

## Memorandum

Date: May 9, 2012

To: West Linn Planning Commission

From: Chris Kerr, Senior Planner

Subject: Written testimony received since May 2, 2012: Lake Oswego Water Treatment Plant  
CUP 12-02/DR 12-04

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At the May 2, 2012 meeting, the Planning Commission determined that new evidence was submitted by the applicant. Accordingly, the written record was left open for seven days to allow the public to submit testimony related to that new evidence.

Specifically, the Commission determined that the information submitted under the May 2, 2012 memorandum (distributed at that meeting) constituted new evidence. Please find attached all of the written testimony received by Staff since the May 2, 2012 meeting.

Attachments

## Shroyer, Shauna

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**From:** Kerr, Chris  
**Sent:** Wednesday, May 09, 2012 7:40 PM  
**To:** e.eisemann@e2landuse.com; Joel Komarek  
**Cc:** Shroyer, Shauna  
**Subject:** Fwd: CUP-12-02/DR-12-04  
**Attachments:** Blank.pdf; ATT00001.htm

Below is Testimony received after office hours, but prior to 7:30 deadline and which is to be included in the record. Thanks

Sent from my iPhone

Begin forwarded message:

**From:** "Pelz, Zach" <[ZPELZ@westlinnoregon.gov](mailto:ZPELZ@westlinnoregon.gov)>  
**Date:** May 9, 2012 6:24:41 PM PDT  
**To:** "Sonnen, John" <[JSONNEN@westlinnoregon.gov](mailto:JSONNEN@westlinnoregon.gov)>, "Kerr, Chris" <[ckerr@westlinnoregon.gov](mailto:ckerr@westlinnoregon.gov)>  
**Subject:** FW: CUP-12-02/DR-12-04

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From: Jenne Henderson[[SMTP:HENDERSONJJ@COMCAST.NET](mailto:SMTP:HENDERSONJJ@COMCAST.NET)]  
Sent: Wednesday, May 09, 2012 6:24:34 PM  
To: Pelz, Zach  
Subject: CUP-12-02/DR-12-04  
Auto forwarded by a Rule

Zach Pelz, Associate Planner  
Planning and Building, #1542

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Chris Kerr, Economic Development Director  
Economic Development, #1538

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May 9, 2012

RE: CUP-12-02/DR-12-04 (Lake Oswego Water Treatment Plant Expansion)

West Linn Planning Commission:

Thank you for taking the time to read this letter. I have a few comments about the 5/2/2012 memo submitted by Lake Oswego at the last meeting.

Figure 3.1 on page 6, is the proposed site plan - area A. This figure makes reference to a matchline - see figure 3.2 for continuation. Figure 3.2 was not included in the memo.

On page 7, the first page of the "Fact Sheet", the applicant asks and answers the question of why the plant can't be located in Lake Oswego. LOT indicates that the proposed expansion is the "most responsible and efficient alternative". How do they know this to be true if feasibility studies were not done. There are no "facts" or data to support the proposed expansion being the best choice for all the cities involved.

On pages 12-14, LOT outlines how the proposed expansion will be a benefit to West Linn and how the expansion differs from what is currently available. To sum up their explanation, the expansion would improve the quality of the water and increase the chances that emergency water would be available to West Linn when needed. This is not a guarantee that water would be available in an emergency. It almost sounds as if there's an increased chance of having a benefit. Also, this "benefit" cannot be guaranteed far into the future. It is possible that in five years, LOT's needs would surpass the surplus and West Linn would not have the water they might need in an emergency.

I realize that West Linn's water infrastructure system and reservoir are in need of significant change, repair, and replacement. Having an increased chance of water available in an emergency won't replace rotten pipes.

Thank you,

Jenne Henderson  
4130 Mapleton Drive  
West Linn, Oregon

## Kerr, Chris

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**From:** Sonnen, John  
**Sent:** Thursday, May 10, 2012 9:02 AM  
**To:** Kerr, Chris  
**Subject:** FW: CUP 12-02/DR 12-04

John Sonnen, Planning Director  
Planning and Building, #1524

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Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

**From:** BS Clan [<mailto:thorfinn@comcast.net>]  
**Sent:** Wednesday, May 09, 2012 6:16 PM  
**To:** CWL Planning Commission  
**Subject:** CUP 12-02/DR 12-04

May 9, 2012

Re: CUP 12-02/DR 12-04, 4260 Kenthorpe Way Proposed upgrade & expansion of Lake Oswego Water Treatment Plant

Dear Commissioners,

I would like to address two items in the Applicant's May 2, 2012 memorandum.

First, the answer to question 4 argues against any additional insurance requirement on the grounds that meeting the constructions requirements contained in the code are enough. This may or may not be appropriate when the project serves the citizens of the community in which it is located. In that case, a certain amount of risk may be expected to be borne by the citizens served. However, this project does not serve the citizens of West Linn (except in emergency situations) and thus is more like a private enterprise than a public one. This application should be treated as if it was submitted by a private entity, rather than a public utility. As such, it is not permitted under CDC 11.060 in an area zoned R-10. Alternatively, additional insurance should be required as a condition to the permit.

Further, the pipes that will bring water in and out of the plant are obviously over-sized and no satisfactory explanation for this design feature has been given. The inclusion of 48" pipes, when 36" pipes would appear to be adequate, presents an increased and unwarranted threat to the neighborhood. It is entirely appropriate to require the Applicant to carry additional insurance to protect the neighboring property owners.

Second, as explained in the answer to question 6, the expansion will involve the introduction of one or two new hazards into our neighborhood in the form of chemicals. Specifically, ozone and liquid oxygen (LOX). While I am sure the design will include systems to minimize the risk associated with the existence of these substances on the site, the fact remains that these are dangerous substances being introduced into a residential neighborhood. Again, as the plant will not serve the citizens of West Linn, it is inappropriate to introduce this additional risk into the neighborhood. This is not consistent with the overall needs of the community, as required by CDC 60.070.

I would also like to respond to certain comments made at the May 2, 2012 hearing regarding the CC&Rs on the Mapleton Drive parcels. While these are not directly at issue before the Commission, the Commission asked questions regarding the CC&Rs at that hearing and the Applicant's answers, at best, may have given a false impression. First, the Applicant attempts to make an issue of the fact that if the CC&Rs are not lifted, they cannot build the pedestrian

walkway between Mapleton Drive and Kenthorpe Way. While this is true, it is only part of the truth. The CC&Rs, if not lifted, will also prevent the construction of any part of the plant on the Mapleton Drive parcels. This is the real issue for the Applicant. They do not care whether the path is allowed or not. The path issue is a red herring. Second, the Applicant stated that their appraisal concluded that the lifting of the CC&Rs and the building of the plant would have no impact on neighboring home values. Further, in answer to a question posed by the Commission, the Applicant stated that their appraisal considered both the lifting of the CC&R and the building of the plant in its value conclusion. THIS IS ABSOLUTELY NOT TRUE. Their report clearly states that "the purpose of the appraisal is to estimate damages, if any, to the other properties in the plat...as a result of the removal of the described restrictions." Further, representatives of the Applicant have previously stated in public neighborhood meetings that they did not have to consider the effect of the plant itself on home values. As such, it is a falsehood to state that their appraiser concluded that the building of the plant in our neighborhood will not impact our property values.

Again, as you have heard many times from West Linn citizens, we do not want this plant in our backyard, our neighborhood, our city. It is not consistent with the overall needs of the community and it will present a significant threat to the lives and properties of its neighbors. It does not belong here. Please vote to deny CUP 12-02/DR12-04.

Thank you,

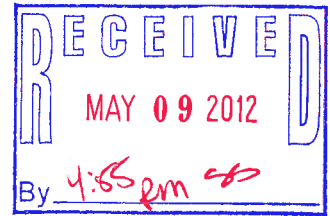
Sam Stephens & Janet Beckett  
3990 Mapleton Dr.  
West Linn, OR 97068

May 8, 2012

Lake Oswego-Tigard Water Partnership Rebuttal

Submitted by Lamont King, West Linn resident for over 50 years.

Referencing: LOT Fact Sheet for CU-12-02/DR-12-04



1. Why can't plant be located in Lake Oswego?  
-During Oversight Committee meeting I attended earlier this year, I asked Joel Komarek where was his "exhaustive study" on alternative sites. He danced around until Mayor Hoffman from LO pointedly asked him for the report. Joel's response was "it was never written down". In the rebuttal, LO mentions the WL Water Master Plan citing a need for "developing a reliable emergency water supply". In testimony during this hearing it has become clear that any surplus water that could come to West Linn will not be available by 2021. Five years of possible water access for a plant that is built to be around over 50 years.
2. In Lake Oswego's own documents, the extra 6mgd is being sought to lock in those water rights on the Clackamas River. Under the pretext of supplying West Linn with emergency water, they are taking water from the users with less senior water rights on the river. They say during "certain times of the year" they could supply West Linn emergency water. I would hope that our emergency occurs on a day that is favorable to them.
3. Location of the plant in a residential neighborhood that doesn't benefit from the plant. The examples cited by Lake Oswego include: Bull Run (Portland-built in 1886 and grandfathered in), Lusted Hill Treatment-located in rural Gresham in a farming area. North Clackamas-located in an industrial area in Oregon City, and Joint Water District-also located in an industrial area. **NONE OF THESE EXAMPLES ARE LOCATED IN RESIDENTIAL NEIGHBORHOODS!**
4. The intertie is the major/sole benefit to the community cited by LOT. I previously stated that this should be tied to the pipeline and not the plant, thus not admissible in this hearing. I know they are connected but LOT insisted on separating the issues. I note that the intertie is an existing benefit that has been used seven times by both Lake Oswego and West Linn in the past ten years. I have attached recent emails from Mr. Whynot and Mr. Jordan from West Linn staff that confirm the equal usage and confirm that our city has not actually undertaken a study of the intertie to quantify the perceived benefit. Chris Jordan said in his email that such a study would be expensive and time consuming and that I would have to pay for it. Since this whole project revolves to such a large part around the intertie you would think this study had already been done.

Please reject this application until LOT can prove a benefit to our city to offset the hardships they will place on our community and answer all of the questions raised during the hearing.

Lamont King

Sincerely,

Lamont King

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**From:** "Jimmy Whynot" <[jwhynt@westlinnoregon.gov](mailto:jwhynt@westlinnoregon.gov)>  
**To:** [lamontking@comcast.net](mailto:lamontking@comcast.net)  
**Cc:** "Kevin Bryck" <[RNAGNC@gmail.com](mailto:RNAGNC@gmail.com)>, "Chris Jordan" <[cjordan@westlinnoregon.gov](mailto:cjordan@westlinnoregon.gov)>, "Chris Kerr" <[ckerr@westlinnoregon.gov](mailto:ckerr@westlinnoregon.gov)>  
**Sent:** Friday, May 4, 2012 6:21:56 AM  
**Subject:** RE: CUP-12-02 - New Information Clarification

Good morning Lamont,

I was asked at the hearing if I knew how many times we used water from the intertie and I told them 7 times. I was then asked if I knew how many times we sent water to LO, I said, I did not know that information, but would estimate it was approximately 4-5 times.

We are happy to respond to all questions, and those that are easily answered are responded to quickly—however, the additional information requested regarding gallons of water pumped and the exact duration of each of the 14 events will require considerable research—and in order to provide that we would need a public records request from you. There would be a cost involved.  
<http://westlinnoregon.gov/citycouncil/public-records-request>

**CITY OF**  
**West Linn**

Jimmy Whynot  
[jwhynt@westlinnoregon.gov](mailto:jwhynt@westlinnoregon.gov)  
*Operations Supervisor*  
 4100 Norfolk St.  
 West Linn, OR 97068  
 P: (503) 742-8615  
 F: (503) 657-3237  
 Web: [westlinnoregon.gov](http://westlinnoregon.gov)

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**From:** [lamontking@comcast.net](mailto:lamontking@comcast.net) [<mailto:lamontking@comcast.net>]  
**Sent:** Thursday, May 03, 2012 3:26 PM  
**To:** Whynot, Jimmy  
**Cc:** Bryck, Kevin; Jordan, Chris  
**Subject:** Re: CUP-12-02 - New Information Clarification

Hi Jimmy,

Your testimony last night did not appear to make this a equal partnership in regards to the use of the intertie. You publicly estimated LO used it less than WL, thus lessening the argument regarding the mutual benefit of the pipeline. I would appreciate you researching the other issues I asked for in my email to you and promptly reply with additional detail on the past use of the intertie.

Thank you,

Lamont

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**From:** "Jimmy Whynot" <[jwhynt@westlinnoregon.gov](mailto:jwhynt@westlinnoregon.gov)>  
**To:** "Chris Kerr" <[ckerr@westlinnoregon.gov](mailto:ckerr@westlinnoregon.gov)>, "King Lamont" <[lamontking@comcast.net](mailto:lamontking@comcast.net)>  
**Sent:** Thursday, May 3, 2012 1:49:03 PM  
**Subject:** RE: CUP-12-02 - New Information Clarification

Hello Lamont,

I could not remember the exact number of times water has flowed to LO through the intertie at last night's meeting and didn't want to miss quote.

I anticipated the question of how many times we have used it and that is what I looked for.

PC Meeting 5/16/2012  
 Written Testimony 7

Since I have been with the city, water has flowed to LO 7 times and also 7 time to WL.

All of the other data would need to be researched.

The city's utilizes and operates the Intertie per the IGA between the city's and SFWB.

When there is a supply issue/failure, that we are not able to last on storage alone, I will make the call to the City Manager, SFWB, and LO for the ok to activate the Intertie.

I hope this helps.



Jimmy Whynot  
Jwhynot@westlinnoregon.gov  
Operations Supervisor  
4100 Norfolk St.  
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**From:** Kerr, Chris  
**Sent:** Thursday, May 03, 2012 12:49 PM  
**To:** King Lamont  
**Cc:** Whynot, Jimmy  
**Subject:** FW: CUP-12-02 - New Information Clarification

Lamont –I'm forwarding to Jim Whynot to respond (as best he can) via email.

Thanks  
CK

Chris Kerr, Economic Development Director  
Economic Development, #1538

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**From:** lamontking@comcast.net [mailto:lamontking@comcast.net]  
**Sent:** Thursday, May 03, 2012 10:25 AM  
**To:** Kerr, Chris  
**Cc:** Kevin Bryck; shanonmv; Hitesman Gary; kariookee@aol.com; Ken Hanawa; Newell David; Pelz, Zach; Vicky and Pat; Sonnen, John  
**Subject:** Re: CUP-12-02 - New Information Clarification

Hi Chris,

At the Planning Meeting last night I was surprised that our water person didn't look into how many times LO had used the intertie when he was already checking on how many times we used it? Could you let me know exactly how many times the intertie has been used by both parties in the last ten years, including amounts of water and number of days? I would also like to know the reasons it was utilized and what our city considers the philosophy behind the intertie itself.

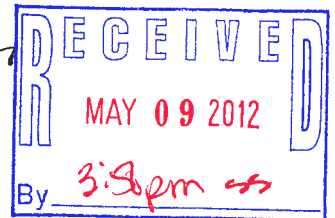
Thank you,  
  
Lamont King

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**From:** "Chris Kerr" <ckerr@westlinnoregon.gov>  
**To:** "Vicky and Pat" <patvicsmith@q.com>, "John Sonnen" <JSONNEN@westlinnoregon.gov>  
**Cc:** "Kevin Bryck" <kevinbryck@comcast.net>, "shanonmv" <shanonmv@comcast.net>, "Hitesman Gary" <hitesman@q.com>, kariookee@aol.com, "Ken Hanawa" <kenhanawa@yahoo.com>, "Newell David" <davidbnewell@yahoo.com>, "King Lamont" <lamontking@comcast.net>, "Zach Pelz" <ZPELZ@westlinnoregon.gov>  
**Sent:** Wednesday, May 2, 2012 4:49:16 PM  
**Subject:** RE: CUP-12-02 - New Information Clarification



LOT WATER Treatment Expansion  
For May 16<sup>th</sup>



**Greetings , Commissioners.**

On our last meeting, May 2<sup>nd</sup> 2012, Joel from Lo was asked about an earthquake and the main. As we all know we are in a # 3 as #4 being the highest. We believe a quake is bad enough, how could anyone adding this main claim it would be an act of God. We are setting between two fault lines, the Molalla-Canby fault and the Oatfield fault. Maps 1 of 2 and 2 of 2.

Picture 1 of 2 shows the biggest valley , the creek runs under this. The concern is if the underground springs were to travel thru this new trench, could those properties get flooded , as in the winter months run near the top.

Picture 2 is the end of Mapleton, less than 14 ft wide, unstable hillside, and residential setting lower than the road. Now the trench, could this create a separation and over time let those properties slide?

Next 2 sheets shows testing of mains, all states are the same as per ANSI/AWWA standards. AT 150#x 1.5=250 testing pressure. As pipe will be back filled as they go as per Joel with LO. HE said they would test long runs of pipe. If this pipe is buried and you have only one leak , that could be a lot from a 48 inch reservoir or line. AS for bleeder vents, valves they have problems as plugging up and supposed to be installed in all high points to bleed air as air in this system is very dangerous.

Sent a few more pages of how they are having problems repairing these lines.

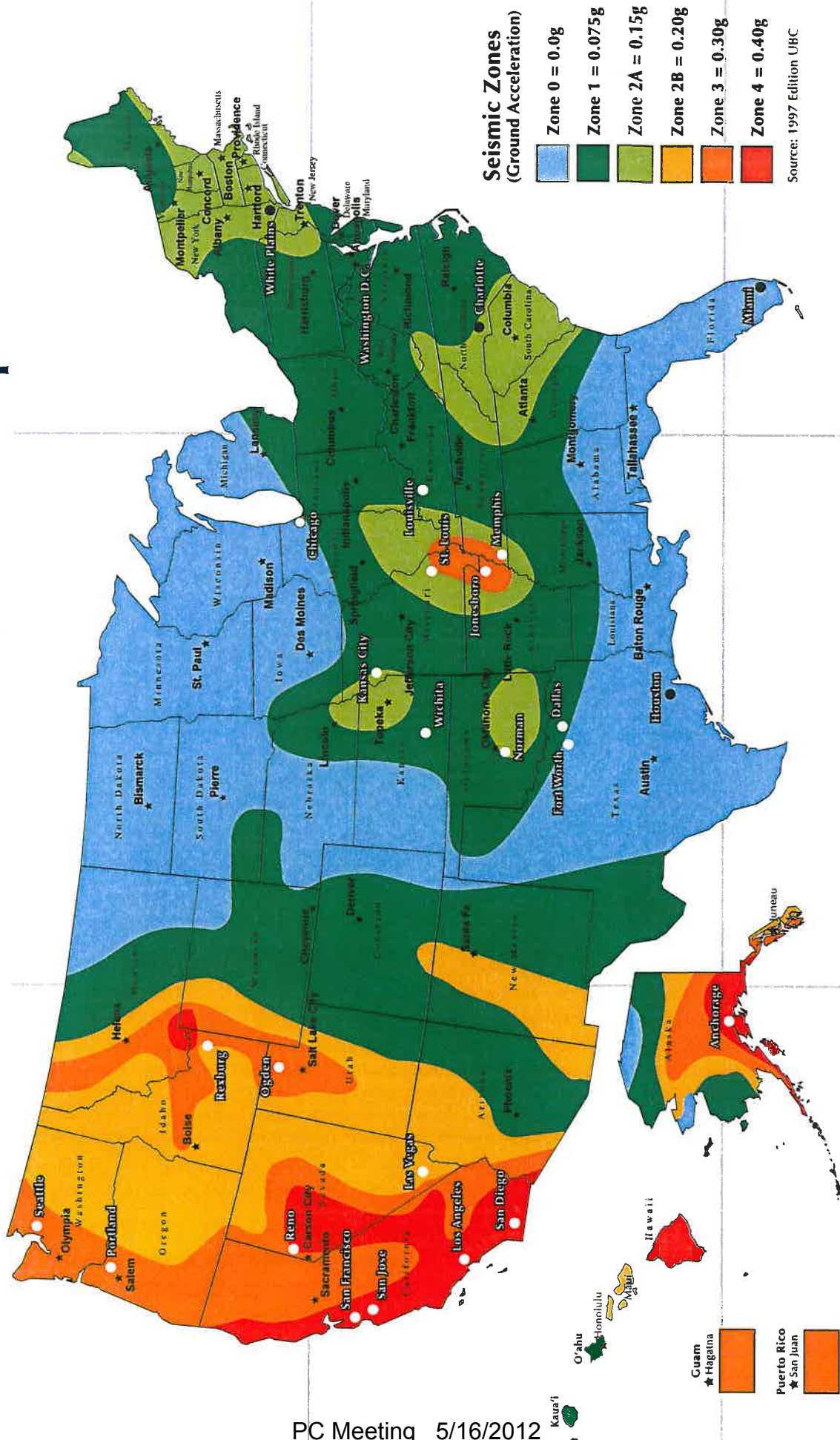
I also spent hours searching for 42 and 48 inch lines going through residential neighborhoods, couldn't find any but found several times that they changed location to go around neighborhoods.

As in Steve Hopkins speech, are we going to set a precedent for all the world to see, if we do I hope it's not here

Carl and Linda Edwards

3680 Mapleton 38 years.

# United States Seismic Zones Map



1 of 2

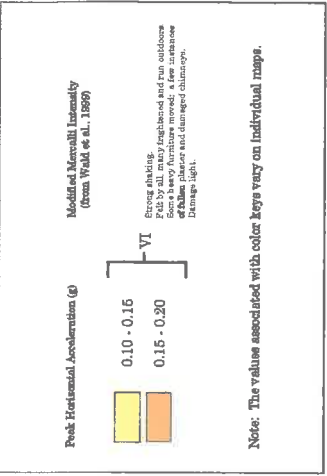
1 of 2

2082

# IMS - 16 Earthquake Scenario and Probabilistic Ground Shaking Maps for the Portland, Oregon, Metropolitan Area

by  
Ivan Wong, Walter Silva, Jacqueline Bott,  
Douglas Wright, Patricia Thomas, Nick Gregor,  
Sylvia Li, Matthew Mabey, Anna Sojourner, and Yumei Wang

## Cascadia Subduction Zone M 9.0 Earthquake Peak Horizontal Acceleration (g) at the Ground Surface

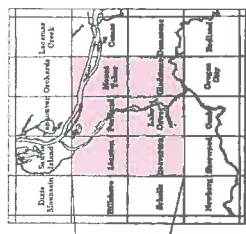


Note: The values associated with color keys vary on individual maps.

### POTENTIALLY SEISMOGENIC FAULTS

- Mapped
  - - - - - Inferred in this study
  - ..... Interpreted from aeromagnetic data
- Data Sources: Madin, 1990; Beeson et al., 1991, and Blakely et al., 1995

Note: The locations of faults as depicted on these maps may have errors of up to 500 meters or more, particularly if they are concealed or based on aeromagnetic data.



USGS 7 1/2 Minute Quadrangles



MAP AREA LOCATION

### Limitations

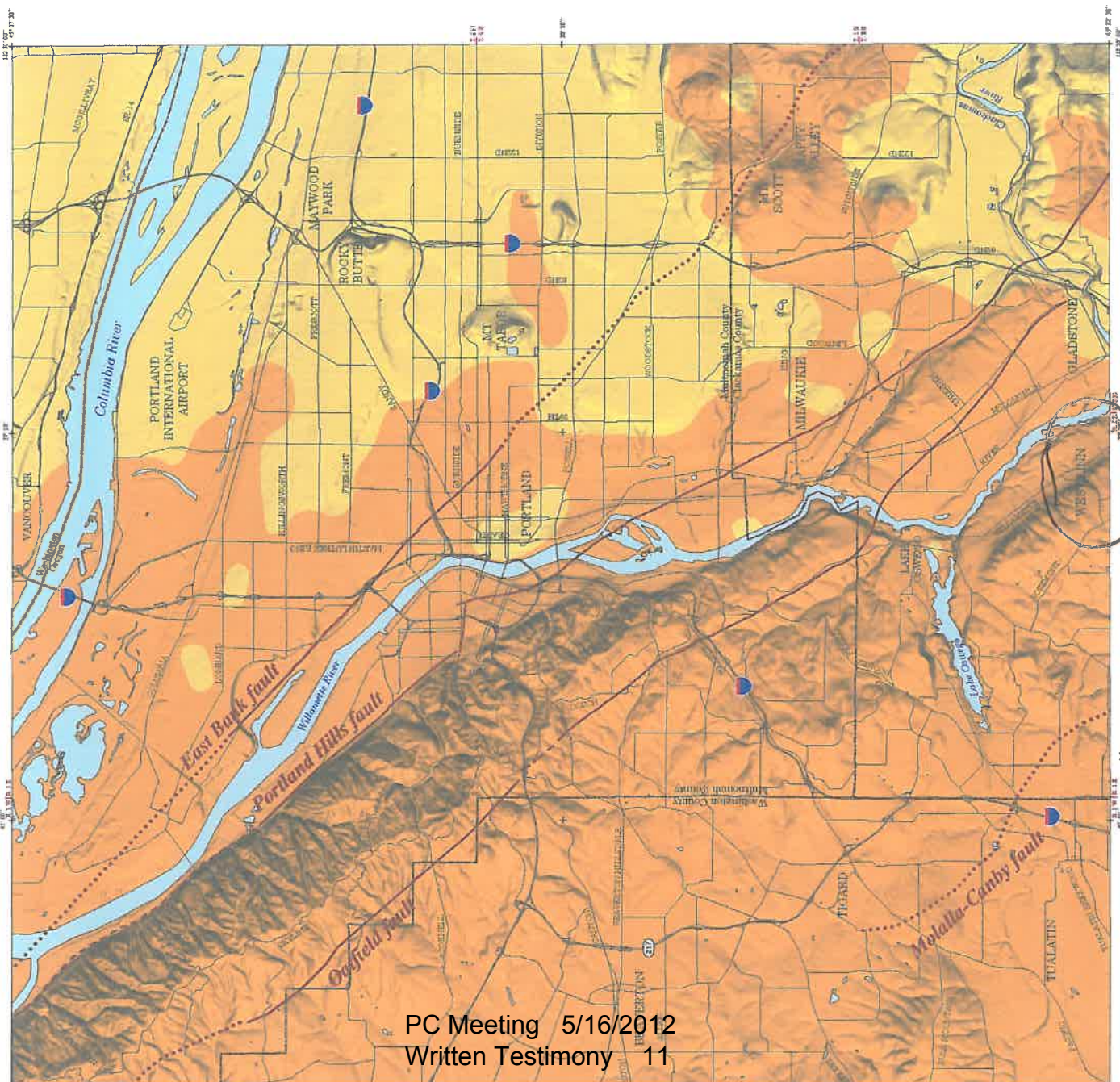
There are large uncertainties associated with ground motion prediction in the Pacific Northwest due to a limited amount of region specific information and data on the characteristics of seismic sources and ground motions. In the portrayal of the Cascadia subduction zone scenario, the uncertainty in the location of the rupture plane and the depth of the rupture plane are not explicitly shown. The uncertainty in the characterization of the subsurface geology, both in terms of the location of the associated site response effects on ground motions. This the maps should not be used for site specific design or in place of site specific evaluations.

This project was a cooperative effort between USGS Greiner Woodward Clyde Federal Service and the Oregon Department of Geology and Mineral Industries. The project was funded by the Oregon Department of Geology and Mineral Industries under the National Earthquake Hazards Reduction Program Award 184-HQ-96-01227. The views and conclusions contained in this document are those of the authors and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. Government.

2082

USGS Greiner Woodward-Clyde Federal Services

# Cascadia Subduction Zone M 9.0 Earthquake Peak Horizontal Acceleration (g) at the Ground Surface





Bollocks

Bollocks →

MRS ←  
COX

BUMP

2 of 2

NO  
PARKING  
←





TOWN OF HOLDEN  
MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS  
WATER & SEWER

HYDROSTATIC TESTING OF WATER MAINS

As a minimum, all water mains shall be tested in accordance with the Hydrostatic Testing Requirements of ANSI/AWWA C600.

- A. The test pressure shall not be less than 1.25 times the stated working pressure of the pipeline measured at the highest elevation along the test section and not less than 1.5 times the stated working pressure at the lowest elevation of the test section. **If the calculated test pressure is less than 175 psi, then a minimum test pressure of 175 psi shall be used for the test.** Loss of water pressure during test shall not exceed 5 psi in a 2 hour period.
- B. Where practicable, pipelines shall be tested between line valves or plugs in lengths of not more than 1500 feet. All hydrant valves shall be open so that the hydrants are included in the pressure test. If services are installed, testing shall be conducted up to the curb stop.
- C. The pipe shall be slowly filled with water and the specified test pressure shall be applied by means of a pump connected to the pipe in a manner satisfactory to the Town. The pump, pipe connection, and all necessary apparatus including the gauges shall be furnished by the contractor. Before applying the specified test pressure, all air shall be expelled from the pipe. If permanent air vents are not located at all high points, the contractor shall install corporation cocks at such points so the air can be expelled as the line is filled with water. After all the air has been expelled, the corporation cocks shall be closed and the test pressure applied.
- D. Duration of test shall not be less than two hours.
- E. Where leaks are visible at exposed joints and/or evident on the surface where joints are covered, the contractor shall repair the joints, retighten the bolts, relay the pipe, or replace the pipe until the leak is eliminated--regardless of total leakage as shown by the hydrostatic test. Polyethylene encasement damaged from repairs must also be properly repaired or replaced to the satisfaction of the Town.
- F. All pipe, fittings and other materials found to be defective under test shall be removed and replaced at the contractor's expense.
- G. Lines which fail to meet test shall be repaired and retested as necessary until test requirements are complied with.
- H. The Town will provide water for testing and disinfecting the water mains; however, the contractor will be responsible for piping or hauling the water if necessary. The contractor shall not operate any valves on existing water mains. This shall be done by the Town.
- I. No pipe installation will be accepted if the leakage is greater than that determined by the formula:

2062

$$L = \frac{SD(P)^{1/2}}{133,200}$$

in which L is the allowable leakage, in gallons per hour; S is the length of pipeline tested, in feet; D is the nominal diameter of the pipe, in inches; and P is the average test pressure during the leakage test, in pounds per square inch gauge. Allowable leakage at various pressures and pipe sizes are shown in the Table below (from AWWA C600 - Table 6A):

**Allowable Leakage Per 1,000 Feet of Pipeline\* in GAL/HR**

Avg. Test Pressure psi	3"	4"	6"	8"	10"	12"	14"	16"	18"	20"	24"	30"	36"	42"	48"
250	0.32	0.43	0.64	0.85	1.07	1.28	1.50	1.71	1.92	2.14	2.56	3.21	3.85	4.49	5.13
225	0.30	0.41	0.61	0.81	1.01	1.22	1.42	1.62	1.82	2.03	2.43	3.04	3.65	4.26	4.86
200	0.29	0.38	0.57	0.76	0.96	1.15	1.34	1.53	1.72	1.91	2.29	2.87	3.44	4.01	4.59
175	0.27	0.36	0.54	0.72	0.89	1.07	1.25	1.43	1.61	1.79	2.15	2.68	3.22	3.75	4.29
150	0.25	0.33	0.50	0.66	0.83	0.99	1.16	1.32	1.49	1.66	1.99	2.48	2.98	3.48	3.97

\*If the pipeline under test contains sections of various diameters, the allowable leakage will be the sum of the computed leakage for each size.

**TEST FORM (to be completed by tester)**

Project: \_\_\_\_\_ Tester: \_\_\_\_\_ Date: \_\_\_\_\_

Location of Mains Tested: \_\_\_\_\_

	LENGTH (FT)	DIAMETER (IN)	ALLOWABLE LEAKAGE (GAL/HR)
Section			
Section			
Section			
TOTAL (GAL/HR)	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	GAL/HR
TOTAL GALLONS	XXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXX	GAL.

*Minimum Test Pressure = 175 PSI or greater*

Test Start: 1/2 Hour Pressure: \_\_\_\_\_ Refill amount (in gallons): \_\_\_\_\_  
 1 Hour Pressure: \_\_\_\_\_ Refill amount (in gallons): \_\_\_\_\_  
 1-1/2 Hour Pressure: \_\_\_\_\_ Refill amount (in gallons): \_\_\_\_\_  
 2 Hour Pressure: \_\_\_\_\_ Refill amount (in gallons): \_\_\_\_\_

TOTAL LEAKAGE \_\_\_\_\_ GALLONS  
 PASSED \_\_\_\_\_ FAILED \_\_\_\_\_

I certify under penalty of law that I am the person authorized to fill out this form and the information contained herein is true, accurate and complete to the best of my knowledge and belief:

\_\_\_\_\_  
 Signature of tester

COMMENTS:

INTRODUCING THE NEW  
INTEL XEON PROCESSOR  
E5 FAMILY

intel  
Sponsors of Tomorrow.

May 4, 2012

Home Weather News Sports Blogs Contests Find It Your Town Video Programming Jobs Classifieds Obits Better Living Moms



Dow Jones ▼ 13037.59  
S&P 500 ▼ 1370.31  
Nasdaq ▼ 2962.77  
NYSE ▲ 8151.97



WKYT  
WYMT  
STATION INFO  
IMWTNESS  
LOGIN



SHARE

Posted: Mon 11:11 PM, Jul 11, 2011 AA

Updated: Mon 11:55 PM, Jul 11, 2011

Back to Home

### Louisville main breaks; boil-water advisory issued



LOUISVILLE, Ky. (AP) - A large area of the city of Louisville has been without water or has low pressure after a water main ruptured near the University of Louisville campus, and officials have issued a boil-water advisory.

Louisville Water Co. spokeswoman Kelley Dearing Smith says 75,000 people were affected by the break, which spilled 30 million to 40 million gallons of drinking water into the street.

The break in the 48-inch main happened Monday evening near the intersection of Floyd and Warnock streets.

Crews at the site had almost isolated the break about four hours later and were still working on shutting off one valve, Smith said.

The company issued a boil-water advisory for customers in an area from the Ohio River south to the Watterson Expressway and from Ninth Street east to Bardstown Road-Baxter Avenue. Anyone outside the boundary who had low pressure during the break should also boil their water, Smith said.

MomsEveryday.com

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## Repairs from water main break continue

Posted: Aug 12, 2011 5:38 PM PDT

Updated: Aug 12, 2011 5:51 PM PDT

By Jaimie Weiss - [email](#)

Posted by Charles Gazaway - [email](#)

LOUISVILLE, KY (WAVE) - The Louisville Water Company is working to repair the second major water main break this summer in the same area. Compared to the break on July 11 that happened just west of the site of the current location, the Louisville Water Company said this break only spilled out 7.5 million gallons of water compared to 70 million in the last one. LWC crews were only able to begin their repair work late Friday afternoon because the land that gave way thanks to the water took out a large tree too.

As if staring into a giant hole in his front yard wasn't bad enough for Brandon Perkins, Friday morning the land gave way and the whole swallowed much of what gave his home its character – a huge 100-year-old tree. It left crews trying to get the pipe fixed with an even bigger job on their hands.

Kelley Dearing Smith, a Louisville Water Company spokesperson, said they had to remove the root, tree and trunk from the hole before LWC crews could access the portion of the 48 inch transmission line that busted.

Perkins said watching the water spew from the 88-year-old broken main was like watching a volcano that erupted out of the road. Although it was the second break in the line in less than a month, Dearing Smith said they don't believe there is an overall problem at this point. However, Dearing Smith said staring down into the abyss once again does give them some concern about how effective their inspections are.

"What we're trying to do is figure out if there's technology in the country we can get here to help us really inspect this pipe," said Dearing Smith.

Until then their job is getting the pipe patched and the water flowing again.

Dearing Smith said everyone has water, but there is still a boil advisory in effect for around 400 customers in an area bound by Lilly Avenue on the north, Bradley Avenue on the east, Maylawn Avenue on the south and Interstate 65 on the west.

Louisville Gas & Electric said the gas line that was ruptured left 37 homes without service. All but two of those homes are expected have gas service restored by Friday night. They hope to have the gas line repaired by Tuesday.

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Brandon Perkins



Kelley Dearing Smith

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# Main Pipe for Yakima Drinking Water Fixed

By Robin Wojtanik | Published: Jun 1, 2011 at 1:50 PM PDT (2011-06-1T20:50:9Z)

73493&Path=/News/Local)

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=Main+Pipe+For+Yakima+Drinking+Water+Fixed&Random=0.014981421299443243&PartnerID=147116&Cid=122973493)

**CITY OF YAKIMA NEWS RELEASE** -- Thanks to a receding Naches River and some good luck, the City of Yakima's 48-inch drinking water main pipe has been repaired and is operating without any problems.

Late last week, water levels in the river unexpectedly dropped enough to allow crews to get a better look at the extent of damage flooding had done to an air vacuum release assembly connected to the water main. The release assembly allows air that might build up in the main pipe to escape.

Initially it was feared that cracks in the main pipe may have developed as a result of the air vacuum release assembly having been damaged by flood waters. However, on Friday crews were pleased to discover that the 48-inch main was intact. The damaged release assembly was removed and capped off, and the system was cleaned and tested over the Memorial Day weekend. The tests confirmed that the water main is sound and it was slowly put back in service. By noon today, the system was operating at full capacity.

"We really are fortunate," said City Water/Irrigation Manager Dave Brown. "As it turns out, the fix was relatively easy. We thought that when the flooding receded, we might find a much bigger problem. But we didn't, and we were able to get the system back up and running," said Brown.

Two weeks ago, the City shut down the main pipe coming from its drinking water plant located west of the city along the Naches River due to damage caused by flooding. Most of the customers served by the system relied on the City's three deep wells and some water supplied by Nob Hill Water Association while the damage was assessed and a repair plan was developed. Customers served by the system in Glead, meanwhile, had their drinking water provided by tanker trucks.

Even late last week, Brown was working on ordering supplies to install a temporary bypass section of pipe that would have been laid across an unused railroad trestle which crosses the Naches River near the Nelson Bridges. The temporary bypass was expected to cost as much as \$300,000 to put in. By comparison, the City spent about \$25,000 to removed and cap the damaged air vacuum release assembly, test the system, and bring it back on line.

"The orders that we put in for the temporary bypass pipe and supplies have been cancelled," said Brown. "We've been able to get the system delivering drinking water again for a lot cheaper and a lot earlier than we thought we were going to. As I said, we are fortunate."

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# Attempt To Repair Massive Waco Main Fails



May 4, 2012

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AA **Reporter:** By Paul J. Gately [Email](#)  
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## Attempt To Repair Massive Waco Main Fails



**NEWS VIDEO PLAYER** *Discount Floors Superstore*  
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**HOMEPAGE VIDEO**

	Raw Video: Police... 00:59		Grand Avenue Theatre 02:37
	Court Clerk Arrested 01:29		Accident Halts Traffic 00:38

Accident Halts Traffic  
 < PREVIOUS 1 | 2 | 3 | 4 | 5 NEXT >

**Water Woes In Waco**  
**Raw Video: Waco Water Main Break**  
 WACO (August 20, 2010)—The first attempt to repair the broken 48-inch main that feeds water to Waco's Mount Carmel treatment plant failed Friday and now officials say work will continue through the weekend.



Until the pipe is repaired, officials are asking residents to avoid outdoor water use and to conserve indoor use.

[City Of Waco Water Main Break Information Website](#)

Jonathan Echols, spokesman for the Waco city water utility, said the repair crew installed a new piece of steel pipe to replace the damaged section that failed Wednesday and said it had to be welded into place.

When the line was tested the welds failed, he said.  
 "It set us back a little bit but it's not terrible," Echols said.  
 Echols said he expects crews to work through the weekend and he said he was hopeful the repair would be completed by Sunday.

The break occurred Wednesday in the 48-inch pipe that carries raw water from Lake Waco to the Mount Carmel treatment plant, which officials say provides water to about two-thirds of the city.

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The City's Riverside Treatment Plant is now carrying an increased load, but demand continues to exceed supply, officials said.

The Riverside plant typically processes about 13 million gallons of water daily and has a maximum capacity of 24 million gallons.

Mount Carmel treats about 28 million gallons daily and has a maximum capacity of 42 million gallons.

The main break Wednesday morning sent sending water 60-feet into the air and forced police to close down most lanes of Lake Shore Drive between Greenleaf Drive and Forrester Lane.

Officials are investigating the cause, but said it was probably a combination of high pressure and a weak spot in the massive pipe.

Meanwhile, the headaches mounted Thursday for Waco officials as new leaks developed.

One was reported at the intersection of Valley Mills Drive and Sanger Avenue where a crew planned to work into the night.

Another developed in the 800 block of South 15th Street near Interstate 35.

Officials said the unrelenting heat may be causing the ground to shift, but were investigating the cause of the leaks.

City Of Waco Water Main Break Information Website



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KWTX News 10 shared Rusty Garrett's photo.

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Water Main Break on Atlantic Ave, Flatbush Avenue and Court Street Choke off Brooklyn Traffic

## News Flash: Water Main Break At Atlantic Avenue

[News Update on the water main break](#)

### Potential Choke Hold on Flatbush Ave - Atlantic Avenue Intersection 2,3,4,5,D,N and R Trains

One Sunday February 9th a 48 inch water main exploded on Atlantic Avenue and Court Street in the most critical traffic bottleneck in the Borough. At 10:24PM on Sunday Night, the Water Department is reporting that the Main is still being worked on with an impending Monday morning rush hour lurking just a few hours away. The Traffic Department's 24 information number at 1-212-442-7070 says nothing in it's recorded message about the water main break. It does say that only that one lane on the east side of Flatbush Ave (North Bound) but gives no reason as to why. Nor does the Message say anything about the time the message was recorded.

The Water Department is unsure as to the present status of the break. For information on transit they referred you to the above phone number for the Department of Traffic. They also gave the following Phone Number for Subway information 1-718-330-3331. No one answered the phone at this number and the TA's regular Subway information phone number is now only open from 6AM to 9PM at night.

**So this is the situation: At 10PM at night, with a water main break which can potentially strand East New York, Brownsville, Crown Heights, Bedford-Sty, Flatbush, Midwood, Flatlands, Sheepshead Bay, Mill Basin, and parts of Park Slope, NOT A SINGLE city agency thought Brooklyn was important enough to man phones after people would be coming home and catching the nightly news reports of the Water Main Break which can potentially strangle general access to Manhattan from all of our Subway Lines accept the A, G, and F trains and general road access to the Brooklyn and Manhattan Bridges. In addition, keep in mind that the Gouwanas Expressway is under reconstruction with limited or no access from Central Brooklyn to The Prospect Expressway accept via Hamilton Avenue and lane closures on the Gouwanas itself.**

**Also be aware that 48 inch water main breaks create massive damage to the roadway and construction repair can be expected in the coming weeks.**

**Lastly - It should be noted that the City is aware that many of our water mains need to be replaced. But up till now, it has been the position of the City that it is easier to just let them burst then doing the massive work which is needed to repair the mains. In this case, this main, if it would have broken during rush hour would have no doubt caused loss of life, and will complicate an already impossible traffic situation in downtown Brooklyn with the Manhattan Bridge, Flatbush Ave, the BQE and most of our major subway lines currently under repair.**

**We will make an on the spot inspection of the sight tomorrow and report back to you**

[Mayor Guilliani's email address](#)

# Updated Report

Monday

2-11-97 1 PM

After yesterday's water main break on Court Street and Atlantic Avenue, two lanes of Atlantic Avenue have been closed off for repair on one of the oldest road beds in Brooklyn.

The water main which broke was located on the north side of Atlantic Avenue, across from and in front of the public parking garage located on the north-east corner of Atlantic and Court Street. Sidewalk pavement on Atlantic Avenue in front of the garage had been thrust up at a 45 degree angle near the garage wall from water damage.

By 11 AM on Monday afternoon, one-half the width of the four lane roadway on Atlantic Ave. had already been turned-up with centuries old cobblestone stacked on the sidewalk, and the main itself had been repaired, its cracked section removed. The new pipe was covered up by soil and dirt and on the sidewalk lay a section of a 4 foot wide pipe, neatly cut, the remnants of the new water main which was lowered into the ground and welded into place.

The police covered the area, controlling traffic in every direction two blocks around and a cement truck was on the scene, ready to lay new roadbed over the topsoil. When asked by this reporter how long half of Atlantic Avenue would be closed down, one worker said for a couple more days. When asked if this would be enough time to put in a quality roadway since many emergency road repairs sink after a year, the worker said that on those sites either the ground was not packed hard enough or the cement used was not correct. But he was confident that the road would be properly repaired.

So it happens, the entire Borough lucked out, for if this break would have been four blocks East, and during rush hour, most of Brooklyn's transportation Grid would have been paralyzed and loss of life could have occurred within the Atlantic Ave. Subway Station. Water mains in the area have recently had problems, including one main very close to the DeKalb Train Station for the D, Q, N, and R lines. With this current water main break on Felix Street, near the Williamsburg Bridge Bank, it seems to have undermined the foundation of a home on Felix Street.

It would seem, with so much at stake, that it would be logical to have the water mains in this area replaced prior to the need of emergency action. In fact, this can be said about all the water mains in NYC. But downtown Brooklyn is particularly suspect for problems do to the age of the water mains in that area, and the bottleneck of underground subways in the area, the largest concentration of stations and tracks in New York City.

Rumbling subway trains can contribute to the wear and tear that these pipes endure. In addition,

PC Meeting 5/16/2012

<http://www.brooklynonline.com/bkln.news/WaterTestimony> 22

**in some areas around Long Island University and DeKalb Avenue, whole sections of sidewalk are suspended over empty holes as water leaks and weather have removed solid ground and soil under the sidewalks. With so much recently invested into the downtown Brooklyn area, an infrastructure failure could set us back for years.**

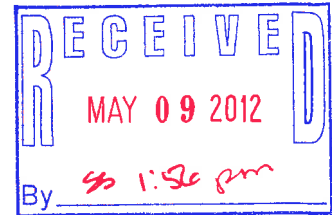
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**CUP 12-02 / DR-12-04 Refers**

Submitted by:

Ken Hanawa  
4191 Mapleton Drive  
West Linn, OR., 97068



**Response to NEW information MEMO submitted by Lake Oswego in rebuttal (entitled “Fact Sheet for CU-12-02/DR-12-04 -received on May 2, 2012 from Zach Pelz)**

1. Although the applicant has now included my residence (at 4191 Mapleton drive) on the revised site plan submitted with the abovementioned MEMO, the simple inclusion of my residence does not address the concerns that I have raised in testimony thus far in regards to Noise level studies and impacts to nearby homes, Safety hazards and impacts to nearby homes of industrial operations and impact to nearby homes of the significant industrial construction phase. In fact the construction management plan does not address most of the concerns raised by neighbors and residents in this regard.

The ‘revised’ site map indicates that my home is 11’2” from the proposed construction. The measurement on that corner of the proposed construction previously indicated the closest home was 117’11”, yet no further study has been included or mentioned relating to the impact and safety based on this much closer proximity. This is especially of concern to me and my family as the proposed construction locates high-voltage transformers, an electrical building, a fuel building and potentially toxic and deadly chemicals dangerously close to my home and family. What mitigations could there possibly be to protect us from the new risks that this massive expansion introduces? This site is totally unsuitable for the proposed use.

2. Related to Point 1 on the Memo – this point does not address at all why the plant cannot be located in Lake Oswego and the reasoning that it is *“the most responsible and efficient alternative for both Tigard and itself”* only underscores the point that this expansion is not for the benefit of West Linn at all, and in fact West Linn’s benefit isn’t even a factor in Lake Oswego’s consideration outside of the fact that it is necessary to show something there in order to comply with rules set forth in West Linn’s CDC related to conditional use permitting. This is why the exaggerated intertie ‘benefit’ argument is even necessary for Lake Oswego. But even that is completely baseless as has been demonstrated in public testimony.
3. Related to Point 4 in the Memo regarding ‘insurance risk’ – the applicant fails to take any real ownership or responsibility for the significant additional property damage risk that they are introducing with the proposed expansion and in fact states their opinion on their lack of liability in this matter quite clearly. The statement that *‘individual property owners may obtain insurance to cover property damage from perils that do not result from the fault of another’* is revealing in that Lake Oswego seems to already be building their defense against any claims related to the proposed expansion. In the case of any future damages it will be up to individuals and to a civil court to determine “fault” and at that point the determination will not be based on a comparative of whether the damages would have occurred



without the plant expansion. It will be much more subjective than that. Consider for example if my home (less than 12' from the proposed expansion) suffers serious structural damage/foundation cracking due to the construction activity – perhaps the major piling activity required due to the inadequate soils and/or the multiple heavy industrial vehicle traffic passing my house all day long for 3 years taking out dirt, delivering materials, chemicals, etc. In this case could I ever 'prove' that Lake Oswego would be at fault? It is highly doubtful that I might be able to prove fault and would take years and significant resources for me to even have a chance of winning such a lawsuit against LO.

As Lake Oswego states in point 4 states *'it is the function of land use approvals, building codes and other safety codes to ensure that sufficient safeguards are imposed to assure public safety'*. Clearly the importance of this review process and the Planning commission role is of vital importance here. The point that this is not a suitable site for such a major industrial expansion has already been clearly made in public testimony, and when it comes to insurance and safety matters this point is even more critical as those *'building and safety codes'* that apply to industrial facilities do not necessarily fully consider the situation where homes and families are in such close proximity as would be in this case. As Lake Oswego states that is the function of the land use approvals process - to ensure that a dangerous combination of circumstances are not created by allowing the industrialization of a site that is not suitable, as in our case - in our single-family detached residential neighborhood.

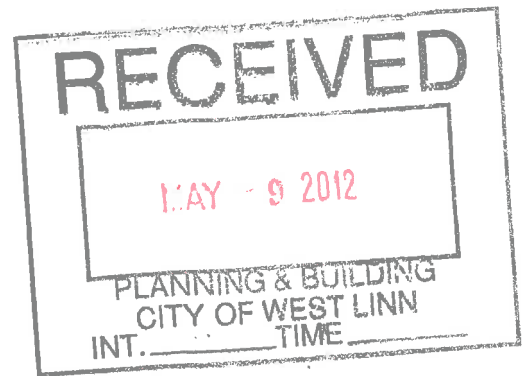
4. Related to point 6 on the memo regarding chemicals stored onsite and risk – again this is a serious concern for me and my family due to our extremely close proximity to the proposed expansion. What measures are even being considered in the safety studies to ensure that a release of any of the dangerous chemicals listed would not threaten the lives of my family directly? I don't see anything meaningful that addresses this in any of the application or submitted documents from Lake Oswego thus far and the reference to some future 'update' to the 1996 Hazardous Materials Management plan does not address this either. That is more about the site itself, not the neighboring community. And how would we even know if something happened at the plant and a dangerous release of chemicals occurred that endangers our lives? What sort of warning could even be given to us? Certainly a reverse 911 call triggered by a worker alerted by an alarm, and especially if that event occurred off-hours with minimal or no staff onsite would not protect us from what would be a matter of minutes between when a chemical release occurred to the time it engulfed our property and household air. We could be dead before that call ever comes.
5. Finally related to point 9 on the Memo regarding 'benefit' to West Linn, again this is a completely contrived context intended only to satisfy the CDC conditional use guideline and still does not address the fact that this can't be considered a 'benefit' if it is something that we already have today and especially since the benefit is mutual in that Lake Oswego also benefits from the two-way intertie.

Thank you again for your time and careful consideration here.

Ken Hanawa

May 9, 2012

To: West Linn Planning Commission  
Re: CUP-12-02/DR-12-04  
Expansion of Lake Oswego water treatment plant  
Response to Item 10 of May 2, 2012 Fact Sheet



To the Members of the Planning Commission:

The LOTWP's Fact Sheet Item 10 (page 14) asks: *"The Lake Oswego Water Treatment Facility is located in West Linn, but does not provide regular water service to West Linn. Is this situation unique?"* Their answer states this is not unique and gives three examples of Portland Metro area facilities not currently serving the neighbors surrounding the plant.

After reviewing this short list of treatment plants, I looked online and/or called the water districts mentioned to find out just where their water treatment facilities are and each plant's proximity to neighbors. I was surprised at what I found and especially surprised that LOTWP would use these facilities as examples of how they could justify the location for their new Mapleton/Kenthorpe facility. While I have provided copies of the maps for the treatment facilities, one could get a better view by looking up the addresses on their own computer.

Facility 1a: City of Portland Bull Run Supply Reservoirs. These reservoirs are in wilderness areas with intentionally no residential activity. I did not provide a map of these reservoirs as it is common knowledge where the wilderness and reservoirs are.

Facility 1b: Lusted Hill Treatment Facility (treating Bull Run water for Portland), 6704 SE Cottrell Rd, Gresham. This facility is very close to the Sandy River and is in the country, with farms or acreage homes across only one road to the west. Those properties probably use well water at the moment, but would likely fall under the Gresham water district if urbanized in the future. Gresham is part of the Portland Bull Run water system. A look at the map will show how large the water treatment plant property is and how far it is from its neighbors. It actually shows what the LOTWP plant lacks: plenty of buffer between residential land and treatment plant buildings and production facilities.

Facility 2: North Clackamas County Water Commission, 14275 Clackamas River Dr, Oregon City. While this facility is located south of the Clackamas River but serves areas north of the river, it is not hemmed in by private residences. There is plenty of open space on all sides of the facility. The private property nearby appears to be agricultural, with the nearest farm house quite a distance from any plant functions. This plant also shows the contrast between the improperly sited new Mapleton/ Kenthorpe plant and a more proper large tract of land far from a built-up residential neighborhood.

Facility 3: Joint Water Commission, 4475 SW Fern Hill Rd, Forest Grove, serving Hillsboro, Tualatin Valley Water District, Beaverton and Forest Grove. Again, LOTWP has chosen to provide us with an example of a water treatment plant in the right place: on plenty of land not sandwiched between houses. Of course there is no city water where these farms are located! This area is agricultural and not a residential neighborhood.

Sieben, p. 1

In attempting to prove it is common for water treatment plants to be situated in another jurisdiction, LOTWP has actually provided us with proof that other Portland Metropolitan area water districts have done the work to find a suitable tract of land which doesn't disrupt a long established neighborhood.

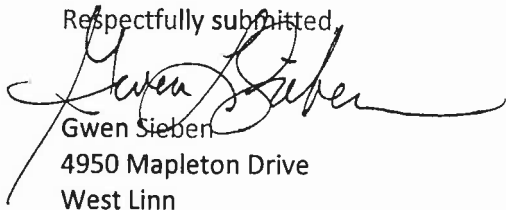
Thank you, LOTWP, for introducing us to Lusted Hill Treatment Facility, North Clackamas County Water Commission and the Joint Water Commission in Forest Grove who are showing all of us how it ought to be done: put a water treatment plant on a large enough piece of land which is not in the middle of a residential neighborhood.

The West Linn Planning Commission will ultimately be doing Lake Oswego and Tigard a favor by denying a Conditional Use Permit for this new Mapleton/Kenthorpe plant. A better sited plant on a larger piece of property would serve Lake Oswego and Tigard with more flexibility far longer into the future. Lake Oswego has wasted more than 20 years scheming to try to get around West Linn zoning, neighborhood resistance and CCR's. Too bad they didn't spend some of this energy and imagination finding property in a commercial, industrial or agricultural location or one with a larger buffer for residents. Perhaps they could start with some of Commissioner Axelrod's suggestions. Or are these project planners just too stubborn to find alternatives?

It is not West Linn's fault that they made this mistake. Robinwood, Mapleton and Kenthorpe should not have to suffer because of Lake Oswego's judgment errors. It's time to stop this dead end project and send the Lake Oswego and Tigard planners back to search for a more conventional location for their water treatment facility.

Thank you, Commissioners, for the careful study you have been making on this difficult project.

Respectfully submitted,

  
Gwen Sieben  
4950 Mapleton Drive  
West Linn

- Enc:
- Facility 1b: Lusted Hill Treatment Facility map close up
  - Facility 1b: Lusted Hill Treatment Facility map showing Hwy 26 and Sandy River
  - Facility 1b: Page from [www.portlandonline.com/auditor](http://www.portlandonline.com/auditor) showing address of Lusted Hill plant
  - Facility 2: North Clackamas County Water Commission map close up
  - Facility 2: North Clackamas County Water Commission map showing I-205 and general area
  - Facility 3: Joint Water Commission map close up
  - Facility 3: Joint Water Commission map showing Hwy 47 and surrounding farm land
  - Facility 3: Home page for Joint Water Commission


Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



~~Enter location or right-click on map~~

Map data ©2012 Google

Lusted Hill Treatment Plant at arrow 

Sieben, p. 3

Facility 1b

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Lusted Hill Treatment Plant at center of map  
 at arrow (B). Sandy River immediately to the  
 east of treatment plant.

Sieben, p. 4

Facility 1 b

**UTL-2.05 - Bull Run Conduit & Lusted Road Pipeline Water Service Policy** - Printable Version**BULL RUN CONDUIT & LUSTED ROAD PIPELINE WATER SERVICE POLICY**

*Administrative Rule Adopted by Water Bureau Pursuant to Rule-Making Authority*  
ARB-UTL-2.05

**OBJECTIVE:**

The objective of the Bull Run Conduit & Lusted Road Pipeline Water Service Policy is to provide the property owners and public water systems in the vicinity of the Bull Run conduits and the S. E. Lusted Road pipeline v description of the Bureau's requirements related to the use and addition of potable water services to the Por water system.

**APPLICABILITY:**

This policy shall apply to the area along the Bull Run conduits located between the Bull Run Headworks and Powell Butte Reservoir and the S. E. Lusted pipeline located along the conduit right-of-way upstream of the Bureau's Lusted Hill Treatment Facility located at 6704 S.E. Cottrell Road.

**BACKGROUND:**

The Water Bureau has been utilizing the Bull Run Watershed to supply water to Portland since the 1890's. Th required construction of conduits to convey the water from the Bull Run to facilities in the city. In order to fa the construction of the conduits, the Bureau provided water services to certain landowners in exchange for li easements and conduit right-of-ways. The Bureau continued to provide additional single water services along conduit routes until October 1974, when Bureau manager Bob Hyle developed a policy on new or additional connection to the conduits, which required all individual water services to dwellings existing as of October 30 and all new developments requesting water service, form water districts per the Oregon Revised Statutes. T policies were concurred with by then Commissioner Frank Ivancie and are reaffirmed at this time.

In November 1980, the Bureau sent a letter to all properties receiving service from the Bull Run conduits, prohibiting extension of water services to properties other than the original property listed as being served l Bureau. The extension of services from one property to another is commonly referred to as a "spider service" is prohibited. Also, in memorandum dated November 6, 1980, Paul Norseth, Bureau Chief Engineer, clarified need for County Boundary Commission approval for water service provision outside of established water ser boundaries.

In 1991, with the implementation of U.S.E.P.A. surface water treatment regulations, the Bureau constructed water distribution pipeline in S.E. Lusted Road. In accordance with the requirements of Clackamas County a time, the pipe was sized to meet the water needs of existing customers and a small amount of additional ca for some growth.

Facility 1b

~~103~~ Sieben, p. 5

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



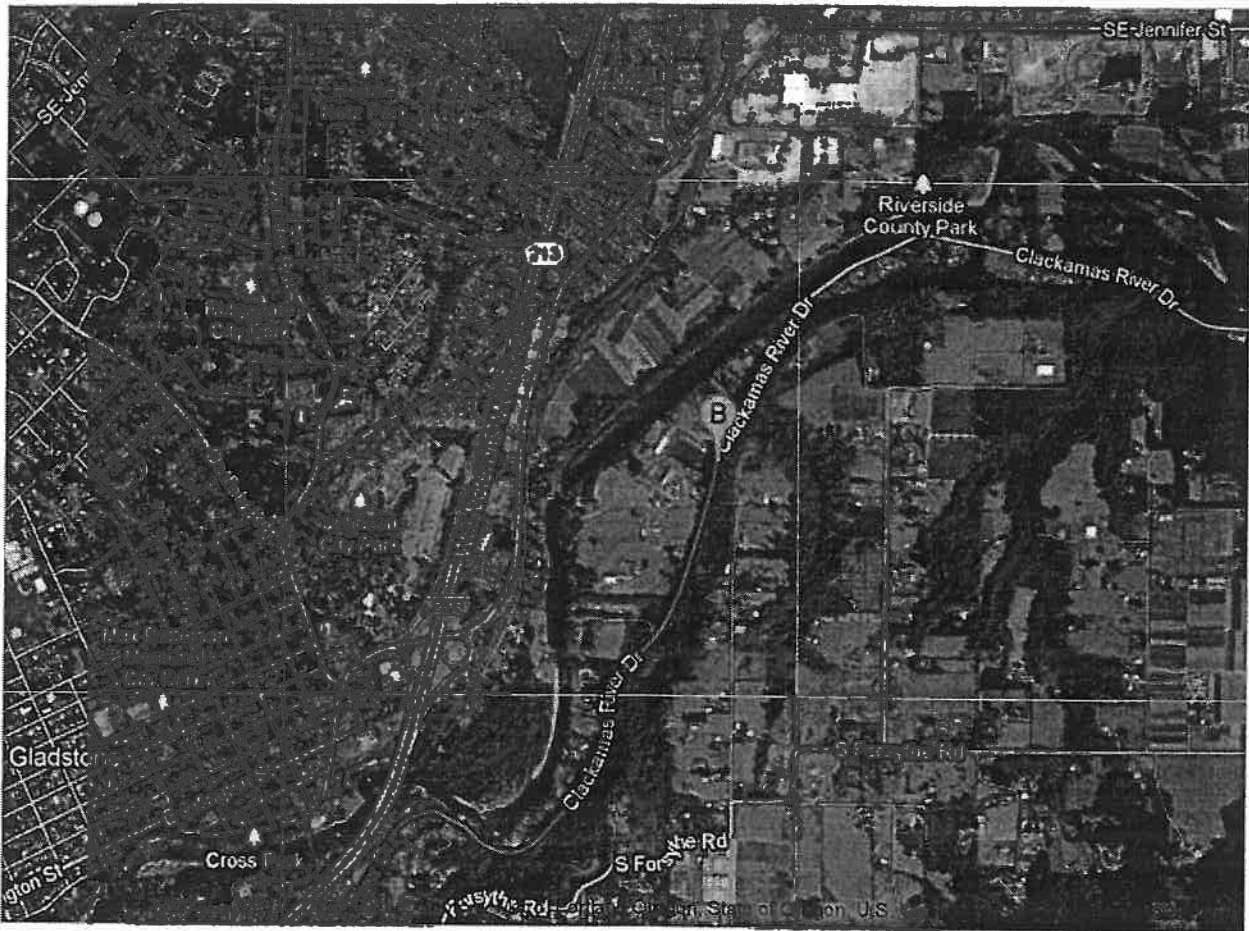
North Clackamas County Water Commission at arrow (A)  
in center of map

Facility 2

ix Sieben, p. 6

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



North Clackamas County Water Commission plant in center of map at arrow (B)

Facility 2

~~102~~ Sieben, p.7



Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Joint Water Commission in center at arrow (B)

Facility 3

Sirben, p. 8

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Joint Water Commission facility in center of map at arrow B

Facility 3

Sieben, p. 9

~~1082~~



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**Welcome to the Joint Water Commission**



The *Joint Water Commission (JWC)* is the primary drinking water supplier in Washington County, Oregon, and is responsible for treating, transmitting and storing potable water to more than 400,000 customers.

Four agencies share ownership in the JWC - Cities of Hillsboro, Forest Grove, Beaverton and the Tualatin Valley Water District. The JWC also wholesales water to the City of North Plains.

**[Click Here for the Source Water Assessment Database Project RFP](#)**

\*\*\*\*\*

**Congratulations to the Joint Water Commission on two major 2012 awards!**

**National Level:** Wendell LaDue Safety Award (*Outstanding safety program and no on-the-job injuries*)

**State Level:** Outstanding Performance Recognition (*No deficiencies or unresolved violations*)

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Web Design Oregon and Custom website design, Online marketing services, Custom logo design by Flying Cow Design.

Sieben, p. 10

~~10~~

**Kerr, Chris**

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**From:** Pelz, Zach [ZPELZ@westlinnoregon.gov]  
**Sent:** Tuesday, May 08, 2012 4:30 PM  
**To:** Sonnen, John; Kerr, Chris  
**Subject:** FW: CUP12-02 Comment on new information

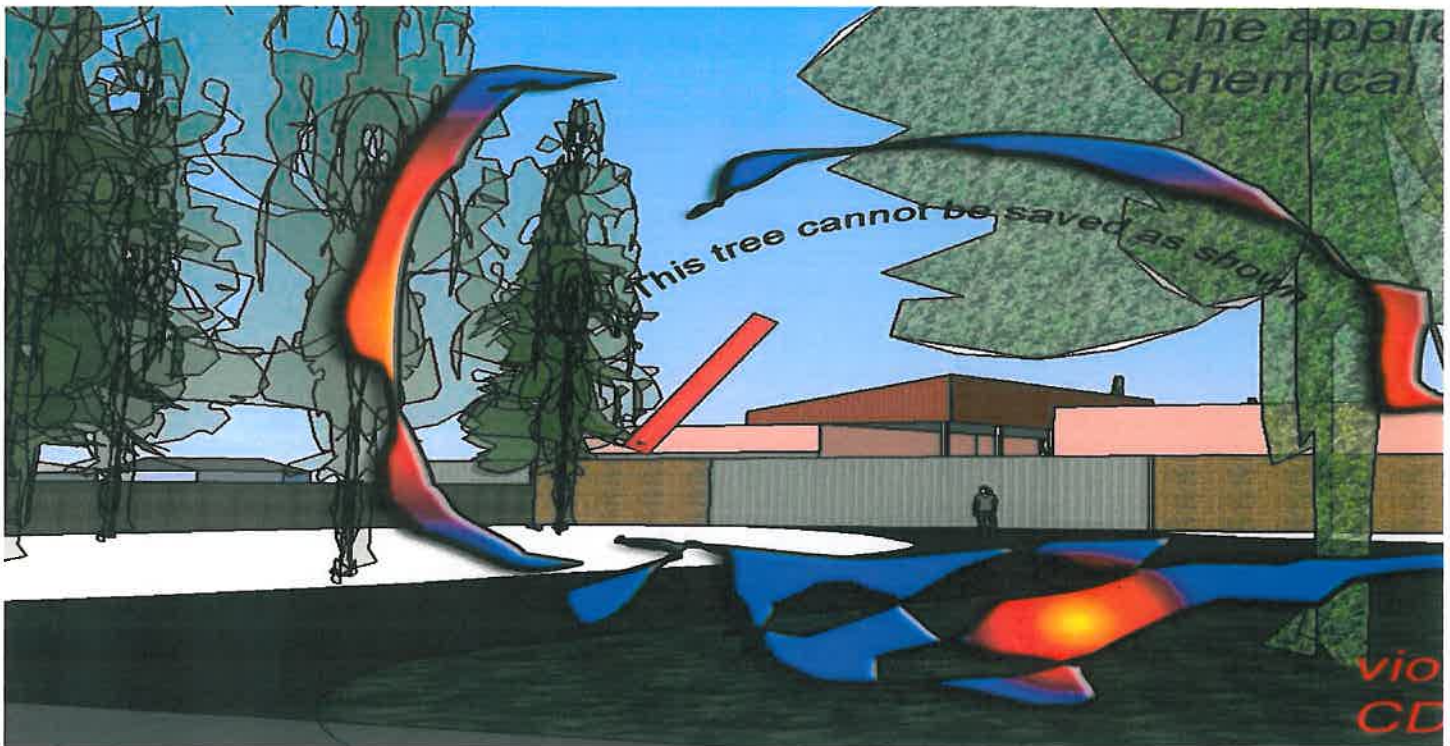
-----  
From: GARY[SMTP:HITESMAN@Q.COM]  
Sent: Tuesday, May 08, 2012 4:29:58 PM  
To: CWL Planning Commission; Sonnen, John; Pelz, Zach  
Subject: CUP12-02 Comment on new information

Auto forwarded by a Rule

The graphic attached here is part of the communication because a picture speaks a thousand words. This view, which was already presented as proof that the applicant has not met this code, was changed slightly by the reorganization of chemical locations and processes. Relocating the LOX and providing an incomplete or possibly revised chemicals list as part of the new testimony introduces **NEW material** that detracts from the concise and clear form of information **required** under ORS 197. **The applicant still fails to meet code and provide the burden of proof.** Having a drawing showing all chemicals, their location, their quantities, how they are to be loaded and unloaded, how truck movements have been revised and how chemical waste is handled are critical in meeting the intent of CDC 60.070 and 55. Their application was woefully incomplete at the start and the new information establishes another poor precedent of unenforceability and non-compliance with this code.

*Do the changes in the chemical locations and chemicals themselves meet NFPA standards? What NFPA standards were triggered with the new information? How do the chemical changes allow the applicant to finally meet this code, comprehensive plan, and ORS?* The applicant needs to respond.

Before the new information was presented last week, the old location of the LOX (Liquid Oxygen) did not meet NFPA setback requirements, was right next to a Type V occupied residential structure in violation of criteria in CDC 60 and 55, was placed on an asphalt surface ( a no-no), and created deficient service vehicle circulation pattern with spillover affects into the neighborhood. As far as anyone can tell, the new information appears to either a.) perpetuate the problems and non compliance, or b.) further withhold important information the commission should use in their decision process. There is NO WAY any commissioner can approve this application as meeting with the CDC, Comprehensive Plan, or ORS 197. How many reviewers were aware of the chemical hazards and inappropriateness of the liquid oxygen storage location prior to this email? With the new information presented, how can staff and the commission be so sure that this code is being met? Again, the burden of proof has been cloaked in a fog of municipal ineptitude and gross propoganda.



The visual impact is staggering to behold. These drawings, and those found on <http://civictomfoolery.blogspot.com/> of the proposed industrial water plant show Joel and Jane are a bunch of crooked and corrupt-minded myth mongers!

Joel and Jane went up in vain  
 To fetch a big plant for water.  
 Joel fell down and broke his crown,  
 And Jane came tumbling after.

Up Joel got, and Oswego trot,  
 As fast as a horse does clip;  
 To old Jack-bob, who patched his nob  
 With a 401k and pink slip.

When Jane came in like an old dobbin  
 To see Joel's paper deluster;  
 The Mayor vexed did whip her next  
 For causing Joel's disaster.

Then Jane did defy, and she did cry,  
 To see LO's mistakes decouple;  
 Her Council then whipt her, across her derrhiere,  
 For snarking at West Linn's good people.

The city staff was also incorrect and has put the City of West Linn at risk for allowing this application, along with this new information, to move forward without performing the required due diligence. Also, the applicant is changing the information and we aren't even through the first hearing! You can just imagine all the unenforceable and unannounced changes they will continue to make once they are greenlighted for construction. As the poem above indicates, abhorrence towards the application is heightening resident's

defiant nature and destroyed what little remaining respect they have for our municipal governance. This is a problem for the CIC and a problem for the project getting approval.

Deny the application. Provide a vote of NO Confidence for the West Linn City Manager and Chris Kerr. And for Christ sake, get an engineering department that is not a laughing stock for the entire state of Oregon. This is a travesty of unmitigated gall and conceit by the LOT Partnership and LO Mayor. Worse still for West Linn, zombies would have provided better service to the commission and oversight. END.

Zach Pelz, Associate Planner  
*Planning and Building, #1542*

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**Kerr, Chris**

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**From:** Sonnen, John  
**Sent:** Tuesday, May 08, 2012 4:22 PM  
**To:** Kerr, Chris  
**Subject:** FW: rebuttal to LOT/WTP New Evidence "Fact Sheet" 5/2/2012 for CU 12-02/DR 12-04

John Sonnen, Planning Director  
Planning and Building, #1524

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Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

-----Original Message-----

From: Benjamin Brink [mailto:kappa@dekka.com]  
Sent: Tuesday, May 08, 2012 3:55 PM  
To: Sonnen, John  
Subject: rebuttal to LOT/WTP New Evidence "Fact Sheet" 5/2/2012 for CU 12-02/DR 12-04

Mr. Sonnen,

Please submit this rebuttal to the Planning Commission regarding the New Evidence "Fact Sheet" of 5/2/2012 for CU 12-02/DR 12-04. Each section below rebuts an item in the New Evidence.

"Proposed Site Plan Overview" map - rebuttal

The "Trees of Significance" shown in the "Site Analysis - Existing Site Overview" map are missing in the "Proposed Site Plan Overview", and the "Proposed Site Plan Area A" contained in the new evidence.

Item 3 - rebuttal

The applicant's answer does not address safeguards built in the active operation of the plant's production system.

Are there sensors that detect sudden pressure drops and/or other indications of a containment failure of piping, storage etc that will immediately shutdown subsystems or pumps or isolate the part in question until the event can be accurately assessed by staff?

Can the West Linn Planning Commission require that the applicant provide notice to everyone living within the hazard radius of the facility (330feet for liquefied gases. See Class ) that in the event of an emergency, the TVFR may issue notice that an immediate evacuation may be necessary to avoid injury?

A 330 foot radius hazard zone exceeds the boundaries of the "Site Analysis Vicinity Map" contained in the new evidence.

Given new hazards, and new awareness of old hazards that are increasing, can the Planning Commission require the applicant to offer to relocate homeowners living within the hazard zone of the facility to another location?

Item 4 - rebuttal

The applicant states: "It is the function of land use approvals, building codes and other safety codes to insure that sufficient safeguards are imposed to assure public safety. ..which are met in this case."

Industrial sites that are staffed 24/7 are required to meet higher safety standards than facilities that are not staffed 24/7.

"During hot summer days, Lake Oswego's key water treatment facilities, including the LO Water Treatment Plant (applicant) operate 24hours a day at maximum capacity." states a representative of the applicant, Kari Duncan in video "Learn More about Water Treatment Methods" embedded at [lotigard.org?p=old-entries](http://lotigard.org?p=old-entries) Thursday, July 15, 2010 post ( at 2:00 of 7:03mins).

It is unreasonable for the public to be first responders to an event that "spills" outside the site's boundary, while an operator located minutes and miles away makes a remote diagnosis and assessment and then takes action with the limited available information.

Is the facility's remote monitoring system providing adequate information to accurately assess incidents?

Are there adequate controls to shutdown all the critical systems and activate incident response systems remotely?

If not, this higher output facility needs to be attended by operating staff 24/7 365 days a year.

Can the West Linn Planning Commission require the facility to have operations staff on-site 24 hours per day, every day?

Item 6 - rebuttal

The applicant states item "vii. Carbon Dioxide (existing) -- Corrosion control; liquefied under pressure; colorless, odorless." without mention of toxicity that it mentions for other items in the list.

The toxicity aspect of CO2 is often missed or minimized even though the toxicity of CO2 is a greater health threat than CO2's hazard of displacing oxygen. Refer to my previous letter dated October 10, 2011 on file for recent findings on CO2 toxicity.

By not replacing the decades old, existing CO2 storage tank, the applicant is avoiding an opportunity to replace the tank and meet new, higher safety standards.

Most all pressurized tanks containing liquefied gas are required to have their integrity directly tested every 10 years or less. Hydrostatic testing is a common way to directly verify tank integrity. Fire extinguishers containing carbon-dioxide are required to be hydrostatically tested every 5 years per 29 CFR 1910.157(f)(3).



Outdoor storage tanks containing liquefied CO2 appear to be exempt from hydrostatic testing (or equivalent) regardless of size or environmental risk. The current CO2 tank has not had a hydrostatic test. A detect-before-fail strategy is relied on.

Detect-before-fail is reasonable for industrial facilities with lots of open space and limited exposure by the public and employees, where containment failure is unlikely to result in injury. However, evacuation guidelines suggest immediate evacuation to 330feet in all directions for a large spill --exceeding the boundary of the facility. This means the public is at risk 100% of the time for this particular application, making detect-before-fail an unreasonable strategy to rely on -regardless of permissive codes.

The West Linn Planning Commission has the opportunity to require the facility to install a new CO2 storage tank to complement the facility's other new equipment.

A new CO2 tank meets newer manufacturing safety standards. A new CO2 tank also requires adherence to newer maintenance requirements that have been introduced over the years. A new CO2 tank will be more fit for service that the applicant plans "for the next 50 or more years." (from LOT/WTP New Evidence "Fact Sheet" 5/2/2012, Item 2, first sentence).

Thank you, Planning Commission members, for this opportunity to rebut the new evidence.

kind regards,

Benjamin

Benjamin Brink  
4435 Mapleton Dr  
West Linn

## Kerr, Chris

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**From:** Sonnen, John  
**Sent:** Tuesday, May 08, 2012 11:31 AM  
**To:** Kerr, Chris  
**Subject:** FW: Citizen Request 15629 - Response to Lake Oswego/Tigard Water Partnership Plant expansion - New evidence CU-12-02/DR-12-04

John Sonnen, Planning Director  
*Planning and Building, #1524*

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Public Records Law Disclosure This e-mail is subject to the State Retention Schedule and may be made available to the public.

**From:** Webmaster  
**Sent:** Monday, May 07, 2012 7:58 AM  
**To:** Sonnen, John  
**Subject:** Citizen Request 15629 - Response to Lake Oswego/Tigard Water Partnership Plant expansion - New evidence CU-12-02/DR-12-04

A new Citizen Request has been submitted to the Citizen Support Center, and assigned to you for prompt response. Please use the online Citizen Support Center to respond to this Citizen Request. As a reminder, your response will be included in the online tracking system for this Citizen Request. Thank you.

<b>Original Request Summary</b>	<b>Date:</b> 05/07/2012	<b>Reference Number:</b> 15629
<b>Name:</b>	Ray Cozby	<b>Status:</b> Assigned
<b>Email:</b>	<a href="mailto:rcozby1@yahoo.com">rcozby1@yahoo.com</a>	<b>Source:</b> online
<b>Phone:</b>	503-675-4577	<b>Assigned To:</b> jsonnen
		<b>Assigned Group:</b> Planning
<b>Topic</b>	<u><a href="#">Response to Lake Oswego/Tigard Water Partnership Plant expansion - New evidence CU-12-02/DR-12-04</a></u>	
<b>Request Details:</b>	<p>As a property owner directly across from the proposed new plant I am very concerned about this project and its construction impacts, operational impacts and loss of livability and property values. Regarding new evidence submitted to the Planning Commission. I find nearly all of LOT's responses woefully inadequate in particular item #1. As good policy and practice a thorough development and analysis of several alternatives should be undertaken. Under the National Environmental Protection Act that is a requirement along with objective analysis of a "No Action" alternative. A project of this size and magnitude that will forever impact a community with little, if any, benefit to that community solely for the convenience and profitability of other cities should send up red flags all over. It is very clear from testimony and responses from LOT to our Commissioners that they have not fairly developed or objectively analyzed any of a number of plausible options at their disposal. Certainly the principle of trying to address a city's goals and ambitions within ones own cities should be the first order of priority. Please protect the City of West Linn and the citizens that you represent and take a long hard look at this wolf in sheep's clothing. Consider, as I'm sure you do, how you would react if you were in our position owning a home in a well established, quiet, residential neighborhood with long standing protective CC&amp;Rs only to have an outsider come in and forcibly change all that and sue you because you disagree. Thank you for the opportunity to comment and thank you for asking good questions and providing so much time and attention to this important matter. Sincerely, Ray Cozby 4284 Mapleton Drive, West Linn OR</p>	
<b>Comment:</b>		

Thank you for using the Citizen Support Center. The City of West Linn welcomes your continued involvement with City affairs.

**Original**

**Request**                    05/07/2012

Reference Number:    **15630**

**Summary**Date:

Name:                    **Kim Cozby**

Status:                    **Assigned**

Email:                    [rcozby@hotmail.com](mailto:rcozby@hotmail.com)

Source:                    **online**

Phone:                    **503-675-4577**

Assigned To:            **jsonnen**

Assigned Group:        **Planning**

Topic

**[Response to New Evidence Proposed Expansion Lake Oswego/Tigard Water Plant CU -12-02-/DR-12-04](#)**

Request Details:

Dear City of West Linn and West Linn Planning Commission Thank you for taking the time to take testimony regarding CU-12-02/DR-12-04. We greatly appreciate it. I live on Mapleton Drive, and feel as though the Lake Oswego Water Treatment Plant expansion is a huge mistake. I don't trust LOT, I think they are dishonest, not trustworthy. They haven't answered any questions to make me feel it will be any benefit to the City of West Linn nor the citizens of West Linn. They say the benefit is our intertie and we already have that in place. It appears the benefit is only for Lake Oswego, and Tigard, and now even the Stafford area. Lake Oswego has not done any homework to relocate their plant, nor has Tigard looked into other options. We live in a residential area not intended for a large commercial water treatment plant. We have our life savings in our home and when we purchased our home we have CC&R's to protect us. And Lake Oswego wants to condemn the CC&R's which are there for the protection of our neighborhood. Our roads are very narrow, and not in the best condition. We already have plenty of car traffic, foot traffic, as well as children riding their bikes. It's going to be a huge safety factor for all of our residents to have large trucks coming into and off of Mapleton Drive as well as more wear and tear to our roads. Lake Oswego does not give us any protection for all the large pipes they will be placing under some of our homes. Who is going to pay for damages if there is a water disaster or land movement and subsequent damage because of the pipes? We certainly aren't getting any additional insurance from LOT or assurance that a disaster won't happen. We, as most people, have our life savings invested in our homes and then to think we may lose it only for the benefit of other surrounding communities? I will be very disappointed in the City of West Linn and the Planning Commissioners if they should allow such an expansion. Thank you for your time, Kim Cozby

Comment:

Thank you for using the Citizen Support Center. The City of West Linn welcomes your continued involvement with City affairs.

**Kerr, Chris**

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**From:** Vicky and Pat [patvicsmith@q.com]  
**Sent:** Monday, May 07, 2012 5:25 PM  
**To:** Kerr, Chris; Pelz, Zach  
**Subject:** LO WTF CUP-12-02

**CUP-12-02 – Lake Oswego Water Treatment Plant - Response to New information**

**Item 1: Alternative Site Analysis:**

West Linn's Comprehensive Plan, Goal 2 Land Use, highlights how this New Water Treatment Plant is in direct opposition to many policies and ideals our community values. In addition, approval of this application would require an "exception to" Goal 2 as highlighted in policies 8 and 9. The process for considering such an exception does not appear to have been followed. The Oregon Department of Land Conservation and Development provides this direction to ensure Statewide Land Use Planning Goals are upheld.

Lake Oswego's submitted response on May 2<sup>nd</sup> is again inadequate. Even after viable alternatives were suggested, increasing and alarming engineering difficulties on the current site were reported, and construction cost estimates raced skyward, Lake Oswego holds on to their "One and Only" solution.

Will this be Lake Oswego and West Linn's "Hwy 20 Eddyville to Pioneer Mountain". Latest article: Oregonian, Metro section Friday May 4<sup>th</sup>, 2012?

**Disregarding Comprehensive Plan Goals is not acceptable to the community and it should not be acceptable to the Planning Commission.**

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**Item 4: Insurance:** Lake Oswego stated they are well insured yet failed to explain the very low settlement limitations outlined in *ORS 30.273 Limitations on liability of public bodies for property damage or destruction*.

Lake Oswego's Lawyer provided chilling clarity into Lake Oswego's "willingness" to pay damages by specifically citing the "*Vokoun v. City of Lake Oswego*" case. For those NOT as familiar with this Oregon Supreme Court ruling as Lake Oswego is:

- Lake Oswego denied any responsibility until overruled repeatedly and finally at the Oregon Supreme Court.
- Shortly after the 1996 event, Lake Oswego, inspected the home and classified it as uninhabitable, causing the home value to drop to ZERO.
- The homeowner had to fund all repairs to save their home and concurrently pursue legal remedy from the City of Lake Oswego out of their own pocket.
- Documents discovered during the trial showed that Lake Oswego anticipated the Vokoun's would give up and that Lake Oswego assumed they could outlast them in a protracted legal case.
- The Oregon Supreme Court verdict was not until 2003.

**Lake Oswego is providing NO PROTECTION for the Citizen's of West Linn and it should not be acceptable to the Planning Commission.**

**Item 8: Home Land Security – Threat and Vulnerability Assessment:**

Under questioning by the Planning Commission, Lake Oswego acknowledged that the Vulnerability Assessment (VA) referenced in their response provided on May 2<sup>nd</sup>, 2012 was done “sometime” after September 11<sup>th</sup> 2001. The VA was done for the existing plant NOT for the proposed expansion. Lake Oswego’s response when questioned was that “size does not matter” and that the old VA was still applicable.

This is just NOT correct. Vulnerability Assessments are not transferable or interchangeable.

Lake Oswego’s Plant expansion will fundamentally change many things including:

- plant capacity
- On site chemical storage and handling
- water treatment processes
- raw and fresh water routes
- site layout, operations and maintenance

As a single example, the Sacramento California Water Treatment plant has intrusion detection and guard towers.

The unexplored vulnerabilities associated with the onsite storage of 12, 000 gallons of Liquid Oxygen (LOX) in close proximity to homes is unacceptable. A VA should look at both normal operating risks as well as risks “by others” intending harm.

**Ignoring Safety and Security of a neighborhood and nearby grade school is not acceptable to the community and it should not be acceptable to the Planning Commission.**

## Kerr, Chris

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**From:** Walters, Rebecca [Rebecca.Walters@adp.com]  
**Sent:** Monday, May 07, 2012 12:47 PM  
**To:** Pelz, Zach; Kerr, Chris  
**Subject:** Rebuttal of New 5/2/2012 memo introduced by Lake Oswego/Tigard

Mr. Pelz:

Please forward this email to the planning commissioners for the CUP-12-02/DR-12-04.

First, I want to thank the commissioners and tell them that I am so impressed with their ability to ask such great questions about this Water Treatment Facility (WTF) expansion project. I realize that this is a volunteer job and that each member must have so much knowledge of planning, geology, neighborhood associations, city government and processes. The amount of reading is phenomenal and requires a lot of discipline. Also, that many of the commissioners would take the time to walk the grounds, see the traffic patterns and checkout the aerial views of both the Wilsonville and West Linn WTF is a lot of extra time. I, and my neighbors, all appreciate this.

With regard to the new memo dated 5/2 by LOT, the following has more questions for LOT than answers:

1. Why can't the plant be located in Lake Oswego? LOT's response to this question is inadequate. LOT indicated to our neighbors that they had done an exhaustive analysis on alternative sites. There appears to be no study or analysis done since there is no documentation they can point to. Both the cities of Lake Oswego and Tigard as well as West Linn have a right to know the costs associated with different sites for a regional water facility of this size. The analysis should include size of plots, costs to build a new site or build one while the old one remains operational, environmental costs, the cost of a 48" pipeline all the way from the Clackamas River UNDERNEATH the Willamette River (using HDD horizontal directional digging), up Mapleton Drive and all the way down Route 43. I have heard that the cost of the pipeline alone is 1/3 the cost of the entire expansion but that is an estimate based upon LOT's figures reported last year. The study should include health hazards, permits, liquefaction, zoning, etc. It should also include where the water rights are and if they are transferable, in this study. They are placing the current proposed WTF on lots that that are zoned residential and have CC&R's that restrict to only single family residences. The zoning should be part of this analysis. What does the condemnation lawsuit cost them? It costs each of the residents on Mapleton a lot of money. The city of Lake Oswego pays for the lawsuit but not for us. The IGA over the intertie most definitely needs to be amended – when both Tigard and West Linn need emergency backup, who gets the water? As Commissioner Martin brought up that selling water to the Stafford Triangle is in direct conflict with West Linn goals ... that was a great piece of information on his part.
2. Why is the plant being designed to supply an additional 6 mgd of water now when its own water demand forecasts indicate this water won't be needed by the Partnership for at least the next decade? That would be 10 years – a decade. What is the cost of the additional 6 mgd of water – it never states the extra cost but only states "very little extra expense". Could the 48" pipeline already be capable of 38 mgd of water and they are using this as a benefit to West Linn? First LOT told our neighborhood they would be doubling the size of the current water demand of 16 mgd per day, to 32 mgd; then came this extra 6 mgd of water per day and it was tooted to be used for West Linn's emergency water. Now in this new 5/2 memo they stated we have this extra 6 mgd for at least 25 more years. Mismatch – decade or 25 years? What are the growth projections for water usage in their cities that support this? What was the "very little extra expense"?
3. What safeguards are being designed into the plant to eliminate/minimize the release of large volumes of water from the underground reservoir or on-site pipelines? I have no knowledge of this and will leave it to Commissioner's Axelrod's capable questions.
4. Lake Oswego and Tigard are introducing an increased risk into the neighborhood. Can it insure private property owners for this increased risk? I am the person who asked my insurance agent about a pipeline leakage that would cause damage to my home. My insurance agent took the time to study this and called me back. He said this is "bad news because the city is almost NEVER liable because the city will show "due diligence" in the maintenance of the pipeline. So in the memo dated 5/2, LOT states: "The Cities liability policies will cover damages to third parties when the cities are at fault". But this is very hard to prove; although the case that was brought up in the hearing did prove it was the cities' liability. My neighbor's sister is the person in that case and they spent 10 years and their own money before the case was settled. Also, in this 5/2 memo they state: "Individual property owners may, of course, obtain insurance to cover property damage from perils that do not result from the fault of another". My insurance agent said with a pipe leakage, that is not a natural disaster and there was no "rider" or "umbrella" that would cover a pipe leakage. The size of the "clearwell" scares me.

5. Why is there no backup power generation planned for this new plant? What if both electrical feeds are not operating? I have no knowledge on this. I have attended all of the hearings and I do not remember anyone bringing up the backup power generation.
6. What chemicals will be stored on site and how will associated risks be managed? I am not knowledgeable on this.
7. Why isn't the upgraded plant using high efficiency lighting? Where would I find what the operational and security needs for lighting are?
8. Will the design of the new plant be compliant with applicable federal/state security rules? No comment.
9. What benefit will West Linn receive from the proposed upgrade of Lake Oswego's existing treatment plant that doesn't exist today with the current plant and the intertie agreement? LOT lists:
  - a. Supply Reliability—proposed on page 12 of the new memo under question 9, under “Supply Reliability”, under “Current” true? In other words if we asked for emergency water between June and September, West Linn would not get it? Under their “proposed” suggestion, they estimate Tigard’s water usage with LO’s which is new information and extend their surplus capacity to 10 to 6 mgd. Ask LOT to show where their forecast figures came from and how they were used.
  - b. Treatment reliability – Is LOT saying that when we get water from the existing intertie that it does not meet the EPA’s disinfectant requirements because the water has to go through the pipeline to Marylhurst to be filtered appropriately? Shouldn't West Linn have their own clearwell? LOT has a conflict here – the existing intertie does not produce water up to the EPA requirements and then in the next section on page 13, LOT states that “although the ‘direction filtration’ plant has produced water meeting all current drinking water standards....”
  - c. Operational Reliability – yes, a new plant will always have operational reliability.
10. The Lake Oswego Water Treatment Facility is located in West Linn, but does not provide regular water service to West Linn. Is this situation unique? First, bullet three on Joint Water Commission also provides drinking water in Forest Grove. LO’s plant does not provide water for West Linn. Bullet one did provide water to the properties surrounding the pipes. I included a snippet from an article that shows that water was provided to the property owners along the pipeline but new property owners will not be receiving water. See:

11. **BULL RUN CONDUIT & LUSTED ROAD PIPELINE WATER SERVICE POLICY**
12. *Administrative Rule Adopted by Water Bureau Pursuant to Rule-Making Authority*
13. ARB-UTL-2.05

14. \_\_\_\_\_

15.

**OBJECTIVE:**

16.

17. The objective of the Bull Run Conduit & Lusted Road Pipeline Water Service Policy is to provide the property owners and public water systems in the vicinity of the Bull Run conduits and the S. E. Lusted Road pipeline with a description of the Bureau's requirements related to the use and addition of potable water services to the Portland water system.

18. \_\_\_\_\_

19. **APPLICABILITY:**

20.

21. This policy shall apply to the area along the Bull Run conduits located between the Bull Run Headworks and the Powell Butte Reservoir and the S. E. Lusted pipeline located along the conduit right-of-way upstream of the Bureau's Lusted Hill Treatment Facility located at 6704 S.E. Cottrell Road.

22.

23. \_\_\_\_\_

24.

25. **BACKGROUND:**

26.

27. The Water Bureau has been utilizing the Bull Run Watershed to supply water to Portland since the 1890's. This required construction of conduits to convey the water from the Bull Run to facilities in the city. In order to facilitate the construction of the conduits, the Bureau provided water services to certain landowners in exchange for land easements and conduit right-of-ways. The Bureau continued to provide additional single



water services along the conduit routes until October 1974, when Bureau manager Bob Hyle developed a policy on new or additional connection to the conduits, which required all individual water services to dwellings existing as of October 30, 1974 and all new developments requesting water service, form water districts per the Oregon Revised Statutes. These policies were concurred with by then Commissioner Frank Ivancie and are reaffirmed at this time.

With regard to the third bullet – Joint Water Commission being located in Forest Grove also serves drinking water to Forest Grove. LO's plant does not serve West Linn.

12. Will the increased water withdrawals from the Clackamas River harm fish? Take a look at the lawsuit with Water Watch. See: [www.waterwatch.org](http://www.waterwatch.org)

WaterWatch filed its protests in part because it was concerned that the extension of the Clackamas water rights permits would affect threatened cutthroat, steelhead, coho and Chinook salmon.

13. Will the Project harm other water rights holders on the River? Again, take a look at lawsuit with Water Watch.

LAKE OSWEGO — There are no Super Soakers in this water fight, but the latest battle on the Clackamas River could prove most crucial in setting the futures of many surrounding communities  
The South Fork board wants the department to place conditions that in the case of water shortages, the more junior members along the Clackamas that received their permits after South Fork, such as Lake Oswego or North Clackamas, be asked to curtail water first

Thanks for your time,

Rebecca Walters

**Kerr, Chris**

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**From:** Vicky and Pat [patvicsmith@q.com]  
**Sent:** Sunday, May 06, 2012 10:16 PM  
**To:** Kerr, Chris; Jordan, Chris; Sonnen, John  
**Cc:** Natalie Nahey Cooper; hawkey88@comcast.net; yvonne davis; ben cota; shanonmv@comcast.net; mark ellsworth; chucklandskronercrm@hotmail.com; lamontking@comcast.net; SFHopkins9@aol.com; ryhimm@hotmail.com; kenhanawa@yahoo.com; thorfinn@comcast.net; ericjones2009@aol.com; butterqueen@comcast.net; flyartcreations@comcast.net; spgavin63@gmail.com; glgavin@comcast.net; liselotte@dekka.com; norahs1344@yahoo.com; gwen sieben; murbobr@q.com; drcanes14@gmail.com; jumpin@cmn.net; darryl walters; juliecmcadams@yahoo.com; clan mccarthy; Steven Blake; tessamess@gmail.com; annaw@hevanet.com; Rebecca 'Walters; Kovash, John; Tan, Jennifer; Carson, Jody; Jones, Michael; Cummings, Teri; CWL Council; Pelz, Zach; Kerr, Chris; chamberinfo@westlinnchamber.com; President RNA; ebailey@oregonian.com; lisa@waterwatch.org; ndecosta@westlinntidings.com; lhall@lakeoswegoreview.com; Kevin Bryck  
**Subject:** Re: Lake Oswego/Tigard Water Treatment Plant -CUP-12-02

Chris Kerr -

We request that you please include this email chain into the open written record for CUP-12-02. We believe it relates directly to the new information presented and also shows that we have been trying to discuss this issue for a long time with the City of West Linn.

For the record, a meeting was never set up with the neighborhood.

Thank you.

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**From:** "Chris Jordan" <cjordan@westlinnoregon.gov>  
**To:** "Rebecca' 'Walters" <Rebecca\_Walters@adp.com>, "John Kovash" <jkovash@westlinnoregon.gov>, "Jennifer Tan" <jtan@westlinnoregon.gov>, "Jody Carson" <jcarson@westlinnoregon.gov>, "Michael Jones" <mjones@westlinnoregon.gov>, "Teri Cummings" <tcummings@westlinnoregon.gov>, "CWL Council" <cwl\_council@westlinnoregon.gov>, "Zach Pelz" <zpelz@westlinnoregon.gov>, "Chris Kerr" <ckerr@westlinnoregon.gov>, chamberinfo@westlinnchamber.com, anthonymbracco@yahoo.com, ebailey@oregonian.com, lisa@waterwatch.org, ndecosta@westlinntidings.com, lhall@lakeoswegoreview.com  
**Cc:** "Natalie Nahey Cooper" <n.nahey.4.coopers@comcast.net>, hawkey88@comcast.net, "yvonne davis" <yvonne.davis@tqs.com>, "ben cota" <ben.cota@gmail.com>, shanonmv@comcast.net, "mark ellsworth" <mark.ellsworth@comcast.net>, chucklandskronercrm@hotmail.com, lamontking@comcast.net, SFHopkins9@aol.com, ryhimm@hotmail.com, kenhanawa@yahoo.com, thorfinn@comcast.net, ericjones2009@aol.com, butterqueen@comcast.net, flyartcreations@comcast.net, spgavin63@gmail.com, glgavin@comcast.net, liselotte@dekka.com, norahs1344@yahoo.com, "gwen sieben" <gwensieben@att.net>, murbobr@q.com, drcanes14@gmail.com, jumpin@cmn.net, patvicsmith@q.com, "darryl walters" <darryl\_walters@comcast.net>, juliecmcadams@yahoo.com, "clan mccarthy" <clan.mccarthy@yahoo.com>, "Steven Blake" <noelblake@comcast.net>, tessamess@gmail.com, annaw@hevanet.com  
**Sent:** Friday, October 28, 2011 8:21:05 AM  
**Subject:** RE: Lake Oswego/Tigard Water Treatment Plant

Ms. Walters:

Thank you for your e-mail. City staff and the City's attorneys are continuing to work on the Lake Oswego water project here in West Linn. Although there have been many meetings with City staff and neighborhood representatives, your email provides an opportunity to bring you up to date on the status of this project. We will be trying to arrange such a meeting in the next couple of weeks. If we are unable to find a time to meet, we will provide a detailed written response to this e-mail.

We will be back in touch if/when this meeting has been arranged. Thank you again for bringing your concerns to our attention.

Chris Jordan

**CITY OF**  
**West Linn**  
Chris Jordan  
[cjordan@westlinnoregon.gov](mailto:cjordan@westlinnoregon.gov)  
**City Manager**  
22500 Salamo Rd  
West Linn, Oregon 97068  
P: (503) 657-0331  
F: (503) 650-9041  
Web: [westlinnoregon.gov](http://westlinnoregon.gov)

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**Public Records Law Disclosure** This e-mail is subject to the State Retention Schedule and may be made available to the public.

**From:** Walters, Rebecca [mailto:Rebecca\_Walters@adp.com]

**Sent:** Wednesday, October 26, 2011 3:52 PM

**To:** Kovash, John; Tan, Jennifer; Carson, Jody; Jones, Michael; Cummings, Teri; CWL Council; Pelz, Zach; Kerr, Chris; chamberinfo@westlinnchamber.com; Jordan, Chris; Bracco Anthony (anthonymbracco@yahoo.com); ebailey@oregonian.com; lisa@waterwatch.org; ndecosta@westlinntidings.com; lhall@lakeoswegoreview.com

**Cc:** Natalie Nahey Cooper; Mike Cooper (hawkey88@comcast.net); Yvonne Davis (yvonne.davis@tqs.com); ben.cota@gmail.com; shanonmv@comcast.net; Mark Ellsworth (mark.ellsworth@comcast.net); Chuck Landskronercrm (chucklandskronercrm@hotmail.com); lamontking@comcast.net; SFHopkins9@aol.com; Rachel Yeoh-Hanawa ryhimm@hotmail.com; Ken Hanawa (kenhanawa@yahoo.com); Janet BecketSamStephens (thorfinn@comcast.net); ericjones2009@aol.com; Stacey Gianopoulis (butterqueen@comcast.net); Jana and Neal Rea ('flyartcreations@comcast.net'); Shaun Gavin (spgavin63@gmail.com); glgavin@comcast.net; Liselotte Scheu (liselotte@dekka.com); Sharon Knutson (norahs1344@yahoo.com); gwen sieben; Bob and Muriel (murbobr@q.com); Mary and Dave Robinson (drcanes14@gmail.com); Scott Gerber (jumpin@cmn.net); patvicsmith@q.com; Darryl Walters (darryl\_walters@comcast.net); Walters, Rebecca; Julie McAdams (juliecmcadams@yahoo.com); clan mccarthy; Steven Blake; Chris & Natalie Christensen (tessamess@gmail.com); Brian and Anna Wheeler (annaw@hevanet.com)

**Subject:** Lake Oswego/Tigard Water Treatment Plant

To Mayor Kovash, West Linn City Council and West Linn Planning Commission:

As citizens of West Linn we are shocked at the increasing level of impact Lake Oswego's planned expansion of the Lake Oswego industrial water treatment facility is bringing to our neighborhood and West Linn's business community along Hwy 43. At every turn a new and greater impact is being imposed on us by another City while our own City does nothing in support of their citizens who are strongly in opposition to this expansion.

Last week, over public requests for deferral, City of West Linn staff approved, a Lot Line Adjustment (LLA) submitted by Lake Oswego. We had asked that the LLA permit be deferred until such time that the full extent of the proposed expansion and 4-foot pipeline was clearly understood.

This week some of our neighbors have been called by Lake Oswego staff, regarding easements the City of Lake Oswego is seeking for the 4-foot diameter raw water pipe. These easements are on our property and in some cases under our homes. Would you want a 4-foot pipe under your home? Could it be that Lake Oswego's \$8.4M dollar "gift" to the City of West Linn has clouded your judgment?

Lake Oswego's website purports "Benefits of Lake Oswego Tigard Water Partnership for West Linn", stating that Lake Oswego's project eliminates the need for the City of West Linn to build their own emergency reservoir "saving" the City of West Linn from spending \$8.4M to build their own reservoir. If this was such a necessary and justifiable "gift" then why would your staff not mention this when they were asked multiple times by property owners, "What are the benefits to our city for this HUGE intrusion and invasion of our neighborhood?"

If the City of West Linn truly needs a reservoir then you should be able to justify this need and ask the voters if this is a value they support. Only then would we know if the need equaled the cost we were ALL asked to share.

This should be NO different than the public debate currently going on over the City's request for a new police station. Both these requests should go to a vote. If the voters approve the request for a new reservoir in West Linn then the costs are shared by all. Costs for the reservoir are reported to be similar to the Police Station general obligation bond that is just \$46/year for the average West Linn home. Instead it appears the City of West Linn has accepted an \$8.4M "gift" thus imposing significant financial and quality of life hardships on a very small number of your residents and the Hwy 43 business community. We clearly do NOT see this as a "benefit".

We question whether the City's conditional use permit process is the appropriate vehicle to adequately mitigate the significant and far reaching impacts. Only after the true extent of project is made known by Lake Oswego should the City determine the appropriate permit process, including requiring a re-zoning of the lots that are currently zoned single family/residential.

We also question whether a Comprehensive Plan Amendment would be the correct vehicle to ensure that the magnitude and lasting impacts of this proposed expansion creating a 10 acre industrial facility within an entirely residential zoned area is the highest and best use for the citizens of West Linn.

We do not support the devaluation or long term risks imposed by the proposed installation of the 4 foot raw water transmission route on the properties our neighbors and neither should you.

In closing, the undersigned request your formal response to this letter and the following action:

1. Put an immediate hold on the Lot Line Adjustment approval.
2. Require Lake Oswego to present the full extent of the entire project within the limits of West Linn, including all anticipated easements, property acquisitions and construction impacts.
3. Review and justify the permits to be required by West Linn.

Sincerely,

Natalie and Mike Cooper  
Yvonne Davis and Ben Cota  
Brandt and Shanon Vroman  
Mark and Carol Ellsworth  
Chuck Landskoner  
Lamont King  
Steve and Nancy Hopkins  
Ken and Rachel Hanawa  
Sam Stephens and Janet Beckett  
Eric and Jean Jones  
Stacey and Andy Gianopoulos  
Jana and Neal Rea  
Shaun and Georgia Gavin  
Liselotte Sheu  
Sharon and Robert Knutson  
Tom and Gwen Sieben  
Bob and Muriel Rowning  
Dave and Mary Robinson  
Scott Gerber  
Vicky and Pat Smith  
Rebecca and Darryl Walters  
Julie and Tim McAdams  
Lisa and Michael McCarthy  
Steve and Julie Blake  
Nathalie and Chris Christiansen  
Brian and Anna Wheeler

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**Kerr, Chris**

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**To:** Stowell5050@aol.com  
**Subject:** RE: LOT WTP

Thanks – I'll put this into the record.

CK

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**From:** [Stowell5050@aol.com](mailto:Stowell5050@aol.com) [<mailto:Stowell5050@aol.com>]  
**Sent:** Friday, May 04, 2012 2:05 PM  
**To:** Kerr, Chris  
**Subject:** LOT WTP

To the West Linn Planning commission.

Items listed from their submittal of May 2, 20012

1. Why can't the plant be located in Lake Oswego?

A little history: LO,s mayor and council pursued the street car and development of the Foothills area. There was no way this area would have been considered. Now that this is off the table it should be considered. With 80% of the existing plant being replaced it is more or less a new plant. The comment that it would be placed in residential zone at Foothills is no reason not to place it there, as the present location is in a residential zone.

2. Why is the plant being designed to supply an additional 6 mgd of water?

They have admitted this extra water could supply the Stafford area with their needs. This amount will have a limited availability to West Linn. West Linn along with Tualatin have opposed the urbanization of that area. Lake Oswego did until a couple of years ago. By building a new plant in Lake Oswego and taking water direct from the Willamette. where the water rights of Lake Oswego and Tigard far exceed what they will need in the near future, they will have plenty of water for all. This cannot be said for the expansion at the present location. Plus the money they will save by eliminating the need for the 48" pipe from the Clackamas River to the plant.

9. What benefit will West Linn receive from the upgrade of the Lake Oswego water treatment plant?

All of what they listed are true, however this wouldn't change if the plant was built at another location. LO must supply water to their city limits at our north boundary. The existing pipe section located in West Linn would still be there connected to our present inter tie. Using our water master plan to justify their expansion of the water treatment plant at the present location is bogus.

It seems odd they are going ahead at this time when the issue of the CCR has not been settled.

May 3, 2012

RE: Water Treatment Plant expansion application

Dear Planning Commissioners,



We were surprised to hear during your May 2<sup>nd</sup> hearing that both Lake Oswego and Tigard have water rights on the Willamette River. Their Project Communications Director had assured us earlier that there was no way Lake Oswego or Tigard would ever treat and drink water from the Willamette. Obviously, they plan to do so some day. And obviously, they can transfer Lake Oswego's water rights from the Clackamas River to the Willamette, giving them all the raw water they need to meet their expansion plans.

They claimed in their May 2 deposition that Lake Oswego determined "early-on that expansion of the existing plant site would be the most responsible and efficient alternative for both Tigard and itself". Yet, they have consistently said in public meetings that they haven't considered other alternatives because the West Linn site is their least expensive option. How do they know that? Have they priced out other alternatives? It may be that the present site is "the most responsible and efficient alternative" for them, but there is serious doubt that it is the most responsible and efficient alternative for West Linn.

As you have heard in several hours of testimony from the residents of Mapleton Drive and elsewhere in the city, there are serious questions about Lake Oswego's sense of responsibility and the safety of this expansion in a West Linn residential neighborhood. Yet, our city planning staff says that the plant expansion application meets city codes and they approve it. This is our first experience with West Linn's Planning Commission. Do you always approve applications that city planners support? Or can you provide wisdom, common sense and decisiveness that transcends merely meeting city codes?

Clearly, in the minds of the West Linn residents who will be most affected by the proposed expansion and companion installation of a huge water pipe, this plan is a terrible imposition on their safety, property values, peace-of-mind and lifestyle. Just to save Lake Oswego money selling water to Tigard and other municipalities! Even the suggested benefit to West Linn is subjective and in doubt. However, there is no doubt about the benefit to West Linn residents who will bear most of the burden of years of construction, hazard and inconvenience: for them there is no benefit. They will be harshly penalized by Lake Oswego's "responsible and efficient alternative".

We realize that though Lake Oswego plans to ravage our neighborhood with its business, it is not our business to tell them where to do their business. But when such an obvious alternative exists to meet the needs of their new profit center, we surely should consider the negative effect on us before granting the benefit to them. We now know that they have ample access to raw water without tunneling under the Willamette, trenching through Mary S. Young Park and tearing up Mapleton Drive and Highway 43. We know that they have land for industrial use in their Foothills District. And we know that Willamette

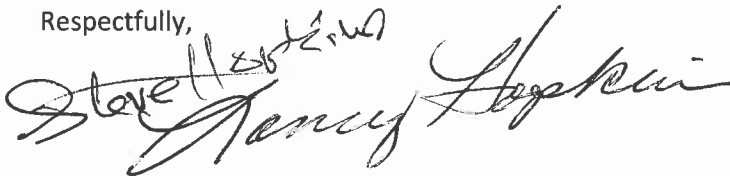
River water can be safely treated for consumption. Piping treated water to Tigard and other municipalities can be done without plowing through West Linn.

There has been much discussion about mitigation—about whether or not Lake Oswego would compensate West Linn residents for helping them make money selling water. It's been unfortunate. The issue isn't mitigation; it's stopping Lake Oswego from taking advantage of West Linn residents.

- Years of misleading meetings
- Bribing residents to waive a covenant clause banning industrial development
- Legal harassment, urging us to hire lawyers if we have questions
- Condemnation of the covenant for the "public good"—their public's good
- Plan to subject a West Linn neighborhood to "two to three years" of industrial construction
- Companion plan to tear through Mary S. Young Park, Mapleton Drive and Highway 43 installing a four-foot-in-diameter pipe which will probably fail some day, as most pipes do
- Need to run "7,700 truck loads" of dirt down Mapleton Drive and Kenthorpe Way and through West Linn to undisclosed locations. (Have you ever tried to turn left from Mapleton onto Highway 43 during commutation?)
- Endangering pedestrians, especially neighborhood children
- Visual blight
- Aerial effluents
- Property value reduction
- Etcetera, etcetera

We appreciate your diligence in considering, analyzing and evaluating this application. It's time to transcend talk of selling water to Tigard for less, code qualification, and potential mitigations. It's time to abort the pipeline application which should have been part of the expansion application. **It's time to say no to the plant expansion for all the reasons above.**

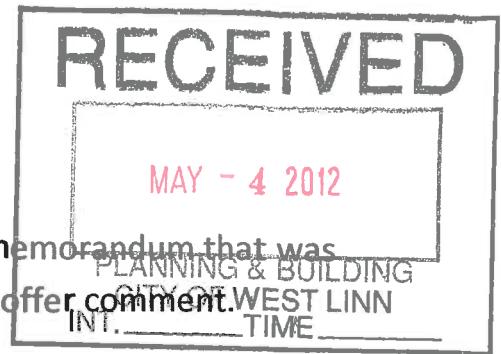
Respectfully,

Handwritten signatures of Steve and Nancy Hopkins. The signature for Steve is on the left and Nancy is on the right, both written in cursive.

Steve and Nancy Hopkins

3910 Mapleton Drive





To West Linn Planning Commission:

After attending last night's meeting and reading the memorandum that was introduced as new evidence, I am again compelled to offer comment.

To begin with, it has become acutely apparent that LO not only has not fully examined alternate locations for the plant, but has never had any intention to do so. The question has been put to them repeatedly, and repeatedly they have dodged it. I don't think that the current plant site being "the most responsible and efficient alternative for both Tigard and itself" is a legitimate answer to the question of: A) why can't the plant be located elsewhere? And B) what steps were taken to examine sites that would not impact a residential neighborhood? We have yet to receive a complete and convincing answer to this issue.

This brings me to my next point which is most certainly pertinent to the May 2 memorandum. With the issues of seismic and chemical safety being as paramount as they are in a project of this type and magnitude, it would seem to me that exploration of sites that don't put as many people and homes in harm's way is vital to the final decision as to where it should be located. This memorandum repeatedly talks of all the measures that it has in place and codes it is meeting, which are all fine and good. One would certainly hope that any new public utility anywhere would address these issues in a like manner. What is blatantly missing, though, is that the location of such a facility with its accepted risks in a residential area as opposed to a more industrial location imposes a far greater exposure to those risks by the citizenry. In other words, why is a residential community being asked to shoulder those risks when in fact no other options have even been explored? LO must be held accountable not only for industry standard safety methods, but also for reducing the impact of known risk as much as possible. Their refusal to fully examine more suitable sites in and of itself demonstrates flagrant disregard for the safety issues that are so evident in this project.

One additional point I would like to address here relates to LO's comment in the memorandum regarding operational reliability. It is implied here that this project is necessary to address plant upkeep. I think the community understands and

accepts that certain steps must be taken to keep the existing plant running safely and efficiently. I doubt there would be the resistance there is if it were normal upgrading that was being proposed. It is the totally unnecessary addition of Tigard to this project that has led to the large and inappropriate scale of this proposal. Again we are being infringed upon so as to deal with their self made necessities.

In closing I would point out that in addition to the issues I have raised here, it is apparent that there are far too many unanswered questions and questionable answers for this project to earn your approval.

Thank you for your time and attention

Scott Gerber

West Linn OR

**Pelz, Zach**

---

**From:** Yvonne Davis [yvonne.davis00@gmail.com]  
**Sent:** Thursday, May 03, 2012 4:37 PM  
**To:** Kerr, Chris; Pelz, Zach; Spir, Peter  
**Subject:** LOT WTP Public Comments

To the members of the West Linn Planning Commisioners,

Please consider my comments below in regard to the proposed Water Treatment Plant Expansion:

1) LOT's fact sheet states that the reason why their plant cannot be located in their own city boundaries is that the existing plant site is the most responsible and efficient alternative to the cities of Lake Oswego and Tigard. (See point 1 of their fact sheet.) Taking this point at face value would indicate that the lowest cost option would always trump any other – regardless of whose property rights are being taken, and regardless of any land use restrictions in place. This solution may present the least cost option to Lake Oswego and Tigard. But has that actually been proven? Were any studies published to establish relative costs of any alternatives to the two cities in the partnership? And, even more significantly, there is a third city involved, with families involved who stand to lose real value in their homes. How is it that Lake Oswego and Tigard's ratepayers reap the benefit, while Robinwood residents bear the burden? Can LOT actually be saying that their desire for expediency overrides West Linn's desire to protect the value of their homes and safety of their neighborhood?

2) With a lot of flourish (and repetition), LOT touts the benefit to West Linn as an improved backup water supply. (See point 9 of their fact sheet.) The implicit message is that an intertie can only exist if the plant sits in West Linn. I am not aware that this is an actual engineering requirement, since clearly, LOT can pipe water all the way to Tigard. But it does appear to be a cynical attempt to manipulate West Linn city officials and commissioners into approving the LOT Kenthorpe project. It's their way of taking their ball and going home. It was also stated at the 5/2 public meeting that once the LOT project gets online a new intertie agreement will be necessary anyway since the parties have changed. So, in effect, regardless of where the plant is situated, we will need to renegotiate, or lose the intertie. Also, LOT presents the intertie as a benefit that they are providing to West Linn. But in fact, the intertie goes both ways. West Linn can provide them water when their facilities are offline, just as they can for West Linn. LOT needs the intertie as much as West Linn does. (It is also telling that West Linn's water manager, when reporting to the commission at the 5/2 meeting on the use of the intertie, was prepared with the actual times that Lake Oswego fed West Linn water. But when asked when West Linn supplied Lake Oswego with water, could not provide the numbers. After all, why bother getting the data if it's not going to support the "official" position? )

Thanks for giving this matter your attention.

Sincerely,

Yvonne Davis

