

To Sara Schooley, PBOT

CC Mayor Hales, Commissioners Amanda Fritz, Dan Saltzman, Nick Fish, Leah Treat, Art Pearce,

Subject: City Wide Draft Trails Policy Document proposed by a city wide working group.

Over the past 2 months a working group composed of representatives from East Portland, NE Portland, NW Portland and SW Portland have worked on a re write of the Draft SW Trails Policy sent out for review in November 2014.

We feel the attached document moves the discussion to reflect the changes in the liability law enacted in 2011. We have also proposed many simplifying steps that will make it feasible to actually have trails improved rather than allowing them to continue to be “demand trails” that are not properly built or maintained. This can lead to unintended environmental damage and frustration by the trail users and the adjacent property owners.

The earlier draft relied on an approval model similar to requests for placing street furniture in the rights of way. This draft takes seriously the rights of the public to travel on the rights of way and seeks to create an environment in which trails can be permitted and constructed with a robust public engagement process and which requires reasonable effort on the part of the trail builders.

We request an opportunity for our city wide working group to meet in the near future with you and any other staff you choose to invite to discuss the draft. We want to be sure we are effectively communicating our intent. We also want to hear counter arguments to what we are proposing.

The working group members include: Arlene Kimora, Tom Badrick, David Hampsten, Ted Kaye, Hans Steuch, Patty Barker, Glenn Bridger and Don Baack

For the Trail Policy Working Group

Don Baack.

Summary Changes of the draft proposed by the City Wide Trails Policy Working Group from the PBOT draft of November 2014.

- 1. It is simpler and easier to implement**
- 2. It recognizes the importance of the change in state law regarding adjacent property owner's responsibilities if certain steps are followed, a major shift in responsibility. This removes the historic need to give veto power to the adjacent property owners.**
- 3. It treats the development of trails like other city initiated improvements such as sewers, water systems etc which we feel is appropriate given the rights given the public for access to rights of way. The earlier version treated the process for the improvement of trails like a request to install street furniture.**
- 4. It recognizes the importance of providing additional pedestrian facilities for very low costs to the city of Portland and its citizens.**
- 5. It provides that funding can be sought for building and or maintaining trails.**
- 6. It clearly specifies the responsibility of the City of Portland to take action to remove encroachments and blocking vegetation from the rights of way when requested.**
- 7. It focuses on the importance of developing community around the construction and maintenance of the trails.**
- 8. It provides a clear appeals process for all concerned parties to be heard for trails permitting and encroachment issues.**
- 9. Finally, it lays out the steps for implementing a trail project and for developing a trail network, all important to as yet unorganized trails support groups in the City of Portland.**