

Nick Fish, City Commissioner
1221 SW 4th Avenue
Portland, OR 97204

To: Commissioner Nick Fish

CC: Mayor Charlie Hales, Commissioner Amanda Fritz, Commissioner Steve Novick, Commissioner Dan Saltzman, and BES Director Michael Jordan

Subject: Community Concerns - City of Portland's Portland Harbor Process

April 7, 2016

Dear Commissioner Fish:

Starting April 11, 2016, the public will have a chance to formally comment on the U.S. Environmental Protection Agency's (EPA) proposed cleanup plan of the Portland Harbor Superfund Site. This public comment period lasts 60 days. Cleanup of the Portland Harbor Superfund Site is expected to take at least 20 years and cost up to \$2.5 billion; Portland area rate-payers have already contributed \$52 million.

City officials have long known that there are serious equity implications in the Portland Harbor cleanup/redevelopment process for historically and present-day marginalized groups, including Native Americans, African Americans, immigrant and refugee subsistence fishers, houseless people, low-income households, pregnant/nursing mothers, children and infants.* A key component to mitigating harms - including cumulative and intergenerational impacts - and ensuring that underrepresented groups substantially benefit from cleanup/redevelopment is a robust, culturally appropriate public engagement process. ***And yet, despite a legal and ethical mandate, the City of Portland has failed to conduct meaningful public engagement with underrepresented groups around the Superfund Site cleanup/redevelopment. Without directly engaging those most impacted, it is unlikely that these groups will benefit from cleanup/redevelopment.***

Moreover, given how little communication the City has had with those most impacted, we are concerned that the City may not represent the best interests of residents in its own formal public comment. Disseminating a confusing and misleading survey (through Oregon Kitchen Table), despite serious concerns expressed by community based organization (CBO) leaders involved in its development, is an inappropriate way to elicit input on one of the largest and most complex projects undertaken in the history of the City of Portland. Distributing this survey with no previous public education/outreach, especially with underrepresented groups - and just three weeks prior to the public comment period - is far too little, far too late.

We therefore call on the City to immediately take the following actions:

1. Formally request that the EPA extend the public comment period to 120 days to allow for a genuine public participation process to occur.
2. Provide funds to CBOs (including those signed onto this letter) who are prepared to carry out robust public education with underrepresented groups and help residents prepare testimonials about the cleanup plan to submit to the EPA. Follow guidance from the City's Public Involvement Advisory Council and Title VI Policy through this engagement.
3. Meet with CBO leaders by April 11th to discuss how to implement community priorities during cleanup/redevelopment for those whose families and communities have suffered from Harbor contamination. Community priorities include the following:
 - a. Jobs: Superfund job training for low-income Portlanders and youth; family wage cleanup jobs and contracts to minority and women-owned firms; subcontracts with community groups.
 - b. Housing stability: Affordable housing provisions in neighborhoods adjacent to the river; reparations for previously displaced communities; measures to prevent further displacement
 - c. Support for houseless: People need a place to go! Outreach to those living along the river early and often; fund permanent affordable housing; support for rest areas; no sweeps of riverside camps
 - d. Public access and restoration: Greater public access to the river; early opportunities for community/youth groups to help shape/lead river access projects, including restoration projects within that support enhanced fish and wildlife habitat
 - e. Community Benefit Agreements (CBAs): CBAs with impacted communities to ensure these and other equity provisions during and following cleanup
4. Work in partnership with Portland Harbor community stakeholders to craft the City's formal public comments to submit during EPA's public comment period to ensure they reflect social and environmental justice priorities.
5. Strongly advocate for Potentially Responsible Parties to be held fully accountable and oppose efforts to unfairly shift costs to the public - especially low-income residents.
6. Increase transparency in City interactions with the EPA on Superfund related issues, including providing notice and encouraging public attendance at any official Superfund related meetings between the City and EPA, and immediately releasing any official communications between the City and EPA regarding the Superfund process.
7. In the City's communications with the EPA, emphasize that underrepresented Portlanders - those most impacted - advocate for G+ cleanup/restoration standards that will allow all residents to safely eat fish, swim, and recreate in the river.

We look forward to discussing these concerns with you soon.

*Several underrepresented groups have been and will be impacted by contamination, cleanup, and redevelopment of the Portland Harbor, including:

- First Nations: Northwest Native peoples have inhabited lands along the Willamette River since time immemorial, living in harmony with the natural environment - the fish, water, and land. Native people were able to sustain their villages and trade with other tribes in large part due to the salmon, lamprey/eel, and other species that traveled in abundance through the river. The river and fish are considered sacred relatives, and are respected for their contributions to the cycle of life.

- African Americans: While Black Portlanders may not at first appear to be impacted by Harbor contaminants and cleanup today, they have historically been one of the most impacted groups by Harbor activity. African Americans first arrived in Portland in large numbers to work in the shipyards. Many fished in the Harbor, eating contaminated fish. African American shipyard workers were also exposed to toxic substances such as lead and asbestos in the shipyards and toxic air in nearby neighborhoods, and were prohibited from joining the Boilermakers Union. At the same time, workers and their families were forced to live in segregated neighborhoods for decades, and have since suffered (and continue to suffer) from the impacts of serial displacement as the City has grown and changed.
- Immigrants and Refugees: Many people, especially Eastern European, Asian, and Latin American immigrants and refugees subsist on resident fish from the Portland Harbor and are exposed to health risks from contaminants in the fish. Families often depend on the fish for protein, and view fishing as a continuation of a cultural tradition. Many people lack information about the dangers of consuming fish from the river, and others are aware of risks but are food insecure and have few other options.
- People Experiencing Homelessness: Hundreds of houseless people call the Portland Harbor home, particularly in the wake of a housing crisis that has left many Portlanders without permanent and affordable shelter, as well as due to ongoing sweeps of homeless camps in inner Portland neighborhoods. People living along the river are exposed to toxins such as lead, PCBs and dioxins in the soil. They are also at risk of being displaced yet again as cleanup begins. Moreover, as the waterfront is cleaned up and redevelopment begins, residents with low and moderate incomes are at risk of being displaced from adjacent neighborhoods or excluded from living near the river without substantial anti-displacement provisions (e.g. community benefits agreements, affordable housing construction, etc.).

Sincerely,

Portland Harbor Community Coalition and Partners:

American Indian Movement - Portland Chapter
Asian Pacific American Network of Oregon - APANO
Black Bear Environmental Services
East European Coalition
Groundwork Portland
Iraqi Society of Oregon
Líderes Verdes
Native Youth and Elders Council
Right 2 Survive
Right 2 Dream Too
Sierra Club - Oregon Chapter
Wisdom of the Elders