



LAND USE PRE-APPLICATION CONFERENCE

Thursday, January 5, 2012

City Hall
22500 Salamo Road

Willamette Conference Room

10:00 am The Lake Oswego-Tigard Water Partnership is applying to construct a water pipeline from Mary S. Young Park to its water treatment plant in the Robinwood Neighborhood and up Hwy 43 to the Lake Oswego city limits.

Applicant: Eric Day, City of Lake Oswego

Subject Property Address: N/A

Neighborhood Assn: Robinwood and Bolton

Planner: Chris Kerr and Zach Pelz

Project #: PA-11-34





PRE-APPLICATION CONFERENCE

THIS SECTION FOR STAFF COMPLETION		
CONFERENCE DATE: 1/5/12	TIME: 10 AM	PROJECT #: PA-11-34
STAFF CONTACT:		FEE: 1000 ⁰⁰

Pre-application conferences occur on the first and third Thursdays of each month. In order to be scheduled for a conference, this form including property owner's signature, the pre-application fee, and accompanying materials must be submitted at least 14 days in advance of the conference date. Twenty-four hour notice is required to reschedule.

Address of Subject Property (or map/tax lot): N/A

Brief Description of Proposal: **The applicant proposes to construct a water pipeline from Mary S. Young park to its water treatment plant in the Robinwood Neighborhood and up Hwy 43 to the Lake Oswego City Limits. See attached Narrative for expanded application description.**

Applicant's Name: Eric Day

Mailing Address: PO Box 369. Lake Oswego, OR. 97035

Phone No: (503) 534-4238

Email Address: eday@ci.oswego.or.us

Please attach additional materials relating to your proposal including a site plan on paper up to 11 x 17 inches in size depicting the following items:

- North arrow
- Scale
- Property dimensions
- Streets abutting the property
- Conceptual layout, design and/or building elevations
- Access to and from the site, if applicable
- General location of existing trees
- Location of creeks and/or wetlands
- Location of existing utilities (water, sewer, etc.)
- Easements (access, utility, all others)

Please list any questions or issues that you may have for city staff regarding your proposal:

Please see attached narrative for staff questions.

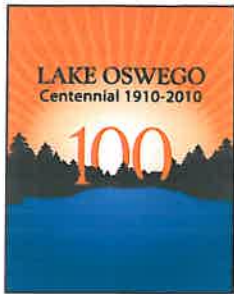
By my signature below, I grant city staff right of entry onto the subject property in order to prepare for the pre-application conference.

Jul B. Komaroff
Property owner's signature

12/7/2011
Date

Same as Above

Property owner's mailing address (if different from above)



CITY OF LAKE OSWEGO

LAKE OSWEGO TIGARD WATER PARTNERSHIP

4101 Kruse Way
PO Box 369
Lake Oswego, OR 97034

503-635-0270
www.ci.oswego.or.us

December 6, 2011

West Linn Pre-Application Conference Narrative

Project Description

The City of Lake Oswego requests a Pre-Application conference for a proposed water pipeline. Outside of West Linn jurisdiction, the pipeline will run from the Lake Oswego Raw Water Intake Pump Station (RIPS), located on the Clackamas River in Gladstone, OR, through Gladstone and cross under the Willamette River from Meldrum Bar Park into West Linn.

Within West Linn jurisdiction, the water pipeline has two components, the raw water pipeline (RWP) and the finished water pipeline (FWP).

1. The RWP will cross underneath the Willamette River by means of Horizontal Directional Drilling (HDD) construction. The drill staging on the West Linn side of the river would occur in Mary S. Young Park adjacent to the Willamette River. A proposed staging map is enclosed. All drilling activities within the park will be of a temporary nature and no above-ground structures will be left in the park.

From the point where the RWP surfaces in Mary S. Young Park, the pipe will be buried in an open-cut trench generally along the same route as the current Lake Oswego water pipeline easement up to and through the two state owned parcels on the north side of Mary S. Young Park. From there the RWP will follow Mapleton Drive to the Lake Oswego Water Treatment Plant located in the Robinwood Neighborhood.

2. The FWP will exit the Water Treatment Plant and travel within the Mapleton Drive right-of-way to Oregon 43. The FWP alignment will remain within the Oregon 43 right-of-way through West Linn finally entering Lake Oswego.

Except in Mary S. Young, the RWP and FWP will be fully contained within public right-of-ways. As a rule, the contractor will construct the pipeline using open-trench techniques. However, because the existing right-of-ways traverse sensitive lands, such as small riparian corridors, we have not fully resolved the crossing strategies.

We view the RWP and FWP as construction projects with potential short term impacts to the neighborhoods and street corridors but with little permanent disturbance to the zones, right-of-ways and the environment. A major underground utility construction project, such as the RWP and FWP, does not fit neatly into local development code review. However, from the land use perspective we

anticipate the following land use applications: Conditional Use for a major utility (CDC 60); Parks Design Review (CDC 56); Willamette and Tualatin River Protection (CDC 28); Water Resource Area Protection (CDC 32); Flood Management Area (CDC 27); Variance (CDC 75); and supplemental materials, including Erosion Control (CDC 31).

Questions/Comments for West Linn

1. Does West Linn have franchise agreements with private utility owners? If so, how can we get a copy of these agreements?
2. FWP: The FWP alignment will be within existing public right-of-ways. The existing right-of-ways traverse mapped water resource areas (WRAs). We do not anticipate any new impacts to WRAs within the existing right-of-ways. Rather than delineate all streams being crossed, we propose to overlay the existing right-of-ways on to West Linn sensitive lands maps and, through a detailed Construction Management Plan, demonstrate how we will avoid impacts to these sensitive areas. Is this acceptable?
3. RWP:
 - A. Alternatives Analysis: Major utility lines may be built in WRAs and HCAs when no other practical alternative exists. We propose a multi-step alternatives analysis:
 - (1) Lake Oswego has conducted a far ranging alternatives analysis which leads to the conclusion that locating the RWP in Mary S. Young Park is the only practical alternative. Using the term “practicable” (CDC 2.0), which we assume is synonymous for the word “practical”, we will provide a detailed alternatives analysis that demonstrates that to other practical alternative exists but to land the RWP in Mary S. Young ark.
 - (2) Having established the necessity of building the pipeline in Mary S. Young Park, we will provide an analysis of potential impacts and will demonstrate how the project avoids and then minimizes adverse impacts on WRAs.
 - (3) Finally, if any area within the WRAs or HCA is to be permanently disturbed, we will develop a mitigation plan consistent with CDC 32.070. The plan will include two important elements:
 - (a) an alternatives analysis that looks at proposed alignments within Mary S. Young Park (CDC 32.070(A)) and the mitigation plan itself (CDC 32.070(B)).
 - B. JPA & Mitigation Plan. CDC 32.070(B)(7) says that if more than 0.10 acres of wetlands are permanently disturbed, the mitigation plan must include evidence that a JPA has been submitted and accepted for review. The RWP and FWP are part of a much larger construction project, one that includes four local jurisdictions, and state and federal agencies. The project team is preparing a JPA for the entire project, from Gladstone through West Linn and in Lake Oswego. We have been diligently working with the state and federal regulators for more than a year regarding the JPA. However, because of the complex nature of the project, we will not be able to submit a final JPA until May of 2012. We will have a draft of the JPA ready when we submit for RWP and FWP use approval. CDC 99.035(B) allows the Planning Director the discretion to waive the requirement for specific information when the information is not necessary to evaluate the application. Therefore, we would propose that the Director waive the requirement to provide evidence that the applicant has submitted a JPA; however, as a condition of approval, the Director would require proof of evidence that the applicant has submitted a JPA and that it has been accepted for review. This approach is consistent with CDC 28.090(E) which only requires an applicant to apply for all applicable state and federal permits – it does not require evidence of application as part of the mitigation plan.

- C. Mapping resources. Both CDC 28 and CDCD 32 require an applicant to provide a site plan that shows the location of natural features, water resource areas, transition areas, wetlands, trees and other site features. It is not clear to us the breadth of the mapping area. Therefore, we propose to map the resources in detail within (1) the land between the toe of the slope and the bank of the Willamette River for the length of the pipeline route, and (2) an impact area of 50 feet centered on the pipeline alignment. (See attached map.)
- D. Mitigation options. Shall all mitigation activity occur within Mary S. Young Park or are there other mitigation sites West Linn would like us to consider?

We look forward to meeting with you once again.

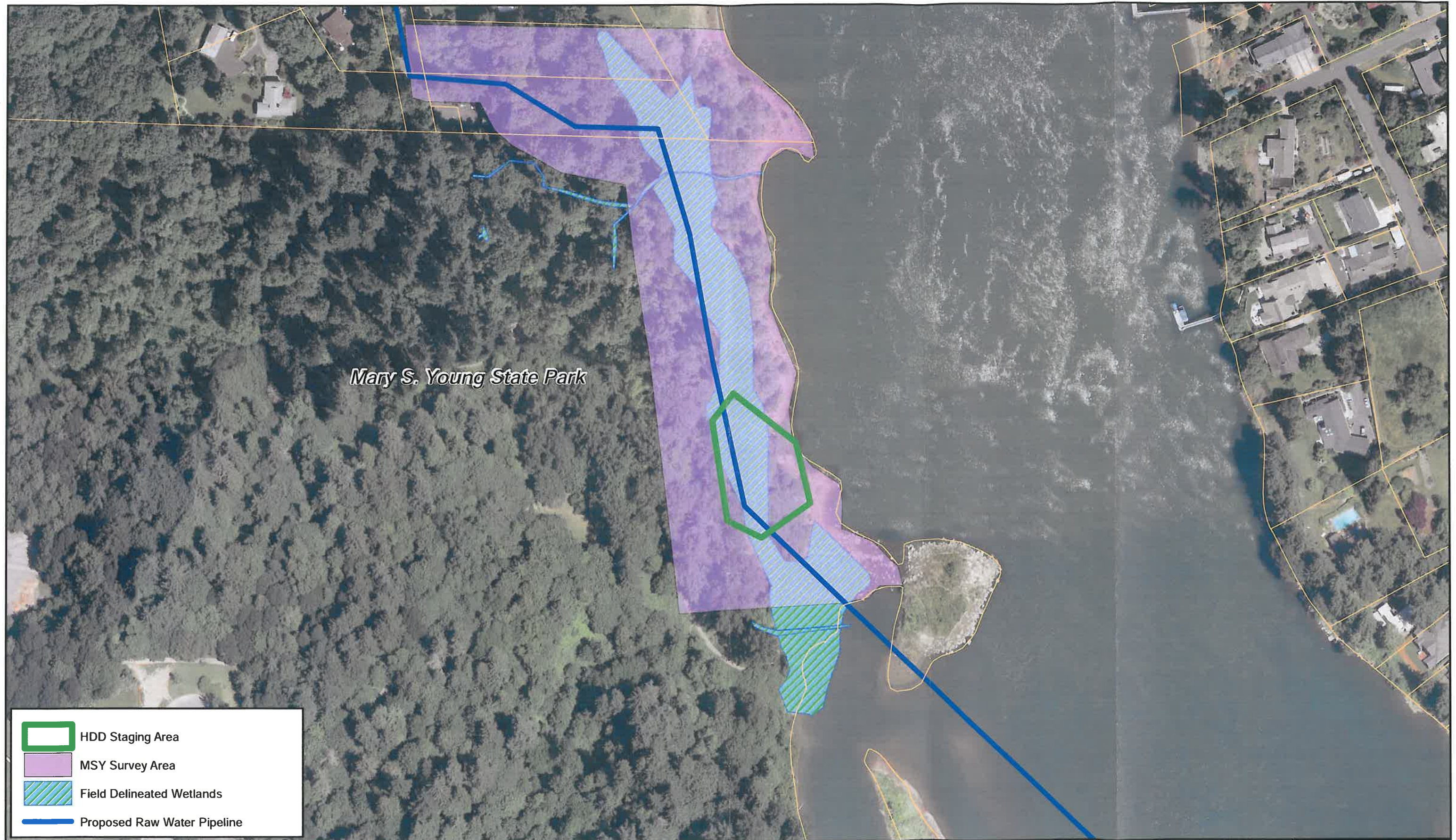
Sincerely,





Eric Day
Senior Planner
Lake Oswego
503.534.4238
eday@ci.oswego.or.us

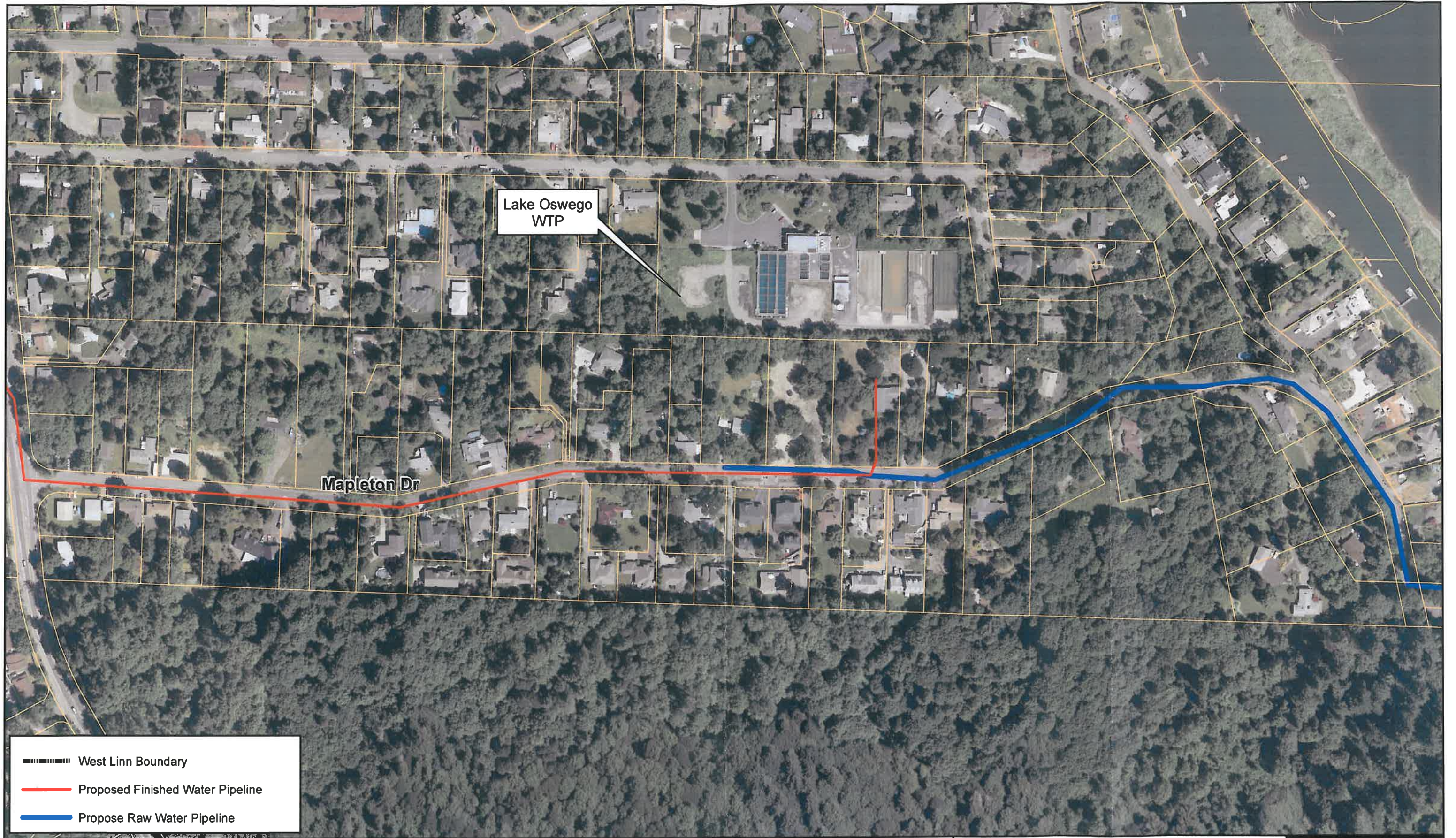




- West Linn Boundary
- Proposed Finished Water Pipeline
- Proposed Raw Water Pipeline






-  HDD Staging Area
-  MSY Survey Area
-  Field Delineated Wetlands
-  Proposed Raw Water Pipeline



Lake Oswego
WTP

Mapleton Dr

-  West Linn Boundary
-  Proposed Finished Water Pipeline
-  Propose Raw Water Pipeline



Drinking Water Pipeline Alignments Mapleton Dr - West Linn



**Brown AND
Caldwell**