

From: Rick Rappaport [<mailto:rick@rickrappaport.com>]

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To: Planning and Sustainability Commission

Subject: My testimony at Pembina Hearing

I have ONE point to make: the history of the Code Section that Pembina seeks to amend was never intended to provide for the kind of transport that Pembina would construct.

This section of the Code evolved from the merging of several watershed plans, and by reviewing its Code history one can easily see that the City just couldn't figure out how to stop the transport of small amounts of hazardous materials across areas it designated as conservation zones.

When this language made it into the 1994 Code revision, it was a different time in the life of this planet way before we began to comprehend the impact that fossil fuel emissions have on the sustainability of our Northwest environment or close in city living. Since 1994 the population of the areas most affected by any spill, explosion or air pollution have dramatically increased. Clark County has more than doubled since 1994 and the population of North Portland has increased about 60% and is still growing. North Portland will continue to see high growth rates as it remains the last best place in Portland for affordable housing, and Washington's taxation policies insure continued growth of close in Clark County.

Since 1994 we have become aware of just what is happening to our planet and the air we breathe, the water we drink and the extreme climatic events leading the nightly news.

These are different times.

This entire Code section is antiquated in just 20 years since its passage. I mean this entire section approving trucks and rail transport of pretty much anything over environmentally sensitive zones was way way before we started transporting the dirtiest most explosive fossil fuel cargos across America. These are the last gasp efforts of companies who got rich off fossil fuels to squeeze out the worst of the worst fuels, to extract from anywhere anytime anyway. They are loaded with cash and their appeal to the coffers of Cities nationwide can never be underestimated.

But this Code Section was never intended to be the gateway law for Portland to be the fossil fuel faucet for any and every kind rail, truck and pipeline transport of fossil fuel. This Code change in 1994 has no comment accompanying its passage. Clearly it was not controversial at all then, just intended to plug up a couple dangling code sections for the transport of small amounts of hazardous materials--and what we thought was hazardous then is not what we know to be hazardous now.

Do you really think for a nanosecond that if this entire current Code section were to come today before the City Council as an Ordinance proposal that there would be no comments at all, like there were none in 1994?

You must consider in your deliberations the intent of this 1994 Code section and the lack of comment thereon as well as the current scientific climate and population changes and not pass the buck onto the Fire Department to determine if this kind of hazardous transport is a problem. The Fire Department is not the Sustainability Commission. To do this is to close your

eyes to the Portland Climate Action plan, to close your eyes to the real impact of any Pembina propane plant, and to close your eyes to what is really happening to our world and instead to focus on whether propane pipeline transport is sort of like rail and truck transport so no big deal to amend the Code. You must reject this amendment as a vestige of an era gone by when hardly any one thought that there was any connection between fossil fuel burning and continued life on this planet. Act responsibly to bring Portland into the 21st Century.

Rick Rappaport

2218 N.E. Gile Terrace, Portland, 97212

rick@rickrappaport.com

<http://www.rickrappaport.com>

503.730.5554

"I went out for a walk and finally concluded to stay out till sundown. For going out, I found, was really going in."

---John Muir

Concerned about Climate Change? You are not alone.

Here's one thing to do about it: Sign the Oregon Climate Declaration

<http://campaigns.350.org/petitions/oregon-climate-declaration-polishuk>