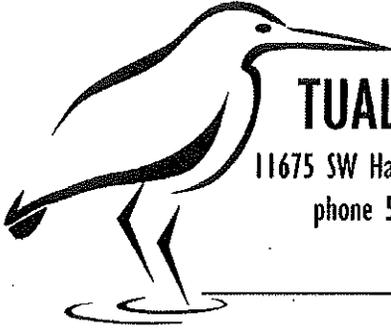


Exhibit 9

Public Testimony

Received to the date of May 20, 2015



TUALATIN RIVERKEEPERS.

11675 SW Hazelbrook Road • Tualatin, Oregon 97062
phone 503-218-2580 • fax 503-218-2583
www.tualatinriverkeepers.org

Exhibit 9.1
Cooper Mountain (phon)
April 1, 2015
He says - yes
His letter intended
for land use
record
-sw

RECEIVED
FEB 06 2015
City of Beaverton
Planning Services

February 6, 2015

Jeff Rose, Ed.D.
Superintendent of Schools
Beaverton School District
Central Administration Center
16550 SW Merlo Rd.
Beaverton, OR 97003

RE: South Cooper Mountain High School Wetlands

Dear Dr. Rose,

Wetlands provide significant ecological services including pollutant removal, flood protection, groundwater recharge, wildlife habitat and aesthetic and recreational values. Despite these important ecological services, 57% of wetlands in the Willamette Valley have been lost to development since 1850. To prevent any further loss of wetlands both state and federal laws, including the federal Clean Water Act Section 404, now protect wetlands.

Wetlands on Cooper Mountain are particularly important because of the hydrogeology of the area. The slopes of Cooper Mountain are covered by shallow slow-draining soils that are unsuitable for infiltration of stormwater. With development and deforestation, stormwater impacts are exacerbated. Retaining wetlands is a necessary part of an overall environmental strategy to reduce downstream impacts from increasing stormwater runoff as South Cooper Mountain develops.

Tualatin Riverkeepers has reviewed alternative development schemes for the new high school a South Cooper Mountain. All of the schemes shown on the Beaverton School District (BSD) website show filling of wetlands on the north end of the property for the development of athletic fields. We believe that additional alternatives development schemes that avoid all impacts to these wetlands are practicable and available.

Policy of the U.S. Army Corps of Engineers requires that wetland fill permits cannot be issued when practicable alternatives that are less damaging to the environment are available. The Section 404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (Section 404(b)(1) Guidelines) in CFR 40 Part 230 requires that, for non-water dependent activities, the applicant overcome the presumption that a practicable, less environmentally

damaging alternative site, outside special aquatic sites, exists. Development schemes shown on the BSD website do not appear to accomplish this.

Acquiring and utilizing adjacent upland property for athletic fields is one available practicable alternative to filling wetlands. Tualatin Riverkeepers suggest that BSD develop alternative schemes for the new high school that shows no impact to wetlands on the north end of the property. This would be consistent with BSD's sustainability goal to "assure safe and healthy environments for learning and include sustainability practices in facility siting, design, construction, and maintenance". By designing the new high school without wetland impact, BSD will not only protect the wetlands and the valuable ecological services that they provide, but also expedite the permitting for construction on the site and avoid costly and time-consuming legal challenges.

Thank you for your consideration development schemes that avoid all wetland impacts at the new high school on South Cooper Mountain.

Sincerely,

A handwritten signature in black ink that reads "Brian Wegener". The signature is fluid and cursive, with the first name "Brian" being larger and more prominent than the last name "Wegener".

Brian Wegener, Riverkeeper
Advocacy Manager



TUALATIN RIVERKEEPERS.

11675 SW Hazelbrook Road • Tualatin, Oregon 97062

phone 503-218-2580 • fax 503-218-2583

www.tualatinriverkeepers.org

EXHIBIT 9.1
RECEIVED

APR 30 2015
City of Beaverton
Planning Services

April 30, 2015

Community Development Department

City of Beaverton

ATTN: Scott Whyte - swhyte@beavertonoregon.gov

PO Box 4755

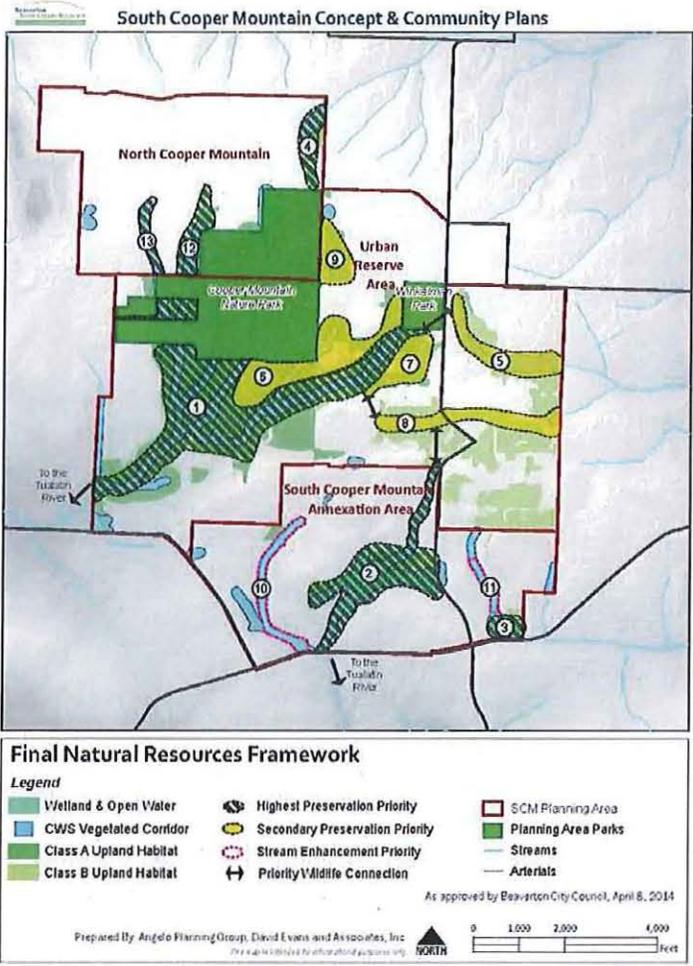
Beaverton, OR 97076

RE: South Cooper Mountain High School

Case Files: CU2015-0003, DR2015-0029, ADJ2015-0005 and LD2015-0005

Tualatin Riverkeepers offers the following comments on the development application for South Cooper Mountain High School. The application does not comply with the South Cooper Mountain Community Plan (SCMCP) in two important ways.

1. The tree plan is contrary to the South Cooper Mountain Community Plan. According to the SCMCP, "Efforts should be made to restore and maintain tree canopy throughout the Community Plan area." The proposal to remove 99.1% of the trees on site, including 150 "community trees" demonstrates that no effort was made to maintain tree canopy.
2. The wetland fill does not comply with the South Cooper Mountain Community and Concept Plans. The SCMCP states that "Locally significant wetlands and protected riparian corridors within the Community Plan area shall be protected and enhanced, consistent with local, state, and federal regulations." Filling 2.52 acres of wetland on the north end of the site is not protection and enhancement of a locally significant wetland. The South Cooper Mountain Concept Plan assigns this wetland the "Highest Preservation Priority" (see map). The applicant has not received the required wetland fill permits from the US Army Corps of Engineers or the Oregon Department of State Lands. The Corps of Engineers must deny any permit to fill this wetland because of federal regulation. Section 404 of the federal Clean Water Act states, "No discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed work, which would have less adverse impact on the aquatic ecosystem." Practicable alternatives have been identified by Tualatin Riverkeepers and shared with the Corps of Engineers.



The applicant should go back to the drawing board and submit a new development application that is consistent with the South Cooper Mountain Community Plan and the federal Clean Water Act. That plan should include efforts to protect community trees on the site and no wetland fill. Alternative sites for athletic fields, and other design modifications in order to avoid wetland impacts should be included in that new application.

Thank you for consideration of these comments.

Sincerely,

Brian Wegener, Riverkeeper
Advocacy & Communications Manager

Exhibit 9.2

Scott & Nancy Edmonds
18043 SW Scholls Ferry Rd
Beaverton, OR 97007

City of Beaverton
Planning Department
PO Box 4755
Beaverton, OR 97076

RECEIVED

APR 03 2015

City of Beaverton
Community & Economic Dev

March 30, 2015

Re: South Cooper High School Construction

We are the adjacent neighbors to the West of the new high school. As we have looked over the plans for the new school we have several concerns that we would like to express.

1. Maintaining and installing proper fencing to keep intruders from coming onto our farm and to keep livestock from getting out. The original plans indicated a 4 ft. tall perimeter fence. This is not high enough to keep students from crawling over and it did not specify the material.
2. Lighting: The football stadium has been placed to maximize the light intrusion into our property. There are many other alternatives to where it could be located but to put it backed up to our property with 90 ft. tall light towers is not appropriate as the initial plans indicated this would cause excessive light intrusion into our property.
3. Landscaping: The plan to remove all of the fir trees on the property is excessive. With proper planning many could be saved and would help resolve the issue of light intrusion.
4. Wetlands: The plans call for filling in a significant wetland, approximately 2.5 acres, with 77,000 cubic yards of rock. This wetland is upslope from our property. No effort has been made to determine what impact this will have on our property. This will obviously change the water flows in the area.
5. Traffic: The School District has estimated that the high school will bring an additional 950 cars, twice a day, to the area surrounding the school. There is already a building congestion problem on SW 175th. The School District has expressed the opinion that they will not address this problem until after the school is open. Why not try to mitigate the known problem in the planning stages?
6. Parking: There is not going to be enough parking for school events in the proposed parking lots. The surrounding community is not built out that would allow for on street parking. What is the school district's plan to handle this problem? To assume neighbors are going to provide parking solutions is presumptuous.

We look forward to your response.

Sincerely,



Exhibit 9.2
RECEIVED
MAY 06 2015
City of Beaverton
Planning Services

May 5, 2015

Scott Whyte, Senior Planner
City of Beaverton Community Development Department
12725 SW Milikan Way
PO Box 475
Beaverton, OR 97076

Re: Comments on South Cooper Mountain High School application
CU2015-0003, DR2015-0004, ADJ2015-0005, LD2015-0005

We are property owners of adjacent property to the west of the South Cooper Mountain High School project (18043 SW Scholls Ferry Road, Beaverton, 97007; Tax Lot 2S1060000403). We live on the property, board horses, and have outbuildings and a riding corral adjacent to the proposed stadium (football/lacrosse/soccer field and track), softball field, and parking area. The following are concerns regarding impact to our property from the proposed high school development and do not feel the proposed project meets all the code criteria in the Beaverton Community Development Code.

Hydrology/Wetlands: Natural Resources mapping for South Cooper Mountain shows the wetland area to be filled as being an area for “highest preservation priority”

<http://www.beavertonoregon.gov/DocumentCenter/View/7673>

How will filling of wetlands impact the groundwater, surface runoff, and hydrology that feed the existing wetlands on our property? We are concerned that the wetlands on our property will be impacted by disturbance of the existing wetland areas on the school property.

Buffering. The grading plans shows significant grading in the vicinity of our property boundary, including large fills for the “padding” of the sports fields. The grades appear to be ten to thirty feet higher than existing grade. These slopes will have an adverse impact to our existing views and privacy by “looming” over our property. We do not see any detail of how the slopes will be vegetated during construction or at final development stage. What is proposed with the school development to buffer impacts to our property? Landscape screening, fencing, setback/buffer?

Access/Fencing. We would like to make sure there is adequate fencing to keep potential trespassers from entering our property, is there more detail on the fencing and landscaping provided along our property line?

Sidewalk connections. The existing site plans show sidewalk connections stubbing to property. While this may be good for future pedestrian connectivity with future development of our property, it may lead to trespass during the interim. We request pedestrian connections be held well short of property line and barricades be placed to discourage access to our property.

Event parking. Proposed parking does not appear to be adequate for large events (football games). We are concerned parking on School Ferry or attempting to park in driveway access off Scholls Ferry will occur during events.

Lighting. We are concerned about the potential impact of field lights on our adjacent private property (both residence and barn). Will lighting face the ball fields? Will light spill onto our property? What are the heights of the proposed lights and will there be restrictions on hours the lights can be on?

Communication. We are the only resident homeowners that own property that is adjacent to the school site. It is unfortunate that the Beaverton School District has chosen not to communicate directly with us regarding their plans for the location and the impact their plans will have on our home. It is also unfortunate that they chose not to respond to our previous letter dated March 30, 2015.

Please request that Beaverton School District officials respond to these issues and include this letter in the Public Record. We are also submitting comments on the South Cooper Mountain High School Early Grading and Tree Removal land use application.

Thank you,

A handwritten signature in black ink, appearing to read "Scott and Nancy Edmonds". The signature is fluid and cursive, with a large, stylized initial "S" and "E".

Scott and Nancy Edmonds

Exhibit 9.3

Scott Whyte

From: Vicki Fink <vikpnw@comcast.net>
Sent: Monday, April 27, 2015 11:18 AM
To: Scott Whyte
Subject: New High School site

#TP2015-0002
#DR2015-0002

Dear Commissioner Whyte,

I appreciate the committee's decision to save and incorporate the large walnut tree on the corner of Scholls Ferry Road and 175th Avenue, into the design of the new high school to be located there.

Kudos to the Planning Commission for this wonderful decision! It is an old and lovely tree worthy of saving.

My thanks to all of you,
Vicki Fink
12305 SW 158th Ave
Beaverton, OR 97007

Exhibit 9.4

RECEIVED

APR 24 2015

City of Beaverton
Planning Services

Scott Whyte

From: Scott Whyte
Sent: Friday, April 24, 2015 9:29 AM
To: 'Robert Bierma'
Subject: RE: Tree Removal

Robert. Comments received and will be made part of the land use record. If you would like a copy of the Notice of Decision, please provide a mailing address in reply to this e-mail. Also, if you have questions, feel free to call me at (503)526-2652. Plans and materials submitted by the School District are available for public inspection here at city offices, 4th floor, Community Development, from 7:30am to 4pm (12725 SW Millikan Way).

Sincerely,
Scott Whyte,
Senior Planner
City of Beaverton

From: Robert Bierma [mailto:robertbierma@gmail.com]
Sent: Friday, April 24, 2015 7:42 AM
To: Scott Whyte
Subject: Tree Removal

Project Name: South Cooper Mountain High School – Early Grading and Tree Removal
Case Files: TR2015-0001 and DR2015-0002

This seem like an over removal of trees. Is there even a comprehensive design for the site yet? Why aren't more of the trees on site being kept? Why must there be as extensive of site grading that calls for some many trees to be removed?

Please consider other options and site plans!!!

Thanks,
Robert Bierma

Exhibit 9.5

Scott Whyte

From: Ed Bartholemy <ed@bartholemy.biz>
Sent: Wednesday, April 15, 2015 2:33 PM
To: Jim Duggan; Scott Whyte
Cc: richard.steinbrugge; ron_porterfield@beaverton.k12.or.us; Matt Sprague; bfitche@pd-grp.com; Desi Kurtz; Dave Hunnicutt
Subject: South Cooper Mountain Main Street Collector
Attachments: Untitled.PDF - Adobe Acrobat Pro.pdf

Scott,

Thank you very much for your time today.

Attached is the letter and email correspondence from the Beaverton School District regarding the collector road. Our main concerns with the letter and the road detail plan was that the street stopped at their driveway and their water quality facility precluded the road from being extended. BSD appeared to be unwilling to discuss these concerns.

We are happy to sign off on allowing them access to our property to do the necessary public improvements. We have reached out to BSD today requesting a meeting with their team and ours. Also, I will ask our engineer to reach out to BSD's engineer. Hopefully we will be able to resolve these issues.

Ed Bartholemy
18485 SW Scholls Ferry Rd.
Beaverton, OR 97007
USA
(503)628-0526
ed@bartholemy.biz

Desi Kurtz

From: leslie imes <Leslie_Imes@beaverton.k12.or.us>
Sent: Monday, March 2, 2015 9:35 AM
To: Desi Kurtz
Subject: New High School
Attachments: 150119-SitePlan_small.pdf

*Included as
attachment
for Ed Bartholmey
e-mail
dated
April 15, 2015*

Desi -

Attached is the drawing for the site plan. I have preliminary Conditional Use documents - but the files are quite large. If Ed would like to see them all, I can send them in packages. Please let me know.

Regarding the collector road along the property line adjacent, we are currently showing the extension to where access is on our property. I have been told that the City has requested it extend further but since no development plans have been prepared for your property - they have been unable to tell us where to extend this to. Generally, public funds for school construction are not used to enable private development off of our property. Once we receive direction from the City - we will be extending the road as required.

Leslie Imes
Project Manager
Facilities Development
Beaverton School District
503-591-4575 (Office)
503-601-9830 (Cell)

Date: March __, 2015
To: Steve Sparks, City of Beaverton Planning Division
From: Ed Bartholemy, Property Owner
Re: Beaverton School District - Consent for land use applications

*Included as
attachment
to Ed Bartholemy
e-mail dated
April 15, 2015*

The Beaverton School District is submitting land use applications for development of a new high school campus in South Cooper Mountain. The proposed development plan for the high school includes a new signalized intersection along SW Scholls Ferry Road and a new collector street. The design of the new collector street and intersection impacts Tax Lot 2S1 06 700, which is property that I own (see attached figure). The property affected is necessary to construct portions of the new collector street and required improvements (traffic signal SW Scholls Ferry Road) adopted as a part of the South Cooper Mountain Community Plan. I understand that in order for the District to submit land use applications that impact my property, I must consent to those applications.

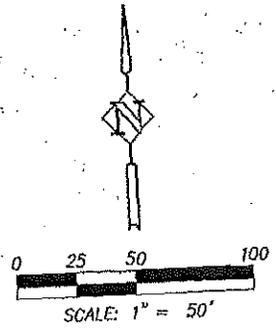
I hereby provide my consent to the Beaverton School District to submit the following land use applications for the new high school:

- Conditional Use, New Type 3
- Design Review Type 3
- Major Adjustment Type 3 (building height)
- Preliminary Partition

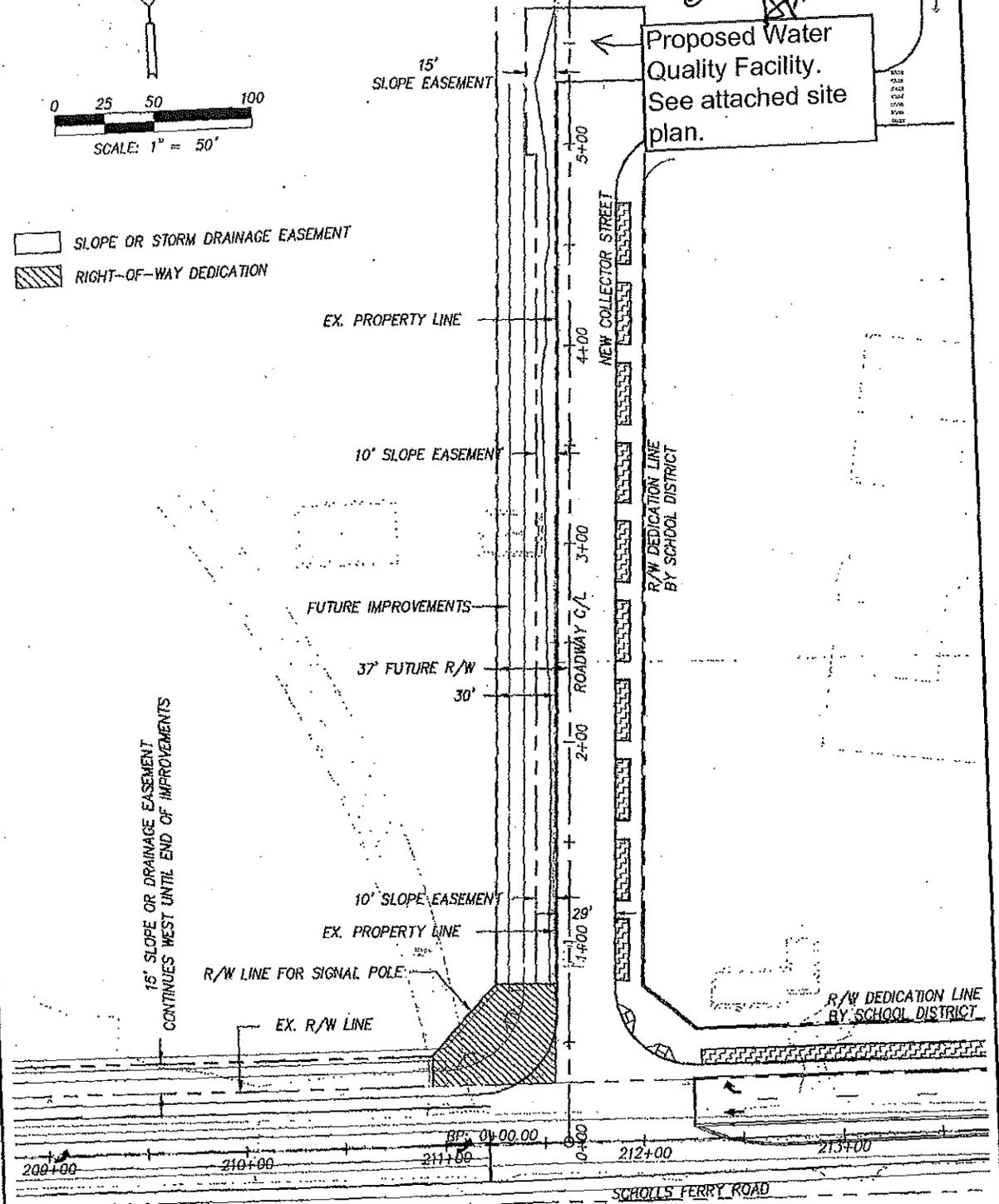
It is my understanding that these applications will be submitted in March and require this consent before they may be deemed completed and reviewed by the City of Beaverton.

Ed Bartholemy
Address

Included as Attachment to
Ed Bartholmey
council dated
April 15, 2015



 SLOPE OR STORM DRAINAGE EASEMENT
 RIGHT-OF-WAY DEDICATION



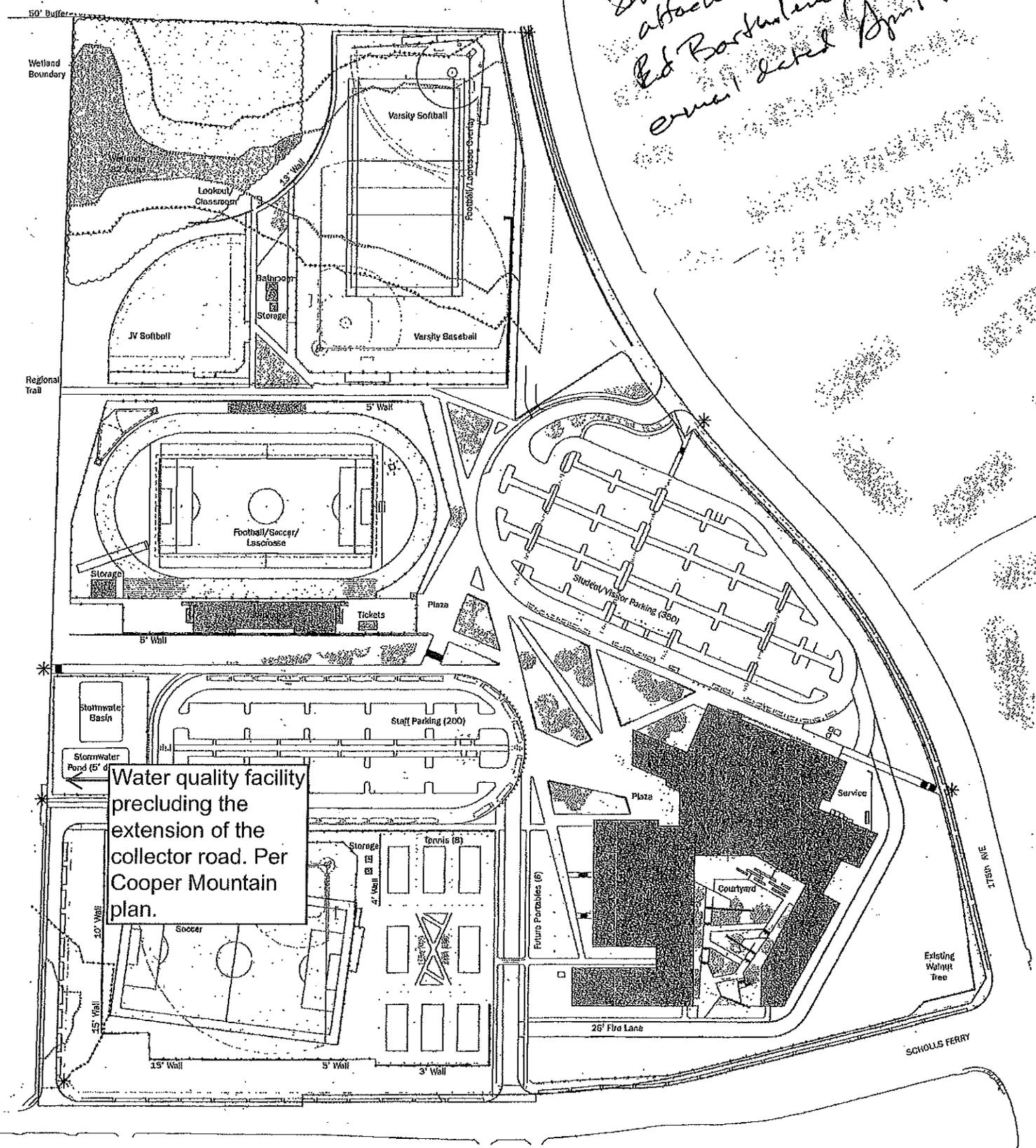
DATE	NO.	DESCRIPTION	DATE

REVISIONS

 Harper
 Houf Peterson
 Righellis Inc.
201 SE Sylvan Street, Suite 200, Beaverton, OR 97005
 phone 503.221.1731 www.hhp.com fax 503.221.1119

**R/W AND EASEMENTS FOR NEW COLLECTOR STREET
 SOUTH COOPER MOUNTAIN HIGH SCHOOL
 BEAVERTON, OR**

*Included as
attachment to
Ed Barkley
email dated April 15, 2015*



Water quality facility precluding the extension of the collector road. Per Cooper Mountain plan.

Notes:
Wall and fence layouts are in process and for reference only.