

# A River for All

Continued From Page 1

By Barbara Quinn

over time in the Willamette River with its regular seasonal scours and flooding. Fault lines on either shore could also undermine the river's stability in the event of a predicted earthquake. EPA says monitoring of natural recovery will determine the treatment's ef-

fectiveness and other methods will be chosen if it doesn't work. Of course, that simply kicks the can down the road for 65% of the river and puts off the majority of clean-up. Though natural recovery appeases industry reps and their lawyers who believe "do nothing" is the ideal treatment, it only makes sense to use it where there are few serious contaminants and in limit-

ed areas where sand is unlikely to get washed away—not 65% of the 11-mile stretch.

The Community Advisory Group along with their consultant, Environmental Stewardship Concepts, the Yakama Nation, Audubon and Willamette Riverkeeper are instead asking for an enhanced version of option G, they call G+, with increased dredging and less natural recovery that would meet EPA's own goals for remediation of the most serious contaminants: PCBs, PAHs and DDTs.

Another concern is that the proposed toxic waste dump is also still included in several options in spite of massive public rejection of the idea expressed in a 2000-signature petition and resolution letters against the proposal from three neighborhood associations, Linnton, St. Johns and Cathedral Park as well as Occupy St. Johns, that have all been presented to the EPA. The siting of a contaminated dumpsite in the St. Johns neighborhood at T4 adds risk to neighborhoods in north and northwest Portland already affected by exposure to industrial air pollution who do not wish to add further to the issue with concentrated contaminants, some of whom may go airborne, placed in an unstable earthquake and flood hazard area. Studies on the cumulative effects of pollution on human and environmental health have not been adequately addressed in the superfund process.

Often forgotten in this process, is that this river belongs to all citizens. It is by law, a part of the commons. Community members need to ask, "Are the common assets being responsibly managed on behalf of the general public or a distinct community of interest?" Referring to the commons, Robert Kennedy Jr. said, "There is an ancient law that goes back to Roman times it's called the public trust doctrine. It says those things that are not susceptible to private ownership but by their nature are the property of the whole community, the running waters, the air, the wandering animals, the public lands, the fisheries, that everybody has the right to use them whether you are rich or poor, humble or noble, black or white. Every child has the right to go down to their local waterway pull out a fish and come home and feed it to their family with the security they're not poisoning somebody." (Robert F. Kennedy Jr. The Cove: Mercury Rising 2009).

Indeed "Oregon courts and the legislature have recognized that water is publicly owned, and the Oregon Supreme Court has ruled consistently in favor of public rights in waterways, based on language in the Statehood Act that declared navigable waters to be public highways that would remain 'forever free,' not monopolized by private owners" (https://law.lclark.edu/live/files/11170-421blummpdf, Oregon's Public Trust Doctrine: Public Rights in Waters, Wildlife, and Beaches, by Michael C. Blumm & Erika Doot, 2012).

The river belongs to all and we have a right to ask for it to be restored to health. At the forum you can hear more about EPA's range



Bill Egan fishing on the Willamette River

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of options for cleanup, get your questions answered and have a say. Find out how the cleanup could impact you! The forum is free and all are welcome. Babysitting and snacks will be provided. For more information contact barbaraqn718@gmail.com or go to PortlandHarborCAG.info.

**Forum:**  
**Willamette River Superfund Community Forum: Jan. 26, Tuesday, 7-9pm**  
**St. Johns Community Center, 8427 N. Central St.**  
**Free - All are welcome. Babysitting and snacks provided.**

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