NOTICE OF ADOPTED AMENDMENT

10/7/2009

TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Pendleton Plan Amendment
         DLCD File Number 002-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, October 21, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Evan Mackenzie, City of Pendleton
    Gloria Gardiner, DLCD Urban Planning Specialist
    Grant Young, DLCD Regional Representative
    Thomas Hogue, DLCD Regional Representative
    Bill Holmstrom, DLCD Regional Representative
    Angela Lazarean, DLCD Regional Representative

<paa> YA
Jurisdiction: City of Pendleton
Date of Adoption: 9-22-09

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes
Date: 6-15-09

Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other: Public facilities Plan

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Comprehensive Plan map amendment – 525 acres from EFU to Industrial.
Zoning Map amendment – 525 acres from EFU to M1 Light Industrial (incl. associated subdistricts). Adoption of a Public Facilities Master Plan for the airport industrial area (Goal 11 element).

Does the Adoption differ from proposal? Yes. Please explain below:
Changes to text to include a Comprehensive Plan Map amendment (omitted by error in original notice).
Changes made to comply with Goal 11 and Goal 12 requirements, including adoption of a public facilities plan for the affected area.

Plan Map Changed from: EFU to: M-1
Zone Map Changed from: EFU to: M-1
Location: W and N of Pendleton Airport
Acres Involved: 525
Specify Density: Previous: N/A
New: N/A - Industrial

Applicable statewide planning goals:
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? No

Was an Exception Adopted? Yes

Did DLCD receive a Notice of Proposed Amendment...
45-days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No
Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Umatilla County, Echo Rural Fire District 7403, FAA

Local Contact: Evan MacKenzie
Address: 500 SW Dorion Ave
City: Pendleton
Phone: (541) 966-0261
Fax Number: 541-966-0251
E-mail Address: evan.mackenzie@ci.pendleton.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision per ORS 97.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:
   ATTENTION: PLAN AMENDMENT SPECIALIST
   DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
   635 CAPITOL STREET NE, SUITE 150
   SALEM, OREGON 97301-2540

2. Electronic Submittals: At least one hard copy must be sent by mail or in person, or by emailing larry.french@state.or.us.

3. Please Note: Adopted materials must be sent to DLCD not later than FIVE (5) working days following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within twenty-one (21) days of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. Need More Copies? You can now access these forms online at http://www.lcd.state.or.us/. Please print on 8-1/2x11 green paper only. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to larry.french@state.or.us - Attention: Plan Amendment Specialist.

Updated March 17, 2009
ORDINANCE NO. 3794

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN; AND, COMPREHENSIVE PLAN/ZONING MAP OF THE CITY OF PENDLETON TO REZONE CERTAIN LANDS FROM COUNTY EXCLUSIVE FARM USE (EFU) TO CITY LIGHT INDUSTRIAL (MI).

WHEREAS; the City of Pendleton completed updates of the Goal 9 (Economic Development - Ordinance #3757) and Goal 12 (Transportation - Ordinance #s 3743-3746, 3753, 3754) in 2007 that resulted in expansion of the Urban Growth Boundary and establishment of Urban Reserve Areas; and

WHEREAS; the City annexed 425 acres in April, 2009 (Ordinance #3785) to assemble a large tract of land suitable for Industrial Development; and

WHEREAS; the City had not conducted the full Public Facilities Planning (Statewide Planning Goal 11) and Transportation Planning (Statewide Planning Goal 12) required by State Law to rezone the subject property from Exclusive Farm Use to Industrial Zoning appropriate for the planned uses as set forth in the Comprehensive Plan; and

WHEREAS; the City has conducted and completed the required Public Facilities and Transportation Planning sufficient to rezone the subject property to the appropriate Industrial designations; and

WHEREAS; notice of this land use action has been provided to property owners, adjacent property owners, affected agencies and the general public as set forth in State Law and the City of Pendleton Zoning Code; and

WHEREAS; public hearings have been held before the City of Pendleton Planning Commission on August 6, 2009 and City Council on August 18 and September 22, 2009, and all written and oral testimony concerning the matter was received and addressed at those hearings;

NOW, THEREFORE, THE CITY OF PENDLETON ESTABLISHES AND ORDAINS AS FOLLOWS:

1. The subject property is the only area affected by this Ordinance; the boundaries of the subject property are set forth in the attached map as "Exhibit A" and legal description as "Exhibit B" attached hereto and included by this reference.

2. The Airport Industrial Area Public Facilities Plan as set forth in "Exhibit C" attached hereto and included by this reference is adopted as an addendum to the Comprehensive Plan (Ordinance 3443, as amended) until a full Goal 11 element is adopted through Periodic Review.

Ordinance No. 3794
3. The City of Pendleton Transportation Plan, as amended by Ordinance #3743, is hereby amended as set forth in “Exhibit D” attached hereto and included by this reference.

4. The City of Pendleton Comprehensive Plan Map (Ordinance #3442, as amended) is hereby amended as set forth in “Exhibit E” attached hereto and included by this reference.

5. The City of Pendleton Zoning Ordinance Map (Ordinance #3250, as amended) is hereby amended as set forth in “Exhibit F” attached hereto and included by this reference.

PASSED by the City Council and approved by the Mayor September 22, 2009.

APPROVED:
Phillip W. Houk
Mayor

ATTEST:
Andrea Denton, City Recorder

Approved as to Form:
Peter H. Wells, City Attorney
Delete the recommended COA stuff and call this Policies.

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**Recommended conditions of approval / limitations to development relating to Goal 12 issues:**

1. Development within the rezoned area shall be limited to a maximum trip generation of 239 southbound left turns, or resulting in a V/C of 0.85 at the Airport Road/Westgate intersection until a mitigation plan is in place consistent with Goal 12 (Transportation Planning Rule).

2. The City shall complete an update to its Transportation System Plan accounting for all lands in the airport industrial area, including those lands both inside the UGB and the Industrial Reserve Area. The update shall include, but not be limited to, mitigation for traffic impacts above and beyond a V/C of 0.85 at the Airport Road/Westgate intersection.

1. Development within the Airport Rezone area shall be limited to that which generates a maximum of 239 southbound left turns, or results in a V/C of 0.85 or greater, at the Airport Road/Westgate intersection.

2. The City shall continue to pursue a complete update of the TSP for the Airport Rezone area as required by the TPR such that these policies may be deleted upon adoption of that work.

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Ordinance 3794, Exhibit D – ZOA09-03 (Airport Industrial Area rezone) - Goal 12 element
Goal 11: Public Facilities and Services
To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development

OAR 660-015-0000(11)

Airport Industrial Area
Public Facilities Master Plan

A Timely, Orderly and Efficient Public Facilities Plan is essential for coordinating future growth.
Public facilities are essential to an urban environment. The Public facilities Plan for the entire City, or a specific area within the City, must address the coordination, location, construction, maintenance and funding of facilities and services including but not limited to water, wastewater, and storm water. Some municipalities may also be either directly or indirectly involved in the provision of other utilities such as electricity or natural gas; at the present time these services are provided by private entities in the Pendleton area.

The provision of these services is essential to both the economic and public health of every person living, working and recreating in Pendleton, now and in the future. Service disturbances may threaten both the people and the natural environment. The public health, safety and welfare is directly impacted by the City's ability to provide these services consistently and affordably. Indeed, if these services are provided largely unnoticed by the general public, the City is doing its job.

The City of Pendleton works in cooperation with Umatilla County, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), and various State and Federal agencies to maintain the system we have and plan for the future. The location, intensity and timing of future growth can have a tremendous impact on the City's ability to provide these essential services. Conversely, good plans for the future provision of public facilities can guide that growth in a manner that is the most efficient and economical for those who must pay for it.

Statewide Planning Goal II mandates that municipalities adopt a Comprehensive Plan to guide future growth, including a specific plan for Public Facilities and Services. The Public Facilities Plan identifies Goals and Policies, which become the basis for managing, maintaining and expanding the infrastructure that provides the backbone of every urban community.

The City of Pendleton envisions a future where all public facilities and services are either available to serve the present needs of the community, and can be provided to serve future needs. This includes not just the construction of new facilities, but an appropriate funding mechanism for ongoing maintenance of those same facilities. As new facilities and services are developed, the “burden” is not simply on those new services; the system must be able to either provide, handle or treat the additional load those improvements will place on every part of that system. New development in the Airport Industrial Area has the potential to require significant improvements both locally and system-wide, which places great pressure on the City to have a plan to accommodate that additional pressure.

At the time this Plan was prepared, the City of Pendleton did not have an adopted Public Facilities Plan. This Plan, therefore, will serve as a stand-alone document (as an amendment to the existing Comprehensive Plan) until such time as a full Plan, compliant with Statewide Planning Goal II, is adopted as part of the City of Pendleton Comprehensive Plan. The City of Pendleton is engaged in Periodic Review of its Comprehensive Plan, and anticipates development and adoption of a full Public Facilities Plan within the next three years.
Goal 11 sets the following standards for Public Facilities Planning:
1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.
2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.
3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.
4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.
5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.
6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.
7. Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

Goal 11 sets the following standards for implementation of Public Facilities Plans:
1. Capital improvement programming and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.
2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.
3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.
4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.
5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.
Section 1: Water

The City of Pendleton provides water to the City of Pendleton and some lands within the Urban Growth Boundary, as well as a portion of the CTUIR. The City of Pendleton is the only supplier of municipal water within this area; no private systems with the possible exception of a few domestic wells provide treated, potable water within our service area.

The City's water system is overseen by the City of Pendleton Public Works Director, who reports to the City Manager. The citizens of Pendleton are the owners of the water system and the City Council is the elected policy-making body for the water system. The City coordinates with the CTUIR on planning provisions for the Riverside area inside Tribal lands, but is generally fully responsible for infrastructure and service within this area. The City owns and operates the water infrastructure under regulatory oversight by the Oregon Department of Human Services Drinking Water Program (DHSS-DWP) and the Oregon Water Resources Department (OWRD).

The City owns 100% of the infrastructure from which it derives treated water. The City's water comes from the Umatilla River and a series of deep basalt formation wells. The City maintains a river intake and pump station on the south side of the Umatilla River, on the eastern edge of town. This pump station has been approved for diversion of water up to 23.3 cubic feet per second (cfs) or 15 million gallons per day (MGD) or 10,400 gallons per minute (gpm). Water from this point of diversion is delivered to the City's water treatment plant (WTP), also located at the eastern edge of town.

The City possesses surface water rights to the Umatilla River. At the river intake point of diversion, the City has 2.5 cfs (1.6 MGD) in year round certificated water rights; 3.8 cfs (2.5 MGD) in certificated water rights for use when the river flow is above 250 cfs; 7.2 cfs (4.6 MGD) in permitted water rights for use when the river flow is above 250 cfs; and a 1941 legislative water right to all water from the North Fork Umatilla River for use when the river flow is also above 250 cfs.
The City also has several wells with groundwater rights:

- Well 1; 2.78 cfs (1.8 MGD) current capacity; 4.00 cfs (2.6 MGD) certificated water rights;
- Well 2; 4.96 cfs (3.2 MGD) current capacity; 5.61 cfs (3.6 MGD) certificated water rights;
- Well 3; 1.06 cfs (0.7 MGD) current capacity; 1.31 cfs (0.8 MGD) certificated water rights;
- Well 4; 1.47 cfs (0.9 MGD) current capacity; 2.00 cfs (1.3 MGD) certificated water rights;
- Well 5; 4.38 cfs (2.8 MGD) current capacity; 5.30 cfs (3.4 MGD) certificated water rights;
- Well 6; drilled & undeveloped; 6.7 cfs (4.3 MGD) permitted water rights;
- Well 7; 0.78 cfs (0.5 MGD) current capacity; 2.00 cfs (1.3 MGD) permitted water rights;
- Well 8; 2.23 cfs (1.4 MGD) current capacity; 6.7 cfs (4.3 MGD) permitted water rights;
- Well 9; undeveloped; 6.7 cfs (4.3 MGD) permitted water rights;
- Well 10; undeveloped; 6.7 cfs (4.3 MGD) permitted water rights;
- Well 11; 0.07 cfs (0.1 MGD) current capacity; 6.7 cfs (4.3 MGD) permitted water rights;
- Well 12; undeveloped; 6.7 cfs (4.3 MGD) permitted water rights;
- Well 13; abandoned;
- Well 14; 1.20 cfs (0.8 MGD) current capacity; 1.7 cfs (1.1 MGD) permitted water rights;

The City's total capacity to treat water from the Umatilla River is currently 2.5 cfs (1.6 MGD) when the river flow is below 250 cfs and 9.3 cfs (6 MGD) when the river flow is above 250 cfs. The City’s water treatment plant was constructed for ready expansion to treat 14.0 cfs (9 MGD) and at full build-out can treat 23.3 cfs (15 MGD). To maximize water treatment year round, the City would have to invest in an above ground storage facility. The City has completed previous studies on various sites and costs for storage facilities.

The total well capacity for the water system is currently 18.9 cfs (12.2 MGD), bringing the overall water system capacity during the summer months to 21.4 cfs (13.8 MGD). The City is expanding the pumping capacity of Well 5 for an additional 1.8 cfs (1.2 MGD) in the near future, which will bring the total well capacity to 20.7 cfs (13.4 MGD) and the overall water system capacity during the summer months to 23.2 cfs (14.9 MGD).

The City's total water rights, without consideration of the 1941 legislative water right, equals about 69 cfs (44.5 MGD). Water rights for Well 6, Well 9, Well 10, Well 12, and Well 14 share a groundwater permit not to exceed 20 cfs (12.9 MGD) total well development and not to exceed 6.7 cfs (4.3 MGD) for any one point of diversion. In 2009, the City received its groundwater permit extension to develop these water rights through the year 2075 and the groundwater permit extension process to about 16 years to complete.

The City's highest demand typically occurs during the month of August, when current demand has a peak of about 6.8 cfs (4.4 MGD). During winter months, when water is not used for irrigation, the average demand drops to less than 3.9 cfs (2.5 MGD), allowing the City to recharge and store about 5.4 cfs (3.5 MGD).

The City of Pendleton adopted Aquifer Storage and Recovery (ASR) methods in 2003 to address declining groundwater levels and maximize the development of the water treatment plant. The City treats excess water during winter and spring months when river supply is high and customer demand is low, and “feeds” the treated water into the basalt aquifer underneath the City. In summer and fall months, when customer demand is high and flows in the Umatilla River are low, the City draws stored treated water back from the aquifer into the distribution system. Prior to ASR, the City was reliant on a series of springs and the well system and groundwater level declines were about 3.5-feet per year. Also, the City received about 62% of its source of supply from groundwater and 38% from the springs. After six seasons of ASR, the City now receives about 87% of its source of supply from Umatilla River and 13% from groundwater. This has significantly reduced the local groundwater level declines to under 2-feet per year today.

Growth in the Airport Industrial Area is anticipated to result in a demand of about 24.5 cfs (15.8 MGD or 11,000 gpm). The City is currently unable to meet this demand. The following facility and service upgrades are necessary in order to meet that demand:

Phase I (1 to 5 years): $1,820,000
1) Upgrade Airport Booster Station to provide fire flow, meet existing flow demand, meet initial
development flow of 3.3 cfs (2.2 MGD or 1,500 gpm), and have back-up power;
2) Install 24-inch water line from Airport Booster Station to NW 56th Drive; and
3) Install 18-inch water line from NW 56th Drive to intersection of Stage Gulch Road with new Airport
Road.

Phase II (5-10 years): $903,500
1) Upgrade Gilliam Canyon Booster Station to provide development flow; and
2) Install 20-inch water line to replace 8-inch suction and discharge line from Westgate Avenue to Airport
Booster Station.

Future Phase (10+ years): $4,413,500 (plus)
1) Upgrade Airport Booster Station to provide full development flow;
2) Upgrade Gilliam Canyon Booster Station to provide full development flow;
3) Install 20-inch, 18-inch, 16-inch water lines; and
4) Upgrade source of supply to overall water system.

Future phase of development will be further addressed through Periodic Review of the Comprehensive
Plan, when a full Citywide Public facilities Plan consistent with Goal 11 will be developed. Phases I and II
may be modified as conditions dictate through this process. Funding for Phase I work has been secured
through a loan with the Oregon Transportation Infrastructure Bank for up to $1,500,000 and through
capital expenditure from the Water Fund.

Water needs are determined based on two primary factors: peak demand under normal usage, and necessary
flows to serve fire protection requirements. The improvements identified in the tables and charts below will
be sufficient to provide service for fire flow (8.9 cfs or 4,000 gpm), 1 server farm (5.5 cfs or 3.6 MGD), 2
data centers (6.7 cfs or 4.3 MGD), and as many distributions centers and other uses (2.4 cfs or 1.5 MGD) as
could reasonably be accommodated based on total acreage of the UGB and IRA. The City maintains a one
million gallon reservoir near the airport, which is sufficient to provide 4,000 gallons per minute (gpm) for
four hours (960,000 gallons). This reservoir can serve fire protection needs while still allowing the normal
distribution system to meet regular demand.

Water infrastructure in the City of Pendleton is funded through user fees. The Public Works Department –
Water Division does not rely on the general fund for operations, maintenance or expansion. At this time,
the City of Pendleton does not have System Development Charges (SDCs) for funding of infrastructure
expansion or upgrades resulting from increases in demand attributable to specific new developments.

Funding for water system improvements may come from a combination of sources:
• Utility Franchise Fees
• System Development Charges
• Utility Rates
• Reserve Fund
• Grants
• Loans

Utility rates provide a net income to the City of Pendleton. The income from these rates is used to directly
fund infrastructure upgrades, as collateral to obtain loans to pay for construction of new infrastructure, or to
pay off debt for previously constructed infrastructure.

According to recent studies, the City of Pendleton water rates rank approximately at the mid point in the
State of Oregon and are either on par with or below other cities in the region. This, in combination with the
City’s ability to serve large users, means the City of Pendleton can consider itself competitive with other jurisdictions for potential development that has a large water demand.

Key Findings

- The provision of treated domestic water is essential to maintain the public health, safety and welfare.
- Maintenance of existing water supply, treatment and distribution infrastructure is necessary in order to ensure the City’s ability to provide dependable water service to its citizens and businesses.
- Plans for expansion of water supply, treatment and distribution infrastructure are an essential component of future growth and development.
- The City of Pendleton is the sole supplier of water to lands within the City, the Urban Growth Boundary and a portion of the CTUIR (western boundary of reservation area).
- The City owns and maintains a water treatment plant and river pump station with an existing capacity of 9.3 cfs (6 MGD) and a full build-out capacity of 23.3 cfs (15 MGD).
- The City owns and maintains a well supply with an existing capacity of 18.9 cfs (12.2 MGD) and will be expanding the capacity to 20.7 cfs (13.4 MGD) in the near future.
- The City owns and maintains a water distribution infrastructure consisting of a network of reservoirs, pump stations and about 90 miles of water lines.
- Peak demand occurs in the month of August, at about 16.3 cfs (10.5 MGD).
- Growth in the Airport Industrial Area is anticipated to have a demand of about 24.5 cfs (15.8 MGD).
- Growth in the Airport Industrial Area is anticipated to require provision of approximately 47,200 lineal feet (8.9 miles) of new pipe and associated booster pump upgrades, etc.
- The City will provide water infrastructure to the Airport Industrial Area through a system of phased improvements, which may be adjusted through development of a full Public Facilities Plan through Periodic Review.
- Funding for water system improvements will come from a combination of sources.

Goals

- Operate, maintain and expand a water supply system to meet the existing and future needs of the Airport Industrial Area and the City of Pendleton.

Policies

- The City shall develop a water system master plan to coordinate the provision and expansion of infrastructure to serve the Airport Industrial Area.
- The City shall identify locations for new services within public rights-of-way as a first priority, and shall obtain dedications or easements for provision of services on private land when necessary.
- The City shall coordinate with the State Fire Marshall to provide adequate supply and pressure to meet consumption and fire protection needs for new industrial development within the Airport Industrial Area.
- The City shall ensure that all water operations provide revenue to maintain self-sufficiency and provide a suitable reserve for future expansion and maintenance.
• The City shall consider System Development Charges and Impact Fees as a method of funding for large-scale improvements necessary to serve specific development.

• The City shall comply with, and shall strive to exceed, all State and Federal regulations regarding potable water.

• The City shall require all new development to:
  1) Connect to the municipal water system
  2) Ensure adequate volume and pressure to meet both consumption and fire suppression requirements.
  3) Extend infrastructure to the furthest property line allowing for sufficient capacity and pressure for future expansion, if not already in place.

• The City shall encourage water conservation through implementation of landscaping with drought-tolerant local species, and the use of grey water for irrigation when possible.

• The City shall not permit activities that pose a potential threat to the municipal water supply or infrastructure.

**Recommended Action Measures:**

• Partner with property owners and County, Tribal and State partners to ensure a long term water supply.

• Construct new infrastructure with regard to public health, environmental impacts, and long-term maintenance costs.

• Maintain a fee structure that ensures funding expansion and maintenance of all water infrastructure.

• Take steps to minimize power consumption, materials and maintenance costs and other associated costs regarding water treatment facilities, including installation and expansion of alternative power sources.

• Review and update the Plan as necessary to maintain compliance with local conditions, Statewide Goals, and Federal requirements.
The City of Pendleton provides wastewater treatment services to the City of Pendleton and some lands within the Urban Growth Boundary, as well as the developed CTUIR sanitary sewer area, along with the unincorporated sanitary sewer area of Rieth. The City of Pendleton is the only provider within this area.

The City’s wastewater treatment system is overseen by the City of Pendleton Public Works Director and Wastewater Treatment Plant Superintendent, who report to the City Manager. The citizens of Pendleton are the owners of the water system and the City Council is the elected policy-making body for the sanitary sewer system. The City coordinates with the CTUIR on planning provisions for the Riverside area on Tribal lands, but is generally fully responsible for infrastructure and service within this area. The City owns and operates the wastewater infrastructure under regulatory oversight by the Oregon Department of Environmental Quality (ODEQ).

The City owns 100% of the infrastructure for conveying and treating wastewater. The City owns and operates a wastewater treatment facility located near the confluence of McKay Creek and the Umatilla River, into which water is discharged after treatment.

The City is commencing wastewater treatment plant upgrades after completing a Facility Plan update in 2007. The first phase of upgrades, which will provide for a capacity of about 4 million gallons per day (MGD), are to be completed in 2011. The current flow rate into the WWTP is about 2.2 MGD. The second phase of upgrades targeted for 2017 to 2020 will include conversion of the new aeration process (first phase) into a membrane bioreactor (MBR), allowing for the drinking water membranes to be “retired” to the WWTP for further use and providing for about 6.5 MGD capacity.

Wastewater treatment needs are determined based on two primary factors: peak demand under normal usage, and input from inflow and infiltration (groundwater and/or storm water that enters the sanitary sewer system). The improvements identified in the tables and charts below will be sufficient to provide service for full development of the UBG and IRA. While server farms and data centers have a very high
water demand, they have a very low wastewater output as most water is used for evaporative cooling. Distribution centers also have a relatively low wastewater output, as their only requirements are for domestic use such as kitchens and bathrooms. Uses with high wastewater output, such as a food processing facility, are unlikely given the types of agricultural products produced both locally and regionally (wheat, mint, watermelons, wine grapes).

Given the relatively low intensity of wastewater created by anticipated development in the Airport Industrial Area, City staff has identified on-site water treatment systems as the preferred treatment method in the near term. Such treatment would consist of either septic or pressure-mound facilities, depending on the amount of wastewater generated and filtration rates into soil. In the event that a large amount of wastewater will be generated from a proposed use, the City has reserved the area directly west of Airport Runway for use as a retention pond or lagoon. DEQ standards mandate that the City own and maintain any on-site treatment systems within our service area. Policies will dictate that such systems be constructed on lands dedicated to the public and maintained by the City of Pendleton. If or when a public system is constructed, and development connects to it, the City will vacate the lands on which any on-site systems are situated.

Growth in the Airport Industrial Area is anticipated to result in a demand of up to 1 MGD. The City is currently unable to meet this demand. The following facility and service upgrades are necessary in providing a sewer collection system (in lieu of on-site systems) to meet that demand:

**Phase I** (1 to 5 years): $946,400
Install 12-inch gravity sewer line extension from existing collection system to intersection of Stage Gulch Road and new Airport Road.

**Phase II** (5-10 years): $518,700
Install 10-inch and 8-inch gravity sewer line extensions.

**Future Phase** (10+ years): $2,195,700 (plus)
1) Install 10-inch and 8-inch gravity sewer line extensions; and
2) Install lift stations and force mains as necessary.

Future phase of development to be further addressed through Periodic Review of the Comprehensive Plan, when a full Citywide Public facilities Plan consistent with Goal 11 will be developed. Phases I and II may be modified as conditions dictate through this process.

Wastewater infrastructure in the City of Pendleton is funded through user fees. The Public Works Department – Sewer Division does not rely on the general fund for operations, maintenance or expansion. At this time, the City of Pendleton does not have System Development Charges (SDCs) for funding of wastewater infrastructure expansion or upgrades resulting from increases in demand attributable to specific new developments.

Funding for wastewater system improvements may come from a combination of sources:

- Utility Franchise Fees
- System Development Charges
- Utility Rates
- Reserve Fund
- Grants
- Loans

Utility rates provide a net income to the City of Pendleton. The income from these rates is used to directly fund infrastructure upgrades, as collateral to obtain loans to pay for construction of new infrastructure, or to pay off debt for previously constructed infrastructure.

City of Pendleton – Airport Industrial Area Public Facilities Master Plan
According to recent studies, the City of Pendleton water rates rank approximately at the mid point in the State of Oregon and are either on par with or below other cities in the region. This, in combination with the City's ability to serve large users, means the City of Pendleton can consider itself competitive with other jurisdictions for potential development.

Key Findings

- The ability to convey and treat wastewater is essential to maintain the public health, safety and welfare.
- Maintenance of existing wastewater treatment and collection infrastructure is necessary in order to ensure the City's ability to provide dependable wastewater service to its citizens and businesses.
- Plans for expansion of wastewater treatment and collection infrastructure are an essential component of future growth and development.
- The City of Pendleton is the wastewater treatment provider for lands within the City, the Urban Growth Boundary, the CTUIR Sanitary Sewer District, and the Rieth Sanitary Sewer District.
- The City owns and maintains a wastewater treatment plant that will have a capacity of 4 MGD in 2011.
- The City owns and maintains a wastewater collection infrastructure consisting of a network of lift stations and about 69 miles of sewer collection piping.
- Growth in the Airport Industrial Area is anticipated to have a demand of 1 MGD.
- Growth in the Airport Industrial Area is anticipated to require provision of approximately 41,200 lineal feet (7.8 miles) of new collection system piping and associated pumps lift stations and 6,740 lineal feet (1.3 miles) of force main, etc.
- The preferred method of wastewater treatment will be through on-site facilities until such time as either a single producer or aggregate production warrants connection to the municipal wastewater treatment system.
- The City will provide wastewater infrastructure to the Airport Industrial Area through a system of phased improvements, which may be adjusted through development of a full Public Facilities Plan through Periodic Review.
- Funding for wastewater system improvements will come from a combination of sources.

Goals

- Operate, maintain and expand a wastewater treatment system to meet the existing and future needs of the Airport Industrial Area and the City of Pendleton.

Policies

- The City shall develop a wastewater system master plan to coordinate the provision and expansion of infrastructure to serve the Airport Industrial Area.
- The City shall identify locations for new services within public rights-of-way as a first priority, and shall obtain dedications or easements for provision of services on private land when necessary.
- The City shall coordinate with the appropriate Tribal, County, State and Federal agencies to meet all appropriate health and safety standards, including final discharge of treated waters into the Umatilla River.
• The City shall comply with, and shall strive to exceed, all State and Federal regulations regarding treated wastewater.
• The City shall ensure that all wastewater operations provide revenue to maintain self-sufficiency and provide a suitable reserve for future expansion and maintenance.
• The City shall consider System Development Charges and Impact Fees as a method of funding for large-scale improvements necessary to serve specific development.
• The City shall require all new development to:
  1) Either construct on-site treatment facilities or connect to the municipal water system.
  2) For on-site facilities, developers shall dedicate the land necessary for construction of said facilities to the public. If or when a public wastewater system is available to the property, the property owner shall connect to that system and the City shall vacate the lands used for on-site treatment.
  3) Extend infrastructure to the furthest property line allowing for sufficient capacity and pressure for future expansion, if not already in place.
• The City shall encourage the use of “grey water” for landscape and/or field irrigation either on-site or for adjacent agricultural activities.
• The City shall not permit wastewater disposal activities (on-site or otherwise) that pose a potential threat to the public health, safety or welfare.

Recommended Action Measures:

• Partner with property owners and other partners to ensure a long term wastewater treatment plan.
• Construct new infrastructure with regard to public health, environmental impacts, and long-term maintenance costs.
• Maintain a fee structure that ensures an adequate reserve to fund expansion and maintenance of all wastewater infrastructure.
• Take steps to minimize power consumption, materials and maintenance costs and other associated costs regarding water treatment facilities, including installation and expansion of alternative power sources.
• Review and update the Plan as necessary to maintain compliance with local conditions, Statewide Goals, and Federal requirements.
Section 3: Storm Water

The City of Pendleton provides limited storm water drainage services to the City of Pendleton and some lands within the Urban Growth Boundary.

The City's storm water drainage system is overseen by the City of Pendleton Public Works Director, who reports to the City Manager. The City owns and operates the storm water infrastructure under regulatory oversight by the Oregon Department of Environmental Quality (ODEQ).

The City owns 100% of the (public) infrastructure for conveying storm water. Storm water is conveyed to discharge facilities that eventually empty either directly or indirectly into the Umatilla River and its tributaries. The storm water drainage and the sanitary sewer collection systems are completely separate. The City does not have any combined overflows.

Storm water drainage and treatment needs are determined based on a ten-year storm event. Retention facilities will be designed to retain a 10-year storm event and accommodate a 25-year event without creating any immediate upstream or downstream flooding or property damage. Natural grade will assist flows into treatment areas on site or pad edges and adjacent to rights-of-way, with eventual conveyance to natural drainages.

The amount of runoff generated by development is generally not determined by the activity or use but by the amount of impervious surface associated with it. Structures and pavement account for the majority of impervious surface. Large structures and parking lots tend to produce large amounts of concentrated storm water runoff, funneling all water into a few or even one central location. Runoff may occur from a large rain event, or may result from rapid warming after an accumulation of snow. In some cases, it may result from both at the same time.

Although the Airport Industrial Area appears generally flat, it is in fact generally sloping. Lands north of the new Airport Road generally slope down to the north; lands to the south of the new Airport Road generally slope to the south. There are multiple natural drainages in both directions. TSP standards call for roads...
without curbs, which will allow water to proceed directly from streets into (swales within) the planting strip. On-site curb and gutter treatments that allow water to enter retention and treatment areas/facilities (rather than pool inside parking lots and rights-of-way) will be encouraged.

Given the relatively low intensity of storm water created by anticipated development in the Airport Industrial Area, City staff has identified on-site retention and treatment systems as the preferred method in both the short and long term. Such collection and treatment would consist of man-made bioretention and filtration swales, which would overflow into natural drainages during peak events. Policies will dictate that storm water retention and treatment systems are constructed on the development site and maintained by the property owner. The City will encourage the use of bioretention swales for storm water retention and treatment, which may be combined with native landscaping to reduce the need for irrigation.

The City has no plans to provide a public storm water drainage and treatment systems or facilities at this time. There is no funding source currently in place to plan for, build or maintain a public storm water system in the Airport Industrial Area.

Some sample bioretention swales (The examples shown below may not all be suitable for local climate.)

Key Findings

- Retention and treatment of excess storm water is essential to maintain the public health, safety and welfare.
- Construction of storm water collection and treatment facilities is necessary in order to mitigate the impacts of storm water on property, agriculture and public safety.
- Storm water retention, conveyance, and treatment facilities should be planned to accommodate flows from a pre-construction ten-year storm event; post-construction impacts should be limited to accommodation of a 25-year storm event and not create any immediate upstream or downstream flooding or property damage.
- The City owns and maintains storm drainage infrastructure consisting of a network of about 20-miles of storm water drainage piping, a series of outfalls to the Umatilla River and its tributaries, etc.
The preferred method of storm water collection and treatment will be through on-site facilities until such time as either a single producer or aggregate production warrants connection to the municipal storm water collection and treatment system. Discharge of all new facilities will be to existing natural drainage ways. Funding for storm water system improvements will come from a combination of sources.

Goals

Ensure that all private development constructs and maintains adequate storm water collection and treatment facilities to meet the existing and future storm water impacts in the Airport Industrial Area and the City of Pendleton.

Policies

- The City shall coordinate with the appropriate agencies to meet all appropriate health and safety standards, including final discharge of treated waters into the Umatilla River.
- The City shall comply with, and shall strive to exceed, all State and Federal regulations regarding treated storm water.
- The City shall ensure that all storm water operations provide revenue to maintain self-sufficiency and provide a suitable reserve for future expansion and maintenance.
- The City shall consider System Development Charges and Impact Fees as a method of funding for large-scale improvements necessary to serve specific development.
- The City shall require all new development to:
  1) Construct on-site retention and treatment facilities and connect to a municipal storm water system, if one exists.
  2) For on-site facilities, owner shall be responsible for construction and maintenance of all storm water facilities.
  3) All new development shall provide storm water retention and treatment facilities to accommodate flows from a pre-construction ten-year event; post-construction impacts shall be limited to accommodation of a 25-year event and shall not create any immediate upstream or downstream flooding or property damage.
- The City shall not permit storm water disposal activities (on-site or otherwise) that pose a potential threat to the public health, safety or welfare.

Recommended Action Measures:

- Partner with property owners and other partners to ensure a long term storm water collection and treatment plan.
- Construct new infrastructure with regard to public health, environmental impacts, and long-term maintenance costs.
- Maintain a fee structure that ensures an adequate reserve to fund expansion and maintenance of all storm water infrastructure.
- Take steps to minimize power consumption, materials and maintenance costs and other associated costs regarding water collection and treatment facilities, including installation and expansion of alternative power sources.
- Review and update the Plan as necessary to maintain compliance with local conditions, Statewide Goals, and Federal requirements.
## WATER SYSTEM SERVING AIRPORT

**INDUSTRIAL LANDS UGB / IRA**

**Construction Expense:** Water Line (C900), Booster Stations, & Miscellaneous Appurtenances:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Item</th>
<th>Qty</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Total</th>
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<tr>
<td>1</td>
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<td>F</td>
<td>2</td>
<td>&quot;</td>
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<td></td>
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<td>&quot;</td>
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<td>F</td>
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<td>Sub-Total for Airport Industrial Area</td>
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</table>

| 2     | 20-inch    | 2500| LF   | $90/LF     | $225,000|
| 2     | 3000       | "   | "    |            | $270,000|
| 2     | BS         | 1   | LS   |            | $117,000|
| 2     | BS         | 1   | LS   |            | $475,000|
|       | Sub-Total for Gilliam Canyon / Westgate |   |      |            | $1,087,000|

**Airport Booster Station (BS) w/Generator**

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<td>1</td>
<td>LS</td>
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<td>F BS</td>
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<td>LS</td>
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<td>Add1</td>
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<td>Sub-Total for Airport Booster Station</td>
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**Gilliam Canyon Booster Station w/Generator**

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<td>Sub-Total for Gilliam Canyon Booster Station</td>
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**TOTAL**

$5,490,000

**DESIGN ENGINEERING:**

12% $658,800

**CONSTRUCTION ENGINEERING:**

8% $439,200

**CONTINGENCY:**

10% $549,000

**PROJECT TOTAL:**

$7,137,000

**Phase 1:**

$1,820,000

**Phase 2:**

$903,500

**Future:**

$4,413,500
WATER SYSTEM SERVING AIRPORT
INDUSTRIAL LANDS UGB / IRA

Water System Development Assumptions:
1a) Current supply at Airport Booster Station:
   - Existing storage @ 1 million gallons
   - Existing production @ 500 gpm (peak summer)
   - Existing fire flow @ 2,000 gpm
   - Existing distribution system @ 3,000 gpm flow
1b) Current supply at Gilliam Canyon Booster Station:
   - Existing production @ 800 gpm (peak)
1c) Current summer/fall supply for overall Water System:
   - Existing production @ 8,000 gpm (11.5 MGD) (peak with redundancy - largest well out-of-service)
   - Existing production @ 10,800 gpm (15.5 MGD) (peak without redundancy - all sources)
2a) Provide fire flow @ 4,000 gpm for 4 hours
   - 960,000 gallons of storage
2b) Provide development flow @ 7,000 gpm:
   - Internet Server @ 2,500 gpm
   - Data Center @ 1,500 gpm
   - TBD @ 3,000 gpm
2c) Provide for total demand of 11,000 gpm
3a) Development of water supply must occur with incremental development of industrial land
   - Winter/Spring: expand water treatment plant
   - Summer/Fall: development above ground impound to maximize WTP
   - Development additional wells

Note: Additional costs are associated with development of water supply and are not estimated at this time.

Phase 1 addresses 4,000 gpm fire flow, 500 gpm existing demand, 1,500 gpm future development, and back-up power at Airport Booster Station. It does not address difference between existing demand and available supply from Gilliam Canyon Booster Station.

Phase 2 addresses 500 gpm existing demand, 1,500 gpm future development, and back-up power at Gilliam Canyon Booster Station. It does not address additional development beyond 2,000 gpm demand. This phase of work will have to commence when development of new industrial lands becomes reality.

Future Phase will need to address additional 5,000 gpm and back-up generator upgrades for future development at Airport Booster Station; additional 4,000 gpm and potential new facility at Gilliam Canyon Booster Station; additional water lines; and additional sources of capacity for the water system.
## CITY OF PENDLETON WATER RIGHTS

<table>
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<tr>
<th>Source</th>
<th>Cert. No.</th>
<th>Permit No.</th>
<th>Rate (cfs)</th>
<th>Priority Date</th>
<th>Description/Source</th>
<th>Location</th>
<th>Comments</th>
<th>Max. Annual Quantity</th>
<th>Max. Pump Rate to Dist. System</th>
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<td>SURFACE WATER</td>
<td>2604</td>
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<td>1885</td>
<td>Uma. R.</td>
<td>Uma. R. Intake</td>
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<td>472 MG</td>
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<td>7993</td>
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<td>8052</td>
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<td>All Waters 23.3 cfs</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>1941</td>
<td>N. Fork Uma. R.</td>
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<td>POD will be allowed at surface water intake site as per SB 869</td>
<td>Max. TBD by GWRD &amp; MDA w/ CTUIR</td>
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<td>1944</td>
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<td>Byers Well @ 112 SE 18th</td>
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<td>U 579</td>
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<td>Round-Up Well @ 1105 SW Court Ave</td>
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<td>G 2202</td>
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<td>Hospital Well @ 2420 Westgate</td>
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<td>23741</td>
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<td>Well # 4</td>
<td>Hospital Well @ 2420 Westgate</td>
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<td>29147</td>
<td>G 1160</td>
<td>5.3</td>
<td>1958</td>
<td>Well # 5</td>
<td>Stillman Well @ 27 SE 5th</td>
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<td>1250 MG</td>
<td>1965 gpm (4.38 cfs)</td>
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<td>Description/ Source</td>
<td>Comments</td>
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<td></td>
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<tr>
<td>Surface</td>
<td>72</td>
<td>1910</td>
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<td>McCormack Well</td>
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### Priority Date
- Urna. R. Intake: 1910
- Sherwood Well: 1962
- South Hill Well: 1962
- McCormack Well: 1966
- Mission Well @ 73740 Reservoir Ln: 1976
- Prison Well @ 2580 NW Westgate Dr: 2010

### Cert. No.
- Urna. R. Intake: S 1069
- Sherwood Well: G 2603
- South Hill Well: G 3042
- McCormack Well: G 4607
- Mission Well @ 73740 Reservoir Ln: G 3435
- Prison Well @ 2580 NW Westgate Dr: G 11326

### Permit No.
- Urna. R. Intake: G 2410
- Sherwood Well: G 3042
- South Hill Well: G 3435
- McCormack Well: G 4607
- Mission Well @ 73740 Reservoir Ln: G 11326
- Prison Well @ 2580 NW Westgate Dr: G 11326
SEWER SYSTEM SERVING AIRPORT
INDUSTRIAL LANDS UGB / IRA

CONSTRUCTION EXPENSE: Sewer Line (3034) & Miscellaneous Appurtenances:

<table>
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<tr>
<th>Phase</th>
<th>Item</th>
<th>Qty</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Total</th>
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Sub-Total for Airport Industrial Area $2,314,000

Lift Stations (LS):

| F     | LS        | 2   | LS   | $150,000 | 300,000 |
| F     | 4-inch    | 2780 | LF   | $30/LF   | 83,000  |
| F     | 2640      | "   |      |           | 79,000  |
| F     | 1320      | "   |      |           | 40,000  |

Sub-Total for Lift Stations $502,000

Total for Collection System Option $2,816,000

DESIGN ENGINEERING: 12% $337,920
CONSTRUCTION ENGINEERING: 8% $225,280
CONTINGENCY: 10% $281,600

PROJECT TOTAL: $3,660,800

Phase 1: $946,400
Phase 2: $518,700
Future: $2,195,700

Sewer System Development Assumptions:
1) Most expensive of gravity versus on-site versus lagoon system options
   - Due to distance to existing collection system, gravity is most expensive
2) "Anonymous" projects have preference for collection system versus on-site
3) Collection system less maintenance than on-site consideration
4) On-site is least expensive consideration light industrial development
5) WWTP capacity addressed through facility upgrades underway for 20-year planning

Alternative Lagoon System Consideration:

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Sub-Total Difference for On-Site Lagoon System $188,000
Attn: Plan Amendment Specialist
DLCD
135 Capitol St. NE
Suite 150
Salem, OR 97301-2540