

## The Oregonian

# Portland finds parasite in drinking water, raising possible need for treatment plant

*By Jessica Floum  
February 7, 2017*

Portland's water bureau detected a trace amount of cryptosporidium parasite in a test of drinking water from the Bull Run watershed again Monday.

After four straight years not finding any cryptosporidium during weekly water samplings, the city has now detected the parasite four times this year, raising the specter that the city might have to build an expensive treatment plant.

This week's finding does not raise immediate alarms for human health, officials said. The Portland Water Bureau "does not believe there is any increased public health risk" but recommends that people with weak immune systems consult their doctors about drinking water, bureau officials wrote in a press release.

Four positive tests in five weeks is striking, officials noted. "This is the most cryptosporidium we've detected in more than a decade," said Yone Akagi, the bureau's water quality manager.

Unlike in most other cities, Portland's water bureau does not treat its water for cryptosporidium, a parasite found in animal and human waste. The bureau received an exemption in 2012 from the Oregon Health Authority to forgo treating for the pathogen after the water bureau found no cryptosporidium from 2002 and 2012. Portland opted instead to monitor for the microorganism through regular testing.

Humans are barred from the Bull Run Watershed, making animal scat the most likely source of the parasite, Akagi said.

The state could revoke Portland's exemption if the water bureau finds more than one oocysts--a hard structure found in feces but too small to see--per 13,300 liters of water in one year.

That could force the bureau to build an ultraviolet treatment plant, expected to cost at least \$89 million, according to water bureau planning documents. The city could also build a filtration treatment system that would filter out sediment in addition to microorganisms, but that could cost around \$300 million, said Edward Campbell, director of resource protection at the water bureau.

Whether or not the bureau will have to build the treatment depends on what future tests reveal.

"The numbers will tell us the tale," Campbell said.

A positive test for cryptosporidium on Jan. 2 required the bureau to increase its testing from two tests per week to at least four times per week. The increased testing will continue at a rate of about 250 liters per week. The bureau plans to sample even more water than required to help make sure the rate of positive tests complies with the conditions under which Portland received its exception, technically termed a variance.

"We're going to have to start thinking about what our treatment options are if we get the variance revoked," Akagi said.

Even if the bureau's tests continue to meet requirements, a tightening regulatory environment could later require Portland to build a treatment plant, bureau director Mike Stuhr said.

"At some point in the future, I expect the city will have to build a treatment plant," Stuhr said.

Commissioner Nick Fish manages the Portland Water Bureau. He said it is "irresponsible" to consider the potential costs of building a treatment plant since the city is currently in compliance with the variance.

"That's not part of any current discussion," Fish said. "It is very unlikely that that is going to happen. Our water is safe."

*Note: This story has been updated to reflect the correct spelling of Yone Akagi's name in the second and third references.*

## The Portland Mercury

### Hall Monitor: A Fight We've Been Waiting For

*By Dirk VanderHart*

*February 8, 2017*

TO HEAR Portland's landlords tell it, the city's housing market will soon be circling the drain.

Why? How? As Portland City Council passed strong, temporary renters' protections Thursday, February 2, there was no end to the hypotheticals.

Sleazy men harassing neighborhood children might be allowed to remain in their homes without landlords' ready access to no-cause evictions, one man said. Others speculated that the new protections would spur landlords to allow properties to fall into disrepair.

One man promised only "retaliation."

To be clear, the new law landlords are angry about doesn't eliminate no-cause evictions, nor make it unreasonable to expect a landlord to perform maintenance on their property.

Instead, while the city's housing emergency declaration is in place, it forces landlords to pay relocation costs of between \$2,900 and \$4,500 if they evict someone without cause, refuse to renew a lease, or raise rents by 10 percent or more.

"By and large, the hardship is on the tenants," Commissioner Chloe Eudaly, a driving force behind the new law, said at last week's sometimes-testy hearing. "We are asking the landlords to acknowledge their role in this housing crisis."

But landlords aren't willing—at least not like this. Again and again, they compared the speedy passage of Eudaly's bill to a Trumpian executive order.

So it was no surprise when attorney John DiLorenzo filed suit on behalf of two landlords on Monday, arguing that the law flies in the face of a state ban on rent control and needs to be tossed. While the case plays out, DiLorenzo promised to push to have the policy put on ice, though it remains to be seen how he'll do so.

Even the promise of such a fight is a big deal for Portland, where housing activists have been pestering city officials to take a stand for well over a year. Along with new, strong laws being

contemplated in Salem, the contours of the court's decision could open new possibilities in the city's rental landscape.

None of this is to say that the landlords are entirely wrong, though. I was interested in their claims about the new law, so I phoned down to San Francisco, which has had rent controls in place since 1979 and has yet to see its housing market circle the drain.

Still, the city's rules are frequently derided by skeptics, who say they discourage construction of new housing and benefit a comparative few. Others credit them with saving cultural enclaves, like San Francisco's Chinatown.

The City by the Bay experiences stronger market forces than Portland's, but not dissimilar ones. So how might the protections that Portland just enacted play out in San Francisco's capitalistic Thunderdome?

Robert Collins, executive director of the San Francisco Rent Board, laughed.

"If we had that [policy], everyone would be gone," he said of the city's protected renters. "Portland now is where San Francisco was in 1975."

But in Portland, for now, these new policies stand a chance of doing some good for a lot of people.

## **Developers Just Proposed Nearly 6,000 Apartments to Evade Portland's New Affordable Housing Mandate**

*By Dirk VanderHart  
February 8, 2017*

Want to ensure Portland developers build more housing? Threaten to make them offer affordable units.

That's one takeaway from new data obtained by the Mercury, which shows that developers applied to build an impressive 5,900 units in the two months before the city enacted a new inclusionary housing policy this month. And that's a conservative estimate.

The IH policy went into effect on February 1, and now forces new projects of 20 units or more to set rents at or below 80 percent of the city's median family income in one-fifth of units—either that, or pay into a fund that will be used to build affordable housing in the future. The affordable units are partially subsidized through tax abatements and other incentives offered to developers.

But there was an easy way for developers to avoid the requirements: Getting their project in before the February 1 start date. And according to the city's Bureau of Development Services, plenty of them did.

In December and January alone, BDS fielded 42 land-use review applications for residential projects that the bureau's "conservative" estimates say could include 5,000 units, according to spokesperson Ross Caron. The bureau also received 18 applications for commercial building permits that could include nearly 900 dwelling units.

"They're vested under the previous zoning code regulations and therefore don't have to meet the inclusionary housing requirements that went into effect February 1," Caron says. He notes

that while BDS can't say for sure the projects were submitted to beat out the IH policy, the bureau believes these 20+ unit projects probably were.

The bounty of proposed units is good news for supply-and-demand purists, but it's likely deflating for those who believe the fixed rents created with inclusionary housing are a more-immediate balm to the city's housing crisis.

There's no guarantee that all the units BDS fielded applications for will ultimately be built, of course, but those applications add to an already enormous list of possible projects that could forestall the need for new buildings that comply with the new affordable housing mandates.

According to a quarterly analysis [PDF] released by Portland State University in November, there were 10,000 units being constructed in the Portland metro region at the time of the study's release. The analysis noted there were "another 28,000 units proposed, but with concessions and vacancy increasing due the increased supply, it seems unlikely that a majority of these proposed units actually get constructed in the near-term."

BDS' data shows at least 5,900 units have been proposed within city limits since that study was released. (It's not a one-to-one comparison, but for some perspective, the city issued building permits for 4,120 units in all of 2014, according to census data cited by PSU. It issued permits for fewer than 3,000 units in 2013.)

Those apartments might arrive and they might not. The land-use review applications attached to the 42 residential projects come with long timelines, and so those buildings could show up years into the future, if they're ultimately approved. The applications also cost a minimum \$20,000, Caron says, meaning these are more than idle fantasies.

The commercial buildings that account for something like 900 new units could be approved on a faster scale.

This isn't catching anyone off guard, by the way. In December, as council began a series of hearings on the inclusionary housing proposal, there was already word developers were vying to submit plans under the wire.

Commissioner Nick Fish said at the time: "We may very well see so many projects beat the... deadline that for the next several years, the bulk of development done in this city is not going to be inclusionary housing."

Fish and others voiced hope at the time the city will be able to convince developers to offer affordable units voluntarily, if the city dangles enough incentives in front of them. It's unclear if that will happen.

## **Lead Has Been Spouting from Drinking Fountains in Some City Parks**

*By Dirk VanderHart  
February 8, 2017*

IN OCTOBER of last year, city officials discovered drinking fountains in Northgate Park were discharging lead.

According to test results from the Portland Water Bureau (PWB) that were quietly posted to a city website, the Portsmouth neighborhood park's only two drinking fountains turned up lead

levels of 32.3 and 72.6 parts per billion (ppb), in excess of the 20 parts per billion “action level” set by the US Environmental Protection Agency for water in schools.

The samples, collected October 18, were among the first taken in a sweeping survey of outdoor water fixtures at Portland parks last fall. They weren’t the last to turn up elevated lead levels.

In all, the testing turned up excessive lead spouting from 12 water fixtures in nine parks throughout the city. Records of the tests were posted on a little-noticed city website, detailing lead results at dozens of city properties.

While parks officials were quick to shut off offending fountains, and even put signage on a few, some notifications to neighbors came months after tests occurred. It’s unclear how effective those notices were.

Among the findings:

- Two drinking fountains at a playground in East Portland’s Raymond Park showed results of 42.3 ppb and 40.9 ppb.
- A fountain near some tennis courts in Southwest Portland’s Gabriel Park contained 32.3 ppb.
- Water from a fountain near a baseball field at Lents Park contained 24 ppb.
- At Fernhill Park in Northeast Portland, tests on two drinking fountains—which showed lead levels at 74.3 and 36.3 ppb—led to revelations that the fountains didn’t meet plumbing code. The drinking fountain water was tapped into the same line used for watering the grass, which posed a risk of contamination. Portland Parks and Recreation (PP&R) is requesting \$300,000 in next year’s budget to remedy the situation.

As you’ve likely heard time and again since elevated lead levels turned up all over Portland schools last year, no amount of lead exposure is considered safe. While the parks bureau points out there have been no documented cases of lead poisoning from drinking water in Multnomah County recently, it also notes “sustained exposure to high levels of lead can lead to serious health concerns, especially for young children.”

Which is why city parks are of potential concern: They’re frequented by kids, and there’s no telling how long problem fountains have been discharging elevated lead. PP&R spokesperson Mark Ross says the fountains had never been tested previously, and officials have yet to figure out precisely where the lead is coming from. Portland’s water is corrosive, and can leach lead from older water fixtures and pipes.

The testing conducted last year suggested the vast majority of drinking fountains and hose spigots in parks don’t merit a closer look. The 12 fixtures identified represent 3.5 percent of those tested. PP&R says an additional 53 fixtures haven’t been tested for a variety of reasons.

By using 20 ppb as a cutoff, the parks bureau is voluntarily adopting EPA guidelines. Other jurisdictions have chosen to be more restrictive.

For instance, last year Chicago shut off water fountains in parks that emitted 15 ppb of lead or more—a benchmark the EPA uses to flag problems in large public water systems rather than spot tests of individual fountains. That standard would have shut down eight additional fixtures in Portland parks.

“There is no federal, state or local regulation requiring water testing for parks facilities,” Ross notes. “PP&R management has undertaken the responsibility to create effective protocols and

policies around health, safety and environmental (HSE) matters. We do not want to be a contributor to people's exposure to lead."

The parks bureau has clearly learned some lessons since last summer, when the Oregonian reported that officials had allowed high lead results at the Multnomah Arts Center to languish for years without proper attention.

"We haven't had clear protocols," Parks Director Mike Abbate told the Oregonian at the time, adding that he'd never seen the tests in question.

Now, officials are reacting more quickly. The PWB is in the midst of testing all city-owned facilities for lead, and prioritized testing parks' outdoor drinking fountains before they were shut off for winter.

"When they had a high result for a drinking fountain, we would let [PP&R] know so they could turn that drinking fountain off," says Scott Bradway, who runs the water bureau's Lead Hazard Reduction Program.

But in most cases, parks officials took their time letting community members know an issue had been discovered. Only the results at Northgate prompted officials to issue a notice within two weeks. For elevated lead levels turned up between October 25 and November 30, parks officials didn't send out word to community members until January 20 (the bureau says it received those results December 27).

And it's unclear how effective those notices were. After getting word of the lead tests at several parks in January, the East Portland Neighborhood Office posted notices to its Facebook page, yielding little apparent interest. The office didn't go further.

"That's not typically the type of thing our office shares," says Kari Koch, a community engagement coordinator with the Office of Neighborhood Involvement. "That's parks' job to share."

Some neighbors didn't even see the lead notice. Mary-Margaret Wheeler-Weber, chair of the Portsmouth Neighborhood Association, tells the Mercury she never opened PP&R's email about Northgate.

"The subject line didn't inspire much interest and I get a ton of informational emails," she says.

City officials defend their efforts.

"It's just challenging to put out a media release every few weeks," says Bradway, of the PWB. "In buildings, we post it in the building itself. That doesn't help with [outdoor] fountains, obviously."

Ultimately, he argues that the lag in notifying neighbors that their kids might have been exposed to lead isn't harmful.

"One of the challenges is that after about six weeks it's out of your system pretty quickly," Bradway says. "There's also not a lot you can really do... other than remove the source of lead exposure. That's being done instantly."

Here's a full list of fixtures that showed elevated lead:

<b>Brentwood Park</b>	<b>0063-DF-1</b>	<b>26</b>
<b>Fernhill Park</b>	<b>0120-DF-1</b>	<b>74.3</b>
<b>Fernhill Park</b>	<b>0120-DF-2</b>	<b>36.3</b>
<b>Gabriel Park</b>	<b>0136-DF-5</b>	<b>32.3</b>
<b>Holladay Park</b>	<b>0186-DF-1-NORTH</b>	<b>22.2</b>
<b>Lents Park</b>	<b>0234-DF-4-HIGH</b>	<b>24</b>
<b>Mt Tabor Park</b>	<b>0275-HB-1</b>	<b>54.9</b>
<b>Northgate Park</b>	<b>0451-DF-2</b>	<b>72.6</b>
<b>Northgate Park</b>	<b>0451-DF-1</b>	<b>32.3</b>
<b>Raymond Park</b>	<b>0561-DF-1-HIGH</b>	<b>42.3</b>
<b>Raymond Park</b>	<b>0561-DF-1-LOW</b>	<b>40.9</b>
<b>Washington Park</b>	<b>0841-DF-12</b>	<b>52.3</b>

A complete list of water fixtures in parks that exceeded an EPA action level for lead.

## **The Portland Business Journal**

### **Here are Portland's 15 biggest City Hall lobbyists**

*By Andy Giegerich*

*February 7, 2017*

One group spent more money lobbying Portland City Hall than any other entity has ever spent during one quarterly cycle.

So says the city of Portland's City Auditor's office, which released its fourth quarter lobbying reports on Monday. The reports detail, among other matters, the total money that registered lobbyists spend to convey their messages to city leaders, including their group's salaries and travel. Some may also report indirect lobbying efforts on the report.

That said, the Portland Metropolitan Association of Realtors reported a \$150,000 expenditure during 2016's fourth quarter. The nature of the expenditure wasn't detailed on any of the group's reports.

The group had lobbied against a proposed measure to add home energy score audits to the homebuying process. The measure passed through the Portland City Council unanimously.

Deborah Scroggin, the city elections auditor and a senior management analyst, said the expenditure was the highest ever recorded by one entity during a city reporting period.

Jane Leo, the group's director of governmental affairs, said the high amount results largely from disclosing the cost of a poll tracking opinions about the proposed home energy score measure, as well as digital media and a direct mail piece.

"It's an anomaly, but you're better off disclosing everything than not," Leo said.

Also spending high-dollar volumes, according to their expenditure reports, were the transportation companies Lyft and Uber as well as the home energy advocate Enhabit, which advocated for the home energy score provision.

The Business Journal took a look at the full year results from 2016's four lobbying reports. Click through on the picture above to see which entities spent the most money lobbying Portland city officials in 2016.