

**From:** Donna Hempstead [mailto:[enviro-eco17@msn.com](mailto:enviro-eco17@msn.com)]  
**Sent:** Wednesday, March 02, 2016 11:48 AM  
**To:** Planning and Sustainability Commission <[psc@portlandoregon.gov](mailto:psc@portlandoregon.gov)>  
**Cc:** Sean Penrith <[seanpenrith@gmail.com](mailto:seanpenrith@gmail.com)>  
**Subject:** TSP Testimony - Bike Path

To the Planning Commission,

We are residents of Tomahawk Island Drive above Hayden Bay. It is our understanding you are considering taking private property to extend a bike and pedestrian path along the Bay. We have a few comments:

1. The pathway in front of Hayden Bay Condos is about 3 feet wide. Extending it to 10'-12' will adversely affect our property and take property for public use.
2. Adding the amount of Impervious Surface Area could violate both the Clean Water Act (Stormwater), and the Endangered Species Act (Salmon Recovery Program). As such, we assume you would be required to obtain a permit from Portland BES to avoid that violation.
3. The pathway is at the top of the Special Flood Hazard Zone. How do you justify further development in this zone?
4. Taking our property for public use would cause a permanent physical invasion of the private property around the Bay. We assume you will provide just compensation if the project goes forward.
5. Are you aware of the physical constraints of your plan? Most of the area around the Bay slopes down to the existing path. Cutting into that slope would require retaining walls around a substantial portion of the properties, and significantly change the character of our property.
6. The existing community is quiet and private. There is the expectation of privacy; people bought into this community with that expectation. This could cause a substantial loss in value of hundreds of property.

**Donna G. Hempstead and Victor Viets**

*Tomahawk Island Drive*

*Portland, OR 97217*

[enviro-eco17@msn.com](mailto:enviro-eco17@msn.com)