

Moore-Love, Karla

From: Sylvia Bogert <sylvia.bogert@gmail.com> on behalf of Sylvia <sylvia@swni.org>
Sent: Thursday, January 07, 2016 9:53 AM
To: Council Clerk – Testimony
Cc: sam pearson
Subject: Agenda Item 26 (state legislative agenda)
Attachments: City Council Ltr Re Asbestos Testing.pdf

For the record:

Please accept the attached written testimony from Southwest Neighborhoods, Inc. (SWNI) regarding agenda Item 26 (state legislative agenda). The attached letter with SWNI comments was emailed to Portland City Council on December 30, 2015 at 5:20 pm. Since Thursday's City Council session (Agenda Item 26) is devoted to priority issues for the state and federal legislation but wish to submit our letter to become part of the official record.

The Southwest Neighborhoods, Inc. (SWNI) Board of Directors requests that the City of Portland include it as a legislative priority to urge the Oregon Department of Environmental Quality (DEQ) to establish rules requiring testing, documentation, and abatement of asbestos, lead, and other hazardous materials during demolition of buildings within the state. The temporary rules, which go into effect January 1, 2016, only require the property owner to produce the survey "upon request," which is not sufficient.

The permanent rules need to require the land owner to give the survey to DEQ and the local jurisdiction (Bureau of Development Services) before the demolition permit is issued. To do this, the State legislature needs to provide adequate budget (staff resources) to DEQ, especially in the Northwest region office, for administration and enforcement of rules.

Sincerely,

Sam Pearson
President
Southwest Neighborhoods Inc. (SWNI)

Sylvia Bogert, Executive Director
Southwest Neighborhoods Inc. (SWNI)
7688 SW Capitol Hwy
Portland, OR 97219
503-823-4592



Southwest Neighborhoods, Inc.

7688 SW Capitol Highway, Portland, OR 97219 (503) 823-4592

www.swni.org

December 30, 2015

Mayor Charlie Hales and members of the Portland City Council
City of Portland
1221 SW 4th Ave
Portland, OR 97204

Re: Hazardous materials testing, documentation, and abatement

Dear Mayor Hales and Commissioners Fish, Fritz, Novick, and Saltzman:

The Southwest Neighborhoods, Inc. (SWNI) Board of Directors requests that the City of Portland include it as a legislative priority to urge the Oregon Department of Environmental Quality (DEQ) to establish rules requiring testing, documentation, and abatement of asbestos, lead, and other hazardous materials during demolition of buildings within the state. The temporary rules, which go into effect January 1, 2016, only require the property owner to produce the survey "upon request," which is not sufficient.

The permanent rules need to require the land owner to give the survey to DEQ and the local jurisdiction (Bureau of Development Services) before the demolition permit is issued. To do this, the State legislature needs to provide adequate budget (staff resources) to DEQ, especially in the Northwest region office, for administration and enforcement of rules.

SWNI, like other Portland areas, has seen recent increases in demolitions of older houses that likely contain hazardous material. Currently, demolitions in Oregon do not require prior testing, documentation, and abatement of hazardous building materials. Portland needs an effective system in place to protect public health in the vicinity of demolitions. Documented proof needs to be provided to show proper abatement is proved prior to demolitions occurring. The State of Washington already requires such action. Our state is behind the curve.

Sincerely,

Sam Pearson
President, SW Neighborhoods

cc: Martha Pellegrino, Portland Office of Government Relations
Dick Pedersen, Director DEQ

Moore-Love, Karla

From: Marianne Fitzgerald <fitzgerald.marianne@gmail.com>
Sent: Tuesday, January 05, 2016 1:52 PM
To: Council Clerk – Testimony; Hales, Mayor; Commissioner Fish; Commissioner Fritz; Commissioner Novick; Commissioner Saltzman; Pellegrino, Martha
Subject: City Council Agenda Items 25 and 26, Federal and State Legislative Agendas
Attachments: 2016 federal and state legislative agenda.pdf

Thank you for the opportunity to review and discuss the City of Portland's Federal and State Legislative Agendas. Attached is a letter outlining my personal comments on the city's legislative agenda at the federal and state level.

Thanks for your consideration of my testimony.

Sincerely,
Marianne Fitzgerald
fitzgerald.marianne@gmail.com
(503) 246-1847

January 5, 2016

Mayor Charlie Hales and members of the Portland City Council
City of Portland
1221 SW 4th Avenue
Portland, OR 97204

Re: City Council January 7, 2016 meeting
Agenda Items 25 and 26
Testimony on federal and state legislative agendas

Dear Mayor Hales and Commissioners Fish, Fritz, Novick and Saltzman:

I was not able to attend the December 2, 2015 Advocacy 101 community event, but I've reviewed the City Council Agenda Items 25 and 26 regarding the federal and state legislative agendas. I generally agree with the directions of the drafts, with a few exceptions. There are a few topics in which the write-ups between the federal and state legislative agendas need better coordination, particularly where strategies are needed at both the federal and state level. There is one paragraph regarding Bike Share as Transit that I strongly recommend deleting from the Federal Legislative Agenda.

Federal Legislative Agenda

Climate Change: This write-up expands upon the accomplishments of COP21, but also needs to recognize a range of strategies to reduce greenhouse gas emissions. In particular, neither the federal nor the state legislative agendas discuss the link between reducing the vehicle miles traveled (VMT) by fossil fuel vehicles and reducing greenhouse gas emissions and other air pollutants (see state discussion below). The federal agenda also needs to include the city's support of carbon pricing and cap-and-trade programs that are discussed in the state legislative agenda.

Transportation Policy and Funding Positions:

Vision Zero is mentioned in the federal but not state legislative agenda. I agree that Vision Zero is a strong commitment to safety, and strongly support the City of Portland's commitment to Vision Zero. The City of Portland needs to work closely with other communities around the state and the nation to evaluate best practices and cost-effective solutions that will achieve Vision Zero. I disagree that prioritizing discretionary funding to cities that have adopted Vision Zero will accomplish this goal. I support focusing more research on safety strategies and opportunities for collaboration on results as a better use for the discretionary federal funds and allow all citizens to benefit from safer transportation.

Bike Share as Transit: I strongly disagree with the premise that bike share is transit. Studies have shown that bike share complements transit for a portion of the community that can afford and is physically able to ride a bike, but bike share does not serve as wide a segment of the community as mass transit serves. Bike share users must be

physically able to ride a bicycle and have the means to pay for the service. I also disagree with the city's proposal regarding funding eligibility under CMAQ—the evidence regarding whether use of bike share actually replaces single-occupancy-motor vehicle use is mixed and again, results are dependent on the demographics of the community served. In 1972, Portland's Central City Transportation Management Plan implemented Fareless Square (free transit rides within the Central City) as a very viable air quality strategy that was one of several strategies that successfully reduced the number of automobiles and air pollution in downtown Portland (coupled with improved transit service, a parking lid and parking fee strategies that discouraged long term parking downtown). Fareless Square enabled a wide segment of the community to use transit for free within the Central City and was very successful in eliminating short motor vehicle trips downtown. Unfortunately, Fareless Square was eliminated for a number of reasons including the need for fares to support transit service. Bike Share does not have the same benefits as transit for the broader community and should not compete with transit systems for limited mass transit funding. I strongly recommend deleting this paragraph about Bike Share from the Federal Legislative Agenda.

Vague:

Some of the write-ups, such as Portland Harbor Superfund Cleanup and Waters of the United States definition, are written in very vague language. I agree that these issues are important to the citizens of Portland but it's not clear what direction the City Council is giving on these issues.

State Legislative Agenda

Affordable Housing: I agree with the City's stance that we need more affordable housing, but the discussion does not include the cost of transportation in the cost of housing. The Comprehensive Plan encourages density in Centers and Corridors, but many of those Centers and Corridors lack the transportation and stormwater infrastructure needed to support growth. As the City expands its affordable housing stock it should prioritize affordable housing in locations that have the infrastructure to support growth or prioritize funding the infrastructure needed to support growth in these areas. Residents who need affordable housing need safe access to good transit service—in particular, they need ADA-accessible walkways to safely get from the affordable housing unit to the transit stop.

Climate Change: There are a number of strategies needed to reduce greenhouse gas emissions, as reflected in the city's Climate Action Plan. The state legislative agenda proposal seems to focus on cap-and-trade as a viable approach to reducing greenhouse gas emissions, and I agree with this strategy. However, the write-up seems to ignore the strategy to reduce vehicle miles traveled by fossil-fuel motor vehicles to reduce greenhouse gas and other emissions by enhancing the availability of safe alternative modes citywide. It's unfortunate that the 2015 Oregon Legislature falsely connected the state clean fuels strategy with the state transportation package. The City of Portland should support BOTH the clean fuels strategy and a transportation

package that places priority on alternative modes and reducing reliance on single-occupancy motor vehicles.

Transportation Funding and Safety: As mentioned above, Vision Zero seems missing from this write-up. The state legislative agenda discusses enhancing funding for transportation without commitments in how the funds would be spent. Recent state funding packages earmarked most of the new funding for highway projects in rural areas. In 2015, ODOT acknowledged that expanding highways increases emissions over the long term, and does little to reduce emissions except in the very near term. The City of Portland needs to prioritize projects that will reduce VMT within the City of Portland. One very important project that the City needs to advocate for in Salem is funding for sidewalks, bike paths and stormwater improvements along SW Capitol Highway between Multnomah and Taylors Ferry Road (or between Multnomah and Barbur Blvd). This project will benefit safety for people using all modes, improve water quality, and support two commercial centers in SW Portland.

Gun Violence: I am a strong advocate for gun safety legislation and have supported the efforts of Senator Ginny Burdick on this issue over the past 20 years. I agree with the federal legislative agenda write-up and believe the state legislative agenda needs to expand on this topic as well. We have seen too many local tragedies—not just Umpqua Community College, but also Thurston High School, Clackamas Town Center, and scores of gang-related and domestic violence incidents within the City of Portland--to ignore this at the state and local level. Better mental health treatment is imperative. I also believe a ban on the use of assault weapons is needed to reduce the number of lives taken in such a short period of time.

Finally, one issue that is missing from this package is **support for funding more stringent asbestos survey and abatement requirements**. The Oregon Environmental Quality Commission recently adopted temporary rules for asbestos survey requirements. These temporary rules fall short of what I strongly believe is needed to protect public health—the asbestos rules need to require that property owners and developers provide proof that an asbestos survey was done and asbestos removed before the city issues a building demolition permit. As I understand it, the lack of resources to manage that simple requirement was one of the reasons the temporary rule lacks adequate oversight. The City of Portland has experienced a record number of residential demolitions and needs to ensure that the state agencies and local bureaus have adequate resources to protect public health from improper handling of asbestos.

Thank you very much for the opportunity to testify on these important issues in Portland.

Sincerely,

Marianne Fitzgerald
10537 SW 64th Drive
Portland OR 97219