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GARVEY SCHUBERT BARER

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May 16, 2012

Michael Babbitt, Planning Commission Chair  
City of West Linn  
22500 Salamo Road #1000  
West Linn, OR 97068

Re: Lake Oswego Water Treatment Plant Application; File No, CUP 12-02/DR  
12-04

Dear Chair Babbitt and Commissioners:

I received revised instructions from my client through the Oversight Committee for the Lake Oswego-Tigard Water Project. That Committee, made up of the Mayor and a City Councilor from each city, has met and provided me with the instructions set forth in this letter.

The Oversight Committee has heard the concerns expressed by West Linn Planning Commissioners and the public over this project. We believe a number of significant concerns can be alleviated if the Commission would allow us to do three things:

1. Consolidate the Current Water Plant Land Use Proceedings with the Future Pipeline Applications to Allow the Entire Project to Be Reviewed

We heard that it would be beneficial to the Commission and the public to have the entire water project available for review at the same time. The pipeline permit applications could not be filed at the same time as the water treatment plant applications because of the need to acquire permits from other agencies that were not in hand and the need to provide sufficient technical information to support those applications. We expect to have those applications ready for filing in the near future. We request that the proceedings for the water treatment plant project be consolidated with the pipeline applications for hearings purposes and would request an extension of the 120-Day Rule to accommodate a decision that would result from the consolidated hearings.

2. Partnership Discussions with the City of West Linn Regarding Water Supply

The issue of public benefit to the City of West Linn was exhaustively discussed during the Commission hearings. As the Commission knows, there is an existing Intergovernmental

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Agreement (“IGA”) among various water suppliers in the area. That agreement allows for use of water among the participating jurisdictions on an emergency basis. The Cities of Lake Oswego and West Linn are in the process of considering revisions to that agreement. The City of West Linn has need for a reliable supply of water, a need that can be better met by the Partnership in the future. The additional time would allow the parties to discuss the terms of a new arrangement to serve the water needs of the City of West Linn.

3. Conduct Further Discussions with the Affected Neighborhood Associations and Individual Neighbors

While there may be those who would not support the project under any circumstances, there is an opportunity to discuss additional mitigation efforts that would make the proposal better, particularly with respect to construction issues, and fulfill our objective of making the completed project an even better neighbor to those who live in the area.

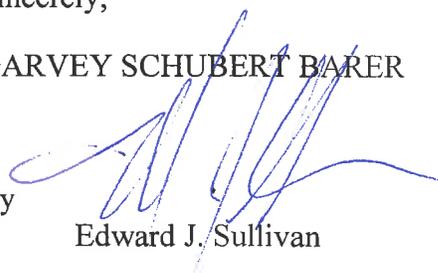
For these reasons, the Partnership thus requests that the existing proceedings be suspended until the pipeline permits can be consolidated for hearing with the current applications. That suspension would allow the above objectives to be met and an opportunity for the project to be more fully discussed by the public and decision-makers.

Thank you for your time and consideration of the above.

Sincerely,

GARVEY SCHUBERT BARER

By

  
Edward J. Sullivan

EJS:kms

cc: Pam Beery  
Chris Kerr