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## DECISION OF THE HEARINGS OFFICER

### I. GENERAL INFORMATION

**File Number:** LU 24-041109 CU EN GW (Hearings Office 4240019)

**Applicant:** Portland General Electric  
Attn: Meredith Armstrong and Randy Franks  
121 SW Salmon Street  
Portland, OR 97204  
[meredith.armstrong@pgn.com](mailto:meredith.armstrong@pgn.com); [randy.franks@pgn.com](mailto:randy.franks@pgn.com)

**Applicant's Representative:** Noah Herlocker  
David Evans & Associates, Inc.  
2100 SW River Parkway  
Portland, OR 97201  
[Noah.Herlocker@deainc.com](mailto:Noah.Herlocker@deainc.com)

**Property Owners:** City of Portland  
Parks & Recreation (Forest Park site)  
Attn: Laura Lehman  
1120 SW 5th Avenue #1302  
Portland, OR 97204-1926  
[Laura.Lehman@portlandoregon.gov](mailto:Laura.Lehman@portlandoregon.gov)

Portland General Electric (Harborton Substation site)  
Attn: Randy Franks or Meredith Armstrong  
121 SW Salmon Street  
Portland, OR 97204  
[randy.franks@pgn.com](mailto:randy.franks@pgn.com); [meredith.armstrong@pgn.com](mailto:meredith.armstrong@pgn.com)

United States of America (Parcel adjacent to Harborton Substation)  
620 SW Main Street  
Portland, OR 97205-3037

**Hearings Officer:** Marisha Childs

**Portland Permitting & Development (PP&D) Staff Representatives:** Morgan Steele and Christine Caruso

**Site Address:** Forest Park and Harborton Substation (12500 NW Marina Way)

**Legal Description:** PARTITION PLAT 2022-7, LOT 1, DEPT OF REVENUE; SECTION 33 2N 1W, TL 500 3.29 ACRES; SECTION 34 2N 1W, TL 600 3.20 ACRES; SECTION 34 2N 1W, TL 1900 9.74 ACRES; SECTION 34 2N 1W, TL 1600 1.48 ACRES; SECTION 04 1N 1W, TL 1000 9.68 ACRES; SECTION 04 1N 1W, TL 200 23.89 ACRES; SECTION 34 2N 1W, TL 1700 59.73 ACRES; SECTION 34 2N 1W, TL 400 15.79 ACRES; PARTITION PLAT 2022-7, LOT 1 TL 101, SPLIT LEVY R725377 (R649940254), DEPT OF REVENUE; SECTION 34 2N 1W, TL 900 3.28 ACRES; SECTION 34 2N 1W, TL 500 1.80 ACRES; SECTION 34 2N 1W, TL 2000 19.28 ACRES; SECTION 04 1N 1W, TL 200 51.98 ACRES; SECTION 04 1N 1W, TL 700 0.57 ACRES; SECTION 04 1N 1W, TL 48.30 ACRES; HARBORTON, BLOCK 11, LOT 12; HARBORTON, BLOCK 11, LOT 11; HARBORTON, BLOCK 11, LOT 8-10; HARBORTON, BLOCK 11, W OF COMPROMISE LINE LOT 1-2, LOT 4-7; HARBORTON, BLOCK 11, E OF COMPROMISE LINE, LOT 1-3

**Tax Account Number:** R649940250; R971330350; R971340370; R971340390; R971340400; R961040450; R961040480; R971340340; R971340210; R971340190; R971340170; R971340040; R961040140; R961040100; R961040010; R359602710; R359602690; R359602630; R359602490; R359602460

**State ID Number:** 2N1W34 00101; 2N1W33D 00500; 2N1W34 00600; 2N1W34 01900; 2N1W34 01600; 1N1W04 01000; 1N1W04 00200; 2N1W34 01700; 2N1W34 00400; 2N1W34 00900; 2N1W34 00500; 2N1W34 02000; 1N1W04D 00200; 1N1W04D 00700; 1N1W04 00100; 2N1W34CB 01100; 2N1W34CB 01000; 2N1W34CB 00700; 2N1W34CB 00800; 2N1W34CB 00900

**Quarter Section:** 1717, 1718, 1816, 1817, 1818

**Neighborhood:** Forest Park and Linnton

**Business District:** Northwest

**District Coalition:** Neighbors West/Northwest

**Plan District:** Northwest Hills - Forest Park and Linnton

**Other Designations:** *Forest Park Natural Resources Management Plan; Forest Park and Northwest District Natural Resources Inventory – Resource Site FP2, Upper Harborton; Lower Willamette River Wildlife Habitat Inventory – Site 4.2C (Rank III) & Site 4/5B (Rank III); FEMA Special Flood Hazard Area; Wildlands Fire Hazard Area*

**Zoning:** *Base Zones:* Open Space (OS), Heavy Industrial (IH)  
*Overlay Zones:* Environmental Conservation (c), Environmental Protection (p), Greenway River General (g), Greenway River Water Quality (q), Greenway River Industrial (i), Prime Industrial (k)

**Land Use Review:** Type III, CU EN GW – Conditional Use Review, Environmental Review, Greenway Review

**PP&D Staff Recommendation to Hearings Officer:** Denial of Environmental Review. Approval of two Greenway Reviews and a Conditional Use Review.

**Public Hearing:** The hearing was opened at 9:06 a.m. on January 29, 2025, via the Zoom platform and was closed at 2:05 p.m. Before the conclusion of the hearing a request was made to hold the record open for submission of additional evidence. The record was therefore held open until 4:00 p.m. on February 5, 2025, for the submission of additional evidence; the rebuttal period to consider the additional evidence closed at 4:00 p.m. on February 12, 2025, and the Applicant’s final argument remained open until 4:00 p.m. on February 19, 2025. The record was closed at 4:00 p.m. on February 19, 2025.

**Testified at the Hearing:**

Morgan Steele	Suenn Ho
Christine Caruso	Michael Child
David Petersen	Casey Clapp
Randy Franks	Tara Hershberger
Noah Herlocker	Lynn Handlin
Jolynn Winter Moshner	Max Brumm
Jay Clark	Catherine Thompson
Angus Duncan	Desiree Marisol
Ben Nelson	Paul Majkut
Arthur Marx	Shay Snyder
Marshall McGrady	Jen Mikkelson
Carol Canning	Aniksi
Frank Mungeam	Mira Hayward
Rob Bates	Madeleine Lyu
Ali Himes-Ferris	Greg Pressler
John Lepschat	Karl Anuta
Alex Woolery	Maggie Chapin
Lynn Warner	Diane Meisenhelter
Spencer Thayer	Carol Chesarek
Carol Hardy	Sarah Wagstaff
Michael Gill	Isabella Mounsey
Micah Meskel	Marcy Houle
Rachel Felice	Nico Westarp
Alex Couch	Neeth Ashweh Inash Wanisha Chelsea
Jeremy Smith	Sapakabell
Damon Motz-Storey	
Sarah Clymer	

## Decision Distribution

Title 33.730.030.F.3.a.1 requires the Hearings Officer to make a written decision and mail notice of the decision within 17 days of the close of the record. Title 33.730.030.F.5 directs the Hearings Officer to mail the decision to the owner, the applicant if different, and all recognized organizations or persons who responded in writing to the notice of the request, testified at the hearing, or requested notice of the decision.

Members of the public who submitted written testimony or testified at the Hearing and failed to provide a mailing address or electronic mailing address (email address) are deemed to have waived their right to receive a copy of the decision. Members of the public who provided an email address only are deemed to have waived any right they may have to a hard copy sent via first-class mail and consent to receiving an email copy.

## Referenced Documents

Throughout this written decision there are references to documents which are included in the electronic record. These documents are accessible through the electronic records system on the City's website. The entire file of this cause number will be uploaded by PP&D to [efiles](#) within three-days of this decision being mailed. Questions about how to access the efiles should be directed to PP&D.

**Proposal:** The Applicant, Portland General Electric (PGE), is requesting approval to conduct utility improvements within their existing utility easement in Forest Park. These improvements include shifting the location of one power pole and rewiring a segment of existing transmission line to that new pole location (the Harborton-Trojan #1 and #2 230 kV lines) and installing two new poles to support a new, 1,400-foot-long segment of transmission lines (Evergreen-Harborton and Harborton-St. Mary's 230 kV lines). Both the shifted and new transmission line segments will connect west to existing PGE lines within Forest Park and span east across Highway 30 to PGE's existing Harborton Substation.

The proposed project is Phase 3 of PGE's Harborton Reliability Project (HRP). Phase 1 has been completed and involved rebuilding the Harborton Substation. Phase 2, which is currently active, is rebuilding 115kV power lines from Harborton Substation along U.S. Highway 30 to better serve industrial and urban customers in Northwest Portland. Phase 3 of the HRP involves transmission line routing updates and expansion which are the subject of this review. Phases 4 and 5 are future phases and may include additional transmission line improvements within existing easements in Forest Park.

The proposed transmission line activities will result in significant impacts to 4.7 acres of natural resources within Forest Park including the removal of 376 living trees and 21 dead trees (7,604 inches diameter breast height), permanent fill of two existing wetlands (Wetland A and Wetland B) and impacts to two streams (Stream 1 and Stream 2). The Applicant proposes to restore the affected forested areas by:

- ❖ Installing a mixture of shorter-stature tree species, including Oregon white oaks.

- ❖ Retaining up to 10 percent of cut trees to place trunks onsite in a fire-safe manner.
- ❖ Seeding disturbed herbaceous areas with native seed mix that contains pollinator support species.

To mitigate for impacts to the forest, two wetlands, and two streams, the Applicant is proposing to utilize the in-lieu funding sanctioned by City Ordinance 191314. This ordinance authorizes Portland Parks & Recreation (PP&R) to establish and collect fees in-lieu of mitigation activities to implement restoration projects in Forest Park when deemed appropriate by PP&R.

Most of the project is within the City's Environmental Conservation and Environmental Protection overlay zones within the City's *Forest Park Natural Resource Management Plan* (Forest Park NRMP). The Forest Park NRMP includes a list of certain projects/actions that are in conformance with the Forest Park NRMP, and which are allowed without a land use review. The Forest Park NRMP does not specifically address the installation of new or upgraded transmission lines/corridors. Therefore, this proposal is considered an "exception" to the Forest Park NRMP and is required to go through a Type III Environmental Review.

The project also includes alterations to existing development within the River General and River Water Quality overlay zones which requires approval through a Greenway Review. The Applicant is also requesting to amend the Conditions of Approval for Greenway Review LU 18-151725 GW which was a voluntary habitat enhancement project located at Harborton Substation. Lastly, because the Applicant is proposing a Rail Line and Utility Corridor Use within the Open Space base zone, a Conditional Use Review is also required. All the aforementioned reviews are being reviewed concurrently under this land use case.

The portion of the work within Forest Park is also within the Forest Park Subdistrict of the Northwest Hills Plan District and must meet the additional approval criteria for that subdistrict.

**Relevant Approval Criteria:** To be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- ❖ The "**Approval Criteria for Exceptions**" including criteria **A through E in Section B** on page 217 of the [Forest Park Natural Resources Management Plan](#) (by reference from 33.430.030).
- ❖ Approval Criteria for Environmental Review within the Forest Park Subdistrict in the [Northwest Hills Plan District](#) in Zoning Code section **33.563.210 A, B, and C**.
- ❖ **33.440.350.A** – All Greenway Reviews (*Greenway Design Guidelines*)
- ❖ **33.440.350.G** – Development within the River Water Quality overlay zone setback.
- ❖ **33.440.350.H** – Mitigation Plan.
- ❖ **33.815.230** – Rail Lines and Utility Corridors.

The Portland Zoning Code is available online at <https://www.portland.gov/code/33>. The Portland Permitting and Development Staff Report (hereinafter, "PP&D Staff Report") (Exhibit H.66) provides analysis of the Site and Vicinity and Environmental Resources. As stated *supra*, the electronic file is accessible through the link provided above.

## II. ANALYSIS

Significant public testimony, oral and written, has been received both in support of and in opposition to the Applicant's proposal. Bulk submissions were received from multiple labor unions, neighborhood associations, environmental protection groups and concerned neighbors/Portlanders. The submissions offered personal narratives of how beloved and personal Forest Park is to the community as well as how as a society our needs for energy have increased over time and will continue to do so. In reviewing the myriad submissions what is evident is that both those in support of and those in opposition to the proposal provide equally valid points for consideration, providing a particularly complex legal quagmire. It is both true that as a society our energy needs have increased and it is also true that Forest Park is a highly valued environmental resource. This land use case however, is about facts, not feelings. This case is about whether the Applicant's Project Proposal satisfies the applicable approval criteria and whether the Applicant has satisfied its burden of proof.

Because the PP&D Staff Report determined the Applicant's proposal failed to meet the environmental review portion of the approval criteria, this Decision will focus on those criteria. The portions of the Project Proposal which met the approval criteria will be adopted and incorporated by reference herein with this Decision. The PP&D Staff Report is Exhibit H.66.

This Decision relies heavily upon the PP&D Staff Report. Meaning, portions of the report may be copied into this Decision. The reasoning behind this is consistent with Oregon and Federal courts being deferential to agency interpretations: deferring to an agency's interpretation of its own rule if the interpretation is plausible and not inconsistent with the rule, the rule's context, or any other source of law. *Friends of the Columbia Gorge, Inc. v. Columbia River Gorge Comm'n*, 346 Or. 366, 213 P.3d 1164 (2009). The Hearings Officer is deferential to PP&D and its interpretation and analysis of the zoning codes and applicable land use approval criteria.

This Decision will first address the applicable approval criteria.

The relevant approval criteria for the Environmental Review portion of this case are found in the Forest Park Natural Resources Management Plan (referred as "FPNRMP"), and in the Portland Zoning Code Chapter 33.563. Chapter 8 of the FPNRMP addresses the types of projects/uses which may occur within the park and this particular use is one which requires exception necessitating Type III land use approval. The procedure for exceptions to the plan state environmental review will be approved if the following approval criteria are met:

Approval Criteria for Exceptions:

A. The proposal meets all the criteria for minor amendments.

Approval Criteria for Minor Amendments:

- There is a demonstrated need for the proposal.
  - The proposed action is consistent with Forest Park Natural Resources Management Plan Goals and Strategies.
  - Alternative locations and design modifications were evaluated to show that the proposal has the least significant detrimental environmental impact of the practicable alternatives.
  - A construction management plan and a mitigation plan will minimize impacts on resources and restore adjacent disturbed areas.
- B. The proposal is a park-related development, or no alternative locations exist outside of Forest Park for the proposal.
- C. There are no practicable alternative locations within Forest Park suitable for the use in which the development will have less adverse impact on resource values.
- D. Any long-term adverse impacts of the proposed action on resource values are fully mitigated within the Management Unit.
- E. The proposal is consistent with the purpose of the Environmental Zones.

**Approval Criteria for Minor Amendments A. There is a demonstrated need for the proposal**

The PP&D Staff Report analyzed the approval criteria for minor exceptions, specifically addressing the demonstrated need for the proposal. In its analysis, the PP&D Staff Report identified concerns between completion of Phase 3 of the project and the remaining two phases of the project.

As has been provided in the Applicant's proposal:

“The Proposed Project represents Phase 3 of the Harborton Reliability Project. The initial phase, which was completed in 2021, included substation and transformer improvements at the Harborton Substation and line reconfiguration to tie PGE's Rivergate Substation into its recently enhanced Harborton Substation. Phase 2 is underway, rebuilding existing 115 kV circuits along U.S. Highway 30 between Harborton Substation and customers in Northwest Portland. The next phase, the Proposed Project, will implement transmission configuration improvements to meet federal, regional, state, and PGE electrical transmission reliability standards and to improve power supply to meet projected demands. Phases 4 and 5 are in the earliest planning stages for work that would take place by 2030.”

Staff at PP&D determined an interconnectedness exists between the remaining phases of the project (Phases 4 and 5) with the current project proposal (Phase 3) finding that

absent clarity and transparency around the entirety of the project scope, that the Applicant failed to fully demonstrate their need for the current project because details of Phases 4 and 5 were not provided to allow full and complete assessment, therefore finding this criterion not met.

Prior to the commencement of the hearing, the Applicant submitted a memo. Exhibit H.273A. In this memo, the Applicant analyzed what it saw as flaws within the PP&D Staff Report upon finding an interdependence between phases 3, 4, and 5. The Applicant argues the state Energy Facility Siting Council (EFSC), which is responsible for overseeing the development of large electric generating facilities, high voltage transmission lines, and other similar projects imposes siting standards to receive a site certificate. One consideration for the EFSC is that the impact of a single energy facility must also include the impacts of all “related or supporting facilities,” which are defined as “any structures, proposed by the applicant, to be constructed or substantially modified in connection with the construction of an energy facility.” Oregon Revised Statute (ORS) 469.300(25). The EFSC interprets the terms “proposed to be constructed in connection with” to mean that a structure is a related or supporting facility if it would not be built but for construction or operation of the energy facility. Oregon Administrative Rules (OAR) 345.001.0010(50)<sup>1</sup>.

The Applicant cites a prior land use review case for the proposition that in a multi-phase project, each phase should be reviewed independent of subsequent phases. Specifically, the Applicant cites LU 18-100954 EN (Hearings Office case number 4200012). In Exhibit H.404, the PP&D Planner provided additional context stating that in the case which the Applicant cited, that application did in fact include drawings and other information showing the scope of the proposed Phase 2, including the location and extent of all proposed improvements. The PP&D Planner further explained that the level of detail sought is not atypical and the referenced case was not within the bounds of the FPNRMP and therefore not subject to the same conditions as the Applicant’s Project Proposal.

The PP&D Staff Report provides, “in the absence of clarity or transparency by the applicant, staff must conclude that the installation of Phase 3 of the HRP would eliminate any possibility of Phases 4 and 5 being built outside of Forest Park, thereby leading to additional significant impacts to mature, closed-canopy forest and other resources such as waterbodies of which almost 15 acres could be possible.” Exhibit H.66. The Applicant provided in its January 28, 2025, memo that “Phase 4 anticipates a potential future need to replace existing transmission wires running through Forest Park west of the Proposed project. Whether this need exists or will exist is still under internal review.” Exhibit H.756. In the Applicant’s final argument, it is again stated more succinctly: “Simply put, the Proposed Project has no bearing on whether or not Phases 4 or 5 of the HRP are ever needed and, if they are needed, where they occur.” Exhibit H.859.

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<sup>1</sup> The Applicant memo miscites OAR 345-001-0010(27), Greenhouse gas.



The Hearings Officer finds the analysis and conclusion reached by PP&D staff confounding and inconsistent with the approval criteria. The approval criteria address whether there is a demonstrated need for the proposal. The PP&D Staff Report does not deny there is a need, rather PP&D staff denied this approval criteria because questions remained about future phases of the project. It is possible to both have questions regarding future phases and to have concerns about the impact upon Forest Park as it relates to those future phases, but if the approval criteria has been met, those questions cannot be the basis which to deny that.

The Hearings Officer finds the Applicant has demonstrated an increase in energy demand is projected to exceed the current system capacity. The Applicant has also shown a bottleneck in the supply exists creating transmission vulnerabilities. The Hearings Officer finds the Project Proposal will implement transmission configuration improvements to meet federal, regional, state, and PGE electrical transmission reliability standards and to improve power supply to meet projected demands. The Hearings Officer also finds that Phases 3 should be evaluated independent of future phases and in recognition that future phases will be subject to independent land use review. As such, the Hearings Officer finds the Applicant has shown credibly, substantially, and persuasively that there is a need for the project and therefore finds this criterion has been met.

**Approval Criteria for Minor Amendments B. The proposed action is consistent with Forest Park Natural Resources Management Plan Goals and Strategies.**

Chapter 6 of the *Forest Park Natural Resource Management Plan* provides Goals, Strategies and Actions. Within this chapter, is the overall FPNRMP Vision, as well as the Vision Statement and FPNRMP Goals.

The Vision Statement (Chapter 6, p. 97) provides:

“Forest Park represents an unparalleled resource where citizens can enjoy the peace, solitude, ruggedness, variety, beauty, unpredictability, and unspoiled naturalness of an urban wilderness environment; a place that maintains this wilderness quality while allowing appropriate passive recreational and educational use without degrading natural resources; an urban laboratory for environmental research and resource enhancement and restoration; America’s premier urban ancient forest.”

The FPNRMP Goals identify two Conservation Goals and two Recreational and Educational Goals.

**Conservation Goals**

1. 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.

2. Design management and restoration efforts to:
  - a. Maintain and enhance regional biodiversity
  - b. Provide wildlife habitat and migration opportunities
  - c. Improve water quality and aquatic habitat
  - d. Repair damaged and fragmented natural systems

### Recreational and Educational Goals

1. Protect and enhance the value of Forest Park as a regionally significant recreational resource – a place that can accommodate recreational and education use at appropriate seasons of the year without environmental damage.
2. Enhance the value of Forest Park as a regionally-significant educational resource – an urban laboratory for environmental research, and resource enhancement and restoration.

### Conservation Goal 1 – 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

In their revised narrative (Exhibit A.2), the Applicant offers two main reasons why the significant impact of 4.7 acres of existing mature forest will be consistent with this goal, specifically protecting native animal communities and expanding and diversifying native plant communities in order to achieve an ancient, self-sustaining forest. Those two reasons include providing climate resiliency and increasing the long-term biodiversity and habitat in the project area. The PP&D Staff Report addressed each of the three points raised.

#### 1. Climate resiliency

The Applicant offers that the proposed project is consistent with the conservation goals because it provides climate resiliency and increases the long-term biodiversity and habitat in the project area. Specifically, the PP&D Staff Report provides an excerpt of the Applicant’s response which states,

“In short, ensuring reliable electrical transmission supports climate change abatement goals and is a key strategy for protecting Forest Park’s environmental resources. With improved electricity transmission reliability the region will have better access to clean energy to facilitate a reduction in fossil fuel use and, therefore, enhanced support for a reduction in the trend of increasing drought and tree mortality occurring as a result of climate change.”

The excerpted response reads differently when viewed in its entirety. Some portions of the Applicant's response which were excluded provide greater context to the excerpt, *supra*.

"The ongoing damage and potential for serious future loss of resources cannot be addressed without addressing atmospheric carbon concentrations. A key strategy as set forth in Governor Brown's Executive Order 20-04 to address negative effects on Oregon's environmental resources due to climate change is electrification of energy uses and decarbonization of power generation. These efforts depend fundamentally upon the reliability of the transmission grid."

The Applicant offered during the presentation at the hearing that the restoration plan to install an oak woodland/pollinator species will increase biodiversity in the project area. The PP&D Staff Report offered that the existing current utility corridors fail to exhibit this biodiversity and rather display monolithic swaths of invasive species. Exhibit H.66.

The PP&D Staff Report counters that the removal of trees and the carbon sequestration they provide is contrary to a key component of fighting climate change and providing climate resiliency.

Within Appendix D Mitigation Plan, the Applicant addresses carbon sequestration specifically.

"Approximately 10% of cut trees will be left on-site for habitat, and the carbon sequestered in that material will remain as the trees very slowly rot. Other tree material will be hauled off-site and converted to lumber. This material will continue to sequester carbon as well. New vegetation, including trees, will be planted, both on-site and within City of Portland limits. Young trees sequester more carbon as they grow than do older trees in the same time span."

"Additionally, PGE proposes to plant trees in areas of Portland that are identified as heat islands. Although not located in Forest Park, these plantings will sequester carbon, enhance air quality, and provide shade for communities affected by a lack of tree canopy."

The Hearings Officer finds the Applicant has presented evidence which is credible, substantial, and persuasive and consistent with this conservation goal.

## 2. Increasing Long-Term Biodiversity and Habitat in the Project Area

The Applicant provides in its submission,

"To increase reliability of the transmission grid in the Portland Metropolitan Region and make clean energy readily available, existing forest resources

will be affected in Forest Park, However, over time and with proposed mitigation, the directly affected area is also anticipated to meet this goal by developing into a biodiverse and resilient ancient forest with woodland and shrubland components that, as they presently do, result in a variety of habitat niches that support a diverse assemblage of birds and terrestrial wildlife species. It is important to recognize that Conservation Goal 1 is not intended to describe current conditions in the park but rather an aspirational goal for future conditions that can be achieved through current and ongoing forest management. Specifically, the FPNRMP describes a vision for the North Management Unit of Forest Park that sees it an intact forest approaching an old growth condition int the year 2195.”

The PP&D Staff Report provides,

“Staff would like to note the first word of this goal is ‘protect’ meaning to keep safe from harm or injury or to preserve. While staff agrees [*sic*] that an oak woodland habitat and pollinator species are important to creating biodiversity in certain circumstances such as severely degraded systems, those circumstances do not exist in Forest Park (except within existing built utility corridors) within the project area. For reference, one must look to existing built utility corridors that surround the project area. Staff sees no biodiversity within these corridors only monolithic swaths of invasive species namely Himalayan blackberry which creates a severe lack of biodiversity and, does nothing to combat climate change or provide climate resiliency, while also increasing the risk of wildfire within a forest.”

The PP&D Staff Report seemingly acknowledges that within utility corridors a woodland habitat and pollinator species would be beneficial to creating biodiversity. The evidence in the record, specifically the mitigation plan (Exhibit A.8) proposes to remove invasive species and noxious weeds and plant an oak woodland habitat, amongst other proposals. The Hearings Officer finds that over time and with the proposed mitigation, the directly affected areas are anticipated to meet this goal by developing into a biodiverse and resilient ancient forest with woodland and shrubland components that, as they presently do, result in a variety of habitat niches that support a diverse assemblage of birds and terrestrial wildlife species. Even if aspirational, the mitigation plan is consistent with this goal.

The Hearings Officer finds the Project Proposal consistent with this conservation goal.

Conservation Goal 2 – Design Management and Restoration Efforts to:

- a. Maintain and enhance regional biodiversity.

The Applicant proposes a “multifaceted mitigation approach” which it says is “consistent with the rationale for the City’s in-lieu fee program for Forest Park.” (Exhibit A.2) The proposed mitigation plan “will enhance native plant and animal communities, including

Oregon white oak woodland habitat [...] as well as Oregon Special Status Species such as the northern red-legged frog. The proposed planting plan will include numerous native trees, shrubs, herbaceous plants, including pollinator support species.”

The PP&D Staff Report provides “Phase 3 of the HRP (proposed project) includes the removal of 397 trees, filling of two wetlands, and permanent impacts to two streams. Proposed restoration of the project area includes installing an oak woodland habitat regime within the 4.7 acres of impacted area.” The PP&D Staff Report concludes the project proposal is in opposition to the overall goal of maintaining and enhancing regional biodiversity.

The evidence in the record, including public testimony and the Forest Park Wildlife Report referenced in the PP&D Staff Report, provide that the regional biodiversity would be negatively impacted by the proposed project.

The Hearings Officer finds the mitigation plan extensive and robust. The mitigation plan highlights the Project Proposal area is already within an existing utility right of way and although the plan requires the loss of additional trees, the overall impact from that loss will not have a substantial effect on the overall forest ecosystem conditions, or provision of other ecosystem services so long as the area is revegetated with native short-stature vegetation that provides important habitat resources, such as food, cover, and soil stability. The Hearings Officer finds evidence that quantifies the loss in terms of numbers persuasive. Specifically, the Applicant has provided evidence that “transmission corridors represent 3.0% (156 acres) of the 5,200 acres within Forest Park. The addition of approximately 5 more acres of transmission corridor will increase the total acreage of transmission corridors in Forest Park to approximately 161 acres, which is 3.1% of the total acreage of the Park.” (Exhibit A.8)

The Hearings Officer finds the evidence presented is substantial, credible, and persuasive that the Project Proposal will satisfy this conservation goal.

The Hearings Officer finds the Project Proposal satisfies this goal.

b. Provide wildlife habitat and migration opportunities

The Applicant provides that the project proposal will improve wildlife habitat and migration opportunities will be provided through reforestation efforts. The Applicant provides these efforts are further supported thorough the removal of invasive species and replacement with native shrubs and forbs that foster greater habitat conditions for native wildlife. Additionally, the Applicant provides,

“An important migration opportunity supported by the Proposed Project will include PGE’s support for the design and construction of wetland pond habitat, which will provide alternate breeding habitat to support a sensitive population of northern red-legged frogs, an Oregon Special Status Species. These frogs migrate annually from their upland habitat in Forest

Park down to and across U.S. Highway 30 to the PGE wetlands along the Willamette River. This highway crossing results in numerous annual frog mortalities despite impressive volunteer efforts to shuttle the frogs across the highway on we evenings during peak migration periods The availability of alternate breeding habitat within the North Management Unit [...] can help create safer migratory conditions for this sensitive frog population.”

The Oregon Department of Fish and Wildlife submitted comments in response to the project proposal (Exhibit E.9):

“The proposed project would compound the existing impacts of forest fragmentation to the habitat and wildlife in Forest Park. The forested landscape of PGE’s proposed project already contains fragmented habitat from multiple transmission lines and roads. Cutting additional trees would increase the area’s susceptibility to edge effects, particularly the introduction and establishment of non-native, invasive plants. Placing utility poles in the cut areas could threaten numerous wildlife species, particularly amphibians, because the poles provide avian predators with advantageous hunting perches.

Northern red-legged frogs are known to migrate between Forest Park and the wetlands northeast of U.S. Highway 30, including wetlands immediately adjacent to PGE’s Harborton Substation. This frog is a Federal Species of Concern, a State Sensitive Species, and a Species of Greatest Conservation Need in Oregon’s State Wildlife Action Plan (ORSWAP/the Oregon Conservation Strategy, ODFW 2016). Land use changes such as forest fragmentation and development are among the most significant contributors to the declining populations of Northern red-legged frog. This project would reduce the quantity and quality of the frog’s non-breeding habitat in Forest Park.

The Department has identified Conservation Opportunity Areas (COAs) throughout Oregon that have the greatest potential for conservation success. The proposed project lies within one of these COAs (COA 58, Forest Park) and is an area that the Department has identified as an important wildlife corridor between the Coast Range and the Willamette River. Conservation recommendations for this COA include fostering forest succession to old growth and removing non-native, invasive vegetation.

The proposed project is also located within Priority Wildlife Connectivity Area CR/WV-R5. This designation means that the area contains high-value habitat for facilitating wildlife movement, and specific conservation recommendations were assigned to the area. The recommended conservation priorities for the proposed project area include transportation

mitigation, such as wildlife crossing structures, and the permanent protection and preservation of the habitat.”

The FPNRMP addresses the impacts from transmission line corridors, noting the effects of installing perching roosts for predators or creating large clearings which are hindrances for migrating ground-dwelling animals. Stating specifically, at 68-69:

#### Powerlines

Clearings under power lines usually have meadow and/ or shrub/ scrub habitat types with no canopy. Though the break in canopy is usually only measurable in meters or tens of meters, it does constitute a sharp contrast in vegetation types and opens the adjacent forest understory to some of the changes due to edge effect. The towers also offer a superior roost for predators (especially red-tailed hawks and great horned owl). If the clearing is long enough, these areas can constitute a barrier for small ground dwelling animals. These clearings also allow edge species to penetrate the park along the clearing's length. However, these openings in the forest do account for much of what meadow habitat exists within the park.

In order to reduce the fragmenting effects of these power line corridors, it would be necessary to alter the manner in which they are maintained. The following actions are recommended:

1. Re-establish native vegetation wherever possible. This includes allowing some trees to grow underneath powerlines. Since conifers will eventually grow too tall, deciduous trees are preferred. In places with inadequate clearance, native shrubs such as vine maple are preferable to grasses and blackberry.
2. Keep corridors as narrow as possible. This reduces the break in canopy cover and reduces the barrier to animal movement.
3. Work with other agencies. Coordinate maintenance with other agencies to minimize effects on vegetation and wildlife. Time maintenance activities to avoid the spring breeding season and the wet season when soils are vulnerable to erosion. Avoid the use of heavy vehicles where possible. Educate maintenance personnel about potential damage.

The Hearings Officer finds the Project Proposal recognizes the importance of partnerships with State and Federal agencies to advance goals consistent with habitat and migration opportunities. The Applicant has provided in Appendix D, Habitat Mitigation Plan, (Exhibit A.8) opportunity to partner with the Oregon Watershed Enhancement Board to design an aquatic organism passage. This passage would

provide northern red-legged frogs a safe passageway underneath the treacherous passing across Highway 30 for spawning and rearing. The Applicant has provided evidence that the Project Proposal will proceed within existing utility corridors which would be consistent with the goal of keeping the corridors as narrow as possible.

The Hearings Officer finds the Applicant has provided credible, substantial, and persuasive evidence that the Project Proposal will – upon completion, provide wildlife habitat and migration opportunities which are consistent with this goal.

c. Improve water quality and aquatic habitat

The Project Proposal provides proposed removal of noxious blackberry and ivy in riparian areas to promote robust native shrubs and short trees that can better shade the stream; placing felled wood in-stream for grade control, pool formation; as well as working with Portland Parks and Recreation to design and install a pond to provide a new breeding habitat for northern red-legged frogs, thus reducing the number of frogs dependent upon U.S. Highway 30 satisfy this goal.

The PP&D Staff Report provides,

“The proposed project will have a profound impact on water resources within the project area by permanently filling and/or altering the hydrology of two wetlands (Wetland A and Wetland B) and permanently and irrevocably impacting two streams (Stream 1 and Stream 2). The Proposed Development Site Plans (Exhibit C.42) show a loss of 2,928 square feet (0.067 acres) of wetland from cut and fill grading activities; however, the remaining portion of Wetland B, located outside the cut/fill area, will likely lose its source of wetland hydrology upon construction completion due to the change in topography. Therefore, the proposed development is likely to result in the permanent loss of more than 2,928 square feet (0.067 acres) of wetland area.

Furthermore, the Proposed Development site plans also show significant impacts to Stream 1 and Stream 2. Staff would like to note here that Title 33, Zoning Code includes an adopted definition for “stream” (33.910, copied below) of which, both Stream 1 and Stream 2 meet and are thereby considered streams per the Zoning Code and throughout this report. The Proposed Development Site Plan (Exhibit C.42) further shows a portion of Stream 1 being filled downslope, east of the existing maintenance road culvert. Based on the plan sheet, it appears that 10 to 20 linear feet of stream will be filled. Further impacts to Stream 1 include removal of vegetation within its riparian buffer and haul road crossings for logging operations. Impacts to Stream 2 can be found on Exhibits C.44 and C.46 and include removal of vegetation from its riparian buffer and fill from the logging haul road.



Given that permanent impacts to all waterbodies currently existing within the project area are proposed for Phase 3 of HRP, this proposal will not result in the improvement of water quality and/or aquatic habitat.” Exhibit H.66

The Applicant has provided in Exhibit A.8 (Habitat Mitigation Plan) its proposal to install woody material (tree boles) which can help connect the stream channel to its floodplain which in turn will create more diverse aquatic habitat niches that are beneficial to amphibians and aquatic organisms. The Hearings Officer finds the mitigation plan thoroughly and extensively addresses goals of improving water quality and aquatic habitat.

The Hearings Officer finds the Applicant credibly, substantially, and persuasively provides evidence that the Project Proposal is consistent with this goal.

d. Repair damaged and fragmented natural systems

The Applicant provides: the “proposed work is located between existing transmission corridors; therefore, it will not expand fragmentation into the surrounding forest matrix.” Additionally, PGE proposes to remove noxious weeds and install tall native shrubs and short stature native trees. The Applicant further proposes to minimize tree removals.

As is provided in the Appendix D Habitat Mitigation Plan (Exhibit A.8), the Applicant proposes:

“Avoiding impacts to native shrubs; removing non-native, invasive shrubs; and installing robust native shrubs and trees that are shorter than the current, conflicting fir trees within the proposed transmission corridor will minimize the functional habitat losses by providing food, cover, soil stability, nutrients, nesting structures, and shade for surface waters. Additionally, by removing invasive ivy and blackberry and incorporating native pollinator support species in clear areas around poles and access roads, the Proposed Project will enhance important ecosystem functions within the Northern Management Unit and the local watershed.”

The PP&D Staff Report, “because the proposed project does not protect Forest Park’s native plant and animal communities, its soil and its water resources nor does it allow for the forest ecosystem to grow into an ancient forest for the enjoyment and benefit of future generations” the project is inconsistent with Conservation Goal 1.

The Hearings Officer finds the Habitat Mitigation Plan extensively, credibly, and persuasively provides for how the Project Proposal will protect Forest Park’s native plant and animal communities, its soil and water resources, and allows for the ecosystem to grow into an ancient forest. Again, as is stated *supra*, the impact upon Forest Park overall with the Project Proposal is 161 acres of the total 5200 acres. This is not to suggest that the loss is not valuable or insignificant, but to provide perspective.

The Project Proposal does not stop Forest Park from growing into an ancient forest for the enjoyment and benefit of future generations.

The Hearings finds the Project Proposal consistent with this goal.

### Recreational and Educational Goals

The Applicant posits the Project Proposal will have only temporary impacts on Recreational Goal #1 and provides that it will post notifications of closures ahead of construction and will work with Portland Parks and Recreation to provide the public notice of updates. The Applicant concludes these actions render the Project Proposal consistent with this goal. As for Recreational Goal #2, the Applicant provides that its mitigation strategies include an addition of the woodland oak forest, shrubland habitats supporting displaced northern red-legged frogs with alternate breeding habitat support which will ultimately diversify habitats in the project area. The Applicant reasons the restoration actions provide increased opportunity for education and study.

The PP&D Staff Report found the Project Proposal neither enhanced nor protected the value of Forest Park as a regionally significant educational or recreational resource. The PP&D Staff Report concluded the Project Proposal unrelated to the use of Forest Park for educational purposes and ultimately concluded this goal is inapplicable to the Project Proposal.

The Hearings Officer finds the Project Proposal mitigation plan will support an increase in biodiversity, offering educational/research opportunities. As such, the Hearings Officer finds the Project Proposal is consistent with the stated educational goals. The Hearings Officer agrees with the analysis in the PP&D Staff Report and finds the stated recreational goal inapplicable.

The FPNRMP identifies 10 Management Plan Strategies to help advance Forest Park toward achieving the goals. (FPNRMP, Chapter 6, p. 100). Those strategies are:

- Strategy 1. Implement Sustainable Resources Program
- Strategy 2. Divide Forest Park into Management Units
- Strategy 3. Acquire and Protect Additional Land
- Strategy 4. Manage Recreation to Protect Natural Resources
- Strategy 5. Improve Interpretive, educational and research opportunities
- Strategy 6. Improve Public Access
- Strategy 7. Improve Park Safety
- Strategy 8. Develop Recreational Opportunities at Other Sites

Strategy 9. Improve Park Staffing and Funding

Strategy 10. Continue Public Involvement

The Hearings Officer agrees with the assessment of the PP&D Staff Report that the Management Plan Strategies listed above are inapplicable to the Project Proposal but addresses one in particular: Strategy 7 Improve Park Safety.

In response to how the project proposal satisfies the goal to Improve Park Safety, the Applicant submission states,

“New transmission routing and structural features will reduce wildfire risk by replacing older, under capacity equipment with new, resilient equipment that is less likely to fail. Therefore, the Proposed Project further the strategy of improving park safety.”

The PP&D Staff Report reasons,

“Upgrading existing transmission infrastructure does reduce the likelihood of failure and thus wildfire risk; however, the addition of new transmission lines introduces risk of wildfire into an area. According to an article from the journal of *Electric Power Systems Research* (Volume 213, December 2022).

“In the United States, the total area burned by wildfires, wildfire frequency, and federal fire suppression costs per year have increased significantly since 1985 [1]. Wildfire prevention is an increasingly crucial effort, especially as climate change exacerbates future fire risk conditions [2]. Power line faults are one of the major sources of wildfire ignitions [3]. Downed lines, vegetation contact, conductor slap, or component failures can produce fault currents and sparks that may ignite fires under hot, dry, and windy conditions [4], [5]. The deadliest and most destructive wildfire in California’s history, the 2018 Camp Fire, was ignited by an aging transmission line [6].” *Id.*

The above cited article offers strategies to prevent fires from electric transmissions. One such strategy is to replace aging components. *Id.* at 12, 13. Because the Project Proposal will replace older equipment with new, more resilient equipment, the Hearings Officer finds this strategy applicable. Based upon credible, substantial, and persuasive evidence, the Project Proposal is consistent with the strategy.

**Approval Criteria for Minor Amendments C. Alternative locations and design modifications were evaluated to show that the proposal has the least significant detrimental environmental impact of the practicable alternatives**

The Applicant has presented a report of the alternatives considered. The alternatives provide a rubric of considerations and estimated costs. The 7 criteria evaluated include:

1. Project must deliver 230kV power source to Harborton;
2. Project must fully resolve transmission vulnerabilities associated with current three terminal Horizon-St. Mary's-Trojan 230kV line;
3. Project must minimize cost impact to PGE ratepayer. Alternatives should cost similarly or less than preferred alternative to score for this criterion;
4. Project should improve the regional transfer level and provide infrastructure necessary to support projected demands in current planning horizon;
5. Project must utilize equipment that is consistent with PGE design standards and maintenance operations;
6. Project must be operational in three years to meet demand and federal reliability standards; standards are projected to be violated in 2028;
7. Minimize the environmental impact (measured as acres of vegetation removal).

Exhibit E.12, a memo from PP&R identifies a list of concerns which it posits the Applicant failed to properly address in its Project Proposal. The list is extensive and references discrepancies with tree identification and size, the inadequacy of the mitigation plan, as well as the alternatives analysis. Specifically,

*“Earthwork: The applicant’s geotechnical report and narratives describe methods to create stability in tower/line construction areas **but do not describe multiple methods evaluated to show that the chosen alternative has the least significant environmental impact.** The proposed methods include large amounts of earthwork that would result in significant additional environmental impacts to the site. **The applicant has not shown that they have assessed other practical alternatives for engineering slope stabilization to establish that the chosen alternative meets the approval criteria.** (Emphasis added).*

Access roads: New construction and access roads must be minimized and locations chosen for least impact to wildlife habitat, sensitive soils, protected tree root zones, riparian buffers, and other significant native understory vegetation. The applicant has proposed to build two new parallel 20-foot-wide logging haul roads that will be used by heavy equipment and additional circulation routes including two stream crossings for other logging equipment. These are sensitive areas with steep unstable slopes, erodible soils, aquatic resources and understory plant communities that will be significantly damaged by the proposed methods. In order to be approved, the applicant must show that there is no practical way to complete the project using less damaging methods, such as narrower road widths and fewer equipment routes, handheld equipment for felling, using standard construction road widths of 10 feet for a single haul route, etc. The applicant has not described the other alternatives assessed that would meet needs for construction and tree clearance of powerlines, and has not established that the chosen alternative meets the approval criteria.”

Within Appendix D, Habitat Mitigation Plan (Exhibit A.8), the Applicant specifically addresses access roads and soil compaction by using existing access roads for heavy equipment and developing work pads where possible. Further, the Habitat Mitigation Plan offers use of Best Management Practices in tree removal areas for dispersing equipment weight, thereby reducing the potential for soil compaction.

The PP&D Staff Report found that two alternatives which both meet the reliability goals and exist outside Forest Park remain unexplored and that the viability of co-locating on existing towers within Forest Park also remained unexplored. The PP&D Staff Report does not specifically identify which two alternatives it refers. The Hearings Officer has reviewed the Applicant's submittal materials and finds the Applicant's final arguments provide response to concerns raised regarding alternatives outside Forest Park and why they fail.

Specifically, the Applicant stated it did not explore co-locating with BPA lines because it knew that was not an option. Exhibit H.431 offers a memo summarizing the analysis of this option which concludes co-locating is not feasible.

There is an apparent assumption that the only option which has the least significant detrimental environmental impact on Forest Park is the alternative that exists outside of Forest Park. This is not an unreasonable assumption; however, when reviewing the alternatives analysis and the potential environmental impact overall, it becomes clear that routing through Forest Park is the best practicable option available under the facts of this case presented in the record.

Upon reviewing the Applicant's submission and in particular the alternatives analysis offered (Exhibit A.3), the Hearings Officer finds the Applicant has met this criterion. Although opponents have expressed disagreement arguing that the Applicant's preferred location through Forest Park does not satisfy the approval criteria because there are gaps in the Applicant's analysis of all possible alternatives, that the project is in contravention with the FPNRMP and that there are other alternatives outside the park, the Hearings Officer finds the Applicant has provided thorough analysis of the alternatives and of those alternatives, routing through Forest Park is the least environmentally detrimental option. The analysis really focuses on the best of several bad options and when considering all the options, it becomes clear that siting through Forest Park is that best option.

The Hearings Officer agrees that the FPNRMP serves to offer guidance but does not prevent development. The FPNRMP references the existence of utility/powerlines through the park, it does not prohibit its presence.

The Hearings Officer finds the Applicant has met its burden showing credibly, substantially, and persuasively that it has thoroughly considered alternative locations and that design modifications were evaluated. Further, the Hearings Officer finds that the Project Proposal has the least significant detrimental environmental impacts of the practicable alternatives. This criterion is met.

**Approval Criteria for Minor Amendments D. A construction management plan and a mitigation plan will minimize impacts on resources and restore adjacent disturbed areas.**

In addition to the tree identification discrepancies identified by PP&R, Urban Forestry largely echoes the position of PP&R. As it relates to the mitigation plan, the comments of PP&R are persuasive.

“Fee for Mitigation: Ordinance 191314 allows PP&R to collect a fee-in-lieu of mitigation when deemed appropriate by PP&R. These funds could be used by PP&R to enhance habitat value and forest ecosystem function, as well as to mitigate impacts to wetlands, streams and amphibian habitat in Forest Park. Examples could include the construction of a wetland enhancement project at the Newton Wetlands or a stream enhancement project near the powerline corridors. The fee is calculated as stated in the ordinance fee schedule. PGE proposes to pay the fee-in-lieu for this project. *PP&R has determined that in this case, the amount of the fee is not sufficient to fully mitigate for the impacts that would result from this project because the impact is larger than the amount of habitat available for restoration in the north management unit – the fee program was not created with the intention of mitigating for loss of large areas of forest,* partially for this reason. However, the funds can be used to create significant ecological uplift in Forest Park and therefore PP&R supports PGE payment of the fee for this project.” (Emphasis added).

The construction management plan (Exhibit C.1) as well as the mitigation plan (Exhibit A.8) offered by the Applicant are not insignificant. The Hearings Officer finds the Applicant has credibly and extensively performed analysis of the trees selected for removal. The concerns raised by PP&R are also considered, and the project proposal moving forward within Forest Park does not mean ongoing discussions regarding misidentified/misnumbered trees does not continue. The Applicant is encouraged to continue to engage with City and community stakeholders and the City is encouraged to meaningfully participate. Issues raised that payment of the fee in-lieu fund was not intended for a project of this scale is well taken and outside the scope of this approval criteria. If the fee in-lieu fund requires attention and modification, PP&R is encouraged to raise that issue before the proper body.

The FPNRMP provides in Chapter 6, *Management Units and Goal Balancing*, (p. 98) “implicit in the plan’s vision statement and more obvious in the goal statements is the adoption of preservation of natural systems as its top priority.” Additionally, the FPNRMP identifies the northern unit as “hav[ing] significant values not found in the south.” (p. 99) Lastly, “the plan’s recommendations for development of public access are intentionally more conservative in the north unit.” (p.99) Further, with the *Management Plan Strategies* section, (p.100) Strategy 1 provides “Protection of natural resources is a top priority” and specifically identifies utility corridors within the goal number 2 of Enhance Resources (p.101), “Enhancement actions include creating snags

and downed logs, increasing forest structure by accelerating conifer growth, and *reducing gaps in forest canopy along utility corridors and roads.*" (Emphasis added). The Hearings Officer finds the Applicant's Project Proposal is consistent with this vision.

The Project Proposal is slated to take place within the existing utility corridor – not to expand that area, thereby limiting disturbance to the areas adjacent and within that corridor. The Hearings Officer finds the Applicant has shown credibly, persuasively, and substantially that the construction management plan and mitigation plan will minimize impacts on resources and will restore adjacent disturbed areas.

This criterion is met.

Having found the Project Proposal meets the approval criteria for minor amendments, the next consideration is whether the Project Proposal meets the approval criteria for exceptions.

**Approval Criteria for Exceptions B. The proposal is a park-related development, or no alternative locations exist outside of Forest Park for the proposal.**

The Project Proposal is not park-related development. As stated *supra*, no alternative locations exist outside Forest Park.

The PP&D Staff Report incorrectly provides that the Applicant failed to provide alternatives analysis addressing co-location with BPA transmission lines. Within Applicant Submittal Appendix C, section 2.3.2.7 (Exhibit A.3), the Applicant specifically addresses multiple options involving BPA. The Applicant considered the following options:

- BPA Allston – Keeler 500 kV Expansion and Transformer Addition
- Keeler – Rivergate 230kV Line Upgrade
- Allston – Keeler 500kV Second Circuit
- Loop BPA Keeler – Rivergate 230kV into Harborton
- Repurpose BPA's St. Helens – St. John's or Keeler – St. John's 115kV Circuits
- Construct New 230 kV from BPA Ross to Harborton

One of the challenges the Applicant raises with these co-location/partnership options is that the Applicant has no ability to direct action by BPA and there is no guarantee that the project could be completed in time. Further, as is provided in Exhibit H.431, co-location with BPA is not feasible and therefore not a practicable alternative.

Those in opposition to the Project Proposal have argued that because the FPNRMP does not include qualifying language the Applicant must consider any and all alternatives regardless of practicality or feasibility. As is stated *supra*, practicability is

inferred even in the absence of this language. This conclusion is consistent with prior land use case orders from this office as well as consistent with State and Federal law<sup>2</sup>.

The Applicant has shown that it has made considerable efforts to avoid Forest Park and shown that it evaluated 20 possible alternatives. The Applicant credibly responds that no other in-park or out-of-park alternatives have been offered from the opposition.

Public comment from the Coalition to Protect Forest Park (Exhibit F.76) identified concerns with the Toth Report which the Hearings Officer finds relevant. Specifically,

“The Toth Report notes the possibility of co-location but states that an analysis of co-location ‘is beyond the scope of this study.’ Toth Report, at 22. In other words, PGE either told Toth & Associates not to evaluate co-location or failed to ask Toth & Associates to examine the possibility of co-location. PGE cannot hamstring an analysis of alternatives and then claim that there are no alternatives.”

The Applicant hired Toth & Associates to evaluate alternatives and set the criteria which to consider and that is what has been presented<sup>3</sup>. What is clear is that alternatives outside of Forest Park do exist, but those alternatives have been fully evaluated and determined to be impracticable. Although the FPNRMP does not include the qualifier ‘practicable’ the Hearings Officer finds the analysis that this is implied credible and persuasive.

The Hearings Officer finds the alternatives analysis provides credible, substantial and persuasive evidence that of all the options considered, there are no practicable alternative locations outside of Forest Park. As such, the Hearings Officer finds the Applicant has met this criterion.

**Approval Criteria for Exceptions C. There are no practicable alternative locations within Forest Park suitable for the use in which the development will have less adverse impact on resource values.**

In Appendix C, Alternatives Analysis, the Applicant provided an extensive review of the options it considered. Some of the alternatives considered included:

1. Route the Horizon-St. Mary’s-Trojan into Harborton Substation and construct two new transmission segments in Forest Park to connect Harborton to St. Mary’s Evergreen substations – concluding this would result in over six acres of vegetation impacts to Forest Park;

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<sup>2</sup> See *1000 Friends of Oregon v. Land Conservation & Dev. Comm’n*, 302 Or. 526, 731 P.2d 1015 (1987); see also, *Idaho Conservation League v. U.S. Forest Service*, No. 1:11-CV-00341-EJL, 2012 WL 3758161 (D. Idaho Aug. 29, 2012); see also, *Idaho Conservation League v. Lannom*, 200 F.Supp. 3d 1077 (D. Idaho 2016) amended, No. 1:15-CV-246-BLW, 2017 WL 242474 (D. Idaho Jan. 18, 2017).

<sup>3</sup> The Toth & Associates Harborton 230kV Alternatives Analysis in its entirety is located at Exhibit A.4.



2. Harborton to St. Mary's 230 kV line – concluding switching flexibility would be reduced increasing the risk of common tower outages with an estimated base cost of \$20-\$40 million up to \$131 million;
3. Utilize 4-circuit structures – concluding that these structures present failure modes where an outage on one line that shares the common structure could eliminate all the supply to Harborton from the north and west resulting in large scale impacts to regional utility customers. PGE does not use these structures, and the cost would be in the \$10 million range;
4. Tall structures to cross directly to the ridge in Forest Park – concluding the cost of very tall towers is substantial – at least double that of an alternative that uses more conventional steel poles to achieve the same routing configuration (in the \$20 million range);
5. Underground new 230 kV segment from Harborton to tower 2996 in Forest Park – concluding this option would require clearing trees and vegetation along duct bank alignments and at temporary construction work areas, which would require longer construction times and more heavy equipment. The costs are five to 10 times the cost of overhead transmission;
6. Construct a 230kV switching station near tower 2996 in Forest Park – this would entail major construction in the same vicinity as the Proposed Project but would construct a new permanent switching station in the utility right of way which PGE's easement does not appear to allow with an estimated cost of \$30-\$50 million;
7. Upgrade existing Harborton-Trojan 230kV line to 500 kV – concluding there is no existing infrastructure for this which would require demolishing and reconstructing the line on the existing right of way at an estimated cost of \$424 million;
8. Route the Horizon St. Mary's Trojan into Harborton substation but construct only one new transmission segment in Forest Park to connect Harborton to St. Mary's and Evergreen substations – concluding this would reconfigure existing power line routing in Forest Park west of PGE's Harborton Substation, but it would only move some elements of the HRP forward and would require full build of Harborton-Trojan lines three and four in the future. No cost estimate was provided. This option offers only a temporary fix but does not fully resolve the issues which warrant the project.

Although the cost of a project is not considered within the approval criteria, the cost has impact. If a \$424 million dollar project is the project which moves forward, there must be recognition of who will ultimately bear the costs: the ratepayer. If ratepayers are displeased with increasing energy costs as the system currently exists, imagine those energy costs if the Applicant moved forward with a \$424 million dollar project.

The Hearings Officer finds the alternatives analysis provides credible, substantial and persuasive evidence that of all the options considered, there are no practicable alternative locations within Forest Park which will have less adverse impacts on resource values. As such, the Hearings Officer finds the Applicant has met this criterion.

**Approval Criteria for Exceptions D. Any long-term adverse impact of the proposed action on resource values are fully mitigated within the Management Unit.**

The FPNRMP does not impose a timeframe on which to achieve this goal: within a lifetime, or by 2195 as is provided in the vision for the North Unit. Nor does the FPNRMP provide a unit of measure to achieve this goal: one tree for one tree or for every one tree three trees are planted. The uncertainty and ambiguity in this approval criteria makes assessment impossible.

The PP&D Staff Report failed to offer a recommendation regarding this approval criteria. Rather, it provided comments from the Forest Park Conservancy, the Coalition to Protection [*sic*] Forest Park, and the West Multnomah Soil and Water Conservation District.

The Coalition to Protect Forest Park states in its comment “the oak woodland PGE envisions would take at least 75 years to mature[.]” As stated above absent a timeframe or unit of measure, there is no way to determine whether this criterion has been met or not. Notwithstanding, with the absence of a recommendation from the PP&D Staff Report and no way to measure success, the Hearings Officer has only the Appendix D Habitat Mitigation Plan which to rely upon.

As was stated *supra*, the Hearings Officer finds the Applicant’s habitat mitigation plan to be extensive and robust. The mitigation plan proposes planting an array of trees and shrubs within the park as well as planting additional trees outside Forest Park in heat deserts throughout Portland. Additionally, the Applicant will pay an in-lieu fee authorized by Ordinance 191314 to fund mitigation, monitoring, and maintenance by PP&R within Forest Park consistent with the goals of the ordinance. Whether the habitat mitigation plan fully mitigates the impacts of the proposed action is unable to be quantified or measured. The Hearings Officer finds that the Project Proposal will credibly, substantially, and persuasively engage in actions that progress Forest Park toward full mitigation of the impacts from the Project Proposal in furtherance of this goal.

**Approval Criteria for Exceptions E. The proposal is consistent with the purpose of the Environmental Zones.**

33.430.015 Purpose of the Environmental Protection Zone. The Environmental Protection zone provides the highest level of protection to the most important resources and functional values. These resources and functional values are identified and assigned value in the inventory and economic, social, environmental, and energy

(ESEE) analysis for each specific study area. Development will be approved in the environmental protection zone only in rare and unusual circumstances.

The FPNRMP provides a vision for the North Unit stating,

“In 2195 the North Unit is an intact forest approaching an old growth condition. Annual wildlife monitoring confirms that at least 75% of the North Unit provides high quality interior forest habitat, comparable to similar sized blocks of undisturbed forest habitat along the Lower Columbia River [...] Forest Park’s reputation as a true urban wildlife reserve is earned from the condition of the North Unit.”

The Applicant submittal response, provides in part,

“This Proposed Project has been designed to minimize environmental resource impacts to the greatest extent practicable and to mitigate habitat impacts through a variety of habitat enhancements. After the Early Assistance Pre-Application Conference with the City of Portland in June of 2022, PGE reassessed the extent of tree removal proposed and reduced tree impacts from approximately 6 acres down to 4.7 acres within Forest Park. Based on a thorough alternatives analysis process, the Proposed Project has been determined to be the only practicable alternative and has been designed to provide the greatest protection of existing resource functions and values while meeting regulatory and regional need-based requirements of the Proposed Project.”

The PP&D Staff Report found the Project Proposal inconsistent with the purpose of the Environmental Protection zone and remarked the installation of a transmission line with alternatives outside Forest Park was neither rare nor unusual and found the criterion had not been met.

The Hearings Officer finds the Applicant’s final argument persuasive. Given the demonstrated need for the Proposed Project, the presence of existing utility infrastructure and the lack of practicable alternatives, the given circumstances are rare and unusual. The Hearings Officer finds the evidence submitted to demonstrate compliance with this approval criteria is substantial, credible, and persuasive. Based upon this evidence, the Hearings Officer finds the Applicant has satisfied this approval criteria.

#### Additional criteria required by Plan District

#### **Section 33.563 Northwest Hills Plan District**

According to the Northwest Hills Plan District Map 563-1, the subject site is in the Forest Park Subdistrict of the Northwest Hills Plan District.

## Forest Park Subdistrict

**33.563.210 Additional Approval Criterion.** In addition to the applicable approval criteria of Section 33.430.250, an environmental review application will be approved if the review body finds that all the following approval criteria are met:

**A. Wildlife.** The location, quantity and structural characteristics of forest vegetation will be sufficient to provide habitat and maintain travel corridors for the following indicator species: pileated woodpecker, sharp-shinned hawk, Roosevelt elk, white-footed vole, and red-legged frog. Standards to meet this criterion are in the applicable Habitat Evaluation Procedure developed by the US Fish and Wildlife Service.

**Findings:** The proposed project area (Phase 3) is surrounded to the north, south, and west by existing cleared and maintained transmission corridors and to the east by Highway 30. The existing mature second-growth forest within the Phase 3 project area, including two wetlands and two streams, offers habitat, refuge, and travel corridors to multiple indicator species listed in this criterion. Increasing the gaps in forest fragmentation by removing an additional 4.7 acres not only eliminates existing critical habitat but threatens to exacerbate the spread of invasive species prevalent in the surrounding transmission line corridors.

The Applicant responds to this criterion stating the following:

“While trees must be removed from within and along the transmission corridor as part of the Proposed Project, existing quantities, qualities, and structural characteristics of forest vegetation will continue to be sufficient to meet the habitat and connectivity requirements associated with the USFWS HEP for the listed indicator species. Further, through the conservation and enhancement measures described in the Habitat Mitigation Plan (Appendix D), additional habitat/wildlife benefits will be created and enhanced to provide opportunities for enhanced biotic diversity and improved migration corridor conditions for northern red-legged frogs in Forest Park.”

The PP&D Staff Report provided comments from the Community Opposition Group (Exhibit F.922) and the Oregon Department of Fish & Wildlife (Exhibit E.9) which both raised concerns with expansion of utility corridors and the resultant increased susceptibility to edge effects.

“[B]ased on the use of the project area by the indicator species listed in this criterion and not only the removal of forest vegetation and riparian resources currently used for their habitat and travel corridors but the introduction of development that results in advantageous hunting perches for predators of indicator species and the introduction of invasives species in lieu of native understory and groundcover, this criterion is not met.”

The Hearings Officer finds the evidence offered by the Applicant to be credible, substantial, and persuasive. The Hearings Officer finds the Project Proposal satisfies this criterion.

**B. Parks and Open Space. Overall scenic, recreational, educational and open space values of Forest Park will not be diminished as a result of development activities;**

The Applicant provides that because the Project Proposal will be conducted largely within existing utility corridors, the overall scenic, recreational, educational, and open space values of Forest Park will not be adversely impacted.

The PP&D Staff Report counters that the Project Proposal will be visible from Highway 30. Further, the PP&D Staff Report provides,

“Permanent development such as pads (including large amounts of slope grading) and large, transmission towers will be installed in the area that is currently second-growth forest. Due to the need for vegetation management under and adjacent to transmission lines, the forest canopy cannot be replanted in the transmission corridor and would be replaced with lower-stature vegetation. Where currently there is fully vegetated second-growth canopy, the applicant proposes to clear 4.7 acres and install a transmission line corridor, not only visible from the interior of the park on public trails but also from outside the park, along Highway 30 and the Willamette River. Furthermore, the BPA Road is open for public use as a recreational trail. The removal of 4.7 acres of closed forest canopy along an existing trail impacts the user experience for visitors of the park.”

The Hearings Officer finds the evidence offered by the Applicant to be credible, substantial, and persuasive. The Hearings Officer finds the Project Proposal satisfies this criterion.

**C. Miller Creek Subarea. Within the Miller Creek Subarea, shown on Map 563-1, development activities will not degrade natural water quality, quantity, and seasonal flow conditions, and will not increase water temperatures above 68°F. In addition, development activities will not decrease opportunities for fish and amphibian passage.**

The Proposed Project is outside the Miller Creek Subarea; this approval criteria is inapplicable.

The remainder of the approval criteria including Greenway Review are either inapplicable or met by the Project Proposal. The Hearings Officer declines to address these issues.

The Hearings Officer adopts the PP&D Staff Report findings to the Applicant's request to revise conditions of approval for LU 18-151725 where the removal of Sub-Area 1 from the project will have no impact and the issues continue to be met.

Conditional Use Review. The relevant approval criteria for the proposed Utility Corridor Use in the Open Space base zone as provided in 33.815.230 Rail Lines and Utility Corridors. The PP&D Staff Report finds these approval criteria are met by the Project Proposal and the Hearings Officer accepts these findings and declines to address these issues further.

Public comments were received which raised concerns about the validity of the easement. However, because these arguments are beyond the scope of the applicable approval criteria, the Hearings Officer declines to address them and encourages addressing those issues before the proper tribunal.

### **III. CONCLUSIONS**

The Applicant has satisfied all the applicable approval criteria.

The Applicant has demonstrated the approval criteria for an Exception to the Forest Park Natural Resources Management Plan and the approval criteria for work in the Forest Park Subdistrict of the Northwest Hills Plan District are met by the proposal.

The Applicant requested three other reviews which were reviewed by staff against the relevant approval criteria. Staff found, and the Hearings Officer concurs, that the proposal met the approval criteria for transmission line work in the Greenway overlay zones at Harborton Substation; for revision to conditions of approval of LU 18-151725 GW; and for placing Utility Corridor Use in the Open Space Base Zone.

### **IV. DECISION**

**Approval** of an Environmental Review for:

- An Exception to the Forest Park Natural Resources Management Plan to allow for the alteration of existing and the installation of new transmission line corridors;
- Permanent fill of two wetlands;
- Impacts to Stream 1 and Stream 2;
- Removal of 376 living trees and 21 dead trees (7,604 inches diameter breast height; and
- 4.7 acres of natural resource disturbance.

**Approval** of a Greenway Review for:

- Removal of four (4) trees;
- Installation of a temporary access road; and
- Installation of three (3) steel poles.

**Approval** of a Greenway Review for:

- Changes to conditions of approval for LU 18-151725 GW by removing Sub-Area 1 from the project scope (per Exhibit A.12).

**Approval** of a Conditional Use Review for:

- Portland General Electric (PGE) utility improvements within an existing utility easement in Forest Park to include:
- Shifting the location of one power pole and rewiring a segment of existing transmission line to that new pole location;
- Installing two new poles to support a new, 1,400-foot-long segment of transmission lines;
- Connecting the shifted and new transmission line segments west to existing PGE lines within Forest Park and east across Highway 30 to PGE's existing Harborton Substation.

In substantial conformance with Exhibits C.36 to C.38, C.40, C.61 to C.63, C.65, C.87 to C.89, C.91, and C.113. Approval of the two Greenway Reviews is subject to the following conditions:

- A. A Portland Permitting & Development (PP&D) Zoning Permit is required for inspection of required restoration plantings in the Greenway overlay zones and a separate PP&D construction permit may be required for development.** The Conditions of Approval listed below, shall be noted on appropriate plan sheets submitted for permits (building, Zoning, grading, Site Development, erosion control, etc.). Plans shall include the following statement, ***"Any field changes shall be in substantial conformance with partially approved LU 24-041109 CU EN GW Exhibits C.36 to C.38, C.40, C.61 to C.63, C.65, C.87 to C.89, C.91, and C.113."***

**Building Permits [or Construction Permits] shall not be issued until a PP&D Zoning Permit is issued.**

**Building Permits shall not be finalized until the PP&D Zoning Permit for inspection of restoration plantings required in Condition C below is finalized.**

- B.** Temporary timber matting must be placed as shown on Exhibits C.61 to C.63 and C.65, Construction Management Plan, to separate approved construction areas from areas to remain undisturbed.
1. No mechanized construction vehicles are permitted outside of the approved "Limits of Disturbance" delineated by the timber matting. All planting work, invasive vegetation removal, and other work to be done outside the Limits of Construction Disturbance, shall be conducted using handheld equipment.
  2. Trees shall be protected according to tree protection measures provided in Title 11 Tree Code, Chapter [11.60.030 Tree Protection Specifications](#).

C. The Applicant shall obtain a PP&D Zoning Permit for approval and inspection of a restoration plan in substantial conformance with Exhibits C.87 to C.89, C.91, and C.113, Restoration Plans. Any plant substitutions shall be selected from the *Portland Plant List* and shall be substantially equivalent in size to the original plant.

1. Permit plans shall show:

- a. The location of the trees, shrubs, and ground covers required by this condition to be planted in the restoration area and labeled as “new required landscaping.” The plans shall be to scale and shall illustrate a naturalistic arrangement of plants and should include the location, species, quantity, and size of plants to be planted.
- b. The Applicant shall indicate on the plans selection of either tagging plants for identification or accompanying the PP&D inspector for an on-site inspection.

2. Plantings shall be installed between October 1 and March 31 (the planting season).

3. Prior to installing required plantings, non-native invasive plants shall be removed from all areas within 10 feet of plantings, using handheld equipment.

4. If plantings are installed prior to completion of construction, a temporary bright orange, 4-foot-high construction fence shall be placed to protect plantings from construction activities.

5. After installing the required restoration plantings, the Applicant shall request inspection of the plantings and finalize the PP&D Zoning Permit.

6. All shrubs and trees shall be marked in the field by a tag attached to the top of the plant for easy identification by the City Inspector; or the Applicant shall arrange to accompany the PP&D inspector to the site to locate plantings for inspection. If tape is used, it shall be a contrasting color that is easily seen and identified.

**D. The Applicant shall monitor the required plantings for two years to ensure survival and replacement as described below. The Applicant is responsible for ongoing survival of required plantings beyond the designated two-year monitoring period.**

1. Prior to issuance of the PP&D Zoning Permit, the Applicant must submit and pay fees for review of the Landscape Monitoring Reports required below.

2. After installation and inspection of the initial restoration plantings, the Applicant must submit two (2) annual monitoring and maintenance reports for review and approval to the Land Use Services Division of PP&D containing the monitoring



information described below. Submit the first report within 12 months following the final inspection approval of the permit required under Condition A. Submit a second report 12 months following the date of the first monitoring report. Monitoring reports shall contain the following information:

- a. A count of the number of planted shrubs that have died. One replacement shrub must be planted for each dead shrub (replacement must occur within one planting season).
- b. The percent coverage of ground covers. If less than 80 percent of the mitigation planting area is covered with groundcovers at the time of the annual count, additional groundcovers shall be planted to reach 80 percent cover (replacement must occur within one planting season).
- c. A list of replacement plants that were installed.
- d. Photographs of the restoration area and a site plan in conformance with approved Exhibits C.87 to C.89, C.91, and C.113, Restoration Plan, showing the location and direction of photos.
- e. An estimate of percent cover of invasive species (ivy, blackberry, reed canarygrass, teasel, clematis) within 10 feet of all plantings. Invasive species must not exceed 15 percent cover during the monitoring period.

**E.** Failure to comply with any of these conditions may result in the City's reconsideration of this land use approval pursuant to Portland Zoning Code Section 33.700.040 and/or enforcement of these conditions in any manner authorized by law.

*Marisha Childs*

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Marisha Childs, Hearings Officer

March 7, 2025

Date

**Application Determined Complete:** October 29, 2024  
**Report to Hearings Officer:** January 17, 2025  
**Decision Mailed:** March 7, 2025  
**Last Date to Appeal:** 4:30 p.m., March 21, 2025  
**Effective Date (if no appeal):** March 24, 2025

**Conditions of Approval.** This project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appeal of the decision.** ANY APPEAL OF THE HEARINGS OFFICER’S DECISION MUST BE E-MAILED TO [LANDUSEINTAKE@PORTLANDOREGON.GOV](mailto:LANDUSEINTAKE@PORTLANDOREGON.GOV). The appeal application form can be accessed at : [Land Use Review Appeals, Land Use Review Appeal Costs and Appeal Fee Waivers | Portland.gov](#). If you do not have access to e-mail, please telephone (503) 865-6744 for assistance on how to submit the appeal; please allow one business day for staff to respond. **An appeal fee of \$5,789 will be charged.**

**Who can appeal:** You may appeal the decision only if you wrote a letter which is received before the close of the record on hearing or if you testified at the hearing, or if you are the property owner or applicant. If you or anyone else appeals the decision of the Hearings Officer, only evidence previously presented to the Hearings Officer will be considered by the City Council.

**Appeal Fee Waivers:** Neighborhood associations recognized by the Office of Community & Civic Life may qualify for a waiver of the appeal fee provided that the association has standing to appeal. The appeal must contain the signature of the Chairperson or other person authorized by the association, confirming the vote to appeal was done in accordance with the organization’s bylaws.

Neighborhood associations, who wish to qualify for a fee waiver, must complete the Type III Appeal Fee Waiver Request for Organizations Form and submit it prior to the appeal deadline. The Type III Appeal Fee Waiver Request for Organizations Form contains instructions on how to apply for a fee waiver, including the required vote to appeal.

Assistance in filing the appeal and information on fee waivers are available from Portland Permitting & Development website: <https://www.portland.gov/ppd/zoning-land-use/land-use-review-fees-and-types/land-use-review-appeals>.

**Recording the final decision.** If this land use review is approved, the final decision will be recorded with the County Recorder. *Unless appealed*, the final decision will be recorded by Portland Permitting & Development.

**Expiration of this approval.** Generally, land use approvals (except Comprehensive Plan and Zoning Map Amendments) expire five years from the date of the final decision unless one of the actions below has occurred (see Zoning Code Section 33.730.130 for specific expiration rules):

- A City permit has been issued for the approved development,
- The approved activity has begun (for situations not requiring a permit), or

In situations involving only the creation of lots, the final plat must be submitted within three years.

Where a site has received approval for multiple developments, and a building permit is not issued for all the approved development within seven years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS RECEIVED IN THE HEARINGS OFFICE – SEE NEXT PAGE**  
(NOT ATTACHED UNLESS INDICATED)

The exhibits in the land use case file are all assigned a letter (example A-1). The Hearings Office accepts exhibits filed online in its case management system. These exhibits are marked in the lower right-hand corner that identifies the exhibit as a “Portland Hearings Office” exhibit. All of these exhibits are designated “H Exhibits” (that is, Hearings Office Exhibits). See the PP&D Staff Report for a list of exhibits prior to “H.”

### Exhibits, Orders, and Other Attachments

Number	Title	Status
Exhibit 1	WAIVER	Accepted
Exhibit 2	Land Use Scheduling Request	Accepted
Exhibit 3	Hearing Participation Information	Accepted
Exhibit 4	Land Use Hearing Scheduled	Accepted
Exhibit 5	Petersen Email	Accepted
Exhibit 6	Hearing Time Limits Inquiry Response	Accepted
Exhibit 7	Mates Email	Accepted
Exhibit 8	Irwin Email	Accepted
Exhibit 9	O'Toole Email	Accepted
Exhibit 10	Tenney Email	Accepted
Exhibit 11	Chinn Email	Accepted
Exhibit 12	Romeo Email	Accepted
Exhibit 13	Foster Email	Accepted
Exhibit 14	Lanz Email	Accepted
Exhibit 15	Felsenstein Email	Accepted
Exhibit 16	Lawson Email	Accepted
Exhibit 17	Dunne Testimony	Accepted
Exhibit 18	Mullane Email	Accepted
Exhibit 19	Wortham Email	Accepted
Exhibit 20	Bricklayers & Allied Craftworkers	Accepted
Exhibit 21	Wyles Email	Accepted
Exhibit 22	Yun Email	Accepted
Exhibit 23	Meyer Email	Accepted
Exhibit 24	Leeb Email	Accepted
Exhibit 25	Psyk Email	Accepted
Exhibit 26	Brunell Email	Accepted
Exhibit 27	Phillips/Mazamas Testimony	Accepted
Exhibit 28	Hardy Email	Accepted
Exhibit 29	Hallberg Email	Accepted
Exhibit 30	Sayewitz Email	Accepted
Exhibit 31	Crumpacker Email	Accepted
Exhibit 32	McLain Email	Accepted
Exhibit 33	Stone and Currey Email	Accepted
Exhibit 34	Hecht Email	Accepted
Exhibit 35	Alifanz Email	Accepted
Exhibit 36	Jaeckel Email	Accepted
Exhibit 37	Weintraub Email	Accepted

Exhibit 38	Westerfeld Email	Accepted
Exhibit 39	Tiede Email	Accepted
Exhibit 40	Dillehay Email	Accepted
Exhibit 41	Pomeroy Email	Accepted
Exhibit 42	Wagner Email	Accepted
Exhibit 43	Lewis Email	Accepted
Exhibit 44	Spates Email	Accepted
Exhibit 45	Fry Email	Accepted
Exhibit 46	Fry Email	Accepted
Exhibit 47	Peters Email	Accepted
Exhibit 48	Hefty Email	Accepted
Exhibit 49	Eriksen Email	Accepted
Exhibit 50	Portland Metro Chamber Testimony	Accepted
Exhibit 51	Tomas Email	Accepted
Exhibit 52	TriMet Testimony	Accepted
Exhibit 53	Holder Email	Accepted
Exhibit 54	Pomeroy Email	Accepted
Exhibit 55	Higgins Email	Accepted
Exhibit 56	Hankins Email	Accepted
Exhibit 57	Prosser Email	Accepted
Exhibit 58	Hay Email	Accepted
Exhibit 59	Savage Email	Accepted
Exhibit 60	Lepschat Email	Accepted
Exhibit 61	Urbaniak Email	Accepted
Exhibit 62	Bernstein Email	Accepted
Exhibit 63	Moshnerlt Email	Accepted
Exhibit 64	North Email	Accepted
Exhibit 65	Canning Email	Accepted
Exhibit 66	STAFF REPORT	Accepted
Exhibit 67	R. North Email	Accepted
Exhibit 68	Vasil Email	Accepted
Exhibit 69	Bachelor Email	Accepted
Exhibit 70	Thayer Email	Accepted
Exhibit 71	Schill Email	Accepted
Exhibit 72	Platt Email	Accepted
Exhibit 73	Gordon Email	Accepted
Exhibit 74	Nilsen Email	Accepted
Exhibit 75	Cottrell Houle Written Testimony	Accepted
Exhibit 76	Rutherford Email	Accepted
Exhibit 77	Chin Email	Accepted
Exhibit 78	Stein Email	Accepted
Exhibit 79	Markowitz Email	Accepted
Exhibit 80	Thurwachter Email	Accepted
Exhibit 81	Portland Parks & Recreation Advisory Board Testimony	Accepted
Exhibit 82	Horning Email	Accepted
Exhibit 83	Elliott-Seres Email	Accepted
Exhibit 84	Kelly Email	Accepted

Exhibit 85	Aerts Email	Accepted
Exhibit 86	Burke Email	Accepted
Exhibit 87	Ohta Email	Accepted
Exhibit 88	Teo Email	Accepted
Exhibit 89	Williams Email	Accepted
Exhibit 90	Clark-Ginsberg Email	Accepted
Exhibit 91	Livingstone Email	Accepted
Exhibit 92	Nilsen Email	Accepted
Exhibit 93	Lubell Email	Accepted
Exhibit 94	Forest Park Conservancy Testimony	Accepted
Exhibit 95	Talbots Testimony	Accepted
Exhibit 96	Forest Park Neighborhood Association Email	Accepted
Exhibit 97	Edelson Email	Accepted
Exhibit 98	Applicant Request for A-G Exhibit Access	Accepted
Exhibit 99	Kee Email	Accepted
Exhibit 100	R. Lewis Email	Accepted
Exhibit 101	Davis Email	Accepted
Exhibit 102	Stevens Email	Accepted
Exhibit 103	Winter-Moshner Email	Accepted
Exhibit 104	Puhl Letter	Accepted
Exhibit 105	Walczak Email	Accepted
Exhibit 106	C. Canning Email	Accepted
Exhibit 107	Wyldewood Email	Accepted
Exhibit 108	Cohen Email	Accepted
Exhibit 109	Lidorikiotis Email	Accepted
Exhibit 110	Blake Email	Accepted
Exhibit 111	Zawaski Email	Accepted
Exhibit 112	Lee Email	Accepted
Exhibit 113	Whalen Email	Accepted
Exhibit 114	O'Daly Email	Accepted
Exhibit 115	Neill Email	Accepted
Exhibit 116	Duce Email	Accepted
Exhibit 117	Badger-Cain Email	Accepted
Exhibit 118	Evenson Email	Accepted
Exhibit 119	Whalen Email	Accepted
Exhibit 120	Collier Email	Accepted
Exhibit 121	Himes Ferris Email	Accepted
Exhibit 122	Pilgrim Email	Accepted
Exhibit 123	Reding Email	Accepted
Exhibit 124	Scott Email	Accepted
Exhibit 125	Lo Email	Accepted
Exhibit 126	Hayes Email	Accepted
Exhibit 127	Email Rec'd 1-23-25	Accepted
Exhibit 128	Shlim Email	Accepted
Exhibit 129	Ball Email	Accepted
Exhibit 130	Email Rec'd 1-23-25	Accepted
Exhibit 131	Rothberg Email	Accepted

Exhibit 132	Emery Email	Accepted
Exhibit 133	Joos Email	Accepted
Exhibit 134	Humphrey Email	Accepted
Exhibit 135	Larson Email	Accepted
Exhibit 136	Email Rec'd 1-23-25	Accepted
Exhibit 137	Groves Email	Accepted
Exhibit 138	Ayres Email	Accepted
Exhibit 139	M. Alifanz Email	Accepted
Exhibit 140	Selby Email	Accepted
Exhibit 141	Applicant Email - Exhibit Numbering & Location	Accepted
Exhibit 142	Pinkowitz Email	Accepted
Exhibit 143	Navarra Email	Accepted
Exhibit 144	Johnson Email	Accepted
Exhibit 145	Hayward Email	Accepted
Exhibit 146	Thompson Email	Accepted
Exhibit 147	McAvoy Email	Accepted
Exhibit 148	Schiffman Email	Accepted
Exhibit 149	Valentine Email	Accepted
Exhibit 150	Leyva Email	Accepted
Exhibit 151	Seda Email	Accepted
Exhibit 152	Hilton Email	Accepted
Exhibit 153	Buckley Email	Accepted
Exhibit 154	Magden Email	Accepted
Exhibit 155	Coon Email	Accepted
Exhibit 156	Coon Attachments 2-7	Accepted
Exhibit 157	Iwasaki Email	Accepted
Exhibit 158	Marx Email	Accepted
Exhibit 159	Wiggs Email	Accepted
Exhibit 160	Henderson Email	Accepted
Exhibit 161	Hanrahan Email	Accepted
Exhibit 162	Cunningham Email	Accepted
Exhibit 163	Cunningham Attachment	Accepted
Exhibit 164	Maillard Email	Accepted
Exhibit 165	Jones Email	Accepted
Exhibit 166	Haywood Email	Accepted
Exhibit 167	Calhoun Email	Accepted
Exhibit 168	Rubin Email	Accepted
Exhibit 169	MacKaben Email	Accepted
Exhibit 170	Coveyduck Email	Accepted
Exhibit 171	Velimirovic Email	Accepted
Exhibit 172	Bellman Email	Accepted
Exhibit 173	O'Brien Email	Accepted
Exhibit 174	Walden Email	Accepted
Exhibit 175	Neal Testimony	Accepted
Exhibit 176	Oyster-Sands Email	Accepted
Exhibit 177	Kafoury Email	Accepted
Exhibit 178	Hein Email	Accepted

Exhibit 179	Hoff Email	Accepted
Exhibit 180	2023 PGE Local Transmission Plan	Accepted
Exhibit 181	2023 WECC 10 Year Planned Facilities Map includes PGE	Accepted
Exhibit 182	2023 BPA Transmission Plan	Accepted
Exhibit 183	2024 PGE Local Transmission Plan Draft	Accepted
Exhibit 184	2024 PGE Local Transmission Plan	Accepted
Exhibit 185	About WECC Webpage Retrieved 012625	Accepted
Exhibit 186	Bald eagle electrocuted in power line crash, 145 residents lose power retrieved 011125	Accepted
Exhibit 187	BPA 051624 Meeting Materials SOA Reliability Project	Accepted
Exhibit 188	BPA 120424 Evolving Grid Presentation Final includes Harborton Trojan #3 and #4	Accepted
Exhibit 189	BPA Evolving Grid EGP 10 Project Summaries 121924	Accepted
Exhibit 190	BPA Evolving Grid 20 Project Summaries 120324 update	Accepted
Exhibit 191	BPA Evolving Grid EGP 20 Public Workshop 17 Oct 2024 detail of Portland Area projects	Accepted
Exhibit 192	BPA maintains transmission expansion momentum with 13 new proposed projects October 15 2024 retrieved 012625	Accepted
Exhibit 193	Early Assistance Application EA 22-142445 SUBMITTAL 17052022123355882	Accepted
Exhibit 194	EFSC PGE Transmission Projects Memo 2024-12-23-1	Accepted
Exhibit 195	Estimating potential interactions between bald eagles and electrical hazards in the upper Chesapeake Bay 2011	Accepted
Exhibit 196	PGE Final_Near_Term_LTP_2022_12-28-22	Accepted
Exhibit 197	FPNA Emailed Public Comment for LU 24-041109 CU EN GW November 22 2024	Accepted
Exhibit 198	FPNA letter to Cornett at EFSC 121724	Accepted
Exhibit 199	Keller Micropiles web page retrieved 010325	Accepted
Exhibit 200	Marion SWCD Oregon White Oak web page retrieved 012625	Accepted
Exhibit 201	NorthernGrid.net Overview web page image captured 012625	Accepted
Exhibit 202	Oregon Conservation Strategy Forest Park Conservation Opportunity Area ID 058 web page retrieved 012625	Accepted
Exhibit 203	PGE 230kV Transmission Line Diagrams 120324	Accepted
Exhibit 204	PGE POR Investor Presentation 11.2024 FINAL	Accepted
Exhibit 205	PGE tax lots Levy002 Levy072 and NW Riverside Drive 010725	Accepted



	NW Riverside Drive 010725	
Exhibit 206	PGE Tree Safety and Maintenance web page retrieved 012625	Accepted
Exhibit 207	PGE_DRAFT_Near_Term_LTP_2018.pdf	Accepted
Exhibit 208	PGE_Long_Term_LTP_2015_FINAL.pdf	Accepted
Exhibit 209	PGE_Long_Term_LTP_2017_FINAL	Accepted
Exhibit 210	PGE_Longer_Term_LTP_2019_FINAL	Accepted
Exhibit 211	PGE_Longer_Term_LTP_2021_FINAL	Accepted
Exhibit 212	PGE_Near_Term_LTP_2016_FINAL	Accepted
Exhibit 213	PGE_Near_Term_LTP_2020_Final	Accepted
Exhibit 214	PiersandPiles.com What are Micropiles retrieved 010825	Accepted
Exhibit 215	Refining Estimates of Bird Collision and Electrocution Mortality at Power Lines in the United States plosone 0101565.pdf	Accepted
Exhibit 216	Rembco Micropiles web page retrieved 010325	Accepted
Exhibit 217	TxWorkshop-PGE-Presentation PGE Transmission System presentation for OPUC 011719	Accepted
Exhibit 218	WECC Transmission Expansion Summary web page image captured 012625	Accepted
Exhibit 219	WESTCONNECT REGIONAL TRANSMISSION PLANNING 01_18_23_2022_23_regional_needs_assessment_report	Accepted
Exhibit 220	Wyden letter about PGE rates 112524	Accepted
Exhibit 221	IBEW Local 48 Email and Letters	Accepted
Exhibit 222	IBEW Local 48 Letters	Accepted
Exhibit 223	Hoffman Testimony	Accepted
Exhibit 224	IUOE 701 Letters of Support	Accepted
Exhibit 225	IUOE Local 701 Letter of Support	Accepted
Exhibit 226	Coon Email and Attachments	Accepted
Exhibit 227	Majkut Testimony	Accepted
Exhibit 228	Majkut Photos	Accepted
Exhibit 229	Majkut Email and Attachments	Accepted
Exhibit 230	Majkut Email and Attachment	Accepted
Exhibit 231	Majkut Email and Attachment	Accepted
Exhibit 232	Crouch Email	Accepted
Exhibit 233	Cunningham Email	Accepted
Exhibit 234	Cunningham Attachment	Accepted
Exhibit 235	Kopec-Belliveau Email	Accepted
Exhibit 236	Port of Portland Testimony	Accepted
Exhibit 237	Coalition to Protect Forest Park Testimony	Accepted
Exhibit 238	Montgomerie Email	Accepted
Exhibit 239	Rhoden Email	Accepted
Exhibit 240	Lindberg Email	Accepted
Exhibit 241	R. Emery Email	Accepted

Exhibit 242	PGE 2023 CEP IRP 20230630 Full	Accepted
Exhibit 243	Blais Email	Accepted
Exhibit 244	Mozer Email	Accepted
Exhibit 245	Leeb Email	Accepted
Exhibit 246	Doyle Email	Accepted
Exhibit 247	Arca Email	Accepted
Exhibit 248	Ongie Email	Accepted
Exhibit 249	Rybak Email	Accepted
Exhibit 250	Miller Email	Accepted
Exhibit 251	Rosenthal Email	Accepted
Exhibit 252	Reams Email	Accepted
Exhibit 253	Smith Email	Accepted
Exhibit 254	Fraser Email	Accepted
Exhibit 255	McCandlish Esper Email	Accepted
Exhibit 256	Pfeifer Email	Accepted
Exhibit 257	D. Ongie Email	Accepted
Exhibit 258	Gross Email	Accepted
Exhibit 259	Zimbardi Email	Accepted
Exhibit 260	STAFF PRESENTATION	Accepted
Exhibit 261	Reimanis Email	Accepted
Exhibit 262	Carr Email	Accepted
Exhibit 263	Maertz Email	Accepted
Exhibit 264	Hauser Email	Accepted
Exhibit 265	Dryfoos Email	Accepted
Exhibit 266	Metzler Email	Accepted
Exhibit 267	Loveless Email	Accepted
Exhibit 268	Alvarenga Email	Accepted
Exhibit 269	Casper Email	Accepted
Exhibit 270	Lawrence Email	Accepted
Exhibit 271	Nekola Email	Accepted
Exhibit 272	A. Buckley Email	Accepted
Exhibit 273A and 273B	Applicant Submittal Link	Accepted
Exhibit 274	Written Public Testimony	Accepted
Exhibit 275	letter in opposition	Accepted
Exhibit 276	firer risks exacerbated by project	Accepted
Exhibit 277	Letter from PGE to NW Riverview property owners 110223	Accepted
Exhibit 278	GridLab_2035-Reconductoring-Technical-Report 2024	Accepted
Exhibit 279	Harborton related Transmission Line Routing screen images 012825	Accepted
Exhibit 280	NorthWestern Energy Installs ACCC® Conductor in Montana 042924	Accepted
Exhibit 281	NY Times article New Video of Eaton Fire Raises More Questions for Power Company 012725	Accepted
Exhibit 282	Oregon Conservation Strategy Forest Park Conservation Opportunity Area ID 058 web page retrieved 012625	Accepted
Exhibit 283	PGE announces plans for 2 new substations to serve Hillsboro captured 012825	Accepted

Exhibit 284	Refining Estimates of Bird Collision and Electrocution Mortality at Power Lines in the United States plosone 0101565	Accepted
Exhibit 285	Sightline Institute article The Northwest's Electric Grid Deserves and Upgrade 091124 retrieved 011325	Accepted
Exhibit 286	Transmission related substations in the vicinity of Hillsboro and Beaverton from Oregon Explorer 012825	Accepted
Exhibit 287	WaPo article How a simple fix could double the size of the U.S. electricity grid 052824	Accepted
Exhibit 288	WECC 2024 Path Rating Catalog Public_v2	Accepted
Exhibit 289	Record Closing Information Sheet	Accepted
Exhibit 290	Lightcap comment	Accepted
Exhibit 291	Segerstrom Email	Accepted
Exhibit 292	Teague Email	Accepted
Exhibit 293	Hedstrom Email	Accepted
Exhibit 294	Lucas Email	Accepted
Exhibit 295	France Email	Accepted
Exhibit 296	Brock Email	Accepted
Exhibit 297	Short Email	Accepted
Exhibit 298	Sivers-Boyce Email	Accepted
Exhibit 299	Fisher Email	Accepted
Exhibit 300	Giakas Email	Accepted
Exhibit 301	D. Lee Email	Accepted
Exhibit 302	Bellman Email	Accepted
Exhibit 303	Columbia Corridor Association Testimony	Accepted
Exhibit 304	DeVan Email	Accepted
Exhibit 305	Svoboda Email	Accepted
Exhibit 306	Alfano Email	Accepted
Exhibit 307	Avery Email	Accepted
Exhibit 308	James Email	Accepted
Exhibit 309	Tianco Email	Accepted
Exhibit 310	Hess Email	Accepted
Exhibit 311	Kight Email	Accepted
Exhibit 312	Rosenthal Email	Accepted
Exhibit 313	Buff Email	Accepted
Exhibit 314	D. Fisher Email	Accepted
Exhibit 315	Alfano Email	Accepted
Exhibit 316	Young Email	Accepted
Exhibit 317	Vivola Email	Accepted
Exhibit 318	Brock Email	Accepted
Exhibit 319	Dinell Email	Accepted
Exhibit 320	Bryan Email	Accepted
Exhibit 321	Working Waterfront Coalition Testimony	Accepted
Exhibit 322	DePriest Email	Accepted
Exhibit 323	Majkut Email	Accepted

Exhibit 324	Greater Portland Inc. Testimony	Accepted
Exhibit 325	Majkut Testimony	Accepted
Exhibit 326	Wortham Email	Accepted
Exhibit 327	Hoffman Testimony	Accepted
Exhibit 328	Collins Email	Accepted
Exhibit 329	Murdock Email	Accepted
Exhibit 330	Majkut Email and Attachment	Accepted
Exhibit 331	Flynn Email	Accepted
Exhibit 332	Winking Email	Accepted
Exhibit 333	Winking Email	Accepted
Exhibit 334	Central Eastside Industrial Council Letter	Accepted
Exhibit 335	B. Bellman Email	Accepted
Exhibit 336	Lent Email	Accepted
Exhibit 337	Bendlin Email	Accepted
Exhibit 338	Vest Email	Accepted
Exhibit 339	Fujisawa Email	Accepted
Exhibit 340	McDonald Email	Accepted
Exhibit 341	Lent Email	Accepted
Exhibit 342	Mikkelson Email	Accepted
Exhibit 343	Neuse Email	Accepted
Exhibit 344	Stasko Email	Accepted
Exhibit 345	Cox Email	Accepted
Exhibit 346	Cunningham Email	Accepted
Exhibit 347	Cunningham Attachment	Accepted
Exhibit 348	Lichtenberg Email	Accepted
Exhibit 349	Kalies Email	Accepted
Exhibit 350	Hershberger Email	Accepted
Exhibit 351	Galvin Email	Accepted
Exhibit 352	Key-DeLyria Email	Accepted
Exhibit 353	Mendoza Email	Accepted
Exhibit 354	G. Smith Testimony	Accepted
Exhibit 355	Sepulveda Email	Accepted
Exhibit 356	Warner Email	Accepted
Exhibit 357	Belville Email	Accepted
Exhibit 358	Thuss Email	Accepted
Exhibit 359	Lambert Email	Accepted
Exhibit 360	Coon Email	Accepted
Exhibit 361	Coon Attachments	Accepted
Exhibit 362	S. Smith Email	Accepted
Exhibit 363	Devine Email	Accepted
Exhibit 364	Heat and Frost Insulator Local 36 Testimony	Accepted
Exhibit 365	Priestman Email	Accepted
Exhibit 366	Michel Email	Accepted
Exhibit 367	J. Coon Email and Attachments	Accepted
Exhibit 368	Hoff Email	Accepted
Exhibit 369	Neeley Email	Accepted
Exhibit 370	C. Thompson Testimony	Accepted

Exhibit 371	Schnipper Email	Accepted
Exhibit 372	Anuta Testimony	Accepted
Exhibit 373	Bishop Email	Accepted
Exhibit 374	Meadows Email	Accepted
Exhibit 375	Kirkland Email	Accepted
Exhibit 376	McKain-Storey Email	Accepted
Exhibit 377	Wortham Email	Accepted
Exhibit 378	Fortunoff Email	Accepted
Exhibit 379	C. Thompson Email	Accepted
Exhibit 380	Crane Email	Accepted
Exhibit 381	C. Thompson Email	Accepted
Exhibit 382	Crane Email	Accepted
Exhibit 383	L. Warner Testimony	Accepted
Exhibit 384	Neubauer Email	Accepted
Exhibit 385	McBroom Email	Accepted
Exhibit 386	Barbarasch Email	Accepted
Exhibit 387	Pisano Testimony	Accepted
Exhibit 388	Gonzalez Email	Accepted
Exhibit 389	Kindberg Email	Accepted
Exhibit 390	Geary Email	Accepted
Exhibit 391	Mo Email	Accepted
Exhibit 392	Bates Email	Accepted
Exhibit 393	J. Smith Email	Accepted
Exhibit 394	Metzler Email	Accepted
Exhibit 395	Majkut Email and Attachment	Accepted
Exhibit 396	Shapiro Email	Accepted
Exhibit 397	Oregon & Southern Idaho District Council of Laborers Testimony	Accepted
Exhibit 398	Swanson Email	Accepted
Exhibit 399	Faux Email	Accepted
Exhibit 400	Cunningham Email and Coon Attachment	Accepted
Exhibit 401	Weeber Email	Accepted
Exhibit 402	Laurila Email	Accepted
Exhibit 403	Jenna Ayers Email	Accepted
Exhibit 404	STAFF MEMO	Accepted
Exhibit 405	Ackerman Email	Accepted
Exhibit 406	Gluhosky Email	Accepted
Exhibit 407	Libby Email	Accepted
Exhibit 408	Steffoff Email	Accepted
Exhibit 409	Dannen Email	Accepted
Exhibit 410	S. Smith Email	Accepted
Exhibit 411	Steingart Email	Accepted
Exhibit 412	Wright Email	Accepted
Exhibit 413	Wagner Email	Accepted
Exhibit 414	Law Email	Accepted
Exhibit 415	Dodge Email	Accepted
Exhibit 416	Lemezis Email	Accepted
Exhibit 417	Slachmuylder Email	Accepted

Exhibit 418	O'Donnell Email	Accepted
Exhibit 419	Erin E. Email	Accepted
Exhibit 420	Sohn Testimony	Accepted
Exhibit 421	Jenkins Email	Accepted
Exhibit 422	Mathews Email	Accepted
Exhibit 423	Kennedy Email	Accepted
Exhibit 424	Tidwell Email	Accepted
Exhibit 425	Jacques Email	Accepted
Exhibit 426	Hughes Email	Accepted
Exhibit 427	Day Email	Accepted
Exhibit 428	Watt Email	Accepted
Exhibit 429	Munos Email	Accepted
Exhibit 430	Khousakoun Email	Accepted
Exhibit 431	Applicant submission BPA LURR letter.pdf	Accepted
Exhibit 432	Janik Email	Accepted
Exhibit 433	Giese Testimony	Accepted
Exhibit 434	L. Jacques Email	Accepted
Exhibit 435	Spain Email	Accepted
Exhibit 436	IBEW Local 48 Letters	Accepted
Exhibit 437	McDowell Email	Accepted
Exhibit 438	Oregon Business for Climate Testimony	Accepted
Exhibit 439	Urban Forestry Commission Testimony	Accepted
Exhibit 440	Horan Email	Accepted
Exhibit 441	Operating Engineers Local 701 Letters	Accepted
Exhibit 442	Noble Email	Accepted
Exhibit 443	Tan Email	Accepted
Exhibit 444	Morton Email	Accepted
Exhibit 445	Petersen Email and Oregon Dept. of Energy Memo	Accepted
Exhibit 446	Sheppard Testimony	Accepted
Exhibit 447	Meisenhelter Email	Accepted
Exhibit 448	A. Miller Email	Accepted
Exhibit 449	Flanagan Email	Accepted
Exhibit 450	Roofers Local 49 Letters	Accepted
Exhibit 451	Brodie Cass Talbott Email	Accepted
Exhibit 452	Toutant Email	Accepted
Exhibit 453	IBEW Local 48 Letters	Accepted
Exhibit 454	N. Petersen Email	Accepted
Exhibit 455	Westarp Email	Accepted
Exhibit 456	Applicant Email and Letter	Accepted
Exhibit 457	Llewellyn Email	Accepted
Exhibit 458	Kautz Email	Accepted
Exhibit 459	Stanley Email	Accepted
Exhibit 460	Pickard Email	Accepted
Exhibit 461	L. Westarp Email	Accepted
Exhibit 462	T. Smith Email	Accepted

Exhibit 463	Standley Email	Accepted
Exhibit 464	McQueen Email	Accepted
Exhibit 465	Juster Email	Accepted
Exhibit 466	Clark Email	Accepted
Exhibit 467	Meihoff Email	Accepted
Exhibit 468	L. Westarp Email	Accepted
Exhibit 469	D'Autremont Testimony	Accepted
Exhibit 470	Dawson Email	Accepted
Exhibit 471	Brumm Email	Accepted
Exhibit 472	Duncan Email and Attachments	Accepted
Exhibit 473	Christopher Email	Accepted
Exhibit 474	Vidstrand Email	Accepted
Exhibit 475	Clementine Email	Accepted
Exhibit 476	Kerschen Email	Accepted
Exhibit 477	Local 36 Letters	Accepted
Exhibit 478	Madeleine Email	Accepted
Exhibit 479	Duplessis Email	Accepted
Exhibit 480	Rose Email	Accepted
Exhibit 481	Herring Email	Accepted
Exhibit 482	Camp Email	Accepted
Exhibit 483	Jarvis Email	Accepted
Exhibit 484	Ishkanian Email	Accepted
Exhibit 485	Reinhard Email	Accepted
Exhibit 486	Darlenzo Email	Accepted
Exhibit 487	Columbia Pacific Building and Construction Trades Council Letter	Accepted
Exhibit 488	Berman Email	Accepted
Exhibit 489	Philippi Email	Accepted
Exhibit 490	Allbritton Email	Accepted
Exhibit 491	van Belle Email	Accepted
Exhibit 492	Finley Email	Accepted
Exhibit 493	Allbritton Email	Accepted
Exhibit 494	Schechter Email	Accepted
Exhibit 495	C. Camp Email	Accepted
Exhibit 496	Laborer Local 737 Letters	Accepted
Exhibit 497	Andrews Email	Accepted
Exhibit 498	Shaver Email	Accepted
Exhibit 499	Ferrandino Email	Accepted
Exhibit 500	Handlin Email	Accepted
Exhibit 501	Sharkey Email	Accepted
Exhibit 502	Kallfelz Email	Accepted
Exhibit 503	Dennig Email	Accepted
Exhibit 504	Supperstein Testimony	Accepted
Exhibit 505	Northwest Industrial Business Association Testimony	Accepted
Exhibit 506	Buchanan Email	Accepted
Exhibit 507	Pool Email	Accepted
Exhibit 508	Kramarz Email	Accepted
Exhibit 509	Mathers Email	Accepted

Exhibit 510	Rasmussen Email	Accepted
Exhibit 511	Bird Email	Accepted
Exhibit 512	van Belle Email	Accepted
Exhibit 513	Archer Email	Accepted
Exhibit 514	Hammond Email	Accepted
Exhibit 515	S. Supperstein Email	Accepted
Exhibit 516	Ironworkers Local 29 Letters	Accepted
Exhibit 517	Cienfuegos Email	Accepted
Exhibit 518	Roofers Waterproofers & Allied Workers Local 49 Letters	Accepted
Exhibit 519	Moroz Email	Accepted
Exhibit 520	Dunkirk Email	Accepted
Exhibit 521	Majkut Submittal	Accepted
Exhibit 522	Hardin Email	Accepted
Exhibit 523	Moore Email	Accepted
Exhibit 524	Becher Email	Accepted
Exhibit 525	Hess Email	Accepted
Exhibit 526	Schwarz Email	Accepted
Exhibit 527	Russell Email	Accepted
Exhibit 528	Bates Email	Accepted
Exhibit 529	Branough Email	Accepted
Exhibit 530	Perkins Email	Accepted
Exhibit 531	Squier Letter	Accepted
Exhibit 532	Child Email	Accepted
Exhibit 533	Orr Email	Accepted
Exhibit 534	Bird Alliance of Oregon Testimony	Accepted
Exhibit 535	Peart and Francesconi Email	Accepted
Exhibit 536	Echard Email	Accepted
Exhibit 537	K. Miller Email	Accepted
Exhibit 538	Weeks Email	Accepted
Exhibit 539	M. Weeks Email	Accepted
Exhibit 540	Comandich Email	Accepted
Exhibit 541	Rohlf Email	Accepted
Exhibit 542	Oudijk Email	Accepted
Exhibit 543	Colquhoun Email	Accepted
Exhibit 544	M. Lambert Email	Accepted
Exhibit 545	Jensen Email	Accepted
Exhibit 547	Carbon storage and accumulation USDA	Accepted
Exhibit 548	Mature and old growth forests	Accepted
Exhibit 549	Mature and old growth forests	Accepted
Exhibit 550	Oregon White Oak ( <i>Quercus garryana</i> )	Accepted
Exhibit 551	A Landowners Guide for REstoring and Managing White Oak Habitats	Accepted
Exhibit 552	flamability of North American Oaks	Accepted
Exhibit 553	Managing Northwest Oregon oak ecosystems	Accepted
Exhibit 554	Besst Management Practices Oregon white oak habitat	Accepted



Exhibit 556	Understanding NW Forest Soil Carbon	Accepted
Exhibit 557	Understanding Forest Carbon	Accepted
Exhibit 558	Mitigation issues and inaccuracies	Accepted
Exhibit 559	Understanding Forest Carbon	Accepted
Exhibit 560	Best Management Practices for mitigating impacts to Oregon White Oak priority habitat	Accepted
Exhibit 561	C. Thompson Comment	Accepted
Exhibit 562	C. Thompson Comment	Accepted
Exhibit 563	C. Thompson Comment	Accepted
Exhibit 564	C. Thompson Comment	Accepted
Exhibit 565	C. Thompson Comment	Accepted
Exhibit 566	C. Thompson Comment	Accepted
Exhibit 567	C. Thompson Comment	Accepted
Exhibit 568	C. Thompson Comment	Accepted
Exhibit 569	C. Thompson Comment	Accepted
Exhibit 570	Blackman Email	Accepted
Exhibit 571	Richard Tran Mills Email	Accepted
Exhibit 572	Furlong Email	Accepted
Exhibit 573	C. Furlong Email	Accepted
Exhibit 574	Polishuk Email	Accepted
Exhibit 575	Bensheimer Email	Accepted
Exhibit 576	S. Johnson Email	Accepted
Exhibit 577	Benedict and Bennett Email	Accepted
Exhibit 578	Marsh Email	Accepted
Exhibit 579	Bradford Email	Accepted
Exhibit 580	Tsongas Email	Accepted
Exhibit 581	Frezza Email	Accepted
Exhibit 582	A. Supperstein Email	Accepted
Exhibit 583	Ramella Email	Accepted
Exhibit 584	Nurasih Email	Accepted
Exhibit 585	Link to Neubauer Email and Attachments	Accepted
Exhibit 586	Cai Email	Accepted
Exhibit 587	Farrell Email	Accepted
Exhibit 588	Neubauer Email	Accepted
Exhibit 589	Neubauer Attachment - 2011 Terrestrial Ecology Enhancement Strategy	Accepted
Exhibit 590	Wohlgemuth Email and Attachments	Accepted
Exhibit 591	Brayfield Email	Accepted
Exhibit 592	Pisarski Email	Accepted
Exhibit 593	Reyes Email	Accepted
Exhibit 594	Crosby Email and Attachment	Accepted
Exhibit 595	Paroissien-Arce Email	Accepted
Exhibit 596	Porter Email	Accepted
Exhibit 597	Dunlop Email	Accepted
Exhibit 598	Michaelson Email	Accepted
Exhibit 599	Boylan Email	Accepted

Exhibit 600	Boley Email	Accepted
Exhibit 601	Inchaustegui Email	Accepted
Exhibit 602	Pinegar Email	Accepted
Exhibit 603	Terlecky Email	Accepted
Exhibit 604	Geraghty Email	Accepted
Exhibit 605	Rosenau Email	Accepted
Exhibit 606	RedKnees Email	Accepted
Exhibit 607	Harburg Email	Accepted
Exhibit 608	Blackman Email and Attachments	Accepted
Exhibit 609	Olsson Email	Accepted
Exhibit 610	Stewart Email	Accepted
Exhibit 611	Mathers Email	Accepted
Exhibit 612	Dennig Email	Accepted
Exhibit 613	Lieber Email	Accepted
Exhibit 614	Langhelm Email	Accepted
Exhibit 615	Roemmich Email	Accepted
Exhibit 616	Chelsea Rose Rippel Email	Accepted
Exhibit 617	Asch Email	Accepted
Exhibit 618	Lazarus Email	Accepted
Exhibit 619	Wood Email	Accepted
Exhibit 620	Martin Email	Accepted
Exhibit 621	Collins Email	Accepted
Exhibit 622	West Email	Accepted
Exhibit 623	Spellman Email	Accepted
Exhibit 624	Lewis Email	Accepted
Exhibit 625	O'Connor Email	Accepted
Exhibit 626	Wolfgang Email	Accepted
Exhibit 627	Blenz-Clucas Email	Accepted
Exhibit 628	Flack Email	Accepted
Exhibit 629	Taylor Email	Accepted
Exhibit 630	Speroff Email	Accepted
Exhibit 631	Milligan Email	Accepted
Exhibit 632	Woolery Email	Accepted
Exhibit 633	Bolte Email	Accepted
Exhibit 634	Yesenofski Email	Accepted
Exhibit 635	Lofting Email	Accepted
Exhibit 636	Springer Email	Accepted
Exhibit 637	Mariscal Email	Accepted
Exhibit 638	Shepard Email	Accepted
Exhibit 639	Aden Email	Accepted
Exhibit 640	Gil Email	Accepted
Exhibit 641	Albert Miller Email	Accepted
Exhibit 642	Emily Email	Accepted
Exhibit 643	Pare Email	Accepted
Exhibit 644	Mungeam Email	Accepted
Exhibit 645	Minni Email	Accepted
Exhibit 646	Wyrick Email	Accepted
Exhibit 647	Renewable NW Letter	Accepted

Exhibit 648	Berry Email	Accepted
Exhibit 649	Alter Email	Accepted
Exhibit 650	Valentyn Email	Accepted
Exhibit 651	King Email	Accepted
Exhibit 652	Berry Email	Accepted
Exhibit 653	Shaw Email	Accepted
Exhibit 654	Yan Email	Accepted
Exhibit 655	Speroff Email	Accepted
Exhibit 656	Norman Email	Accepted
Exhibit 657	Shaughnessy Email	Accepted
Exhibit 658	Katz Email	Accepted
Exhibit 659	Forest Park Neighborhood Association Letter	Accepted
Exhibit 660	R. Crane Email	Accepted
Exhibit 661	Bridges Email	Accepted
Exhibit 662	Shaw Email	Accepted
Exhibit 663	Sylwester Email	Accepted
Exhibit 664	Mounsey Email	Accepted
Exhibit 665	Bolte Email	Accepted
Exhibit 666	Vice Email	Accepted
Exhibit 667	O'Reilly Email	Accepted
Exhibit 668	Pressler Email	Accepted
Exhibit 669	Majkut Email	Accepted
Exhibit 670	Sartor Email	Accepted
Exhibit 671	Brent-Tookey Email	Accepted
Exhibit 672	M. Davis Email	Accepted
Exhibit 673	Cunningham Email	Accepted
Exhibit 674	Cunningham Attachment - Easement	Accepted
Exhibit 675	Blais Email	Accepted
Exhibit 676	350PDX Letter	Accepted
Exhibit 677	Marx Testimony	Accepted
Exhibit 678	Clymer Email	Accepted
Exhibit 679	Russell Email	Accepted
Exhibit 680	Zuelke Email	Accepted
Exhibit 681	Curtis Email	Accepted
Exhibit 682	Hahn Email	Accepted
Exhibit 683	Wolcott Email	Accepted
Exhibit 684	Cowan-Kuist Email	Accepted
Exhibit 685	Pierce Email	Accepted
Exhibit 686	Clapp Testimony	Accepted
Exhibit 687	Littlewood Email	Accepted
Exhibit 688	Cross Email	Accepted
Exhibit 689	Reed Email	Accepted
Exhibit 690	Evergreen Email	Accepted
Exhibit 691	Lanzotti Email	Accepted
Exhibit 692	Starchild Email	Accepted
Exhibit 693	A. Hess Email	Accepted
Exhibit 694	Locke Letter	Accepted

Exhibit 695	Mariscal Email	Accepted
Exhibit 696	Whittington Email	Accepted
Exhibit 697	Hahn Email	Accepted
Exhibit 698	Majkut Email	Accepted
Exhibit 699	Miller Email	Accepted
Exhibit 700	Teslik Email	Accepted
Exhibit 701	Cody Email	Accepted
Exhibit 702	Karr Email	Accepted
Exhibit 703	Falkner Email	Accepted
Exhibit 704	Majkut Email	Accepted
Exhibit 705	Majkut Attachment - Easement	Accepted
Exhibit 706	Eaton Email	Accepted
Exhibit 707	Hynes Email	Accepted
Exhibit 708	Fritz-Endres Email	Accepted
Exhibit 709	J. Falkner Email	Accepted
Exhibit 710	Dussault Email	Accepted
Exhibit 711	Conley Email	Accepted
Exhibit 712	Grist Email	Accepted
Exhibit 713	Ensign Email	Accepted
Exhibit 714	Venghaus Email	Accepted
Exhibit 715	Mendell Email	Accepted
Exhibit 716	Autumn Email	Accepted
Exhibit 717	Leonardd-Maguire Email	Accepted
Exhibit 718	Maxwell Email	Accepted
Exhibit 719	Canning Email	Accepted
Exhibit 720	NECA Oregon-Columbia Letter	Accepted
Exhibit 721	Salle Email	Accepted
Exhibit 722	NECA Northwest Line Constructors Chapter Letter	Accepted
Exhibit 723	Kirchhoff Email	Accepted
Exhibit 724	Ruiz Email	Accepted
Exhibit 725	McDermott Email	Accepted
Exhibit 726	O'Neill Email	Accepted
Exhibit 727	Valentyn Email	Accepted
Exhibit 728	Cheshire Email	Accepted
Exhibit 729	Healey Email	Accepted
Exhibit 730	ONeil Email	Accepted
Exhibit 731	Satterlee Email	Accepted
Exhibit 732	Chelsea Rose Rippel Email	Accepted
Exhibit 733	G. Johnson Email	Accepted
Exhibit 734	Couch Email	Accepted
Exhibit 735	Swenson Email	Accepted
Exhibit 736	Meirow Email	Accepted
Exhibit 737	Natalie Email	Accepted
Exhibit 738	Summers Email	Accepted
Exhibit 739	Stone Email	Accepted
Exhibit 740	Torres Email	Accepted
Exhibit 741	May Email	Accepted

Exhibit 742	Heidari Email	Accepted
Exhibit 743	Forest Park Neighborhood Association Testimony	Accepted
Exhibit 744	Riisness Email	Accepted
Exhibit 745	Pearl Email	Accepted
Exhibit 746	Kimball Email	Accepted
Exhibit 747	E. Smith Email	Accepted
Exhibit 748	Morrissey Email	Accepted
Exhibit 749	Martinez Email	Accepted
Exhibit 750	Pritt Email	Accepted
Exhibit 751	Gehrich Email	Accepted
Exhibit 752	Livingstone Email	Accepted
Exhibit 753	Dussault Email	Accepted
Exhibit 754	D'Aiello Email	Accepted
Exhibit 755	Bissex Email	Accepted
Exhibit 756	Applicant Abridged Version of Exhibit (H) 273	Accepted
Exhibit 757	S. Johnson Email	Accepted
Exhibit 758	Pinkava Email	Accepted
Exhibit 759	R. Peterson Email	Accepted
Exhibit 760	mcCausland Email	Accepted
Exhibit 761	Barger Email	Accepted
Exhibit 762	H. Meirow Email	Accepted
Exhibit 763	Mariscal Email	Accepted
Exhibit 764	Bigman Email	Accepted
Exhibit 765	Robinson Email	Accepted
Exhibit 766	Liss and Garibbo Email	Accepted
Exhibit 767	Gray Email	Accepted
Exhibit 768	Joachim Email	Accepted
Exhibit 769	Donchi Email	Accepted
Exhibit 770	Soh Email	Accepted
Exhibit 771	Thompson Email	Accepted
Exhibit 772	C. Thompson Email	Accepted
Exhibit 773	Link to Forest Park Conservancy/Hardy Video	Accepted
Exhibit 774	Sheppard Letter	Accepted
Exhibit 775	Johannsen Email	Accepted
Exhibit 776	T. Smith Email	Accepted
Exhibit 777	Joseph Email	Accepted
Exhibit 778	Pomeroy Email	Accepted
Exhibit 779	L. Taylor Email	Accepted
Exhibit 780	Polishuk Email	Accepted
Exhibit 781	Apaza Email	Accepted
Exhibit 782	Canning Email and Attachment	Accepted
Exhibit 783	Rylaarsdam Email	Accepted
Exhibit 784	Noshay-Cundy Email	Accepted
Exhibit 785	DeJong Email	Accepted
Exhibit 786	Coolidge Email	Accepted
Exhibit 787	Chen Email	Accepted

Exhibit 788	Samuelson Email	Accepted
Exhibit 789	F. Perkins Email	Accepted
Exhibit 790	L. Cundy Email	Accepted
Exhibit 791	Weintraub Email	Accepted
Exhibit 792	Cde Baca Email	Accepted
Exhibit 793	Allen Email	Accepted
Exhibit 794	White Email	Accepted
Exhibit 795	K. Peterson Email	Accepted
Exhibit 796	J. Joseph Email	Accepted
Exhibit 797	Riebesehl Email	Accepted
Exhibit 798	Redisch Email	Accepted
Exhibit 799	Vivola Email	Accepted
Exhibit 800	Berry Email	Accepted
Exhibit 801	L. Rylaarsdam Email	Accepted
Exhibit 802	Sjulin Letter	Accepted
Exhibit 803	Portland Parks & Recreation Email & Attachments	Accepted
Exhibit 804	Link to Portland Parks & Recreation Email & Photos	Accepted
Exhibit 805	Portland Parks & Recreation Email & Photos	Accepted
Exhibit 806	Warner Letter	Accepted
Exhibit 807	Sullivan Email	Accepted
Exhibit 808	Moretti Email	Accepted
Exhibit 809	Neyer Email	Accepted
Exhibit 810	Majkut Email and Attachment	Accepted
Exhibit 811	Viehoff Email	Accepted
Exhibit 812	Daouk Email 2-4-25	Accepted
Exhibit 813	Aster Email	Accepted
Exhibit 814	Katy Davis Email	Accepted
Exhibit 815	Neubauer 2-4-25 email with attach pt. 1	Accepted
Exhibit 816	Neubauer 2-4-25 email with attach pt. 2	Accepted
Exhibit 817	Tiffany Koyama Lane	Accepted
Exhibit 818	Majkut Email with Attachments 2-5-25 pt. 1	Accepted
Exhibit 819	Majkut Email with Attachments 2-5-25 pt. 2	Accepted
Exhibit 820	Aitchison Rebuttal Email with Attachments 2-5-25	Accepted
Exhibit 821	Cunningham Email with Attachment	Accepted
Exhibit 822	Stanley Email	Accepted
Exhibit 823	Arroyo Email	Accepted
Exhibit 824	Meyers Email	Accepted
Exhibit 825	Franks Applicant Submittal Email	Accepted
Exhibit 826	Chesarek Email with attachments pt. 1	Accepted
Exhibit 827	Chesarek Email with attachments pt. 2	Accepted
Exhibit 828	Cunningham Email with Attachmemt	Accepted
Exhibit 829	Suzanne Sherman	Accepted

Exhibit 830	Dullack Email with attachment pt. 1	Accepted
Exhibit 831	Dullack Email with attachment 2-5-25 pt. 2	Accepted
Exhibit 832	Dullack Email with attachment pt. 3	Accepted
Exhibit 833	Dullack Email with attachment pt. 4	Accepted
Exhibit 834	Dullack Email with attachment pt. 5	Accepted
Exhibit 835	Dullack Email with attachment pt. 6	Accepted
Exhibit 836	Herlocker Email with attachment	Accepted
Exhibit 837	M. Smith Email	Accepted
Exhibit 838	Hardy Letter	Accepted
Exhibit 839	Bird Alliance of Oregon Letter	Accepted
Exhibit 840	May Email	Accepted
Exhibit 841	Whitfield Email	Accepted
Exhibit 842	UA Local 290 Letter	Accepted
Exhibit 843	Hardy Letter with Attachment	Accepted
Exhibit 844	C. May Email	Accepted
Exhibit 845	Sierra Club of Oregon Letter	Accepted
Exhibit 846	G. James Email	Accepted
Exhibit 847	Daman Email	Accepted
Exhibit 848	Hansen Email	Accepted
Exhibit 849	N. Thompson Email	Accepted
Exhibit 850	P. Hayes Email	Accepted
Exhibit 851	Lindstrom Email	Accepted
Exhibit 852	Staley Letter	Submitted after record closed
Exhibit 853	Marcy Cottrell Houle Rebuttal Email and Attachment	Accepted
Exhibit 854	Majkut Rebuttal Email and Attachments	Accepted
Exhibit 855	C. Thompson Rebuttal Email and Attachment	Accepted
Exhibit 856	Cunningham Rebuttal Email and Attachment	Accepted
Exhibit 857	Forest Park Neighborhood Association Rebuttal Email and Attachment	Accepted
Exhibit 858	Forest Park Conservancy Rebuttal Email & Attachment	Accepted
Exhibit 859	Applicant's Final Argument	Accepted