

September 16, 2016

RE: PSC Fossil Fuel Zoning Testimony

Dear Members of the Planning and Sustainability Commission,

Please accept the comments of 40 individuals listed below. Thank you in advance for your efforts to implement Portland's historic November 2015 Fossil Fuel Policy.

Thank you to the Bureau of Planning and Sustainability (BPS) for its work to incorporate public input after releasing the initial draft of the Fossil Fuel Terminal Zoning Amendments.

However, the current Fossil Fuel Zoning Amendments proposal falls short of the bold resolution that Portland supported in the fall of 2015, which called for the city to “actively oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways.” Although this draft prohibits new bulk terminals, it still allows new terminals up to 5 million gallons, provided that the terminal cannot shift fossil fuels from one transportation mode to another (i.e. rail to marine). The City’s policy was clear, and new fossil fuel facilities that can store 5 million gallons of dangerous fossil fuels such as liquefied natural gas (LNG) or crude oil undermine the promise and impact of the City’s 2015 Resolution.

Additionally, while **this proposal should mark any bulk terminal as ‘non-conforming’**, it still needs to strengthen the regulations when it comes to the expansion of pre-existing terminals. It is not clear from the draft if there is any binding limit to potential expansion at existing bulk fossil fuel terminals. The City’s intention with its 2015 Resolution was to ensure that changes to the City’s fossil fuel infrastructure would be used to improve safety, seismic resiliency, and the use of lower-carbon fuels.

To make City policy reflect the intent of the historic City Council Resolution, I request that the City of Portland and the Planning and Sustainability Commission do the following:

- Enact a full ban on all new fossil fuel terminals, large or small. After all, this was the plain language of the City's 2015 Resolution - "to actively oppose" new fossil fuel infrastructure.

- Remove the exception for new facilities that are 5 million gallons or less. That exception could allow more unit trains of dangerous fossil fuels like Bakken crude oil. Additionally, allowing new LNG storage in Portland is unnecessary: NW Natural has no current plans for more LNG storage in Portland.

-Strengthen restrictions on expansions allowed at existing terminals through adding binding limits as well as criteria for safety and climate impacts in the City's non-conforming use review process. The City should use this process to ensure that seismic and safety improvements are the basis for any new changes to Portland's existing bulk fossil fuel terminals.

-Add language to prevent smaller related "terminals" from clustering and aggregating to increase fossil fuel shipments through Portland.

Now more than ever, the City of Portland has the opportunity to be a leader in the U.S. climate justice movement. With improvements to the Fossil Fuel Zoning Amendments, Portland can once again be on the forefront addressing the most pressing concern of our time.

Sincerely,

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