before I can get in line to fill out the appropriate forms.

Please, I urge you, look to other locations outside of the residential areas of Portland for this proposal, and reject Recology's application. It boggles my mind that the city would consider locating this potentially hazardous and noxious process within an area where people live, plant gardens, raise chickens, ride bicycles, walk their dogs, and play softball with their kids. We live here, Commissioner, and we value the livability of Portland as much as any other resident. Please don't sacrifice Lents and Johnson Creek.

Thank you,
Carolee Harrison
6111 SE 102nd Avenue
Portland, OR 97266
5034225154

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 13, 2011 11:52 PM
To: 'Tre Hardson'
Cc: Moore-Love, Karla
Subject: RE: Vote NO on Recology's Permit!

Dear Tre,

Thank you for your message, which I have read. Since the Recology permit is a Land Use case appeal before Council, I cannot comment on the content outside of the public hearing. The decision will be made based on the evidence in the record, as to whether the Approval Criteria in the Portland City Code are met or not. The record is held open after the hearing today, for two weeks for additional evidence to be submitted. The decision is scheduled to be made on August 31, with a hearing time set for 2 p.m. Thank you for weighing in.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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-----Original Message-----

From: Tre Hardson [mailto:trehardson@yahoo.com]
Sent: Wednesday, July 13, 2011 7:00 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you

consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Tre Hardson
6505 SE 88th ave
Portland, Oregon 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 13, 2011 11:29 PM
To: 'candice orndorf'
Cc: Moore-Love, Karla
Subject: RE: [Approved Sender] Re: Vote NO on Recology's Permit!

The record was held open for two weeks for more comments, then two weeks for staff assessment, then two weeks for the applicant's final arguments - the order prescribed by state law. The next hearing is Thursday August 31 at 2 p.m. I suggested an evening hearing to Mayor Adams, but in light of the long time frame for comments I believe the arguments should all have been made before the final vote.

Your neighbors and the applicants both did a good job in presenting good observations and data.

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: candice orndorf [mailto:81candice@gmail.com]
Sent: Wednesday, July 13, 2011 8:29 AM
To: Commissioner Fritz
Subject: [Approved Sender] Re: Vote NO on Recology's Permit!

You should also be concerned that the hearing is at 3:15 and many of the residents of Lents with jobs such as myself cannot go and be heard on this matter, I have a 9-5 job and feel like a decision as impacting as this should include everyone.

Thank you,
Candice Orndorf

On Wed, Jul 13, 2011 at 12:45 AM, Commissioner Fritz <amanda@portlandoregon.gov> wrote:
Dear Candice,

Thank you for your message, which I have read. Since the Recology permit is a Land Use case appeal before Council, I cannot comment on the content outside of the public hearing. I appreciate you sending in your concerns in plenty of time before the hearing.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: Candice Orndorf & Andrew Beard [mailto:81candice@gmail.com]

Sent: Tuesday, July 12, 2011 9:50 PM

To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman

Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Candice Orndorf & Andrew Beard
5540 SE 109th Ave
Portland, OR 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Wednesday, July 13, 2011 12:48 AM
To: 'Kathleen Randall'
Cc: Moore-Love, Karla
Subject: RE: [Approved Sender] RE: Vote NO on Recology's Permit!

Dear Kathleen,

Thank you for your further thoughts. In land use cases, the Council is not allowed to suggest to applicants that their proposal might be better sited in a different location. We are required to vote on whether the application for the chosen site meets the approval criteria in the Code - which will be the subject of Wednesday's hearing. I appreciate your participation in the discussion.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

From: Kathleen Randall [mailto:kathyinpdx@hotmail.com]
Sent: Tuesday, July 12, 2011 8:17 PM
To: Commissioner Fritz
Subject: [Approved Sender] RE: Vote NO on Recology's Permit!

Dear Ms Fritz:

Thank you for responding to my message. I am very upset with the Mayor and the Commissioners again for thinking about Lents district. There are many vacant spots in the Pearl District they should consider. My home is located on 101st Avenue, I am a homeowner, on disability and cannot afford to live in the Pearl. I am sure the Mayor and the Commissioners would not even think of putting this "dump site" in a richer, more affluent area.

I am tired of the hair-brained ideas that come out of city government when they are not thoroughly thought through. Another stupid idea was changing Holgate and enlarging the bike lane, not thought through.

Regards,

Kathleen Randall

> From: amanda@portlandoregon.gov
> To: kathyinpdx@hotmail.com
> Date: Mon, 11 Jul 2011 22:17:15 -0700

> Subject: RE: Vote NO on Recology's Permit!

>

> Dear Kathleen,

>

> Thank you for your message, which I have read. Since the Recology permit is a Land Use case appeal before Council, I cannot comment on the content outside of the public hearing. I appreciate you sending in your concerns in plenty of time before the hearing.

>

> Sincerely,

>

> Amanda

>

>

> Amanda Fritz

> Commissioner, City of Portland

>

> The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

>

> To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

>

> -----Original Message-----

> From: Kathleen Randall [mailto:kathyinpdx@hotmail.com]

> Sent: Monday, July 11, 2011 7:09 PM

> To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman

> Subject: Vote NO on Recology's Permit!

>

> Dear Mayor Adams and Commissioners,

>

> I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

>

> Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

>

> Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

>

> Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

>

> Thank you for your consideration,

>

> Kathleen Randall

> 5530 SE 101st Ave
> Portland, OR 97266
>

Moore-Love, Karla

From: Irene & Jim Linman [ijlinman2@gmail.com]
Sent: Wednesday, July 13, 2011 11:24 AM
To: kmoorelove@ci.portland.or.us
Cc: kmoore.love@ci.portland.or.us; Moore-Love, Karla; llr1964@aol.com
Subject: Case file : LU 10-200954 CU AD, Tualatin Valley Water District (HO 4100031)

7-12-2011

Please consider my comments:

I am writing this as a letter of testimony concerning the following case file:

LU 10-200954 CU AD, Tualatin Valley Water District

I have been living in the neighborhood that is proposed to be changed for 15+ years (moved here in December of 1995).

I do not believe that the proposed water tank is compatible with our neighborhood. This is an incredible area, and if you have not seen it, I would suggest that you do so. Not only are the homes very well-maintained, but it is graced with a couple of the most beautiful and acclaimed rose gardens in Portland and beyond (multiple awards through Portland's Royal Rosarians and the Portland Rose Society).

The proposed changes do not meet the provisions of Chapter 33.815.105. It would not be compatible with our adjacent neighborhoods. The existing site has not been properly maintained (kind of looks like a junkyard, and has been unacceptable for quite awhile). The changing from the two tanks (that used to be unobtrusive) to one monstrosity that will devalue all of our properties is atrocious. Changing 2 tanks with about 21.7439 ft in radii to one with a radius of 43+ ft. would create an eyesore for not only the people that live here, but everyone that drives by. The 1 ft. increase in height would be significant to the eye.

The water is not even used by Portland residents. The lot is too small to accommodate such a large tank. As we have seen, the landscaping will not suffice. Trees will be lost. Property values will drop. Basically, this proposal will be very detrimental to all residents nearby, and to everyone.

The statement that "... a few of the trees will be removed to accommodate the improvements, but the majority will remain and be preserved" is an insult to those of us that live here. The new tower would cause less sunlight for many residents (too much shade), be an eyesore for all, and make our neighborhood laughable in appearance.

Our livability should not be compromised because of the "need" or "cost effectiveness" of TVWD. We are residents of Portland. Please take care of our residents.

I was very involved with our neighborhood endeavor to repave our road 8 years ago. People in this neighborhood take pride in how it looks, and are very concerned about this proposal. TVWD did donate to our cause then. I would hope that they listen again. This is not right. We deserve much better.

I wish I could attend the hearing, but I cannot, hence this email testimony.

Sincerely,

Jim Linman

8015 SW 62nd Pl
Portland, OR 97219
(503)927-4728
ijlinman2@gmail.com

Parsons, Susan

From: Brewster, Stacy
Sent: Wednesday, July 13, 2011 9:24 AM
To: 'Lynn Gravatt'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Lynn,

Thank you for your input on this landuse appeal today. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Lynn Gravatt [mailto:crymsyn56@gmail.com]
Sent: Wednesday, July 13, 2011 12:47 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Lynn Gravatt

9807 SE Foster Road
Portland Or 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Wednesday, July 13, 2011 9:25 AM
To: 'Ryan L. Tribbett'
Cc: Parsons, Susan
Subject: RE: Recology Permit Appeal (with attachment)

Attachments: 1107_001.pdf

 1107_001.pdf
f (32 KB)

Dear Mr. Tribbett,

Thank you for your input on this landuse appeal today. I have shared your attached letter with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Ryan L. Tribbett [mailto:Tribbett@pacwestcom.com]
Sent: Wednesday, July 13, 2011 8:24 AM
To: Commissioner Saltzman
Cc: Chris I. West
Subject: FW: Recology Permit Appeal (with attachment)

Dear Commissioner Saltzman,

I apologize that my first email did not have the attachment. Attached is a letter from the Teamsters Local Union 305, in opposition to Recology's conditional use permit for a food waste recycling center on Foster Rd., and in support of the permit appeal.

Please consider the letter as written testimony for the appeal hearing today at 3:15pm.

Thank you for your attention to this matter.

Warm regards,

Ryan Tribbett
Senior Account Manager/Lobbyist
PAC/WEST
Cell: 503.851.1783



Dairy, Bakery & Food Processors, Industrial, Technical & Automotive, Local Union No. 305

Affiliated with The International Brotherhood of Teamsters

1870 N.E. 162nd AVENUE • PHONE (503) 251-2305 • FAX (503) 251-2301
PORTLAND, OREGON 97230-5642

Tony L. Andrews
Secretary-Treasurer

© 1998

July 12, 2011

Sent via email

Ryan Tribbett
Senior Account Manager/Lobbyist
PAC/WEST

Re: Recology Permit Appeal

To All Concerned:

This letter is to serve as a request to the Council to reconsider its approval of a conditional use permit to Recology Oregon Material Recovery, Inc. for processing of food waste.

This Company has recently entered into the Portland area solid waste market and, unlike its Unionized competitors in the area, fails to provide the same standards of wages and benefits for its employees.

I believe that the City of Portland should be attracting and rewarding businesses that take responsibility for their employees by paying a living wage so that hard working Oregonians can afford to buy a home and provide for their family as well as providing the best possible health care plans and retirement benefits so that the employees do not become a drain on government programs and taxpayers.

Thank you for your consideration of this request.

Sincerely,

Brad Harrison
Business Representative

KELL, ALTERMAN & RUNSTEIN, L.L.P.

SUSAN T. ALTERMAN, **,*****
JOHN P. ASHWORTH, **
EMILY C. AUERBACH
JAMES S. BRUCE
DOUGLAS S. CHIAPUZIO, CPA**
GARY P. COMPA#
WILLIAM DICKAS
MATTHEW C. ELLIS
DENISE N. GORRELL**
ROBERT E. KABACY**
TAMMI M. KIPP**, ****,****,+
LEE DAVIS KELL, CPA+++, *
ROBERT B. LOWRY++
WAYNE D. PALMER
PAUL A. RANEY***
THOMAS R. RASK, III**
ROBIN M. RUNSTEIN
TED E. RUNSTEIN
MARTHA SHARP*
ERIC SOGGE
DENNIS STEINMAN

ATTORNEYS AT LAW
SUITE 600
520 S.W. YAMHILL
PORTLAND, OREGON 97204-1329
TELEPHONE (503) 222-3531
FACSIMILE (503) 227-2980
E-MAIL: trask@kelrun.com

RAYMOND M. KELL
(1911-1991)

CLIFFORD B. ALTERMAN
(1925-1995)

ALSO ADMITTED IN
*CALIFORNIA
**WASHINGTON
***GEORGIA
****NEW MEXICO
*****MASSACHUSETTS
*****COLORADO

LL.M. IN
†TAXATION
+ESTATE PLANNING

++OF COUNSEL
+++ INACTIVE

July 12, 2011

AUDITOR 07/12/11 PM 4:41

VIA HAND DELIVERY

Mayor Sam Adams
City of Portland
c/o Warren Jimenez
1221 SW 4th Ave., Rm. 340
Portland, OR 97204

Commissioner Nick Fish
City of Portland
c/o Sonia Schmanski
1221 SW 4th Ave., Rm. 240
Portland, OR 97204

Commissioner Amanda Fritz
City of Portland
c/o Tom Bizeau
1221 SW 4th Ave., Rm. 220
Portland, OR 97204

Commissioner Randy Leonard
City of Portland
c/o Ty Kovatch
1221 SW 4th Ave., Rm. 210
Portland, OR 97204

Commissioner Dan Saltzman
City of Portland
c/o Matt Grumm
1221 SW 4th Ave., Rm. 230
Portland, OR 97204

Re: **Appeal of Cottonwood Capital Property Management LLC, Frank Fleck and Gary Gossett/Recology at SE 101st Ave., Portland, Oregon**
File No.: LU 10-194818 CU AD (HO 4110004)
Our File No.: 20233/003

Dear Mayor and Commissioners:

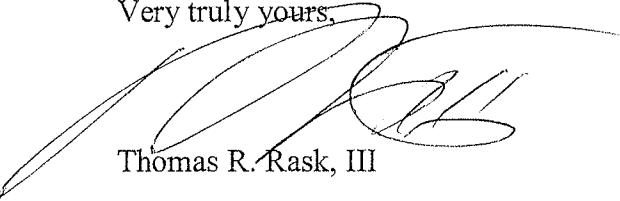
Our firm represents the appellants in the above-referenced appeal. This matter is scheduled for a public hearing on July 13, 2011 at 3:15 p.m.

Mayor Sam Adams
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Randy Leonard
Commissioner Dan Saltzman
July 12, 2011
Page 2

KELL, ALTERMAN & RUNSTEIN, L.L.P.

I have enclosed a copy of correspondence from the Honorable Senator Rod Monroe for your consideration and to supplement the Appellants' brief. By copy of this letter, we are delivering the correspondence to Karla Moore-Love as well.

Very truly yours,



Thomas R. Rask, III

dll
Enc.

cc: Karla Moore-Love (w/enc., Via Hand Delivery)

ROD MONROE
STATE SENATOR
DISTRICT 24



OREGON STATE SENATE
900 COURT ST NE
SALEM, OR 97301

July 7, 2011

Portland City Council
1221 SW 4th Ave.
Portland, OR 97204

Mayor Adams and Members of the Council,

As the State Senator representing the citizens in the Lents community, I am writing to you today in regards to Recology's request for a Conditional Use Permit to process food waste at its facility on SE 101st. I am in support of providing citizens and businesses with the opportunity to recycle food waste and commend you for your efforts in making curbside pickup of compostable materials a reality. However given the location of the proposed site, it is critical to engage the community and solicit public input before making decisions that could have significant impacts to the surrounding neighborhoods.

Over the next couple of weeks, you will have the opportunity to demonstrate transparency and engage your constituents in this important matter. It is my view that the site on SE 101st is not the appropriate place to help achieve your recycling goal, and we encourage you to consider the impact that this facility will have on the citizens near the site.

Specifically, the Recology site is located in the center of a community, surrounded by the Lents and Mt. Scott neighborhoods and bordered by the Springwater Corridor, Johnson Creek, and Playhaven Park. Recology's operations will cause unnecessary public nuisances including foul odor and noise, but will also raise serious health concerns due to air and water pollution, traffic from large trucks, and disease-carrying vermin. We value the health and safety of local families and outdoor recreationists and wish to preserve the livability of the community.

I have come to this conclusion not just because I lived and represented east Portland for over 40 years, but also as a former Metro Councilor for 8 years who worked on recycling and garbage disposal issues throughout the Portland Metro area. I can tell you that as a Metro Councilor, we would have never approved food mulching site inside the limits of any city, especially one as dense as Portland.

We struggle daily to provide opportunities for our constituents to prosper. Given the shortage of real estate in the City of Portland where business and industrial development can occur, I believe that this site, with its proximity to Foster Road and Interstate 205, can be put to better use. This

100-acre site has the potential to employ hundreds of citizens, while Recology's proposal would just employ a few individuals and spoil the site for future development.

Thank you for taking leadership on food recycling, but for the sake of our constituents, please do not approve Recology's permit to process food in the middle of the metropolitan area. There are many other viable sites in rural areas that already receive and treat compostable materials. I am confident that by choosing an alternate site for processing the city's food waste and wet yard debris, the City of Portland will be able to execute a successful recycling program without sacrificing the quality of life in our neighborhoods.

Thank you,



Senator Rod Monroe
Senate District 24

Parsons, Susan

From: Commissioner Saltzman
Sent: Tuesday, July 12, 2011 4:04 PM
To: 'Hannah age 6'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Isak, David, and Hannah,

Thank you all for your input on this landuse appeal. I have shared your email with appropriate staff and made certain the Council Clerk has your message so your input is on the record. As you are clearly the youngest person to write us on this issue, Hannah, I want to add that these and other decisions that City Council make affect your future the most. Please continue to write to your City Council, as well as State and Federal representatives to make sure your voice is heard on matters you care about.

Sincerely,

Dan

Commissioner Dan Saltzman
(503) 823-4151
dan@portlandoregon.gov

-----Original Message-----

From: Hannah age 6 [mailto:dakman38@msn.com]
Sent: Tuesday, July 12, 2011 3:11 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Hannah age 6
7723 SE 101st ave
portland, oregon 97266

Parsons, Susan

From: Commissioner Saltzman
Sent: Tuesday, July 12, 2011 4:09 PM
To: 'Maryssa'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Maryssa,

I neglected to include you on the email I just sent to Isak, David, and Hannah to thank you all for your input on this landuse appeal. Our office has made sure that all emails on this issue have been shared with the Council Clerk's office so they have your input on the record.

Sincerely,

Dan

Commissioner Dan Saltzman
(503) 823-4151
dan@portlandoregon.gov

-----Original Message-----

From: Maryssa [mailto:dakman38@msn.com]
Sent: Tuesday, July 12, 2011 3:16 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Maryssa
7723 se 101st ave
portland, or 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Wednesday, July 13, 2011 9:23 AM
To: 'Carolee Harrison'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Carolee,

Thank you for your input on this landuse appeal today. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Carolee Harrison [mailto:eelorac@gmail.com]
Sent: Tuesday, July 12, 2011 6:43 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Carolee Harrison
6111 SE 102nd Avenue
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Wednesday, July 13, 2011 9:23 AM
To: 'Candice Orndorf & Andrew Beard'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Candice & Andrew,

Thank you for your input on this landuse appeal today. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Candice Orndorf & Andrew Beard [mailto:81candice@gmail.com]
Sent: Tuesday, July 12, 2011 9:50 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Candice Orndorf & Andrew Beard

5540 SE 109th Ave
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 11:47 AM
To: 'Amy Johnson'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Amy,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Amy Johnson [mailto:amyandlester@gmail.com]
Sent: Tuesday, July 12, 2011 11:27 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Amy Johnson

9828 SE Ellis St
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 11:47 AM
To: 'Lester Knepp'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Lester,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Lester Knepp [mailto:amyandlester@gmail.com]
Sent: Tuesday, July 12, 2011 11:27 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Lester Knepp

9828 SE Ellis St
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:41 AM
To: 'shane bachman'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Shane,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: shane bachman [mailto:tupacalypse007@hotmail.com]
Sent: Monday, July 11, 2011 1:30 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

shane bachman

6014 se 101st Ave
Portland, Or 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:41 AM
To: 'Ben Howison'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Ben,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Ben Howison [mailto:news4mail@gmail.com]
Sent: Monday, July 11, 2011 3:25 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Ben Howison

10003 S.E. Reedway
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:41 AM
To: 'Bharti Hart'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Bharti,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Bharti Hart [mailto:bhartihrt@gmail.com]
Sent: Monday, July 11, 2011 4:05 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Bharti Hart

10214 S.E. Knight St.
Portland Or. 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:44 AM
To: 'Bryan Fearn'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Bryan,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Bryan Fearn [mailto:bryan.fearn@yahoo.com]
Sent: Monday, July 11, 2011 5:54 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Bryan Fearn

10124 SE Yukon Street
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:44 AM
To: 'Thomas Morris'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Thomas,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Thomas Morris [mailto:starkitty5@msn.com]
Sent: Monday, July 11, 2011 6:12 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Thomas Morris

9660 SE Harold Street
Portland Or. 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:44 AM
To: 'Kathleen Randall'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Kathleen,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Kathleen Randall [mailto:kathyinpdx@hotmail.com]
Sent: Monday, July 11, 2011 7:09 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Kathleen Randall

5530 SE 101st Ave
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:45 AM
To: 'Michael Chapman'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Michael,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Michael Chapman [mailto:mjd503@gmail.com]
Sent: Monday, July 11, 2011 8:06 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Michael Chapman

9930 SE Reedway St
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:45 AM
To: 'Gina Scott'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Gina,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Gina Scott [mailto:jimmy_ginam@yahoo.com]
Sent: Monday, July 11, 2011 8:24 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Gina Scott

9918 SE HAROLD ST
PORTLAND, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:45 AM
To: 'Susan Denney'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Susan,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Susan Denney [mailto:denneys46@yahoo.com]
Sent: Monday, July 11, 2011 10:17 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Susan Denney

10303 SE Yukon St
Portland, OR

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:46 AM
To: 'Matthew Hubbard'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Matthew,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Matthew Hubbard [mailto:matthew@hbdesign.com]
Sent: Tuesday, July 12, 2011 9:26 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Matthew Hubbard

5922 SE 98th Avenue
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:46 AM
To: 'Peggy Lyons'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Peggy,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Peggy Lyons [mailto:ret11red@gmail.com]
Sent: Tuesday, July 12, 2011 9:48 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Peggy Lyons

7156 SE 118th DR
Portland OR97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:46 AM
To: 'Rose Causey'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Rose,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Rose Causey [mailto:causey1440@comcast.net]
Sent: Tuesday, July 12, 2011 10:18 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Rose Causey

10137 SE Lexington St
Portland Oregon 97266

Parsons, Susan

From: Matthew Hubbard [MatthewH@hbdesign.com]
Sent: Tuesday, July 12, 2011 11:06 AM
To: Brewster, Stacy
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Thank you!

I have owned a home in Lents for 5 years now and although I have seen some minor improvements in the area, it is still a rather "undesirable" neighborhood to live in.

I've lost nearly \$40,000 in the value of my modest home in 5 years, yet my taxes are still going up with my home's assessed value. I am now locked into a mortgage I can barely afford, because I cannot get refinancing.

The last thing I would like to see is a garbage processing facility blocks away, in an area that periodically floods. My home is located very close to this site. I'm sure that won't help with my property values increasing anytime soon.

Thanks for listening!

Matthew Hubbard
5922 SE 98th Avenue
Portland, OR 97266

matthew hubbard office manager
p:503.944.1000 hbdesign.com

{HB} design uniting design + technology

-----Original Message-----

From: Brewster, Stacy [mailto:Stacy.Brewster@portlandoregon.gov]
Sent: Tuesday, July 12, 2011 10:46 AM
To: Matthew Hubbard
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Matthew,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Matthew Hubbard [mailto:matthew@hbdesign.com]
Sent: Tuesday, July 12, 2011 9:26 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman

Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Matthew Hubbard
5922 SE 98th Avenue
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Tuesday, July 12, 2011 10:42 AM
To: 'nick@rosecdc.org'
Cc: Parsons, Susan
Subject: RE: Proposed Lents Food Waste Facility

Dear Nick,

Thank you for your email and attached letter regarding this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster

Public Advocate

Office of Commissioner Dan Saltzman

(503) 823-4151

(503) 823-3036 Fax

stacy.brewster@portlandoregon.gov

From: dan@ci.portland.or.us [mailto:dan@ci.portland.or.us]
Sent: Monday, July 11, 2011 5:01 PM
To: Commissioner Saltzman
Subject: City of Portland TrackIT Submission: Commissioner Dan Saltzman Item 514363

The following item has been submitted to the TrackIT system

TrackIT Item: 514363

Category: Contact Commissioner Dan Saltzman
Date Created: 07/11/2011 5:00 PM
Date Received: 07/11/2011
Contact: Nick Sauvie
Rose Community Development
5215 SE Duke
Portland, OR 97206
Day: 5037888052
Fax: 5037889197
nick@rosecdc.org
Contact Type: Website
RE: Proposed Lents Food Waste Facility
Comments: Please see the attached letter opposing the Recology proposal in Lents. Thank you for your consideration.
File Attach: food waste facility 7-11.PDF

[**View this item in TrackIT**](#)



July 11, 2011

Mayor Sam Adams
City Hall
1221 SW Fourth Avenue
Portland, OR 97204

Dear Mayor Adams,

ROSE Community Development opposes the proposal by Recology to locate a food waste facility in Lents. We agree with concerns about the project that have been voiced by neighbors:

- Potential impact on nearby residences from odor and vermin.
- The location is adjacent to the Springwater Trail, one of the neighborhood's most important assets.
- Hundreds of large trucks will pour into the neighborhood every day.
- The permit process did not adequately notify and allow input from everyone affected by the facility.

Another important factor is that the proposed food waste facility will occupy the Freeway Land property, which is identified in the Lents Town Center Urban Renewal Plan as one of the most important opportunities to create living wage jobs in Lents. The proposed Recology facility offers a minimal number of low-paying jobs and would discourage other employers from locating in Lents. There are surely other locations in the city that are better suited to this project. I hope that you go back to the drawing board on the Recology proposal.

Sincerely,

A handwritten signature in black ink that reads "Nick Sauvie".

Nick Sauvie
Executive Director

cc: Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Randy Leonard
Commissioner Dan Saltzman

Moore-Love, Karla

From: Ryan, Corinne F. (Perkins Coie) [CRyan@perkinscoie.com]
Sent: Monday, July 11, 2011 5:06 PM
To: Moore-Love, Karla
Subject: FW: City of Portland Case File No. LU 10-194818 CU AD; (Recology at SE 101st Avenue)
Attachments: adams ltr & encl.pdf

Ms. Moore-Love:

The following email was returned to us as undeliverable due to a typo in address. We have corrected our contact information.

sent by Corinne F. Ryan | Perkins Coie LLP

LEGAL SECRETARY TO:

Michael C. Robinson | Roger A. Alfred | Seth J. King
 1120 N.W. Couch Street
 Tenth Floor
 Portland, OR 97209-4128
 PHONE: 503.727.2137
 FAX: 503.727.2222
 E-MAIL: cryan@perkinscoie.com

From: Ryan, Corinne F. (Perkins Coie) **On Behalf Of** Robinson, Michael C. (Perkins Coie)
Sent: Monday, July 11, 2011 5:03 PM
To: 'karla.moore-love@dportlandoregon.gov'
Cc: 'susan.mckinney@ci.portland.or.us'; 'frugolis@ci.portland.or.us'; 'ddutra@recology.com'; Robinson, Michael C. (Perkins Coie)
Subject: City of Portland Case File No. LU 10-194818 CU AD; (Recology at SE 101st Avenue)

Please place this letter and enclosure before the City Council Members prior to Wednesday's public hearing.

Mike Robinson

Michael C. Robinson | Perkins Coie LLP
 1120 N.W. Couch Street
 Tenth Floor
 Portland, OR 97209-4128
 PHONE: 503.727.2264
 MOBILE: 503.407.2578
 FAX: 503.346.2264
 E-MAIL: mrobinson@perkinscoie.com
 18388-0006

IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with Treasury Department and IRS regulations, we inform you that, unless expressly indicated otherwise, any federal tax advice contained in this communication (including any attachments) is not intended or written by Perkins Coie LLP to be used, and cannot be used by the taxpayer, for the purpose of (i) avoiding penalties that may be imposed on the taxpayer under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein (or any attachments).

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.



1120 N.W. Couch Street, Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2000

FAX: 503.727.2222

www.perkinscole.com

Michael C. Robinson
PHONE: (503) 727-2264
FAX: (503) 346-2264
EMAIL: MRobinson@perkinscole.com

July 11, 2011

AUDITOR

11
07/12/11 AM10:39
pm pm 5:06 pm

VIA E-MAIL

Mayor Sam Adams
City of Portland Mayor's Office
Suite 340
1221 SW Fourth Avenue
Portland, OR 97204-1995

Re: City of Portland Case File No. LU 10-194818 CU AD; (Recology at SE 101st Avenue)

Dear Mayor Adams and Members of the Portland City Council:

This office represents the applicant, Recology, Oregon Material Recovery, Inc. This letter responds to the July 7, 2011 letter from Multnomah County Commissioner Judy Shiprak. Because of Ms. Shiprak's position as a Multnomah County Commissioner, and because she took the time to comment on this application, I thought it appropriate to respond to her letter separately from other letters. Unfortunately, notwithstanding her public position, it is clear that she failed to read the Hearings Officer's decision which she urges the City Council to deny. For the reasons explained below, the City Council should dismiss her arguments and approve the application.

First, her letter states that the Recology site "is bordered by the Springwater Corridor and Johnson Creek." I have attached an exhibit from the Hearings Officer's decision, which shows the Recology *lease area* within the larger industrial park. The City of Portland Zoning Ordinance does not require the entire ownership site to be considered when only a lease area is the subject of an application. The Recology lease area is located within the interior of the industrial park and contains only 6.2 acres. (Staff report at page 3). The Recology lease area does not border Springwater Corridor, Johnson Creek nor any residential dwellings.

Second, her letter states: "Earlier efforts like the Reidel International solid waste composting facility in the Cully neighborhood proved the difficulty of incorporating this type of activity into a neighborhood environment." Again, Commissioner Shiprak has clearly not read the materials

18388-0006/LEGAL21300638.1

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Perkins Coie LLP and Affiliates

Mayor Sam Adams
July 11, 2011
Page 2

associated with this application or she would not have made this statement. The Hearings Officer's decision did not approve a composting facility. The Recology proposal is not like "this type of activity" associated with Reidel. Instead, the decision approved a facility where mixed compostable waste (yard debris and food waste) is blended inside a building with special features to control odors and then transported off-site very quickly (there will be no more than a 48 hour delay) to a site outside of the City of Portland for composting. Recology did not request, nor did the Hearings Officer's decision approve, composting of food waste on-site.

Third, because the 6.2 acre leased area is within the middle of a 100 acre site, it is clearly not in a "neighborhood environment." If the City Council examines the zoning map attached to this letter, it will note that the leased area is located in a large, existing industrial area zoned Heavy Industrial. The nearest homes are well to the south (and are buffered by both topography and a heavily wooded slope) and to the north, adjacent to Foster Road and well beyond the industrial area.

Fourth, Commissioner Shiprack ignores the fact that the lease area is already used by Recology for recycling efforts. This site has been previously devoted to a recycling use and does not represent a loss of land for other employment or industrial opportunities.

Lastly, her letter states that this application permits "food waste composting on this 100 acre site . . ." The Hearings Officer's decision does not approve composting and it does not apply to the rest of the industrial park, only the 6.2 acre site.

It is unfortunate that Commissioner Shiprack chose to sign a letter that not only contains inaccurate information but misrepresents the nature of the use approved by the Hearings Officer. While I have a great deal of respect for any elected official, the City Council must disregard her comments because they are based on erroneous information and because it appears she knows little of this application. In fact, neither Recology nor I received any attempt at communication from Commissioner Shiprack before she chose to take this position.

Please place this letter in the official record for this matter and before the City Council at its public hearing on July 13, 2011.

Very truly yours,



Michael C. Robinson

MCR:cfr

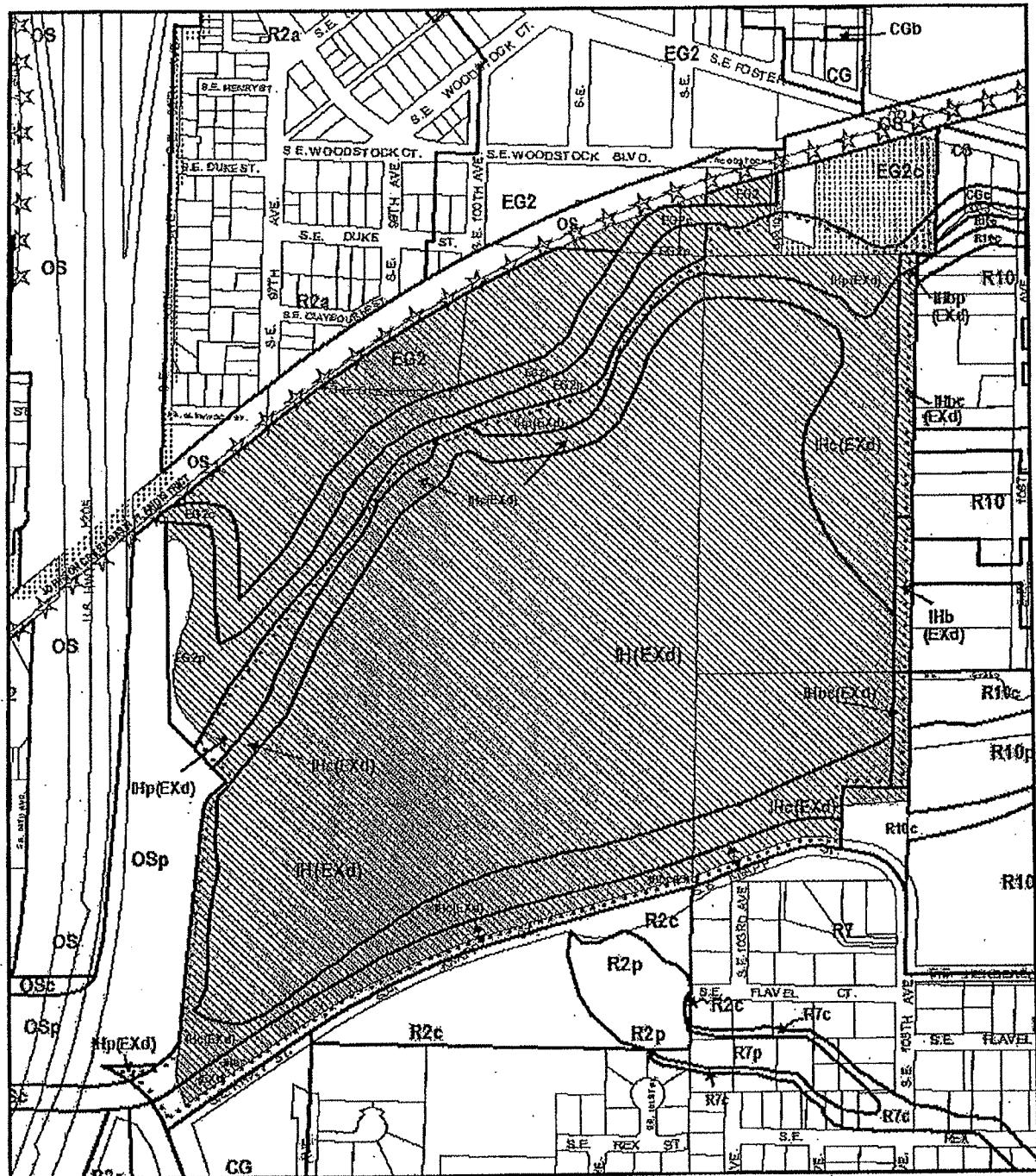
Enclosure

Mayor Sam Adams

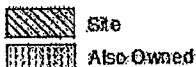
July 11, 2011

Page 3

Cc: Ms. Susan McKinney (w/encl.) (via email)
Ms. Sheila Frugoli (w/encl.) (via email)
Ms. Karla Moore-Love (w/encl.) (via email)
Mr. Dave Dutra (w/encl.) (via email)



ZONING



५०८

Also Owned

NORTH

This site lies within the:
JOHNSON CREEK BASIN PLAN DISTRICT

File No. LU 10-194818-CU

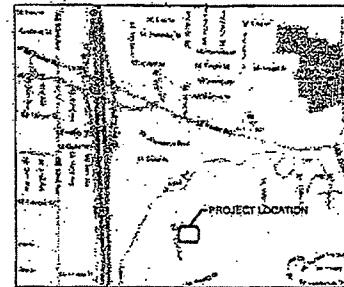
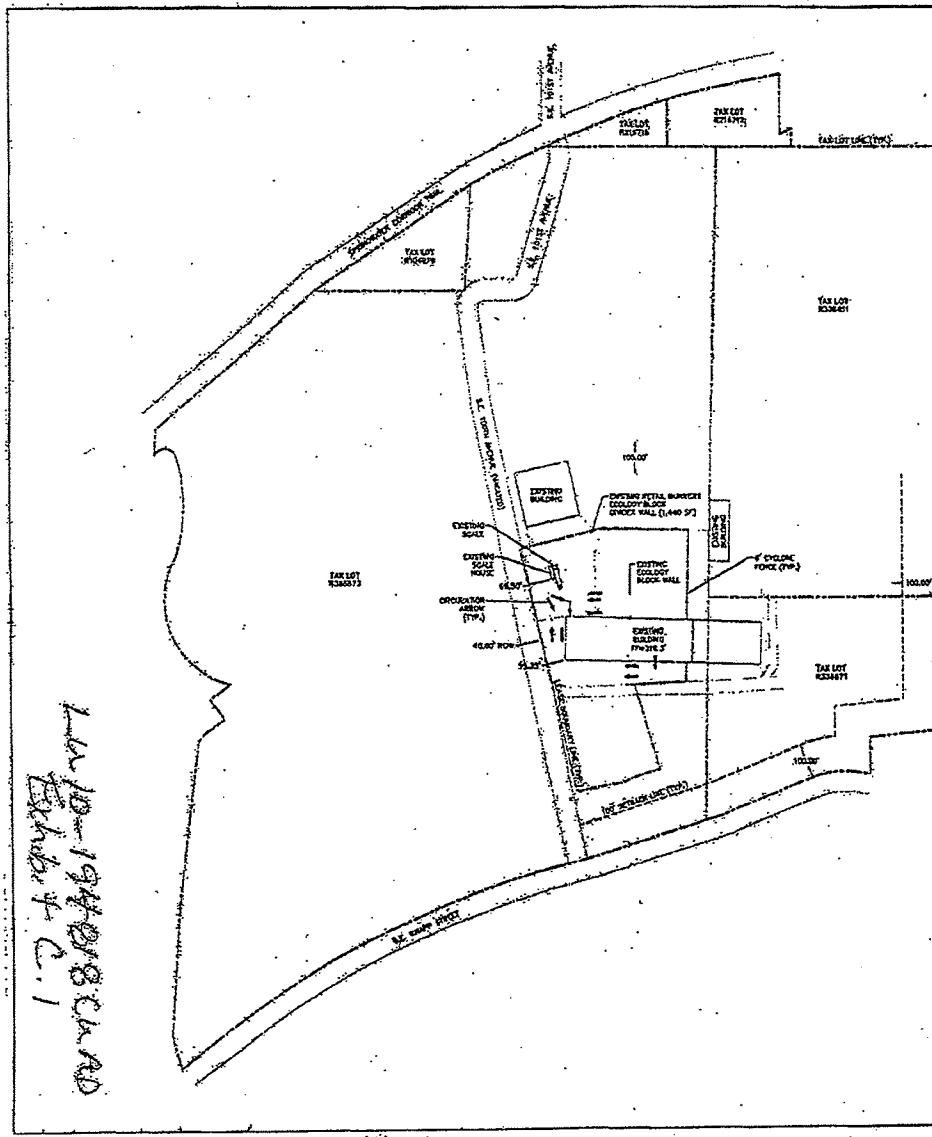
1/4 Section 3740,3741,3840

Scale 1 inch = 400 feet

State Id 1S2E21A 100

Exhibit B (Nov 23, 2010)

London 1944 by G. E. C. A. D.
Exhibit 4 C. 1



 SITE VICINITY MAP
HOME

NOTE

E. THE LIST UNDERScored ARE BASES OR OF INFORMATION AND ARE SHOWN FOR REFERENCE ONLY



SCALE: 1" = 10'

PBS	
Engineering + Environmental Services Corporation Vancouver, WA 98661 (360) 486-2200 800-323-2100 Fax www.eesc.com	
RECOLOGY OREGON MATERIAL RECOVERY, INC. - FOSTER ROAD	
6400 SE 101ST AVENUE PORTLAND, OREGON 97266	
SITE LOCATION	
OWNER	Foster Road
DESIGNER	
GENERAL CONTRACTOR	
DATE	JANUARY 20, 2000
PERIODIC	
C.O.D.	
CONDITIONAL USE CITY OF VANCOUVER	

Parsons, Susan

From: Brewster, Stacy
Sent: Monday, July 11, 2011 11:03 AM
To: 'Renee Harris'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Ms. Harris,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Renee Harris [mailto:Dollfin11@aol.com]
Sent: Monday, July 11, 2011 2:21 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Renee Harris

7125 se insley
Portland OR 97206

Parsons, Susan

From: Brewster, Stacy
Sent: Monday, July 11, 2011 11:02 AM
To: 'kk.george@comcast.net'
Cc: Parsons, Susan
Subject: RE: No to Recology

Dear Mr. George,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

From: kk.george@comcast.net [mailto:kk.george@comcast.net]
Sent: Sunday, July 10, 2011 7:56 PM
To: Commissioner Saltzman
Subject: No to Recology

Please vote **NO** to approving Recology request to put a garbage dump in my neighborhood. As a member of City Council you have made some efforts to provide recognition for Outer Southeast residence and have made some efforts to improve the Lents Neighborhood. As a 20 year resident I have seen the positive efforts, small but efforts nonetheless. It is appreciated.

Don't undue these efforts now by approving a garbage dump (no matter how they phrase it) it's a garbage dump in our neighborhood.

Aside from any emotional or personal opinion about the request it's important to look at the facts. This site is a very vulnerable and should not be allowed any additional expansions. The vulnerability is first due to its proximity to neighborhoods; the sight & smell of decaying materials. Second, the proximity to Johnson Creek and Recology's materials leaching into the soil which will then be transported throughout Portland. Let's not forget how often the Johnson Creek exceeds its banks, flooding this same area if not every year certainly very frequently. Then there is the Spring Water Corridor Bike Trail which goes right by this site. The traffic of trucks versus bikes, joggers, and strollers will become a safety issue. Portland tax payers just got done with the added expense to connect this trail through the 3 bridges project. Now that it is connected it is becoming heavily. This has allowed bikers to start exploring "our side" of town. This is allowing small business to have a few new customers and even a new area for Food Cart's have started up on this trail catering to the bikers.

Allowing this garbage dump be placed in Lents and neighboring area will undue all the efforts made over the past year to make Outer Southeast a viable and livable community.

Please vote **NO**

Kevin George
Lents Resident

Parsons, Susan

From: Brewster, Stacy
Sent: Monday, July 11, 2011 11:01 AM
To: 'Joni Coffman'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Joni,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Joni Coffman [mailto:justabove65@aol.com]
Sent: Sunday, July 10, 2011 11:49 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Joni Coffman

9703 SE Claybourne St
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Monday, July 11, 2011 11:01 AM
To: 'paul'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Paul,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: paul [mailto:pappapaul53@msn.com]
Sent: Saturday, July 09, 2011 8:34 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

paul

dieter
portland, OR97266

Parsons, Susan

From: Brewster, Stacy
Sent: Monday, July 11, 2011 11:00 AM
To: 'Kathy White'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Ms. White,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Kathy White [mailto:kathywhite50@yahoo.com]
Sent: Friday, July 08, 2011 10:03 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Kathy White

6318 SE 87th AVE
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Monday, July 11, 2011 11:00 AM
To: 'Charles Casper'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Mr. Casper,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Charles Casper [mailto:rossipremier158@gmail.com]
Sent: Friday, July 08, 2011 5:17 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Charles Casper

6317 SE 87th Ave
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Friday, July 08, 2011 2:02 PM
To: 'Frank Fleck'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Mr. Fleck,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Frank Fleck [mailto:fjfleck@comcast.net]
Sent: Friday, July 08, 2011 11:01 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Frank Fleck

7507 SE 105th Ave
Portland, OR 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Friday, July 08, 2011 2:03 PM
To: 'Colleen Miller'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Ms. Miller,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Colleen Miller [mailto:beanniebrn@yahoo.com]
Sent: Friday, July 08, 2011 10:19 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Colleen Miller

7601 SE 105th
Portland, Or 97266

Parsons, Susan

From: Brewster, Stacy
Sent: Friday, July 08, 2011 2:03 PM
To: 'Tony Bonillo'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Mr. Bonillo,

Thank you for your input on this landuse appeal. I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Tony Bonillo [mailto:alb0401@gmail.com]
Sent: Friday, July 08, 2011 10:10 AM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Thank you for your consideration,

Tony Bonillo

Parsons, Susan

From: Brewster, Stacy
Sent: Friday, July 08, 2011 2:05 PM
To: 'Debra Fleck'
Cc: Parsons, Susan
Subject: RE: Vote NO on Recology's Permit!

Dear Ms. Fleck,

Thank you for your input on this landuse appeal. As I did with Mr. Fleck's email, I have shared this with the Commissioner, appropriate staff, and made certain the Council Clerk has the message so your input is on the record.

Sincerely,

Stacy Brewster
Public Advocate
Office of Commissioner Dan Saltzman
(503) 823-4151
(503) 823-3036 Fax
stacy.brewster@portlandoregon.gov

-----Original Message-----

From: Debra Fleck [mailto:dafleck@comcast.net]
Sent: Friday, July 08, 2011 12:24 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

Recycling food waste and yard debris is certainly a positive way to cut down on the large volumes of garbage produced each day; however, it is not appropriate to allow this type of facility to operate in the middle of a metropolitan area. The putrid odors of rotting meat and decomposing food scraps will be unbearable for local neighbors and will cause our home values to decline substantially. With an estimated four hundred trips in and out of Recology's plant each day, neighborhood children and bicyclists using the Springwater Trail will be put at risk. Noise and pollution are also concerns of ours.

Recology has a history of operating outside environmental standards and we are worried that our community will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Debra Fleck

7507 SE 105th Ave
Portland, OR 97266

Moore-Love, Karla

From: Commissioner Fritz
Sent: Friday, July 08, 2011 11:12 PM
To: 'Keith FALKENBERG'
Cc: Moore-Love, Karla
Subject: RE: Letter from Commissioner Shiprack Re: Recology

Dear Commissioner Shiprack,

Thank you for your letter. Since this matter will be before Council in a quasi-judicial land use appeal, I cannot comment on the content outside of the public hearing process. I appreciate you sending in your concerns well in advance of the hearing. As you know, I must vote according to whether the application demonstrates compliance with the Approval Criteria, rather than whether I consider the site the best location for the proposed use. I look forward to a robust review of the merits or failings of the application at the hearing.

Thank you for participating in support of concerned neighbors in Lents.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

From: Keith FALKENBERG [mailto:keith.e.falkenberg@multco.us]
Sent: Friday, July 08, 2011 3:57 PM
To: Adams, Mayor; Leonard, Randy; Commissioner Fritz; Commissioner Fish; Commissioner Saltzman
Subject: Letter from Commissioner Shiprack Re: Recology

Mayor Adams and Commissioners,

Please accept the attached comments from Commissioner Shiprak regarding the conditional use permit for Recology.

Thank you

--
Keith Falkenberg
Policy and Constituent Relations
Office of Commissioner Judy Shiprack
Phone: 503 988 5217

Moore-Love, Karla

From: Commissioner Fritz
Sent: Friday, July 08, 2011 10:54 PM
To: 'Debra Fleck'
Cc: Moore-Love, Karla
Subject: RE: Vote NO on Recology's Permit!

Dear Debra,

Thank you for your message. I am not allowed to discuss land use appeals outside of the public hearing process. I appreciate that you sent in your comments in plenty of time before the hearing.

Land use decisions must be made on the facts of the application and whether the proposal meets the standards and approval criteria in the Code. The Council isn't allowed to consider how many neighbors testify in favor or opposition. I am copying the Council Clerk so my response as well as your comments are included in the record. Thank you for participating in advocating for your neighborhood's livability.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: Debra Fleck [mailto:dafleck@comcast.net]
Sent: Friday, July 08, 2011 12:24 PM
To: Adams, Sam; Commissioner Fritz; Commissioner Fish; Leonard, Randy; Commissioner Saltzman
Subject: Vote NO on Recology's Permit!

Dear Mayor Adams and Commissioners,

I wanted to bring to your attention a critically important matter that the council will be considering at your upcoming meeting on July 13. Neighbors in the Lents community recently appealed a Conditional Use Permit and Adjustment that was granted to Recology back in April. This permit allows Recology to process rotten food and other wet waste at its facility on Southeast 101st, a site fully surrounded by neighborhoods, parks, a major bike path, and other important assets to our community. You have the opportunity to put a stop to Recology's outrageous plans.

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Recology has a history of operating outside environmental standards and we are worried that our community

will be infested with flies, rats, and other disease-carrying vermin. Additionally, the proposed site is located in the flood plains of Johnson Creek. Contamination from runoff on rainy days is a minor concern when you consider the pollution that neighborhoods and parks will suffer from the next time Johnson Creek floods.

Clearly Recology's plans pose a variety of environmental, health, and public safety concerns to the entire community surrounding the site. We are passionate about protecting our neighborhood and will not stand to be taken advantage of by an out of state company that doesn't respect the livability of the local community. That is why we are asking for your help, as our elected leaders, to put a stop to Recology's plans to stink up our community and deny their permit.

Thank you for your consideration,

Debra Fleck
7507 SE 105th Ave
Portland, OR 97266

Anderson, Toni

From: Moore-Love, Karla
Sent: Thursday, July 07, 2011 9:13 AM
To: 'Robinson, Michael C. (Perkins Coie)'
Cc: McKinney, Susan; Frugoli, Sheila; Beaumont, Kathryn; Walker, Bruce; Anderson, Toni; Parsons, Susan
Subject: RE: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD
Michael,

Your notice to cancel your request to postpone the July 13th meeting has been received.

The hearing will proceed on July 13th at 3:15 p.m. as scheduled.

Thank you,
Karla

Karla Moore-Love
Council Clerk
City of Portland - Office of the City Auditor
1221 SW 4th Avenue, Room 140
Portland, OR 97204-1900
voice 503.823.4086 fax 503.823.4571
Clerk's Webpage: <http://www.portlandonline.com/auditor/index.cfm?c=26979>

From: Robinson, Michael C. (Perkins Coie) [mailto:MRobinson@perkinscoie.com]
Sent: Thursday, July 07, 2011 7:20 AM
To: Moore-Love, Karla; McKinney, Susan; Frugoli, Sheila; Beaumont, Kathryn; Walker, Bruce
Subject: RE: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Karla, after sending you the letter, my client discovered that we can't meet with the Lents Neighborhood Association on July 14, which was why we wanted the continuance. I'll send a formal letter withdrawing the request for a continuance but I wanted to let you know that we want to stay on the July 13 City Council agenda. Thanks for all your help yesterday.

Mike

From: Robinson, Michael C. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:57 PM
To: 'karla.moore-love@portlandoregon.gov'
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

From: Ryan, Corinne F. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:56 PM
To: Robinson, Michael C. (Perkins Coie)
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Blind copies were sent to George McGrath and Art Cimento. I will send a separate blind copy to Gary Conkling.

sent by Corinne F. Ryan | Perkins Coie LLP

LEGAL SECRETARY TO:

Michael C. Robinson | Roger A. Alfred | Seth J. King
1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2137
FAX: 503.727.2222
E-MAIL: cryan@perkinscoie.com

From: Ryan, Corinne F. (Perkins Coie) **On Behalf Of** Robinson, Michael C. (Perkins Coie)

Sent: Wednesday, July 06, 2011 2:55 PM

To: 'lavonne@portlandoregon.gov'

Cc: 'ddutra@recology.com'; 'alecocq@recology.com'; 'emerrill@recology.com'; 'bruce.walker@portlandoregon.gov'; 'susan.mckinney@ci.portland.or.us'; 'frugolis@ci.portland.or.us'; Robinson, Michael C. (Perkins Coie)

Subject: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

Please find attached a request to continue a July 13, 2011 City Council hearing. Please contact me regarding a new hearing date.

Mike Robinson

Michael C. Robinson | Perkins Coie LLP

1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2264
MOBILE: 503.407.2578
FAX: 503.346.2264
E-MAIL: mrobinson@perkinscoie.com
18388-0006

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1120 N.W. Couch Street, Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2000

FAX: 503.727.2222

www.perkinscole.com

Michael C. Robinson

PHONE: (503) 727-2264

FAX: (503) 346-2264

EMAIL: MRobinson@perkinscole.com

July 6, 2011

VIA E-MAIL

Ms. LaVonne Griffin-Valade
City Auditor
City of Portland
1221 SW 4th Avenue, Room 140
Portland, OR 97204

Re: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

This office represents Recology. As you know, a public hearing on the appeal of the Hearings Officer's approval of Recology's Foster Road application has been scheduled for July 13, 2011 no earlier than 3:15 p.m. This letter requests, pursuant to Rules of the City Council, Section 3.02.040.B.6.a., a continuance to a date and time certain of the currently scheduled appeal hearing.

The purpose of the continuance is to allow Recology an opportunity to meet with interested neighbors and the Lents Neighborhood Association regarding their recent letter in opposition to the Recology application. As the City Council may be aware, the Lents Neighborhood Association did *not* oppose the application until the opponents' attorney appeared before the Lents Neighborhood Association. The next opportunity to speak with the Lents Neighborhood Association is July 14. Accordingly, Recology believes it is in the interest of everyone involved in this matter for it to have an opportunity to speak again with the neighborhood association and answer their questions. Finally, as you know, the applicant has waived the 120-day clock in ORS 227.178(3).

18388-0006/LEGAL21272137.1

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Perkins Coie LLP

Ms. LaVonne Griffin-Valade
July 6, 2011
Page 2

Please let me know if you have any questions.

Very truly yours,



Michael C. Robinson

MCR:cfr

Cc: Mr. Dave Dutra (via email)
Ms. Ame LeCocq (via email)
Ms. Erin Merrill (via email)
Mr. Bruce Walker (via email)
Ms. Susan McKinney (via email)
Ms. Sheila Frugoli (via email)

Moore-Love, Karla

From: Bryans, Andrew on behalf of City Auditor Griffin-Valade
Sent: Thursday, July 07, 2011 8:36 AM
To: Moore-Love, Karla
Cc: Griffin-Valade, LaVonne; Parsons, Susan
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Attachments: Recology.PDF



Recology.PDF
(43 KB)

Greetings Karla,

Attached please find a follow-up letter from Mr. Robinson at Perkins Coie regarding the Recology City Council hearing.

Thanks!
Andrew B.

-----Original Message-----

From: Vogel, Stephanie (Perkins Coie) [mailto:SVogel@perkinscoie.com] On Behalf Of Robinson, Michael C. (Perkins Coie)
Sent: Thursday, July 07, 2011 8:21 AM
To: City Auditor Griffin-Valade
Cc: 'ddutra@recology.com'; 'alecocq@recology.com'; 'emerrill@recology.com'; Walker, Bruce; McKinney, Susan; Beaumont, Kathryn; Robinson, Michael C. (Perkins Coie)
Subject: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Please see attached.

Michael C. Robinson | Perkins Coie LLP
1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2264
FAX: 503.727.2222
E-MAIL: MRobinson@perkinscoie.com

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* * * * *

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1120 N.W. Couch Street, Tenth Floor

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FAX: 503.727.2222

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Michael C. Robinson
PHONE: (503) 727-2264
FAX: (503) 346-2264
EMAIL: MRobinson@perkinscoie.com

July 7, 2011

VIA EMAIL

Ms. LaVonne Griffin-Valade
City Auditor
City of Portland
1221 SW 4th Avenue, Room 140
Portland, OR 97204

Re: City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

This office represents the applicant, Recology. I sent a letter to you dated July 6, 2011 in which I requested that the Portland City Council continue the public hearing now scheduled for July 13, 2011. The purpose of the continuance request was to allow Recology to meet with the Lents Neighborhood Association on July 14. However, my client has learned that the Lents Neighborhood Association's meeting that night is reserved for its internal matters. Accordingly, my client hereby withdraws its request for a continuance of the public hearing. My client believes that there is more than sufficient substantial evidence in the record before the City Council for it to uphold the Hearings Officer's decision and reject the appeal.

I want to thank you and your staff for your assistance and courtesy on Wednesday.

Very truly yours,

Michael C. Robinson

MCR:sv

cc: Mr. Dave Dutra (via email)
Ms. Amy LeCocq (via email)
Ms. Erin Merrill (via email)
Mr. Bruce Walker (via email)
Ms. Susan McKinney (via email)
Ms. Kathryn Beaumont (via email)

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Moore-Love, Karla

From: Robinson, Michael C. (Perkins Coie) [MRobinson@perkinscoie.com]
Sent: Thursday, July 07, 2011 7:20 AM
To: Moore-Love, Karla; McKinney, Susan; Frugoli, Sheila; Beaumont, Kathryn; Walker, Bruce
Subject: RE: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Karla, after sending you the letter, my client discovered that we can't meet with the Lents Neighborhood Association on July 14, which was why we wanted the continuance. I'll send a formal letter withdrawing the request for a continuance but I wanted to let you know that we want to stay on the July 13 City Council agenda. Thanks for all your help yesterday.

Mike

From: Robinson, Michael C. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:57 PM
To: 'karla.moore-love@portlandoregon.gov'
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

From: Ryan, Corinne F. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:56 PM
To: Robinson, Michael C. (Perkins Coie)
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Blind copies were sent to George McGrath and Art Cimento. I will send a separate blind copy to Gary Conkling.

sent by Corinne F. Ryan | Perkins Coie LLP

LEGAL SECRETARY TO:

Michael C. Robinson | Roger A. Alfred | Seth J. King

1120 N.W. Couch Street

Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2137

FAX: 503.727.2222

E-MAIL: cryan@perkinscoie.com

From: Ryan, Corinne F. (Perkins Coie) **On Behalf Of** Robinson, Michael C. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:55 PM
To: 'lavonne@portlandoregon.gov'
Cc: 'ddutra@recology.com'; 'alecocq@recology.com'; 'emerrill@recology.com';
'bruce.walker@portlandoregon.gov'; 'susan.mckinney@ci.portland.or.us'; 'frugolis@ci.portland.or.us';
Robinson, Michael C. (Perkins Coie)
Subject: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

Please find attached a request to continue a July 13, 2011 City Council hearing. Please contact me regarding a new hearing date.

Mike Robinson

Michael C. Robinson | Perkins Coie LLP

1120 N.W. Couch Street

Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2264

MOBILE: 503.407.2578

FAX: 503.346.2264

E-MAIL: mrobinson@perkinscoie.com

18388-0006

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* * * * *

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Moore-Love, Karla

From: Bryans, Andrew on behalf of City Auditor Griffin-Valade
Sent: Wednesday, July 06, 2011 3:27 PM
To: Moore-Love, Karla
Cc: Griffin-Valade, LaVonne; Parsons, Susan
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD
Attachments: griffin-valade ltr.pdf

Greetings Karla,

The following message from Perkins Coie to request a continuance of a July 13, 2011, City Council hearing was received in the City Auditor mailbox.

Thanks!
Andrew B.

From: Ryan, Corinne F. (Perkins Coie) [mailto:CRyan@perkinscoie.com] **On Behalf Of** Robinson, Michael C. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:55 PM
To: City Auditor Griffin-Valade
Cc: 'ddutra@recology.com'; 'alecocq@recology.com'; 'emerrill@recology.com'; Walker, Bruce; McKinney, Susan; Frugoli, Sheila; Robinson, Michael C. (Perkins Coie)
Subject: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

Please find attached a request to continue a July 13, 2011 City Council hearing. Please contact me regarding a new hearing date.

Mike Robinson

Michael C. Robinson | Perkins Coie LLP
1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2264
MOBILE: 503.407.2578
FAX: 503.346.2264
E-MAIL: mrobinson@perkinscoie.com
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1120 N.W. Couch Street, Tenth Floor
Portland, OR 97209-4128

Michael C. Robinson
PHONE: (503) 727-2264
FAX: (503) 346-2264
EMAIL: MRobinson@perkinscoie.com

PHONE: 503.727.2000
FAX: 503.727.2222
www.perkinscoie.com

July 6, 2011

VIA E-MAIL

Ms. LaVonne Griffin-Valade
City Auditor
City of Portland
1221 SW 4th Avenue, Room 140
Portland, OR 97204

Re: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

This office represents Recology. As you know, a public hearing on the appeal of the Hearings Officer's approval of Recology's Foster Road application has been scheduled for July 13, 2011 no earlier than 3:15 p.m. This letter requests, pursuant to Rules of the City Council, Section 3.02.040.B.6.a., a continuance to a date and time certain of the currently scheduled appeal hearing.

The purpose of the continuance is to allow Recology an opportunity to meet with interested neighbors and the Lents Neighborhood Association regarding their recent letter in opposition to the Recology application. As the City Council may be aware, the Lents Neighborhood Association did *not* oppose the application until the opponents' attorney appeared before the Lents Neighborhood Association. The next opportunity to speak with the Lents Neighborhood Association is July 14. Accordingly, Recology believes it is in the interest of everyone involved in this matter for it to have an opportunity to speak again with the neighborhood association and answer their questions. Finally, as you know, the applicant has waived the 120-day clock in ORS 227.178(3).

Ms. LaVonne Griffin-Valade
July 6, 2011
Page 2

Please let me know if you have any questions.

Very truly yours,



Michael C. Robinson

MCR:cfr

Cc: Mr. Dave Dutra (via email)
Ms. Ame LeCocq (via email)
Ms. Erin Merrill (via email)
Mr. Bruce Walker (via email)
Ms. Susan McKinney (via email)
Ms. Sheila Frugoli (via email)

Moore-Love, Karla

From: Robinson, Michael C. (Perkins Coie) [MRobinson@perkinscoie.com]
Sent: Wednesday, July 06, 2011 2:57 PM
To: Moore-Love, Karla
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD
Attachments: griffin-valade ltr.pdf

From: Ryan, Corinne F. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:56 PM
To: Robinson, Michael C. (Perkins Coie)
Subject: FW: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Blind copies were sent to George McGrath and Art Cimento. I will send a separate blind copy to Gary Conkling.

sent by Corinne F. Ryan | Perkins Coie LLP

LEGAL SECRETARY TO:

Michael C. Robinson | Roger A. Alfred | Seth J. King

1120 N.W. Couch Street

Tenth Floor

Portland, OR 97209-4128

PHONE: 503.727.2137

FAX: 503.727.2222

E-MAIL: cryan@perkinscoie.com

From: Ryan, Corinne F. (Perkins Coie) **On Behalf Of** Robinson, Michael C. (Perkins Coie)
Sent: Wednesday, July 06, 2011 2:55 PM
To: 'lavonne@portlandoregon.gov'
Cc: 'ddutra@recology.com'; 'alecocq@recology.com'; 'emerrill@recology.com';
'bruce.walker@portlandoregon.gov'; 'susan.mckinney@ci.portland.or.us'; 'frugolis@ci.portland.or.us';
Robinson, Michael C. (Perkins Coie)
Subject: My Client, Recology; City of Portland File No. LU-10-194818-CU-AD

Dear Ms. Griffin-Valade:

Please find attached a request to continue a July 13, 2011 City Council hearing. Please contact me regarding a new hearing date.

Mike Robinson

Michael C. Robinson | Perkins Coie LLP
1120 N.W. Couch Street
Tenth Floor
Portland, OR 97209-4128
PHONE: 503.727.2264
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* * * * *

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Moore-Love, Karla

From: Commissioner Fritz
Sent: Sunday, July 03, 2011 2:07 PM
To: 'Nick Christensen'
Cc: Bizeau, Tom; Moore-Love, Karla
Subject: RE: Lents NA Letter of Opposition to Recology proposal

Dear Nick,

Thank you for your letter sent on behalf of Lents NA, which I have read. Since this is a Land Use case appeal before Council, I cannot comment on the content outside of the public hearing. I appreciate you sending in your concerns in plenty of time before the hearing. Please assure neighbors that I will read whatever input is sent to me in advance.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

The City of Portland is a fragrance free workplace. To help me and others be able to breathe, please avoid using added fragrances when visiting City offices.

To help ensure equal access to City programs, services and activities, the City of Portland will reasonably modify policies/procedures and provide auxiliary aids/services to persons with disabilities. Call 503-823-2036, TTY 503-823-6868 with such requests or visit http://www.portlandonline.com/ADA_Forms

-----Original Message-----

From: Nick Christensen [mailto:MojaveNC@comcast.net]
Sent: Saturday, July 02, 2011 6:50 PM
To: Adams, Sam; Commissioner Fish; Commissioner Fritz; Leonard, Randy; Commissioner Saltzman
Cc: Finn, Brendan; Ty Kovatch; Ames, Betsy; Jimenez, Warren; Bizeau, Tom
Subject: Lents NA Letter of Opposition to Recology proposal

Mayor and Commissioners-

Attached is a letter regarding the proposed Recology transfer facility at Freeway Lands, set for discussion on your July 13 agenda.

Please feel free to call me at 503-952-6757 if you have any follow-up questions.

Thanks,

Nick Christensen
President
Lents Neighborhood Association

Lents Neighborhood Association

PO Box 90833
Portland, OR 97290



Portland City Council
1221 SW Fourth Avenue
Portland, OR 97204

July 5, 2011

Mayor and Commissioners:

This letter is in reference to LU 10-194818 CU AD, a proposal for a compost transfer facility set for discussion at your July 13 meeting. I'm writing to notify you of the Lents Neighborhood Association's opposition to this proposal.

On June 28, by a 10-7 vote, the Association voted to oppose the proposed transfer facility.

My personal observations were that project opponents had the following key concerns:

- **Odors.** Compost left in the facility too long would emit odors that would disrupt surrounding residences.
- **Vectors.** Neighbors were concerned that the facility would harbor rats and other vectors, which could spread to surrounding residences.
- **Traffic.** A newly-formed group called the "Springwater Trail Preservation Society" is concerned about the impact of trucks crossing the Springwater Trail at the 101st Avenue entrance to Freeway Lands.
- **Flooding.** Opponents were concerned that flooding on Johnson Creek could inundate the facility, causing compost to enter Johnson Creek.
- **Recology's track record.** Opponents cited concerns about Recology's operations in other locations.
- **Lents' image.** Neighbors expressed frustration that Lents was selected for a waste transfer facility.

It's fair to note that the seven proponents of the project also cited Recology's track record as reasons to support the project.

If the council rejects the land use appeal and moves forward with the project, I urge it to work with neighbors to address these, and other, concerns. The Lents Neighborhood Association remains committed to encouraging development of new employment sites at Freeway Lands, one of the region's premier industrial areas.

Nick Christensen
President
Lents Neighborhood Association

Moore-Love, Karla

From: Commissioner Fritz
Sent: Sunday, May 29, 2011 5:28 PM
To: 'John Lowry'
Cc: Moore-Love, Karla
Subject: RE: [Approved Sender] Foster Road organics reload facility

Thank you for your further comments. I am copying Karla for the record prior to the hearing. Once again, I can't comment, due to it being a land use case where I vote as a judge rather than as a legislator..

I hope you and Melissa have a wonderful trip.

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: John Lowry [mailto:jblowry@comcast.net]
Sent: Sunday, May 29, 2011 9:04 AM
To: Commissioner Fritz
Cc: Leonard, Randy; Commissioner Fish; Adams, Mayor; Commissioner Saltzman
Subject: [Approved Sender] Foster Road organics reload facility

Amanda,

If I were retired and had more time and energy to devote to the reload facility issue I would do it. My sense is that nothing can be done. I get more cynical about city government every day. Public testimony? It's a waste of time. Everything is a done deal ahead of any public hearings. You are the only one who listens to the people. You are the only one whose votes ever reflect common sense. I never get responses to my e-mails from the mayor or the other commissioners. They are arrogant, elitist and corrupt. They are in the hip pocket of special interests (see Homer Williams).

The government bureaucrat who did the report on the reload facility had no choice other than to move it forward because this is a green program the mayor and others on the council want. If he had thrown up any real road blocks or raised any serious concerns his future with the city would

have been in jeopardy.

I know an attorney who has a respected client who says this company can't be trusted. There are going to be problems. Big deal. The reload facility is in a low income area. People in Lents have no political clout. All that matters to the mayor and the city council is that Portland enhance its green image. Jumping in bed with a company that has had problems in North Plains? Not a problem as long as they help us advance our green image. Odor problems for some on the eastside? Some have to sacrifice for the greater good. Lents is already the pits anyway. Johnson Creek is close? Hey, we're already in the plus column with our flood plain restoration. So we have some wiggle room.

A week from today I'm going to Alaska to work and have some fun for a week. In three weeks Melissa and I are renting a cabin on the B.C. Sunshine Coast for 10 days. I can't wait to escape, as Anna Griffin put it in a recent Oregonian column, "the People's Republic of Portland".

John Lowry

----- Original Message -----

From: Commissioner Fritz <amanda@portlandoregon.gov>
To: 'JohnLowry' <jblowry@comcast.net>
Cc: Randy Leonard <Randy@portlandoregon.gov>, Commissioner Fish <Commissioner.Fish@portlandoregon.gov>, Commissioner Saltzman <dan@portlandoregon.gov>, Sam Adams <Sam.Adams@portlandoregon.gov>, Karla Moore-Love <Karla.Moore-Love@portlandoregon.gov>
Sent: Sun, 29 May 2011 03:18:53 -0000 (UTC)
Subject: RE: Foster Road organics reload facility: hearing date

Dear

John,

Thank

you for your message. Since the matter will be before Council on appeal, I cannot comment outside of the public hearing, and I am copying Karla Moore-Love to include this email in the record for the case. I also sent her the

previous email exchange between you and me on this issue. Thank you for your engagement in the land use hearings process.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: John Lowry [mailto:jblowry@comcast.net]

Sent: Wednesday, May 25, 2011 5:14 PM

To: Commissioner

Fritz

Cc: Leonard, Randy; Commissioner Fish; Commissioner Saltzman;

Adams, Sam

Subject: Fwd: Foster Road organics reload facility: hearing

date

Amanda,

As you know from my previous

e-mails I have significant concerns that this food waste/compost

reload facility on Foster Road is going to negatively impact my neighborhood on Mt. Scott from a standpoint of air pollution, especially odors. Also, locating this facility so close to Johnson Creek is not appropriate.

The company involved has had problems at its recycling location in North Plains. People living in the area have registered significant complaints. I agree that the more we recycle the better off we are. But we won't be better off when the trade off is the odor from rotting food waste. This company has a track record of problems. It cannot be trusted.

The livability of the surrounding area will decline if this is approved. Once this goes in, no matter what the problems are, we'll be stuck with it. Based on the North Plains issues, which have been at least somewhat documented by the media, to approve this facility is telling the people of this part of Portland that you are willing to approve most anything in the name of going green.

John Lowry
503

760-3111
jblowry@comcast.net

----- Forwarded

Message -----

From: Megan Ponder <Megan.Ponder@portlandoregon.gov>
To: 'jblowry@comcast.net'

<jblowry@comcast.net>
Cc: Grace Uwagbae

<Grace.Uwagbae@portlandoregon.gov>

Sent: Wed, 25 May 2011 23:47:33

-0000 (UTC)

Subject: Foster Road organics reload

facility: hearing date

Hello Mr. Lowry,

I understand that

you have concerns about the planned reload facility on Foster Road.

The

conditional use appeal hearing for the Foster Road facility is

currently

scheduled to come to City Council on July 13 at City Hall, 1221

SW 4th Avenue, in Council

Chambers. The City Council agenda

will be posted after 4:00 pm the Friday

before the hearing here: [http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class="](http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class=)

[yui-spellcheck?>http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class="](http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class=)

[yui-spellcheck?>http://www.portlandonline.com/auditor/index.cfm?c=26997](http://www.portlandonline.com/auditor/index.cfm?c=26997)

[target=_blank>http://www.portlandonline.com/auditor/index.cfm?c=26997](http://www.portlandonline.com/auditor/index.cfm?c=26997)

Public testimony is accepted before City

Council on Agenda

items. There will be a sign up sheet outside

Council Chambers one-half

hour before the scheduled meeting. The

Council Clerk will read off the

names in order, and each individual has 3

minutes to testify. Written testimony

can be sent to the Council Clerk at

1221

SW Fourth Avenue, Room 140, Portland, OR 97204. Written

testimony must be

received by the time of the hearing and must include

your name and address.

Please let me know if you have any questions
or need
additional information.

Thanks,

Megan

Megan Ponder

Solid Waste &

Recycling

City of

Portland

Bureau of Planning &

Sustainability

503-823-9582

Moore-Love, Karla

From: Commissioner Fritz
Sent: Saturday, May 28, 2011 8:19 PM
To: 'John Lowry'
Cc: Leonard, Randy; Commissioner Fish; Commissioner Saltzman; Adams, Sam; Moore-Love, Karla
Subject: RE: Foster Road organics reload facility: hearing date

Dear John,

Thank you for your message. Since the matter will be before Council on appeal, I cannot comment outside of the public hearing, and I am copying Karla Moore-Love to include this email in the record for the case. I also sent her the previous email exchange between you and me on this issue. Thank you for your engagement in the land use hearings process.

Sincerely,

Amanda

Amanda Fritz
Commissioner, City of Portland

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Sent: Wednesday, May 25, 2011 5:14 PM
To: Commissioner Fritz
Cc: Leonard, Randy; Commissioner Fish; Commissioner Saltzman; Adams, Sam
Subject: Fwd: Foster Road organics reload facility: hearing date

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we are. But we won't be better off when the trade off is the odor from rotting food waste. This company has a track record of problems. It cannot be trusted.

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John Lowry
503 760-3111
jblowry@comcast.net

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From: Megan Ponder <Megan.Ponder@portlandoregon.gov>
To: 'jblowry@comcast.net' <jblowry@comcast.net>
Cc: Grace Uwagbae <Grace.Uwagbae@portlandoregon.gov>
Sent: Wed, 25 May 2011 23:47:33 -0000 (UTC)
Subject: Foster Road organics reload facility: hearing date

Hello Mr. Lowry,

I understand that you have concerns about the planned reload facility on Foster Road. The conditional use appeal hearing for the Foster Road facility is currently scheduled to come to City Council on July 13 at City Hall, 1221 SW 4th Avenue, in Council Chambers. The City Council agenda will be posted after 4:00 pm the Friday

before the hearing here: [http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class="yui-spellcheck?>http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class="yui-spellcheck?>http://www.portlandonline.com/auditor/index.cfm?c=26997" target=_blank>http://www.portlandonline.com/auditor/index.cfm?c=26997](http://sz0060.ev.mail.comcast.net/zimbra/h/%3Cspan%20class=)

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Please let me know if you have any questions or need additional information.

Thanks,

Megan

Megan Ponder

Solid Waste & Recycling

City of Portland

Bureau of Planning & Sustainability

503-823-9582

6/1/2011

Moore-Love, Karla

From: Commissioner Fritz
Sent: Sunday, May 08, 2011 5:07 PM
To: 'John Lowry'
Cc: Moore-Love, Karla
Subject: RE: rush job

Dear John,

Thank you for your message. This is the first I've heard of this issue. It sounds like the application went through a land use review, the timelines of which are set by state law. Unless the applicant agrees to an extension, the City is required to give a decision within 120 days of the application being deemed complete.

A different process was needed for a similar application in Cully - I'm not sure why.
http://www.oregonlive.com/portland/index.ssf/2010/12/northeast_portland_cully_resid.htr

It is likely the use is dependent on the zoning, which I'm guessing is Industrial at 101st and Foster. It's important to note that Industrial zoning exists in some "ritzy" areas, such as the Tryon Creek sewage treatment plant in Lake Oswego, and the Central Eastside Industrial District near Ladd's Addition.

Since it was approved by the Hearings Officer, that could either have been the result of an appeal of an administrative review, in which case his decision is final, or it could be a Type III case which is appealable to Council. Since I don't know which it is, I am copying Karla Moore-Love, the Council Clerk, with my reply ,in case this interaction needs to be entered into the record if the case is heard by Council. For that reason also, I can't discuss the merits of the application with you.

Amanda

Amanda Fritz
Commissioner, City of Portland

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From: John Lowry [mailto:jblowry@comcast.net]
Sent: Thursday, May 05, 2011 4:49 PM
To: Commissioner Fritz
Subject: rush job

Amanda,

Was just alerted this week to the proposed compost/food waste transfer station near 101st and Foster Road. Did not know anything about it. Now that I do I have serious concerns given all the complaints about odor from Recology processing plant in North Plains. Seems to me the whole hearings process and approval by Gregory Frank, the hearings officer, was a big rush job. In other words, the powers that be on the city council, especially Sam Adams, want this food waste recycling program to move forward quickly. I know San Francisco already has this in place, and I think the concept is good. But I have serious concerns about both air quality problems and water contamination problems for two reasons:

1. The process was a rush job without the city or Recology seeking media attention. I think flying under the media radar is intentional. Serious media coverage would shine the spotlight on the North Plains problems.
2. The fact that there have been significant problems at North Plains.

Try putting this facility near a ritzy area and you'd have a ton of influential people screaming bloody murder. The folks in Lents have no power or influence.

I'm up on Mt. Scott where we undoubtedly will be affected by any odor problems depending on air movement direction.

I am aware of the requirements that Recology have a drain/catchment system for liquid runoff and an aeration filter for odor. Given the North Plain problems, I have no confidence that there won't be problems. I fear you may be solving one environmental problem but creating others.

John Lowry