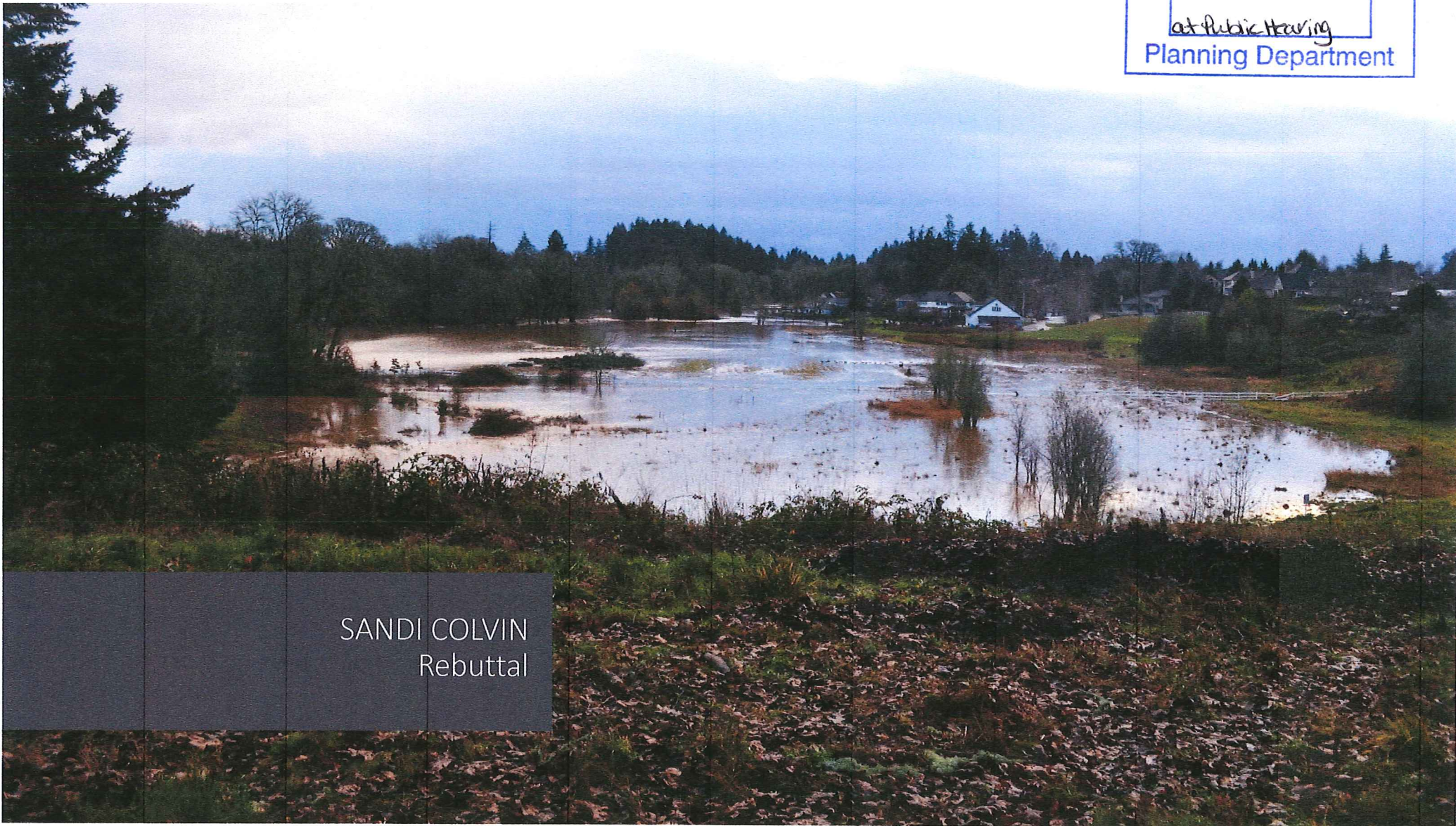


RECEIVED
MAY 16 2019
at Public Hearing
Planning Department



SANDI COLVIN
Rebuttal

LOWER PINEHURST DRIVE CONNECTION

- According to the County Planning Department, the road will *not* connect through the private land owned by Les Toth if he says it won't.
- According to the City Planning Department Staff, the connecting road through Les Toth's private property is not, and *never has been part of this development proposal*.
- Giving any weight to something that is not part of this proposal, and will likely never happen, we feel should not dismiss our qualifying objections to the road through the wetlands in the lower 11.47 acres.
- Les Toth has a letter stating that he will not allow this road to go through.

Delineation Report

- According to a staff memorandum dated April 18th, there are currently 3 acres of wetlands.
- However, according to the Wetland Use Notice Response, the Department of State Lands notes that the delineation report studies **only a portion** of the area proposed for development. Will that number change?
- In further conversation with Mike DeBlasi of the DSL, this delineation report has ***not*** yet been concurred with as of today, May 16, 2019.

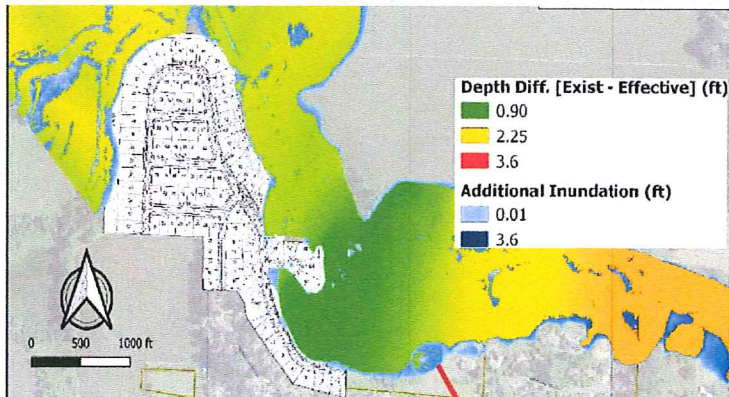
FLOODING

- While we're aware that the Planning Commission can't deny the applications based on flooding, we believe they should be fully aware of current conditions:
- 1996 took more than 10" of rain to flood the 11.47 acres (the basin)
- 2015 took 3.52" of rain
- 2018 took 1.82" of rain
- 2019 took 2.02" of rain
- Notice a trend here?

Source: US Department of Commerce
National Oceanic & Atmospheric Administration
National Environmental Satellite, Data &
Information Service
Station: McMinnville Municipal Airport

FLOODING (cont.)

2" rainfall
current flooding



- The 2010 FEMA map is, in truth, a 1983 FEMA map. 36 years old. The data used in 2010 to “update” the map was simply the 1983 available data combined with satellite topography and rainfall averages. 2010 is a misleading date. The developers are relying on a 36 year old FEMA map.
- Our Hydrologist’s report summary shows that parts of the basin are now in the flood plain. His summary letter uses words like “risk to life and property”.
- Staff report states that the area where the houses will go in the basin aren’t flooding.
- Let’s add the word, **currently**.
- Add a rainfall amount of 3” or 6” or heaven forbid, 10+” like in 1996. Where is the foresight? Who will be responsible when (not if) the flooding comes?
- There’s a lot more information in that report. The report should be taken in it’s entirety, not a small piece that supports the desired outcome.
- Testimony from Mr. Pomeroy yesterday states that should the PC deny this on the basis of new flooding evidence, the city might have to put a moratorium on all building until the flooding issues are fixed. And that’s a bad thing? When lives, property, and the city are at risk, I think fixing the problem would be worth the wait.

SUMMARY

- The Friends of Baker Creek would respectfully ask that the lower plat (4722) not be joined with the upper proposed development. We ask that it stand on its own merits, requiring all of the rules and regulations to apply.
- We believe that allowing those 11.47 acres to hitch a ride on the upper parcel that does meet with the standards in place, is a disservice to all four neighborhoods, the wetlands, the farm fields on the north side of the property, and the City of McMinnville.
- If those 11.47 acres are left to stand on their own, we also request that before even one shovel of dirt is dropped in the basin, that an environmental impact study be required first.

ALTERNATIVES

There are agencies actively seeking the purchase of wetlands should Premier wish to get out from under this (in our opinion) unbuildable 11.47 acres. They include:

- The Nature Conservancy
- Contact any Land Trust
- The Grand Rhode Tribe
- Oregon Watershed Enhancement Board (OWEB) has an acquisitions program
- Willamette Wildlife Mitigation Program (Bonneville Power Administration mitigation program)