

McClymont, Keelan

From: Dee White <deewhite1@mindspring.com>
Sent: Tuesday, November 26, 2019 3:17 PM
To: Council Clerk – Testimony
Subject: for the record agenda 1093 and 1094
Attachments: Oregonian Portland Water Bureau says filtration plant could cost \$1.2 billion.pdf; Oregonian Costs for Portland water treatment plant rise 70%.pdf; Oregonian Portland Approves buying \$800,000 house.pdf; Mayor Wheeler and Commissioners 5.docx; 9-25-19-Portland's_Rising_Bills_are_Purposeful_AccidentsPDF-1(1).pdf; Former PUB CoChair letter regarding cost of filtration plant.docx; November 5, 2019 minutes + addendum.pdf; October 17, 2019 minutes+addendum - final.pdf

Dear Karla,

Please enter the attached into the public record for the 1094 Stantec ordinance/design contract and the 1093 Resolution with the particulars of what Stantec is designing.

Thank you ,
Dee White

<https://www.oregonlive.com/portland/2019/11/portland-water-bureau-says-filtration-plant-could-cost-as-much-as-12-billion.html>

Portland Water Bureau says filtration plant could cost as much as \$1.2 billion

Updated Nov 14, 2019; Posted Nov 13, 2019

By [Everton Bailey Jr.](#) | [The Oregonian/OregonLive](#)

Portland water officials said Wednesday that a new water filtration plant to treat the city's drinking water could cost the city \$574 million to \$1.2 billion.

Water Bureau Director Michael Stuhr and others testified about the planned project before Portland City Council. The discussion drew pointed questions from at least one commissioner and criticism from [people who live near the planned construction site](#).

Stuhr told the council that the current best estimate for the project budget is around \$820 million, but "low-confidence estimates" at this point mean the actual price tag could land 30% less or 50% more. He said the numbers will be revised again over the next few years as the water filtration plant is designed.

This is the second time the projected price tag has increased. Water officials had forecast the cost in [2017 at \\$350 million to \\$500 million](#), then revised the estimates in September to [range from \\$670 million to \\$850 million](#).

Water bureau officials will appear again before the council next week. Commissions will vote the week after that on whether to take the next steps in the project: to approve the bureau's preferred plans for the filtration project and to move forward with a contract with Stantec Consulting Services to design the plant. The \$51 million contract would last at least five years.

The city wants to have a new water treatment plant operational by 2027 in order to comply with federal drinking water regulations to filter out the parasite cryptosporidium and other contaminants. City officials plan to build the facility on 95 acres of land east of Gresham that it's owned since 1975, drawing opposition from many of the 24 property owners in the rural area.

The city gets its drinking water from the Bull Run Watershed near Mount Hood and has wholesale contracts to sell to 19 area water providers, including the cities of Gresham, Sandy and Tualatin. The water serves more than 950,000 Portland-area residents.

Gabriel Solmer, the bureau's deputy director, said the agency plans to apply for a loan from the Environmental Protection Agency that could finance about half of the filtration plant project. She said the funding would allow the city to phase in water rate increases over a longer period of time.

The city's plans for the filtration plant include technology to remove cryptosporidium from the drinking water and a daily capacity of 145 million gallons of water per day, enough to meet peak demands through 2045, said Cristina Nieves, a senior policy director for Commission Amanda Fritz, who oversees the water bureau.

"We need to plan long term for the increase in folks that will come here," Nieves said. "What we're essentially saying is, while we're required to treat our water, we have an opportunity to plan for that and go above and beyond."

Several neighbors of the planned filtration site have organized as the "Citizens for Peaceful Rural Living" and oppose the plans. They have criticized what they view as a lack of scrutiny and inadequate notification about the city's plans. They have also expressed concerns over the planned construction, traffic impacts, rising projected costs and the city's desire to have a plant that does more than treat for cryptosporidium.

Some neighbors have stopped attending group meeting organized by the water bureau to establish a good neighbor agreement in protest of the project, Lauren Courter told the council on Wednesday. Her family's property borders the planned site.

"The water bureau has not been transparent from the beginning, and they redirect any of our major questions and concerns so that this process follows their agenda," Courter said.

Brent Leathers was one of several neighbors of the treatment facility site who suggested the city reconsider an ultraviolet treatment plant instead of a filtration plant.

"You can always come back and build this in our neighborhood and destroy our lives. You'll always have that as an option," he said. "But take a two or three month hiatus and ask the question, 'can we do this cheaper and quicker?'"

Fritz said earlier in the meeting that the city had already ruled out the ultraviolet method and plan to move forward with filtration.

Commissioner Jo Ann Hardesty said she felt she couldn't yet support the \$51 million consultant contract without a more definitive cost estimate for the project. She said she still had questions from a September meeting that water bureau officials still haven't answered, including more details about how they landed on their current plans to move forward with the filtration plant.

If the bureau wants her support, Hardesty said, then officials need to explain to her all of the city's options.

"If they don't want my support," she said, "then they can keep doing what they're doing."

-- Everton Bailey Jr.

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<https://www.oregonlive.com/news/2019/09/costs-for-portland-water-treatment-plant-rise-70-because-planners-now-including-pipes.html>

Costs for Portland water treatment plant rise 70% -- because planners now including pipes

Updated Sep 23, 2019; Posted Sep 21, 2019

By [Betsy Hammond](#) | [The Oregonian/OregonLive](#)

The Portland City Council approved plans for a \$500 million water filtration plant in 2017. But now, more than two years later, Water Bureau leaders say the plant likely will cost 70% more, or \$850 million.

That's because the original cost estimate did not include any pipes to carry water to or from the treatment plant. Planners did not disclose that omission to the council in 2017 or during the intervening two years.

Mayor Ted Wheeler appeared politely infuriated over it Thursday, noting the plant could never have operated without pipes leading in and out. Those are projected to cost \$100 million to \$200 million, and Water Bureau officials made it clear they think the higher-end system would be better for water quality and system reliability.

Overall, they recommended commissioners pick an \$850 million version of a treatment plant, not a pared-back \$730 million one or a "minimally compliant" \$670 million one. All three of those options include pipes.

Wheeler upbraided Water Bureau Director Mike Stuhr for his agency's lack of transparency when presenting the \$500 million plan to the council before its August 2017 vote.

"It would have been very helpful for me to know that what we were talking about at that time was not the total project cost but merely one component of an overall system," Wheeler said. "We needed to know we were talking about a piece of the system that could not operate, work or function in any meaningful manner without the other component of the system."

Stuhr said planners at the time didn't know what type or size of pipes they would need and hadn't studied those issues or the costs. "Nobody's pipe systems are the same," he said.

Portland, which prides itself on its pure "Bull Run" water from a huge virgin watershed of the same name, does not treat its water other than to add chlorine and a chemical to reduce its corrosiveness. But in 2017, the federal Environmental Protection Agency and the Oregon Health Authority said that had to change because cryptosporidium was showing up too often in the city's water samples.

Hence the 2017 vote to authorize construction of the \$500 million filtration plant.

Officials said at the time that \$500 million was a rough, early-stage estimate. They said the same is true of the new figures and showed that the \$850 million version of the plant could end up costing as little as \$600 million or as much as \$1.25 billion.

Stuhr and other top bureau officials briefed Wheeler and commissioners Amanda Fritz and Jo Ann Hardesty about the new plans and costs projections Thursday. Commissioner Nick Fish, who oversaw the Water Bureau when the original cost projections were made, and Commissioner Chloe Eudaly were both absent from that work session.

In addition to revealing that the recommended treatment plant will require \$200 million of pipelines, Stuhr and his team also said the projected cost to build the plant they envision sans pipes has risen by about \$150 million to about \$650 million.

Hardesty zeroed in most forcefully on the impact the ballooning costs will have on ratepayers. The typical residential customer would see their water and sewer bills rise an average of 9.2% a year to a peak increase of \$10.91 a month in about 2028, Water Bureau finance director Cecelia Huynh told the commissioners.

Hardesty and the mayor both questioned whether that was an annual figure, only to be told it is monthly, translating to an extra \$131 a year. "I need to understand why we are doing a Mercedes plant when requirement is minimum compliance. Why?" Hardesty asked.

Principal engineer David Peters' rationale included that the new plant would meet full projected water needs, while a smaller plant would require expensive use of groundwater in some years; that having two pipes leading into and out of the treatment plant would allow the system to continue to operate in case of needed repairs or maintenance to the lines; and that longer pipes would increase the flow of water into the treatment plant and allow the bureau to discontinue use of some aging water-delivery conduits that are old and likely to break in the coming decade or decades.

The council will be asked to vote on the issue in October.

<https://www.oregonlive.com/portland/2019/10/portland-approves-buying-800000-house-in-gresham-area-for-planned-water-plant.html>

1. Portland

Portland approves buying \$800,000 house in Gresham area for planned water plant

Posted Oct 30, 2019

2

\$800,000 Gresham area house

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By [Everton Bailey Jr.](#) | [The Oregonian/OregonLive](#)

The Portland City Council on Wednesday approved [buying a large Gresham-area home](#) near a planned water treatment plant for \$800,000.

About a dozen residents who live near the 1.87-acre property on Southeast Carpenter Road held up printed signs advocating against the purchase as the council voted 4-0. Mayor Ted Wheeler wasn't at the meeting because he was in Japan visiting Portland's sister city, Sapporo.

Commissioner Amanda Fritz said the city is buying the home for the land, which could provide pipeline or construction access to the plant. Portland officials say they must build to meet federal water quality mandates. She said there is still a possibility that the house and garage on the property may be preserved if the Water Bureau finds a way to tunnel under the home. The city is considering renting the house until construction is slated to begin in 2022 and could sell the property after the filtration plant is constructed in 2027 if the city no longer needs it, Fritz said.

Commissioner Nick Fish said he had concerns because Water Bureau officials originally estimated the plant would cost about \$500 million to build, but the agency recently disclosed the cost will [likely be closer to \\$850 million](#). He said Fritz and water bureau officials swayed him enough during a [presentation last week](#) to move the house purchase forward. But he said he "looked forward to a broader conversation about alternatives that we'll be having later."

Neighbors urged the city council last week to delay voting on the buying the house until more information about the project is finalized. They noted the city does not yet have a design for the water plant or land use approval for the construction and has no clear need for the nearly 4,000 square feet of living space that the house and separate garage provide.

Residents in the area also oppose the project because of concerns over construction impacts, disruption of their rural lifestyle and the possibility for decreased property values.

The Carpenter Road property went on the market in March for \$799,900 and the city reached an agreement to buy the house for \$800,000 in June, city records show. The contract calls for the deal to close by Dec. 20.

The city is estimated to also pay around 3% in closing costs. The city has already spent \$30,000 in a non-refundable cash deposit to secure the property.

The city is unsure what specifically it will do with the property at 35319 SE Carpenter Lane near the Sandy River east of Gresham. The water treatment plant the city plans to build on adjacent city-owned land hasn't been designed and pipeline routes haven't been finalized. But most of the proposed routes to pipe treated water toward customers in Portland would run through the home's acreage to get from the plant to public right-of-way on Southeast Dodge Park Boulevard.

The city plans to build water filtration plant on 95 acres of land that the city has owned since the 1970s and currently leases to a tree nursery. The city has said the water filtration plant has to be built by September 2027 to comply with state and federal water quality rules.

-- Everton Bailey Jr.

ebailey@oregonian.com | 503-221-8343 | [@EvertonBailey](https://www.instagram.com/EvertonBailey)

Mayor Wheeler and Commissioners,

The five Portland Utility Board (PUB) members listed below are resigning as of June 11, prior to the end of our terms. As long-serving Portland Utility Board members, all of us would like to go on record about an issue that we believe is central to the Portland Utility Board's ongoing success.

The mission of the Portland Utility Board as stated in its founding ordinance was "to strengthen oversight functions for City's water, sewer and stormwater services." To achieve that end, the composition of the PUB membership needs to assure Portland residents that they can expect independent and community-oriented oversight.

The ordinance creating PUB stipulates that there are to be four *ex officio* staff members, two from each bureau, one of whom has a vote. The result is that by ordinance almost 30% (4/14) of the Board consists of Bureau staff. Every additional City staff member appointed to the Board increases that percentage and undermines the integrity of a citizen oversight committee.

Unfortunately, what defines a community oversight committee is not addressed under Portland statutes. The PUB currently has not just the four City employees stipulated by the ordinance but five which brings the percentage of City staff on the PUB to 36%. During the recent recruitment process to fill Board vacancies two applicants, both with ties to one of the Bureaus were seriously considered, one of whom was recommended to the Board by the recruitment subcommittee but not forwarded to the City Council due to concerns about the number of City employees already on the PUB. Had the Council appointed another City employee to the PUB, the percentage of staff on the Board would have risen to 43%.

This level of city representation on an oversight committee invites the charge of bias and perceived conflict of interest. Is there a limit to how many City staff could be on the PUB? If 36% is acceptable, is 40%, 50% or higher acceptable? Would the City tolerate 30-50% of the members of the Citizens Review Committee for the Police Bureau being a combination of Police Officers and City employees? Or, more importantly, would the residents of Portland see such a committee as independent and unbiased in their review of the Police Bureau?

While it is true that three of the four *ex officio* members do not have a vote, they do have a voice and that voice is strong, articulate, and persuasive. At times, of course, this can be very helpful, but to the average resident of Portland, *ex officio* versus voting member is a distinction without a difference. What they see is employment status, not the nuances of different bureaus or parliamentary definitions and procedures.

As a Board tasked to advise on behalf of the citizens of Portland, actions that could impact trust and public perception of the Board will have an effect on the long-term success of this Board. And as we are all too aware of these days, trust and perception are malleable and easily changed as mainstream media has discovered. We believe every effort should be taken to strengthen the Board's independence from the bureaus it is tasked to oversee.

As Commissioners may remember problems of bias arose when PERS recipients were charged with oversight of their retirement system. Oversight should be the responsibility of those without a vested interest in the outcomes. City staff have an important and necessary commitment to the interests and well-being of their organizations. They should not be in positions where they find themselves both beneficiaries and gatekeepers at the same time.

Let us be clear: we are not questioning the integrity of any individual staff Board member. On the contrary, we have the utmost respect for their dedication, work, and service on the Board. However, the integrity and respect for the Portland Utility Board rest in large part on its structure and membership. If residents perceive the Board to be weighted with City employees, the independence and unbiased nature of their deliberations will be easily questioned and any trust in their recommendations to the City Council will be lost.

We believe this issue can only be resolved by the City leadership. In the case of the Portland Utility Board, we believe that if the City cares about the independent oversight function of the PUB, as stated in the founding ordinance, the Mayor and Council need to clarify the appropriate level of staff involvement. We also encourage the members of the Portland Utility Board to review their bylaws and make clear that beyond the language of the ordinance, voting members of the Board should reflect an independent voice in the community and not be employed by the City.

Thank you for the opportunity to serve the City of Portland.

Sincerely,

Allan Warman
Colleen Johnson
Mike Weedall
Dan Peterson
Lee Moore



Cascade Commentary

September 25, 2019

Word Count: 215

Attention editors
and producers:

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QuickPoint! – Portland’s Rising Bills are Purposeful Accidents

By Eric Fruits, Ph.D.

Portland City Council has just learned that what it thought was a \$500 million water filtration plant will now be an \$850 million project--and may go as high as \$1.2 billion. The reason for the 70% spike: The water bureau did not include the cost of the pipes leading to and from the plant. Those forgotten pipes are going to add more than \$130 a year to the average water bill.

Truth is, those pipes weren't forgotten. They were omitted so the bureau could low-ball the cost of the project. This isn't a first. The Portland Aerial Tram was three times over budget in part because the city "forgot" to include soft costs. If they included these costs, the eye-popping prices for the tram would have given even a spendthrift city council some pause. Portland Public Schools intentionally low-balled the cost of school construction so voters would approve a school bond measure.

These are not accidents or mistakes. This is intentional malfeasance by the bureaucracy. Our elected officials are so busy with photo ops and posturing that they forget their jobs are to scrutinize their staff and serve the people who put them in office. Voters can't fire the bureaucrats, but we can fire the politicians who hired them.

Eric Fruits, Ph.D. is Vice President of Research at Cascade Policy Institute, Oregon's free market public policy research organization.

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October 17, 2019

Portland Utility Board:

I write this as a concerned and frankly outraged resident of Portland and a former member of the Portland Utility Board.

When water treatment projects were first brought to the PUB in 2017, the two primary options under discussion were between UV disinfection and filtration. The UV disinfection process was estimated to cost around \$100m. The filtration process was estimated to cost between \$350-500m (not the \$500m baseline that is listed in the most recent PWB presentation).

The most recent estimate for the filtration plant is now \$850m to \$1.2b. There's bureaucratic language as to why this increase happened, but one reason seems to be that pipelines were not included in the original estimate. It's hard to understand how the Bureau most familiar with water pipes could leave them out of the project cost estimate. While there were clearly unknowns about site and elevation, etc., given the expertise in the Bureau it seems as though there could have been a more accurate estimate. The project has gone from a minimum (estimated) cost of \$350m to \$850m, a 142% increase in two years. It's not unreasonable to think that a higher and more accurate cost estimate could have changed the conversation at PUB about the relative costs and benefits of the two options and resulted in a different recommendation.

One has to wonder how a 142% increase in the cost of the project, and the resulting impacts on water rates, is possible. Should Portlanders expect another doubling of the project cost as the Bureau moves into the design and construction phase? And will the Bureau use the higher estimate of \$1.2b for the next baseline? Residents of Portland could be forgiven for thinking this is the result of incompetence or deliberate misinformation. In either case, it is certainly not a transparent process.

The Portland Utility Board was given the charge to be a **citizen** oversight committee. Given the impacts on future water rates, I hope the members will ask the hard questions and not simply be apologists for the Bureau or the City.

Colleen Johnson
NW Portland

Moore-Love, Karla

From: Lorie McFarlane <lorjmcfarlane@gmail.com>
Sent: Tuesday, November 26, 2019 7:05 AM
To: Commissioner Fritz; Commissioner Fish; Wheeler, Mayor; Commissioner Hardesty; Commissioner Eudaly
Cc: Council Clerk – Testimony
Subject: ordinances 1093 1094, 11/27/19 - Portland Water Bureau

Dear Commissioners and Mayor Wheeler,

I appreciate your careful consideration of public testimony in the last 2 weeks. I particularly thank Mayor Wheeler and Commissioner Hardesty for their recent, thoughtful questions for the water bureau. I hope Commissioner Fish will be present this time, since he has been an integral leader at water treatment Council sessions.

*With due respect, I feel that PWB Director Stuhr, water Commissioner Fish (2013 -2018) and water Commissioner Fritz (2018-2019) have not accurately or timely or even completely informed the general public. It also is apparent they have not truly considered citizens' knowledge on policy, regulation, health-risk, nor stakeholders' deep concerns - i.e. impact on **both** rural and urban citizens.*

Moreover, our water officials' (in)actions speak louder than their words. In fact, they have neither meaningfully engaged the general public nor used the past 2 years to explain the complete purpose and rationale for exponentially increasing Filtration costs of a now-estimated-\$1.2 billion customer-funded public work. We have been offered NO public town halls to inform vis a vis questions, health professional opinions, and water advocate comments ... we have not been allowed to be heard collectively and **publicly**.

I have witnessed broad public confusion on Bureau treatment decisions since 2016. I have witnessed PUB oversight committee's responsible inquiries (on treatment options for deactivating crypto) deflected, and instead met with rushed, misleading information. I have witnessed the first \$51 million design contract uploaded with "errors" until 1 day before the first public reading, only a few weeks ago.

I have witnessed water officials assuring us:

- "Portlanders are justifiably proud of their drinking water" – Comm. Fish
https://www.oregonlive.com/opinion/2016/10/a_fresh_look_at_maintaining_po.html
- "Our water keeps Portland green, clean and hydrated. " - Dir. Stuhr
- "It's delicious water, It's protected. It's a rain forest, so it's its own ecosystem and it provides us with this really amazing drinking water". - Water Comm. Fritz
- "We serve excellent water every minute of every day." PWB Comm's
- "From Forest to faucet, we deliver the best drinking water in the world"- PWB landing page website.

Confusing the public is not convincing the public.

Finally, as an architect, forgetting essential infrastructure -- such as the PWB or their contractor did on pipes, a major element -- would have gotten me fired. Also, designers provide visuals to a client of e.g. a site plan, building footprint, elevations and perspective drawings *before* selling a project -- small or gargantuan. Has Stantec yet been to the dais, to explain and show any of their \$51 million proposal?

I strongly urge you delay both ordinances 1093 + 1094 on 11/27/19, as long as possible, giving adequate time to correct this faulty process.

Sincerely,
Lorie McFarlane, a Portland citizen

Moore-Love, Karla

From: Cris Courter <criscourter@mac.com>
Sent: Monday, November 25, 2019 10:32 PM
To: Council Clerk – Testimony
Subject: [User Approved] Written Testimony for Agenda #1094 Nov. 27, 2019

Re: City Council agenda number 1094

Mayor Wheeler and City Councilors,

I sincerely urge City Council to request more detailed information for consideration about the proposed design project and especially the costs of the Portland Water Bureau's Bull Run filtration project before voting to approve such a costly expenditure. Fifty-One million dollars is a tremendous amount of money and every detail of why the cost for a design is so high should be understood completely.

Also, inaccurate statements have been made by Portland Water Bureau regarding the need for this large filtration facility and there is a need for further examination, for example:

- 1) It is inaccurate to state that the EPA, federal government, requires filtration. The EPA requires treatment when Cryptosporidium oocysts are detected. Which treatment method a water district chooses is not determined by the Federal Government but rather by the individual water district and the state in which they reside. Ultraviolet treatment is a less expensive option than filtration.
- 2) It is inaccurate when Portland Water Bureau states that the Bilateral Compliance Agreement requires the City to build this filtration plant. As the agreement is written now it does state filtration because that is the desire of the Portland Water Bureau. The agreement is not as permanent as the Portland Water Bureau makes it sound. Personal inquiries to OHA revealed that renegotiation of treatment methodology is still an option. This could include a cost effective treatment option that still meets the EPA requirements.
- 3) It is inaccurate when Portland Water Bureau states that the City must proceed with the application of the invited WIFIA loan. In reality the upcoming WIFIA loan funding does not need to be totally inclusive of all projects requested (a. corroded pipes b. filtration plant c. new pipes to and from the filtration plant) at this time and a WIFIA loan can be requested again in future years if not all the money is needed at this time. This is not a once and done prospect.
- 4) With so many wholesale water purchasers working towards developing their own water supplies the cost of this filtration plant falls almost entirely upon the individual rate payers which will be prohibitive for many.

Please consider the people that elected you to be their voice and not allow the Portland Water Bureau to build such a costly project for which they will be paying dearly for many years to come when a much less expensive solution is available. Please require the Portland Water Bureau to be a responsible agency for the people.

Respectfully,
Cris and Suzanne Courter

Moore-Love, Karla

From: Pat Meyer <neonladyw@gmail.com>
Sent: Monday, November 25, 2019 2:30 PM
Subject: Delay Request for the Design Award for the PWB plant

Dear Mayor Wheeler and Portland City Council,

I respectfully request that the City Council delay the vote of the \$51 million dollar Stantec design contract for Portland Water Bureau's Bull Run filtration project **until all five Council members are present to vote.**

The large cost of the design contract and the filtration project necessitates that all Council members carefully ask questions, seek independant technical advisors, discuss, and collectively deliberate on how to proceed. Less invasion, cost effective options have been dismissed by the PWB. This dismissal is akin to the wolf watching the henhouse. The council must be the servant to their constituents they sought office for and hold the Bureau accountable.

Ratepayers deserve a fully vetted project with a well-justified rationale before the project proceeds, especially in light of recent dramatic increases in cost projections for the filtration plant.

Sincerely,

Pat Meyer

McClymont, Keelan

From: Deborah Wilson <debwilson226@gmail.com>
Sent: Friday, November 22, 2019 8:14 PM
To: Council Clerk – Testimony
Subject: Water Treatment Plant Proposal Vote

To Mayor Wheeler and Portland City Commissioners,

I respectfully request that the City Council delay the vote of the \$51 million dollar Stantec design contract for Portland Water Bureau's Bull Run filtration project until all five Council members are present to vote. The large cost of the design contract and the filtration project necessitates that all Council members carefully ask questions, discuss, and collectively deliberate on how to proceed. Ratepayers deserve a fully vetted project with a well-justified rationale before the project proceeds, especially in light of recent dramatic increases in cost projections for the filtration plant.

Thank you,

Deborah Wilson
503-676-8023

Moore-Love, Karla

From: Dee White <deewhite1@mindspring.com>
Sent: Tuesday, November 19, 2019 4:15 PM
To: Council Clerk – Testimony
Subject: Testimony 1079 and 1080 Stantec \$51M contract and filtration resolution
Attachments: Testimony November 20 2019 stantec contract and filtration resolution.pdf; Screenshot_2019-11-19 Portland City Council Sessions(2).png; Screenshot_2019-11-19 Portland City Council Sessions.png

Hi Karla,
I have attached more testimony along with two pdf screenshots.

Thank you,
Dee White

Testimony from Dee White

Nov. 20, 2019

[1079](#) Adopt a set of priority values, expectations, and the Recommended Option to guide the design and implementation of the City of Portland's Bull Run Filtration Projects (Previous Agenda 1046) 30 minutes requested for items 1079 and 1080

[1080](#) Authorize a contract with Stantec Consulting Services, Inc. for design services for the Bull Run Filtration Project in the amount of \$51 million (Previous Agenda 1047)

[Item 1080 Approved Substitute Exhibit A](#)

Dear Mayor and Commissioners,

I continue to find inconsistencies throughout this "Bull Run Treatment Projects" project, continuing last week with the major mistake that the water bureau made when they uploaded an almost empty (but for the table of contents) Exhibit A of the \$51 M Stantec contract on Friday November 8 – which was the statement of work, scope, deliverables, terms. It was before a three day weekend and the November 13 meeting. I appreciate Comm Fritz acknowledging my catch, but it is of little interest to me to be acknowledged. This was a major mistake and it should not have happened.

Adding to the difficulties that the public faced with only one day to read the contract, the botched up, worthless contract still remains attached to the ordinance, which means that all of the details of the contract that I mentioned above, all of this is not attached to the legislation, which I find very troubling, confusing and messy.

At last week's November 13 meeting, the "Recommended Option" was presented. The only difference between the new "Recommended " option and the old "Full Implementation" option presented to y'all at the Sept 19 work session, was the size was dropped from 160 MG to 145 MB with what looks like a \$30 million "savings" – from \$850 million to \$820 million. I have attached screenshots from the meeting showing this. Here is what I have found upon further examination:

1. The Resolution, agenda item 1079, says 145 MG:

Target capacity of 145 million gallons per day

2. The Ordinance, agenda item 1080, which is the design contract with Stantec, has no mention of size, type, processes etc. Here is a quote from the ordinance, the most detailed description of what Stantec will be doing:

The Portland Water Bureau must retain the professional, technical, and expert

services of an engineering consultant to design and develop plans and specifications for a construction contract for the Bull Run Filtration Project (Project).

3. The Stantec \$51 million design Contract states (my emphasis):

Table 3. Baseline Project Configuration and Design Criteria

Element or Design

Criteria Value

Capacity 160 MGD Initial

240 MGD Ultimate

I find it very sad and extremely concerning, that the water bureau continues to lead the public (and the Mayor and Commissioners) down this dark and uncertain path of fiscal irresponsibility and uncertainty with no light whatsoever being shed on the real process, the contracting, and the legislating.

Who is verifying that the contract squares with what the public is being told and what is being legislated? Why is it that so many blunders, discrepancies and omissions are happening with this potential \$1.25 Billion project? Not to mention irrational pre-emptive spending?

Enough is Enough. Please move to withdraw from consideration this contract and this resolution. More economical and rational treatment for cryptosporidium should be revisited.

189778

YouTube

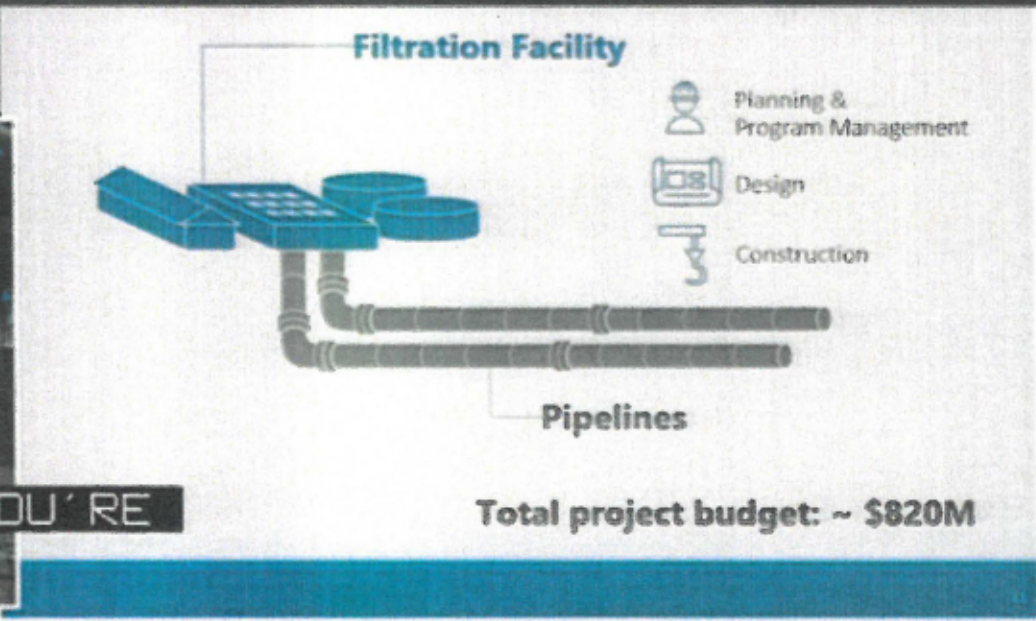
Search



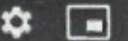
CITY COUNCIL



HAVE
WHAT YOU'RE



▶ 🔊 3:49:54 / 4:49:01



189778

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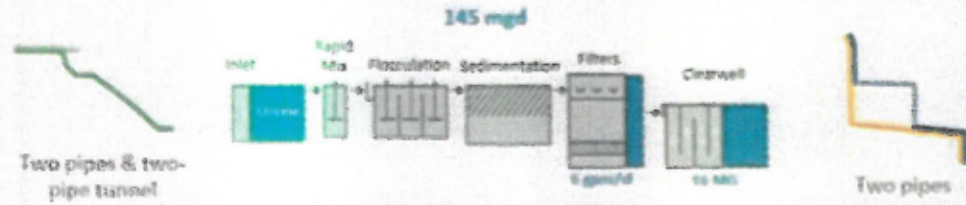


PORTLAND CITY COUNCIL

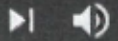
Raw Water Pipelines

Filtration Facility

Finished Water Pipelines



PATHOGENS, FANCY WORD, WHICH IS



3:45:35 / 4:49:01



Moore-Love, Karla

From: Dee White <deewhite1@mindspring.com>
Sent: Tuesday, November 19, 2019 3:14 PM
To: Council Clerk – Testimony
Subject: agenda items 1079 and 1080
Attachments: A Billion Dollar Investment in New York water article from New York Times (1) - Copy.pdf

Testimony from Dee White

This is a quote from the New York Times article that I have attached “A Billion Dollar Investment in New York’s Water”

“The city’s water system could well be its single most important capital asset — or at least on par with the subway system,” said Eric A. Goldstein, a senior lawyer for the Natural Resources Defense Council, an advocacy group.

Why doesn’t Portland consider their unfiltered pristine water from our federally protected Bull Run watershed and delivered by our sustainable water system OUR GREATEST ASSET?

Why can’t the City of Portland seek a filtration avoidance like New York City has been doing since 2007? Why can’t we request help from Senator Merkley, like New York City did with Senator Schumer, and seek a filtration avoidance instead of a WIFIA loan? The WIFIA loan is practically worthless to the ratepayers right now, who are already paying off the staggering debt of the Portland Water Bureau’s projects such as Washington Park, Kelly Butte and Powell Butte.

Here is a link to NYC’s filtration avoidance agreement. It speaks to the pride that New Yorkers take in their UNFILTERED water. Portland takes pride in our unfiltered water too! Just ask any brewer or distiller!

<https://health.ny.gov/environmental/water/drinking/nycfad/>

Considering the exploding costs and diminishing (if not void) benefits (including zero health benefit), that this mammoth project is producing, a renewed interest in filtration avoidance by our elected officials, partnered with Senator Merkley, would surely be looked upon with great relief and optimism by everyone who drinks Bull Run water.

Please start this process by voting to withdraw both this resolution and contract from consideration.

Thank you.

189778

Dee White



A Billion-Dollar Investment in New York's Water

New York City's water system moves over a billion gallons a day, nearly all of it unfiltered. A major investment aims to keep it that way.

By **Winnie Hu**

Jan. 18, 2018

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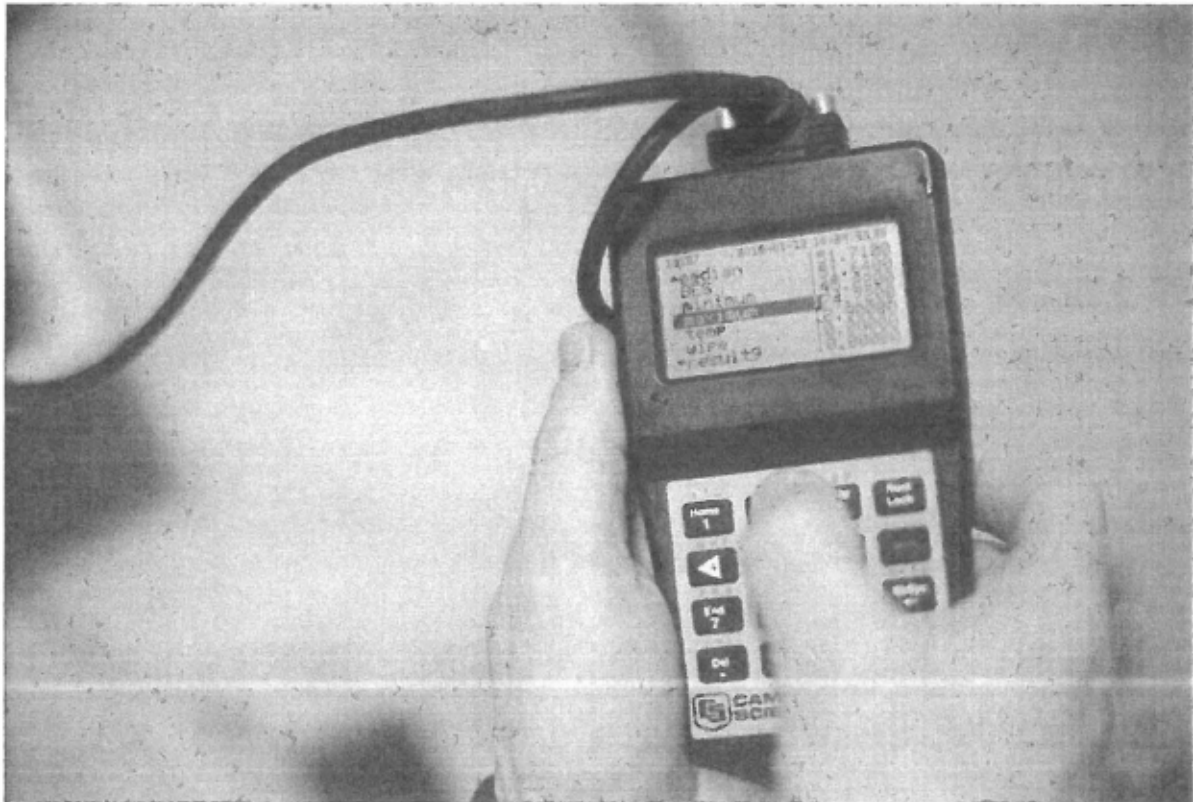
New Yorkers like to brag about their tap water. Not only is it safe to swill, but it has even been called the “champagne of drinking water.”

Now, New York City has committed \$1 billion to protect the nation's largest municipal water system as part of a far-reaching 115-page agreement with state health officials that makes New York one of the few cities in the country that can provide nearly all of its tap water without being forced to rely on expensive filtration plants.

“The city's water system could well be its single most important capital asset — or at least on par with the subway system,” said Eric A. Goldstein, a senior lawyer for the Natural Resources Defense Council, an advocacy group. “Imagine living without clean running water in New York City for even a single day. Life as we know it would grind to a halt.”

New York's immaculate water supply is backed by science, lots of it. Every day, dozens of scientists monitor the quality of the city's drinking water, collecting samples by hand that are tested no less than 600,000 times a year for more than


250 variables, including pollutants. They are augmented by a growing army of robotic monitors that have been plunged into far-flung reservoirs, testing the water another 1.6 million times a year.



Every day, dozens of scientists monitor the quality of the city's drinking water, collecting samples that are tested no less than 600,000 times a year. Piotr Redlinski for The New York Times

This enormous monitoring apparatus is one critical part of New York City's drinking water supply, ensuring the safety of more than a billion gallons of water flowing daily through a sprawling network of three pristine lakes, 19 reservoirs, and mile after mile of aqueducts and tunnels. About 90 percent of that water never sees the inside of a filtration plant, flowing from huge reservoirs as far as 125 miles away in the rural Catskill Mountains.

New York has spent more than \$1.7 billion to protect this unfiltered water supply since the early 1990s, in return for being granted a succession of federal and state waivers exempting it from costly filtration requirements. It is one of only five cities nationally — along with Boston, San Francisco, Seattle, and Portland,

 — that have an unfiltered water supply. This marvel of water engineering has attracted visits from scientists and government officials from Australia, China, India, Singapore and Colombia.

NEW YORK

A Billion-Dollar Investment in New York's Water

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The financial stakes are high. Vincent Sapienza, the commissioner of the city's Department of Environmental Protection, said that if the city were refused a waiver, it would have to spend more than \$10 billion to build a massive filtration plant, and at least another \$100 million annually on its operation — which would be “the largest capital project that the city has ever taken on.” Water bills would have to rise significantly to cover the cost, he said.

The city already filters 10 percent of its drinking water from a dozen small reservoirs surrounded by development in Westchester and Putnam counties. In 2015, it opened a \$3.2 billion filtration plant under a golf driving range at Van Cortlandt Park in the Bronx.

The city's new \$1 billion investment in the drinking water system will be used to reinforce and expand a host of programs that protect the one million acres of watershed land surrounding the reservoirs that supply the unfiltered drinking water. The biggest chunk, or \$200 million, will be used to maintain and upgrade dozens of wastewater treatment plants. Ensuring the adequate collection and treatment of wastewater, including sewage, is crucial because that wastewater is cleaned and released back into the environment and eventually reaches the rivers and streams that feed the reservoirs.



Allison Dewan, right, and Paul Perri, scientists for the New York City Department of Environmental Protection, gathering water samples from a tributary of the Ashokan reservoir. Piotr Redlinski for The New York Times

Another \$180 million will go toward reducing pollution from working farms and managing forests to remove old and dead trees to make room for young trees that absorb more nutrients from rain and snow melt that run into the reservoirs. There will also be \$150 million for shoring up eroding streams to improve water quality and support flood mitigation projects.

In addition, \$96 million has been allocated for preserving land from development, especially in critical streamside areas, and \$85 million will be used to expand a program that repairs or replaces septic systems for homes and small businesses to municipal buildings, churches and other nonprofit groups as well.

The new agreement is the result of more than six months of negotiations

between city and state officials, along with input from environmental and public health advocates, and representatives of upstate residents near the reservoirs.

“New Yorkers have a powerful impact when working toward a common goal — the protection of clean drinking water and lands that provide it,” said Dr. Howard A. Zucker, the state health commissioner. “That is the spirit behind this agreement.”

New York City’s modern water system dates to 1842 when water flowed down from the first reservoir in Westchester — created by building a dam on the Croton River — in what would become known as the Croton system. It replaced a local patchwork of ponds, streams, wells and cisterns that were inadequate for a growing city, resulting in shortages during the Great Fire of 1835 and outbreaks of cholera from contaminated water.

A dam on the Ashokan Reservoir in Ulster County, N.Y.

The new water system was welcomed with parades, fireworks, and fountains shooting plumes of water 50 feet into the air. Eventually, the Croton system grew to a dozen reservoirs, but it was not enough. So in the early 1900s, city officials looked further north and started building the much larger Catskill and Delaware water systems — an immense undertaking that involved relocating residents and cemeteries and submerging entire villages.

Today, with three water systems, the city no longer has to worry about where to get its water. Yet it has faced challenges in keeping the water from the Catskill and Delaware systems safe enough to drink. The federal government has generally required surface drinking water systems to be filtered since the late 1980s, granting waivers to New York beginning in 1993 as long as the city's unfiltered drinking water met federal and state water quality standards. The unfiltered water is disinfected with ultraviolet light and chlorine.

The New York State Health Department took over direct oversight of the city's drinking water system in 2007, and last month issued the latest waiver for 10 years, including a public review process to be conducted at the five-year midpoint. State health officials said that they regularly review the city's water quality and conduct on-site inspections of the reservoirs and disinfection stations. The new agreement also calls for an independent review of the city's water protection efforts by the National Academies of Sciences, Engineering and Medicine.

"The water continues to be of a very high quality," said Brad Hutton, a deputy state health commissioner.

Mr. Goldstein concurred that the city's water protection efforts have been successful, but added that "this is no time to let down one's guard." He pointed to climate change as a growing problem, leading to more storms and floods and rapid snow melts that could increase the turbidity of the water in the reservoirs.

City environmental officials said they are expanding their efforts to address the

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impact of climate change on the watershed, including setting aside more money to buy out homeowners in flood-prone areas and pay for engineering studies of flood hazards in towns and villages.

The city's efforts have not only safeguarded its water system, but also provided tangible economic benefits to residents of upstate towns and villages in the watershed — helping to smooth lingering tensions over the reservoirs, which were built decades ago on land seized by eminent domain. The city's investment in the water system has created local construction jobs, and funded development loans to hospitals, restaurants and small businesses, a far cry from the economic distress in many parts of northern New York.

The Catskill Watershed Corporation, whose board members include local town supervisors, has used city money to reimburse private property owners for treating storm water runoff, and for elevating homes and relocating businesses in flood areas. It has also sponsored school programs about the watershed, including having children raise trout in classrooms that they later release in the Catskills.

But its most popular program may be one that has given out more than \$40 million to reimburse a total of 5,200 homeowners and small businesses for the repair or replacement of aging septic systems that they might otherwise have to pay for themselves. Those septic systems now treat 1.7 million gallons of sewage a day.

“Homeowners get a septic system that is working and the city gets 1.7 million gallons of clean water,” said Timothy Cox, a lawyer for the corporation. “It has been successful in not only preserving the watershed but also the community character of the watershed.”

Moore-Love, Karla

From: Lauren Courter <lauren.courter@mthoodenvironmental.com>
Sent: Tuesday, November 19, 2019 3:10 PM
To: Council Clerk – Testimony
Subject: Written Testimony, 11/20 Agenda Items 1079 & 1080
Attachments: COURTER-Testimony_11-20-2019.pdf

Please see the attached written testimony for the November 20, 2019 City Council agenda items 1079 and 1080.

I respectfully request that my comments be distributed to each City Council member.

Regards,

Lauren Courter

To: Portland City Commissioners
 RE: Written public testimony for Agenda items 1079 & 1080

November 19, 2019

Mayor Wheeler and City Commissioners,

Given the growing budget and the evolving rationale for the proposed project, I kindly ask that each of you carefully revisit the fundamental reasons for this project. Ask the Portland Water Bureau:

“What are our options to significantly reduce the budget to treat cryptosporidium?”

A NO vote on the Stantec design contract for \$51 million is necessary for the following reasons:

There is time to delay and reevaluate options

Filtration is not required to treat cryptosporidium, therefore a hasty timeline for filtration is unnecessary. Crypto treatment can quickly be addressed by UV, ozone, OR chlorine dioxide by the 2027 OHA deadline. Time exists to carefully consider a phased approach and tailor a detailed budget toward the goal of filtration, if the City deems the project necessary.

Large Project Cost with a -30% to + 50% accuracy

The current \$820M results from a 42% budget increase to include pipes. Location must be reconsidered since the major factor attributed to the rising cost is the site. Carpenter Lane does not exist on the current conduits. Other sites are located on the existing conduits. Choosing a site where the conduits exist will save ratepayers this high cost.

The \$820M does not include the costs already incurred, the known and unknown additional costs associated. See attached tables.

Community Impacts

NO FILTRATION PLANT OF THIS SCOPE AND SCALE EXISTS WITHIN A COMMUNITY IN NORTH AMERICA. This project will change this rural community.

This project negatively and unnecessarily impacts:

- Residences proximal to the proposed site
- Residences on the proposed pipeline
- Residences on truck routes
- Elementary school and attending children proximal to the proposed site
- School children on bus routes that utilize the arterioles of the project site
- Approximately 20 agricultural businesses and their employees
- Fish and wildlife
- Aquifer under proposed site
- Roads

Sincerely,

Lauren Courter

Known Costs not included in \$820M figure:

\$51M	Design contract
\$41M	Pump station and new conduit (<i>Jacobs report 2018</i>)
\$185M	General contractor (22.5% of facility costs) (<i>Jacobs report 2018</i>)
\$1,000/day	EPA fines due to Land Use Appeals and Lawsuits
\$21M	Annual operation costs \$400/million gallons (145 million gallons @ 365) (<i>PWB October 2019</i>)

Unknown Costs remaining

?	Pipe design contract
?	Capital Costs/Property Acquisition (~20-30 parcels)
?	Lifecycle Costs
?	Legal Fees
?	Environmental Impact Assessments, Chemical and Hazardous Materials
?	Environmental Impact Assessments, Fish and Wildlife
?	Environmental Impact Assessments, Aquifer
?	Road Construction & Improvements

Costs to date not included in \$820M figure:

\$16M	UV plans
\$800,000	House purchase (November 2019), Carpenter Lane
?	Engineering contracts for Site Selection process
?	Contractors for initial environmental assessments

McClymont, Keelan

From: Paul Willis <willisteam@msn.com>
Sent: Wednesday, November 13, 2019 9:21 AM
To: Council Clerk – Testimony
Subject: FW: Public Testimony for Portland City Council November 13, 2019 Meeting Agenda Item # 1047, Design Services for Bull Run Filtration Plant

TO: Portland City Council Clerk November 13, 2019

I would like to provide the following Testimony for the Portland City Council November 13, 2019 Meeting regarding Agenda Item # 1047, Design Services for Bull Run Filtration Plant [BRF].

1. Outstanding Questions Need to Need to Be Answered.
 - a. How will the BRF’s escalating project costs, and other City ongoing and scheduled projects’ costs potentially affect Portland’s AAA bond rating?
 - b. Does the BRF have the potential to turn into another fiduciary nightmare like the “Big Pipe” sewer line cost escalation?
 - c. Since project cost is a major site selection criteria and the Carpenter site cost has increased potentially three fold over initial minimum estimates, is it time, from a fiduciary standpoint, to reevaluate the project sites previously considered?
 - d. With the potential high risk of either Multnomah County, LUBA, or the Appeals Court rejecting PWB’s Conditional Land Use Request, is it now time to commission a Risk Assessment or Analysis to determine the likelihood of the Conditional Use Request being approved or rejected?
 - e. It is now time to step back and reevaluate, from a cost and construction time perspective, the Mitigation Treatment Technologies that will mitigate Crypto, and not try to mitigate any and every foreseeable and unforeseeable potential water issue?
 - f. It is now time that City Council Resolution # 37402 Approved in December 2018, determining the location, capacity and filtration type for the project be revisited?
2. Proposed Design Services - Comments.
 - a. Ref. On-Site Design Services Contract, pg. 6 of 13, Schedule of Work, Project Milestones. Crypto is mentioned here.... “Water being served meets all surface water and Cryptosporidium treatment requirements – September 30, 2027.”
 - b. Ref. On-Site Design Services, Exhibit A, Statement of Work, pg. 6 & 7, Table 3, “Baseline Project Configuration & Design Criteria.” I do not see Mitigation of Crypto, as a design criteria. Pg. 7, Project Schedule, again mentions the Page 6 of 13, Milestone, see para 3a, above.
 - c. Ref. Exhibit A, pg. 14, Workshop 14, Plant & Systems Hydraulics. PWB indicated that the Carpenter site was selected because water could be gravity fed and not pumped as other sites required. Workshop 14, under “pumped Hydraulics,” addresses the pumping of “finished water.” If pumping is to be required at Carpenter and costs have significantly escalated over the other sites considered, I would think the other sites should be reconsidered.
 - d. Ref. Exhibit A, pg. 28, Task 4, Commission Testing. I see no requirement to development a protocol/method to test the plant’s ability to mitigate Crypto..... for example, put known quantities of Crypto in at the intake of the plant and test for Crypto at the plant’s exit. Testing at the “head waters” will not give accurate results. And I see no requirement to actually test for the presence of Crypto.
 - e. Ref. Exhibit A, pg. 30, Subtask 4.4, Startup, Testing & Commissioning Assistance; pg. 31, Operation; Pg 31, Subtask 5.1, Process Optimization. I see nothing dealing with Crypto in any of these refers.
 - f. It is unclear to me whose responsibility it is to 1] design the plant to mitigate Crypto and to 2] to determine through testing that the design was successful.

Thank You for this opportunity to provide my thoughts for your consideration.
Paul Willis, Carpenter Resident

From: Brent Leathers <brent@leathersfuels.net>
Sent: Wednesday, November 13, 2019 9:15 AM
To: Council Clerk – Testimony
Subject: Public Comment on Agenda Items 1046 & 1047
Attachments: 20191113131856.pdf

Good morning,

Please add the attached document to the public testimony record for today's meeting on the Engineering Services Contract for the Bull Run Filtration facility.

Thank you!

Brent Leathers

Date: November 13, 2019
To: The Portland City Council
From: Brent & Linda Leathers
RE: Decision on BRF Engineering Services Contract

Dear Council,

Below are some thoughts we believe are fundamentally pertinent to the decision you will make today. We appreciate your time in considering these thoughts, and acknowledge that you have a difficult job to do in shaping Portland's future.

We pray that you are led to make the "right" decision today.

Formal Public Policy Process

The Water Bureau has an archive document on its website almost 1,100 pages in length. The content of that lengthy pdf is the documentation of the thoroughness of the City's decision-making process leading up to this decision before you today.

The closer we've gotten to this day, the more quickly the Water Bureau and this Council have shed the conclusions reached in those documents. We've witnessed government officials point to the Crypto treatment and the EPA/OHA mandate as the absolute necessity for a filtration plant. Now, there are public statements like, "It was never about the Crypto", and justification based upon disaster scenarios like earthquakes, volcanoes, forest fires, and global warming. Further justification is added by statements about dealing with turbidity issues, and future rules changes.

While some of these factors are mentioned in the historical decision-making process, they were not presented as key decision factors. "Cost" and "Proximity to Existing Water Conduits" were key factors.

In the meantime, the cost estimate for the facility more than doubled in under 10 months from the original Council approval.

Are these not warning signs? Are major decisions made in haste and fear typically good decisions? If the reasons for the decision have changed, and the costs are considerably higher, shouldn't the final decision be reevaluated in light of the new conditions? The decision-makers over the past 20 years made decisions on total costs far below the current estimates, yet repetitively noted that cost was a key consideration. Would they have made different choices if they understood the true cost of filtration?

I urge you to reconsider. Since the current decision is so completely detached from your own stated criteria, it is time for the City to step back and reevaluate. There's a good public policy decision available -- please take the time to determine that best course of action.

Facility Costs & Math

Over the course of many discussions with Water Bureau staff, and even here at Council, our group has noticed a sensitivity to full disclosure of numbers. Recently, there has been concern about the use of the word "triple" when it comes to the project cost for the Bull Run project.

I would like to "walk you through the math", based on the perspectives of people who understand numbers, not the common person's use of numbers.

This Council originally approved a total budget for this project of \$350 to \$500 million on December 12, 2018. A mathematician would tell you that the expected outcome is the middle of that range, or \$425 million. That is the purpose of a range of numbers, is to define the expected lowest value, and the absolute maximum, with the middle of the range defining the most likely outcome.

Nine months later, on September 19, 2019, the Water Bureau presented a revised budget of \$850 million. This stated number has a 30% possible downside, and a 50% upside. So, the \$850 million represents a number below the expected midpoint, and is better stated as the true midpoint of that range, which is \$935 million.

Returning to the original true estimate of \$425 million, the "new" number of \$850 ironically represents twice the original estimate, thus the use of "double". The possible 50% upside of \$850 million means the total project cost could be \$1.275 billion. \$1.275 billion is exactly 3 times the original estimate of \$425 million, thus the use of the term "triple".

Terminology is important in true understanding. We can use numbers to misrepresent truth, or we can state it openly. In this case, what you are being asked to do is approve a budget that is triple the original estimate.

When is this project "too expensive"?

Public Policy and Legacy

Today, this Council will make an important decision about a key piece of Portland's future. This public policy decision will become part of the history of Portland politics and administration.

Recently, the City undertook a major modification of the sanitary sewer piping systems. The disparity between the budget estimates and actual costs were significant. The project became known as the "Big Pipe", and use of that term is now used to describe a public project that is unduly expensive.

Ironically, the Council again faces a major decision that involves pipes. In this case, the budget has gone rampant over the past year, with plenty of warning signs that it will rise even higher. It's conceivable that the Bull Run Filtration project could exceed the costs of the "Big Pipe". Many already express the BRF as a "1 billion dollar facility".

Part of your legacy as Portland's primary decision makers will be this decision. Have the projected costs yet reached the point that you are concerned? The recent addition of \$200 million of water conduits demonstrated an aspect that wasn't included in the original cost estimates, and the overall facility costs increased by a similar amount (from \$425 million to \$650 million).

Are there other unforeseen costs for roadway improvements, court challenges, etc.? How much higher will the budget rise?

One final thought: What colloquial term will be used to describe the BRF moving forward? Maybe it will have multiple meanings as well, and be called something like the "Bull Pipe"?

Alternatives to the Bull Run Filtration Facility

At one of the recent Council meetings, Commissioner Fish essentially challenged someone providing public testimony to "come up with an alternative" to the BRF. It was a great point, and the Water Bureau's own historical documentation clearly demonstrates that a thorough evaluation of alternatives did not occur.

In point of fact, there are a myriad of possibilities. The formal decision-making processes that the City and Water Bureau have conducted over the past 20 years were limited in scope, and focused on the belief that one primary facility was the best answer. In some instances, the criteria and scoring were modified to elevate preferred alternatives.

In the interests of saving a billion dollars, perhaps other, multi-facility solutions should be considered. UV treatment at Headworks, and chemical treatment at Lusted Hill and other downstream, existing facilities? Are there other combinations of facilities that would function well together to accomplish the needed objectives, and not severely burden Portland ratepayers? We don't know, because these solutions were not considered.

Powell Butte was selected by a formal board that took 2 years to make a decision (back around 2001). Yet that facility was summarily rejected because of fear related to politics and neighborhood challenges. Given that the water system was historically designed with Powell Butte as the hub, does it not make sense to give it due consideration? An industrial facility within the City Limits and UGB of the constituency it serves?

If the Bull Run Filtration facility is good public policy, it is worth going through the citizen involvement process, and the potential challenges to demonstrate to the Portland constituency that it is good public policy.

The current project location at Carpenter Lane relieves much of the public pressure, and allows the City to move forward with challenges posed by voters. Portlanders won't really know about the BRF until they see it on their water bills.

Respectfully submitted,

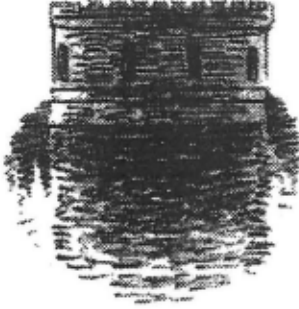
Linda Leathers
Brent Leathers

Moore-Love, Karla

From: floy jones <floy21@msn.com>
Sent: Tuesday, November 12, 2019 3:59 PM
To: Council Clerk – Testimony; Moore-Love, Karla
Subject: Bull Run treatment items 1046, 1047
Attachments: Bull run treatment plant cost escalation.pdf; City Council, No Treatment Plant.pdf

Floy Jones letter to City Council addressing Bull Run treatment
November 12, 2019
Attached find July 2017

Please acknowledge receipt and distribution
Thank you!



FRIENDS *of the* RESERVOIRS

Citizens joining to protect Portland's historic reservoirs and water system

3534 S.E. Main Street, Portland, OR 97214 www.friendsofreservoirs.org

www.lists.pdx.edu/mttabor

November 12, 2019

Mayor Ted Wheeler and Commissioners Fritz, Fish, Eudaly, and Hardesty
1221 SW 4th Ave
Portland, Oregon 97215
Sent by e-mail

Dear Mayor Wheeler and Commissioners,

Re: Bull Run Treatment Plant cost escalation
Items 1046, 1047

As the Friends of the Reservoirs warned City Council in our July 31, 2017 letter (attached, please read) " How can a rushed risk probability and cost analysis be trusted." Clearly, it could not be trusted, as evidenced by the Portland Water Bureau's September 19, 2019 revelation that their \$350-\$500 million filtration plant estimate absurdly did not include piping water to the plant. Their estimate has increased to \$1.25 billion.

City Council should not only be outraged by, and take action against, the deceptiveness of the Water Bureau with regard to omitting piping in their 2017 presentation to Council, but also regarding their slipping in a second treatment, Ozone, at the September 2019 worksession. Does City Council not understand that Ozone, like the least expensive Chlorine Dioxide and Ultraviolet Light Radiation (\$16 million spent to date) is an EPA LT2 alternative compliance option. All of the alternative compliance options are by far less costly options to filtration?

Bottom line is that out-of-control engineers and their associated global engineering firms have hijacked Portland's water system.

Any analysis of treatment options whether minimal or "robust" should have and must involve checking the facts via official documents, not spin in service of the most costly and onerous filtration option. Neither turbidity, earthquake, fire, or water demand are reasons for building a chemical adding filtration plant. If you read the monthly reports to wholesale customers that include monthly and annual turbidity graphs or the Bull Run treatment quarterly reports to the Oregon Health Authority you know that **turbidity** remains consistently low, often below 1NTU, and well below the action level of 5NTU even during heavy rain events. While population has increased for decades water demand has declined as Water Bureau documents confirm. Annual rain totals in Bull Run far exceed those in the surrounding region and major fires clog filtration plants.

In August 2017 we submitted email questions to the Water Bureau (Gabe Solmer) regarding their chart of hypothetical benefits of filtration. The Water Bureau assigned no dollar amounts to

filtration “benefits”? We asked “ **What are the \$\$ calculations for each of the items in your “benefit” chart and how to did the Water Bureau estimate them?**” For example we asked for the annual operating and maintenance costs for chemical-adding filtration, comparing that to the annual cost of use and maintenance (which will continue to occur each year) of the Columbia South Shore Wellfield. We received no response. Have these questions been answered for City Council and why can the public not see this information prior to a decision.

The public also has never been afforded the opportunity to examine nor has Council ever openly discussed the ratepayer financed CH2Mhill report on the potential public health impacts associated with filtration chemicals including cancer-causing acrylamide, alum, and aluminum. Filtration plants are for polluted watersheds not the uniquely pristine Bull Run. Why would we want to introduce known cancer-causing chemicals?

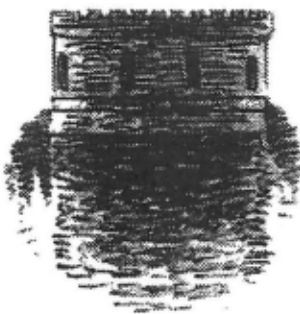
Over the last decade water rates have become unaffordable for the middle class, but it is future generations that will really suffer if the Council approves proceeding with building a Bull Run filtration plant. Filtration not only provides no measurable public health benefit, but introduces unnecessary cancer-causing chemicals and makes water rates even more unaffordable for the struggling middle class. What an awful legacy for those who started us down this path and for those who vote to open ratepayer's checkbooks to out-of-control engineers.

We did not support building a filtration plant when the cost was as high as \$350 million to \$500 million thus we certainly do not support building such at the cost of \$1.25 billion (which will nearly double with debt service). Chlorine dioxide is a simple, low-cost LT2 alternative compliance option.

Sincerely,

Floy Jones

cc
Attachments



FRIENDS *of the* RESERVOIRS

Citizens joining to protect Portland's historic reservoirs and water system

3534 S.E. Main Street, Portland, OR 97214 www.friendsofreservoirs.org

www.lists.pdx.edu/mttabor

July 31, 2017

Mayor Wheeler and Commissioners Fish, Fritz, Saltzman, and Eudaly
1221 SW 4th Ave.
Portland, Oregon 97215
Sent by e-mail

Dear Mayor Wheeler and Commissioners,

Re: Recommendation for protecting Bull Run

City Council must not rush to a Bull Run treatment decision on August 2 when that decision could monumentally alter Portland's pure Bull Run water and watershed. Dates for a decision are arbitrary and should be pushed back.

Thoughtful consideration must be given to the successful alternative compliance options pursued by NYC and Boston, and to the negative implications associated with any treatment plant. In deciding what course to take City Council must support sound science and make evidence based decisions. Sound science and the evidence supports avoiding building a treatment plant, avoiding spending precious ratepayer dollars on a problem that does not exist.

EPA's flawed-from-the-start regulation the LongTerm2 Enhanced Surface Water rule known as LT2 was responsive to the failure of Milwaukee, WI's costly, state-of-the art filtration plant to protect against infectious species of *Cryptosporidium* and other contaminants from human and cow waste present in their highly polluted watershed. A filtration plant will not protect against the hypothetical massive landslide, it will clog, just as it did in Milwaukee. Filtration plants often must be shut down not only with high turbidity but with massive fires.

Tens of thousands of hours of comprehensive research over 16 years including review of volumes of Portland Water Bureau and EPA files, communication with other utilities, public health officials, and the EPA leads Friends of the Reservoirs to conclude that "if money were no object" we would not support adding risky chemicals like acrylamide, alum, aluminum and polymers to our water (\$500 million) nor would we support introducing mercury to our watershed with bulbs known to break, with construction of multiple buildings including a waste-water facility and logging (CH2Mhill design \$105 million). These facilities will provide no measurable public health benefit and will make already burdensome water bills further skyrocket. Filtration will

negatively alter the taste and composition of our water, and risk opening the watershed to human activity, and thus contamination including logging. Both facilities increase Portland's carbon footprint. There is sludge removal and very high maintenance costs with filtration.

The reason 90% of large systems have chemical-adding filtration plants is because of their polluted watersheds. Bull Run is the nation's only federally protected watershed, with protections achieved by citizen activists and supported by our Congressional delegation.

Huge sums of Portland ratepayer dollars have already been invested in numerous emergency backup systems (detailed in attachment). How many emergency backups for so-called "resiliency" must Portland ratepayers finance? Wholesale customers pay nothing during design and construction of projects; the burden falls solely on Portlanders. Citizens are already suffering the many consequences¹ of the \$440 million spent on the onerous LT2 "treat or cover" reservoir requirement wherein the Water Bureau reduced in town storage capacity by 50 million gallons. Compare to Rochester, NY where they are retaining two 30-year older historic open reservoirs, spending only \$22 million deferred until 2022. How can a rushed risk probability and cost analysis be trusted? TVWD expressed the same sentiment at the June wholesale customer meeting.

For 125 years Portland's world class, minimally treated Bull Run system has provided, safe, clean, and until a decade ago affordable drinking water. There has never been disease in the community from Bull Run drinking water and no infectious species of *Cryptosporidium* have ever been detected in Bull Run water. According to scientific study utilizing an improved sampling method conducted by the American Water Works Association Research Foundation (AwwaRF 3021) Portland and all utilities Portland participating in the study already meets the goal of the rule which is to reduce the level of disease in the community. Robust disease surveillance data confirms a lower level of disease in the community than usual during the period of the Portland Water Bureau "detects".

The vast majority of *Cryptosporidium* species are harmless, noninfectious to humans. All significant disease outbreaks are related to two species, *C. hominus* and *C. parvum*. These species are associated with waste produced by humans and domesticated animals like cows. Baker City's outbreak was caused by cows in their watershed.

Why risk the ills that come with a chemical-adding filtration plant or a watershed UV Radiation facility when there is no evidence to support such? Before a Council decision the public should have opportunity to read the PWB and consultant co-authored paper, *Balancing Risk versus Benefit in the Selection of Equipment for Portland's Bull Run UV Disinfection Facility*. This paper outlines the risks of mercury bulbs breaking in Bull Run. It was presented at an industry conference in Paris but never released to the public. Ratepayers should also have access to the ratepayer financed CH2Mhill report on potential public health impacts associated with filtration

¹ Significant rate increases, massive debt, waste of the more than \$23 million for 2010 open reservoir upgrades (Slayden Corp contract), CSSWF Radon now vents into homes, schools, businesses, hospitals, \$170 million CH2Mhill designed Powell Butte II tank had massive number of cracks and leaking enough to fill Olympic-size pool daily at startup, demolition of two of the City's most significant historic resources in order to reduce storage at Washington Park by 50%, cancer-causing Nitrification, a known problem in covered storage is now an issue in Portland's system as reported at a wholesale customer meeting, creation of a 25 year replacement cycle of buried tanks, all for no measurable public health benefit

chemicals. The public deserves opportunity to discuss these potential health impacts with the entire medical community before any decision is made.

A deferral like NYC's deferral until 2034 is compliance. New York secured and extended their deferral after detecting *Cryptosporidium* in their Hillview reservoir. OHA's David Leland previously advised that there is no limit to the number of requests Portland can make for a deferral. Why would you not take this path given the evidence? Boston won in court when the EPA tried to force them to build a filtration plant. Alternative compliance options can also be negotiated with the Trump administration. Senator Schumer is sure to help having successfully fought against the onerous requirements of this regulation for New York.

As has been advocated by others, we request that you secure a delay from the Oregon Health Authority enlisting the assistance of the Governor if necessary. Then secure **alternative** compliance that protects Portland's pure Bull Run water, avoiding projects that provide no measurable public health benefit. We will continue to be diligent watchdogs, working in service of our water system and ratepayer's pocketbooks. We look forward to working collaboratively with you in supporting sound science and evidence-based decisions.

Sincerely,

Floy Jones

On behalf of Friends of the Reservoirs

Cc

Attachments

ATTACHMENT

Decisions related to a Bull Run treatment plant should be made based on sound science and evidence, not flawed sampling methods and hypotheticals not supported by facts.

WATER DEMAND: PWB's 15-year-old climate change modeling of water demand has proven wrong for 15 years. The PWB's Water Usage Graph shows water demand declined every year between 1988 and 2006 while population increased. PWB water consumption data through 2016 shows water demand remaining low. The PWB's 2017 summer supply report says that since 2004 population increased by 18% while water demand declined by 13%. Tigard recently left our system. Tualatin Valley, a large wholesale customer has long indicated that they will be leaving Bull Run in a few years. Drinking water supply augmentation is needed relatively few times. More than \$440 million was spent to reduce in town storage by 50 million gallons via the elimination of open reservoirs (which held 50MG more water than the replacement underground tanks at Kelly Butte, Powell Butte and Washington Park) Portland is capable of conserving more than we do, if ever necessary.

TURBIDITY: Despite storm after storm this last winter, annual turbidity including during rain events was very low, below 1 NTU. The action level is 5 NTU. In 2015 turbidity was at or below 3 NTU including for 3 winter rain events. Turbidity related to human activity is less of a problem with the ratepayer financed decommissioning of the logging roads. Turbidity in 2012 was due to Water Bureau dredging in the watershed for a massively costly fish project, the Dam2 Tower.

How many emergency backup systems for so-called "resiliency" must Portland ratepayers finance?

MULTIPLE EMERGENCY BACKUP SUPPLIES EXIST ALREADY: Multiple backup supplies exist to address emergencies: Columbia South Shore Well field. Huge costs were incurred in building and cleaning up the CSS Well field so that it could serve as a backup when needed. Powell Valley wells were acquired in 2006. Other wells were acquired in the 1990's. Regional interties, linkage of several municipal distribution systems was developed in last decade (without any public involvement, considered top secret). Costly construction of a Bull Run dam2 variable intake structure to divert cold water for fish.

FIRE: Big fires in watersheds are most often caused by humans and human activity (construction). The largest and most devastating fires in the Bull Run watershed subsequent to human settlement were fires ignited by humans. The risk from a devastating fire has been considered so remote by the PWB that many of the community-suggested additional fire prevention measures were deemed unnecessary. Conversely, most catastrophic fires like major turbidity events lead to shutdowns of filtration plants. Keeping humans out of the watershed is the best protection against major fires.

Bull Run tours should be drastically cut if the PWB has any watershed fire or contaminant concerns.

FUTURE REGULATIONS: Evidence does not support the argument that construction of a filtration plant anticipates any future regulations. In fact, a filtration plant did not protect against

infectious species of *Cryptosporidium* in Milwaukee WI, the reason a costly treatment plant is being discussed today. Filtration plants also do not remove pharmaceuticals such as those found at the Columbia South Shore Well field (estrogen, psychotropics, pain killers etc.), the most likely target of future regulations. Watershed protections keep these contaminants out of Bull Run.

Those who planned our Bull Run system knew the risks of human entry in a drinking watershed of this importance. Avoiding human activity including construction in the watershed is the best protection against contaminants.

In that the PWB was the only utility seated at the EPA Federal Advisory Committee table crafting the LT2 rule, and that their water bonds indicate that they stay abreast of regulations, they would know of any regulations on the horizon in the next 15-20 years. EPA has yet to promulgate regulations they had on the books for future promulgation 25 years or more ago.

Milwaukee, WI's outbreak which involved a costly state-of-the-art filtration plant took place nearly 25 years ago.

EARTHQUAKE: A filtration plant located in Gresham is likely to be damaged in an earthquake as will conduits and pipes rendering a filtration plant useless.

Portland Utility Board

November 5, 2019, 3:30 pm
1900 SW Fourth Avenue, 1900 Building, 2500C
Meeting #74

Attendees:

PUB Members: Ana Brophy, ex-officio
Brian Laurent, ex-officio
Dory Robinson, co-chair
Heidi Bullock, co-chair
Kaliska Day (arrived ~3:37)
Karen Y. Spencer (by phone)
Karen Williams (arrived ~3:35)
Mia Sabanovic
Micah Meskel
Robert Martineau
Sara Petrocine, ex-officio

Absent:

Ted Labbe*
Gabriela Saldaña-López

*Notice of absence provided prior to meeting

Staff:

Amy Archer-Masters, Portland Utility Board Analyst, City Budget Office
Asena Lawrence, Senior Policy Advisor, Commissioner Fish's Office
Bonita Oswald, Senior Communications Specialist, Portland Water Bureau
Cecelia Huynh, Director of Finance and Support Services, Portland Water Bureau
Cristina Nieves, Senior Policy Advisor, Commissioner Fritz's Office
David Beller, Financial Analyst, City Budget Office
David Peters, Program Manager, Portland Water Bureau
Dawn Uchiyama, Deputy Director, Bureau of Environmental Services
Eliza Lindsay, Portland Utility Board Coordinator, City Budget Office
Gabriel Solmer, Deputy Director, Portland Water Bureau
Jon Holland, Program Manager, Brown and Caldwell
Jeff Winner, Capital Improvement Program Planning Supervisor, Portland Water Bureau
Jonas Biery, Business Services Manager, Bureau of Environmental Services
Yung Ouyang, Senior Financial Analyst, City Budget Office

Public:

In total there were very approximately 10-12 members of the public in attendance. Those who signed in by name include:

Amanda Rolan

Carol Cushman, League of Women Voters
Brent Leathers
Dee White
Kevin Hanway
Linda Leathers
Pat Meyer

Synopsis, Action Items, Decisions

In these notes the acronym, PUB, stands for the Portland Utility Board; BES for the Bureau of Environmental Services, and PWB for the Portland Water Bureau.

The PUB had a brief discussion of a potential game plan for this year's budget season – focus on a few high priority program offers in-depth rather than a shallower review of all program offers. There was general agreement to further explore this approach.

ACTION ITEM In reviewing the summary list of program offers PUB requested additional information. This included: (a) whether the program offer was connected to a strategic plan or other plan, i.e., if it advances a broader goal; (b) if the program offer is a one-time ask or wrapping-up (so ask goes away) or just starting; and (c) listing of associated performance measures.

ACTION ITEM Request for background context of summary list of program offers from PWB like that provided by BES.

The bulk of the meeting was devoted to the Bull Run Filtration projects and the draft Resolution slated to go to City Council the following Wednesday, November 13th. There was agreement to respond to the Resolution. The PUB's response was developed by walking through the Resolution, straw polling on various proposed comments, value statements, and recommendations, in order to generate a final motion for vote. Of note was the fact that while the PUB could reach agreement on various recommendations regarding expectations and values for the project going forward; general agreement on a design-build recommendation could not be reached despite much thoughtful discussion.

VOTE to draft a letter to Council in response to the Resolution that would include comments based on acceptance of the straw polls with majority yeses from the Resolution walk-through. (See below notes for the **STRAW POLL** details.) Those in favor of the motion included: Dory Robinson, Heidi Bullock, Kaliska Day, Karen Y Spencer, Karen Williams, Mia Sabanovic, and Micah Meskel. Abstaining: Robert Martineau.

Heidi and Karen W. volunteered to work with PUB staff to craft the final letter to Council.

I. Call to Order

The co-chair called the meeting to order at approximately 3:30 p.m.

II. Disclosure of Communications

Mia had a short conversation with PWB staff regarding the filtration project in order to better understand the history.

Rob had communication with Paul Willis an affected neighbor of the Carpenter Site. Rob asked if Paul wanted to share his comments as public comment. Paul said yes, that was fine. Since this all happened today, Rob has emailed Paul's written comments to PUB staff for distribution.

Micah had several conversations with PPR staff regarding Title XI protections, BPS regarding the climate emergency declaration, and BDS regarding the tree code. Micah also shared that he has moved out of the PWB service area, though his work still overlaps.

III. Public Comment

The co-chair invited public comment, noting a limit of 3 minutes per person and a total of 15 minutes of public comment during the meeting. She also explained that prior to any vote there would be an opportunity for public comment.

Verbal comments covered a variety of concerns about the impacts of the filtration project including impacts to rate payers, concerns about loss of wholesale customers, land use related issues and changes to the rural landscape, safety issues related to traffic and chemicals, issues of lead in water, general accountability issues, and issues with the original notification process. Those commenting include: Brent Leathers, Linda Leathers, Amanda Rolen, Pat Meyer (Dee White read Pat Meyer's testimony on her behalf), and Dee White.

Staff circulated written comment that had been submitted for the meeting. Written comment connected to the meeting is included in Addendum A.

IV. Report back from PUB staff conversation with City Attorney

PUB staff reported back from conversations with the City Attorney. The City Attorney is impressed by the PUB and noted that the PUB is an extremely conscientious City advisory body in respect to things like conflict of interest and deliberation. The City Attorney shared that the PUB can use all kinds of interactive meeting formats such as break-out sessions. What is required is advance notice to the public regarding meeting format. PUB staff shared that this could increase the opportunities for community engagement at PUB meetings.

The City Attorney also shared that best practice for meeting minutes is for them to be summary. If more detail is desired, the City Attorney suggests using an audio recording for meeting minutes. The ease of using audio versus the accessibility issues it raises were discussed. PUB staff suggested that if an audio recording was used for the meeting minutes then transcription and the budget for it should be available in order to ensure accessibility. PUB staff also shared that, even though it takes work, they recommend continuing with written summary meeting minutes. These written summary notes provide an easily understood record of key items and decisions from the meeting. If PUB wants more detail than both summary written notes and the audio could be used.

PUB staff noted that other items related to public meetings were discussed with the City Attorney. In the interest of time these can be covered as they come up or at a future meeting.

V. Prior Meeting Minutes

The draft meeting minutes from September 19, 2019, October 1, 2019, and October 17, 2019 circulated ahead of time were reviewed.

The minutes with revisions were accepted.

VI. Budget Season Preview

Materials discussed can be found [here](#).

The co-chairs reported back on their budget season planning meeting with bureau staff. The co-chairs and bureau staff developed a proposed game plan for the budget season: Select a few high priority program offers to dig into more deeply, rather than attempt to cover all program offers shallowly. The hope is that this will allow the PUB to effectively give more impactful budget feedback. It should also help the bureaus in determining what information to provide PUB and in efficiently using their time to do so. To start the process the co-chairs asked the bureau staff to provide a high-level summary list of program offers that highlights important changes, hot topics, and potentially large equity impacts in order to help the PUB prioritize program offers to focus on. This list is meant to be a summary. Additional information about any program offer can be found in the multi-page program offer documents.

There were questions about how the City Budget Office (CBO) connects with this work and can CBO present information differently. It was noted that Citizen's Utility Board's (CUB's) take is of value as well. The PUB will still get the overall budget information including FTE details etc., and the feeling was that focusing on this as in the past was perhaps not the most effective and efficient use of time and energy. A PUB member cautioned against using FTE by itself as a performance metric; rather than seeing it as a direct extension of a program offer needing the FTE.

There was general agreement to further explore this approach to the budget.

ACTION ITEM In reviewing the summary list of program offers PUB requested additional information. This included: (a) whether the program offer was connected to a strategic plan or other plan, i.e., if it advances a broader goal; (b) if the program offer is a one-time ask or wrapping-up (so ask goes away) or just starting; and (c) listing of associated performance measures.

ACTION ITEM Request for background context of summary list of program offers from PWB like that provided by BES.

VII. Bull Run Filtration Projects – Quick Updates

PUB staff provided updates on things that happened since the last meeting. Council approved the purchase of the property on Carpenter Lane. The draft Resolution has been updated since the one shared via email last Friday and the new version was passed out. It was noted that the option recommended in the Resolution is a hybrid version between the three options previously shared with Council and PUB. The major difference between the recommended option and the full option is in the first column around capacity needs; the current recommendation is for 145 million gallons per day (mgd), rather than 160 mgd. The pipe numbers have also gone back and forth. In the current Resolution the recommendation is back to two in and two out.

PUB staff suggested using color coded cards for voting or straw polling on complex issues. Green is yes, Red is no, and Orange is I am undecided and need more information to make a decision.

The group reviewed the individual answers to the pre-meeting prep questions, noting where there was agreement and disagreement.

A series of **STRAW POLLS** of voting PUB members was conducted:

- Comment on the Resolution – All Yeses.

- Comments to include expectations and values for the project going forward – All Yeses.
- Polls on whether to give a design-build recommendation and/or comment on the Resolution’s recommended option and if so what to say had the least agreement.
 - Everything from recommending minimal to full implementation to going back to the foundational decision of whether to build filtration or something else came up.
 - The group was straw polled twice on whether they wanted to include a design-build recommendation in their comment on the Resolution. The first time there were 2 Nos and lots of questions. The second time the poll was evenly split.
 - The PUB also tried polling on individual components, e.g., 145 mgd or 160 mgd. This took time and considerable discussion of technical details and was inconclusive, so the PUB stopped polling individual components to focus on other aspects of the Resolution.
- The PUB was also asked to poll on what was more important to comment on, i.e., if they only had time to comment on either what to design-build or the expectations and values going forward which would it be. This poll did not happen instead a discussion ensued about the difficulties and struggles in commenting on what to build.

VIII. Break

IX. Continued deliberation and vote on response to Resolution

After the break the PUB reconvened with the goal of (a) walking through the draft Resolution and providing responses to various value statements and recommendations in the Resolution and then (b) discussing any desired general statements from PUB and potential inclusion of individual PUB member statements.

The version of the Resolution the PUB discussed and responded to can be found [here](#).

NOTE: The draft Resolution is a quickly evolving document. The version provided on the Friday before the meeting, was updated by the time of the meeting Tuesday. The version the PUB discussed at their meeting was later updated for the City Council meeting the following Wednesday.

NOTE: One PUB member had to leave for some minutes during the walk-through and missed some of the straw polls. However, based on the majority margin, the results weren’t affected.

Discussion of individual clauses of the draft Resolution

Clause: “WHEREAS, City Council and the Water Bureau strongly consider costs and benefits of investments to increase system resilience;”

Some PUB members shared that the cost benefit analysis that fed into the original decision was based on partial data. PUB discussed how the current cost benefit analysis is unclear, the need for cost benefit analysis throughout the project, and the need to communicate context and background assumptions.

STRAW POLLS of present voting members:

- Recommend cost benefit analyses throughout the project – All Yeses.
- Include background assumptions and context with each cost benefit analysis so all audiences can understand what contributed to bureau decisions – All Yeses.

Clause: “WHEREAS, the Project must be implemented in a manner that is sensitive to community and environmental impacts;”

PUB discussed the lack of specificity in this clause. It was felt that more specificity was needed in order to understand how it will be accomplished. Suggestions of specifics included action to protect animal and plant life, attention to both short and long-term impacts, mitigating visual and noise intrusion, evaluating impacts on property values, and ensuring effective community involvement and consideration.

It was discussed that to do so requires a significant time investment and robust community engagement with neighbors beyond the site advisory group and with the broader community. Some suggestions of expanded community engagement included: communications with watershed councils, an ombudsperson for neighbor complaints throughout the process, and low-income and renters focus groups.

The possibility of a community benefits agreement was also discussed. Ideas for the agreement included: use of facility space for community meetings; mitigation of potential impacts to wells in the area; use of renewable energy and energy efficiency at the facility; employment and job training opportunities; improvements to transportation infrastructure, particularly infrastructure impacted by construction; attention to minimizing night light pollution; interactive educational opportunities at the facility; and a buffer around the facility to limit visual and environmental impacts. It was noted that the community benefits agreement should be based on what the community wants, i.e., the community may not be interested in all the things PUB has mentioned.

STRAW POLL of present voting members:

- Include a general statement about community and environmental impacts and the need for robust community engagement as well as the specific suggestions – All Yeses.

Clause: “WHEREAS, the Recommended Option includes...” [a list of components follows in the Resolution]

Just as prior to the break, the PUB could not come to agreement on whether to give a design-build recommendation and/or comment on the Resolution’s recommended option and if so what to say. Some members felt obligated to comment; others did not. Some did not agree with the constraints placed on the decision and felt the foundational decisions, including what to build, should be reconsidered. Discussing and making a recommendation on the individual components of the filtration plant vis-à-vis the project values was also considered. It was noted that this was a lot to do in a little time given the technical complexities and the lack of consensus among the group. There was significant discussion about the fact that little time and information had been given, making the task extremely difficult and that it felt unfair.

STRAW POLLS of present voting members:

- Include in recommendation that there was insufficient information and time for the PUB to make a recommendation – 6 greens, there was majority support for this to proceed.
- Include that PUB does not agree with the constraints of the decision – 3 Yeses, 3 Nos, 1 undecided – There was no majority for this to proceed.
- Include that there was not unanimity that the decision needed to be made within the given constraints and that some members felt the foundational decisions should be revisited – All Yeses.

Clause: “WHEREAS, the Recommended Option will best advance the Water Bureau’s ongoing efforts to provide a more resilient system;”

There was a discussion of reliability versus resilience and whether reliability was a better term. It was noted that overall system resiliency is different than individually resilient components. Some PUB members also expressed concern about the term ‘best’ in this clause and the next.

The discussion did not lead to a proposed comment on this or the next clause.

Clause: “BE IT FURTHER RESOLVED, City Council directs the Water Bureau to continue working with the Site Advisory Group to reduce Project impacts on the local community;”

There was general agreement that PUB should be added to this clause.

STRAW POLL of present voting members:

- Request adding PUB to this clause – All Yeses.

Clause: “BE IT FURTHER RESOLVED, City Council directs the Water Bureau to provide annual updates to Council as the Project is implemented.”

There was discussion that (a) PUB should be added to this clause; (b) that communications should be more frequent than annually; and (c) that this should be not just information sharing but also engagement with the PUB in its role as an advisory body; i.e., seeking advice and input from PUB.

STRAW POLL of present voting members:

- Request (a), (b), and (c) changes to this clause – All Yeses.

Additional comments

There was general concern that the costs be monitored and controlled. There was concern that acceptance of this project not be taken as an open checkbook or acceptance of the highest estimated cost.

STRAW POLL of present voting members:

- Recommend costs be monitored and controlled – 7 yeses, there was majority support for this to proceed.

There was also concern than the filtration project might push out other worthwhile projects and there was a desire for balance. PWB staff mentioned that trying to do the filtration project while not pushing out other worthwhile projects might conflict with the Mayor’s budget guidance.

STRAW POLL of present voting members:

- Recommend attention be paid to balancing the filtration projects with other worthwhile projects – 7 yeses, there was majority support for this to proceed.

The idea of including individual PUB member statements in the response letter was briefly discussed. It was decided that individual statements and general statements were no longer necessary as the core issues folks wished to communicate at this time had been covered in the walk-through.

Vote

Motion

Karen Williams made a motion to accept the straw polls with majority yeses from the Resolution walk-through as the basis of the PUB's letter City Council in response to the Resolution. The motion was seconded by Heidi.

The majority yes items from the straw polls include:

- Recommend cost benefit analyses throughout the project – All Yeses.
- Include background assumptions and context with each cost benefit analysis so all audiences can understand what contributed to bureau decisions – All Yeses.
- Include a general statement about community and environmental impacts and the need for robust community engagement as well as the specific suggestions – All Yeses.
- Include in recommendation that there was insufficient information and time for the PUB to make a recommendation – 6 greens, there was majority support for this to proceed.
- Include that there was not unanimity that the decision needed to be made within the given constraints and that some members felt the foundational decisions should be revisited – All Yeses.
- Request adding PUB to the clause that talks about working to reduce impacts to local community – All Yeses.
- Request PUB be added to the clause talking about annual reports, that communications with PUB be more frequent than annually, and this should be not just information sharing but also engagement; seeking advice and input from PUB – All Yeses.
- Recommend costs be monitored and controlled – 7 yeses, there was majority support for this to proceed.
- Recommend attention be paid to balancing the filtration projects with other worthwhile projects – 7 yeses, there was majority support for this to proceed.

Public Comment

The floor was opened for public comment. Those commenting included Carol Cushman who commended the board on their process and recommended a yes vote and Brent Leathers who also commended the board for their work. Brent urged the board to emphasize the cost to rate payers, explained that many people had withdrawn from the PWB Site Advisory Group, and added that a sound system might help some folks hear the work of the board better.

VOTE

Those in favor of the motion included: Dory Robinson, Heidi Bullock, Kaliska Day, Karen Y Spencer, Karen Williams, Mia Sabanovic, and Micah Meskel.

Abstaining: Robert Martineau

Wrap Up

Heidi and Karen W. volunteered to work with PUB staff to finalize the letter.

--DRAFT--

Due to the intensity of the meeting and the limited time the wrap-up was very short and did not include next steps or future meeting topics.

The meeting adjourned at approximately 6:36 p.m.

DRAFT

Addendum A: Written public comment shared at or prior to the meeting.

Written comment shared at the meeting:

- Written comment from Citizens for Rural Peaceful Living to accompany verbal testimony from Brent Leathers and Linda Leathers.
- Written comment in support of Pat Meyer's verbal testimony (read by Dee White on Pat's behalf). Note: Pagination as received.
- Written comment in support of Dee White's verbal testimony.
- Written comment from Len and Gloria Otto 11-5-19, emailed to PUB staff to submit to PUB.
- Written comment from Kori Tooke, emailed to PUB staff to submit to PUB.
- Written comment from Lorie McFarlane, emailed to PUB staff to submit to PUB.
- Written comment from Paul Willis shared with PUB member, Rob Martineau, to share with entire board.

Written comment shared prior to the meeting:

- Written comment from Colleen Johnson, circulated via email prior to the November 5th, 2019 meeting and which was desired to become part of the meeting record.

Note: Individual comments are separated by a blank page.

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Possible Questions for the Public Utility Board to Ask of the Water Bureau

The following is a list of questions that may be helpful to the Public Utility Board in their efforts to understand and evaluate the proposed Water Bureau "Bull Run Filtration" facility.

1. Is the Bull Run Filtration ("BRF") project moving ahead regardless of cost?
 - a. At what number does the cost dictate a return to the decision process and criteria?
 - b. When the City Council approved the \$350 to \$500 million budget range on December 12, 2018, what was the most likely cost? Stated another way, which number should be used to compare the current cost estimates?
 - c. Some would claim that the midpoint in that range (\$425 million) is the "most likely outcome" and most reasonable to compare to; what would you respond to that?
2. Is it true that for almost 20 years, federally-mandated Cryptosporidium treatment has been the focus of the Water Bureau and many Council-appointed committees and citizens groups (which have included folks like Serena Cruz and Bud Clark)?
 - a. Has there been a recent shift in emphasis from Cryptosporidium treatment to turbidity and a variety of potential disasters (forest fire, earthquake, global warming, volcanic eruption)?
 - b. Why the change in emphasis/direction?
 - c. If turbidity, natural disasters, and global warming are key factors to improving the water system, isn't that an argument for a slower, more involved process that incorporates the public and key decision-makers in the evaluation of these concerns?
 - d. Following on the heels of the cost overruns of the recent "big pipe" project, would the Portland constituency be more satisfied with cautious decision-making?
 - e. If decision-makers allow "disasters" to influence their thinking, which "disaster" is more likely, an earthquake or a too-expensive public project?
3. When the decision for filtration over UV treatment was made, the cost estimates were \$350 to \$500 million for filtration, \$105 million for UV, is that correct?
 - a. Would it be correct to assume that the UV system at Headworks (previously designed and paid for by the PWB), would experience a similar percentage cost increase?
 - b. Given that UV at headworks does not pose the same need for 5+ miles of new water conduits, does the UV system that PWB paid for make more sense?
 - c. What would PWB staff estimate the revised cost for UV implementation?
 - d. Is Clackamas County where the Headworks facility is located? Are "water treatment facilities an outrightly-allowed use in that zone?
 - e. Was one of the PWB's primary four key pass/fail criteria in considering/rejecting facility sites proximity to the existing water conduits (with the criteria set at 1 mile)?
 - f. How many miles of new water conduits will be installed as part of the current Water Bureau proposal?

4. Is the cost increase to residential ratepayers from the revised BRF costs \$10.91/month starting in 2027/28?
 - a. Does this projection presume "best case" scenarios regarding facility construction costs, unforeseen costs, and withdrawal of wholesale customers?
 - b. What are the residential rate increases assuming some "worst case", or at least, "less-than-ideal" scenarios?
 - c. Has PWB reached out to its wholesale customers to ensure that they will partner in the investment recapture of the Bull Run Facility?
 - d. Which wholesale customers have confirmed that they will be with the Portland Water Bureau after 2027?
 - e. What if the monthly rate increase to Portland ratepayers if most of the wholesale customers develop their own drinking water sources?
5. Is it true that the investment at Carpenter Lane is predicated upon a conditional use, not a use outrightly allowed by Multnomah County land use law?
 - a. Does the Water Bureau consider the Conditional Use process at Multnomah County to be a risk?
 - b. How does the risk of Conditional Use approval at Multnomah County compare with the possible risk of the same facility at Powell Butte?
 - c. Part of the land use criteria the PWB must meet is that the proposed use "is consistent with the character of the area". How will the Water Bureau demonstrate that the Bull Run Facility is consistent with the criteria for rural residences and farmland?

Respectfully submitted,

Brent & Linda Leathers, Carpenter Lane residents

November 5, 2019

Thank you for the opportunity to speak today. I want to start by saying my comments are not meant to be offensive or presumptive, but simply direct. The 3-minute time limit, and lack of dialogue with the PUB members necessitates very direct statements.

I read the minutes from one of the prior meetings, and noted a comment that the PUB members should be cautious in considering information from a self-interested group such as our own, this Citizens for Peaceful Rural Living. That is fair and judicious. However, I would like to say that a handful of us have invested a considerable amount of our time reading the Water Bureau's historical documentation, and have gone to many public meetings, and generally gotten educated about the issues at hand. Some of the testimony you hear from us could well be your most effective counterbalance testimony.

It seems to me that one of the difficult tasks your Board is faced with includes the necessity to look over the shoulder of the City Bureaus and ask yourself if they are providing objective information. That is a difficult task, given that the Bureau is the technical expert, and has spent thousands of hours and tens of millions of dollars to craft their current perspectives.

In your role of evaluating a Bureau's proposed expenditures, you are faced with the task of evaluating the Bureau's "thinking". You are attempting to determine if the City's money is being spent wisely.

From our observations at meetings and interactions with the Water Bureau and City Council, we see clear indications of "groupthink". As you know, groupthink is a common phenomenon that occurs when a group gets hyper-focused. One of the symptoms is an unwillingness to consider alternatives. Have you observed any such indicators? We believe that we have, and hope that you have noticed as well.

Here are some examples to consider:

1. In order to evaluate the impacts to ratepayers, you've been presented with a monthly ratepayer increase of a bit under \$11.00 month. Is this calculation based upon absolute "best-case" outcomes for construction costs, no litigation, county approval of a conditional use, no loss of wholesale customers? What would a "worst-case" or even "middle-of-the-road-case" look like in monthly increases to ratepayers? Why do we not look at that kind of data?
2. When asked about loss of wholesale customers, which represent approximately a third of the water use and thus a third of the distribution of the capital expenditure recapture, the Water Bureau has stated they have no indication of any wholesale customer that will leave the system, except Tualatin Valley, which is largely gone already. I sit before you today, and attest that I personally have had conversations with decision-makers in other jurisdictions who plan to develop their own groundwater systems and not renew their contracts with PWB when the Bull Run Facility costs are added to the cost of water. In short, surveying their wholesale customers and providing that information to key decision-making groups like yourselves should be part of responsible evaluation. You should have before you positive affirmations that your current wholesale base will remain largely intact, to reduce the financial impacts to the ratepayers you represent.
3. The City Council approved a budget of \$350 to \$500 million on December 12, 2018. Less than ten months later, that number was revised upward to \$850 million. The Water Bureau admitted this number may be 50% higher, or \$1.275 billion. There has been passionate debate with at least one City Commissioner if use of the term "triple" is appropriate. Let's

walk through the math: When a range is expressed as an estimate, the most likely outcomes are at the center of that range. In this case, it is \$425 million. The \$850 million ironically represents double that number, and the additional 50% is precisely triple that "middle of the range" number. Why are we debating the use of terms, especially when they are accurate? Is it because they have political and media consequences? To take the math further, let's use the \$500 million as our base, and compare it to the upper limit. It still results in a cost that is 255% above the originally-approved budget.

4. All of the expenditures, some of which is already spent, and more when the design contract is approved in a few weeks, is predicated upon a Conditional Use in Multnomah County. One of the primary conditions is that the proposed use, "...is consistent with the character of the area". Is a 40-acre industrial complex consistent with rural farming and residences?
5. To build upon that previous point, Powell Butte was rejected from consideration because, "...Powell Butte land use reviews in the past have been appealed to LUBA by the neighborhood associations and other public members..." and, "These risks could significantly delay site approval, permitting, and facility construction for years. Therefore, Powell Butte did not pass the schedule criterion." (from a Technical Memo dated 9-11-18, Section 5.5). The Bull Run Treatment Citizens Panel, empowered and charged with the task of selecting a site, spent about 2 years making their recommendations to the Council, and they selected Powell Butte. This decision by that commissioned panel was later countermanded over concern about land use, and here we are in a similar position, as this decision will be appealed, if it is even approved by Multnomah County. Again, I ask, why is the land use issue not being specifically mentioned as a "risk"? Doesn't the Water Bureau's past decision-making on Powell Butte demonstrate that they recognize the risk?
6. Portland purchased a design for a UV system to treat for Cryptosporidium. The cost estimate was one-third to one-fifth that of the original filtration plant estimates. Certainly, the cost for UV will have gone up. However, there won't be 5+ miles of new water conduits to construct, and the other risks are lower and/or non-existent. Does UV implementation provide a solution to the immediate problem, which is Cryptosporidium treatment, while the larger issues are considered more thoroughly by the community and decision-makers outside the Water Bureau and City Council?
7. We heard and it is documented in the PUB's meeting minutes that Commissioner Fritz feels the UV investment is "money down the drain". Yet the Water Bureau is investing similar amounts in the Lusted Hill facility to provide treatment to mitigate lead levels. The Water Bureau states that this Lusted Hill investment will be discarded in the event that the Bull Run Facility is constructed. How is this rationale different? Wouldn't the debt service on the billion dollar filtration plant pay the bulk of this investment in technology that Seattle and San Francisco use to kill Cryptosporidium?

We hope that these points, and other points the PUB has considered, compel the PUB to recommend a cautionary statement to the City Council. It is not too late to revisit the complex decision criteria to ensure that this Bull Run Facility, and the inherent high cost, are what the Council and its Portland constituency want to choose.

Respectfully submitted,

Brent & Linda Leathers, Carpenter Lane residents

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11/2/19

To:

Bonita Oswald, Portland Water Bureau
Amanda Fritz, Portland City Commissioner

Subject:

Suspension of Site Advisory Group Participation

Dear Ms. Oswald and Commissioner Fritz,

On October 3rd and 10th, Portland Water Bureau (PWB) held "Site Advisory Group" (SAG) meetings at Sandy High School. These were the first in a series of meetings planned by PWB to attempt to develop a "good neighbor agreement" with landowners impacted by the proposed water filtration plant near Carpenter Lane. PWB requested direct participation from those of us who own property that abuts the proposed site for the facility, and the meetings were also open to broader public participation.

Given what transpired at these first two meetings, many of the SAG participants believe these meetings are not appropriate at this time and participation is not in our best interest. We do not endorse construction of the water filtration plant. We believe conversion of agricultural and residential land to commercial/industrial is inconsistent with the character of our community. Moreover, there is insufficient empirical support for the project. When challenged about this issue, Commissioner Fritz acknowledged that the Bull Run reservoir does not have a *Cryptosporidium* problem, and indicated the filtration plant was necessary for other purposes (i.e. turbidity), which we found alarming. PWB has failed to be transparent with the public about the true purpose for the filtration plant, and PWB has not provided relevant data to support the need for the plant.

Our community was not given a genuine opportunity for open dialog during initial project planning and site selection. All major decisions including, the type of facility (filtration or ultraviolet light), site selection, and pipeline locations occurred without consulting our community. PWB's communications with us have been formulaic and disingenuous through the use of mailed fliers after critical decisions have already been made. Some of us have received eminent domain notices or easement access notices with no prior communication. Moreover, we have been treated poorly during initial phases of the site assessment, and PWB staff and contractors have negligently damaged private property.

We understand that PWB needs to complete a rigorous land use change process with Multnomah County, as well as environmental impact assessments, and City Council still needs to approve a budget increase to \$850,000,000 – \$1,200,000,000 before you have a viable project. If the project does proceed, we may choose to organize ourselves and propose specific mitigation measures to PWB, but we will not participate in a PWB-led "good neighbor agreement" or SAG process.

Sincerely,

Residents of Carpenter Lane, Cottrell Road, Bluff Road, and Dodge Park Blvd.

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Nov. 5, 2019

Dee White Testimony
PUB meeting

Please note: I gave this as a communication to the Mayor and Councilors Fritz, Fish, Eudaly and Hardesty on October 23, 2019.

[977](#) Request of Dee White to address Council regarding the failure of the Water Bureau to deliver safe drinking water to its customers (Communication)

My name is Dee White.

Even after the Flint lead crisis in 2014 and even after Newark, New Jersey's recent lead crisis, PWB is still allowing a potent neurotoxin to leach into our drinking water while they slow-walk a risky fix that's three years away.

It is well known that even at low levels, lead is a potent, irreversible neurotoxin that's especially damaging to expectant mothers and children's developing brains. Groundbreaking research at OHSU found a link between lead exposure and ADHD.

Why does this matter here?

The Portland Water Bureau is the only utility in the country granted permission 22 years ago by their regulator, the Oregon Health Authority, to NOT FOLLOW the EPA's *Lead and Copper Rule* otherwise known as the LCR. Instead, the water bureau crafted their own regulation and called it the LHRP. OHA gave it their blessing and it still stands today. This outdated, Portland-only regulation focuses on mitigating lead paint in lieu of properly treating corrosive water and maintaining our pipes.

Moreover, after decades of this unproven regulation, there is no data, no findings, nothing to show that the Portland Water Bureau has minimized lead exposure in our homes, schools, parks, and businesses. NOTHING. If the Portland Water Bureau had been following the federal law like the cities on this chart, Portland's lead levels would be significantly lower.

So on this chart, Portland and Gresham are in the middle, the two tall ones. Gresham is a water bureau customer. Seattle got to work decades ago, Newark is handing out free water filters and replacing damaged pipes. Our water officials simply chat up the water at the same time they blame customers if they find lead at their taps.

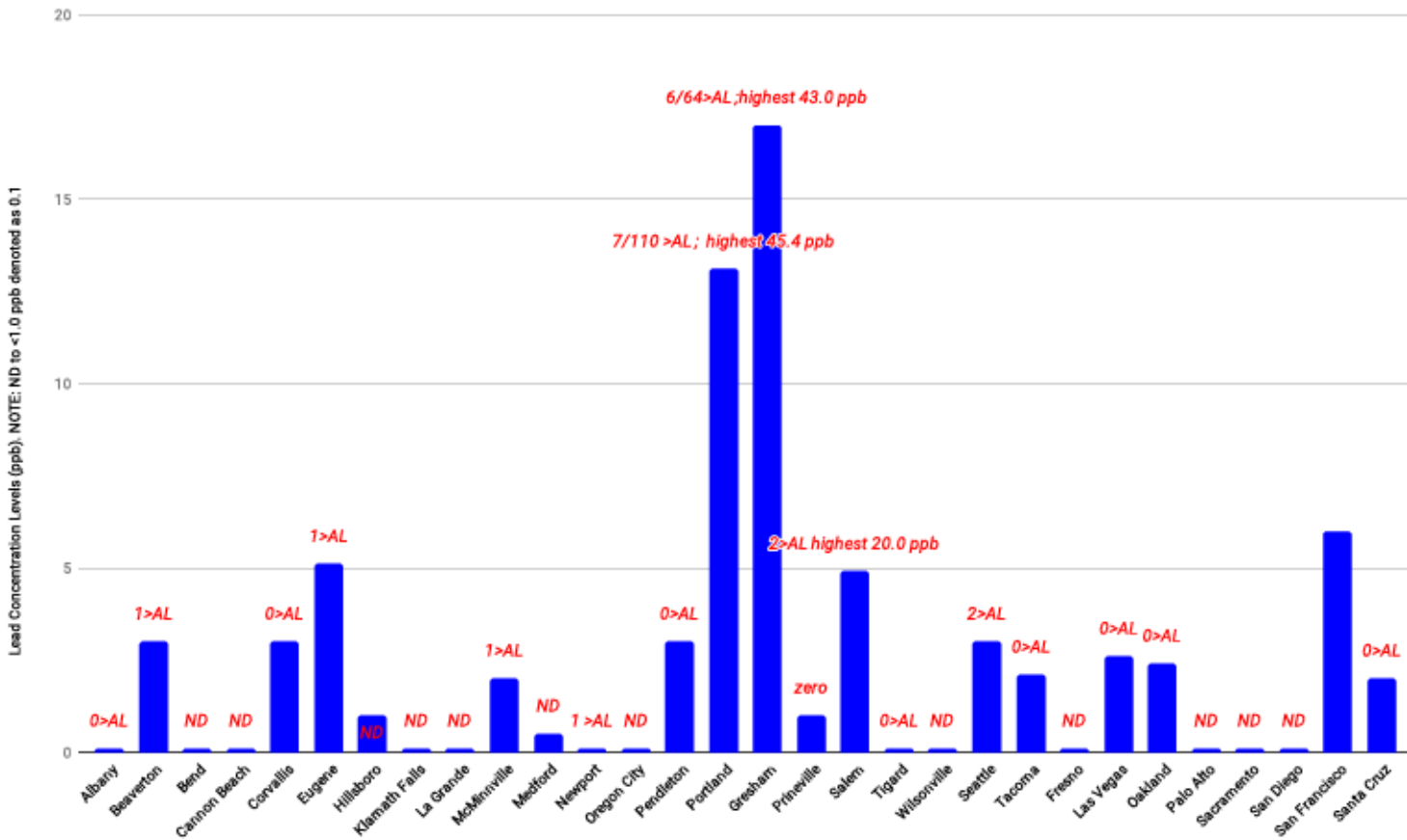
You claim transparency, and yet no one knows about your Portland-only regulation that's broken and that continues to endanger public health.

The public also remains in the dark *about* buying an \$800,000 "job shack" on today's agenda for the massive Filtration plant being sold to us for crypto but now, *apparently*, it's for wildfires. Project costs just went up an obscene 142% because of the water bureau's gross lack of transparency.

How can we trust you are delivering safe, affordable life-sustaining drinking water when omissions and an opaque process is standard operating procedure? In other words, what else have we been misled about?

Albany	0.1
Beaverton	3
Bend	0.1
Cannon Beach	0.1
Corvallis	3
Eugene	5.1
Hillsboro	1
Klamath Falls	0.1
La Grande	0.1
McMinville	2
Medford	0.5
Newport	0.1
Oregon City	0.1
Pendleton	3
Portland	13.1
Gresham	17
Prineville	1
Salem	4.9
Tigard	0.1
Wilsonville	0.1
Seattle	3
Tacoma	2.1
Fresno	0.1
Las Vegas	2.8
Oakland	2.4
Palo Alto	0.1
Sacramento	0.1
San Diego	0.1
San Francisco	6
Santa Cruz	2

Lead in water - regulated at consumer taps: 90th percentile results Source - 2019 Annual WQ Reports/state drinking water database



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From: Len Otto
To: Commissioner Fritz; Stuhr, Michael; Peters, David
Cc: Johnson, Jonathan; CBO - Utility Board
Subject: Pipeline to Filtration Facility
Date: Monday, November 4, 2019 8:14:26 AM

November 4, 2019

Greetings Commissioner Fritz, Director Stuhr, and Project Chief Engineer Dave Peters, While we are not neighbors of the proposed filtration facility off Carpenter Lane, we are the owners of a piece of property through which the Portland Water Bureau (PWB) holds an easement, and which may well be used for a pipeline(s) to the filtration facility. And, we do not have a problem with the proposed filtration facility or the pipeline(s) per se, unlike many of our neighbors. We value clean water, and understand the need for the facility. Plus, we bought the property adjacent to our home with eyes wide open regarding the existing easement.

We do have a concern with the proposed pipeline. Dave, please feel free to correct any factual misinformation inherent in the following:

Our home, and many homes, are located downhill from the proposed line. The water table on our property is approximately 14' below the surface (just below the bottom of a six or seven foot diameter pipeline), *all* the materials are depositional, e.g. soggy silt, wet clay, and loose gravel, and everything below those surface layers also is sedimentary. The quickest the proposed pipeline(s) could be shut down – in *ideal* conditions – is approximately 15 minutes. That would happen at the small facility located on S.E. Lusted Rd. west of the intersection with S.E. Hudson Rd.

It is our understanding that the pipeline likely will be steel, will have a wall thickness of approximately ¼", will be welded at every joint, and will be built to withstand earth movements ("sway") of +/- 2' (two feet).

Allow us to play the "what if" game for a moment. Let's assume that initially there is a single 6' pipeline running to the filtration plant. Given a projected duration of 5 to 7 minutes of shaking, *what if* the earth movement during a Cascadia earthquake event is twice that +/- 2'? It even is likely that the earth movement in this area during a Cascadia earthquake event could be three times the estimate of +/- 2', given the long duration and the fact that the pipeline is going to be sitting on what amounts to liquid. Those materials under the pipeline – sitting on the water table – are going to be the consistency of sloppy Jello, and that pipeline(s), built for sway of +/- 2', *is* going to rupture. Depending on the size of the rupture, a few gallons might spill, or million gallons of water might spew out before shutdown (in *ideal* conditions) could occur. That water *will* inundate our home and our neighbors' homes. Conditions almost certainly will be *far* from ideal. All those drills and training of your staff will have been for naught. In a short time we are going to be flooded, and quite likely drowned.

There are no "do overs" as far as this pipeline is concerned. It *must* withstand the incredible forces building up offshore in that subduction zone. It is in the PWB's best interest to get this right the first time, not just for the sake of the people living in this area, but for *all* PWB customers. In other words, approximately one million lives are depending on this pipeline. There are *no* do overs. None.

We are asking you to *reassess* your assumptions about the strength and flexibility of this proposed pipeline. We are asking you to find a way to keep all of us safe should that *what if* scenario of +/- 6' sway comes to pass. You are intelligent enough to know that any actions PWB takes *after* the fact are going to be too late for any victims of a PWB caused flood. We don't want to be those victims.

Sincerely,
Len & Gloria Otto
37160 SE Lusted Rd
Boring, OR 97009

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From: K Tooke
To: CBO - Utility Board
Subject: Public Comments for 11.5.19
Date: Monday, November 4, 2019 12:38:57 PM

I have lived in Boring most of my life. We do not need a water treatment plant for Portland to ruin out quite beautiful area. We in the area have wells, we don't want issues with out wells and our property value going down. Do to a water treatment plant that is for Portland. It does nothing positive for our area. This belongs in Portland where it will serve Portland. Without it destroying our community adding more traffic (the roads out here already are pot holed and never taken care of. Several are narrow roads, so now you want to drive big trucks doing more damage to roads), problems with wells, chemicals and ect. Put it in Portland.

Not happy this is trying to ruin our peaceful area.

Home owner in Boring, Kori Tooke

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From: Lorie McFarlane
To: Archer-Masters, Amy
Cc: Heidi Bullock; Ted Labbe
Subject: Lead Hazard Reduction Program (LHRP) = "broken" federal Lead and Copper Rule (LCR)
Date: Monday, November 4, 2019 3:48:39 PM
Attachments: Edwards Testimony1.pdf

Hi Amy,

Unfortunately, I will not be able to attend Tuesday's 11/5/19 PUB meeting due to a conflict. I had hoped to attend to share these.

Can you please provide a copy/link of

1.) Today's news,

yet another in a string of articles this year which include Portland Water Bureau's negligence in using improper water treatment and management which has under-protected customers from lead exposure.

Excerpt (underline, my emphasis):

"Nearly 30 million people in the U.S. were supplied drinking water that had excessively high levels of lead, from Portland, Oregon to Providence, Rhode Island between 2015 and 2018"

2.) OCT 2019 Congressional testimony

Timely and yet another wakeup call for us, and for PUB oversight purposes (attached).

Excerpt (underline, my emphasis):

"... U.S. EPA and other entities must no longer engage in public deception—the new [Lead and Copper] rule must be taken seriously, and its provisions must be enforced. As an aside, I was pleased to see that the U.S. EPA was much more aggressive in protecting consumers in Newark, NJ in 2019, than they were in prior high profile water crises in Flint, Michigan (2014-2016), Washington, D.C. (2001-2004), or cities like Portland, Oregon where the LCR has been broken for decades."

And finally, more disappointment: In an [article](#) just the other week (mirroring the April 2, 2019 presentation to PUB), LHRP manager Scott Bradway defends so-called "holistic approach" i.e.a euphemism for the LHRP, the "alternate compliance strategy" to water lead reduction. While neighboring regional water providers have been "minimizing" lead at customer taps, this approach only partially "*reduced*" lead, by allowing higher lead concentration in drinking water as a trade off for funding lead paint program partnerships.

Feel free to let me know if you have questions.
thank you, Amy.
Lorie

**Testimony of Marc Andrew Edwards
to the House Committee on Science, Space & Technology. October 15, 2019**

“ADDRESSING THE LEAD CRISIS THROUGH INNOVATION & TECHNOLOGY”

Over the last 15 years I have testified to Congress on lead in drinking water crises in Washington D.C. twice (2004, 2010), the Flint water crisis twice (2016), and I am optimistic that today’s hearing related to Newark’s water lead problems will help bring an end to our ongoing national nightmare.

Approaches to protecting consumers from problems with lead in drinking water vary worldwide. Some countries such as Australia [provide some simple recommendations on flushing to avoid high lead](#) and [tell consumers that water lead exposure is not a significant public health concern](#). Other governments take at least some level of responsibility for protecting consumers.

By comparison, our implementation of the U.S. Environmental Protection Agency (EPA) Lead and Copper Rule (LCR) has been a national disaster. It starts with official assertions that [“no safe level of lead exposure has been identified.”](#) with warnings of brain damage and other horrific health consequences, and ends by providing public assurance that drinking water is meeting a legally defined lead standard when it often does not. When consumers occasionally discover that the federal LCR and public trust have been broken, they consider the consequences to their families and communities, and are understandably outraged.

Our 21st century lead in drinking water crises are not primarily about elevated lead in water—they are caused by government agencies first implying that any level of lead exposure is dangerous, and then willfully hiding significant problems with elevated lead in water from the public. These 21st Century water crises are caused by bureaucrats and scientists, who have twisted the Golden Rule, into willful deceptions that ultimately go over like a leaded water balloon.

We have now severely damaged public confidence in the safety of our drinking water systems. Too many of our poorest and most vulnerable citizens, feel compelled to spend too much of their precious financial resources, on purchase of bottled water and filters to protect themselves and their families. Because trust has been repeatedly and justifiably lost, the perception that such deception will likely happen again, and does, has caused uneasiness and outright fear that their own cities and towns may be next. Our nation’s failure to upgrade antiquated water infrastructure and uphold federal law, has effectively ended trust in potable water, as we once knew it.

The following steps could help restore justifiable trust in U.S. potable water supplies and bring an end to future water crises:

- 1) The culture associated with implementation and enforcement of the U.S. EPA Lead and Copper rule is a national scandal that tolerated and even encouraged data manipulation, outright cheating, and unconscionable scientific misconduct at government agencies. Whatever the provisions of the new LCR may be, the U.S. EPA and other entities must no longer engage in public deception—the new rule must be taken seriously, and its provisions must be enforced. As an aside, I was pleased to see that the U.S. EPA, was

much more aggressive in protecting consumers in Newark, NJ in 2019, than they were in prior high profile water crises in Flint, Michigan (2014-2016), Washington, D.C. (2001-2004), or cities like Portland, Oregon where the LCR has been broken for decades.

- 2) Official language that there is “no safe level of lead exposure” should be reconsidered. We routinely identify consensus standards of human exposure for other contaminants, below which health risks are relatively low and should not cause major concern. We should identify such standards for lead. The “no safe level” language, can actually impede replacement of leaded water infrastructure and increase dependency on bottled water and filters, because even modern plumbing systems can contribute trace amounts of lead to drinking water.^{1,2}
- 3) We must identify where millions of lead service line pipes are located. Consumers must be made fully aware of whether they are living with this serious environmental hazard, or whether they can have relative peace of mind because they are not. Ultimately, these lead service line pipes and other plumbing with high-lead content must be replaced.
- 4) Until lead pipes and leaded plumbing are replaced, strategies are needed to help consumers cope with elevated lead in water. These strategies include use of flushing, water filters whose performance is certified, and bottled water. The EPA and HUD have recently funded significant new research projects to investigate filter performance and improve the effectiveness of these strategies.^{3,4}

References

1. Parks, J., K. Pieper, A. Katner, M. Tang and M. Edwards, Potential Challenges Meeting the American Academy of Pediatrics’ Lead in School Drinking Water Goal of 1 µg/L, CORROSION. 2018;74(8):914-917. <https://doi.org/10.5006/2770>
2. Roy, S. and M.A. Edwards. Preventing another Lead (Pb) in Drinking Water Crisis: Lessons from Washington DC and Flint MI contamination events. Current Opinion in Environmental Science & Health. <http://doi.org/10.1016/j.coesh.2018.10.002>
3. U.S. EPA [Untapping the crowd: consumer detection and control of lead in drinking water](#). K. Pieper, A. Katner, E. Berglund, C. Cooper and M. Edwards. EPA Grant Number: 839375. \$1,981,500
4. Housing and Urban Development (HUD). [Identification of factors impacting efficacy and adoption of low-cost point of use filters](#). K. Pieper, A. Katner, M. Edwards. Grant #: VAHHU0036-17. \$600,000

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Rob

We met for the first time at the last PWB meeting at Sandy and then again at the last PUD meeting...we talked after both meetings.

Anyway, I am unable to attend today, but would offer the following for your consideration...

1. Mayor Wheeler. At a recent past Council meeting, Mayor Wheeler expressed his concern about the escalating cost of the PWB's proposed filtration plant and its potential effect on Portland's bond rating. The Mayor has every right to be concerned and concerned especially from a fiduciary Standpoint.
2. Escalating Costs. PWB started the project cost with a low figure of \$350M and now estimates a potential high of \$1,275M. PWB continues to caution that the \$1.275B figure is still only an estimates and will be more refined during the design phase of the project, and that the refinement could push the \$1.275B figure up or down. And we all know that the push is usually UP. It appears that the PWB got their foot in the Council Chamber door with a low ball figure.
3. Time to Revisit Health Mitigation Treatment Technologies....Crypto Mitigation using UV vs. Mitigation of every foreseeable and unforeseeable undesirable effect on Bull Run water using Ozone/Sand filtration.
 - a. Cost should be a major decision. However, from the last PUD meeting, I gather from Commissioner Fritz's comments that the PWB has a mission to provide a Ozone/Sand Filtration Plant and they will do that at essentially any cost.
 - b. Commissioner Fritz's position needs to be challenged. There must be a point [dollar cost] at which a UV system that the PWB has already paid for the study and design of, would be the prudent way to go. Commissioner Fritz seems to indicate there is no such point.
 - c. Commissioner Fritz now touts the potential availability of a Federal loan. To the layperson this sound as if the loan will pay for the filtration project in full. But as you know it is only up to about \$500M, leaving at current estimates \$700M w/o a loan. And loans are expensive, no matter what the interest rate...someone has to pay that interest.
 - d. The rate payer increases appear to have been based on "best case" scenarios and should be based on "worse case". There continue to be talk of subsidy for lower incomers. Well and good, but this increases the rate to a rate payer...what is that cost?
4. Time to Revisit the Project Site Location.
 - a. A major criteria for selecting the Carpenter Site was cost. The estimated cost has so drastically changed, with even a potential of going higher, that from a fiduciary standpoint, I would think it would be incumbent on the PWB and especially the City Council to reevaluate all the potential project sites previously considered.
 - b. Piping and Pumping.
 - i. One of the major factors in the increase in costs was the piping required for the Carpenter plant. The other sites considered do not have such major piping requirements.
 - ii. Over and Over we hear that water pumping will not be required at Carpenter. It is most likely that Carpenter will have some degree

of pumping now or later depending on the water demands and possibly do to seasonal influences and reservoir levels. This cannot be ruled out.

- c. Argument against reconsideration just don't hold water....
 - i. There is a deadline that EPA and Oregon Health have set and if it is not met Oregon Health will take over the job. We know the last thing Oregon Health wants to do is to manage a multi-Billion Dollar construction job. If PWB can show they are diligently pursuing the work and show a new schedule of completion, I would think it would be incumbent on Oregon Health to let them proceed.
- d. Land Use Approval Risk. I don't know why people are not talking about this more. If Multnomah Cty rejects PWB's request for Conditional Use Approval the Carpenter site is dead. And I know that even if Multnomah Cty approves the Conditional Use, the local Citizens are going to take this to LUBA and then if necessary to the Appeals Court. So there is definitely risk here and what a better time to minimize this risk or eliminate it by going back and reevaluating the other project sites considered.
- 5. Reevaluation. Now is the time to reevaluate the Treatment Technologies and Project Selection before any multimillion dollar design contracts and construction contracts are let and there is a "change order or shut down" fee that has to be paid if the project is changed or cancelled.
- 6. [As a side note, \$800K House on Carpenter. I believe I heard that PWB purchased the home because they could run piping a shorter distance to Dodge Park Blvd. Also that they could bore under the house and preserve it to either sell it in the future or use it for the plant. Well boring costs 10-20 time the cost of trenching which could exceed the value of the house \$800K was for land and house]. Also I have heard side talk that it would be good to make a road thru the property from Dodge Park to the project for access. This road would like require the demolition of the house. Are we hearing the full story on the house?]

Rob my intent here was just to give you something to think about. I do appreciate you giving me your email and this opportunity to talk to you.

I wish you well for the meeting.

Paul Willis

Carpenter Resident

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October 17, 2019

Portland Utility Board:

I write this as a concerned and frankly outraged resident of Portland and a former member of the Portland Utility Board.

When water treatment projects were first brought to the PUB in 2017, the two primary options under discussion were between UV disinfection and filtration. The UV disinfection process was estimated to cost around \$100m. The filtration process was estimated to cost between \$350-500m (not the \$500m baseline that is listed in the most recent PWB presentation).

The most recent estimate for the filtration plant is now \$850m to \$1.2b. There's bureaucratic language as to why this increase happened, but one reason seems to be that pipelines were not included in the original estimate. It's hard to understand how the Bureau most familiar with water pipes could leave them out of the project cost estimate. While there were clearly unknowns about site and elevation, etc., given the expertise in the Bureau it seems as though there could have been a more accurate estimate. The project has gone from a minimum (estimated) cost of \$350m to \$850m, a 142% increase in two years. It's not unreasonable to think that a higher and more accurate cost estimate could have changed the conversation at PUB about the relative costs and benefits of the two options and resulted in a different recommendation.

One has to wonder how a 142% increase in the cost of the project, and the resulting impacts on water rates, is possible. Should Portlanders expect another doubling of the project cost as the Bureau moves into the design and construction phase? And will the Bureau use the higher estimate of \$1.2b for the next baseline? Residents of Portland could be forgiven for thinking this is the result of incompetence or deliberate misinformation. In either case, it is certainly not a transparent process.

The Portland Utility Board was given the charge to be a **citizen** oversight committee. Given the impacts on future water rates, I hope the members will ask the hard questions and not simply be apologists for the Bureau or the City.

Colleen Johnson
NW Portland

Portland Utility Board

October 17, 2019, 11:00am
1900 SW Fourth Avenue, 1900 Building, 2500C
Subcommittee meeting: Bull Run Filtration Project

Attendees:

PUB Members: Ana Brophy, ex-officio
Brian Laurent, ex-officio
Dory Robinson, co-chair
Heidi Bullock, co-chair
Kaliska Day (arrived ~11:05)
Karen Y. Spencer
Karen Williams (arrived ~11:05)
Mia Sabanovic
Micah Meskel
Robert Martineau
Sara Petrocine, ex-officio (arrived ~11:05)
Ted Labbe (arrived ~11:30am)

Absent:

Gabriela Saldaña-López*

*Notice of absence provided prior to meeting

Staff:

Commissioner Fritz, Commissioner-in-Charge of the Portland Water Bureau
Bonita Oswald, Senior Communications Specialist, Portland Water Bureau
Amy Archer-Masters, Portland Utility Board Analyst, City Budget Office
Cecelia Huynh, Director of Finance and Support Services, Portland Water Bureau
Cristina Nieves, Senior Policy Advisor, Commissioner Fritz's Office
Eliza Lindsay, Portland Utility Board Coordinator, City Budget Office
Gabriel Solmer, Deputy Director, Portland Water Bureau
Jaymee Cuti, Public Information Officer, Portland Water Bureau
Jeff Winner, Capital Improvement Program Planning Supervisor, Portland Water Bureau
Michael Stuhr, Director of Portland Water Bureau
Yung Ouyang, Senior Financial Analyst, City Budget Office
Jon Holland, Program Manager, Brown and Caldwell

Public:

In total there were about 14 members of the public in attendance. Those who signed in by name include:

Carol Cushman, League of Women Voters

Dean Walter, Citizens for Peaceful Rural Living
Dee White
Doug Stilton, Citizens for Peaceful Rural Living
Pat Meyer, Citizens for Peaceful Rural Living
Robin Castro, PSU student

Synopsis, Action Items, Decisions

In these notes the acronym, PUB, stands for the Portland Utility Board; BES for the Bureau of Environmental Services, and PWB for the Portland Water Bureau.

The subcommittee continued the discussion of the Bull Run Filtration Project begun at the October 1 full PUB meeting. Commissioner Fritz, the Commissioner-in-Charge of the PWB, joined the discussion for the first half of the meeting. No decisions were made, other than to continue the discussion at the November 5th, 2019 full PUB meeting.

ACTION ITEM PUB staff to get link to video of components of filtration plant.

ACTION ITEM PWB to share further information on the low-income assistance program and how it connects with or might be impacted by the filtration project.

ACTION ITEM Draft Resolution to PUB as soon as it is available. Hopefully before the November 5th meeting.

ACTION ITEM PUB staff to share some basic information around the original PUB decision to go with filtration.

I. Call to Order

The co-chair called the meeting to order at approximately 11:00am.

II. Public Comment

The co-chair invited public comment, noting a limit of 3 minutes per person and a total of 15 minutes of public comment during the meeting. She also explained that prior to any vote there would be an opportunity for public comment.

Verbal comments covered a variety of concerns about the impacts of the filtration project. Those commenting include: Paul Willis, Brent Leathers, and Lauren Courter.

Staff circulated written comment which had been submitted for the meeting. The written comment is included in Addendum A.

III. Disclosure of Communications

Rob attended both meetings of the Bull Run Filtration Site Advisory Group at Sandy High School.

Ana attended the most recent meeting of the Bull Run Filtration Site Advisory Group at Sandy High School.

Micah attended the first meeting of the Bull Run Filtration Site Advisory Group at Sandy High School and had conversations with Bureau of Planning and Sustainability and Urban Forestry on unrelated matters.

Brian had conversation with BES Portland Harbor Team.

Dory and Heidi met with Commissioner Fish on October 3 to get to know each other, to communicate PUB goals and deliverables and to establish a transparent relationship with the Commissioner. On behalf of PUB they also requested written response from Council when PUB makes written communication with Council.

IV. Discussion with Commissioner Fritz on the Bull Run Filtration Project

Introductory remarks

Commissioner Fritz provided some background regarding the Bull Run Filtration Project. PWB has a mandate to get the treatment plant operable by 2028. Council chose filtration because it has benefits beyond treating cryptosporidium while ultraviolet has none. There are decisions that still need to be made, e.g., about the different components to include, who designs it, how it is designed, where the different components are located. Because it has not been designed yet, cost elements are still unknown.

The Commissioner shared that the mood of the site advisory group was: if this has to be done, do it all at once, so you don't have to come back. They are developing a good neighbor agreement.

PWB was invited to apply for a low interest, federally backed loan through the Water Infrastructure and Innovation Act (WIFIA). They will know in the next 9-12 months if they will receive the loan. It will make a difference to rate payers because PWB will be able to spread the payback over a longer period.

The Commissioner asked for PUB's thoughts and input on balancing the values that are the guiding this work. She said she didn't need unanimous consensus; just PUB's thoughts.

Questions and discussion with Commissioner Fritz

A variety of topics were covered and include:

WIFIA loan and other methods of offsetting costs

Commissioner Fritz explained that the WIFIA loan is not a grant. It is a low interest loan for up to 49% of the total project cost.

PWB has started the conversation of where can the bureau do things differently, more efficiently. Commissioner Fritz plans to have a conversation with the Mayor about if they get the WIFIA loan can it be used to meet the Mayor's budget guidelines since it will lower the impact to the rate payers.

Ultraviolet, Ozone, and Filtration

- **Ultraviolet and Filtration**

Commissioner Fritz explained that she felt paying 100 million for ultraviolet is a waste when ultraviolet doesn't do anything but treat for cryptosporidium and there is not much of a cryptosporidium issue, given Bull Run protections. Filtration provides multiple benefits. She said at the time of the original 2017 decision there was already a significant estimated cost difference between ultraviolet (~100 million) and filtration (~500 million). She toured a plant in Bend where the plant cost about 32 million and the pipes cost about 40 million. It is not

that unusual to have that price difference/breakdown. She will be having conversations with other Commissioners on if the cost is some value X (possible values for x mentioned were a billion and double above what was before) will that change their minds.

The Director of PWB added that filtration is what most folks use because it is more flexible and responsive to evolving regulations from the EPA. If the EPA passes new regulations, ultraviolet won't be able to meet them. The City would have poured the money to build ultraviolet treatment down the drain.

- **Ozone – How did ozone end up being considered, then set aside, and now back in the options? What are its benefits?**

The Director of PWB said that ozone handles cryptosporidium and moderates some organics but not much else. It also has a challenge with cold water.

The Brown and Caldwell program manager explained that ozone is good at oxidizing organics and is insurance if algal toxins become an issue. The everyday benefits of ozone are that it improves the ability to remove more turbidity in the filters and it makes organics more bio-available and degradable so there is a lesser amount to disinfect. Its qualitative day-to-day benefit is to improve the quality of the water. Ozone comes with a cost. It takes energy to produce ozone. It also saves some costs in other elements of the plant, e.g., it extends the life of the filter media and helps it to work better. It also has some (complicated) positive impacts in water chemistry in that ozone makes the biostability in the distribution system better.

Now that there is more data on the cost of piping for this is PWB going to look at other locations for cost considerations?

Commissioner Fritz said they are not considering other locations — to do so would cause them to miss their deadline. There are multiple reasons to go with this site.

Minimizing impact to neighbors

It was mentioned that it seems hard to minimize impacts to neighbors. The Commissioner's staff said they are working on a good neighbor agreement and there are lots of ways to minimize impact.

Resiliency

There were general questions and concern around resiliency.

Commissioner Fritz said the goal is to have a resilient system throughout which is why they are spending a lot of money for the pipe under the Willamette and the Washington Park reservoir.

It was explained that two pipes build in resiliency, especially if there is a break in summer in one of the pipes because during the summer groundwater cannot meet the demand.

There was concern about the value of a second pipe, if the rest of the infrastructure is broken.

A PUB member asked how does one balance cost effectiveness of building to be 80% redundant and be able to meet basic water needs with a margin of safety versus designing to be fully redundant and meet all peak needs?

The Director of PWB spoke on resiliency. He said, "how much is enough", is a great question. He said they are building the plant for the worst expected earthquake in the watershed.

PWB knows pipes will break but don't know where. With a gravity fed system you put it back together starting from the top (east in our case) and work your way downhill (west). But you need to

have water to push through the system. Thus, PWB is building the plant with as much resilience as possible. It is a moral obligation.

PWB is seismically hardening the backbone of the system. The most important parts are custom-built, not sitting on a shelf. Just as with Hurricane Katrina, if an event happens, all impacted communities will be competing to order these custom-built parts. If we build an earthquake resilient plant this is one less thing to worry about. And, PWB can continue replacing the infrastructure as they have been around the city.

Will this project bump resiliency-related projects downstream from the plant off the list?

PUB member said likely some projects will be delayed, especially given the Mayor's budget directives.

The Director of PWB added that every year, given the budget, there might be a delay. Some things probably will be delayed. Hopefully, we're smart enough not to delay things like the big pipe. All the choices are bad, we have to make the less bad choices.

What happens if you don't meet the mandate given by Oregon Health Authority (OHA) and EPA?

Commissioner Fritz said OHA would take over the water system.

Wholesale customers

- **How does this project impact wholesale customers? Are wholesale customers leaving?**

PWB explained that under the current contracts, wholesale customers will start paying for the use of the new plant once it is completed. The contracts expire in July 2021 and at that time they can continue with PWB or give 5 years notice. PWB has understood that wholesale customers want a different contract going forward. PWB expects all of this to be part of the contract conversation.

Like Lake Oswego, Tualatin Valley Water District is leaving PWB but wants to keep PWB as a backup. PWB is not aware of others planning to leave. There are no wholesale customers signing up as of yet.

- **Is there anything in the design that makes it appealing to wholesale customers that would attract them and allow the cost burden to be shared more broadly?**

The Director of PWB said that in the area there is nothing comparable to PWB. Portland is a city of ~650,000 and PWB provides to about one million. For many of them there isn't an alternative water source.

Discussion of the boil water study

The boil water study only looked at impact within City of Portland limits. The impact would be much farther reaching given PWB's customer base. A PUB member mentioned that it seems in terms of economic costs it would not take very many events before the increased costs of building the filtration plant/system were met.

The Director of PWB mentioned that it is much more expensive to wait for an emergency/disaster to build/fix than to build now. In emergency circles the numbers floated used to be something like 6 to 1 now they are something like 9 to 1.

V. Continued Discussion with PWB staff and PUB

Contract design and potential Council Resolution

The Deputy Director of PWB explained that they are discussing whether it would be helpful to bring a forward a Resolution at the same time as the design contract. This would be in early November. A Resolution would allow Council to vote on where they are at. It would also be an opportunity for Council to take in PUB's feedback. Drafts of the Resolution will be shared with the PUB.

Discussion amongst PUB of where they are at

- A more targeted conversation rather than blending the different facets/topics could be beneficial.
- Some folks leaning to full implementation; some for full implementation but not sure about two pipes.
- Others shared that they are not in a place to make a decision yet.
- Others shared that with the new information, they are stuck at the four foundational decisions again and curious if others are also interested in stepping back.
- It was noted that in some sense, it is always a phased approach, it's just if we're planning for additional phases now. Even the full implementation does not ensure there is water in a big event disaster.
- Others expressed that they did not feel qualified to pick an option because they are not an engineer. They could see communicating expectations the PUB has for the project and things for PWB to consider, e.g., giving recommendations on things like mitigation measures, the good neighbor agreement, including check-points in the project, things to consider/value, etc.
- It was noted that a lot of costs in the construction industry are coming in 20-30% above estimates. There are ways to manage that through design and check-points throughout process to refine costs and consider where you are at in terms of initial decisions.
- A PUB member shared that they liked the idea of not having to write a letter that says PUB recommends option a, b, or c.

Additional topics discussed

Pipes

There were several comments about two pipes versus one and how to justify two pipes when there is another source of water.

PWB staff and contractor clarified that the cost of the pipes is not just whether two or one, but also their length. Replacing aging conduit adds resiliency because you are replacing aging pipe with seismically hardened pipe, but because the pipes are longer, it is more expensive.

They also explained that the two pipes would have independent alignments/different paths, for seismic resiliency.

Is there a reciprocity agreement between water jurisdictions? Can we get water from other jurisdictions?

PWB staff said currently there is not an agreement in place.

A PUB member mentioned that an earthquake is going to impact everyone. A reciprocity agreement won't help with that. A reciprocity agreement will help if you have to shut the plant for a day and so for those reasons a reciprocity agreement should be negotiated.

Foundational Decisions

PUB members stated there doesn't seem to be an opportunity to weigh in on type, location, or capacity, but one foundational decision that may still be open is the decision to go with a CMGC (Construction Manager General Contractor) method. The previous board was comfortable with that, but we could weigh in.

The Commissioner's staff clarified that the Commissioner is not having conversations with other Commissioners regarding the four foundational decisions. They have already been made. The conversations are just about the options within the spectrum.

PUB member said the PUB made an informed decision last time to go with full filtration. Are there other changes or triggers, besides cost estimates, since we made the original decision? If PUB backs away from the PUB's original decisions, PUB needs to explain why.

Concerns about affordability/impacts to ratepayers

PUB member mentioned that the PUB has not focused much on the value of affordability and cost/impact to ratepayers and want to make sure the PUB does get to this. Others concurred.

PUB member mentioned that the bureau has mechanisms to help people and PUB could recommend work to expand the reach of low-income assistance programs.

ACTION ITEM PWB to share further information on the low-income assistance program and how it connects with or might be impacted by the filtration project.

PUB Input Timeline and Council Resolution

PWB staff explained that Council will only be voting on the design contract on November 13th, not the options. A Resolution would allow Council to give the bureau some direction on what to consider and constraints. PUB can give input/direction with the Resolution. PUB input could talk about options or expectations. It would be appropriate to give feedback on things like transparency, outreach, when budget updates should be made. PUB can also give feedback to Council and the bureau at any time. The designer is likely to start in January so input then is another opportunity. There will be many opportunities to weigh in as this goes forward.

PUB staff said the Resolution may include some decision points from Council. It is not the only opportunity to give input, but if PUB decides to respond to the Resolution, then the basic decisions need to be made at the November 5th meeting.

PUB staff requested that if PUB members have thoughts about what they would want the recommendation to include send that to PUB staff ahead of time, so staff can start collating that information for the next meeting.

ACTION ITEM Draft Resolution to PUB as soon as it is available. Hopefully before the November 5th meeting.

ACTION ITEM PUB staff to share some basic information around the original PUB decision to go with filtration.

VI. Wrap-up and next meeting

It was suggested that some work ahead of time on the topics would help with the next meeting.

Karen Y Spencer volunteered to work with PUB staff to help prep for the meeting.

The next full PUB meeting will continue the discussion of the Bull Run Filtration Project.

Tuesday, November 5th, 2019, 3:30pm -6:30pm, 1900 SW 4th Avenue, Room 2500C

The meeting adjourned at approximately 1:10pm.

Addendum A: Public Comment

Addendum A includes:

- Written comments from Ian and Lauren Courter to accompany verbal testimony given by Lauren Courter.
- Written comments from Amanda Rolen, emailed to PUB staff to submit to PUB.

Note: Individual comments are separated by a blank page.

October 17, 2019

Voting members of the Portland Utility Board,

It is now apparent that PWB has been using the OHA compliance schedule for *Cryptosporidium* treatment as a means to push a filtration facility that has another purpose. We were led to believe there is a human health issue that needs to be addressed and federal rule compliance requirements. However, according to Commissioner Amanda Fritz, the primary purpose of the proposed filtration facility is to address concerns about turbidity. Commissioner Fritz said as much at Sandy High School on October 3, 2019 and then again on October 14, 2019 during a KATU news investigation. Phone calls to OHA also corroborate Portland Water Bureau's agenda. Therefore, most of the expense of this facility (>90%) is earmarked to address an issue unrelated to *Cryptosporidium*. I find this type of dishonesty with the public very concerning. Turbidity is not an eminent threat to Portland's water supply and good forest management would be a much more cost-effective means of protecting Bull Run Reservoir from a large catastrophic fire.

Furthermore, because the proposed filtration facility is not necessary to address *Cryptosporidium*, there is no public health impetus to expedite and move forward with hasty design and building of this plant. Doing so will likely result in large over-expenditures and poor design/construction. For example, haste on the part of PWB has led to selection of a building site that will cost approximately twice as much as all other alternatives due to the need to redirect pipelines. Please consider the costs ratepayers you will be burdened with. I believe that the PUB and City Council should reevaluate site location and treatment facility options in light of the new cost estimates for a filtration plant at the Carpenter Lane property. Finally, if the most urgent need is to comply with federal drinking water rules, UV treatment is a much less expensive option with a smaller building footprint and more prudent building site options (e.g. headworks or Lusted Hill).

Respectfully,

Ian and Lauren Courter
503-421-8459

Treatment for the purposes of *Cryptosporidium* and other contaminants

	Carpenter Ln. (now)	Lusted Hill (postpone)	UV at Headworks
Filtration + Ozonation Plant	\$ 500M	\$ 500M	--
UV	--	--	\$ 105M
Pipes + Conduit	\$ 350M – 800M	?	
Eminent Domain, Purchase of additional easements	?	?	--
Land Purchasing	\$ 800K ^a	?	--
Design ^b	\$ 16M	\$ 16M	\$ 16M ^c
EPA Fines	\$ 0 ^d	\$ 1.1M ^e	--
TOTAL	\$ 867 - 1.316B	\$ 517M	\$ 105M

^a To-date

^b Assumption: \$16M, based on UV design. M. Stuhr stated the design has yet to be “on board” with the budget (September 2019 presentation to City Council)

^c UV design plans completed

^d Assumption: Filtration plant is fully operational in 2027

^e Assume 3 years to get through EFU designation land use with EPA fine of \$1,000 per day for every day beyond 2027.

Hello, my name is Amanda Rolen. My property and home, is 850ft from the proposed Portland Water Treatment Facility located in Boring OR.

As a citizen directly affected by your decisions, I am here today to tell you that I foresee many harmful and negative impacts on the local community and all of Portland Water Customers, rate payers and you the board.

In case you haven't been out to the proposed site. The area surrounding it is rural. Even the land where the plant would go, is leased out a farm, and nursery today. Some of the families in Boring have lived there for decades. We all choose to live there to be away from the city. Rural life is not like city life. There are no sidewalks, or streetlights, our roads don't even have painted lines. The traffic is minimal, and includes horses and tractors. It is serenely quiet. The only sirens we hear are for a rare fire or ambulance. When we sit outside at night, we hear frogs, crickets, and sometimes occasional laughter of a faraway gathering by the fire in our backyard. Star gazing is at it's best out there. I am pretty sure you can see the whole galaxy from my backyard..... During a question & answer session the PWB put on, I asked what they were going to do to minimize the impact on my rural community. Including the farm animals and nurseries. They only stated they had not thought about this sort of impact and would need to look into it, and get back with us. Please understand, the construction process alone, not including the tremendous increase in traffic and the noise will be unbearable in this rural community. Not to mention the impact of putting a guarded and lighted treatment plant in the middle of a farm. The PWB intention is to use hazardous chemicals at this facility. Possibly Gaseous Chlorine, sodium hydroxide and ammonia are on possibility list. Now imagine this same rural community I described, and add schools, and daycares right next to the proposed location. What if there is a spill? Or an explosion from the hazardous chemicals. I don't even want to think about the consequences of that.

The first I had heard about the project was this year in June by neighbors in the community. This was after the initial Council Meeting in 2017, when the members approved the funding at \$350-\$500 Million. A rate cost increase to it's customers estimated at around 20%. In September of this year, PWB told Council Members that they did not include the cost of pipes in their initial estimate. The new estimate would now be \$850 million, up to potentially 1.25 Billion..... IS that a typo? That is a 70% increase. There were numerous opportunities for the planners at PWB to disclose this information. Yet they waited until 2 years later to do so. How do you trust anything they are saying to you? The financial impact to customers and citizens is not known as of yet. Once you consider removing some of the wholesale customers (City of Troutdale, Sandy, and Gresham) from the cost increase prediction, the amount to rate payers has to be more than what is already projected. What do you think each individual's rate will increase to then? The financial impact becomes a huge burden on each and every rate and tax payer. Many customers already struggle to pay their water bills now. The majority of them do not qualify for financial assistance because they do not meet the minimum criteria. How are you able justify this gross financial estimate when there are other options? What about Lusted Hill? Too small they say? What about the PWB purchase of property right next to it? This location would not require as much piping-and there is already a facility at this location. So another facility would not need to be built. So many options...what about UV solution to kill the parasites? This option was already partially paid for....Oh yes, the PWB told you this was not the most cost effective. The same planners who did not include the cost pipes to deliver the water to and from in their first cost proposal. You should just trust them right?

I appreciate your time, and hope you consider not approving the PWB newly proposed budget for the facility to be placed in my rural community.