

## Commissioner Houck Responses to Staff Memos and Decision Items

South Reach

### **Topic A: Watershed Health and Resilience**

#### **River Setback:**

A 22A to A 22C: While I continue to argue for a 100-foot setback throughout the South Reach, the provision of staff recommended amendment to “Apply the river environmental zone to all land within 100 feet of top of bank which would require mitigation of all new development impacts on natural resources” within the 100-foot setback makes it easier to accept the proposed 50-foot setback.

A-10A. I support removal of exemptions for removal of trees, **regardless of size** and required removal through standards..

A-10B, I support

A-10C, I support the 3 year monitoring requirement, with assessment of completion at end of 3 years and requirement to meet the code requirements

#### **Enforcement:**

Comment on Staff Report, Enforcement of Title 33 Regulations Related to Tree Removal:

As stated, I support staff’s recommendation, but have the following comments on the report:

- 1). I don’t know what staff means by watchdog groups “targeting” some properties? In a complaint driven process it’s up to citizens, neighborhood residents and others to report violations.
- 2). Access throughout much of the South Reach is provided by the Willamette Greenway which is on an easement so access is not an issue. Access from the river affords plenty of accessibility for monitoring for violations.
- 3). Burden of Proof: I am not an arborist but I can easily identify tree species along the greenway where black cottonwood, ash and willow are the most common species, cotton being the predominant species. Even small caliper trees leaf out in the spring and it’s quite simple to identify these trees. It is also quite easy to identify a shrub from a tree. All of photos presented to staff and PSC during the South Reach hearings documented small caliper trees, virtually all of which were black cottonwood.
4. Appeals: Another weakness in the system that has not been addressed. Complainants are excluded from appealing a decision by BDS, even when there has been a violation that has not been resolved. This is an ongoing issue.

6. Fines and Other Penalties: I strongly disagree with the following, "BDS staff believe that the penalties available to them are adequate to address violations. It is simply not true that repeat violations are uncommon. In fact Johns Landing resident more or less bragged that they cut trees annually along the frontage of their HOA.

A-24, I support

A-4 I do not support

A-8, I support with condition of A-10A through A-10C

A-9, I support with same condition

A-19, I do not support but do not want to take PSC time to discuss. I will pursue with PP&R

A-23, I am satisfied with the commitment by BES to pursue a Willamette-specific willing seller program.

A-25, I want to discuss, Future of Ross Island:

A-26, I support staff recommendation

A-27, I support staff report on docks

**Topic B: Recreation**

B-4, I support

B-10, I support

B-11, Residential Docks, I support staff recommendations

B-12, I support recommendation for language change to Action C5C; I appreciate PP&R's support for the trolley corridor's future as bike-ped facility. I agree much work would need to be done to reconcile its use as a transit corridor and bike-ped. This is a long standing issue and this statement simply makes it clear we would like to continue that discussion.

B-13-B14, no action or discussion. I will simply add that these issues are of significant concern to the 40-Mile Loop Land Trust and I feel strongly their recommendations have merit. I assume they will pursue these issues with PP&R and PBOT.

**Topic D: Riverfront Communities, Macadam Character Statement**

Table D:

D-13, So long as the neighborhood has the opportunity to provide their input at the July 2 Design Commission hearing I support sending the recommended Macadam Corridor Statement draft to the Design Commission, with the following recommended language change:

Community Character: add the word ecological as follows:

Paragraph 1: *Development should recognize the recreational, ecological, social and cultural values of the riverfront through onsite features and river-responsive design.*

While ecological issues are referenced in Natural Resources + Scenic Resources, ecological systems are also critical elements to Community Character.