



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Carmen Rubio, Commissioner
David Kuhnhausen, Interim Director
Phone: (503) 823-7300
TTY: 711
www.portland.gov/bds

June 5, 2024

Meredith Armstrong
Portland General Electric
121 SW Salmon Street
Portland, OR 97204

Re: Land Use Review LU 24-041109 CU EN GW

Dear Meredith Armstrong:

The Bureau of Development Services received your application for an Environmental Review, Greenway Review, and Conditional Use Review located at Harborton Substation and Forest Park on May 10, 2024. Your case has been assigned to planners Morgan Steele and Christine Caruso. To continue to review your application, additional information is needed. Once you submit this information, your application will be considered complete, and we will proceed with a full review of your proposal. Up to this point, your application has been reviewed only to determine if all required information has been submitted. The application has not been fully reviewed to determine if it meets the relevant approval criteria, however some issues you may want to consider are identified in Section II below.

I. Information Necessary to Complete Application

The following information must be submitted before your proposal can be evaluated:

ENVIRONMENTAL REVIEW & GREENWAY REVIEW

1. Site Plans

a. All Site Plans

- i. Please include all official City of Portland zoning lines on all plans. It appears some designations may have been left off. For example, the Harborton Substation area has a Prime Industrial (k) overlay zone designation that is not noted on the plan set.
- ii. Per 33.440.210.B.3, within the River Water Quality overlay zone, the Greenway Setback is mapped as 50 feet around the delineated edge of any identified wetland. As such, the plans should denote the 50-foot buffer as the Greenway Setback.

b. Existing Conditions Site Plan

- i. The top of bank of Stream 1 and 2 should be noted on all plan sets. Delineating top of bank for different types of streams (e.g., ephemeral, perennial) can be found in Zoning Code Section 33.430.150.

c. Proposed Development Site Plan

- i. Square footage of wetland impacts both at Harborton Substation and Forest Park (Wetlands A and B) should be noted in a table and included on the plans.
- ii. Tree 994 (51-inch DBH Oregon white oak) and Tree 80 (34-inch DBH Oak) are proposed for removal for proposed access; however, it appears to be adjacent to an already disturbed/cleared area. Provide information on why these substantial trees are proposed for removal and what alternatives were

explored for access in this area that would allow these trees to remain. Further, it appears these trees are outside existing easements on City of Portland owned property.

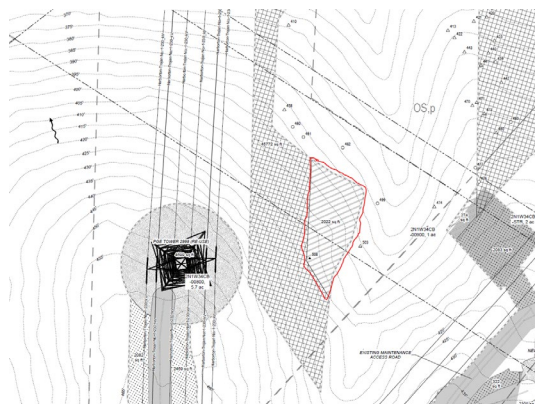
- iii. Tree 527 (98-inch DBH multi-stemmed big leaf maple) is proposed for removal; however, it is unclear for what reason. It appears the tree is both outside the proposed access road and the pad construction area for New Steel Pole 5. Provide detailed information on why this tree is proposed to be removed and what measures can be taken to allow this mature tree to remain.
- iv. Proposed tree removal should be included on the Proposed Development site plan to help demonstrate which portions of the work are necessitating the tree removal.
- v. Provide a cut sheet, detail, or profile plan for the towers with dimensions including height.

d. Construction Management Site Plan

- i. Sheets L207 and L209 appear to show work within Stream 1 denoted by the dark gray scale and identified as a “staging area.” There also appears to be check dams proposed within the stream. Clarification must be provided on what impacts are occurring to this stream. If no impacts are proposed, appropriate BMPs (e.g., exclusion fencing) must be used to ensure the stream is well protected including an adequate buffer from top-of bank.
- ii. Clearly label areas of both cut and fill including contours lines and elevations. Currently, it is unclear whether proposed areas of grading are cut or fill.
- iii. The line for Tree Protection Fencing is not consistent throughout all plans (a portion of the line [inner short lines within bordered line] appears to be missing).
- iv. Provide additional information on and the purpose of the matted bonding fiber matrix proposed within the work areas. There appears to be matrix proposed over trees proposed to remain (Sheet L213). Provide information on the effect of the proposed construction management on trees.
- v. Trees outside the limits of disturbance appear to be proposed for removal (e.g., Tree 504, 615, 633). Clarify why these trees are being removed if they are located 1) outside limits of disturbance or 2) are already identified as dead and outside limits of work/access disturbance.
- vi. Sheet L213 shows trees to remain within the existing access road. Please clarify.

e. Mitigation Plan

- i. The proposed wetland seed mix hatching does not appear to match the legend or planting schedule. Please clarify.
- ii. Sheet L311 shows Tall Upland Plant Community within areas of proposed clearing due to concerns of windthrow. If tall trees can be planted in this area (circled in red), why are the trees being proposed for removal?



2. Narrative

- ❖ Environmental overlay zones protect environmental resources and functional values that have been identified by the City as providing benefits to the public. In this case, the resources are identified within the [Forest Park and Northwest District Natural Resources Inventory](#) (2022) as Resource Site FP2 – Upper Harborton. This inventory was adopted and implemented in October 2022 and as such the narrative must be updated to reflect this current resource document.
- ❖ To fully understand the demonstrated need for the proposal (Minor Amendment Criterion A), information must be provided detailing future possible expansion and/or upgrade of transmission lines as a result of this project. In other words, staff would like to know, if this upgrade is installed, what ability that provides for future expansion of and additional forest clearing for additional or altered transmission lines.
- ❖ A discrepancy exists between tree removal quantities stated in the narrative (328) and quantities provided in the tree table (308). Clarify this discrepancy including providing information on existing dead trees that are proposed for removal.

3. Other

- ❖ There appears to be an alternate access at Harborton Substation that avoids most wetland impacts. Staff requests information on resource impacts of this alternate route and why this route is or is not feasible.



CONDITIONAL USE REVIEW

33.815.230 Rail Lines and Utility Corridors

- A.** *The proposed rail line or utility corridor is sufficiently separated from nearby land uses so as to allow for buffering of the uses, especially in residential areas. In the case of railroad lines, separation distances should consider the expected number, speed, size, types, and times of trains; and*
- ❖ In your narrative, describe the surrounding land uses and what buffering is being provided between the surrounding land uses and the project area.
- B.** *The rail line or utility corridor will not substantially impact the existing or planned street system, or traffic, transit, pedestrian, and bicycle movement and safety.*
- ❖ In your narrative, describe any impacts on existing trails that go through or near the project area, and describe any mitigation to reduce or eliminate any adverse visual, physical, or sonic impacts on trails.

Show any provided mitigation on the plans. Also see Portland Bureau of Transportation comments on the planned street system, traffic, transit, pedestrian, and bicycle movement and safety.

II. Issues to Consider

While not necessary to determine the application complete, additional information may be needed to show that your proposal meets the applicable approval criteria. You are encouraged to address the following issues regarding the approvability of your proposal:

- **Staff has concerns about the approvability of the proposal to clear 4.7 acres of Forest Park for both the installation and re-routing of transmission lines; the scale of proposed impacts and the irreversible ecological effects to an existing high-value, high-functioning ecosystem do not appear to meet multiple approval criteria including:**

- Per Minor Amendment Criterion B, it must be demonstrated how the proposed action is consistent with the Forest Park Natural Resources Plan Goals and Strategies (found in Chapter 6 of the NRMP). Specifically, Conservation Goal #1 (pasted below) speaks to protecting Forest Park’s native plant and animal communities, and its soil and its water resources while managing the ecosystem to grow an ancient forest. The proposal to remove 308 trees totaling approximately 5,400-inches diameter breast height is counter to all points listed in the NRMP Conservation Goal #1. Further, other components of the existing ecosystem that will be irrevocably impacted include but are not limited to disruption of soil and ephemeral groundcovers (e.g., trillium, enchanter’s nightshade, Western starflower, etc.), alteration of the riparian dynamic adjacent to stream 1 (including removal of shade and disruption of stream substrate), removal of nurse logs and standing snags that provide benefits to both flora (e.g., mushrooms, lichen, moss) and fauna (pileated woodpecker, pygmy owl), and alter existing ecosystem functions (e.g., carbon sequestration, nutrient retention, etc.) that cannot be replicated.

<i>Grow an ancient forest</i>	<p>Conservation Goals Parks and Recreation has two primary conservation goals:</p> <ol style="list-style-type: none"> 1. Protect Forest Park’s native plant and animal communities, and its soil and water resources while managing the forest ecosystem in order to grow a self-sustaining ancient forest for the enjoyment and benefit of future generations.
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- Per Exception Criterion D, long-term adverse impacts of the proposed project must be fully mitigated within the same (north) management unit. The proposed mitigation does not adequately mitigate for the magnitude of impacts on the existing resources and their functional values for the following reasons:
 - The existing ecosystem within the project footprint consists of an undisturbed, mature mixed conifer and broadleaf deciduous forest including stream, wetland, and riparian resources. This multi-story tree canopy includes mature, established trees with a diversity of species in the understory. The main component of the proposed mitigation, planting an oak woodland regime, is problematic in the temporal loss that will occur between the time of impact to the time of compensatory mitigation. The length of time it will take for an oak woodland to establish (presumably a minimum of 80 years) and its propensity for invasive species establishing in its more open, disturbed soil understory does not fully mitigate for the long-term adverse impacts of proposed forest clearing and stream disruption in an existing high-functioning, undisturbed system.
 - As noted on Page 49 of Appendix D, Habitat Mitigation Plan, the current mitigation approach does not fully mitigate the loss of carbon sequestration provided by the current forest habitat. The proposal to plant 100 trees off-site at a designated heat island elsewhere in the City to compensate for the loss in carbon sequestration does not meet the approval criteria since 1) it will not be taking place in the North Management Unit, and 2) without any specifics about location, regime, and maintenance and/or monitoring procedures it is not possible to determine if the out-of-kind plantings will compensate for the loss in carbon sequestration as a result of the project clearing.

- While providing funding to the red-legged frog migration support may potentially mitigate for impacts to Stream 1 and Stream 2 and other wildlife habitat, staff would like to know what assurances PGE can provide that the proposed funding will bring this project to fruition to allow the mitigation to be complete and thus compensatory?
- Impacts to Wetland A and Wetland B are proposed to be mitigated outside of Forest Park at Harborton Substation. Staff would like additional information as to why these wetlands cannot be restored or mitigated within the North Management Unit of Forest Park as required by the approval criteria.
- Per Zoning Code section 33.815.230 Criterion A and B, buffering between the project area and adjacent zones must be provided and impacts to the pedestrian and bicycle movement cannot be substantially impacted. The proposal to replant in areas outside of Forest Park does not buffer or mitigate impacts on the immediate area around the project.

III. Time to Complete Application

The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is **Wednesday November 6, 2024**.

IV. Determination of a Complete Application

The application will be determined complete when you have submitted:

1. All the requested information included in Section I, above. If you cannot provide all the requested information at one time and intend to submit additional information, please include a written statement with each separate submittal indicating that you still intend to provide the additional missing information by the **Wednesday November 6, 2024** deadline, **or**
2. Some of the requested information included in Section I, above, and a written statement that no additional information will be provided; **or**
3. A written statement that none of the requested information included in Section I, above, will be provided.

Please be aware that not submitting the requested information may result in your application being denied. The information is needed to demonstrate the approval criteria are met. Once the application is deemed complete, review of your application can proceed using the information you have provided.

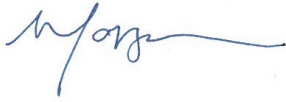
Your application will be approved if it meets the relevant land use review approval criteria. It is your responsibility to document how the approval criteria are met. The items listed above will help provide that documentation.

Voiding of Application

If your application is not complete by **Wednesday November 6, 2024**, it will be voided, and the application fee will not be refunded. The City's land use review procedures are outlined in Chapter 33.730 of the Portland Zoning Code.

Please contact us if you have any questions about this letter. Our telephone numbers are 503.865.6437 (Morgan) and 503.865.6420 (Chris), and our e-mail addresses are Morgan.Steele@portlandoregon.gov and Christine.Caruso@portlandoregon.gov. Requested information noted above should be emailed to both of us. Please e-mail either of us for file dropbox instructions if document or drawing file sizes are greater than 5MB. Please label all correspondence and materials you submit with the case number LU 24-041109.

Sincerely,



Morgan Steele, Planner
Land Use Services Division



Chris Caruso, Planner
Land Use Services Division

cc: Noah Herlocker
Randy Franks
Laura Lehman
Application Case File

Attachments:

Portland Bureau of Transportation Request for Completeness
Bureau of Environmental Services Request for Completeness
BDS Site Development Request for Completeness
Portland Parks & Recreation Incompleteness Memo



PORTLAND BUREAU OF TRANSPORTATION

1900 SW Fourth Ave., Suite 5000 Portland, OR 97201 503-823-5185
Fax 503-823-7576 TTY 503-823-6868 www.portlandoregon.gov/transportation

RESPONSE TO THE BUREAU OF DEVELOPMENT SERVICES REQUEST FOR COMPLETENESS REVIEW

LU: 24-041109-000-00-LU Date: May 21, 2024
To: Morgan Steele, Bureau of Development Services, B299/R5000
From: Tammy Boren-King, B106/800, 503-823-2948, tammy.boren-king@portlandoregon.gov
Applicant: Portland General Electric *Randy Franks* & Portland General Electric *Meredith Armstrong*
PORTLAND GENERAL ELECTRIC
121 SW SALMON ST
PORTLAND, OR 97204

Location:

TYPE OF REQUEST: Type 3 procedure CU - Conditional Use

DESCRIPTION OF PROJECT

Portland General Electric (PGE) is requesting approval to construct a new 1,400-foot-long segment of transmission corridor and shift a portion of existing transmission corridor slightly south to make necessary wire routing improvements. All work in Forest Park is proposed within existing PGE utility easements. To install two new steel poles and shift one existing pole south, PGE must clear 4.78 acres of forest habitat in the park. This is forest that is currently surrounded by utility corridors on all sides. Work would also occur at PGE's Harborton Substation at 12500 NW Marina Way, including 3 new poles in the gravel parking area west of the substation and temporary access in the wetland south of the substation to reconfigure wiring on existing towers. The project is needed to address system vulnerabilities and provide the power supply and system redundancy needed to accommodate current and near-term power demands. Stormwater: The project proposes only negligible new impervious associated with two new pole foundations (~226 square feet total). This clean runoff would infiltrate in surrounding forest soils. During construction, stormwater will be managed per the Construction Stormwater Best Management Practices Manual for the 1200-C NPDES General Permit.

RESPONSE

Portland Transportation/Development Review has reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services.

Environmental Review Approval Criteria

There are no transportation related approval criteria for the environmental review component of the subject case.

Conditional Use Approval Criteria

The transportation related approval criteria related to the proposed Conditional Use that must be addressed are found in PZC Sections 33.815.230.B. The applicant provided a narrative sufficient for completeness review purposes.

Public Improvements

The project will not meet the thresholds in 17.88.020 or TRN 1.30 for when the Portland Bureau of Transportation (PBOT) requires public improvements. No dedication or street improvements are required.

The plans do not show any work happening a right-of-way controlled by PBOT.

The proposal includes work that will string new utility lines over the public rights-of-way for both NW Marina Way and NW St. Helens Rd., both of which are Oregon Department of Transportation (ODOT) facilities. All permitting for this activity is through ODOT. The applicant's narrative reflects that they are currently working with ODOT to permit this activity including the necessary highway lane closure.

RECOMMENDATION

PBOT has no objection to the application being deemed complete.



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Ave, Suite 613, Portland, Oregon 97204 ■ Mingus Mapps, Commissioner ■ Dawn Uchiyama, Director

Completeness Response

Date: May 21, 2024

To: Christine Caruso, BDS Land Use Services
503-865-6420, Christine.Caruso@portlandoregon.gov

From: Ella Ruth, BES Systems Development
503-823-8068, Ella.Ruth@portlandoregon.gov

Case File: LU 24-041109

Proposal: Portland General Electric (PGE) is requesting approval to construct a new 1,400-foot-long segment of transmission corridor and shift a portion of existing transmission corridor slightly south to make necessary wire routing improvements. All work in Forest Park is proposed within existing PGE utility easements. To install two new steel poles and shift one existing pole south, PGE must clear 4.78 acres of forest habitat in the park. This is forest that is currently surrounded by utility corridors on all sides. Work would also occur at PGE's Harborton Substation at 12500 NW Marina Way, including 3 new poles in the gravel parking area west of the substation and temporary access in the wetland south of the substation to reconfigure wiring on existing towers. The project is needed to address system vulnerabilities and provide the power supply and system redundancy needed to accommodate current and near-term power demands. Stormwater: The project proposes only negligible new impervious associated with two new pole foundations (~226 square feet total). This clean runoff would infiltrate in surrounding forest soils. During construction, stormwater will be managed per the Construction Stormwater Best Management Practices Manual for the 1200-C NPDES General Permit.

BES provides the following comments in response to materials received for the purpose of determining completeness of the above-referenced Land Use application. Items requested in this memo should not be considered final, as staff reserves the right to request additional materials during the formal review period.

1. **Drainageway Protection:** City records indicate there is a drainageway on the subject site located on 12500 NW Marina Way (R714233).
 - a. **Drainageway:** A drainageway is defined as a constructed or natural channel or depression that may at any time collect and convey water; it may be permanently or temporarily inundated. Depending on the capacity of the drainageway and size of the proposed development, the identified drainageway may serve as a disposal location for stormwater runoff from the project.
 - b. **Drainage Reserve:** Drainageways are protected by means of a drainage reserve except when the drainageway is adequately protected by an Environmental Protection overlay zone, another overlay zone that provides equivalent or better protection as determined by BES, or a tract (such as an Environmental Resource Tract) that equally or better meets the purpose of the drainage reserve, as determined by BES. Drainage reserves act as no-build areas and are intended to protect flow conveyance and water quality in both natural and constructed surface channels. Drainage reserves are typically delineated 15 feet from the centerline of the channel on both sides; however, a drainage reserve may be wider than 30 feet if needed to adequately protect the channel and bank. The applicant should refer to Chapter 5 of the SWMM for drainage reserve information and/or contact BES staff (identified above) for assistance.
 - c. **Documentation:** It appears the drainageway and associated drainage reserve are located within 50 ft of the proposed temporary or permanent disturbance area. Therefore they must be shown on existing and proposed conditions site plans submitted with future land use review application. If encroachments are proposed into the drainage reserve, BES may require a topographic survey of the drainageway. To help ensure long-term

protection of drainage reserve areas, a notice about the drainage reserve must be recorded against the property deed through the applicable County recorder's office via a Notice of Drainage Reserve Form or an Operations and Maintenance (O&M) Plan and Form. The type of form required will depend on the impact to the drainage reserve; see Section 5.10 of the SWMM for more information.

2. ***Drainageway Encroachment:*** Encroachments into a drainage reserve must be reviewed by BES through the encroachment review process unless allowed outright per Section 5.5.1 of the SWMM. Proposed impacts and encroachment proposals will be reviewed to ensure that the flow rate, timing, and pattern of the drainage continues to be adequately conveyed through the site and to protect water quality. There are two types of encroachments:
 - a. **Drainage Reserve Buffer Encroachment:** An encroachment located within the outer 5 feet of a drainage reserve.
 - b. **Drainage Reserve Channel Encroachment:** An encroachment located within 10 feet of the channel centerline. For drainage reserves with a total width other than 30 feet, the channel encroachment area will be determined on a case-by-case basis through the encroachment review process.

Based on the submitted plans, it appears that the proposed development will encroach into the drainage reserve. However, BES has not received the necessary drainage reserve submittal information to review the proposed encroachment. Refer to Section 5.5 for information related to encroachments, Section 5.6 for mitigation requirements, and Section 5.9 for drainage reserve submittal requirements. The applicant may also contact BES staff to discuss specific submittal items necessary for the proposed encroachment. Once this information has been provided, BES will determine if the proposed encroachment can be approved.



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Review For Completeness Response

To: Christine Caruso, 503-865-6420, LUR Division
From: Kevin Wells, Site Development 503-823-5618

Location/Legal: BLOCK 11 E OF COMPROMISE LINE LOT 1-3, HARBORTON; BLOCK 11 W OF COMPROMISE LINE LOT 1-3 LOT 4-7, HARBORTON; BLOCK 11 LOT 11, HARBORTON; BLOCK 11 LOT 12, HARBORTON; TL 500 1.80 ACRES, SECTION 34 2N 1W; TL 300 62.97 ACRES DEPT OF REVENUE, SECTION 34 2N 1W; TL 400 15.79 ACRES, SECTION 34 2N 1W; TL 1900 9.74 ACRES, SECTION 34 2N 1W

Land Use Review: LU 24-041109
Proposal: Portland General Electric (PGE) is requesting approval to construct a new 1,400-foot-long segment of transmission corridor and shift a portion of existing transmission corridor slightly south to make necessary wire routing improvements. All work in Forest Park is proposed within existing PGE utility easements. To install two new steel poles and shift one existing pole south, PGE must clear 4.78 acres of forest habitat in the park. This is forest that is currently surrounded by utility corridors on all sides. Work would also occur at PGE's Harborton Substation at 12500 NW Marina Way, including 3 new poles in the gravel parking area west of the substation and temporary access in the wetland south of the substation to reconfigure wiring on existing towers. The project is needed to address system vulnerabilities and provide the power supply and system redundancy needed to accommodate current and near-term power demands. Stormwater: The project proposes only negligible new impervious associated with two new pole foundations (~226 square feet total). This clean runoff would infiltrate in surrounding forest soils. During construction, stormwater will be managed per the Construction Stormwater Best Management Practices Manual for the 1200-C NPDES General Permit.

Quarter Sec. Map: 1717, 1718, 1816, 1817, 1818
Date: May 21, 2024

The Bureau of Development Services (BDS) Site Development section provides the following comments based on the land use application and documents provided by the Applicant. References to Portland City Code (PCC) may be included below. City codes are available for on-line review from the City Auditor's [Online Charter and Code page](#).

Response Summary

Site Development determines that the material submitted for review are insufficient.

The applicant must submit a geotechnical report and/or slope hazards report to assess the potential for slope instability both during and after construction. This information is required to facilitate review of the construction management plan, limits of disturbance, and impacts to adjoining property. A geotechnical report and/or slope hazards evaluation is also

required to determine if engineered mitigation is required to reduce slope hazards until mitigation plantings are well established (buttresses, debris flow diversion structures, specialized construction staging, etc.). Site Development's key concern is the potential for slope instability, debris flows within existing drainages, and debris flow outbursts along Highway 30 (or other adjoining property) resulting from the proposed tree removal.

Key Comments from Early Assistance (EA) Meeting 22-142455-EA

Slope Hazards

The project is characterized by steeply sloping terrain that is susceptible to landslide activity. In addition, the project area encroaches over an existing pre-historic landslide. Site Development is concerned that the proposed clearing, grading, and tree removal will alter slope and groundwater conditions potentially impacting the stability of the existing slopes. Key hazards of concern include surficial slope instability, general slope instability, and debris flow failure (i.e. debris flows resulting from slope failures that are propelled into narrow drainages depositing onto Highway 30).

Geotechnical and Slope Hazards Report

The applicant must provide a geotechnical report and slope hazards report with any building permit or land use application. The geotechnical report must be prepared by an Oregon-registered professional engineer with experience in geotechnical engineering. The geotechnical report must summarize the subsurface conditions, including groundwater, and provide the engineer's quantitative evaluation of existing and proposed slope stability conditions for both static and seismic cases. The engineer must also provide recommendations for clearing, grading, and slope hazard mitigation where the proposed work results in an unsuitable factor of safety against sliding.

Geologic hazards (slope hazards) should be evaluated by a geotechnical engineer and certified engineering geologist (CEG) to assess geomorphology, historic and pre-historic landslide activity, and groundwater factors that may aggravate slope instability. Guidelines for conducting slope hazard evaluations are presented on the City's website, which can be accessed [here](#). At a minimum, slope hazard investigations and reports must include:

1. A site reconnaissance conducted by a Certified Engineering Geologist where deep-seated pre-historic and historic landslides are required to be evaluated.
2. Subsurface investigations which extend below possible failure surfaces anticipated to have a factor of safety of less than 1.5 under static loading or 1.0 under seismic loading.
3. Investigation to determine the location of groundwater within the area of interest.
4. Strength testing of the soils of interest; either in-situ testing, laboratory testing, or both. Strength correlations for in-situ testing shall be well documented.
5. Geologic cross sections for the critical slope sections analyzed, including assumed piezometric surfaces.
6. Detailed descriptions of the analysis methods used and assumptions made in the numerical modeling.
7. Recommendations for temporary and permanent surface and subsurface drainage elements.
8. Discussion of the effects of on-site effluent disposal and stormwater disposal systems, existing or proposed, on slope stability.
9. Detailed laboratory testing results attached within a report appendix.

10. Detailed subsurface investigation results attached within a report appendix.
11. Geotechnical recommendations for site development, grading, and construction.
12. Recommendations for site development and mitigation measures required to achieve the minimum allowable factors of safety against slope instability.
13. Recommendations for temporary and permanent erosion control.
14. A statement of understanding of the performance criteria and expected displacements under seismic loading conditions.
15. A statement that the construction plans have been reviewed by the project Geotechnical Engineer or project Certified Engineering Geologist for conformance with the recommendations of the slope hazard evaluation and geotechnical engineering report. The date listed on the reviewed plans should be stated.

Note: In addition to the above criteria, the geotechnical engineer and engineering geologist must evaluate the impact of the proposed clearing, grading, and tree/shrub removal on slope stability.



MEMORANDUM

DATE: June 5, 2024

TO: Morgan Steele, Senior Environmental Planner

FROM: Rachel Felice, City Nature Manager
Marshall Johnson, Forest Park Natural Resource Ecologist
Laura Lehman, Senior Environmental Planner

SUBJECT: LU 24-041109 CU EN GW Portland General Electric
Harborton Reliability Project incompleteness review

Portland Parks & Recreation (PP&R) staff have reviewed the materials submitted for LU 24-041109 CU EN GW and would like to provide the following comments on the completeness of the application. Thank you for the opportunity to comment.

1. Consistency with approval criteria: Chapter 8 of the 1995 [Forest Park Natural Resources Management Plan](#) include the approval criteria for development in the park. Criterion B for Minor Amendments requires that the proposal be consistent with the Forest Park Natural Resources Management Plan Goals and Strategies. Conservation Goal 1 (page 98 of the plan) is to *protect Forest Park's native plant and animal communities, its soil and its water resources while managing the forest ecosystem in order to grow a self-sustaining ancient forest for the enjoyment and benefit of future generations*. The application proposes to deforest 4.7 acres of Forest Park, including removing more than 350 trees



(including topped trees) and filling two wetlands. This would be a significant and permanent impact to the plant and animal communities and water resources in the park. The information provided in the application does not demonstrate how this proposal is consistent with Conservation Goal 1 and does not show how the proposal protects the native plant and animal communities or soil and water resources – therefore the submitted proposal does not meet this approval criterion.

2. Future phases: The submitted application indicates that the current proposal is Phase 3 of a 5-phase project. Information about the scope of Phases 4 and 5 is not provided. To give a full description of the impacts of the proposed project, the applicant must provide information about Phases 4 and 5, including their location and scope. PP&R understands that these phases may not yet be fully developed, preliminary information should be provided if complete information is not available.

Mitigation plan

3. Temporary disturbance areas: Invasive plant management and reseedling within the disturbance areas of the project site should be considered part of site restoration and should not be counted towards mitigation requirements. Table 4 should be revised to reflect the difference between restoration of temporary disturbance area within the project limits, and mitigation area. Please document native vegetation cover in any areas where disturbance is proposed, including cover type, plant species and potential wildlife habitat in those areas so that proposed impacts can be accurately evaluated.
4. Revegetation with focus on oak woodland: Mitigation that expands Oregon white oak (*Quercus garryana*) woodland should consider long-term maintenance of this habitat type, which is costly due to its propensity for re-invasion by aggressive weeds like blackberry

and scotch broom. Converting portions of the existing mature forest to oak woodland does not mitigate directly for the resources that would be lost and may not adequately mitigate for the loss of the existing forest type due to the length of time required for oak woodland to become established. Oak woodland habitat is high value and PP&R recommends the applicant focus on preserving the existing oak woodland habitat and mitigating for impacts to mature forest with in-kind restoration.

5. Aquatic resource enhancement: The proposed wetland mitigation is off-site – PP&R recommends that PGE explore options for on-site mitigation for wetland impacts that would mitigate for resource loss within the park.
6. Red-legged frog migration support: PP&R supports red-legged frog habitat mitigation as part of this project. Red-legged frog habitat mitigation should be in addition to mitigation for tree impacts and loss of forest habitat. Based on information PP&R has received, the Harborton wildlife underpass project concept faces feasibility challenges and high estimated costs, resulting in limited potential for mitigation of this proposal. The Newton Wetland amphibian habitat project may be an alternate option for mitigation; this project is still in development and PP&R would be happy to provide more information about the project and its status on the status of the Newton Wetland option.
7. Off-site tree planting: The proposed off-site tree planting supports City policies but does not directly address habitat impacts in Forest Park. PGE should consider mitigation that would directly address habitat loss in the park.
8. Potential mitigation: Below is a list of other potential mitigation options the applicant may wish to consider, that could be combined into a mitigation package:

- Providing funding or partial funding to support development of an amphibian habitat restoration project at Newton Wetlands in the North unit of Forest Park.
- Reforestation by the applicant in existing cleared areas of the park to replace a portion of the forest lost. There may be approximately one acre available in the North Unit of Forest Park, including an existing clearing along Newton Trail and a clearing at Keilhorn meadow near Skyline Blvd.
- Mitigating for impacts to aquatic and amphibian habitat through restoration activities on streams in North Forest Park, such as Newton Creek and the unnamed creek south of the project site.
- Purchasing additional forest that is not currently protected from future development and adding it to Forest Park. For example, undeveloped residential land near the Harborton Neighborhood where there are currently red-legged frog habitat and migration pathways.
- Payment into the Forest Park trust fund for a portion of the mitigation requirement. The North Forest Park area in need of restoration work is not large enough to mitigate for the entire proposed impact, but a partial payment as part of a mitigation package may be an option.

Tree impacts

9. Tree survey and tables: There are discrepancies in the trees shown for removal and preservation on the tree survey, tree tables, plan sheets, and trees on site. The tree survey maps in the arborist report are also incomplete. Please provide complete tree survey tables and provide consistent tree information throughout the plan set, and ensure this information is consistent with the trees on site. Please show the trees to be removed on the proposed development plan – in the submitted plan set it appears they are shown on the Construction Management Plan but not on the Proposed Development Plan. Examples of inconsistencies between

the submitted survey and the trees on site can be provided by PP&R upon request.

10. Total trees removed: There are 22 trees proposed to be topped. Topped trees are considered removed under Title 11 and should be reflected throughout the submittal as trees to be removed, including Tree Mitigation Table 6 (page 31 of Appendix D). Please ensure that the number of trees to be removed is consistent throughout the application.
11. Tree measurement: Based on on-site measurements of some of the trees in the tree table, it appears that some multi-stemmed trees were not measured using the methodology set out in Title 11, Trees. Some multi-stemmed trees appear to be listed in the tree table based on the diameter of a single trunk or other method. Please verify the method used to measure multi-stemmed trees and ensure it is consistent with the measurements section of [Title 11](#), and update the tree table as needed to reflect the correct measurements. PP&R will provide a list of the multi-stemmed trees that were checked upon request.
12. Future pruning and topping: Note 5 of the application narrative (page 30) states “Habitat losses can also be mitigated by pruning or topping of trees in the future, rather than cutting down trees, or trees can be topped and ringed to become snags, an especially valuable wildlife habitat component.” Topping or pruning trees in the future as part of the ongoing maintenance of PGE lines should be mitigated as impacts separately at the time that those impacts occur. Avoidance of these impacts during the proposed project should not be included as mitigation for clearing forest land as part of this project.

Other comments

13. Alternatives analysis: Thank you for providing information about the alternatives analysis for the overall project. The information provided refers to a full alternatives report prepared by Toth and Associates in 2022. Please provide a copy of this report.
14. Alternatives analysis: The alternatives analysis provides an overview of the project as a whole and the analyses that went into selecting the proposed option. Please also address project elements in the alternatives analysis, such as shifting the location of the existing tower, grading landings for the new towers, vegetation impacts underneath the proposed lines, specific tree removal criteria for trees not directly underneath the powerlines, and tree removal methods.
15. Resource site: Please update the resource site description in the application. The resource site from the 1991 NW Hills Natural Areas Protection Plan was updated by the Environmental Overlay Zone Map Correction Project in 2022. Please refer to Resource Site FP2 of Upper Harborton in Volume 2 Part A1 - Forest Park and Northwest District, Natural Resource Inventory and Protection Decisions (Resource Sites 1-20) Adopted by City Council May 25, 2022. ([Efiles - Ezones Project Volume 2A1](#)).
16. Wildfire prevention: Any construction activity or work on site will be required to comply with PP&R's wildfire season activity restrictions – if these restrictions cannot be met, the applicant will be required to submit a project-specific wildfire risk reduction plan for review and approval by PP&R.