

STATE LAND BOARD MEETING

MAY 29, 1990

STATE CAPITOL BUILDING

HEARING ROOM C

SALEM, OREGON

10:15 A.M.

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1 AGENDA ITEM NO. 2

2 GOVERNOR NEIL GOLDSCHMIDT: We've got a number of items
3 here which I presume are going to take little or no time. And
4 the first item on the basis of people who showed up and expressed
5 interest may want to talk about it, would it be comfortable for
6 the Board if we start with Item 2? Or maybe I'm missing the
7 point. But my impression is there's some here that will take
8 less time?

9 DIRECTOR MARTHA PAGEL: Right. That's correct. And
10 I think those items are 2, 3, 4 and 5.

11 GOVERNOR NEIL GOLDSCHMIDT: All right. Well, unless
12 there's objection I'd like to see if we can dispose of those and
13 leave the remainder of our time to deal with the matter on which
14 apparently most people have --

15 DIRECTOR MARTHA PAGEL: Okay. Shall I begin then?

16 GOVERNOR NEIL GOLDSCHMIDT: What do you think? Is
17 there any way to duck this deal?

18 DIRECTOR MARTHA PAGEL: No.

19 GOVERNOR NEIL GOLDSCHMIDT: No? Go ahead.

20 DIRECTOR MARTHA PAGEL: Governor, Members of the Board,
21 Item Number 2 is a request for authorization under the Lower
22 Willamette River Management Plan. It's a request by Portland
23 General Electric Company to complete what we're calling Phase II
24 of a cleanup project to deal with some contaminants that were
25 spilled on the site some time ago. This is a matter that you

1 previously dealt with when approving the first phase of this
2 cleanup project, and this item is related somewhat to Item Number
3 3, which is a similar request from the Oregon Museum of Science
4 and Industry for the portion of the cleanup that affects their
5 new site location, the station--

6 GOVERNOR NEIL GOLDSCHMIDT: Do you have diagrams to
7 show us on this item over here?

8 DIRECTOR MARTHA PAGEL: They're not on the board.
9 They're in your book in the appendices.

10 LAND BOARD ASSISTANT MARILYNNE KEYSER: Well, there's
11 one under Appendix A.

12 LAND BOARD ASSISTANT GAIL ACHTERMAN: 3E, the diagram.
13 3E?

14 LAND BOARD ASSISTANT MARILYNNE KEYSER: That's for the
15 OMSI one.

16 DIRECTOR MARTHA PAGEL: It shows the same--

17 LAND BOARD ASSISTANT MARILYNNE KEYSER: It's the same
18 town. Okay.

19 GOVERNOR NEIL GOLDSCHMIDT: Maybe you could just
20 summarize for me what it is that if I'm standing on the other
21 side of the river looking into this property what I'm going to
22 see when this is all done, the cleanup is done, and the OMSI
23 project is executed.

24 EARLE JOHNSON: Governor, it's -- Earle Johnson, State
25 Lands. If you're standing on the other side of the river, you're

1 not going to see a whole lot. What you'll see at the project
2 completion will be a riprapped rock-lined bank basically.
3 Present character is miscellaneous probably concrete--

4 GOVERNOR NEIL GOLDSCHMIDT: Junk.

5 EARLE JOHNSON: Junk. You got it. And the portion of
6 the cleanup of the contaminated sediments will primarily be under
7 water, so you wouldn't see anything there.

8 GOVERNOR NEIL GOLDSCHMIDT: Questions by the Board
9 members?

10 STATE TREASURER TONY MEEKER: Move approval.

11 GOVERNOR NEIL GOLDSCHMIDT: There's a motion for
12 approval. Second?

13 SECRETARY OF STATE BARBARA ROBERTS: Second.

14 GOVERNOR NEIL GOLDSCHMIDT: Discussion. This is on
15 Item 2. All those in favor say aye. (pause) Is there -- we
16 need a motion on 3 also?

17 DIRECTOR MARTHA PAGEL: Yes.

18 STATE TREASURER TONY MEEKER: I'll move to approve 3.

19 GOVERNOR NEIL GOLDSCHMIDT: There's a motion to approve
20 by the treasurer. Is--

21 SECRETARY OF STATE BARBARA ROBERTS: Second.

22 GOVERNOR NEIL GOLDSCHMIDT: Second by the Secretary of
23 State. Is there anyone that wants to appear in opposition? I
24 should have asked on this. I apologize. (pause) Seeing none,
25 is there further discussion? All those in favor say aye?

1 (pause) Number 3 is approved.

2 DIRECTOR MARTHA PAGEL: Item Number 4 is--

3 REFEREE: Anybody from OMSI here? How's the
4 fundraising going?

5 UNIDENTIFIED MALE VOICE: Great! We're well over two-
6 thirds.

7 GOVERNOR NEIL GOLDSCHMIDT: Way to go. It's going to
8 be a great project. I want to hear from the Portland Development
9 Commission about their plans to put in a water taxi from the
10 Alexis over to the OMSI. Are they -- are you guys ready to
11 testify on that today?

12 UNIDENTIFIED MALE VOICE: Maybe not today.

13 REFEREE: Oh. I figured if Bill Nato can get a trolley
14 in, these guys ought to at least be able to get a sampan or
15 something across the river, don't you?

16 STATE TREASURER TONY MEEKER: They were also approved,
17 Governor, by the brand new authority called HECLA for 30 million
18 dollars worth of tax-exempt bonds in this project.

19 GOVERNOR NEIL GOLDSCHMIDT: OMSI was?

20 STATE TREASURER TONY MEEKER: Yes.

21 GOVERNOR NEIL GOLDSCHMIDT: They going to have any
22 extra left over? We can -- projects we can use.

23 SECRETARY OF STATE BARBARA ROBERTS: We've got a couple
24 of projects, yeah.

25 GOVERNOR NEIL GOLDSCHMIDT: Number 4.

1 DIRECTOR MARTHA PAGEL: Okay. Item Number 4 is the
2 request for Land Board authorization to place fill within a state
3 scenic waterway system. This is the Rogue River and the project
4 is to repair and improve an existing boat ramp. The request
5 comes from the US Forest Service. We've circulated the
6 application and have received no negative comments and recommend
7 approval.

8 SECRETARY OF STATE BARBARA ROBERTS: So move.

9 STATE TREASURER TONY MEEKER: Second.

10 REFEREE: Will this take out any ancient forest?

11 DIRECTOR MARTHA PAGEL: Only ancient--

12 GOVERNOR NEIL GOLDSCHMIDT: It's amazing how the Forest
13 Service found something they can do without getting in trouble
14 in the ancient forest.

15 DIRECTOR MARTHA PAGEL: Not much.

16 GOVERNOR NEIL GOLDSCHMIDT: So we have a motion and a
17 second. Is there anybody here in opposition? (pause) All those
18 in favor say aye. (pause) Number 4 is approved. Number 5?

19 DIRECTOR MARTHA PAGEL: Item Number 5 is a request from
20 the Division to amend a deed for property that the Land Board
21 previously approved our sale of. It's the -- was to the D. R.
22 Johnson -- D. R. Johnson Lumber Company of about two meetings
23 ago. You approved the sale with a reservation of minerals and
24 to us that meant reservation of surface and subsurface minerals
25 to Mr. Johnson. There was some confusion. He's requesting that

1 the surface minerals be transferred. We've reviewed this with
2 the appraiser and with our own staff and their conclusions are
3 that there is no significant value to the surface minerals
4 because the property is isolated and access is controlled by
5 Mr. Johnson at -- as to the limited value of what's there anyway
6 and there's a good supply in the region where this property is,
7 so given those factors, we're recommending approval of transfer
8 of the surface minerals.

9 STATE TREASURER TONY MEEKER: It's -- Governor, it's
10 -- it's my understanding that the subsurface mineral rights are
11 still reserved.

12 DIRECTOR MARTHA PAGEL: That's correct.

13 SECRETARY OF STATE BARBARA ROBERTS: Martha, does this
14 set any kind of precedent that suddenly we're saying, okay, we're
15 protecting on the subsurface minerals, but we're going to start
16 doing contracts for the surface minerals or commonly go to the
17 lessee?

18 DIRECTOR MARTHA PAGEL: No, I don't believe that we're
19 setting any precedent in that before we can transfer any mineral,
20 surface or subsurface, we do need to make specific findings which
21 are addressed in the agenda materials and that causes us to go
22 through this analytical process before we make the
23 recommendation. We do it when there are good reasons such as
24 this one where it's going to significantly interfere with the
25 intended use of the property and there's no other good reason for

1 the State to hold onto it.

2 GOVERNOR NEIL GOLDSCHMIDT: How's it going to
3 interfere?

4 DIRECTOR MARTHA PAGEL: They acquired the property for
5 grazing and to have a potential for surface mineral removal --
6 common mineral removal could be problematic.

7 REFEREE: And the only way you could get mineral
8 removal is if we sold the mineral rights to somebody or leased
9 them to somebody?

10 DIRECTOR MARTHA PAGEL: Correct. But then we wouldn't
11 be able to lease access to the property. We don't have access
12 to the property.

13 GOVERNOR NEIL GOLDSCHMIDT: So why are we doing all of
14 this? I mean, that's a non sequitur.

15 DIRECTOR MARTHA PAGEL: It--

16 GOVERNOR NEIL GOLDSCHMIDT: I think what we've got here
17 is a client here who's worried about something that's a nonissue
18 and we're going -- jumping through hoops to fix something that's
19 not a problem. I mean, pardon me for being so obtuse, but--

20 DIRECTOR MARTHA PAGEL: Well--

21 GOVERNOR NEIL GOLDSCHMIDT: Why am I voting for this?

22 DIRECTOR MARTHA PAGEL: We felt it wasn't a problem,
23 but it's pretty easily corrected and it gives him some peace of
24 mind that we're not going to come in and change--

25 GOVERNOR NEIL GOLDSCHMIDT: Well, I--

1 DIRECTOR MARTHA PAGEL: Our mind at some point in the
2 future.

3 GOVERNOR NEIL GOLDSCHMIDT: This is lawyer's business.

4 DIRECTOR MARTHA PAGEL: Yeah.

5 GOVERNOR NEIL GOLDSCHMIDT: Client's lawyer is here,
6 I'm sure, right?

7 SECRETARY OF STATE BARBARA ROBERTS: Did -- did the
8 client's lawyer negotiate the contract in the first place?

9 GOVERNOR NEIL GOLDSCHMIDT: You're talking about
10 Mr. Johnson's attorney?

11 SECRETARY OF STATE BARBARA ROBERTS: Yeah. I mean,
12 what I wondered was why this wasn't done the first time through.

13 RON YOCKIM: My name is Ron Yockim. I represent D. R.
14 Johnson. When the first transaction went through, I have to
15 admit I forgot that the transactions -- that the rules of the
16 Division also specified what I referred to as "surface
17 materials," the sand, gravel, and actual soil. I forgot that and
18 I didn't realize it and we negotiated. I was thinking in terms
19 of the classic mineral reservation in terms of coal, oil, gas,
20 gold, silver, that sort of thing, so it's partially my fault.
21 I didn't realize that that's what the definition was. Our
22 concern -- getting back to what you're addressing, Governor, is
23 the surface integrity of the land is important to us. We don't
24 want to have a stripped mine coming out and tearing up what we're
25 trying to protect. Granted, you know, the folks could come in

1 under condemnation of an access. It'd be very cumbersome, but
2 it could probably be done. We would like to keep the soil, the
3 gravel, the sand, the things that make up the surface intact and
4 that's our sole purpose.

5 GOVERNOR NEIL GOLDSCHMIDT: Further discussion?

6 SECRETARY OF STATE BARBARA ROBERTS: I would move
7 approval.

8 GOVERNOR NEIL GOLDSCHMIDT: Is there a second?

9 STATE TREASURER TONY MEEKER: Second.

10 GOVERNOR NEIL GOLDSCHMIDT: All those in favor say aye.

11 RON YOCKIM: (pause) Thank you.

12 GOVERNOR NEIL GOLDSCHMIDT: Thank you. Could I get a
13 motion to approval of the minutes?

14 STATE TREASURER TONY MEEKER: So moved.

15 SECRETARY OF STATE BARBARA ROBERTS: Second.

16 GOVERNOR NEIL GOLDSCHMIDT: Is there discussion?
17 Anything staff needs to tell us about these minutes?

18 DIRECTOR MARTHA PAGEL: (pause) No.

19 GOVERNOR NEIL GOLDSCHMIDT: All those in favor say aye.
20 (pause) We go back to Number 1.

21 DIRECTOR MARTHA PAGEL: Governor, members of the Board,
22 Item Number 1 is informational and we do have some folks here
23 from the Department of Transportation and the City of Portland
24 to present the item to you and describe it, so I think I'll just
25 turn it over to them. The folks we have here are Don Adams from

1 the State Highway Division and Jim McClure, also from ODOT, and
2 representing the City, I have Larry Brown from PDC. You all want
3 to come up first thing?

4 DON ADAMS: Good morning. I'm Don Adams, the region
5 engineer in the Portland area, and this is Larry Brown.

6 LARRY BROWN: Good morning.

7 DON ADAMS: Of PDC. We're here to ask that you approve
8 at a later meeting a permit to fill in the river and the
9 Willamette River along the east bank freeway. This -- this
10 request has arisen out of the improvements on I-5 between the
11 Marquam Bridge and the Burnside Bridge to improve safety and
12 operations in that area. The original project, which started in
13 1979, was a safety project and an operational project to reduce
14 the congestion and the -- and the rear-end accidents that we were
15 experiencing in that area and to complete the original interstate
16 project. Shortly after we began, the central east side and the
17 City of Portland asked us to add the Water Avenue ramp for
18 southbound access to I-5 to improve access to the central east
19 side and we agreed to do that and that became part of the
20 project, which was subject to our normal public process with
21 citizen advisory committee meetings, open -- open meetings and
22 public hearings and as a part of that process the -- the project
23 evolved and -- and was approved by the City of Portland to add
24 the Water Avenue ramps, to build a connection to McLaughlin
25 Boulevard and to undertake the freeway -- or pardon me -- the

1 safety and operations improvements associated with the original
2 project.

3 GOVERNOR NEIL GOLDSCHMIDT: Can -- can we take these
4 one at a time?

5 DON ADAMS: Sure.

6 GOVERNOR NEIL GOLDSCHMIDT: The project goals. Your
7 safety project as it was initially conceived was to deal with
8 what, the access off the Morrison Street Bridge onto I-5? Is
9 that where the rear-end accidents were happening?

10 DON ADAMS: Several. There's several items, Governor.
11 You know that the freeway up there is three lanes and 32 feet of
12 total width. That's substandard. It only allows 11-foot lanes
13 or 10-foot lanes up there, so we wanted to widen those lanes.
14 We wanted to improve the access to I-84, which currently is such
15 now that that access combined with Water Avenue access caused
16 backups across the Marquam Bridge--

17 GOVERNOR NEIL GOLDSCHMIDT: The bridge. Yeah.

18 DON ADAMS: Which is a major source of the rear-end
19 accidents. The Morrison Bridge on ramp northbound is -- is kind
20 of a short--

21 GOVERNOR NEIL GOLDSCHMIDT: That's the shortest
22 merging--

23 DON ADAMS: Acceleration movement and--

24 GOVERNOR NEIL GOLDSCHMIDT: In the world.

25 DON ADAMS: And we hope to improve that. Southbound

1 we have some improvements to be made yet with the southbound on
2 ramp from I-84 and some small widening that needs to occur in
3 there to provide adequate shoulder width in the approach to the
4 bridge.

5 GOVERNOR NEIL GOLDSCHMIDT: So those are basically the
6 safety--

7 DON ADAMS: So the bridge--

8 GOVERNOR NEIL GOLDSCHMIDT: The safety package. The
9 second one you mentioned--

10 DON ADAMS: That's correct. We widened--

11 GOVERNOR NEIL GOLDSCHMIDT: Is the water -- the entry
12 side access to the Marquam going south which is -- is it what
13 causes the widening here into the river? If you strip out the
14 inner east side access to the Marquam Bridge going south, do you
15 eliminate the need to fill?

16 DON ADAMS: Basically -- well, the need -- the need to
17 fill is conditioned -- is a condition of the Greenway permit.
18 We don't need to actually fill to -- to build the Water Avenue
19 on ramp. We need to do a little widening of the freeway, but
20 that would not -- that would not require fill either. In order
21 to move--

22 GOVERNOR NEIL GOLDSCHMIDT: So the Greenway project--

23 DON ADAMS: In order to provide and--

24 GOVERNOR NEIL GOLDSCHMIDT: Since you're going to eat
25 up what's left there of the Greenway?

1 DON ADAMS: We'll eat up into the Greenway. There
2 would be a column that would -- that would drop down into the
3 Greenway and take up some of that Greenway space.

4 GOVERNOR NEIL GOLDSCHMIDT: The--

5 DON ADAMS: The McLaughlin connections would re --
6 would reduce the through traffic from -- it uses -- now uses
7 Union and Grand from south -- south Portland to get onto I-5
8 northbound.

9 GOVERNOR NEIL GOLDSCHMIDT: And where would the
10 McLoughlin connection occur?

11 DON ADAMS: The McLaughlin connection would occur after
12 you start -- I'll take you southbound, Governor. It's easy for
13 me to do that. But after you start up -- up the grade and to
14 approach the Marquam Bridge, the grade separates and at that
15 point the southbound ramp would go under the northbound --
16 northbound roadway and then we through that industrial area kind
17 of paralleling the tracks that are there--

18 GOVERNOR NEIL GOLDSCHMIDT: You take it down to grade
19 where?

20 DON ADAMS: And then swing down -- swing down to grade
21 on McLaughlin Boulevard--

22 GOVERNOR NEIL GOLDSCHMIDT: Yeah, but where do you come
23 off that elevated--

24 DON ADAMS: On the structure.

25 GOVERNOR NEIL GOLDSCHMIDT: Structure? Where do you

1 actually hit the ground?

2 DON ADAMS: We're -- we're elevated all the way
3 through.

4 GOVERNOR NEIL GOLDSCHMIDT: I see. So are you going
5 -- you're not going to use the stubs that are up--

6 DON ADAMS: We're elevated all the way--

7 GOVERNOR NEIL GOLDSCHMIDT: Now?

8 DON ADAMS: Yes.

9 GOVERNOR NEIL GOLDSCHMIDT: The Marquam -- you--

10 DON ADAMS: We will use the stubs for that connection,
11 yes.

12 GOVERNOR NEIL GOLDSCHMIDT: And what about the
13 northbound traffic?

14 DON ADAMS: Well--

15 GOVERNOR NEIL GOLDSCHMIDT: If you're going north --
16 you want to go to--

17 DON ADAMS: That traffic would come off of McLaughlin
18 Boulevard.

19 GOVERNOR NEIL GOLDSCHMIDT: No. If I'm going across
20 from Salem -- coming up from Salem across the Marquam Bridge, you
21 have stubs on the -- on the -- on that level of the bridge also
22 that were originally supposed to go to the Mt. Hood freeway.

23 DON ADAMS: Those stubs will not be used on--

24 GOVERNOR NEIL GOLDSCHMIDT: On either -- on both
25 levels?

1 DON ADAMS: To -- to access McLaughlin. They will be
2 -- actually become part of the -- part of the widened freeway.
3 We'll widen that to four lanes all the way -- all the way down
4 to the--

5 GOVERNOR NEIL GOLDSCHMIDT: So if I'm headed north and
6 I want to get to McLaughlin, I have to take the water street off
7 ramp and wander through?

8 DON ADAMS: If you're headed north--

9 GOVERNOR NEIL GOLDSCHMIDT: I'm going to the Coliseum--

10 DON ADAMS: Yes, you would.

11 GOVERNOR NEIL GOLDSCHMIDT: And I decided I want to go
12 to Oregon City--

13 DON ADAMS: Yes, you would.

14 GOVERNOR NEIL GOLDSCHMIDT: I'm going to have to get
15 off at Water and make the same maneuver to Powell--

16 DON ADAMS: Yes.

17 GOVERNOR NEIL GOLDSCHMIDT: And--

18 DON ADAMS: Yes, you would.

19 GOVERNOR NEIL GOLDSCHMIDT: And if I'm going -- if I'm
20 going south, you're going to give me an elevated structure--

21 DON ADAMS: Yes.

22 GOVERNOR NEIL GOLDSCHMIDT: All the way to McLaughlin?

23 DON ADAMS: Yes.

24 GOVERNOR NEIL GOLDSCHMIDT: Okay. What have you done
25 to this project -- what has been done to this project in this

1 area because of the -- because of the improvements that are now
2 required and that came along later because of the Convention
3 Center?

4 DON ADAMS: We haven't -- we have--

5 GOVERNOR NEIL GOLDSCHMIDT: Anything in this stretch
6 effected by your planning efforts with the City at the Convention
7 Center?

8 DON ADAMS: No, sir, there are not. All that we're --
9 all the work that we're doing now is compatible with anything we
10 would do to the north.

11 GOVERNOR NEIL GOLDSCHMIDT: So essentially what we've
12 got here is a project that was started as a safety project in
13 which you added access out of the inner east side industrial
14 area. No real -- and -- and then subsequently has been designed
15 a connection at McLaughlin and the only reason we're doing this
16 fill is because the City has imposed a requirement that the
17 Greenway be restated in its existing or similar form after you're
18 done with this project?

19 DON ADAMS: Basically that's correct. That -- that
20 Greenway permit was issued to us in 1987 and -- and as I said was
21 that there -- there was a condition that we -- that we improve
22 the Esplanade area. There are additional public hearings
23 involved with that -- with that Greenway approval. Then we have
24 an additional public process that arose out of a request that we
25 look at the possibility of moving the freeway to a different

1 location. We had two broadly representative study committees
2 that followed sequentially both chaired by Senator James See
3 (phonetic) through the 1988 and '89 -- answers to the questions
4 that were raised by these groups and to study proposed design
5 solutions. After and following the committee reports, the City
6 reaffirmed our original design. Basically there was -- there was
7 an interest to move or relocate the freeway but the financial
8 requirements for that were -- were rather -- rather large and
9 rather difficult to obtain. We are now in the process of asking
10 for this permit to fill in the river along with the Portland
11 Development Commission and it's important that we -- we -- I
12 understand it's important that we have some action as the
13 Greenway permit would expire in November of this year. Now,
14 Larry Brown is here to talk about the specifics of the
15 improvements in the Esplanade area. Larry?

16 LARRY BROWN: Thank you. Our appearance before you
17 really is the re -- the last stop, the last approval required for
18 ODOT to obtain a conditional use approval by the -- from the City
19 of Portland. ODOT requires a conditional use approval from the
20 City of Portland for two reasons: one, because the new ramp on
21 Southeast Water and the widening of the freeway on the Marquam
22 Bridge goes over the existing Greenway that's regulated by the
23 City of Portland; and in addition to that, the Greenway
24 improvements that are required of ODOT in conjunction with their
25 highway improvements also require some above and below water fill

1 in order to -- to accomplish some in the way that they've been
2 approved and the plans that have been submitted to the City. All
3 the local approvals and permits that are required have at this
4 time been obtained and that includes federal fill permits of
5 approvals as well. We're coming to the State Land Board last
6 because of an opinion by the State Attorney General's Office that
7 before we could come here, the City and ODOT, all those
8 approvals, in fact, had to be in place before we asked for your
9 -- for your approval. When the -- when the State completed the
10 I-5 freeway construction back in 1966 they did, in fact, put in
11 a trail in that location as part of their overall project and
12 that remains there to this time. When the -- the final plans for
13 the safety improvements and the additional access to the central
14 east side were finally approved by the City and concept, they
15 were approved on the condition that ODOT obtained Greenway
16 approval from the City for the Greenway improvements that were
17 required by local law. They submitted subsequently a plan for
18 those Greenway improvements to the City of Portland that -- that
19 included substantial seawall development as well as placing the
20 trail underneath the Water Avenue ramp. The City Council found
21 that that was not acceptable at that time and asked ODOT and the
22 City staff to work together to develop a plan that they could
23 approve. Subsequently, they worked together -- ODOT and the City
24 Parks Bureau -- and together looked at a number of alternatives
25 as well as some alternatives that were presented by the public

1 and came up with and finalized the plan that we have to share
2 with you today. This plan extends over a mile along the east
3 side of the river and includes -- I'll step up here and show you
4 the -- on the north it begins at the southern extension of the
5 Burnside Bridge and goes to the -- in essence, to the new OMSI
6 project. OMSI's property here is between the Marquam Bridge and
7 the Hawthorne Bridge, property lines roughly here at Southeast
8 Clay and proposed Greenway project be constructed in conjunction
9 with the freeway improvements will extend over this roughly one-
10 mile area. Among the -- the goals we tried to achieve in this
11 Greenway plan is to maintain a separation between the freeway and
12 the Greenway trail of a minimum of 15 feet. Where we -- where
13 possible, we've located the trail at the river's edge, maintain
14 that distance as well. The trail itself is 12 feet with an
15 additional two feet on either side of graded area. That is part
16 of the City's Greenway regulations which was adopted because of
17 a number of minimum standards for safety and pedestrian bicycle
18 uses been established by national standards -- engineering
19 standards for those kinds of uses. We have a 12-foot wide path
20 that extends the entire length of this area to be constructed and
21 the trail has been lowered from the existing grade that it's at
22 today to provide additional separation from the road and the
23 noise. That was done in part to meet standards that were adopted
24 by both the Federal Highway Administration, reduce the noise
25 levels for adjacent trails and to meet the preferred standards

1 of the Environmental -- the Environmental Protection Agency for
2 these kinds of activities. This trail plan also provides two
3 viewpoint areas: one at the northern terminus near the Burnside
4 Bridge and one near the south near the Hawthorne Bridge and
5 existing Fireboat Station.

6 GOVERNOR NEIL GOLDSCHMIDT: What's the cost of doing
7 this?

8 LARRY BROWN: Cost of doing this is estimated at being
9 1.6 million dollars.

10 LAND BOARD ASSISTANT GAIL ACHTERMAN: For the fill?
11 The fill?

12 LARRY BROWN: The fill? All the improvements,
13 including the fill.

14 SECRETARY OF STATE BARBARA ROBERTS: The highway
15 improvements too? Are you talking about just the trail?

16 LARRY BROWN: Only the trail and the Greenway
17 improvements, which include the fill, is approximately 1.6
18 million dollars. As I was saying, there are two viewpoint areas
19 that are established at the south and the north ends. In
20 addition, the area here at the extreme northern end of the
21 project serves--

22 GOVERNOR NEIL GOLDSCHMIDT: If I -- if I can just boil
23 this all down, maybe somebody else wants to go through the
24 design. The design is not really my issue. In order for this
25 project to go ahead, for the City to give its blessings for the

1 highway improvements to be made inside of the City limits, you
2 want to narrow the channel at this location. Have I got it
3 clear? Is this sort of a--

4 LARRY BROWN: We want to -- in order to accommodate
5 this trail, the trail that's defined as 12 feet within the City
6 regulations for the Greenway development, requires that there be
7 fill along this side of--

8 GOVERNOR NEIL GOLDSCHMIDT: How much river are you
9 going to take?

10 LARRY BROWN: We're going to take -- well, this is
11 roughly a stretch of a mile that's roughly filling in an average
12 of four and a half feet along the internal length (phonetic).
13 That's to give you another view of the scale. We're not filling
14 all the area. Most of the fill is going -- as I said here --
15 from the emergency vehicle turnout as well -- as well as
16 establishing a viewpoint at the southern end as well and to
17 accommodate in this section here the fact that the Water Avenue
18 ramp is going to extend right to the edge of the existing top of
19 banks so that any trail to go through that area must go in that
20 case without additional fill underneath the ramp itself.

21 SECRETARY OF STATE BARBARA ROBERTS: Assume the
22 majority of your fill is related to the two viewpoints and the
23 rest is just minor compared to that?

24 LARRY BROWN: Well, most of it is the two viewpoints,
25 plus there is significant fill required here because the ramp and

1 the pylons that go down come right to the edge of the water so
2 that you can't -- in essence, you can't have the trail even at
3 the edge of the existing top of the bank because it's -- it'd be
4 flying off into the water itself. Most of the fill is for
5 basically those three purposes.

6 GOVERNOR NEIL GOLDSCHMIDT: Where am I getting -- how
7 am I getting to this -- apparently you drive an automobile out
8 here and pull out?

9 LARRY BROWN: Well, there's a number of reasons why the
10 -- are you referring to the width of the trail itself?

11 GOVERNOR NEIL GOLDSCHMIDT: No. You said that you've
12 got two bulges in this project. Were there auto -- automobile
13 pullouts? Is that what you described?

14 LARRY BROWN: No, the -- that's correct. They do serve
15 a dual purpose. The pullup -- the area on the extreme north end
16 provides sufficient room for the police bureau to have an
17 emergency vehicle turnaround there. The police bureau has
18 informed us that a 12-foot -- they like to have access to this
19 area because of problems they've had in the past and expect to
20 have in the future and that--

21 GOVERNOR NEIL GOLDSCHMIDT: This is pulling off the
22 east bank freeway into this thing?

23 LARRY BROWN: No, it's not. There's access under the
24 Hawthorne Bridge currently that will be improved as part of the
25 overall plan.

1 GOVERNOR NEIL GOLDSCHMIDT: By where the fire station
2 is?

3 LARRY BROWN: Yes, right where the fire station is and
4 there'll be adequate clearance here for emergency vehicles to --
5 to have access to the entire length of the Esplanade itself.

6 GOVERNOR NEIL GOLDSCHMIDT: Give me a break. I mean,
7 give me a break. We're going to spend a million and half bucks
8 widening this thing so the City police can drive cars down this
9 thing?

10 LARRY BROWN: No, most of the expenditure is for the
11 landscaping and the grading and making the physical improvements
12 themselves. Only a small portion is for the fill.

13 GOVERNOR NEIL GOLDSCHMIDT: If I send you back to
14 redesign this thing can you do this quickly and get this junk out
15 of here -- this -- these bulges for the car turnaround?

16 LARRY BROWN: Well--

17 GOVERNOR NEIL GOLDSCHMIDT: You know, we start out with
18 the Greenway program for pedestrian access to the river and
19 you're down here telling us we've got to narrow the river in
20 order to have a place for the Portland Police Bureau to turn its
21 cars around?

22 LARRY BROWN: I wouldn't characterize it that way. In
23 fact, the reason for the bulges -- I said they serve a dual
24 purpose. Existing trails proposed is one for bicycles and for
25 -- for pedestrian use. We need to have, you know, a 12-foot-wide

1 path in order to maintain adequate safety for the--

2 GOVERNOR NEIL GOLDSCHMIDT: Let me say this to you.
3 I'm -- I'm new to this design. I haven't seen it before.

4 LARRY BROWN: Okay.

5 GOVERNOR NEIL GOLDSCHMIDT: If ODOT without your help
6 came in here and said they wanted to take four feet of river and
7 gave us the reasons you have, we'd send them back. Now, you're
8 here representing the City government, a government I'm a little
9 familiar with and I'm frankly ready to send you back anyway. I
10 don't care what the police bureau wants on the river. I mean,
11 we're talking about trading four feet of river width for reasons
12 that have to be damn good. I mean, that's just always been the
13 policy of the State government and was, I'm sure, when the east
14 bank was done in the first place. I -- speaking for myself,
15 unconvincing. There isn't one thing I've heard you tell me about
16 why we're taking the river that I feel really terrific about.
17 Now, I've been over there a lot of times and walked those -- you
18 know, shot commercials there for campaigns and we spent a lot of
19 time. It's not heavily used. You proposed that it will be
20 heavily used now when we get down with all of this.

21 LARRY BROWN: It will be very heavily used. This will
22 provide the--

23 SECRETARY OF STATE BARBARA ROBERTS: Is that the reason
24 for the police cars?

25 LARRY BROWN: Well, it won't be hopefully heavily used

1 by police vehicles, but there were be heavy use -- heavy use by
2 bike -- by people using bicycles and walking. This will be
3 connecting to similar permits being made by OMSI as part of their
4 project and ultimately will be an east side Esplanade that will
5 connect OMSI with the Convention Center. Those -- those plans
6 will be developed as part of the City's plans. It's been an
7 adopted plan by the City Council. This will be the central
8 element of that and it's important for part -- the body of that
9 connection between OMSI and the Convention Center.

10 SECRETARY OF STATE BARBARA ROBERTS: And you think
11 people are going to walk from -- or bicycle from OMSI to the
12 Convention Center? I mean, the people who are using OMSI and
13 using this trail are the same people who are going to be using
14 the Convention Center? That seems like a strange combination of
15 uses.

16 LARRY BROWN: People will use it for recreational
17 purposes. They won't use it for--

18 SECRETARY OF STATE BARBARA ROBERTS: The trail?

19 LARRY BROWN: Transportation. If they're visiting OMSI
20 and very few will be going from the Convention Center to OMSI
21 along the trail, but the trail itself will be used heavily within
22 that particular area because it does have two major points of
23 significant access that it currently lacks. Right now, it's not
24 very accessible and that's reflected in the -- the low usage that
25 it currently gets.

1 GOVERNOR NEIL GOLDSCHMIDT: Tony?

2 STATE TREASURER TONY MEEKER: Yeah. What is the usage
3 today and what problems have the police had there?

4 LARRY BROWN: The police have had -- we continue to
5 have a great deal of problems particularly with homeless people,
6 people with drug problems, (unintelligible) problems that are
7 camping underneath the bridges and along the river front itself.

8 STATE TREASURER TONY MEEKER: So the trail is not used
9 for that reason?

10 LARRY BROWN: We're told that people are not using it
11 increasingly for that reason because it's become -- it's not well
12 lighted. It has a lot of area -- many areas that are simply
13 hidden from view. It doesn't have -- never been designed with
14 public safety in mind--

15 GOVERNOR NEIL GOLDSCHMIDT: The first design of the
16 River Front Park in Portland -- actually, the architects of the
17 landscape people who did it is between Front Avenue and the river
18 after the -- when the Harbor Drive was taken out -- had a berm
19 along Front Avenue and the police came in and said, "You can't
20 be serious." Literally, as you were driving down Front Avenue
21 you would not be able to see into the park or, to put it another
22 way, if you were in the park, you were not being watched by
23 people on the other side. I think it was a great piece of advice
24 and they took it out. I think this place is -- was not well
25 designed in the first place for a lot of use. I actually think

1 that people will create uses between OMSI and the Convention
2 Center, but I'm -- I -- that's just the human nature of people
3 who like to use bicycles will figure out a way to make those
4 interesting stops. I'm not so persuaded about bulges in the
5 river that takes space for police car turnarounds. I mean, I've
6 just got to tell you flatout, what we're doing is we're
7 narrowing -- because we had this debate on the other side of the
8 river when we came to the State when I was mayor and said, "We
9 want to come down onto the river with a platform," which we were
10 given permission to do and I don't think we can keep figuring out
11 reasons to keep squeezing this channel down, and this is not a
12 good reason.

13 LARRY BROWN: Aside from the police vehicles, let me
14 point out two other reasons why in certain cases we need to have
15 a -- a filling of the river to provide additional space. As you
16 mentioned, having areas that are public use, particularly
17 recreational use, that are screened and can't be seen from the
18 road present public safety problems. Instead of a berm, we've
19 got the freeway itself. One of the things that -- that we're
20 proposing to do here is to keep the trail from going underneath
21 the Water Avenue ramp. Once it's underneath the ramp, it's going
22 to be subject to considerably more danger from people in essence
23 that are going to be--

24 GOVERNOR NEIL GOLDSCHMIDT: You talking about the
25 current ramp or the new one?

1 LARRY BROWN: The new proposed ramp. The new proposed
2 ramp goes right to the edge of the current top of the bank.
3 There's no way to have a trail that's going to go around that
4 ramp without fill. The fill that's proposed here is only -- is
5 the minimum required in order to put the fill between the ramp
6 and the river itself because we don't want people going under the
7 dark ramps and being out of view. It's a public safety issue.
8 The bulge on the southern end serves a different purpose than
9 that on the north for this reason. Most of the people that are
10 going to be using the -- the 12-foot-wide trail are going to be
11 people that are joggers as it currently is and we'll be
12 introducing bicycle traffic there as well. The southern bulge
13 here, that viewpoint provides a refuge for people that aren't
14 joggers and that aren't bikers: kids, elderly, people who are
15 physically limited except that they shouldn't -- they will choose
16 not to be on this road with people that are riding bikes and that
17 are running and it provides a viewpoint and a refuge for doing
18 that. It's a relatively small area, but it's important in terms
19 of providing uses here other than just biking and running, which
20 not everyone can take advantage of. The purpose then of the fill
21 is to provide that kind of alternative and to allow us to run,
22 to locate the trail just outside the Water Avenue ramp.

23 GOVERNOR NEIL GOLDSCHMIDT: Martha, who -- who on our
24 staff -- your staff is babysitting this project?

25 DIRECTOR MARTHA PAGEL: Earle.

1 GOVERNOR NEIL GOLDSCHMIDT: What's the river width from
2 each of these bulges to the other side?

3 EARL JOHNSON: I don't have that right off. I could
4 find that out, though.

5 SECRETARY OF STATE BARBARA ROBERTS: Can I ask a
6 question? The use state is -- I'm just having a lot of problems
7 with it. Let's say I live out in 82nd and I want to come and run
8 on the river because that's a nice place to run. Let's suppose
9 there's 70 of me who live out there and we'd like to come and run
10 on the river. Where are we going to park our cars in order that
11 we can use this -- this Greenway? Where are we going to be
12 parked?

13 LARRY BROWN: Part of the plan approved by the City for
14 the Esplanade is provided parking area for people to use -- to
15 park here, get off and get--

16 SECRETARY OF STATE BARBARA ROBERTS: Park west -- park
17 where?

18 LARRY BROWN: It was be right here under the -- the
19 bridge. There is ODOT property here that's been designated for
20 parking at the end of the freeway project where the immediate
21 access is to the river front itself. There'll be parking there
22 for people that are right--

23 SECRETARY OF STATE BARBARA ROBERTS: Are they coming
24 under the freeway? Am I parking on the other side of the freeway
25 and walking under in order to get to the path?

1 LARRY BROWN: You -- you would be parking under the
2 freeway itself or the freeway is very high at this point--

3 SECRETARY OF STATE BARBARA ROBERTS: You can be there--

4 LARRY BROWN: And possibly a little bit to the east as
5 well.

6 SECRETARY OF STATE BARBARA ROBERTS: Am I coming under
7 the freeway in order to get the path there? When I get out of
8 my car--

9 LARRY BROWN: You are.

10 SECRETARY OF STATE BARBARA ROBERTS: So I'm walking
11 under that same freeway that we can't put a path under in order
12 to get to the path that we have to build into the river for
13 because we can't run under it?

14 LARRY BROWN: That's right, but there's no alternative
15 in that case without moving the entire freeway. The only -- in
16 order to have the parking on riverside of -- of the freeway
17 itself, we want to keep the parking adjacent and as close to the
18 parking permits as we can and they out -- will be immediately
19 adjacent. Some of the parking will be underneath the bridge,
20 however.

21 SECRETARY OF STATE BARBARA ROBERTS: So I'm going to
22 park my car on the other side of the freeway, come underneath the
23 unlighted area underneath the freeway, which is obviously a
24 little wider than the ramp, to get in -- to get to that path.
25 Is -- is the -- is the parking guaranteed to be built now?

1 It's -- it's contracted for. It's going to be there? There's
2 no question that parking is going to be there when this project
3 is finished?

4 LARRY BROWN: The parking will be there. It's part of
5 the conditional uses approved by the City. It's part of the
6 design that must be built.

7 SECRETARY OF STATE BARBARA ROBERTS: And it's enough
8 for 10 cars, 50 cars, 90 cars?

9 LARRY BROWN: Forty-two cars.

10 SECRETARY OF STATE BARBARA ROBERTS: Forty-two cars
11 with one person each in them?

12 LARRY BROWN: Probably.

13 SECRETARY OF STATE BARBARA ROBERTS: What about the
14 people who want to start on the Coliseum end? Where are they?
15 Are they going to be able to park on the Coliseum end if they
16 want to run the other way on the -- on the path?

17 LARRY BROWN: Have to say the OMSI -- that -- that part
18 of the Greenway trail development has not been designed and
19 that's going to be in the future. This particular project will
20 end up--

21 SECRETARY OF STATE BARBARA ROBERTS: So if I move over
22 by the Coliseum, I can't park my car and use the path or if I'm
23 at the Convention -- I mean, the Convention Center. Or if I'm
24 a visitor at the Convention Center, I -- and I want to rent a
25 car, I don't have anyplace to park it unless I'm paid -- paid --

1 you know, assumed paid parking will be available at the
2 Convention Center?

3 LARRY BROWN: Your best alternative would be to hop on
4 the MAX at that point and take it downtown. There is going to
5 be--

6 SECRETARY OF STATE BARBARA ROBERTS: On the west side
7 of town?

8 LARRY BROWN: There will be ramps from the Burnside
9 Bridge that will provide access down to the -- to this northern
10 end, so--

11 GOVERNOR NEIL GOLDSCHMIDT: Right now if you're a user
12 of this it's just as likely you are in shorts and jogging shoes
13 on the west side of the river. You're coming across -- jogging
14 across the bridge, down a corkscrew stairway or whatever they've
15 got there onto the East Esplanade, jog it for whatever distance
16 is there, back up and out of there and back to the west side.
17 I don't know how much automobile traffic there is, but the years
18 I've been around there most of us parked around the fire station
19 because there were always eyes there. They were open 24 hours
20 a day and it was -- you know, there's a sort of a sense of
21 security. The police come by and they've got patrol boats on the
22 river and stuff, but I think there's a little fru-fru in this
23 project. This is a camel we've got here. It's a horse designed
24 by a committee.

25 SECRETARY OF STATE BARBARA ROBERTS: That this is

1 designed for west-side runners not for east-side runners.

2 GOVERNOR NEIL GOLDSCHMIDT: Well, there's a terrible
3 physical problem--

4 SECRETARY OF STATE BARBARA ROBERTS: Yeah.

5 GOVERNOR NEIL GOLDSCHMIDT: To get in here no matter
6 what anybody's predicting. I don't know how much more use will
7 come.

8 STATE TREASURER TONY MEEKER: There -- there are
9 some -- there are some concepts that people have looked at and
10 I think PDC has looked at connecting the north end of this
11 project, as we've defined it here, and the Convention Center, so
12 ultimately you would be able to come in from 82nd Avenue riding
13 MAX and get off if you wanted to -- wanted to jog. I don't know
14 if you want to ride MAX in jogging clothes, but I mean, you could
15 do that.

16 STATE TREASURER TONY MEEKER: I read about a woman that
17 was jogging in Boston and was -- in fact, there were three women
18 attacked on the same night and the only thing that separated
19 those three women from view was a five foot high wall. I'm
20 not -- I'm not totally certain that -- that I would want to get
21 out of my car under a bridge unless there's some fairly permanent
22 security that's in that area. If we're going to create another
23 monster like they have in Boston, I'm very concerned about that.
24 I'd just like to have you -- I -- I don't -- I'm not satisfied
25 that we've thought through -- or that I've heard it yet and it's

1 been thought through that there's enough security or at least
2 openness to -- to allow people to use it.

3 LARRY BROWN: We might take a moment, then, to look at
4 the cross-section of what that trail looks like. It was, in
5 fact, just being designed to provide as much open area as is
6 physically possible to prevent areas of the trail from being
7 hidden from view. The plan itself keeps all the vegetation, all
8 the tree plantings and that kind of thing basically between the
9 trail itself and the freeway. This area here is all open and
10 will be lighted through its entire extent, a far different
11 situation than occurs on that trail today. It would be a very
12 open area. It's not going to have vegetation covering the trail
13 on both sides. It's going to be an area that in essence, going
14 to be very open, so the most -- the best that we can do in terms
15 of design is to have an area that's open and the landscaping is
16 designed to provide a lot of viewpoints for -- for people on the
17 trail that are using it and provide a lot of lighting and none
18 of those things occur today. The other thing that we're
19 concerned about again is that to keep people out in the open and
20 to prevent those kinds of problems from happening you need to
21 keep the trail itself out from under the ramps to the extent that
22 you possibly can.

23 SECRETARY OF STATE BARBARA ROBERTS: But--

24 STATE TREASURER TONY MEEKER: How about the parking
25 area? You know, it's under the bridge. It -- who's going to be

1 watching the 42 cars or will anybody?

2 LARRY BROWN: Well, the 42 cars are -- are going to be
3 parked there. It's going to be as well lighted as we can
4 possibly make it. It won't be anymore dangerous than any of the
5 other parking in the area. The area is still used by much of the
6 industrial users within that district. Following the completion
7 of the freeway improvements, there'll be substantial land
8 immediately surrounding that property that can be put to other
9 more active uses as well. Currently, it's just an open sea of
10 parking and they -- that will change over time.

11 SECRETARY OF STATE BARBARA ROBERTS: Let me ask about
12 the landscaping again. The purpose for the landscaping, the
13 trees and the shrubs is to -- is -- is a buffer between the
14 people using the trail and the freeway, for looks, for noise?

15 LARRY BROWN: For looks, for noise and for reducing the
16 amount of pollution that -- air pollution that's coming off of
17 the freeway itself.

18 SECRETARY OF STATE BARBARA ROBERTS: Of the freeway.
19 Well, if I'm -- if I'm running that trail, then what do those
20 shrubs become? I mean, the last -- what Mt. Hood Community
21 College discovered with one of its running places that was filled
22 with shrubs on both sides was they were wonderful hiding places
23 and I'm not sure that in the process of buffering we haven't done
24 exactly the thing we're trying to avoid, which is to add
25 another -- another buffer, if you will, that's also a blind.

1 LARRY BROWN: The buffer will only be on one side,
2 though. It will be against the -- against the freeway--

3 SECRETARY OF STATE BARBARA ROBERTS: Well, who's going
4 to see you from the other side? I mean, that's the river.

5 DON ADAMS: I'd like -- I'd like to just make--

6 SECRETARY OF STATE BARBARA ROBERTS: I'm--

7 LARRY BROWN: There's--

8 SECRETARY OF STATE BARBARA ROBERTS: I mean, if safety
9 is the con--

10 LARRY BROWN: There's no one on the other side here
11 either. All we have is a freeway and some retaining walls. The
12 only public commute point is going to be up and down -- public
13 areas for viewing are going to be up and down the trail itself
14 and basically from the other side, but there -- there is nothing
15 except the freeway on the--

16 SECRETARY OF STATE BARBARA ROBERTS: Yeah, I can see
17 that.

18 GOVERNOR NEIL GOLDSCHMIDT: Yes.

19 DON ADAMS: Just -- just a -- just observation, there's
20 a lot of focus on -- on joggers and how they might use this and
21 if I was a jogger I would -- I would agree with you that I
22 wouldn't use this area at night, but there's a lot of daytime
23 opportunities for use and there are still nighttime opportunities
24 for use if people wish to take that opportunity and events can
25 be scheduled so that they can use maybe not -- maybe not the full

1 length of this Esplanade, but what would be the northern length
2 of the Esplanade or some northern portion of the Esplanade in
3 relationship to the Convention Center activities. I see -- I --
4 contrary to Larry, I see this as a nice opportunity for people
5 who -- who are in the Headquarters Hotel at the -- is that what
6 they call it?

7 SECRETARY OF STATE BARBARA ROBERTS: Yeah.

8 DON ADAMS: The Headquarters Hotel to -- with their
9 families to walk down the Esplanade to go to OMSI or to walk down
10 the Esplanade just to enjoy the view, and I think in the daytime
11 that's perfectly legitimate and should be a carefree activity.

12 GOVERNOR NEIL GOLDSCHMIDT: Well, look. I do not
13 intend to substitute my judgment for the judgment of the mayor
14 and the City Council in Portland about public safety design.
15 You've got plenty of people there who are experts at it and you
16 can hear the concern. The trusteeship, as I understand it, of
17 this body, has to do with the channel and we have a proposal here
18 to fill and it takes four feet, if I understand it correctly, and
19 narrow the channel by that amount. I think that essentially the
20 burden that this body has always had or the responsibility has
21 been is they're a less owner alternative. That is, is there
22 something you can do to make that decision unnecessary and I'm
23 not persuaded about one of these design features that, in fact,
24 that burden has been met. I'm willing to think about it and
25 listen to it, but I am -- I just don't think it's compelling.

1 Now, if somebody came in here and said there's a very critical
2 economic use or it's fundamental to some strategy for
3 revitalization, kind of on and on and on, but I think we're at
4 the margins. I mean, you're down at the margins now narrowing
5 the channel and the river to fulfill some mission that I'm not
6 quite persuaded about, but we've got a lot of folks who want to
7 be heard on this subject today. This is an informational
8 hearing, if I understand it. No decision is going to be made--

9 SECRETARY OF STATE BARBARA ROBERTS: Right.

10 GOVERNOR NEIL GOLDSCHMIDT: And chance for the Board
11 to hear from them or to ask them questions about it.

12 SECRETARY OF STATE BARBARA ROBERTS: Could I ask one --
13 just one more question? One place I saw four and a half feet on
14 the width is the average width and someplace -- of the fill and
15 in another place I'm seeing approximately 15 feet wide. Can
16 you -- can you just clarify that for me?

17 LARRY BROWN: Yes. The staff report you have before
18 you says 15 feet over 2,000 lineal feet -- 15 feet of fill. That
19 was -- that was erroneous. There was a staff -- staff report
20 from the -- the planning commission staff to the City of Portland
21 City Council referred to the average -- well, to the average fill
22 being between 2 and 15 feet over lineal -- lineal area of 2,000
23 feet so the 2 was omitted from the staff--

24 SECRETARY OF STATE BARBARA ROBERTS: Okay.

25 GOVERNOR NEIL GOLDSCHMIDT: What I -- yes.

1 DIRECTOR MARTHA PAGEL: This might be a good point to
2 follow-up in your question about the width of the river and --
3 and Earle came up with roughly a thousand feet and then you have
4 it just wide at that point and then you have the differing levels
5 of fill from the 2 feet to the 15 feet encroaching on that.

6 LARRY BROWN: Yeah, 15 feet at those viewpoints.

7 EARLE JOHNSON: The 15-foot distance I got was from
8 cross centers provided with the application and this -- those are
9 not just at the viewpoints. And also the application shows
10 other -- extending some distance beyond the upstream extent
11 that's shown--

12 GOVERNOR NEIL GOLDSCHMIDT: Which direction are you headed?
13 Talking about the south end?

14 LARRY BROWN: The south of the Hawthorne Bridge there
15 is some minor fill here. This is an area where the Banfield was
16 underneath the bridge itself. I think it's lost from view.
17 There's some minor fill there in order to -- you know, to bring
18 that trail further out and close to the river at an earlier
19 point.

20 EARLE JOHNSON: Andy Sage (phonetic) knows what I'm
21 talking about.

22 GOVERNOR NEIL GOLDSCHMIDT: Well, I'm probably not
23 articulating my question very much. The -- the topography on the
24 west side of the river is not -- is not identical at every foot
25 of progression and it depends on which side of the river you're

1 mak -- be -- what's on the other -- west side of the river is
2 going to define what it is -- how much channel we've got left.
3 So I'm curious -- and I'd like to know from the staff when we're
4 done with this -- what the -- the current width of the river
5 is -- useful river is for the entire length of this project and
6 what it's going to be at its narrowest points at various stages
7 of -- of fill. As we may have a place where there's 15 feet of
8 fill but there's a surplus of river space to handle it. How do
9 you want to handle the testimony because I assume we may want to
10 ask these two gentlemen questions as other folks--

11 DIRECTOR MARTHA PAGEL: If you could stay handy up
12 here, we do have a few others who wanted to speak and we'll just
13 watch our time and handle it as best we can. Governor, you have
14 the list of those who want to speak.

15 GOVERNOR NEIL GOLDSCHMIDT: Yeah, I've probably got
16 more people here than we're going to have time to hear at any
17 great length, so the question is how to manage all of this.
18 Let's start with -- Mr. Burns, are you -- do you want to testify
19 about your support for the ramp on the east side or is there
20 something more general here that you want to cover? Please come
21 up. I -- try to figure out what people are trying to cover and
22 see what we can get here.

23 JACK BURNS: Yes. I would like to -- Governor, to
24 speak to the ramp on the east side. I would represent the
25 Central East Side Industrial Council, one of two or three that

1 are here today. I'd just like to give a quick -- and I'll be as
2 brief as I can -- little history on this. Back 30 years ago --
3 almost 30 years ago this month a group of us went to Salem to the
4 Highway Commission and asked for an on ramp and an off ramp where
5 the Water Street off ramp is today. There was none in the
6 original East Bank Plan. The Highway Commission granted the off
7 ramp because it could be built, we thought, for about \$30,000 at
8 that time. I think it ended up a little bit more than that, but
9 not much. They did not agree to put the on ramp on. In those
10 days in the '60s, why, that central east side area was in its hay
11 day. We had approximately 35,000 employees in what is the area
12 of the Central East Side Industrial Council represents. Then we
13 hit the skids. After the freeway was put in and the two
14 extension -- or the new Morrison Bridge and the extension on the
15 Hawthorne Bridge and it decimated our area. The total employment
16 in that area went down to 7,000 people and I think you remember
17 this, Governor, because at that time you were elected mayor of
18 the City. In 1973 you and a group of us -- we had had a
19 committee set up already and we were trying to do some work to
20 bring back the area and you came to us and said, "Why don't we
21 form a Central East Side Industrial Council?" which we did. We
22 made a -- a group of goals. The first goal -- the number one
23 goal -- the most important one was to get the on ramp into this
24 area. Then in 1980 we thought we had it and -- and we thought
25 we've had it ever since then. One thing that has happened,

1 though, the Central East Side Industrial Council has -- I think
2 has done an outstanding job of volunteerism. We have now brought
3 back the employment in this area to -- where it's around 23,000
4 jobs today and they're the type of jobs you want, but I'd like
5 to go back to 1973 because in 1973 when we hit the bottom
6 the neighborhoods adjacent to our area also hit the bottom. And
7 they were really in bad shape because there were no jobs. Now
8 today we're -- we have 22,000 jobs, but this area is far from its
9 peak. There should be 40,000 jobs in this area and they're the
10 type of jobs you want in the City because the central east side
11 area really is the key to eliminating central City decay. I
12 think this is an extremely strong point. Now, we have been
13 waiting and waiting and waiting. I -- I've been waiting 30 years
14 or more for this on ramp. That on ramp is the crucial point for
15 us to get that employment back to where it should be. And when
16 we can -- if you go to the -- those neighborhoods today and see
17 the vast improvement over 1973, it's -- it really does your heart
18 good. And the reason for it is the jobs that we have in that
19 area right now. In my own company we have 250 people of -- in
20 that area and we have about 170 of those people live in that
21 area. And they walk to work, they ride bicycles or they take the
22 bus and a few drive cars, and that's really what it is, and this
23 is where you're going to save your pollution, your air quality
24 and everything else. This ramp is so doggone important I hope
25 we don't have anymore stumbling blocks in our way, and I'm here

1 today to ask you to really approve this situation so we can be
2 on with it. We really need it. And that's all I have to say.
3 Thank you.

4 GOVERNOR NEIL GOLDSCHMIDT: Thank you very much. Could
5 I invite Messrs. Buel, Crandall and Howell who I gather have
6 similar points of view to share the microphones?

7 RONALD BUEL: We represent a group called River Front
8 for People, which has been fighting this ramp for a couple years
9 now at least. We're -- we're -- you're kind of a latch -- last
10 ditch effort for us. Definition of a fanatic is somebody who
11 redoubles their efforts when all is lost, and I guess that may
12 be the way that we appear to you today. However, I wish to point
13 out that the al -- there is a feasible alternative to this ramp.
14 The feasible alternative was developed with State funds and City
15 funds, a \$100,000 that went into consultant studies when we --
16 we waived our right to appeal the conditional use on this -- the
17 City's conditional use on this waterfront in order to have those
18 studies. The study committees on two separate occasions voted
19 for the -- for the alternative against the ramp, which your --
20 is before you today. Those are the only times the committees
21 took votes on the matter. The City Planning Commission
22 unanimously -- unanimously approved the alternative in favor of
23 building this crazy corkscrew ramp that comes up across the --
24 the existing freeway dozens of feet into the air. It's going to
25 be a visual blight on that river front. The alternative that we

1 proposed in which we still believe in is the right thing because
2 it frees up valuable river front land in the heart of the City
3 between the new Convention Center and the OMSI and the City
4 Planning Commission's vision study suggested ways in which the
5 land could be developed in providing a great economic boost to
6 the central east side, more jobs and considerable development in
7 the heart of the City where people can walk to it and ride buses
8 to it and bicycle to it as Mr. Burns suggested. We think that
9 the alternatives proposed are correct economically. What -- why
10 can you be the lynch pin on this? You can be the lynch pin
11 because they need to have the fill in order to go forward. Yet,
12 why has the State not done an environmental impact statement on
13 this? It's an interesting question. We've got this far in the
14 process and no EIS from the State or the feds. It seems like to
15 us there are considerable -- in the heart of the City a very
16 visible location, you might say, with dozens of hearings at the
17 Planning Commission and the City Council and study committees
18 that nobody's taken the time to do an environmental impact
19 statement on this. It seems to us to be kind of a sloppy
20 situation at least. You're asking some interesting questions
21 today already about this project. I think the more you dig into
22 it, the more you realize that it's a pretty foolish undertaking
23 and that there is a feasible fundable alternative. We're--

24 GOVERNOR NEIL GOLDSCHMIDT: If I'm not mistaken, this
25 feasible fundable alternative you're talking about is moving the

1 east bank freeway?

2 RONALD BUEL: Yes, that's correct.

3 GOVERNOR NEIL GOLDSCHMIDT: Get down to talking turkey
4 here.

5 RONALD BUEL: Yep.

6 GOVERNOR NEIL GOLDSCHMIDT: This is the one which the
7 City Council itself never accepted?

8 RONALD BUEL: Well, it's interesting. We did
9 have Commissioner Lin -- Lindbergh voting for us and after the
10 the Planning Commission unanimously supported it and after the
11 study voted twice--

12 GOVERNOR NEIL GOLDSCHMIDT: Well, no, not a long speech
13 on this. Is this -- at this point the Portland City Council is
14 not saying they want to move the freeway or they are saying they
15 want to move the freeway? It's a question. It's not a statement
16 of fact. I don't know what they--

17 GEORGE CRANDALL: They said they did not want to move
18 it and the vote was 4/1 we think that if it was voted on again
19 it would probably be 3/2 and we think that in two years it may
20 be better than that.

21 GOVERNOR NEIL GOLDSCHMIDT: In the mean -- in the
22 meanwhile, the price of this moving the freeway is not one the
23 Land Board has to pay for, I presume, we just get to cause
24 trouble for other people. Is that the idea here?

25 GEORGE CRANDALL: That's a wish.

1 RONALD BUEL: Well, the State can come up with a lot
2 of money right away if it needs to to deal with earthquake
3 problems on this side--

4 GEORGE CRANDALL: Well, I'm -- yeah, perhaps I ought
5 to go over some of the graphics because it deals with--

6 RONALD BUEL: Good.

7 GOVERNOR NEIL GOLDSCHMIDT: Well -- well, wait a
8 minute, George. I'm not going to sit here and watch you build
9 a -- move the freeway. I mean, that -- that's not--

10 GEORGE CRANDALL: No, I'm not -- I'm not asking you to.
11 I'm asking you to evaluate the existing scheme. That's all--

12 GOVERNOR NEIL GOLDSCHMIDT: All right.

13 GEORGE CRANDALL: We're asking you to do and I don't
14 mind being thrown in the same pot with these two fine gentlemen,
15 but I'm here representing the Portland Chapter of the American
16 Institute of Architects and chairman of the AIA Committee -- or
17 Design Committee, and we have been involved in this for some
18 time. The -- this existing proposal and I don't -- will hardly
19 refer to this one up here. The existing proposal shows the --
20 the Greenway that's being talked about talked about here and
21 really the answer is it's very difficult to get to the Oregon
22 Convention Center on down through the freeway. They're talking
23 about a little river pier -- floating pier here, maybe -- what's
24 it five or six blocks long over the river which basically we
25 think doesn't work. To make that--

1 GOVERNOR NEIL GOLDSCHMIDT: You mean, the extension of
2 this project would be -- would be here--

3 GEORGE CRANDALL: Well, yes, because there's literally
4 no place to get to on land, so you've got to go out into the
5 water, so when you see that little brown line, they didn't show
6 you that, but that's how you would make the connection on up to
7 here, and it's very difficult, then, to get up to the Oregon
8 Convention Center. And the concern -- I want to talk about
9 really the dreams and really the people of Portland, and there's
10 a timing thing here. This wasn't back in '80. It was approved
11 in '86 about the same time the City started to develop the second
12 generation of the Central City Plan, there was one thing that was
13 consistent with all of the people that responded and the one
14 thing was, make the river the focus in our City and do something
15 about the east bank freeway. That was the only thing that came
16 through again and again, so there was a timing thing. Now, we
17 don't argue with Jack Burns that you need access into the east
18 side. The point is, there's a timing thing here that it's a
19 scheme that really doesn't work for where Portland is today and
20 the way the people of Portland want to see their urban area
21 develop. So that's what's being proposed is this green strip
22 area and it's an analysis that when we went to very quickly and
23 we find that there's basically a zone back in here. Here's the
24 SP railroad which runs along here and the existing road here, and
25 this is the expanded roadway scheme. There's a zone back in here

1 which is kind of in a no-man's land and really the proposal was
2 just to take -- take the road and move it up to the -- to the SP
3 railroad and create really 30 acres along here, which would then
4 allow you to make the kinds of connections you're talking about
5 between OMSI, the Oregon Convention Center, and then place other
6 public attractors along the river front so there can be this
7 movement, then, back and forth. When you look at really the
8 environment of that walkway that's being proposed -- where the
9 fill is proposed, that's in a severe noise impact zone. If any
10 of you have been down there it's almost intolerable. There's a
11 heavy, heavy noise impacts through here in this zone and it's not
12 the kind of place where you want to go jogging, you want to sit
13 or you even want to be, and so another four and a half feet of
14 fill really isn't going to change that. It's basically -- it's
15 a hostile incompatible environment. Then there was talk about
16 access. This -- this fill that is -- allows this connection to
17 be made. Well, there's a basic problem. This southbound access
18 that Jack wants has to go across the railroad tracks. It doesn't
19 solve that problem and there are 12 to 13 cars -- on the low side
20 12 to 13 car -- trains a day which run up and down this track and
21 up to a high of 18 or 20, so that access is compromised right
22 away. It's not access in -- into the industrial area. It's
23 compromised because it comes down on the wrong side of the
24 railroad tracks and that traffic is -- then is going to be backed
25 up trying to get across those railroad tracks, so that doesn't

1 work. And obviously the alternative works. In either case it
2 provides uninterrupted access. This scheme works better for
3 Jack. It's a better scheme for him. The safety issues were
4 addressed. Well, this is a safe -- this is a safer scheme. ODOT
5 will tell you and you should ask them afterwards if it solves all
6 the problems -- it does not -- there's a -- it doesn't solve the
7 curve problem, the double S curve that's in here. There's a
8 weave problem and it's a connection then on over to McLaughlin.
9 There's a weave problem in here which has not been resolved.
10 There's another weave problem here coming off the Banfield, then
11 on up to the Morrison Bridge, and so the scheme as being proposed
12 is a compromise scheme. We're talking about spending 50 to 60
13 million dollars for a scheme that basically does not work that
14 well, does not solve the problem. The -- I won't go into this
15 one, but the -- the -- in any detail, but the green line is a
16 pedestrian access up to here. Basically, we're saying it just
17 doesn't work there. That's a myth to think that you can run the
18 length of the waterfront between the road and the river in the
19 severe noise impact zone. And then coming back to the -- the --
20 no, the timing issue again, when the plan was approved -- Jack's
21 plan was approved in '86, we didn't have the new Central City
22 Plan. We really hadn't looked at our core area. We were --
23 considered ourselves a one-sided City. In the process of
24 developing a Central City Plan we realized that the river should
25 be the focus and that the east bank was important and that's why

1 when the roadway was studied and looked at alternatives to that
2 Water Avenue ramp, all of these people said, "Let's take -- let's
3 go with the alternative" and so there were the steering
4 committees--

5 GOVERNOR NEIL GOLDSCHMIDT: George, whoa, whoa. We're
6 back discussing moving the freeway.

7 GEORGE CRANDALL: Yeah.

8 GOVERNOR NEIL GOLDSCHMIDT: Which I don't think unless
9 I'm missing the point we have jurisdiction over or want to get
10 into.

11 GEORGE CRANDALL: No, but I think it comes down to
12 whether -- whether the scheme in front of you makes sense and it
13 is a camel. It basically doesn't work. It's wrong -- in the
14 wrong place. Thank you.

15 GOVERNOR NEIL GOLDSCHMIDT: Jim?

16 JIM HOWELL: I'd like to speak just a little bit about
17 safety. It's sort of ironic that this whole project got started
18 on a safety issue back in the '70s in order to make the -- the
19 Banfield safer. And then there was pressure on the State to add
20 this access ramp to that. Yet this access ramp itself is -- is
21 a severe safety issue and I think -- and that's the access ramp
22 that's -- that's causing the -- the need to fill the river, not
23 the freeway project itself, but the -- the hairpin ramp. Access
24 to the Marquam Bridge is -- is around a very sharp -- sharp
25 hairpin turn with climbing lanes. This is for an industrial

1 access, which includes large trucks that will be climbing at a
2 grade to go over the Marquam Bridge, many of which will be
3 weaving across the Marquam Bridge to go out Sunset and so
4 basically you're creating a real -- a real safety problem by
5 building this ramp where it is. In fact, ODOT themselves after
6 we got into this process awhile came up with their own alignment,
7 alignment B, which was the ODOT -- ODOT modified alignment
8 because I believe the engineers themselves recognize how poor
9 this design was. How that option being -- ever got very far, but
10 it did indicate that highway engineers don't like it either.

11 GOVERNOR NEIL GOLDSCHMIDT: Why didn't it get very far?

12 JIM HOWELL: I guess it lacked support. We -- we were
13 supporting option C, which was the more radical proposal and East
14 Side Industrial Council wanted to stick with -- with the hairpin
15 ramp and it lacked -- it lacked support, but I think it did --
16 want to point out that the engineers themselves realized that
17 this hairpin ramp is unsafe. The fact that it draws traffic
18 across the heaviest -- heaviliest (phonetic) used main-line
19 railroad track to -- to get onto the freeway I think is no small
20 thing. Besides the safety problems there it also is going to
21 create a severe congestion problem and when -- if it's built ten
22 years from now, why, I'll send you all letters, "I told you so,"
23 so anyway we hope -- hopefully that you will not--

24 GOVERNOR NEIL GOLDSCHMIDT: Think we would like to know
25 what the relative costs of these proposals are. Could the

1 Highway Department elucidate? I don't know what these option
2 numbers are, but your current project has a cost attached to it--

3 DON ADAMS: The current project was originally
4 estimated at -- during the project at 54 million. It went up
5 during the study to 61 million. Comparative costs brought --
6 deal with 130 million and I think the option B was 100 in the --
7 wasn't it -- it was about 100--

8 JIM HOWELL: Option B was 85 million.

9 SECRETARY OF STATE BARBARA ROBERTS: Which -- which--

10 JIM HOWELL: 85.5 million for option B, \$131 for option
11 C.

12 STATE TREASURER TONY MEEKER: Proposal before us is 71
13 million?

14 DON ADAMS: Pardon me, 61 million.

15 STATE TREASURER TONY MEEKER: 61. And the other one
16 was?

17 DON ADAMS: 131.

18 STATE TREASURER TONY MEEKER: 130. Thank you.

19 JIM HOWELL: 85.5 for option B.

20 RONALD BUEL: A couple more words about -- we've lost
21 one vote at the City Council. Every State legislator in
22 Multnomah County, save one, signed a letter supporting the
23 federal money going to this alternative to the ramp. We had more
24 than 200 people testify in Council, which is these days quite a
25 few. There's a lot of public support for doing something other

1 than this ramp. You have a chance to say no to some fill in a
2 project that is clearly environmentally not in the State's
3 interests and I -- I think that filling the river for this
4 purpose for a project like this is unconscionable and you ought
5 to stand up and say to people, "We're not going to take this kind
6 of cruddy work" and send it forward. We have a chance to say no
7 to it.

8 GOVERNOR NEIL GOLDSCHMIDT: Thank you. Bill Elliott
9 here? Did you want to speak, Mr. Elliott?

10 BILL ELLIOTT: Please.

11 GOVERNOR NEIL GOLDSCHMIDT: Are there any others that
12 are signed up with you?

13 BILL ELLIOTT: Peter Fry, I believe.

14 GOVERNOR NEIL GOLDSCHMIDT: Oh, yes. Thank you.

15 BILL ELLIOTT: Good morning, Governor and members of
16 the Board. I am Bill Elliott. I'm the chairman of the Land Use
17 Committee and Economic Development Committee of the Central East
18 Side Industrial Council. We are here, Peter and myself, to urge
19 you to approve this project as presented to you this morning.
20 You've heard Mr. Burns earlier indicate that it's been a long
21 while -- I think 1973 -- I think Jack probably didn't even have
22 gray hair at that time. I know I wasn't involved in the CEIC.
23 I am today. I know the processes that were pursued. I've
24 followed a number of hearings, number of plans, number of the
25 alternatives and in the end we believe that the proposal that PDC

1 and the City of Portland and ODOT has proposed best meets the
2 needs of everyone. I want to take a moment to address one of the
3 issues that Secretary of State Roberts I know has an interest in
4 and that's the parking and access. We believe that the OMSI
5 development and land acquisition as proposed and indeed is as
6 approved by the City of Portland will allow a number of
7 opportunities for parking and access to the East Side Esplanade.
8 It is in our interests in CEIC that these end results occur that
9 access and safety be met, and we are working with the City of
10 Portland and the PDC to see those -- that is achieved. Peter,
11 I believe you had a couple of comments.

12 PETER FRY: I just wanted to -- my name is Peter Fry.
13 I'm planning consultant with CEIC. I just want to correct two
14 misimpressions. One, CEIC remained open through the entire
15 process to a feasible alternative. Their only concern would --
16 they have two concerns. One is access, second is to maintain the
17 integrity of the industrial sanctuary. As was pointed out by
18 Mr. Burns there are unique jobs in this area. Thousand Friends
19 of Oregon did a study in I believe it was 1984 term Central East
20 Side benefactors, Portland's economy. This area is different
21 from downtown and provides a different job mix and CEIC was only
22 concerned about maintaining that unique job mix in the inner City
23 and not allowing that job mix to be displaced by more vacant land
24 for downtown office buildings. They did remain open until the
25 very end, and then at the end it was clear to them that there was

1 no feasible alternative to the one that was presented to you.

2 BILL ELLIOTT: And finally one -- one item on the --
3 on the economic development side. This on ramp is desperately
4 needed for the jobs and businesses on the east side. The
5 additional piece to that is the OMSI development. OMSI has made
6 a fairly significant commitment to the east side and we are
7 working closely with them, but one of the problems the east side
8 has always had is one associated with parking and the movement
9 of traffic within the district. This on ramp regardless of the
10 methodology by which it's achieved is absolutely essential to
11 both the private interests and the public interests that are
12 represented on the east side and the times are critical. Should
13 OMSI proceed along its present time line, the addition of this
14 on ramp and associated time line with that project is necessary
15 in order to provide the public access to what is truly an Oregon
16 feast (phonetic) so with that addition we -- we urge your support
17 of the proposal.

18 GOVERNOR NEIL GOLDSCHMIDT: Questions? (pause) Thank
19 you very much. If I read this correctly, John Griffiths and
20 Douglas Allen both wish to be heard?

21 DOUGLAS ALLEN: Yes.

22 GOVERNOR NEIL GOLDSCHMIDT: You want -- two of you come
23 up and--

24 DOUGLAS ALLEN: I have some written testimony which
25 I'll give you and--

1 GOVERNOR NEIL GOLDSCHMIDT: Thank you very much.

2 DOUGLAS ALLEN: I won't need -- I think the one point
3 I'd like to -- to mention, though, is that the City of Portland
4 hired a consulting firm, Bailey Engineering, to study sound
5 impacts of a variety of Esplanade configurations and one of the
6 implications of that study is that alternatives which lower the
7 freeway -- I mean, lower the Esplanade in its present location
8 rather than moving it out and to fill on the river actually
9 produce lower noise levels on the Esplanade and the City in the
10 past has given various reasons for putting in the fill and among
11 them has been that it reduces the noise level and the City's
12 Bailey Engineering study shows that that's not true. An item
13 in -- in your summary in the agenda mentions its -- well, it says
14 the statement -- concerned interest groups agreed not to appeal
15 the City's permits further and since my name is mentioned in
16 here, I'd like to clarify that that's an incorrect statement.
17 It -- we had an understanding with the City that the City would
18 participate in the East Bank Option Study process as long as
19 nobody did appeal the City's Greenway Exception Permit Request
20 and we did not appeal that and at the end of our 30-day appeal
21 period, then, that -- that ended any sort of agreement so
22 there -- there is no such agreement and so this statement is
23 wrong. Another item that I think is wrong is that the City's
24 representative indicated that the Corps of Engineers has already
25 approved this fill and on Monday, the 21st, I received a letter

1 from the Corps saying that they had received my request for Corps
2 hearing on the fill and that they had not taken any action on
3 whether to have a hearing or not. And so unless something has
4 happened since then, they certainly haven't told me that they've
5 approved the--

6 GOVERNOR NEIL GOLDSCHMIDT: Martha, do we have
7 communication from the Corps of Engineers on this directly?

8 DIRECTOR MARTHA PAGEL: Earle?

9 EARLE JOHNSON: They tell me they can't hear me when
10 I talk from the row there, so it's my understanding that the
11 Corps has not yet issued a permit on this.

12 GOVERNOR NEIL GOLDSCHMIDT: And you -- you're going to
13 get some requests for information that's one piece you should
14 just assume goes in your follow-up report to the Land Board?
15 Please go ahead.

16 DOUGLAS ALLEN: Right. I think that's it.

17 GOVERNOR NEIL GOLDSCHMIDT: Okay.

18 DOUGLAS ALLEN: With my written comments, that's the
19 extent of my testimony.

20 GOVERNOR NEIL GOLDSCHMIDT: Yes, sir.

21 JOHN GRIFFITHS: I'm representing the Sierra Club.
22 We've heard from the applicants that additional land is needed--

23 GOVERNOR NEIL GOLDSCHMIDT: And you are John--

24 JOHN GRIFFITHS: John Griffiths.

25 GOVERNOR NEIL GOLDSCHMIDT: Okay.

1 JOHN GRIFFITHS: That additional land is needed for the
2 ramp -- the on ramp. That additional land will come from the
3 Greenway trail. Because of that, we need additional land for the
4 Greenway, which is accomplished by fill in the river. According
5 to the permit application we received from the Army Corps of
6 Engineers, that's 2.41 acres of the river will be filled. We are
7 very concerned about that and we requested a hearing because of
8 a number of things, an EIS has never been prepared on this
9 project. The EA that was prepared ten years ago -- or over ten
10 years ago mentions nothing about any fill in the river. And it
11 showed -- or it talked about an Esplanade that would -- could be
12 built without filling the river. We've heard what the needs of
13 the Esplanade are and the needs of the highway, but nobody has
14 talked about the impacts on the river and the reason for that is
15 because there is no EIS. There are feasible alternatives and
16 when we get to the safety issue on the ramp if you look on the
17 environmental assessment that was done by ODOT a statement they
18 make in there on page 1 is:

19 "It may be necessary to close the proposed
20 southbound Water Avenue on ramp for two or
21 three hours during the evening peak hour
traffic when I-5 is running at capacity
southbound over the Marquam Bridge."

22 So here we are. We're going to fill the river to move the
23 Esplanade out to build this ramp that may not even be open during
24 peak hours because it's not going to be a safe ramp. We still
25 think there ought to be a formal hearing on this and we think

1 that the Land Board should deny this permit application. These
2 are nonwater dependent uses that are being proposed.

3 GOVERNOR NEIL GOLDSCHMIDT: Thank you very much. Do
4 Highway Department, Transportation Department and the City
5 have -- want to make any follow-up comments on the testimony?
6 There's been a point made here about there's been no
7 environmental impact statement. That might be one worth comment.

8 DON ADAMS: In response to the comment that there's
9 been no environmental impact statement, in a broad sense the
10 environmental statement has been -- has been written. The
11 specific document that's entitled environmental impact statement
12 has not been written. The document that has been written is an
13 environmental assessment which is one kind of environmental
14 statement that is acceptable in the NEPA process.

15 SECRETARY OF STATE BARBARA ROBERTS: What's the date
16 of that.

17 DON ADAMS: I've forgotten what the date -- 1980.

18 SECRETARY OF STATE BARBARA ROBERTS: So it's a
19 ten-year-old document?

20 DON ADAMS: That's correct. We have been in that
21 process that long with this -- with this job.

22 SECRETARY OF STATE BARBARA ROBERTS: The -- may I ask
23 one more question? Did the -- did the document deal -- deal with
24 the fill as it now exists in this proposal?

25 DON ADAMS: No, it did not.

1 SECRETARY OF STATE BARBARA ROBERTS: So we don't have
2 an environmental assessment or anything whatever it's title may
3 be today that deals with this project based on this amount of
4 fill?

5 DON ADAMS: No, we do not.

6 SECRETARY OF STATE BARBARA ROBERTS: Okay. So -- so
7 if someone said there was not an environmental impact study on
8 the fill, that would be pretty accurate?

9 DON ADAMS: That's correct.

10 SECRETARY OF STATE BARBARA ROBERTS: Okay.

11 LARRY BROWN: I'd like to add to what Don has just
12 said. In connection with the proposed Greenway improvements and
13 the fill, although there may have not been an environmental
14 impact statement, there certainly has been an environmental
15 review by federal and State agencies as well as the City of
16 Portland. In 1986 there was a lower Willamette River Wildlife
17 Habitat Inventory that was conducted and had federal
18 participation in that as well. In the areas that are identified
19 for hill -- for fill here, they rated the habitat there to be the
20 lowest or of no value. It was -- this is basically a manmade
21 environment with extremely low value for -- for habitat and any
22 riparian areas that is above water and basically nothing below
23 water either. Sub--

24 SECRETARY OF STATE BARBARA ROBERTS: No fish habitat
25 there?

1 LARRY BROWN: There's potential fish habitat, but there
2 wasn't found to be anything significant. Basically the Corps of
3 Engineers and their review of the most recent fill permit
4 application and their circulation among the federal agencies, the
5 responses from those agencies that we received indicated that
6 they found no significant impact from the proposed fills.

7 SECRETARY OF STATE BARBARA ROBERTS: Did Oregon Fish
8 & Wildlife impact on it? Did they--

9 LARRY BROWN: They commented as well.

10 SECRETARY OF STATE BARBARA ROBERTS: And they said --
11 do you know?

12 LARRY BROWN: No significant impact. All the agencies
13 wanted to look at the final landscape plans that was
14 (unintelligible) because they like the City were concerned about
15 using the species and the planning work that's done within the
16 Greenway area and looking at opportunities for restoring habitat
17 that didn't exist. There's a potential there, but there's the
18 habitat value itself is either nonexistent or very low.

19 DON ADAMS: I've been reminded by staff that we are
20 reevaluating our environmental assessment and that process is
21 still going on pending the outcome of -- of the State Land
22 Board's decision and part of that reevaluation will be to record
23 the kinds of impacts that have been noted by Larry Brown.

24 SECRETARY OF STATE BARBARA ROBERTS: Is there a
25 completion date for this re -- reevaluation of the evaluation?

1 DON ADAMS: We will have to get that done before we can
2 get federal participation in a -- in a construction of the Water
3 Avenue ramp and I'm not sure what the--

4 SECRETARY OF STATE BARBARA ROBERTS: They have to get
5 that before you get a paper dissipation--

6 DON ADAMS: Timing of that would be. I can't -- I
7 don't have anything more to say.

8 GOVERNOR NEIL GOLDSCHMIDT: Are there more questions?

9 DON ADAMS: No.

10 SECRETARY OF STATE BARBARA ROBERTS: I do have one
11 question. What would happen -- I think one of the problems we
12 have here is we have a number of things linked that in many
13 circumstances might not be linked. The City Council says, "Yeah,
14 you can do the ramp if you do the Greenway piece" and if -- and
15 you're saying -- well, somebody else is "Well, we can only do the
16 Greenway piece if we do the fill piece," and you come to the Land
17 Board and say, "We can only do the fill piece if you say we can
18 do the fill piece," and -- and then we start hearing questions
19 about environmental studies and when they were done and whether
20 they impacted the actual discussion we're even having here today,
21 which it doesn't appear they did and so there's sort of this
22 overlay that's coming through the process. If the Land Board
23 said, "You can't fill," where would we be? The Land Board said,
24 "This is"--

25 LARRY BROWN: I don't think either of us are experts

1 in terms of the planning of law in this case. The -- ODOT has
2 received a conditional -- a conditional conditional use.
3 Conditional use approval to build the Water Avenue ramp subject
4 to the Greenway improvements that they also approved at that time
5 being built but they are required to make their approval
6 conditional upon your approval of the fill that was included in
7 that permit. Now, that--

8 SECRETARY OF STATE BARBARA ROBERTS: I feel like one
9 of those little boxes and you take it out and then there's a box
10 inside and then there's a box inside and then there's a box
11 inside.

12 GOVERNOR NEIL GOLDSCHMIDT: But they had a next step
13 is we're going to send the director of our agency up to see the
14 Portland City Council because this -- we have no decision to make
15 today.

16 SECRETARY OF STATE BARBARA ROBERTS: No, I know.

17 GOVERNOR NEIL GOLDSCHMIDT: And the right way to ask
18 this question is to ask them, is to get their documents out and
19 to look at their approval process because we -- they are
20 functioning under our State Land use laws and under federal fill
21 and removal laws. I mean, the -- for them it's no less boxes
22 within a box. I think anybody who's looked at this would come
23 to the following conclusion: this is a piece of junk. The whole
24 design has been constrained from the beginning. The alternative
25 on the other side was to steal money from everybody else in the

1 State of Oregon and move the freeway because the Portland City
2 Council never wanted to put it on the ballot to pay for it. This
3 is really a choice between their taxpayers and their -- the --
4 this project in some form. The only other way to get the money
5 is to take it from Washington, Clackamas County and the Tri-
6 County area or to take it from down State and spend 160, which
7 will become 180 or 200 million by the time you're all done and
8 move the freeway, which is a real estate development deal and we
9 basically aren't in the real estate development business. The
10 payoff on the other side of this has to come out someplace where
11 it somebody says, "It's worth spending the money. We're going
12 to get something back." This freeway was probably built in the
13 wrong place to start with. I mean, God willing, it would have
14 been back. The middle option that Jim Howell described basically
15 would have taken the bulge as you come off the Marquam -- the
16 first S where you came back and shove the freeway back for a
17 short distance, and the reason it failed basically was the State
18 bas -- just came in and said, "Look, we may be able to figure out
19 a way to do 85 million dollars' worth, but we don't have 130 or
20 150 million dollars' worth" and everybody said "No. Either we
21 get our big project or we don't want to support it," so the State
22 was left sitting at the table with a somewhat more
23 (unintelligible) proposal than this one. The rest of this fill
24 is Mickey Mouse cosmetics for a lot -- I don't know about a lot
25 of money, but it's filling the river for not a very compelling

1 reason and it won't be used very much. I think you can make a
2 very strong argument that it isn't a good idea for the State to
3 do it. I'm not sure I understand it all well enough to reach a
4 conclusion, but I don't jump to the next conclusion, which is
5 this Board ought to move against it so we can move the freeway.
6 You've had our State agency. If you want to talk to Mike
7 Holleran about what he went through and to Jane Cease what she
8 went through in terms of trying to get a consensus built, we can
9 invite them to come to a hearing or you can visit with them
10 individually, but I don't think this is the forum for trying to
11 redesign the interstate. This is a very complicated business and
12 it's going on even more so to the north of this with the
13 Convention Center trying to figure out how to give the public
14 access into this new destination magnet. I think the--

15 STATE TREASURER TONY MEEKER: Well, we -- well,
16 Governor, we're asked to -- the decision point we have is to fill
17 the river in.

18 GOVERNOR NEIL GOLDSCHMIDT: Right.

19 STATE TREASURER TONY MEEKER: And maybe if you -- you
20 make the point maybe this isn't the place to make the decision
21 to move the freeway, but once you fill the river, it's filled.

22 GOVERNOR NEIL GOLDSCHMIDT: What I'm saying to you is
23 I think the reason you're being asked to fill the river isn't
24 very compelling. I think you can have a Greenway and meet the
25 Greenway requirements. You can do it without filling the

1 river -- at least you can do it with a lot less fill than is
2 being proposed here, and essentially what you've got here is a
3 lot of cosmetics so that people on the west side will be looking
4 at a landscaped freeway, which you never mentioned, but that's --
5 here in an office building looking over there, you've not covered
6 up the freeway with trees. That's better. You've got some space
7 to maneuver over here, which I'm sure for the few people who use
8 it will be better, but this is an admission basically that we've
9 got to gridlock and this is what came out and--

10 STATE TREASURER TONY MEEKER: I'm interested in asking
11 the Highway Division one question. On the alternative that we
12 were looking at here, one of those that testified said that the
13 ramp would have to be closed during peak traffic. Would you
14 comment on that?

15 DON ADAMS: That's -- that's inaccurate. The -- it
16 would be subject to ramp metering, which essentially says you
17 will allow a limited number of cars out on the freeway at any one
18 time. Ramp metering is in place on the freeways on I-5 north,
19 on I-5 south, it's soon to be in place on -- it's on -- it's in
20 place on I-84 and it's soon to be in place out on the Sunset
21 Highway--

22 STATE TREASURER TONY MEEKER: (unintelligible)--

23 DON ADAMS: So it's a common practice.

24 STATE TREASURER TONY MEEKER: I love it. I avoid
25 getting hit frequently coming off of 99W with ramp metering, so

1 put them -- they work.

2 SECRETARY OF STATE BARBARA ROBERTS: They sure back up
3 the traffic in the areas where they back up, though, I'll tell
4 you. They're great on the freeway, but they're not great on the
5 other end when they're backing traffic up for two lines--

6 GOVERNOR NEIL GOLDSCHMIDT: A lesson for somebody to
7 either take transit or find another way.

8 SECRETARY OF STATE BARBARA ROBERTS: Right. That is
9 the answer.

10 GOVERNOR NEIL GOLDSCHMIDT: A training tool.

11 STATE TREASURER TONY MEEKER: Let's -- let's run MAX
12 from Amity to Portland, Governor.

13 GOVERNOR NEIL GOLDSCHMIDT: During your term.

14 SECRETARY OF STATE BARBARA ROBERTS: You want to
15 propose that, Tony?

16 GOVERNOR NEIL GOLDSCHMIDT: The other point I wanted
17 to make, Tony, and I wished I'd closed the loop. The real
18 discussion that went on in the Portland City Council -- and
19 Commissioner Bleumenhour (phonetic) was very actively involved
20 in this is that if the Portland City Council proposed to move the
21 freeway and they had to go through a federal interstate approval
22 process -- in other words, this is money you have to get the
23 federal department of -- highway -- the Highway administration
24 and Department of Transportation to say you can move it and you
25 can probably make a case that there's some reason why it might

1 be a somewhat better design, but is it 160 million dollars -- or
2 80 million dollars' worth of better design and the answer is no.
3 There are a whole set of land use issues here that are -- that
4 are driving it or environmental issues. Whatever they are.
5 They're all -- they're all okay issues. The question that came
6 up and -- and really I think the Congressional delegation was
7 talked to is was there, in fact, a trade being made here for
8 light rail, that how many of these deals could you run through
9 the United States Department of Transportation and make the
10 region whole and the answer was, yeah, it might in fact get in
11 the way of a -- the special appropriation that Congressman AuCoin
12 and Senator Hatfield had, which is a line item statute that says
13 they are to fund MAX to the tune of 500 million dollars -- or
14 whatever the number was -- 300 million, I guess it was at that
15 time, which was to go to 185th and subsequently by a separate
16 statute AuCoin and Hatfield extended it to Hillsboro and by a
17 subsequent meeting have now gotten approval to start the second
18 leg to Hillsboro, sort of coincident -- or running coincidentally
19 with the first leg and the question was, if we come in for all
20 these special approvals to move this freeway, which is not purely
21 a traffic proposal, will we get in traffic? And this is all the
22 stuff that Council had in front of them. And what I think they
23 did is ultimately just say, "Hey, we don't have any support in
24 Clackamas and Washington County to take money off of other
25 highway projects and move this freeway, so we can't just finance

1 it inside the region's pot. B, we've got to go get some more
2 federal money so we either got to get it down State or out of a
3 discretionary pot that ODOT would have to try to hit in
4 Washington and see when we get to Washington we're going to run
5 into our own footprints all over the Department of Transportation
6 because they're totally opposed to what we're trying to do with
7 MAX." And finally, incomes ODOT with this sort of modified
8 option and it just sort of falls of its own weight and I think
9 that's at the point in time that Mike Holleran decided basically
10 we didn't have a lot of room to maneuver. We do have a safety
11 problem on this stretch of highway. We have a serious access
12 problem on the inner east side. That is, we can get off in
13 there, but we can't get back on and all the businesses that use
14 that area to service the rest of the economy are basically
15 sitting there with a one-way system, they've got to loop back out
16 onto other -- other accesses, go up to the Coliseum to get onto
17 the interstate system or -- or whatever is there. And I don't
18 think we have any better choices than the City Council had or
19 that the Jane Cease's committee had. I think they were all very
20 difficult. My first choice in a -- in an environment of pure
21 choice would be to move the freeway as a person, just as -- I
22 mean, I just think this is not a very attractive deal. My second
23 choice -- I don't know what it is, but my -- I am not very
24 impressed by what we're getting for this fill and I think that
25 the Portland City Council -- we did all the work on this. At

1 some point we need to go sit and visit with them, and I would be
2 happy to delegate another member of this Board to -- if they want
3 to participate in the conversations or maybe have Martha go talk
4 to the planning director or whoever is the appropriate person and
5 I think you two can tell us. And if we need to we maybe need to
6 have a conversation -- we've done it before on the Columbia --
7 on the Willamette River management planning and there's no reason
8 not to on this, but what I don't think basically, Jim, you should
9 draw from this is that there's going to be a procedural glitch
10 here where we're going to disapprove this thing and this thing
11 is sort of fall of its own weight and suddenly there's going to
12 be a new opportunity to move the freeway suddenly because we
13 can't work out this -- what I think is a relatively small issue
14 with the Portland City Council. If the Council wants to reopen
15 the issue of moving the freeway it'll have to come from -- in my
16 view from some other way of managing business. I would like to
17 not spend all the -- I'd not -- like not to have to vote for all
18 this fill and I'm not convinced we're buying very much, and the
19 long-term future of this river is a big deal. As Tony said, 20
20 years from now or maybe next month somebody will come in with
21 something and we'll discover we made a big mistake if we fill all
22 of--

23 STATE TREASURER TONY MEEKER: Well, I think you're
24 seeing that today. Mistake made a long time ago being compounded
25 today--

1 SECRETARY OF STATE BARBARA ROBERTS: Yes.

2 STATE TREASURER TONY MEEKER: And piecemealing this by
3 throwing another acre and a half into the river is not going to
4 solve the problem.

5 SECRETARY OF STATE BARBARA ROBERTS: Well, and the
6 other thing is, you know, generally if you look at the guidelines
7 where we're supposed to do fill with -- it's supposed to be water
8 dependent and it's supposed to be the least intrusive of the --
9 this doesn't meet any of the standards we use for doing fill.

10 GOVERNOR NEIL GOLDSCHMIDT: If the Highway Department
11 came to us with a design and said, "We have three options and one
12 of them is to fill the river for transportation reasons," they
13 know what kind of a reception they'd get. I mean, they've been
14 here before, before I was Governor. I mean, they -- this is a
15 long history of discussions with the Land Board. If -- and the
16 only thing you've got here is the camouflage of this Greenway
17 project and I don't think it's -- I think it's thin.

18 STATE TREASURER TONY MEEKER: Well, if this same acre
19 and a half were anywhere else in the river and had no water-
20 dependent use, I know what this Board would do.

21 SECRETARY OF STATE BARBARA ROBERTS: Absolutely.

22 GOVERNOR NEIL GOLDSCHMIDT: So do you have enough
23 guidance, Martha, to help us have a conversation with the mayor
24 and the City Council? Thank you everybody. This comes up for
25 a formal hearing at some point to be announced at a later date?

1 DIRECTOR MARTHA PAGEL: Yes. Governor, members of the
2 Board, we had originally planned to take this up as decision at
3 the next Land Board meeting. I think we'll have to play that by
4 ear to see how the discussions go when we're ready. At this
5 point we have remaining agenda items in particular Number 6
6 dealing with the agency budget. I need some direction from you--

7 GOVERNOR NEIL GOLDSCHMIDT: Why don't you deal with
8 Number 9 first of all just to get a little easy piece of business
9 out of the way?

10 DIRECTOR MARTHA PAGEL: We do have our new building
11 dedication scheduled for June 19. That is also the date of our
12 next Land Board meeting and we had planned to run the Land Board
13 meeting from 10:00 to 11:00 and then the dedication immediately
14 following that with an open house for other folks to have tours.
15 We are in the building. We moved in April 20, but--

16 GOVERNOR NEIL GOLDSCHMIDT: And your furniture is there
17 with you--

18 DIRECTOR MARTHA PAGEL: No.

19 GOVERNOR NEIL GOLDSCHMIDT: Or it's just you and a
20 decanter?

21 DIRECTOR MARTHA PAGEL: No, that's the problem.
22 Originally we had planned to have our building dedication today
23 in conjunction with this Land Board meeting, but that didn't
24 work. We didn't have our furniture or our plaque. We figure
25 we'll have our plaque by the 19th, but we still won't--

1 GOVERNOR NEIL GOLDSCHMIDT: You cleared everybody's
2 schedule? I mean, we're all okay?

3 DIRECTOR MARTHA PAGEL: It's all cleared.

4 GOVERNOR NEIL GOLDSCHMIDT: Good. That's -- what do
5 I know?

6 DIRECTOR MARTHA PAGEL: We're working with--

7 SECRETARY OF STATE BARBARA ROBERTS: What do any of us
8 know?

9 DIRECTOR MARTHA PAGEL: With Economic Development who's
10 a tenant in the building and presenting jointly the dedication
11 ceremony.

12 GOVERNOR NEIL GOLDSCHMIDT: Great. Look forward to it.

13 DIRECTOR MARTHA PAGEL: And working with their staff
14 on it.

15 GOVERNOR NEIL GOLDSCHMIDT: Actually you're close to
16 being on schedule here. Miracle. Is there some compelling
17 reason for us to go through all these budgets now?

18 DIRECTOR MARTHA PAGEL: Well, no. Let me offer a
19 suggestion here. We -- our submission date is August 1. To make
20 that, we need to have a decision from this Land Board by July.
21 That gives us the June Land Board meeting. We'll be on a tight,
22 tight time schedule then as well as today and what I might
23 suggest is that we schedule some time between now and then with
24 your staff and with you individually if we can get that time to
25 work over some of the policy issues that are presented by the

1 budget. We have met with your staff individually before --
2 before today's meeting and received some direction that we tried
3 to address. If I can take a minute now just to talk generally
4 about the budget and what we might come up against next month,
5 what I want to call your attention to in the budget package is
6 Appendix A-3, the guide to 1995 for the Division of State Lands,
7 and I mainly want to call that to your attention to -- to boast
8 about it to say that--

9 GOVERNOR NEIL GOLDSCHMIDT: Which -- which item?

10 SECRETARY OF STATE BARBARA ROBERTS: Which tab?

11 DIRECTOR MARTHA PAGEL: Item 6, Appendix A-3.

12 GOVERNOR NEIL GOLDSCHMIDT: Oh.

13 DIRECTOR MARTHA PAGEL: It's the stuck at the back of
14 the appendix and it's--

15 SECRETARY OF STATE BARBARA ROBERTS: It doesn't have
16 a tab.

17 DIRECTOR MARTHA PAGEL: It doesn't have a tab.

18 LAND BOARD ASSISTANT MARILYNNE KEYSER: It's right
19 here. It's about halfway through Appendix A.

20 DIRECTOR MARTHA PAGEL: I can tell you about it,
21 though. I -- I want you to have the -- have a chance to look at
22 that because what this represents for the first time is that
23 we're coming to you with a budget that is tied to agency-wide
24 goals. Those goals, in turn, are tied to policy direction that
25 we received from the Land Board during the past year, and we've

1 set out a five-year plan for achieving some major policy
2 objectives. Some of that plan will be accomplished during the
3 remainder of this biennium in our current budget. Some of it is
4 reflected in new decision packages in the next biennial budget
5 and some of it will go on into the next biennium yet, but we feel
6 very pleased that we have finally gotten on a track to move
7 forward with long-range planning that is integrated. Our budget
8 reflects goals and policies set out by the Board. There was a
9 large packet of information that you received late last week, so
10 in a way this gives us even more time to spend with these
11 documents and work through them before we take them up in
12 decisions.

13 GOVERNOR NEIL GOLDSCHMIDT: Just humor me for a minute.
14 Where is all this money coming from? You have sources identified
15 for this dough?

16 DIRECTOR MARTHA PAGEL: Governor--

17 SECRETARY OF STATE BARBARA ROBERTS: Bills. Big bills.

18 DIRECTOR MARTHA PAGEL: The four different budgets that
19 you have here, the Division of State Lands budget, which is
20 behind Appendix A, our operating budget, is primarily other
21 fund -- Common School Fund and it is an aggressive budget seeking
22 additional positions. Most of those positions are tied to
23 revenue production. We -- we believe that by bringing in new
24 positions we're also increasing revenues by increasing our
25 leasing. On our regulatory program, removal fill, the major

1 policy issue that you're going to have to deal with is whether
2 we should seek General Fund. In the past that program has been
3 funded by the Common School Fund. It's becoming more and more
4 problematic for us and that's -- that is the most significant
5 policy issue presented by the budget.

6 STATE TREASURER TONY MEEKER: Governor, my comment on
7 that is particularly in area of wetlands. If the Legislature has
8 instructed this Board to be the clearing house, collector,
9 decision maker on wetlands, it should not be supported by the
10 Common School Fund. It should be supported by the General Fund.

11 GOVERNOR NEIL GOLDSCHMIDT: I think the problem with
12 this whole damn wetlands thing is that I'm not sure it's been --
13 you could spend ten times the money we're spending and not have
14 anything to show for it. I mean, the problem is you'll have a
15 hell of a lot of information and a federal government that just
16 keeps reclassifying lands wetlands and won't let anybody touch
17 them.

18 STATE TREASURER TONY MEEKER: Well, I -- I guess--

19 GOVERNOR NEIL GOLDSCHMIDT: I won't be around to worry
20 about this, but I have to tell you after dealings with the Corps
21 of Engineers through these folks and dealing with the
22 Environmental Protection Agency, I don't know what you'll own.
23 It's -- you know, we're down -- we're going to spend lottery
24 money to mitigate Spectra Physics decision that was made years
25 ago under a permit that was properly issued and they're being

1 told now they've got to go back and repay for something they were
2 permitted to do. I mean, I -- it's--

3 STATE TREASURER TONY MEEKER: Well, I'm speaking from
4 a different point of view--

5 GOVERNOR NEIL GOLDSCHMIDT: Oh, no, I understand it.
6 I'm saying but the problem is you've got, what, three-quarters
7 of a million dollars. How much money have you got here for that
8 function?

9 DIRECTOR MARTHA PAGEL: \$600 for wetlands.

10 SECRETARY OF STATE BARBARA ROBERTS: But it's not a
11 Common School obligation--

12 STATE TREASURER TONY MEEKER: No.

13 SECRETARY OF STATE BARBARA ROBERTS: I think is what
14 Tony is saying.

15 STATE TREASURER TONY MEEKER: Yeah. My point is that
16 the Legislature should have this General Fund request laying flat
17 in front of them--

18 GOVERNOR NEIL GOLDSCHMIDT: Okay. But what I'm telling
19 you is that I'm not sure I could personally endorse \$660,000
20 request for anything that has to do with wetlands. I don't care
21 whose money it comes from. I'm not arguing your point. I'm from
22 a somewhat different point which is I'm not sure it will produce
23 anything.

24 DIRECTOR MARTHA PAGEL: And -- and where we are is
25 feeling that in order to deal with the complexities of wetlands

1 regulation and to be able to deal with and respond to the federal
2 government and to represent the State's position there, we're
3 going to need--

4 GOVERNOR NEIL GOLDSCHMIDT: I know what you're saying.

5 DIRECTOR MARTHA PAGEL: The staff and a program to do
6 it.

7 GOVERNOR NEIL GOLDSCHMIDT: And it's a speech that gets
8 given over and over again. If we just take (unintelligible) and
9 went through more people -- we just need more information and
10 more people to deal with the federal government that can't decide
11 what it's doing anyway. Hey, I won't be here to worry about
12 this. These two can make the decision.

13 STATE TREASURER TONY MEEKER: Well, Governor, the other
14 thing you could do is put two proposals before the Legislature,
15 one that asks that for \$600,000 General Fund money and another
16 one that repeals the law. That would bring both points to bear.

17 GOVERNOR NEIL GOLDSCHMIDT: I'm sure you two will come
18 up with something.

19 SECRETARY OF STATE BARBARA ROBERTS: I think there
20 might be a better alternative.

21 GOVERNOR NEIL GOLDSCHMIDT: Well.

22 DIRECTOR MARTHA PAGEL: This sounds like one of those
23 issues we could work on.

24 GOVERNOR NEIL GOLDSCHMIDT: This is a good piece of
25 work. And--

1 STATE TREASURER TONY MEEKER: Yes, it is.

2 GOVERNOR NEIL GOLDSCHMIDT: And I have not -- obviously
3 from what you can tell--

4 SECRETARY OF STATE BARBARA ROBERTS: It's really
5 exciting to see the long-range work like that. I mean, to really
6 know where we're going and that there's some link between budget
7 and -- and the mission.

8 STATE TREASURER TONY MEEKER: Very well done.

9 DIRECTOR MARTHA PAGEL: Okay, so with budget, then, we
10 will spend the time between now and the next meeting with further
11 briefings and try to get feedback from you individually and--

12 LAND BOARD ASSISTANT GAIL ACHTERMAN: You mentioned the
13 dental student loan thing on the legislative concepts because
14 that's the only one we're hung up on.

15 DIRECTOR MARTHA PAGEL: Yeah. Okay. On the
16 legislative concepts that's -- the whole package is included as
17 Item Number 7. We have submitted a proposal that deals with our
18 student loan program. This we worked through the State
19 Scholarship Commission. The Common School Fund provides a source
20 of money for student loans. It is a very ineffective program
21 right now because of the loan limit and the administrative
22 hassles. It's not well used by the students and it's not serving
23 the Common School Fund well either. Our proposal is either to
24 clean up the statutes and the administration of that program or
25 consider abandoning that program. We'd like to schedule a time

1 to bring that policy issue before you and that -- and that would
2 probably be later in the summer. We do need to do some work with
3 the higher ED folks to make sure that we address the issues that
4 they're going to have and with any policy suggesting--

5 GOVERNOR NEIL GOLDSCHMIDT: How much money are you
6 loaning out of here?

7 DIRECTOR MARTHA PAGEL: How much money are we loaning
8 out?

9 NOAM STAMPFER: Mr. Governor, members of the Board, the
10 money really goes way up and way down and varies considerably and
11 one of the programs -- the nursing program we have had no new
12 loans for several years, so it's difficult to give you a real
13 good snap on--

14 GOVERNOR NEIL GOLDSCHMIDT: What's an amount that
15 represents way up?

16 NOAM STAMPFER: We currently have about 1200 loans
17 outstanding. Total amount roughly, oh, in the neighborhood of
18 three million I believe total. I'd have to look it up.

19 STATE TREASURER TONY MEEKER: Governor, from the
20 standpoint of the investment side it is not good. From the
21 standpoint of trying to serve education, I think you can actually
22 make a case that it's unconstitutional, because it doesn't serve
23 what the Common School Fund is supposed to serve, the case 212.
24 It goes beyond that. Administratively, it's just a nightmare for
25 these people.

1 GOVERNOR NEIL GOLDSCHMIDT: How did we get into it?
2 STATE TREASURER TONY MEEKER: Somebody thought it was
3 a good idea when (unintelligible).
4 LAND BOARD ASSISTANT GAIL ACHTERMAN: It was
5 Dr. Cherry, I heard.
6 GOVERNOR NEIL GOLDSCHMIDT: The Legislature created
7 it?
8 STATE TREASURER TONY MEEKER: Yes. Uh-huh. I think
9 it's time to back out of it.
10 SECRETARY OF STATE BARBARA ROBERTS: Well, it's not --
11 I remember it's not based on need. I mean, it's just sort of
12 this -- like -- it's not saying take the brightest of our -- of
13 our young people out of high school who have no way to go to
14 college. I mean, there's no need involved, there's no criteria
15 that -- I mean, it doesn't make any sense.
16 STATE TREASURER TONY MEEKER: There are going to be
17 people who will argue with us about this, but I think the policy
18 decision--
19 GOVERNOR NEIL GOLDSCHMIDT: Look for it--
20 STATE TREASURER TONY MEEKER: Be left to the
21 Legislature.
22 SECRETARY OF STATE BARBARA ROBERTS: Cleaned up.
23 STATE TREASURER TONY MEEKER: Square it up.
24 DIRECTOR MARTHA PAGEL: I should mention while Noam is
25 sitting here that this was to be his last meeting. Noam is --

1 has left the Division of State Lands and joined the staff at
2 Department of Environmental Quality in Portland. He will be back
3 on June 19, he assures me, to walk us through the budget. We
4 have since hired Gary VanHorn formally of Exec Department budget
5 and management. He'll be Noam's replacement for us.

6 GOVERNOR NEIL GOLDSCHMIDT: Incestuous, isn't it? It's
7 all--

8 DIRECTOR MARTHA PAGEL: Yes, but I have--

9 GOVERNOR NEIL GOLDSCHMIDT: Move jobs around. You
10 know, they get tired of one chair, this is--

11 SECRETARY OF STATE BARBARA ROBERTS: Yeah.

12 GOVERNOR NEIL GOLDSCHMIDT: Incredible, VanHorn.

13 SECRETARY OF STATE BARBARA ROBERTS: Well, he gets a
14 new building. He can't stand it. He wants to go to an old
15 building, you know.

16 DIRECTOR MARTHA PAGEL: We drove him out in building
17 that building, I'm afraid.

18 GOVERNOR NEIL GOLDSCHMIDT: Right. He said he wouldn't
19 work there unless they moved Pioneer Square across to the new
20 building (unintelligible). Starbuck's coffee.

21 SECRETARY OF STATE BARBARA ROBERTS: Yeah, that's what
22 it was. It was the coffee!

23 DIRECTOR MARTHA PAGEL: I do have one new face to
24 introduce to you as well. David Guam who is here. Our -- newly
25 hired to coordinate our Tongue Point/South Tongue Point Project.

1 David and his family are relocating from New Jersey. They're
2 originally from the Northwest and will be back here
3 (unintelligible) and will provide you an update greeting on that
4 later in the summer--

5 SECRETARY OF STATE BARBARA ROBERTS: If this were my
6 first meeting, I'd go back to New Jersey.

7 DIRECTOR MARTHA PAGEL: Want to put us out of our
8 misery or shall we--

9 GOVERNOR NEIL GOLDSCHMIDT: I'm kind of enjoying this.
10 You know, we had a one-day special session and that wasn't as
11 much fun as this.

12 LAND BOARD ASSISTANT GAIL ACHTERMAN: A lot of people
13 would agree with that.

14 GOVERNOR NEIL GOLDSCHMIDT: Yeah. That should do it?
15 I would like to see you for a minute before I go. Thank you.

16 DIRECTOR MARTHA PAGEL: Thank you.

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