



September 9, 2014

Dear Chair Baugh and Members of the Planning and Sustainability Commission,

Please accept these preliminary comments from the Audubon Society of Portland regarding the Comprehensive Plan Update.

**West Hayden Island:**

First and foremost, we would like to call your attention to the new urban services service area designation for West Hayden Island described on pages GP10-14 and GP6-14. This new designation appears to lock in 300 acres for industrial zoning and 500 acres as open space, while providing absolutely no assurances in terms of mitigation for impacts on local human communities or the environment. We believe that this designation is completely at odds with the West Hayden Island Public Process that ended in 2013 when the Port chose to withdraw its annexation application. We also believe that it is totally at odds with the position of the PSC outlined in its West Hayden Island Plan transmission letter to council (August 14, 2013) which read in part as follows:

*A unanimous comment expressed by PSC members was that if Council chooses to annex West Hayden Island, it should be done right. That means moving forward with a holistic set of actions that protect and advance the health of the community, environment and economy.*

That letter and the attached documents, including and Intergovernmental Agreement (IGA), laid out an explicit and extensive set of mitigation actions and processes that the PSC felt was necessary to “do it right.” The letter also noted that the PSC “could not support adding industrial zoning to Hayden Island without the additional transportation system the CRC would have provided.” The Port of Portland chose to explicitly reject this package of mitigation items and the CRC is now officially dead.

We urge the Commission to keep faith with the community and the multiyear West Hayden Island public process and not identify West Hayden Island for future industrial development in the Comp Plan. Unless the Port officially reverses its position and agrees to the IGA and other related documents, West Hayden Island should maintain its status quo. Identifying WHI in the Comp Plan moves it closer to development and creates legal obligations that will make it much more difficult to stop development in the future whether or not the appropriate mitigation actions occur. In short, the draft Comp Plan advances the Port’s development aspirations while doing nothing to protect the community or the environment. The PSC got it right in the 8-14-13 transmission letter. Please hold tight to those principles now.

**Industrial Lands in General:**

We remain deeply concerned about the Draft Comp Plan’s focus on finding new industrial lands for development. We applaud provisions that focus more heavily on protecting existing industrial lands from conversion such as Policy 6.36a and b (Prime Industrial Land Retention), brownfield clean-up (Policy 6.39), land efficiency strategies (Policy 6.13) and intensification (Policy 6.38). We believe that

intensification, efficiency, brownfield remediation and reducing conversion should be the cornerstones of and industrial land strategy.

We believe that the draft Comprehensive Plan perpetuates an unrealistic and unsustainable assumption that Portland can continue to find significant new acreage of industrial land without seriously compromising the health and livability of our communities and environment. In fact, Portland is a landlocked city with a finite supply of land. Further significant expansion of the industrial land base can only come at the expense of our communities and environment. Our land use planning system treats all of the statewide planning goals as of equal importance. However the new comprehensive plan places the quest for new industrial land above all other considerations. A careful analysis of the verbiage in the plan indicates that where goals are in conflict, industrial land objectives will take priority.

It is time for the City to adopt a new paradigm on industrial lands that acknowledges that the land base is finite and which prioritizes reclamation of brownfields and intensification of the existing industrial land base as the primary tools for increasing industrial capacity in Portland. While new industrial lands may be captured on a case by case basis as land redevelops, identification of new industrial lands should be viewed as no more than an auxiliary strategy for increasing the industrial land supply.

We recognize that this may in fact result in a situation where Portland is not able to meet the 20-year industrial land demands identified in the Economic Opportunities Analysis. However, Goal 9 does not preclude meeting industrial land demands at a regional rather than municipal scale---industrial land deficits within Portland could be reallocated to other parts of the metro region. It is also important to note that Goal 9 explicitly states that achieving industrial land goals should not come at the expense of significant environmental degradation. It reads in part:

*Plans directed toward diversification and improvement of the economy of the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources (Goal 9, Section (A)(5))*

In our opinion the environmental carrying capacity of the city has now been exceeded as evidenced by the fact that the City has been unable to institute new environmental programs on industrial lands such as River Plan, Airport Futures and the Citywide Tree Code. These plans, years in development, embodied the best scientific analysis of what the city needs to do to achieve environmental health, but were derailed by concerns that they might impact industrial land supply. It is further evidenced by the current consideration of developing an irreplaceable natural area on West Hayden Island for marine terminals and conversion of golf courses for industrial use, and limiting environmental regulations on industrial lands.

The City mistakenly describes these strategies as "balanced." They are nothing of the sort. The path the city has put itself on represents a steady erosion of the natural resource functions that clean our air and water, protect our wildlife, allow access to nature and provide resiliency in the face of climate change. Perpetually taking a portion of whatever green remains on our landscape in the name of industrial development can only lead to degradation of our natural systems...and this is most acutely true along the City's most valuable natural assets, the Willamette and Columbia Rivers.

It should be noted that this is a self-inflicted crisis. The City lauds itself for the conversion of large tracts of industrial land to mixed use development in the Pearl and South Waterfront and continues to create

financial incentives though zoning that ensure that those industrial businesses that remain in these areas will leave and that new industrial development will be priced out in the future. Some of the organizations that are the loudest proponents for the need to find new industrial land were among the first to sellout, for example the Port of Portland at Terminal 1 and Cascade Station. The City should rethink its mixed use developments to ensure that appropriate industrial development remains viable within this zoning category. It is consistent with building communities where people can work within walking distance of their homes. It also makes sense given the fact that the city has a surplus of residential and commercial property.

The City needs to focus its primary attention on reclaiming brownfields and increasing the intensity of use of existing industrial sites. We would call the PSC's attention to two documents:

- "Analyses in the Buildable Land Inventory (2012)(BLI) and Economic Opportunities Analysis (2012)(EOA indicated that infrastructure deficiencies on vacant and underutilized sites reduce the development capacity of those sites by an average of 25%." (Draft Comp Plan at 3-12)
- The City has over 900 acres of brownfields citywide that could generate over \$240 million/ year in revenue statewide and \$42 million/ year for the city if brought into productive use. (City of Portland Comp Plan PAG Presentation)
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We urge the City to set a true course for sustainability by doubling down on strategies such as brownfield reclamation, intensification of the existing land base and integration of appropriate industrial development into mixed use zoning areas, while deemphasizing conversion of greenfields and other valuable community assets to industrial use.

#### **Other Specific Comments:**

1. Page GP1-5: Environmental Health should include mention of fish and wildlife or alternatively native biodiversity
2. Page 2-5: Policy 2.1 should explicitly call out non-profits.
3. GP3-15: City Greenway: The section on trails should note that when they are placed along waterways or natural areas, they should be done in an ecologically responsible manner. This also needs to be reflected on policy
4. 3.51P 3-20-Policy 3.62: I would suggest something more ambitious such as restore the Willamette and Columbia Rivers within Portland to ecological health for native fish and wildlife populations. I would suggest actually stating that the goal is to reach a point where the Lower Willamette and urban area of the Columbia assists in the recovery of listed salmonid species.
5. GP3-20: There should be a floodplain policy embedded somewhere in this section---something like increase protections and restoration activities for floodplains to provide habitat for wildlife, protect water quality and provide resiliency in the face of climate change.
6. GP3-21—Policy 3.68: Does the order of the objectives listed indicate that industry is prioritized in the North Reach? If so we believe this is inappropriate.
7. GP3-20: There should be a policy that directly addresses Superfund and Brownfields
8. GP3-22 Central City: Policy 3.73: Should include something about habitat restoration
9. GP3-22: Central City needs a green infrastructure policy

10. GP 3-22 Inner Neighborhoods: Needs a green infrastructure policy
11. GP 3-23: Eastern Neighborhoods: Should have a policy related to establishing parks and natural areas in underserved areas. Also the natural resource goals should be stronger---change “encourage” to “ensure” and add “restores” in addition to “preserves.” The goal is to improve, not simply preserve the status quo
12. GP 3-29 Greenway Map: The greenways appear to be few and far between. The city should be far more ambitious. Greenways should be a regular neighborhood feature, not something that most people would have to travel miles to experience.
13. GP4-5 Goal 4.C: Should include more objectives including protecting wildlife and educing urban heat island effects, limiting hazards associated with landslides and flooding
14. GP 4-6: General principles—should include a general principle about integrating green infrastructure whenever possible including ecoroofs, green streets, street trees. Also should include something about bird friendly building design and limiting light pollution.
15. GP 4-9 pold6 4.28: Should also include something about bird friendly building design (ie reducing open expanse of glass. May need its own goal
16. GP4-10 olicy 4.29: Add buttes
17. GP4-10: The city needs to be careful that these policies do not result in tree cutting or inability to plant trees. I am concerned that this section could support efforts to cut down trees on forested areas of the west hills or prevent tree planting at places such as South Waterfront.
18. GP4-13: The section on Designing with Nature is way too short. There should be policies specifically on trees, ecoroofs, bird friendly building design, protection of night skies, treatment of stormwater, etc.
19. GP 4-14—Hazard Resilient Design: There should be a policy about protecting floodplains
20. GP6-8: Land Development Introduction: We believe that this section needs to be radically revised. It assumes that a landlocked city can continue to find new industrial lands without compromising other values such as natural resource protect outlined in the statewide landuse planning goals (see our introductory comments above for more detail)
21. GP 6-8 poicy 6.12 Land Supply: This policy should be removed. The city cannot find the type of acreage it is projecting for industrial lands without seriously compromising the environment, openspace and neighborhood livability. The use of the term “provide” places the goal of finding industrial land above all other objects---it essentially sets up a paradigm in which the city will find industrial land while it “strives” “encourages” ....to achieve other goals.
22. GP6-9 Policy 6.14: 60% is too low of a target for brownfield reclamation
23. GP 6-9 Policy 6.15: Annexation—this policy should be removed. It locks in annexation of WHI while completely ignoring the public process that occurred over the past six years. It does a complete end run around the WHI public process.
24. GP 6-9 Policy 6.17:
  - a. We urge the city to remove 6.17a. Portland’s regulations should be dictated by community values. The way this is written, Portland would not be able to be a leader on environmental protection if it raised costs above other cities. This policy effectively limits Portland to being in the middle of the pack rather than an environmental leader.

- b. We urge the city to remove sections of 6.17e—specifically the reference to avoiding duplicate review when state and federal review occurs. It is essential that the city retain the ability to regulate natural resource protection at the local level. This allows the community to set local standards that may exceed state and federal mandates, to develop holistic strategies that may differ and be more comprehensive than state and federal mandates, and to ensure that local expertise is brought to bear on natural resource protection.
25. GP6-13 Policy 6.36e: Recommend changing this policy. This policy places minimizing cost over protecting the community and the environment. It needs to be clear that the goal here is to put in place regulations that are cost effective but which are adequate to protect the community and the environment. As currently written, this policy gives priority to minimizing the impacts on business as opposed to protecting our community and environment.
26. GP 6-13 Policy 6.39: The city should add enforcement to the list of strategies to promote brownfield clean-up.
27. GP6-14 Policy 6.41: West Hayden Island-- This section should be removed. The City should leave WHI in its current status and respect the six year West Hayden Island process that resulted in the Port's withdrawal of the annexation request.
28. GP6-15Policy 6.48 Golf Courses: Audubon opposes the conversion of open space at golf courses for use as industrial lands. These sites should be preserved as openspace.
29. GP 6-15 Campus Institutions: This section should recognize that campus institutions also serve important opportunities to protect natural resources (Reed College, Lewis and Clark)
30. GP7-6: Goals: There should be a goal associated with healthy native fish and wildlife populations.
31. GP7-7 Poliy 7.2—Should add the word “increase” before resiliency (right now it reed “reduce carbon emissions and resilience....”
32. GP7-7 Policy 7.4 Add “and improve” after “protect”
33. GP 7-8 Policy 7.6: Should specify that the goal is to “protect and restore”
34. GP 7-8 Policy 7.10: Require that mitigation result in a net increase in ecosystem function
35. GP7-13 Policy 7.23: Remove the line about city owned facilities. Also consider making this goal stronger (require or adopt policies that.....)
36. GP 7-12 Policy 7.31: Change Soil conservation organizations to “soil and water conservation districts”
37. General Comment on Environment and Watershed Health Section: This should be much stronger on green infrastructure. There should be very clear goals to
  - a. manage stormwater through green infrastructure approaches that mimic the natural hydrologic cycle including green roofs, street trees, green streets etc
  - b. The plan should set a goal of reducing overall impervious surface within the city
  - c. The plan should require that all city projects incorporate green stormwater strategies
  - d. The plan should highlight the objective of implementing green strategies that achieve multiple objectives whenever possible.

38. Chapter 9: Transportation: Should include policies related to integrating green infrastructure. The transportation grid is arguably the most important aspect of our landscape in terms of integrating green infrastructure.
39. GP 10-13 Institutional: This designation needs to integrate natural resource protection.
40. GP 10-13 Industrial: it needs to be clear that natural resource protection and restoration is consistent with this designation.
41. GP 10-14: West Hayden Island: This designation needs to be removed. West Hayden Island should be designated as open space or left in its current designation. It should not be designated for future development until and IGA that fully mitigates for impacts to the community and the environment is in place. This designation locks in development while providing no protecting for the community or the environment.

Thank you for your consideration of these comments.

A handwritten signature in black ink that reads "Bob Sallinger". The signature is written in a cursive, slightly slanted style with a long, sweeping underline.

Bob Sallinger  
Conservation Director  
Audubon Society of Portland