

18 May 2017

The Honorable Michael Dembrow
Senate Committee on Environment and Natural Resources
900 Court St. NE Salem, OR 97301

Dear Chair Dembrow and Members of the Committee,

I am writing to you as a follow up with regards to information present to the committee at the public hearing held on the 11th of May 2017 on House Bill 2785(A). The following information can be found at Lane County's Land Management Division Property Records Online Web site at the following link.

<https://apps.lanecounty.org/LMDPro/>

Once on the site you will need to input the Parcel Number - 1505240000401

Please view the following attachments as you read my statement.

Lane County 4 9 2007

Development Plan shows that the Proposed Ag Bldg. (Barn 1) to be 140 feet x 240 feet

Farm Building to be 60 feet x 100 feet

Permit to place approximately 2533 cubic yards of material in the location on the approved plot plan for the purpose of elevating the building site for a farm building, a hay barn and a driveway. This fill was never placed before the permit expired (Permit good for two years with option to add a third if the county is contacted)

The Development shall occur in the location shown on the approved lot plan. Any substantial deviation from the approved location shall invalidate this approval. (Please see aerial photo from May 11 testimony that I submitted)

Lane County 6 24 2010

Farm Building NEW size of 120 feet by 130 feet VS 60 feet x 100 feet in the plan from 2007 (Please see aerial photo from May 11 testimony that I submitted)

The Development Plan shows an extremely large area as **Existing Gravel** yet in the plan from 2007 it stated that 2533 cubic yards of fill needed to be add to the location. NO NEW FILL Permit

Lane County Hay Barn 1 1 04 2012

Development Plan shows that Proposed Ag Bldg. (Barn 1) with a total size of 315 feet x 160 feet.

Proposed Ag Bldg. (Barn 1) as 40 feet off the East property line (Within 75 feet of the 100 Year Flood)

The Development Plan shows an extremely large area as **Existing Gravel** yet in the plan from 2007 it stated that 2533 cubic yards of fill needed to be add to the location. NO NEW FILL Permit

Lane County Hay (Barn 2) 12 18 2013

Development Plan shows that Proposed Ag Bldg. (Barn 1) went from a total size of 315 feet x 160 feet in the 1 04 2012 Plan to a size of 336 feet x 160 feet.

Development Plan shows adding second Proposed Ag Bldg. (Barn 2) at a total size of 336 feet x 160 feet.

Proposed Ag Bldg. (Barn 1 & 2) went from 40 feet to 20 feet off the East property line (Within 75 feet of the 100 Year Flood)

The Development Plan shows an extremely large area as **Existing Gravel** yet in the plan from 2007 it stated that 2533 cubic yards of fill needed to be add to the location. NO NEW FILL Permit

Loma and Lane County Hay Barn Size Issue 8 16 2013

Page 4 3/4/ down page - The LOMA provides FEMA's comment on the mandatory flood insurance requirements of the NFIP as they apply to a particular property. A LOMA is not a building permit, nor should it be construed as such. Any development new construction, or substantial improvement of a property impacted by a LOMA must comply with all applicable State and local criteria and other Federal criteria

Development Plan shows that Proposed Ag Bldg. (Barn 1) is now 160 feet x 336 feet

Shows that the distance between Proposed Ag Bldg. (Barn 1) and Proposed Ag Bldg. (Barn 2) is 100 feet.

Shows that the distance between the East Side of the Proposed Ag Bldgs. (Barn 1 &2) and the property to the East went from 40 feet to about half (20 feet?) based off the hand drawn lines.

Lane County Hay Barn 8 22 2016

Development Plan shows that Proposed Ag Bldg. (Barn 1) went from a total size of 336 feet x 160 feet in the 1 8 16 2013 Plan to a size of 288 feet x 160 feet. Based off my measurements it appears that the to be 210 feet NOT the 160. I was unable to get the other measurement but it appears to be about 336 feet.

Proposed Ag Bldg. (Barn 2) is currently in the starting stages of being erected. As it's footings are being placed.

Proposed Ag Bldg. (Barn 1 & 2) went from 20 feet to 40 feet off the East property line (Within 75 feet of the 100 Year Flood)

The Development Plan shows an extremely large area as *Existing Gravel* yet in the plan from 2007 it stated that 2533 cubic yards of fill needed to be add to the location. NO NEW FILL Permit

Shows that the distance between Proposed Ag Bldg. (Barn 1) and Proposed Ag Bldg. (Barn 2) went from 100 feet to 150.

Shows that the distance between Proposed Ag Bldg. (Barn 1) and Farm Building went from 125 feet to 175 feet.

Fill removed and placed on other property

The fill that was placed on this area before the fire was removed (11 Dump truck loads) and moved to the property off Hulbert Lake Road. Where it was dumped, then spread out over the Farm Use Only Land. In the fill, you can clearly see trash and other unknown items. The placement of this possibly contaminated fill is right in line with the water wells of the properties to the North. Per the 1976 Water Check by the county on the water table for the area is 15 to 16 inches.

My questions are the following;

During the public hearing, Mr. Bounds was asked somethings along the lines of So your plan is to rebuild to the exact footprint as before. To which Mr. Bounds replied, "Yeah, Sure, Yeah." So, which "Building Plan Foot Print" is Mr. Bounds using in the current replacement of the two Ag. Buildings? I feel the answer is none as Mr. Bounds has moved Barn 1 back from the Farm Building by an additional 50 more feet. Mr. Bounds is placing Barn 2 an additional 50 more feet off Barn 1. Again, based off my measuring Barn 1 appears to be 210 feet NOT the 160 and is 336 feet not the 288 that is listed in the plans.

Where are the county fill permits for all fill that has been placed on the 15 acers besides the 2533 cubic yards from the 2007 permit (Which I believe was no longer valid since it was placed after the 2-year mark)?

Why did Mr. Bounds mark **NO** to the question of ***Is the proposed structure within 100 feet of a mapped wetland area?*** Mr. Bounds was informed by Oregon Department of Lands that his area was **WETLANDS** per their Maps in the summer of 2016.

Why are the building within 75 feet of the 100-year floodplain? Mr. Bounds marked NO to this on his August 2016 question when asked on the permit.

Why is it only Mr. Bounds coming before the state asking for the laws to be changed for him to be given a free pass for his failure to comply with the current laws? Who are the other people being affected just like Mr. Bounds? Why aren't they coming before the state or sending in testimony about how and why they were affected?

The statement was made along the lines of there is a long-term issue that needs to be addressed but this bill needs to be passed now. The question that should be asked is why is this Band-Aid being pushed so hard?

Please take the time to considering this matter more and if needed find a correct fix for any problems.

Thank you all for your time

Thomas L Woods