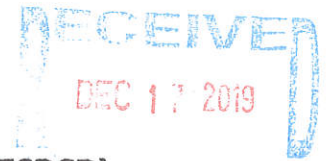




## TILLAMOOK BAY FLOOD IMPROVEMENT DISTRICT

Post Office Box 806 • Tillamook, Oregon 97141  
503-815-8164 • TBFID@tillamookoffice.com



**To:** Hillary Foote, Tillamook Co. Dept. of Community Dev. (TCDCD)  
**From:** Tillamook Bay Flood Improvement District (TBFID)  
**Date:** December 17, 2019, written comments  
**Re:** TNC Kilchis Porter Tidal Wetland Restoration Project,  
Permit 851-19-000511-PLNG

The Tillamook Bay Flood Improvement District (TBFID), an ORS 554 Special (Water Control) District, territory extends north to south of Bay City. The Nature Conservancy (TNC) property and proposed "Kilchis Porter Tidal Wetland Restoration Project" is within the District flood control lands. On behalf of Kilchis River District members and TBFID, the District is submitting these written comments in opposition to TNC permit application 851-19-000511-PLNG approval.

A proposed second project on TNC Porter 30 acres is expected to further escalate flooding and loss of neighbors protected farm lands, as witnessed since the 2015 Project #1. Attached 2015 copies of Jo L Farms and Geo Farms letters addressing original TNC Project #1 problems that remain unresolved today, 4 years later. Secondly, attaching flood data from October 2017 post-Project #1 flood as example of accelerated flooding in area. No TNC hydraulic modeling subsequent to Project #1 and for Project #2 has been provided to the District for analysis. On-the-ground observations by witnesses attests to increased flooding, lack of drainage, and threats to structures, post-TNC Project #1. More county permit due diligence is needed to mitigate TNC Porter Projects #1 and #2 before permitting another wetlands project.

Regarding review criteria provided by TCDCD, the District comments are:

- 1) TCLUO 6.040 (4) Conditional Use criteria/"The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses..."—Per criteria, TBFID supports SB 1517 and COLLABORATION amongst property owners. TBFID and landowners have not been included in proposed 30 acre project stating SB 1517 permitted projects, "...complements the land use patterns necessary for the stability of agricultural and associate farming practices," projects " that would provide the greatest benefits to ...flood mitigation and other values." 2015 Project #1 has not satisfied county permit criteria and Project #2 projected to compound issues.
- 2) TCLUO 6.060 (1a, 1b) Wetlands Restoration criteria: a) "The use will not force a significant change in accepted farm...practices on surrounding lands devoted to farm...use" and b) "The use will not significantly increase the cost of accepted farm...practices on surrounding lands devoted to farm...use."—Farm lands uses and costs escalated and revenues lost upon completion of TNC 2015 Project #1 and expect to increase exponentially with Project #2. Jo L Farms lost estimated 55 acres and counting post-2015 Project #1. Denial of TNC permit requested until problems solved.
- 3) TCLUO 3.510 (14b, 26)/Flood Hazard Overlay Zone: "The fill does not impede or alter drainage or the flow of floodwaters."—In-filling existing ditches without mitigation decreases drainage and flood waters exit. Projects in-fill, lowering of dikes, water control structure removals, elevated mounds with fill from ditches, and revegetation, projected to exacerbate areas drainage and flood water problems. TBFID and property owners have not seen TNC project plans to know these and other project concerns are mitigated. Consequently, TBFID opposes TNC permit approval.

The \$468,000 TNC-OWEB restoration grant #2 and prior buyout of Porter farm land has not satisfied District and property owners criteria for collaborative best uses of farm and wetlands as adopted in SB 1517 (2016). TBFID has not seen SB 1517 analysis of farm lands vs/wetlands use in Tillamook County to know if project meets the bills criteria. Locals have observed increased flooding after TNC Phase #1 Project.

### TILLAMOOK BAY FLOOD IMPROVEMENT DISTRICT BOARD

Don Aufdermauer 503-812-1042 • Jon Cummings 503-812-2695 • Kathleen Didier 503-812-5124 • David Gienger 503-801-3334  
Rita Hogan 503-842-4230 • Barry Mammano 503-812-0247 • Denny Pastega 503-801-8000 Staff: Tilda Jones

**Tillamook County Comprehensive Plan Goal 3 protects farm lands and flood damages. Farm lands are optimum conduits of flood waters for public safety and infrastructure protection. TNC has had 4 years to mitigate Project #1, to work with neighbors to approve optimum plans for wetlands and farm land uses. Rushing to approve the TNC Project #2 permit without due diligence of parties involved and public hearings is opposed. More thorough studies and monitoring are requested before moving forward with another TNC Porter Project. TBFID supports the permit application referral to the Tillamook County Planning Commission for further diligence and public involvement.**

**Respectfully, TBHEID Board & Associates**

**Cc: TCCA Board**

A handwritten signature in blue ink, written in a cursive style, that reads "Jan a cfr Pres." The signature is positioned to the right of the "Cc: TCCA Board" text.

April 24, 2015

Don Averill, Jo L Farms  
5205 Idaville Road  
Tillamook, OR 97141

2015  
Copy

Tillamook County Board of Commissioners  
Attn: Tim Josi, Chairperson  
201 Laurel Avenue  
Tillamook, OR 97141

Re: Hathaway Appeal Hearing for TNC Permit Application DPO-14-14(a)

Dear Commissioners,

Our multi-generational/multi-million dollar and heavily regulated farm business where we pasture, and grow grass and field corn, for our dairy cows is south of The Nature Conservancy (TNC) former Dooher Farm proposed restoration project. We learned about TNC project as a member of the Tillamook Bay Habitat & Estuary Improvement District (TBHEID). No one from TNC has contacted us about their project and fill-removal permit application to permanently change the farm land they bought to wetlands.

There is no proof our CAFO permit, drainage, sedimentation, erosion, and water table will not be affected by TNC project, that our high value protected resource won't become swamp land. Levee changes, the Hathaway-Stassik Slough culvert removal, forests, water and flood flows, all affect our farm land drainage characteristics.

The TNC Dooher project, combined with the pending Porter farm land buyout and wetlands restoration project, doubles the impacts to our farm and other bordering properties. Tillamook farming depends on farm land and we need more farm land, not less, as we expand and reinvest in the next generation. The economic costs of losing farmland has not been proven to us or our neighbors.

We expect the TNC to go through the same process we go through when we buy and change land uses. It is only fair they abide by the same rules and regulations as the County's Southern Flow Corridor Flood-Restoration Project.

Put us on the record as opposing TNC county permit application to redo our historical man-made infrastructures that have drained our farm land all these decades and generations. We hold TNC liable for any outright loss of our land use due to any negligence on their part.

Respectfully,

Jo L Farms, Inc.

April 24, 2015

George Prince, Geo Farms  
4555 Alderbrook Road  
Tillamook, OR 97141

2015  
copy

Tillamook County Board of Commissioners  
Attn: Tim Josi, Chairperson  
201 Laurel Avenue  
Tillamook, OR 97141

Re: Hathaway Appeal Hearing for TNC Permit Application DPO-14-14(a)

Dear Commissioners,

Our family farm borders The Nature Conservancy (TNC) former Dooher Farm and proposed restoration project. We learned about TNC project as a member of the Tillamook Bay Habitat & Estuary Improvement District (TBHEID). No one from TNC has contacted us about their project and fill-removal permit application to permanently convert the farm land they bought to wetlands.

Because our drainage systems are inter-connected, we need proof TNC project is compatible with our multi-generational/multi-million dollar and heavily regulated farm business where we pasture, and grow grass and field corn, for our dairy cows. How they use their land cannot impact the outright use we have for our land.

There is no proof our CAFO permit, drainage, sedimentation, erosion, and water table will not be affected by TNC project, that our high value protected resource won't become swamp land. The Hathaway-Stassik Slough culvert removal, alone, affects our farm land drainage characteristics by changing water (flood) flows.

The combined Dooher and Porter farm land buyout and change to only wetland, will double the impacts to our farm and other bordering properties. Tillamook farming depends on well drained farm land and we cannot afford to lose access to any of our land. The economic consequences of decreased production on our land due to over saturation of the soils is unacceptable.

We expect the TNC to go through the same process required by the county Oregon Solutions Southern Flow Corridor Project for a flood control-wetlands restoration project. It is only fair that everyone abides by the same rules and regulations.

Because of the above reasons, we want to be on the record as 1) opposing TNC county permit application to redo our historical man-made infrastructures that have drained our farm land all these decades and generations and 2) to let TNC know we hold them liable for any outright loss of our land use due to any negligence on their part.

Thank You Commissioners,

Geo Farms, Inc.



# SHERIFF

## Tillamook County Sheriff's Office

5995 Long Prairie Rd. Tillamook, OR 97141

Tilda,

With regards to the data about the October 21-22, 2017 Flood Event. This flood was the result of an early season Atmospheric River Event that brought substantial rainfall to northwest Oregon. It was the earliest flood event I could find in the last 50 years. It resulted in the Wilson River, which is near the Kilchis River, being in the top 10 Wilson River Flood events, cresting just above 17'. Flood Level for the Wilson is 12'. I have no data for the Kilchis River levels.

The flooding, understandably, was the result of the heavy rains which included a 24hr maximum in Tillamook of 4.32", Lees Camp up Hwy 6 registered 9.3" and South Fork receiving 6.6". High tides during this period were not noteworthy.

This flood event was similar to the flood event of November 1999.

I would like to mention that during this event I did note that during my travel from my residence in Bay City, south into Tillamook, that the water levels on either side of Hwy 101 in the Idaville Flats area, from Idaville Rd. south to just north of Possetti Rd near Juno Hill, contained water levels I had not seen before, even during other record flood events. I began to keep a closer watch on this area as it appeared that, if it continued to rise, it could threaten water over Hwy 101. Again, I have not observed levels this high before or after this event. It was later, at one of the TBFID meetings, that I learned from their representative at the meeting, that it may have been the result of changes the Nature Conservancy had made in that area. It is also my understanding that it negatively impacted adjoining property during this time.

This is all the data that I have.

Regards,

A handwritten signature in cursive script, appearing to read "Gordon McCraw".

Lt. Gordon McCraw, DEM  
[gmccraw@co.tillamook.or.us](mailto:gmccraw@co.tillamook.or.us)  
503-842-3412