

Joseph Angel

#331510 | February 18, 2022

Testimony to **Portland City Council** on the **Environmental Overlay Zone Map Correction Project, Recommended Draft**

Mayor and Members of City Council After yesterday's Zoom call I thought I would try and summarize my thoughts. Two minutes is a short time to try and convey a solution to a problem. The proposal for E-zone septic work has been determined by staff to require a new process that has a list of "prescriptive development standards" in place to gain approval. This has been driven by a long line of property owners along Skyline that are, in increasing numbers, finding themselves with failed systems. We do have the existing process for Environmental Review but that process is costly, cumbersome, and frustrating to use. The staff knows this and so do all the people up on Skyline. So as proof that the system can work for change, staff has proposed this alternative process that, both protects the E-zone and is simple and efficient. All this is in line with the adopted city policy of trying to make things work better especially in permitting. Thank you! If you meet the "Prescriptive Development Standards" you can proceed to replace your failed system. If you CAN NOT meet those standards you can't move forward with this new approach. Some people with failed systems just have had the tanks pumped out as often as they need to and chosen that as an alternative to replacement. That also is costly and doesn't protect the E-zone if the pumping doesn't happen. It is very important for you to understand when a system fails it can not be "fixed". You can't somehow call the Roto-Rooter man to fix the system. To "fix" a system it has to be totally replaced. To replace a failed system you pump out the old tank and have it filled with sand. The "drain field" is abandoned. To get back to a functioning system, you then construct a NEW tank and build and connect to a NEW drain field in proper soils and hook all that NEW system back up to the house. All this work and plan must be approved by the city Sanitarian. That is how you "fix" a failed system. Because of the "Rural Reserve" determination on Skyline, we will have septic systems in this area for another 50 years. Septic systems work and have proven to be safe throughout the County and City where sewers are not available. So what is my request??? I support the staff recommendation, but it simply needs to include the identical circumstance of installation of a new system in the Skyline area in addition to the replacement of an existing system. The required activities and environmental considerations in the E-zone are identical, so this good policy should apply to both types of needed infrastructure where sewers are not and will not be available. Along Skyline where many of us have E-zone protection on some of our parcels, we have had this other code process on the books forever. Most people have avoided it because it is too costly, cumbersome, and frustrating and we have long asked the city for an alternative. The basic elements of protecting the Environment in the E-zone for a failed septic system and a new Septic system are EXACTLY the same. Once you

have a location approved by the sanitarian there is simply NO DIFFERENCE in building a NEW system or replacing a FAILED old system. The bottom line is this..... ANY OWNER building a septic system, for both replacement of an existing septic system and for installation of a new system, in the E-zone should be allowed to use the new proposed system of "prescriptive development standards". ALL OWNERS SHOULD BE ALLOWED TO DO THAT. We all want to protect our E-zoned land. We all should have the privilege of using the "prescriptive development standards " process. ALL OWNERS SHOULD BE TREATED THE SAME. Please see the letter from my attorney for language that would allow the proposed code language to do just that. Please make the permitting process more efficient and effective for all while still protecting the E-zone Best Joe Angel -- Joseph Angel Pacific Star 6454 N. Greeley Avenue Portland, OR 97217 (503) 525-9100 Office (503) 345-9745 Fax CONFIDENTIALITY NOTICE: This electronic message transmission contains information that may be proprietary, confidential and/or privileged. The information is intended only for the use of the individual(s) or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify the sender immediately by replying to the address listed in the "From:" field.

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