



SWAN ISLAND – NORTH PORTLAND AIR QUALITY FORUM

DECLARATION OF COOPERATION

DECEMBER 2013

Background, Project Purpose:

Over a number of years, complaints about odors emanating from the Swan Island industrial area have been received by Oregon DEQ from North Portland residents. In early 2013, Oregon House Speaker Tina Kotek asked Oregon Solutions to assess whether there could be an ongoing forum to improve communication between the residential and industrial neighbors of Swan Island.

In October 2013, Governor Kitzhaber designated the development of a Swan Island-North Portland Air Quality forum as an Oregon Solutions project, and asked House Speaker Tina Kotek and Metro Councilor Sam Chase to co-convene the Oregon Solutions project team. In so doing, he stated, “The establishment of a neighborhood forum to allow for better communication between industrial and residential interests will be of great benefit to this area. Agreement on issues related to how best to manage the forum will be an important first step in addressing other topics such as odor control and air quality..... Livability of North Portland neighborhoods and the vitality of the Swan Island Industrial Area are both important goals, and I believe this project will do much in attaining both objectives.”

At its first meeting, the Oregon Solutions collaborative team identified six goals that make up the purpose of the intended forum:

1. Focus on Air Quality issues
2. Focus on Swan Island Industrial area
3. Information Sharing
4. Address and Resolve issues, hopefully preventing some issues from having to go to legislature, EQC, courts, etc.
5. Work on specific issues or projects to bring about tangible outcomes
6. In the process of doing the above, learn more about each other and build trusting relationships that will help prevent or resolve issues in the future.

In addition, individual members of the Oregon Solutions team expressed their aspirations for such a forum as follows:

- Better Communication, better understanding of the issues
- Want discussions that are substantive and authentic, with accountability
- Get to know each other, and find something to work on together
- Achieve actual emission reductions, with involvement of stakeholders
- Utilize data for discussions and decisions
- Create a model for other communities: looking at quality of life impacts
- Create a linkage to regulatory process, but try to resolve issues outside the regulatory or legislative process.
- Have all key stakeholders and decision-makers at the table, ensure that neighborhoods are adequately represented
- Support living close to where you work
- Identify how government can do better
- Recognize we are all neighbors, and make the neighborhood better

Priority Topics for Initial Focus:

The group has identified the following topics for discussion for the first year of the forum, in priority order:

- Identifying and Addressing Toxic Emissions, with a focus on health impacts in the neighborhood
- Data Transparency/ Access
- Ways to achieve emission reductions
- Economic Impacts
- Odor solutions
- Funding for implementation

Swan Island Workplan for the first year:

1. Identify and review existing data (on VOCs, toxics, and odors) and requirements
 - DEQ data on Swan Island permits; VOC and other emissions
 - DEQ, NCA, UP complaint data

- Localized area toxic data including background data
 - Other data sources, such as EPA, University of Portland, etc.
 - Have a mutually agreed-upon consultant review data
2. Review current applicable control technology
- Federal and State control technology standards
 - Maximum Achievable Control Technology (MACT)
 - Best Available Control Technology (BACT)
 - Lowest Achievable Emission Rate technology (LAER)
 - Current emission control technology at Vigor, Daimler, and other emission sources on Swan Island, including any recent changes
 - Best practices
 - Used elsewhere in Portland area
 - Used at other U.S. or global locations for Swan Island businesses such as Vigor, Daimler
3. Reducing Impacts/Increasing Transparency
- Explore potential monitoring plan and reporting to neighborhood, including review of DEQ-proposed monitoring proposal
 - Explore control options such as engaging U of O and OSU “Green Chemistry” programs, also PSU and UP resources, for research in both reducing toxics and odors while keeping or improving performance standards for coating.
 - Explore third-party complaint-logging and reporting
 - Understanding costs and/or other constraints to implementation, and exploration of potential grant proposals from the University system.

Proposed Representation for the forum:

Note: Other persons or entities may be invited to help address, or provide technical assistance on specific issues. However, the on-going participants would include:

- Swan Island Business Association
- Venture Portland
- Neighbors for Clean Air
- Port of Portland
- University of Portland

- North Portland Neighbors for Clean Air
- Daimler Trucks North America
- Vigor Industrial
- Overlook Neighborhood Association
- Arbor Lodge Neighborhood Association
- University Park Neighborhood Association
- Organized labor
- Adidas
- DEQ (as technical resource)

In addition, both Councilor Chase and Representative Kotek have offered to continue to officially convene (but not facilitate) the group.

Commitment to participation and operating principles:

We commit to participation in the forum for at least the calendar year 2014, understanding that there are a planned six meetings of the Swan Island –North Portland Air Quality Forum, in addition to any project-specific sub-committee meetings.

Our commitment to the forum is to participate in good faith to understand the interests and constraints of other parties, to explore potential solutions, and to work together to implement solutions that are mutually agreed-upon. In addition:

- I. We each commit to help develop workable solutions, and will do our part in helping in good faith to support and *implement* those solutions arrived at by the group process. We commit to building trust by doing what we say we will do.
- II. Differences in opinion are to be expected in a forum with such diverse perspectives. We won't shy away from those differences, but will work hard to reconcile them.
- III. We will work hard to make sure others at the table feel that their interests have been adequately heard and addressed in reaching a group agreement. On important decisions, the group will seek consensus.
- IV. We will conduct ourselves with civility and respect. We will listen (and not interrupt) when others are talking. We'll respect each other's time by being concise and on-point with our own remarks.


- V. Meetings will be open to the public, and there may be specific times made available for comments from the audience, but generally speaking the participation in discussions will be limited to members and invited guests.
- VI. Any change in the representation or purpose of the group shall be first approved by the group as a whole.

Facilitation and process management costs would be shared by the following:

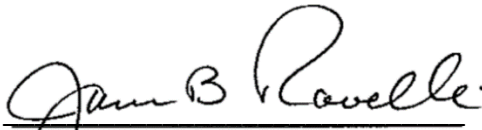
- Neighbors for Clean Air
- Port of Portland
- North Portland Neighborhood Associations
- Vigor Industrial
- Daimler Trucks N.A.

IX. Declaration

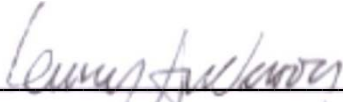
This Declaration of Cooperation, while not a binding legal contract, is evidence to and a statement of the good faith and commitment of the undersigned parties. The undersigned parties to this Declaration of Cooperation have, through a collaborative process, agreed and pledge their cooperation to the above findings and actions:



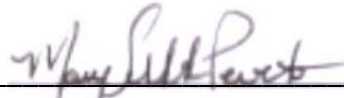
Governor's Regional Solutions Center




University of Portland



Swan Island Business Association



Neighbors for Clean Air



Daimler Trucks, North America



Overlook Neighborhood Association



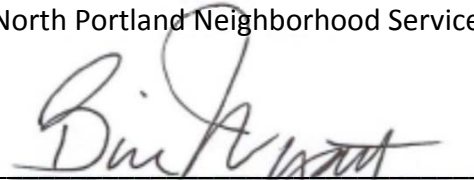
Arbor Lodge Neighborhood Association



North Portland Neighborhood Services




Vigor Industries




Port of Portland




Venture Portland



North Portland Neighbors for Clean Air



Metro Councilor Sam Chase



Rep. Tina Kotek, Oregon House Speaker