

DEVELOP CODE TO REQUIRE DECONSTRUCTION
FOR CITY'S OLDEST AND MOST HISTORIC HOUSES AND DUPLEXES

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

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

✓ TERRY PARKER	P.O. Box 13503 97213	parkernt2012@gmail.com
✓ JIM BROWN	3407 NE 27TH 97212	jimbrownorch@j.com
✓ JOHN SANOIE	3485 NE FREMONT 97212	saniefom@gmail.com
✓ AL ELLIS	3635 NE SKIDMORE 97211	eje0280@gmail.com
✓ MARGARET DAVIS	3617 NE 45TH	manzobooks@gmail.com
NO Scott Yelton	10808 SE Center St. POX 97266	scott@wofthedeconstruction.com
✓ Doughlickson	6416 SE Seaw Drive 97215	dougherebuildcenter.org
✓ Preston Browning	2021 N Argyle St Portland 97217	preston@salvagerworkspx.com
✓ David ^{Bennink} Bennink	2421 St. Clair St Bellingham WA 98229	re-use@comcast.net
✓ JORDAN JORDAN	623 SW OAK St. 97205	JORDAN@EARTHADJUSTERS.ORG

DEVELOP CODE TO REQUIRE DECONSTRUCTION
FOR CITY'S OLDEST AND MOST HISTORIC HOUSES AND DUPLEXES

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

NAME (PRINT)	ADDRESS AND ZIP CODE (Optional)	Email (Optional)
✓ SARA BADIALI	6205 SE FLAVEL ST. PDX 97206	Sara.badiali@gmail.com
✓ NATALIE PERRIN	1130 SW MORRISON #310	nperrin@hrassoc.com
Barbara Gerr	1150 NE Faloma Rd.	kerrclifford@hotmail.com
✓ Ben Gates	2236 S.E Morrison	ben@urbanpatterns.com
✓ Libby Wind	1818 NE MIK BLD #C Portland 97212	lwind@mercycompsnw.org
✓ Anthony Rutherford	1818 NE MIK BLD #C Portland 97212	cldmst@yahoo.com
[REDACTED]	[REDACTED]	[REDACTED]
✓ Chloe Eudaly	6023 NE 15th AVE. PORTLAND 97211	chloe.eudaly@gmail.com
✓ Jordan Palmeri	811 SW 6th Ave PDX OR 97204	palmeri.jordan@deq.state.or.us
✓ Paul Grove		paulgrove@pdx.org

DEVELOP CODE TO REQUIRE DECONSTRUCTION
FOR CITY'S OLDEST AND MOST HISTORIC HOUSES AND DUPLEXES

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

NAME (PRINT)

ADDRESS AND ZIP CODE (Optional)

Email (Optional)

Harriet Roth	4838 SW Comus St 97219	harrietroth7@gmail.com
✓ Jeff Fish	1834 SW 58 # 102 97221	
Gabe Vaught	4724 SE 99th Ave Portland, OR 97266	gabe.vaught@gmail.com
✓ Shawn Davis		

Metro News: Portland region sees decline in recycling and composting rate

Dec 15, 2015 12:05 pm

Nearly 60 percent of what Portland-area residents and businesses threw away in 2014 was recovered through recycling, composting or energy generation.

It's what garbage nerds call the "recovery rate," the portion of all the waste collected that's put to use rather than ending up in a landfill. And while that number is 10 percentage points higher than it was 10 years ago, the **2014 calculation also marks the region's first decline in nearly a decade.**

The numbers were released this week in the Oregon Department of Environmental Quality's annual **Material Recovery and Waste Generation Report**. The report is based on the collection of materials as reported through surveys of garbage haulers and recycling and composting companies. Numbers are based on weight, and recovery rates include credits for operating state-certified waste prevention, reuse and residential composting programs. Portland-area numbers include Clackamas, Multnomah and Washington counties.

"People here care deeply about conserving our natural resources," said Metro Council president Tom Hughes. "For a lot of folks, recycling has been a part of their daily practice – at home and at work – for 40 years. It's in our DNA."

Those decades of efforts add up. Compost feeds our farms and gardens. Energy powers homes and businesses. Recycling reduces the need for new raw materials to manufacture products we use every day, from paper bags to plastic sippy cups. These types of widespread reuse of resources save energy, reduce climate pollution, support local businesses and create jobs.

More analysis needed to understand dips in key numbers

As in [previous years](#), the Portland region's recovery rate tops rates around the state, but the recent decline bucks a longstanding upward trend. While numbers need a deeper look, what's immediately clear is that the drop is the result of dips in the recovery of three key materials: paper, **wood and scrap metal**.

Drops in paper recovery may be explained by decreases in magazine circulations and the distribution of junk mail, along with the decreased use of newsprint by the state's only daily newspaper, The Oregonian. In late 2013, the paper reduced delivery to four days a week, and in April 2014, the paper transitioned from a broadsheet to a compact format.

The decline in the collection of metals and wood waste is harder to understand – and seems counter-intuitive given the region's rebounding economy and building boom. Whatever explains the drop in wood waste recovery in 2014, numbers for 2015 are expected to be even lower, since the WestRock paper mill in Newberg, which converted some 85 percent of the region's wood waste into electricity, [closed in late October](#). **At this time, no other facility is readily available to receive and process the amount of wood waste that WestRock managed.**

"**Scrap metal and wood waste are associated primarily with the construction** and industrial sectors," said Matt Korot, Metro Resource Conservation and Recovery program manager. "There's more analysis needed to understand the changes. We'll be working closely with DEQ to figure out why these rates went down."

Submitted by Margaret Davis (3617 NE 45th Ave.) for United Neighborhoods for Reform, <http://unitedneighborhoodsforreform.blogspot.com>

TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

371 90

Subject: Testimony to the Portland City Council related to mandating deconstruction, February 17, 2016.

For city that pride's itself by promoting reuse and recycling, why does this resolution still allow single family homes built after 1916 to be mechanically demolished with reusable materials literally being crushed using a diesel smoke belching excavator? The delay in fully implementing a deconstruction mandate appears to be a development community claptrap fabrication that suggests the deconstruction and reusable building materials industries will fall short.

The preservation of existing homes needs to be top priority. However, when a house is slated for removal, the sustainability and preservation tools are found within the deconstruction tool box. The reuse of building materials lessens the need for new raw materials including new lumber from growing trees while preserving historical artifacts such as period window frames, interior moldings and trim, and other materials of character that otherwise could not be replaced. The marketplace for these products currently has an unmet demand for both restoration and repair work, and for repurposing uses.

There is also a need for more livable wage jobs within the community. As compared to mechanical demolition, deconstruction creates significantly more jobs - including entry-level jobs that can lead to higher paying jobs. With a truck, some tools, the proper training and a will to work hard, deconstruction supports the creation of numerous small, family and minority businesses that in theory, could even dominate the local deconstruction industry.

In the 1920s, Portland was in the midst of a new home building boom. These homes are of high quality construction built with old growth lumber. Extending and amending the deconstruction mandate to include homes built in the years from 1917 to 1930 can not come soon enough. It is a crime to not to preserve the irreplaceable lumber and reusable materials from these homes.

Instead of accepting a delay and waiting a year or two after an effective date of October 2016 to take the next step, a fast paced track to full implementation of the deconstruction mandate should be viewed as an **opportunity** to both create new jobs and add even more vibrancy to an already thriving reuse marketplace. The City Council needs to pass this resolution and take the field of dreams approach. Require deconstruction, promote the reuse of deconstruction materials, assist in training early on and then watch the industry soar to new heights!

Respectively submitted,

Terry Parker
Steering Committee Member, United Neighborhoods for Reform

I am testifying today because I was a member of the DAG. I sat on the committee as the DRAC chair. Two other DRAC members, first Kristin Wells and then Phil Damiano, participated in the committee for various meetings.

I felt the committee had good representation from various businesses related to the deconstruction industry and from the community. The process and discussions were inclusive of the wide variety of viewpoints, experiences, and perspectives. I personally learned a lot about the deconstruction and waste removal process. I was encouraged that the widely varied group came to a consensus on the proposal concept being laid out to you today.

I want to make a couple related comments before I address the proposal.

- People who say they support deconstruction “instead of” demolition are misinformed. Deconstruction results in the removal of a house, just the same as using mechanical means. There is also a method utilizing both mechanical and by hand deconstruction. Deconstruction does not change the outcome of the house disappearing. Admittedly, the waste disposal methods vary with contractor methods.
- The handling of hazardous materials is the jurisdiction of DEQ and OHA. The City requires the completion of a form with every Residential building permit that the applicant “*under penalty of perjury under the laws of the State of Oregon...*” has had the site tested for asbestos and lead, and will follow the proper procedures dictated by the state.
- Two weeks after the DAG had reached consensus on a proposal for Council, the UNR representative on the DAG sent an email to all the committee members declaring that UNR would not support the proposal and laid out alternative recommendations. A few people calling themselves the steering committee met and created this testimony. There was no UNR general meeting to inform neighborhoods or interested persons of the intent contained in the email. I see this as a minority opinion, expressed by one committee member and a few people who do not claim the broad support of neighborhoods. Over 18 months ago 43 of the 95 neighborhoods did support the UNR resolution that said: *f) Establishment of a rigorous definition of “deconstruction,” and recommendation of appropriate incentives, including an increased tip fee for construction debris.* That does not represent support for the recommendations they submit today, it represents the current proposal put forth by BPS.

The proposal before you today, as I interpret it, is to get your blessings for BPS to move forward and get into the details of how a deconstruction program in Portland would work. A lot of folks are going to tell you today what should and shouldn't be included in a deconstruction program, and the devil will be in the details. The DAG has taken a first step in coming to agreement on basic parameters and they are simple. Houses built before 1916 or deemed a historic resource must be deconstructed. BPS staff presented this proposal to DRAC at our January meeting and there were several concerns raised in regard to the deconstruction proposal. DRAC did not take a vote to endorse or oppose the resolution.

DRAC members expressed concerns about the feasibility of the program concept and the timeline for implementation:

- How would the age of the house be determined and be enforced?
- Which "historic" designation would be used? The current HRI is outdated and mostly useless. BPS has hired a new Historic Planner but new guidelines cannot possibly be in place by October.
- The increased cost to use deconstructions – \$9-10,000 would be added to the cost of the home and make it less affordable. This cost is not only in increased time, but loan interest rates, and additional work in excavation that deconstructors do not perform.
- Why should the current owner/developer pay the increased cost which ultimately supports an emerging industry – deconstruction? Sort of like taking money from an established business to support the expansion of another business. There should be a cost sharing at the very least.
- There is no feasibility study to show levels of what the industry can handle. Rough estimates are that about 10 houses a month would fall into the "before 1916" category and about 2-3 would be "historic".
- There needs to be a feasibility study because there are no data sets for what the market can safely transport, store and sell
- There are only three fulltime deconstruction companies in Portland. Adding increased workload could burden their performance.
- No training programs exist but must be created. That cannot possibly happen by October.
- Does less material to the landfill have unintended consequences and how will the decrease in revenue to current landfill fees affect current operations?
- Inspection costs and increased staff costs for the program

My sense from my DRAC colleagues is that while they support deconstruction as a demolition option, there is no way to support any type of project proposal as there are far too many unknowns and possible obstacles.

There was no formal vote on needed action items but from continued conversations here are some suggestions:

- Work with PCC, Earth Advantage, HBA and other construction groups to develop a certification course for deconstructors (Gunderson did it with welders at PCC)
- Find a funding mechanism, whether it is incentives, increased disposal fees, or cost efficiencies at the work site level, to have the cost of deconstruction be equitable and not result in increases to the replacement structure.
- Explore an option to reduce fees or waste removal costs for deconstructors to combine with other incentives

You must demand specific, strict criteria be met before implementation of any program.

There needs to be

- A clear and measurable definition of what constitutes deconstruction
- a feasibility study on the market for materials and capacity to meet the increased demands , it cannot be just a “good idea”
- a clearly defined process for permitting and inspection that is equitable and manageable,
- a process plan to manage and measure the outcomes of increased workloads and materials on an emerging industry,
- a training program that will provide a trained workforce that can handle increased demand so as not to slow the building process in our City.
- Request the DAG group continue to meet as needed to advise BPS on program formulation

Realize this cannot happen by October 2016, but a check in at that time would be needed, and then perhaps an implementation date can be set for the future based on the progress report.

I truly believe that if we do this right the program will create jobs, save precious resources, not increase the costs of affordable housing, and show that with positive support, careful program design, and educational approaches “we” can build a great program.

Deconstruction Proposal testimony before City Council - February 17, 2016

By John Sandie - resident NE Portland

In December of 2014 testimony was given before the City council in support of the United Neighborhoods for Reform (UNR) coalition resolution that addressed serious concerns with loosing viable housing in established neighborhoods in Portland. In particular, significant testimony centered on the public health risks of un-abated and poor demolition practices. Reference was made to a couple HUD sponsored studies showing that lead dust concentrations often exceeded allowable limits over 300 feet from the demolition sites.

Testimony highlighted key findings of these studies that showed adequate wetting during entire process and "partial" deconstruction of high lead concentration elements, such as: trim, doors, windows; drastically reduced the lead dust amounts to well below HUD limits.

What has occurred since then? The Bureau of Develop Services instituted a hazmat self certification by contractors applying for demotion permits, this has been exposed as woefully ineffective as evidenced by non-compliance levels of 65% for asbestos abatements undocumented at demolitions. This lack of required adherence to regulations was documented in a series of Oregonian articles in late 2015. The Oregon legislator has passed SB705 requiring asbestos survey for single family residence demolitions; UNR is lobbying DEQ to put some teeth into this law by requiring survey be documented prior to permit issuing, as well as encouraging inter agency cooperation and communication to close the non-compliance gap.

So after 15 months of knowing the potential risks to public health during house demolitions nothing concrete has been done to mitigate these risks. With recent national and local failures and abuse of the public's trust, I would expect that the City Council will take simple, yet urgent, steps to protect the nearby residents.

While full deconstruction is the surest method of protecting the public and should become mandatory for removal of any residential structure; at the very minimum, partial deconstruction, coupled with proper abatement and adequate debris wetting, should be verified with on-site inspections. To allow anything less could be construed as another example of inconvenience and apathy taking the place of responsible leadership on the public's behalf.

Reference material links:

HUD study by UIC

<http://www.nchh.org/Research/ArchivedResearchProjects/LeadDustandHousingDemolition.aspx>

East Baltimore – Responsible Demolition study

<http://www.aecf.org/resources/responsible-demolition-a-baltimore-case-study-with-national-implications/>

EPA - Renovation, Repair and Painting Program (RRP)

<http://www2.epa.gov/sites/production/files/documents/sbcomplianceguide.pdf>

Jim Brown
3407 NE 27th Avenue
Portland, OR 97212-2527
503-284-6455

Testimony to the council, February 17, 2016

I am Jim Brown; address for the last 36 years is 3407 NE 27th. I have lived in the Grant High School area for about 70 years. I recently retired from five years as Land Use Committee Chairman for the Alameda Neighborhood Association. Our most frequent contacts from homeowners concerned destruction of livable homes and construction of new homes that appear out of character for the neighborhood.

Certainly, demolition of a perfectly good house is a waste. What is worse, that waste is compounded by the current practice of smashing and trashing. Homes built in the 1920s and even some up to the 1950s contain old-growth Douglas-fir lumber. Deconstruction yields wood of a quality that is not available from today's commercial forests. This old wood is denser and stronger, has a higher resin content, and is more durable. Present-day lumber comes from trees that are "farmed", managed to grow quickly, and often harvested at an age of forty years. Today's lumber is adequate to meet current structural standards, but not fine-grained.

Large old-growth posts and beams from deconstruction are resurfaced and re-used for structural purposes, often left exposed for their unique appearance. Smaller lumber is re-used, re-milled, and/or re-purposed by local small businesses to manufacture furniture, moldings, and cabinets. I am told the market for products made from this wood is strong and growing, as customers learn of the unique quality and "look" of old-growth wood.

I urge the Council to develop regulations that will encourage and increase the use of this resource. The minimum date of 1916 should be ramped up as deconstruction capacity grows. Perhaps a few more trees will remain growing in our forests.

Moore-Love, Karla

From: Holly Chamberlain <hollyc@visitahc.org>
Sent: Wednesday, February 17, 2016 1:30 PM
To: Council Clerk – Testimony
Subject: Architectural Heritage Center: comments on Deconstruction Advisory Group
Attachments: Architectural Heritage Center Letter to Mayor and Council on Deconstruction Proposal.docx

Please find attached a letter from the Architectural Heritage Center in regard to recommendations relating to the Deconstruction Advisory Group.

Thank you,

Holly Chamberlain

Holly K. Chamberlain

Managing Director

Architectural Heritage Center

701 SE Grand Ave. Portland, OR 97214

503-231-7264 www.VisitAHC.org

Office hours: Tues. - Fri., 10:00 a.m. - 6:00 p.m.

Regular public operating hours are 10:00 am to 4:30 pm, Wednesday – Saturday, although our offices are open earlier and later and also on Tuesdays. **Enjoy a virtual museum of the city** with our **TagWhat smartphone app**. Link through Google Play Store or App Store. "Like" us on **Facebook** and visit our website for updates and our resource directory of preservation professionals at www.visitahc.org.

"Historic buildings are the physical manifestation of memory - it is memory that makes places significant" -
Donovan Rypkema



Architectural Heritage Center
701 SE Grand Avenue
Portland, OR 97214
503 231-7264
503 231-7311 fax
www.VisitAHC.org



371 90

February 16, 2016

Dear Mayor Hales and Council,

The Bosco-Milligan Foundation's Architectural Heritage Center (BMF-AHC) appreciates the work of the Deconstruction Advisory Group and has reviewed the recommended Deconstruction Plan. We offer the following comments on the plan.

We are supportive of deconstruction as one method of making old growth timber and other older materials available for re-use and out of landfills. When a residential building cannot be saved for a continued life as housing, the environmental sense of methodical and careful deconstruction is indisputable. We understand the 100-year mark as one gauge of how many buildings the existing deconstruction industry logically can handle. We urge including buildings on the Historic Resource Inventory and contributing buildings in a National Register Historic District or a Conservation District whatever their age.

In general, the BMF-AHC is more supportive of rehabilitation of older buildings than deconstruction and salvage, and would prefer to work toward having more incentives for preservation. Rehabilitation work is labor-intensive and therefore is a logical tool for job creation, along with teaching oncoming generations of craftspeople to work with wood, plaster, and brick. We stand ready to work with the city on credits/incentives and tools for preservation of Portland's great stock of vintage housing which is currently so threatened.

Thank you for the opportunity to comment on the work of the Deconstruction Advisory Group.

Sincerely,

Steve Dotterer, Chair
Advocacy Committee

From: Judy Parsons <judy_parsons65@msn.com>
Sent: Wednesday, February 17, 2016 1:14 PM
To: Council Clerk – Testimony
Subject: Feb. 17th 2016 City Council Testimony regarding BPS Deconstruction Resolution
Attachments: BDSCERTASBESTOS-LBP.pdf

Feb. 17th, 2016 City Council Testimony regarding BPS Deconstruction Resolution

I am Judy Parsons and I live in the Beaumont-Wilshire neighborhood where over 100 residential demolitions have occurred in the past three years. In the past four years, over 1100 homes have been demolished in Portland plus there have been thousands of major alterations/additions. Over a year ago, on Dec. 17th, 2014 and on Feb. 12th, 2015, many Portland citizens submitted testimony to city council about demolition concerns.

This BPS Deconstruction Resolution is a positive step, but it does not go far enough. For the environmental reasons delineated in the resolution, Portland city council should mandate deconstruction now and discourage mechanical (bulldozer) demolitions. Please do not delay this for a year or two, while homes continue to be demolished in our neighborhoods. Portland citizens, many who have lived here for years, deserve better.

Second, the year-built designation in the resolution should be changed from 1916 and expanded to include those homes built in 1978 or earlier. Lead based paint was not phased out until around 1978 and there are no regulations for lead based paint at demolition sites in our neighborhoods. Otherwise, why would the city of Portland continue to allow homes built before 1978 to be demolished, potentially emitting toxic dust clouds into the air? Additionally, there are concerns about asbestos and mercury at these sites.

Third, please do not use taxpayer dollars to give grants to developers for deconstruction. In the impact statement for this deconstruction resolution, it states that "some builders feel that if society wants deconstruction they should pay for this." This is illogical. For instance, in my neighborhood, developers pay 300K-500K for viable homes, demolish them because they are small, "dated", etc., and then build massive homes that they sell for over a million dollars. Since deconstruction costs a little more than mechanical demolitions, this requirement does not seem to impair developers' profits too much.

Lastly, in this resolution, there is recognition that "deconstruction increases the likelihood of discovery of unabated hazardous materials such as asbestos, lead, mercury, reducing health risks to workers and neighbors." Several times over the past year, concerned Portland citizens have requested city council and staff to create and implement hazmat safeguards. Per Oregon Health Authority, there are no regulations for lead-based paint at residential demolition sites even though there are guidelines for renovation and painting projects. Just recently, as of Jan 1, 2016, DEQ has temporary rules requiring asbestos surveys at residential demolition sites, but DEQ still does not require abatement verifications or inspections before a bulldozer arrives. Documentation was submitted to council on Dec. 17th, 2014 and on Feb. 12th, 2015 providing examples of reasonable hazmat control measures required in other municipalities. Disappointingly, the city of Portland still has not created or implemented hazmat procedures at demolition sites in our neighborhoods. Why is this?

Contrary to what some DRAC members and BDS staff state, the city of Portland does have this jurisdictional authority according to the Portland city attorney and various state agencies' staff.

Attached is the BDS hazmat certification form, issued in April 2015, whereby demolition applicants "self-certify" that they have addressed asbestos and lead based paint issues. How can this be sufficient to safeguard public health and air quality? It is astonishing that the city of Portland, which promotes itself as being "green" and a champion of climate change matters around the world, has not created straight-forward hazmat requirements at demolition sites, such as requiring submission of hazmat surveys and abatement plans, prepared by certified abatement contractors, and site verifications. Please notice the 1978 year-built designation indicated in this same form.

Last year, at the Feb. 12th 2015 hearing, city council was given hazmat procedural documents that are mandated in places such as Lake Oswego, Lane County, Southwestern Washington, Chicago, Illinois, and Boulder, Colorado. (See attached documents again.) Other Oregon cities, such as Medford, Tualatin, and Lake Oswego, do require hazmat documentation for residential demolition sites. For instance, Lake Oswego requires submitting a certificate of compliance for asbestos and lead paint removal for their house demolitions. Why is this not required in Portland?

Since the city now requires developers to "self-certify" that they have addressed hazmat issues at demolition sites, please require submission of documents to verify abatements. Wouldn't developers already possess these documents since they signed the "self-certification" form?

Please immediately implement a mandatory deconstruction requirement for all homes built before 1978 that are slated for demolition. Please do not give "Developer Welfare" or taxpayer dollars, to subsidize this requirement. Please create and implement hazmat control procedures at demolition sites in our neighborhoods. It is disappointing that a year later, our leaders in Portland city hall who promote the city as being "green" and champion climate change matters, have not fixed these problems yet. Please act now to create the above requested positive changes.

Thank you,

Judy Parsons
judy_parsons65@msn.com
503-284-4835

1. City of Portland Certification Regarding Asbestos and Lead-Based Paint
<https://www.portlandoregon.gov/bds/article/525786>
2. City of Lake Oswego's Residential Demolition Application
http://www.ci.oswego.or.us/sites/default/files/fileattachments/building/webpage/11354/residential_demolition.pdf?t=1422139114010
3. Lane County Public Works Fact sheet titled "Important Information Regarding Demolition and Remodel Work"
<http://www.lanecounty.org/departments/pw/lmd/build/documents/importantinformationregardingdemolitionandremodelwork.pdf>
4. Southwest Washington Clean Air Agency Guidance for Demolition of Structures Or Areas and Asbestos Demolition guidelines flow chart
<http://www.swcleanair.org/pdf/Demo-Reno%20Fact%20Sheet.pdf>
<http://www.swcleanair.org/Forms/22-AsbestosDemoFlowChart.pdf>
5. Asbestos, Demolition or Renovation, Sandblasting and Grinding Standards implemented in Chicago, Illinois
http://www.cityofchicago.org/content/dam/city/depts/cdph/environmental_health_and_food/AsbestosdemorenovsandblagrindInfo.pdf
6. Asbestos Demolition Permitting in Boulder County, Colorado
<http://www.bouldercounty.org/records/permits/pages/asbestosdemo.aspx>



Certification Regarding Asbestos and Lead-Based Paint

The Toxic Substances Control Act and 40 CFR 745 regulate lead-based paint for residential property renovations, repairs and painting projects that disturb lead-based paint in pre-1978 homes and requires that any such work be performed by a Certified Renovator working for a Certified Firm and that work practice standards be implemented to prevent lead contamination. OAR 340-248 governs asbestos abatement, handling, and disposal requirements. Although asbestos surveys are not required for single-family residential remodel and demolition projects, asbestos-containing waste must still be disposed of in accordance with these laws and regulations. In addition, asbestos and lead based paint are toxic substances and potential airborne contaminants that need to be properly contained to protect the safety of the workers on your job site. As such, OSHA has additional, and often more strict, regulations governing safety for employees working with asbestos and lead-based paint on residential demolition and remodel projects. Asbestos and lead-based paint can also affect neighboring properties. The City of Portland and the State of Oregon require that, if your home has lead-based paint or asbestos, it must be remediated for the safety of your workers on site and the surrounding neighbors. Please familiarize yourself with the requirements cited above and, based on your project requirements, select one of the following options.

I have had the area of disturbance based on the scope of work listed in the permit application tested by a certified contractor and it does not contain:

- lead-based paint asbestos

I have had the area of disturbance based on the scope of work listed in the permit application tested by a certified contractor and it does contain one or both of the following and will be remediated prior to demolition or work commencing on the major alteration/addition by a certified contractor:

- lead-based paint asbestos

Does not apply / other [please explain]: _____

Name: _____ Owner Owner's Representative

I hereby certify under penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct to the best of my knowledge.

Signature: _____ Date: _____

If you have questions regarding asbestos requirements for surveying, removal or disposal, please contact the Oregon Department of Environmental Quality (DEQ) at: (503) 229-5982 or email at: deqnwrasbestos@deq.state.or.us.

If you have questions regarding lead-based paint requirements for renovation, repair or painting projects done by a contractor, please contact the Oregon Construction Contractors Board (CCB) at: (503) 934-2229 or visit their website at: www.oregon.gov/ccb.

If you have questions regarding lead-based paint requirements for renovation, repair or painting projects not done by a contractor (e.g., a homeowner, property owner doing your own work, rental agency, etc.), please contact the Oregon Health Authority (OHA) at: (971) 673-0440 or visit their website at: <http://public.health.oregon.gov>.

For worker safety issues regarding either asbestos or lead-based paint, please contact OSHA at: (503) 229-5910 or visit their website at: www.osha.org.

Moore-Love, Karla

From: Linda Nettekoven <linda@lnettekoven.com>
Sent: Wednesday, February 17, 2016 11:37 AM
To: Council Clerk – Testimony
Subject: Deconstruction Resolution
Attachments: Deconstruction Ltr 216.docx; ATT00001.htm

Dear Mayor Hales and Commissioners:

Attached please find a letter of support for the Deconstruction proposal from the HAND Board.
Thank you for your consideration of our comments.

Linda Nettekoven



HOSFORD-ABERNETHY
NEIGHBORHOOD DISTRICT ASSOCIATION

February 17, 2016

Mayor Hales
Commissioner Fish
Commissioner Fritz
Commissioner Novick
Commissioner Saltzman

RE: Deconstruction Proposal

Dear Mayor and Commissioners:

The HAND Board would like to express its strong support for the proposed Deconstruction resolution before you. We consider this an important next step in our efforts to meet our Climate Action Plan goals and become a more sustainable city.

We want to express our appreciation to BPS staff and the Deconstruction Advisory Group (DAG) for their work in putting this very comprehensive proposal together. Their careful analysis of market demand for materials, private contractors available to do the work, training and workforce development needs along with plans for certification, tracking, enforcement and necessary code changes has produced a very workable implementation strategy for the months ahead.

The prospect of keeping an estimated 8 million pounds of usable material out of the landfill makes us urge you to implement this proposal as quickly as possible. We assume that deconstruction will create additional employment opportunities as well as helping to support a much more careful handling of hazardous materials.

We would also suggest the following:

- *Establishing clear targets with careful evaluation of the system after the first year.
- *Including housing stock from additional decades as soon as demand warrants it and capacity allows it.
- *Consider including major remodels involving buildings built before 1916.
- *Consider including buildings that have begun as single family homes, but may now be in use as triplexes or fourplexes as is the case with buildings in our neighborhood.

Thank you for your consideration of our comments.

Sincerely,

Susan E. Pearce
HAND Chair



HOSFORD-ABERNETHY
NEIGHBORHOOD DISTRICT ASSOCIATION

Date: February 21, 2015

To: City of Portland Historic Landmarks Commission

From: Hosford-Abernethy Neighborhood District Association (HAND)

RE: Case LU 14-186226 HR New Solar Array

This letter is in response to a request by the Historic Landmarks Commission for the HAND neighborhood association to provide input on the recent appeal by neighbors at 1552 SE Hickory to install a new solar array.

First, we would like to thank city staff and the commission for upholding high standards for preservation projects in Ladd's Addition and across the city, especially in the last few years given the mounting pressure for new development and demolition. We also appreciate your consideration of comments from our HAND historic resources subcommittee.

For this project the homeowners have presented a convincing case that the array location proposed is necessary to get the most energy benefit and did due diligence to explore other options on the site. The array is limited to the side yard and they have also provided photos to show that it will be minimally visible from the street. Also, in the future if the panels were to be removed the essential form and integrity of the historic property would be still be intact.

Given that the proposed installation would generate almost all of the annual energy needs generated by their small bungalow this is also a compelling reason to support a sustainable measure that will reduce the carbon footprint of their home and the neighborhood. Additionally street trees which are a defining feature for the neighborhood and also a major sustainable/ community benefit would not be in conflict with the array.

We appreciate your careful consideration of the project application and the Ladd's Addition Design Guidelines. Given the minimal visual impact we would like to recommend approval for the project.

Sincerely,

Susan E. Pearce
HAND Chair

Moore-Love, Karla

From: Janet Baker <janbak@pacifier.com>
Sent: Wednesday, February 17, 2016 7:45 AM
To: Council Clerk – Testimony
Subject: Deconstruction of Houses - written testimony of the BPS proposal to be heard today in City Council

Dear Mayor and Commissioners,

Usually I am wearing my United Neighborhoods for Reform (UNR) hat but today I'm writing to you as a Beaumont Wilshire homeowner.

I urge you to pass the DAG deconstruction proposal today as a first step to protect at least some of the citizens of Portland from asbestos and lead paint released during mechanical demolition.

However the current form of the proposal does nothing to protect Beaumont residents as our houses were built after 1916. We have been one of the hardest hit neighborhoods in Portland in terms of demolitions over the past three years. We, along with other neighborhoods built after 1916, deserve equal protection for our residents.

The second reason we need a broader proposal is this whole situation is a lawsuit waiting to happen. As a taxpayer, I do not want any more of my tax dollars spent by this city on avoidable lawsuits. Given the extremely lax oversight by BDS of the whole permitting and demolition process, the city is definitely at risk for this. A department that is complaint driven (a fact often cited by members of DRAC and BDS staff) is not a department that can adequately protect citizens from environmental dangers.

For both of these reasons I urge you to get initial deconstruction regulations in place with the intent of extending the protections to all neighborhoods shortly after instituting the initial regulations.

Janet Baker
3416 NE 39th Avenue
Portland, OR 97212
janbak@pacifier.com

Moore-Love, Karla

From: Ellen and Houston <ellenhouston03@msn.com>
Sent: Tuesday, February 16, 2016 7:21 PM
To: Council Clerk – Testimony
Subject: Fw: deconstruction comments for hearing

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

From: "Ellen and Houston" <ellenhouston03@msn.com>

To: <mayorcharliehales@portlandoregon.gov>; <Amanda@portlandoregon.gov>;
<nick@portlandoregon.gov>; <novick@portlandoregon.gov>; <dan@portlandoregon.gov>

Sent: Tuesday, February 16, 2016 5:08 PM

Subject: deconstruction comments

Dear Mayor and Councilpersons: Deconstruction, though environmentally superior to demolition, still results in clearing of lots, the loss of mature trees and animal habitat, the loss of affordable homes which are replaced with two or more homes than are significantly more expensive than the original one, increased density in neighborhoods that do not have the infrastructure to support increased population, and the related parking and traffic issues. Deconstruction might slow down the affordable home removal process - but I wouldn't count on this being the case. Deconstruction saves materials but not houses or neighborhoods. We who live in the affected neighborhoods (Multnomah Village in my case) know demolishing affordable, older, and smaller homes whether by deconstruction or demolition degrades our neighborhood, its living environment and our quality of life. Sincerely, Houston H. Markley, 4629 SW Carson Street, 97219.

Moore-Love, Karla

From: Barbara Strunk <wolsey_9@hotmail.com>
Sent: Tuesday, February 16, 2016 3:25 PM
To: Council Clerk – Testimony
Subject: Testimony Regarding BPS Resolution for Deconstruction of Houses

Testimony: Bureau of Planning and Sustainability Resolution Regarding Deconstruction of Houses, February 17, 2016

Demolition of viable houses is not healthy for the future of Portland. However, since demolition is frequently used by the building industry I urge the City Council to adopt the Bureau of Planning and Sustainability resolution requiring the use of deconstruction when houses are demolished.

Demolition via backhoe sends clouds of dust from the house to neighbors up to 400 feet away. Since most houses being demolished contain asbestos materials and lead paint smashing a house exposes workers and neighbors to hazardous materials. Deconstruction methods support the identification and careful removal of hazardous materials. Local deconstructionists have found that in three out of four houses where hazardous materials abatements have been done, further deconstruction exposes hidden asbestos, lead, and other toxic materials that would have gone up with mechanical demolition.

The 2015 Portland Climate Action Plan emphasizes mitigation of climate damage by re-use and recycling, reducing per capita solid waste by 33%, and recovering 90% of all waste generated. Businesses and residents ultimately determine our success in slowing climate change. Houses that are smashed and dumped place large amounts of material in landfills, directly countering Portland's Climate Action goals.

As quoted from the Portland Recycles Plan 2008,

- "Portland's goal is to stop growth in the waste stream, encourage waste prevention and discourage waste creation, and to raise the recycling rate to 75% by 2015."
- "To meet the City's goal, it will be necessary to halt the growth in waste generation and reverse any increases since 2005. "
- "According to state statute, waste prevention includes 1) using less material, 2) reuse of products and materials for their original purpose and 3) on-site composting of organic materials. Recycling, off-site commercial composting and energy recovery are not included. Efforts to improve waste prevention include:
a) Repairing and extending the usable life of products. b) Buying durable, repairable, reusable products. c) Buying used goods, materials or products. d) Reducing consumption of goods."

The City of Portland Green Building Policy 2009 states: "Building construction, remodeling and operation are major contributors to carbon emissions, air and water pollution, deforestation and other environmental and human health hazards." In regards to this issue a city goal is: "Recycle at least 85% of all construction, remodeling and demolition waste." Here it is 2016 and we are still throwing whole houses into the landfill.

Deconstruction maximizes the re-use of materials, a goal of the Portland Climate Action Plan 2015 and the Portland Recycles 2008 plan. We claim to be a green city: that claim is undermined when we dump viable houses in landfills.

Portland residents are very careful to recycle household items: yard debris, paper, glass, metal, and food scraps. Yet we allow builders to throw entire houses into the landfill. Ordinary citizens recycle to try to reduce the external costs of climate change to Portland residents.

The City must stop requiring its citizens to pay the external costs of for-profit businesses. Developers who make a business decision to demolish a house must do asbestos and lead surveys, abate those substances and use deconstruction. If it doesn't pencil out they don't have to buy a house to demolish it.

The healthiest policy for the city is to stop demolishing viable houses. Since we haven't accomplished that the City should ameliorate the demolition damage by adopting the current BPS deconstruction resolution, with the following amendments:

- 1) The requirement of deconstruction needs to be reviewed after 6 months.
- 2) Within one year required deconstruction includes all houses built before 1930.
- 3) Within 2 years all demolitions in the city must require mandatory deconstruction, except in the rare cases where deconstruction cannot be performed safely.

Respectfully,

Barbara Strunk
3444 NE 35th Place
Portland, OR 97212

Moore-Love, Karla

From: Jeff Stookey <jstookey108@gmail.com>
Sent: Friday, February 12, 2016 6:00 PM
To: Council Clerk – Testimony
Cc: Dharma Rain
Subject: DECONSTRUCTION OF DEMOLISHED HOUSES IN PORTLAND

Dear Portland City Council,

I understand that you are considering a resolution regarding the city's Deconstruction Advisory Group, led by the Bureau of Planning and Sustainability.

I encourage deconstruction and reuse of materials from buildings being demolished.

During the Village Building Convergence of 2014, Dharma Rain Zen Center, at 8500 NE Siskiyou, acquired a couple of truckloads of 4 by 6 inch old growth fir flooring that was deconstructed by the Rebuilding Center from an old church in Portland. Dharma Rain had the fir beams re-milled into 1 by 4 inch flooring that was installed in the new meditation hall on the new Dharma Rain campus on the former H.G. LaVelle Landfill, a brownfield site, where wooden houses were buried when they were bulldozed to make way for I-84 and I-205. If all those wooden homes had been deconstructed and the wood reused, we would not have needed the methane off-gassing system that has been in place for the last thirty years. Methane is an even more potent greenhouse gas than CO2.

Wood is carbon sequestration. Trees are carbon sequestration. The more we can do to save our forests and reuse existing wood resources, the better off our planet will be. Deconstruction may take a little more time and effort, but that is a small price to pay for a livable planet.

Regards,

Jeff Stookey
3656 NE Wasco St
Portland, OR 97232
jstookey108@gmail.com
503-232-6867

“A society grows great when its elders plant trees whose shade they know they shall never sit in.” —a Greek proverb

Moore-Love, Karla

From: Dean P. Gisvold <deang@mcewengisvold.com>
Sent: Friday, February 12, 2016 11:42 AM
To: Council Clerk – Testimony
Cc: janbak@pacifier.com; Barb Christopher; Brad Perkins; Dean P. Gisvold; Donald Wood; Ed Abrahamson; James Heuer; Jeff Jones; Jim Barta; Meryl Logue; Mickey Bishop; Nathan Corser; Nikki Johnston; Peter O'Neil; Sean; Stephen Doubleday; Steven Cole; Tiffanie Shakespeare ; William Archer; 'Aaron Stuckey' (aaronstuckey@dwt.com); Beverleyburn@gmail.com; Brian Schaeperkoetter (BrianSchaeperkoetter@comcast.net); Christine Coers-Mitchell (coers@comcast.net); Colin Burn (colin.burn@gmail.com); Dean & Susan Gisvold; 'jason messer' (j.messer@comcast.net); Jon Eaton (jaeaton@gmail.com); 'Michela McMahon' (michela_mcmahon@yahoo.com); 'Pam and Larry Levy' (pamlarrylevy@yahoo.com); Robert & Rose Ridgway (roridg@gmail.com); Ryan Carson (ryan@ryancarson.com); 'sally mcpherson'; Susan Hathaway-Marxer (susan.marxer@comcast.net)
Subject: Deconstruction Proposal to be considered Feb 17th by the Portland City Council

Mayor and Commissioners

I have been authorized to provide the Council with the following information.

The Board of Directors (Board) of the Irvington Community Association, at its regularly scheduled February meeting, voted to support the deconstruction resolution to be considered by the City Council on February 17th.

After five years of being an historic district, we suffered our first demolition, a quick knock down demolition without notice to neighbors, shoving dust and debris into the air without any protection other than a garden hose. Given that the house was built in the 1920s, it likely had asbestos, but no one checked and no asbestos survey was performed. Although the Board would like to see the defining year pushed out, say to 1930, we think this is a good first step by the Council, and the Board supports your passage of the proposal as presently drafted.

Thank you for your consideration of the action taken by the Board.

Dean Gisvold,
ICA Board Member

Dean P. Gisvold | Attorney at Law | Senior Partner

M^CEWEN GISVOLD LLP - EST. 1886

1600 Standard Plaza, 1100 SW Sixth Avenue, Portland, Oregon 97204

Direct: 503-412-3548 | Office: 503-226-7321 | Fax: 503-243-2687

Email: deang@mcewengisvold.com

Website: <http://www.mcewengisvold.com>

**This message may contain confidential communications and/or privileged information.
If you have received it in error, please delete it and notify the sender.**

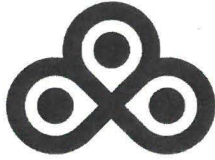
Moore-Love, Karla

From: Kane, Alisa
Sent: Thursday, February 11, 2016 11:49 AM
To: Moore-Love, Karla; Parsons, Susan
Subject: FW: PSC Letter of Support for Decon Resolution
Attachments: psc_decon.pdf

Hello, Karla and Sue. Please see the attached letter of support from the Planning and Sustainability Commission. This should be added to the Council documents for the February 17, 2016 hearing at 2:30 p.m. for the "Resolution to develop code language to require deconstruction for the city's oldest and most historic houses and duplexes."

Thank you,
Alisa

Alisa Kane, Green Building Manager
City of Portland Bureau of Planning and Sustainability
1900 SW 4th Ave., Suite 7100
Portland, OR 97201
alisa.kane@portlandoregon.gov
503-823-7082



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

Portland Planning and Sustainability Commission

Katherine Schultz, Chair

André Baugh, Vice Chair
Jeff Bachrach
Mike Houck
Katie Larsell
Gary Oxman

Chris Smith, Vice Chair
Michelle Rudd
Eli Spevak
Teresa St Martin
Maggie Tallmadge

February 8, 2016

Mayor Hales and Portland City Commissioners
Portland City Hall
1211 SW 4th Avenue
Portland, OR 97204

RE: Support for Deconstruction Resolution

Mayor Hales and Commissioners:

I am writing to express our support for the upcoming resolution that directs the Bureau of Planning and Sustainability (BPS) to develop code language that would require deconstruction for houses built in or before 1916 or designated as a historic resource. As a commission we are responsible for the stewardship, development and maintenance of the City's Comprehensive Plan and the Climate Action Plan. Deconstruction is supported in both of these plans and helps mitigate the impacts associated with the removal of buildings as our city grows. The method of deconstruction and the reuse of the materials salvaged from these projects results in a healthier, more sustainable city.

On January 26th BPS staff (Alisa Kane and Shawn Wood) briefed our commission on the proposed resolution. We are encouraged by this first step that begins to address the full lifecycle impacts of a building - in this case the end of life. The materials that go into a building and how they are managed at the end of a building's life are becoming increasingly important. Reuse helps avoid the carbon impacts associated with disposal and production of new materials.

Given the benefits of deconstruction and salvage it is tempting to move the requirement threshold to include more houses and even commercial structures. However, we recognize this as a reasonable first step that will require careful thought and industry scaling as it progresses. We were also encouraged about the work-force training opportunities associated with making this requirement successful and equitable. As code language is drafted and the logistical details surface, we would encourage BPS staff to continue their dialogue with the Planning and Sustainability Commission.

Sincerely,

Katherine Schultz, AIA
Chair



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868



City of Portland
Historic Landmarks Commission

1900 SW Fourth Ave., Suite 5000 / 16
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.portlandonline.com/bds

February 11, 2016

Portland City Council
1221 SW 4th Ave #110
Portland, OR 97204

RE: Deconstruction pilot project for older and historic homes

Dear Mayor Hales and City Commissioners,


Please accept this letter of support for the pilot project proposed by the Deconstruction Advisory Group to require deconstruction for single-dwelling structures built before 1916 and/or listed in the Historic Resources Inventory that are applying for a demolition permit. While the Historic Landmarks Commission (HLC) strongly prefers demolition alternatives such relocation and reuse for Portland's historic homes, we recognize the benefits of initiating this pilot project to create a more robust deconstruction program in the City that will further our sustainability goals. These older buildings are filled with old-growth wood that can no longer be obtained and should certainly be diverted from the landfill for reuse in new buildings.

The HLC was initially concerned that only 100-year-old homes were being included, as many houses up to the mid-century era were built with materials worthy of salvage and reuse. In a briefing by Shawn Wood and Brandon Spencer-Hartle, it was explained that the choice of the 100-year mark was to keep the pilot project manageable and not overwhelm the deconstruction industry with a sudden demand for their services that could not be met. We request that at the conclusion of the pilot program, the age threshold for deconstruction be reconsidered to include more homes built in the first half of the 20th Century.

Additionally, we would like to raise a point about the continued ease and frequency in which historic properties are being removed from the HRI—an issue that has a direct effect on this deconstruction pilot project. The most recent case we have been made aware of is a 1908 Victorian farmhouse at 7707 SE Alder. The home was built in 1908 by Joseph E. McCaslin—one of Montavilla's early grocers. The current owner—Eden Enterprises—removed the home from the inventory and intends to demolish it following the minimum required 35-day demolition delay. If the deconstruction pilot project was already in effect, this home would be required to undergo deconstruction due to its being more than a century old. However, if a historic house listed in the HRI like this one was built *after* 1916 (of which there are hundreds), a developer could proceed with a traditional demolition following removal from the HRI. We ask that Council continue to work swiftly toward a solution that addresses the HLC's concerns about HRI removals so that these properties continue to be subject to the 120-day demolition delay and must undergo deconstruction rather than demolition at the end of that delay period.

Finally, the HLC continues to have concerns regarding the City's lack of current data on its historic resources. We are looking forward to commencing an HRI update with BPS's new Historic Preservation Manager; however, retaining data on the resources we are losing is also critical. Without this data, we will not be able to make informed policy decisions down the road. At a minimum, the HLC believes that the City should be keeping a record of all demolished properties with photographs of the building exterior elevations, as that information can never be obtained after the structure is gone. Photographs could be submitted electronically and stored by address by BPS. Ideally, we would be able to ask for some minimal research to add to the photos (such as documenting major changes or additions), but that may be a future request.

Sincerely,


Kirk Ranzetta, PhD
Chair


Paul Solimano
Vice Chair