

Portland Harbor Natural Resource Trustee Council



Update to the CAG
08 December 2010

Topics



- Natural Resources Damage Assessment Overview
- Phase 1 Recap
- Phase 2 Overview
- Restoration Planning Update



Natural Resource Damage Assessment



- ◆ Makes the public “whole” for injuries to natural resources caused by releases of contaminants
- ◆ Objective is to restore resources to condition absent the release and compensate for lost uses

Natural Resource Damage Assessment



- ◆ Phased approach
 - ◆ Phase 1: Develop Assessment Plan, three early studies
 - ◆ Phase 2: Cooperative assessment through settlement-oriented work plan
 - ◆ Phase 3: Formal assessment to perfect trustee legal claims
 - ◆ Phase 4: Settlement/litigation

Trustee Council Members



Tribal: Nez Perce, Umatilla, Warm Springs,
Siletz and Grand Ronde Tribes

Federal: Department of the Interior, National
Oceanic and Atmospheric Administration

State: Oregon Department of Fish and
Wildlife



Phase I Recap



- ◆ 20 Participating Parties
- ◆ Assessment Plan released for public comment on December 7, 2009
- ◆ Final Assessment Plan released June 1, 2010
 - Legal authority
 - Background on site
 - Trustee process to date
 - Definition of Assessment Area
 - Confirmation of exposure
 - Injury assessment and quantification
 - Damage Assessment
 - Phase 2 framework

Phase II Overview



- Phase II will focus on the Willamette River and Multnomah Channel only;
- Trustees will use a combination of Habitat Equivalency Analysis and Benefits Transfer; employ reasonable, conservative assumptions and "off ramp" for studies if the participating parties (PPs) do not agree to stated assumptions;
- Key resources : juvenile salmon, lamprey ammocoetes, sturgeon, sediment, benthos, pisciverous birds (osprey/bald eagle), pisciverous mammals (otter/mink), other fish with advisories and recreational value;

Phase II Overview



- Phase 1 lamprey study will be completed;
- In-depth data compilation and review for Multnomah Channel: develop reasonable conservative assumptions regarding habitat injuries based on review (with "off-ramp" for additional data collection if PPs do not agree to assumptions);
- Trustee Council expects to enter into settlements with PPs as early as possible following the ROD.

Phase II Timeline



- Year 1: efficient input into trustees' initial positions for Habitat Equivalency Analysis (HEA), Resource Equivalency Analysis (REA), and Benefit Transfer (BT)
- Year 2: resolve disagreements
- Year 3: settlement discussions, refine restoration agreements ... or move on to Phase III

Phase II

Participating Parties



City of Portland
Northwest Natural
Port of Portland
Gunderson LLC
Evraz Oregon Steel
Chevron
Conoco Phillips
Gould Electronics
Calbag Metals Co.
Legacy Site Services (Arkema)
Air Liquide America LP
Bayer Crop Science
BAE Systems/The Marine Group

Siltronic
Union Pacific Railroad
TOC Holdings
Portland General Electric
State of Oregon
Hercules, Inc.
ESCO
BNSF Railway Co.
FMC Corp.
Portland Terminal Railroad
Ashland, Inc.
ACF Industries

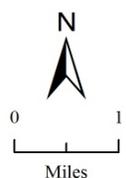
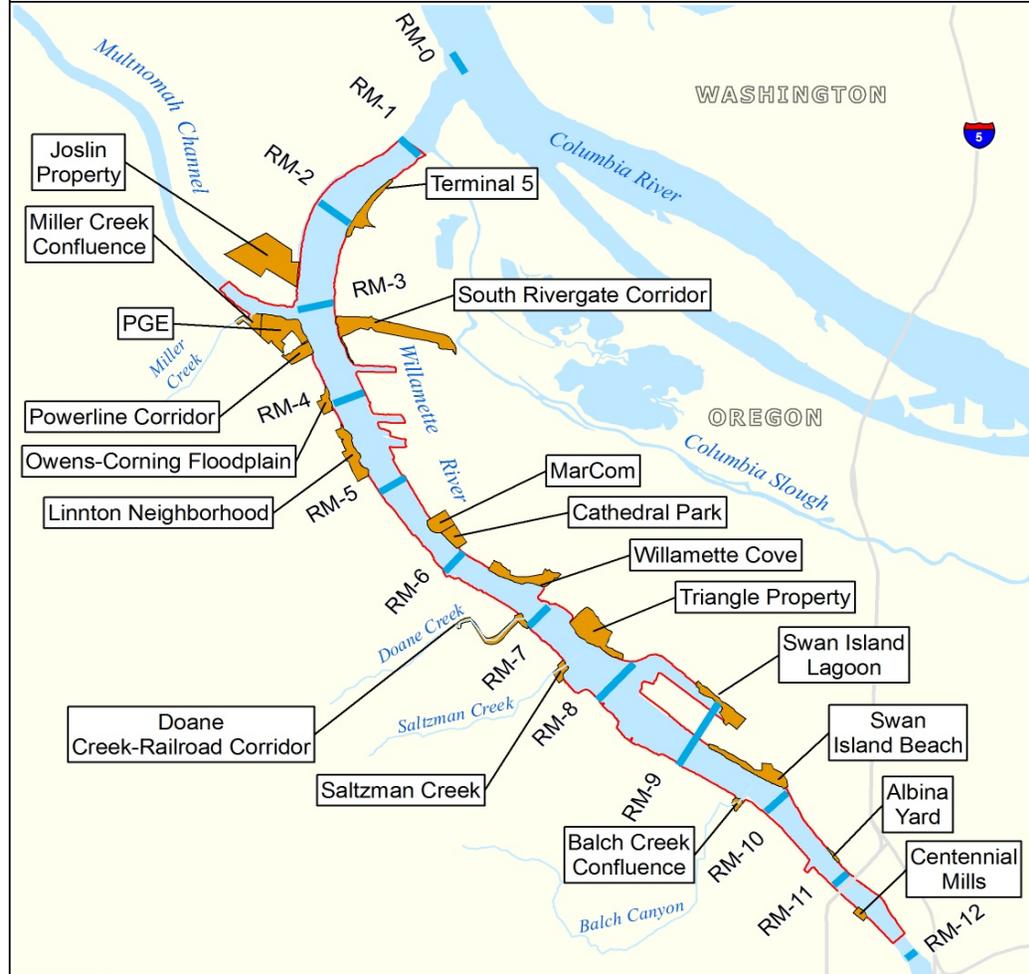
Restoration Planning



- Developed restoration project screening criteria for salmon, lamprey, sturgeon, osprey, bald eagle, spotted sandpiper and mink
- Applied screening criteria and identified 20+ potential restoration projects inside study area
- Developed conceptual designs for restoration inside the study area
- Convened “expert panel” to inform restoration planning for juvenile Chinook (may convene additional experts for other species)

Potential Restoration Site Map

Map prepared for Portland Harbor Natural Resource Trustees



- Restoration Site
- River Mile Marker
- Portland Harbor Superfund Study Area

This map represents conceptual fish and wildlife habitat restoration opportunities which have been screened against criteria developed by the Portland Harbor Natural Resource Trustees. Further analysis of this site will occur to determine the feasibility, cost, and habitat value of the restoration concepts on a finer scale. This map was prepared using a geospatial database provided by the City of Portland's Bureau of Environmental Services.

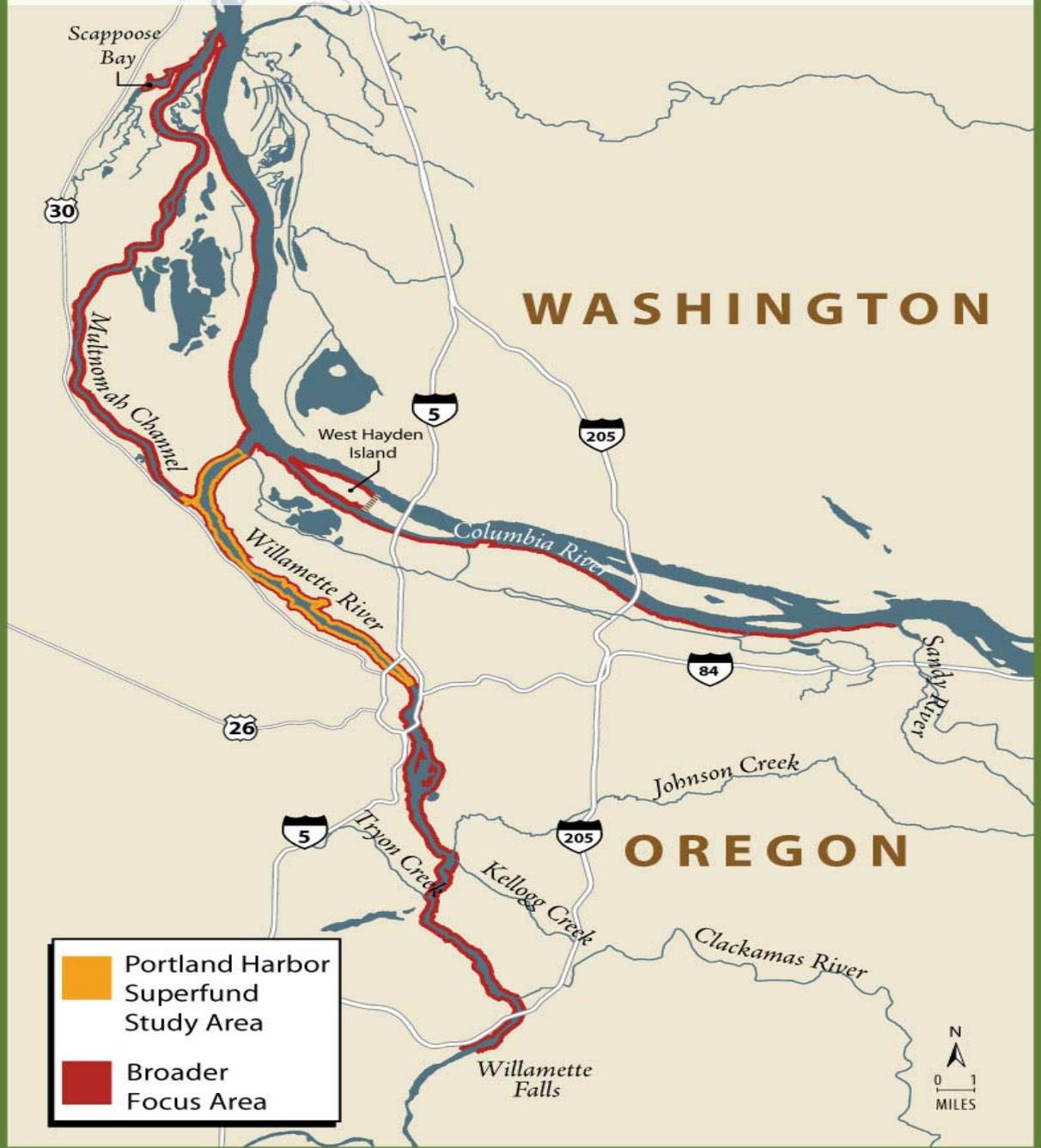


Geographic Priority



- Trustee Council has adopted a policy on compensatory restoration for settling parties:
 - At least one half of restoration must be provided inside the Portland Harbor study area.
 - Remaining restoration can be provided outside the study area but within the broader focus area (including mainstem up to Willamette Falls, Multnomah Channel, Oregon side of Lower Columbia between Sandy River and Multnomah Channel outlet).

Broader Focus Area for Restoration



Efforts Underway



- Identify/evaluate ecological restoration opportunities in “broader focus area” (BFA):
 - Solicited potential BFA restoration concepts in spring 2010
 - Evaluating restoration concepts against screening criteria
 - Publish revised restoration opportunities portfolio (including BFA sites) in March 2011
 - Phase II Participating Parties propose additional restoration concepts for evaluation/qualitative feedback
 - Spring 2011: Trustee Council will host a meeting with Phase II PPs and restoration practitioners to discuss restoration opportunities

NEPA Approach/Schedule



- Integrated Restoration Plan and Programmatic EIS
 - Tiering process for individual restoration actions once selected
- Completed EIS scoping in March 2010
- Draft Restoration Plan/PEIS by July 2011
- Final Restoration Plan/PEIS by August 2012
- Record of Decision by October 2012

Trustee Council's Web Site



[http://www.fws.gov/oregonfwo/
Contaminants/PortlandHarbor/](http://www.fws.gov/oregonfwo/Contaminants/PortlandHarbor/)