



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204 ■ Dan Saltzman, Commissioner ■ Dean Marriott, Director

June 29, 2012

Mr. Brant Williams
Office of the City Manager
PO Box 369
Lake Oswego, OR 97034

Subject: Foothills Framework Plan Comments

Dear Brant:

The Tryon Creek Wastewater Treatment Plant (TCWTP) located in the Foothills District is owned and operated by the City of Portland for the benefit of Lake Oswego and Portland sewer ratepayers. As a major property owner in the Foothills District, the City of Portland is pleased to offer our support for the proposed redevelopment of the Foothills District. The Foothills District Development provides an exciting opportunity for a new pedestrian oriented neighborhood within the Urban Growth Boundary.

The City of Portland BES offers the following comments on the Draft Foothills Framework Plan:

Comment 1 - Long Term Implications of Mixed-Use Development Adjacent to the TCWTP

In 2003, the City of Portland contributed \$500,000 toward the purchase of the Jarvis Property, now Tryon Cove Park. The primary reason for the contribution was to provide an enhanced noise and odor buffer between the TCWTP and possible residential development. A primary tool for dealing with noise and odor is to provide adequate distance.

While noise, odors, and aesthetics can be mitigated and significantly improved, complete elimination of these challenges from an industrial facility such as the TCWTP is an expensive technological and operational challenge. The challenge is made even greater and more expensive with the proposed close proximity of dense mixed-use development to the TCWTP fence line.

We are concerned about future odor, noise and aesthetics issues and the feasibility of meeting the expectations of future residential and commercial neighbors who will be encouraged by the Foothills Framework Plan to move snug up against the plant.

Comment 2 – City of Portland Property Shown in Redeveloped Grid System

All of the Figures in the Foothills Framework Plan show redevelopment located on land currently owned by the City of Portland. We understand the concept of selling or swapping land. We are willing to entertain those proposals provided terms are agreeable and that the City's ability to operate, maintain, and improve the TCWTP to protect the public health, water quality and the environment, both now and in the future, is preserved.

Comment 3 – Floodplain Development Mitigation on City of Portland Owned Property

The Foothills Framework plan identifies the confluence of Tryon Creek and the Willamette River as a possible location for Floodplain fill mitigation for the Foothills Development.

The property south of Tryon Creek is owned by the City of Portland and is part of the TCWTP site. The property north of Tryon Creek, Tryon Cove Park, was purchased in part with funds provided by the City of Portland and is controlled by Metro and the City of Lake Oswego.

The City of Portland must have sufficient area to perform mitigation for fill on the TCWTP that may be required for future improvements to the plant. Identification of mitigation requirements for potential future plant modifications is included in the scope of work of the TCWTP Facilities Plan, which is currently under going an update. Until we know how much area we require for our own mitigation needs, we cannot offer any of the City of Portland owned property as a mitigation site for the Foothills Development.

Comment 4 – Timing and Funding for TCWTP Enhancements

The 2007 Enhancement Master Plan (EMP) for the TCWTP identified a number of projects to mitigate plant odors and improve aesthetics. Some of these projects were previously identified in the 1999 TCWTP Facilities Plan and have been on the BES Capital Improvement Plan (CIP) project list for years. Many of the other projects identified in the EMP are supported by BES provided that an agreeable source of funding can be identified.

The Framework Plan notes that many of the EMP projects can be implemented over time as other treatment plant improvement projects are constructed. While BES supports this approach, it must be noted that all projects funded and/or managed by BES must compete for funding with other BES Capital Improvement Plan resources and obligations.

We think it is important that the City of Portland's plant be a 'good neighbor'. At the same time we must ensure that Portland sewer ratepayers do not subsidize private development in the Foothills District.

Comment 5 – District Heating and Cooling

The Framework Plan includes several references to a District heating and cooling utility.

A cursory analysis of the False Creek Neighborhood Energy Utility located in Vancouver, British Columbia by BES staff estimates that a similar heat pump system at the TCWTP would be limited to approximately 1.4 MW based on minimum sustained flows to the plant with project costs of approximately \$20 million.

We are pleased to offer our support for a Foothills Neighborhood Energy Utility (NEU) with the following conditions:

- The NEU will need to site, construct, permit, and operate NEU facilities.
- District cooling equipment shall not use plant effluent as a heat sink: any energy recovery loops from the NEU entering the TWCTP must leave the TCWTP site at a higher temperature.
- Excess heat or biogas not used on the TCWTP Plant site could be exported to the NEU.

Comment 6 – Recycled Water

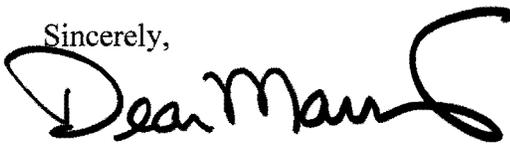
Class A Recycled water can be used for non-residential toilet and urinal flushing and landscape irrigation per OAR 340-055. Facilities required for production of Class A recycled Water include filters, additional disinfection, raw water pumping, and system monitoring.

Portland supports the creation of a Recycled Water System with the following conditions:

- Portland's role in the Recycled Water Program would be limited to that of a wholesale provider of Class A Recycled Water. Lake Oswego or its Recycled Water Franchisee would be the party responsible for storage; distribution; distribution system monitoring, testing and reporting; metering, billing and other utility operations.
- Facilities for storage, distribution and other Recycled Water distribution operations can not be located on the TCWTP site.
- Portland and Lake Oswego will need to enter into a Recycled Water Intergovernmental Agreement that defines the role of each City and protects Portland sewer ratepayers should the Recycled Water Facilities sit idle due to lack of demand.

We are pleased to offer our support for Lake Oswego's efforts to shape a new future of the Foothills District. We look forward to collaborating with you while continuing to fulfill our obligation to both City of Portland and Lake Oswego ratepayers to provide a vital service in a cost effective manner.

Sincerely,

A handwritten signature in black ink that reads "Dean Marriott". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Dean C. Marriott

cc Bill Ryan
Steve Behrndt
Jim Brown
David Allred
Amy Trieu