



July 31, 2020

<i>mike.jordan@portlandoregon.gov</i> Michael Jordan, Director City of Portland Bureau of Environmental Services 1120 SW 5 th Street, Suite 613 Portland, Oregon 97204	Richard Whitman, Administrator <i>whitman.richard@state.or.us</i> Oregon Department of Environmental Quality 700 NE Multnomah Street # 600 Portland, Oregon 97232
<i>julie.sullivan-springhetti@multco.us</i> Multnomah County Air Quality 501 SE Hawthorne Boulevard Portland, Oregon 97214	<i>info@oda.state.or.us</i> Alexis Taylor, Director Oregon Department of Agriculture 635 Capitol St. NE Salem, Oregon 97301

Re: Request for Immediate Environmental Sampling and Monitoring in and around the Portland Demonstration Zone

Dear Sirs and Madams:

Willamette Riverkeeper and Northwest Environmental Defense Center are 501(c)(3) nonprofit organizations that have worked for decades to protect the environmental health of our region. Our organizations have been actively following the Portland demonstration events this spring and summer.

Over the course of the last few weeks, we have been contacted by numerous members of the public who have expressed great concern with state, federal, and potentially private law enforcement use of chemical munitions against demonstrators. We are working on identifying the chemicals which may have been used, but our research to date suggests that these chemicals have toxic effects, are listed as Prop 65 chemicals in California, and have extended half lives in the environment. Elected officials have already sounded the alarm on the human and environmental

exposure risks of these chemicals.¹ Recent articles² have also highlighted negative impacts of these chemicals on trees, water, and wildlife.

Your agencies have the legal authority, including under the public trust doctrine, and ability to conduct sampling for the presence of the chemicals used during the Portland demonstrations, and we urge to you immediately commence sampling of a variety of medium, including, for example:

- (1) Plant and vegetation tissue;
- (2) Stormwater drains and stormwater system;
- (3) Street washing wastewater;
- (4) The Willamette River (both the water and its sediment);
- (5) Soil; and
- (6) Air.

Your agencies conduct sampling as part of your regular activities. In urgent situations, your agencies have been able to quickly respond and test for harmful chemicals. We urge you to do so now.

We request that your agencies commence this sampling forthwith and continue the sampling until such time as chemical constituents have reached levels safe for humans and the environment. We also request that this sampling data be made publicly available immediately after your agency receives confirmed laboratory results.

We look forward to your prompt response.

Sincerely,

s/ Elisabeth Holmes

Elisabeth Holmes, Staff Attorney
Willamette Riverkeeper
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s/ Jonah Sandford

Jonah Sandford, Staff Attorney

¹ See

<https://blumenauer.house.gov/sites/blumenauer.house.gov/files/2020-07-30%20Joint%20Letter%20to%20EPA%20and%20DEQ%20-%20FINAL.pdf>

² See, e.g., <https://www.opb.org/article/2020/07/31/tear-gas-environmental-impact-portland/> and <https://www.opb.org/article/2020/07/30/oregon-lawmakers-ask-for-investigation-into-health-environmental-effects-of-tear-gas/>.

Northwest Environmental Defense Center
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cc: Earl Blumenauer, Member of Congress
Karin Power, State Representative, Oregon House District 41