

SSC CONSTRUCTION BID FOR POWELL BUTTE RESERVOIR 2, PHASE 2IF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

✓ By Darvel Lloyd		
✓ Tom Keenan	1321 NE Couch 97232	TKeenan@PortlandBottling.com
no Marcus Chase	2127 SE Taylor St	marcusft@hotmail.com
✓ Tom Fakay	7200 NW Front	tom.fakay@strong.com
✓ Ted Whitehead	5858 NE 87th	ted.whitehead@yosemite.com
✓ Jane Malerkey-Harmon	2211 SW Park 97205	
✓ Rikki Marie Opp	Portland, OR 11135 SE Yamhill	
✓ Cherie Lambert-Volunstein	6141 SE Steele	503 771-5675
✓ STEVEN MARKS	3735 SE CLAY ST. 97214	503.709.9145
Illness in Family - Support John Gilobson	9822 SW. Quail Post Rd.	jtgonygum@aol.com
✓ Anika Bauer		

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✓ Floy Jones	PDX 97215	
✓ KENT CRAFTORD		kentcraftord@hotmail.com
✓ Theodora Tsongas	PDX 97215	
✓ Nancy Newell	PDX 97211	ogec2@hotmail.com
✓ Regha Merritt	2826 NW Thurman 97210	merrittregna@gmail.com

May 25, 2011,

To Mayor and Council,

For the Record Re: LT2, Bull Run Water and Reservoir hearing on May 25, 2011

The LT2 Rule was based on politics, not science.

Hundreds of EPA officials have said they were politically interfered with.

EPA official has stated that they are reluctant to fine municipalities.

NY Times article, Sept, 13, 2009 has stated EPA does not intervene in polluted Water systems.

Now Congress and the President are forcing EPA to postpone needed rules.

Surely our Council and our Congressional delegation can now ask EPA for a Waiver from an unneeded rule.

Political climate is in our favor.

We need our City Council to be in our favor as well.

A billion dollars for a public health problem that does not exist is insanity.

Our water bureau is already in debt, we must not add more before even seriously asking for this legislative exemption, a Waiver from this EPA LT2 rule.


RoseMarie Opp

Enclosed are SE Examiner articles and links. Sept. 2010

<http://my.firedoglake.com/scarecrow/2011/05/21/congress-misses-budget-savings-as-obama-wh-caves-to-fear-of-big-polluters/>

Congress and the President, fearful of a backlash from polluters, are forcing EPA to postpone needed rules to protect public health, leading to avoidable illnesses and deaths while also increasing the budget requirements for public health programs like Medicaid, SCHIP, and Medicare.

Environmental Law and Policy Blog, explains what's driving this:

In January, President Obama grabbed headlines with an op-ed in the Wall Street Journal promising to reduce regulatory burdens on business. He followed up with an Executive Order calling on federal agencies to make sure that future regulations impose the least possible burden and to review existing regulations with an eye to weeding out those that are "outmoded, ineffective, insufficient, or excessively burdensome."

Water we going to do?

Op Ed By SCOTT FERNANDEZ,
M.Sc. BIOLOGY/
MICROBIOLOGY

From the beginning, the EPA got it wrong. They took a one-time catastrophic sewage event in Milwaukee, Wisconsin and made it into an unnecessary and expensive unfunded mandate.

Portland's drinking water has no municipal, agricultural, industrial or sewage exposure in the federally-protected Bull Run watershed.

The City of Portland Bull Run Treatment Panel concluded: benefits of the EPA's required added drinking water treatment "probably would not be measurable".

We have since learned that any added drinking water treatment would considerably degrade our water quality by adding toxic and carcinogenic contaminants.

The Portland City Council's 2009 choice of UV radiation would introduce toxic formaldehyde, Teflon coated light bulb sleeves, and the risk of broken bulbs leading to Mercury poisoning in our water.

EPA also wants us to cover the reservoirs at Washington Park and Mount Tabor.

After a four month review, Portland Independent Review Panel made the following conclusion: *the reservoirs can remain open with improved security and risk mitigation measures.*

We can easily and inexpensively accomplish that recommendation.

Sunlight is needed to help disinfect and break down help unwanted chemical by-products. Covering the reservoirs will promote entry of toxic and carcinogenic gases such as chloroform and Radon into our schools, homes, and businesses.

The cost for all of this unnecessary work on our drinking water system is over a billion dollars including debt service. We will be giving our children and grandchildren expensive, degraded, drinking water for no measurable scientific or public health benefit.

Keep our water system sustainable. Please write to Senator Merkley and ask for his help to obtain a waiver exempting us from this unfair rule.

Senator Jeff Merkley

107 Russell

Senate Office Building

Washington DC 20510

Email: merkley.senate.gov/
contact/ phone: 202.224.3753.

Op Ed By ROSEMARIE OPP

When decisions are made affecting the health of our community such as adding toxic chemicals to our drinking water, should we not be informed? When decisions are made that will raise our water rates year after year, should we not be informed?

It is critical that we get our elected officials to stand up for our good drinking water, or we may end up with the EPA LT2 Rule forcing us into a "corporate designed water treatment process". We now have a natural, sustainable, minimally-treated water system.

The U.S. Environmental Protection Agency's LT2 Rule (EPA Long Term 2 Enhanced Surface Water Treatment) is a one-size rule fits all.

Portland's Bull Run water originates in a federally protected watershed and does not have the human sewage or cattle fecal contamination problems that caused this rule to come about. For over 100 years, Bull Run has provided us with pure, healthy water.

If we cannot get a waiver from the EPA LT2 Rule, our community will be over a billion dollars with debt for a public health problem that does not exist. Our water will be seriously degraded. We must insist that our congressional delegation asks the EPA to grant this Waiver.

Many citizens and organizations requested at a July 2009 hearing that our Portland City Council delay, in order to give Congress time to work on a Legislative Waiver. The Council would not delay, and voted to move forward with expensive projects.

Commissioner Leonard,

the Mayor and Council need to give Senator Merkley the time he needs to get a Waiver instead of continuing on the road to add unnecessary treatments to our Bull Run drinking water and to destroy our Mt. Tabor and Washington Park Reservoirs.

We are in unpredictable economic times and have a gift from past generations of this predictable sustainable water system that offers our community stability into the future. Any money spent needs to be invested in the infrastructure and foundations to maintain the system that has served this community so well for 100 years.

We need to question the background of how this LT2 Rule came about. Who lobbied for the rule and will benefit financially?

Why is our good water an issue with EPA when EPA declines to intervene in polluted waters? Why did NY request a 10 year delay and our city wouldn't? For those who are concerned about open reservoirs, why aren't available bird wires considered and/or laser technologies that can detect unwanted intrusions in reservoirs within seconds to minutes?

I am not a scientist. I am a concerned citizen and I believe citizens need information, education, facts and rational science to prevail.

We should not allow unwarranted alarms and fears to pressure our community into accepting a billion dollar debt, and degraded water. This is our drinking water and we have a right to know and should have a say about the water we drink.

We need our community to pressure city council to say No to any EPA regulations not based on science, and to say No to the Water Bureau decisions and debt that may open the door to privatization and international water corporations.

We must retain public ownership of our water. We cannot depend only on Council's words on this, but must look at their actions and what can happen as a result of their decisions.

see next page

benefit.

Commissioner Leonard,

see next page

Water information

from previous page

I encourage citizens to become informed and put pressure on our elected officials to get a Waiver for our community. Here are several links to relevant articles.

www.talkingpointsmemo.com/news/2008/04/epa_scientists_complain_about.php

www.nytimes.com/2009/09/13/us/13water.html

seattletimes.nwsources.com/html/localnews/2009485902_reser-

voir17m.html

www.citizensforportlandswater.org

www.friendsofreservoirs.org

www.foodandwaterwatch.org/water/report/money-down-the-drain

ment agency proper

1017 NE 117th Avenue
Portland, OR 97220
503 256-4591

Mill Park Neighborhood Association

May 24, 2011

To Mayor and Council,

Mill Park has had many meetings throughout the years on our Bull Run Water and Reservoirs. We've heard various speakers, from PWB and Friends of Reservoirs, and the Mt. Tabor Land Chair. Scott Fernandez, M.Sc. Biology/Microbiology has been a speaker on scientific information regarding the EPA LT2.

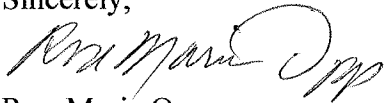
Mill Park residents at our meetings are very concerned that the water rates will not be payable, some saying they will have to move, others that all their discretionary funds will be needed.

They do not understand why this rule should be adhered to when there is no problem with our drinking water. Many have lived here for years and understand how well the system we have provides us with good drinking water and they do not want drinking water degraded with unnecessary toxic chemicals.

We ask that all unnecessary spending projects be stopped. That includes Powell Butte, Kelly Butte contracts, and any bids for disconnecting the reservoirs.

Mill Park wants City Council to ask for a Waiver from this LT2 rule. Senator Merkley does come from our neighborhood and has been asked to assist in this matter.

Sincerely,



RoseMarie Opp
President, Mill Park Neighborhood Association

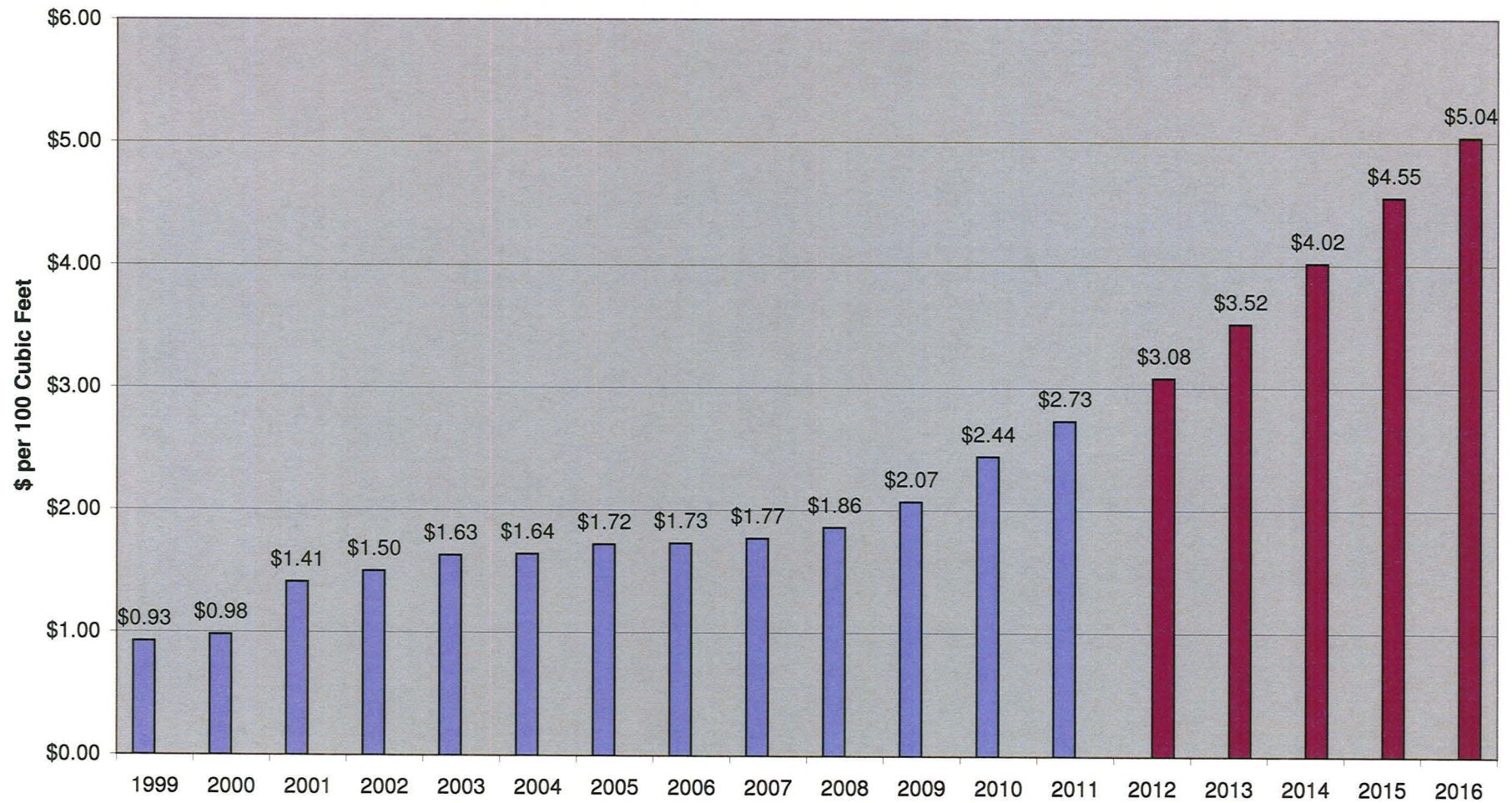
cc Senator Jeff Merkley

KENT CRAFT
5/25/11

Portland Water Rates

(rate values apply from 7/1 of the preceding year to 6/30 of the indicated year)

Actual Projected



May 25, 2011
Item 532 Powell Butte II
Submitted by Floy Jones, Friends of the Reservoirs

RESERVOIR VARIANCE

A March 2009 NYC legal opinion confirmed the availability of a Safe Drinking Water Act open reservoir variance (though EPA used discretion to deny), as did the PWB's Foley Hoag memo. The May 2011 Portland Water Users Coalition legal opinion reaffirms the availability of an open reservoir variance, pursued through the State Drinking Water Program just as with the source water variance. The new legal opinion also made clear that a compliance schedule modification could be requested for any reason. The goal of the reservoir and source water LT2 requirements are to reduce the level of disease in the community. There is no disease from our Bull Run open reservoir water.

The City is already three quarters of way toward submitting an approvable open reservoir variance - source water variance material is a critical component of a reservoir variance application as is the American Water Works Association (AwwaRF) # 3021 study sampling results, a study which utilized an improved sampling methodology. What remains is conducting supplemental Crypto sampling at reservoirs (those in operation as drinking water facilities) plus some giardia sampling at the open reservoirs. Giardia is treated with chlorine with the primary source in the watershed being beavers. Beavers are not present at the open reservoirs. Virus concerns can be addressed via disease surveillance. Public health officials have repeatedly stated that there is no evidence of any disease in the community related to Portland's drinking water. A nine-year consultant reservoir study (1995-2004) concluded: "The potential for contamination of the open reservoirs by viruses is low because animals do not act as hosts to most human viral disease agents. Contamination may be introduced by direct contact with an infected humans." Public health officials have not identified any potential virus concern. EPA did not document any public health issues with open reservoirs.

New York's 160-page document prepared in support of permanently retaining their Hillview reservoir supports that the source water variance and the AwwaRF data are supportive of a reservoir variance.

If the Water Bureau were to work with instead of in opposition to the community particularly with regard to their verbal communications with the State Drinking Water Program, Portland would secure a reservoir variance given the lack of Crypto, giardia and viruses issues associated with our water. As stated by the AwwaRF researchers Portland already meets the goal of the rule- in our case based on the sampling at the open reservoirs.

The City must also concurrently pursue LT2 regulatory reform as NYC has done and seek Congressional relief.

POWELL BUTTE II – unnecessary and overly costly

Without construction of PBII Portland has an excess of 50 mg of in town storage at Tabor as was reported to the 2004 Reservoir Panel and is evidenced by Tabor reservoirs being extensively offline- for recent major open reservoir upgrades and since Sept. 2010 (for 9 months) Reservoir 6 (35 MG each cell) has remained offline.

Even if the Powell Butte tank costs don't rise to the PWB 2008 estimate of \$137 million, at \$100 million the Powell Butte II tank cost is still twice the price of Seattle's larger Maple Leaf 60 million gallon 2-cell concrete tank being constructed on same schedule. Seattle's Maple Leaf tank will cost \$57 million for design, construction, and park amenities as confirmed by public budget documents, and public record requests (Seattle water department), and Seattle Times reports. Click [here](#) for the Seattle Times article referencing ratepayer and total costs.

^o Project Manual Award Volume 1 2009-020.pdf [Seattle document here](#).(44MB)

Powell Butte II- 50 million gallon 2-cell concrete tank- \$137 million (budget documents 2008-2011)

Design contract	\$8,455,246 (contract 2009-2012)
Excavation	\$4 million (actual cost- budget \$10 million)
Construction contract	\$80,238,574 (2010 estimate \$100 million)
Park Amenities	\$6 million

Total costs	\$98.7 million (\$137 estimate)
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5-year plans for rate increases beginning in 2009 reflect a \$137 million price tag
Where is the water rate reduction for a cut of \$40 million?

Submitted by
Darvel Lloyd
5/25/11

2011 Water Rate Hearing, May 25, 2011

GOOD GOVERNANCE

Water rates have increased significantly over the last 3 years, by 43%. I/we do not support this year's 12.9% water rate increase. I/we do not support the Portland Water Bureau's \$400 million reservoir burial plan.

The Portland City Council must direct the Portland Water Bureau to renegotiate the reservoir compliance schedule pushing out compliance for the Tabor reservoirs until 2025. The reservoir compliance schedule can be renegotiated for any reason. Nothing in the law specifies or requires that there be a "technical" justification for a longer compliance schedule.

In recent years costly enhanced security and deferred maintenance projects have been undertaken at Portland's open reservoirs. Good governance says that ratepayers should reap the benefits of the projects they have financed.

A consulting firm[1] hired by the Portland Water Bureau studied the open reservoirs under a 9-year contract from 1995-2004. In a 2001 document[2], that firm rated the reservoirs as being in "good condition" and listed projects (see pp. C1-5 in this link) that, if completed over a 20-year period, would maintain the safe function of reservoirs until 2050 if that work started in 2003.

The majority of the recommended projects were completed under four contracts between 2003 and 2011 at a cost of \$45 million. One of the upgrade contracts, a \$23 million construction contract[3] was awarded in 2007, 1 year after the EPA LT2 rule was finalized. It ran until March of this year. Ratepayer's water bills will reflect these costs over the next 25 years.

Today, with the open reservoir upgrade projects recently completed, the Portland Water Bureau would have you believe that the City must follow their \$400 million reservoir burial plan. Many options exist for avoiding these burial projects that will provide no measurable public health benefit.

We ask that you remove all LT2 construction projects from this budget, reduce the rate increase, and pursue alternative compliance for the open reservoirs beginning with renegotiating the compliance schedule.

[1]Montgomery Watson Harza Global

[2] Montgomery Watson Harza Global - City of Portland Water Bureau Open Reservoir Study Technical Memo 5.7 Facilities Evaluation November 2001

[3]Slayden Construction Group, Inc. Contract 37524