



Memorandum

Date: October 18, 2012

To: West Linn Planning Commission

From: Zach Pelz, Associate Planner

Subject: New evidence received since 5 pm on October 17, 2012, regarding Lake Oswego-Tigard Water Partnership pending land use proposals (CUP-12-02/CUP-12-04)

Attached is the public testimony received since 5 pm on **October 17, 2012**, regarding the Lake Oswego-Tigard Water Partnership pending land use proposals.

TO: West Linn Planning Commission

RE: Lake Oswego-Tigard Water Partnership

Date: October 8, 2012

Letters can be mailed to:

West Linn Planning Commission
22500 Salamo Road
West Linn, OR 97068

I would like to submit this letter as my recorded testimony to the West Linn Planning Commission for the meeting scheduled on October 17th, 2012 regarding the Lake Oswego-Tigard Water Partnership Water Treatment Plant

The cities of Lake Oswego and Tigard are requesting a Conditional Use Permit to expand the current Water Treatment Plant on Kenthorpe Way in West Linn in order for Lake Oswego to enter into a **revenue generating agreement** with the city of Tigard to provide drinking water for Tigard. It is my understanding according to the West Linn Comprehensive Plan, the approval of a Conditional Use Permits **REQUIRES** a "community benefit".

I don't believe there is any "community benefit" to West Linn or the Robinwood Neighborhood if this application is approved. Most of the benefits the LOT plan lists are either already in place (intertie) or will have to be done because the scope of this construction will destroy existing streets, pipelines and Mary S. Young State Park.

I do see an enormous list of horrific things no one could possibly consider a "community benefit" including:

- **West Linn Citizens** will have to endure 2+ years of constant construction including heavy truck traffic and loud heavy machinery noise for 11 hours EVERY weekday and 9 hours EVERY Saturday and Sunday. West Linn Citizens will be subjected to this type of construction for 7 days a week ... for 2 years – all for a *Revenue Generating Agreement* between the cities of Lake Oswego and Tigard.

- **West Linn Citizens** will have 2+ years of extremely limited access to their homes 24 hours a day, 7 days a week during this construction. The impact of this construction, especially to West Linn Senior Citizens living in this area, **Will Be Life Changing** in their daily routines. Also negatively affected will be main transportation and pedestrian routes and 24-hour emergency vehicle access.

- **West Linn Citizens** will be exposed to the possibility of reduced property values and irreparable damage to their homes because of pipeline placement and possible pipe breakage which will be the fiscal responsibility of the **West Linn Citizens**. Not the cities of Lake Oswego or Tigard.

Secondly, how can West Linn ALLOW Lake Oswego to **invalidate covenants established in 1944 by the City of West Linn** to protect property zoning on Mapleton Drive? How can West Linn even consider giving Lake Oswego the opportunity to exercise the option to use "eminent domain" in the city of West Linn? Up until now dealing with the Lake Oswego Water Treatment Plant has never been a problem for this neighborhood. It is now.

Lake Oswego's sole reason for expanding this plant is to build a revenue base by supplying water to Tigard. And they want to create this revenue base as cheaply as possible. **Who's looking out for West Linn Citizens?** You Should Be!

The City of West Linn asked us the question: "How does this proposal meet or not meet the approval criteria for a Conditional Use Permit?" As a **CITIZEN OF WEST LINN**, that's the question you must ask yourself. You represent West Linn. You need to think very carefully about the **CITIZENS OF WEST LINN** who will be so impacted if you give your approval to this Conditional Use Permit.

Respectively Submitted:

Lynthia M. Stott
Name

4532 Kenthorpe Way, West Linn, OR 97068
Address

Name

Address

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Respectively Submitted:

Paul Pappas
Name

4605 Galena St #B Lake Oswego, OR 97035
Address

Name

Address

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Date: October 8, 2012

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Name

2416 SW DOLPH CT. 97219
Address

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Address

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Respectively Submitted:

Doug Sivay
Name
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Name

18409 S.W. Deoak Circle
Address
Lake Oswego OR 97035
Address

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Respectively Submitted:

CHIHIRO CRISU
Name
Chihiro C
Name

19305 ROBIN CIRCLER
Address
WEST LINN 97068
Address

TO: West Linn Planning Commission
RE: Lake Oswego-Tigard Water Partnership

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NOUR CRISH

Name

Name

19305 ROBIN CIRCLE #15

Address

Address

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Name

Name

18108 Pilkington Rd, Lake Oswego, OR

Address

Address

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Respectively Submitted:

Jami Meyer
Name

Name

J. Meyer Salon
19359 SW Willamette Dr.
Address

Address

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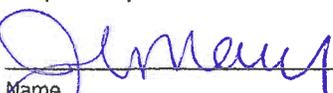
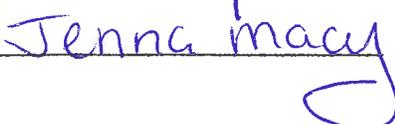
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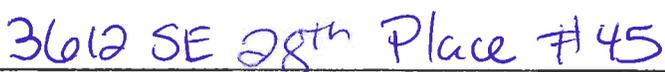
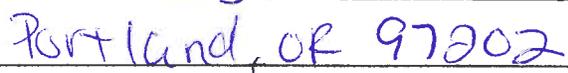
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- **West Linn Citizens** will have to endure 2+ years of constant construction including heavy truck traffic and loud heavy machinery noise for 11 hours EVERY weekday and 9 hours EVERY Saturday and Sunday. West Linn Citizens will be subjected to this type of construction for 7 days a week ... for 2 years – all for a *Revenue Generating Agreement* between the cities of Lake Oswego and Tigard.

- **West Linn Citizens** will have 2+ years of extremely limited access to their homes 24 hours a day, 7 days a week during this construction. The impact of this construction, especially to West Linn Senior Citizens living in this area, **Will Be Life Changing** in their daily routines. Also negatively affected will be main transportation and pedestrian routes and 24-hour emergency vehicle access.

- **West Linn Citizens** will be exposed to the possibility of reduced property values and irreparable damage to their homes because of pipeline placement and possible pipe breakage which will be the fiscal responsibility of the **West Linn Citizens**. Not the cities of Lake Oswego or Tigard.

Secondly, how can West Linn ALLOW Lake Oswego to **invalidate covenants established in 1944 by the City of West Linn to protect** property zoning on Mapleton Drive? How can West Linn even consider giving Lake Oswego the opportunity to exercise the option to use "eminent domain" in the city of West Linn? Up until now dealing with the Lake Oswego Water Treatment Plant has never been a problem for this neighborhood. It is now.

Lake Oswego's sole reason for expanding this plant is to build a revenue base by supplying water to Tigard. And they want to create this revenue base as cheaply as possible. **Who's looking out for West Linn Citizens?** You Should Be!

The City of West Linn asked us the question: "How does this proposal meet or not meet the approval criteria for a Conditional Use Permit?" As a **CITIZEN OF WEST LINN**, that's the question you must ask yourself. You represent West Linn. You need to think very carefully about the **CITIZENS OF WEST LINN** who will be so impacted if you give your approval to this Conditional Use Permit.

Respectively Submitted:

Munter Koman
Name

4101 mapleton drive west linn or
Address

Name

Address

TO: West Linn Planning Commission
RE: Lake Oswego-Tigard Water Partnership

Letters can be mailed to:
West Linn Planning Commission
22500 Salamo Road
West Linn, OR 97068

Date: October 8, 2012

I would like to submit this letter as my recorded testimony to the West Linn Planning Commission for the meeting scheduled on October 17th, 2012 regarding the Lake Oswego-Tigard Water Partnership Water Treatment Plant

The cities of Lake Oswego and Tigard are requesting a Conditional Use Permit to expand the current Water Treatment Plant on Kenthorpe Way in West Linn in order for Lake Oswego to enter into a **revenue generating agreement** with the city of Tigard to provide drinking water for Tigard. It is my understanding according to the West Linn Comprehensive Plan, the approval of a Conditional Use Permits **REQUIRES** a "community benefit".

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Respectively Submitted:

Marissa Katz

Name

Name

19335 Willamette Dr. West Linn 97068

Address

Address

TO: West Linn Planning Commission
RE: Lake Oswego-Tigard Water Partnership

Letters can be mailed to:
West Linn Planning Commission
22500 Salamo Road
West Linn, OR 97068

Date: October 8, 2012

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Respectively Submitted:

Aaron Woods
Name
Tigard
Name

1096 FLUBERT ST
Address
19323 willamette Dr
Address

Pelz, Zach

From: Walters, Rebecca (DS) [Rebecca.Walters@adp.com]
Sent: Thursday, October 18, 2012 2:29 PM
To: Oveson, Pete; Holland, Jon R.
Cc: Pelz, Zach
Subject: RE: Existing waterline in Mapleton Drive

Hi Jon and Pete:

It was good to see you both at the CUP hearing. I mentioned to Jon that he still owed me a response to a question and he definitely remembered. Jon stated that Pete had a response. The question is: How many residential areas in Oregon have a 42-48 inch transmission pipeline in them? I have not been able to find out that fact. I have seen a couple of cases where they changed the pipeline due to it being controversial but no definite ones.

See you tonight! Another long evening ...

Thanks,
Rebecca

From: Oveson, Pete [mailto:POveson@BrwnCald.com]
Sent: Monday, October 15, 2012 1:27 PM
To: Walters, Rebecca (DS)
Cc: Holland, Jon R.; Pelz, Zach; Eric Eisemann; Day, Eric
Subject: RE: Existing waterline in Mapleton Drive

Rebecca,

We will defer to the City of West Linn on how they would like us to abandon in place or remove the asbestos waterline. There are a few locations where the asbestos line will need to be removed due to conflicts with the proposed transmission line. In these cases, our pipeline engineering team will develop a safe way per all applicable standards to remove the pipe that will be reviewed by the City of West Linn Engineering Department.

Thanks,

Pete

Pete Oveson, P.E.
Brown and Caldwell
6500 SW Macadam Avenue Suite 200
Portland, OR 97239
poveson@brwnald.com
T: 503.977.6650 | C: 503.880.5837



From: Walters, Rebecca (DS) [mailto:Rebecca.Walters@adp.com]
Sent: Monday, October 15, 2012 9:52 AM
To: Oveson, Pete
Cc: Holland, Jon R.; Pelz, Zach; Eric Eisemann; Day, Eric
Subject: RE: Existing waterline in Mapleton Drive

Thank-you Pete. I appreciated your knowledge and how well you fielded our neighbors' questions at the open house. Thanks for answering my question about the current West Linn pipe that will not be replaced. I had a neighbor asked me about the asbestos cement pipe that you will be replacing. Will you be taking it out of the ground after the new pipeline is in place, disinfected, etc.? He mentioned that moving the asbestos could contaminate the water so I told him I would ask you what the process will be to remove the asbestos cement pipeline and your process to keep the water from being contaminated?

Thanks,
Rebecca

From: Oveson, Pete [<mailto:POveson@BrwnCald.com>]
Sent: Monday, October 15, 2012 9:27 AM
To: Walters, Rebecca (DS)
Cc: Holland, Jon R.; Pelz, Zach; Eric Eisemann; Day, Eric
Subject: Existing waterline in Mapleton Drive

Hi Rebecca,

It was great talking with you at the pipeline open house on Wednesday the 10th. At the open house you had a great question about the West Linn water line south of the Mapleton/Nixon intersection that extends to the dead end. The reason the Lake Oswego-Tigard project is not replacing this section of waterline is because it is not made of asbestos cement. This section is actually cast iron which is more reliable than asbestos cement. Jim Whynot from the City of West Linn has approved this existing section of pipe remaining in service.

Please let me know if you have any more questions.

Regards,

Pete

Pete Oveson, P.E.
Brown and Caldwell
6500 SW Macadam Avenue Suite 200
Portland, OR 97239
poveson@brwncald.com
T: 503.977.6650 | C: 503.880.5837



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Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 2:00 PM
To: Pelz, Zach
Subject: FW: Citizen Request 17446 - West Linn Planning Commission, LOT proposal

John Sonnen, Planning Director
Planning and Building, #1524

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From: Webmaster
Sent: Thursday, October 18, 2012 1:58 PM
To: Sonnen, John
Subject: Citizen Request 17446 - West Linn Planning Commission, LOT proposal

A Citizen Request assigned to you has been updated in the Citizen Support Center.

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 1:58 PM
To: Pelz, Zach
Subject: FW: Citizen Request 17441 - Planning Commission citizen comment re: LOT Water Treatment Plant

John Sonnen, Planning Director
Planning and Building, #1524

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From: Webmaster
Sent: Thursday, October 18, 2012 1:15 PM
To: Sonnen, John
Subject: Citizen Request 17441 - Planning Commission citizen comment re: LOT Water Treatment Plant

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.

Original Request	10/18/2012	Reference Number:	17441
SummaryDate:		Status:	Assigned
Name:	James Frank	Source:	online
Email:	mr.james.frank@hotmail.com	Assigned To:	jsonnen
Phone:	503-317-8887	Assigned Group:	Planning
Topic	<u>Planning Commission citizen comment re: LOT Water Treatment Plant</u>		
Request Details:	I urge our fellow citizens on the planning commission to reject the requests for conditional use permits on this project. Approving these would give preferential treatment to residents of Tigard and Lake Oswego over our own West Linn citizenry. Water infrastructure is a vital resource and our city has it's share of problems, but we are not imposing our will on other cities to address our problems. Lake Oswego and Tigard should find solutions to their problems within their own city limits. Please do not approve these permits and marginalize so many of our residents. Respectfully, Jim Frank		
Comment:			

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

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 1:59 PM
To: Pelz, Zach
Subject: FW: CUP-12-02/DR-12-04 AND CUP-12-04/DR-12-14
Attachments: LOTW2 (1).docx

John Sonnen, Planning Director
Planning and Building, #1524

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From: val sabo [mailto:valariesabo5@hotmail.com]
Sent: Thursday, October 18, 2012 1:33 PM
To: CWL Planning Commission
Subject: CUP-12-02/DR-12-04 AND CUP-12-04/DR-12-14

Please find my input to the Planning Commission attached.

MEMORANDUM

TO: WEST LINN PLANNING COMMISSION

FROM: VAL SABO, WEST LINN RESIDENT

RE: CUP -12-02/DR-12-04 AND CUP -12-04/DR-12-14

DATE: OCT 12, 2012

The residents of the Robinwood area are highly educated and informed about the details of the applications. Please carefully consider their objections. However, this letter addresses the more macro concepts and impacts to the wider West Linn resident of LOT's application for conditional use permit to construct a water line pipe to Tigard and expand the existing water treatment plant.

LOT recognizes the avoided costs of choosing the Kenthorpe Street Robinwood area over another site for their clean water treatment plant. These avoided costs become the beginning point for extracting benefit so that the intent of the conditional use permit remains consistent with the overall needs of the community. The benefits accruing to Lake Oswego Tigard Partnership are the benefits of the plant, but also the avoided cost benefits of being able to build the plant on the existing site and provide Tigard with water. According to staff, these estimated avoided costs to LOT begin around \$100 million, possibly rising as high as \$500 million because that is the cost to LOT of foregoing the deal with Tigard; Tigard replacing the water and Lake Oswego upgrading the existing plant for current code and capacity and then building a smaller plant in the future using Willamette water rights for Lake Oswego only when Lake Oswego demand sufficiently increases. As such, the avoided costs which are enjoyed by Lake Oswego and Tigard are very large and are reflected in the unmitigated damages inflicted on their good neighbor West Linn.

Mitigation is the act of mitigating or lessening the force or intensity of something unpleasant such as extreme circumstance. Mitigation is the act of making a condition or consequence less severe. Most of the actions West Linn is receiving from LOT are mitigations and required by code, not net benefits and therefore, do not "count" as consistent with CDC 06.07A, the overall needs of the community of West Linn. Some damages are not able to be mitigated, such as construction noise and quality of life depreciation - they must be adjudicated through the permitting process negotiation or through a judicial process. West Linn has difficulty presently persuading O-DOT to maintain Highway 43, how will it do so if West Linn approves actions that further damage the roadway? O-DOT may claim that because West Linn is culpable in the damage, it should pay for the repairs, not O-DOT. The money should come from LOT.

West Linn's overall needs of the community are to fund the first two capital water priorities which are listed in the City's Comprehensive and System Wide Supply System Evaluation. Assistance in these

funding needs should flow from the LOT projects because the damages to the City will be large, long-lasting and complex. Damages such as deterioration on Highway 43 as 15,000 heavy truck trips travel along the popular Central Village thoroughfare and turn off or onto I-205; damages such as unfettered noise from concrete and asphalt removal from the roadway echoing up into the hills of West Linn at night and the impedence of consumer traffic to local businesses during evening hours; then the damages of noise pollution from the destruction and re-construction of the water treatment plant itself during daylight hours, and again, day time traffic congestion because of high truck volumes and heavy equipment being moved. Back-up alarms on trucks will be incessant. Noise pollution, especially freeway and construction noise, has been proven to impair cardiac and nervous system health. The West Linn community will suffer through years of this construction and congestion.

Therefore, the city of West Linn cannot in good "code" conscious approve the Conditional Use Permit without negotiating at least a five year plan that provides significant capital budget relief to its citizens and improves their own clean water infrastructure. These permits for expanding the water treatment plant and building the large pipeline to Tigard should pay for the Bolton reservoir replacement and five years' of asbestos pipe replacement per the Capital Improvement schedule in the 2008 Water System Master Plan. Replacement of the water main along Mapleton Drive and the upgrade of the intertie are simply not enough relative to the damages to greater West Linn caused by such invasive and complex projects that benefit Lake Oswego and Tigard.

The existing intertie is being held hostage to this permitting process. City of Lake Oswego receives benefit from the intertie at an equal level to West Linn. They will not abandon this emergency supply opportunity if the plant expansion and pipeline permits are denied.

West Linn staff concludes that the additional water capacity in Lake Oswego and Tigard as a result of the plant expansion will reduce pressure on non-urbanized areas. That assertion seems grossly incongruent with the scenario that this expansion actually allows for the infrastructure to develop the Stafford triangle. West Linn needs to creatively mine this opportunity if it allows the water treatment plant to expand and pipe its water to Tigard - the Lake Oswego Tigard Partnership certainly is. And each of the cities owes it to their citizens to act fairly and fiducially responsibly, not selfishly and without consideration to damage. Growth is not the only answer to the future; sometimes good maintenance, conservation and restoration are the best answers.

In conclusion, I and most citizens of West Linn, urge the Planning Commission to vote no on the CUP applications because the applicants do not meet the CDC 60.070A requirements. Capital deferment and funding assistance at the level outlined above would be necessary for the LOT project to approach a plan consistent with the overall needs of the West Linn community. After all, we are all in this together.

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 1:59 PM
To: Pelz, Zach
Subject: FW: Citizen Request 17446 - West Linn Planning Commission, LOT proposal

John Sonnen, Planning Director
Planning and Building, #1524

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From: Webmaster
Sent: Thursday, October 18, 2012 1:51 PM
To: Sonnen, John
Subject: Citizen Request 17446 - West Linn Planning Commission, LOT proposal

A Citizen Request assigned to you has been updated in the Citizen Support Center.

Original

Request	10/18/2012	Reference Number:	17446
Summary	Date:		
Name:	Damon Rust	Status:	Closed
Email:	dbiker@comcast.net	Source:	online
Phone:	503-636-6680	Assigned To:	jsonnen
		Assigned Group:	Planning

Topic [West Linn Planning Commission, LOT proposal](#)

Request Details: City of West Linn Planning Commission, Re: LOT water treatment plant. My name is Damon Rust, I live at 18601 Old River Dr. Have been a resident of West Linn for just over 25 years. I am deeply apposed to the LOT water treatment plant expansion. Lake Oswego has the space to build this plant within their city limits. The so called foot hills area is perfectly suited for this operation. But L.O. has intentions of developing that property for high dollar yield. The thought of Lake Oswego intruding on West Linn residents to construct a money making venture is disgraceful! The disruption to our neighborhood and our city can't be tolerated. As a retired Lake Oswego employee from a mid management position, I can attest to the mindset of many within that organization. That is to say they care nothing about the impact of their decision's on other communities, in this case West Linn residents, and will do whatever it takes to get their way. They could care less about the impact to the Robinwood area or the disruption of Hwy. 43. To approve the LOT proposal is a very bad decision. Tell L.O. to develop this plant on their own property. Tell them to go away. Let's focus on getting the West Linn tax payer to realize the need to upgrade our own water system. I also feel that allowing LOT to move forward with this proposal could have political ramification in the future as approval would be going against the wishes of the majority of West Linn residents. Thank for allowing for my input. Please feel free to contact me further.

Comment: Citizen request/question closed.

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

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 11:32 AM
To: Pelz, Zach
Subject: FW: Oswego Water Project

Please add to the record

John Sonnen, Planning Director
Planning and Building, #1524

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From: JERRY ANDERSEN [mailto:jerryandrea@msn.com]
Sent: Thursday, October 18, 2012 11:20 AM
To: Sonnen, John
Subject: Oswego Water Project

John Sonnen
Planning Director,

I have not followed this issue much but I knew it had a lot of people stirred up. I thought the project should be beneficial in providing us with a better backup source. I watched the meeting last night on television. I was really sold on the project by the time the engineer from the Tualatin water system was through speaking. It seemed like a slam dunk until I heard the affected homeowners and business people address their issues. They seemed to be speaking from the heart. I was particularly impressed by the fact that the opposition to this plant was overridden by county politics in 1967. My feeling now is that the plant should never have been built in this location back then. The fact that no other alternatives have been explored at this time other than the West Linn option seems unprofessional. The partners in the project should provide our Planning Commission and citizens with complete estimates for the cost of alternatives. Also, the cost West Linn home and business owners will suffer during construction and thereafter should be determined. This includes not being able to enjoy listening to the birds sing due to construction noise. I have driven my vehicles around the corner from Nixon to Mapleton. That will be a real challenge for fire trucks. I wouldn't try pulling my travel trailer around that corner.

I hope the West Linn City government will do its best to protect the interests of the West Linn stakeholders. I know it's important to get along with our neighboring cities but in the process we shouldn't sacrifice the well being of our own citizens.

Please pass this on to the Planning Commission.

Sincerely,

Jerry Andersen

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 10:06 AM
To: Pelz, Zach
Subject: FW: Letter for WL PC

John Sonnen, Planning Director
Planning and Building, #1524

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From: Dave Froode [mailto:dfroode@comcast.net]
Sent: Thursday, October 18, 2012 7:37 AM
To: Sonnen, John
Subject: Letter for WL PC

To the WL PC

I would like to offer some comments to what was said last night .

Benefits

The actual benefits are marginal at best.

The IGA is existing but most likely going to be upgraded. This will be the third time LO has used the IGA as a benefit. Also know Clackamas Water District provided water to WL last winter when our intake was plugged. LO contributed but it was a combination of the two, not just LO as they would have you think.

The second benefit is replacing a 6" pipe on Mapleton with an 8". But know WL will pay half the cost and this pipe has to come out any way in order for them to put in their 4 ft. pipe. Not much of a benefit.

Franchise fees maybe. Remain to be determined.

The "path" connecting Mapleton to Kenthrope was shown as a benefit. This may be a path but it is a 20 foot wide paved road primarily to be used for their vehicles to access the facility and two streets.

LO also pointed out they would repave Mapleton and Kenthrop. Of course they will because they will destroy both streets.

Insurance

On insurance Kollermeier from Tigard briefed the PC. But concluded "we can not insure against Acts of God." That is true but putting a 4 foot pipe along with an industrial facility in a residential neighborhood is not an "act of God" but directly by their hand. In the event an earthquake damages the pipe or facility, the earthquake may be an act of God, but the resulting damage from the pipe or facility is on them. It shouldn't have been there to begin with or, they did not build it adequately. But don't blame God if it fails. They need to be called on this and put on notice this is a bad idea.

Future Water

There was a lot of discussion about future water needs. That opens the door to talk on the Clackamas River. By LO's own admission Joel Komerak said " the CR will not be able to sustain the demand of the influx of 400-500k people who will be in this area in 40 years." Yet LO is bringing Tigard to the table to add 110k people who will consume water from the CR. In addition on this subject, the CR was over allocated by 200% and if all takers were to double and maximize their demand, the CR would be a mud puddle. What LO is doing is leap frogging all other CR users and it just plain wrong.

Chapter 28

Chapter 28 of our WL CDC says development by water sheds has to be 100ft from the high water mark. 50 feet is not 100 feet. Yet our city planning staff took the liberty to apply their own interpretation stating the underground tunneling will not impact the streams LO .

Further on this subject, there are two streams on Mapleton LO will have to deal with. If they go under, over or around it does not matter. The fact they are trenching in the middle of our wet raining season and will send mud in to the streams and underground springs. They can not prevent that from happening given the destruction of the roads they will be operating from, their vehicles up and down the streets one every six minutes, and the drainage that will occur inside their trenches while they are open for pipe installation.

Construction Management

Mapleton and Kenthrope are only 16-18 feet wide. But if you do the math on LOT diagrams they claim they will have a pedestrian lane and an emergency lane at all times. This is not possible given there will be a 7 foot trench and an 8 foot wide track hoe on the road. Even if the track hoe is mobile there is still not enough road to do what they claim. The math does not work. The existing road would have to be at least 24 feet wide to meet the minimum of what they propose. It isn't 24 feet, it is only 16-18 feet wide.

Dave Froode
19340 Nixon Ave. West Linn

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 10:06 AM
To: Pelz, Zach
Subject: FW: Letter from local business
Attachments: LOT Bulletin.docx

John Sonnen, Planning Director
Planning and Building, #1524

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From: Dave Froode [mailto:dfroode@comcast.net]
Sent: Thursday, October 18, 2012 7:35 AM
To: Sonnen, John
Subject: Letter from local business

[John: here is a letter for the PC from a local business person.](#)

Greetings Neighbors:

Here is a letter that has been circulating and I was asked to forward it on. It is also attached but for those that have issues with Word documents, it is printed below.

Rebecca

TO: Business Owners, Employees
RE: Lake Oswego-Tigard Water Pipeline

There is a plan in the works that will destroy our businesses on Highway 43- Let's stop it!!!!!!!!!!!!

We cannot afford to lose more businesses or jobs.

Specifically, Lake Oswego and Tigard are attempting to convince the government of West Linn to allow for the construction of a water plant in a residential neighborhood which is projected to commence in May of 2013 to the end of December 2015 creating 15,400 truck trips on Highway 43 and an additional 50,000 vehicles of related traffic on Highway 43, plus six months of Raw water pipe work, six weeks of Asbestos Cement Water Line replacement, three months of Raw Water Pipe and Finished Water Pipe Open Cut work, and five months of Finished Water Pipe Open Cut on Highway 43. This means that heavy construction trucks will basically take ownership of Highway 43 creating traffic congestion everywhere. And this is for the expansion of an Industrial Water Plant in a residential neighborhood.

This plan will cause deleterious harm to the neighborhood and create substantial and ongoing bottle neck traffic jams on Highway 43. It will cause the citizenry to re-route themselves elsewhere thus resulting in substantial loss of business for all of the businesses on Highway 43, and therefore the loss jobs as businesses struggle to survive. This will affect all of Highway 43 from the Interstate 205 to Lake Oswego with the most damage being inflicted on the West Linn community.

There is a Planning Commission Meeting tonight, October 17th and tomorrow October 18th at 7 pm being held at Council Chambers in City Hall, 22500 Salamo Road in West Linn.

Please plan on attending and speaking. If you do not speak or submit a letter of opposition, you will lose your right to appeal any decision.

Please come and speak or at least submit a letter of opposition, and please have all of your employees do likewise as it is your business and their jobs that will be affected and which are at risk.

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the message and any attachments from your system.

TO: Business Owners, Employees

RE: Lake Oswego-Tigard Water Pipeline

**There is a plan in the works that will destroy our businesses on Highway 43-
Let's stop it!!!!!!!!!!!!**

We cannot afford to lose more businesses or jobs.

Specifically, Lake Oswego and Tigard are attempting to convince the government of West Linn to allow for the construction of a water plant in a residential neighborhood which is projected to commence in May of 2013 to the end of December 2015 creating 15,400 truck trips on Highway 43 and an additional 50,000 vehicles of related traffic on Highway 43, plus six months of Raw water pipe work, six weeks of Asbestos Cement Water Line replacement, three months of Raw Water Pipe and Finished Water Pipe Open Cut work, and five months of Finished Water Pipe Open Cut on Highway 43. This means that heavy construction trucks will basically take ownership of Highway 43 creating traffic congestion everywhere. And this is for the expansion of an Industrial Water Plant in a residential neighborhood.

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Please come and speak or at least submit a letter of opposition, and please have all of your employees do likewise as it is your business and their jobs that will be affected and which are at risk.

Pelz, Zach

From: Sonnen, John
Sent: Thursday, October 18, 2012 10:04 AM
To: Pelz, Zach
Subject: FW: Citizen Request 17440 - Lake Oswego-Tigard Water Partnership Water Treatment Plant and Water Transmission Pipeline

John Sonnen, Planning Director
Planning and Building, #1524

[West Linn Sustainability](#) Please consider the impact on the environment before printing a paper copy of this email.

[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: Thursday, October 18, 2012 7:36 AM
To: Sonnen, John
Subject: Citizen Request 17440 - Lake Oswego-Tigard Water Partnership Water Treatment Plant and Water Transmission Pipeline

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.

Original**Request**

10/18/2012

Reference Number:

17440**Summary**

Name:

cathie alder

Status:

Assigned

Email:

cathiea@teleport.com

Source:

online

Phone:

5036979277

Assigned To:

jsonnen

Assigned Group:

Planning

Topic

[Lake Oswego-Tigard Water Partnership Water Treatment Plant and Water Transmission Pipeline](#)

Request Details:

Dear Planning Commission: My family lives on 19120 Nixon Avenue. We have been following the proposed water treatment plant and pipeline arguments, and after attending the public hearing this evening, Wednesday October 17th, at City Hall and listened to the arguments from both sides we have deep concerns about several potential problems: 1. With traffic routed on Mapleton away from Hwy 43 via our street, Nixon, the number of expected vehicles including large, cumbersome and limited vision construction vehicles on our already patched and crumbling street, severely concerns me for both my grandchildren (whom I take care of 30+ hours per week) and all the young children on the street who have up to this point enjoyed a quiet somewhat rural street. 2. We am concerned about the same traffic traveling regularly by Cedaroak Elementary school for the same reasons. 3. With the projected work time from a reported in the meeting 7 pm to 7 am there will be a great commute impact for my husband and myself. The already traffic-laden two-lane Hwy 43 grinds to a near halt when mere street cleaners supply their services. 4. Emergency vehicles will be greatly impeded by the construction. We had need of emergency services a number of years ago when our son went into a grand mal seizure. As anyone who has undergone the moments of intense anxiety during a medical event, the difficulty of wondering how much longer help will take is not acceptable. 5. Having recovered from the flood of 1996 and listening to the potential disaster that could accompany an emergency occurring in the pipeline that would cause millions of gallons of water to be released in the immediate neighborhood, the thought of another preventable water-related disaster is unacceptable. Would FEMA be available once again to assist us? 6. We have been considering a move, but property values have lowered considerably in the last several years. Now, the potential of selling our home is nearly impossible with this three year intrusion, but we wonder if a commensurate lowering of our taxes due to decreased property value caused by said construction will be considered. One has to wonder how this possibility of intrusion and potential danger got this far. Who or what group allowed so much time and money to be spent on an illegal (precedence was documented during the hearing) industrial building proposal in a residential area. When listening to the opening introductions by the committee members, we were stunned by the lack of knowledge about this issue on some of the member's parts and the refusal to be responsible for commenting or being involved in this process by others on the committee. Are these elected or appointed positions? Please place our names among those STRONGLY opposed to the proposed facility and pipeline. Please let us know why the six other possible sites considered were rejected! John and Cathie Alder

Shroyer, Shauna

From: Neal Rea [near@stonergroup.com]
Sent: Thursday, October 18, 2012 9:21 AM
To: Shroyer, Shauna
Subject: Neal Rea's written testimony for Public Hearing – CUP-12-02DR-12-04 (water treatment plant) and CUP-12-04/DR-12-14 (water transmission line)
Attachments: Neal Rea's written comments.pdf

Dear Ms. Shroyer,

Attached to this message are my written comments for Public Hearing – CUP-12-02DR-12-04 (water treatment plant) and CUP-12-04/DR-12-14 (water transmission line).

Due to time constrains at the 10/17/12 planning commission meeting there was no time for me to speak. I am not able to attend the 10/18/12 or the possible 10/23/12 planning commission meetings due to a schedule conflict and a surgery procedure for a heart problem.

Please distribute my written comments to the planning commission and attach a copy of my comments to testimony form I completed last evening.

Sincerely,

Neal Rea, CFO
503.462.5251
near@stonergroup.com

Date: 10/18/12

TO: City of West Linn Planning Commission

FROM: Neal Rea, West Linn resident living at 4240 Mapleton Drive

RE: My Written Comments for the Public Hearing – CUP-12-02DR-12-04 (water treatment plant) and CUP-12-04/DR-12-14 (water transmission line)

Thank you for accepting my written comments. Due to time constraints at the 10/17/12 planning commission meeting there was no time for me to speak. I am not able to attend the 10/18/12 or the possible 10/23/12 planning commission meetings due to a schedule conflict and a surgery procedure for a heart problem.

Applications CUP-12-02DR-12-04 (water treatment plant) and CUP-12-04/DR-12-14 (water transmission line) do not meet CDC 60.070A.

I oppose the expansion proposed by LOT of the Kenthorpe water treatment plant and water transmission line.

22 years ago I moved my wife and two daughters to West Linn because of the community benefits, the excellent schools and the citizenry protection of its neighborhoods, parks and open spaces. My wife and I purchased property on Mapleton Drive where we designed and built our house.

Our home is located directly across the street from the residential properties that would be used for the proposed expansion of the Kenthorpe industrial water treatment plant. Our front view from our property was/is the residential structures and waist high farm land owned and not maintained by Lake Oswego.

The pipeline proposed by LOT would run adjacent to the front of my property. While my home is slightly up grade from the street I feel that installation of said pipeline would increase the uninsurable risk of house and neighborhood annihilation by water should there be an act of God that disturbs the pipeline placed in Mapleton by acts of the West Linn Planning Commission. If you make the decision to approve the proposed pipeline you should add a condition that West Linn with LOT provide a neighborhood replacement and disaster recovery bond for the estimated life of the treatment plant and pipeline.

The buildings proposed for the expanded water treatment plant are industrial in size and design. No matter how much infant vegetation is planted you cannot remove the sight of the proposed buildings from the street and from those of us living in the neighborhood that are not blind. LOT's design team would have had better luck putting lipstick on a pig than it had with its residential design of their proposed industrial plant. If you make the decision to approve the proposed treatment plant you should add conditions that all buildings are to be residential in appearance, not exceed the height of a two-story flat roof house, that all structures must be screened by mature vegetation, not fences, equal to or greater than the vegetation removed, and that there is to be no new horizontal structures added to the residential properties on Mapleton Drive unless structures added are for sale residential homes.

When my family made the decision to make financial investments to purchase property and build a house we chose West Linn, not Swan Island. I read the CC&R's for the Mapleton neighborhood before purchasing property and felt that the CC&R's provided protection of residential only properties in the Mapleton neighborhood and that there would be no present or future invasion of commercial and industrial uses into the neighborhood.

Today, my wife and I are defendants in a lawsuit brought against us by LOT because we will not agree to give up the CC&R rights of residential only properties in the Mapleton neighborhood. Governing bodies establish, approve and enforce rules. Governing bodies do not run and hide when a bully comes to town. Governing bodies punch a bully in the teeth and toss them out of town. I am one of many residents who sees the West Linn Planning Commission as one of their "life lines" when its citizenry are confronted by a bully who wants to change the rules in the game called our lives, our neighborhood, our community. All of you serving on the planning commission were elected by us based upon your promises to serve us and protect West Linn. I encourage you to punch LOT in the teeth and send them packing.

All my life I have enjoyed recreating in the outdoors. I have great concerns about the negative impacts these proposed projects will have on the Clackamas River basin and the people, wildlife and aquatic life that live and recreate there. I choose to protect the Clackamas River basin. I ask that you protect the Clackamas River basin as well.

In the 1960's our city made some mistakes and the Kenthorpe water treatment plant. We cannot change the decisions made in the past, but we do not have to continue making the same mistakes. Please deny LOT's applications CUP-12-02DR-12-04 (water treatment plant) and CUP-12-04/DR-12-14 (water transmission line).

Thank you for your time and your service.

Neal Rea

Jana Rea
4240 Mapleton Drive – West Linn
10-17-12

I want to go on record as opposing the water treatment plant and the pipeline that goes with it.

My reasons for opposing it include but are not limited to:

1. Accessibility to our home during construction. Even though we are told that we will have access most of the time there are times that we will not. If we cannot get in and out of our homes then neither can the mailman, delivery trucks, and emergency vehicles. Our daily lives will be impacted in a huge way for a long time.
2. If emergency vehicles have to go around to Nixon to get to us then that is crucial time added to the emergency. Also, emergency vehicles will have an almost impossible time getting around the corner where Nixon and Mapleton meet. This is a huge problem especially for the many elderly people on our street.
3. This pipeline will cause huge traffic issues on Highway 43 for all the residents of West Linn that use that road as well as others that go through our city. It is hard enough to get onto 43 without the addition of thousands of construction trucks.
4. Having pipeline work on 43 at night will be a nightmare for those that live along this road and their neighborhoods.
5. Businesses will be impacted in a negative way with the increased construction traffic. LOTWTP says this project will create jobs but what about all those that will lose jobs because of it.
6. A pipeline (and water treatment plant) of this size does not belong in a residential neighborhood.
7. I still don't see any new benefits to the city of West Linn or it's residents and they are the ones that will suffer, as LO does this to make money off of Tigard.
8. The majority of the Neighborhood Associations in West Linn have voted against this project. This is not something that the residents here want.

I urge the West Linn Planning Commission to make a stand for the residents of West Linn and to cast your votes against this project. It is not good for our city.

A handwritten signature in cursive script that reads "Jana Rea". The signature is written in dark ink and is located in the lower right quadrant of the page.

Michael C. Monical
18735 Nixon Ave
West Linn, Oregon 97068

I support the eventual approval of the two applications with additional conditions. I do not think the Applicant has met the Approval Criteria and believe that Staff erred in recommending approval without additional conditions.

Specifically, the Applicant and Staff state the projects will fulfill a community need. In the absence of a wider regional definition of "community" these projects do little to fulfill community needs and do much to harm the community.

Item 1

One of the primary benefits claimed by the Applicant is that the project will provide emergency water supply through the year 2041 with a new IGA. It is my opinion that the claim about the benefit has been misrepresented.

It is an interesting tactic to TAKE AWAY a mutually beneficial water supply intertie with facilities paid for by citizens of West Linn then replace it with a time limited agreement and call that a BENEFIT.

The approval of this project as currently proposed will harm the community by removing a water supply identified in our Master Plan and agreed to with the currently working IGA which has no time limit. The new approval puts a time limit on a very important asset and is NOT envisioned in the Master Plan. Except for approval of these projects there is no reason to discard the existing agreement and no reason to add a major capital project to the West Linn Water Master Plan. **Approval of these projects appears to be an effective \$15-\$30 million note due in 30 years from the citizens of West Linn.** This aspect of approval harms the community and is not a benefit.

There are other claims in the IGA which are also questionable and should be looked at closely before approval. The City of West Linn should not be bashful about requiring emergency access to water produced in our city nor should we have to pay for more capital projects as a result of the water plant expansion.

The application should be conditioned based on an ACCEPTABLE IGA presented to the City of West Linn which is not time limited and does not effectively mandate a major future capital project.

As a member of the Utility Advisory Board who has studied the Water Master Plan I can assert that the reliance on LO for emergency supply instead of having adequate Water Storage is not in the best interest of West Linn. It is, at best, a poor second choice. An unintended consequence of the project is that West Linn will now ultimately be forced to construct adequate Storage Facilities. This consequence I fully support but is not included or envisioned in our Master Plan. Until the Master Plan is revised this proposal is not in compliance and should not be approved until the discrepancy is resolved.

The new intertie is a mutually beneficial facility which aids the entire region but provides no additional benefit to the local community.

Item 2

Even with an acceptable IGA, the project does not fulfill a community need commensurate to the negative impacts. The Applicant has been presented with several recommendations for community needs which could have been incorporated into the project and provide a benefit to the community. To date they have not included many in their Application. A review of the project indicates that the Application mostly address only the minimal legally required mitigation improvements (which are claimed as benefits) which the city would likely impose for any development of this nature.

There are many opportunities to fulfill community needs in excess of the minimum requirements of the land use code.

The project should be conditioned to fulfill real community needs. For example, both Lake Oswego and West Linn have code requirements for Art set asides from public projects. This is a possible benefit which could be incorporated but is not necessarily the best choice for this community. An equivalent set aside (1.5-2% of construction costs) could be established which would demonstratively be a benefit to the community.

Such a set aside would likely go far to reduce the opposition and animosity this project has generated between West Linn and Lake Oswego and has the precedence of the Arts Programs in both cities to help guide the quantification of an appropriate benefit.

Item 3

Finding 14 finds that compliance with the Comp Plan is addressed. However the staff report appears inadequate in its discussion of: Goal 2, Policy 8, Protect the residentially zoned areas from the negative impact of civic development.

This civic project has many negative impacts to the community and staff does not appear to recognize the impact of civic development nor explain why this Goal is not applicable. The fact that the utility is underground or that the negative impact is temporary does not remove the negative aspects of the project many of which are either not mentioned or are just not given standing and are rejected by the applicant. There is one listing of Richmond Neighborhood Association concerns included in the Staff Report but does not appear to be addressed by the applicant. There are many more identified in the voluminous public testimony for the project which are not addressed or acknowledge by the application except by inclusion in the testimony.

The Applicant should provide an itemize listing of the negative impacts of the project and the proposed mitigation or consideration. Each negative impact should be addressed and mitigated as required by the development code.

I would further recommend that Compensation for personal damages be included in the proposal both as a way to establish a fair and equitable standard for personal damage assessment and mitigation and to limit the liability of the Applicant. A proposal of this nature appears to be outside the scope of what can be required of the Applicant but provides a way for which the Applicant can address the numerous justified complaints of the community members as they look forward to the horrendous personal impact of the project.

Item 4

The application states that many of the required public improvements needed to complete the projects are benefits. Many of these benefits are in fact merely mitigation of negative impacts and damage created by the project. This language appears to be designed to make the project appear more beneficial than it actually is.

Staff should require the applicant to amend their proposal so that only true benefits such as the pathway and emergency access between Kenthorpe and Mapleton are identified as benefits. Work such as water line replacement required as a condition of approval that would be required by any development and is necessary to mitigate damage from construction should not be identified or accepted by staff as a benefit. These are damage mitigation.

Item 5

The following are miscellaneous comments on the proposal

Water Line replacement is presented as a benefit. However the upgrade of facilities to current standards is a requirement of any project along the frontage. In addition the water line in Mapleton seems unlikely to survive construction and it is likely in the Applicants interest to replace it.

There have been choices of the neighborhood to forgo required improvements such as curbs and sidewalks. These choices result in savings to the Applicant but are presented as a benefit which they are not. Non-compliance with mandated improvements should be accompanied by a collection of the funds necessary to make the eventual required public improvement or, as minimum, non-remonstrance agreements for eventual public improvements.

Road reconstruction – I have pointed out numerous times in both writing and verbal testimony that Kenthorpe and now most of Mapleton are effectively serving industrial facilities. As such they have regular and repeated needs for both oversized and higher weight vehicles. Industrial street sections would be mandated by a private developer to an industrial street section. The Applicant should not be given a pass on these requirements and both streets should be rebuilt to the higher standards.

Private residence access.

The original proposal included the acknowledgement that individual residences would be cut off from road access for as much as 12 hours per day. This appears to have been amended to allow the residence to schedule an access to be opened by calling a contractor phone number. The City of West Linn has worked with contractors on their water line improvements that will provide access to and from residences within 5 minutes. A similar requirement should be specifically mandated for the project.

Overlay of Nixon Ave

A foreseeable consequence of the project will be increased traffic on Nixon Avenue. The Applicant has stated that Construction Traffic will not use Nixon however it is clear that everyone else will. Nixon Avenue currently has many areas of deteriorated pavement which will be further impacted by increased traffic diverted from the construction. The Applicant should be conditioned to provide surface patching prior to the project and an overlay on Nixon at the conclusion of the project. As a resident on Nixon Avenue this has personal interest for me.

In conclusion I support the installation of the water line and the expansion of the water plant and believe LOTWP has done an excellent job in presenting a project which will be of major benefit to the region and will provide a safe and stable water source for many communities. However these benefits accrue to communities outside the impacted zone where it will have negative impacts which are currently not adequately identified or mitigated by the Application as required by the West Linn development code.

Until such time as the Applicant has adequately identified and mitigated the negative impacts and has provided a quantifiable benefit to the West Linn Community in general and the Kenthorpe and Mapleton Communities specifically, the projects should not be approved. Conditions can be added to require that.

The LOTWP has abundant economic resources to make these projects mutually benefit to the West Linn Communities rather than the burden as currently proposed.

Alternatively, there are water resources such as the Willamette which can be developed as an alternative to the Clackamas River Water Source as has been done by Wilsonville and does not harm West Linn communities.

Jay Eric Jones/Jeane M. Jones
4310 Mapleton Drive
West Linn, OR 97068

Testimony Related Items

West Linn Planning Commission Meeting

October 17, 2012 7:00 PM

CUP-12-02/DR-12-04 & CUP-12-04/DR-12-14

Included:

- Picture of Jeane M. Jones in her house (2010)
- Clackamas County 1967 planning staff recommendation to deny LO's treatment plant with resident's petition to deny the CUP
- Clackamas County's Health Dept. override of the denial (conditional approval)
- Porta potty located directly across from our residence (10-2012) right at the ROW boundary

Respectfully submitted,

Jay Eric and Jeane M. Jones



RECOMMENDATION

FILE NUMBER: PCU-13-67

APPLICANT: City of Lake Oswego

STAFF RECOMMENDATION: The Staff recommendation is to deny this application.

BASIS:

The proposal is for a plant to treat water taken from the Willamette River, presumably for use in the City water system. It is a three-story building proposed in an area of single family dwellings on small-to-medium sized lots. A water treatment plant seems to be an incompatible use in this area which would lower property values of the existing property owners and preclude any further development. The possibility exists, in uses of this type, of objectionable noise and odor.

Lead RYM
27 Feb 67
320
301 SIGNERS
SIGNERS

P E T I T I O N

TO THE CLACKAMAS COUNTY PLANNING COMMISSION
AND/OR THE COUNTY COURT

We, the under-signed of the Robinwood Cedar Oaks Park Area protest the request for a conditional use within a residential zone for the construction of a water treatment plant for the city of Lake Oswego for the following reasons:

1. It would destroy the beauty of our suburban surroundings.
2. It would ruin twelve homes and potential residential property.
3. It would be a mosquito menace.
4. There would be an objectional odor.
5. The noise from such a plant would be objectionable.
6. We would receive no benefit whatever from such a plant.
7. We have no voice in Lake Oswego's civic or political affairs.
8. We are absolutely against any change of zoning, even conditional.

All applications must be filed twenty-one (21) days prior to the regular hearings of the Clackamas County Planning Commission.

CLACKAMAS COUNTY, OREGON
PLANNING COMMISSION

No. CU- PCU-13-67

DATE OF APPLICATION: 2-6-67

DEVELOPMENT PATTERN RESIDENTIAL

REC. NO. PC- 1426 Fee: 25.00

APPLICATION FOR

A. PRESENT ZONE: R-10, SPFD

DATE OF HEARING: 2-27-67

B. PROPOSED USE: WATER TREATMENT PLANT **CONDITIONAL USE**

STAFF MEMBER: [Signature]

C. Name of Applicant: City of Lake Oswego, Oregon Phone: 636-8495

Address: City Hall, 40 "A" Avenue, Lake Oswego, Oregon 97034
Legal Owner: () Contract Buyer: () Option Holder: () Agent: ()

D. Who holds the Title to the property? See Exhibit "A"
Name _____ Address _____

If You do not hold the Title to the Property, what is your interest? City negotiating for acquisition of land

E. Number and Street Kenthorpe Lane Between Old River Rd. and Easterly Terminus of Kenthorpe

F. Tax Lot 11-11; 11-12; 11-16; 30; 31; 32; 33; Section 24 T 2 South R 1 East DLC Geo. Walling DLC
Lot _____ Block _____ Addition _____

G. Size of Lot is _____ X See Exhibit B Total Area: 5.4 Acres

ALL CONTIGUOUS PROPERTIES UNDER SAME OWNERSHIP:

Tax Lot _____ Section _____ T _____ R _____ DLC _____

Lot _____ Block _____ Addition _____

Size of Lot is _____ X _____ Total Area: _____

H. State in detail specific conditional use requested; (If necessary, attach additional pages.) Requesting conditional use for the construction operation and maintenance of a Municipal Water Treatment Plant

Type, Size and Use of all proposed structures: See Exhibits "B" through "D"

Total number of People to use water and Sanitary Facilities: 3 persons

Square feet of Drainage area available: See Exhibit "B"

Parking Provisions-Square Feet available: See Exhibit "B"

Future Expansion Plans: See Exhibit "B"

Type, Size, Use and Disposition of all Existing Structures; (Indicate on plot plan Structures to remain.) None

I certify that the above information is true and accurate to the best of my knowledge. City of Lake Oswego

2/6/67
Date

[Signature]
Signature of Applicant City Manager

PC FORM : 1-66

(DO NOT WRITE IN SPACE BELOW)
(FOR HEALTH DEPARTMENT USE ONLY)

County Health Department recommendation: Conditional approval based on health Dept Plumbing Code Requirements

Approved Denied () By: OMW Murphy PE

APPROVED

Date: 2-21-67



Greetings Commissioners.

Three pages from LOT information.

Sheet 1 of 4 reliability and Safety. We are setting between two fault lines, if the plate we are setting on splits and separates where the pipe is run then are they saying the pipe is going to hold the earth together?

Sheet 2 of 4 New pipelines designed for highest seismic standard. The weakest part of this application is the welds, They can crack in center or edge of welds. Also I have had three years of college on welding when I worked at Hanford Washington.

Sheet 3 of 4 and sheet 4 of 4 They claim valves can be shut down in minutes. Lets give the benefit of doubt and say they can in two minutes. Lets take a look at sheet 4 of 4 at gpm, gallons per minute. Open pipe separation would be 169,205 gpm times two = 338,410 on a twenty four hr. draw. I have learned of possible shorter draw time of twelve hours draw time or less so 338,410 times two = 676,820. Gpm. And they will never be able to shut down that quick as you cant close a valve that fast because you will blow the system apart. And how long before they get to it.

Carl and Linda Edwards



Reliability and Safety

Year-round backup water supply of 4 mgd through 2041

Access to 53 million gallons of combined reservoir storage

Access to redundant supply sources through Tigrad regional interconnect hub

Fully redundant new supply system, designed to withstand magnitude 9.0 earthquake

2 of 4

New pipelines designed for highest seismic standard

The Partnership's and West Linn's supply pipelines are at risk. West Linn's pipeline has experienced past failures due to corrosion. And, in the case of the I-205 bridge crossing, vibration of mechanical joints causes repeat failures. Neither pipeline was designed to resist earthquakes; both have segments with push-on joints that can separate in an earthquake (see Figure 1-12).

The Partnership selected robust materials and features to protect the pipelines to the industry's highest seismic standard during its 75- to 100-year design service life. The Partnership's design engineers were assisted by one of the country's foremost pipeline seismic design experts.

Steel pipe with welded joints, regarded as the highest performing pipeline system available for resisting earthquake forces, will be used for both the raw and finished water pipelines. The joints will be secured with double lap welds, welded inside and outside the pipe at each joint. Our expert, Don Ballantyne, has worked throughout the western United States, including with the San Francisco Public Utility Commission and the Los Angeles Department of Water and Power. These agencies routinely use steel pipe for their new, critically important pipelines and use double lap welded joints when these lines traverse particularly at-risk locations.

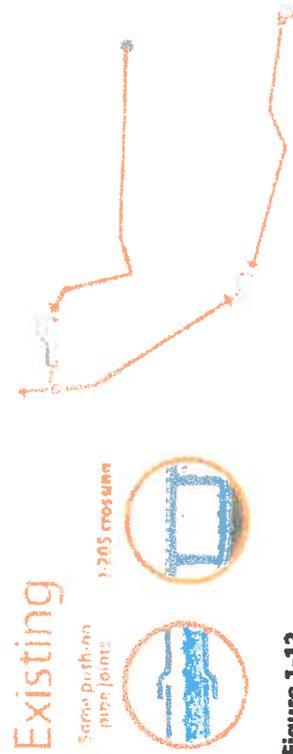


Figure 1-12
Existing pipelines are vulnerable to earthquakes

Though there are no recognized seismic design standards for pipelines, the Partnership has adopted the approach recommended by the American Society of Civil Engineers and the International Building Code for very important structures. This approach mitigates the hazards of an earthquake with a 2 percent chance of exceedance in 50 years (2,475-year return interval), the highest level accepted worldwide.

The flexible steel pipelines will readily accommodate the expected differential settlement due to liquefaction of 2 inches in 40 feet. Flexible joints will be used to accommodate the transition into rigid, pile-supported structures where the pipelines enter and exit the WTP site.

The new welded steel raw water pipeline drilled into place through stable basalt formations more than 30 feet beneath the river bed (see Figure 1-13) will result in a more reliable river crossing.

Additional pipeline reliability will be achieved by using state-of-the-art corrosion prevention systems and by conducting routine asset management activities to ensure the pipelines are maintained in good working condition throughout their design service lives.

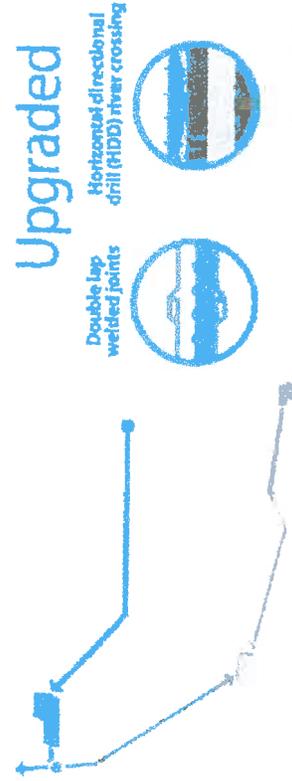


Figure 1-13
New pipeline will provide needed redundancy and reliability

WTP and pipeline design address neighborhood safety issues

The design incorporates a variety of measures to optimize safety for plant operations staff and neighbors. A few of these are highlighted in Figure 1-14 and described in greater detail below:

1. A triple redundant overflow control system diverts unlikely treatment basin overflows to several holding basins. Overflows are diverted to the Willamette River through the existing overflow pipeline, mitigating the risk of neighborhood flooding in the event holding basins are overwhelmed.
2. The centrally located Chemical Building includes a sump collection system. This is designed to hold one full chemical tank and 20 minutes of flow from fire suppression sprinklers, to prevent chemical exposure to anyone outside of the secure perimeter. Chemical piping outside of the containment areas is double-walled. No gaseous chlorine has been used at the WTP for many years.

3. Isolation (shutoff) valves will be installed at intervals of approximately 2,000 feet along the entire land-based pipeline alignment. The valve closest to any damaged section of pipe can be closed within minutes by operations and maintenance staff or by local jurisdiction emergency crews to limit any damage that might occur from leaking water.
4. Pumping only when the WTP is staffed allows immediate shutdown of pumps in the unlikely event of a serious problem with either pipeline as alarms would alert the operator of a pressure drop.
5. The Clackamas County Emergency Notification System, sometimes called "Reverse 911," is available to interested neighbors who may have concerns about the safety of the new WTP or pipelines. The system alerts affected registered residents by sending messages and instructions by landline phone, cell phone, internet phone, and email.

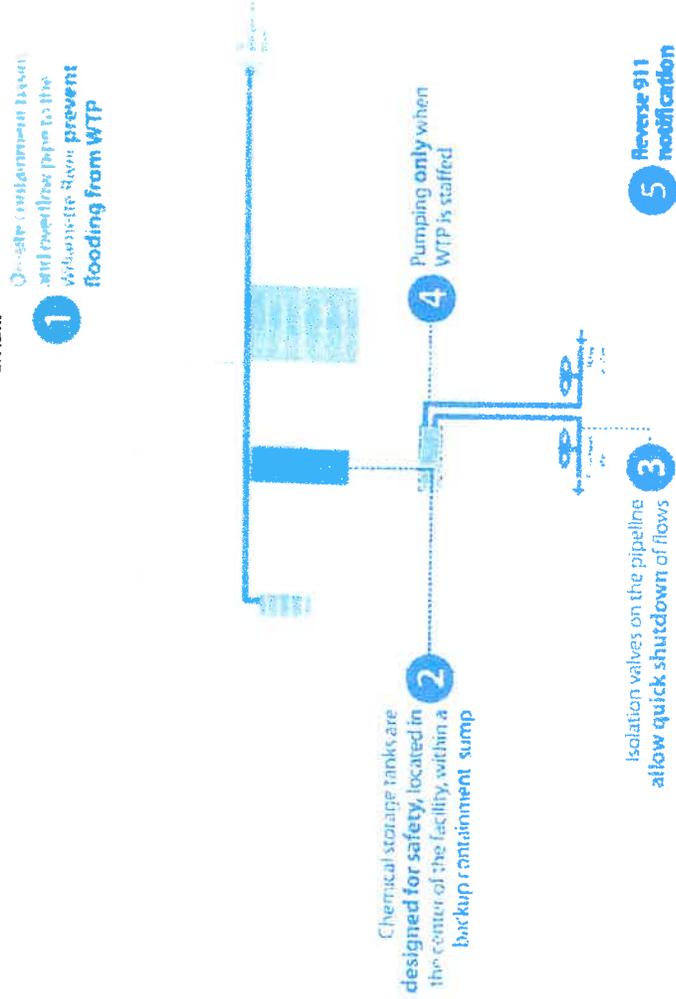


Figure 1-14
New WTP and pipelines
designed for optimal safety



Flows Through 48" Pipe

4 of 4

Velocity FPS	GPM
1	5640.18
2	11280.36
3	16920.54
4	22560.72
<hr/>	
5	28200.89
6	33841.07
7	39481.25
8	45121.43
9	50761.61
10	56401.79
11	62041.97
12	67682.15
13	73322.32
14	78962.50
15	84602.68
16	90242.86
17	95883.04
18	101523.22
19	107163.40
20	112803.58
21	118443.76
22	124083.93
23	129724.11
24	135364.29
<hr/>	
25	141004.47
26	146644.65
27	152284.83
28	157925.01
29	163565.19
30	169205.36
<hr/>	
31	174845.54
32	180485.72

26,388.88

38. million gal. Per day = 24 hrs.
 ÷ by 24 hrs = 1,583,333 Per. hr.
 1,583,333. ÷ 60 minutes =
 26,388.88 Per. minute (GPM).
 ÷ by 60 sec. = 439.81 gal. Per second

IF Pipe were to Break or separate
 Low 24 Feet per second to High at
 30 Feet per second (FPS)
 Low 135,364 (GPM) To High 169,205.36
 (GPM)

48" pipe, Radius x Radius x
 3.142 x 150 PSI = 271,468.8

Push Force at static pressure

A 48" Mueller Valve,
 Sectional Valve Takes
 500 Turns to Shut off,
 could mean about 829,000 OR more
 Gallons By The Time
 it Takes to shut off if they are
 at valve when main comes apart.
 48" valves are gear driven!

10-16-12

Dear members of the planning commission,

Westview in the area above highway forty three. It has become a real heavily traveled thoroughfare. Especially when people are traveling to and from work. Can you imagine what it will be like for these people during the estimated three years of construction.

I can not imagine allowing this water treatment plant in the middle of a residential area. It looks like DOT has no respect for the citizens of Westview or their zoning laws. Please don't let DOT make fools of the citizens of Westview.

This is our city funded by our tax dollars. Why were we not allowed to vote on this matter?

I close hoping you will do the right thing for the city of Westview.

Marlene & Dean Gaspers
50 year residents

4666 Bittner St.
West Linn, OR 97068
October 17, 2012

West Linn Planning Commission
22500 Salamo Rd.
West Linn, OR 97068

Dear Planning Commission,

I want to express my opposition to the Lake Oswego-Tigard Water project (CUP-12-02/Dr-12-04 and CUP-12-04/Dr-12-14). I am particularly concerned about the disturbance this plan has for Mary S. Young Park, the most beautiful park in West Linn, and one that is used extensively on a daily basis for many activities. It has blossomed since West Linn took over the management of the park. We need to continue to be responsible in managing it. I have read the arborist's report and note that 184 trees are within the jurisdiction of the West Linn ordinance #154 and also deserve protection. I feel it is critical that we preserve these irreplaceable natural resources.

In addition, I do not understand how West Linn citizens and community must suffer for the advantage of Lake Oswego and Tigard when Lake Oswego has direct access to water from the Willamette River. I feel they should have their water treatment plant close to Lake Oswego where it will be used. Although I believe in the importance of cooperation, I feel that in this situation we need you to stand up for West Linn citizens.

Thank you for considering these issues for the maintenance of the quality of life in West Linn.

Sincerely,



Nancy Lamb

