

From: Robert Ireland <rob@survivalfirst.com>
Sent: Tuesday, August 6, 2024 4:13 PM
To: Jolynn Becker <jbecker@cityofbanks.org>
Subject: Dairy Creek Wetland Mitigation Bank

Dear Jolynn,

Please forward this email and below thread to the Planning Commission and City Counsel as it relates to the Dairy Creek Wetland Mitigation Bank and the proposed West Side Development. Please confirm you have received this email and forwarded accordingly.

Bests,

Rob Ireland

Introduction:

The below August 2nd email from Mr. Jonas Moiel of Green Banks provides brief summary of the flooding problem and current plan to temporarily mitigate. The problem described is relevant to the planning of the proposed West Side Development as it seems run off from the roofs, streets, and sidewalks will dump into the Dairy Creek Wetland Mitigation Bank then flow into the same drainage ditch system that flooded last winter.

Background:

I own property 1.5 miles South and downstream from the Green Banks Project. Last winter I observed the drainage ditches flooding at levels commensurate with the 1996 flood while Dairy Creek remained relatively low which was abnormal. The high water flooded fields on either side of the ditches and continued flowing long after the rains stopped. The high water also stayed much longer than in previous years causing crops to be submersed. Luckily most of my fields adjacent to the ditches were planted in tall fescue so soil erosion was minimal. However, my adjacent upstream neighbor Andy Turner had just harvested field corn and the top soil erosion from his field was substantial. Mr. Turner estimates he lost over 100 yards of top soil to the flood waters. Farmers along the ditches between my property and the Mitigation Bank had similar observations and problems caused from the overflowing ditches. In January 2024 I called Grey Wolf at Oregon Department of State Lands and was provided a copy of the Dairy Creek Wetland Mitigation Bank documents. The flow capacity of the subject downstream drainage ditch system was not mentioned or considered in the Green Banks plan. Nor was the amount of water being diverted from Dairy Creek into each ditch specifically quantified. In May 2024 Mr. Moiel emailed affected farmers and set up a meeting that occurred in July 2024 where the flooding and mitigation options were discussed. Temporary measures to reduce flooding this Winter have been proposed but to my knowledge a permanent solution has not yet been determined.

Request:

I respectfully request that the City of Banks (Planning Commission and City Counselors) consider the following when making their planning determinations of the proposed West Side Development:

1. What is the flow capacity of the drainage ditches, and specifically if the ditches can handle more water without causing flooding or erosion of top soil?
2. How much water is now being diverted from Dairy Creek's original channel and redirected into the drainage ditches during major rain events??
3. How much water will run off the roofs/streets/sidewalks of the proposed West Side Development plan and flow into the drainage ditch system???
4. How could the runoff water from the proposed West Side Development be contained and/or directed into Dairy Creek instead of flowing into the ditches????

From: WOLF Grey * DSL <Grey.WOLF@dsl.oregon.gov>

Sent: Monday, August 5, 2024 7:30 AM

To: Jonas Moiel <jonas@greenbanksllc.com>; Andrew Turner <turnercustomharvest@gmail.com>; Robert Ireland <rob@survivalfirst.com>; Bob Moore <BobM@mooreinformationgroup.com>; Duyckfarms@frontier.com; Sid@wifi-nw.com; Vandeheyfarms@aol.com; Thomas Dierickx <dierickxfarm@gmail.com>; Malewis630@gmail.com

Cc: DEBLASI Michael * DSL <Michael.DEBLASI@dsl.oregon.gov>

Subject: RE: Dairy Creek flooding concerns

Good morning,

Thanks for this summary, Jonas.

All the Best,

Grey

Grey F. Wolf, M.En.

Mitigation Specialist

Planning & Policy Unit | Aquatic Resource Management Program

Oregon Department of State Lands

775 Summer Street, NE, Ste. 100, Salem, Oregon 97301-4844

503.586.8610 | Grey.Wolf@dsl.oregon.gov

Pronouns: (They/Them)

Work Days: Monday-Thursday **Out of Office:** Friday

From: Jonas Moiel <jonas@greenbanksllc.com>

Sent: Friday, August 2, 2024 2:46 PM

To: Andrew Turner <turnercustomharvest@gmail.com>; Rob@survivalfirst.com; Bob Moore <BobM@mooreinformationgroup.com>; Duyckfarms@frontier.com; Sid@wifi-nw.com;

Vandeheyfarms@aol.com; Thomas Dierickx <dierickxfarm@gmail.com>; Malewis630@gmail.com

Cc: WOLF Grey * DSL <Grey.WOLF@dsl.oregon.gov>; DEBLASI Michael * DSL <Michael.DEBLASI@dsl.oregon.gov>

Subject: Dairy Creek flooding concerns

Hello Dairy Creek neighbors,

Thank you for meeting with me and the Department of State Lands' Grey Wolf and Michael DeBlasi in July. It was helpful to listen to your concerns and suggestions regarding the Dairy Creek project.

In general, the observations stated from the neighbors downstream of the project were:

-There was more water in the two ditches to the east of Dairy Creek main channel in the winter of 2023-2024 than usual.

-The main channel of W. Dairy Creek was observed to be lower than usual for the amount of water flowing in the two ditches.

-The smallest ditch is the furthest to the east and was the most undersized for flows.

-The larger ditch was at capacity or slightly spilling out of its footprint. Both ditches being at capacity caused flooding into agricultural lands.

-Flooding caused a loss of top soil in areas in areas and some crop losses.

Please keep in mind that January of 2024 was the wettest since 2001, with double the normal amount of rainfall and also had snow. We had consistent rain all month into February, which caused widespread flooding all over the Tualatin River basin. The amount of water we observed last winter was not what should be expected each winter. Having an abnormal flood year does make it difficult to understand what observations will be like on a normal year.

The Dairy Creek project removed an artificial berm of concrete and debris that was built along W. Dairy Creek without permits by a landowner approximately 40 years ago. The construction of this berm caused flooding on upstream properties and NW Cedar Canyon road and reduced the connection of the creek to the floodplain only to larger rain events. Prior to project construction, rain events of 2-year or greater would overtop the berm and flood the property. The current landowner did not have an obligation to maintain an unpermitted concrete berm, which had multiple areas of breaches and erosion. Removing the berm restored flows more closely to how they historically flowed.

We are not obligated to make changes to the project because of abnormal rainfall last winter. We want to work with you the best we can to achieve our project goals of having more natural flows from Dairy Creek and also maintain flows into the southern properties similarly to how they were when the concrete berm was in place.

Our next steps will be to install a temporary straw/sandbag berm along our constructed stream channel in a low elevation area where we have observed the most water flowing into the floodplain during flood events. If we add a couple feet of elevation to this area, it will reduce the amount of water that will flow to the south. Pending approval from the State and Federal agencies, we will do that this fall.

We will also evaluate the addition of a berm or several at the southern end of our Phase 2 project area. The addition of a berm would keep water on the property longer and for larger flood events, before it flows offsite to the south. I will also reach out to Metro to discuss any potential tweaks that could be made on their property with them.

Thomas Dierickx contacted me this week regarding an idea that he has to reduce the flow into the smallest ditch on his property, which sounded promising. I will meet him next week to discuss.

I will give an update as we get things in place for the fall.

Thank you,

C. Jonas Moiel, M.E.M.
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