

APPLICANT PRESENTATION | PUBLIC HEARING

Harborton Reliability Project

Phase 3 – Forest Park Transmission
Corridor to Harborton Substation

Portland General Electric Company

Type III Environmental Review & Conditional Use · Type II Greenway Review
October 14, 2026



WHAT WE ARE ASKING

Approve the Application — three reviews, one record

1

Environmental Review

Type III, under the Forest Park Plan exception framework, at staff's direction.

The only review Council reversed

2

Conditional Use

PCC 33.815.230 – rail lines and utility corridors.

Approved by Council

3

Greenway Review

PCC 33.440.350 – work at and near Harborton Substation.

Approved by Council; re-filed out of caution

Order of presentation: Rasmussen · Podlesnik · Rasmussen · Herlocker · Liday · Herlocker · Rasmussen

Who is presenting from PGE



JD Podlesnik

PGE Senior Director of Grid
Strategy, Planning & Transmission

Presenting the Project
and the reliability
deficiency it corrects.



Dr. Ian Beil, PhD

PGE Transmission Planning Manager

Author, Reliability Needs Memo
(Appx. F). Here to answer
questions on the studies.



Noah Herlocker

PGE Principal Environmental
Science Specialist

Lead ecologist, Habitat
Mitigation Plan (Appx.
D and Site Restoration
Plan (Appx. J.7)

Counsel: Will Rasmussen and Steven Liday, Miller Nash LLP

FACTUAL BACKGROUND

The City chose this corridor – and was paid for it



What the City required in exchange

- Siting alongside the existing BPA corridor, to concentrate rather than spread the impact.
- Limits on vegetation clearing, restoration of disturbed areas, erosion and weed control, wildfire precautions.

What the City received

\$33,000 paid by PGE into the City's Forest Park Acquisition Fund.

City records show that a few years later the City added 51 acres to Forest Park for \$40,000.

Ord. 13226 (Feb. 24, 1971) (Appx. H). Supporting ordinances 135929, 13611 and 14077 to be submitted into the record.

CRITERION A – DEMONSTRATED NEED

In 2028 the system fails mandatory federal limits

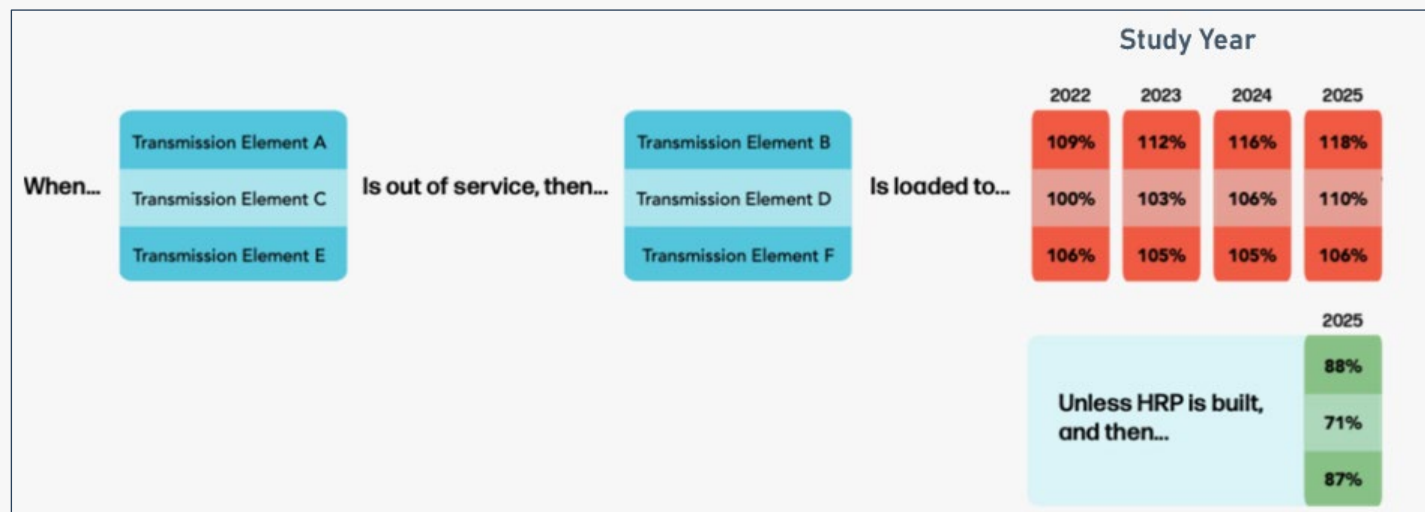


Fig. 7 – Forecast grid overload vulnerabilities. Reliability Needs Memo, Appx. F at 4–6.

- Three single-contingency scenarios: lose one element at high demand and the rest of the system exceeds allowable limits.
- Above 100 percent of the allowed limit is a federal compliance violation – PGE must shed load.

What the overload forces
118%

Projected loading on a constrained element by the 2025 study year

238 MW

Load that must be shed to clear the post-contingency overloads

2028

Year the configuration stops meeting NERC TPL-001-5.1

CRITERION A – DEMONSTRATED NEED

Who loses power, and when

~55,000

Customers served through the constrained Harborton node

87%

Share PGE would have to cut in the worst scenario

These are not ordinary days

- Load shedding falls on peak-demand days – extreme heat and extreme cold.
- Linnton, St. Johns, Portsmouth, Kenton, University Park, Overlook, Arbor Lodge, Swan Island, NW industrial.



Fig. 5 – Areas at risk of outages without the Project.

PROJECT DESCRIPTION

A 1,400-foot segment inside a 1940s utility corridor

- Shift one pole, upgrade an existing 1,400' transmission line with new advanced conductor wire that carries more electricity.
- Add two poles and advanced conductor wire for a new 1,400' transmission line between the existing PGE line and BPA transmission lines.
- Entirely within the easement the City granted PGE in 1971 – no new corridor, no expanded easement area.
- BPA lines have crossed this ground since the 1940s; PGE's since the early 1970s.

Negligible new impervious surface. Construction stormwater managed under the 1200-C NPDES permit.

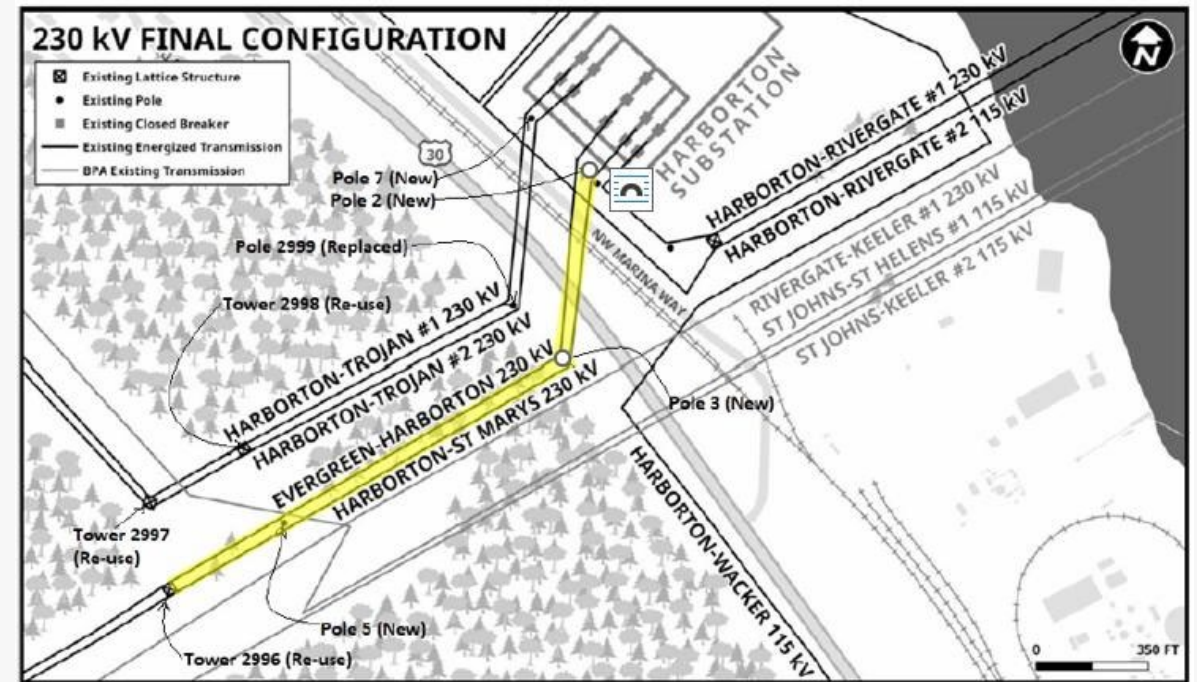
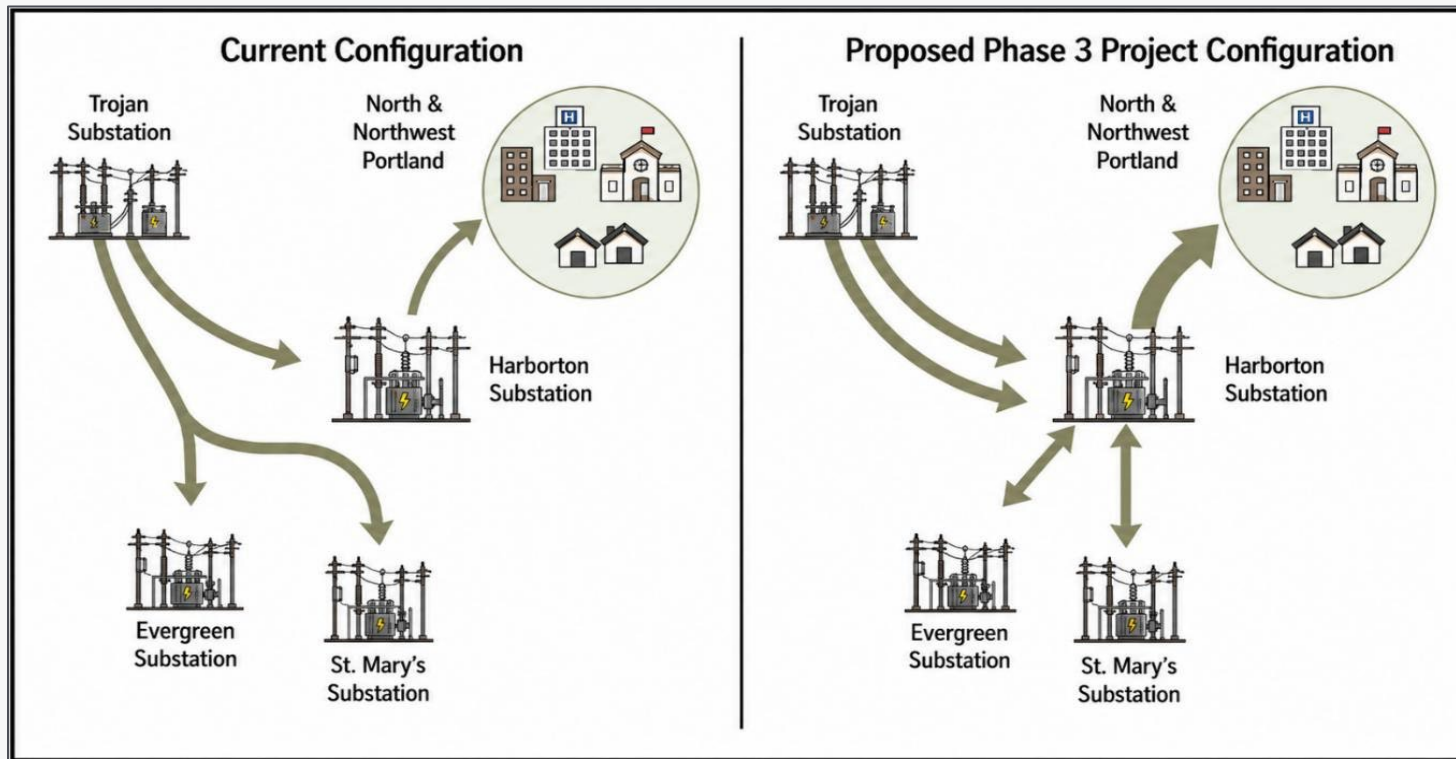


Fig. 3 – Proposed 230 kV configuration; new segment in yellow.

WHAT THE SEGMENT ACCOMPLISHES

Harborton Substation becomes a hub: one 230 kV line becomes four



The reconfiguration

- Connects Harborton to Trojan, Evergreen and St. Mary's.
- Eliminates a problematic three-terminal line.
- Adds redundancy under single-contingency outages.

1 → 4

230 kV connections at Harborton

Fig. 2 – Illustration of proposed grid reorganization.

CRITERION A — THE LEGAL STANDARD

“Need” is undefined — carries ordinary meaning

What the criterion asks

- “There is a demonstrated need for the proposal.”
Undefined, so it carries its ordinary meaning — “a lack of something requisite.”
- The code directs literal readings, “no more or less strict than as stated” (PCC 33.700.070(A)).
- Reading in “absolute necessity” adds words and renders the separate alternatives criteria superfluous (ORS 174.010).
- PGE meets a far more demanding standard regardless.

Who decides when an improvement is “needed”

NERC TPL-001-5.1

- Requires contingency modeling and a corrective action plan on a fixed horizon (Ex. 23)

FERC and WECC

- FERC enforces; WECC audits compliance across the Western Interconnection

OASIS / Attachment K

- PGE's methodology and studies are public and federally prescribed (Ex. 26)

Oregon law

- ORS 757.020; OAR 860-023-0091; OPUC Order 25-125 – PGE “must find an infrastructure solution”

CRITERIA C AND B – ALTERNATIVES

Three criteria, each tied to a location or a design

Minor Amendment C	Exception B	Exception C
<p>“Alternative locations and design modifications were evaluated to show that the proposal has the least significant detrimental environmental impact of the practicable alternatives.”</p>	<p>“The proposal is a park-related development, or no alternative locations exist outside of Forest Park for the proposal.”</p>	<p>“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.”</p>
<p>Object of the inquiry: The proposal</p>	<p>Object of the inquiry: The proposal</p>	<p>Object of the inquiry: The use, in the Park</p>

Two limits the text imposes

- “**Practicable**” is defined: capable of being done after considering cost, existing technology and logistics in light of overall project purposes.
- “**Proposal**” is a term of art: throughout the code it means the specific project in the application (*Stallcup; Northwest Natural Gas v. City of Gresham*).

APPX. E — 2026 ALTERNATIVES ANALYSIS

Three theoretical concepts could address the deficiency. Only one works.

INFEASIBLE

Taller towers on the ridge

- Needs new or expanded easement rights for overhang, clearing and access
- Long-span constructability unresolved; no room at the base of the hill
- Still inside Forest Park, with a larger footprint and wider clearing

INFEASIBLE

Marina Way — eight routes

- A mix of new and widened corridor to and along Marina Way, requiring condemnation authority approval
- Conflicts with federal consent-decree restrictions on the Harborton Habitat site
- Railroads, Highway 30, pipelines, wetlands, floodplain; multi-jurisdiction permitting
- Seven-plus years to complete (Ex. 28)

FEASIBLE

The proposed route

- Inside PGE's existing 1971 Easement and an established corridor
- No new property rights, no condemnation
- No fatal constructability constraint
- Deliverable by 2028

2026 Alternatives Analysis (Appx. E) at 8–22; 2024 Alternatives Analysis (Ex. 27); PGE project-management memorandum (Ex. 28). Timing alone is dispositive.

CRITERION B — CONSISTENCY WITH THE FOREST PARK PLAN

The criterion asks for consistency; the record shows more

What “consistent” requires

“Capable of existing together in harmony” — not a duty to advance every policy.

Here, the Project advances the Plan.

Conservation Goal 1

No work in interior forest; mitigation funds the invasive removal the Plan calls the Park's highest priority.

Sustainable Resources Strategy 1

“Interior forest habitat is Forest Park's most unique and valuable asset” — the Project stays in a fragmented corridor.

Recreational & Educational Goals

Council found no negative impact; mitigation funds restoration that is itself a subject of study.

Utility corridor objectives

Avoid expanding easement areas, not bar use within them; taller structures encouraged if expansion is needed (at 163).

THE IMPACT, STATED PLAINLY

4.7 acres of edge habitat, already bisected by lines

4.7

acres of selective tree removal

<0.1%

of Forest Park's 5,000 acres

<1,000 ft

Long, and 250 feet wide

0

new easement; easement unchanged

Lower-value "edge" habitat as the Forest Park Plan defines it – surrounded and bisected by PGE and BPA lines containing "woodland" habitat within powerline corridors

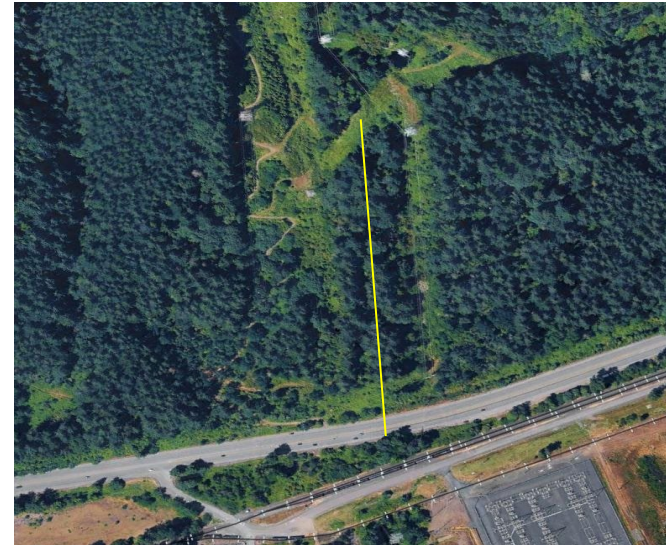


Fig. 8 — Approximate location of the new line segment in Forest Park.



Fig. 9 — Native vegetation characteristic of existing PGE powerline corridor.

Only impacts edge habitat, not interior forest



Base aerial: Narrative Figs. 4 and 8; overlay approximate.

How the Plan draws the line

Interior forest – the Park’s highest-value habitat – is forest 200 or more feet from the forest edge. The affected stand sits in a gap roughly 250 feet wide between two corridors kept cleared for decades. No tree for removal is more than about 125 feet from a cleared edge.

Nowhere in the removal area reaches the Plan's 200-foot interior-forest threshold.

What the affected stand is

- Mixed-age conifer and deciduous forest, healthy understory, closed canopy.
- A small stream channel with early-season flow; degraded wetlands formed on the access-road cut.
- Forage and cover for common native birds and terrestrial wildlife; dispersal habit for amphibians.
- Narrow and bounded on every side by road and powerline corridors which is what makes it edge.

Site restoration and mitigation across the Park

Commitment to on site ecological restoration, monitoring, maintenance in addition to \$5.75M in funding

\$5.5M

Total PGE will accept as a condition towards ecological mitigation. More than double \$2.57M due under Ord. 191314

\$250K

Additional funds for the City's own independent consultant on transmission

200:1

Acres enhanced in Forest Park per acre affected

On site, inside the corridor

- Native shrubs, groundcover and pollinator seed mixes; downed wood retained.
- Shorter-stature natives including Oregon white oak – an increasingly scarce habitat type.
- Designed with City Parks; compatible with line-safety clearances.
- 10-year maintenance, monitoring, replanting as needed and reporting to City

Across the Park

- Up to 1,000 acres restored or enhanced – about a fifth of Forest Park.
- Invasive removal, which the Plan calls the Park's highest priority; wildfire risk and ladder-fuel reduction.
- Stream, riparian and wetland work, including red-legged frog breeding habitat.

ADDRESSING PROCESS QUESTIONS

The mediation was open – and supports public review

Who was at the table

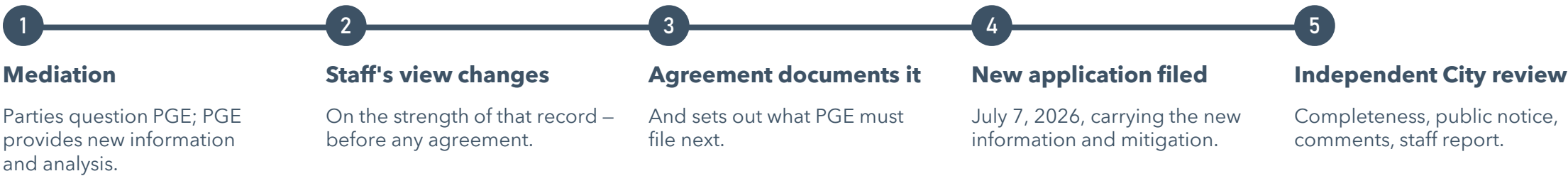
- City staff, including Portland Parks & Recreation.
- Bird Alliance of Oregon and the Forest Park Conservancy.
- The Forest Park Neighborhood Association, and individual neighboring property owners.

What PGE put into it

- Answered the parties' questions over a period of months.
- Provided additional technical and operational information, and prepared new analyses.
- Made its subject-matter experts available; refined the Project and increased mitigation.

The sequence

The Agreement recorded a conclusion – it did not cause one.



Mediation Agreement (Ex. 1), recitals and ¶¶ 1(A)–(B), 7(A). Staff's recommendation was expressly subject to the public record before it at the time of recommendation.

The easement tells you how to read these criteria

What the City granted in 1971

Ordinance No. 13226: PGE may “enter and erect, operate, maintain, repair, rebuild, and patrol one or more electric power transmission lines,” with clearing rights and its own mitigation regime – 100 years, renewable for 100 more. PGE built in reliance on it.

What the Forest Park Plan says about it

- The City “cannot require mitigation beyond” the easement (Plan at 162).
- The objective is to avoid expanding easement areas – not to prohibit use within them (at 163).

1 A tenable constitutional problem exists

Denial would impair the City's own contract, under heightened scrutiny – and an impairment is unreasonable where the problem predated the contract (*S. Cal. Gas Co. v. City of Santa Ana*; *U.S. Trust*).

2 The avoidance canon governs the reading

PGE v. Clackamas County (Or LUBA, Jan. 23, 2025): ordinances “should be interpreted to avoid even potential constitutional violations.” A merely tenable argument triggers the canon.

3 Which answers the criteria you just heard

Where the Plan's goals and the Environmental Zones' purposes admit of more than one reading, the City must adopt the reading that accommodates the 1971 Easement.

CONCLUSION

Every applicable criterion is satisfied

Minor Amendment A — Need

Federally mandated, in every Local Transmission Plan since 2015, effective 2028.

Minor Amendment B / Exception E

Compatible with the Plan's goals and the Environmental Zones' purposes; mitigation advances them.

Minor Amendment C / Exception B & C

Design minimized; park-related; no feasible route in or out of the Park deliverable by 2028.

Minor Amendment D / Exception D

On-site restoration plus \$5.5 million, fully mitigating impacts within the North Management Unit.

PCC 33.563.210 — Northwest Hills

Wildlife, open space and Miller Creek addressed, without conceding the criteria apply.

PCC 33.815.230 and 33.440.350

Conditional Use and Greenway criteria satisfied, as Council previously found.

A short line in a corridor that has carried high-voltage power since the 1940s, and benefits that will enhance Forest Park for all park users and neighbors.