



April 7, 2015

Portland Planning and Sustainability Commission  
1900 NW 4<sup>th</sup> Ave  
Portland, OR 97201

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

Please accept the following comments from the Audubon Society of Portland regarding the proposed environmental zoning amendments at Terminal 6 to accommodate the proposed Pembina Propane Terminal. Audubon Society of Portland strongly opposes this proposal and urges the Planning and Sustainability Commission to vote NO on the proposed zone changes. These comments supplement prior comments on this topic submitted by the Audubon Society of Portland and those comments are incorporated by reference.

The Pembina propane terminal facility has generated a remarkable outpouring of opposition for conservation groups, community groups and neighborhoods. Virtually every surrounding neighborhood has now publicly expressed its opposition. When this project was first announced, Pembina CEO, Mick Dilger stated, "If the people of Portland don't want this....we don't have a deal." It is hard to imagine that the people of Portland could have expressed themselves more clearly---there is widespread and deep opposition to this project. We urge the Planning and Sustainability Commission to listen to the community as is says a resounding "no" to Pembina Propane.

The following is a summary of our most significant concerns with this proposed project:

**The proposed facility directly conflicts with Portland's Climate Change Action Plan and will undermine Portland's role as a national leader in addressing climate change:** Moving forward with this facility will make a mockery of Portland's commitment to taking a leadership role in addressing global climate change. The emissions generated by this facility are measurable at a local and global scale. Put simply, this a bad deal from beginning to end of the life cycle. The propane is a by-product of hydraulic fracking in Canada's Sedimentary Basin---a environmental devastating endeavor. The energy required to cool the propane once it reaches Portland will generate 0.7% of Portland's CO2 emissions. Once the propane reaches China there is absolutely no evidence to support the assertion that it will play a significant role in displacing other fossil fuels. We concur with Commissioner Oxman's conclusion regarding the Bentek Report when he writes in a 4-6-15 memo to the PSC that "In summary, I found no evidence from the Bentek report data that expanded use of propane as a fuel has either substantially displaced other more harmful fuels or reduced CO2 emissions." A much more likely outcome is that significant portions of the propone will be used in the energy intensive manufacture propylene and livestock feed and/ or that it will be additive to existing fossil fuel consumption.

Efforts to mitigate these impacts by requiring consumption of green energy in Portland through carbon offset charges for projected emissions in Asia, fail to address the core issue that Portland would be unnecessarily adding to the fossil fuel industry export infrastructure in a way that will help promote and sustain the industry for decades to come. Portland should build its future on a clean and sustainable

industries, not hitch its financial wagon unnecessarily to exactly the industries that we need to be moving towards obsolescence.

Portland has the opportunity to join other Northwest Communities in making a profound global statement about our energy future by saying “no” to becoming part of the fossil fuel export industry economy.

**Safety Concerns have not been adequately addressed:** We do not believe that the analysis provided by Pembina and their consultants is adequate to address the safety concerns raised by the community. Specifically, the report fails to address or reconcile many inconsistencies with the report produced by the Northwest Citizen Science Initiative which identifies significantly higher risks and significant broader impacts in the event of a major explosion at the facility. It is disappointing that the City’s independent reviewer failed to also evaluate the work of the Northwest Citizen Science Initiative.

Pembina and its consultants also failed to address entirely some of the most significant risks to the community from this facility, specifically risks presented during transport by rail and boat. Pembina dismisses these concerns as being the responsibility of other parties over which they have no control. However, that in no way diminishes this very real and significant risk present by propane to our community during transport. The City should require that Pembina provide a risk assessment of the threats presented during transport or produce one itself—not enable Pembina to simply ignore the issue. The fact is that this project will generate a mile long unit train full of explosive propane through our communities approximately every 36 hours. We recognize that Portland does not have control over many of the products that are shipped through our community by rail, but that is the weakest of all possible rationales to abdicate oversight when in fact our city can exercise influence. It is high time that the City engage much more aggressively on this issue of rail transport through the City and that effort should begin with the very real threat presented by Pembina.

**The City, Pembina and the Port provided inadequate time for notice and review of materials:**

Given the broad public and interest and concern about the proposed Pembina facility, Audubon and several other community organizations requested at least 30 days to review materials associated with this project. This is particularly important given the complexity of the materials involved. Unfortunately, many of the most important materials including a revised QRA, Code Revisions, the Intergovernmental Agreements, the Akana Report, were not posted online until April 1 or later, only four working days prior to the hearing. This is far below the standards that should be met for a city that truly values public process and public involvement. We appreciate the decision to postpone the hearing when Pembina failed to produce materials in a timely manner in March, but even with that dispensation, the City, Port and Pembina were unable to meet the most basic standards for public involvement.

**Pembina has demonstrated a pattern of non-transparency:** Neither the City nor the community should mistake a high priced, high powered public relations campaign for transparency. The past eight months have been marked by “divide and conquer” approaches, repeated failures to produce requested materials in anything remotely resembling a timely manner, low and no content p.r. presentations for community groups, and exclusion of key stakeholders from key information events. To the degree that materials have been produced, it is only because the community has repeatedly demanded it and pushed back on a company that was largely non-responsive until it realized that its entire project was in jeopardy. To the degree that Pembina has rolled out certain community benefit programs, these programs were not proactive or done in concert with the community, but rather appear as last minute desperate attempts to stem a tide of growing opposition. This is a company that appears to believe that it can buy its way past community opposition. Portland should not allow itself to be bought.

**The ESEE has not been updated to incorporate new information:** The ESEE is meant to comprehensively evaluate the energy, environmental, social and economic implications of the proposed project. Despite the fact that the majority of the information regarding this project has emerged in the last few months, the City has failed to update the ESEE since it was first released in December. This is in part due to the last minute release of many of the most important supporting

materials, but the last minute release should have been addressed by delaying the hearing until the ESEE could be updated. The failure to do so has resulted in an ESEE that does not meet acceptable standards under Oregon's statewide land use planning goals. Instead the public has been expected to locate and wade through, on increasingly short notice a series of documents, reports, memos and updates that have been trickling out, most at the last minute. We appreciate access to primary sources of information, but an "information dump" from multiple sources of varying credibility and with varying degrees of self-interest does not constitute meaningful or substantive analysis by the City which has the primary responsibility for ensuring that the interests of the public at large are served.

**The Intergovernmental Agreement (IGA) is incomplete:** The City has publicly pointed to an IGA as the mechanism by which it will ensure that Pembina will meet community objectives including safety, mitigation, environmental protection, jobs and livability. However, the IGA Framework that emerged only a week prior to the hearing is just over two pages in its entirety provides nothing more than a vague outline of bullet points that could or should be substantively addressed if the project is to be approved. There is absolutely no reason that the community should have any confidence what-so-ever that the City, Port and Pembina will be able to come to consensus on all or any of these issues. The West Hayden Island IGA stands as a case in point of just how difficult these documents can be to negotiate. We fundamentally question how the PSC can justify moving forward with an approval hearing at this time when the IGA has yet to be negotiated. It has been eight months since this project was announced and the City, Port and Pembina have had more than adequate time to work through the details. The fact that they haven't is reason enough in and of itself to delay or deny approval.

**The City, Port and Pembina have not substantively addressed mitigation for grassland impacts:** Pembina and the City have repeatedly assured the community that grasslands at T-6 not covered by the E-zones would be fully mitigated. To date, nothing more than vague promises have emerged. We question why the PSC is moving forward with an approval hearing while this issue remains unresolved.

**The City, Port and Pembina have not substantively addressed restrictions on river use that might be enforced as a result of this project:** Pembina acknowledges that there could be significant safety zones established around both the facility and the ships transporting propane down the Columbia River. These restrictions could potentially shut down the entire Oregon Slough for several days per month. These restrictions could have significant impacts on river recreation and river commerce. The City should not move forward with an approval hearing until it has complete information about the specific restrictions that the Coast Guard will require.

We strongly urge your "no" vote on the environmental zone amendment that would allow Pembina and the Port to move forward with this proposal which will jeopardize our communities, our environment, our green reputation and perpetuate dependency on fossil fuel at a time when we need to be moving in exactly the other direction. Portland has a major opportunity in front of it to make a statement that along with other Northwest communities that are saying "no" can reverberate at a global scale.

Respectfully,

A handwritten signature in dark ink, appearing to read "Bob Sallinger", with a stylized, flowing script.

Bob Sallinger  
Conservation Director  
Audubon Society of Portland



January 21, 2015

Audubon Society of Portland  
5151 NW Cornell Road  
Portland, OR 97210

Portland Planning and Sustainability Commission  
City of Portland  
1900 SW 4<sup>th</sup> Ave, Suite 7100  
Portland, Oregon 97201

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

Please accept the following comments from the Audubon Society of Portland regarding the Terminal 6 Environmental Overlay Zone Code and Boundary Amendment being proposed to facilitate construction of a new Pembina propane export facility at Terminal 6. Audubon appreciates the fact that the Planning and Sustainability Commission has delayed a decision until March 17<sup>th</sup> in order to allow for more complete consideration of this proposal. We be

This facility will have capacity to store up to 33.6 million gallons of propane at one time with the potential to double its capacity in the future. The propane, which is a byproduct of fracking, will be transported from Canada's Sedimentary Basin by rail to Portland and then shipped by boat to Asia. The CO2 emissions generated by this facility will be measurable both at a local and global scale accounting for 0.7% of Portland's CO2 emissions and 0.01% of global CO2 emissions.<sup>1</sup> Audubon Society of Portland urges the Planning and Sustainability Commission to reject these amendments. We believe that this proposed facility is fundamentally inconsistent with the City's commitment to combatting climate change, environmental sustainability protecting the health and safety of our communities and its economic development priorities.

The specific issue driving the amendments before the Planning and Sustainability Commission is a prohibition on hazardous pipelines traversing environmental overlay zones. As a result of this prohibition, the City would need to amend its environmental overlay zone regulations and conduct an Economic, Social, Environmental and Energy (ESEE) Analysis under statewide land-use planning Goal 5 in order for the Pembina Propane facility to move forward at Terminal 6. It is critical that the City use this opportunity to take a broad look at the economic, social environmental and energy impacts of this facility.

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<sup>1</sup> Terminal 6 Environmental Overlay Zone Code Amendment and Environmental Overlay Zone Code Amendment; Part 1 at Page 29.

This process likely represents the only opportunity that the community will have to obtain answers to important questions pertaining to this facility and to have meaningful input as to whether and how this project moves forward. Discussions with both the City and Pembina indicate that while this project will be required to obtain a variety of individual permits, there are no additional comprehensive review opportunities at the municipal level and nor is it unlikely to trigger any sort of comprehensive public review process such as an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act (NEPA). The Environmental Overlay Zone Amendment Process not only represents the only opportunity to have meaningful review and input at the local level, but is likely the only opportunity to have meaningful review input into this development in any forum.

The Port and Pembina have released a series of conflicting statements regarding the public participation process but have failed to lay out any sort of clear process for that happen. In a September 2, 2014 Oregonian article, Port of Portland Director Bill Wyatt indicated that propane facilities face far less stringent regulatory requirements than oil or natural gas.<sup>2</sup> In a subsequent Oregonian article dated September 13, 2014, Pembina president Micheal Dilger stated, “We'll hang it out there and if Portland wants this, we'll be there and if they don't we won't be....We're going to take the time to make sure they can get their heads around this.”<sup>3</sup> The one thing that is clear is other than the process being led by the PSC, no significant opportunities for comprehensive public review and participation have been put in place.

The implications of this proposed facility for Portland are very significant. It represents a decision to become part of the vast network of infrastructure that is facilitating the extraction of fossil fuels from Canada and exporting those fuels to Asia. There are some who suggest that if we don't take advantage of this economic opportunity, another city will. That may well be the case, but that kind of logic represents that same type of myopic thinking that allow individuals and communities to ignore environmental harms based on the presumption that individual and communities can't ultimately make a difference on our most challenging environmental issues. In fact, just the opposite is true—the only way we can make a difference is by promoting change within those arenas within which we have control and influence. The real question before Portland is one of leadership: Do we want to remain a national and international leader on the issue of reducing greenhouse gases? Do we want to join a growing network of communities that have refused to become part of the fossil fuel pipeline to Asia? Or, are we willing to sacrifice our commitment to addressing the single greatest challenge facing this generation and approve a new facility that will have measurable CO2 emissions at local and global scale?

We have spent considerable time reviewing the proposed environmental zone amendments and ESEE analysis and we believe that the analysis and conclusions are flawed and incomplete in several areas. We are also concerned that a decision of this magnitude did not produce a more robust, transparent and inclusive public process. The proposed amendments and ESEE appear to be entirely informed by city staff, the Port, Pembina and their consultants. We believe that the City should have engaged the local community and outside experts in the development phase of the ESEE in order to ensure that all relevant issues were day-lighted and fully and credibly resolved. Again we appreciate that the PSC has added more time to fully explore the implications of this proposal.

We would highlight the following specific concerns with the City's analysis and with the proposal itself:

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<sup>2</sup> [http://www.oregonlive.com/business/index.ssf/2014/09/pembina\\_pipelines\\_portland\\_pro.html](http://www.oregonlive.com/business/index.ssf/2014/09/pembina_pipelines_portland_pro.html)

<sup>3</sup> [http://www.oregonlive.com/business/index.ssf/2014/09/pembina\\_chief\\_provides\\_first\\_d.html](http://www.oregonlive.com/business/index.ssf/2014/09/pembina_chief_provides_first_d.html)

- 1) **The proposed facility is inconsistent with Portland's climate change agenda:** In 2009 the City of Portland adopted its Climate Change Action Plan. The Plan commits the City and County to achieving a 40% reduction in greenhouse gas emissions by 2030 and an 80% reduction in greenhouse gas emissions emission by the year 2050. The report states the following:

“An 80% reduction of carbon emissions by 2050 will entail re-imagining the entire community--- transitioning away from fossil fuels and strengthening the local economy while shifting fundamental patterns of urban form, transportation, buildings and consumption.”<sup>4</sup>

In 2014, the City's efforts to combat climate change were recognized twice with both a City Climate Leadership Award from the C40 Cities Climate Leadership Group and a Presidential Climate Action Champions Award. At the time Mayor Hales was quoted as saying, “It just means that the pressure is on to work harder, and to think smarter, to demand more of ourselves.”<sup>5</sup>

A decision to allow the Pembina propane export facility to be constructed in Portland would fundamentally and permanently undermine the city's credibility and commitment to being a leader on climate change issues. The City's ESEE analysis determined that the facility will be one of Portland's largest energy users requiring an estimated 8,000 MWh of electricity per month resulting in 20,000 metric tons of CO2 emissions/ year. This would represent approximately 0.7% of Portland's annual CO2 emissions. The 552-828 million gallons of propane that will be transported through this facility annually would result in the release of 36-60 million metric tons of CO2/ year which represents approximately 0.01% of total global CO2 emissions.<sup>6</sup> In short, the CO2 produced by the proposed facility will have measurable impacts on CO2 emissions at both the local and global scale. These estimates do not include additional CO2 emissions associated with transportation by both boat and rail.

**The City should not be swayed by arguments that propane is a transition fuel that will displace oil and coal use in Asia.** Neither the City, nor the Port and Pembina have produced any analysis at all that demonstrates that any displacement of coal or oil would occur and that the propane being shipped to Asia would be anything other than additive. Second, it emerged just prior to the PSC hearing that as much as 100% of the propane being exported through this facility could be used in Asia's energy intensive propylene production industry. Third, the propane could just as easily displace renewable energy development efforts as fossil fuels. The bottom line is that there is simply no evidence what-so-ever to support the transition fuel argument and neither the City, nor the Port or Pembina have put any mechanisms in place to provide any level of confidence that this outcome would be achieved. The argument that propane is a transition fuel is nothing more than a convenient way to rationalize the fact that Portland would be facilitating the export of huge quantities of greenhouse emitting fossil fuels.

**Pembina's commitment to buy renewable energy fails to address concerns regarding emissions:**

Just prior to the PSC hearing Pembina announced that it would purchase green energy to help address concerns about local CO2 emissions. This was one of a series of last minute announcements just prior to the hearing which also included offers to create a community advisory committee, vague promises of

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<sup>4</sup> City of Portland and Multnomah County Climate Action Plan 2009 at 16.

<sup>5</sup> [http://www.oregonlive.com/portland/index.ssf/2014/12/portland\\_wins\\_presidential\\_awa.html](http://www.oregonlive.com/portland/index.ssf/2014/12/portland_wins_presidential_awa.html)

<sup>6</sup> Terminal 6 Environmental Overlay Zone Code Amendments and Environmental Overlay Zone Code Amendment; Part 1 at Page 29.



“community benefits, offers to mitigate shoreline impacts and to hire union workers. The last minute scattershot manner in which these announcements were made is indicative of one of our fundamental concern about this process to date---the public should be able to review and comment on a complete and comprehensive proposal---not be faced with a series of vague announcements on fundamental issues of concern just as the hearing begins. We question why fundamental issues such as mitigation for emissions and environmental impacts, hiring practices and community input and benefits were almost entirely ignored in the draft ESEE. The manner in which these proposals were made comes off more as a public relations ploy than as meaningful or substantive commitments to our community. Without details these commitments are virtually meaningless. For example, the proposal to restore shoreline resources ignores the fact that there are additional regionally significant natural resources that will be impacted at the site which are not accounted for. It provides no detail as to what level of mitigation will be attained or how it will be maintained over time. A citizen advisory committee will have absolutely no leverage over the issues of greatest concern to the community. Any meaningful mitigation for the climate change impacts must account for not only 100% of the energy use at the site but also the emissions associated with extraction, transport by rail and boat, and especially use in Asia.

**2) The ESEE fails to adequately analyze public safety issues associated with this facility:**

It is remarkable that the ESEE fails to address the potential blast radius of the proposed propane facility or the explosion risks presented by transport of propane by ship and rail through Portland. Despite repeated requests, neither the Port nor Pembina have been willing to produce analysis of these very significant concerns outside of the ESEE process. We were disappointed that Pembina was once again unprepared to discuss this issue at the PSC hearing. After months of trying to get meaningful answers out of Pembina on this issue, our concern has expanded to include not only the core issue of risk from explosions, but also the fact that Pembina in our opinion is demonstrating a pattern of evasiveness on issues of core concern to our community.

Audubon has been told that Pembina is still analyzing the blast radius associated with the facility and that risks associated with transport of propane when it is outside of Pembina's custody (ie during transport by ship or rail) are outside of its responsibility. The ESEE appears to dismiss public concerns about explosions by stating that the risk is relatively low. However, any meaningful analysis needs to consider both the probability and the impact of a potential explosion in order to reach a meaningful conclusion about public risk. Review of documents obtained via public records requests indicates that the minimal information that is provided in the ESEE regarding risk of explosion was provided almost entirely by Pembina and the Port. The analysis should be considered incomplete and until the risks of explosion during transport through Portland and during storage at Terminal 6 are fully explored and validated by outside experts. A cursory review of the literature indicates that a major explosion at T-6 could have significant impacts on neighborhoods to the South in North Portland and to the east on Hayden Island as well as to critical natural resource areas including the Columbia River, West Hayden Island and Smith and Bybee Lakes.

In addition, we strongly question the wisdom of constructing giant propane tanks on fill within an earthquake liquefaction zone. Some have justified this decision based on the fact that Portland has previously allowed fuel farms to be constructed on liquefaction zones along the Willamette River. We would respectfully suggest that bad decisions in the past should not be used to justify bad decisions in the present.

**3) The ESEE fails to provide adequate analysis of the employment and tax benefits generate by this project:**

The Port is proposing to use one of the largest remaining vacant industrial sites on the working waterfront to construct a facility that will generate, based on Pembina's estimates, 35 to 40 permanent jobs. This will amount to well under a job per acre. At a time when the Port and City are considering annexing natural area on West Hayden Island and converting openspace at golf courses in order to add new industrial lands to meet job targets, the proposed Pembina facility represents a remarkably poor use of a large parcel that is already zoned for industrial development. The Port has indicated that the site was otherwise undevelopable due to its long and narrow configuration. That assertion strains credibility given the number of similarly situated industrial sites that have been developed along the Willamette River.

The City should not be swayed by the more robust direct, indirect and induced job estimates contained in the ESEE analysis. These numbers are based on speculative rather than actual analysis. A public records request to the city reveals that the Port's consultant, Martin and Associates simply plugged the 7 input factors into an economic impact model it developed for the Port in 2011. It did not conduct any specific analysis of the types the specific labor needs that would be generated by this facility. The analysis can be at best considered superficial and cursory.

**4) The analysis fails to adequately address environmental justice issues associated with this facility:**

The Pembina facility would be located in close proximity to low income communities on Hayden Island and in North Portland. Transport of materials to the facility by rail would necessitate additional rail traffic directly through local communities. The City should conduct a Health Impact Assessment as it did with proposed development West Hayden Island. This should become a standard feature of the city's assessment of major new developments.

**5) The Analysis fails to adequately address potential impacts to natural resources in close proximity to the proposed Pembina facility:**

The ESEE limits its focus on natural resource impacts to wildlife habitat impacts at T-6. In fact the City should consider potential impacts to all wildlife areas within the blast zone including the Columbia River, West Hayden island and Smith and Bybee Lakes. The proposed facility is located in the midst of some of Portland's most important natural resource sites and the facility that will be facilitated by the allowance of the pipeline in the e-zone could have significant impacts on these sites. In addition, the ESEE fails to substantively address potential impacts to listed salmonids from either the pipeline or modifications that may occur on the shoreline or the dock. This area is designated critical habitat for federally listed salmonids.

**6) The Environmental Overlay Zone Map Amendment (Part 2) provides inadequate protection for natural resources at Terminal six:**

Audubon recognizes the need to update environmental overlay map boundaries at Terminal 6. The updated natural resource inventory demonstrates that there are many natural resource areas on this site that are currently inadequately protected. However, the current proposal appears to be a cursory and incomplete effort driven primarily by a desire to expedite the needs of the Pembina development. The City is well aware that due to an outdated Economic Opportunities Analysis (EOA), it is unable at this time to increase environmental protections on vacant industrial lands along the Columbia and Willamette Rivers. Other efforts to amend environmental zone boundaries in vacant industrial lands including those contained in the North Reach River Plan have been suspended until the City is able to update its EOA. That process is currently underway with a draft expected to be presented to the Planning and Sustainability Commission early in 2015. Under these circumstances, it makes absolutely no sense to update the boundaries at T-6 until the EOA analysis is complete. However, the City has expressed concern that the State might reject the



accompanying zone code amendments allowing a pipe to traverse the e-zone if it finds that the current e-zone boundaries have not been updated based upon the most recent NRI. As a result, the city has chosen to move forward with updating the Overlay zones prior to completing the EOA. The result is that 26 acres of grassland T-6 that have been identified as a “special habitat area” and received a “high” habitat value in the NRI have been given no protection under the proposed amendment. The City should either place environmental overlays on the grasslands consistent with its final ESEE recommendation to limit conflicting uses within high and medium ranked wildlife habitat areas at T-6 or it should delay consideration of these amendments until a new EOA. The City should not compromise protection of natural resources at T-6 simply in order to accommodate an expedited schedule for Pembina and the Port.

**7) The analysis of recreational impacts is insufficient:**

The ESEE states that the US Coast Guard may establish a security zone around vessels of up to 500 yards in all directions around vessels at the propane facility. A security zone of this size would bisect the entire Oregon Slough and potentially restrict access up to six days a month while ships are in Port. This number could double if the Pembina facility would to expand in the future as has been discussed by Pembina officials. The Oregon Slough is a high use recreational area that also provides access to the moorages and businesses on Hayden Island. The risk of reduced public access to a high use waterway up to six and possibly twelve days a month speaks the unsuitability of this site for the proposed purpose.

**8) The proposed amendment could allow propane facilities to be established at other sites along the Columbia River in Portland.**

The City states that the amendment has been narrowly drawn to only facilitate propane exports from Terminal 6 due to the fact that it limits the applicability to river dependent uses on sites zoned for industrial use along the Columbia River. Since T-6 is the only industrial site with access to a deep draft navigation channel. However, there are according to the City 22 other lots zones for industrial use that have access to shallower channel that would also be captured under this amendment. The city has failed to evaluate whether these sites could potentially be serviced by smaller ships.

**9) The City should consider the long-term implications of this decision for Portland’s role in energy exports:**

We urge the City to take a step back and have a broader discussion about what role, if any Portland should play in the export of fossil fuels. This has been a highly controversial topic at Port facilities along Oregon’s coast as well as at other Ports along the Columbia Corridor. It is important that Portland have a broad-based, well informed discussion about the implications of facilitating the export of fossil fuels. This discussion should not be driven by the urgency of the proposal currently on the table, but rather through an inclusive public process the truly allows the community to explore the full range of implications of constructing these types of facilities. We strongly recommend that the City have this discussion as part of the Climate Change Plan Update that is currently underway.

Finally, this proposal should serve as a cautionary tale. If not for the fact that the current e-zone regulations preclude hazardous material pipelines, the city and local communities would have virtually no opportunity to weigh-in on this proposal. In recent years we have seen a trend at the local, regional and state level towards reducing public review and public oversight on decisions related to industrial lands. A proposal such as the one currently before the Planning and Sustainability Commission serves as a reminder that we cannot predict the future and anticipate the types of uses that may be proposed for an industrial site. It is critical that the City apply real caution to codifying allowed uses on industrial sites and ensure that it retains the ability to review new as they arise. A proposal such as the one currently being put forward by Pembina and the Port of Portland has tremendous implications for public health and safety, protection of the environment and economic

development. It raises significant issues that have not previously been considered by the City. The ability of the public to review and comment on a decision of magnitude should be a matter of chance. We urge the City as it moves forward with planning processes such as the Comprehensive Plan update to ensure that it retains adequate ability to facilitate public review of projects on industrial lands.

For all of the above stated reasons, we urge the PSC to reject the proposal to amend the environmental overlay zones to allow the Pembina project to move forward.

Thank you for your consideration of these comments.

Respectfully,

A handwritten signature in dark ink, reading "Bob Sallinger". The signature is written in a cursive, flowing style with a long, sweeping underline.

Bob Sallinger  
Conservation Director  
Audubon Society of Portland

February 15, 2015

Portland Bureau of Planning and Sustainability  
1900 SW 4<sup>th</sup> Ave  
Portland, OR 97201

Dear Chair Baugh and Director Anderson,

We appreciate the decision of the Planning and Sustainability Commission (PSC) to take the time necessary to reach a reasoned decision and hold an additional hearing on March 17<sup>th</sup> regarding the environmental zoning code amendments associated with the proposed Pembina Propane Facility at Terminal 6. This facility has significant negative implications for the health and safety of our community, the city's commitment to combatting climate change, recreational access on the Columbia River, and existing and potential jobs that rely on access to river and rail infrastructure. It is a topic of significant interest to the community as evidenced by the strong turnout at the January 13<sup>th</sup> hearing. Unfortunately many of those attending the hearing were not able to be heard due to public testimony being cut.

We believe that it is critical that the City use these hearings to fully explore the implications of the Pembina proposal. We would note that, based on the information provided by the Port and Pembina to date, there is no indication that the community will have another opportunity for a comprehensive review of this proposal. The City of Portland hearings on the zoning code amendments are likely to be the only opportunity the public will have to review and comment on the full range of impacts that will be caused by this project.

We would also note that we are deeply concerned about the quality of information provided to date. The Pembina proposal has been public since September and was quietly in the works for months prior to September. Despite repeated requests from the public, basic information regarding issues of fundamental concern to the community such as blast radius<sup>1</sup> and safety during transport was not made available prior to or during the January 13<sup>th</sup> hearing. Instead, the public was offered information that clearly evaded the issues being raised. This behavior has already undermined Pembina's credibility and commitment to transparency and a meaningful public process.

1. This should include information such as worst-case scientifically-determined and EPA/NOAA/NTSB-determined thermal threat, overpressure-blast threat, and shrapnel threat zone radii for various accident/incident/terrorist/earthquake scenarios, including likely domino-effects caused by pressurized tank boiling liquid expanding vapor explosions in the unit trains and the bullet transfer tanks, loss of refrigerated tank contents and subsequent heavy vapor cloud coverage of Portland and/or Vancouver with multiple flame pockets, fires, and deflagrations, all of which are referred to collectively in this document as the "blast radius."

Our understanding based on discussions with BPS is that there will be public testimony allowed at the March 17<sup>th</sup> hearing, that an information package associated with the March 17<sup>th</sup> hearing will be made available by March 1<sup>st</sup>, and that the City is still considering whether or not it will contact experts on various subject matters to speak as invited testimony at the March 17<sup>th</sup> hearing. In order to facilitate a complete and inclusive public process we would respectfully suggest the following:

1) **Consult with independent experts on key issues** such as risk associated with potential explosions/ fires at the facility and during transport, emissions related to extraction, transport, storage and use at the local and global scales and economic impacts. The city should not rely on the applicant or the Port, parties with a clear conflict of interest, to provide this information. We would be happy to provide recommendations to BPS regarding independent experts

2) **Provide at least 30 days to review the information package prior to the March 17<sup>th</sup> hearing.** Neighborhood associations and organizational boards typically only meet once per month. In order to allow the community adequate time to review and comment on the proposal, a 30-days notice is essential.

3) **Provide notice to all of the following:**

- a. All neighborhood associations within the City of Portland that occur in part or wholly within the blast radius of the proposed facility or the transportation corridors that trains or ships transporting the propane for this facility would pass through.
- b. All property owners within the City of Portland whose property occurs in part or wholly within the blast radius of the proposed facility or the transportation corridors that trains or ships transporting the propane for this facility would pass through.
- c. All property owners (including houseboats) along the Oregon Slough regarding potential periodic closures or travel restrictions along the Oregon Slough due to operations at this facility.
- d. The Oregon State Marine Board (for distribution to interested boat owners) of potential periodic closures or travel restrictions along the Oregon Slough as a result of this facility.
- e. Native American Tribes with treaty rights associated with the affected segments of the Columbia River.
- f. Businesses that rely on access to river and rail infrastructure to provide jobs in our community and that will be impacted by congestion and safety issues related to the transport of propane.

4) **Provide adequate time for public testimony at the March 17<sup>th</sup> Hearing and any additional hearings.**

5) **Ensure that any panels at the March 17<sup>th</sup> hearing or any additional hearings are comprised of credible independent experts.** We would be happy to provide recommendations.

6) **Postpone the March 17<sup>th</sup> hearing if the City is not able to provide complete, reliable information on key areas of concern one month in advance of the hearing.**

Thank you for your consideration of these requests. Please let us know if you would like to discuss any of these issues further.

Respectfully,

Bob Sallinger  
Conservation Director  
Audubon Society of Portland

Jeff Geisler  
Chair  
Hayden Island Neighborhood  
Association

Lenny Dee  
Onward Oregon

Adriana Voss-Andreae  
350PDX

Regna Merritt  
Physicians for Social  
Responsibility

Dan Serres  
Conservation Director  
Columbia Riverkeeper

Rev. Kate Lore  
Social Justice Minister  
First Unitarian Church of  
Portland

Mike Stanton  
President  
International Longshoremen  
and Warehouse Union (ILWU)  
Local 8

Barbara Quinn  
Friends of Baltimore Woods

Paul Anthony  
Chair  
Humboldt Neighborhood  
Association

Isaac Quintero  
Chair  
Concordia Neighborhood  
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Maija Spencer  
Chair  
Woodlawn Neighborhood  
Association

Ben Poe  
Occupy Saint Johns