# Ross Island: An Urgent Call to Action

## *Toward Public Stewardship and Long-Term Responsibility*

A City Club Research Report

CITY CLUB of PORTLAND

*cover photo courtesy Eric Prado*

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# Executive Summary

Located just south of downtown Portland, Ross Island is a 400-acre landscape of islands and a lagoon shaped by decades of sand and gravel mining. It is now one of the lower Willamette River's clearest opportunities for large-scale ecological restoration, tribal stewardship, and lasting public benefit. But that opportunity is at risk under a private ownership structure in which reclamation remains unfinished and long-term stewardship has not been secured. At the same time, emerging coordination opportunities with related cleanup efforts could either advance reclamation and stewardship or create further delay and uncertainty, underscoring the need for clear state leadership. Immediate action is now needed to move Ross Island into public ownership or durable public-benefit stewardship without unnecessary delay.

Ross Island holds significant ecological, cultural, and public value. Together with the adjacent Holgate Channel and Oaks Bottom Wildlife Refuge, it supports shallow-water habitat for bald eagles, great blue herons, juvenile salmon, Pacific lamprey, and other species. Such habitat has become increasingly rare in the lower Willamette. It is also part of a living cultural landscape with ongoing significance for tribal nations whose treaty rights and first foods traditions are tied to the health of the river. The surrounding corridor supports paddling, rowing, wildlife observation, and other low-impact recreation that connects Portlanders to the Willamette.

At the same time, Ross Island's current ownership and governance structure has not produced durable stewardship. Post-mining reclamation remains unfinished. Harmful algal blooms continue to threaten public health, river recreation, and aquatic life. The waters around Ross Island have experienced one of the highest concentrations of abandoned and derelict vessels in Oregon. Responsibility is fragmented among multiple agencies and private parties, with no single entity accountable for long-term outcomes.

The committee concludes that protecting and enhancing Ross Island's ecological, cultural, and recreational value ultimately requires clear accountability, coordinated state leadership, and either public ownership or another durable public-benefit stewardship arrangement. These decisions must happen in the right order. Questions about reclamation, cleanup liability, possible coordination with the Portland Harbor cleanup, and future stewardship should be clarified before any ownership transitions or other irreversible steps are taken.

The committee does not recommend a single exclusive route for Ross Island. It does recommend a clear long-term objective: public ownership or another durable public-benefit stewardship arrangement. To preserve viable paths toward that outcome, the state should act early, using existing authority, to clarify options and avoid closing off opportunities before the relevant facts are understood. Those paths may include a Ross Island and Portland Harbor partnership or continued enforcement of reclamation and related obligations. Either could support later public ownership or another public-benefit stewardship arrangement. What matters most now is that premature decisions do not foreclose that public-benefit future or allow delays to place it further out of reach.

The committee recommends that the governor of Oregon direct the Department of State Lands (DSL) and the Department of Environmental Quality (DEQ), working with EPA Region 10 and in consultation with tribal governments, affected property owners, and other key stakeholders, to act as outlined below. The steps are deliberately sequenced. **The first four steps are intended to clarify options, resolve key constraints, and preserve viable paths so that the fifth step—a transition to public ownership or another durable public-benefit stewardship arrangement—can occur as soon as the necessary conditions allow.**

**First, assess whether Ross Island could play a constructive role in a Portland Harbor cleanup strategy.** The governor should direct DSL and DEQ, working with EPA Region 10, to determine whether Ross Island could lawfully and safely support such a strategy in connection with the Portland Harbor Superfund Site. The goal is to determine whether a real opportunity exists, what safeguards would be needed, and whether the potential role could be pursued in a way that protects the public interest. The evaluation should include transparent public reporting and periodic updates. If such an approach proves feasible and generates significant cost savings, the state, EPA, and relevant responsible parties should explore directing a portion of those savings toward the long-term restoration and stewardship of Ross Island.

**Second, clarify the likely regulatory path early.** DSL and DEQ should identify the main approvals and permitting pathways. They should review opportunities that would apply to any Portland Harbor cleanup proposal, including removal-fill permitting, alternatives review, public comment requirements, and the roles of relevant agencies and tribal governments. Early clarity would reduce confusion, prevent unnecessary conflict, and help all parties understand the process before expectations outpace the facts.

**Third, continue enforcing reclamation obligations and keep that option viable.** DSL should continue to enforce reclamation requirements for the Ross Island lagoon and maintain a clear path to completion. Those obligations should not be weakened or lost through sale, insolvency, or delay. They matter on their own terms and could support later public ownership or another public-benefit stewardship arrangement if a Portland Harbor partnership does not prove to be the preferred route.

**Fourth, protect the public from inheriting cleanup liability and preserve future public-benefit options.** DSL and DEQ, working within existing legal authority, should ensure that unresolved cleanup liability remains with responsible parties unless clear legal authority, enforceable protections, and adequate financial assurance are in place. Any future transition toward public ownership or public-benefit stewardship should occur only after threshold liability and financial protection issues are resolved.

**Fifth, prepare the next step once a viable path becomes clear.** If early coordination points to a feasible Portland Harbor partnership, the governor should convene a follow-on process to examine Ross Island's longer-term future. If that partnership is not pursued, the governor should convene a similar process once another viable path has emerged. In either case, that process should evaluate public ownership or public-benefit stewardship options, governance,

funding, habitat protection, and opportunities for tribal co-management, while considering the existing liability, regulatory, and ownership conditions.

While those larger questions are addressed, several near-term issues require immediate attention. These actions do not depend on resolving ownership or governance, and early progress will help protect ecological conditions and maintain public trust.

To address harmful algae blooms, DSL, DEQ, and the Oregon Health Authority should develop both near-term and long-term strategies for the Ross Island lagoon. In the near term, they should evaluate the silt curtain deployed in August 2025 and determine whether changes are needed to improve its effectiveness. Over the longer term, they should evaluate possible circulation or flushing improvements aligned with ecological restoration objectives and tribal stewardship priorities. These agencies should also improve coordination of monitoring data, public health advisories, and public communication so that information is timely, consistent, and clear.

To address abandoned and derelict vessels, DSL, in coordination with the City of Portland and Multnomah County, should develop a more coordinated, site-specific approach for the waters around Ross Island that brings together environmental protection, law enforcement, and social service support. The goal should be to identify and address problem vessels before they sink, reducing environmental damage, navigational hazards, and cleanup costs.

To support tribal engagement and co-stewardship, the State Land Board should continue government-to-government discussions with tribal governments regarding long-term partnership, co-management, or co-stewardship. Tribal priorities, including those related to Pacific lamprey and salmon habitat, should be incorporated early enough to shape outcomes rather than respond to decisions that have already been made.

Viable paths remain open for Ross Island, but they will not stay open forever. The immediate need is to use existing authority to clarify options, enforce current obligations, reduce risk, and preserve a path toward public ownership or another durable public-benefit stewardship arrangement before irreversible decisions narrow those options. Once the necessary liability protections are in place and a workable structure for ownership, management, and accountability has been established, Ross Island should move into public ownership or another durable public-benefit stewardship arrangement without unnecessary delay. Ross Island could become a cornerstone of ecological recovery in the lower Willamette, strengthening tribal stewardship, public responsibility for the river, and public benefit for generations. Delay is not neutral.

# Introduction

## Purpose and charge

City Club of Portland commissioned this report to examine the long-term future of Ross Island, located in the lower Willamette River near downtown Portland, Oregon. Ross Island actually consists of four separate islands—Ross, Toe, East, and Hardtack—as well as a lagoon in the center of the archipelago created by decades of mining. In total, the Ross Island complex encompasses about 400 acres. Throughout this report, "Ross Island" refers to the entire island complex.

*Ross Island Archipelago (photo courtesy Mike Houck)*

City Club asked this committee to:

- assess different scenarios for ownership, stewardship, and governance of Ross Island.
- evaluate how current and potential future scenarios could affect the ecological health, cultural significance, and public benefit of Ross Island.

The scope of this study includes a review of existing conditions, regulatory frameworks, ownership and governance structures, and documented mismanagement of Ross Island. The committee relied on witness testimony, agency briefings, public records, and prior studies to inform its analysis. We list the sources in the references and appendices at the end of this report.

## Report Organization

This report has five main sections:

- **Section 1** provides a brief history of Ross Island, which provides context for the rest of the report.
- **Section 2** describes the ecological, cultural, and public values that make Ross Island significant and irreplaceable within the lower Willamette River.
- **Section 3** describes the challenges of current ownership and management of Ross Island, resulting in a fragile and failing status quo.
- **Section 4** describes paths that could lead to long-term public benefit, while identifying the conditions and safeguards required to protect the public interest.
- **Section 5** provides recommendations for leadership, coordination, and public processes urgently needed to move forward effectively.

# 1. A Brief History of Ross Island

Ross Island and the Portland Metropolitan Area rest on traditional village sites of the Multnomah, Wasco, Cowlitz, Cathlamet, Clackamas, Bands of Chinook, Tualatin Kalapuya, Molalla, and many other tribes who made their homes along the Columbia River and in the Willamette and Tualatin River valleys. This includes the area around and likely on Ross Island. There is a record of over 11,000 years of inhabitation in this area prior to contact with non-Indian explorers and settlers.[1]

After the signing of the Oregon Treaty with Great Britain in 1846, the Oregon Territory was created in 1848 and remained in existence until Oregon was admitted to the Union in 1859. Portland was incorporated in 1851. Portland's early boom years, from the 1870s until about 1910, saw it transformed into one of the major cities on the West Coast.[2]

The early 1900s saw several failed development proposals for Ross Island. Most of these were primarily for recreational purposes, such as the Olmsted Brothers' plan for an interconnected system of parks and boulevards, proposed in 1903.[3]

[1] Except as otherwise noted, information in this section comes from "Rehabilitation of Ross Island Lagoon: Overcoming a Harmful Cyanobacterial Bloom in the Heart of Portland, Oregon," Desirée Tullos, Rowan Fay, and Willie Levenson, Aug. 27, 2003, storymaps.arcgis.com/stories/68f17b5a6ee9411bbbdd9c49356e7892, and "Reimagining Ross Island," The Intertwine Alliance, Oct. 21, 2015, theintertwine.org/outside-voice/reimagining-ross-island.

[2] Theresa Hupp, "Early History of Portland, Oregon," accessed on Feb. 18, 2026, theresahuppauthor.com/blog/2023/03/22/early-history-of-portland-oregon.

[3] William J. Hawkins III, *The Legacy of the Olmsted Brothers in Portland* (2014).

*The Windemuth Resort on Ross Island ("Diving at Windemuth", Angelus Studio Photographs, University of Oregon, PH037-P362)*

In 1915, an expansive floating swimming center called Windemuth was built and anchored off the northern tip of Ross Island. At its peak, the two-story Windemuth hosted more than a thousand swimmers a day, brought by regular ferries from a nearby streetcar terminus and from nearby docks.

However, by 1924, pollution from raw sewage and industrial waste from a rapidly expanding Portland eliminated swimming in the Willamette. In 1926, a syndicate of connected citizens set up Ross Island Sand & Gravel (RIS&G) in a flurry of deals with state and local regulators.[4] RIS&G then purchased mining rights to the island and surrounding waters from the City of Portland.

That same year, RIS&G and the U.S. Army Corps of Engineers built an earthen dike to connect the upstream points of Ross and Hardtack Islands. This cut off the river flow between the two islands, creating a lagoon, which made it easier to mine aggregate gravel from the lagoon bottom. Over the following decades, river silt deposits created East Island in the Holgate Channel (the river channel between the east side of Ross Island and the east bank of the Willamette River).[5]

For the next 70 years, RIS&G dredged the lagoon's sand and gravel and processed the material at its processing plant on Hardtack Island for use as concrete. These Ross Island lagoon gravel deposits supplied much of the concrete for downtown builders in the 20th century.

Dr. Robert Pamplin, Jr. (Pamplin) acquired RIS&G in 1977. The company's dredging activities continued until 2004.[6] By then, the lagoon comprised 135 acres and was 120 feet deep. The dredging stopped primarily because of environmental pressures and the endangered status of salmon. However, RIS&G continued to process imported materials at its processing plant on Hardtack Island until late 2019. Today, the company is permitted only to place fill in the lagoon for reclamation purposes (to restore the ecological value of the area after decades of mining).[7]

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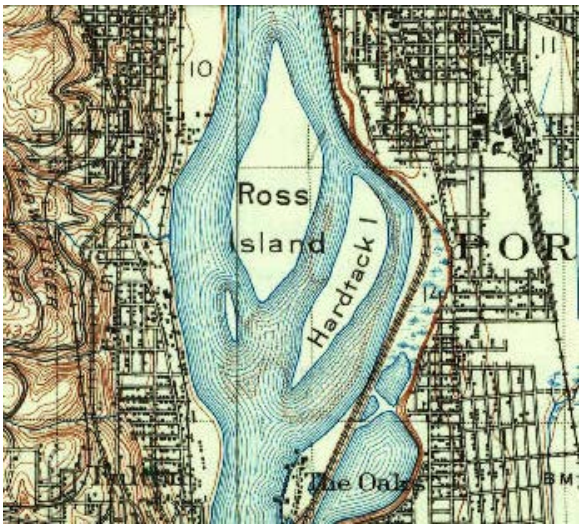
[4] Zach Dundas, "Island Life: Paradise Ross," *Portland Monthly*, April 20, 2010, pdxmonthly.com/travel-and-outdoors/2010/04/ross-island-0510.

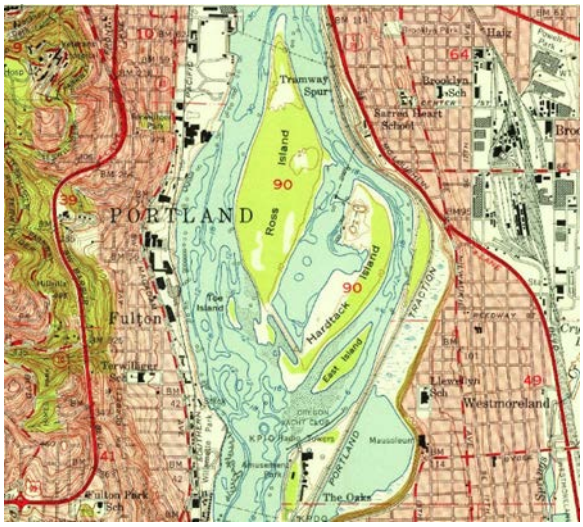
[5] *Ibid*.

[6] Other sources state that RIS&G ceased mining operations in 2001. *See, e.g.*, Oregon Dept. of Environmental Quality, "About Ross Island Cleanup: Frequently Asked Questions," accessed Feb. 15, 2026, oregon.gov/deq/hazards-and-cleanup/cleanupsites/pages/ross-island.aspx.

[7] *Ibid*.




*1914 Ross Island map before 1926 artificial levee (United States Geological Survey)*




*1954 Ross Island map showing artificial levee (United States Geological Survey)*

In 2007, RIS&G donated approximately 45 acres of Ross Island and Toe Island (not including the lagoon shoreline edge) to the City of Portland, leaving RIS&G with about 350 acres of Ross Island.[8] The transfer deed, whose covenants are perpetual and irrevocable, restricts public access to the property. It also requires that the land be maintained in a natural state and used only for conservation purposes. Moreover, the City cannot transfer or sell any of this property other than to a political subdivision of the State of Oregon.[9]

Eight years later, in 2015, the Port of Portland donated to the city approximately two acres that it owned at the northern tip of Ross Island.[10] This transfer deed also required that the city use the property only for conservation purposes.[11] Portland Parks & Recreation currently maintains these combined 47 acres as a natural area with limited access to the public.[12]

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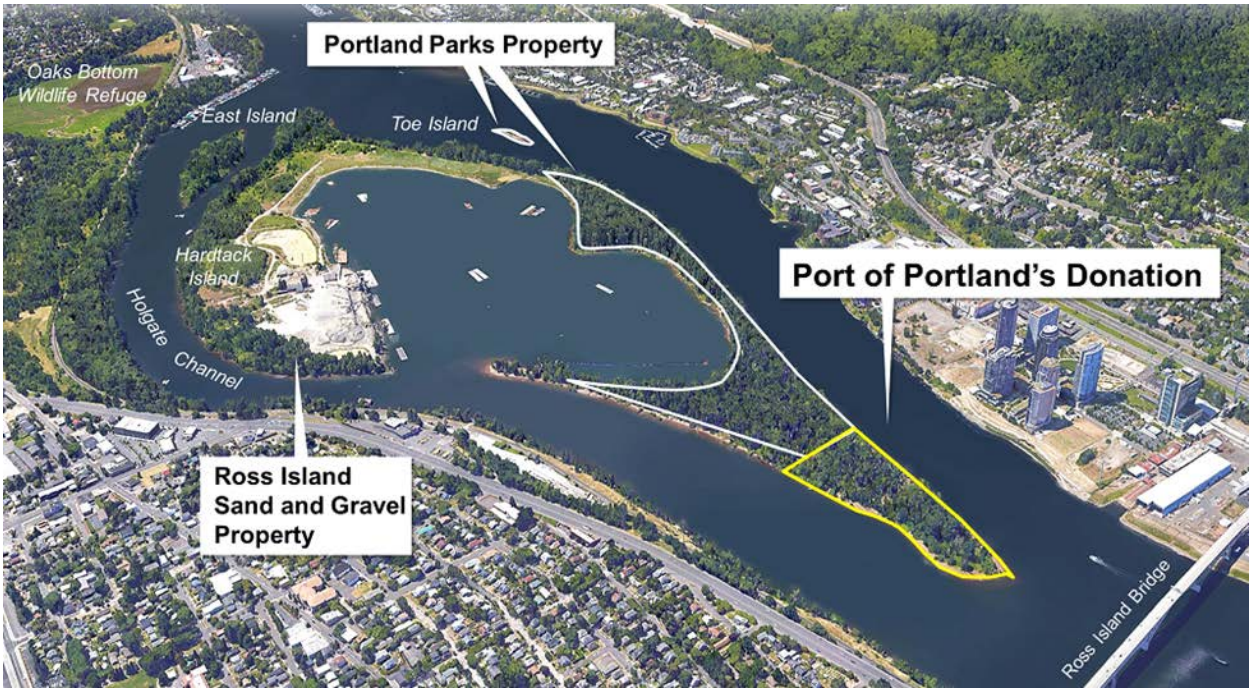
[8] Ross Island Sand & Gravel Co. to The City of Portland, Quitclaim Deed, Oct. 31, 2007, 2007-190098, Multnomah County Records,pdxcityclub.org/wp-content/uploads/2026/03 /RISG-Quitclaim-deed-to-City-of-Portland-2007.pdf; Portland Parks & Recreation, "Ross Island Natural Area," accessed Feb. 11, 2026, portland.gov/parks/ross-island-natural-area.

[9] Deed, 2007-190098.

[10] The Port of Portland to The City of Portland, Quitclaim Deed with Easement and Equitable Servitude, Oct. 20, 2015, 2015-134500, Multnomah County Records, pdxcityclub.org/wp-content/uploads/2026/03/Port-of-Portland-Quitclaim-deed-to-City-of-Portland-2015.pdf; Portland Parks & Recreation, "Accept northern portion of Ross Island from the Port of Portland, Report to Mayor and City Council, October 28, 2015," pdxcityclub.org/wp-content/uploads/2026/03/Portland-Parks-Recreation-Accept-Northern-Portion-of-Ross-Island-Oct-28-2015.pdf. The Port acquired the land through a purchase from Multnomah County in 1947. Multnomah had earlier acquired the land from RIS&G because of delinquent tax liens.

[11] Quitclaim Deed, 2015-134500.

[12] Portland Parks & Recreation, "Ross Island Natural Area."




*Ross Island area managed by Portland Parks & Recreation, including Port of Portland donation. RIS&G property noted is now owned by R.B. Pamplin Corp. (Photo courtesy The Intertwine Alliance)*

Beginning in 2019, Pamplin sold and transferred more than 70 properties, including Ross Island, to an affiliated pension fund at inflated values.[13] According to deeds reviewed by this committee, as part of these transactions, RIS&G sold its interest in Ross Island to the pension fund in 2022 for $10.6 million.[14] In September 2024, the U.S. Dept. of Labor sued Pamplin and RIS&G, alleging that these transfers violated federal pension law.[15] A consent decree settling the case was filed in December 2024.[16] Pamplin admitted the Dept. of Labor allegations and agreed to transfer the ownership of Ross Island from the pension fund to R.B. Pamplin Corp., a company owned entirely by Pamplin, in exchange for other assets.[17] In February 2025, the Pamplin Pension Fund transferred its ownership interest in Ross Island to R.B. Pamplin Corp.[18]

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[13] Nigel Jaquiss, "Feds Say Robert Pamplin Jr. Dragged His Feet in Making Pensioners Whole," *Willamette Week*, July 2, 2025, wweek.com/news/2025/07/02/feds-say-robert-pamplin-jr-dragged-his-feet-in-making-pensioners-whole.

[14] Full citations to these five deeds are in the Bibliography section.

[15] U.S. Dept. of Labor, "US Department of Labor Sues R.B. Pamplin Corporation and Owner to Recover Retirement Funds for Pension Plan Participants," Sep. 13, 2024, dol.gov/newsroom/releases/ebsa/ebsa20240913.

[16] "Consent Judgment and Permanent Injunction," U.S. District Court, District of Oregon, Portland Division, Case No. 3:24-cv-01548-YY, Dec. 26, 2024.

[17] *Ibid.;* U.S. Dept. of Labor, "Federal Court Requires R.B. Pamplin Corp., Owner to Restore at least $20.6M in Assets to Pension Plan, Unwind $15.4M in Illegal Real Estate Investments," Jan. 15, 2025, dol.gov/newsroom/releases/ebsa/ebsa20250115.

[18] Newport Trust Company TTE of the RB Pamplin Corp Pension plan to Newport Trust Company, LLC, as Trustee of the R.B. Pamplin Corporation and Subsidiaries Pension Plan & Trust, a Pension Plan and Trust Established under the Laws of the State of Oregon to R.B. Pamplin, Corp., Statutory Special Warranty Deed,

# 2. At Stake: Ecological, Cultural and Public Value

Ross Island holds immense ecological, cultural, and public value for the Lower Willamette River, a highly urbanized, five-mile segment stretching from Willamette Falls downstream to its confluence with the Columbia River in Portland. [19] As explained in this section, decisions made today regarding Ross Island will have lasting consequences for the river and the region.

## Ecological Value

The Lower Willamette River has been profoundly altered over the past two centuries by development, particularly industrial use. Dredging has altered the river's channels, runoff and industrial waste have degraded its water quality, and commercial and residential development have hardened shorelines.[20] The results have eliminated much shallow-water habitat, and reduced and fragmented shoreline forests. Ross Island is one of few remaining places in this area capable of sustaining aquatic and riparian habitats to support a healthy river ecosystem.

Witness interviews and ecological assessments indicate that Ross Island and the adjacent Holgate Channel and Oaks Bottom Wildlife Refuge[21] form an interconnected habitat complex. This habitat supports fish, birds, and other wildlife in the heart of the city. Its shallow-water areas, beaches, and vegetated margins provide conditions that are essential for species survival, and these conditions are increasingly scarce in the lower river. These conditions are especially important for fish and other aquatic species that depend on slow-moving water and shoreline habitat during critical life stages.

This habitat value is not theoretical. Bald eagles nest and forage in the area, great blue herons feed in surrounding shallows, and a wide range of resident and migratory species rely on the island complex. Witnesses consistently emphasized that Ross Island represents one of the last opportunities in the lower river to restore and manage habitat at a scale large enough to make a measurable ecological difference.[22]

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Feb. 19, 2025, 2025-008999, Multnomah County Records, pdxcityclub.org/wp-content/uploads/2026/03/RB-Pamplin-Pension-Warranty-deed-to-RB-Pamplin-2025.pdf.

[19] Oregon Health Authority, "Lower Willamette River Recreation Map (Portland Metro Area)," accessed Feb. 24, 2026, https://www.oregon.gov/oha/ph/healthyenvironments/trackingassessment/environmentalhealthassessment/pages/lower-willamette-river-recreation-map-(portland-metro-area).aspx.

[20] Hardened edges are ones that are suitable for commerce but not for habitat. Except as otherwise noted, information in the remaining paragraphs in this section comes from Urban Greenspaces Institute, "Proposal, Ross Island, Forest Park on the Willamette," Nov. 2025, urbangreenspaces.org/sites/default/files/2025-11/11%2012%2025%20Ross%20Island%20Proposal%20Houck.pdf, and "Envisioning Ross Island," March 2010, urbangreenspaces.org/sites/default/files/2025-03/Ross-Island-Vision-Plan-13.pdf.

[21] Oaks Bottom Wildlife Refuge is a 163-acre city park located on the east bank of the Willamette River just north of the Sellwood Bridge. Portland Parks & Recreation, "Oaks Bottom Wildlife Refuge," accessed March 3, 2026, portland.gov/parks/oaks-bottom-wildlife-refuge.

[22] Mike Houck, (Urban Greenspaces Institute), committee interview, April 31, 2025; Owen Wozniak, (The Intertwine Alliance), committee interview, Sep. 10, 2025.

*Ross Island wildlife (photo courtesy Mike Houck)*

***Conclusion***: The loss or degradation of this habitat would not be easily offset elsewhere. There are not many sites in the Lower Willamette with comparable restoration outcomes. As a result, decisions affecting Ross Island carry disproportionate weight relative to its size.

## Tribal Cultural Significance

Ross Island is also part of a living cultural landscape with deep and ongoing significance for tribal nations. For thousands of years prior to Euro-American settlement, the stretch of the Willamette River surrounding Ross Island functioned as a corridor for travel, subsistence, and cultural practice for Chinookan-speaking peoples, including the Clackamas and Multnomah.[23] Although the physical form of the island was dramatically altered by 20th-century sand and gravel mining, tribal relationships to this reach of the river did not end. Testimony from the Confederated Tribes of Grand Ronde and the Columbia River Inter-Tribal Fish Commission make clear that current water-quality conditions in and around Ross Island directly affect treaty-

[23] Robert T. Boyd, *The Coming of the Spirit of Pestilence: Introduced Infectious Diseases and Population Decline among Northwest Coast Indians, 1774–1874* (University of Washington Press, 1999), 23–30.

protected resources, including endangered salmon and Pacific lamprey, and interfere with the exercise of reserved fishing rights.[24] (The Columbia River Inter-Tribal Fish Commission represents the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe.) [25]

From a tribal perspective, water quality in the Ross Island reach is not an abstract environmental concern. Tribal fishers are physically present in the water during fish harvest and are directly exposed to degraded water-quality conditions, including harmful algae blooms. They are also affected by habitat impairments, such as low dissolved oxygen, that reduce fish health and availability. Such environ-mental degradations also negatively impact federal trust responsibilities and the availability of first foods.[26]

*Bobby Begay, right, of the Yakama Indian Nation, and Zach Penny, left, of the Columbia River Inter-Tribal Fish Commission, display their catch of Lamprey after fishing along the Willamette River at the Willamette Falls during the annual Lamprey harvest Friday, June 17, 2016, south of Portland, Ore. Lampreys, an ancient fish that's a source of food for tribes in the Pacific Northwest, have been in drastic decline in recent decades. (AP Photo/Rick Bowmer)*

Witnesses emphasized that restoring ecological function in the Ross Island reach is inseparable from honoring treaty commitments and supporting tribal stewardship responsibilities. Witnesses also described meaningful engagement and potential co-stewardship arrangements as essential components of any long-term stewardship framework for the island.[27]

[24] Confederated Tribes of Grand Ronde, written testimony submitted to the Oregon Legislative Assembly, Public Testimony Document no. 142908, Oregon Legislative Information System, 2025 Regular Session, olis.oregonlegislature.gov/liz/2025R1/Downloads/PublicTestimonyDocument/142908; Columbia River Inter-Tribal Fish Commission, written testimony submitted to the Oregon Legislative Assembly, Public Testimony Document no. 143934, Oregon Legislative Information System, 2025 Regular Session, olis.oregonlegislature.gov/liz/2025R1/Downloads/ PublicTestimonyDocument/143934.

[25] Columbia River Inter-Tribal Fish Commission testimony

[26] *Ibid*. *See also* Multnomah County, written testimony submitted to the Oregon Legislative Assembly, Public Testimony Document no. 143557, Oregon Legislative Information System, 2025 Regular Session, olis.oregonlegislature.gov/liz/2025R1/Downloads/PublicTestimonyDocument/143557.

[27] Confederated Tribes of Grand Ronde testimony.

## Public Value

Ross Island also represents a long-term public asset in a region where access to nature and the river is increasingly more restricted. Its visibility from surrounding neighborhoods, bridges, trails, and waterways provides a daily reminder of the river's presence and ecological potential for Portland residents, most of whom have never set foot on the island itself.

The river stretch surrounding Ross Island supports a wide range of low-impact, non-motorized recreation, including paddling, rowing, sailing, swimming, wildlife observation, and fishing.[28] These activities contribute to quality of life, public health, and civic identity. They also foster informal stewardship and public awareness of river conditions. Witnesses consistently noted that people are far more likely to care for and protect places they have directly experienced.[29] The public value of Ross Island depends on ecological health and thoughtful management. The committee heard broad agreement that sustaining the river's public benefit would be best achieved not through unrestricted access, but through stewardship models that prioritize ecological protection, respect tribal values, and support carefully planned and managed engagement.[30]

***Conclusion***: Ross Island is an irreplaceable resource. It is a keystone in the remaining natural habitat in the Lower Willamette and is vital to a collective sense of place. In addition, it can provide a living link to the tribes of the region and to their culture and traditions.

[28] Portland Harbor Natural Resource Trustee Council, "Recreation and River Access," accessed Feb. 16, 2026, fws.gov/portlandharbor/Recreation-River-Access; East Cascades Bird Alliance, "Willamette Falls," accessed Feb. 16, 2026, https://ecbirds.org/birding-locations/willamette-falls.

[29] Jeremy FiveCrows (Columbia River Inter-Tribal Fish Commission), committee interview, Oct. 20, 2025; Willie Levenson (Human Access Project), committee interview, May 15, 2025.

[30] Cassie Cohen (Portland Harbor Coalition), committee interview, Sep. 8, 2025; Chris Eykamp and Linda Hettekoven (HAND Neighborhood Association), committee interview, Sep. 2, 2025; Marianne Nelson and Ruth Howell (Friends of Oaks Bottom), committee interview, Sep. 17, 2025; Ben Walczak and Susan Barnes (Oregon Dept. of Fish and Wildlife), committee interview, Sep. 5, 2025; Keri Handaly (Confederated Tribes of Grande Ronde), email to committee, September 2025; *see also* Appendix A, which summarizes perspectives shared with the committee regarding recreation and public access in and around Ross Island. The committee does not make findings or recommendations here regarding whether or how public access should occur. Any future decisions would require separate processes, including tribal consultation, coordination with public partners, ecological review, and public engagement.

# 3. Ross Island at the Edge

Today, Ross Island has an ownership and governance structure that does not provide the stewardship that this resource deserves. Despite regulatory oversight, technical studies, and periodic enforcement actions, these structural problems have never been addressed. The lack of action in remediating past mining, eliminating and managing toxic algae blooms, and removing derelict boats all underscore the inadequacy of current arrangements for protecting public health and the environment.

## Damage From Past Mining

In Oregon, the Department of State Lands (DSL) administers programs to protect the state's wetlands and waterways. An entity may not remove materials or fill state waters without a DSL permit.[31]

Since 1979, DSL has required RIS&G to place fill at the site to reclaim upland, wetlands, and in-water areas that were previously mined and return them to a more natural state.[32] In 2002, DSL established reclamation goals for RIS&G to be completed by 2035.[33] DSL also required that RIS&G post a $500,000 performance bond to guarantee its performance.[34]

In May 2023, DSL approved modifications to the 2002 Reclamation Plan for Ross Island.[35] This reclamation plan obligated RIS&G to finish placing fill and large wood structures in the lagoon to increase shallow-water fish habitat and to post an additional $6 million performance bond.[36] This plan also accelerated the completion date to 2033.

[31] Oregon Dept. of State Lands, "Projects in Wetlands and Waters: Removing or Filling Material," accessed Feb. 15, 2026, oregon.gov/dsl/wetlands-waters/pages/removal-fill.aspx.
[32] Oregon Dept. of Environmental Quality, "Site Summary," accessed Feb. 11, 2026, https://www.oregon.gov/deq/hazards-and-cleanup/cleanupsites/pages/ross-island.aspx.
[33] Oregon Dept. of Environmental Quality, "Ross Island Reclamation Plan," Sep. 30, 2002, oregon.gov/deq/Hazards-and-Cleanup/Documents/RISGReclamationPlan.pdf.
[34] *Ibid*.
[35] Except as otherwise noted, information in this section comes from Oregon Dept. of State Lands, "Proposed Permit Decision and order; Notice of Right to a Hearing," In the Matter of Removal-Fill Permit Application 09819 (RF-26) by Ross Island Sand & Gravel Co., April 28, 2023, pdxcityclub.org/wp-content/uploads/2026/03/OR-Dept-of-State-Lands-Proposed-Permit-Decision-and-Order-2023.pdf.
[36] At the time, RIS&G estimated that it would cost approximately $6 million to complete the reclamation work, which was the basis for the required $6 million bond. Randy Steed (formerly President of RIS&G), committee interview, July 10, 2025.

The reclamation plan identifies both the benefit of the agreement ("The Reclamation plan provides diverse habitat, which will significantly benefit both fish . . . and wildlife throughout the lagoon . . .") and the likely economic cost to the public if the proposed fill were not accomplished:

> *Leaving the habitat in a degraded state creates economic costs to the public. In terms of DSL's statutes specifically, public recreation, fishing, and navigation are ecosystem services with economic values that DSL is supposed to protect as part of the public trust. The existing habitat degradation in the lagoon reduces recreational and fishing opportunities.*[37]

Unfortunately, RIS&G has failed to comply with the reclamation plan obligations. RIS&G has never posted the required $6 million surety bond[38] nor has it met its fill obligations. For the 2023–25 period, RIS&G was required to deposit a total of at least 132,000 cubic yards of fill in the lagoon. For the required period, however, RIS&G fell short, depositing only 38,660 cubic yards of fill in the lagoon, less than 30% of the required amount.[39]

Violations of the terms and conditions of the reclamation plan are subject to administrative and/or legal action that may result in revocation of the permit or damages. In May 2024, DSL proposed to fine RIS&G[40] $2.9 million for failing to file the required $6 million surety bond and other remediation plan violations.[41] RIS&G then requested a hearing on the proposed penalty.[42] During the first day of the scheduled hearing in August 2025, DSL withdrew the

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[37] *See also* Oregon Dept. of State Lands, "Proposed/Final Order Finding Violations, Imposing Civil Penalties, and Ordering Corrective Action," Ross Island Sand & Gravel Enforcement File No. 8623-ENF, Feb. 19, 2026, 5 ([A failure to timely complete the remediation work] "will result in reasonably expected adverse impacts to [State] waters, including detrimental effects on anadromous fish and wildlife habitat, surface water and groundwater resources, and soil and sediment stability."), pdxcityclub.org/wp-content/uploads/2026/03/Or-Dept-of-State-Lands-proposed-order-to-RISG-re-violations-penalties-and-corrective-action-2026.pdf.

[38] Oregon Dept. of State Lands, "Amended Proposed Order for Corrective Action and Civil Penalty for Permit Non-Compliance," DSL Enforcement File No. 8623-ENF, Vickie Walker to Ross Island Sand & Gravel Co., Dec. 20, 2024, pdxcityclub.org/wp-content/uploads/2026/03/OR-Dept.-of-State-Lands-Notice-to-RISG-of-proposed-Order-and-Civil-Penalty-2024.pdf.

[39] Haley Teach (DEQ), email to committee, March 3, 2026; Melinda Butterfield (DSL), committee interview, July 17, 2025; Nigel Jaquiss, "A Pamplin Company is Failing to Meet Its Obligations to Restore Ross Island Lagoon, *Willamette Week*, May 22, 2024, wweek.com/news/2024/05/22/a-pamplin-company-is-failing-to-meet-its-obligations-to-restore-ross-island-lagoon.

[40] The Reclamation Plan obligations do not appear to run with the land (Ross Island) and therefore R.B. Pamplin Corp. is not obligated to comply with the Plan requirements.

[41] Later, in Dec. 2024, DSL amended its proposed May Order and dropped one alleged violation but still sought damages of more than $2.9 million. Oregon Dept. of State Lands, "Ross Island Sand and Gravel-Ongoing Reclamation Work and Legal Considerations," memo to Oregon State Representative Rob Nosse, Oct. 27, 2025, pdxcityclub.org/wp-content/uploads/2026/03/OR-Dept-of-State-Lands-Memo-to-Rep.-Nosse-Oct.-27-2025.pdf..

[42] *Ibid*.

proposed penalty and advised the hearing officer that it intended to levy additional penalties against RIS&G.[43]

On Feb. 19, 2026, DSL proposed a new penalty of $13.9 million against RIS&G, also related to the failure to file the required $6 million bond and other violations of the reclamation agreement.[44] However, DSL did not include any penalties relating to RIS&G's failure to deposit the required amount of fill in the lagoon for the last three years because DSL did not learn about the fill violation until Feb. 23, 2026, four days after it had issued the new proposed penalty.[45]

Even if DSL obtained a $13.9 million penalty and judgment against RIS&G for these reclamation plan violations, DSL's options to collect on the judgment are limited. Once finalized, the order can be filed as a lien on real property with any county clerk in Oregon.[46] Although RIS&G originally owned Ross Island, R.B. Pamplin Corp. now owns the property, and as a result, a judgment against RIS&G cannot be filed as a lien on Ross Island. We believe that RIS&G now owns only two pieces of property.[47] The first is the site of RIS&G's former concrete business, located at 2611 SE 4th Avenue in Portland and currently vacant. RIS&G put the property on the market for $3.2 million in 2020 but has been unable to sell it.[48] The second is the former site of RIS&G's headquarters, located at 4315 SE McLoughlin in Portland. Portland Parks & Recreation has been renting that property from RIS&G since 2022 to use as a maintenance yard.[49] Portland Parks & Recreation is currently negotiating with RIS&G to purchase that property.[50] Assuming the maintenance yard is sold to the City, it is highly unlikely that RIS&G's remaining property – its former concrete plant—would ever generate a sales price sufficient to satisfy a multi-million dollar lien on the property.[51]

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[43] Debbie Hill, co-chair of this committee, attended the August 20, 2025, hearing remotely and heard the DSL attorney withdraw the proposed order. *See also* DSL Memo ("DSL withdrew the 2024 Notice . . . to ensure [DSL] could continue evaluating which violation allegations should be included, and what parties are liable.")

[44] Oregon Dept. of State Lands, "Proposed/Final Order Finding Violations."

[45] RIS&G is required to submit an annual report by Feb. 28 of each year to DEQ detailing the amount of fill deposited in the Ross Island lagoon. Butterfield interview. RIS&G submitted the annual report due this year on Feb. 23, 2026. Butterfield email to committee, March 5, 2026.

[46] Oregon Dept. of State Lands, "Proposed/Final Order Finding Violations."

[47] It does not appear that RIS&G owns any real property outside Multnomah County.

[48] Jonathan Maus, "Ross Island Sand & Gravel Site up for sale, raising possibility of Springwater path Connection," *BikePortlan*d, Aug. 11, 2020, bikeportland.org/2020/08/11/ross-island-sand-gravel-site-up-for-sale-raising-possibility-of-springwater-path-connection-319529.

[49] Nigel Jaquiss, "Moribund Ross Island Sand & Gravel Headquarters Gets New Life," *Willamette Week*, May 19, 2023, wweek.com/news/2023/05/19/moribund-ross-island-sand-gravel-headquarters-gets-new-life.

[50] Ross Island Sand & Gravel Co. to the City of Portland, Oregon, Memorandum of Purchase and Sale Agreement, July 9, 2025, 2025-042676, Multnomah County Records, pdxcityclub.org/wp-content/uploads/2026/03/RISG-Memo-of-Purchase-and-Sale-Agreement-with-City-of-Portland-2025.pdf.

[51] The Proposed Order also permits the penalty amount to be doubled, up to ten times the amount of the original penalty, every 20 days if the penalty remains unpaid. Oregon Dept. of State Lands, "Proposed/Final Order Finding Violations." This ultimately could result in assessed penalties of $139 million if the penalties are finalized but ultimately remain unpaid.

***Conclusion***: Today the City of Portland owns about 47 acres of Ross Island and Toe Island, while R.B. Pamplin Corp. owns the remaining 350 acres of the archipelago, including most of Ross Island, Hardtack Island, East Island, and the lagoon. However, RIS&G still is legally and solely responsible for reclamation efforts on the island. In other words, the current owner of Ross Island is not responsible for the reclamation and the company responsible for the remediation is not the current owner of the island. RISG's failure to comply with reclamation requirements and its failure to file the required performance bond leaves the public exposed to environmental and financial risk. This situation limits the ability of agencies and stakeholders to plan confidently for long-term stewardship outcomes.

## Recurring Toxic Algae Blooms

Harmful cyanobacteria blooms persist in the Ross Island lagoon and Holgate Channel, a narrow river stretch that separates the east side of Ross Island from the Sellwood neighborhood and Oaks Bottom Wildlife Refuge.

*Toxic algae bloom in Ross Island lagoon in 2023 (photo courtesy Human Access Project)*

Years of industrial activity and a changing climate have created conditions where harmful cyanobacteria algae blooms can build up in the largely stagnant lagoon waters.[52] Such blooms are defined as the overgrowth of cyanobacteria, a blue-green algae that can produce toxins and degrade water quality. These pose a health risk to wildlife, humans, and pets along the lower Willamette River, both downstream and upstream from Ross Island because of daily tidal

[52] Except as otherwise noted, information in this section comes from Tullos, "Rehabilitation of Ross Island Lagoon."

action. Though cyanobacteria blooms are not the only blooms encountered in the lagoon, they raise the most significant challenges to river users and the public.[53]
The Ross Island lagoon, along with other sites throughout the Willamette River system, has all the key ingredients for harmful cyanobacterial blooms: higher river temperatures, excess nutrients, adequate sunlight, and stagnant water. Currently, the tide enters the lagoon through the Holgate Channel twice each day, but it is slow enough that it does not sufficiently mix the lagoon waters or disrupt cyanobacterial growth. Once a harmful cyanobacterial bloom forms in the lagoon, winds and tides can pull the harmful bloom from the lagoon into the Willamette River's main channel. Cyanobacteria from the lagoon have been traced as far south as Sellwood Riverfront Park and as far north as Cathedral Park.

In addition to posing a risk to human and animal health, one witness told the committee that harmful algae blooms negatively affect the local and state economy. Event organizers shy away from scheduling events on the river due to the risk that a bloom might shut down the river during an event.[54]

The Oregon Health Authority (OHA) is responsible for issuing and lifting public health advisories when cyanobacteria blooms are detected.[55] Advisories inform the public about possible or known toxic bloom hazards so that people can avoid contact with contaminated waters and know when waters are deemed safe.[56] In the last ten years, harmful cyanobacterial blooms have resulted in public health advisories for the Ross Island lagoon in the summers of 2015, 2016, 2018, 2021, 2023 and 2025.[57]

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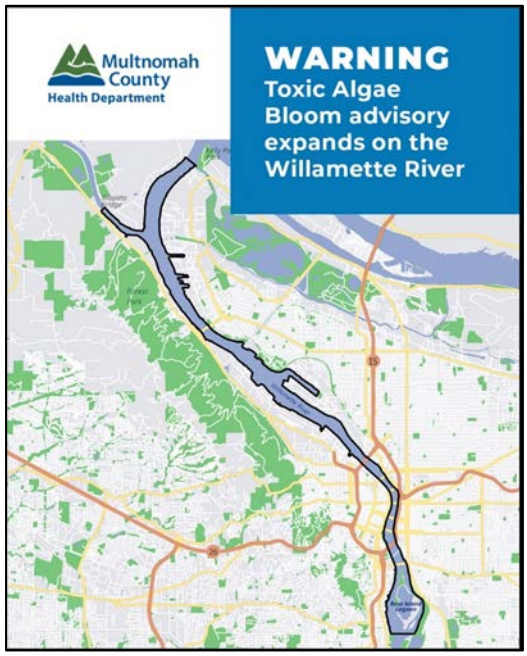
[53] Oregon Health Authority, "Advisory Guidelines: Cyanobacteria Blooms in Recreational Waters," May 2024, oregon.gov/oha/PH/HEALTHYENVIRONMENTS/RECREATION/HARMFULALGAEBLOOMS/Documents/Advisory%20Guidelines%20for%20Harmful%20Cyanobacteria%20Blooms%20in%20Recreational%20Waters.2024_Final.pdf.
[54] Laura Jackson (Community Boathouse, and Portland Rowing and Canoe Club), committee interview, Sep. 11, 2025.
[55] Oregon Health Authority, "OHA Advisory Guidelines," 3. DEQ, as well as other state and federal agencies, also partners with OHA to observe water quality and sample for potential cyanobacteria outbreaks. Oregon Dept. of Environmental Quality, "Oregon DEQ Freshwater Cyanobacteria Harmful Algal Blooms Strategy," October 2023, oregon.gov/deq/wq/Documents/habFwCyanobacHABstrat.pdf.
[56] Oregon Health Authority, "OHA Advisory Guidelines," 4–9.
[57] "Willamette River, Ross Island Lagoon under advisory with algae bloom," *KGW News*, Aug. 11, 2025, youtube.com/watch?v=0qBlg6KcBIc; Tullos, "Rehabilitation of Ross Island Lagoon."




*Multnomah County Health Department. diagram showing toxic algae blooms extending from Ross Island Lagoon and the Willamette River south of the lagoon downriver to Wapato Bridge and Kelly Point Park during August 2025 recreational use health advisory. (image courtesy Multnomah County Health Department)*

The 2023 health advisory lasted for approximately two months, completely shutting down recreational use of the Willamette River area from the Ross Island lagoon northward to Cathedral Park for much of this period.[58] During the 2025 advisory, the lagoon was noticeably green with visible scum even after the advisory was lifted, and community members complained that there was insufficient information about whether it was safe to recreate in the lagoon.[59] In this case, the Human Access Project (HAP), a non-profit advocacy group committed to transforming Portland's relationship to the Willamette River, appeared to be the main voice communicating with the public about this bloom status, rather than OHA or DEQ.[60]

RIS&G is required to place a silt curtain across the lagoon's entrance whenever health advisories are in effect.[61] A silt curtain acts as a floating barrier extending from the water's surface to a specific depth with the goal of preventing toxic algae blooms from moving into cleaner waters. During the 2025 health advisory, RIS&G placed a silt curtain across a portion of the lagoon entrance for the first time.[62] There was considerable public debate about the

[58] Gosia Wozniacka, "Ross Island lagoon, source of Willamette River toxic blooms, must be monitored, state says," *The Oregonian*, Nov. 4, 2024, https://www.oregonlive.com/environment/2024/11/ross-island-lagoon-source-of-willamette-river-toxic-blooms-must-be-monitored-state-says.html.

[59] Seychelle Marks-Bienen, "OHA Lifts Toxic Algae Bloom Advisory in the Willamette River," *Willamette Week*, Aug. 19, 2025, wweek.com/news/environment/2025/08/19/oha-lifts-toxic-algae-bloom-advisory-in-the-willamette-river; "Nonprofit raises alarm over state of Ross Island lagoon as algae bloom takes over Willamette River," *KGW News* , Aug. 14, 2025, youtube.com/watch?v=i-UkKSU3JzA; Seychelle Marks-Bienen, "A New Approach Didn't Curb the Spread of a Toxic Algae Bloom in the Willamette River," *Willamette Week*, Aug. 19, 2025, wweek.com/news/environment/2025/08/19/a-new-approach-didnt-curb-the-spread-of-a-toxic-algae-bloom-down-the-willamette-river.

[60] Human Access Project (@humanaccessproject), Once again, Ross Island's lagoon's harmful algae is at full strength. This has been happening with increased frequency, Aug. 11, 2025, instagram.com/p/DNMUGnzy7H6; Human Access Project (@humanaccessproject), Ross Island Lagoon Harmful Alga Bloom Alert. A note of precaution—a harmful algae bloom that has increasingly developed in the Ross Island lagoon, Aug. 11, 2025, instagram.com/p/DNPES_QxR4O.

[61] Oregon Dept. of Environmental Quality, "Updated 1999-1500; Ross Island Sand & Gravel 401 Water Quality Certification," Jan. 27, 2025, 9, pdxcityclub.org/wp-content/uploads/2026/03/Oregon-Dept.-Environmental-Quality-Updated-RISG-401-Water-Quality-Certification-2025.pdf.

[62] The reclamation plan requires that the silt curtain allow boat access, but news stories showed that the silt curtain did not cover a significant portion of the lagoon entry. "Nonprofit raises alarm," *KGW News*; " A New Approach," *Willamette Week*.

effectiveness of this silt curtain.[63] The use of silt curtains to manage cyanobacteria has been evaluated at other locations, including when water was released from the Iron Gate Reservoir into the Klamath Dam.[64] DEQ has advised this committee that it is currently evaluating the effectiveness of the silt curtain deployed in 2025,[65] but DEQ has not provided any further information about its evaluation.

Beginning in 2017, researchers at Oregon State University (OSU) and Human Access Project (HAP) have been studying the lagoon ecology and various strategies to determine how to reduce the harmful cyanobacterial blooms in the lagoon.[66] OSU scientists have considered several options, but the most recent recommendation by the OSU scientists working on the project is to open two flushing channels in the lagoon embankment created by the U.S. Army Corps of Engineers in 1926.[67]

OSU and HAP are currently working on an initial design for the project. This will include design details and a total cost analysis to build and maintain the flushing channels. They plan to release these results to the general public in May 2026.[68] Although various state agencies and the federal government have contributed to the initial design project,[69] no state agency has yet stepped up to take the lead to address the toxic algae bloom issue.

A bill introduced during the 2025 Oregon legislative session to provide an additional $1 million to further fund the flushing channel design project failed to make it out of the Joint Ways and Means Committee, despite substantial public support for the bill.[70] Oregon State Representative Mark Gamba advised us that it is highly unlikely that the state will be able to

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[63] *Ibid*.
[64] PacifiCorp, "Intake Barrier Curtain Summary Report," May 2021, accessed Feb. 15, 2026, pacificorp.com/content/dam/pcorp/documents/en/pacificorp/energy/hydro/klamath-river/khsa-implementation/technical-documents/2021-05-21_2019-Intake-Barrier-Curtain-Report-Combined.pdf.
[65] Haley Teach (DEQ), committee interview, Aug. 25, 2005.
[66] Tullos, "Rehabilitation of Ross Island Lagoon."
[67] Debbie Hill, co-chair of this committee, attended the Multnomah Office of Sustainability Lower Willamette River Annual HAB (Harmful Algae Bloom) Meeting on Jan. 21, 2026, where Dr. Desirée Tullos of OSU described her recommendation for two separate flushing channels in the lagoon berm. *See also* Multnomah County Office of Sustainability, "River Users, Policy Makers, Advocates Gather to Explore Solutions to the Willamette River Harmful Algal Bloom," Jan. 28, 2026, multco.us/news/river-users-policy-makers-advocates-gather-explore-solutions-willamette-river-harmful-algal.
[68] Multnomah County, "River Users Gather."
[69] For instance, Multnomah County contributed $150,000 in fiscal year 2025 to OSU to support the initial design work for a flushing channel. Multnomah County, Request for Ross Island Laboon Mixing Channel Project, accessed Feb. 13, 2026, multco.us/file/10018c-25_adopted.pdf/download. Other funding sources included the East Multnomah Soil and Water Conservation District, Spirit Mounty Community Fund, the Nature Conservancy, and a federal appropriation. Multnomah County, "River Users Gather."
[70] Alex Baumhardt, "Annual algae bloom forms on Willamette River. A bill to stop it died in the Oregon House," *Oregon Public Broadcasting*, Aug, 14, 2025, opb.org/article/2025/08/14/willamette-river-oregon-algae-bloom-forms-legislation-failed/; *see also* Oregon Legislative Assembly, House Bill 3314 (2025), 83rd Legislative Assembly, Regular Session, Oregon Legislative Information System, olis.oregonlegislature.gov/liz/2025R1/Measures/Testimony/HB3314.

fund additional research and design work on a possible flushing channel during the current presidential term, given the budgetary restraints the state faces.[71]

***Conclusion***: Response to toxic algae blooms has been mostly haphazard, with no single state or local agency stepping up to lead the effort to respond to the toxic algae blooms and keep the public informed, despite the implications for public health, river-based recreation, fish and other aquatic species, and the economic vitality of the river.

## Derelict Boats

*Derelict boat on Ross Island. (Photo courtesy Mark Lear)*

For many years, Ross Island and the adjacent waters of the Willamette River have experienced one of the largest and most persistent concentrations of abandoned and derelict vessels in Oregon. According to DSL staff, the Ross Island area has long exemplified the challenges Portland and Oregon continue to face on the water, particularly where derelict boats intersect with informal habitation and homelessness.[72]

Historically, the state lacked a coordinated and well-funded program to address abandoned and derelict vessels. Responsibility was fragmented among agencies, enforcement was often *ad hoc*, and funding was limited. This changed in 2023, when the Oregon Legislature formally established a statewide Abandoned and Derelict Vessel Program, managed by DSL.[73] The Legislature allocated approximately $19 million to support boat removal, education, and proactive prevention measures.[74]

*Trash on Ross Island. (Photo courtesy Mark Lear)*

However, large numbers of abandoned and derelict vessels, as well as vessels at immediate risk of becoming derelict, remain on or around Ross Island. DSL staff confirmed that Ross Island remains the state's most concentrated location where small abandoned

[71] Oregon State Representative Mark Gamba, committee interview, Nov. 6, 2025.
[72] Except as otherwise noted, information in this section comes from Josh Mulhollem (DSL), committee interview, Oct. 6, 2025.
[73] Oregon Legislative Assembly, House Bill 2914 (2023), 82nd Legislative Assembly, Regular Session, Oregon Legislative Information System, olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB2914.
[74] Oregon Legislative Assembly, House Bill 5029 (2023), 82nd Legislative Assembly, Regular Session, Oregon Legislative Information System, olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB5029.

boats are used for informal habitation by people experiencing homelessness. Other areas, such as Willamette Cove and North Portland Harbor, face similar problems, but not on the same scale.

While ownership of submerged lands near Ross Island has sometimes been cited as a barrier to action, DSL staff told the committee that this is not the primary constraint in addressing the derelict vessel problem. Josh Mulhollem, DSL's Waterway Stewardship Program Manager, confirmed that jurisdiction over the water and authority to address derelict boats exists, regardless of whether the underlying land is publicly or privately owned. In practice, removal has been limited by insufficient coordination, inconsistent enforcement, and the challenges of relocating people living on boats. Responsibility is shared among DSL, the Multnomah County Sheriff's Office River Patrol Unit, the U.S. Coast Guard, and the Portland Police Bureau. This underscores the need for a more coordinated, site-specific approach that brings together environmental protection, law enforcement, and social service support.

***Conclusion*:** The persistence of abandoned and derelict vessels in and around Ross Island reflects a continuing failure of fragmented governance to produce timely, coordinated intervention. Although recent state action has improved program capacity and funding, Ross Island remains a concentrated site of environmental risk and ongoing management difficulty. Ownership of submerged lands is not the primary barrier. The continuing challenge is coordination, enforcement, and the difficulty of addressing informal habitation on the water in a consistent and effective way. Early intervention and vessel removal remain important not only to reduce environmental damage, but also to prevent derelict vessels from becoming more difficult and costly to address over time.

## A Fragile and Failing Status Quo

Multiple public agencies exercise jurisdiction over Ross Island, each with defined statutory responsibilities. DSL regulates removal and fill activities and administers reclamation permits intended to restore aquatic and wetland functions following mining.[75] DEQ oversees water quality and Clean Water Act certifications.[76] The U.S. Army Corps of Engineers oversees permitted in-water activities such as dredging, filling, and construction. EPA oversees contaminated sediment cleanup involving parties responsible for the Portland Harbor Superfund Site.[77]

At the local level, the City of Portland has responsibilities related to parks management, land use, public safety, and shoreline access, while Multnomah County and state agencies also play roles related to public health and law enforcement.

[75] *See, e.g.*, note 31.
[76] *See, e.g.*, note 61.
[77] *See, e.g.*, notes 88–91, 99.

Each of these agencies operates within its own authority. None is responsible for coordinating long-term outcomes across ownership boundaries or ensuring that remediation, water quality, habitat restoration, access, and stewardship objectives are aligned over time.

Tribal engagement under the current framework has been limited. Consultation typically occurs on a project-by-project basis rather than through an integrated approach that reflects the cultural, ecological, and treaty interests associated with the Ross Island reach of the Willamette River.

Tribal representatives emphasized that water-quality impairments and habitat degradation in this reach of the Willamette River affect treaty-protected resources and cultural practices, including access to first foods.[78] However, the existing governance structure does not provide a consistent mechanism for integrating tribal knowledge, priorities, or long-term stewardship perspectives into decision-making.

***Conclusion:*** The current ownership and governance structure for Ross Island does not provide the integrated stewardship needed to support the ecological, cultural, and public values identified in this report. Although individual agencies continue to fulfill their statutory roles, no single entity is responsible for aligning remediation, water quality, habitat restoration, cultural protection, access, and long-term stewardship across the island complex. As a result, delayed action, unresolved liabilities, and fragmented decision-making continue to put durable public-benefit outcomes at risk.

## Risks of the Status Quo

The challenges described in the preceding pages are likely to worsen over time, increasing both environmental harm and public exposure to financial and legal risk. Delay in clarifying management roles and responsibilities associated with Ross Island is likely to widen enforcement gaps, increase disputes, and make regulatory obligations more difficult to resolve.

The possibility of ownership changes involving the privately owned portions of Ross Island introduces additional uncertainty and risk. Without a clearly defined public governance framework, ownership transitions could occur before remediation obligations are resolved, before adequate financial assurances are secured, or before long-term stewardship expectations are clearly established. In that event, public agencies could find their leverage diminished, particularly if liabilities are disputed, assets are transferred, or enforcement becomes more complex. Public agencies could be forced to react to outcomes rather than shape them.

Perhaps the most consequential risk of inaction is the gradual shifting of financial responsibility from private parties to the public. When required reclamation work is not completed as

[78] *See, e.g.*, notes 24–26.

planned and financial assurances are inadequate, state or local governments become more likely to bear the cost of completing or maintaining cleanup and restoration efforts.

This risk grows as costs rise over time, infrastructure ages, and enforcement options narrow. If public agencies assume responsibility for unfinished work before remediation obligations, financial assurances, and long-term stewardship responsibilities are clearly resolved, their ability to allocate responsibility and control future costs may be reduced.

## Why Now?

Several factors affecting Ross Island are changing, making timely decision-making increasingly important. Delay carries risk. Recent ownership-related actions and legal proceedings described earlier here highlight the instability of the existing ownership and governance framework. Witnesses also described the potential for changes in ownership or control on timelines that may not align with public planning or stewardship goals. At the same time, unresolved reclamation and cleanup obligations, enforcement actions, and financial assurance requirements continue to limit future options.

Broader regional cleanup decisions may shape physical conditions, liability implications, and long-term management responsibilities affecting Ross Island for decades. If such decisions are not coordinated with ownership and stewardship objectives, they could narrow future public options rather than expand them. The following section examines how potential coordination with the Portland Harbor Superfund Site may intersect with these governance considerations.

Over the course of the committee's research, the committee invited representatives of R.B. Pamplin Corp. and RIS&G to participate in interviews or briefings, but they did not accept those invitations. Nonetheless, the committee's concerns are not limited to the identity of the current owner. A change in ownership alone would not resolve the underlying governance and coordination challenges identified in this report without clearer leadership and alignment among state and local agencies.

***Conclusion:*** The current ownership and governance framework for Ross Island is not well aligned with the island's long-term ecological, cultural, and public-benefit values. Incremental regulatory oversight alone is unlikely to deliver the integrated stewardship, accountability, and long-term planning needed to protect them. Delay increases the risk that future decisions will be shaped by narrow or short-term considerations, unresolved liabilities, and missed opportunities for coordinated public-benefit stewardship. The following section examines potential pathways toward a more durable stewardship framework.

# 4. Reclamation, Cleanup, and Governance for Long-Term Benefit

The preceding sections show that much is at stake and that the current ownership and management structure for Ross Island has not produced sustained stewardship. Continued delay increases risk to the public and narrows the range of future options.

The committee finds that protecting and enhancing the ecological, cultural, and recreational value of Ross Island ultimately requires clear accountability, coordinated state leadership, and either public ownership or another durable public-benefit stewardship arrangement. These decisions must happen in the right order. Questions about reclamation, cleanup liability, potential coordination with the Portland Harbor cleanup, and future stewardship should be clarified before any ownership transitions or other irreversible steps are taken.

During the study process, the committee learned that multiple, interrelated efforts are already underway or under discussion. These include potential coordination with the Portland Harbor Superfund cleanup, as discussed below, as well as continued use of existing regulatory and legal processes to address reclamation and cleanup questions. These efforts are not mutually exclusive and may proceed in parallel or in sequence, depending on how liability, ownership, and cleanup decisions unfold.

Unresolved reclamation and cleanup obligations function as barriers to public or nonprofit investment, including potential Metro bond resources. Representatives from public agencies emphasized to the committee that current funding and capacity constraints already affect long-term stewardship.[79] These realities underscore the importance of clarifying liability, long-term management responsibilities, and accountability before ownership transitions occur.

Inaction carries risk. Without deliberate coordination and leadership at the state level, Ross Island could face prolonged disputes, unresolved environmental conditions, missed restoration opportunities, and continued ecological degradation. Decisions made now, including decisions to defer action, will shape which options remain viable.

[79] Dan Moeller and Jonathan Soll (Metro), committee interview, Nov. 10, 2025; Brett Horner and Laura Lehman (Portland Parks & Recreation), committee interview, July 31, 2025.

Regardless of how these governance, reclamation, and cleanup efforts proceed, the committee finds that the following principles are essential to protecting the public interest and preserving future options:

- Cleanup responsibility must remain with responsible parties; environmental liability should not shift to the public.
- Remediation, restoration, and long-term stewardship obligations must be clearly defined, enforceable, and supported by adequate financial assurance.
- Decisions about cleanup, ownership, and future use must be deliberately sequenced so that early actions do not foreclose future options.
- Tribal governments must be engaged early and throughout the process, with opportunities to shape outcomes rather than respond after decisions are made.

## Public or Public-Interest Ownership and Durable Governance

This subsection examines one potential path toward long-term stewardship through public ownership or transfer to a conservation-focused entity capable of supporting durable public benefit.

Under this model, ownership of the privately held portions of Ross Island would transfer to a public entity or qualified conservation organization only after remediation obligations are resolved, or clear, enforceable responsibility for addressing them has been assigned to others. Ownership could rest with a state or local agency, a regional authority, or a conservation land trust operating under explicit public oversight.[80]

Given its authority over submerged lands and public trust responsibilities, the State Land Board would play a central role, with the Department of State Lands and other agencies continuing to exercise their statutory roles. This framework does not assume Ross Island would become a traditional park. Instead, it focuses on ownership capable of supporting ecological restoration, water quality improvement, cultural protection, and limited, carefully managed access.

Public or public-interest ownership offers several advantages:

- Clear responsibility for long-term outcomes
- Planning horizons aligned with ecological recovery
- The ability to integrate restoration, water quality, access, and cultural priorities
- Stronger footing for formal tribal co-stewardship

[80] *See* Appendix B.

Witnesses emphasized that Ross Island's value lies in its long-term ecological and cultural function rather than short-term use.[81]

Metro's voter-approved Greenspaces Bond programs are a major regional tool for acquiring and restoring large natural areas.[82] Witnesses noted that Ross Island has previously been identified as a potential candidate for bond investment, reflecting its size, location, and ecological potential.[83]

However, access to bond funding depends on clarity regarding environmental liability and long-term management obligations. Bond funds are generally used to support acquisition and restoration, not to assume unresolved cleanup liability.[84] As a result, uncertainty about cleanup responsibility has been described as one of the primary obstacles to advancing a public-ownership or conservation-based approach.[85]

Some witnesses described a potential role for conservation land trusts or similar entities in facilitating an ownership transition or supporting long-term management once liability issues are resolved.[86] Any such arrangement would require clear expectations regarding stewardship, access, accountability, and long-term responsibility.

Public ownership also provides a stronger foundation for formal tribal partnership, including cooperative management agreements that reflect government-to-government relationships and long-term stewardship commitments.[87]

Public acquisition may require significant upfront funding and sustained institutional commitment. If ownership changes before remediation obligations are resolved or enforceable protections are in place, the public could inherit environmental risk. Public ownership alone does not guarantee coordination; leadership and accountability remain essential.

***Conclusion:*** Public or public-interest ownership represents one potential path toward durable public-benefit stewardship. Its effectiveness would depend on a clear, adequately funded framework for long-term management, enforcement, and protection from overuse in an urban river setting. Whether pursued independently or in coordination with broader Superfund cleanup efforts, this path depends first on resolving liability and establishing enforceable stewardship responsibilities. Ownership should not transition until threshold risk and accountability issues are addressed.

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[81] *See, e.g.,* Moeller and Soll interview; Horner and Lehman interview.
[82] Oregon Metro, "Parks and Nature 2019 Bond Measure: Protect and Restore Land, Trails, and Natural Areas, accessed Feb. 16, 2026, oregonmetro.gov/public-projects/parks-and-nature-investments.
[83] Moeller and Soll interview.
[84] *Ibid*.
[85] *Ibid*.
[86] *Ibid*.; *see also* Appendix B.
[87] State of Oregon, Executive Order No. 96-30, "Government-to-Government Relations with Indian Tribes," 1996; *see also* Appendix C.

## Superfund-Aligned Coordination

This subsection examines whether Ross Island could play a constructive role in a Portland Harbor Superfund cleanup strategy while also advancing long-term public-benefit stewardship goals for Ross Island and the Lower Willamette. The Portland Harbor Superfund Site is a long-running federal cleanup of contaminated sediment and other pollution in the lower Willamette River.

*Map of Portland Superfund site. (Courtesy Port of Portland)*

The committee reviewed testimony and agency discussions indicating that decisions affecting Ross Island and the Portland Harbor cleanup could be interconnected. Early, coordinated evaluation could help clarify options, reduce risk, and improve environmental outcomes if pursued carefully. Any such approach, however, would carry significant risk if pursued without clear limits, enforceable safeguards, and long-term accountability.

Under this approach, remediation obligations at Ross Island would be evaluated alongside cleanup planning for the Portland Harbor Superfund Site. Rather than treating Ross Island solely as a stand-alone site for reclamation and related remediation obligations, this approach recognizes that the location, depth, and altered hydrology of the lagoon may be relevant to broader cleanup strategies affecting the lower Willamette River.

During the study period, the committee learned of preliminary, conceptual discussions about placing contaminated sediments in the Ross Island lagoon using engineered containment approaches, including confined aquatic disposal (CAD) cells. Agency staff emphasized that these discussions were exploratory and did not constitute a proposal, approval, or commitment.[88]

The potential relevance of Ross Island arises from the scale of material involved in the Portland Harbor cleanup. EPA's selected remedy calls for removal of roughly three million cubic yards of contaminated sediment from the river.[89] Managing this volume could involve on the order of 2,000 barge loads, 200,000 truckloads, or 50,000 railcar loads, depending on the disposal pathway used.[90] Transportation and disposal of that material represent one of the largest

[88] Hunter Young, (Remedial Project Manager, EPA [Portland Harbor Superfund Site]), committee interview, Dec. 15, 2025.
[89] *Ibid*.
[90] Caleb Shaffer, EPA Portland Harbor Team Lead, "Status Update on Material Transportation and Disposal," presentation, Sept. 10, 2025.

components of the remedy and may also carry significant climate, air quality, and community impacts, depending on the transport mode and distance required.[91]

If Ross Island could safely and permanently contain a portion of the least contaminated sediments, and if that capacity displaced a comparable volume of long-distance hauling, the resulting reduction in overall cleanup cost could be significant. The committee reviewed materials suggesting that the potential savings could reach into the hundreds of millions of dollars, depending on the volume involved, the disposal pathways displaced, and the full life-cycle costs of engineering, monitoring, maintenance, long-term oversight, and any additional safeguards required to protect the public interest.[92]

It is important to note that not all contaminated sediments are the same. Roughly 93% of the material anticipated for removal from Portland Harbor consists of non-hazardous contaminated sediment, while roughly 7% would require disposal at designated hazardous waste facilities.[93] Sediments posing unacceptable risk to human health or the environment would not be eligible for placement in the Ross Island lagoon.

The depth of the Ross Island lagoon and its industrial modification could reduce the amount of new excavation normally required to construct CAD cells.[94] However, CAD approaches are not passive solutions. Their performance depends on conservative engineering assumptions, high-quality construction, enforceable institutional controls, and long-term monitoring and maintenance obligations that may extend for decades.[95]

Past experience at Ross Island reinforces why any CAD-related concept must be evaluated with exceptional caution. During the 1990s, contaminated dredged material was placed in capped underwater disposal cells in the Ross Island lagoon under state and federal oversight. In the late 1990s, one of those disposal cells was breached during a period of active gravel mining. This disturbed the capped materials and prompted an investigation into containment performance.[96]

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[91] *Ibid*.

[92] U.S. Environmental Protection Agency, "Portland Harbor Feasibility Study: Appendix J – Cost Estimates for Remedial Alternatives, June 2016, semspub.epa.gov/work/10/840000.pdf; see also U.S. Environmental Protection Agency, Region 10, "Record of Decision: Portland Harbor Superfund Site, Portland, Oregon," Jan. 2017, 88, pdxcityclub.org/wp-content/uploads/2026/03/Record-of-Decision-Portland-Harbor-Superfund-Site.pdf.

[93] EPA, "Status Update."

[94] Oregon Department of Environmental Quality, "11th Annual Environmental Cleanup Report," Jan. 2000, 14, digitalcollections.library.oregon.gov/nodes/view/226947 ; Hart Crowser, Port of Portland, "Final Site Investigation Report: Port of Portland Confined Dredged Material Disposal, Ross Island Facility," Nov. 30, 2000, osu-wams-blogs-uploads.s3.amazonaws.com/blogs.dir/2943/files/2024/02/Ross-Island-Site-Investigation-Report2000.pdf.

[95] U.S. Environmental Protection Agency, "EPA Record of Decision," §§ 14.2.10 and 14.2.13; *see also* Michael Palermo et al., "Technical Guidelines for Environmental Dredging of Contaminated Sediments," ERDC/EL TR-08-29, U.S. Army Corps of Engineers, September 2008, semspub.epa.gov/work/HQ/174468.pdf.

[96] Oregon Department of Environmental Quality, "11th Annual Environmental Cleanup Report"; Port of Portland, "Final Site Investigation Report."

Witnesses indicated that certain sediment management decisions of this nature may not require formal amendment of the federal Record of Decision and could potentially proceed under existing federal and state regulatory authorities. [97] The committee reviewed materials indicating that the Portland Harbor Record of Decision selected off-site disposal for Superfund waste while preserving some flexibility during the design phase. EPA has stated that if more proximate or cost-effective disposal facilities become available, it would support using those options. Any such facilities would still need to comply with applicable federal and state requirements.[98]

Portland Harbor was listed as a federal Superfund site in 2000,[99] with a final Record of Decision issued in 2017. Cleanup activities remain ongoing. EPA's original cost estimate for the cleanup was approximately $1.05 billion,[100] but more recent state projections exceed $1.7 billion,[101] with total costs potentially rising further when transportation and disposal costs are fully accounted for. Cleanup activities remain ongoing in a complex legal, regulatory, and governmental setting.

During the interview process, some witnesses raised concerns that allocating Portland Harbor Superfund dredge materials to Ross Island, particularly sediments with higher toxicity levels than those currently contemplated, could increase the likelihood of legal challenges and delay.[102]

Several interviewees emphasized that if Ross Island were to be considered as part of a Superfund-aligned sediment management approach, decisions would need to be structured to avoid unnecessary delay and to limit the risk that Ross Island becomes subject to prolonged disputes. These considerations were cited as reasons to establish clear parameters, sequencing, and safeguards before advancing any such approach.[103]

The committee heard stakeholders express interest in approaches intended to reduce conflict and delay through early coordination and clear leadership. During the study period, a coalition of environmental and community organizations submitted a letter to Governor Tina Kotek expressing interest in participating in a coordinated, transparent public process to determine the future of Ross Island and address unresolved issues associated with the Portland Harbor Superfund cleanup.[104]

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[97] Young interview; EPA, "Status update."
[98] EPA, "Status update."
[99] U.S. Environmental Protection Agency, "Portland Harbor, Portland OO, Cleanup Activities," cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.cleanup&id=1002155.
[100] Environmental Protection Agency, "EPA Record of Decision for the Portland Harbor Superfund Site."
[101] Oregon Legislative Fiscal Office, "Emergency Board Analysis," September 2024, olis.oregonlegislature.gov/liz/2023I1/Downloads/CommitteeMeetingDocument/285412.
[102] Kelley Beamer (East Multnomah Soil and Water Conservation Dist.), committee interview, Nov. 5, 2025; Mike Houck interview.
[103] *Ibid*.
[104] Mike Houck, Heather King, Michelle Emmons et al., letter to Governor Tina Kotek, Jan. 16, 2026.

The letter emphasized the importance of leadership at the highest levels of state government to coordinate among relevant agencies, local governments, and tribal governments, and stressed that decisions should be informed by rigorous, science-based analysis led by neutral parties.[105] Several witnesses described this type of early, coordinated engagement as a constructive alternative to prolonged dispute, noting its potential to improve public trust and support more timely decision-making while maintaining accountability and long-term stewardship.[106]

***Conclusion:*** The breach of the CAD cells that occurred in the late 1990s appears to have had a lasting effect on public trust. It illustrates a central governance challenge of containment-based remediation: such systems are only as durable as the institutional controls that protect them. Any renewed consideration of CAD-style containment at Ross Island would therefore need to address from the outset the enforceability of land-use controls, compatibility with future site activities, and long-term responsibility for monitoring, maintenance, and corrective action.

The committee determined that evaluation of a legally compliant, protective, and publicly accountable in-region disposal approach would not necessarily be inconsistent with the existing framework. Any such action would require clear delineation of the roles of the Oregon Department of State Lands, the Oregon Department of Environmental Quality, and other relevant agencies, along with defined oversight responsibilities, long-term liability protections, and early clarity regarding legal authority and responsibility.

The committee recognizes that any proposal to place contaminated sediments within the Ross Island lagoon, even if framed as part of the remediation strategy, could be met with profound public skepticism. To some, confined aquatic disposal could appear to prioritize cost savings for potentially responsible parties[107] over the long-term health of the Willamette River.

To ensure that any such approach protects the public interest and is not driven primarily by cost savings, several guardrails would need to be established at the outset:

- **Independent third-party monitoring:** Oversight would need to include state, tribal, and independent scientific expertise, funded by potentially responsible parties but structured to ensure independence, transparency, and direct public reporting.
- **Seismic and hydrological resilience:** Modeling and engineering review would need to demonstrate that any containment system could withstand major seismic events and extreme flood conditions without breach or harmful resuspension.
- **Equitable reinvestment in long-term stewardship:** If use of the Ross Island lagoon reduces transportation or disposal costs associated with Portland Harbor Superfund dredging, the state, EPA, and relevant responsible parties should explore directing a portion of those savings toward long-term restoration and stewardship of Ross Island.

[105] *Ibid*.
[106] Beamer interview; Houck interview.
[107] U.S. Environmental Protection Agency, "Finding Potentially Responsible Parties (PRP)," epa.gov/enforcement/finding-potentially-responsible-parties-prp.

The committee concludes that a Superfund-aligned approach could offer system-level benefits if pursued cautiously, within clearly defined limits, and only with strong safeguards. The committee does not endorse any specific Ross Island disposal proposal. Early, careful, and transparent evaluation of this possibility may be warranted, given the scale of the Portland Harbor cleanup and the potential implications for transportation impacts, cost, and long-term stewardship. Any such approach should not displace continued enforcement of existing obligations or get ahead of unresolved liability, ownership, and stewardship questions. Its viability would depend on clear public-interest protections, enforceable accountability, meaningful tribal engagement, and a credible long-term framework for stewardship and funding.

## Long-Term Management and Funding

Regardless of how these governance, reclamation, and cleanup efforts proceed, achieving lasting public benefit for Ross Island will require clear responsibility and reliable funding for ongoing management and care. As a large natural area within an urban river corridor, Ross Island will face sustained pressure from recreational use, particularly from water-based access.

Witnesses emphasized that managing overuse will require active stewardship, monitoring, enforcement, and public education.[108] Many public agencies with potential stewardship roles face existing funding and capacity constraints, underscoring the importance of early planning for governance and long-term care.

Potential approaches raised during the study include partnerships with existing conservation organizations, co-management among public agencies and tribal governments, or the creation of a dedicated stewardship entity with a defined mission and revenue source. The committee does not recommend a preferred model but finds that identifying responsibility for long-term care is a prerequisite for success.

***Conclusion:*** The committee finds that long-term public benefit for Ross Island is achievable, but only if responsibility, funding, and stewardship obligations are clearly defined, enforceable, and sustained over time. Success will depend not only on making the right decisions, but also on making them in the right order. The state faces a narrowing window to establish clarity, coordination, and enforceable responsibility before conditions further constrain available options. Coordinated state leadership, particularly among the Oregon Department of State Lands, the Oregon Department of Environmental Quality, and the State Land Board, will be essential.

[108] Beamer interview; Horner interview.

# 5. A Call for Immediate State Leadership and Coordinated Action

Ross Island is at a critical point. Delay increases the risk of unresolved environmental problems, prolonged disputes, and lost opportunities for restoration and stewardship. Significant portions of the island remain in private ownership, reclamation obligations are still unfinished, and decisions tied to the Portland Harbor Superfund cleanup may soon shape Ross Island's future in ways that will be hard to undo.

Protecting and enhancing Ross Island's ecological, cultural, and recreational value ultimately requires clear accountability, coordinated state leadership, and either public ownership or another durable public-benefit stewardship arrangement. These decisions must happen in the right order. Questions about reclamation, cleanup liability, possible coordination with the Portland Harbor cleanup, and future stewardship should be clarified before any ownership transitions or other irreversible steps are taken.

We do not recommend a single exclusive route for Ross Island. We do recommend a clear long-term objective: public ownership or another durable public-benefit stewardship arrangement. To preserve viable paths toward that outcome, the state should act early, using existing authority, to clarify options and avoid closing off opportunities before the relevant facts are understood. Those paths may include a Ross Island and Portland Harbor partnership or continued enforcement of reclamation and related obligations. Either could support later public ownership or another public-benefit stewardship arrangement. What matters most now is that premature decisions do not foreclose that public-benefit future.

## Recommendations

The committee recommends that the governor of Oregon direct the Department of State Lands (DSL) and the Department of Environmental Quality (DEQ), working with EPA Region 10 and in consultation with tribal governments, affected property owners, and other stakeholders, to take the actions outlined below. The actions are deliberately sequenced.

**The first four steps are intended to clarify options, resolve key constraints, and preserve viable paths so that the fifth step—a transition to public ownership or another durable public-benefit stewardship arrangement—can occur as soon as conditions allow.**

### 1. Assess whether Ross Island could play a constructive role in a Portland Harbor cleanup strategy.

The governor should direct DSL and DEQ, working with EPA Region 10, to determine whether Ross Island could lawfully and safely support such a strategy in connection with the Portland Harbor Superfund Site. The goal is to determine whether a real opportunity exists, what safeguards would be needed, and whether it could be pursued

in a way that protects the public interest. The evaluation should include transparent public reporting and periodic updates. If such an approach proves feasible and generates significant cost savings, the state, EPA, and relevant responsible parties should explore directing a portion of those savings toward the long-term restoration and stewardship of Ross Island.

### 2. Clarify the likely regulatory path early.

DSL and DEQ should identify the main approvals and permitting pathways. They should review opportunities that would apply to any Portland Harbor cleanup proposal, including removal-fill permitting, alternatives review, public comment requirements, and the roles of relevant agencies and tribal governments. Early clarity would reduce confusion, prevent unnecessary conflict, and help all parties understand the process before expectations outpace the facts.

### 3. Continue enforcing reclamation obligations and keep that option viable.

DSL should continue to enforce reclamation requirements for the Ross Island lagoon and maintain a clear path to completion. Those obligations should not be weakened or lost through sale, insolvency, or delay. They matter on their own terms and could also support later public ownership or another public-benefit stewardship arrangement if a Portland Harbor partnership does not prove to be the preferred route.

### 4. Protect the public from inheriting cleanup liability and preserve future public-benefit options.

DSL and DEQ, working within existing legal authority, should ensure that unresolved cleanup liability remains with responsible parties unless clear legal authority, enforceable protections, and adequate financial assurance are in place. Any future transition toward public ownership or public-benefit stewardship should occur only after threshold liability and financial protection issues are resolved.

### 5. Prepare the next step once a viable path becomes clear.

If early coordination points to a feasible Portland Harbor partnership, the governor should convene a follow-on process to examine Ross Island's longer-term future. If that partnership is not pursued, the governor should convene a similar process once another viable path has emerged. In either case, that process should evaluate public ownership or public-benefit stewardship options, governance, funding, habitat protection, and opportunities for tribal co-management, while considering the liability, regulatory, and ownership conditions at that point. It should be practical and focused on identifying a credible path forward without getting ahead of unresolved liability or ownership questions.

## Short-Term Recommendations

While those larger questions are addressed, several short-term issues require immediate attention. These actions do not depend on resolving ownership or governance, and early progress will help protect ecological conditions and maintain public trust.

### a. Address harmful algae blooms and water quality

DSL, DEQ, and the Oregon Health Authority should develop both near-term and long-term strategies for the Ross Island lagoon. In the near term, they should evaluate the silt curtain deployed in August 2025 and determine whether changes are needed to improve its effectiveness. Over the longer term, they should evaluate possible circulation or flushing improvements aligned with ecological restoration objectives and tribal stewardship priorities. These agencies should also improve coordination of monitoring data, public health advisories, and public communication so that information is timely, consistent, and clear.

### b. Address derelict vessels and environmental safety

DSL, in coordination with the City of Portland and Multnomah County, should develop a more coordinated, site-specific approach for the waters around Ross Island that brings together environmental protection, law enforcement, and social service support. The goal should be to identify and address problem vessels before they sink, reducing environmental damage, navigational hazards, and cleanup costs.

### c. Pursue tribal engagement and co-stewardship

The State Land Board should continue government-to-government discussions with tribal governments regarding long-term partnership, co-management, or co-stewardship. Tribal priorities, including those related to Pacific lamprey and salmon habitat, should be incorporated early enough to shape outcomes rather than respond to decisions that have already been made.

# Conclusion

Viable paths remain open for Ross Island, but they will not stay open forever. The immediate need is to use existing authority to clarify options, enforce current obligations, reduce risk, and preserve a path toward public ownership or another durable public-benefit stewardship arrangement before irreversible decisions narrow those options. Once the necessary liability protections are in place and a workable structure for ownership, management, and account-ability has been established, Ross Island should move into public ownership or another durable public-benefit stewardship arrangement without unnecessary delay. Ross Island could become a cornerstone of ecological recovery in the lower Willamette, strengthening tribal stewardship, public responsibility for the river, and durable public benefit for generations. Delay is not neutral.

Respectfully,

Mark Lear, Co-Chair
Debbie Hill, Co-Chair
William Burgel
Brendan Doyle
Susan Pearce
Ethan Seltzer
Caroline Zavitkovski

Research Advisors

Chris Smith
Meredith Savery

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# Witnesses

Steve Bachhuber, Brooklyn Action Corps (Brooklyn Neighborhood)

Susan Barnes, Oregon Department of Fish and Wildlife, Regional Wildlife Conservation Biologist

Kelly Beamer, East Multnomah Soil & Water Conservation District, Executive Director

Theresa Burcsu, Oregon Department of Environmental Quality, Water Quality Manager

Joe Buttafuoco, Coalition of Oregon Land Trusts, Executive Director

Melinda Butterfield, Oregon Department of State Lands, Region 2 Operations Manager

Cassie Cohen, Portland Harbor Community Coalition

Renee Devereux, Executive Director, and Rick Franklin, Board President, Oregon Rail Heritage Foundation

John Donovan, Oregon Solutions, Director

Stuart Dyer, Oregon Health Authority, Healthy Water Unit, Senior Advisor

Peter Edwards, Station L Rowing Club

Chris Eykamp and Linda Nettekoven, Hosford-Abernethy Neighborhood District (HAND)

Michelle Emmons, Willamette Riverkeepers, Co-Executive Director

Jeremy FiveCrows (Nez Perce), Columbia River Inter-Tribal Fish Commission, Communications Director

Peter Fry, PhD, Strategic Planning & Land Consultant

Mark Gamba, Oregon State Representative

Dennis Gavin, DragonSports USA and Gold Dragon Paddling Club

Michael Geffel, Portland Botanical Garden, Research Director

Gabriela Goldfarb, Oregon Health Authority, Environmental Public Health Section Manager

Erin Graham, Oregon Museum of Science and Industry (OMSI), President and CEO

Sarah Greenfield, Oregon Department of Environmental Quality, Environmental Engineer/Project Manager

Nick Haley, Rose City Rowing Club

Keri Handaly, Confederated Tribes of Grande Ronde, Office of Ceded Lands, Environmental Policy Analyst

Brett Horner, City of Portland Parks & Recreation, Parks & Trails Planning Manager

Mike Houck, Urban Greenspaces Institute, Executive Director

Kathy Hyzy, Coordinator, Metro Region, Regional Solutions, Office of Governor Tina Kotek

Laura Jackson, Oaks Parks Community Boathouse, Portland Rowing and Canoe Club

Heather King, Willamette Riverkeepers, Co-Executive Director

Lauren Lake, Golden Dragons Paddling Club

Laura Lehman, City of Portland Parks & Recreation, Senior Environmental Planner

Kaitlin Lovell, Portland Bureau of Environmental Services Science, Fish & Wildlife Division (at time of interview); currently Director, Oregon Department of State Lands

Willie Levenson, Human Access Project (HAP), Executive Director (at time of interview); currently Human Access Project, Founder/Ringleader

Anca Matica, Public Affairs & Communications Director, Office of Gov. Tina Kotek (at time of interview); currently Our Oregon, Political Director

Andrea Matzke, Oregon Department of Environmental Quality, Water Quality Division

Michah Meskel, Bird Alliance of Oregon, Urban Conservation Director

John Miller, Wildwood Inc., Mahonia Vineyards and Nursery, and founding member, Willamette Partnership

Dan Moeller, Metro (Oregon Regional Government), Director, Parks and Nature Conservation Program

Renee Morgan, Calm Water Coalition and Portland Rowing Club

Josh Mulhollem, Oregon Department of State Lands, Manager, Waterways Stewardship

Kaspar Murer, Wasabi Rowing Club

Marianne Nelson and Ruth Howell, Friends of Oaks Bottom Wildlife Refuge

Tina Osterink, Elizabeth Milner and Mark Wilson, Sellwood-Moreland Improvement League (SMILE)

Stephanie Page, Oregon Watershed Enhancement Board, Deputy Director

Amelia Porterfield, Regional Solutions Director, Office of Governor Tina Kotek

Nathan Reetz, Water Quality Monitoring NRS1, Oregon Department of Environmental Quality

Bill Ryan, Oregon Department of State Lands, Deputy Director for Operations

Sid Smith, DragonSports USA and Oregon Yacht Club

Jonathan Soll, Metro (Oregon Regional Government), Manager, Science and Stewardship

Randy Steed, Ross Island Sand & Gravel, former President (at time of interview)

Haley Teach, Oregon Department of Environmental Quality, 401 Program Coordinator

Desiree Tullos, Oregon State University, Professor, Dept of Biological & Ecological Engineering

Ben Walczak, Oregon Department of Fish and Wildlife, Fish Biologist

Owen Wozniak, The Intertwine Alliance

Dan Yates, American Waterways, Inc., President (operates Portland Spirit)

Hunter Young, U.S. Environmental Protection Agency, Region 10, Portland Superfund Project Manager

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# Appendices

- Appendix A:  Recreation and Access Opportunities around Ross Island
- Appendix B:  Precedents for Converting Land from Industrial Uses for Public Benefit
- Appendix C:  Consultation and Cooperative Stewardship in Oregon and Its Potential Relevance to Ross Island

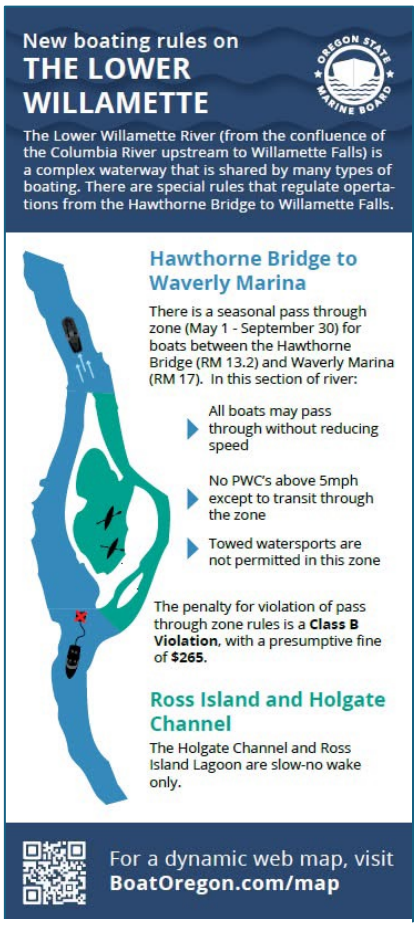
## Appendix A

# Recreation and Access Opportunities around Ross Island

People in the Portland region highly value access to the outdoors for recreation and the experience of being around nature. Any future owner of Ross Island will have to carefully consider whether and how to provide and manage public access on the island. As described in the report, Ross Island should be considered within the larger ecosystem. The same concept applies to access to Ross Island, which should also be considered within its surrounding areas.

Witnesses described to us their perspectives on access and recreation. This appendix captures those perspectives. However, this committee process cannot replace processes that would need to take place for future decisions, such as tribal consultation, coordinating with partners, and public engagement.

### The Ross Island area is a current destination for paddling




*Holgate Channel and Ross Island Lagoon Slow No-Wake Zone (Oregon State Marine Board)*

Ross Island offers one of the most centrally located paddling destinations in the metro region. The Holgate Channel on the east side of the island is a popular place for recreational and competitive paddling and rowing.

Over the last 15 years, the state has restricted how motorized boats can use the area around Ross Island. This has created a flat-water sanctuary in the lower Willamette. The Holgate Channel is a "no wake" zone, which means that motorized boats must go slow enough to not create a wave, called a "wake." Additionally, wake boarding, a sport that creates wakes, is prohibited in the main channel. These restrictions are intended to protect habitat, prevent damage to property, and promote safety for non-motorized paddlers.

**Witnesses told us that access is important, but should be low-impact and preserve ecology and habitat**

Witnesses from a wide variety of groups, including paddling groups, talked about the value of outdoor recreation around the island. Paddlers strongly expressed that the current access for human-powered boating should be protected. However, witnesses' opinions about access to the island itself were more mixed.

Most witnesses we spoke with agreed that any public access should not come at the expense of environmental conservation. Some witnesses we spoke with were concerned about how public access could damage the environment, while other witnesses talked about how public access could inspire stewardship.

Additionally, some witnesses talked about how access to the island could provide safety for boaters needing to land in an emergency. Some witnesses were also concerned about how access to an island would be difficult for a public agency to manage, since it is an island.

Finally, some witnesses pointed out that Hardtack Island (a portion of the Ross Island archipelago currently under private ownership) has already been heavily affected by industry. This portion of Ross Island might be a better option for future public access, compared with more natural areas.

**There are opportunities to increase public value through access to nature**

Witnesses had various creative ideas about how to improve access to nature around Ross Island. Some of the ideas we heard from witnesses included:

- Increasing educational and volunteer opportunities
- Subsidizing or encouraging boat rentals on the river near Ross Island
- Partnering with OMSI for educational opportunities
- Building viewing platforms
- Building shoreline hiking trails
- Offering water safety classes
- Allowing paddlers to land on the island
- Developing Hardtack Island into a park

Of course, what changes are possible will depend on what happens with Ross Island. As these ideas demonstrate, however, access to nature goes beyond just the island. Changes to access on the surrounding shoreline, on the water, or on the island itself could all be beneficial, with the right protections in place.

## Appendix B

## Precedents for Converting Land from Industrial Uses for Public Benefit

Following are examples of land acquisitions that transitioned property from industrial or commercial uses to natural areas, such as the portion of Ross Island currently managed by Portland Parks & Recreation.

### 1. Oaks Bottom Wildlife Refuge

portland.gov/parks/oaks-bottom-wildlife-refuge

**Year acquired**

1959

**Size in acres**

161.58

**History**

Oaks Bottom Wildlife Refuge, managed now by Parks & Recreation, is a 163-acre complex of meadows, woodlands and wetlands in Portland on the east bank of the Willamette River, just north of the Sellwood Bridge.

Part of the park is built on a sanitary landfill consisting of 400,000 cubic feet of construction waste material layered with soil. The City of Portland acquired the original 115 acres in 1959. Ten years later, in 1969, Portland acquired the approximately 50-acre landfill property from the Donald M. Drake Co. to block its development as an industrial park. The area was believed, at the time, to be one of the few remaining marshland areas in Portland, and residents were strongly opposed to its development as industrial property. In 1988, Parks & Recreation created Oaks Bottom Wildlife Refuge (changing the name from Oaks Pioneer Park) as the city's first wildlife refuge.

Oaks Bottom Wildlife Refuge provides important habitat for fish and wildlife, including threatened salmon and more than 175 bird species. It also supports many wildlife species that are considered "special status," defined as in decline on a regional or statewide scale. These include 44 bird species, three bat species, and one type of amphibian. The Springwater Corridor Trail, part of the region's trail network, bisects the western edge of the refuge. A hiking trail and one hike/bike trail connect the refuge with two visitor parking lots and the Sellwood neighborhood to the east.

### 2. Willamette Cove (North Portland)

oregonmetro.gov/projects/willamette-cove-cleanup-and-future-nature-park
**Project status:** In progress
**Start date:** Sept. 8, 2023
**Estimated completion date:** Dec. 31, 2032
**History**
Along the Willamette River in Portland's St. Johns neighborhood, Metro and the Port of Portland are working to clean up 70 years' worth of industrial contamination. Metro and the Port are teaming up to clean up the site under the oversight of the Oregon Department of Environmental Quality.

After the cleanup, Metro plans to make Willamette Cove a nature park that supports thriving plant and animal communities and offers people a connection with nature along the Willamette River. The Park will include a regional trail, beach access and education opportunities along with habitats like meadows and woodland. Community members will help shape how the park balances natural areas with access for people, including helping choose the park's other low-impact activities and facilities. Metro is also coordinating this work with multiple tribes so Willamette Cove can honor the connections the tribes have had to the river since the beginning of time, especially by creating healthy habitats for salmon and lamprey.

### 3. RestoreCap and Linnton Plywood Company property

restorcap.com/portfolio
**Linnton Plywood Mill: Transforming a Closed Plywood Mill to a Valuable Mitigation Bank**
**Location**: (Linnton) Portland, Oregon
**Historical Use:** Plywood Mill
**Restored Use**: Mitigation Bank
**Start Date**: 2015
**Status**: Ongoing
**Land**: 30 Acres
**Challenge**: The Linnton Plywood Mill site sat idle for 15 years, attracting vandalism and blight.
**Solution**: RestoreCap (a private company) transformed this former Superfund site, repurposing a 200,000-square-foot abandoned factory into a mitigation bank. Through approvals from a wide variety of federal, state, and local regulators, RestoreCap restored valuable off-channel habitat for endangered salmon species. The innovative approach created the only mitigation bank in the country that satisfies both Natural Resource Damages liabilities while also satisfying Clean Water Act criteria.
**Impact**:

- Removal of 2,000 shoreline pilings
- Excavation and placement of 400,000 cubic yards of soil
- Only U.S. Army Corps-approved mitigation bank in the Portland Harbor Superfund Site
- Supports ongoing remediation and endangered species preservation

**Agency Partners**: Portland Harbor Natural Resource Trustee Council, U.S. Army Corps of Engineers, Oregon Department of Environmental Quality

**4. Nadaka Nature Park, Gresham, Oregon**

emswcd.org/urban-residents/access-to-nature/#nadaka
East Multnomah Soil and Water Conservation District and partners contributed funds for property acquisition and for the construction of a community visioned nature-based play area. With this investment, the number of residents who could enjoy access to a park within one mile of where they live doubled.

**5. Gail Achterman Wildlife Area**

dfw.state.or.us › docs › Gail_Achterman_WA_Fact Sheet
The Gail Achterman Wildlife Area (also known as Hayden Island) is a 270-acre property located on the Willamette River near Independence, Oregon. It is one of the largest and most intact riparian forest habitats remaining along the Willamette mainstem below Harrisburg, and one of the only significant riparian forests in the 34-mile stretch between the Santiam River confluence and Willamette Mission State Park.

The property contains 258 acres of high-quality riparian forest with a 12-acre remediated gravel quarry. The property was purchased by Oregon Department of Fish and Wildlife (ODFW) in 2016 with funding from the Willamette Wildlife Mitigation Program. The Bonneville Power Administration (BPA) provided the funding for this program through a 15-year agreement between ODFW and BPA to settle federal wildlife habitat mitigation obligations in the Willamette Valley. Additional funding was provided from the Oregon Watershed Enhancement Board, the Trust for Public Land, and the Oregon Department of Transportation.

By purchasing the property, ODFW removed the imminent threat of gravel mining as zoned and permitted. It now consists entirely of Oregon Conservation Strategy priority habitats such as riparian habitat; wetlands; off-channel habitat; and freshwater aquatic habitats that include Willamette River shoreline, backwater sloughs, and side channels. The property has potential habitat for Endangered Species Act-listed Chinook salmon and winter steelhead, Western Pond turtle, Northern red-legged frog, Oregon chub, Willamette floater mussel, and Pacific lamprey.

Avian species include bald eagles, sharp-shinned and Cooper's hawks, great blue herons, red-eyed vireo, great horned owls, and red-tailed hawks. Many other neotropical birds and waterfowl also use this site. Other species that may occur in the future include Western screech owls, Northern pygmy owls, bats, black-tailed deer, river otter, and beaver.

## Appendix C

# Consultation and Cooperative Stewardship in Oregon and Its Potential Relevance to Ross Island

In Oregon, consultation and cooperative stewardship arrangements provide one way for public agencies and tribal governments to work together in the stewardship of public lands. These arrangements do not transfer ownership. Instead, they can formalize consultation, coordination, and, in some cases, ongoing roles in restoration or stewardship.

Oregon law recognizes a government-to-government relationship between state agencies and federally recognized Tribes. ORS § 182.162-168 requires state agencies to develop and implement policies on consultation and cooperation with Tribes on matters affecting tribal interests. While the law does not require co-management, it does establish a framework for regular government-to-government consultation and cooperation.

In practice, Oregon agencies use memoranda of understanding, consultation policies, and other formal arrangements with Tribes in areas such as habitat restoration, cultural resources, fisheries, and public education. These arrangements can clarify roles, define consultation triggers, and establish ongoing coordination processes. They operate within existing statutory authority and do not alter ownership or liability.

Although many examples involve state agencies, these kinds of arrangements are not necessarily limited to state ownership. Cities, counties, and regional governments may also enter into formal agreements with tribal governments within their existing legal authority. In that sense, the concept could be adapted to a range of public ownership structures, including City or Metro stewardship.

These arrangements can take different forms. Some focus on structured consultation. Others may provide for tribal participation in restoration planning, monitoring, or long-term stewardship. The structure depends on the land status, the authority of the public entity, and the objectives of the parties.

One relevant example comes from the Oregon Department of State Lands. DSL manages submerged and submersible lands in trust for the public and states that it engages in government-to-government consultation with Oregon tribes on matters affecting tribal interests.[2]

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[1] ORS § 273.051 (state ownership of submerged and submersible lands); ORS § 182.162–168 (Government-to-Government Relations with Indian Tribes); Oregon Department of State Lands, "Tribal Relations," oregon.gov/dsl/pages/tribal-relations.aspx (describing the agency's government-to-government consultation practices with Oregon tribes).

In that framework, ownership and regulatory authority remain with the state, while consultation and coordination create a process for incorporating tribal perspectives into project planning and stewardship.

Ross Island lies within the traditional homelands of multiple Tribes with longstanding connections to the lower Willamette and Columbia Rivers. Any future public ownership framework will intersect with questions of cultural history and ecological restoration. If Ross Island transitions to public ownership, a formal agreement or other structured arrangement could provide a practical way to embed tribal participation in long-term planning and stewardship. Rather than limiting engagement to discrete regulatory milestones, such an arrangement could support ongoing involvement in restoration design, habitat goals, and future management decisions.

The broader river corridor context is also relevant. Planning for the Center for Tribal Nations and related waterfront improvements in the OMSI District reflects growing recognition of tribal presence along Portland's urban riverfront.[2] While that initiative is separate from Ross Island, it highlights the value of thinking about stewardship and cultural recognition at a corridor scale. Consultation and cooperative stewardship arrangements are not a substitute for environmental cleanup and must operate within existing statutory authority. However, they offer a practical governance tool for incorporating tribal knowledge and priorities into the long-term management of public lands.

Whether such an arrangement would be appropriate for Ross Island would depend on the preferences of the affected tribes and the authority of the eventual public owner. It warrants consideration as part of long-term governance planning.

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[2] OMSI, "Visioning a Center for Tribal Nations and Waterfront Education Park in the OMSI District," omsi.edu/articles/visioning-a-center-for-tribal-nations-and-waterfront-education-park-in-the-omsi-district.

**Approved by vote of the membership April 9–12, 2026: 140 yes, 3 no, 2 abstentions.**

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**City Club of Portland**
**221 NW 2nd Ave., #213**
**Portland, OR 97209**
**503-228-7231**
**pdxcityclub.org**