

SUBSTITUTE

RESOLUTION No. 37309

Comply with Oregon Health Authority's order to treat drinking water from the Bull Run Watershed for *Cryptosporidium* by submitting a compliance plan and proceeding with planning, design and construction of a filtration plant. (Resolution)

WHEREAS, in 2006, the U.S. Environmental Protection Agency (EPA) issued a federal drinking water rule called the Long Term 2 Enhanced Surface Water Treatment Rule (LT2) that required water utilities to treat for the pathogen *Cryptosporidium*; and

WHEREAS, in 2009, the Portland Water Bureau (PWB) presented LT2 compliance options to the Portland City Council, and Council directed PWB to pursue a variance to the rule while proceeding with design of UV treatment as a backup if the variance was denied (Resolution 36720); and

WHEREAS, in 2012, PWB completed the UV treatment design plans and obtained a 10-year variance from the Oregon Health Authority (OHA) subject to a set of conditions that included maintaining an exceptionally low concentration of *Cryptosporidium* in ongoing raw water sampling; and

WHEREAS, between January and March 2017, a total of 19 *Cryptosporidium* oocysts were found in 14 water samples from the Bull Run Watershed; and

WHEREAS, on March 8, 2017, PWB notified OHA that due to the quantity of *Cryptosporidium* detected at that point, it was no longer feasible to achieve the concentration level of *Cryptosporidium* required to maintain the variance; and

WHEREAS, on May 19, 2017, OHA issued an order to PWB revoking Portland's treatment variance as of September 22, 2017; and

WHEREAS, the OHA order requires PWB to submit a plan to OHA by August 11, 2017, selecting a *Cryptosporidium* treatment technology and schedule, as well as identifying interim control measures and a sampling schedule that will remain in effect until the selected treatment technology is online; and

WHEREAS, the City shares the community's values regarding the need to balance the cost, public health, current and future regulatory compliance, and system resilience considerations of treatment options in a responsible manner; and

WHEREAS, the City has subsequently reviewed treatment options with the public and various interest groups, and recommends that filtration be the option for treatment; and

NOW THEREFORE, BE IT RESOLVED, that the City Council directs the Portland Water Bureau to develop a plan to submit to OHA in accordance with its May 19, 2017 order selecting a *Cryptosporidium* treatment technology and schedule, as well as identifying interim control measures and a sampling schedule that will remain in effect until the technology is online; and

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BE IT FURTHER RESOLVED that the Portland Water Bureau proceed with planning, design and construction of a filtration plant; and

BE IT FURTHER RESOLVED that during the annual rate-setting process the Portland Water Bureau will make every effort to minimize rate impacts while following the intent of this resolution; and


BE IT FURTHER RESOLVED that the City of Portland will continue to advocate for strict environmental protections, including but not limited to prohibiting logging and limiting access, to preserve and protect the Bull Run Watershed for future generations, regardless of any final decision about water treatment in the Bull Run Watershed; and

BE IT FURTHER RESOLVED that the Portland Water Bureau will seek to optimize and enhance its discount programs to lessen the impact of rising water rates on low-income customers; and

BE IT FURTHER RESOLVED that the Portland Water Bureau will submit an annual report to the Portland Utility Board, the Oregon Citizens' Utility Board and the Portland City Council regarding the progress of the water treatment project, the first of which shall be delivered on or before June 30, 2018.

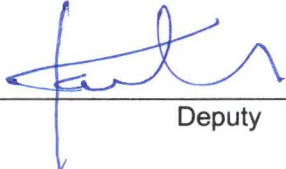
Adopted by the Council: **AUG 02 2017**

Commissioner Nick Fish
Todd Lofgren
August 2, 2017

Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

S-867
 Agenda No. **RESOLUTION NO. 37309**
 Title **SUBSTITUTE**

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INTRODUCED BY Commissioner/Auditor: Nick Fish	CLERK USE: DATE FILED <u>AUG 02 2017</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration – Wheeler Position 1/Utilities – Fritz Position 2/Works – Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By:  Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Water Bureau Head: Michael P. Stuhr, P.E. Prepared by: David Peters Date Prepared: July 25, 2017	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date August 2, 2017	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00PM Total amount of time needed: 2 Hours (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	