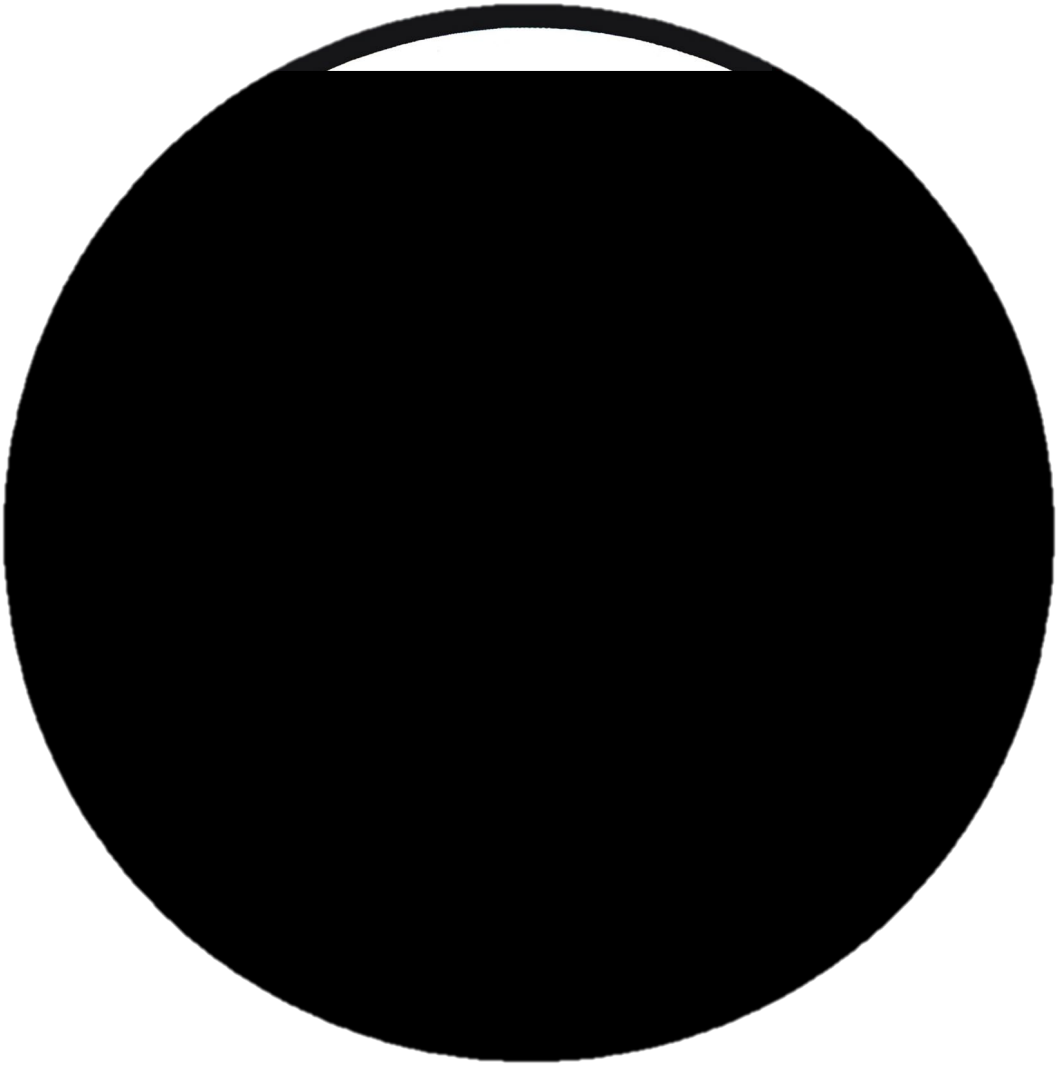

2025 MERCURY TMDL ANNUAL REPORT

BEST MANAGEMENT PRACTICES

The following Best Management Practices (BMPs) are intended to achieve Yamhill County's policy and goals for roadside vegetation management and to embrace cost-effective and sound vegetation management practices that consider: traffic safety, water quality, erosion prevention, wetland protection, threatened and endangered species protection, native plant protection, noxious weed and invasive plant control, and regulatory requirements.

Adaptive management strategies should be followed in order to continually improve on these BMPs. Strategies could include trials or demonstration projects to explore new ideas and practices, such as ditch burning, controlled grazing, or implementing alternatives to removal of all roadside vegetation in the right-of-way by adjacent property owners. New and innovative ways to improve the maintenance and reduce the costs of vegetation management should be explored (e.g., use rotary mowers, weed wipers for targeted herbicide application, and seasonal timing of herbicides near sensitive areas).

General

1. Use an integrated approach to manage problem vegetation, including mechanical, chemical, cultural, and biological controls if available.
2. Maintain proper sight distance, line of sight, and vertical clearance for motorists consistent with the American Association of State Highway and Transportation Officials (AASHTO) Highway Safety Manual.
3. Maintain visibility of and access to signs, guardrails, delineator posts, utility facilities, and other permitted structures within the right-of-way.
4. Develop and maintain a Geographic Information System (GIS) inventory of erosion, invasive plants, native plants (threatened and endangered species, species of concern, rare species in the County), and significant native plant communities, as well as hazards for maintenance equipment, and road infrastructure including culverts, for all land within the County road right-of-way.
    a. Create and maintain a County GIS roadside vegetation inventory map with Global Positioning System (GPS) coordinate locations on all mapped features.
    b. Characterize County roadside sections and prioritize for regular inventory and maintenance.
    c. Establish Special Maintenance Zones and develop BMPs and management plans for prioritized sections of roadways.
5. Develop and include standard contract and permit provisions to ensure compliance with BMPs by contractors, utilities, and others working in County road right-of-way.
6. Provide training on BMPs to PWD staff.

Ditch Management

Description: Ditches protect the integrity of the roadway, and are designed to drain water away from the road. However, soils exposed during cleaning are a source of sediment that washes into streams; narrow, V-shaped, or steeply sloping ditches create higher water velocity and increased erosion. Gravel from road shoulders can wash into the ditch causing clogging and ditch water

can contribute to downstream flooding. Ditches collect runoff from adjacent properties that often contain nutrients, pesticides, and live pathogens that can carry into streams. A properly designed and maintained ditch system is critical for protecting the quantity and quality of our water resources.

Best Management Practices

1. Keep ditches shallow, no deeper than needed to carry anticipated water flows.
2. Remove as little material as possible to reestablish the flow line of the ditch.
3. Avoid creating V-shaped ditches that concentrate flow, become more incised, and erode sediment. Where possible, reshape ditches to a shallow, trapezoidal, or rounded profile that allows routine mowing.
4. Do not scrape vegetation from backslopes or foreslopes unless necessary to properly reshape the ditch. Where possible, leave vegetated strips in the downhill section of the ditch to trap sediment. Plant and hydroseed where needed to reestablish vegetation quickly.
5. Maintain native vegetation in ditches whenever possible.
6. Install check dams, such as biobags with biodegradable mesh, to slow water velocity and capture sediment, especially in ditches that carry significant runoff.
7. To the extent possible, maintain a vegetated strip between the shoulder and the ditch.
8. Work with other agencies, such as the Yamhill Soil and Water Conservation District (SWCD), to encourage adjacent property owners to responsibly manage the quality and quantity of runoff from their properties into roadside ditches.
9. Adopt a program to address and implement Total Maximum Daily Load (TMDL) for mercury in the Willamette Basin.

Brush Cutting, Mowing, and Tree Removal

Description: These activities remove noxious weeds and other problem vegetation on County right-of-way to maintain road integrity, sight distance, vertical and horizontal vehicle clearance, and general public safety.

Best Management Practices

General

1. Limit mowing and other methods of vegetation removal to the area from the edge of the travel lane to the foreslope edge of the ditch, except where problem plants, sight distance, vehicle clearance, drainage, or public safety is of concern.
2. Trim branches that enter the right-of-way to achieve an 18-foot minimum vertical clearance.

Water Quality

1. Prevent or reduce pollutants and sediments from entering surface waters to improve water quality and comply with federal, state, and local regulations.
2. Deposit excess material above the 100-year floodplain and not within 75 feet of a stream, wetland, or riparian area.
3. If trees providing shade or bank stabilization within 50 feet of water bodies are determined to be a risk to public safety, remove the trees and replace with new trees at a 2:1 ratio in an area that will not pose a future threat to the roadway or bridge structures.
4. Refuel, repair, and clean equipment at least 25 feet from water bodies.
5. At bridge heads, remove brush on either side, either end, and under the structure only as needed to maintain sight distance and safety of the structure or to control noxious weeds and invasive plants. Maintain adequate air flow to prevent moisture build-up on wood, steel, and concrete bridge components.
6. Remove 10 feet of brush, upstream, downstream, and on each side of culverts that are 6 inches in diameter or greater. Removal of invasive plants may extend beyond this limit.

Wildlife

1. Minimize impacts to migratory birds and other wildlife by not mowing on the backslope and by avoiding brush cutting during major nesting periods (March through the end of July), except where sight distance or public safety is of concern.
2. Leave brush cut in riparian areas in place for wildlife habitat where doing so does not interfere with sight distance, create safety issues or fire hazards, involve invasive plants, or hinder the proper functioning of highway features (e.g., drainage).
3. Install beaver screens where necessary to maintain free-flowing culverts. Work with property owners to eliminate water backup resulting from beaver dams that undermine roads.

Native Plant Species

1. Follow management plans for Special Maintenance Zones.
2. Where significant populations of native plants have been GIS mapped, avoid brush-cutting or mowing in the area until the plants have set seed.
3. Consider requests to forego maintenance on significant areas of native plants; consult with resource experts as needed.

Shoulder, Foreslope, Ditch, and Backslope Spraying

Description: The purpose of applying herbicides along the roadside is to eradicate or reduce the growth of noxious weeds, invasive plants, sight-obstructing brush, and other undesirable vegetation. Generally, tree stumps are hand-painted with an herbicide labeled for this purpose, shoulder spraying is truck-applied, and targeted foliar spraying is applied by truck or on foot using a backpack sprayer. 2,4-D is specifically not used by the County because of its risks to sensitive crops that may be in close proximity. Herbicides used include selective and non-selective foliar-active and pre-emergent (soil residual) chemicals. No restricted use herbicides are used.

Best Management Practices

Regulations

1. Comply with all labels, laws, rules, and regulations.
2. Require PWD staff and contractors who mix or apply herbicides to carry a current public applicator license or be supervised by a licensed person.
3. Require annual training for PWD staff who mix or apply herbicides.
4. Maintain a record-keeping system that documents the date, amount of chemical applied, location of application, temperature, and wind speed at the beginning and end of application.
5. Apply only when wind speeds are within Environmental Protection Agency (EPA) label guidelines.
6. Dispose of empty herbicide containers in accordance with EPA guidelines.
7. Carry supplies to contain small spills (absorbent materials, bags, shovel, etc.) and follow established guidelines for spill containment.

General

1. Favor mechanical and biological control of undesirable plants over chemical controls, whenever possible.
2. Choose the most environmentally benign herbicides at the lowest doses within EPA recommendations to achieve vegetation management goals.
3. Base spray decisions on weather conditions, terrain, soil types, adjacent vegetation, adjacent land uses, and presence of water in ditches.
4. Use lowest pressure compatible with adequate coverage to reduce drift.
5. Inspect spraying equipment, calibrate sprayers, and check nozzles for uniform spray patterns at least once a year; replace worn nozzles.
6. Rotate herbicides and/or alternate herbicides with mechanical/manual control methods to prevent herbicide resistance.
7. Do not spray the ditch bottom except to treat invasive species.
8. For paved roads only and where necessary, spray non-selective herbicides for a vegetation-free shoulder from the pavement edge to the roadside edge of ditch, a maximum of 2-3 feet.
9. Target spray herbicides as needed to control noxious weeds and invasive plants.
10. Refrain from applying non-selective herbicides beyond the foreslope, except for targeted control of invasive plants.
11. Take care to avoid spray drift onto foliage of non-target shrubs and trees.
12. Replant using native grasses, trees, and shrubs whenever possible.
13. Periodically update and post a list of chemicals commonly used by PWD on County roadsides on its website for information and transparency to the public.

Water Quality

1. Adjacent to water bodies, use only herbicides that are permitted for aquatic use.
2. Use targeted spray within 25 feet of flowing water.
3. Use targeted spray within 25 feet of bridges only if vegetation control is critical to the function of the structure, and mechanical control is not practical.
4. Maintain vegetative cover in the foreslope, ditch, and backslope to minimize erosion.

Native Plant and Wildlife Species

1. Do not apply herbicides to known locations of Federal or State-recognized threatened or endangered plants or species of concern, except as provided in their Special Maintenance Zone management plans.
2. Do not apply herbicides to Special Maintenance Zones, except as provided in their management plans.
3. Consider foregoing spraying for significant areas of native plants that have been GIS mapped; consult with resource experts as needed.

Activities in Areas with Priority Noxious Weeds and Invasive Plants

Description: Working with the Roadside Vegetation Management Technical Advisory Committee, the PWD developed a list of noxious weeds and invasive plants that are targeted priorities for control; the list is included in the Yamhill County Roadside Vegetation Management Plan Technical Supporting Document. The document also includes a list of herbicides that PWD considers as options from among those labeled for use on roadsides. The document is posted on the PWD website and will be regularly updated. PWD also cooperates with the SWCD to address noxious weeds. The SWCD Noxious Weed List is updated annually and is available at http://www.yamhillswcd.org/weeds.

Best Management Practices

1. Prevention is the most effective and cost-effective method of controlling noxious weeds and invasive plants. It is important to avoid inadvertently transporting seeds or portions of plants that could propagate new plants elsewhere.
2. Map the location of reported noxious weed and invasive plant infestations on a Yamhill County road GIS overlay(s). Coordinate this effort with SWCD.
3. Work with the Yamhill County Road Improvement Advisory Committee during development of the annual Capital Improvement Projects list to identify all projects within known areas of invasive plants and noxious weeds for special care during construction or maintenance.
4. In any known location of invasive or undesirable plants where soil will be moved, including new construction, ditching, grading, paving, or other shoulder work:
    a. Stockpile soil moved during work on the site and return it to the site, if possible.
    b. Where soil must be removed from the site, monitor the dump site for at least three years and ensure that any weeds detected are promptly controlled.
    c. Do not allow members of the public to take the soil for private use.
    d. At the completion of the project, map where any soil removed from the site was placed so it can be monitored.
5. Before leaving an infested site, clean soil and plant material from workers' clothing and footwear, vehicles, and equipment using a broom, blower, and/or other tools to detach

mud and soil from tires, wheel wells, etc. Do not take vehicles or equipment to another project site before a thorough cleaning.

6. To keep contaminated soil localized as much as possible, where invasive plants or noxious weeds are present on only a portion of a project site, operate earth-moving or maintenance equipment in the clean portion first and finish in the infested area.
7. Mark both ends of known infested areas, and develop management plans for each area.
8. Coordinate with SWCD to monitor infested sites and to enlist adjacent landowner assistance in regular monitoring and control of infested areas.
9. Maintain a list of priority invasive plants that warrant special attention for Yamhill County roadside maintenance efforts and recommend control measures. Regularly update this list, in coordination with SWCD.
10. Maintain a list of herbicides that PWD considers options from among those labeled for use on roadsides, with descriptions of their effects on plants, their potential uses and use restrictions, and their risks to human health and the environment. Regularly update the list as a resource for PWD maintenance staff and as information for the general public.
11. Use the list of priority invasive plants and the list of herbicides in decisions on maintaining County roadsides.

Planting

Description: Careful purchase and placement of plants enhances soil stabilization and beautification programs, and requires knowledge of appropriate plant materials and planting methods for roadside vegetation projects.

Best Management Practices

1. After ditching and shaping of right-of-way, establish low-maintenance vegetation for erosion control and maintenance of water quality.
2. Replant areas where soil has been removed and where colonization by invasive plants or noxious weeds is likely.
3. Establish plant species on backslopes selected for stability and to control erosion. Use more common and affordable plants on foreslopes and roadsides.
4. Use low-growing plants, such as grasses, in areas with sight distance limitations.
5. When available, use native seed of known origin that is free of noxious weeds and invasive plants.
6. Prior to planting, control existing vegetation to achieve good seed-soil contact and to reduce competition from weeds germinating from seeds in the existing soil.
7. To reduce erosion, use planting techniques that minimize the disturbance of soils, such as hydroseeding, manual planting, and no-till planting.
8. Plant sterile or non-competitive non-native species when necessary to control erosion and to compete with invasive species until desired vegetation is established.
9. Avoid the use of excess fertilizers that can run off into waterways.

Coordination

Description: For a variety of reasons, some property owners request the authority to maintain vegetation within the right-of-way adjacent to their property as an alternative to County

maintenance. Groups with special expertise may also request the opportunity to maintain segments of right-of-way that support plant or wildlife habitats of special concern. The County supports these requests as long as private actions or inactions do not compromise public safety, and they are consistent with the overall Best Management Practices.

To maximize limited staff and resources, it is important to work with other local, state, and federal jurisdictions and agencies and to share access to information that may be of interest or value to Yamhill County residents. For example, PWD shares GIS and roadside vegetation inventory data with the SWCD and the Greater Yamhill Watershed Council to further mutual objectives.

Best Management Practices

1. Maintain a Private Maintenance Agreement Permit Program for the right-of-way where a landowner or authorized agent whose property is adjacent to a County roadside may request a permit to manage the roadside vegetation.
2. Follow management plans for Special Maintenance Zones, including zones created by the Habitat Conservation Plan for Kincaid's lupine and Fender's blue butterfly.
3. Encourage those working within County road right-of-way to use adaptive management practices.
4. Establish a process by which local groups with special expertise may assist in training PWD staff to identify species and habitats of concern within the right-of-way, to recommend Special Maintenance Zones, or to partner on issues to maximize conservation opportunities.
5. Coordinate with governmental agencies and others involved in roadside maintenance in an integrated approach to vegetation management.

Communication

Description: It is important to provide easily accessible and understandable information to the general public to maintain an open and transparent vegetation management program.

Best Management Practices

1. Regularly post and update the following information on roadside vegetation policy and management on the County webpage:
    a. Forms and instructions to apply for Special Maintenance Zones and Private Maintenance Agreements.
    b. Special Maintenance Zone and Private Maintenance Agreement locations.
    c. List of priority target invasive plants and herbicides commonly used by PWD.
    d. Timely information, prior to spraying, on general spraying schedules, areas to be sprayed, and herbicides to be used.
2. Provide a mechanism for public questions, comments, and requests, and a process to appeal staff decisions on maintenance activities.
3. Annually review complaints, procedures, and other related issues to improve and update vegetation management procedures.
4. Share links to other agencies and group websites or contact information.

Implementation

Description: Although the details of implementation of this Plan are PWD responsibility, some implementation strategies are important to managing Yamhill County roadsides.

Best Management Practices

Roadside Vegetation Inventory (RVI)

1. Inventory and document all County roads on a five-year rotation cycle and regularly evaluate the impact of current roadside vegetation management practices.
2. Include RVI data when evaluating and selecting annual Capital Improvement Projects and when making other management decisions.
3. Provide electronic equipment in PWD vehicles to enable in-the-field access to RVI data and approved roadside vegetation management plans.

Staff Training

1. Conduct training to emphasize the goal and objectives and to review Best Management Practices for all PWD staff who are involved in activities that affect roadside vegetation.
2. Provide on-going training in use of in-vehicle electronic equipment for PWD staff responsible for all aspects of roadside vegetation management.
3. Include Best Management Practices in training and orientation for new PWD management and maintenance employees.

Regular Review

1. Regularly review the Yamhill County Roadside Vegetation Management Plan to incorporate updated management practices and to evaluate implementation strategies.
2. Maintain a broad-based citizen committee with varied expertise to assist in development and evaluation of implementation strategies, and to participate in Plan review.

APPENDIX A: Definitions

ADAPTIVE MANAGEMENT: a process for continually improving management policies and practices, and learning from the outcomes of operational programs by experimentally comparing practices and evaluating alternative hypotheses about the system being managed.

BEST MANAGEMENT PRACTICE: a method or technique that has consistently shown results superior to those achieved by other means, is used as a benchmark, and may become better as improvements are discovered; i.e., today's best practice is a baseline for tomorrow's better practice.

BROADCAST SPRAYING: application of spray uniformly over a broad area, as opposed to a specific area or individual plants.

DIRECTED OR TARGETED SPRAYING: precise application of an herbicide to a specific area, specific plants, or parts of a plant.

ENDANGERED SPECIES: a species that is in danger of extinction within the foreseeable future throughout all or a significant portion of its range.

GEOGRAPHIC INFORMATION SYSTEM (GIS): a system designed to capture, store, manipulate, analyze, manage, and present all types of spatial or geographical data.

GLOBAL POSITION SYSTEM (GPS): a satellite-based radionavigation system owned, operated, and maintained by the United States Government. It provides geolocation and time information to a GPS receiver anywhere on or near the Earth where there is an unobstructed line of sight to four or more GPS satellites.

GROUP WITH SPECIAL EXPERTISE: a formally recognized non-profit (501c3) or governmental organization with an adopted mission to protect water quality, native species, and/or habitats; for example, the Yamhill Soil & Water Conservation District, Greater Yamhill Watershed Council, and the Native Plant Society of Oregon.

HABITAT CONSERVATION PLAN: the importance of preserving rare species was legally recognized in 1973 when the Endangered Species Act (ESA) was signed into federal law. The purpose of the ESA is not only to protect species that have been listed as threatened or endangered, but also to conserve the ecosystems upon which those species depend. In aiming to protect species in danger of becoming extinct, the ESA prohibits actions that have the potential to result in a "taking" of any listed species. The term "take" under the ESA refers to any attempt or action involving the harassment, harm, pursuit, hunting, shooting, wounding, killing, trapping, capturing, or collecting of any listed species. Under this definition, the alteration of habitat that results in injury to, or death of, any listed species by preventing essential behavior (such as breeding, feeding or sheltering) is considered unlawful "harm."

A **Habitat Conservation Plan** is a required part of an application for an Incidental Take Permit, a permit issued under the United States Endangered Species Act (ESA) to entities undertaking projects that might result in the destruction of an endangered or threatened species. It is a planning document that ensures that the anticipated take of a listed species will be minimized or mitigated by conserving the habitat upon which the species depend, thereby contributing to the recovery of the species as a whole. In the context of roadside vegetation management, it outlines how State and Federally listed Threatened and Endangered plant species are managed along County right-of-way.

INTEGRATED VEGETATION MANAGEMENT (IVM): the practice of managing and promoting desirable, stable plant communities through the use of appropriate, environmentally sound, and cost-effective control methods.

- These methods may include a combination of chemical, biological, cultural, mechanical, and/or manual treatments.
  - **Biological**: using a natural predator to control a noxious weed or other unwanted vegetation.
  - **Chemical**: applying EPA-approved chemicals per product label.
  - **Cultural**: incorporating native or appropriate plant material to out-compete unwanted vegetation, using weed-free mulch, or modifying a land use practice.
  - **Mechanical**: using equipment, such as mowers, brushers, or chain saws.
  - **Manual**: weeding, brushing, hand removal.
- An IVM approach strives to manage vegetation and the environment by balancing benefits of control, cost, public health, environmental quality, and regulatory compliance.
- Adopting IVM on the right-of-way can reduce vegetation management costs; reduce utility customers' costs; improve native plant, animal, insect, and songbird habitat; and provide other ecological benefits (e.g., reduce runoff, control invasive species, create wildlife habitat).

INVASIVE PLANT: a plant that is not native to an ecosystem and, due to its fast growth and reproduction and lack of natural enemies, has the ability to spread aggressively, crowd out other plants, and create a single-species stand.

NATIVE PLANT: a plant that is indigenous to a region, ecosystem, or habitat; in Yamhill County, it is a plant that was indigenous to the Willamette River watershed prior to settlement by Euroamericans.

NON-SELECTIVE HERBICIDE: a chemical that kills all plants it comes in contact with.

NOXIOUS WEED: as defined by the Oregon Department of Agriculture (ODA), any plant designated by a Federal, State or County government as injurious to public health, agriculture, recreation, wildlife or property.

- "A" List – a plant of known economic importance that occurs in a county in small enough infestations to make eradication/containment possible; or is not yet known to occur, but its presence in neighboring areas makes future occurrence in a county seem imminent.
- "B" List – a plant of economic importance that is regionally abundant and needs to be controlled where found.

- "T" List – weed species selected annually by the Oregon State Weed Board (OSWB) from either the A or B list as top priority for prevention and control, and for which ODA must develop and implement a statewide management plan.

PLANT COMMUNITY: a group of plants growing together that interact with one another and with their physical environment. Community composition may vary over time and depends on a variety of environmental factors, such as soil type, water, climate, topography, fire, and the presence of other living things.

PRE-EMERGENT (SOIL RESIDUAL) HERBICIDE: a chemical applied prior to the emergence of a plant from the soil, intended to prevent seeds from germinating. The effectiveness of soil residual herbicides may be temporary or long term.

PRIVATE MAINTENANCE AGREEMENT (PMA): a contract between a landowner or authorized gent and County Public Works Department establishing a Special Maintenance Zone in which the adjacent landowner or applicant assumes, or assigns responsibility for, the vegetation management and maintenance, including guidelines for management agreed upon by both parties.

PROBLEM PLANT: a plant that is considered undesirable within a certain context; it grows where it is not wanted (e.g., it blocks sight distance or grows into road travel lanes) or is invasive (i.e., is able to reproduce rapidly and spread into new areas of potential habitat) in Yamhill County.

RIGHT-OF-WAY: all County roads are located on land that is referred to as the road right-of-way, which extends on both sides of the traveled road surface to include shoulders, foreslope, ditches, and backslope. The width of the road right-of-way and the road surface itself can vary a great deal, and the general rule of thumb is that it is 40 feet wide, approximately 20 feet on both sides of the center of the road.

SELECTIVE HERBICIDE: an herbicide formulated to control specific weeds or weed categories; a material that is toxic to some plant species but less toxic to others.

SPECIAL MAINTENANCE ZONE (SMZ): a section of County road right-of-way designated for other than routine maintenance activities.

- Landowners whose property adjoins the right-of way may submit an application, fee, and proof of insurance to have the right-of-way abutting their property excluded from any County maintenance activities, subject to a private maintenance agreement.
- Yamhill County may designate a Special Maintenance Zone that will be maintained by the County according to a special maintenance plan.

SPECIES OF CONCERN: an informal term used to refer to species that are in need of proactive protection, but for which insufficient information is available to list the species as threatened or endangered.

TARGET WEED: a weed that is new to Yamhill County or currently has limited distribution and is known to be highly invasive. Target weeds have a high priority for eradication or containment.

THREATENED SPECIES: any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

TOTAL MAXIMUM DAILY LOAD (TMDL): a planning tool designed to restore and maintain the quality of waters that have been identified as not meeting applicable water quality standards; the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet and continue to meet water quality standards for that particular pollutant.

APPENDIX B: Yamhill County Roadside Vegetation Management Technical Advisory Committee

The Yamhill County Board of Commissioners appointed the Yamhill County Roadside Vegetation Management Technical Advisory Committee (TAC) to update policies and Best Management Practices to guide and assist the Yamhill County Public Works Department (PWD) to manage roadside vegetation in a consistent, conscientious, and cost-effective manner. The TAC reports to the Yamhill County Road Improvement Technical Advisory Committee (RIAC). Upon completion of its charge, the TAC provides recommendations to RIAC, who then make recommendations to the Board of Commissioners. The TAC met monthly from February 2014 through November 2015 to develop this Management Plan and implementing procedures. The TAC was reappointed to advise on implementation of the Plan and meets periodically to discuss and evaluate implementation strategies and results. In coordination with PWD staff, the TAC updated this Plan in a series of meetings in 2021 and 2022.

2022 Committee Members

Michal Wert, Chair
Retired, planning consultant
Member, Road Improvement Advisory Committee
Member, Native Plant Society of Oregon

Susan Aldrich-Markham
Retired, Oregon State University Field Crops Extension Agent and Professor Emeritus
Member, Native Plant Society of Oregon

Jordan Anderson
Resource Conservationist, Yamhill Soil and Water Conservation District
Board Member, Greater Yamhill Watershed Council
Member, Native Plant Society of Oregon

Dave Hanson
Naturalist/land owner, Gopher Valley area
Member, Native Plant Society of Oregon

Vern Holm
Retired, Western Invasives Network Coordinator

Mark Huff
Retired, US National Park Service ecologist/wildlife biologist
Owner, Stag Hollow Winery & Vineyard

Keith Nasman
Conservation Technician, Yamhill Soil and Water Conservation District

Sam Sweeney
Farmer, Dayton area

Staff

Mark Lago, Public Works Director
Vacant, Vegetation Management Coordinator
Casey Kulla, Board of Commissioners Liaison

APPENDIX C: References

Online references valid as of August 25, 2022.

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Western Invasives Network. http://www.cascadepacific.org/western-invasives-network

Attachment:
Iris Service Requests

Request Log Report

Date Printed 5/28/2025

SRS1003

Request #	Date Received	Complete Date	Requested By	Status	Request	Road Name - Number
2401017682	01/02/24	02/08/24	Perkins, Melissa		Ditching requested, there is a terrible ditch drainage problem at the end of Warmington Rd. The ditch has eroded and has created a hazard when two cars are passing each other.	WARMINGTON RD - 000301
2401017684	01/02/24	01/09/24	Slayton, Connie		Culvert inspection requested. Caller said the culvert across from their addess; 26250 NE View Crest Ct is plugged or broken and it floods their basement.	VIEW CREST CT - 000165
2401017687	01/03/24	04/22/24	Phillips, Pam		Ditching requested, the road is soft and muddy and down to one lane between 17609 and 18001 Tykeson Rd. It is on a corner and is dangerous for the school bus and other vehicles. NOTE: 3/20/24-Mark Shroyer: Requires ditching. Can't fix with grader, too soft. (Service Request changed to Ditching Request)	TYKESON RD - 000109
2401017690	01/04/24	10/24/24	Beevers, Kate		Ditching Requested. The ditches in front of 14670 Baker Creek Rd. need to be redug.	BAKER CREEK RD - 000009
2401017704	01/08/24		Robbins, Alicia		Ditching requested, Fairdale Rd needs ditched between Flying M Rd and Old Moores Valley Rd. Sitting water in the ditch is causing washboard.	FAIRDALE RD - 000245
2401017706	01/09/24		Slayton, Connie		2nd request, culvert inspection requested. The culvert across from 26250 NE View Crest Ct is plugged or broken and it floods their basement. 1st Request 1/2/24	VIEW CREST CT - 000165
2401017712	01/09/24		Scott, John		6th request, ditching requested. Skyline Rd needs ditched so that the road will stop getting washed out. 1st Request 1/11/22	SKYLINE RD - 000457
2401017713	01/09/24	01/10/24	Scott, John		Culvert maintenance requested on Skyline Rd. Culvert is plugged 3/4 miles up Skyline on the left side of the road.	SKYLINE RD - 000457
2401017716	01/10/24	01/31/24	Pauletto, Mark		3rd request, culvert maintenance requested. His culvert at 10900 NW Rex Brown is plugged and causes the road to get washed out when it rains. 1st Request 12/27/22 2nd Request 3/1/23	REX BROWN RD - 000331

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2401017750	01/18/24	01/22/24	Winkelman, Melissa		Culvert maintenance requested, she believes a plugged culvert under Equestrian Dr has created a washout on Mattey Ln.	MATTEY LN - 000202
2401017765	01/22/24	02/06/24	Case, Amber		Culvert damage - repair requested. Daughter of the owner is calling to ask if we could come out and fix the culvert. They have had a ditching request in for 2-3 years. Now besides being plugged, kids are 4-wheeling in the 100ft long mud hole along their property (16325 Unionvale Rd) and she believes the culvert isn't just plugged anymore, it's broken. She said all the rock we put down has washed away. There is 3 requests in currenty for ditching.	UNIONVALE RD - 000570
2401017767	01/23/24	01/25/24	Walker, Randy		Culvert maintenance requested, the culvert for Wilkerson Way (public road) is plugged at Bell Rd and a lot of rain is forecasted.	BELL RD, NORTH VALLEY RD - 000062
2401017774	01/24/24	01/24/24	Conway, Mike		Culvert maintenance requested, there is a plugged culvert somewhere on Honey Ln at Sheridan St, the whole intersection is flooded.	HONEY LN, LINCOLN ST, OLD YAMHILL RD, SHERIDAN ST W, SHERMAN (NEWBERG) ST - 000070
2401017778	01/24/24	01/25/24	Talmadge, Russell		Ditching requested, it needs ditched west of 39475 Tenbush Ln. The end of their driveway is getting washed out due to the neighbor west of him diverting all of his ground water into the ditch. He would also like the county to replace his undersized driveway culvert and repair his driveway. (Service Requests not entered for those items)	TENBUSH LN - 000505
2401017779	01/24/24	01/30/24	Spiegelman, Gregg		Drainage issues near address: 15825 NW Rockyford Rd. Caller said water running down the road is making 6 inch to 1 foot rut in front of his driveway making it hard to get in and out of his driveway.	MCBRIDE CEM RD, ROCKYFORD RD - 000224
2401017783	01/25/24	08/01/24	Whiteside, Steven		Ditching requested, there are 4 locations on Belt Rd that need ditched on the north-side of the road. Water comes out of the ditch and causes ruts across the road. There are some large rocks that may need to be moved to help with the water flow.	BELT RD - 000248
2401017790	01/29/24	03/17/25	Hartford, Katherine		Drainage requested. It was graded recently and the next day we had heavy water flow running through the road again. When we have heavy rain there is not proper drainage.	BELT RD - 000248

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2401017794	01/29/24		Zarnowitz, Jill		Ditching requested. The ditch on the north side on the hill is not functioning. A new ditch needs to be established and the road needs to be widen to the south in this area.	BLACKBURN RD - 000314
2401017802	01/29/24	01/31/24	Weber, Vivianne		Culvert Maintenance requested. Driveway culvert at 8649 Worden Hill Rd is plugged allowing only a small trickle of water to drain. It's causing issues to her driveway.	9TH ST SW, WORDEN HILL RD - 000012
2401017804	01/30/24	01/30/24	Childs, Karen		Culvert maintenance requested, their culvert at 41451 Fort Hill Rd is plugged. They tried unplugging themselves but was unable to.	FORT HILL RD - 000404
2401017806	01/30/24		McElligott, Patrick		Ditching requested, the farmer on the SW corner of Webfoot Rd at Fairview Rd fills in the ditch every year so that the road floods. It is very dangerous at night and causes vehicles to hydroplane. Could someone talk to this farmer so that he stops doing this every year?	FAIRVIEW RD - 000470
2401017810	01/30/24		Spiegelman, Gregg		2nd request, ditching requested. Water not staying in the ditch near 15825 NW Rockyford Rd has created a trench in front of his driveway that is now about 1' deep. 1st Request 1/24/24	MCBRIDE CEM RD, ROCKYFORD RD - 000224
2401017816	01/30/24	01/31/24	McCrone, Donald		Ditching requested, the ditches on the north-side of Blackburn Rd are blocked and caused water to go over the road. Their house was narrowly missed being flooded.	BLACKBURN RD - 000314
2401017822	01/31/24	02/08/24	Schrieber, Steve		Culvert maintenance requested, plugged culvert at 22280 NE Ilafern Ln, there is standing water in the ditch due to it being plugged.	ILAFERN LN - 000175
2401017824	01/31/24	03/13/24	Zabinsky, Adam		Ditching Requested. At 16450 NE Dopp Rd it appears that the field has been scrapped down to fresh dirt and the excess was pushed into the ditch.	DOPP RD - 000111
2401017825	01/31/24	02/07/24	Zabinsky, Adam		Culvert Maintenance requested. It appears the crosstile under Calkins Ln. at Dopp Rd is plugged in the NW corner.	CALKINS LN - 000110
2402017830	02/05/24	12/30/24	Cullen, Michael		Culvert maintenance (plugged) requested at address 12595 Kimsey Rd.	KIMSEY RD, STOCKHOFF RD - 000468

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2402017840	02/08/24	04/16/24	Adsit, Justin		Ditching requested, it needs ditched to the south of the entrance to 15321 NE North Valley Rd at Camp Tilikum. The ditch is so full of water when it rains that it goes over the road creating a hazard.	FLETT RD, NORTH VALLEY RD, SPRINGHILL RD, TANGEN RD - 000004
2402017841	02/08/24	04/29/24	Adsit, Justin		Culvert maintenance requested, the culvert/crosstile south of the entrance to 15321 NE North Valley Rd at Camp Tilikum may be plugged. The ditch is so full of water when it rains that it goes over the road creating a hazard.	FLETT RD, NORTH VALLEY RD, SPRINGHILL RD, TANGEN RD - 000004
2402017842	02/08/24	11/07/24	Perkins, Melissa		2nd request, ditching requested. It needs ditched on Warmington Rd across the road from the radio tower. When it rains, half of the road is flooded and you cannot drive on the otherside of the road due to blackberries growing into the lane. 1st Request 1/2/24	WARMINGTON RD - 000301
2402017869	02/20/24		Boyer, Barbara		2nd request, culvert inspection requested. Her driveway culvert is sinking at 12255 Boyer Rd. She also believes the crosstile is sinking on Boyer Rd just off of Hwy 99 and is back far enough to be county jurisdiction and not ODOT. 1st Request 10/19/23	BOYER RD - 000538
2402017884	02/02/24	12/30/24	Durr, Fredrick		Culvert maintenance requested, plugged culvert at 12535 SE Kimsey Rd water in ditch won't drain. *Delayed entry due to new website page.	KIMSEY RD, STOCKHOFF RD - 000468
2402017886	02/05/24		Zander, Erik		Ditching requested, the ditches on Gerrish Valley Rd are shallow in some spots or do not exist and causes water to flow down the middle of the road. This is causing trenches and starting to bring mud up. *Delayed entry due to new website page.	GERRISH VALLEY RD, MT RICHMOND RD, PIKE RD - 000007
2402017887	02/06/24		Shultz, Jim		Ditching requested, Gerrish Valley Rd needs ditched from the pavement up through the flooded curves to 22221 NW Gerrish Valley Rd. The grader only makes it muddy and the area is consistently in bad shape. Possibly pave it? *Delayed entry due to new website page.	GERRISH VALLEY RD, MT RICHMOND RD, PIKE RD - 000007

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2402017903	02/29/24	03/05/24	Aldridge, Kim		Culvert maintenance requested at 22020 Rock Creek Rd. Caller said we were out there ditching today and it plugged her culvert.	ROCK CREEK RD - 000008
2403017905	03/04/24	03/07/24	Carlson, Kai		Drainage Requested. Drainage pipe is clogged again forcing all the water over the road. This is creating an erosion problem on the south side of the property and beginning to impact the roadway shoulder.	SPRINGBROOK RD, WILSONVILLE RD - 000005
2403017926	03/05/24		Morter, Mackenzie		Drainage requested. Lack of ditches/culverts in the right areas and large amounts of standing water in the road	TUPPER (PIKE) RD - 000246
2403017932	03/06/24	03/06/24	Johnson, Melanie		Ditching/Drainage requested. Caller said we've been out twice ditching on Rock Creek Rd onto 3 Deer Ln and the last time we were out something different was done because now there is always standing water on Rock Creek and this morning it was a skating rink and caused her truck to slide.	ROCK CREEK RD - 000008
2403017936	03/07/24	03/18/24	Carlson, Kai		2nd request: Culvert maintenance requested at 35550 NE Wilsonville Rd, caller said we come out and flush the culvert, but it only gets about 6" of drainage and the culvert is about 2 ft. in diameter. This is creating an erosion problem on the south side of the property and beginning to erode the roadway shoulder. He wanted Sims' voice mail. 1st request: 03/04/24	SPRINGBROOK RD, WILSONVILLE RD - 000005
2403017943	03/11/24	03/18/24	Messmer, Kyle		Ditching requested on Wilsonville Rd just west of Earlwood Rd. (near address 35505 Wilsonville Rd). Flooding over the roadway.	SPRINGBROOK RD, WILSONVILLE RD - 000005
2403017948	03/12/24	05/06/24	Bennett, Jack		Culvert maintenance requested, water over Fairview Rd between Hwy 221 and Unionvale Rd from a plugged culvert. Water is not coming out on one end.	FAIRVIEW RD - 000470
2403017951	03/12/24	04/01/25	McKoon, Elmer		Drainage issues on Roosevelt Dr. There are drainage issues in the same location as in his previous requests going back to 2020 (half way down Roosevelt Dr). He spoke to Sims while here in the office.	ROOSEVELT DR - 000265
2403017955	03/13/24	03/27/24	Dymecki, Ben		Ditching requested, it needs ditched south of the entrance to 10501 Abbey Rd for about 300' and a small section to the north of the entrance. Water goes over Abbey Rd at this location.	ABBEY RD, BRIDGE(LAFAYETTE) ST, KUEHNE RD - 000011

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2403017957	03/14/24	04/08/24	Abrams, John		Ditching requested, the south-side of Baker Creek Rd on the sharp corner at 12477 Baker Creek Rd needs ditched so that water flows south and not into the filbert orchard. He is fine with cleaning the ditch from the orchard side instead of by the roadside.	BAKER CREEK RD - 000009
2403017964	03/20/24	04/10/25	Krautmann, Mark		2nd request, ditching requested. The south-side of Latham Rd needs ditched from the corner at 21800 Latham Rd all the way east to the creek to stop water from going over the road. 1st Request 9/20/22	LATHAM RD - 000426
2403017968	03/21/24	04/24/24	Brown, Marilyn		Drainage repair requested, the county replaced their culvert at 16105 Nelson Rd. Water is not going into the culvert and stagnant water is sitting in the ditch.	NELSON RD - 000117
2403017974	03/25/24		Burch, Ian		Drainage repair requested, it needs ditched near 18599 Archery Summit Rd by the St John's Wart or a crosstile installed so that gravel does not go out into the road with heavy rains. Two cars have lost control on the gravel in the past 6 years.	ARCHERY SUMMIT RD, BREYMAN ORCHARDS RD - 000082
2403017975	03/25/24		Krotzer, Mike and Sharon		Ditching requested on Yampo Rd near address 6135 SE Yampo Rd. End of road above Skyline Rd.	YAMPO RD - 000571
2403017980	03/27/24	05/09/24	Walther, Robb		Ditching requested, it needs ditched south of the driveway to 18700 Dopp Rd approximately 80' to the crosstile. They are replacing and lowering their driveway culvert and the water needs somewhere to go. Currently the water goes over the paved portion of Dopp Rd when it rains heavily and it is dangerous.	DOPP RD - 000111
2403017981	03/27/24	12/12/24	Beals, Frank		Ditching requested, it needs ditched across from Bob Laughlin Trucking on Hendricks Rd for about 50'.	HENDRICKS RD - 000001
2403017983	03/28/24	10/30/24	Slayton, Connie		Culvert maintenance requested, plugged crosstile at 26250 NE View Crest Ct causing water to go down the embankment to their property and flood their basement.	VIEW CREST CT - 000165
2403017986	03/28/24		Slayton, Connie		Ditching requested, it needs ditched at 26250 NE View Crest Ct.	VIEW CREST CT - 000165

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2404017989	04/01/24	04/11/24	Haugen, Nicholas		Separated culvert, the culvert at 13320 Kinney Rd is separated and has caused a sinkhole.	KINNEY RD - 000097
2404017994	04/02/24	11/04/24	Grimm, John or Debra		Caller said he is getting a permit tomorrow to install a new culvert under his driveway at address: 15100 Orchard View Rd. (next to Black Tail /drive). He is asking if we could remove the old one. It has been plugged for a long time and he feels we should remove it.	ORCHARD VIEW RD - 000327
2404018000	04/04/24		Bartlett, Holley		3rd request, ditching requested. The ditches at 5055 SE Booth Bend Rd (on the Morgan Ln side too) need scraped out. 1st Request 9/25/23 2nd Request 11/27/23	BOOTH BEND (McMINNVILLE) RD, BOOTH BEND RD - 000449
2404018004	04/08/24		Wenks, Travis		Ditching requested, the ditches on Trunk Rd need cut out so that the road quits washing out.	TRUNK RD - 000081
2404018008	04/08/24	12/17/24	Abrams, John		2nd request, ditching requested. Baker Creek Rd needs ditched on the south-side of the curve near Pheasant Hill Rd so that water is not forced onto farm land. 1st Request 3/14/24	BAKER CREEK RD - 000009
2404018016	04/11/24		Delancelotti, Paul		2nd Request: Ditching requested, it needs ditched from 18409 to 18601 Calkins Ln. He said the water is flooding his vineyard fields now. 1ST REQUEST 04/29/24, CLOSED DUE TO AGE.	CALKINS LN - 000110
2404018023	04/16/24	10/22/24	Adsit, Justin		2nd request, ditching requested. It needs ditched to the south of the entrance to 15321 NE North Valley Rd at Camp Tilikum. The ditch is so full of water when it rains that it goes over the road creating a hazard. The grader has come along and pushed more dirt clumps down into the area and has made it worse. 1st Request 2/8/24	FLETT RD, NORTH VALLEY RD, SPRINGHILL RD, TANGEN RD - 000004
2404018047	04/30/24		McCleod, Joe		Ditching requested, it needs ditched from Mayette Dr to the crosstile just south of Regia Dr. Water comes off of Mayette Dr and Regia Dr and has no where to go.	CHERRY HILL RD - 000420

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2405018052	05/06/24		Elton, Michael		Ditching requested, it needs ditched at 29801 Putnam Rd. Water coming from the crosstile and his culvert is causing a creek to go through his yard.	PUTNAM RD - 000154
2405018055	05/06/24		Elton, Michael		Ditching requested on the north side of address 29801 NE Putnam Rd. Caller said he is at the bottom of the hill and all the water flows to his property. The culvert isn't plugged, but the ditch isn't deep enough to hold the water and it is flooding the road and his property.	PUTNAM RD - 000154
2405018061	05/09/24	05/16/24	Walther, Robb		2nd request, ditching requested. It needs ditched south of the driveway to 18700 Dopp Rd approximately 80' to the crosstile. They are replacing and lowering their driveway culvert and the water needs somewhere to go, he would like to know when the county may get this ditching done. Currently the water goes over the paved portion of Dopp Rd when it rains heavily and it is dangerous. 1st Request 3/27/24	DOPP RD - 000111
2405018064	05/13/24	10/24/24	Brexton, Doug		Caller is concerned about a culvert we just installed at the intersection of Meadow Lake Rd and Westside Rd. He thinks all the water is being diverted to his field now. He wanted to be transfered to Sim's voice mail. NOTE: We are not installing a culvert, it is a private citizen. Sims will go look at the drainage situation.	MAIN (CARLTON) ST W, MEADOW LAKE RD - 000002
2405018065	05/13/24	10/24/24	Eastman, Sam		2nd call I have had today regarding a farmer putting in a tile to the roadway at the intersection of Meadow Lake and Westside Rd. Caller said there is currently water running in the ditch and like the other caller he is worried that the road and their property will flood. Note: No permit on file. Bill Anderson and Sims notified.	MAIN (CARLTON) ST W, MEADOW LAKE RD - 000002
2405018067	05/13/24	05/28/24	Bitters, Barbara		Ditching requested, it needs ditched at 21667 Cove Orchard Rd so that the crosstile there will stop flooding her property. She would like a call before someone goes out there, she would like to be there.	COVE ORCHARD RD, STATE HWY CONNECTION RD, WAPATO SCHOOL - 000273
2405018073	05/14/24	10/30/24	Joyce, Lisa		Culvert inspection requested, the large crosstile just past 20605 SW Finnigan Hill Rd may be plugged or partially plugged. The water is not flowing normally and is causing a water bog area.	FINNIGAN HILL RD - 000107

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2405018089	05/22/24	11/15/24	McDermitt, Mike		Plugged culvert under the main driveway at address 3301 Zimri Dr. (Between Springbrook and Bell Rd).	ZIMRI DR - 000056
2405018093	05/23/24	03/06/25	Doble, Dennis		Ditching requested on Dayton Ave. Caller said the ditches aren't draining because their filled with weeds and debris.	DAYTON AV - 000119
2405018102	05/28/24	06/04/24	Bitters, Barbara		2nd request, ditching requested. It needs ditched at 21667 Cove Orchard Rd so that the crosstile there will stop flooding her property. She would like a call before someone goes out there, she would like to be there. 1st Request 5/13/24	COVE ORCHARD RD, STATE HWY CONNECTION RD, WAPATO SCHOOL - 000273
2406018115	06/03/24	06/25/24	Kivett, Justin		Ditching requested, it needs ditched from the top of the hill at 4805 Lincoln Ave to the crosstile at the bottom of the hill so that water does not go across the road.	LINCOLN AV - 000264
2406018118	06/04/24		Bitters, Barbara		3rd request, ditching requested. It needs ditched at 21667 Cove Orchard Rd so that the crosstile there will stop flooding her property. She would like a call before someone goes out there, she would like to be there. 1st Request 5/13/24 2nd Request 5/28/24	COVE ORCHARD RD, STATE HWY CONNECTION RD, WAPATO SCHOOL - 000273
2406018148	06/12/24	08/22/24	Bettis, Austin		Ditching requested, BLM would like Peavine Rd ditched from the junction with Forestry Road 4-6-18.0 down to the City of Sheridan reservoir on East Creek Rd so that the rain does not damage the road before lots are logged.	PEAVINE RD - 000430
2406018166	06/17/24	10/30/24	Lockwood, Vickie		Culvert maintenance requested, the county grader broke/covered the culvert at 14079 NE North Valley Rd.	FLETT RD, NORTH VALLEY RD, SPRINGHILL RD, TANGEN RD - 000004
2406018167	06/17/24		Lockwood, Vickie		Ditching requested, the county grader filled the ditches with gravel/dirt at 14079 NE North Valley Rd.	FLETT RD, NORTH VALLEY RD, SPRINGHILL RD, TANGEN RD - 000004
2407018253	07/10/24	11/25/24	Dunn, Warren		Culvert maintenance requested, plugged crosstile on Willis Rd at Berry Creek Rd.	WILLIS RD - 000226

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2407018259	07/15/24	11/07/24	Hisaw, Bill		Culvert maintenance requested, plugged and buried culverts at 30780 Mill Creek Rd.	HARMONY RD, MILL CREEK RD, MILL ST, SW MILL RD SW - 000013
2407018260	07/15/24		Berg, Travis		Erosion control requested, the ditch at 10601 SW Youngberg Hill Rd has a fair amount of erosion, in one area it is really close to eroding enough to take out their fence. It needs shored up.	YOUNGBERG HILL RD - 000433
2407018284	07/22/24	11/21/24	Case, Twila		Ditching requested, can the county come out and finish the ditching they started last year on Unionvale Rd? There are huge clumps of dirt in the ditch and it is probably why only part of the road was mown this summer.	UNIONVALE RD - 000570
2408018325	08/05/24	11/05/24	Sanchez, Sarah		Culvert Maintenance Requested. Clogged culvert and the ditch on the East and West side needs to be dug out from gravel that was put down last year that has since fallen into the ditch. Coming off Hwy 240 at the end of the first two properties there is a culvert that needs to be cleared. We are in mid-end of summer and the ditch is still full of water.	RED HILLS RD - 000071
2408018338	08/07/24		Callanan, Rene		Ditching maintenance requested. We were out and replaced a broken culvert by her house at 14316 SW Gopher Valley Rd a while back and the rock we put back in, filled the ditch up which causes the year round spring to overflow the ditch and come onto her property every winter. She's trying to get ahead of it this year, hoping we can come out before winter hits to create more of a ditch again.	GOPHER VALLEY RD - 000003
2408018341	08/08/24		Hisaw, Bill		Ditching requested on Harmony Rd. He said PGE did some tree trimming and left all the debris in the ditch. Then we mowed and more was left on top of that. He said it will affect the drainage in the winter which is bad right there. The section he’s talking about is .25 miles before address 23405 Harmony Rd. He had pictures.	HARMONY RD, MILL CREEK RD, MILL ST, SW MILL RD SW - 000013
2408018343	08/12/24		Horton, Mark		Drainage issues across from address 32305 Old Parrett Mountain Rd. Caller said someone bought the property and was in the middle of putting a culvert in for a new driveway but lost the property and now the water is running onto Old Parrett Mountain Rd. and leaving a ditch in the road. Caller would like someone to come and inspect it before the rain starts. NOTE: He left a voice mail with Sims to call him before someone came out so he could meet them.	OLD PARRETT MTN RD, SCHAAD RD - 000044

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2408018344	08/12/24	12/02/24	Beevers, Kate		2nd request for ditching. The ditches in front of 14670 Baker Creek Rd. need to be redug. 1st request; 01/04/24	BAKER CREEK RD - 000285
2408018369	08/20/24	11/05/24	Sanchez, Sarah		2nd Request. Culvert Maintenance Requested. Clogged culvert and the ditch on the East and West side needs to be dug out from gravel that was put down last year that has since fallen into the ditch. Coming off Hwy 240 at the end of the first two properties there is a culvert that needs to be cleared. We are in mid-end of summer and the ditch is still full of water. 1st request - 08/05/2024	RED HILLS RD - 000071
2408018374	08/21/24		Christensen, Zach		Culvert maint. and ditching requested at 13650 Delashmutt Ln. West side of road in front of residence.	DELASHMUTT LN - 000028
2408018378	08/21/24	10/24/24	Rahimi, Abbas		Ditching requested at address 20275 Bishop-Scott Rd, Ditches are full of debris. Drainage.	BISHOP-SCOTT RD - 000254
2408018391	08/27/24		Conroy, Gilbert		Ditching requested on Yamhill Rd. Caller said we trimmed trees at his address: 16661 NE Yamhill Rd and left all the debris in the ditch and said we would be back, but haven't come back yet.	YAMHILL RD - 000214
2408018392	08/28/24	12/17/24	Abrams, John		3rd request, ditching requested. Baker Creek Rd needs ditched on the south-side of the curve near Pheasant Hill Rd so that water is not forced onto farm land hopefully before the heavy rains come again. 1st - 3/14/24 2nd - 4/8/24	BAKER CREEK RD - 000009
2408018393	08/28/24	09/24/24	Milks, Don		3rd request. Ditching requested. There are a lot of little trees growing in the ditch and causing a lot of blockages at the culverts creating standing "ponds" of water. Specifically at 12965 Willis Rd. 1st - 10/25/23 2nd - 12/7/23	WILLIS RD - 000226

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2408018394	08/28/24	09/24/24	Milks, Don		3rd request. Culvert maintenance requested. The inlet and outlet ends of the culvert at 12965 NW Willis Rd is plugged by misc. debris creating standing "ponds" of water. Get to before rains come 1st - 10/25/23 2nd - 12/7/23	WILLIS RD - 000226
2409018405	09/09/24	11/25/24	England, Nicohla		Culvert maintenance/ plugged. Caller said when we did the road work the rocks were all pushed into her ditch/ blocking her culvert. Address: 16770 Stringtown Rd. She thinks other culverts on Stringtown Rd. also are blocked.	CRUIKSHANK RD, STRINGTOWN RD - 000032
2409018441	09/16/24		Larson, Robert Bruce		Ditching Requested. Meadow Lake Rd and 7541 NW Meadow Lake Rd high blackberry and trees growing in the ditch causing visibility and drainage problems.	MAIN (CARLTON) ST W, MEADOW LAKE RD - 000002
2409018442	09/16/24		Larson, Robert Bruce		Drainage Requested. Meadow Lake Rd and 7541 NW Meadow Lake Rd high blackberry and trees growing in the ditch causing visibility and drainage problems.	MAIN (CARLTON) ST W, MEADOW LAKE RD - 000002
2409018460	09/19/24	11/25/24	Carlson, Ken		Culvert Maintenance Requested. Allen Rd and Tenbush Ln the culvert has overgrowth and appears to be blocked and needs to be flushed before winter so it doesn't overflow/flood.	ALLEN RD, TENBUSH LN - 000405
2409018471	09/23/24	12/30/24	Scheller, Allan		Culvert Maintenance Requested. Bell Rd and Zimri Dr drainage ditch has sediment build up above the culvert on the north side of the road. Last spring it flooded over the road several times during heavy rains.	BELL RD, NORTH VALLEY RD - 000062
2409018504	09/30/24		Pratt, Tobi		Ditching Requested. Neck Rd was recently chipped sealed and the contractors filled the drainage ditch with gravel which will prevent the flow of rainwater. EMAIL: The road was recently chip sealed but the contractors filled our drainage ditch full of gravel which will prevent the flow of rainwater to disperse. Please send them, or someone, back to fix it. Thank you.	NECK RD - 000088
2410018512	10/01/24	10/24/24	Ellison, Mona		Culvert Maintenance Requested. 20175 Baker Creek Rd needs the gravel and dirt removed from the ditch on both sides of the culvert that was left after a crew was scraping the road a couple of weeks ago. Citizen is concerned it will overflow in the rain.	BAKER CREEK RD - 000285

Date Range BETWEEN 01/01/2024 AND 12/31/2024 AND (Request Type = CULVERT DAMAGE - CULVERT SEPARATED OR Request Type = CULVERT MAINT. -

Request Log Report

Date Printed 5/28/2025

SRS1003

Request #	Date Received	Complete Date	Requested By	Status	Request	Road Name - Number
2410018532	10/08/24	12/11/24	Polvi, Ron		Tree trimming removal from ditch. Hopewell Rd NW and Lafayette Hwy citizen stated trees were trimmed a couple of weeks ago and the branches were placed in the ditch. He is concerned it will impede the flow of water during the rains.	HOPEWELL RD - 000006-S
2410018537	10/09/24	11/07/24	Crane, Diane		Culvert maintenance requested. 19538 SE Grand Island Loop has a big hole in the bottom of the culvert and citizen would like for it to be inspected because the water doesn't flow or drain.	GRAND ISLAND RD - 000029
2410018539	10/14/24		Sanderson, Wayne		Ditching requested. Mountain Home Rd south to NE Bell Rd has mud and rocks and water running down the road during the rains because the ditches and culverts are not maintained and need the vegetation cleaned out.	MTN HOME RD - 000051
2410018547	10/14/24		Herkamp, Allen		Ditching requested. Three Trees Ln ditching needed to correct drainage in the ditches and culverts for water run off.	THREE TREES LN - 000562
2410018550	10/15/24	12/02/24	Kroo, John		Ditching requested on Bald Peak along the section that intersects with Bald Peak Ln. Caller said he put a 12" culvert in on his driveway (which is on Bald Peak, but his address is Bald Peak Ln) when he did his driveway permit, he put a 12" culvert in and now it is filled up 7 inches with silt. He said it will flood the road when the rain starts.	BALD PEAK RD - 000103
2410018565	10/21/24	10/29/24	Abbe, Heather		Culvert maintenance requested. The culvert on Locks Rd where the road drops down but before the hard right and Locks Park there is a culvert that is completely clogged and the road becomes flooded.	LOCKS LOOP RD, LOCKS RD - 000086
2410018580	10/24/24		Pratt, Tobi		2ND REQUEST Ditching Requested. EMAIL: The road was recently chip sealed but the contractors filled our drainage ditch full of gravel which will prevent the flow of rainwater to disperse. Please send them, or someone, back to fix it. 1st request 09/30/24	NECK RD - 000088
2411018595	11/04/24		Van Bergen, Brian		Ditching requested on the upper elevations on Eagle Point Rd as they aren't draining well.	EAGLE POINT RD - 000429
2411018596	11/04/24	11/07/24	Talley, Lisa		Culvert maintenance requested at address: 40015 SW Fort Hill Rd. Gravel is filling the culvert under the driveway. Water goes onto the roadway when raining.	FORT HILL RD - 000404

Date Range BETWEEN 01/01/2024 AND 12/31/2024 AND (Request Type = CULVERT DAMAGE - CULVERT SEPARATED OR Request Type = CULVERT MAINT. -

Request Log Report

Date Printed 5/28/2025

SRS1003

Request #	Date Received	Complete Date	Requested By	Status	Request	Road Name - Number
2411018598	11/04/24	11/12/24	Parrish, Joseph		Culvert plugged by entrance to property at 31100 NE Wilsonville. He said he tried to clean it out himself but didn't have enough power to open it up.	SPRINGBROOK RD, WILSONVILLE RD - 000005
2411018613	11/07/24	04/14/25	Talley, Lisa		Ditching requested at 40015 SW Fort Hill Rd. EMAIL: We just had culvert cleaned today and it was suggested we get someone out to clean ditch and replace culvert with a larger one as it clogs up too quickly.	FORT HILL RD - 000404
2411018615	11/07/24	01/06/25	Gunness, Stuart		Ditching requested on Grauer Rd.	GRAUER RD - 000425-S
2411018630	11/13/24	12/18/24	Perkins, Melissa		Ditching requested. Before the end of Warmington Rd by 104800 Warmington Rd (yellow house) there is no longer a ditch by the field and the road is severely flooded and water has accumulated on the road and cars are having difficulty passing through it.	WARMINGTON RD - 000301
2411018639	11/18/24	12/09/24	Flake, Cindy		Ditching requested. High Heaven Rd needs ditching in the steep inclines to prevent annual water erosion across the road.	HIGH HEAVEN RD - 000229
2411018663	11/25/24	11/25/24	Frazer, Kevin		Culvert maintenance requested. Westside Rd culvert is plugged with leaves and needs cleaned. EMAIL: Culvert plugged going under westside road with leaves, Most of the time it unplugs itself but its been about a week and still hasn’t let go.	WESTSIDE RD (BAKER ST) - 000021
2411018670	11/25/24		Horton, Mark		2nd request. Drainage issues across from address 32305 Old Parrett Mountain Rd. Caller said someone bought the property and was in the middle of putting a culvert in for a new driveway but lost the property and now the water is running onto Old Parrett Mountain Rd. and leaving a ditch in the road. Caller would like someone to come and inspect it before the rain starts. Caller needs a phone call before anyone comes to inspect because he lives in Portland and will meet the person at the Newberg address. 503-713-9700.	OLD PARRETT MTN RD, SCHAAD RD - 000044
2411018673	11/25/24	12/02/24	Beevers, Kate		3rd request for ditching. The ditches in front of 14670 Baker Creek Rd. need to be redug. 1st request; 01/04/24 2nd request; 8/12/24	BAKER CREEK RD - 000285

Date Range BETWEEN 01/01/2024 AND 12/31/2024 AND (Request Type = CULVERT DAMAGE - CULVERT SEPARATED OR Request Type = CULVERT MAINT. -

Request Log Report

Date Printed 5/28/2025

SRS1003

Request #	Date Received	Complete Date	Requested By	Status	Request	Road Name - Number
2412018704	12/16/24	04/14/25	Talley, Lisa		Ditching requested. 40015 SW Fort Hill Rd ditch needs cleaned out on both sides. EMAIL: The person who came out and blew out our culvert a few months ago said we should put in a request to get the ditch cleaned out on both sides, and also look into replacing the culvert. I sent a request out at that time. With the rainy season hitting, the ditches have over flowed into the road before our drive way.	FORT HILL RD - 000404
2412018705	12/16/24	03/13/25	Talley, Lisa		Culvert replacement requested. 40015 SW Fort Hill Rd needs culvert replaced. EMAIL: The person who came out and blew out our culvert a few months ago said we should put in a request to get the ditch cleaned out on both sides, and also look into replacing the culvert. I sent a request out at that time. With the rainy season hitting, the ditches have over flowed into the road before our drive way.	FORT HILL RD - 000404
2412018719	12/18/24	12/30/24	Crawford, Craig		Culvert needs unplugged. EMAIL: The culvert just west of Dodson Rd is plugged. The ditch water is supposed to flow to the north side of Turner CK RD but the culvert and/or ditch on the North side is plugged. I called almost a year ago but nobody came out.	PIKE RD, TURNER CR RD - 000020
2412018724	12/19/24		Sindric, Scott		Ditching requested. 22315 NE Ridge Rd and 22405 NE Ridge Rd are overflowing and the culverts are not working properly because the ditches are full of debris. Citizen stated ditching was completed last year for the same issue.	RIDGE RD - 000274
2412018725	12/19/24	12/30/24	Catoria, Leticia		Culvert maintenance requested. 12835 NW Tribett Ln has rain erosion from a plugged culvert.	TRIBETT LN - 000241
2412018727	12/23/24		Grimm, John or Debra		Ditching requested. Smithville Rd around 27456 SW Smithville Rd needs ditching due to "large gully wash".	SMITHVILLE RD - 000416
2412018729	12/23/24		Babbitt, Kelly		Ditching requested. Smithville Rd around 28844 SW Smithville needs ditching due to overrun causing erosion, potholes, and mud.	SMITHVILLE RD - 000416
2412018733	12/26/24	12/30/24	Walker, Randy		Culvert maintenance requested. Bell Rd and Wilkerson Way the culvert is plugged and water is overflowing Bell Rd.	BELL RD, NORTH VALLEY RD - 000062

Date Range BETWEEN 01/01/2024 AND 12/31/2024 AND (Request Type = CULVERT DAMAGE - CULVERT SEPARATED OR Request Type = CULVERT MAINT. -

Request Log Report

Date Printed 5/28/2025

SRS1003

Request #	Date Received	Complete Date	Requested By	Status	Request	Road Name - Number
2412018738	12/30/24	01/02/25	Thornton, Dale		Ditching or plugged culvert? on Old Moores Valley Rd .25 miles north of Meadow Lake Rd. the culvert is plugged and needs ditching. Also, just below that a new culvert we put in last year is flooding because of the water running down into it from the previously mentioned one. He said it is flooding the road from one spot to the other.	OLD MOORES VLLY RD - 000235
2412018740	12/30/24	12/30/24	Carlsen, Maria		Drainage issues.	TRIBETT LN - 000241
2412018741	12/30/24	04/09/25	Anony		Drainage issues at 18655 NE Chehalem Dr., she has been trying to clear it without success.	CHEHALEM DR - 000067
2412018744	12/30/24	04/07/25	Talbott, Rick		Ditching requested on Cullen Rd between Chehalem Dr. and North Valley Rd at the 90 degree turn and 75 ft down the road from that there is water 2 ft deep in the ditch.	CULLEN RD - 000068
2412018752	12/30/24	01/21/25	Kuehne, Harold		Ditching requested. From the junction of Hwy 240 and Kuehne Rd going south on Kuehne Rd, along the westside of the road there is no ditch and this has been causing water to run onto personal property and erroding the field. Asking for some kind of a ditch to be dug.	ABBEY RD, BRIDGE(LAFAYETTE) ST, KUEHNE RD - 000011
2412018755	12/31/24		Karson-Marsh, Branham		Ditching Requested. The last 150 yards of Rex Brown Rd near the top, past the BLM road, hasn't been maintained in years.	REX BROWN RD - 000331

Date Range BETWEEN 01/01/2024 AND 12/31/2024 AND (Request Type = CULVERT DAMAGE - CULVERT SEPARATED OR Request Type = CULVERT MAINT. -

Attachment:

Overlay District Permits

Yamhill County
DEPARTMENT OF PLANNING AND DEVELOPMENT
400 NE BAKER STREET • McMINNVILLE, OREGON 97128
Phone: 503-434-7516 • Fax: 503-434-7544 • TTY: 800-735-2900 • Internet Address: https://www.yamhillcounty.gov

May 13, 2024

CTGR Public Works
Attn: John Mercier
9615 Grand Ronde Rd
Grand Ronde, OR 97347

Re: Docket FP-01-24, Bridge Replacement

Dear John Mercier,

In reference to your application for a floodplain development permit for the replacement of a shared access bridge on Shadow Ln that lies within the floodplain of Cosper Creek, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application is tentatively approved subject to the following conditions:

1. The location of the proposed work shall substantially conform to the site plan submitted with the application.

2. Prior to initiating construction, the applicant shall obtain any necessary permits from the Army Corps of Engineers (ACE), the Oregon Department of State Lands (DSL), and the Oregon Department of Fish and Wildlife (ODFW), and all applicable National Flood Insurance Program requirements shall be satisfied. Copies of all permits shall be submitted to the Yamhill County Planning Department.

3. Removal of existing riparian vegetation within 100-feet of the ordinary high-water line shall be the minimum necessary. All disturbed areas shall be restored with native fill and plants. The restoration plan shall follow the guidelines set by the Oregon Department of Fish and Wildlife.

4. Please be advised that this approval is issued for 180 days and expires unless substantial construction has taken place before that time. The Director may extend the permit for an additional 180 days if there have been no revisions to the FIRM or FIS, provided the request to extend the permit is received by the Director prior to the expiration date of the permit.

The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $270.00 fee, with this Department no later than **5:00 p.m., May 28, 2024**. If no appeal is filed, the Director's decision will be final, and this letter will serve as your official notice of decision.

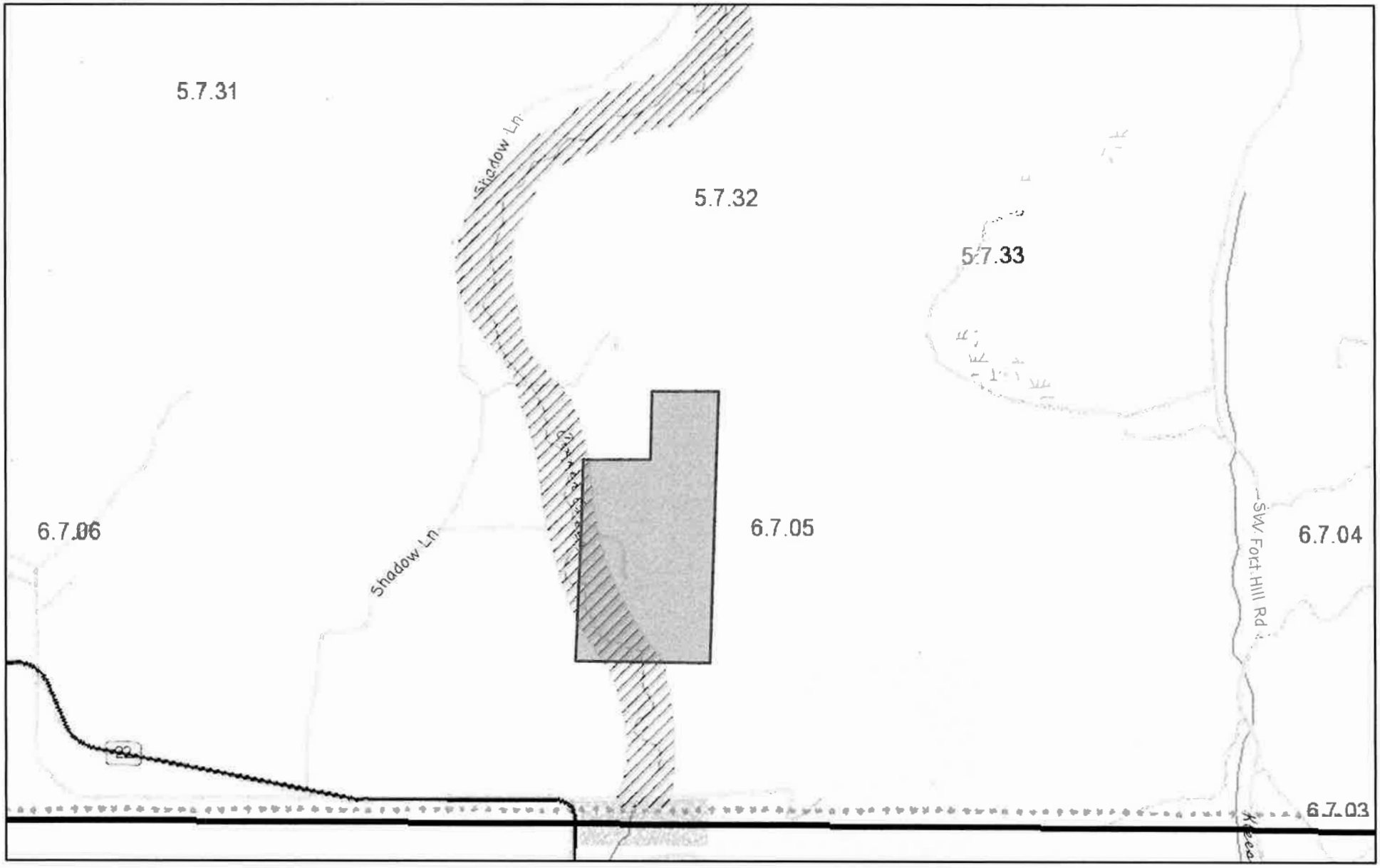
If you have any questions, please do not hesitate to contact me at 503-434-7516.

Sincerely,

Kenneth P. Friday
Planning Director

cc: Board of Commissioners
DSL
ODFW
Public Works- Greg Haffner
DLCD
SPO's
Craig & Joan Tritten, 24515 Shadow Ln, Grand Ronde, OR 97347

ArcGIS WebMap



April 4, 2024

SL
UGB_YamhillCo
City Boundary
County
500 Year Flood Area
100 Year Flood Area
Floodway
County Roads
Surveys1

1:22,800

0 0.13 0.25 0.5 mi

0 0.2 0.4 0.8 km

Oregon State Parks, State of Oregon GEO, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land

ArcGIS WebApp Builder

CONTROL NETWORK

POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
100	531697.72	7407324.12	382.82	set cap

NOTE
EXISTING CONDITION INFORMATION IS NOT A LAND SURVEY AND IS PRIMARILY A TOPOGRAPHIC ANALYSIS FOR RESTORATION DESIGN PURPOSES.

COORDINATE SYSTEM: OREGON STATE PLANE NORTH
HORIZ DATUM: NAD83
VERT DATUM: NAVD88
UNITS: INTERNATIONAL FEET

SITE ACCESS AND STAGING NOTES

1. ACCESS TO SITE IS FROM SHADOW LANE. PROTECT PAVEMENT FROM TRACKED EQUIPMENT AND/OR REPLACE DAMAGED PAVEMENT TO ORIGINAL CONDITIONS AFTER CONSTRUCTION.
2. UTILIZE THE DESIGNATED STAGING AREA TO THE EXTENT POSSIBLE FOR MATERIAL STOCKPILING AND EQUIPMENT STAGING
3. INSTALL 48 INCH "ROAD CLOSED" SIGN PER ODOT AND MUTCD STANDARDS BEFORE EACH APPROACH TO THE SHADOW LANE BRIDGE CROSSING. CONTRACTOR SHALL REMOVE SIGN AT PROJECT COMPLETION. SIGN TO BE INSTALLED ON 4" X 6" WOOD POST PER TEMPORARY SIGN PLACEMENT ODOT STANDARD DETAIL TM821 AND WOOD POST SIGN SUPPORTS STANDARD DETAILS TM 670, TM671.
4. CONTRACTOR TO SUBMIT TRAFFIC CONTROL PLAN FOR ANY ACTIVITIES OCCURING IN THE ROADWAY. AT A MINIMUM, PLAN SHOULD INCLUDE SIGNAGE SHOWN ON THIS SHEET, AND ANY ADDITIONAL SIGNAGE OR TRAFFIC CONTROL MEASURES REQUIRED TO MEET PROVISIONS IN FHWA MUTCD. BARRICADES REQUIRED ON BOTH ENDS OF WORK SITES.

1 SITE OVERVIEW, ACCESS, AND STAGING
1" = 400'

DRAFT

RDG River Design Group
236 Wisconsin Avenue, Whitefish, MT 59937, 406.862.4927
311 SW Jefferson Avenue, Corvallis, OR 97333, 541.738.2820

SITE ACCESS AND STAGING

SHADOW LANE BRIDGE
GRAND RONDE, OREGON

NO.	DATE	BY	DESCRIPTION	CHK
*	11/29/23	TF	90% CONCEPT	CS

PROJECT NUMBER 22-284

DRAWING NUMBER 1.1

Drawing 2 of 16

Jan 26, 2024 - 10:33am M:\Projects\2022\22-284 CTGR - Shadow Lane Bridge\CAD\22-284 Shadow Lane Bridge - production k2.dwg

Yamhill County
DEPARTMENT OF PLANNING AND DEVELOPMENT
400 NE BAKER STREET • McMINNVILLE, OREGON 97128
Phone: 503-434-7516 • Fax: 503-434-7544 • TTY: 800-735-2900 • Internet Address: https://www.yamhillcounty.gov

May 30, 2024

Stanley and Rosann Goffena
22775 SW Broadmead Rd.
Amity, OR 97101

Re: Docket FP-02-24, Tax Lot 5536-700

Dear Stanley and Rosann Goffena,

In reference to your application for a floodplain development permit for the development of two reservoirs, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application is tentatively approved subject to the following conditions:

1. The applicant shall obtain any necessary permits from the Army Corps of Engineers (ACE), the Oregon Water Resources Department (OWRD), the Oregon Department of State Lands (DSL), and the Oregon Department of Fish and Wildlife (ODFW). Copies of all permits shall be submitted to the Yamhill County Planning Department.

2. The applicant shall supply certification by a registered professional engineer performed in conformance with standard engineering practice that the proposal will not result in an increase in flood levels during the occurrence of the base flood discharge more than one foot at any point.

3. Removal of riparian vegetation within 100 feet of the ordinary high-water line of Yamhill Creek shall be the minimum necessary. All disturbed areas shall be restored with native fill and plants. The restoration plan shall follow the guidelines set by the Oregon Department of Fish and Wildlife.

4. The floodplain development permit is granted for 180 days and expires unless substantial construction has taken place before that time. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $270.00 fee, with this Department no later than **5:00 p.m., June 14, 2024**. If no appeal is filed, the Director's decision will be final, and this letter will serve as your official notice of decision.

If you have any questions, please do not hesitate to contact me at 503-434-7516.

Sincerely,

Kenneth P. Friday
Planning Director

cc: Board of Commissioners
DSL
ODFW
DLCD
SPO's

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: May 28, 2024

DOCKET NO.: FP-02-24

REQUEST: A flood plain development permit to construct two reservoirs along Salt Creek for agricultural irrigation purposes.

APPLICANT: Rosann and Stanley Goffena

TAX LOT: 5536-700

LOCATION: 22955 SW Broadmead Rd. Amity

ZONE: EF-80, Exclusive Farm Use District

CRITERIA: Sections 402 and 901 of the *Yamhill County Zoning Ordinance.*

COMMENTS: *County Engineer*: No response to date.
Amity Rural Fire District: No response to date.
Department of State Lands: No response to date.
Department of Land Conservation and Development. No response to date.
Oregon Department of Fish and Wildlife: No response to date.
Soil & Water Conservation District (SWCD): See letter dated May 7, 2024.
Water Master – No response to date.

FINDINGS:

A. Background Facts

1. *Lot Size:* Approximately 208.6 acres.

2. *Access:* SW Broadmead Rd.

3. *On-site Land Use:* The current use of the subject property is residential, and farm use.

4. *Surrounding Land Use and Zoning:* The surrounding parcels are all zoned EF-80, Exclusive Farm Use. A mixture of farming and residences.

5. *Fire Protection:* Amity Rural Fire Protection District.

6. *Overlay Districts*: The reservoir is located in the floodplain overlay. The property is not within any other identified overlay district.

7. *Explanation of the request:* The applicant is requesting a Floodplain Development permit

for the construction of two off-channel reservoirs within the floodplain of Salt Creek for the purpose of agricultural irrigation.

B. Floodplain Development Provisions and Analysis

1. Section 901.05 of the *Yamhill County Zoning Ordinance* (YCZO) states that a floodplain development permit shall be obtained before the start of any construction or development within the Floodplain Overlay District.

2. Section 901.06 of the YCZO states that prior to issuance of a floodplain development permit, the applicant must demonstrate that:

   A. The proposed development conforms with the permit requirements and conditions of this section and the use provisions, standards and limitations of the underlying zoning district and other overlay district.

   Regarding criterion (A) above, Section 402.02(A) of the YCZO lists "*Farm uses as defined in Subsection 402.10.*" Subsection 402.10(C) lists in part: *"Current employment" of land for farm use includes: Water impoundments lying in or adjacent to and in common ownership with farm use land;"* as a permitted use. The current land use is consistent with the underlying zoning district and there are no other overlay districts. This criterion is met.

3. *B. The proposed development, if located within the floodway, satisfies the provisions of subsection 901.09.*

   Regarding criterion (B), the proposed development is not located within the floodway.

4. *C. The proposed development will not increase the water surface elevation of the base flood more than one (1) foot at any point.*

   Regarding criterion (C), the applicants did not provide a certificate from a registered professional engineer that the development will not increase the water surface elevation of the base flood more than one (1) foot at any point. Therefore, it will be required as a condition of approval, that the applicant provide the certificate prior to any development or the Planning Department signing off on the Oregon Water Resource Development Land Use Form.

4. *D. All applicable permits have been obtained from federal, state or local governmental agencies, and all applicable National Flood Insurance Program requirements have been satisfied.*

   Regarding criterion (D), the applicant has not provided any permits that have been obtained from federal or state governmental agencies. County staff emailed a referral of the floodplain application to those state agencies listed on page 1 of the staff report for their review and recommendation. The County received a response from the SWCD. The letter was forwarded to the applicant and states it is intended to inform the applicant of their responsibility to comply with the Yamhill Basin Agricultural Water Quality Management

Area Plan and their responsibility to control noxious weeds on the property.

5. E. *The proposed development is consistent with policies j. and k. of the Comprehensive Plan, as amended by ordinance 471.*

These policies are:

j. It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use application for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizon-tally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (National Resource Conservation Plan, Yamhill County, Oregon, May 1979 - USDA - Soil Conservation Service, that are not regulated under the Forest Practices Act.

k. It is county policy that land use management practices and nonstructural solutions to problems of erosion and flooding are preferred to structural solutions. Water erosion control structures, including rip-rap and fill, should be reviewed by the appropriate state permitting authority to insure that they are necessary, are designed to incorporate vegetation where possible, and designed to minimize adverse impacts on water currents, erosion and accretion patterns.

Regarding criterion (E), the applicant has submitted a response, stating "Riparian area disturbances will be kept to a minimum by this project. Disturbed areas will be restored for habitat and erosion purposes per OWRD permit requirements." A condition of approval will require that all disturbed areas shall be restored with native fill and plants. With conditions, the request complies with criterion 901.06(E).

CONCLUSIONS FOR APPROVAL:

1. The request is for a flood plain development permit to construct two reservoirs along Salt Creek for agricultural irrigation purposes.

2. With conditions, the proposed development complies with the approval criteria and standards in Sections 402 and 901 of the *Yamhill County Zoning Ordinance*.

DECISION:

Based upon the above findings, analysis, and conclusions, the request by Rosann and Stanley Goffena for a floodplain development permit to construct two reservoirs along Salt Creek for agricultural irrigation purposes on Tax Lot 5536-700 is approved with the following conditions:

1. The applicant shall obtain any necessary permits from the Army Corps of Engineers (ACE), the Oregon Water Resources Department (OWRD), the Oregon Department of State Lands (DSL), and the Oregon Department of Fish and Wildlife (ODFW). Copies of all permits shall be submitted to the Yamhill County Planning Department.

2. The applicant shall supply certification by a registered professional engineer performed in conformance with standard engineering practice that the proposal will not result in an increase in flood levels during the occurrence of the base flood discharge more than one foot at any point.

3. Removal of riparian vegetation within 100 feet of the ordinary high-water line of Yamhill Creek shall be the minimum necessary. All disturbed areas shall be restored with native fill and plants. The restoration plan shall follow the guidelines set by the Oregon Department of Fish and Wildlife.

4. The floodplain development permit is granted for 180 days and expires unless substantial construction has taken place before that time. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

DATED AND SIGNED this 28th day of May, 2024, at McMinnville, Oregon.

Kenneth P. Friday, Planning Director
Yamhill County Planning and Development

KF::tw:sa

Yamhill County
DEPARTMENT OF PLANNING AND DEVELOPMENT
400 NE BAKER STREET • McMINNVILLE, OREGON 97128
Phone: 503-434-7516 • Fax: 503-434-7544 • TTY: 800-735-2900 • Internet Address: https://www.yamhillcounty.gov

October 25, 2024

Walter Woodland
1185 E Main St.
Yamhill, OR 97148

Re: Docket FP-03-24, Tax Lot 3403-1600

Dear Walter Woodland,

In reference to your application to construct two structures within the 100-year floodplain, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application is tentatively approved subject to the following conditions:

1. Prior to construction of the requested buildings, all required building, electrical, mechanical, septic, and plumbing permits shall be obtained from the Yamhill County Planning Department.

2. The applicant shall obtain any necessary permits from the Army Corps of Engineers (ACE), the Oregon Water Resources Department (OWRD), the Oregon Department of State Lands (DSL), and the Oregon Department of Fish and Wildlife (ODFW). Copies of all permits shall be submitted to the Yamhill County Planning Department.

3. The applicant shall supply certification by a registered professional engineer performed in conformance with standard engineering practice that the proposal will not result in an increase in flood levels during the occurrence of the base flood discharge more than one foot at any point.

4. The applicant shall provide the actual elevation (in relation to mean sea level) of the lowest floor, including basements, of all new or substantially improved structures and the elevation, together with information regarding whether the structure contains a basement, must be recorded on the building permit and FEMA's current Elevation Certificate form.

5. Removal of riparian vegetation within 100 feet of the ordinary high-water line of Yamhill Creek shall be the minimum necessary. All disturbed areas shall be restored with native fill and plants. The restoration plan shall follow the guidelines set by the Oregon Department of Fish and Wildlife.

6. The floodplain development permit is granted for 180 days and expires unless substantial construction has taken place before that time. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

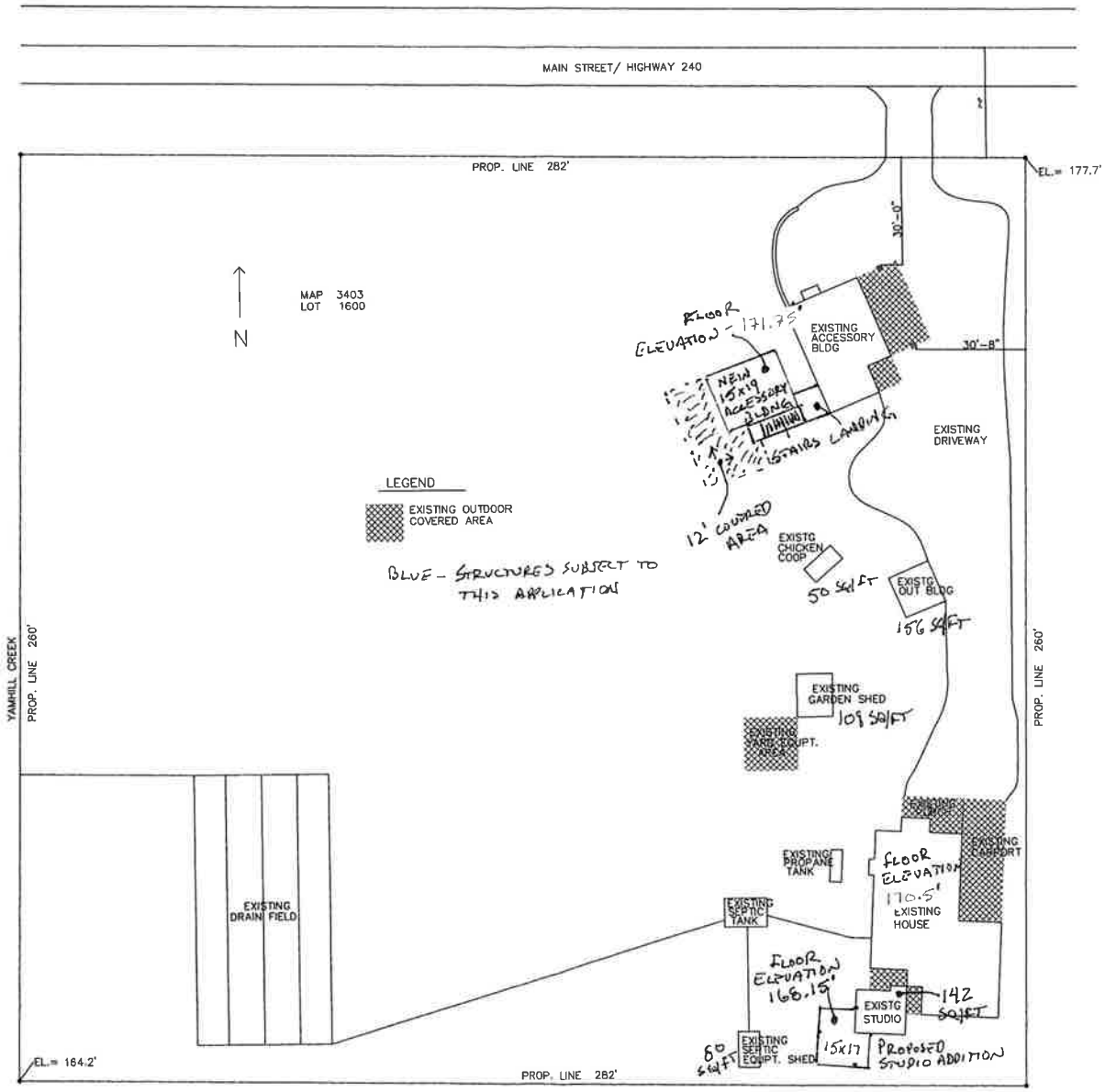
The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $250.00 fee, with this Department no later than **5:00 p.m., November 12, 2024**. If no appeal is filed, the Director's decision will be final, and this letter will serve as your official notice of decision.

If you have any questions, please do not hesitate to contact me at 503-434-7516.

Sincerely,

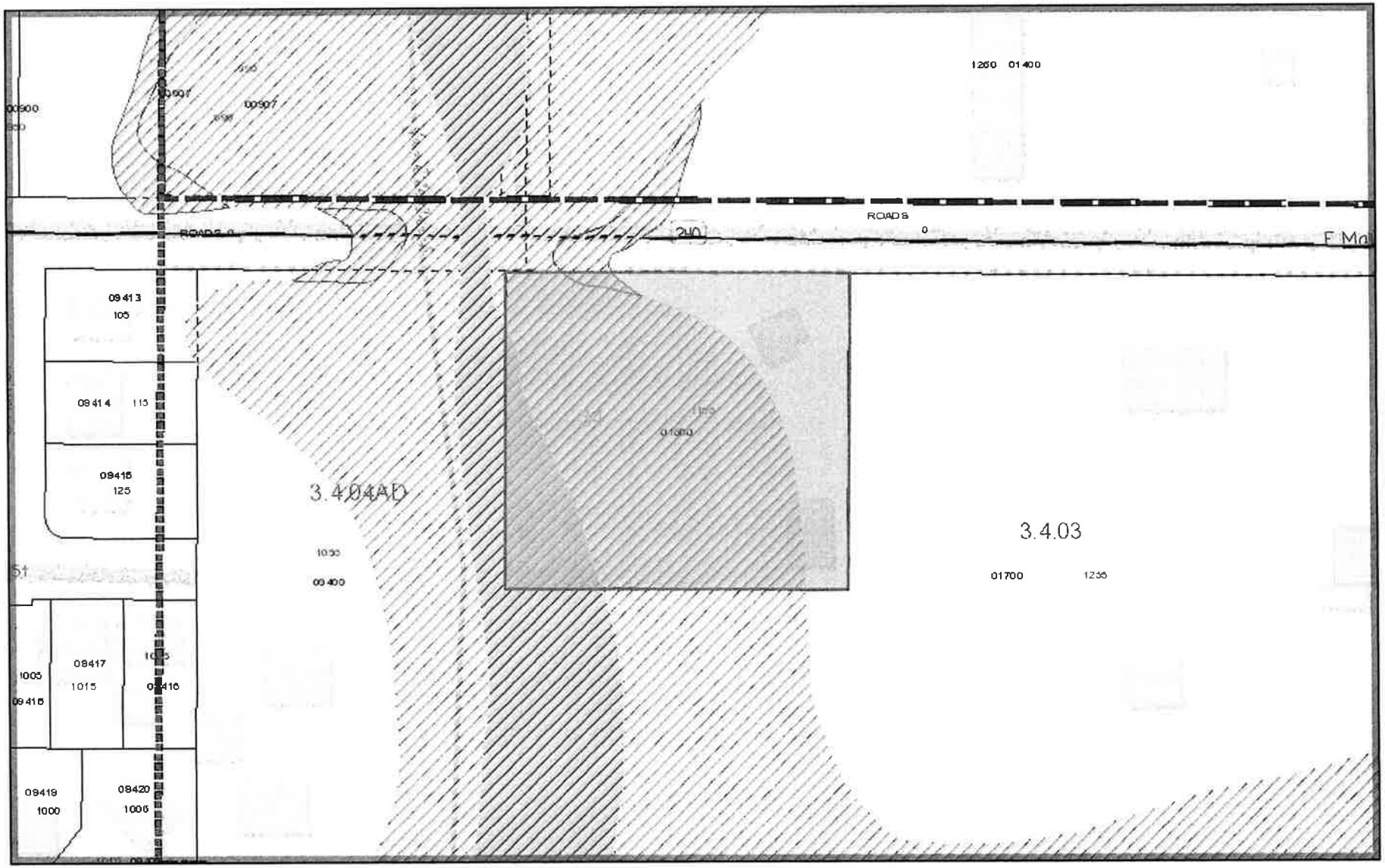
Kenneth P. Friday
Planning Director

cc: Board of Commissioners
DSL
ODFW
DLCD
Yamhill Rural Fire District
SPO's



1/1.0 SITE PLAN
1/32" = 1'-0"

ArcGIS WebMap



September 24, 2024

SL
City Boundary
UGB_YamhillCo
County
500 Year Flood Area
100 Year Flood Area
Floodway
County Roads
Surveys1
Townships
Taxlots
Tax Label

1:1,920

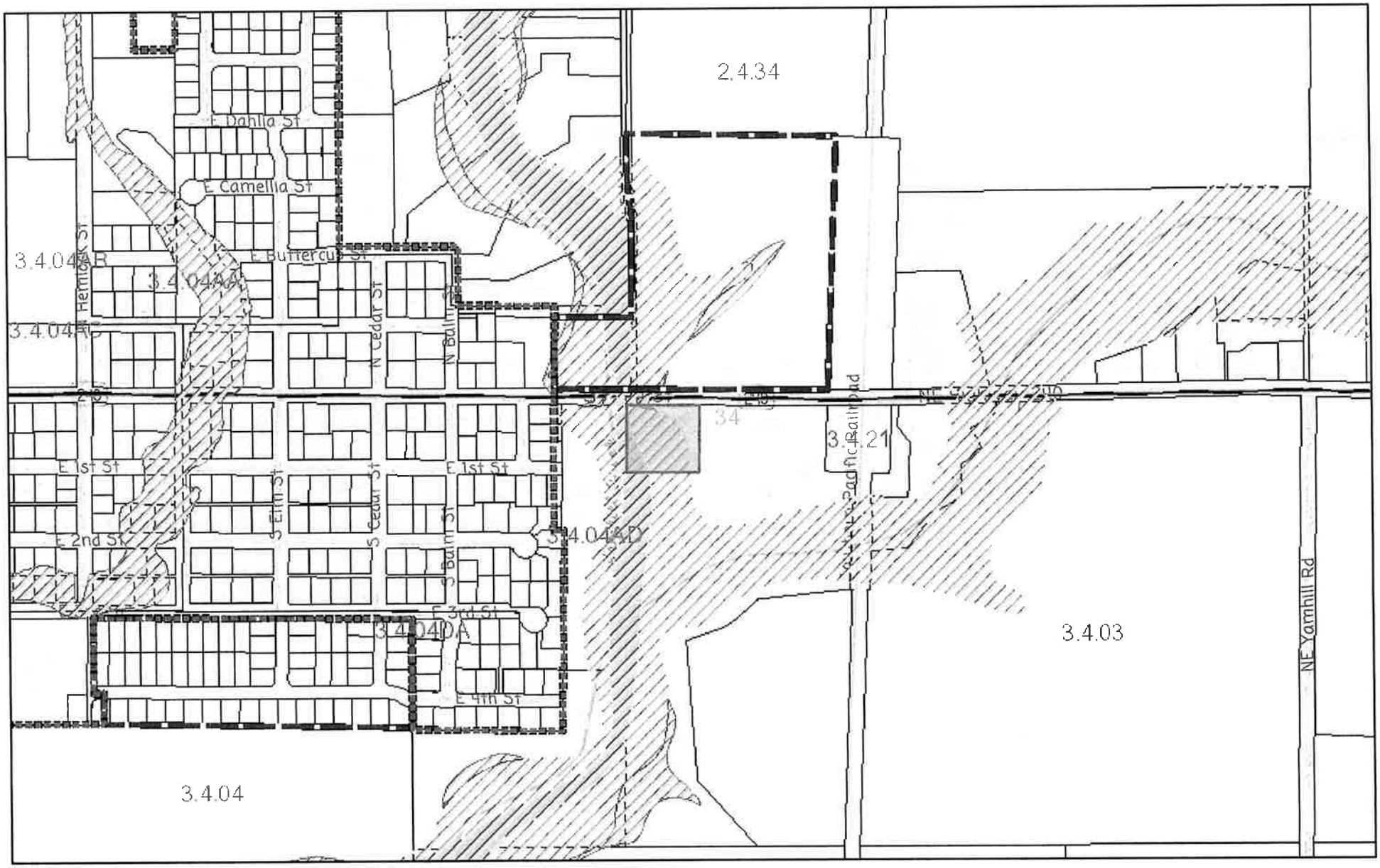
0 0.01 0.02 0.04 mi

0 0.02 0.04 0.07 km

Esri Community Maps Contributors, Oregon Metro, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin,

ArcGIS WebApp Builder

ArcGIS WebMap



September 24, 2024

SL

City Boundary

UGB_YamhillCo

County

500 Year Flood Area

100 Year Flood Area

Floodway

County Roads

Surveys1

Townships

Taxlots

Tax Label

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Esri Community Maps Contributors, Oregon Metro, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin,

ArcGIS WebApp Builder

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: October 23, 2024

DOCKET NO.: FP-03-24

REQUEST: A floodplain development permit to construct two structures within the 100-year floodplain.

APPLICANT: Walter Woodland

TAX LOT: 3403-1600

LOCATION: 1185 E Main St, Yamhill

ZONE: EF-80, Exclusive Farm Use District

CRITERIA: Sections 402 and 901 of the *Yamhill County Zoning Ordinance.*

COMMENTS: *Yamhill Rural Fire District*: No response to date.
Department of State Lands: No response to date.
Department of Land Conservation and Development. No response to date.
Oregon Department of Fish and Wildlife: No response to date.
Soil & Water Conservation District (SWCD): See letter dated October 1, 2024.
Water Master – No response to date.
Public Works – No response to date.
Paula Pollett, 1922 Silverstone Dr, Forest Grove 97116 – Ok with me.

FINDINGS:

A. Background Facts

1. *Lot Size:* Approximately 1.7 acres.

2. *Access:* Highway 240.

3. *On-site Land Use:* The current use of the subject property is residential. The Yamhill Creek is located along the western property boundary.

4. *Surrounding Land Use and Zoning:* The surrounding parcels are all zoned EF-80, Exclusive Farm Use with a mixture of farming and residences. Approximately 250 feet to the west is the city limits of Yamhill with residentially zoned lots.

5. *Fire Protection:* Amity Rural Fire Protection District.

6. *Overlay Districts*: The proposed development is within the floodplain overlay. The property is not within any other identified overlay district.

7. *Explanation of the request:* The applicant is requesting a Floodplain Development permit

for the construction of an approximately 15' x 17' accessory structure and to retain an already constructed accessory building that is 15' x 19' with a 12' covered area. Both buildings are within the 100-year floodplain of Yamhill Creek. The applicant noted that he began the already constructed building, nearest Highway 240, three years ago as a small shed but the project grew as he had time to work on it and it was realized that the footings for the low side posts are within the floodplain overlay.

B. Floodplain Development Provisions and Analysis

1. Section 901.05 of the *Yamhill County Zoning Ordinance* (YCZO) states that a floodplain development permit shall be obtained before the start of any construction or development within the Floodplain Overlay District.

2. Section 901.06 of the YCZO states that prior to issuance of a floodplain development permit, the applicant must demonstrate that:

   A. The proposed development conforms with the permit requirements and conditions of this section and the use provisions, standards and limitations of the underlying zoning district and other overlay district.

   Regarding criterion (A) above, the applicant is requesting accessory structures to the existing dwelling. The current land use is consistent with the underlying zoning district and there are no other overlay districts. This criterion is met.

3. *B. The proposed development, if located within the floodway, satisfies the provisions of subsection 901.09.*

   Regarding criterion (B), the proposed development is not located within the floodway.

4. *C. The proposed development will not increase the water surface elevation of the base flood more than one (1) foot at any point.*

   Regarding criterion (C), the applicants did not provide a certificate from a registered professional engineer that the development will not increase the water surface elevation of the base flood more than one (1) foot at any point. Therefore, it will be required as a condition of approval that the applicant provide the certificate.

5. *D. All applicable permits have been obtained from federal, state or local governmental agencies, and all applicable National Flood Insurance Program requirements have been satisfied.*

   Regarding criterion (D), the applicant has not provided any permits that have been obtained from federal or state governmental agencies and has stated he is not aware that any other permits are required. County staff emailed a referral of the floodplain application to those state agencies listed on page 1 of the staff report for their review and recommendation. The County received a response from the SWCD. The letter was forwarded to the applicant and states it is intended to inform the applicant of their responsibility to control noxious weeds

on the property. No other referral responses were received.

6. E. *The proposed development is consistent with policies j. and k. of the Comprehensive Plan, as amended by ordinance 471.*

These policies are:

j. It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use application for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizon-tally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (National Resource Conservation Plan, Yamhill County, Oregon, May 1979 - USDA - Soil Conservation Service, that are not regulated under the Forest Practices Act.

k. It is county policy that land use management practices and nonstructural solutions to problems of erosion and flooding are preferred to structural solutions. Water erosion control structures, including rip-rap and fill, should be reviewed by the appropriate state permitting authority to insure that they are necessary, are designed to incorporate vegetation where possible, and designed to minimize adverse impacts on water currents, erosion and accretion patterns.

Regarding criterion (E), the project areas appear to be outside of the riparian area, however, a condition of approval will require that all disturbed areas within 100 feet from the ordinary high-water line shall be restored with native fill and plants. With conditions, the request complies with criterion 901.06(E).

7. *Section 901.08 In the FP Overlay District where base flood elevation data have been provided, as set forth in subsection 901.02 or 901.03, the following standards shall apply:*

A. For any new residential construction and substantial improvement of any residential structure, the lowest floor level shall be a minimum of one (1) foot above the base flood elevation. New construction and substantial improvement of any commercial, industrial or other nonresidential structures and accompanying utility and sanitary facilities shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or together with attendant utility and sanitary facilities be subject to the following:

1. Be floodproofed so that all portions of the structure below the base flood level are watertight, with walls that are substantially impermeable to the passage of water.

2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

The FEMA flood maps show the base flood elevation (BFE) on the property to be between 168 feet at the north property line and 166 feet just past the south property line. The applicant has noted that the floor elevation of the existing accessory building is 171.75' and the floor elevation of the proposed studio addition is 168.15'. Both nonresidential structures are currently, or are proposed to be, elevated at least one-foot above the base flood elevation. An elevation certificate will be required for both structures per Section 901.12(C). If the structures are not elevated to the BFE or by at least one foot above the BFE, floodproofing requirements as set forth in Section 901.07(C) are required.

8. *901.12 General Requirements: Any floodplain development permit authorized pursuant to this ordinance shall be subject to the following additional requirements:*

A. An authorized floodplain development permit is not personal to the applicant and shall be deemed to run with the land, provided the subsequent owner or developer adheres to the specific proposal originally approved and complies with conditions of approval.

B. A floodplain development permit involving construction shall become null and void 180 days from the date it is granted unless substantial construction has taken place. The Director may extend the permit for an additional 180 days if there have been no revisions to the FIRM or FIS, upon receipt of a written request for extension from the applicant demonstrating good cause for the delay and provided that the request to extend the permit is received by the Director prior to the expiration date of the permit. In the event that a permit expires prior to renewal, the Director may require a new application fee.

C. Where base flood elevation data has been provided, as set forth in subsection 901.02 or 901.03, the actual elevation (in relation to mean sea level) of the lowest floor, including basements, of all new or substantially improved structures must be obtained from the applicant and the elevation, together with information regarding whether the structure contains a basement, must be recorded on the building permit and FEMA's current Elevation Certificate form.

D. For all new or substantially improved floodproofed structures, the Planning Director must verify and record the actual elevation of the structure (in relation to mean sea level) and maintain the floodproofing certifications required in subsection 901.07(C)(5).

The above requirements will be included as conditions of approval. Since the base flood elevation has been provided, the applicant will be required to provide an Elevation Certificate for the structures. A floodproofing certification is not required since the structures are proposed to be elevated.

CONCLUSIONS FOR APPROVAL:

1. The request is for a floodplain development permit to construct two structures within the 100-year floodplain.

2. With conditions, the proposed development complies with the approval criteria and standards in Sections 402 and 901 of the *Yamhill County Zoning Ordinance*.

DECISION:

Based upon the above findings, analysis, and conclusions, the request by Walter Woodland for a floodplain development permit to construct two structures within the 100-year floodplain on Tax Lot 3403-1600 is approved with the following conditions:

1. Prior to construction of the requested buildings, all required building, electrical, mechanical, septic, and plumbing permits shall be obtained from the Yamhill County Planning Department.

2. The applicant shall obtain any necessary permits from the Army Corps of Engineers (ACE), the Oregon Water Resources Department (OWRD), the Oregon Department of State Lands (DSL), and the Oregon Department of Fish and Wildlife (ODFW). Copies of all permits shall be submitted to the Yamhill County Planning Department.

3. The applicant shall supply certification by a registered professional engineer performed in conformance with standard engineering practice that the proposal will not result in an increase in flood levels during the occurrence of the base flood discharge more than one foot at any point.

4. The applicant shall provide the actual elevation (in relation to mean sea level) of the lowest floor, including basements, of all new or substantially improved structures and the elevation, together with information regarding whether the structure contains a basement, must be recorded on the building permit and FEMA's current Elevation Certificate form.

5. Removal of riparian vegetation within 100 feet of the ordinary high-water line of Yamhill Creek shall be the minimum necessary. All disturbed areas shall be restored with native fill and plants. The restoration plan shall follow the guidelines set by the Oregon Department of Fish and Wildlife.

6. The floodplain development permit is granted for 180 days and expires unless substantial construction has taken place before that time. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

DATED AND SIGNED this 24th day of October, 2024, at McMinnville, Oregon.

Kenneth P. Friday, Planning Director
Yamhill County Planning and Development
KF:sa

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET | McMINNVILLE, OREGON 97128

Phone:(503) 434-7516 | Fax:(503)434-7544 | TTY: (800) 735-2900 | Internet Address: http://www.yamhillcounty.gov

April 15, 2024

Richard A. Moore
4600 Perrydale Road
Dallas, OR 97338

Re: Docket No. WRG-01-24, Tax Lot 6304-00307

Dear Mr. Moore:

In reference to your application to convert an existing agricultural building to a single-family dwelling within the Willamette River Greenway, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application has been approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a depth of 100-feet.

2. The location and extent of the replacement dwelling shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway and setback variance approvals are granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

This decision is based on the applicable criteria in Sections 402 and 902 of the *Yamhill County Zoning Ordinance*. The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $270.00 fee, with this Department no later than **5:00 p.m., April 30, 2024**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

If you have any questions, please contact this office.

Sincerely,

Kenneth P. Friday
Planning Director

cc: Board of Commissioners
Assessor
Sanitarian
Public Works Department
Department of State Lands
State Parks Department
Dayton Fire Department
Department of Fish and Wildlife
DLCD
SPOs

YAMHILL COUNTY

TAX LOT INFORMATION & CONTEXTUAL MAP

Property Information

Docket: WRG-01-24

Wallace Rd NW

Subject Parcel(s)

Tax Lot: R6304 00307
Lot Acreage: 31.52

Wetland

FEMA Flood Zone

Base Flood Elev (ft)

100 Year Zone

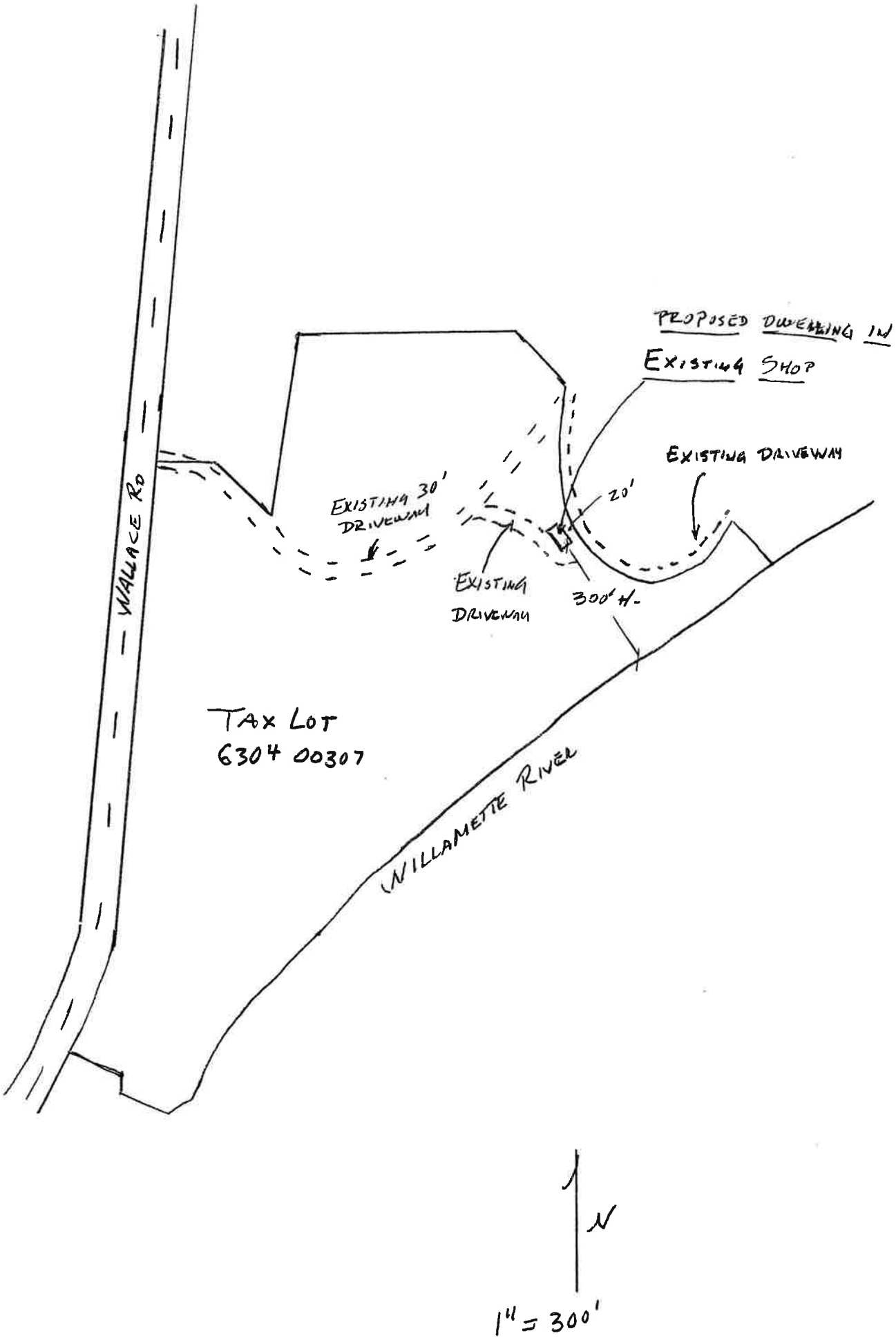
Floodway

1 inch = 300 feet

N
W E
S

1843 YAMHILL COUNTY

Last Update: March 13, 2024


PROPOSED DWELLING IN
EXISTING SHOP
EXISTING DRIVEWAY
20'
EXISTING 30' DRIVEWAY
EXISTING DRIVEWAY
300' +-
WALLACE RD
TAX LOT
6304 00307
WILLAMETTE RIVER
N
1" = 300'

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: April 11, 2024

DOCKET NO.: WRG-01-24

REQUEST: Approval of a Willamette River Greenway permit to convert an existing shop building to a single-family dwelling. The single-family dwelling is permitted through Measure 49 Final Order E131580.

APPLICANT: Richard Moore

OWNER: Richard Moore

TAX LOT: 6304-00307

LOCATION: The lot just north of 24725 Wallace Road NW and just south of 24215 Wallace Road NW, Salem

ZONE: EF-80, Exclusive Farm Use District

CRITERIA: Sections 402 and 902 of the *Yamhill County Zoning Ordinance*.

COMMENTS: *Public Works Department*: No response to date.
Dayton Fire Department: No response to date.
Sanitarian: Please see letter from the Sanitarian, submitted on March 29, 2024.
State Parks Department: No response to date.
Department of Fish & Wildlife: No response to date.
Soil & Water Conservation District (SWCD): Please see letter received from SWCD on March 26, 2024.
Department of State Lands (*DSL*): No response to date.

FINDINGS:

A. Background Facts

1. *Lot Size:* Approximately 31.52-acres.

2. *Access:* The property has direct access to SE Wallace Road.

3. *On-site Land Use and Zoning:* The subject parcel is zoned for Exclusive Farm use, the EF-80 zone. The subject lot is bordered to the east by the Willamette River. The subject parcel is predominantly used agriculturally in the form of an approximately 22-acre hazelnut orchard.

4. *Surrounding Land Use and Zoning:* The surrounding parcels are all located in the Exclusive Farm use zone, the EF-80 zone. There are a number of farm activities evident

in the surrounding area, including grass seed and hay production (predominantly to the west, southwest, and northwest), nut tree orchards (predominantly to the east and northeast), and nursery stock to the northwest. There are also several small lots in the surrounding area—ranging in size from 0.7 to 3-acres in size—with single-family dwellings that are predominantly dedicated to residential uses. Several of these lots are located along the subject parcel's southern property line and one of these lots was created through a previous Measure 49 approval, identified as Tax Lot 6304-00306. Another of these smaller lots is located adjacent to the northwest corner of the subject parcel, identified as Tax Lot 6304-00304. The Applicant's proposed new parcel would be located directly east of, and would share a property line with, Tax Lot 6304-00304. Passive forest uses are also relatively common in the surrounding area, predominantly along the Willamette River and the land east of the river in Marion County.

5. *Water:* The applicant has indicated that water is provided by an on-site well.

6. *Sewage Disposal*: A septic system will need to be permitted by the Sanitarian.

7. *Fire Protection:* Dayton Rural Fire Department.

8. *Previous Actions:* The subject parcel was involved in a land partition in 1972, Docket P-196-72. In 2007, Marvel Pendergraft filed a Measure 37 application, Docket M-37-175-06. The claim to Yamhill County was approved as detailed in Board Order 07-749. A Measure 49 claim was processed and approved through State Election Claim No. E131580. The Final Order and Home Site Authorization from State Election Number E131580 (Final Order) states in part,

   "Based on the analysis set forth above, this claim is approved, and the claimant qualifies for three home site approvals. As explained in section III above, after taking into account the number of existing lots, parcels or dwellings, the claimant is authorized for two additional lots or parcels and two additional dwellings on the property on which the claimant is eligible for Measure 49 relief..."

   In 2020, the Applicant received approval for a land partition for creation of a single (1) parcel measuring approximately 1.12-acres through Docket P-07-20, which reduced the number of lots or parcels that can be created to a single (1) additional parcel. A partition was approved in early 2024, for the creation of an approximately 1.66-acre buildable lot, Docket P-03-23.

9. *Overlay Districts*: The eastern 2/3 of the property is located within the Willamette River Greenway. A very small corner of the northeastern portion of the property is located within the 100-year floodplain overlay district of the Willamette River, pursuant to FIRM panels 41071C0635D and 41071C0630D. The property is not located within an area identified as sensitive wildlife habitat, nor is the property is not within an airport overlay district.

10. *Explanation of the request:* The applicant is requesting a Willamette River Greenway permit for the remodel of a portion of an existing agricultural building into a single-family dwelling. A dwelling is permitted on this lot through Measure 49 Final Order E131580. The Applicant's site plan indicates that there will be no development activities occurring within the identified boundaries of the 100-year floodplain.

B. Greenway Provisions and Analysis

1. The request is for the remodel of a portion of an existing agricultural building into a single-family dwelling within the Willamette River Greenway.

Section 902.05 of the *Yamhill County Zoning Ordinance* (YCZO) requires approval for all development in the Willamette River Greenway (WRG). Section 902.06 states that Greenway development shall be subject to the following considerations and criteria:

(A) That the proposal conforms with the use provisions and standards and limitations of the underlying zoning district.

Regarding criterion (A) above, the subject property is located within the EF-80 zone, the Exclusive Farm Use District. The Applicant is requesting approval to remodel an existing agricultural building for use as a single-family dwelling. The construction of a single-family dwelling on this lot is permitted through Measure 49 Final Order E131580. The site plan indicates that the location of the home will comply with the underlying setback requirements for the Exclusive Farm use zone as provided in subsection 402.09(C) of the YCZO. The request complies with criterion 902.06(A) of the YCZO.

2. *(B) That the proposal is consistent with the purpose of the WRG Overlay District as provided in Subsection 902.01.*

The purpose of the WRG Overlay is to ensure the natural, scenic, and recreational qualities of lands along the Willamette River are protected and responsibly managed, in accordance with the appropriate local, state, and federal provisions. The Applicant will not be building a new structure, but rather remodeling an existing agricultural building that has been located on the property for several years so there will be minimal disturbance to the lot, and that will mainly be for the installation of the septic system to serve the dwelling. The Applicant's building activities will not disturb the riparian vegetation located along the subject lot's eastern property line. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request will comply with criterion 902.06(B) of the YCZO.

3. *(C) That the natural vegetative fringe along the river shall be maintained in order to assure scenic quality, protection of wildlife, protection from erosion and screening of uses from the river.*

Regarding criterion (C), the site plan submitted with the application indicates that the existing agricultural building being partially remodeled to facilitate the development of a single-family dwelling in the structure is located approximately 300-feet from the lot's eastern property line, along the bank of the Willamette River, and approximately 175-feet west of vegetative fringe along the Willamette River. There will be no new structures built under this Willamette River Greenway permit. The proposed remodel of the agricultural building will require the installation of a septic system that will need to be permitted by the County Sanitarian. These limited construction activities will occur in the northeastern area of the property, in an area of the property that is being farmed in the form of a hazelnut orchard. A comparison of the site plan and aerial imagery of the property indicates that there will be no disturbance to the riparian vegetation or loss of wildlife habitat. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request satisfies criterion 902.06(C) of the YCZO.

4. *(D) That the quality of the air, water and land resources in and adjacent to the WRG Overlay District shall be preserved with any development, change of use, or intensification of use, within the WRG Overlay District.*

Regarding criterion (D), the Applicant's proposed developments will not significantly affect air quality, water, or land resources. The existing agricultural building that will be remodeled to host the single-family dwelling is located in an area of the property that is currently being farmed, with an established hazelnut orchard accounting for the majority of the land use of the subject parcel. Because the proposed project involves the remodeling of an existing structure, there will be very limited construction activities occurring onsite, and those activities will predominantly involve the installation of an approved septic system, which may necessitate the removal of some hazelnut trees but will not lead to a loss of land resources. There is no reasonable indication that the remodel of an existing agricultural building to incorporate a residence into the building on this cleared area of the property will negatively impact the air, water, and/or land resources in or adjacent to the Willamette River Greenway (WRG) Overlay District. The proposed remodel of an existing farm structure to a single-family dwelling does not constitute an intensification of the use of the property. Staff finds that the residential use of the structure does not represent an intensification of the use of the property when measured against the farming use and activities that have occurred on the property for as long as the hazelnut orchard has been on the property. Conditions of approval will be placed on the approval of the Willamette River Greenway permit that protects the existing riparian vegetation. With conditions, the request is consistent with criterion 902.06(D) of the YCZO.

5. *(E) That lands exhibiting Class I-IV soils for agricultural production shall be preserved and maintained for farm use.*

Regarding criterion (E), soil on the parcel is almost exclusively composed of Woodburn Silt Loam (WuB), a Class II, high-value (prime) farmland soil type. A small area in the northeastern corner of the property is composed of Amity Silt Loam (Am), a Class II high-value (prime) farmland soil type. Terrace escarpments (Te) are located along the steep banks that make up the subject lot's eastern property line, and this is considered a Class VI non-high value soil type. The Applicant is proposing the remodeling of an existing agricultural building so that a portion of the structure can be used as a single-family dwelling, and this structure is located in an area of the property that is already developed. The single-family dwelling is permitted through a Measure 49 Final Order. There will be some limited construction activities, in the form of a septic system that will need to be installed to serve the dwelling. Staff finds that the remodeling of the existing agricultural building for the development of a single-family dwelling will not lead to the loss of productive farmland beyond the limited area that was lost when the agricultural building was built several years ago. The request is consistent with criterion 902.06(E) of the YCZO.

6. *(F) That significant fish and wildlife habitats shall be protected.*

Concerning criterion (F), the Willamette River is significant fish habitat. Protection of riparian vegetation is one of the primary means of protecting the habitat. Comprehensive Plan policy II.C.1.j. contains requirements for protection of riparian areas, as follows:

> *It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resource Conservation Plan, Yamhill County, Oregon, May 1979 - USDA - Soil Conservation Services), that are not regulated under the Forest Practices Act. In order to comply with this policy, a condition of approval will require that the dwelling be located at least 100' from the high water line, and that all existing vegetation within this area be retained*

The proposed development will meet all YCZO codes, standards, and zoning regulations. The single-family home will be located in an existing structure that will be remodeled for residential use, and the surrounding area is relatively clear of vegetation, aside from some hazelnut trees, therefore no riparian vegetation will be removed to facilitate the proposed construction activities. The request is consistent with criterion 902.06(F) of the YCZO.

7. *(G) That significant natural and scenic areas, viewpoints and vistas shall be preserved.*

Criterion (G) is not applicable for this parcel because the area has not been designated as a significant natural area or scenic resource, therefore there are no designated viewpoints or vistas that will be threatened by the applicant's proposed developments.

8. *(H) That areas of ecological, scientific, historical or archeological significance shall be protected, preserved, restored or enhanced to the maximum extent possible.*

Criterion (H) is not applicable for this parcel because the area has not been designated as a significant ecological, scientific, historical or archeological site.

9. *(I) That areas of annual flooding, floodplain and wetlands shall be preserved in their natural state to the maximum possible extent to protect water retention, overflow and other natural functions.*

Regarding criterion (I), the Applicant states that the building area is located approximately 80' above the river and approximately 175-feet west of the vegetative fringe along the tall riverbank. The construction activities for this project include the remodeling of an existing agricultural building and the installation of a septic system to serve the home. There will be no construction activities occurring within the very small 100-year floodplain area located in the northeastern corner of the subject lot so the existing natural features and drainage within the 100-year floodplain will remain unimpeded and unaltered by the proposed development. There are no mapped or identifiable wetlands on the property. The applicant suggests that construction activities will be conducted in such a way that water retention, overflow, or other natural hydrologic functions on the property will not be negatively impacted.

10. *(J) That any harvesting of timber shall be done in a manner which will ensure that wildlife habitat and the natural scenic qualities found in the WRG Overlay District will be maintained and will be restored.*

Regarding (J), no harvesting of timber in conjunction with the proposed construction of the home.

11. *(K) That the proposed development, change of use or intensification of use is compatible with the site, the surrounding area and the environment.*

The Applicant's proposed development, with conditions, is compatible with the character of the site, the surrounding area, and the environment of the Willamette River Greenway, thereby satisfying criterion (K). Staff sent a referral to the Oregon Department of Fish and Wildlife (ODFW), and ODFW expressed no concerns regarding the development of a replacement dwelling on the property. The residential use of the property that will be new for this lot does not constitute an intensification of the use of the property, which has historically been agricultural use and most recently the planting and management of the onsite hazelnut orchard. Staff finds that the farming activities (spraying of herbicides,

pesticides, fertilizer, operation of heavy farm machinery, etc.) commonly conducted in conjunction with the existing hazelnut orchard represents a more intensive use of the property than the remodeling of an agricultural barn to a dwelling and the residential use of the property that will occur in conjunction with the dwelling. With conditions, the Applicant's request is compatible with the local environment, the Applicant's property, and the surrounding area and complies with this criterion.

12. *(L) That areas considered for development, change of use or intensification of use, which have erosion potential, shall be protected from loss by appropriate means which are compatible with the character of the Willamette River Boundary.*

Regarding (L), the Applicant has stated that the existing riparian vegetation will not be altered or removed during the remodeling of the agricultural building but will be maintained to protect wildlife habitat and to protect the bank from erosion. Planting new vegetation and the maintenance of existing vegetation along the riparian area, compatible with the character of the Willamette River Boundary, is strongly encouraged. With conditions, the request is consistent with criterion (L).

13. *(M) That any extraction of aggregate deposits and reclamation shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow and visual quality, noise and safety.*

No aggregate extraction is proposed, so criterion (M) is not applicable.

14. *(N) That recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with farm use.*

Farm uses on the subject lot and the surrounding area include hazelnut orchards, grass seed and hay production (predominantly to the west, southwest, and northwest), nut tree orchards (predominantly to the east and northeast), and nursery stock to the northwest of the subject lot. The construction activities associated with the Applicant's proposed remodeling of an existing farm building will not have a negative impact on the existing farm uses occurring on surrounding parcels. The Applicant's request will not impact the carrying capacity of the land as the single-family dwelling will be established within the existing farm building that was built on the property several years ago. The request complies with criterion (N).

15. *(O) That maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.*

Regarding criterion (O), there is no documented history of trespass or vandalism on the property and the Applicant's proposal is unlikely to increase the risk of trespass or vandalism in the area. There have been no public safety issues identified with the proposed use. Staff finds that the request complies with criterion (O).

16. *(P)* *That any development shall be located away from the river to the greatest possible degree. A minimum building setback line of fifty (50) feet from the ordinary high water line of Willamette River shall be maintained, except for buildings and structures in conjunction with a water-dependent use.*

Concerning criterion (P), the agricultural building that will be remodeled for use as a single-family dwelling is located approximately 300-feet west of the ordinary high water line, exceeding the 50- foot setback standard from the ordinary high water line of the Willamette River. Staff finds that the Applicant's request complies with criterion (P).

17. *(Q)* *That public access where necessary and appropriate, shall be provided to and along the river by appropriate legal means for any public use or development.*

Criterion (Q) is not applicable since this is a private development on private property.

18. *(R)* *That the development, change or intensification of use shall provide the maximum possible landscaped area, open space or vegetation between the activity and the river.*

Criterion (R), the Applicant states that no riparian or other screening vegetation will be removed during the construction activities associated with the remodeling of the existing agricultural for use as a single-family dwelling. The building activities will occur in an area that is already cleared of vegetation. The site plan indicates that there will be no disturbance to the existing riparian vegetation and landscaped areas will remain untouched. Staff finds that the request complies with criterion (R).

CONCLUSIONS FOR APPROVAL:

1. The request is for approval of a Willamette River Greenway permit to convert an existing shop building to a single-family dwelling. The single-family dwelling is permitted through Measure 49 Final Order E131580.

2. With conditions, the overall impact on the scenic quality of the Willamette River Greenway by the proposed addition to the dwelling will be minimal, and in keeping with the character of the surrounding properties.

3. With conditions, the development will comply with the purpose of the Willamette River Greenway overlay.

4. With conditions, the proposed development complies with the approval criteria and standards in Sections 402 and 902 of the *Yamhill County Zoning Ordinance.*

DECISION:

Based upon the above findings, analysis, and conclusions, the request by Richard A. Moore for the conversion of an existing agricultural building for use as a single-family dwelling within the Willamette River Greenway on a parcel identified as Tax Lot 6304-00307, is approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a distance of 100-feet.

2. The location and extent of the replacement home shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway approval is granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

DATED AND SIGNED this 11th day of April, 2024, at McMinnville, Oregon.

Kenneth P. Friday

Kenneth P. Friday, Planning Director
Yamhill County Planning and Development

KF:lw

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET | McMINNVILLE, OREGON 97128

Phone:(503) 434-7516 | Fax:(503)434-7544 | TTY: (800) 735-2900 | Internet Address: http://www.yamhillcounty.gov

September 17, 2024

Bruce Savage
21100 SE Neck Rd.
Dayton, OR 97114

Re: Docket No. WRG-02-24, Tax Lot 4314-500

Dear Bruce Savage:

In reference to your application to construct a garage within the Willamette River Greenway, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application has been approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a depth of 100-feet.

2. The location and extent of the garage shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway and setback variance approvals are granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

This decision is based on the applicable criteria in Sections 402 and 902 of the *Yamhill County Zoning Ordinance*. The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $250.00 fee, with this Department no later than **5:00 p.m., October 2, 2024**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

If you have any questions, please contact this office.

Sincerely,

Kenneth P. Friday
Planning Director

cc: Board of Commissioners
Assessor
Sanitarian
Public Works Department
Dayton Fire Department
SPOs

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: September 11, 2024

DOCKET NO.: WRG-02-24

REQUEST: Approval of a Willamette River Greenway permit to construct a garage for personal vehicles.

APPLICANT: Bruce Savage

TAX LOT: 4314-00500

LOCATION: 21100 SE Neck Road, Dayton

ZONE: EF-80, Exclusive Farm Use District

CRITERIA: Sections 402 and 902 of the *Yamhill County Zoning Ordinance.*

COMMENTS: *Public Works Department*: No response to date.
Dayton Fire Department: No response to date.
Sanitarian: No response to date.
State Parks Department: No response to date.
Department of Fish & Wildlife: No response to date.
Soil & Water Conservation District (SWCD): No response to date.
Department of State Lands (DSL): No response to date.

FINDINGS:

A. Background Facts

1. *Lot Size:* Approximately 2.85-acres.

2. *Access:* The property has access to SE Neck Rd.

3. *On-site Land Use and Zoning:* The subject parcel is zoned for Exclusive Farm use, the EF-80 zone. The subject lot is bordered to the south by the Willamette River. The subject parcel is predominantly devoted to residential use. The entire parcel is within the Willamette River Greenway.

4. *Surrounding Land Use and Zoning:* The surrounding parcels are all located in the Exclusive Farm use zone, the EF-80 zone. There are a number of farm activities evident in the surrounding area as well as smaller residential lots nearby.

5. *Water:* The applicant has indicated that water is provided by an on-site well.

6. *Sewage Disposal*: A septic system will need to be permitted by the Sanitarian.

7. *Fire Protection:* Dayton Rural Fire Department.

8. *Previous Actions:* Approval was granted in 1989 for a temporary hardship dwelling, docket CTS-06-89. Approval was granted in 1999 for a Variance and Willamette River Greenway permit to allow a pole building to be built within 18' of the property line.

9. *Overlay Districts*: The entire property is located within the Willamette River Greenway, and a small area on the southern portion of the property is within the 100-year Flood Plain Overlay. The property is not located within an area identified as sensitive wildlife habitat, nor is the property is not within an airport overlay district.

10. *Explanation of the request:* The applicant is requesting a Willamette River Greenway permit for the construction of a garage for personal vehicles. The Applicant's site plan indicates that there will be no development activities occurring within the identified boundaries of the 100-year floodplain.

B. Greenway Provisions and Analysis

1. The request is for the construction of a garage for personal vehicles within the Willamette River Greenway.

   Section 902.05 of the *Yamhill County Zoning Ordinance* (YCZO) requires approval for all development in the Willamette River Greenway (WRG). Section 902.06 states that Greenway development shall be subject to the following considerations and criteria:

   (A) That the proposal conforms with the use provisions and standards and limitations of the underlying zoning district.

   Regarding criterion (A) above, the subject property is located within the EF-80 zone, the Exclusive Farm Use District. The Applicant is requesting approval to construct a garage for personal use. The site plan indicates that the location of the garage will comply with the underlying setback requirements for the Exclusive Farm use zone as provided in subsection 402.09(C) of the YCZO. The request complies with criterion 902.06(A) of the YCZO.

2. *(B) That the proposal is consistent with the purpose of the WRG Overlay District as provided in Subsection 902.01.*

   The purpose of the WRG Overlay is to ensure the natural, scenic, and recreational qualities of lands along the Willamette River are protected and responsibly managed, in accordance with the appropriate local, state, and federal provisions. The Applicant is proposing to build a garage for his personal vehicles. The building activities will be located 200' feet from the water's edge and on a plateau that is 140' feet above the water level. The construction will not disturb the riparian vegetation located along the subject lot's southern property line. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With

conditions, the request will comply with criterion 902.06(B) of the YCZO.

3. *(C) That the natural vegetative fringe along the river shall be maintained in order to assure scenic quality, protection of wildlife, protection from erosion and screening of uses from the river.*

Regarding criterion (C), the site plan submitted with the application indicates that the proposed garage will be 200-feet from the lot's southern property line, that is near to the Willamette River, and approximately 140-feet above the vegetative fringe along the Willamette River. These limited construction activities will occur in the northwestern area of the property, in an area of the property that is not viewable from the water's edge. A comparison of the site plan and aerial imagery of the property indicates that there will be no disturbance to the riparian vegetation or loss of wildlife habitat. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request satisfies criterion 902.06(C) of the YCZO.

4. *(D) That the quality of the air, water and land resources in and adjacent to the WRG Overlay District shall be preserved with any development, change of use, or intensification of use, within the WRG Overlay District.*

Regarding criterion (D), the Applicant's proposed developments will not significantly affect air quality, water, or land resources. Because the proposed project is in an area that is not being farmed and it is not changing the use of the area, there is no reasonable indication that the proposed garage will negatively impact the air, water, and/or land resources in or adjacent to the Willamette River Greenway (WRG) Overlay District. The proposed structure does not constitute an intensification of the use of the property. Staff finds that the residential use of the structure does not represent an intensification of the use of the property when measured against the existing use. Conditions of approval will be placed on the approval of the Willamette River Greenway permit that protects the existing riparian vegetation. With conditions, the request is consistent with criterion 902.06(D) of the YCZO.

5. *(E) That lands exhibiting Class I-IV soils for agricultural production shall be preserved and maintained for farm use.*

Regarding criterion (E), The Applicant is proposing a garage for the storage of personal vehicles and has indicated that the property in not being farmed and so therefore, this condition does not apply. Staff finds that a garage is not any different from a structure normally associated with farm use, and therefore will not lead to the loss of productive farmland. The request is consistent with criterion 902.06(E) of the YCZO.

6. *(F) That significant fish and wildlife habitats shall be protected.*

Concerning criterion (F), the Willamette River is significant fish habitat. Protection of riparian vegetation is one of the primary means of protecting the habitat. Comprehensive

Plan policy II.C.1.j. contains requirements for protection of riparian areas, as follows:

> *It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resource Conservation Plan, Yamhill County, Oregon, May 1979 - USDA - Soil Conservation Services), that are not regulated under the Forest Practices Act. In order to comply with this policy, a condition of approval will require that the dwelling be located at least 100' from the high water line, and that all existing vegetation within this area be retained*

The proposed development will meet all YCZO codes, standards, and zoning regulations. The proposed garage will be located 200' feet away from the water's edge, therefore no riparian vegetation will be removed to facilitate the proposed construction activities. The request is consistent with criterion 902.06(F) of the YCZO.

7. *(G) That significant natural and scenic areas, viewpoints and vistas shall be preserved.*

Criterion (G) is not applicable for this parcel because the area has not been designated as a significant natural area or scenic resource, therefore there are no designated viewpoints or vistas that will be threatened by the applicant's proposed developments.

8. *(H) That areas of ecological, scientific, historical or archeological significance shall be protected, preserved, restored or enhanced to the maximum extent possible.*

Criterion (H) is not applicable for this parcel because the area has not been designated as a significant ecological, scientific, historical or archeological site.

9. *(I) That areas of annual flooding, floodplain and wetlands shall be preserved in their natural state to the maximum possible extent to protect water retention, overflow and other natural functions.*

Regarding criterion (I), the Applicant states that the building area is located approximately 200' feet above the river. GIS mapping confirms that the area of development is not within the floodplain. The construction activities for this project include the construction of a garage for personal vehicles. There will be no construction activities occurring within the 100-year floodplain area so the existing natural features and drainage within the 100-year floodplain will remain unimpeded and unaltered by the proposed development. There are no mapped or identifiable wetlands on the property except those that are within the floodplain.

10. *(J) That any harvesting of timber shall be done in a manner which will ensure that wildlife habitat and the natural scenic qualities found in the WRG Overlay District will be maintained and will be restored.*

Regarding (J), no harvesting of timber in conjunction with the proposed construction of the home.

11. *(K) That the proposed development, change of use or intensification of use is compatible with the site, the surrounding area and the environment.*

The Applicant's proposed development, with conditions, is compatible with the character of the site, the surrounding area, and the environment of the Willamette River Greenway, thereby satisfying criterion (K). Staff sent a referral to the Oregon Department of Fish and Wildlife (ODFW), and ODFW expressed no concerns regarding the development of a replacement dwelling on the property. With conditions, the Applicant's request is compatible with the local environment, the Applicant's property, and the surrounding area and complies with this criterion.

12. *(L) That areas considered for development, change of use or intensification of use, which have erosion potential, shall be protected from loss by appropriate means which are compatible with the character of the Willamette River Boundary.*

Regarding (L), the Applicant has stated that the existing riparian vegetation will not be altered or removed during the construction of the garage. The applicant noted that the edge of the plateau exhibits natural erosion. In the last sixty-five years the applicant has lived there, the edge of the plateau has not receded more than a few feet. The proposed garage is 120' feet from the edge. The applicant feels that it is extremely unlikely that it will recede far enough to affect any of the buildings on the property in their lifetime. With conditions, the request is consistent with criterion (L).

13. *(M) That any extraction of aggregate deposits and reclamation shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow and visual quality, noise, and safety.*

No aggregate extraction is proposed, so criterion (M) is not applicable.

14. *(N) That recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with farm use.*

The construction activities associated with the Applicant's proposed construction of a garage will not have a negative impact on the existing farm uses occurring on surrounding parcels. The Applicant's request will not impact the carrying capacity of the land as the single-family dwelling has been established several years ago and has not impeded farm use, and so the proposal complies with criterion (N).

15. *(O) That maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.*

Regarding criterion (O), there is no documented history of trespass or vandalism on the property and the Applicant's proposal is unlikely to increase the risk of trespass or vandalism in the area. There have been no public safety issues identified with the proposed use. Staff finds that the request complies with criterion (O).

16. *(P) That any development shall be located away from the river to the greatest possible degree. A minimum building setback line of fifty (50) feet from the ordinary high water line of Willamette River shall be maintained, except for buildings and structures in conjunction with a water-dependent use.*

Concerning criterion (P), the proposed construction of the garage is located approximately 140-feet from the ordinary high-water line, exceeding the 50- foot setback standard from the ordinary high water line of the Willamette River. Staff finds that the Applicant's request complies with criterion (P).

17. *(Q) That public access where necessary and appropriate, shall be provided to and along the river by appropriate legal means for any public use or development.*

Criterion (Q) is not applicable since this is a private development on private property.

18. *(R) That the development, change or intensification of use shall provide the maximum possible landscaped area, open space or vegetation between the activity and the river.*

Criterion (R), the Applicant states that no riparian or other screening vegetation will be removed during the construction activities associated with the construction of the garage. The building activities will occur in an area that is already cleared of vegetation. The site plan indicates that there will be no disturbance to the existing riparian vegetation and landscaped areas will remain untouched. Staff finds that the request complies with criterion (R).

CONCLUSIONS FOR APPROVAL:

1. The request is for approval of a Willamette River Greenway permit to construct a garage for personal vehicles that is associated with an existing single-family residence.

2. With conditions, the overall impact on the scenic quality of the Willamette River Greenway by the proposed garage will be minimal, and in keeping with the character of the surrounding properties.

3. With conditions, the development will comply with the purpose of the Willamette River Greenway overlay.

4. With conditions, the proposed development complies with the approval criteria and standards in Sections 402 and 902 of the *Yamhill County Zoning Ordinance*.

DECISION:

Based upon the above findings, analysis, and conclusions, the request by Bruce Savage for the construction of a garage for personal vehicles within the Willamette River Greenway on a parcel identified as Tax Lot 4314-500, is approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a distance of 100-feet.

2. The location and extent of the garage shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway approval is granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

DATED AND SIGNED this 16th day of September, 2024, at McMinnville, Oregon.

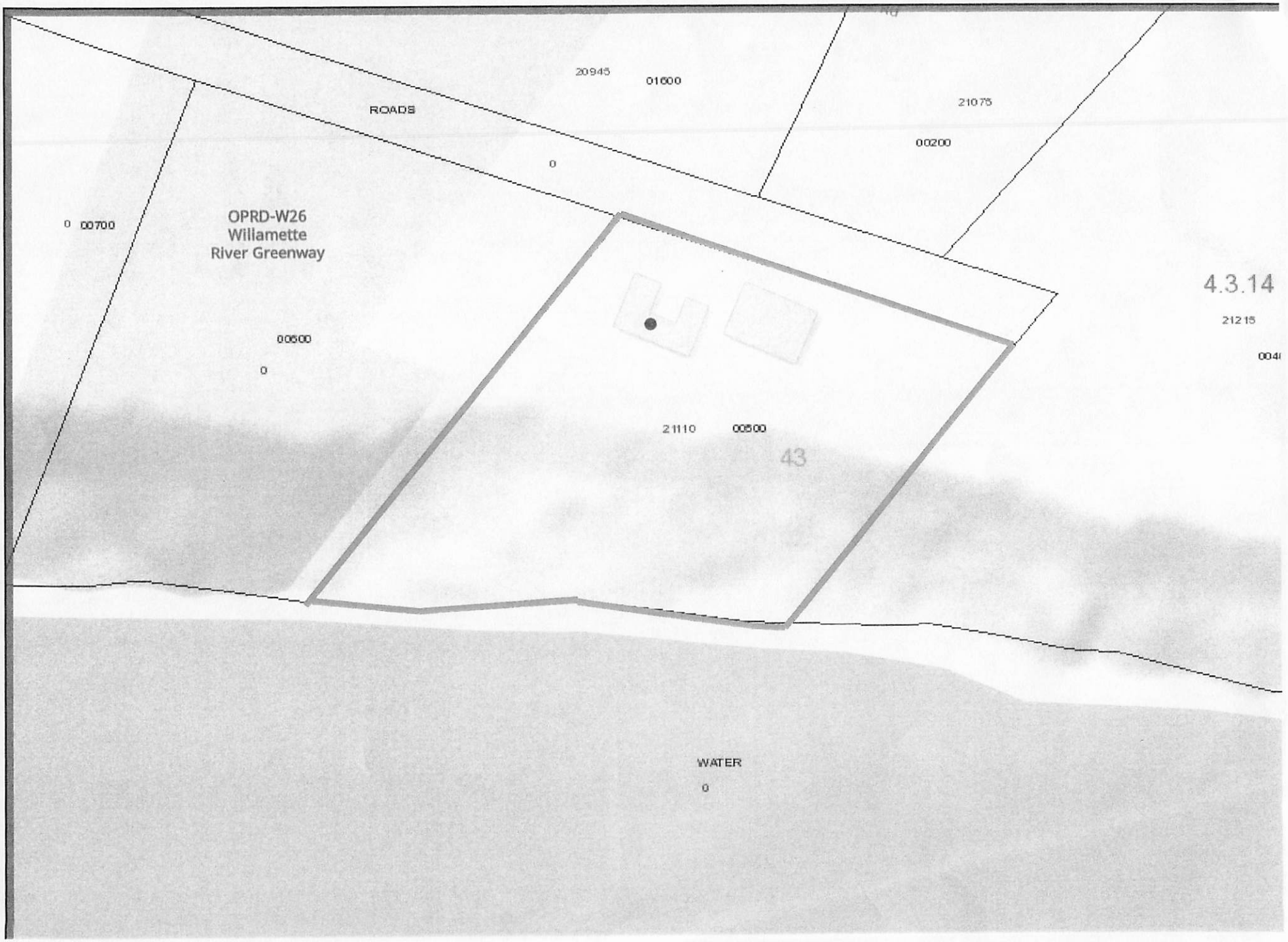
Kenneth P. Friday

Kenneth P. Friday, Planning Director
Yamhill County Planning and Development

KF:tw

SE Neck Rd
SE Neck Rd
Drawing Scale
100.00 ft
Tax Lot 4314500 Boundary
Proposed Garage
40 ft x 30 ft
45 ft
RD-W26
llamette
Greenway
Residence
48 ft x 34 ft
Hobby Shop
36 ft x 48 ft
120 ft
Tool Shed 12 ft x 20 ft
(hidden by trees)
Face of Cliff

ArcGIS WebMap



Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET | McMINNVILLE, OREGON 97128

Phone:(503) 434-7516 | Fax:(503)434-7544 | TTY: (800) 735-2900 | Internet Address: http://www.yamhillcounty.gov

December 11, 2024

Nitin Khanna
36280 NE Wilsonville Rd.
Newberg, OR 97132

Re: Docket No. WRG-03-24, Tax Lot 4106-00800

Dear Nitin Khanna:

In reference to your application to install a ground mount solar panel system within the Willamette River Greenway, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application has been approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a depth of 100-feet.

2. The location and extent of ground mount solar panel system and associated equipment shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway and setback variance approvals are granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

This decision is based on the applicable criteria in Sections 502 and 902 of the *Yamhill County Zoning Ordinance*. The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $250.00 fee, with this Department no later than **5:00 p.m., December 26, 2024**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

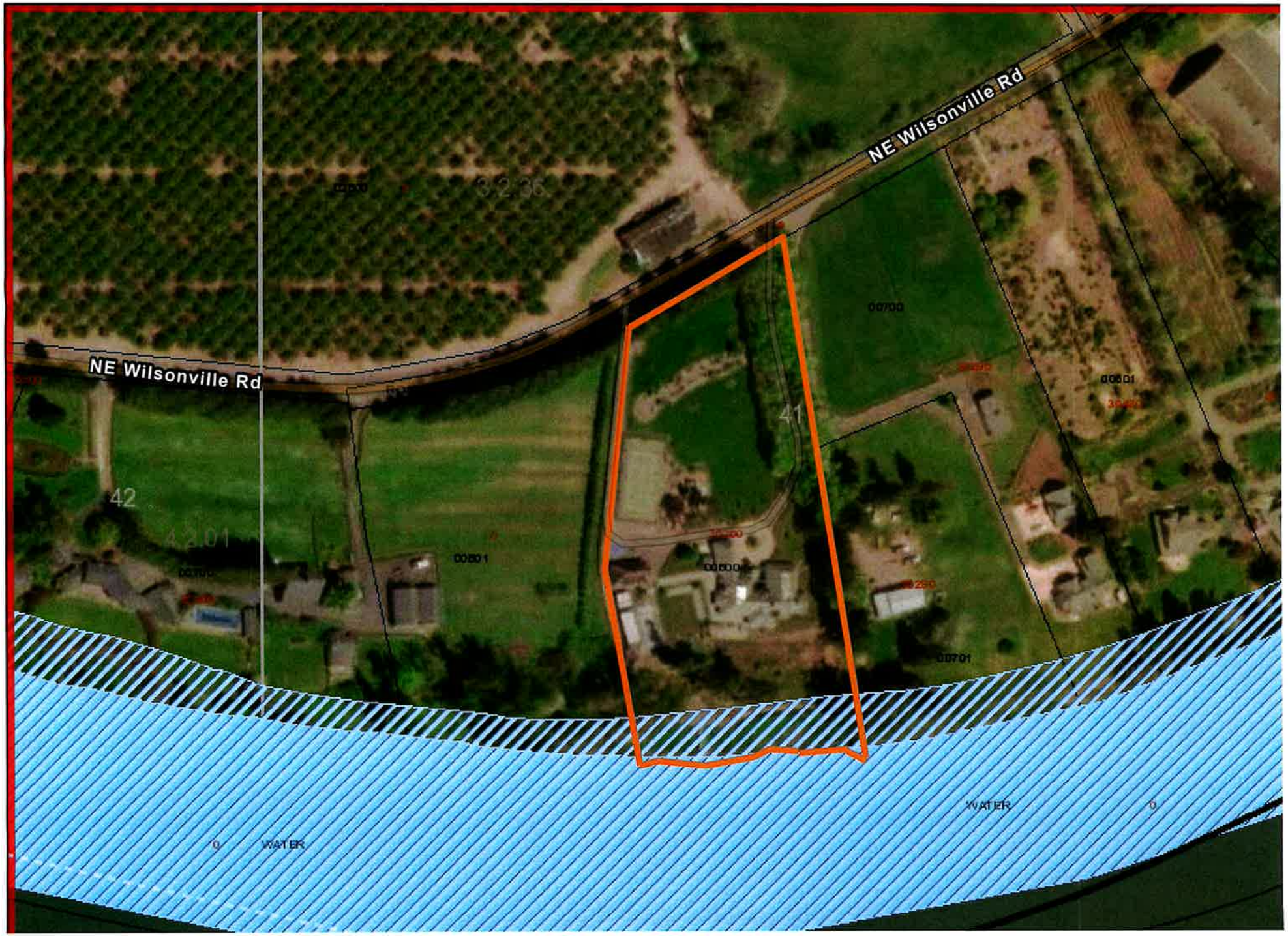
If you have any questions, please contact this office.

Sincerely,

Kenneth P. Friday
Planning Director

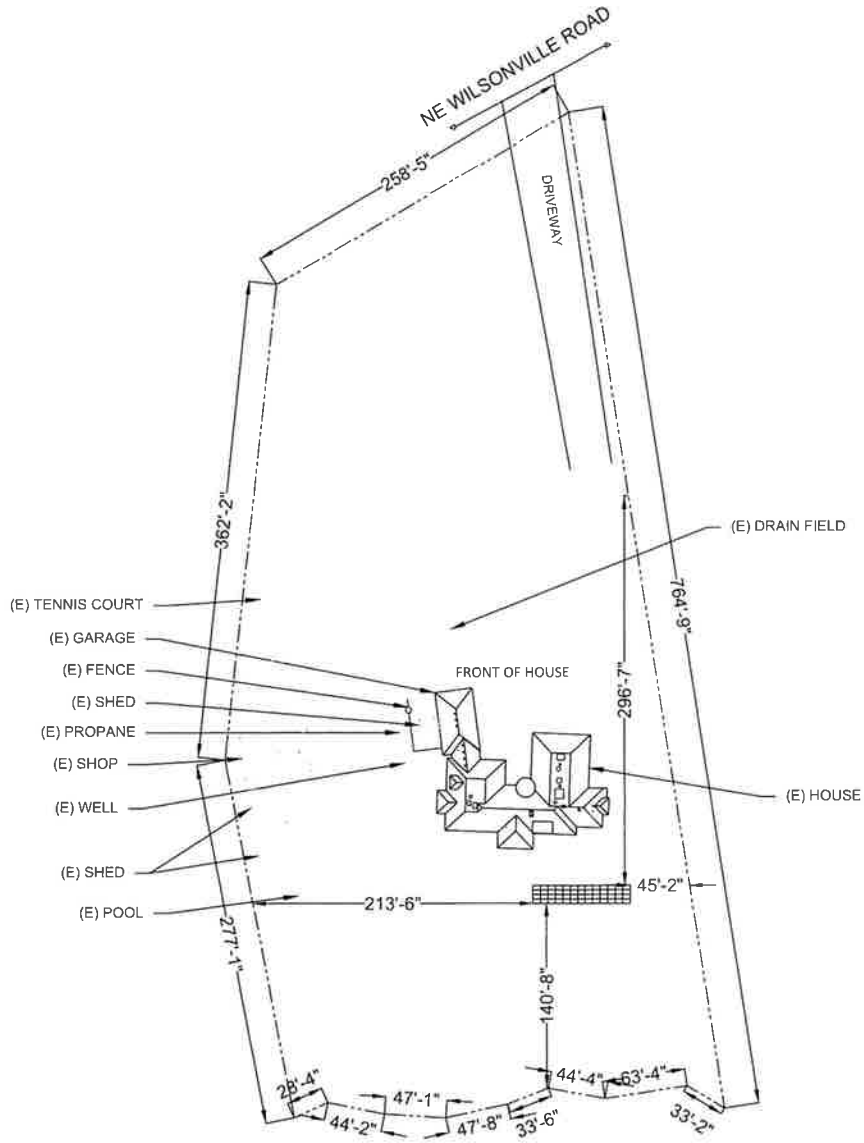
cc: Board of Commissioners
Assessor
Sanitarian
YC Building Dept.
Public Works Department
Tualatin Valley Fire Department
SPOs

ArcGIS WebMap



LEGEND

- PROPERTY LINE
- FENCE LINE



N

1 PV-01 SITE PLAN

SCALE:1"-90'-0"

AHJ STAMP

STRUCTURAL STAMP

PROJECT NAME

NITIN KHANNA

(503) 545-8300
NKHANNA@ME.COM

36280 NE WILSONVILLE ROAD,
NEWBERG, OR 97132

APN #: R4108 00800
AHJ: YAMHILL COUNTY
UTILITY: PORTLAND GENERAL ELECTRIC

REVISIONS

REV	DESCRIPTION	DATE

SHEET TITLE

SITE PLAN

DRAWN DATE	9/27/2024
DRAWN BY	TSD

SHEET NUMBER

PV-01

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: December 5, 2024

DOCKET NO.: WRG-03-24

REQUEST: Approval of a Willamette River Greenway permit to install a ground mount solar panel system.

APPLICANT: Nitin Khanna

TAX LOT: 4106-00800

LOCATION: 36280 NE Wilsonville Rd., Newberg

ZONE: VLDR-2.5, Very Low-Density Residential District

CRITERIA: Sections 502 and 902 of the *Yamhill County Zoning Ordinance*.

COMMENTS: *Public Works Department*: No response to date.
Tualatin Valley Fire Department: No response to date.
Sanitarian: No response to date.
State Parks Department: No response to date.
Yamhill County Building Dept.: No response to date.
Department of Fish & Wildlife: No response to date.
Soil & Water Conservation District (SWCD): No response to date.
Department of State Lands (DSL): No response to date.

FINDINGS:

A. Background Facts

1. *Lot Size:* Approximately 4.45-acres.

2. *Access:* The property has access to NE Wilsonville Rd.

3. *On-site Land Use and Zoning:* The subject parcel is zoned for low density residential and has one home and some other outbuildings located on site. Most of the parcel is within the Willamette River Greenway and the southernmost portion of the property is within the floodplain. The Willamette River borders the property to the south.

4. *Surrounding Land Use and Zoning:* The surrounding parcels located to the east, and west are the same zone, VLDR-2.5. Parcels across Wilsonville road to the north are zoned EF-40, Exclusive Farm. There are a number of farm activities evident in the surrounding area as well as smaller residential lots nearby.

5. *Water:* The applicant has indicated that water is provided by an on-site well.

6. *Sewage Disposal*: There is a septic system on site.

7. *Fire Protection:* Tualatin Valley Rural Fire Department.

8. *Previous Actions:* No previous actions.

9. *Overlay Districts*: The entire property is located within the Willamette River Greenway, and a small area on the southern portion of the property is within the 100-year Flood Plain Overlay. The property is not located within an area identified as sensitive wildlife habitat, nor is the property is not within an airport overlay district.

10. *Explanation of the request:* The applicant is requesting a Willamette River Greenway permit for the installation of a ground mount solar panel system. The Applicant's site plan indicates that there will be no development activities occurring within the identified boundaries of the 100-year floodplain.

B. Greenway Provisions and Analysis

1. The request is for the construction of a ground mount solar panel system within the Willamette River Greenway.

   Section 902.05 of the *Yamhill County Zoning Ordinance* (YCZO) requires approval for all development in the Willamette River Greenway (WRG). Section 902.06 states that Greenway development shall be subject to the following considerations and criteria:

   (A) That the proposal conforms with the use provisions and standards and limitations of the underlying zoning district.

   Regarding criterion (A) above, the subject property is located within the VLDR-2.5 zone, the Very Low Density Residential. The Applicant is requesting approval to install ground mount solar. The site plan indicates that the location of the solar panel system will comply with the underlying setback requirements for the VLDR-2.5 zone as provided in subsection 502.02(F)of the YCZO. The request complies with criterion 902.06(A) of the YCZO.

2. *(B) That the proposal is consistent with the purpose of the WRG Overlay District as provided in Subsection 902.01.*

   The purpose of the WRG Overlay is to ensure the natural, scenic, and recreational qualities of lands along the Willamette River are protected and responsibly managed, in accordance with the appropriate local, state, and federal provisions. The Applicant is proposing to install a ground mount solar panel system. The building activities will be located 140' feet from the water's edge, above the water level. The construction will not disturb the riparian vegetation located along the subject lot's southern property line. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request will comply with criterion 902.06(B) of the YCZO.

3. *(C) That the natural vegetative fringe along the river shall be maintained in order to assure scenic quality, protection of wildlife, protection from erosion and screening of uses from the river.*

Regarding criterion (C), the site plan submitted with the application indicates that the proposed solar panel system will be 140-feet from the lot's southern property line, that is near to the Willamette River, and above the vegetative fringe along the Willamette River. These limited construction activities will occur in an area of the property that is not viewable from the water's edge. A comparison of the site plan and aerial imagery of the property indicates that there will be no disturbance to the riparian vegetation or loss of wildlife habitat. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request satisfies criterion 902.06(C) of the YCZO.

4. *(D) That the quality of the air, water and land resources in and adjacent to the WRG Overlay District shall be preserved with any development, change of use, or intensification of use, within the WRG Overlay District.*

Regarding criterion (D), the Applicant's proposed developments will not significantly affect air quality, water, or land resources. Because the proposed project is in an area that is not being farmed and it is not changing the use of the area, there is no reasonable indication that the proposed ground solar panel system will negatively impact the air, water, and/or land resources in or adjacent to the Willamette River Greenway (WRG) Overlay District. The proposed structure does not constitute an intensification of the use of the property. Staff finds that the residential use of the structure does not represent an intensification of the use of the property when measured against the existing use. Conditions of approval will be placed on the approval of the Willamette River Greenway permit that protects the existing riparian vegetation. With conditions, the request is consistent with criterion 902.06(D) of the YCZO.

5. *(E) That lands exhibiting Class I-IV soils for agricultural production shall be preserved and maintained for farm use.*

Regarding criterion (E), The Applicant is proposing a ground mount solar for residential use and the area is not being farmed and so therefore, this condition does not apply. Staff finds that solar panels is not any different from a structure normally associated with farm use, and therefore will not lead to the loss of productive farmland. The request is consistent with criterion 902.06(E) of the YCZO.

6. *(F) That significant fish and wildlife habitats shall be protected.*

Concerning criterion (F), the Willamette River is significant fish habitat. Protection of riparian vegetation is one of the primary means of protecting the habitat. Comprehensive Plan policy II.C.1.j. contains requirements for protection of riparian areas, as follows:

It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resource Conservation Plan, Yamhill County, Oregon, May 1979 - USDA - Soil Conservation Services), that are not regulated under the Forest Practices Act. In order to comply with this policy, a condition of approval will require that the dwelling be located at least 100' from the high water line, and that all existing vegetation within this area be retained

The proposed development will meet all YCZO codes, standards, and zoning regulations. The proposed solar panels will be located 140' feet away from the water's edge, therefore no riparian vegetation will be removed to facilitate the proposed construction activities. The request is consistent with criterion 902.06(F) of the YCZO.

7. *(G) That significant natural and scenic areas, viewpoints and vistas shall be preserved.*

Criterion (G) is not applicable for this parcel because the area has not been designated as a significant natural area or scenic resource, therefore there are no designated viewpoints or vistas that will be threatened by the applicant's proposed developments.

8. *(H) That areas of ecological, scientific, historical or archeological significance shall be protected, preserved, restored or enhanced to the maximum extent possible.*

Criterion (H) is not applicable for this parcel because the area has not been designated as a significant ecological, scientific, historical or archeological site.

9. *(I) That areas of annual flooding, floodplain and wetlands shall be preserved in their natural state to the maximum possible extent to protect water retention, overflow and other natural functions.*

Regarding criterion (I), the Applicant states that the building area is located approximately 140' feet above the river. GIS mapping confirms that the area of development is not within the floodplain. The construction activities for this project include the installation of a ground mount solar panel system. There will be no construction activities occurring within the 100-year floodplain area so the existing natural features and drainage within the 100-year floodplain will remain unimpeded and unaltered by the proposed development. There are no mapped or identifiable wetlands on the property except those that are within the floodplain.

10. *(J) That any harvesting of timber shall be done in a manner which will ensure that*

wildlife habitat and the natural scenic qualities found in the WRG Overlay District will be maintained and will be restored.

Regarding (J), no harvesting of timber in conjunction with the proposed construction of the home.

11. *(K) That the proposed development, change of use or intensification of use is compatible with the site, the surrounding area and the environment.*

The Applicant's proposed development, with conditions, is compatible with the character of the site, the surrounding area, and the environment of the Willamette River Greenway, thereby satisfying criterion (K). Staff sent a referral to the Oregon Department of Fish and Wildlife (ODFW), and ODFW expressed no concerns regarding the development of a replacement dwelling on the property. With conditions, the Applicant's request is compatible with the local environment, the Applicant's property, and the surrounding area and complies with this criterion.

12. *(L) That areas considered for development, change of use or intensification of use, which have erosion potential, shall be protected from loss by appropriate means which are compatible with the character of the Willamette River Boundary.*

Regarding (L), the Applicant has stated that the existing riparian vegetation will not be altered or removed during the installation of the ground mount solar. The proposed structure is 140' feet from the edge. The amount of development is well below the Soil Erosion Permit requirement. With conditions, the request is consistent with criterion (L).

13. *(M) That any extraction of aggregate deposits and reclamation shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow and visual quality, noise, and safety.*

No aggregate extraction is proposed, so criterion (M) is not applicable.

14. *(N) That recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with farm use.*

The construction activities associated with the Applicant's proposed ground mount solar will not have a negative impact on the existing farm uses occurring on surrounding parcels. The Applicant's request will not impact the carrying capacity of the land as the single-family dwelling has been established several years ago and has not impeded farm use, and so the proposal complies with criterion (N).

15. *(O) That maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.*

Regarding criterion (O), there is no documented history of trespass or vandalism on the property and the Applicant's proposal is unlikely to increase the risk of trespass or vandalism in the area. There have been no public safety issues identified with the proposed use. Staff finds that the request complies with criterion (O).

16. *(P) That any development shall be located away from the river to the greatest possible degree. A minimum building setback line of fifty (50) feet from the ordinary high water line of Willamette River shall be maintained, except for buildings and structures in conjunction with a water-dependent use.*

Concerning criterion (P), the proposed installation of the ground mount solar is located approximately 140-feet from the ordinary high-water line, exceeding the 50- foot setback standard from the ordinary high water line of the Willamette River. Staff finds that the Applicant's request complies with criterion (P).

17. *(Q) That public access where necessary and appropriate, shall be provided to and along the river by appropriate legal means for any public use or development.*

Criterion (Q) is not applicable since this is a private development on private property.

18. *(R) That the development, change or intensification of use shall provide the maximum possible landscaped area, open space or vegetation between the activity and the river.*

Criterion (R), the Applicant states that no riparian or other screening vegetation will be removed during the construction activities associated with the installation of the ground mount solar. The building activities will occur in an area that is already cleared of vegetation. The site plan indicates that there will be no disturbance to the existing riparian vegetation and landscaped areas will remain untouched. Staff finds that the request complies with criterion (R).

CONCLUSIONS FOR APPROVAL:

1. The request is for approval of a Willamette River Greenway permit to install a ground mount solar panel system that is associated with an existing single-family residence.

2. With conditions, the overall impact on the scenic quality of the Willamette River Greenway by the proposed solar panels will be minimal, and in keeping with the character of the surrounding properties.

3. With conditions, the development will comply with the purpose of the Willamette River Greenway overlay.

4. With conditions, the proposed development complies with the approval criteria and standards in Sections 402 and 902 of the *Yamhill County Zoning Ordinance*.

DECISION:

Based upon the above findings, analysis, and conclusions, the request by Nitin Khanna for the installation of ground mount solar panel system within the Willamette River Greenway on a parcel identified as Tax Lot 4106-800, is approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a distance of 100-feet.

2. The location and extent of the solar panels and associated materials shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway approval is granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

DATED AND SIGNED this 10th day of December, 2024, at McMinnville, Oregon.

Kenneth P. Friday

Kenneth P. Friday, Planning Director
Yamhill County Planning and Development

KF:tw

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET | McMINNVILLE, OREGON 97128

Phone:(503) 434-7516 | Fax:(503)434-7544 | TTY: (800) 735-2900 | Internet Address: http://www.yamhillcounty.gov

January 10, 2025

Richard A. Moore
4600 Perrydale Road
Dallas, OR 97338

Re: Docket No. WRG-04-24, Tax Lot 6304-00308

Dear Mr. Moore:

In reference to your application to convert an existing agricultural building to a single-family dwelling within the Willamette River Greenway, planning staff has reviewed your application and finds that, with conditions, it complies with the requirements of the *Yamhill County Zoning Ordinance*. Your application has been approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a distance of 100-feet.

2. The location and extent of the replacement home shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway approval is granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

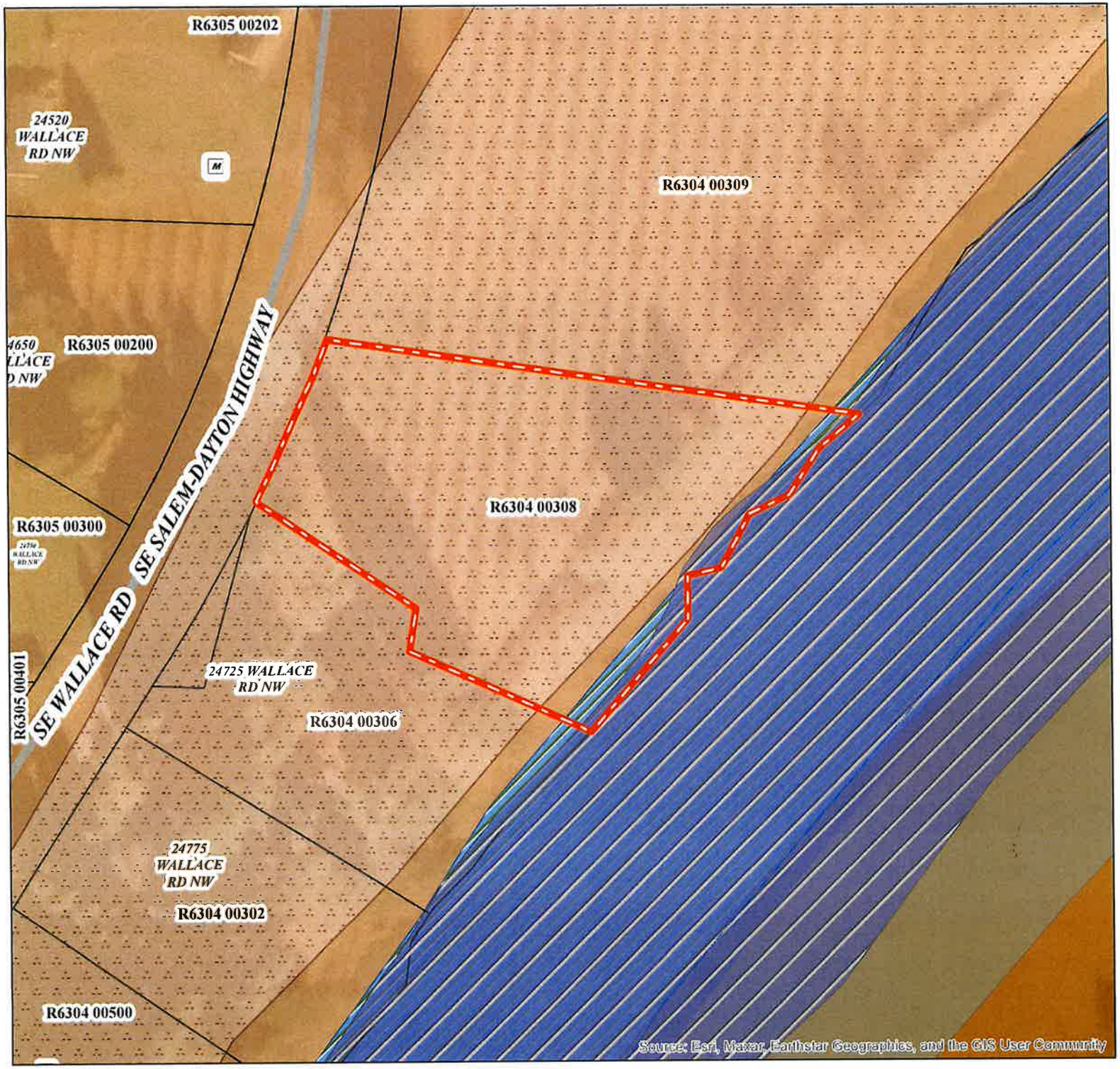
This decision is based on the applicable criteria in Sections 402 and 902 of the *Yamhill County Zoning Ordinance*. The *Yamhill County Zoning Ordinance* provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a $250.00 fee, with this Department no later than **5:00 p.m., January 27, 2025**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

If you have any questions, please contact this office.

Sincerely,

Kenneth P. Friday
Planning Director

cc: Board of Commissioners
Assessor
Sanitarian
Building Department
Public Works Department
Department of State Lands
State Parks Department
Dayton Fire Department
Department of Fish and Wildlife
DLCD
SPOs



YAMHILL COUNTY

TAX LOT INFORMATION & CONTEXTUAL MAP

Property Information

Docket: WRG-04-24

SE Wallace Rd

Subject Parcel(s)

Tax Lot: R6304 00308
Lot Acreage: 0

Willamette River Greenway

Wetland

FEMA Flood Zone

Base Flood Elev (ft)

100 Year Zone

Floodway

Approximate Locations & Dimensions
1 inch = 100 feet

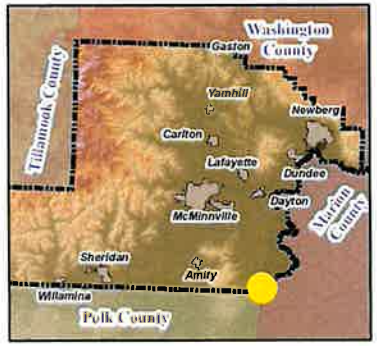
N
W E
S

1843 YAMHILL COUNTY

Last Update: November 19, 2024

YAMHILL COUNTY

TAX LOT INFORMATION & CONTEXTUAL MAP



Property Information

Docket: WRG-04-24

SE Wallace Rd

Subject Parcel(s)

Tax Lot: R6304 00308

Lot Acreage: 0

Willamette River Greenway

Wetland

FEMA Flood Zone

Base Flood Elev (ft)

100 Year Zone

Floodway

Approximate Locations & Dimensions

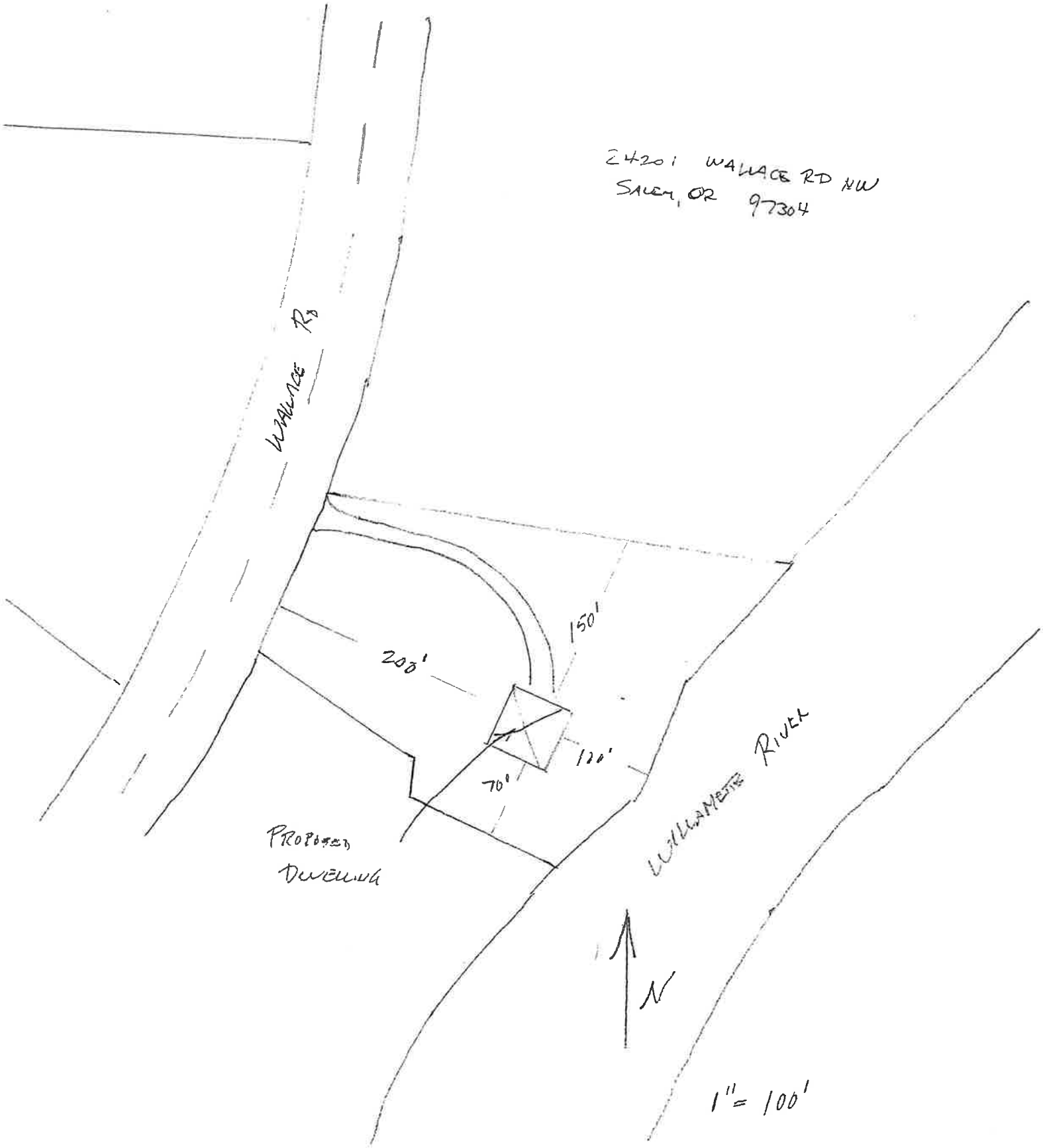
1 inch = 600 feet

N W E S

1843 YAMHILL COUNTY

Last Update: November 19, 2024

R6305 00100
R6305 00200
R6305 00202
R6305 00201
R6305 00300
R6305 00401
R6305 00402
R6305 00400
R6305 01000
R6305 00600
R6305 00700
R6305 00800
R6305 00900
R6304 00304
R6304 00300
R6304 00305
R6304 00309
R6304 00308
R6304 00306
R6304 00302
R6304 00500
R6304 00301
SE WALLACE RD
SE SALEM-DAYTON HIGHWAY
NW WALLACE RD
117 ft
117 ft
118 ft
119 ft
Marion County
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community


24201 WALLACE RD NW
SALEM, OR 97304
WALLACE RD
200'
150'
120'
70'
PROPOSED DWELLING
WILLAMETTE RIVER
N
1" = 100'

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: January 7, 2025

DOCKET NO.: WRG-04-24

REQUEST: Approval of a Willamette River Greenway permit to build a new dwelling which is permitted by Measure 49 Final Order E131580.

APPLICANT: Richard Moore

OWNER: Richard & Nicole Moore

TAX LOT: 6304-00308

LOCATION: The lot just north of 24725 Wallace Road NW and just south of 24201 Wallace Road NW, Salem

ZONE: EF-80, Exclusive Farm Use District

CRITERIA: Sections 402 and 902 of the *Yamhill County Zoning Ordinance.*

COMMENTS: *Public Works Department*: No response to date.
Dayton Fire Department: No response to date.
Sanitarian: "We have reviewed the file and find no conflicts with our interests."
State Parks Department: No response to date.
Department of Fish & Wildlife: No response to date.
Soil & Water Conservation District (SWCD): No response to date.
Department of State Lands (DSL): "See the following website to help identify wetlands on your property and consider contacting DSL for free wetland determination: https://www.oregon.gov/dsl/wetlands-waters/Pages/Identification.aspx"
Building Department: "Obtain building permits and inspections to take place during construction."

FINDINGS:

A. Background Facts

1. *Lot Size:* Approximately 1.66-acres.

2. *Access:* The property has direct access to SE Wallace Road.

3. *On-site Land Use and Zoning:* The subject parcel is zoned for Exclusive Farm use, the EF-80 zone. The subject lot is bordered to the east by the Willamette River but remains outside of the 100-year floodplain of the River due to the high escarpments located along the western property line. The subject parcel has historically been used agriculturally, as

part of a larger hazelnut orchard, however it was partitioned from the parent parcel to the north in order to fulfill the residential use granted in the Measure 49 Final Order.

4. *Surrounding Land Use and Zoning:* The surrounding parcels are all located in the Exclusive Farm use zone, the EF-80 zone. There are a number of farm activities evident in the surrounding area, including grass seed and hay production (predominantly to the west, southwest, and northwest), nut tree orchards (predominantly to the east and northeast), and nursery stock further to the northwest. There are also several small lots in the surrounding area—ranging in size from 0.7 to 3-acres in size—with single-family dwellings that are predominantly dedicated to residential uses. Several of these lots are located to the south of the subject parcel and one of these lots was created through a previous Measure 49 approval, identified as Tax Lot 6304-00306. Passive forest uses are also relatively common in the surrounding area, predominantly along the Willamette River and the land east of the river which is located in Marion County.

5. *Water:* The applicant has indicated that water is provided by an on-site well.

6. *Sewage Disposal*: A septic system will need to be permitted by the Sanitarian.

7. *Fire Protection:* Dayton Rural Fire Department.

8. *Previous Actions:* The subject parcel was involved in a land partition in 1972, Docket P-196-72. In 2007, Marvel Pendergraft filed a Measure 37 application, Docket M-37-175-06. The claim to Yamhill County was approved as detailed in Board Order 07-749. A Measure 49 claim was processed and approved through State Election Claim No. E131580. The Final Order and Home Site Authorization from State Election Number E131580 (Final Order) states in part,

   "Based on the analysis set forth above, this claim is approved, and the claimant qualifies for three home site approvals. As explained in section III above, after taking into account the number of existing lots, parcels or dwellings, the claimant is authorized for two additional lots or parcels and two additional dwellings on the property on which the claimant is eligible for Measure 49 relief..."

   In 2020, the Applicant received approval for a land partition for creation of a single (1) parcel measuring approximately 1.12-acres through Docket P-07-20, which reduced the number of lots or parcels that can be created to a single (1) additional parcel. The second lot that could be established through the Measure 49 Final Order is the subject lot, which was created via an approved partition in early 2024, Docket P-03-23.

9. *Overlay Districts*: The entirety of the subject parcel is located within the Willamette River Greenway. The lot is not located within the 100-year floodplain overlay district of the Willamette River, pursuant to FIRM panels 41071C0635D and 41071C0630D. The property is not located within an area identified as sensitive wildlife habitat, nor is the property is not within an airport overlay district.

10. *Explanation of the request:* The Applicant is requesting a Willamette River Greenway permit for the construction of a new dwelling. A dwelling is permitted on this lot through Measure 49 Final Order E131580. The Applicant's site plan indicates that there will be no development activities occurring within the identified boundaries of a 100-year floodplain so no floodplain development permit is required.

B. Greenway Provisions and Analysis

1. The request is for the construction of a new dwelling within the Willamette River Greenway.

Section 902.05 of the *Yamhill County Zoning Ordinance* (YCZO) requires approval for all development in the Willamette River Greenway (WRG). Section 902.06 states that Greenway development shall be subject to the following considerations and criteria:

(A) That the proposal conforms with the use provisions and standards and limitations of the underlying zoning district.

Regarding criterion (A) above, the subject property is located within the EF-80 zone, the Exclusive Farm Use District. The Applicant is requesting approval to build a new single-family dwelling which will be located in the Willamette River Greenway overlay district. The construction of a single-family dwelling on this lot is permitted through Measure 49 Final Order E131580. The site plan indicates that the location of the home will comply with the underlying setback requirements for the Exclusive Farm use zone as provided in subsection 402.09(C) of the YCZO. The request complies with criterion 902.06(A) of the YCZO.

2. *(B) That the proposal is consistent with the purpose of the WRG Overlay District as provided in Subsection 902.01.*

The purpose of the WRG Overlay is to ensure the natural, scenic, and recreational qualities of lands along the Willamette River are protected and responsibly managed, in accordance with the appropriate local, state, and federal provisions. The Applicant will be building a new dwelling so there will be minimal disturbance to the lot so any single land clearing activity that encompasses ¼ acre or more will be subject to additional erosion control permitting requirements and standards through the County Planning and Development Department. Construction activities will include the installation of a septic system to serve the dwelling, grading of land for construction of the home, and development of a driveway to provide ingress/egress for residents. The dwelling is located approximately 100-feet from the Willamette River's banks so the Applicant's building activities will not disturb the riparian vegetation located along the subject lot's eastern property line. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request will comply with criterion 902.06(B) of the YCZO.

3. *(C) That the natural vegetative fringe along the river shall be maintained in order to*

assure scenic quality, protection of wildlife, protection from erosion and screening of uses from the river.

Regarding criterion (C), the site plan submitted with the application indicates that the all construction activities will be located approximately 100-feet from the lot's eastern property line, along the bank of the Willamette River, and a similar distance from the vegetative fringe along the Willamette River. A single new dwelling and attached garage is proposed for construction under this Willamette River Greenway permit. The proposed development of the homesite will require additional ancillary development to occur on the subject lot in the form of an approved and permitted septic system that will be inspected by the County Sanitarian, the development of a driveway to serve the residents of the home, and the construction of a well and well-house. These limited construction activities will occur in the central area of the property, which has been used for hazelnut farming. The development of the homesite will require at least the partial removal of the onsite orchard. A comparison of the site plan and aerial imagery of the property indicates that there will be no disturbance to the riparian vegetation or loss of wildlife habitat. A condition of approval will prohibit removal of vegetation in the riparian area and maintain at least a 100-foot setback from the ordinary high-water mark. With conditions, the request satisfies criterion 902.06(C) of the YCZO.

4. *(D) That the quality of the air, water and land resources in and adjacent to the WRG Overlay District shall be preserved with any development, change of use, or intensification of use, within the WRG Overlay District.*

Regarding criterion (D), the Applicant's proposed developments will not have a significant negative impact to air quality, water, or land resources. Construction activities onsite will include the development of a driveway to serve the home, the installation of a septic system, and the construction of the home itself. These construction activities will occur over the relatively short-duration needed for construction, and any impacts to soil and air quality will be comparable to the seasonal farming activities that have occurred on the subject tract over the years. The residential development of the lot will necessitate the removal of at least a portion of the hazelnut orchard but will not lead to a loss of land resources. There is no reasonable indication that the development of a home on this cleared area of the property will negatively impact the air, water, and/or land resources in or adjacent to the Willamette River Greenway (WRG) Overlay District. The proposed construction of a single-family dwelling does not constitute an intensification of the use of the property, but rather a shift in the use from predominantly agricultural to predominantly residential. Staff finds that the residential use of the parcel does not represent an intensification of the use of the property when measured against the farm use and activities that have occurred on the property for as long as the hazelnut orchard has been on the property. Conditions of approval will be placed on the approval of the Willamette River Greenway permit that protects the existing riparian vegetation and requires an erosion control permit from the Planning Department for any ground-clearing activities that disturb ¼-acre or more of land. With conditions, the request is consistent with criterion 902.06(D) of the YCZO.

5. *(E) That lands exhibiting Class I-IV soils for agricultural production shall be preserved and maintained for farm use.*

Regarding criterion (E), soil on the parcel is exclusively composed of Woodburn Silt Loam (WuB), a Class II, high-value (prime) farmland soil type. The Applicant is proposing the construction of a single-family dwelling in the central area of the subject lot. The single-family dwelling is permitted through a Measure 49 Final Order. Construction activities on the subject lot will include the development of a driveway, grading and construction of the home, and the installation of a septic system that will be inspected and approved by the County Sanitarian. Staff finds that the development of a single-family dwelling will not lead to the irreversible loss of productive farmland, and, therefore finds that the request is consistent with criterion 902.06(E) of the YCZO.

6. *(F) That significant fish and wildlife habitats shall be protected.*

Concerning criterion (F), the Willamette River is significant fish habitat. Protection of riparian vegetation is one of the primary means of protecting the habitat. Comprehensive Plan policy II.C.1.j. contains requirements for protection of riparian areas, as follows:

> *It is the policy of Yamhill County to protect riparian vegetation from damage that may result from land use applications for development that is otherwise permitted outright or conditionally under county zoning regulations. To achieve this goal, Yamhill County will review land use applications for development in riparian areas in an effort to mitigate or prevent damage to riparian vegetation that might result from the development. For purposes of this policy, "riparian areas" refers to areas within 100 feet measured horizontally from the ordinary high water line of streams identified as "Fish Habitat" in the comprehensive plan inventory (Natural Resource Conservation Plan, Yamhill County, Oregon, May 1979 - USDA - Soil Conservation Services), that are not regulated under the Forest Practices Act. In order to comply with this policy, a condition of approval will require that the dwelling be located at least 100' from the high water line, and that all existing vegetation within this area be retained*

The proposed development will meet all YCZO codes, standards, and zoning regulations. The single-family home will be located approximately 100-feet from the riverbank which itself is an escarpment that lies approximately 80-feet above the normal high-water mark of the Willamette River. The subject lot has historically been farmed as a hazelnut orchard so the area that will be developed is relatively clear of native vegetation, but much of the hazelnut orchard on the lot will need to be removed in order to facilitate the residential development proposed by the Applicant. There will be no riparian vegetation removed to facilitate the proposed construction activities. With conditions, the request is consistent with criterion 902.06(F) of the YCZO.

7. *(G) That significant natural and scenic areas, viewpoints and vistas shall be preserved.*

Criterion (G) is not applicable for this parcel because the area has not been designated as a

significant natural area or scenic resource, therefore there are no designated viewpoints or vistas that will be threatened by the Applicant's proposed developments.

8. *(H) That areas of ecological, scientific, historical or archeological significance shall be protected, preserved, restored or enhanced to the maximum extent possible.*

Criterion (H) is not applicable for this parcel because the area has not been designated as a significant ecological, scientific, historical or archeological site.

9. *(I) That areas of annual flooding, floodplain and wetlands shall be preserved in their natural state to the maximum possible extent to protect water retention, overflow and other natural functions.*

Regarding criterion (I), the Applicant's site plan shows that the building area is located approximately 80' above the river and approximately 100-feet west of the vegetative fringe along the elevated escarpment that riverbank. The construction activities for this project include the development of a driveway to serve the home, grading and construction activities at the build site, and the installation of a septic system to serve the home. There is no area of the property located within the 100-year floodplain of the Willamette River due to the high escarpment that acts as the riverbank on this lot. Any activities that disturb ¼ of an acre or more will require an erosion control permit from the Planning Department prior to the commencement of construction activities. There are no mapped or identifiable wetlands on the property.

10. *(J) That any harvesting of timber shall be done in a manner which will ensure that wildlife habitat and the natural scenic qualities found in the WRG Overlay District will be maintained and will be restored.*

Regarding (J), no harvesting of timber in conjunction with the proposed construction of the home.

11. *(K) That the proposed development, change of use or intensification of use is compatible with the site, the surrounding area and the environment.*

The Applicant's proposed development, with conditions, is compatible with the character of the site, the surrounding area, and the environment of the Willamette River Greenway, thereby satisfying criterion (K). Staff sent a referral to the Oregon Department of Fish and Wildlife (ODFW), and ODFW expressed no concerns regarding the development of a replacement dwelling on the property. The residential use of the property that will be new for this lot does not constitute an intensification of the use of the property, which has historically been agricultural use and most recently the planting and management of the onsite hazelnut orchard. Staff finds that the farming activities (spraying of herbicides, pesticides, fertilizer, operation of heavy farm machinery, etc.) commonly conducted in conjunction with the existing hazelnut orchard represents a use that has a comparable intensity to the construction of a dwelling and the residential use of the property. With conditions, the Applicant's request is compatible with the local environment, the

Applicant's property, and the surrounding area and complies with this criterion.

12. *(L) That areas considered for development, change of use or intensification of use, which have erosion potential, shall be protected from loss by appropriate means which are compatible with the character of the Willamette River Boundary.*

Regarding (L), the Applicant has stated that the existing riparian vegetation will not be altered or removed during the construction of the dwelling but will be maintained to protect wildlife habitat and to protect the bank from erosion. Planting new vegetation and the maintenance of existing vegetation along the riparian area, compatible with the character of the Willamette River Boundary, is strongly encouraged. With conditions, the request is consistent with criterion (L).

13. *(M) That any extraction of aggregate deposits and reclamation shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow and visual quality, noise and safety.*

No aggregate extraction is proposed, so criterion (M) is not applicable.

14. *(N) That recreational needs shall be satisfied by public and private means in a manner consistent with the carrying capacity of the land and with minimum conflict with farm use.*

Farm uses on the subject lot and the surrounding area include hazelnut orchards, grass seed and hay production (predominantly to the west, southwest, and northwest), and nursery stock further to the northwest of the subject lot. The construction activities associated with the Applicant's proposed construction of a dwelling will not have a negative impact on the existing farm uses occurring on surrounding parcels. The Applicant's request will not impact the carrying capacity of the land. The request complies with criterion (N).

15. *(O) That maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practicable.*

Regarding criterion (O), there is no documented history of trespass or vandalism on the property and the Applicant's proposal is unlikely to increase the risk of trespass or vandalism in the area. There have been no public safety issues identified with the proposed use. Staff finds that the request complies with criterion (O).

16. *(P) That any development shall be located away from the river to the greatest possible degree. A minimum building setback line of fifty (50) feet from the ordinary high water line of Willamette River shall be maintained, except for buildings and structures in conjunction with a water-dependent use.*

Concerning criterion (P), the building area for the proposed single-family dwelling is located approximately 100-feet west of the ordinary high water line, exceeding the 50- foot

setback standard from the ordinary high water line of the Willamette River. Staff finds that the Applicant's request complies with criterion (P).

17. *(Q) That public access where necessary and appropriate, shall be provided to and along the river by appropriate legal means for any public use or development.*

Criterion (Q) is not applicable since this is a private development on private property.

18. *(R) That the development, change or intensification of use shall provide the maximum possible landscaped area, open space or vegetation between the activity and the river.*

Criterion (R), the Applicant states that no riparian or other screening vegetation will be removed during the construction activities associated with the new single-family dwelling. The building activities will occur in an area that is being farmed. The site plan indicates that there will be no disturbance to the existing riparian vegetation. Staff finds that the request complies with criterion (R).

CONCLUSIONS FOR APPROVAL:

1. The request is for approval of a Willamette River Greenway permit to build a single-family dwelling. The single-family dwelling is permitted through Measure 49 Final Order E131580.

2. With conditions, the overall impact on the scenic quality of the Willamette River Greenway by the proposed addition to the dwelling will be minimal, and in keeping with the character of the surrounding properties.

3. With conditions, the development will comply with the purpose of the Willamette River Greenway overlay.

4. With conditions, the proposed development complies with the approval criteria and standards in Sections 402 and 902 of the *Yamhill County Zoning Ordinance*.

DECISION:

Based upon the above findings, analysis, and conclusions, the request by Richard A. Moore for the construction of a single-family dwelling within the Willamette River Greenway on a parcel identified as Tax Lot 6304-00308, is approved with the following conditions:

1. All trees and vegetation shall be retained within the vegetative fringe of the river and all land lying north of the river for a distance of 100-feet.

2. The location and extent of the replacement home shall substantially conform to the site plan submitted with the application, see enclosed map.

3. All necessary permits for construction shall be obtained from the Yamhill County Building and Sanitation Departments.

4. The Willamette River Greenway approval is granted for one (1) year from the final decision date and will expire unless substantial construction has taken place before that date. The approval may be extended if a request for extension and appropriate fee is received prior to the expiration date.

DATED AND SIGNED this 10th day of January, 2025, at McMinnville, Oregon.

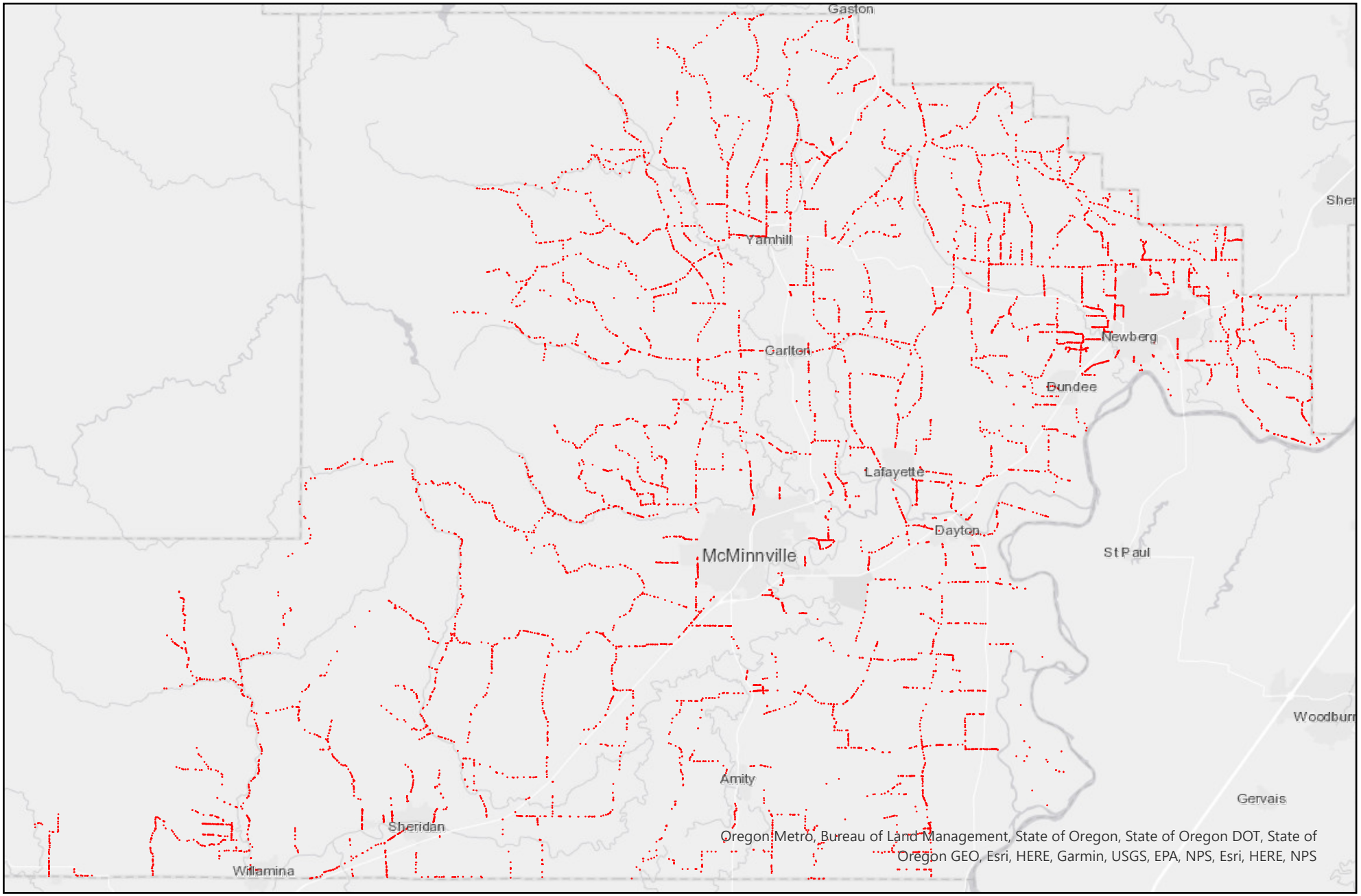
Kenneth P. Friday

Kenneth P. Friday, Planning Director
Yamhill County Planning and Development

KF:lw

Attachment:
Culvert Inventory

Yamhill County Culvert Inventory



0 5 10 Miles

N

Legend

Culvert Inventory (8251)

Map created by Nick Wilkinson

Attachment:
MOU-YCPW GYWC

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
YAMHILL COUNTY PUBLIC WORKS DEPARTMENT
AND THE
GREATER YAMHILL WATERSHED COUNCIL

This Memorandum of Agreement is made and entered into by and between the **Yamhill County Public Works Department**, hereinafter referred to as the County, and the **Greater Yamhill Watershed Council**, hereinafter referred to as Council.

Purpose

The purpose of this Memorandum of Understanding (MOU) is to define a cooperative effort between the County and Council to seek funding and implement projects related to fish passage, water quality, floodplain function, public safety, and other physical and/or natural infrastructure goals in collaboration with other partners.

Description of Collaboration Effort

The County and Council each have identified strategic goals that are of mutual interest and benefit to the County and watershed. This collaboration will seek to formalize and prioritize those mutual goals and develop an achievable action plan for implementation, including identification of funding sources and potential partners.

This MOU describes the work to be done by the Council to support solidifying this partnership, and seeking funding opportunities that lead to implementation of mutually identified projects.

A summary of the work tasks to be performed by the Council include:

1. Evaluation of opportunities for collaboration within planning documents of both organizations.
2. Recruitment of additional partners that may have interest in identified goals.
3. Evaluation of funding opportunities for implementation of mutually beneficial projects.
4. Tracking of upcoming and ongoing funding opportunities.
5. Grant preparation, including development of materials necessary to support each request.
6. Documentation of each funding request and progress towards mutual goals.

The County will provide technical support and expertise in development of funding requests as needed.

Payment and Reimbursement

The County will reimburse the Council for work completed under this MOU at an hourly rate of $60.00. The Council will obtain authorization from the County for each effort requiring funding prior to proceeding with work, including a not-to-exceed budget.

Documentation Requirements

The Council will provide an invoice to the County with details of hours worked and a short description of efforts completed. The County and Council will keep a summary of other work or contributions to be used as documentation of match (if needed) for potential project funding sources.

Insurance

The Council and County shall maintain appropriate liability insurance for their respective roles.

Indemnity

The Council shall defend, save, hold harmless, and indemnify the County and their officers, employees and agents and their officers and members from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature whatsoever resulting from, arising out of, or relating to the activities of the Council or its officers, employees, subcontractors, or agents under this contract.

The County shall defend, save, hold harmless, and indemnify the Council and their officers, employees and agents and their officers and members from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever resulting from, arising out of, or relating to the activities of the County or its officers, employees, subcontractors, or agents under this contract.

Effective Date, Modification and Termination

This Memorandum of Understanding shall become effective upon signature of all parties and remain in effect until terminated by either party or funding becomes unavailable. Upon mutual agreement, the Council and County may modify this MOU. Either party may terminate the MOU effective upon delivery of written notice to the other or at such other date as may be established by the other party. In the event of termination, the County will compensate the Council for work completed, and for expenses incurred as identified in this MOU, up to the date of termination. No payment will be made for work or expenses incurred after the date of termination.

Signatures

_____ _____

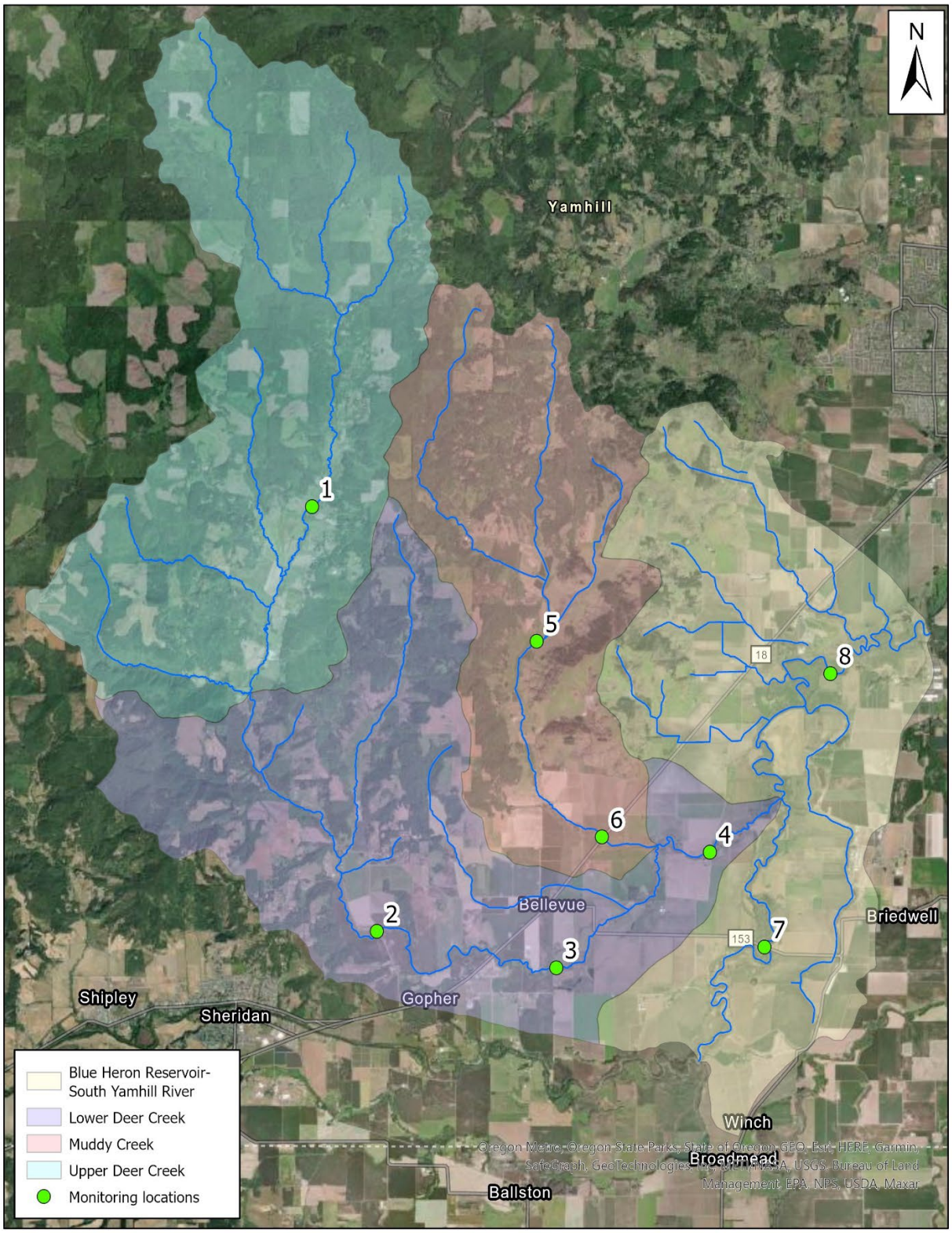
Yamhill County Public Works Department Date

_____ _____

Greater Yamhill Watershed Council Date

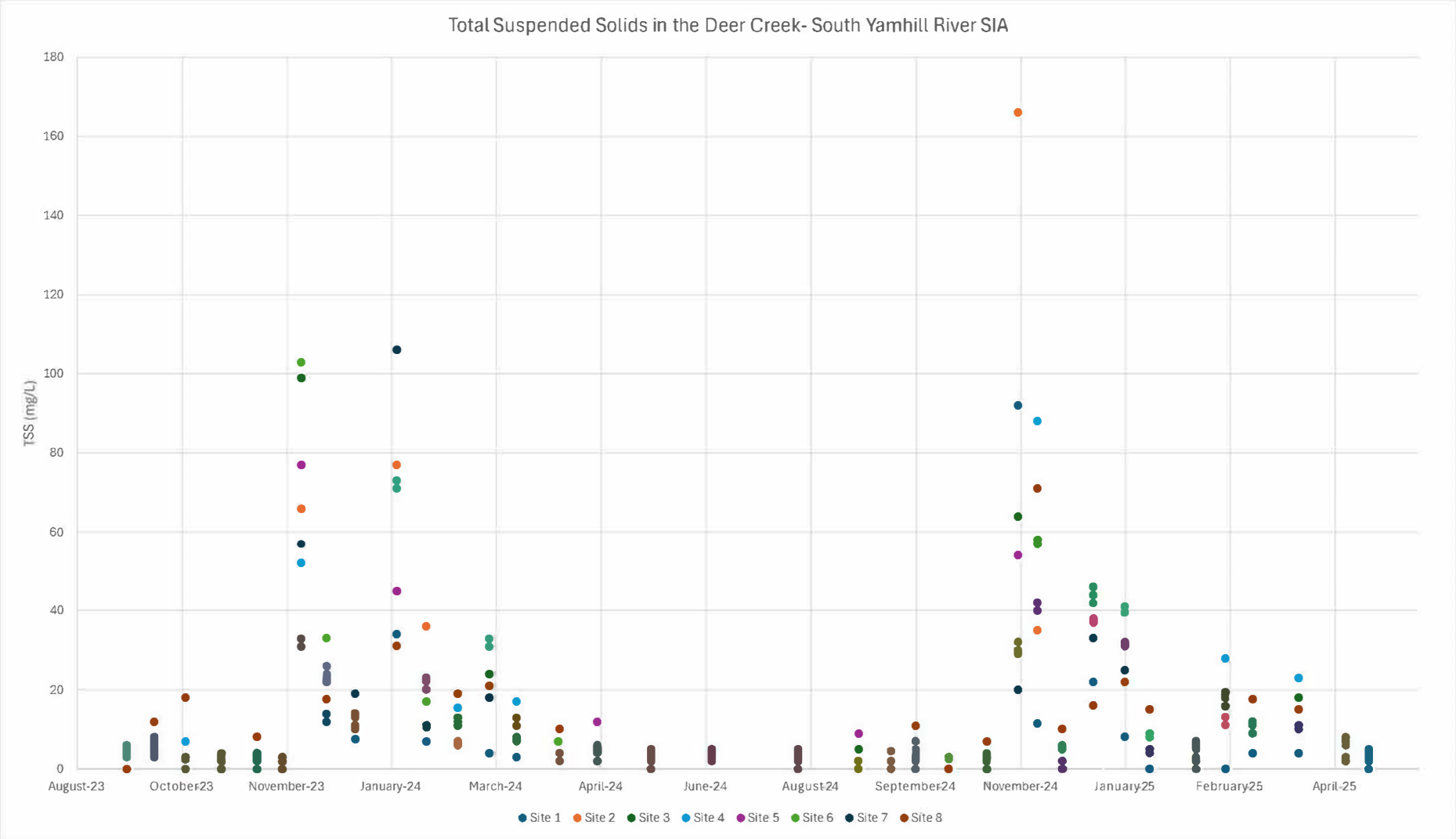
Attachment:
Water Quality Monitoring Data

SIA



YAMHILL SOIL & WATER CONSERVATION DISTRICT

0 2 4 8 Miles


Total Suspended Solids in the Deer Creek- South Yamhill River SIA
TSS (mg/L)
180
160
140
120
100
80
60
40
20
0
August-23
October-23
November-23
January-24
March-24
April-24
June-24
August-24
September-24
November-24
January-25
February-25
April-25
Site 1
Site 2
Site 3
Site 4
Site 5
Site 6
Site 7
Site 8

Date	Site 1	Site 2	Site 3	Site 4	Site 5	Site 6	Site 7	Site 8
9/15/2023	0	4	5	3	6	5	0	0
9/28/2023	3	3.5	6	8	7	4	5	12
10/13/2023	0	0	2.5	7	3	3	3	18
10/30/2023	0	2	0	2.5	3	4	2	3
11/16/2023	0	3	3	4	4	2	4	8
11/28/2023	2	0	0	3	2	2	0	3
12/7/2023	33	66	99	52	77	103	57	31
12/19/2023	14	24	22	23	26	33	12	17.5
1/2/2024	7.5	10	11	13	13	14	19	14
1/22/2024	34	77	71	71	45	73	106	31
2/5/2024	7	36	10.5	22	23	17	11	20
2/20/2024	6	7	12	15.5	13	13	11	19
3/6/2024	4	24	24	31	33	33	18	21
3/19/2024	3	8	13	17	11	8	7	11
4/8/2024	2	4	7	7	7	7	2	10
4/26/2024	4	4	5	4	12	6	2	5.5
5/22/2024	4	4	5	5	5	3	0	2
6/20/2024	4	3.5	5	4	3	5	2	5
7/31/2024	4	3	2.5	3	5	3	2	0
8/29/2024	5	2	5	2	9	2	0	0
9/13/2024	2	0	2	2	4.5	2	0	0
9/25/2024	2	3	11	5	4.5	7	0	11
10/11/2024	3	0	0	0	3	2.5	0	0
10/29/2024	0	4	0	3	2	2	3	7
11/13/2024	92	166	64	29	54	32	20	30
11/22/2024	11.5	35	57	88	40	58	42	71
12/4/2024	6	5	5	5	2	5	0	10
12/19/2024	22	37	46	44	38	42	33	16
1/3/2025	8	25	32	39.5	31	41	25	22
1/15/2025	0	5	8	8	4	9	5	15
2/6/2025	0	2	6	7	3	5	2	6
2/20/2025	0	13	18	28	11	16	19.5	16
3/5/2025	4	9	11	12	9	11	9	17.5
3/27/2025	4	15	18	23	10	11	11	15
4/18/2025	3	6	8	7	2	3	2	8
4/29/2025	5	3	3	4	0	2	0	2

Alexin Analytical LABORATORIES, INC.
Professional Laboratory Services
13035 SW Pacific Hwy
Tigard, OR 97223
Tel.: (503) 639-9311 Fax: (503) 684-1588

ANALYSIS REPORT

Reported: 12/03/2024
Received: 11/13/24
Sampled By: Jordan Anderson
Work Order: 4318069

CLIENT
Yamhill SWCD
Attn: Jordan Anderson
2200 SW 2nd Steet
McMinnville OR, 97128
Phone: (503) 437-5747

Project: Yamhill SIA
Permit # :
Sampling Location: Deer Creek, Muddy Creek, and South Yamhil
Temperature Upon Recept: 6.60 ± 1°C

Lab Number	Sample Name						
4318069-01	**1 - UDC**						**Sample Type:** Grab
	Sampled: 11/13/24 12:55						**Matrix:** Waste Water
Inorganics		**Method**	**Units**	**Result**	**MRL**	**Analysis Date/ Time**	
Total Suspended Solids	A	EPA 160.2	mg/L	92	2	11/18/24 16:00	
4318069-02	**2 - LDC 3**						**Sample Type:** Grab
	Sampled: 11/13/24 13:25						**Matrix:** Waste Water
Inorganics		**Method**	**Units**	**Result**	**MRL**	**Analysis Date/ Time**	
Total Suspended Solids	A	EPA 160.2	mg/L	166	2	11/18/24 16:00	
4318069-03	**3 - LDC**						**Sample Type:** Grab
	Sampled: 11/13/24 13:50						**Matrix:** Waste Water
Inorganics		**Method**	**Units**	**Result**	**MRL**	**Analysis Date/ Time**	
Total Suspended Solids	A	EPA 160.2	mg/L	64	2	11/18/24 16:00	
4318069-04	**4 - DCD**						**Sample Type:** Grab
	Sampled: 11/13/24 11:15						**Matrix:** Waste Water
Inorganics		**Method**	**Units**	**Result**	**MRL**	**Analysis Date/ Time**	
Total Suspended Solids	A	EPA 160.2	mg/L	29	2	11/18/24 16:00	
4318069-05	**5 - MVHR**						**Sample Type:** Grab
	Sampled: 11/13/24 12:05						**Matrix:** Waste Water
Inorganics		**Method**	**Units**	**Result**	**MRL**	**Analysis Date/ Time**	
Total Suspended Solids	A	EPA 160.2	mg/L	54	2	11/18/24 16:00	
4318069-06	**6 - MC HWY 18**						**Sample Type:** Grab
	Sampled: 11/13/24 14:05						**Matrix:** Waste Water
Inorganics		**Method**	**Units**	**Result**	**MRL**	**Analysis Date/ Time**	
Total Suspended Solids	A	EPA 160.2	mg/L	32	2	11/18/24 16:00	

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ANALYSIS REPORT

Reported: 12/03/2024
Received: 11/13/24
Sampled By: Jordan Anderson
Work Order: 4318069

CLIENT
Yamhill SWCD
Attn: Jordan Anderson
2200 SW 2nd Steet
McMinnville OR, 97128
Phone: (503) 437-5747

Project: Yamhill SIA
Permit # :
Sampling Location: Deer Creek, Muddy Creek, and South Yamhil
Temperature Upon Recept: 6.60 ± 1°C

4318069-07
7 - SY AH RD
Sampled: 11/13/24 10:55
Sample Type: Grab
Matrix: Waste Water

Inorganics		Method	Units	Result	MRL	Analysis Date/ Time
Total Suspended Solids	A	EPA 160.2	mg/L	20	2	11/18/24 16:00

4318069-08
8 - SY LANDFILL
Sampled: 11/13/24 10:20
Sample Type: Grab
Matrix: Waste Water

Inorganics		Method	Units	Result	MRL	Analysis Date/ Time
Total Suspended Solids	A	EPA 160.2	mg/L	29	2	11/18/24 16:00

4318069-09
8 - SY LANDFILL Duplicate
Sampled: 11/13/24 10:25
Sample Type: Grab
Matrix: Waste Water

Inorganics		Method	Units	Result	MRL	Analysis Date/ Time
Total Suspended Solids	A	EPA 160.2	mg/L	31	2	11/18/24 16:00

4318069-10
X - Blank
Sampled: 11/13/24 14:00
Matrix: Water

Inorganics		Method	Units	Result	MRL	Analysis Date/ Time
Total Suspended Solids	A	EPA 160.2	mg/L	ND	2	11/18/24 16:00

ND = None detected **MRL** = Minimum Reporting Limit
A = All laboratory procedures for this analysis are accredited in accordance with NELAP standards. Lab Accreditation No. OR-100013

Approved by:
Adriana Gonzalez-Gray
Laboratory Director

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Alexin Analytical LABORATORIES, INC. — Professional Laboratory Services

Chain of Custody Record

Laboratory Job Number: 4318069-01-10

13035 SW Pacific Hwy Tigard, OR 97223 ph: 503.639.9311 fax: 503.684.1588 email:mail@alexinlabs.com

Client Contact Information	Results Reporting Information	Invoicing Information
Company/Client Name: Yamhill SWCD	Project Manager: Jordan Anderson	Accounts Payable Contact: Allison Schwister
Address: 2200 SW 2nd Street	Mailing Address: SAME	Mailing Address: SAME
City/State/Zip: McMinnville, OR 97128	City/State/Zip:	City/State/Zip:
phone: 503-437-5747	phone:	phone: 503-472-6403
fax or email: jordan@yamhillswcd.org	fax or email:	fax or email: allison@yamhillswcd.org

SAMPLING INFORMATION

Sampling Location: Deer Creek, Muddy Creek, and South Yamhill River	P.O. #:	PWSID #:
Sampled By: Jordan Anderson — Project Name: Yamhill SIA	Project #:	Permit #:

Send results to OR State Health Division? (Please circle) Yes (No)

Analysis Requested**

Lab ID (Lab use only)	Sample Identification (Please enter a unique ID per line for each separate sample)	Date Collected	Time Collected (Begin-End if comp.)	Sample Matrix*	# of cont. rec'd	TSS								SEE ATTACHED	Sample Specific Notes/Field Data (for each WW sample, specify Grab / Composite; for each DW sample, specify Raw / Treated, Source / Distribution, Single / Combined WHERE APPLICABLE)
01	1-UDC	11/13	1255	WW		1									Grab
02	2-LDC3		1325	WW		1									Grab
03	3-LDC		1350	WW		1									Grab
04	4-DCD		1115	WW		1									Grab
05	5-MVHR		1205	WW		1									Grab
06	6-MCHWY18		1405	WW		1									Grab
07	7-SYAHRD		1055	WW		1									Grab
08	8-SYLandFill		1020	WW		1									Grab
09	8-SYLandFill Duplicate		1025	WW		1									Grab
10	X-Blank		1400			1									

Relinquished By (print):	Company:	Date/Time:	Signature:	Received By:	Company:	Date/Time:	Signature:
Jordan Anderson	YSWCD	16:40 11/13	[signature]				
Relinquished By (print):	Company:	Date/Time:	Signature:	Received By:	Company:	Date/Time:	Signature:

The most current revision of SOP-10-003 was used when these samples were collected ☐

Received by Laboratory Log-In Staff: [illegible] 11/13/24 Date/Time: 16:44 Temp. on receipt: 6.6 °C Containers Intact? (Y) N On ice? (Y) N ID: TRM-10-002

* Drinking water (DW), effluent (EFF), ground water (GW), influent (INF), non-aqueous liquid (NAL), paint chips, raw water (RW), sludge, soil, solid, source water (SOURCE), spring, stormwater (SW), surface water, wastewater (WW), well water (WELL)

** Analyses for SOC, Radionuclide, Radon, and Asbestos are subcontracted out to other accredited laboratories.

Figure 1: Map of existing Water Quality Stations (WQS) within SIA

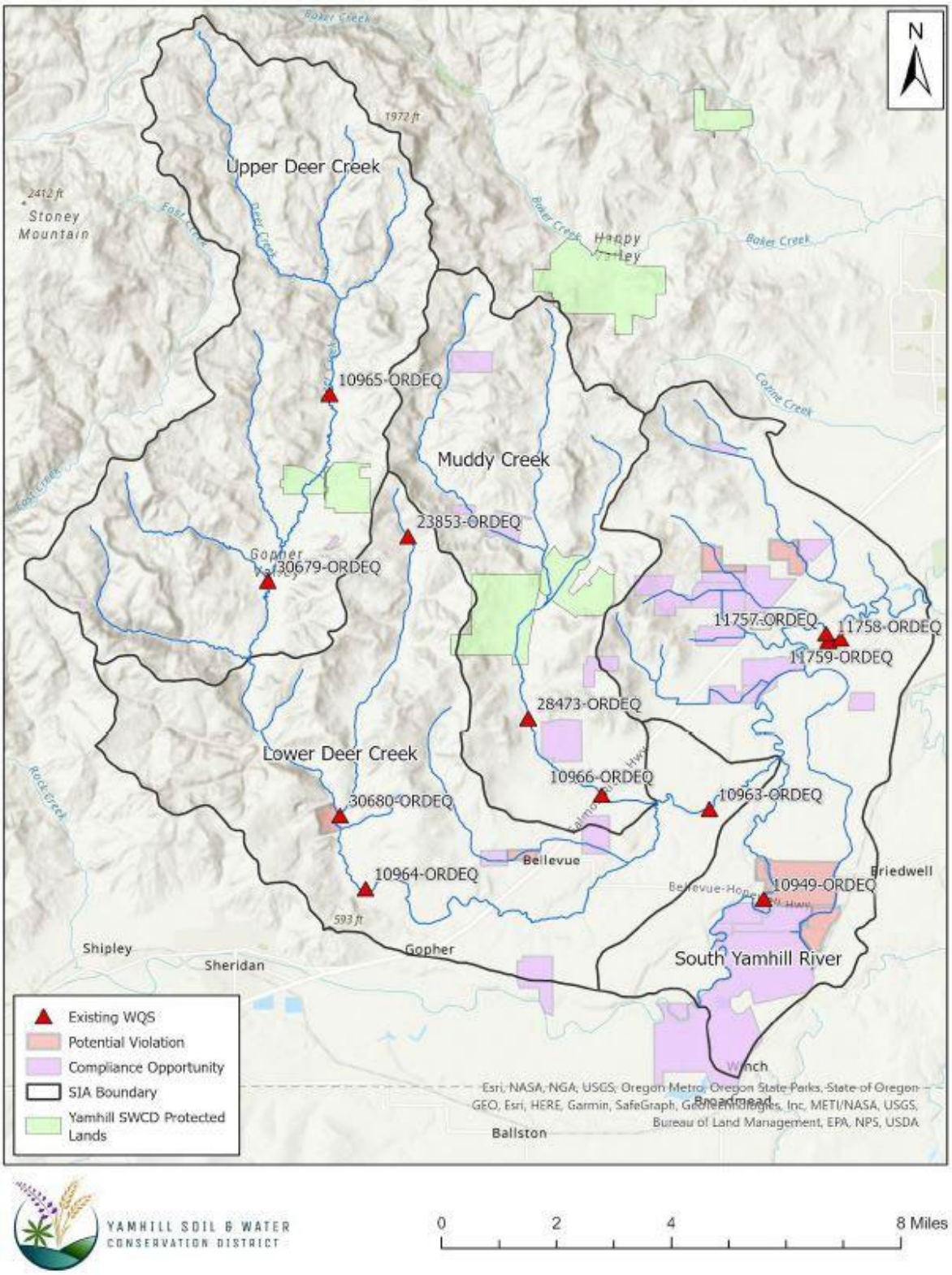

Figure 1 Map from Yamhill SIA Sampling Proposal showing SWCD sampling sites

a. Discussion summary

This section is a discussion of the relevant available data and how it relates to the project. Include a summary about current conditions, any data gaps, and how the available data relate to the project objectives.

Previous data collection efforts by DEQ and GYWC are limited to pre-2007 within these subbasins. Yamhill SWCD has been collecting data throughout 2023 with plans to continue through at least 2024 including TSS, pH, Conductivity, TDS, and at some sites Flow, Stage, and Temperature. This data has helped establish baseline conditions within these sub-watersheds. The analysis of TSS-THg relationships included in the Willamette Mercury TMDL was comprised on 63 samples collected across 17 sampling sites, none of which were within the Yamhill Subbasin. Further proposed monitoring including THg can be targeted based on initial observations from Yamhill SWCD and the local monitoring team. Additional existing data can be used to augment analysis of newly collected TSS-THg measurements including daily precipitation data from the Amity 3.2 ENE, OR US US1ORYM0032 station, and remotely sensed land use data.

8. New data needs/Sample Plan

This proposal aims to leverage DEQ lab resources combined with planned sampling

DEQ Station ID	**Station Location**	**Lat**	**Long**	**Parameters**	**Sampling Period**	**Season**	**# Samples**	**Why?**
	Deer Creek @ Gopher Valley Preserve	45.18093	-123.378	TSS, pH, Conductivity, TDS, Flow, Stage, Temp	2023-2026	Year-round		SWCD owned property, representative of upper Deer Creek
10964	Deer Creek @ Marker #3 (Sheridan)	45.12358	-123.369	TSS, pH, Conductivity, TDS, THg	2023-2026	Year-round, THg in Fall/Winter	6 (3 annually)	Public access point, downstream of Dupee Creek
	Deer Creek @ Deer Creek Flats Rd	45.1052	-123.315	TSS, pH, Conductivity, TDS, Temp, THg	2023-2026	Year-round, THg in Fall/Winter	6 (3 annually)	Private land representative of lower Deer Creek

10963	Deer Creek @ Delashmutt Ln	45.12462	-123.276	TSS, pH, Conductivity, TDS, THg	2023-2027	Year-round, THg in Fall/Winter	6 (3 annually)	Public access point downstream of confluence with Muddy Creek
	Muddy Creek @ Muddy Valley Preserve	45.15337	-123.324	TSS, pH, Conductivity, TDS, Flow, Stage, Temp	2023-2028	Year-round		District owned property. Representative of Upper Muddy Creek
10966	Muddy Creek @ Highway 18	45.12715	-123.303	TSS, pH, Conductivity, TDS, Temp, THg	2023-2029	Year-round, THg in Fall/Winter	6 (3 annually)	Public access point, representative of lower muddy Creek
10949	South Yamhill River @ Amity-Hopewell Rd	45.10878	-123.262	TSS, pH, Conductivity, TDS, THg	2023-2030	Year-round, THg in Fall/Winter	6 (3 annually)	Furthest upstream public access point
11758	South Yamhill River, opposite Landfill	45.155	-123.244	TSS, pH, Conductivity, TDS, THg	2023-2031	Year-round, THg in Fall/Winter	6 (3 annually)	Furthest downstream public access point

Sample and lab methods. *Describe the sample and lab methods to be used or provide a program QAPP reference. If relevant, include a discussion if the lab method is currently not available at DEQ's lab and must be contracted out or developed internally.*

Questions from Pre-proposal reviewers

- Will all the samples taken by the different organizations use the same methods and be analyzed by the same lab?
    - No, DEQ lab is responsible for THg analysis only and other results are either collected in the field or analyzed by a separate lab.
- Would it be possible to use continuous turbidity monitoring to capture high turbidity events?

    - Specialized equipment would be needed to capture THg using an auto-sampler. However, it may be possible to utilize an auto-sampler to capture TSS. In this case, targeted TSS measurement collection is most feasible.
- Clarify which agency staff will be responsible for most of the sample collection
    - SWCD staff will be responsible for sample collection with technical assistance from DEQ lab staff.
- Project proposal authors should confer with LEAD Toxics Monitoring Coordinator (Paige Haxton-Evans) and LEAD analytical managers (could be through Paige or Steve Hanson) to assess capacity of the lab to complete these analyses (128 samples is not a small number, especially for metals analysis). This will compete with analytical priorities in Toxics and Groundwater programs; may also compete with analytical resources supporting Columbia River Toxics Monitoring grant (if DEQ gets the grant).
- Full proposal should justify the large number of samples requested (needed to establish a correlation?) and consider if fewer samples could meet project objectives.
    - Number of samples has been revised to *xx.*
- *Laboratory resources for project management, QAPP and SAP development would be significant, as well.*
- This will compete with TMDL monitoring projects currently underway and expected to continue in '25 and '26 (e.g. Tualatin turbidity, Klamath temperature, Deschutes HABs/nutrients).
- *How will this proposal calibrate with past data collection efforts? How much calibration is needed?*
- What does the literature say about the relationship between TSS and THg?
    - See analytical summary based on analysis from Willamette Mercury TMDL Appendix G.
- Is the proposed study building on other research to ensure that the methods and results are robust?
    - Yes this data collection effort is aligned with previous monitoring in this subbasin and analysis is building upon that which was completed during development of the Willamette Mercury TMDL.
- Will there be a control site for the study, and is a control site needed for this work?
    - There will not be a control site for this study.

Categorical Farm Practices schedule - Tilling. Scraping. Harvest.

Connection between TSS and turbidity. Higher turbidity it’s likier to have more organic matter/clay particles. lower turbidity likely more sands.

Acid rinsed van doren sampler.

Attachment:

2024 Mercury Monitoring Proposal

2024 Monitoring Full Proposal ***Version Update: 5/31/24***

<u>Required elements in 2024 TMDL, nonpoint source, and drinking water monitoring proposals</u>

1. Project Title: Deer Creek and South Yamhill River Mercury Monitoring

2. Project Type: TMDL Implementation

3. Application Team:

Name	Role	Review Date	Approval
Grace Goldrich-Middaugh	DEQ Willamette Basin Coordinator		
Kevin Brannan	DEQ Water Quality Analyst		
Steve Hanson	DEQ Lab Project Manager		
Jordan Anderson	Yamhill SWCD		

Each person assigned by HSPIG must review and approve the monitoring proposal. Identify the application team including the applicant, staff, and their titles. Provide documentation of their approval upon submission of proposal.

4. Project Overview
   This section is a brief abstract describing the project. Include the following:
   a. Statement of need and problem
      The Deer Creek and South Yamhill River watersheds contain multiple water quality impairments and limited recent monitoring data. The Oregon Department of Agriculture (ODA) and Yamhill Soil and Water Conservation District (SWCD) have recently invested resources to augment monitoring of

temperature, pH, and TSS across the watershed through the ODA SIA process. The Willamette Mercury TMDL is the only TMDL with active load allocations applied to this basin. DMAs (including ODA) are new to implementation of TMDLs and will benefit from augmented information on the TSS-THg relationship in this watershed which can help inform and target implementation efforts to improve the effectiveness of NPS mercury and sediment reductions.

b. Study area

The SIA encompasses four distinct Hydrologic Unit Code (HUC) watersheds (see Figure 1), "Upper Deer Creek" HUC-12 (170900080403), "Lower Deer Creek" HUC-12 (170900080405), "Muddy Creek" HUC-12 (170900080404), and "Blue Heron Reservoir-South Yamhill River" HUC-12 (170900080406). Monitoring data will be collected in all four watersheds, with a focus on Deer Creek and Muddy Creek. Most of this area is dominated by agricultural lands, while the headwaters of Deer and Muddy Creek are primarily forested timberlands.

c. Timeframe/study period

This project will implement collection of TSS and THg data over two years (2025-2026) within the Deer Creek and South Yamhill SIA to augment TSS data collected by Yamhill SWCD. The data will be used to assess baseline conditions and establish a relationship between TSS and THg for these subbasins. Summer sampling is conducted once a month (May to August) and winter sampling twice a month (September to April). THg sampling would occur during a subset of these visits. *An option could be to collect one(?) round of THg samples at higher flow sites in summer of 2025 to see if anything is above the detection limit. Generally, THg samples should be collected in September, December, and February when TSS is higher.*

5. Goals and Objectives

This section describes the overall goals and project objectives. Goals may be broader but should directly tie to the statement of need or problem. Objectives must be measurable and achievable. In subsequent sections you will be asked to provide what specific technical approach will be used to achieve the objectives. If applicable, include a discussion of analysis or modeling objectives.

Goals of this proposal:

- Improve understanding of seasonal and spatial variation in TSS and THg in the Deer Creek and South Yamhill River Subbasins
- Identify the relationship between the Willamette Mercury TMDL surrogate measure (TSS), THg, and land use practices
- Use DEQ support to augment sampling conducted by watershed partners.

Objectives of this proposal:

- Collect TSS and THg data seasonally (in Fall/Winter) over two years at monitoring sites with previous TSS sampling
- Utilize measurements of THg and TSS to establish a relationship between the two which will inform the utility of TSS as a surrogate measure for THg in this subbasin
- Analyze the data to understand seasonal and interannual variation in TSS and THg and assess ties to climate and land use.

6. Technical Approach

This section describes the data analysis method or modeling framework and associated procedures. Describe the approach and how the data will be used to support the project goals and objectives.

We plan to use the methods described in Appendix G of the Willamette Mercury TMDL to assess the relationship between TSS and THg. This approach will include initial exploratory data analysis followed by removal of non-detects for THg and transformation of the data to approximate a normal distribution if necessary. Exploratory data analysis may include comparison of measurements of TSS collected over the previous years by Yamhill SWCD to see if a trend can be established. The previous analysis utilizing measurements collected throughout the Willamette Basin showed that linear mixed-effects (LME) models with and without the fixed effect of dry/wet seasons outperformed the ordinary least squares regression. During this analysis we will consider utilizing LME models with and without the addition of dry/wet seasons as a fixed effect and with the addition of sampling sites as a random effect. We will compare the resulting model equations to those generated using data from across the basin.

We could augment the analysis of identified spatial variability in the TSS-THg relationship by including an analysis of the distribution of geologic and land-use variables within an x-foot,mile? radius and across the contributing area for each sampling point. Seasonal and interannual variability in TSS, THg, and TSS/THg will be compared to flow and precipitation measurements, where available.

7. Summary of available data

Table 1 Existing surface water quality data (summary courtesy of Yamhill SWCD)

Station ID	Station Location	Lat, Long	Sampling Year(s)	Season	Parameter(s)	Results	Sampling agency

10949	South Yamhill River @ Amity-Hopewell Road	45.1087847, -123.2621843	1970, 1972, 1974, 2005, 2008, 2009	Year round	Bacterial, Nutrients, Pesticides, Physical	Below WQS	ORDEQ
11757	S Yamhill River, US of Landfill	45.1577780, -123.246111	1991	November	Metals, Nutrients, Physical	Below WQS	ORDEQ
11758	S Yamhill River, opposite Landfill	45.1550000, -123.243889	1991	November	Metals, Nutrients, Physical	Below WQS	ORDEQ
11759	S Yamhill River, DS of Landfill	45.1583330, -123.236389	1991	November	Metals, Nutrients, Physical	Below WQS	ORDEQ
10963	Deer Creek @ Delashmutt Ln	45.12462264, -123.2758554	1970, 1972, 1986-1988, 1991, 2006-2009	Year round	Bacterial, Metals, Nutrients, Pesticides, Physical	Below WQS	ORDEQ
10964	Deer Creek @ Marker#3 (Sheridan)	45.1105078, -123.3624757	1970, 1972	May, Sep, Nov	Bacterial, DO, pH, Temp	Below WQS	ORDEQ
10965	Deer Creek @ Marker#3	45.19825081, -123.3714626	1970, 1972, 1974	May, Sep, Nov, Dec	Bacterial, DO, pH, Temp	Below WQS	ORDEQ
10966	Muddy Creek @ Hwy 18	45.1271542, -123.3029912	1970, 1972, 1974	May, Sep, Nov, Dec	Bacterial, Metals, Nutrients, Physical	Below WQS	ORDEQ
23853	Dupee Creek @ River mile 4.3	45.17314087, -123.3517221	2000, 2003	July, Aug, Sep	Biological, Nutrients, Physical	Below WQS	ORDEQ
28473	Muddy Creek @ river mile 2.2	45.140673, -123.321556	2000, 2002, 2003, 2004, 2007	May-Oct	Temp, DO, E. coli, Turbidity, pH	Below WQS	GYWC
30679	Deer Creek below Cronin Creek	45.16517273, -123.3869277	2002, 2003, 2004, 2007	May-Oct	Temp, DO, E. coli, Turbidity, pH	Below WQS	GYWC

30680	Deer Creek below Dupee Creek	45.12358113, -123.3687811	2002, 2003, 2004, 2007	May-Oct	Temp, DO, E. coli, Turbidity, pH	Below WQS	GYWC