

Ocken, Julie

From: Sam Imperati [samimperati@comcast.net]
Sent: Wednesday, November 07, 2012 4:39 PM
To: v.viets@comcast.net; Nameny, Phil (PLN)nam; Engstrom, Eric (Planning); Zehnder, Joe; 'susie lahsene'; 'Graham Trainor'; White, Christine-portofportland; 'greg theisen'; Brooks, Mindy (Planning); Rosen, Mike; criter@portlandalliance.com; Hoy, Rachael; Papaefthimiou, Jonna; rose@yakamafish-nsn.gov; Beier, Ann; Manning, Barry; 'Melissa Egan'; Hillier, Robert; Schmidt, Brad; Dabbs, Eden; Anderson, Susan; Helzer, David; Berg, Heidi; thomashdana@gmail.com; 'Micah Meskel'; fpatrico@uoregon.edu; bsallinger@audubonportland.org; 'Andy Cotugno'; btackett@qwestoffice.net; PamFergusonPDX@aim.com; 'sam ruda'; 'don hanson'; 'susan p barnes'; AndrewColas@colasconstruction.com; Hathaway@lcrep.org; 'Brian Owendoff'; Roth, Emily; Planning and Sustainability Commission
Subject: Final WHI AC Meeting - Voting and Materials
Attachments: 2012-11-06 YN ltr re WHI.pdf.pdf; Final WHI letter.pdf.pdf

Greetings:

My intent in writing is to be direct - not argumentative in conveying my understanding of the future process steps/timelines. I am not trying to change anyone's mind or tell you what to do. I simply want to share this information in hopes of saving valuable time on Friday for your substantive recommendations.

I appreciate that some people want more time, more information, and more details pinned down before they vote. Some, are probably ready to vote now. The reality is the AC deadline is not likely to change because we have been asked to present the AC report to the PSC next week. I am suggesting respectfully that arguing over this on Friday is not likely to change this timeline. This is not to say you should not express your concerns, when and where, you want to express them. I am simply suggesting member letters are a good place for "timing / process / information / level of detail" concerns, which will be summarized in the body of the Report and attached to the Appendix.

Yes, we have a lot to cover on Friday and we can provide recommendations successfully if we stay focused on the key substantive issues. The draft AC Agenda says, "Vote on Key Items and Other Topics (Time Permitting or Defer to Member Reports.)" At Friday's meeting, BPS will identify its key items list. The following is not final, but the key issues probably will include:

- Bridge/No Bridge?
- Support NHID reconstruction?
- Do we agree that the CRC must be built first?
- Support City forest mitigation methods?
- Support government island mitigation?
- Support WHI mitigation requested by the City?
- Support additional mitigation beyond that?
- Support additional health-related mitigation measures?
- Do we agree that the Community Grant Fund is too small?
- Should city directly regulate in-water work, in addition to state/feds?

These are topics the AC has discussed before, albeit to varying degrees; and yes, there will be new information, as well. The AC can "triage" and finalize the list on Friday and will hopefully provide basic AC direction, on as many issues as possible, starting with the biggest issues. There is not an expectation that the AC must have an opinion on every aspect of the proposal.

For the things we don't get to, you may choose to testify at the PSC/Council and/or include relevant statements in your individual letters, which will be part of the Final AC Report.

Having listened to the AC discuss these topics over the months, I believe the members have, or will quickly develop, a point of view on each of the questions called. I think there will be conceptual clarity on where folks stand, be it by Consensus or Majority/Minority, pretty quickly. It is my opinion that if the AC gets its conceptual thoughts into the report, even with caveats by way of their individual letters, the PSC and Council will appreciate the input, recognizing the details have not yet been worked out by the AC.

Mechanically, Appendix D of the AC report is being converted into a more useable format (legal / landscape with key topics highlighted) for the actual AC meeting. A preview can be seen tonight at the Open House. I will be sending the final version tomorrow. I sent the Appendix version on Sunday so you are not seeing it for the first time on Friday. If we cannot get to all of the issues that are important to folks, members will be able to note all their votes on all the issues by turning in their "ballot" to me at the end of Friday's meeting for processing and summarizing in the Final Report.

With regard to the potential health mitigation measures, which were part of the Draft Health report, the topics will probably be taken in three main parts: 1) Things in IGA already or a matter of existing law/policy, 2) Items the Port may likely agree to per their comments on the Draft Health Report, and 3) The remaining smaller list.

BPS is working on the financial big picture and I will get it to you as soon as I get it – likely tomorrow.

In response to Victor's question, all the "ballot" with all of the issues will be forwarded to the PSC and Council – that's why they appear now in the Appendix – a placeholder, if you will. I will summarize the key issues and votes in the body of the AC Report.

Finally, I am attaching the following information:

- 1) Yakama Nation's Tribal Council Chairman Letter
- 2) Trustee Council Letter

Please call me if you care to discuss further.

Thanks, Sam

Sam Imperati, JD | executive director
INSTITUTE *for* CONFLICT MANAGEMENT, Inc.
11524 sw vacuna ct. | portland, or 97219-8901
(P) 503.244.1174 | (M) 503.314.1156 | (F) 503.244.1038
samimperati@comcast.net
www.mediate.com/icm

From: v.viets@comcast.net [<mailto:v.viets@comcast.net>]
Sent: Tuesday, November 06, 2012 3:57 PM
To: Sam Imperati

Cc: Phil 'Nameny (PLN)'; Eric 'Engstrom (Planning)'; Joe 'Zehnder'; susie lahsene; Graham Trainor; Christine-portofportland' 'White; greg theisen; Mindy 'Brooks (Planning)'; Mike 'Rosen; criter@portlandalliance.com; Rachael 'Hoy; Jonna 'Papaefthimiou; rose@yakamafish-nsn.gov; Ann 'Beier; Barry 'Manning; Melissa Egan; Robert 'Hillier; Brad 'Schmidt; Eden 'Dabbs; Susan 'Anderson; David 'Helzer; Heidi 'Berg; thomashdana@gmail.com; Micah Meskel; fpatrico@uoregon.edu; bsallinger@audubonportland.org; Andy Cotugno; btackett@qwestoffice.net; PamFergusonPDX@aim.com; sam ruda; don hanson; susan p barnes; AndrewColas@colasconstruction.com; Hathaway@lcrep.org; Brian Owendoff; Emily 'Roth; psc@portlandoregon.gov

Subject: Re: Final WHI AC Meeting

Sam

I have concerns about your expectations for this final West Hayden Island Advisory Committee meeting:

1. Your Appendix D ballot calls for the Advisory Committee to vote on 121 issues covering 20 broad categories.

Many of the votes are on issues that we have never discussed. We haven't even seen the final Health Report

which covers 83 of the votes. How can the Advisory Committee be expected to evaluate these last minute

issues and make informed decisions and still have time to complete the other items on your agenda?

2. Your ballot contains no cost information even though many votes involve issues that will cost \$ millions. How do you plan to provide adequate cost information before we vote?

3. Regardless of how we vote, I'm assuming that the entire list of ballot issues will be passed on to the PSC and City Council for public input and final decisions?

Victor Viets

Advisory Committee Member

Representing the Hayden Island Community

503-307-4131 cell

From: "Sam Imperati" <samimperati@comcast.net>

To: "Andy Cotugno" <Andy.Cotugno@oregonmetro.gov>, "v viets" <v.viets@comcast.net>, btackett@qwestoffice.net, PamFergusonPDX@aim.com, "sam ruda" <sam.ruda@portofportland.com>, "don hanson" <don.hanson@otak.com>, "susan p barnes" <susan.p.barnes@state.or.us>, AndrewColas@colasconstruction.com, Hathaway@lcrep.org, "Brian Owendoff" <brian.owendoff@yahoo.com>, "Emily' 'Roth" <Emily.Roth@portlandoregon.gov>, psc@portlandoregon.gov

Cc: "Phil 'Nameny (PLN)" <Phil.Nameny@portlandoregon.gov>, "Eric 'Engstrom (Planning)" <Eric.Engstrom@portlandoregon.gov>, "Joe' 'Zehnder" <Joe.Zehnder@portlandoregon.gov>, "susie lahsene" <susie.lahsene@portofportland.com>, "Graham Trainor" <Graham@oraficio.org>, "Christine-portofportland' 'White" <christine.white@portofportland.com>, "greg theisen" <greg.theisen@portofportland.com>, "Mindy 'Brooks (Planning)" <Mindy.Brooks@portlandoregon.gov>, "Mike' 'Rosen" <Mike.Rosen@portlandoregon.gov>, criter@portlandalliance.com, "Rachael' 'Hoy" <Rachael.Hoy@portlandoregon.gov>, "Jonna' 'Papaefthimiou"

<Jonna.Papaefthimiou@portlandoregon.gov>, rose@yakamafish-nsn.gov, "Ann' 'Beier" <Ann.Beier@portlandoregon.gov>, "Barry' 'Manning" <Barry.Manning@portlandoregon.gov>, "Melissa Egan" <melissaicm@comcast.net>, criter@portlandalliance.com, "Robert' 'Hillier" <Robert.Hillier@portlandoregon.gov>, "Brad' 'Schmidt" <bschmidt@oregonian.com>, "Eden' 'Dabbs" <Eden.Dabbs@portlandoregon.gov>, "Susan' 'Anderson" <Susan.Anderson@portlandoregon.gov>, "David' 'Helzer" <David.Helzer@portlandoregon.gov>, "Heidi' 'Berg" <Heidi.Berg@portlandoregon.gov>, thomashdana@gmail.com, "Micah Meskel" <mmeskel@gmail.com>, fpatrico@uoregon.edu, bsallinger@audubonportland.org

Sent: Tuesday, November 6, 2012 10:04:22 AM

Subject: Final WHI AC Meeting

Greetings:

- 1) New 11/6/12 Version of Report in Word attached with the following changes to the 11/4/12 version:
 - a. On page 19. I used the same Table 2, twice. The new version includes Tables 1, 2 AND 3 – sorry!
 - b. On page 42, I added three more topics:

12. Shallow Water	Review through code or keep in IGA as a future process?
13. Wetlands	Standards in A) Code, B) IGA, or C) Keep the future process in the Proposed IGA?
14. Grasslands	Require \$1.5M towards Western meadowlark habitat conservation?

- 1) At Friday's AC meeting, BPS will identify its view as to the critical items from the overall list. Please look at the Appendix D, "ballot" references to the June/August drafts for more information.
- 2) I will get the PSC a 95% Final Draft of the AC Report before its 11/15 hearing. It will highlight the major areas of agreement and disagreement from this Friday's meeting, but I will likely not have letters from AC members. The AC will have extra time to add their individual letters to the Final AC Report. I'll probably suggest a deadline between 11/21 and 11/26 and we will finalize that date on Friday. Additionally, our Friday agenda includes the suggestion that a AC selected delegation of AC members present the AC views at the 11/15 and 11/27 PSC events.
- 3) The Final Health Report will be out tomorrow.
- 4) A letter from Portland Parks, which I received this morning, is attached.

Thanks, Sam

Sam Imperati, JD | executive director

INSTITUTE *for* CONFLICT MANAGEMENT, Inc.

11524 sw vacuna ct. | portland, or 97219-8901

(P) 503.244.1174 | (M) 503.314.1156 | (F) 503.244.1038

samimperati@comcast.net

www.mediate.com/icm