



## Comment Response Form

<b>Document Reviewed:</b>	City of Portland Land Use Review File #LU 24-041109 CU EN GW Incomplete Letter						
<b>Subject:</b>	PGE Harborton Reliability Project	<b>Commenters:</b>	Various, City of Portland (see Ref. column for commenter and notes in row below)	<b>Comment Date:</b>	June 5, 2024	<b>Response Date:</b>	October 28, 2024
City Reviewer Notes: MS= Morgan Steele; TBK = Tammy Boren-King; CC = Chris Caruso, ER = Ella Ruth; KW = Kevin Wells; RF = Rachel Felice; MV= Matt Vesh; JUA = Jade U. Ashcroft							

No.	Ref.	Comment	Response	Provided by
<b>BDS Planning Comments</b>				
1.	<b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b> <b>1. Site Plans</b>	<p>a. All Site Plans</p> <p>i. Please include all official City of Portland zoning lines on all plans. It appears some designations may have been left off. For example, the Harborton Substation area has a Prime Industrial (k) overlay zone designation that is not noted on the plan set.</p> <p>ii. Per 33.440.210.B.3, within the River Water Quality overlay zone, the Greenway Setback is mapped as 50 feet around the delineated edge of any identified wetland. As such, the plans should denote the 50-foot buffer as the Greenway Setback.</p>	<p>i. Site plans have been updated with current zoning layer (see Exhibit D, Existing Conditions Plan).</p> <p>ii. The 50-foot buffer has been relabeled as “Greenway Setback” on all relevant site plans (attached).</p>	Noah/Sara

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2.	<b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b>  <b>1. Site Plans</b>	b. Existing Conditions Site Plan  i. The top of bank of Stream 1 and 2 should be noted on all plan sets. Delineating top of bank for different types of streams (e.g., ephemeral, perennial) can be found in Zoning Code Section 33.430.150.	Stream 1 is an incised channel. Top of bank and OWHL are located on top of each other or within a foot or two. Stream 2 is an ephemeral gully that lacks a bed and banks. The referenced zoning code section is for utility lines.	Noah

<p>3.</p>	<p><b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b> <b>1. Site Plans</b></p>	<p>c. Proposed Development Site Plan</p> <p>i. Square footage of wetland impacts both at Harborton Substation and Forest Park (Wetlands A and B) should be noted in a table and included on the plans.</p> <p>ii. Tree 994 (51-inch DBH Oregon white oak) and Tree 80 (34-inch DBH Oak) are proposed for removal for proposed access; however, it appears to be adjacent to an already disturbed/cleared area. Provide information on why these substantial trees are proposed for removal and what alternatives were explored for access in this area that would allow these trees to remain. Further, it appears these trees are outside existing easements on City of Portland owned property.</p> <p>iii. Tree 527 (98-inch DBH multi-stemmed big leaf maple) is proposed for removal; however, it is unclear for what reason. It appears the tree is both outside the proposed access road and the pad construction area for New Steel Pole 5. Provide detailed information on why this tree is proposed to be removed and what measures can be taken to allow this mature tree to remain.</p> <p>iv. Proposed tree removal should be included on the Proposed Development site plan to help demonstrate which portions of the work are necessitating the tree removal.</p> <p>v. Provide a cut sheet, detail, or profile plan for the towers with dimensions including height.</p>	<p>i. Square footage of wetland impacts added to plan sheets (See Exhibit E, Proposed Development Site Plan).</p> <p>ii. PGE’s easement rights include the use of adjacent City-owned land for ingress and egress to the transmission easement area and provides that existing roads shall be used whenever possible. These trees were reclassified by PGE’s consulting arborist as one tree that has split into two trunks and is now considered as one multi-stem tree #80. This tree is located at a location where the necessary large construction and logging vehicles must make a sharp turn. The swing area needed to make this turn conflicts with those two trees. However, PGE has evaluated an alternate road grading plan to see if it may be possible to swing north further from the trees. This would modify the existing road by expanding it slightly to the north into an existing disturbed herbaceous area but this change would keep the alignment within the current project limits and only affect a disturbed area at the intersection of the PGE and BPA access roads. Assuming this temporary shift in road alignment at the turn near Tree 80 is acceptable, PGE will assume that the tree can be retained, although with some pruning of the lowest branch may be necessary.</p> <p>iii. Tree 527 was measured incorrectly. It was remeasured as part of the resurvey activities conducted by IAS in the summer of 2024 to respond to the City’s incompleteness items. The tree is actually 9 inches in DBH and a typo in data collection resulted in the larger DBH recorded.</p> <p>iv. Tree removals have been added to the Proposed Development Site Plan (Exhibit E).</p>	<p>Noah/Sara</p>
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			v. Tower cross section with heights can be seen in Attachment D (Mitigation Plan), Figure 10. Additionally, please see the profile exhibits for lattice towers and steel poles (Sheets 26 and 27), which have been added to Exhibit E (Proposed Development Site Plan).	

<p>4.</p>	<p><b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b></p> <p><b>1. Site Plans</b></p>	<p>d. Construction Management Site Plan</p> <p>i. Sheets L207 and L209 appear to show work within Stream 1 denoted by the dark gray scale and identified as a “staging area.” There also appears to be check dams proposed within the stream. Clarification must be provided on what impacts are occurring to this stream. If no impacts are proposed, appropriate BMPs (e.g., exclusion fencing) must be used to ensure the stream is well protected including an adequate buffer from top-of bank.</p> <p>ii. Clearly label areas of both cut and fill including contours lines and elevations. Currently, it is unclear whether proposed areas of grading are cut or fill.</p> <p>iii. The line for Tree Protection Fencing is not consistent throughout all plans (a portion of the line [inner short lines within bordered line] appears to be missing).</p> <p>iv. Provide additional information on and the purpose of the matted bonding fiber matrix proposed within the work areas. There appears to be matrix proposed over trees proposed to remain (Sheet L213). Provide information on the effect of the proposed construction management on trees.</p> <p>v. Trees outside the limits of disturbance appear to be proposed for removal (e.g., Tree 504, 615, 633). Clarify why these trees are being removed if they are located 1) outside limits of disturbance or 2) are already identified as dead and outside limits of work/access disturbance.</p> <p>vi. Sheet L213 shows trees to remain within the existing access road. Please clarify.</p>	<p>i. Work proposed within Stream 1 is limited to replacement of the failed culvert beneath the existing PGE access road for existing Tower 2999, two temporary stream crossings, and woody debris to be placed in the stream as part of site restoration activities. There will be no check dams placed in the stream.</p> <p>ii. Cut and fill contour designations have been added to the Proposed Development Plan (Exhibit E).</p> <p>iii. The tree protection fencing line is now complete in Exhibit F (Construction Management Plan).</p> <p>iv. Bonded fiber matrix would be blown in on steep slope areas (<math>\geq 50\%</math>) anywhere that vegetation is removed, or incidental soil disturbance occurs. It provides enhanced erosion control and soil stabilization. It is anticipated that this material would be used south of existing tower 2998 where trees are removed on steep slopes and above new steel pole 5, where grading would result in a temporary steep slope. It would be placed around existing trees that will remain.</p> <p>v. Per Integrated Arboricultural Solutions (IAS): “This group of trees represents a significant fall in risk for the new and existing structures. New wind exposure created by removals in the proposed right-of-way below, the position of the trees on a steep slope, and proximity to the PGE and BPA structures necessitates removal to ensure safe operation and compliance with vegetation management policy and regulations.” The limits of disturbance have been updated in Exhibits D-G to include all tree removal sites.</p> <p>vi. In some areas where topography and tree canopy intercepted satellite coverage, the</p>	<p>Noah/Sara/ Chris (IAS)</p>
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			GPS data was less accurate. This resulted in some trees being shown as existing within existing roads. However, this is not the case. These trees are located alongside of existing roads and are not proposed for removal unless as such in the tree table (Exhibit C) and the Proposed Development Site Plan (Exhibit E).	
5.	<b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b>  <b>1. Site Plans</b>	e. Mitigation Plan i. The proposed wetland seed mix hatching does not appear to match the legend or planting schedule. Please clarify. ii. Sheet L311 shows Tall Upland Plant Community within areas of proposed clearing due to concerns of windthrow. If tall trees can be planted in this area (circled in red), why are the trees being proposed for removal?	i. This hatching has been fixed on the attached Exhibit G (Site Mitigation Plan) ii. Retention of the current trees presents a potential hazard to the existing and proposed structures. Mitigation plantings have been selected for mature size and maintenance requirements that are in harmony with the required minimums established by Vegetation Management policy and federal standards.	Noah/Sara/Chris

<p>6.</p>	<p><b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b></p> <p><b>2. Narrative</b></p>	<ul style="list-style-type: none"> <li>❖ Environmental overlay zones protect environmental resources and functional values that have been identified by the City as providing benefits to the public. In this case, the resources are identified within the Forest Park and Northwest District Natural Resources Inventory (2022) as Resource Site FP2 – Upper Harborton. This inventory was adopted and implemented in October 2022 and as such the narrative must be updated to reflect this current resource document.</li> <li>❖ To fully understand the demonstrated need for the proposal (Minor Amendment Criterion A), information must be provided detailing future possible expansion and/or upgrade of transmission lines as a result of this project. In other words, staff would like to know, if this upgrade is installed, what ability that provides for future expansion of and additional forest clearing for additional or altered transmission lines.</li> <li>❖ A discrepancy exists between tree removal quantities stated in the narrative (328) and quantities provided in the tree table (308). Clarify this discrepancy including providing information on existing dead trees that are proposed for removal.</li> </ul>	<ul style="list-style-type: none"> <li>❖ The attached land use narrative has been updated with the 2022 inventory.</li> <li>❖ Phase 3 of the Harborton Reliability Project (the Proposed Project) has independent utility from future phases of the project. It is meant to direct an additional source of 230 kV power to the Harborton Substation and resolve the three-terminal line condition by creating three new two-terminal lines connected to Harborton Substation. Phase 4 anticipates a time when PGE’s existing transmission wires running through Forest Park west of existing Tower 2996 need to be replaced with larger wire. PGE is performing early studies to determine different alternatives to address this need by reusing existing towers and staying within the established Utility ROW. If the need can be demonstrated and alternatives are evaluated to show work in Forest Park is necessary, PGE would initiate a separate land use process. Phase 5 looks even further ahead to when additional energy will need to be transmitted from the north to the Portland area. Although PGE anticipates this need, no specific routes or designs have been developed at this time. Similar to Phase 4, if any work is proposed in Forest Park, PGE would initiate a separate land use process at that time. See page 44 of the Narrative response.</li> <li>❖ This discrepancy has been resolved in the attached, updated land use narrative and tree tables provided in Exhibit C. The number of trees proposed for removal has increased to include several small trees that have recently grown to 6” diameter at DBH. The corrected count for tree removal includes 376 living trees, and 21</li> </ul>	<p>Noah/ Randy</p>
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			<p>dead trees. Of these 376 living trees, 22 are remaining in place but are being topped. Although they may live they are counted as removals per PP&amp;R.</p>	
7.	<p><b>ENVIRONMENTAL REVIEW &amp; GREENWAY REVIEW - MS</b> <b>3. Other</b></p>	<p>❖ There appears to be an alternate access at Harborton Substation that avoids most wetland impacts. Staff requests information on resource impacts of this alternate route and why this route is or is not feasible.</p>	<p>The contractor may use this route but PGE is uncertain that a bucket can reach the lines safely from the noted location as the lines are under high tension. Thus the “worst case scenario” of the temporary wetland fill is included so that, if necessary, the work can proceed under the land use authorization. The land use narrative has been updated to note this additional information.</p>	PGE/Dave



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8.	<p><b>CONDITIONAL USE REVIEW - MS</b></p> <p><b>33.815.230 Rail Lines and Utility Corridors</b></p>	<p>A. The proposed rail line or utility corridor is sufficiently separated from nearby land uses so as to allow for buffering of the uses, especially in residential areas. In the case of railroad lines, separation distances should consider the expected number, speed, size, types, and times of trains; and</p> <ul style="list-style-type: none"> <li>❖ In your narrative, describe the surrounding land uses and what buffering is being provided between the surrounding land uses and the project area.</li> </ul> <p>B. The rail line or utility corridor will not substantially impact the existing or planned street system, or traffic, transit, pedestrian, and bicycle movement and safety.</p> <ul style="list-style-type: none"> <li>❖ In your narrative, describe any impacts on existing trails that go through or near the project area, and describe any mitigation to reduce or eliminate any adverse visual, physical, or sonic impacts on trails. Show any provided mitigation on the plans. Also see Portland Bureau of Transportation comments on the planned street system, traffic, transit, pedestrian, and bicycle movement and safety.</li> </ul>	<p>A. The majority of the area surrounding the Proposed Project area is wooded Open Space zone. The proposed project will be constructed within an area that is currently surrounded by utility corridors so the existing utility land use will not expand outward toward surrounding land uses. Northwest of the Proposed Project area is an undeveloped one-acre inholding which is zoned RF (Property ID: R175896). Approximately 1,200 feet Northwest of the Proposed Project area is a pocket of single-family homes in an R10 (Residential 10,000) zone. With the nearest residential use more than 1,000 feet away, the existing forest provides substantial buffering. See page 39 of the Narrative response.</p> <p>B. There will be no physical or visual impacts from the Proposed Project on nearby trails as the Utility ROW is sufficiently separated from nearby trails and NW BPA Road, which is the road providing access to the Proposed Project, is locked and gated and is intended for utility access. Limited sonic impacts are anticipated on nearby trails. These will be limited to discreet events (tree cutting and foundation drilling). Construction activity areas have been carefully and narrowly delineated to minimize impacts during and after construction. See page 40 of the Narrative response.</p>	Jiin/Gigi

<p>9.</p>	<p><b>CONDITIONAL USE REVIEW - MS</b></p> <p><b>II. Issues to Consider (part 1)</b></p>	<p>While not necessary to determine the application complete, additional information may be needed to show that your proposal meets the applicable approval criteria. You are encouraged to address the following issues regarding the approvability of your proposal:</p> <ul style="list-style-type: none"> <li>• Staff has concerns about the approvability of the proposal to clear 4.7 acres of Forest Park for both the installation and re-routing of transmission lines; the scale of proposed impacts and the irreversible ecological effects to an existing high-value, high-functioning ecosystem do not appear to meet multiple approval criteria including: <ul style="list-style-type: none"> <li>○ Per Minor Amendment Criterion B, it must be demonstrated how the proposed action is consistent with the Forest Park Natural Resources Plan Goals and Strategies (found in Chapter 6 of the NRMP). Specifically, Conservation Goal #1 (pasted below) speaks to protecting Forest Park’s native plant and animal communities, and its soil and its water resources while managing the ecosystem to grow an ancient forest. The proposal to remove 308 trees totaling approximately 5,400-inches diameter breast height is counter to all points listed in the NRMP Conservation Goal #1. Further, other components of the existing ecosystem that will be irrevocably impacted include but are not limited to disruption of soil and ephemeral groundcovers (e.g., trillium, enchanter’s nightshade, Western starflower, etc.), alteration of the riparian dynamic adjacent to stream 1 (including removal of shade and disruption of stream substrate), removal of nurse logs and standing snags that provide benefits to both flora (e.g., mushrooms, lichen, moss) and fauna (pileated woodpecker, pygmy owl), and alter existing ecosystem functions (e.g., carbon sequestration, nutrient retention, etc.) that cannot be replicated.</li> </ul> </li> </ul>	<p>The Narrative response has been substantially updated to address this comment. Please see page 45 of the revised LU application narrative. The following is a summary of the updated response:</p> <p>Goal #1 speaks to managing to help achieve an ancient forest over time. PGE intends to work as a partner with PP&amp;R to manage habitats within and beyond the utility ROW toward goal #1; treating the proposed transmission work in the easement as a disturbance that is managed over time to result in an ancient, self-sustaining forest condition that increases biodiversity, as described in the revised Appendix D (Habitat Mitigation Plan). In addition, the application narrative has been revised to offer the following considerations:</p> <ol style="list-style-type: none"> <li>1. Managing and protecting the forest for the benefit of future generations must include allowing existing utility easements to be developed, where needed, to ensure that the region has electrification options that allow our community to transition away from fossil fuels. Climate change related drought is currently resulting in increasing mortalities for native forest species (see Appendix H, Tree Mortality Data). This action is needed quickly. A stable and resilient electricity grid is necessary to ensure that abundant clean energy is available to assist with the transition from fossil fuels to clean energy</li> <li>2. Over time and with proposed mitigation, the directly affected area is anticipated to meet this goal by developing into a biodiverse and resilient ancient forest</li> </ol>	<p>Noah</p>
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			<p>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. The amount of mitigation area proposed far exceeds the area impacted and, thus, mitigates for the time it will take for revegetation efforts to mature into habitat that will provide ecological functions at levels comparable to those provided today by the affected forest resources.</p> <p>3. The FP NRMP contains recommendations for work to be done within utility corridors. PGE plans to implement all applicable design recommendations and strategies in the FP NRMP-recommended Project RE-8C/N: "Utility Corridor Management". The NRMP also directs PP&amp;R to work with the utilities on measures to reduce environmental impacts. PGE and PP&amp;R have been meeting to discuss means of reducing impacts and coordinating on meaningful restoration opportunities in the North Management Unit (for mitigating long-term impacts) and throughout Forest Park (for mitigating short term impacts). Together, these efforts and considerations make clear that the Proposed Project has been designed for consistency with Conservation Goal #1.</p>	

<p>10.</p>	<p><b>CONDITIONAL USE REVIEW - MS</b></p> <p><b>II. Issues to Consider (part 2)</b></p>	<ul style="list-style-type: none"> <li>○ Per Exception Criterion D, long-term adverse impacts of the proposed project must be fully mitigated within the same (north) management unit. The proposed mitigation does not adequately mitigate for the magnitude of impacts on the existing resources and their functional values for the following reasons: <ul style="list-style-type: none"> <li>▪ The existing ecosystem within the project footprint consists of an undisturbed, mature mixed conifer and broadleaf deciduous forest including stream, wetland, and riparian resources. This multi-story tree canopy includes mature, established trees with a diversity of species in the understory. The main component of the proposed mitigation, planting an oak woodland regime, is problematic in the temporal loss that will occur between the time of impact to the time of compensatory mitigation. The length of time it will take for an oak woodland to establish (presumably a minimum of 80 years) and its propensity for invasive species establishing in its more open, disturbed soil understory does not fully mitigate for the long-term adverse impacts of proposed forest clearing and stream disruption in an existing high-functioning, undisturbed system.</li> <li>▪ As noted on Page 49 of Appendix D, Habitat Mitigation Plan, the current mitigation approach does not fully mitigate the loss of carbon sequestration provided by the current forest habitat. The proposal to plant 100 trees off-site at a designated heat island elsewhere in the City to compensate for the loss in carbon sequestration does not meet the approval criteria since 1) it will not be taking place in the North Management Unit, and 2) without any specifics about location, regime, and maintenance and/or monitoring procedures it is not possible to determine if the out-of-kind plantings will compensate for the loss in carbon sequestration as a result of the project clearing.</li> <li>▪ While providing funding to the red-legged frog migration support may potentially mitigate for impacts to Stream 1 and Stream 2 and other</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ The affected forest patch provides important natural resources but is not “undisturbed”. It is completely surrounded by existing powerline corridors and crossed by utility access roads, and contains pockets of dense noxious weeds. Temporal loss is acknowledged and is intended to be offset by providing a variety of ecosystem enhancements that result in a net benefit to the forest resources over time at ratios well above a 1:1 replacement level. PGE would happily plant more trees to address the temporal loss but there is insufficient land in the north management unit to do so. This is acknowledged by the City’s own in-lieu fee program, which notes that tree planting is not the best use of restoration dollars and that other priorities should be addressed, including noxious weed removals and fire prevention. While some soil disturbance is likely, PGE has been coordinating with a logging contractor to plan for site access and working area restrictions that minimize soil disturbance. Further, PGE’s contractor will stabilize exposed soils, and establish native vegetation cover quickly so that viable rooting conditions remain and minimize temporal loss of forest habitat associated with slow growth due to poor soil conditions. See Section 9 in Appendix D, Mitigation Plan, for more detail and a table showing the proposed minimum mitigation ratios.</li> <li>▪ It is difficult to quantify carbon sequestration losses because much of the cleared trees will be used as lumber or left onsite for habitat, both of which will continue to sequester carbon. PGE will work with PP&amp;R to establish tree</li> </ul>	<p>Noah</p>
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		<p>wildlife habitat, staff would like to know what assurances PGE can provide that the proposed funding will bring this project to fruition to allow the mitigation to be complete and thus compensatory?</p> <ul style="list-style-type: none"> <li>▪ Impacts to Wetland A and Wetland B are proposed to be mitigated outside of Forest Park at Harborton Substation. Staff would like additional information as to why these wetlands cannot be restored or mitigated within the North Management Unit of Forest Park as required by the approval criteria.</li> </ul>	<p>plantings elsewhere in Forest Park where able. Over time, these plantings, together with the revegetated utility corridor area, will offset the impacts of tree removals on carbon sequestration capacity. Also, it should be noted that carbon sequestration is a resource with regional benefits and plantings outside of Forest Park in Portland would sequester atmospheric carbon that would benefit regional air quality and temperatures, and thus benefit the North Management Unit. Considering the community benefits, PGE suggests that this element of the proposal remain and be deemed acceptable. If acceptable, PGE will work with regional tree planting partners to provide specifics on a tree planting plan. This comment is responded to in more detail in Appendix D, Mitigation Plan.</p> <ul style="list-style-type: none"> <li>▪ Based on feedback from PP&amp;R, it appears that there are opportunities to provide support for the development of wetlands to provide alternate northern red-legged frog breeding habitat. PGE plans to coordinate with PP&amp;R to support the development of these ponds, which will also allow for wetland mitigation to occur within Forest Park. More information on proposed wetland mitigation on pages 55-60 of Appendix D, Mitigation Plan and page 46 of the Narrative response.</li> </ul>	

<p>11.</p>	<p><b>CONDITIONAL USE REVIEW - MS</b> <b>Issues to Consider(part 3)</b></p>	<ul style="list-style-type: none"> <li>○ Per Zoning Code section 33.815.230 Criterion A and B, buffering between the project area and adjacent zones must be provided and impacts to the pedestrian and bicycle movement cannot be substantially impacted.</li> <li>○ The proposal to replant in areas outside of Forest Park does not buffer or mitigate impacts on the immediate area around the project.</li> </ul>	<ul style="list-style-type: none"> <li>○ The nearest residential use is more than 1,000 feet away from the Proposed Project area. Several nearby trails can accommodate recreational users (pedestrian and bicycle movement) during temporary closures. As the impacts are temporary and do not result in any permanent modification to the existing bike/ped routes, the project will not result in substantial impacts. This comment is addressed on pages 39-40 of the Narrative response.</li> <li>○ Planting outside of the park is only a small element of the mitigation plan. The applicant has identified several restoration actions to provide meaningful mitigation to compensate for the loss of forest habitat such as 1) creating breeding habitat for a population of northern red-legged frogs that occur in Forest Park, 2) installing a mixture of short-stature tree and shrub species including Oregon white oaks within affected tree removal areas, 3) retaining up to 10% of cut trees to place trunks onsite to provide nutrients, slope or streambank stability, habitat niches for wildlife, and flow dispersal, 4) working with PP&amp;R to fund noxious weed removal and native plantings across dozens of acres in the North Management Unit, and 5) seeding disturbed herbaceous areas with a native seed mix that contains pollinator support species. These collective restoration and enhancement actions will provide buffering for both recreational user and wildlife in the affected areas. See Section 9 in Appendix D, Mitigation Plan; specifically, subsections 9.1-9.5 for mitigation within the Northern Management Unit, and section 9.6 External Tree Planting.</li> </ul>	<p>Noah/Jiin</p>
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12.	<b>CONDITIONAL USE REVIEW - MS</b> <b>Time to Complete Application</b>	<p>The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is Wednesday November 6, 2024.</p>	Noted.	Noah
13.	<b>CONDITIONAL USE REVIEW - MS</b> <b>33.815.230 Rail Lines and Utility Corridors – Determination of a Complete Application</b>	<p>The application will be determined complete when you have submitted:</p> <ol style="list-style-type: none"> <li>1. All the requested information included in Section I, above. If you cannot provide all the requested information at one time and intend to submit additional information, please include a written statement with each separate submittal indicating that you still intend to provide the additional missing information by the Wednesday November 6, 2024 deadline, or</li> <li>2. Some of the requested information included in Section I, above, and a written statement that no additional information will be provided; or</li> <li>3. A written statement that none of the requested information included in Section I, above, will be provided.</li> </ol> <p>Please be aware that not submitting the requested information may result in your application being denied. The information is needed to demonstrate the approval criteria are met. Once the application is deemed complete, review of your application can proceed using the information you have provided.</p> <p>Your application will be approved if it meets the relevant land use review approval criteria. It is your responsibility to document how the approval criteria are met. The items listed above will help provide that documentation.</p> <p><b>Voiding of Application</b></p> <p>If your application is not complete by Wednesday November 6, 2024, it will be voided, and the application fee will not be refunded. The City's land use review procedures are outlined in Chapter 33.730 of the Portland Zoning Code.</p>	Noted.	Noah
<b>PBOT Comments</b>				

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14.	<b>RESPONSE TO THE BDS REQUEST FOR COMPLETENESS REVIEW - TBK</b>	PBOT has no objection to the application being deemed complete.	Noted	Noah





<p>15.</p>	<p><b>COMPLETENESS RESPONSE - ER</b></p>	<p>1. Drainageway Protection: City records indicate there is a drainageway on the subject site located on 12500 NW Marina Way (R714233).</p> <p>a. Drainageway: A drainageway is defined as a constructed or natural channel or depression that may at any time collect and convey water; it may be permanently or temporarily inundated. Depending on the capacity of the drainageway and size of the proposed development, the identified drainageway may serve as a disposal location for stormwater runoff from the project.</p> <p>b. Drainage Reserve: Drainageways are protected by means of a drainage reserve except when the drainageway is adequately protected by an Environmental Protection overlay zone, another overlay zone that provides equivalent or better protection as determined by BES, or a tract (such as an Environmental Resource Tract) that equally or better meets the purpose of the drainage reserve, as determined by BES. Drainage reserves act as no-build areas and are intended to protect flow conveyance and water quality in both natural and constructed surface channels. Drainage reserves are typically delineated 15 feet from the centerline of the channel on both sides; however, a drainage reserve may be wider than 30 feet if needed to adequately protect the channel and bank. The applicant should refer to Chapter 5 of the SWMM for drainage reserve information and/or contact BES staff (identified above) for assistance.</p> <p>c. Documentation: It appears the drainageway and associated drainage reserve are located within 50 ft of the proposed temporary or permanent disturbance area. Therefore they must be shown on existing and proposed conditions site plans submitted with future land use review application. If encroachments are proposed into the drainage reserve, BES may require a topographic survey of the drainageway. To help ensure long-term protection of drainage reserve areas, a notice about the drainage reserve must be recorded against the property deed through the applicable County recorder's office via a Notice of Drainage Reserve Form or an Operations and Maintenance (O&amp;M) Plan and Form. The type of form required will depend on the impact to the drainage</p>	<p>The drainageway at 12500 NW Marina Way is contained within a wetland. The stream ponds in a roadside depression between NW Marina Way and an unused railroad berm to the east. From here, the water appears to seep through the rail ballast to a larger wetland area that drains to the Willamette River. The primary stream alignment runs along the northern edge of the wetland, beneath the fill terrace associated with the Harborton Substation. The connection to the river is infrequent and most of the year the wetland contains slack water full of aquatic vegetation. The wetland and a 50-foot setback (larger than a drainage reserve) is protected as part of the Willamette Greenway overlay zone. No new permanent development is proposed in the drainageway or the Greenway setback.</p> <p>The Drainage Reserve Area established by City of Portland Permit #18-260795-000-00-SD is shown in the updated existing conditions and proposed development site plans (Exhibits D and E, respectively).</p>	<p>Noah</p>
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		reserve; see Section 5.10 of the SWMM for more information.		
16.	<b>COMPLETENESS RESPONSE - ER</b>	<p>2. Drainageway Encroachment: Encroachments into a drainage reserve must be reviewed by BES through the encroachment review process unless allowed outright per Section 5.5.1 of the SWMM. Proposed impacts and encroachment proposals will be reviewed to ensure that the flow rate, timing, and pattern of the drainage continues to be adequately conveyed through the site and to protect water quality. There are two types of encroachments:</p> <p>a. Drainage Reserve Buffer Encroachment: An encroachment located within the outer 5 feet of a drainage reserve.</p> <p>b. Drainage Reserve Channel Encroachment: An encroachment located within 10 feet of the channel centerline. For drainage reserves with a total width other than 30 feet, the channel encroachment area will be determined on a case-by-case basis through the encroachment review process.</p>	Proposed wire work pad areas beneath existing Tower 3000 were reconfigured to avoid the drainage reserve area established by City of Portland Permit #18-260795-000-00-SD. The revised work areas can be seen in Exhibits E and F.	Noah
17.	<b>COMPLETENESS RESPONSE - ER</b>	Based on the submitted plans, it appears that the proposed development will encroach into the drainage reserve. However, BES has not received the necessary drainage reserve submittal information to review the proposed encroachment. Refer to Section 5.5 for information related to encroachments, Section 5.6 for mitigation requirements, and Section 5.9 for drainage reserve submittal requirements. The applicant may also contact BES staff to discuss specific submittal items necessary for the proposed encroachment. Once this information has been provided, BES will determine if the proposed encroachment can be approved.	See above response.	Noah

<b>BDS Site Development</b>				
18.	<b>COMPLETENESS RESPONSE - KW</b>	The applicant must submit a geotechnical report and/or slope hazards report to assess the potential for slope instability both during and after construction. This information is required to facilitate review of the construction management plan, limits of disturbance, and impacts to adjoining property. A geotechnical report and/or slope hazards evaluation is also required to determine if engineered mitigation is required to reduce slope hazards until mitigation plantings are well established (buttresses, debris flow diversion structures, specialized construction staging, etc.). Site Development's key concern is the potential for slope instability, debris flows within existing drainages, and debris flow outbursts along Highway 30 (or other adjoining property) resulting from the proposed tree removal.	A geotechnical investigation for the project was completed by GRI and included as a new <b>Appendix J</b> to the land use application. The results are provided in a final (stamped) geotechnical report dated June 21, 2024. Pertinent sections in the report that discuss GRI's evaluation of site conditions, geology, slope hazards, and evaluation of slope stability in relation to the existing and proposed site conditions include Sections 2, 3, 4.6, 4.7, 5.1, 5.2, 5.3.4, and 6.	GRI
19.	<b>COMPLETENESS RESPONSE - KW</b>  <b>Key Comments from Early Assistance (EA) Meeting 22-142455-EA</b>	Slope Hazards The project is characterized by steeply sloping terrain that is susceptible to landslide activity. In addition, the project area encroaches over an existing pre-historic landslide. Site Development is concerned that the proposed clearing, grading, and tree removal will alter slope and groundwater conditions potentially impacting the stability of the existing slopes. Key hazards of concern include surficial slope instability, general slope instability, and debris flow failure (i.e. debris flows resulting from slope failures that are propelled into narrow drainages depositing onto Highway 30).	Please see response to line 18 above.	GRI

<p>20.</p>	<p><b>COMPLETENESS RESPONSE – KW</b></p> <p><b>Key Comments from Early Assistance (EA) Meeting 22-142455-EA</b></p>	<p><b>Geotechnical and Slope Hazards Report</b></p> <p>The applicant must provide a geotechnical report and slope hazards report with any building permit or land use application. The geotechnical report must be prepared by an Oregon-registered professional engineer with experience in geotechnical engineering. The geotechnical report must summarize the subsurface conditions, including groundwater, and provide the engineer’s quantitative evaluation of existing and proposed slope stability conditions for both static and seismic cases. The engineer must also provide recommendations for clearing, grading, and slope hazard mitigation where the proposed work results in an unsuitable factor of safety against sliding. Geologic hazards (slope hazards) should be evaluated by a geotechnical engineer and certified engineering geologist (CEG) to assess geomorphology, historic and pre-historic landslide activity, and groundwater factors that may aggravate slope instability. Guidelines for conducting slope hazard evaluations are presented on the City’s website, which can be accessed here. At a minimum, slope hazard investigations and reports must include:</p> <ol style="list-style-type: none"> <li>1. A site reconnaissance conducted by a Certified Engineering Geologist where deep-seated pre-historic and historic landslides are required to be evaluated.</li> <li>2. Subsurface investigations which extend below possible failure surfaces anticipated to have a factor of safety of less than 1.5 under static loading or 1.0 under seismic loading.</li> <li>3. Investigation to determine the location of groundwater within the area of interest.</li> <li>4. Strength testing of the soils of interest; either in-situ testing, laboratory testing, or both. Strength correlations for in-situ testing shall be well documented.</li> <li>5. Geologic cross sections for the critical slope sections analyzed, including assumed piezometric surfaces.</li> <li>6. Detailed descriptions of the analysis methods used and assumptions made in the numerical modeling.</li> <li>7. Recommendations for temporary and permanent surface and subsurface drainage elements.</li> <li>8. Discussion of the effects of on-site effluent disposal and stormwater disposal systems, existing or proposed, on slope stability.</li> </ol>	<p>See response to line 18 above. The geotechnical report includes reference to preliminary grading plans developed by the civil consultant. Final grading plans will be reviewed with the geotechnical consultant prior to construction.</p>	<p>GRI</p>
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		<p>9. Detailed laboratory testing results attached within a report appendix.</p> <p>10. Detailed subsurface investigation results attached within a report appendix.</p> <p>11. Geotechnical recommendations for site development, grading, and construction.</p> <p>12. Recommendations for site development and mitigation measures required to achieve the minimum allowable factors of safety against slope instability.</p> <p>13. Recommendations for temporary and permanent erosion control.</p> <p>14. A statement of understanding of the performance criteria and expected displacements under seismic loading conditions.</p> <p>15. A statement that the construction plans have been reviewed by the project Geotechnical Engineer or project Certified Engineering Geologist for conformance with the recommendations of the slope hazard evaluation and geotechnical engineering report. The date listed on the reviewed plans should be stated.</p>		
21.	<p><b>COMPLETENESS RESPONSE – KW</b></p> <p><b>Key Comments from Early Assistance (EA) Meeting 22-142455-EA</b></p>	<p>Note: In addition to the above criteria, the geotechnical engineer and engineering geologist must evaluate the impact of the proposed clearing, grading, and tree/shrub removal on slope stability.</p>	<p>See response to line 18 above. The geotechnical report includes an evaluation and recommendations for slope stability in relation to vegetation removal specifically in Section 6.4 of the report (<b>Appendix J</b>)</p>	GRI

PP&R Comments				
22.	<b>PROJECT INCOMPLETENESS REVIEW - RF</b>	<p>1. Consistency with approval criteria: Chapter 8 of the 1995 Forest Park Natural Resources Management Plan include the approval criteria for development in the park. Criterion B for Minor Amendments requires that the proposal be consistent with the Forest Park Natural Resources Management Plan Goals and Strategies. Conservation Goal 1 (page 98 of the plan) is to protect Forest Park’s native plant and animal communities, its soil and its water resources while managing the forest ecosystem in order to grow a self-sustaining ancient forest for the enjoyment and benefit of future generations. The application proposes to deforest 4.7 acres of Forest Park, including removing more than 350 trees (including topped trees) and filling two wetlands. This would be a significant and permanent impact to the plant and animal communities and water resources in the park. The information provided in the application does not demonstrate how this proposal is consistent with Conservation Goal 1 and does not show how the proposal protects the native plant and animal communities or soil and water resources – therefore the submitted proposal does not meet this approval criterion.</p>	<p>Please see response to #9 above.</p> <p>Also note, PGE is not proposing to “deforest” 4.7 acres. The proposal will require that PGE selectively remove tall trees that conflict with proposed powerlines, establish shrub habitat beneath the wires, and establish forest habit that is height appropriate within the powerline corridors outside of the wires. The affected 4.7 acres of forest will transition to a different forest structure. In addition, areas under existing wires that are being removed will be re-established to forest.</p> <p>The habitat mitigation plan (application Appendix D) contains substantial information on means of managing construction to minimize impacts on plant and animal communities and soil and water resources. For example, the work would be spread out over two years to minimize work in wet soil conditions, avoid the early nesting period, and limit encroachment into the seasonal stream, which was dry when visited in early June.</p> <p>In addition to Appendix D, Mitigation plan, see the revised applicant narrative for additional input related to this response.</p>	Noah
23.	<b>PROJECT INCOMPLETENESS REVIEW - RF</b>	<p>2. Future phases: The submitted application indicates that the current proposal is Phase 3 of a 5-phase project. Information about the scope of Phases 4 and 5 is not provided. To give a full description of the impacts of the proposed project, the applicant must provide information about Phases 4 and 5, including their location and scope. PP&amp;R understands that these phases may not yet be fully developed, preliminary information should be provided if complete information is not available.</p>	<p>See response to #6 above (bullet #2).</p>	PGE/Randy and Noah

<p>24.</p>	<p><b>PROJECT INCOMPLETENESS REVIEW – RF Mitigation Plan</b></p>	<p>3. Temporary disturbance areas: Invasive plant management and reseeding within the disturbance areas of the project site should be considered part of site restoration and should not be counted towards mitigation requirements. Table 4 should be revised to reflect the difference between restoration of temporary disturbance area within the project limits, and mitigation area. Please document native vegetation cover in any areas where disturbance is proposed, including cover type, plant species and potential wildlife habitat in those areas so that proposed impacts can be accurately evaluated.</p>	<p>Temporary impact restoration is included as part of the mitigation sequencing: avoid, minimize, mitigate. Table 4 distinguishes between temporary impact restoration and mitigation. Because the site revegetation proposes to expand a highly limited resource (oak trees) to replace the affected but common conifer-broadleaf deciduous mixed forest type, this is mitigation that rises above simple restoration of prior existing conditions; similar to an oak release project, which often requires conifer removals to allow for the health and expansion of oak woodland habitat.</p> <p>Application Appendix D (Habitat Mitigation Plan) provides information on the existing vegetation, cover types, and wildlife habitat and species that may be affected by the project. Updates to the plan have been added to address this and other incompleteness comments.</p>	<p>Noah</p>
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25.	<p><b>PROJECT INCOMPLETENESS REVIEW – RF Mitigation Plan</b></p>	<p>4. Revegetation with focus on oak woodland: Mitigation that expands Oregon white oak (<i>Quercus garryana</i>) woodland should consider long-term maintenance of this habitat type, which is costly due to its propensity for re-invasion by aggressive weeds like blackberry and scotch broom. Converting portions of the existing mature forest to oak woodland does not mitigate directly for the resources that would be lost and may not adequately mitigate for the loss of the existing forest type due to the length of time required for oak woodland to become established. Oak woodland habitat is high value and PP&amp;R recommends the applicant focus on preserving the existing oak woodland habitat and mitigating for impacts to mature forest with in-kind restoration.</p>	<p>Due to PGE’s long term maintenance requirements for powerlines in vegetated areas, the long-term maintenance requirements dovetail well with PGE’s ongoing presence and routine involvement in the area. Much like the historical fire used to clear beneath oak woodlands, PGE’s infrequent removal of conifers will prevent them from overgrowing and shadowing the oak trees.</p> <p>PGE attempted to minimize oak removals in design of the project. The four oaks proposed for removal are either directly beneath the proposed wire (Trees #1 and #70) or within the swing radius of large equipment that must be able to make the turn from the BPA road onto the existing PGE Pole 2999 access road (Tree #80; the second trunk of Tree #80 was mistakenly classified as Tree #994 but is actually one tree with two trunks). While Tree #1 and #70 are necessary to remove due to a clear and direct conflict with the proposed overhead lines, Tree #80 has been reclassified from “removal” to “retain” provided some minor grading changes can be accepted by the City to allow a temporary minor shift of the existing access road away from Tree #80. See response to Item #6 regarding needed grading to protect this tree.</p>	Noah
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26.	<b>PROJECT INCOMPLETENESS REVIEW – RF Mitigation Plan</b>	5. Aquatic resource enhancement: The proposed wetland mitigation is off-site – PP&R recommends that PGE explore options for on-site mitigation for wetland impacts that would mitigate for resource loss within the park.	PGE appreciates the opportunity to work with PP&R, the Oregon Wildlife Fund, and local volunteers to establish northern red-legged frog breeding ponds in Forest Park. If possible, this would be proposed in lieu of the out-of-park mitigation option. Wetlands D and E, as noted in the Forest Park Wetland Reconnaissance memorandum prepared by ESA Vigil-Agrimis in 2014, are examples of low-quality wetland areas along Firelane 12 that could be deepened and enhanced to create breeding frog habitat. Wetland E is actually in PGE’s utility ROW. Other areas may also be suitable along topographic draws. DEA investigated a few locations in Forest Park, evaluated creation/enhancement feasibility, and coordinate with the City to further develop these frog pond creation/enhancement opportunities. The results are included in Appendix D (Habitat Mitigation Plan). As a Type III review, approval of this land use application presents an opportunity to advance these opportunities without requiring a separate Type III review in the future.	Noah
27.	<b>PROJECT INCOMPLETENESS REVIEW – RF Mitigation Plan</b>	6. Red-legged frog migration support: PP&R supports red-legged frog habitat mitigation as part of this project. Red-legged frog habitat mitigation should be in addition to mitigation for tree impacts and loss of forest habitat. Based on information PP&R has received, the Harborton wildlife underpass project concept faces feasibility challenges and high estimated costs, resulting in limited potential for mitigation of this proposal. The Newton Wetland amphibian habitat project may be an alternate option for mitigation; this project is still in development and PP&R would be happy to provide more information about the project and its status on the status of the Newton Wetland option.	PGE appreciates the opportunity to work with PP&R to assist in the creation or enhancement of wetlands to benefit amphibians in the North Management Unit. PGE agrees that this strategy is better suited as mitigation relative to the AOP crossing under Highway 30, which has an uncertain development schedule. Additional relevant detail is provided in response to item 26, above.	Noah

28.	<b>PROJECT INCOMPLETENESS REVIEW – RF Mitigation Plan</b>	7. Off-site tree planting: The proposed off-site tree planting supports City policies but does not directly address habitat impacts in Forest Park. PGE should consider mitigation that would directly address habitat loss in the park.	PGE appreciates the suggested opportunities to mitigate the loss of trees via plantings and other habitat enhancement opportunities in alternate areas of Forest Park’s North Management Unit per item #22 below. PGE will gladly work with PP&R to support these projects through in-lieu fee funding as a component of our mitigation strategy. That said, the off-site tree plantings were meant only to provide additional carbon sequestration. Please see response to item #8 above. This comment is also addressed in more detail in Appendix D, Mitigation Plan.	Noah
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<p>29.</p>	<p><b>PROJECT INCOMPLETENESS REVIEW – RF Mitigation Plan</b></p>	<p>8. Potential mitigation: Below is a list of other potential mitigation options the applicant may wish to consider, that could be combined into a mitigation package:</p> <ul style="list-style-type: none"> <li>• Providing funding or partial funding to support development of an amphibian habitat restoration project at Newton Wetlands in the North unit of Forest Park.</li> <li>• Reforestation by the applicant in existing cleared areas of the park to replace a portion of the forest lost. There may be approximately one acre available in the North Unit of Forest Park, including an existing clearing along Newton Trail and a clearing at Keilhorn meadow near Skyline Blvd.</li> <li>• Mitigating for impacts to aquatic and amphibian habitat through restoration activities on streams in North Forest Park, such as Newton Creek and the unnamed creek south of the project site.</li> <li>• Purchasing additional forest that is not currently protected from future development and adding it to Forest Park. For example, undeveloped residential land near the Harborton Neighborhood where there are currently red-legged frog habitat and migration pathways.</li> <li>• Payment into the Forest Park trust fund for a portion of the mitigation requirement. The North Forest Park area in need of restoration work is not large enough to mitigate for the entire proposed impact, but a partial payment as part of a mitigation package may be an option.</li> </ul>	<p>PGE appreciates these suggestions. Based on current feedback from PP&amp;R, we understand the following:</p> <ul style="list-style-type: none"> <li>• The Newton Pond did not receive funding from a grant and, therefore, could be enhanced via in-lieu mitigation funding.</li> <li>• Other potential frog pond creation/ enhancement areas are available along Fire Lane 12, above and west of the northern terminus of NW Creston Rd. PGE looked into these opportunities and developed concepts for breeding frog pond wetland creation. See Section 9 of the Habitat Mitigation Plan (Appendix D) for details.</li> <li>• Areas potentially suitable for forest planting in the North Management Unit need to be assessed for current conditions to understand the ecological benefit of removing noxious weeds and replanting. PP&amp;R would prefer to manage this work.</li> <li>• PGE looked into private parcels adjacent to Forest Park to assess the availability of forest land that may be available for preservation. No opportunities are known at this time. However, with the Director’s approval, the 5-year limit on the use of in-lieu fee funds could be extended and funds could be used to help acquire lands in the future, as available.</li> <li>• PP&amp;R has identified several dozens of acres of noxious weed treatment and native revegetation area that PGE could fund to enhance forest conditions and remove ladder fuels (e.g., English ivy on trees). PP&amp;R would manage the treatment work similar to their current FEMA-funded wildfire hazard abatement program.</li> </ul> <p>While developing revised materials, PGE has met with the City on several occasions in July-</p>	<p>Noah</p>
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			September, 2024 to learn more about these opportunities and how PGE can work with the City to support these mitigation opportunities and develop the information needed to document the anticipated ecological benefits. See Section 9.0 of the updated Appendix D, Habitat Mitigation Plan, for more details.	
30.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Tree Impacts</b>	9. Tree survey and tables: There are discrepancies in the trees shown for removal and preservation on the tree survey, tree tables, plan sheets, and trees on site. The tree survey maps in the arborist report are also incomplete. Please provide complete tree survey tables and provide consistent tree information throughout the plan set, and ensure this information is consistent with the trees on site. Please show the trees to be removed on the proposed development plan – in the submitted plan set it appears they are shown on the Construction Management Plan but not on the Proposed Development Plan. Examples of inconsistencies between the submitted survey and the trees on site can be provided by PP&R upon request.	i. This hatching has been fixed on the attached Exhibit G (Site Mitigation Plan) ii. Future planting in the area is subject to establishment under the new transmission line conditions so trees would be appropriately placed. Retention of the current trees presents a potential hazard to the existing and proposed structures. Mitigation plantings have been selected for mature size and maintenance requirements that are in harmony with the required minimums established by the PGE/PP&R Vegetation Management Policy and federal standards.	Sara/Chris
31.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Tree Impacts</b>	10. Total trees removed: There are 22 trees proposed to be topped. Topped trees are considered removed under Title 11 and should be reflected throughout the submittal as trees to be removed, including Tree Mitigation Table 6 (page 31 of Appendix D). Please ensure that the number of trees to be removed is consistent throughout the application.	The inventory and narrative have been updated to reflect this requirement.	Chris (IAP)
32.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Tree Impacts</b>	11. Tree measurement: Based on on-site measurements of some of the trees in the tree table, it appears that some multi-stemmed trees were not measured using the methodology set out in Title 11, Trees. Some multi-stemmed trees appear to be listed in the tree table based on the diameter of a single trunk or other method. Please verify the method used to measure multi-stemmed trees and ensure it is consistent with the measurements section of Title 11, and update the tree table as needed to reflect the correct measurements. PP&R will provide a list of the multi-stemmed trees that were checked upon request.	The list was provided by PP&R and was reviewed upon receipt. A spot check conducted 6/18/24 by IAS together with City of Portland Urban Forestry and PP&R staff revealed minor discrepancies in a few of the DBH measurements. Based on this a full revised inventory was conducted in June 2024 by IAS to provide a revised, accurate tree inventory. This update is include in the updated land use application narrative and Exhibit C (see Tree Tables).	Chris/Noah

33.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Tree Impacts</b>	12. Future pruning and topping: Note 5 of the application narrative (page 30) states “Habitat losses can also be mitigated by pruning or topping of trees in the future, rather than cutting down trees, or trees can be topped and ringed to become snags, an especially valuable wildlife habitat component.” Topping or pruning trees in the future as part of the ongoing maintenance of PGE lines should be mitigated as impacts separately at the time that those impacts occur. Avoidance of these impacts during the proposed project should not be included as mitigation for clearing forest land as part of this project.	Noted	Noah
34.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Other Comments</b>	13. Alternatives analysis: Thank you for providing information about the alternatives analysis for the overall project. The information provided refers to a full alternatives report prepared by Toth and Associates in 2022. Please provide a copy of this report.	PGE will provide the Toth and Associates report (2022) that was conducted as a review of alternative alignments for alternative 230 kV routes around Forest Park. It is not a “full alternatives report” but, rather, an initial attempt to evaluate routing outside of Forest Park. The alternatives analysis provided as Appendix C provides a much more robust “full” alternatives report.	PGE/Randy

<p>35.</p>	<p><b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Other Comments</b></p>	<p>14. Alternatives analysis: The alternatives analysis provides an overview of the project as a whole and the analyses that went into selecting the proposed option. Please also address project elements in the alternatives analysis, such as shifting the location of the existing tower, grading landings for the new towers, vegetation impacts underneath the proposed lines, specific tree removal criteria for trees not directly underneath the powerlines, and tree removal methods.</p>	<p>The original pre-app structure locations were chosen from a strictly transmission line design perspective. As the preliminary design progressed with site access and civil design, it quickly became apparent that the civil work to access a previously proposed “structure 4” would result in substantial earthwork and associated forest habitat impacts. The transmission engineering team worked with the Civil consultant to optimize the designs in an effort to minimize impacts to Forest Park forest habitat. The result of this collaboration was making structure 5 much taller and moving down the hill to eliminate the need for structure 4. The total and net amount of material excavation that was removed from the pre-app plan is greater than the combined total and net amount of material currently proposed for excavation/grading in the current application.</p> <p>PGE and experienced transmission line construction companies participated in numerous site visits to review and refine proposed access and work areas. The results of these efforts are as shown in the application. The PGE team worked to make the work areas as small as reasonably possible, however, the team ran into constructability and safety concerns with making the work areas any smaller. The allowable Cut/Fill slopes for civil design follow the recommendations of the Geotechnical report.</p> <p>There are two (2) mapped wetlands just above Highway 30 near proposed structures 2999 and 3. These wetlands formed on the road cut made to create the access road to the current pole 2999 location. The placement of the proposed structures in wetlands was driven by the following constraints:</p>	<p>Alan/Noah/ David</p>
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			<p><b>Existing Pole 2999:</b> The existing structure needs to be replaced. The new structure will be offset to the southeast. This will prevent a prolonged line outage on the current Harboron-Trojan No. 1 transmission line and will keep the span over Highway 30 within existing PGE easement. The structure was shifted southeast only as much as necessary to reduce the amount of required tree clearing for areas up the hill that would come into conflict with the shifted Harboron-Trojan No. 1 alignment. This places the pole in the small wetland that has developed on the access road cut.</p> <p><b>Proposed Pole 3:</b> The new structure was moved to be adjacent to the BPA corridor. The goal was to leave as many trees as possible within Forest Park. Preliminary analysis indicated that placing the PGE circuits adjacent to each other would have resulted in more tree clearing.</p> <p>Additionally, because the degraded wetlands formed on the existing access road, use of the road for heavy equipment would require road improvements (fill). This would affect the upslope end of these slope wetlands, thus affecting the delivery of water to unfilled, downstream portions of each wetland. This would likely result in wetland loss regardless of where the two pole structures would be placed.</p> <p>Regarding the rationale for tree removal, specific tree removal criteria were added for each proposed tree removal. These are explained in the updated land use application</p>	
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			narrative and noted in the Tree Tables in Exhibit C.	
36.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Other Comments</b>	15. Resource site: Please update the resource site description in the application. The resource site from the 1991 NW Hills Natural Areas Protection Plan was updated by the Environmental Overlay Zone Map Correction Project in 2022. Please refer to Resource Site FP2 of Upper Harborton in Volume 2 Part A1 - Forest Park and Northwest District, Natural Resource Inventory and Protection Decisions (Resource Sites 1-20) Adopted by City Council May 25, 2022. (Efiles-Ezones_Project_Volume_2A1).	This information has been added to the land use narrative and the Mitigation plan (Appendix D).	Dave
37.	<b>PROJECT INCOMPLETENESS REVIEW – RF</b> <b>Other Comments</b>	16. Wildfire prevention: Any construction activity or work on site will be required to comply with PP&R’s wildfire season activity restrictions – if these restrictions cannot be met, the applicant will be required to submit a project-specific wildfire risk reduction plan for review and approval by PP&R.	Noted. A wildfire prevention plan will be prepared and submitted during construction permitting. PGE’s wildfire prevention protocols are consistent with PP&R’s restrictions. Additional language around anticipated efforts to limit fire hazards is provided in the revised land use application narrative.	Noah/Randy

**BES – Additional Comments from Wetland Scientist**

<p><b>38.</b></p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – MV Wetlands and Waters</b></p>	<ul style="list-style-type: none"> <li>• The boundaries of known wetlands and other waters are not depicted accurately on Exhibit D Existing Conditions Plan and other plan maps. City code indicates wetlands and waters within 50 feet of the site should be delineated and shown on maps.             <ul style="list-style-type: none"> <li>o Southeast of the Harborton Substation, there are unmapped wetlands and waters located outside of the WD2021-0065 study area (north and south) that are within 50 feet of the site. Please delineate and show these wetlands and waters on the plan maps. See attached BES Wetland Inventory Project (WIP) mapping and prior delineation concurrences mapping indicating wetlands in this area.</li> <li>o WD2023-0584 identified two DSL jurisdictional wetlands WA and WB and one jurisdictional intermittent stream S1 and one non-jurisdictional ephemeral stream S2. The BES Wetland Scientist would like to review the DSL approved wetland and waters delineation report concurred as WD2023-0584 to confirm that Stream S2 was correctly determined to be ephemeral using the EPA’s Streamflow Duration Assessment Methods (SDAM) for the Pacific Northwest and that downslope portions of the drainage lacking bed and bank and forming a vegetated swale were assessed for wetland conditions using a wetland determination data form.</li> <li>o The Forest Park Ecologist indicated there may be an unmapped wetland between S2 and S1. The applicant should consult with the PP&amp;R Ecologist and investigate that particular soggy area for wetlands.</li> <li>o Stream S2 and the swale portion downslope may qualify as a BES Drainageway regardless of their DSL or Corps jurisdictional status.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>o The wetland boundary beyond the project limits is now shown on the plan sets (see Exhibit D).</li> <li>o The DEA wetland delineation report and SDAM sheet for Stream 2 have been sent to Matt Vesh at BES for review. S2 had discontinuous flow during a late Spring snow melt event.</li> <li>o DEA requested this “soggy area” location from PP&amp;R and looked in the vicinity of the noted area (dense salmonberry near seasonal strea) but no additional wetlands were observed there.</li> <li>o If discontinuous, it would seem unclear how the ephemeral feature (S2) is a drainageway as it does not “convey” water to a downstream receiving water. There is no downstream “swale”. Conveyance of water is how drainageways are defined in SWMM Chapter 5.</li> </ul>	<p>Noah/Sara</p>
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<p>39.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – MV</b></p> <p><b>Wetlands and Waters</b></p>	<ul style="list-style-type: none"> <li>• The project proposes removal-fill activities and other impacts to delineated wetlands and waters but does not identify how those impacts will be mitigated. <ul style="list-style-type: none"> <li>o Adding large woody debris to wetlands and waters is considered fill.</li> <li>o WD2023-0584 Wetlands WA and WB and WD2021-0065 Wetland F appear to have temporary and permit [sic] impacts.</li> <li>o Page 42 of the Land Use Application Narrative indicates wetland area and functions of WA and WB will be replaced by creating an enhancement wetland adjacent to the Willamette at PGE’s Harborton Property, but there are no plan maps or further discussion.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>o Noted; but woody debris “fill” can still be highly beneficial for stream function and, as such, would not be considered a negative impact. We will include an estimated volume of woody debris fill in the Joint Permit Application.</li> <li>o It is true that WA and WB would not be entirely filled but as the upper portion of the slope wetland (on roadfill) would be filled and compacted for the proposed steel poles and the access road for associated construction equipment, PGE prefers to compensate elsewhere rather than guarantee that a small portion of those wetlands will continue to receive adequate water supply to remain wetland. The affected wetlands are highly degraded slope wetlands that do not provide important habitat, water quality, or hydrologic functions. Creating wetlands with native species and that would potentially benefit sensitive populations of northern red-legged frogs would provide much more ecological benefit for the North Management Unit of Forest Park.</li> <li>o It appears that there may be an opportunity to help support the creation of breeding pond wetlands for northern red-legged frogs in Forest Park. If possible, this will be the wetland mitigation strategy pursued. Please see Section 9 of the revised Habitat Mitigation Plan for a discussion and graphics depicting a conceptual breeding frog pond wetland creation/enhancement concept.</li> </ul>	<p>Noah</p>
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<p>40.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – MV</b></p> <p><b>Oak Habitat</b></p>	<ul style="list-style-type: none"> <li>• The oak management and mitigation plans are not cohesive as indicated by the items listed below. <ul style="list-style-type: none"> <li>o Four large, mature <i>Quercus garryana</i> [QUGA] are proposed to be removed (trees #1, #994, #80, #72). The age of the largest oak (#1) at 54" DBH is estimated to be 162 to 500 years old, and it was likely an acorn producing tree prior to European American settlement of Portland. The other three oaks to be removed are 51" (#994), 34" (#80), and 22" (#72) DBH. There is little to know explanation in the permit application for the removal of the old growth oaks or how alternatives to their removal were assessed, and proposed mitigation for the loss of these trees is lumped in with loss of the mature <i>Pseudotsuga menziesii</i> – <i>Acer macrophyllum</i> habitat. Avoidance, minimization, and mitigation options should be discussed for these exiting mature oaks. These trees are rare and irreplaceable within multiple human lifetimes.</li> <li>o Appendix B Arborist Report/Tree Protection Plan maps misrepresent the location of mature Oregon white oaks. For example, the maps show tree #994 being retained (blue dot) and located near Skyline Blvd on page 11 while the chart on page 39 says it is not being retained and Exhibit E Existing Conditions map shows it is located on the opposite side of the project area adjacent to the NW BPA Road off Highway 30.</li> <li>o Exhibit G Mitigation Site Plan specifies Oregon white oak as 1 of 7 tree species to be planted in the Medium Upland Plant Community. Oak Woodlands is an Oregon Conservation Strategy Habitat defined as 30-70% canopy cover of <i>Quercus garyanna</i>. The ratio of oak to other much faster growing trees in the planting plan is 3 to 3.9. At what point is it estimated that the planting areas will meet OCSH Oak Woodland criteria? These cover thresholds should be accounted for in the mitigation performance standards and assessed via routine vegetation monitoring guidelines. Revegetation of the site should not be deemed a success and released from monitoring and management obligations until OCSH Oak Wood criteria is met.</li> <li>o Exhibit G Mitigation Site Plan specifies plants species that are not native to Portland, Oregon or the Metro</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>o See response to line #25 above. In review, PGE's arborist determined that trees #994 and #80 are the same tree (different trunks). The proposed mitigation seeks to expand and enhance oak woodland habitat, which would compensate for the removal of oak trees #1 and #70 over time. Additionally, oak tree #80 will be retained if the City allows PGE to temporarily shift a small area of the existing BPA Road alignment away from this tree. In talks with PP&amp;R staff held thus far, there is support for this minor road alignment shift to protect Tree #80.</li> <li>o The initial tree survey for the construction access from Skyline Blvd restarted the tree tag numbering, which has led to confusion. The numbers have been updated on maps and in the tables of Exhibit C (Overall Site Plan and Tree Tables).</li> <li>o The oaks are expected to be &gt;30% of the canopy per the criteria you note. The selected conifers are shorter growing species that will be surpassed by oak. Based on reference conditions in Forest Park, restored QUGA woodland areas should meet the strategy habitat description within 10-20 years (estimated). Note that after the initial maintenance and monitoring period, PGE will continue to manage the area for tall conifer tree removal, when necessary, which will maintain the oak habitat as long as lines are present. See Section 10 of Appendix D, Mitigation Plan for additional details of the long-term management plan.</li> <li>o We have removed <i>Pinus contorta</i> (PICO) from the proposed revegetation plan. They were included because PICO trees would provide good sub-structure for QUGA</li> </ul>	<p>Noah/Chris</p>
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		area such as Pinus contorta var. contorta to be planted in the oak woodland creation area.	based on mature heights, would offer habitat functions, help prevent the germination of taller growing firs, and provide an opportunity to see if additional species native to Oregon can help provide forest resilience in Portland as some of our native species struggle with increasingly high summer temperatures. The difference in PICO removed will be made up with the other native species proposed (see planting details in Exhibit G, Mitigation Site Plan).	
41.	<b>LAND USE REVIEW APPLICATION COMMENTS - MV</b> <b>General Comments</b>	Mitigation is meant to replace or compensate for ecological functions and societal values that will be permanently lost. Mitigation depends on appropriate siting, implementation, the site's ability to be self-sustaining, and long-term protection. Restoration typically means the reestablishment of prior existing habitat. Enhancement typically means to improve the condition and increase the functions and values of degraded habitats, and Preservation typically relies on preventing the decline of, and threat to, exceptional ecological features. Preservation may be an appropriate mitigation option to protect a resource type that is exceptionally difficult to replace such as oak woodland or late successional mixed conifer forest.	Noted.	Noah

<p>42.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – MV</b></p> <p><b>General Comments</b></p>	<p>Trading existing non-degraded, self-sustaining Oregon Conservation Strategy Habitats Late Successional Mixed Conifer Forest and Flowing Water and Riparian Habitats for creation of novel oak habitat that will require long term management and may not meet the definition of Oregon Conservation Strategy Habitat Oak Woodland because of the management restrictions of the powerline corridor does not appear to meet the general concept of restoration, enhancement, or preservation as noted above. Offsite mitigation that includes restoration, enhancement, or preservation will be required.</p>	<p>Due to the limited opportunities for mitigating “in-kind” ( e.g., planting conifer-broadleaf deciduous forest) in the North Management Unit of Forest Park, we provided a multi-faceted mitigation approach that seeks to address key management priorities. This multi-faceted approach is consistent with the rationale for the City’s in-lieu fee program for Forest Park. We always anticipated and recognized the need to collaborate with PP&amp;R as land manager; however, PP&amp;R was unavailable until the land use application was submitted. We are now actively working with PP&amp;R on specific strategies for providing as much in-kind mitigation as feasible while continuing to propose a multi-faceted, robust mitigation approach. Appendix D (Habitat Mitigation Plan) has been revised to summarize a mixed approach that includes site restoration within the Utility ROW and funding support for a variety of habitat enhancements that would be led by PP&amp;R.</p>	<p>Noah</p>
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**BES - Additional Comments by BES Wildlife Biologist and Invasive Species Coordinator**

<p>43.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Habitat Mitigation Plan – Performance Standards: Objective 1</b></p>	<p>The proposal to mitigate the loss of acreage (4.7 acres) of one Oregon Conservation Strategy (OCS) Habitat (late-successional mixed conifer forests, LSMCF) by replacing only a portion of it (3.5 acres) with another OCS Habitat (oak woodland) constitutes a less than 1:1 mitigation ratio, which is insufficient to mitigate the anticipated losses. Habitat mitigation under similar circumstances is often implemented at a greater than 1:1 ratio. Mitigating at greater than 1:1 ratio is, in part, intended to help account for the temporal aspect associated with new habitat establishment (i.e., the replacement habitat will not reach comparable function as the lost habitat for many years or even decades). The proposed establishment of an oak woodland in the project footprint will necessarily be heavily constrained under the new transmission lines and towers (“While no oaks would be planted directly beneath the wires, the edges of the cleared corridors would be amenable to the establishment of oaks.” Pg. 46 – Appendix D) and is therefore unlikely to achieve the full functions and values necessary to achieve a comparable one-to-one replacement of one OCS Habitat with another. While the proposal to establish and manage an oak woodland habitat in the proposed transmission corridor has potential merit, additional off-site habitat mitigation that directly supports the creation, enhancement, or preservation of the lost OCS Habitat at a 1:&gt;1 ratio should also be included as an element in the proposed Habitat Mitigation Plan.</p>	<p>PGE is proposing to mitigate at much greater than a 1:1 ratio. The mitigation ratios have been updated in the revised Habitat Mitigation Plan (Appendix D). In addition to replanting in the proposed transmission line corridors, there will be planting in vacated powerline areas and PGE is working with PP&amp;R to identify additional replanting areas in the North Management Unit of Forest Park (for long-term impacts) and other portions of Forest Park (for short-term impacts).</p> <p>Additionally, while LSMCF is abundant in Forest Park, Oregon White Oak woodland habitat is extremely limited and, due to a <a href="#">95% decrease in extent</a> since European settlement, is one of the most imperiled ecosystems nationally. Because oak grows at lower heights than conifers and because PGE designed for taller structures to create additional ground clearance, the Project presents an opportunity to expand and foster this much less common conservation strategy habitat. See Table 11 in Appendix D, Mitigation Plan for detailed mitigation ratio information.</p>	<p>Noah</p>
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<p>44.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Habitat Mitigation Plan – Performance Standards: Objective 1</b></p>	<p>Due to habitat fragmentation and an overall decrease in interior area, both the functions and values of what will remain of the late successional mixed conifer forest habitat adjacent to the transmission corridor will be degraded. Thus, in addition to the direct loss of 328 trees within the corridor, there will also be a functional reduction in the habitat value of the remaining trees and snags and the patch overall. This concern underscores the need for an expanded mitigation approach that creates or preserves LSMCF habitat.</p>	<p>Per above response, an expanded mitigation approach is proposed to address the reduction in habitat value for the remaining patch of forest. Note that the remaining patch allows for preservation of riparian conditions over much of the intermittent stream, which PGE proposes to enhance with woody debris and replacement of a failed culvert. Additionally, PGE proposes to add downed woody debris and create snags, which are currently very limited, and remove noxious weeds within the forest patch. These enhancements, together with several other enhancements that would be led by PP&amp;R are expected to offset the habitat degradation resulting from reduced patch size. Appendix D, Mitigation Plan, details this expanded mitigation approach specifically in Section 9.</p>	<p>Noah</p>
<p>45.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Habitat Mitigation Plan – Performance Standards: Objective 1</b></p>	<p>The Plan’s Performance Standards lack some details on a long-term habitat maintenance and vegetation management plan that credibly accounts for the challenges and the relatively long time horizon required to successfully establish an oak woodland habitat (i.e., monitoring up to 5 years post-construction will not be sufficient to determine success).</p>	<p>Details on the long term habitat maintenance and management plan are not provided in the performance standards section of the mitigation plan. Please refer to Section 12.5 (Long-term site management). In summary, PGE is obligated to monitor and maintain powerline corridors throughout their functional lifespan. If early maintenance and monitoring demonstrate a positive restoration trajectory, PGE would switch to long-term maintenance. This would include periodic site management actions to foster oak woodland characteristics at the outer portions of the powerline corridors and native shrub/low forest habitat beneath the wires. PGE is committed to managing vegetation to minimize noxious weeds and promote the proposed native vegetation community development. See updated performance standard 1.3, which is focused on oak performance, in Section 10 of Appendix D, Habitat Mitigation Plan.</p>	<p>Noah</p>



<p>46.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Habitat Mitigation Plan – Performance Standards: Objective 3</b></p>	<p>Performance Standard 3.1 “(Demonstration of Funding): Upon receipt of all necessary permits from the City of Portland, PGE will provide the City with evidence of funding to OWF.”</p> <ul style="list-style-type: none"> <li>o The proposal to support the efforts of the Oregon Wildlife Foundation (OWF) to design and implement an aquatic organism crossing (AOC) under Hwy 30 to support northern red-legged frog migration is lacking in detail. While the need for an AOC at this site is well-established and PGE financially supporting this effort could constitute a highly valuable mitigation action, PGE must provide more details on the scale and scope of funding it proposes to offer, prior to project initiation (if this future effort is to be considered for mitigation). At minimum, the details, feasibility, and cost of the AOC needs to be elaborated in detail and the funding provided by PGE should be commensurate with these costs to ensure the project is deliverable. For the AOC to legitimately count as a mitigation action, PGE needs to provide certainty that the project will be delivered, which would best be achieved by PGE funding and building the project itself.</li> <li>o This commitment, design plans and other relevant information, as well as evidence of adequate funding to see the project to completion should all be provided by PGE prior to City of Portland issuing any necessary permits.</li> </ul>	<ul style="list-style-type: none"> <li>o Understanding the challenges associated with this funding strategy, PGE is looking at alternative northern red-legged frog support measures. Specifically, PGE is looking into potential support for the construction of ponds that could provide alternate NRLF breeding habitat. See updated Performance Standard 3 within Section 10 of Appendix D, Habitat Mitigation Plan.</li> <li>o PGE is coordinating with PP&amp;R to get specifics on the Newton ponds, other potential breeding frog pond creation/enhancement sites along Firelane 12. and is coordinating with PP&amp;R to see how PGE can best support these efforts, whether through funding only, or design and construction support.</li> </ul>	<p>Noah/Dave</p>
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<p>47.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Impact on Oregon Conservation Strategy Species</b></p>	<p>Characterization of the loss of LSMCF Habitat and its potential impact on OCS Species for Coast Range ecoregion (in which the majority of this project is located), is incomplete. The loss of both coniferous and deciduous large mature trees, and sixteen snags could have an impact on some OCS species not detailed in the Habitat Mitigation Plan.</p> <p>OCS Species information below is according to ODFW Oregon Conservation Strategy:</p> <ul style="list-style-type: none"> <li>o Silver-haired bat: <ul style="list-style-type: none"> <li><input type="checkbox"/> Association with Mixed Conifer Forest = breeding, feeding. Especially close association with old growth forests. They form maternity colonies almost exclusively in tree cavities or small hollows of large dead/dying trees. Possible to probable that species breeds in Forest Park.</li> <li><input type="checkbox"/> Special Needs: Inhabit late-successional conifer forests. They use large snags and hollow trees for day, night, and maternity roosts.</li> <li><input type="checkbox"/> Limiting Factors: Silver-haired bats have low reproductive rates. They are vulnerable to habitat loss, including reductions in late-successional conifer forests and their components (e.g., hollow trees and large, newly-dead snags).</li> <li><input type="checkbox"/> Conservation Actions: Maintain late-successional conifer habitat. Maintain and create large-diameter hollow trees and snags.</li> </ul> </li> <li>o California Myotis <ul style="list-style-type: none"> <li><input type="checkbox"/> Maternity colonies often found under bark of large trees or snags or in tree cavities. Females most frequently roost under loose bark in trees or snags in intermediate stages of decay (WDFW). Possible to probable that species breeds in Forest Park.</li> <li><input type="checkbox"/> Special Needs: This species is generally associated with forests. California myotis use large snags for day roosts.</li> <li><input type="checkbox"/> Limiting Factors: Availability of large snags for roosting may be a limiting factor.</li> <li><input type="checkbox"/> Conservation Actions: Maintain and create large snags during forest management activities.</li> <li><input type="checkbox"/> Retention and recruitment of large trees and snags during timber harvest is likely crucial to the</li> </ul> </li> </ul>	<p>Thank you- this information has been added and analyzed in the revised Habitat Mitigation Plan (Appendix D).</p>	<p>Dave</p>
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		<p>conservation of California myotis in forested landscapes. (WDFW).</p> <ul style="list-style-type: none"> <li>o Fringed Myotis <ul style="list-style-type: none"> <li><input type="checkbox"/> Occupation of snags is greater in forests with larger diameter trees and snags, thus the structural characteristics of the surrounding forest influence roost use and should be part of forest unit management prescriptions (WDFW).</li> <li><input type="checkbox"/> Special Needs: Fringed myotis require forest habitat. They use large snags and rock features for day, night, and maternity roosts.</li> <li><input type="checkbox"/> Limiting Factors: Reduction of large snags and low reproductive rates may also be limiting.</li> <li><input type="checkbox"/> Conservation Actions: Retain and create large-diameter hollow trees and large-diameter, tall, newly-dead snags during forest management activities.</li> </ul> </li> </ul>		
48.	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Impact on Oregon Conservation Strategy Species</b></p>	<p>Some of the Conservation Actions mentioned above should be considered and, where practicable, incorporated into the Habitat Mitigation Plan.</p>	<p>PGE intends to leave as many as 48 trees as snags with perch branches and is open to drilling nesting cavities.</p>	<p>Dave</p>

<p>49.</p>	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Impact on Oregon Conservation Strategy Species</b></p>	<ul style="list-style-type: none"> <li>• Appendix D, pg. 36 - The Plan provides that there will be some “winners” and some “losers” in the conversion from mature forest to early seral conditions, which are shown in Table 7. The Plan’s Performance Standards should work with the City to identify suitable early seral associated focal bird species that can be used as benchmarks of success. Detections of these species during post-project monitoring will act as performance standards to help ensure the replacement habitat is providing satisfactory habitat function to identified priority species in the near term and is adequately compensating for the loss of habitat function for mature forest associated species. <ul style="list-style-type: none"> <li>oThese focal/priority species could be OCS Species for the Coast Range or Willamette Valley ecoregion that are early seral associated – such as olive-sided flycatcher, willow flycatcher, yellow-breasted chat, and/or mountain quail; or they could be City designated Special Status species or other species selected in consultation with City biologists.</li> </ul> </li> <li>• Appendix D, pg. 36 - Eastern towhee (<i>Pipilo erythrophthalmus</i>) is identified as a species that may decline as replanted tree stands mature. This is the incorrect species for this region. This should be – spotted towhee (<i>Pipilo maculatus</i>).</li> </ul>	<p>PGE is amenable to surveying for birds as an indication of restoration site progression but is uncomfortable equating presence with restoration success for a few reasons:</p> <ol style="list-style-type: none"> <li>1. Like the current forest patch, the restoration area and remaining forest will be surrounded by existing powerline corridors and it is unknown how this affects occupancy within.</li> <li>2. The site restoration will take several years to gain early seral forest attributes and the indicator species may not use the habitat during a reasonable monitoring and maintenance period. The performance standards and monitoring period are intended to confirm that the project is on the right trajectory towards achieving future desired conditions.</li> </ol> <p>Thank you for the correction regarding spotted towhee. This has been corrected in the revised Appendix D.</p>	<p>Noah/Dave</p>
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50.	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Impact on Nesting Birds - Appendix D, pg. 32</b></p>	<ul style="list-style-type: none"> <li>• “The Proposed Project could affect migratory birds, because work involving soil disturbance would occur during the breeding season, between May 1 and September 30. The disturbances in the project area could result in inadvertent nest destruction, birds abandoning nesting activities, and displacement of birds from preferred foraging areas.” <ul style="list-style-type: none"> <li>o Tree removals and other impacts to vegetation should be scheduled between Aug 1 and January 31 - outside the local bird nesting season. This strategy will minimize risk to active nests protected under the Migratory Bird Treaty Act (MBTA) and avoid potential project delays caused by implementing avoidance of buffered active nests.</li> <li>o If project must disturb habitat, and remove trees and vegetation during nesting season, additional avian-focused mitigation measures should be included in the Plan and implemented.</li> </ul> </li> </ul>	<p>PGE is limited to working in Forest Park for a short period of time each year due to the combination of the NW Hills Plan District’s wet soil moratorium and the nesting bird season. The remaining period of August-September is also constrained by the potential for red flag weather conditions. PGE has split the proposed construction work into two seasons but needs to start as early as possible in the late Spring of each construction window. Therefore, PGE proposes to sequence work, where possible, to minimize impacts to nesting birds and monitor for nests during tree removal staging work when forestry contractors would climb and tie off the tops of trees. Extending the construction period to a third year would result in a high risk of power outages and would result in additional cumulative habitat impacts from successive mobilization efforts.</p>	Dave/Phil
51.	<p><b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM</b></p> <p><b>Impact on Nesting Birds - Appendix D, pg. 32</b></p>	<ul style="list-style-type: none"> <li>• “The Proposed Project proposes conducting pre-clearing nest surveys to identify nests in accordance with the publication Protecting Nesting Birds, Best Management Practices for Vegetation and Construction Projects (BES 2022). The Proposed Project would coordinate nest surveys and BMPs with Oregon Department of Fish and Wildlife and the City to avoid or relocate nests where feasible.” <ul style="list-style-type: none"> <li>o Relocation of bird nests is not a proven or viable approach for limiting nest take of protected bird nests. Avoidance of active nests using taxa appropriate no work buffers during the nesting season is the preferred BMP approach. <ul style="list-style-type: none"> <li>□ The project must adhere to both the nest survey method and associated approach to protecting nesting birds and ensure compliance with the MBTA.</li> </ul> </li> <li>o Pre-clearing nest surveys are likely to be less effective at locating mid-upper-canopy nesting species, especially smaller songbirds (e.g., golden-crowned kinglet, pine siskin, Townsend’s warbler, western tanager), given the scale and height of the trees in the project area, which increases the likelihood of inadvertent nest take.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>o Reference to relocation deleted. Added language that the project will adhere to the MBTA and other provisions (not just survey).</li> <li>o Trees to be cleared must first be climbed and affixed with a tie loop near the crown for safe directional felling. Any active bird nests not seen by biologists from the ground would likely be observed by tree specialists during these pre-clearing setup efforts. If active nests are observed, PGE would flag those trees and work with PP&amp;R and ODFW on nest management strategy. It is anticipated that forestry preparation work in the early Spring season will dissuade birds from nesting in the area.</li> </ul>	Dave/Noah

52.	<b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM Arborists’ Report Appendix B</b>	<p>Appendix B, as presented to City of Portland staff, appears incomplete and presents issues problematic for accurately assessing proposed impacts and mitigation. A brief look by City staff at several trees along Skyline Blvd. indicates a few possible issues:</p> <ul style="list-style-type: none"> <li>• The report lists trees numbered to 999, yet there are more trees in the proposed impact area that appear assessed and tagged (e.g., Western red cedar at Skyline Blvd. tagged “9009”)</li> <li>• It appears inset aerials in Appendix B, for some units (e.g. B unit), are missing</li> <li>• Tree 994 is labelled an “oak” at 52” dbh. Tree 994 is a not an oak and not 52” dbh.</li> <li>• Tree assessments should include more specificity, i.e., “oak” should be Oregon white oak if not another oak species (such an exotic oak, e.g., English oak).</li> </ul>	<ul style="list-style-type: none"> <li>• A total of 6 duplicate trees were identified and removed from the inventory.</li> <li>• The Skyline Blvd inventory has now been incorporated into the Arborist’s report included as Appendix B and tree tags have been renumbered to be sequential with the tree inventory in the transmission work area.</li> <li>• Per comment response #40, tree 994 and tree 80 are the same tree (different trunks). This has been corrected in the Arborist’s Report and on the related drawings.</li> <li>• Trees requiring greater specification have been updated to note specific species.</li> </ul>	Chris
53.	<b>LAND USE REVIEW APPLICATION COMMENTS – JUA &amp; DM Arborists’ Report Appendix B</b>	<p>Additionally, a rare plant (approximately seven individuals in a 3m sq. area) occurs at and around the base of tree 9009 along Skyline Blvd: <i>Cimicifuga elata</i> var. <i>elata</i>; ORBIC state rank 3.</p>	<p>No work is proposed near the Skyline BLVD entrance gate. This road is currently used frequently for parking and park access and the proposed use of this entrance road is not expected to affect plants growing at the base of tree 9009.</p>	Noah

Also, the tree removals have been updated in two ways: 1) trees that PGE plans to top as an impact minimization measure have been added as tree “removals” per direction from PP&R and 2) the Oaks along the BPA access road that were proposed for removal (Tree 994) have been reclassified as “pruning” rather than removal (but note this will require City’s okay with minor grading in Park to create temporary access turn lane away from the tree). See Narrative response pages 27-29 for more detailed information on tree removal.