

# The Willamette River Insider

Jan/Feb 2016, Issue 3



Welcome to the latest edition of *The Willamette River Insider*, a bi-monthly publication by the Portland Harbor Community Advisory Group (PHCAG). We are volunteers providing oversight of the lower Willamette River superfund cleanup, the 11 miles from the Broadway Bridge to the confluence with the Columbia River, adjacent to north, northeast and northwest Portland. See [PortlandHarborCAG.info](http://PortlandHarborCAG.info) for more information.

## Decisions Coming in Spring 2016: Superfund Forums Scheduled January to April

The long anticipated Proposed Plan, a road map for the cleanup, is set to roll out this spring. It will choose a set of methods for cleanup among several options being considered by the EPA. The public will then have only 60 days for comment. A community voice is needed in the process, so the Portland Harbor Community Advisory is offering four community forums to share information starting January 26. All are welcome. The dates & locations are:

### Forum 1

**January 26, Tues, 7-9pm**

St Johns Community Center,  
8427 N Central, Portland OR

### Forum 2

**February 23, Tues, 7-9pm**

Linnton Community Center,  
10614 NW St Helens Rd

### Forum 3

**March 29, Tues, 7-9pm**

TBA, stay tuned for more  
information

### Forum 4

**April 26, Tues, 7-9pm**

Portland Building Auditorium  
1120 SW 5th Ave, Portland OR

Refreshments are available starting at 6:30pm. Find more details at [PortlandHarborCAG.info](http://PortlandHarborCAG.info) or call 503-954-3142.

## Superfund National Day of Action



*Darise Weller, PHCAG member,  
with card & cupcakes for  
Senator Wyden*

On Dec 9, 2015, activists and PHCAG members celebrated the 35th birthday of the Superfund program at the office of Senator Ron Wyden.

The national action was organized by the Center for Health, Environment & Justice and intended to encourage the reinstatement of funding from chemical and oil companies for cleanup of Superfund orphan sites. Orphan site cleanup has been funded entirely by taxpayer dollars since 1995. PHCAG member,

Darise Weller, composed a creative version of 'Happy Birthday' sung to Wyden's staff. A birthday card and cupcakes sporting a large 'S' for Superfund were also presented with the request that Senator Wyden take a stronger role in advocating for reinstatement of Superfund financing from industries that use and create hazardous chemicals.

## Chair's Corner: Edible Fish are a Goal

We want clean healthy fish in the lower Willamette River. Unfortunately in discussions about the Willamette River cleanup, a line of argument has been made that we will never get the river clean enough to remove advisories for human fish consumption due to contamination. To me, this is like throwing your hands in the air and giving up. I know it is difficult to do, and I know it will take time. My concern is that when a cleanup plan is proposed, it might only look at what can be done within the next couple decades. I want the plan to look far enough into the future that the end result is fish clean enough to remove the advisory that exists on this section of the river. That is not the only measure of a clean river, but it is a very clear and distinct objective. Don't confuse this with the fish advisory regarding other contaminants that impact the entire length of the Willamette River. That is a completely separate issue to be dealt with by other means. To me, it is most important that the cleanup plan gets us to healthy fish, even if it needs to look out a hundred years in the future. I don't want a cleanup plan that concludes we will never have a river clean enough to remove the fish advisory on the lower Willamette. Never is unacceptable!



*Jim Robison, chair, PHCAG*

## The Willamette is held in Public Trust

The river is part of the community commons that falls under the Public Trust Doctrine.

### What Is Public Trust?

It's a concept of public spaces and resources such as water being owned and shared by the public that dates back over 2000 years to the times of Roman emperor, Justinian. It has been a part of English common law and our US democracy for centuries. Under Roman law, the public's right to use common resources like the waters and surrounding shores was paramount. "By the law of nature these things are common to mankind, the air, running water, the sea, and consequently the shores of the sea."

Under the public trust, the common waters can never be controlled by or transferred to private interests for private purposes or gain. Our rights to use the river cannot be alienated or subordinated by our governments to special private interests; this means that all reasonable private use and public uses may be accommodated so long as the public trust waters and ecosystem are not harmed and paramount public right to public uses are not subordinated or impaired. Because many citizens are not aware that the public trust doctrine is part of their bundle of rights in our democracy, many of our leaders and big business are ignoring and violating these principles (flowforwater.org).

In the lower Willamette River cleanup, community members need to ask, "Are the common assets being responsibly managed on behalf of the general public or a distinct community of interest?" The river belongs to all and it is time to stand up for our right to a clean, healthy waterway with fish that are no more contaminated than in other parts of the metro area river.

For alerts and to sign up for the Community Advisory newsletter, see [PortlandHarborCAG.info](http://PortlandHarborCAG.info) or contact [barbaraqnn718@gmail.com](mailto:barbaraqnn718@gmail.com).

*"The Public Trust Doctrine holds that certain natural resources like navigable waters are preserved in perpetuity for public use and enjoyment."*

(flowforwater.org)

## The Types of Cleanup Methods Used:

**Dredging** - Clamshell and vacuum dredging either scoop or suck up contaminated sediments, that would then be transported to a landfill. Removal offers the surest method of avoiding future recontamination. It is more expensive.

**Capping** - A thick layer of clean sand or gravel is placed on sediments to isolate them from the food chain. Seasonal scours and floods, activity of burrowing animals, disturbance by boat anchors and ship propellers may damage a cap & cause recontamination.

**Monitored Natural Recovery (MNR)** - Waiting for contamination to break down over time. Persistent chemicals (PCBs, PAHs, DDTs & heavy metals) may take centuries. An enhanced version places a thin layer of clean sand to cover contaminants. It would be subject to seasonal scours and floods and unlikely to stay in place. It is the least expensive method.

**Treatment** - Innovative technologies where physical, bacterial, or chemical processes stabilize, remove or reduce toxicity of contaminated sediments. It can be used in-water or out-of-water. The PHCAG and the EPA have asked that some alternative treatment technologies be used in the cleanup.

### January / February Calendar

**Jan-April** - EPA offers multiple education sessions on Superfund. See [PortlandHarborCAG.info](http://PortlandHarborCAG.info) site for more details.

**Feb 4, 6-8pm** - Tabling at St Johns Volunteer Fair, Los Prados, 10105 N Lombard.

**Feb 8, 6-8pm** - Portland Harbor Community Coalition (PHCC) meeting, Sierra Club, 1821 SE Ankeny St.

**Feb 9, 7-9pm** - League of Women Voters meeting "Cleaning up the Willamette" will be a panel discussion with Lower Willamette Group, tribes and Bob Sallinger. Multnomah Building Auditorium, 501 SE Hawthorne Blvd.

**Feb 10, 6-8pm** - General meeting Portland Harbor Community Advisory Group at the BES Water Lab 6543 N Burlington. Open to all.

**Feb 23, 7-9pm** - PHCAG Community Forum, Linnton Community Center, 10614 NW St Helens Rd. Open to all.

**Feb 24, 6-8pm** - PHCAG steering meeting, BES Water Lab, 6543 N Burlington.

**Feb 28, 10am-noon** - PHCC River Walk. Carpool from Right to Survive PDX camp at NW 4th Ave and Burnside.

## Superfund Timeline Update:

Oct. 19 2015	Nov. 18, 19 2015	Jan. 31 2016	 We are here	Spring 2016	Late 2016	Late 2016 or 2017
Written comments from PHCAG due to the EPA's Nat'l Remedy Review Board.	EPA Nat'l Remedy Review Board reviews the Conceptual Remedy. Live testimony from tribes, DEQ & EPA only.	EPA Nat'l Remedy Review Board gives feedback to EPA & EPA shares it with PHCAG.		EPA presents the Proposed Plan Followed by <b>60 days of formal public comment</b>	Anticipated date of the Record of Decision that will describe final remedy selection	Remedial Design phase more detailed planning <b>public notification</b>