

Testimony at August 7th, 2019 Planning Commission Meeting

Please change Daylighting Bernert Creek in the White Oak Savanna to a high priority project in the Storm ^{Drainage} ~~Water~~ Master Plan and require that it is done in tandem with the Natural Play Area quickly after the list of compatible items in that Play Area are reviewed and approved by the citizens. All exhibits are on the link.

1. Daylighting Bernert Creek in the White Oak Savanna should have already been on the Storm Drainage Master Plan. It is a staff mistake that it was not included. It is on the City of West Linn Wetland, Riparian, and Wildlife Habitat Inventory completed in February of 2003 as part of the Goal 5 requirements and approved by the Oregon Department of State Lands in January of 2005. Please see **Exhibit 1 WRW Habitat Inventory** and **Exhibit 2 which is the Technical Memorandum Feasibility and Cost Analysis** by Herrera.
2. Daylighting Bernert Creek should have been addressed by this body when you heard the Natural Play Area application in August of 2017. Chapter 32.020 (A) and (B) and 32.060 (H) of the West Linn CDC code (see **Exhibit 3**) should have been included in the application that the city park staff prepared for the Planning Commission. I have ~~the~~ included that page of the Staff Report from the application packet dated August 16, 2017 where it is incorrectly stated that there are no natural drainageways. This omission was a mistake made by City staff and it can be corrected by the PC tonight. I have included the applicable citations from the code for you in your packet from me tonight. Chapter 32.020 states that it applies to all verified unmapped WRAs as well as those that are on the WRA map. I have included a U.S. Fish and Wildlife Service map of the National Wetlands Inventory and it lists Bernert Creek (see **Exhibit 4**). Bernert Creek is in Exhibit 1 and 2 also and daylighting it should have been considered by ^{the PC} ~~the~~ and listed as a condition of Approval when the Natural Play Area was approved. **Exhibit 5** clearly shows the staff omission.

3. In this proposed Storm Drainage Master Plan, the Daylighting of Bernert Creek is designated as a medium priority project which is not scheduled to be considered until 2024-2028. Two major mistakes have already been made by staff as outlined above. Don't let this be a third. This project should be changed to a high priority by the Planning Commission tonight. This daylighting project should be done in tandem with the Natural Play Area construction to minimize the disruption of the Savanna so that all the improvements to the park will be completed at the same time. Please note that the items included in the Natural Play Area should be reexamined considering the public's concern that many of the items are not conducive to a Natural Wildlife Habitat which is what the White Oak Savanna is listed as in the above mentioned Wetland, Riparian, and Wildlife Habitat Inventory.
4. Since this Storm Drainage Master Plan is a plan and not a budget, the costs of Daylighting Bernert Creek can be addressed separately.

Once again, please change Daylighting Bernert Creek (see **Exhibit 6**) to a high priority project in the Storm ^{Drainage} ~~Water~~ Master Plan and require that it is done in tandem with the Natural Play Area quickly after the list of compatible items in that Play Area are reviewed by the citizens.

Thank you,

Ed Schwarz, Savanna Oaks Neighborhood Association President

Roberta Schwarz, Savanna Oaks Neighborhood Association Secretary