



Transmittal

DATE October 2, 2020

TO Eric Rutledge, City of Sherwood
 Joy Chang, City of Sherwood
 Erika Palmer, City of Sherwood

FROM Shayna Rehberg and Joe Dills, Angelo Planning Group

RE Willamette Water Supply System Water Treatment Plant (WTP)
 Land Use Application Submittal – Supplement

CC Dave Kraska, WWSP
 Christina Walter, WWSP
 Jill Chomycia, WWSP
 Corianne Burnett and Matthew Gribbins, WWSP
 Marlys Mock and David Marciniak, WWSP
 Sarah Betz, Ethan Rosenthal, and Suzanne Carey, David Evans and Associates
 Tommy Brooks, Cable Huston

On behalf of the Willamette Water Supply Program (WWSP) and the Willamette Water Supply System (WWSS) Commission, Angelo Planning Group is providing the following materials as a supplement to the land use application package submitted for the WWSS Water Treatment Plant (WTP) on September 11, 2020.

- A. **Clean Water Services (CWS) Service Provider Letter (SPL)** – The SPL, issued September 22, 2020, is attached. An email clarifying a SPL condition with potential implications for the forest platform is also included.
- B. **Statement regarding Trammel Crowe Company's (TCC's) provision of off-site utilities** – TCC will be providing utilities as outlined in their land use approval. This includes all off-site utilities, such as utilities (water, sewer, storm, and fiber) from the north side of SW Blake Street to the connection point in SW Tualatin-Sherwood Road (via the utility easement and SW Cipole Road on the TCC site) and the water pipeline north of SW Blake Street, in SW 124th Avenue and SW Tualatin-Sherwood Road. The WWSP has made financial agreements with TCC to pay proportionately for the utilities as part of the sales agreement between TCC and the WWSP. We are highlighting this information to clarify that such conditions of approval have already been assigned to TCC and will not be necessary to include in the WTP land use decision.

We also plan to provide an Engineering Design Modification and, if needed, supplemental narrative related to the design of SW 124th Avenue. We will provide those materials upon resolution of design discussions between the City, the County, and the applicant.

Please contact us (Shayna Rehberg, 503-227-3678, srehberg@angeloplanning.com or Joe Dills, 503-224-8225, jdills@angeloplanning.com) if you have any questions or need additional information.

We appreciate your time and consideration, as well as the guidance and collaborative approach that the City has provided regarding this complex land use application.



CWS File Number

20-001896

Service Provider Letter

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 19-5, as amended by R&O 19-22).

Jurisdiction: City of Sherwood **Review Type:** Tier 2 Analysis

Site Address / Location: 21309 SW 124th AVE **SPL Issue Date:** September 22, 2020
Sherwood, OR 97140 **SPL Expiration Date:** September 22, 2022

Applicant Information:

Name CHRISTINA WALTER
 Company WILLAMETTE WATER SUPPLY PROGRAM
 Address 1850 SW 170TH AVE
BEAVERTON OR 97003
 Phone/Fax (503) 840-3830
 E-mail: christina.walter@tvwd.org

Owner Information:

Name WILLAMETTE WATER SUPPLY PROGRAM
 Company WILLAMETTE WATER SUPPLY PROGRAM
 Address 1850 SW 170TH AVE
BEAVERTON OR 97003
 Phone/Fax _____
 E-mail: _____

Tax lot ID

2S128D001200

Development Activity

Willamette Water Supply System

Pre-Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
 Vegetated Corridor Width: Variable
 Vegetated Corridor Condition: Good

Post Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
 Vegetated Corridor Width: Variable

Enhancement of Remaining Vegetated Corridor Required:

Square Footage to be enhanced: 0

Encroachments into Pre-Development Vegetated Corridor:

| Type and location of Encroachment: | Square Footage: |
|--|-----------------|
| <u>Water Treatment Plant (Permanent Encroachment; Mitigation Required)</u> | <u>55,523</u> |
| <u>Educational Overlook (Permanent Encroachment; Mitigation Required)</u> | <u>1,476</u> |
| <u>Stormwater Outfall (Temporary Encroachment; Restoration Planting In-place Required)</u> | <u>1,154</u> |

Mitigation Requirements:

| Type/Location | Sq. Ft./Ratio/Cost |
|--|--------------------|
| <u>Per R&O 13-12 Mitigation for VC Impacts Associated with Mitigation Bank Credit Purchase is Waived</u> | <u>55,523</u> |
| <u>On-site VC Replacement</u> | <u>2,215/1.5:1</u> |

Conditions Attached Development Figures Attached (2) Planting Plan Attached Geotech Report Required

This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

ALTERNATIVES ANALYSIS

1. The proposed encroachment area is mitigated in accordance with Section 3.08.

The proposed mitigation meets this requirement. Mitigation will be on-site, which typically requires a 1:1 mitigation ratio for impacts to good condition VC. The WWSP is proposing mitigation at a ratio of 1.5:1 in order to provide additional public benefit.

2. The replacement mitigation protects the functions and values of the Vegetated Corridor and Sensitive Area.

The proposed mitigation meets this requirement. Mitigation will protect an area of high-quality forest habitat adjacent to existing VC that provides additional buffering from the adjacent proposed WTP. Furthermore, mitigation will occur at a 1.5:1 ratio, which will further protect functions and values.

3. Enhancement of the replacement area, if not already in Good Corridor Condition, and either the remaining Vegetated Corridor on the site or the first 50 feet of width closest to the resource, whichever is less, to a Good Corridor Condition.

The replacement mitigation area is already in good condition as is the existing VC surrounding Wetland G. Therefore, no additional enhancement activities are proposed.

4. A District Stormwater Connection Permit is likely to be issued based on proposed plans.

The WWSP has coordinated with CWS stormwater staff and designed the WTP to meet CWS stormwater standards. Therefore, a stormwater connection permit is likely to be issued.

5. Location of development and site planning minimizes incursion into the Vegetated Corridor.

The WWSP design team has gone through great lengths to completely avoid impacts to the VC associated with Wetland G as it relates to the primary components of the WTP. The only unavoidable incursion is due to the proposed forest overlook, which will provide an important public benefit. The forest overlook has been sited to reduce habitat impacts to the greatest extent possible, while still providing a safe, secure, and meaningful natural history learning experience. The overlook has been designed to avoid disturbance to the larger trees in the area and minimize disturbance to the smaller trees.

Alternative locations for the forest overlook were considered but rejected as follows:

- Placement of the overlook closer to the kolk pond. The intent of this alternative was to provide an overlook of the kolk pond; however, this was rejected since it would have resulted in greater impact to high quality habitat adjacent to the kolk pond. This increased impact would have occurred due to the increased length of disturbance within the VC as well as due to more complicated construction since the overlook would have extended into very steep rocky terrain.
- Placement of the overlook further north along the VC edge. This alternative would have placed the overlook roughly in the area of the proposed mitigation shown in revised Figure 3. Although this would have mostly avoided the VC, it would have required impacts to several large oak trees and associated high quality habitat. In addition, placing the overlook further to the north would put it past the WTP security boundary and therefore would have put many more limitations on visitation by the public, with all visits requiring WTP staff escort. This was deemed impractical.

6. No practicable alternative to the location of the development exists that will not disturb the Sensitive Area or Vegetated Corridor.

No practicable alternative to the location of the forest overlook exists that would not disturb Wetland G or its VC.

7. The proposed encroachment provides public benefits.

The proposed encroachment provides the following public benefits:

- Environmental education opportunity: The forest overlook will provide opportunities for the public, including school environmental education programs, to learn about the unique natural history of the site.
- Increased water quality protection through a net increase in VC: The WWSP proposes to mitigate the permanent impact of 1,476 square feet of VC by expanding the VC by 2, 215 square feet (1.5:1 mitigation ratio). This will result in a net increase in the VC surrounding Wetland G, thereby, providing additional buffer protections to this unique type of wetland.

In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 19-5, Chapter 3, as amended by R&O 19-22.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 19-5, Section 3.06.1, as amended by R&O 19-22 and per approved plans.
3. **If there is any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits.**
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. Prior to any ground disturbing activities, an erosion control permit is required. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.
6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 19-5, Section 5.10, as amended by R&O 19-22.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. **Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.**
10. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
11. For Vegetated Corridors that extend 35 feet from the break in slope, the width of Vegetated Corridors may be reduced to 15 feet wide if a stamped geotechnical report confirms that slope stability can be maintained with the reduced setback from the break in slope.
12. For Vegetated Corridors greater than 50 feet in width, the applicant shall enhance the first 50 feet closest to the sensitive area to meet or exceed good corridor condition as defined in R&O 19-5, Section 3.14.2, Table 3-3, as amended by R&O 19-22.
13. For Vegetated Corridors up to 50 feet wide, the applicant shall enhance the entire Vegetated Corridor to meet or exceed good corridor condition as defined in R&O 19-5, Section 3.14.2, Table 3-3, as amended by R&O 19-22.
14. **Removal of invasive non-native species by hand is required in all Vegetated Corridors rated ""good."" Replanting is required in any cleared areas larger than 25 square feet using low impact methods. The applicant shall calculate all cleared areas larger than 25 square feet prior to the preparation of the required Vegetated Corridor enhancement/restoration plan.**
15. Prior to any site clearing, grading or construction, the applicant shall provide Clean Water Services with a Vegetated Corridor enhancement/restoration plan. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 19-5, Appendix A, as amended by R&O 19-22, and shall include planting specifications for all Vegetated Corridor, including any cleared areas larger than 25 square feet in Vegetated Corridor rated ""good.""

16. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Pest Management Plan, 2019. During removal of invasive vegetation care shall be taken to minimize impacts to existing native tree and shrub species.
17. Clean Water Services and/or City shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Planting Requirements (R&O 19-5, Appendix A, as amended by R&O 19-22).
18. **Maintenance and monitoring requirements shall comply with R&O 19-5, Section 2.12.2, as amended by R&O 19-22. If at any time during the warranty period the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.**
19. **Performance assurances for the Vegetated Corridor shall comply with R&O 19-5, Section 2.07.2, Table 2-1 and Section 2.11, Table 2-2, as amended by R&O 19-22.**
20. **Clean Water Services shall require an easement over the Sensitive Area and Vegetated Corridor conveying storm and surface water management to Clean Water Services or the City that would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.**
21. **Final construction plans shall include landscape plans.** In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required. Plantings shall be tagged for dormant season identification and shall remain on plant material after planting for monitoring purposes.
22. **A Maintenance Plan shall be included on final plans** including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
23. **Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor** (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
24. Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage between the development and the outer limits of the Vegetated Corridors. **Fencing and signage details to be included on final construction plans.**

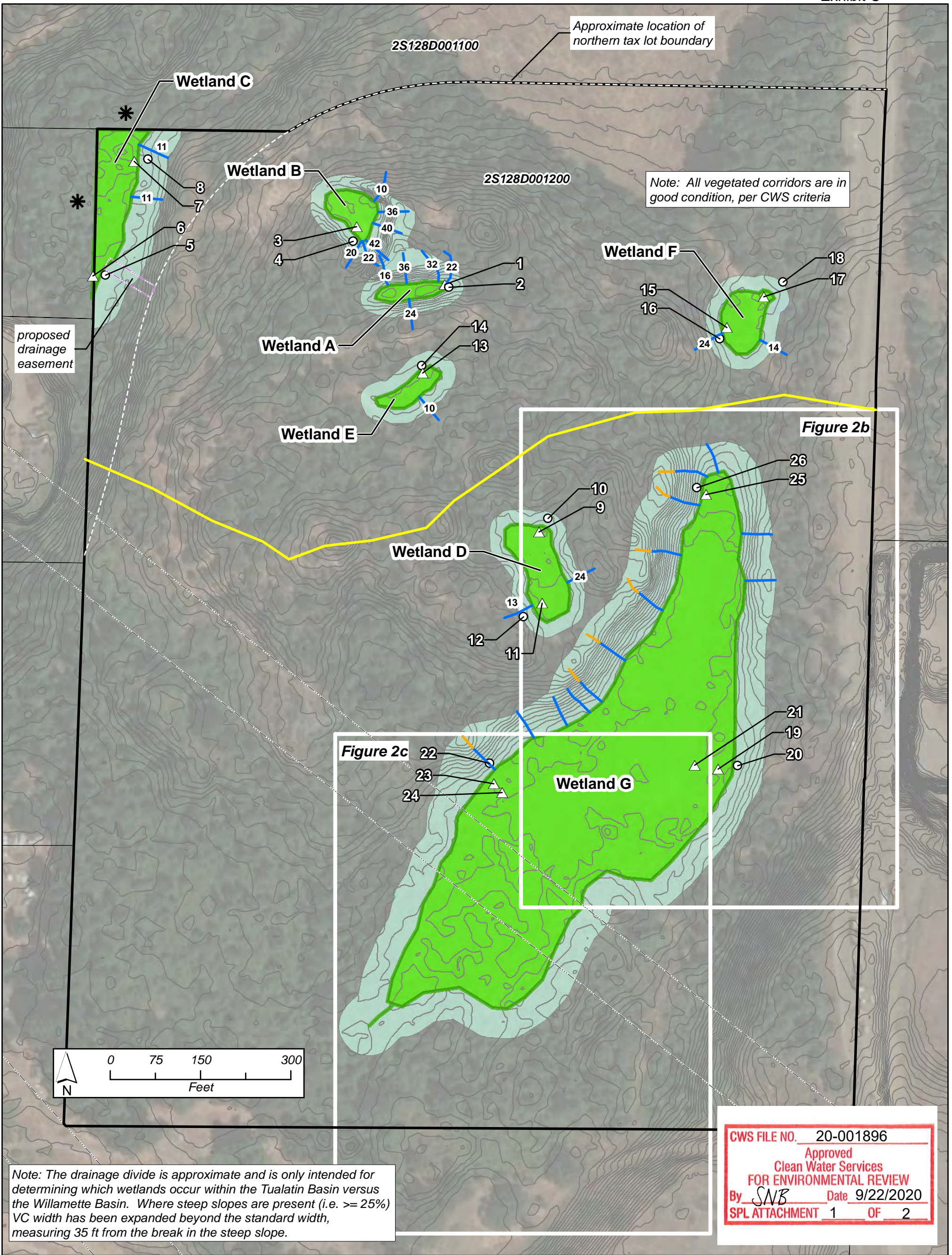
This Service Provider Letter is not valid unless CWS-approved site plan is attached.

Please call (503) 681-3667 with any questions.

Stacy Benjamin

**Stacy Benjamin
Environmental Plan Review**

Attachments (2)



CWS FILE NO. 20-001896
 Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW
 By SNB Date 9/22/2020
 SPL ATTACHMENT 1 OF 2

| | | | |
|----------------------------|----------------------------|-----------------------------------|------------------------|
| Study Area | Delineated Features | Upland Data Plot | Slope Intervals |
| Tualatin Drainage Divide | Wetland | Wetland Data Plot | (labeled by % slope) |
| PGE Easement | Vegetated Corridor | Wetland extends beyond study area | 1st 50-ft |
| Taxlot (Metro RLIS) | | Contour (2-ft intervals) | 2nd 25-ft |
| New Property Line | | | |
| Proposed Drainage Easement | | | |

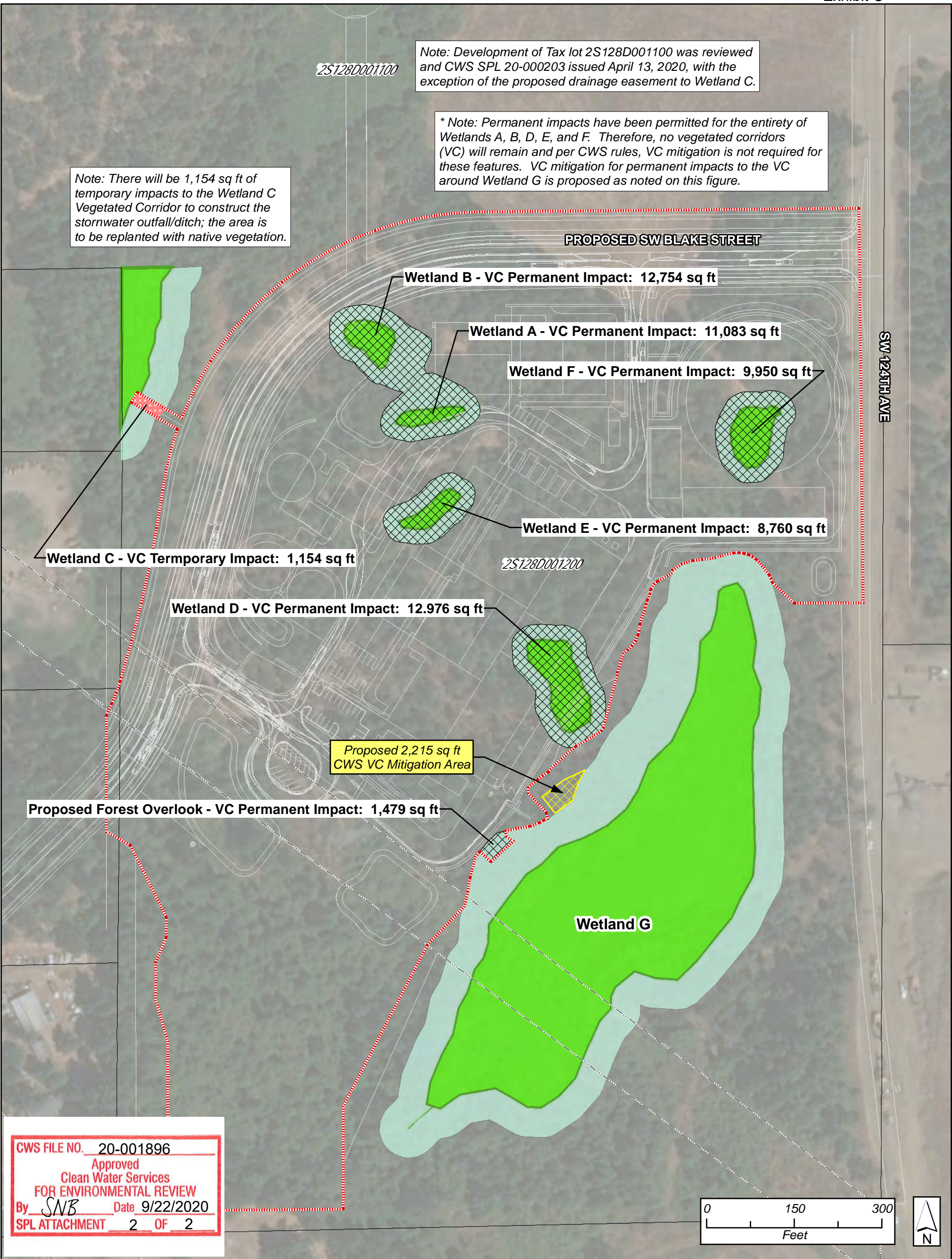
**Willamette Water Supply Program
 Water Treatment Plant (WWSP WTP)
 CWS Site Assessment**

Figure 2a
 Existing Conditions

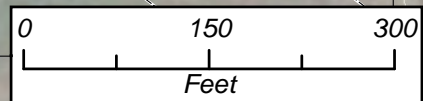
Note: Development of Tax lot 2S128D001100 was reviewed and CWS SPL 20-000203 issued April 13, 2020, with the exception of the proposed drainage easement to Wetland C.

* Note: Permanent impacts have been permitted for the entirety of Wetlands A, B, D, E, and F. Therefore, no vegetated corridors (VC) will remain and per CWS rules, VC mitigation is not required for these features. VC mitigation for permanent impacts to the VC around Wetland G is proposed as noted on this figure.

Note: There will be 1,154 sq ft of temporary impacts to the Wetland C Vegetated Corridor to construct the stormwater outfall/ditch; the area is to be replanted with native vegetation.



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 Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW
 By SNB Date 9/22/2020
 SPL ATTACHMENT 2 OF 2



| Limits of Disturbance (LOD) | | Delineated Features | |
|-----------------------------|-----------------------------|---------------------|--------------------------|
| | Limits of Disturbance (LOD) | | Wetland |
| | Design | | Vegetated Corridor |
| | PGE Easement | | Permanent Impact Area* |
| | Taxlot (Metro RLIS) | | CWS VC Mitigation Area |
| | New Property Line | | Area of Temporary Impact |

**Willamette Water Supply Program
 Water Treatment Plant (WWSP WTP)
 CWS Site Assessment**

Figure 3
 Proposed Development

From: [Stacy Benjamin](#)
To: [Meredith Jordan](#)
Cc: [Lindsey Obermiller](#); [Christina Walter](#); [Ethan Rosenthal](#); [Sarah Betz](#); [Jill Chomycia](#)
Subject: RE: Typo on our just issued SPL # 20-001896
Date: Wednesday, September 23, 2020 1:29:10 PM
Attachments: [image001.png](#)

Hi Meredith,

These are standard conditions that appear in all SPLs, and for which we keep the wording consistent for all SPL documents. The forest overlook is allowed through the issuance of the SPL; therefore, the language included in condition 1 does not preclude it. I hope this addresses your concern.

Thank you,
Stacy

Stacy Benjamin | Environmental Review Project Manager
[Clean Water Services](#) | Planning and Development Services
 2550 SW Hillsboro Hwy | Hillsboro OR 97123
 o 503.681.3667 | f 503.681.4439
[engage permits](#) | [news](#) | [facebook](#) | [twitter](#)

From: Meredith Jordan <Meredith.Jordan@tvwd.org>
Sent: Wednesday, September 23, 2020 12:34 PM
To: Stacy Benjamin <BenjaminS@CleanWaterServices.org>
Cc: Lindsey Obermiller <ObermillerL@CleanWaterServices.org>; Christina Walter <Christina.Walter@tvwd.Org>; Ethan Rosenthal <Ethan.Rosenthal@deainc.com>; Sarah Betz <Sarah.Betz@deainc.com>; Jill Chomycia <Jill.Chomycia@tvwd.org>
Subject: RE: Typo on our just issued SPL # 20-001896

Thank you very much, Stacy.

I apologize for the lateness of this request, but we were looking through the conditions of approval, and had one concern about the language listed in the conditions of approval on page 3 of 6 of the updated SPL.

Our approved plans include a forest overlook structure. Would it be possible to get this Condition number 1 revised, or at least get email clarification/confirmation that this item doesn't preclude the forest overlook? We ask because Condition 2, highlighted below, points to the plans and therefore covers the forest overlook. It seems like Condition 1 should also include this language.

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 19-5, Chapter 3, as amended by R&O 19-22.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except

as allowed by R&O 19-5, Section 3.06.1, as amended by R&O 19-22 and per approved plans.

Thank you for considering our request.
-Meredith Jordan

From: Stacy Benjamin <BenjaminS@CleanWaterServices.org>
Sent: Wednesday, September 23, 2020 11:48 AM
To: Meredith Jordan <Meredith.Jordan@tvwd.org>; Christina Walter <Christina.Walter@tvwd.Org>; 'Ethan Rosenthal' <Ethan.Rosenthal@deainc.com>
Cc: Lindsey Obermiller <ObermillerL@CleanWaterServices.org>
Subject: RE: Typo on our just issued SPL # 20-001896

Hi Meredith,

The updated SPL is attached.

Thanks,
Stacy

Stacy Benjamin | Environmental Review Project Manager
[Clean Water Services](#) | Planning and Development Services
2550 SW Hillsboro Hwy | Hillsboro OR 97123
o 503.681.3667 | f 503.681.4439
[engage](#) [permits](#) | [news](#) | [facebook](#) | [twitter](#)

From: Lindsey Obermiller <ObermillerL@CleanWaterServices.org>
Sent: Wednesday, September 23, 2020 11:30 AM
To: Stacy Benjamin <BenjaminS@CleanWaterServices.org>
Subject: FW: Typo on our just issued SPL # 20-001896

From: Meredith Jordan <Meredith.Jordan@tvwd.org>
Sent: Wednesday, September 23, 2020 9:19 AM
To: Rachael Nys <NysR@CleanWaterServices.org>
Cc: Lindsey Obermiller <ObermillerL@CleanWaterServices.org>; Christina Walter <Christina.Walter@tvwd.Org>
Subject: RE: Typo on our just issued SPL # 20-001896

And my sincere apologies, the correct spelling is "Christina Walter" (no S!)

Clearly I need some more coffee.

Thank you.
-Meredith

From: Meredith Jordan
Sent: Wednesday, September 23, 2020 9:08 AM

To: NysR@CleanWaterServices.org

Cc: Lindsey Obermiller <ObermillerL@CleanWaterServices.org>; Christina Walter <Christina.Walter@twwd.org>

Subject: Typo on our just issued SPL # 20-001896

Good morning.

We just received the attached SPL from Clean Water Services, and it lists our Permitting Manager's name incorrectly on the form. Can you correct it to read "Christina Walters" and not "Christian"? Just want to make sure it's correct for any future renewals/reporting/etc.

Thank you.
-Meredith Jordan

Meredith Jordan
Permitting Support

Willamette Water Supply
Our Reliable Water
Direct Line: (503) 840-3827
Mobile: (971) 282-7735



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