



Consortium Board Meeting Summary

JUNE 5, 2024 CALLED TO ORDER: 6:33 PM ADJOURNED: 7:57 PM

QUORUM PRESENT – YES – 17 MEMBERS

(MEETING WAS HELD VIA ZOOM/VIDEOCONFERENCE)

Approval of February 7, 2024 Meeting Summary

Councilor Bridget Brooks made a motion to approve the February 7, 2024 Consortium Board meeting summary as presented. Mayor Tim Rippe seconded the motion. The Consortium Board approved the February 7, 2024 Consortium Board meeting summary as presented (17:0:0).

Public Comment

None

Cybersecurity and PFAS: American Water Works Association (AWWA) Perspective

Steve Via, Director of Federal Relations from the American Water Works Association (AWWA) joined the Consortium Board meeting to give a presentation on cybersecurity and PFAS.

Mr. Via provided a brief background of AWWA. The American Water Works Association is an international, nonprofit, scientific and educational society dedicated to providing total water solutions assuring the effective management of water. Founded in 1881, the Association is the largest organization of water supply professionals in the world. Membership includes over 4,300 utilities that supply roughly 80 percent of the nation's drinking water and treat almost half of the nation's wastewater. Their 51,000 total members represent the full spectrum of the water community: public water and wastewater systems, environmental advocates, scientists, academicians, and others who hold a genuine interest in water.

Mr. Via explained that the technology and network segmentation that is part of maintaining a water/wastewater system is complex and makes cyber resilience more complicated and important.

Mr. Via shared a cyberattack mitigation timeline that was born out of the 9/11 terrorist attack. In 2002 Congress passed the Bioterrorism Preparedness Act requiring water systems to prepare vulnerability assessments. In 2003, Presidential Directive 7 – Sector Specific Agencies and

Coordinating Councils were assigned. In 2013 the National Institute of Standards and Technology helped create and support a cybersecurity framework. In 2018, the America's Water Infrastructure Act (AWIA) amended the Safe Drinking Water Act to require risk and resiliency assessments and emergency response plans. In 2023, cybersecurity assessments became part of sanitary surveys, but the EPA withdrew the requirement after litigation. Today there is a bill in congress that would establish a Water Risk and Resilience Organization to enhance and support cybersecurity in the water sector. Additional outreach is being done on the part of the National Security Council in the form of letters to Governors asking them to make sure the water sector is paying attention to cybersecurity and that they have a cybersecurity plan in place by June 28, 2024; and enforcement alerts by EPA have been issued to put additional pressure on the water sector.

Mr. Via advised that on April 30, due to geopolitical threats, the White House released National Security Memorandum (NSM)-22 on Critical Infrastructure, to secure and enhance the resilience of the 16 critical infrastructure sectors that provide essential services to the American people, to include the energy, communications, transportation, water, and Defense Industrial Base (DIB) services. The EPA will develop a Sector Specific Risk Assessment within 180 days (October 27, 2024).

As part of required AWIA updates, updated assessments should now include cybersecurity considerations. Submission cycle deadlines are based on size of population served.

AWWA, American Municipal Water Association (AMWA), National Association of Water Companies (NAWC), and Natural Rural Water Association (NRWA) have been working in collaboration to prioritize and establish the following cybersecurity priorities:

- Enhanced oversight and accountability (e.g., HR 7922)
- Technical assistance tools (e.g., CISA vulnerability scanning programs)
- Training and education of sector through trusted partners
- Improved cybersecurity threat information through WaterISAC
- Federal loans and grants for cybersecurity risk mitigation

Mr. Via moved on to PFAS – Per & Polyfluoroalkyl Substances. PFAS is a family of compounds with unique molecular structures that share a common feature which is a string of carbon atoms bonded to chlorine atoms. There are hundreds of PFAS compounds. Due to their chemical structure, PFAS are extremely stable and bioactive at low concentrations making them persistent and potentially long term risk contaminants. In addition to being very stable, PFAS are persistent in the environment, toxic and bioaccumulative, and mobile in water.

In April 2024, the EPA finalized a critical rule to designate two widely used PFAS – PFOA and PFOS – as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This step improves transparency and accountability to clean up PFAS contamination in communities. In addition to the final rule, EPA issued a separate CERCLA enforcement policy that makes clear that EPA will focus enforcement on parties who significantly contributed to the release of PFAS chemicals into the environment. They also issued the first-ever

national, legally enforceable drinking water standard to protect communities from exposure to harmful PFAS. As a result of this rule, water providers who treat and dispose of PFAS (as a result of their treatment process) could face enforcement and costly clean-up costs for PFAS they are not responsible for putting into the environment.

Mr. Via reviewed the primary PFAS drinking water standards, the hazard index, and the rule implementation timeline. Mr. Via outlined the risk mitigation costs and CERCLA liability relief legislation for the water sector that is before the House and Senate (S 1430 and H.R. 7944). This legislation would provide regulatory relief for the drinking water sector – putting focus and liability on the polluter.

In closing, Mr. Via shared the following thoughts – the regulatory pace will slow as elections approach; there is only limited time remaining for legislative action in 2024; expect litigation of rulemaking, there is already petitions filed on CERCLA hazardous substance designations; there are only two years remaining on the Bipartisan Infrastructure Act funding; and additional stressors continue to contribute to affordability.

The Consortium Board thanked Mr. Via for his presentation. The presentation will be sent out to Board members. There was a consensus of the Board to send letters of support for the cybersecurity and PFAS legislation Mr. Via mentioned.

Elections

Rebecca Geisen, Managing Director, informed Consortium Board members that elections for the Board Chair and Vice-Chair were needed. Article 4 of the Consortium bylaws contains the procedural requirements for officers. It states that the Board shall have at least a Chair and a Vice-Chair and that they must come from two different counties. The term of both offices is a one-year term with the possibility of a consecutive second year upon re-election. Chair Kevin Williams will no longer be representing Oak Lodge Water Services on the Consortium Board so cannot be elected for a second term as Chair.

Chair Williams opened the meeting for nominations.

Commissioner Jim Duggan nominated Councilor Renee Brouse for Board Chair. Mayor Joe Buck seconded the nomination. There were no other nominations. The Consortium Board unanimously approved the nomination of Councilor Renee Brouse for Board Chair. (17:0:0)

There were no nominations for Consortium Vice-Chair. Commissioner Gary Barth volunteered to fill the position. The Consortium Board approved Commissioner Barth for Vice-Chair. (17:0:0)

Ms. Geisen reported that in addition to the Chair and Vice-Chair elections, the Board needs to elect new county representative Executive Committee (EC) members. Membership is entity specific; allowing the entity's Board alternate to attend and vote at EC meetings. The terms of office will be for two years with the Board allowed to appoint consecutive terms for county

representative members at its pleasure. Ms. Geisen advised that the EC meets three to four times a year in advance of the Consortium Board meetings. The EC identifies major policy issues and makes recommendations to the Board. The EC reviews the annual work plan and budget and provides input and recommendations to the Board.

Board members went into Zoom breakout rooms to caucus by county. Board members representing Clackamas County appointed Commissioner Naomi Angier from Clackamas River Water. Board members representing Multnomah County appointed Director Tom Lewis from Rockwood Water PUD. Board members representing Washington County appointed Commissioner Jim Duggan from Tualatin Valley Water District.

Carryover Resolution

Ms. Geisen reported that the Consortium Board approved the FY 2023-24 Consortium budget and work plan that included funds for the Provision of Emergency Drinking Water Supply Framework - Phase 2 to implement regionally focused recommendations to support members and emergency managers in emergency drinking water planning, and Consortium youth education programs. Ms. Geisen explained that planning for the Provision of Emergency Drinking Water Supply Framework – Phase 2 was delayed to conduct additional stakeholder meetings for the development of the scope of work. Implementation of youth education programs was delayed due to needing additional time to research programming options. As a result, Consortium staff requested to carryover the funds from those projects to FY 2024-25 in the amount of \$41,000.

Councilor Bridget Brooks made a motion to carryover \$41,000 from FY 2023-24 to FY 2024-25 for the Emergency Drinking Water Supply Framework project and youth education programming. Commissioner Mingus Mapps seconded the motion. The Consortium Board unanimously approved the motion to carryover \$41,000 from FY 2023-24 to FY 2024-25 for the Emergency Drinking Water Supply Framework project and youth education programming. (17:0:0)

Consortium, Technical and Executive Committee Bylaws

Board members were provided drafts, both redline and clean versions, of the updated bylaws for the Consortium, Executive Committee (EC), and Technical Committee (CTC). Ms. Geisen noted that the bylaws have been updated to reflect changes to the updated and amended Consortium Intergovernmental Agreement and serve to guide the work of the Board and its committees. Ms. Geisen advised that Consortium Staff incorporated feedback/comments from both the Technical and Executive Committees and reviewed proposed changes including:

- Minimum dues of \$1,000 and allowance for in-kind services in lieu of dues if approved by the Board.
- Defining major and minor amendments to the Regional Water Supply Plan, e.g., minor amendments include updates to existing information and major amendments include work requiring analysis and policy recommendations.

- Clarifying roles of the Board and the Executive Committee. Tasks delegated to Executive Committee included authority to support earmarks, legislation that supports mission, vision, values of the Consortium, and grant applications as reflected in the annual work plan and Strategic Plan.
- Defining and clarifying function and purpose of the Technical Committee.
- Updating outdated language throughout.

The Board will be asked to approve the bylaw amendments for the EC and Board at their October meeting. The CTC will approve their bylaw amendments at their meeting in September.

Director Report

Tri-Annual Activity Report: A detailed tri-annual activity report was included in the meeting materials packet. Board members were encouraged to look over the report for information on activities conducted since the last Board meeting in February.

City of Newberg: The City of Newberg has notified Consortium staff that they are withdrawing from the Consortium due to budget constraints. Consortium staff and the CTC are recommending taking their dues out of the contingency fund line item in the FY 2024-25 budget. The Board will be asked to take action on a recommendation at their October meeting on how to make up for the loss of dues.

Summer Supply – The CTC will hold supply check-in meetings over the summer to provide summer supply updates and discuss any potential changes to public outreach and messaging.

Portland State University Population and Housing Forecast: Preliminary numbers for the Portland State University Population and Household estimates have been completed. Final estimates will be available by the end of the month and will include the Cherry Grove area.

Program Report

Bonny Cushman, Consortium Program Manager shared the following updates:

CTC Deep Dive Discussions: The CTC has been participating in “deep dive” discussions to support the implementation of the Five-Year Strategic Plan and Consortium Staff in identifying pinch points and future needs. The CTC has been providing input to help strategize the best use of staff and resources by identifying program/project priorities. Discussions have focused on staffing resources, plans and reports, equity and translation, and public outreach and media.

Conference: Ms. Cushman attended OEM’s Oregon Prepared Conference and co-presented to a room of approximately 50 attendees on how water providers are working together on projects to make the region’s water systems more resilient to emergencies and disasters.

Youth Education Program: A group of Consortium and member staff have been working together to conduct research and develop recommendations for the Consortium's youth education programming (e.g. conduct focus groups, propose new programming or materials). The group has shared recommendations with the Consortium Conservation Committee (CCC) and the CTC. Program development will continue throughout FY 2024-25 with a fully developed program anticipated to begin in fall 2025.

How to Video Project: The how-to video project is now complete. The Consortium has 35 videos in 12 languages that focus on how to store, access, and treat water in an emergency. All of these videos are hosted on the Consortium's [YouTube channel](#) and on the [regionalH2O.org website](http://regionalH2O.org) on language-specific pages.

Public Outreach: The Consortium runs several multimedia campaigns annually. For the first time ever the Consortium aired three of its emergency preparedness-focused ads on KUNP (Spanish language Univision television) during the Super Bowl. The upcoming summer campaign launches later this month for Spanish content, in July for English content and late summer for multilingual content. All campaign ads and on-air interviews can be viewed and listened to on the Consortium [Newsroom](#) webpage.

Children's Clean Water Festival: The Children's Clean Water Festival was held Tuesday, April 30 at the PCC, Sylvania campus. The Festival is a half day of learning and fun for 4th and 5th grade students that includes hands-on, water-focused activities, classroom presentations, and stage shows that reinforce STEM, Common Core, and Next Generation Science concepts.

Meeting Attendees:

23 Total Members		
Quorum = 12		
Councilor Kevin Teater and Tim Elsea – City of Beaverton	Commissioner Naomi Angier and Todd Heidgerken – Clackamas River Water	Councilor Tim Rippe and Greg Robertson – City of Forest Grove
Mike Whiteley – City of Gresham	Commissioner Deborah Raber and Jessica Dorsey – City of Hillsboro	Commissioner Dan Taylor – Lake Grove Water District
Mayor Joe Buck – City of Lake Oswego	Councilor Robert Massey – City of Milwaukie	Chair Kevin Williams and Director Heidi Bullock – Oak Lodge Water Services
Commissioner Mingus Mapps, Jacq Tjaden, and Sarah Santner – City of Portland	Director Tom Lewis and Kari Duncan – Rockwood Water PUD	Councilor Renee Brouse and Rich Sattler – City of Sherwood
Wyatt Parno – South Fork Water Board	Commissioner Gary Barth – Sunrise Water Authority	Councilor Yi-Kang Hu – City of Tigard
Councilor Bridget Brooks – City of Tualatin	Commissioner Jim Duggan and Pete Boone – Tualatin Valley Water District	Commissioner Paul Schuler and Mike Grimm – West Slope Water District
Councilor Kristin Akervall and Delora Kerber – City of Wilsonville	Steve Via – American Water Works Association	Rebecca Geisen, Bonny Cushman, Patty Burk, and Riley Berger – Consortium Staff

Consortium members agencies not represented by elected officials at this meeting included the City of Cornelius, City of Gladstone, City of Gresham, Raleigh Water District, City of Sandy, South Fork Water Board, and City of Troutdale.

Next Meeting: Wednesday, October 9, 2024, via Zoom/videoconference