



City Council Meeting Agenda

Tuesday, August 9, 2022

5:30 p.m. – City Council Work Session Meeting

7:00 p.m. – City Council Regular Meeting

Welcome! The public is strongly encouraged to participate remotely but there is seating at Civic Hall for those who are not able to participate remotely. However, if you are not feeling well, please stay home and take care of yourself.

The public is strongly encouraged to relay concerns and comments to the Council in one of three ways:

- Email at any time up to **12 p.m. on Monday, August 8th** to claudia.cisneros@mcminnvilleoregon.gov
- If appearing via telephone only please sign up prior by **12 p.m. on Monday, August 8th** by emailing the City Recorder at claudia.cisneros@mcminnvilleoregon.gov as the chat function is not available when calling in zoom;
- Join the zoom meeting use the raise hand feature in zoom to request to speak, once your turn is up we will announce your name and unmute your mic. **You will need to provide your First and Last name, Address, and contact information (email or phone) to the City.**

You can live broadcast the City Council Meeting on cable channels Xfinity 11 and 331, Frontier 29 or webstream here:

www.mcm11.org/live

CITY COUNCIL WORK SESSION & REGULAR MEETING:

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/82956595259?pwd=NWM0emlDR0tnU1hvQzJUQVdUc2dzO9>

Zoom ID: 829 5659 5259

Zoom Password: 155673

Or you can call in and listen via zoom: 1-253- 215- 8782

ID: 829 5659 5259

5:30 PM – COUNCIL WORK SESSION – VIA ZOOM AND SEATING AT CIVIC HALL

1. CALL TO ORDER
2. MERCURY TOTAL MAXIMUM DAILY LOAD PLAN AND IMPLEMENTATION DISCUSSION
3. ADJOURNMENT

7:00 PM – REGULAR COUNCIL MEETING – VIA ZOOM AND SEATING AT CIVIC HALL

1. CALL TO ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT –
The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. The Mayor will read comments emailed to City Recorded and then any citizen participating via Zoom.

4. PUBLIC HEARINGS
 - a. Public Hearing regarding vacating an alley way at the block NE 8th St. & NE 9th Ave, Ne Alpine Ave & NE Lafayette Ave (RV 1-22).

5. ADVICE/ INFORMATION ITEMS
 - a. Reports from Councilors on Committee & Board Assignments
 - b. Department Head Reports

6. ORDINANCE
 - a. Consider the first reading with a possible second reading of **Ordinance No. 5120**: An Ordinance Vacating an alley way at the block NE 8th St. & NE 9th Ave, Ne Alpine Ave & NE Lafayette Ave (RV 1-22).

7. ADJOURNMENT OF REGULAR MEETING



City of McMinnville
Public Works Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312
www.mcminnvilleoregon.gov

STAFF REPORT

DATE: August 9, 2022
TO: Jeff Towery, City Manager
FROM: Anne Pagano, Public Works Director
SUBJECT: Mercury Total Daily Maximum Load (TMDL) Plan

Background:

“Water quality standards are in place to protect people from high levels of mercury exposure when eating fish. The Willamette River and many of its tributaries do not currently meet water quality standards for mercury and are included on Oregon’s list of impaired waters under Clean Water Act §303(d). Mercury fish consumption advisories are in place throughout the Willamette Basin. The Clean Water Act requires a Total Maximum Daily Load, or TMDL, to be developed for waters that are on the 303(d) list. A TMDL is the amount of a pollutant, in this case mercury, that can be present in a waterway and still meet water quality standards. In Oregon, the Oregon Department of Environmental Quality is responsible for developing and implementing TMDLs.”¹

In March 2021, the City of McMinnville received final notification that the City had been listed as a Designated Management Agency (DMA) by the Oregon Department of Environmental Quality (DEQ) in accordance with the 2019 [Final Revised Willamette Basin TMDL for Mercury](#). TMDL Implementation is required through the Federal Clean Water Act and the Oregon Department of Environmental Quality and requirements can be found in [OAR 340-42-0080](#). The TMDL is required due to high levels of mercury in the Willamette Basin.

As a DMA the City of McMinnville is required to develop and execute a TMDL Implementation Plan according to state regulations that layout specific measures for municipalities. These measures are established to address McMinnville’s contributions of runoff to local waterways including the South Yamhill River. The overall goal of the program is to reduce mercury in runoff.

¹ *Final Revised Willamette Basin Mercury TMDL and WQMP, November 2019*

Discussion:

The City's Public Works Department has taken the lead on this project and a draft TMDL Implementation Plan has been developed by E&S Consulting. It is currently posted on the City's website and is set up to take comments from the public. The link will also be featured on social media posts and newsletters. The plan has been reviewed in draft form by DEQ and meets the requirements set forth by state law.

City Council review and approval of this plan is required as part of the requirements set forth by DEQ. The plan is consistent with other regulatory stormwater programs that the City may be subject to. The final plan must be submitted to DEQ on or before September 3, 2022.

The TMDL Implementation Plan will require an annual report be submitted to DEQ on the status of the plan. The plan will also undergo review and update every five years. If at some point water quality improves significantly in the future, the plan would be closed, but the City should consider this a permanent long-term program.

This new program will require ordinance development over the next four years. City Council should be aware that there will be financial implications for program execution each year. Program activities for the first year of implementation have been included in the 2022/2023 approved budget.

Failure to meet deadlines and fully implement an approved plan will result in enforcement by DEQ that may result in fines.

Next Steps:

The TMDL Plan will be brought to Council for adoption by Resolution prior to December 31, 2022.

Attachments:

1. DEQ Action Letter, March 3, 2021
2. Draft TMDL Plan
3. Slides from presentation by Elizabeth Sagmiller, E&S Consulting



Oregon

Kate Brown, Governor

Department of Environmental Quality
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700 NE Multnomah Street, Suite 600
Portland, OR 97232
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March 3, 2021

McMinnville City Council
230 NE 2nd St.
McMinnville, OR. 97128

Re: EPA takes final action on *Revised Willamette Basin Mercury Total Maximum Daily Load*

Dear City Council Members:

This letter provides notification that the U.S. Environmental Protection Agency (EPA) released the *Total Maximum Daily Load (TMDL) for Mercury in the Willamette Basin, Oregon* on Feb. 4, 2021. EPA notified DEQ that, "EPA has established this TMDL and is hereby providing it to the State for implementation."

The EPA's TMDL says that the required reasonable assurance of implementation for the TMDL relies on DEQ's Water Quality Management Plan. The WQMP was issued on Nov. 22, 2019 as part of the DEQ *Final Revised Willamette Basin Mercury Total Maximum Daily Load*. You received this letter because DEQ listed the City of McMinnville as a Designated Management Agency in the WQMP. Therefore, the City of McMinnville is responsible for implementing strategies to reduce mercury according to requirements identified in the WQMP that are specific to the City of McMinnville.

DEQ submitted its TMDL and associated documents to EPA for review and action on Nov. 22, 2019. EPA disapproved DEQ's TMDL on Nov. 29, 2019. On Dec. 30, 2019, EPA established the Willamette Basin Mercury TMDL, which was in effect until EPA released the revised TMDL on Feb. 4, 2021. EPA's 2019 TMDL, as revised in Feb. 2021, and DEQ's 2019 TMDL WQMP are in effect and apply to the City of McMinnville. DEQ's WQMP and additional information can be accessed at: <https://www.oregon.gov/deq/wq/tmdls/Pages/willhgtmdlac2018.aspx>

As a DMA, the City of McMinnville is required under OAR 340-42-080 to prepare a TMDL implementation plan to incorporate implementation requirements in the WQMP based on several criteria. TMDL implementation plans must be submitted to DEQ for review and approval by Sep. 3, 2022, which is 18 months from the date of this letter. Should the City of McMinnville fail to submit the plan by this date, this matter may be referred to the Department's Office of Compliance and Enforcement for formal enforcement action, including the assessment of civil penalties and/or a Department Order. Please note that civil penalties can be assessed for each day of violation.

Please contact your basin coordinator, Nancy Gramlich, to determine what your specific requirements are and to discuss any questions you may have. Your basin coordinator will work closely with you to support your submittal of all TMDL- required documents and reports.

We appreciate the City of McMinnville involvement in TMDL implementation to reduce mercury in the Willamette Basin in order to protect people who regularly eat fish and shellfish from streams and lakes across the basin.

Sincerely,

A handwritten signature in blue ink, appearing to read "Zach Loboy".

Zach Loboy
Water Quality Manager DEQ, Western Region
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165 E. 7th Ave. Ste. 100, Eugene, OR. 97401

Nancy Gramlich
Willamette Basin Coordinator DEQ, Western Region
(503) 378-5073, Nancy.H.GRAMLICH@deg.state.or.us
4026 Fairview Industrial Dr. SE, Salem, OR. 97302

ec: Jeff Towery, City Manager, City of McMinnville
Leland Koester, Community Development Manager, City of McMinnville

CITY OF MCMINNVILLE TMDL IMPLEMENTATION PLAN

July 27, 2022

DRAFT



South Yamhill River

Prepared By:

E and S Consulting
1944 Mousebird Ave NW
Salem, OR 97304
sagmillere@gmail.com

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Anne Pagano, Public Works Director

City of McMinnville, OR

ACRONYMS

BMPs	Best Management Practices
City	City of McMinnville
CESCL	Certified Erosion and Sediment Control Lead
CS	Construction Site Runoff
CWA	Clean Water Act
DEQ	(Oregon) Department of Environmental Quality
DMA	Designated Management Agency
ESCP	Erosion and Sediment Control Plan
EPA	United States Environmental Protection Agency
GH	Good Housekeeping in Municipal Operations
GIS	Geographic Information Systems
IDDE	Illicit Discharge Detection and Elimination
IPM	Integrated Pest Management
LID	Low Impact Development
LUCS	Land Use Compatibility Statement
MCM	Minimum Control Measure (aka Stormwater Controls)
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Sources (not under an NPDES permit)
NWI	National Wetland Inventory
OAR	Oregon Administrative Rules
ODA	Oregon Department of Agriculture
ODFW	Oregon Department of Fish and Wildlife
PC	Post-Construction Runoff Control in New and Re-development

PE	Public Education
PI	Public Involvement
SPRP	Spill Prevention and Response Plan
SWPCP	Stormwater Prevention and Control Plan
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
UIC	Underground Injection Control (device)
USGS	United States Geological Survey
WQMP	Water Quality Management Plan

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The City of McMinnville Total Maximum Daily Load (TMDL) Implementation applies to:

The 2019 Final Revised Willamette Basin Mercury TMDL and WQMP

Load allocation: This TMDL Implementation Plan was developed with the purpose of reducing load allocations from the City of McMinnville to reach a 75% reduction together with other DMAs with full implementation of the management practices listed in this plan.

Section 1.0 Introduction

Section 1.1 Background

A Willamette Basin Mercury TMDL was first issued in 2006 ([Department of Environmental Quality : Willamette Basin 2006 : Total Maximum Daily Loads : State of Oregon](#)). On November 22, 2019 DEQ issued the *Final Revised Willamette Basin Mercury Total Maximum Daily Load and WQMP* that was submitted to the EPA ([Department of Environmental Quality : Willamette Basin Mercury 2019 : Total Maximum Daily Loads : State of Oregon](#)). According to DEQ, this revised TMDL identifies sources of mercury and how much mercury needs to be reduced to meet water quality standards. The EPA disapproved DEQ's TMDL on December 30, 2019. On February 4, 2021 the EPA notified DEQ that *EPA has established this TMDL and is hereby providing it to the State for implementation*. The Water Quality Management Plan (WQMP) was issued as part of the EPA TMDL.

The final TMDL and WQMP specifies mercury reductions which can be achieved through planned implementation of activities, best management practices, conservation practices, and other management strategies to help reduce mercury entering waterways. The ultimate goal of this process is to provide full restoration of the beneficial use of fish consumption, including protection of aquatic species and wildlife throughout the Willamette Basin.

According to DEQ the goals, objectives and approaches of this TMDL are consistent with the requirements of the federal Clean Water Act (CWA) and Oregon water quality laws and implementing regulations.

On March 3, 2021 the City of McMinnville was notified that DEQ had included McMinnville as a designated management agency (DMA) in the Willamette Basin Mercury TMDL and WQMP. According to Oregon Administrative Rules (OAR 340-042-0030(2)) *DMA means a federal, state or local governmental agency that has legal authority over a sector or source contributing pollutants, and is identified as such by the Department of Environmental Quality in a TMDL*. DMAs are responsible for implementing strategies and DMA specific TMDL Implementation Plans.

Section 1.2 The City of McMinnville

McMinnville is an attractive, vibrant community with an vigorous and walkable downtown area. The City is home to Linfield University and a branch of Chemeketa Community College. There are approximately 350 acres of City parks including 70 acres of undeveloped natural areas. There are multiple nature trails at various sites throughout the system, and two of those sites ,

are directly adjacent to the South Yamhill River. The City has been proactive in maintaining a community that people want to visit and live in.

According to the 2020 census the population of McMinnville is ~ 34,615. The City incorporated in 1882. There is a City Manager, Mayor, and 6 City Councilors. The City is divided into 3 wards.

McMinnville does not have a stormwater or environmental division. There is no stormwater fee that stands as dedicated funding. For the most part, stormwater activities such as street sweeping, catch basin cleaning, storm line repair, detention basin maintenance and the like is performed by the Wastewater Conveyance group and Street staff and funded by the Streets Fund (gas tax).

Despite the lack of an established stormwater program, the City is involved in strong environmental activities. Staff actively engages with the Greater Yamhill Watershed Council, attending monthly meetings and providing monetary support as well as free storage space for the group. The staff has indicated support for the Friends of Cozine Creek group, and Parks staff utilizes an Integrated Pest Management Plan (IPM) in parks and open spaces. Engineering and Wastewater staff have been innovative with the use of green elements at the Water Reclamation Facility in McMinnville.. These activities and much more will serve McMinnville well as the community takes on the responsibility of a TMDL Implementation Plan.



Section 1.3 Summary of TMDL Plan Development

The City of McMinnville has developed an implementation plan that meets the requirements listed in the WQMP, specifically Table 13-11, and is consistent with the timelines listed in Table 13-14. The TMDL Implementation Plan includes a narrative which is captured in Sections 1

through 4 of this document, an ‘at-a-glance’ matrix in Appendix A, and land use findings in Appendix B.

Shortly after the DMA notice arrived from DEQ, McMinnville began the process of hiring a consultant to assist with development of the implementation plan. In November 2021 the consultant spent 2 days with key staff becoming familiar with how the City operates, but also providing background and instruction on TMDL implementation and how it applies within the region.

Initial steps for plan development focused on formation of the BMPs to be used by the City as a new TMDL agency. More importantly, the City has been focused on the 6 control measures and their role in pollutant reduction. Emphasis has been placed on foundation building activities and training to allow staff to review existing water quality based actions that could be expanded upon. The timeline listed in Table 13-14 of the TMDL WQMP called for a shorter timeline in regard to implementation of 3 control measures - Public Education, Public Involvement and Good Housekeeping.

As was noted, a consultant has been used in assisting with design and development of the implementation plan. The City intends to retain consulting services through the first report year to assist with helping the City to move forward smoothly with accurate messages. The ultimate goal is to have a program fully developed and implemented by the end of the first permit term in 2027. Current progress on control measures, as well as projections for the future, are described under Subsection 2.4 of this document.

Section 2 Hydrological Conditions / Existing Conditions

Section 2.1 Yamhill Subbasin / Local Waterways

The Yamhill Subbasin (Hydrologic Unit Code 17090008) is located in the Western portion of the Willamette Basin and drains portions of the Coast Range. The Yamhill River flows into the Willamette River to the east of McMinnville. The Subbasin’s 772 square miles (493,762 acres) include the following eight watersheds: • Willamina Creek Watershed • Agency Creek-South Yamhill River Watershed • Mill Creek Watershed • Deep Creek-South Yamhill River Watershed • Salt Creek Watershed • North Yamhill River Watershed • Yamhill River Watershed. The subbasin is within portions of Yamhill and Polk counties, and includes the Cities of Amity, Carlton, Dayton, Lafayette, McMinnville, Sheridan, Willamina, and Yamhill. The subbasin is primarily owned by private landowners, however federal and state ownership accounts for 14% of the total land use in the subbasin. There are scattered landholdings by the U.S. Forest Service and Bureau of Land Management. The subbasin consists of forestry, agriculture and urban land uses.

The City of McMinnville is located primarily to the west of the confluence of the North Yamhill and South Yamhill Rivers. It is transected by Cozine Creek, Baker Creek, North Cozine, and Ash Creeks

Cozine Creek originates west of the City and winds through the southern part of the community before discharging to the South Yamhill River. Much of the land use in that area of town is residential and schools. The stream habitat is degraded but a community group and Linfield College have taken interest in the creek. A 'Friends of Cozine Creek' group has been active in restoration projects as has Linfield College. There appears to be good energy for ongoing maintenance of this area.

The South Yamhill River flows from southeast north around the airport and north to the wastewater treatment facilities. A limited riparian corridor exists through much of the span in and near the City, but it does receive runoff from agricultural lands.

Baker Creek originates to the west of the City. The main channel flows along the northern border of the City. What was once a tributary of that waterway has been channelized and flows from northwest to southeast to the confluence of Cozine Creek near the middle of town.

Section 2.2 City Services

Stormwater – The City operates and maintains the stormwater conveyance system in McMinnville. The older portions of the City have an undersized system which poses flooding issues during heavy rainfall events. Staff has developed an operational procedure to respond to high water, but that often requires pulling staff from other unrelated activities. Since there is no dedicated funding for the stormwater system, repairs and maintenance are largely conducted on a reactive basis.

Stormwater infrastructure has been added to the City's GIS, but routine inventory updates or priorities are not established. The City utilizes a Hansen Information Management system to schedule and track work orders. The Hansen system and GIS can be linked to allow for activities like capturing asset misinformation in the field during routine activities. GIS personnel is currently making stormwater updates to the system.

Streets – Streets personnel maintain the McMinnville's street system. Street sweeping is funded by the Street Fund, and performed via contracted services.

Conveyance – Conveyance is funded by wastewater (90%) and streets (10%). Public Works employees funded primarily by wastewater clean catch basins, conduct outfall inspections, and other water quality minded activities. Large projects are contracted to outside entities.

Wastewater – The City's wastewater plant is well maintained and operated. The City operates under NPDES Permit #101062. The City has implemented environmentally sound practices

because they discharge year round under their permit. During the summer months, discharge from McMinnville makes up 1/3rd of the flow in the South Yamhill River.

Water – Drinking water in McMinnville is provided by McMinnville Water and Light. Source water comes from McGuire and Haskins reservoirs located in the coast range. The City does not manage drinking water within the community

Airport - The City owned airport is used by a number of entities including private owners, training companies, service agencies, and more. The facility has a stormwater pollution control plan (SWPCP) that includes maintenance activities. The plan was updated in 2021. Routine activities include catch basin cleaning, outfall inspections, sweeping, and other water quality minded actions. Recordkeeping occurs according to schedule.

Section 2.3 Existing Conditions and Pollutant Sources

Pollutant sources coming from McMinnville are similar to those in other northwestern Oregon municipalities. The City has a downtown core, residential areas, regional and neighborhood parks, and a local university. With minimal erosion control or vegetation management requirements in place, mercury and TSS are contributors to impacted water quality. The City has a municipal airport which was previously discussed.

The City is surrounded by large parcels of land that are linked specifically to agricultural uses. This land use provides the potential for a pollutant source that isn't common with all municipalities. DEQ works directly with Oregon Department of Agriculture (ODA) and other state agencies for implementation of these rules. McMinnville recognizes that pollutants coming from outside the City may need the involvement of DEQ to resolve illegal discharges to waterways.

Section 2.4 Control Measure Discussion

The WQMP requires that cities with populations >10,000 have 18 months from the date of notification to develop and implement 3 of the 6 control measures including Public Education, Public Involvement, and Good Housekeeping. The activities required for these control measures are fully underway and are discussed below. These measures will be elevated during report year 2022/2023.

The other control measures are discussed throughout this document but most specifically in Appendix A.

Public Education – According to the MS4 Phase II General Permit, *the goal of the education and outreach program is to reduce the behaviors and practices that cause or contribute to adverse stormwater impacts on receiving waters. McMinnville's program seeks to promote specific actions to increase audience understanding of how to reduce pollutant discharges in stormwater runoff*". The management group from the City for this effort has decided that following the general design of the regulations of the Phase II permit is a prudent way to proceed. A public

TMDL Implementation Plan

education review group will be assigned in 2022/2023 to review material and steer the program. The City Engineer or consultant acting as City Engineer will direct this endeavor.

Staff has developed the following list of target audiences. These target audiences will have messages and activities designed that pertain specifically to that group through key messages. While certain audiences like the general public can receive a wide variety of messages through various means (brochures, articles, social media, etc), if the target audience is school children for example, messages should be designed in a way that is useful for that group. Field trips or field presentations covering the impacts of mercury might be much more interesting for students.

Target Audiences for the City of McMinnville

General Public

Students / School Children

Businesses

Industries

Landscapers

Developers/Builders/Engineers

Elected Officials / City Staff

The City will complete messages in 2022/2023 that can be used for each of the target audiences over the 5 year term and beyond. Records will be maintained in order to make certain all audiences are being reached and what factors indicate success or poor performance to fine-tune efforts over the permit term. It is expected that McMinnville will continue to focus on Public Education as a core control measure. The City recognizes that activities presented to an educated public will provide for long term success.

General public education messages regarding mercury were added to the City's website in July 2022.

Public Involvement

The opportunity for the public to participate in the TMDL Implementation Plan development is an important part of gaining interest in the program. Staff intends to make certain that the City Council is kept informed on a regular basis.

A Work Session is scheduled with City Council on August 9, 2022. The consultant will take the lead for this session which will emphasize regulatory requirements coupled with historic examples from work experience.

When possible, the Mayor or a City Councilor will provide some type of interaction with residents during public outreach events.

The TMDL Implementation Plan, revisions, annual reports, and 5th year evaluations are, or will be posted on the City's website.

Good Housekeeping

The City of McMinnville has a good housekeeping program in place. It needs to be updated and formalized with a Good Housekeeping Manual which will occur in Year 1 and 2.

The City has 1200-Z coverage for the wastewater treatment facility as well as the airport. The SWPCP has been developed and was revised in 2021. Other known industries in town have 1200-Z coverage although the City needs to develop a process to record that information. Procedures are being developed to review the SWPCPs for new industries to identify inconsistencies with stormwater programs. SWPCPs will also be reviewed when permits are renewed.

McMinnville has an Integrated Pest Management Plan (IPM). The document will be reviewed to ensure water quality minded activities are in place.

The City currently provides street sweeping and a leaf haul program. They have actively been tracking leaf removal totals since 2007 and do so annually.



Catch basin cleaning in the downtown area occurs annually and then high priority areas are cleaned as time allows. TV inspection work occurs annually.

Section 3.0 Mercury Reductions / Plan Discussion

Section 3.1 General Approach for Mercury Reduction

In general, the City will focus on setting the foundation for the program in Years 1 and 2. The City will utilize a consultant to develop some of the program basics as is covered in Section 3.2.

Overall, educating the residents and employees of the City of McMinnville is crucial to any stormwater program. Stormwater is a relatively new utility in the minds of many people and therefore requires consistent and accurate messaging in order to gain support. The ultimate goal for public education is to encourage behavioral change which is less likely to happen without educational efforts. In addition to providing information to the community, Public Works personnel should also take advantage of a variety of training opportunities such as networking with other municipalities, attending regional training opportunities and making use of guest speakers.

Construction site runoff

Construction site runoff and erosion control measures are to be elevated in this TMDL Implementation Program. McMinnville's program includes the provisions listed in Table 13-11 of the WQMP as follows:

DMA's must refer project sites to DEQ, or the appropriate DEQ agent, to obtain NPDES 1200-C Construction Stormwater Permit coverage for construction projects that disturb one or more acres (or that disturb less than one acre, if it is part of a "common plan of development or sale" disturbing one or more acres).

In addition, DMA's must require construction site operators to complete and implement an Erosion and Sediment Control Plan for construction project sites in its jurisdictional area that result in a minimum land disturbance of 21,780 square feet (one half of an acre) or more, and are not already covered by a 1200-C permit.

Through ordinance or other regulatory mechanism, to the extent allowable under state law, the DMA must require erosion controls, sediment controls, and waste materials management controls to be used and maintained at all qualifying construction projects (as described above) from initial clearing through final stabilization to reduce pollutants in stormwater discharges to the stormwater conveyance system from construction sites.

The DMA must develop, implement and maintain a written escalating enforcement and response procedure for all qualifying construction sites. The procedure must address repeat violations through progressively stricter response, as needed, to achieve compliance.

The DMA must track implementation of its construction site runoff program required activities. In each TMDL annual report, the DMA must assess their progress toward implementing its construction site runoff program's control measures.



Rock is used to diffuse flow at outfalls which helps prevent erosion.

Given the City's limited involvement in 1200-C projects at this point, a substantial amount of training needs to be completed while the ordinance is being developed. As the matrix points out, a guide for staff will be developed in 2022/2023 covering the basics of erosion control including BMPs, site management, resources, and material for the development community.

Operational manuals

As was discussed in Subsection 2.4, the City currently has a well-developed operations program, but there is no formal documentation for resources and standard operation procedures. A Good Housekeeping Manual will be developed in 2022/2023 using existing staff in order to finalize good practices and will discuss options for BMPs that might be incorporated to existing activities. The manual will include a schedule for inspections. It will also include a provision to require document review on a to be established period. This will allow a time to add new practices and remove those that are obsolete.

Section 3.2 BMP Discussion

In order to provide for future efforts to address water quality, McMinnville has chosen to base many of the activities and actions listed in the implementation plan on the regulatory requirements contained within the MS4 Phase II General Permit. The BMPs listed in the matrix in Appendix A were developed in part using Table 13-11 of the WQMP in the Final Revised Willamette Basin Mercury TMDL. The City has chosen to list the order of stormwater control

TMDL Implementation Plan

measures as listed in the MS4 Phase II General Permit rather than the order listed in the WQMP.

As is the case with many new TMDL DMAs, the City of McMinnville does not currently have dedicated staff for environmental programs. With a new program in place, the City is seeking to make certain they start on the right foot by providing residents accurate information about the implementation plan and what role they play in the program. In an effort to make certain that the public and target audiences are receiving accurate educational material, staff has decided to use a portion of Year 1 to develop an educational messages portfolio from which they can draw on over the 5 year implementation term. This information will be used on the website and other outreach material with the goal of reaching students, the business community, builders and developers, landscaping companies, decision makers and the general public.

Section 3.3 Public Involvement

The TMDL Implementation Plan has gone through public review. It was posted to the City's website in July 2022 for 30 days and an opportunity was provided for residents to provide comments on the plan. Significant information obtained during public comment will be included in the Year 1 annual report.

In addition, the plan has been reviewed by the McMinnville City Council at a Work Session held on August 9, 2022. The plan and program will be reviewed by City Council annually and the plan itself will be posted on the City's website.

Section 3.4 Land Use Compliance

See Attachment B

Section 3.5 Fiscal Analysis

As was stated earlier, McMinnville does not currently have a Stormwater Division. Municipal wastewater conveyance and street maintenance staff maintain the stormwater system and respond to emergencies involving the same. The TMDL program is a currently unfunded program that will need to rely on the wastewater utility for stop gap support to fund implementation.

The City recognizes that a solution needs to be agreed upon for sustainable funding for the program and will enter into those discussions as part of program implementation. Currently the City relies primarily on the Street Fund ("gas tax") and uses both Wastewater Services Conveyance staff and Street Maintenance staff to maintain the storm system. Repairs and other storm related costs are also primarily funded with Street Fund revenues.. The City recognizes that it is responsible for funding the program and its related activities, and that any funding source that is developed will need to include a plan to reimburse the wastewater utility

for implementation funding.. Discussions will occur during the first report year to agree on a path forward.

Section 4 Implementation Plan Management

Section 4.1 Annual Reporting

Yearly progress reports will be submitted to DEQ on or before Dec 1 starting in 2023. Report Year will start on October 1, 2022 and end on Sept 30, 2023. Annual reports will be due on November 1st of each year. A concise review will be included to add, update, or explain program specifics. This portion of the annual progress report will also include the public education evaluation and assessment required in the WQMP as listed in Table 13-11.

During the 5th year of the implementation period, the City of McMinnville will submit a program evaluation and assessment according to guidance provided by DEQ. The five-year evaluation shall be submitted every 5th year as long as McMinnville is a DMA.

Section 4.1 Plan Review / Performance Monitoring

In an effort to make certain that the program remains on track, applicable management staff will need to carefully review annual progress reports and tasks for upcoming years. Corrections and adjustments should be made at annual report time.

For each monitoring year staff will look at developing trends to determine if BMPs need to be adaptively managed. Staff shall look for avenues to improve function, funding, efficiency, and pollutant reduction. These outcomes should be the markers for considering and applying Adaptive Management. According to the WQMP *Adaptive Management is a process that acknowledges and incorporates improved technologies and practices over time in order to refine implementation.* Adaptive Management is intended to improve the effectiveness of the chosen BMP. Progress of each BMP will be included in the status column of the matrix and submitted with the annual report. Program analysis and adaptive management proposals will be included in the narrative of the annual report.

City of McMinnville TMDL IMPLEMENTATION PLAN – Sept 2022 to Sept 2027 Report Year #1 09/03/22 to 09/30/23								
POLLUTANT: Mercury MCM #1 Public Education								
BMP#	Source <i>What source is being addressed? (ex. runoff from construction sites, riparian condition)</i>	Strategy <i>What will be done to control or reduce pollutant from source?</i>	How <i>Specifically, how will this be done?</i>	Fiscal Considerations <i>How is the BMP funded? (ex. In the 2023 budget, grant, etc.)</i>	Measure <i>How will successful implementation or completion be measured?</i>	Timing <i>When will the strategy be completed?</i>	Milestone <i>What intermediate goals will be achieved and by when to know what progress is being made?</i>	Status
PE-1	Runoff from soil disturbance and direct discharge to waterway from riparian area	Organize a PE group to help guide education and outreach efforts	Group to tailor messages to reach target audiences	Staff Time	Organize group and establish meetings with consultant	2021/2022	Staff members selected for this BMP and list of target audiences developed	Management group has approved and committee to be determined by new
PE-2	Runoff from soil disturbance and direct discharge to waterway from riparian area	Develop a resource portfolio of outreach messages for the 5 year evaluation period	Resources to be developed by knowledgeable persons	Consultant	Portfolio developed	2021/2022	Material will be tailored to reach target audiences	Underway
PE-3	Runoff from soil disturbance and direct discharge to waterway from riparian area	Post relevant stormwater public education materials to the City's website	Materials such as FAQ sheets, resource lists, and information for target audiences	Staff time	Post materials annually and review content each year for relevance	To occur each year starting in 2022	Maintain records of when and what was posted and report on annual progress	TMDL educational materials have been posted to the website
PE-4	Discharge from unvegetated riparian areas	Continue to support the GYWC, the SWCD, or others such as 'friends' groups annually	Monetary funding, attend meetings, and explore other opportunities	Add to budget for 2022/2023 and annually thereafter.	Document support actions and activities	To occur each year	Maintain records of support actions and include in the annual report	Staff have attended 22 watershed council meetings since March 21.
PE-5	Runoff from soil disturbance and direct discharge to waterway from riparian area	Provide educational opportunities to students annually	Use staff or other professionals to provide educational presentations in the classroom or field	Staff time and potential minimal cost for materials	Speaker, topic, date, and number of students	To occur each year starting in 2023/24	Assemble a list of potential presenters and contact schools	No progress

BMP#	Source <i>What source is being addressed? (ex. runoff from construction sites, riparian condition)</i>	Strategy <i>What will be done to control or reduce pollutant from source?</i>	How <i>Specifically, how will this be done?</i>	Fiscal Considerations <i>How is the BMP funded? (ex. In the 2023 budget, grant, etc.)</i>	Measure <i>How will successful implementation or completion be measured?</i>	Timing <i>When will the strategy be completed?</i>	Milestone <i>What intermediate goals will be achieved and by when to know what progress is being made?</i>	Status
PE-6	Runoff from soil disturbance and direct discharge to waterway from riparian area	Mail informational material to streamside property owners	1 mailing sent 2x in the 5 year evaluation period	Cost of mailing	Complete list of streamside property owners and conduct the mailing	Complete by 2025/2026	Report date and content of mailing	No progress to report
MCM #2 Public Involvement								
PI-1	Runoff from soil disturbance and direct discharge to waterway from riparian area	Maintain a website and post the most current water quality related information to the site	Post the TMDL Plan on the City website	Staff time	Post new and updated material annual	To occur each year	Post the plan in 2022 and post plan reports submitted to DEQ annually	Plan to be posted from July 25 th to August 29 th 2022 to gather public comment. Final to be posted after DEQ approval
PI-2	Direct runoff to waterway	Utilize a volunteer group to conduct restoration work on a local waterway	2 projects will be implemented in the 5 year plan term	Budget for support items such as refreshments, plants, planting material, etc.	Complete the projects and record description and # of participants	Complete by 2025/2026	Identify suitable project sites and develop a project plan	Coordination underway with GYWC
PI-3	Runoff from soil disturbance and illicit discharges	Mark catchbasin grates using volunteer groups	Utilize community groups to mark a number of basins each year	Budget for placards, and misc. costs for adhesive, kits, etc.	Track number of markers installed, dates, and volunteer	To occur each year starting in 2023/2024	Track number of basins marked and develop door-hanger to use for marking events	No progress to report
PI-4	Runoff from soil disturbance and illicit discharges	Educate Elected Officials	Work Session presentation	Consultant and staff	Complete the activity	To occur each year	Report progress in yearly report	Presentation to City Council on 7/26/22. Work Session. General program overview
MCM #3 Illicit Discharge and Detection								
ID-1	Runoff from soil disturbance and direct discharge to waterway from riparian area	Update the City's existing GIS database to include new stormwater data and assets	Update the map at least annually	Staff time	Develop a preliminary list of desired assets	To occur each year	Provide DEQ information on stormwater and waterway work done annually	The City has existing GIS data and coordination has occurred between personnel. Asset list being developed

BMP#	Source <i>What source is being addressed? (ex. runoff from construction sites, riparian condition)</i>	Strategy <i>What will be done to control or reduce pollutant from source?</i>	How <i>Specifically, how will this be done?</i>	Fiscal Considerations <i>How is the BMP funded? (ex. In the 2023 budget, grant, etc.)</i>	Measure <i>How will successful implementation or completion be measured?</i>	Timing <i>When will the strategy be completed?</i>	Milestone <i>What intermediate goals will be achieved and by when to know what progress is being made?</i>	Status
ID-2	Runoff from soil disturbance and impervious area	Develop an ordinance that prohibits non-stormwater discharges into the stormwater system and local waterways	Utilize ordinances and programs from other agencies	Staff time involving legal	Document annual progress	Complete by 2024/2025	Provide DEQ annual progress on this BMP in the annual report	Pulling together ordinances from other agencies
ID-3	Runoff from soil disturbance and impervious area	Develop an enforcement response plan	The plan will include escalating steps of enforcement	Staff time	Document annual progress	Complete by 2024/2025	Report progress and final outcome to DEQ	No progress to report
ID-4	Runoff from soil disturbance and impervious area	Staff training	Annual training by existing staff. Take advantage of inexpensive regional training	Include training in the annual budget	Conduct annual training – develop a schedule. Yr 1 training by consultant	To occur each year starting in 2022/2023	Report/record training date, # of employees in attendance	The City has a spill response plan, but no formal IDDE plan in place
ID-5	Runoff from soil disturbance and impervious area	Recordkeeping	Utilize GIS or another database to document response	Staff time	Develop a response sheet and process	To occur each year starting in 2022/2023	Report # of complaints and outcome annually	No progress to report
ID-6	Runoff from soil disturbance and impervious area	Annual outfall inspections	Field inspect outfalls and maintain inventory	Staff time	Develop process and maintain digital inventory	To occur each year starting in 2023/2024	Report activities in annual report	No progress to report
MCM #4 Construction Site Runoff								
CS-1	Runoff from soil disturbance and impervious area	Staff training - CESCL training for at least 1 employee and annual training for staff	Familiarize key staff with the 1200-C program	Include training in the annual budget	Document CESCL information as well as staff training. Yr 1 training by consultant	CESCL training completed by 2023/2024 Annual training for staff	Report training activities in the annual report	Several staff members attended the Erosion Control and Stormwater Management Summit held online on January 26, 2022 (Mid-Willamette Outreach Group)

BMP#	Source <i>What source is being addressed? (ex. runoff from construction sites, riparian condition)</i>	Strategy <i>What will be done to control or reduce pollutant from source?</i>	How <i>Specifically, how will this be done?</i>	Fiscal Considerations <i>How is the BMP funded? (ex. In the 2023 budget, grant, etc.)</i>	Measure <i>How will successful implementation or completion be measured?</i>	Timing <i>When will the strategy be completed?</i>	Milestone <i>What intermediate goals will be achieved and by when to know what progress is being made?</i>	Status
CS-2	Runoff from soil disturbance and impervious area	Develop a guidance document for staff that outlines program implementation	Document to include resources, program descriptions, BMPs, etc	Consultant - budgeted	Develop the guidance document	To be completed 2022/2023	Report progress in the annual report	
CS-3	Runoff from soil disturbance and impervious area	Develop a local erosion control program which meets the specifications for coverage under the 1200-CN	Research similar 1200-CN permittee ordinances. Work with legal dept	Staff time	Develop the ordinance	Complete by 2025/2026	Report progress in the annual report	Initial discussion with Ryan Johnson, and Blair Edwards from DEQ
CS-4	Runoff from soil disturbance and impervious area	Provide educational materials to the development community including a template	Develop a builder/developer packet with template, BMPs, resources, etc	Consultant – funds in budget	Completion of packet materials	2023/2024	Describe progress in the annual report	
CS-5	Runoff from soil disturbance and impervious area	Develop an erosion control ordinance	Use or edit an existing or new document.	Staff time involving legal	Demonstrate progress annually	Complete by 2025/2026	Report progress in the annual report	
CS-6	Runoff from soil disturbance and impervious area	Develop an enforcement response plan	See ID-3 The plan will include escalating steps of enforcement	Staff time	Demonstrate progress annually	Complete by 2025/2026	Describe progress in the annual report	
CS-7	Runoff from soil disturbance and impervious area	Develop and maintain a construction database	Utilize GIS, excel, or another database of current and closed projects	Staff time	Maintain database so that it can be submitted to DEQ upon request	To occur each year starting in 2023	Describe progress in the annual report	Discussion with GIS personnel as to what elements need to be included on 5/11
CS-8	Runoff from soil disturbance and impervious area	Notify DEQ for projects requiring 1200-C permits	Offer educational material to builders	Staff time	Record notifications	To occur each year 2022/2023	Describe progress in annual report	

BMP#	Source <i>What source is being addressed? (ex. runoff from construction sites, riparian condition)</i>	Strategy <i>What will be done to control or reduce pollutant from source?</i>	How <i>Specifically, how will this be done?</i>	Fiscal Considerations <i>How is the BMP funded? (ex. In the 2023 budget, grant, etc.)</i>	Measure <i>How will successful implementation or completion be measured?</i>	Timing <i>When will the strategy be completed?</i>	Milestone <i>What intermediate goals will be achieved and by when to know what progress is being made?</i>	Status
MCM #5 Post-Construction Runoff Control in New and Re-development								
PC-1	Runoff from soil disturbance and impervious area	Develop or revise an ordinance or other regulatory mechanism (Design Standards) to meet the requirements of Post Construction regulations	Utilize DEQ resources and mirror what other municipalities have done.	Staff time – potential for engineering costs	Document progress annually	Complete by 2025/2026	Describe progress in the annual report	
PC-2	Runoff from soil disturbance and impervious area	Develop a long term maintenance approach for private facilities	The plan should include a checklist for inspections	Staff time	Consider utilizing existing resources from other agencies. Document progress.	Complete by 2024/2025	Describe progress in the annual report	
PC-3	Runoff from soil disturbance and impervious area	Develop an inventory of public & private facilities (type ie. swale, rain garden, etc)	Review as-builts, field verify, or other means to collect location information	Staff time	Inventory shall include owner, installation date, type, etc.	Complete by 2024/2025	Describe progress in the annual report	
MCM #6 Good Housekeeping in Municipal Operations								
GH-1	Runoff from soil disturbance and impervious area	Develop a new or revise an existing Good Housekeeping Manual	The manual is a reference guide for operations personnel	Staff time w/ Consultant	Complete manual	Complete by 2022/2023	Describe progress in the annual report	
GH-2	Runoff from soil disturbance and impervious area	Conduct inspections at Shop facilities	Inspections will occur according to Good Housekeeping Manual in Yr 2	Staff time	Conduct inspections	Conduct inspections starting in 2023/2024	Provide completion date and documentation for inspections	Inspection work is taking place, but protocol and recordkeeping need to be included in the new Good Housekeeping manual

BMP#	Source <i>What source is being addressed? (ex. runoff from construction sites, riparian condition)</i>	Strategy <i>What will be done to control or reduce pollutant from source?</i>	How <i>Specifically, how will this be done?</i>	Fiscal Considerations <i>How is the BMP funded? (ex. In the 2023 budget, grant, etc.)</i>	Measure <i>How will successful implementation or completion be measured?</i>	Timing <i>When will the strategy be completed?</i>	Milestone <i>What intermediate goals will be achieved and by when to know what progress is being made?</i>	Status
GH-3	Runoff from soil disturbance and impervious area	Conduct Street Sweeping	Develop a written document for street sweeping operations and implement Yr 2	Staff time	Evaluate practices to improve effort	To occur each year starting in 2023	Provide annual activities in annual report	Street sweeping is an existing program. Between 3500 and 5000 yards of leaves have been removed annually since 2017
GH-4	Runoff from soil disturbance and impervious area	Catchbasin cleaning	Develop a plan for catchbasin cleaning in the City and implement Yr 2	Staff time	Evaluate practices to improve effort	To occur each year	Provide annual activities in annual report	Catchbasins are cleaned annually. The city will refine the program to capture annual percentage or other trend
GH-5	Runoff from soil disturbance and impervious area	Annual training for Public Works facility	Purpose is to review practices and review staff suggestions	Staff time Consultant	Conduct training	To occur each year	Develop training calendar with staff. Training dates to be recorded along with attendance	Underway. List of annual topics being developed
Regulatory BMPS								
		Develop a stormwater fee	Consider options such as developing ESUs	Staff time	Determine a feasible funding mechanism	Prior to end of 5 year review period	Track annual activity	
		Review internal documents and permits for consistency with TMDL Implementation Plan	Review existing code, planning and master plans to identify inconsistencies	Staff time	Develop a plan for making adjustments in existing management documents and ordinances	Prior to end of 5 year review period	Track progress and report to DEQ 2026/27	
		Annual report	This is an annual requirement	Consultant	Complete report	Due date – Sept 30, 23	Submit annually	
		5 th year evaluations	To be completed in 2026/2027	Staff time	Complete evaluation	Due date – Sept 30, 27	Submit to DEQ in 2026/2027	
		PE evaluation and assessment Year 1	To be included w/ annual report	Consultant	Complete evaluation	Due date – Sept 30, 23	Submit annually	

		Annual evaluation and assessment of the TMDL Program	Monitoring to be included w/ annual report	Consultant	Complete evaluation	Due date – Sept 30, 23	Submit annually	
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**City of McMinnville
Planning Department**

231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

[***.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

June 1, 2022

Anne Pagano, Public Works Director
231 NE 5th Street
McMinnville, OR 97128
via e-mail: anne.pagano@mcminnvilleoregon.gov

Re: City of McMinnville - Mercury TMDL Implementation Plan
Land Use Compatibility Acknowledgement

Dear Anne:

This letter is to provide acknowledgment of land use compatibility for the City of McMinnville's Mercury TMDL Implementation Plan. The City is undertaking this work as required by the Final Mercury TMDL for the Willamette Basin issued by EPA on February 4, 2021. Additional information is provided at the following link.

*****.oregon.gov/deq/wq/tmdls/Pages/willhgtmdlac2018.aspx

A summary of information excerpted from website is provided below:

On Nov. 22, 2019, DEQ issued the *Final Revised Willamette Basin Mercury Total Maximum Daily Load* that was submitted to the U.S. Environmental Protection Agency for action. EPA disapproved DEQ's TMDL on Dec. 30, 2019 and issued their final TMDL on Feb. 4, 2021 following a public comment period. EPA notified DEQ that, "EPA has established this TMDL and is hereby providing it to the State for implementation." EPA's TMDL states that reasonable assurance for their TMDL relies on DEQ's Water Quality Management Plan. The plan was issued on Nov. 22, 2019 as part of the DEQ TMDL. The total mercury allocations specified in EPA's TMDL are effective for designated management agencies and responsible persons named in DEQ's management plan.

DEQ will be working with agencies and responsible persons to implement the water quality management plan. The plan describes a multi-faceted approach that requires implementation of management practices through development of TMDL implementation plans by multiple federal, state, and local agencies, and responsible persons across the entire Willamette Basin to reduce human-caused sources of mercury. TMDL implementation plans will contain measurable objectives, milestones and timelines, and must be approved by DEQ staff. Annual and five-year reviews ensure agencies and responsible persons are on track for making sustained progress in implementing management strategies to reduce mercury primarily through control of erosion and sediment runoff. In addition, the plan includes development of mercury minimization

plans for major point source dischargers and reduction of mercury in stormwater runoff through requirements contained in stormwater permits. DEQ expects that with implementation of the water quality management plan, mercury water quality standards will be met.

McMinnville's Comprehensive Plan is acknowledged, and the City has adopted amendments to the Comprehensive Plan and implementing ordinances following the original acknowledgment, consistent with the applicable state law for amendments in accordance with the requirements for Periodic Review and Post-Acknowledgment Plan Amendments (PAPAs).

Acknowledgement of the Comprehensive Plan means the Comprehensive Plan and implementing ordinance have been found to comply with the Statewide Planning Goals, including Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces), Goal 6 (Air, Water, and Land Resources Quality), and Goal 7 (Areas Subject to Natural Hazards).

Several sections of the Comprehensive Plan specifically address natural resources, and other sections also address natural resources in the context of specific land use and development goals and policies. Specific provisions include the following:

Chapter II: Natural Resources:

Goal II.1. To preserve the quality of the air, water, and land resources within the Planning Area. Policies 8.00-11.00 specifically address water resources.

Chapter VII: Community Facilities and Services

Addresses stormwater management and provision of open spaces, natural areas, and scenic areas, including protection and acquisition of floodplain and riparian areas.

The City's Mercury TMDL Implementation Plan has been undertaken consistent with DEQ's TMDL Implementation Plan Guidance for State and Local Government Designated Management Agencies, May 2007, linked here:

[*****digital.osl.state.or.us/islandora/object/osl:20723/datastream/OBJ/view](https://digital.osl.state.or.us/islandora/object/osl:20723/datastream/OBJ/view)

The TMDL Implementation Plan includes a number of action items to be undertaken by the City of McMinnville within its planning area to reduce mercury levels in the Willamette Basin. The Implementation Plan itself is consistent with the Goals and Policies of the Comprehensive Plan and there aren't proposed implementation actions that would conflict with the Comprehensive Plan.

Some implementation actions may require changes to the City's Comprehensive Plan and/or implementation ordinances. At such time as those items are undertaken, the City will address compatibility with the Comprehensive Plan and will comply with the applicable Post-Acknowledgement Plan Amendments to ensure amendments to the City's Comprehensive Plan continue to comply with the Statewide Planning Goals.

Anne Pagano
Re: Mercury TMDL Implementation Plan
Date: June 1, 2022

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If any of the implementation actions should require a DEQ LUCS (Land Use Compatibility Statement), the City will address the applicable LUCS requirements at the time the respective implementation actions are undertaken.

Please contact me at (503) 474-5108 or by email at tom.schauer@mcminnvilleoregon.gov if you have any questions or if I can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Schauer".

Tom Schauer
Senior Planner

Cc: Elizabeth Sagmiller, sagmillere@gmail.com
Nancy Gramlich, nancy.h.gramlich@deq.oregon.gov



City of McMinnville

TMDL Implementation Plan

Introduction to the Implementation Plan for Stormwater Management

City of McMinnville Work Session August 9, 2022

A New Program for the City

- } The Department of Environmental Quality (DEQ) officially notified the City of McMinnville in March 2021 that the City was a Designated Management Agency and subject to the regulations of the *2019 Final Revised Willamette Basin Mercury Total Maximum Daily Load and Water Quality Management Plan*. This plan will elevate stormwater management activities within the City.



The 2019 Final Revised Willamette Basin Mercury TMDL and Water Quality Management Plan

- } This is a document that was created by DEQ and approved by the EPA that requires Designated Management Agencies (like McMinnville) to develop plans to reduce their contributions of **mercury** to the Yamhill River.
- } The TMDL program is required in the Federal Clean Water Act and administered by DEQ in Oregon.
- } Failure to follow regulations in the Water Quality Management Plan are violations to which DEQ will apply enforceable actions (fines, mitigation, etc)
- } McMinnville's TMDL Implementation Plan is in draft form and some portions are underway, (ie. Public Education)

Stormwater

- Stormwater is precipitation (water, snow or ice melt) that falls on impervious surfaces (sidewalks, parking lots, roads, roof tops, and compacted areas)
- Stormwater management systems capture this water and direct it to waterways where it is discharged.

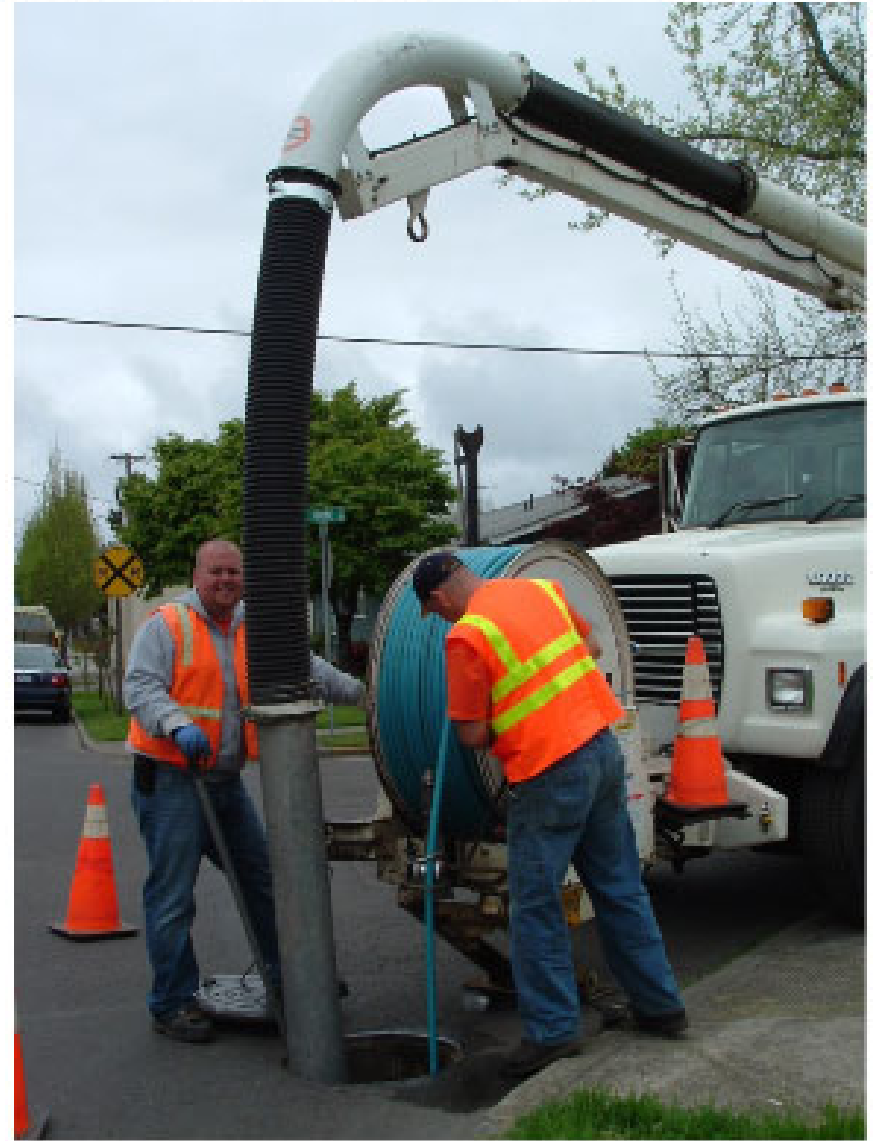


What is a TMDL Implementation Plan?

- } TMDL - Total Maximum Daily Load
- } TMDL Meaning – A TMDL describes the amount of a pollutant that a waterway can receive without exceeding water quality standards. (Safe for recreation, safe for fish, drinking water, fish consumption, etc)
- } TMDL Implementation Plan – A regulatory document that describes the community and sets out mandatory activities that are to be taken over a 5 year period. The plan includes activities, milestones, and a description of how McMinnville will meet regulations.

What Does this Mean for McMinnville?

- } New activities for how the City is maintained
- } New ordinances for regulations and permitting requirements for construction activities
- } An opportunity to change and refine the program
- } More community education and engagement
- } A regulated focus on water quality in local waterways



Six Minimum Control Measures Required

- } Public Education
- } Public Involvement
- } Illicit Discharge Detection and Elimination
- } Construction Site Runoff
- } Post Construction Site Runoff in New and Redevelopment
- } Good Housekeeping in Municipal Operations



} Public Education

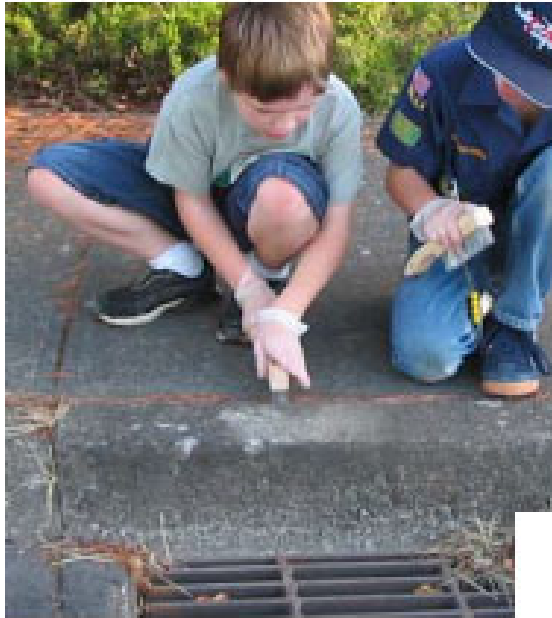


Conduct an ongoing education and outreach program for the public and other target audiences such as students, businesses, developers and builders.

Develop educational materials and presentations

Evaluate and keep records on participation and activities

} Public Involvement



DMAs must implement a public involvement and participation program that provides opportunities for the public to effectively participate in the development of stormwater control measures.

Examples include: City Council review, public hearings, posting the plan to the website, catchbasin marking, or bank restoration work.

} Illicit Discharge Detection and Elimination



DMAs must implement and enforce a program to detect and eliminate illicit discharges into the stormwater conveyance system. An illicit discharge is any discharge to a stormwater conveyance system that is not composed entirely of stormwater

Develop a procedure to respond to all violations

Document all complaints and responses.

} Construction Site Runoff



Develop a program that meets or exceeds DEQs 1200-C or 1200-CN program.

Require erosion control plans for projects $\frac{1}{2}$ acre or larger.

Develop an escalating response plan for violations.

Maintain a database for construction activities

} Post Construction Runoff Control in New and Re-Development



DMAs must develop, implement, and enforce a program to reduce discharges of pollutants and control post-construction stormwater runoff from new development and redevelopment project sites in its jurisdictional area.

This element calls for infiltration of runoff using water quality treatments such as: bioswales, infiltration trenches, rain gardens, and vegetated stormwater facilities

} Good Housekeeping in Municipal Operations



DMAs must properly operate and maintain its facilities, using prudent pollution prevention and good housekeeping to reduce the discharge of mercury-related pollutants, such as sediment, through the stormwater conveyance system to waters of the state

Examples include street sweeping, catchbasin cleaning, infrastructure inspection and maintenance. These are things that McMinnville currently does.

Regulatory Requirements

- } Must meet annual goals and report findings in an annual report due Dec. 1st of each year.
- } All components of the plan must be completed by 2027 (5 years)
- } In 2027 the City must review and update the plan and implement for the next 5 year period



Frequently Asked Questions

- } Who is regulated under DEQs TMDL program?
 - } Cities w/ < 5000 people
 - } Cities w/ populations between 5000 and 10,000 people
 - } **Cities w/ populations > 10,000**
- } Where does mercury come from?
 - } The largest % of mercury in Oregon comes from air deposition. Mercury is a heavy metal that bonds with soil. Erosion is the main culprit for mercury in waterways.
- } What will happen if we just don't comply?
 - } The City will be fined by DEQ
- } Do these requirements ever go away?
 - } Unknown. DEQ has determined that a mercury reduction of 75% by all TMDL agencies would result in fish that are safe to eat from the Willamette River.
- } Is there good news?
 - } Yes. Communities with sound environmental programs are cleaner, waterways are safer, and property values are higher!



Next Steps

- } Submit the final TMDL Implementation Plan to DEQ by Sept. 3, 2022
- } Adopt the plan by Resolution prior to Dec. 31, 2022
- } Develop a work plan with management staff for the first year. (Oct 1, 2022 through Sept 30, 2023)
- } Meet with the City Attorney to discuss legal implications of the program
- } Review appropriate local ordinances from other agencies
- } Implement the measures as listed in the matrix (Appendix A of the TMDL Implementation Plan)
- } Complete required recordkeeping for all measures and activities
- } City Council review of progress
- } Submit annual progress report to DEQ no later than Sept 30, 2023



QUESTIONS?



Elizabeth Sagmiller
sagmillere@gmail.com





STAFF REPORT

DATE: August 9, 2022
TO: Jeff Towery, City Manager
FROM: Jeff Gooden, Project Manager
SUBJECT: Alley Way at the block NE 8th & NE 9th Ave, NE Alpine Ave & NE Lafayette Ave Street Vacation Request (RV 1-22)

Report in Brief:

This action is a public hearing and associated ordinance considering the vacation of an alley way at the block NE 8th & NE 9th Ave, NE Alpine Ave & NE Lafayette Ave St (RV 1-22).

Background:

The processes for the vacation of public right of way within incorporated cities are outlined in Oregon Revised Statutes (ORS) Chapter 271. The vacation process may be initiated by the adjacent property owners.

The City received a complete vacation petition, and associated application fee, from Sarita Springer requesting that the City initiate the proceedings to vacate roughly 200' of Alley Way at the block NE 8th & NE 9th Ave, NE Alpine Ave & NE Lafayette Ave St. This is an unimproved alley and there are no known utilities currently in the right-of-way.

The petition must include written consent from all owners abutting the vacation area, and the written consent from two-thirds of the "affected" property owners. Statute prescribes the definition of "affected" properties, and it is generally all properties within 200' laterally on each side of the vacated area and within 400' beyond the extension of the vacated area.

The vacation petition included written consent from all owners abutting the vacation area (834 NE Alpine Ave). Additionally, the consent from 20 of the 28 affected property owners was received, meeting the "two-thirds" requirement in statute.

On June 28, 2022, the Council of the City of McMinnville, Oregon, acting at a regularly scheduled meeting, adopted Resolution No. 2022-45, initiating proceedings and setting August 9, 2022 at 7:00pm, as the date and time for a public hearing to consider vacating the area.

Upon conclusion of the public hearing, the City Council will consider an Ordinance to vacate the subject area. If the vacation Ordinance is adopted by the City Council, it is recorded with the County Clerk's office, and title to the vacated area is attached to the adjacent properties.

Discussion:

The area subject to the request is an unimproved alley and there are no known utilities currently in the right-of-way.

Pursuant to Resolution 2022-45, the City gave notice of the hearing by publication of a notice in the News Register on the week of July 25, 2022 and the week of August 1, 2022, and by the posting of a notice entitled "Notice of Street Vacation" at the ends of the vacation area.

Additionally, notice of the hearing was sent to all affected utilities. There were no comments from the utilities in the area

McMinnville's planning department had no comments:

Additionally, the McMinnville Fire Department had no comments.

As of the date of this memo, no other comments regarding, or objections to the proposed vacation have been received.

Attachments:

1. Ordinance
2. Ordinance Exhibit A
3. Resolution 2022-45
4. Completed street vacation application materials

Recommendation:

Following consideration of any testimony received at the meeting, staff recommends that the City Council approve the vacation of the identified Alley Way right-of-way (RV 1-22).

ORDINANCE NO. 5120

AN ORDINANCE VACATING AN ALLEY WAY AT THE BLOCK NE 8th ST & ne 9th AVE, NE ALPINE AVE & NE LAFAYETTE AVE (RV 1-22).

RECITALS:

On June 28, 2022, the Council of the City of McMinnville, Oregon, acting at a regularly scheduled meeting, adopted Resolution No. 2022-45, initiating proceedings for the purpose of vacating an alley way at the block NE 8th & NE 9th Ave, NE Alpine Ave & NE Lafayette Ave, described as follows, and shown on the attached Exhibit "A" (RV 1-22):

A tract of land located in Section 21, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being all that portion of an alleyway inuring to Lots 1-8 inclusive, of Block 3 of OAK PARK ADDITION, in the City of McMinnville the boundary of said alley being more particularly described as follows:

Beginning at the northwest corner of said Lot 4; thence North 52°34'02" West 15.00 feet to the northeast corner of said Lot 5; thence South 37°25'42" West 200.08 feet to the southeast corner of said Lot 8; thence South 52°33'56" East 15.00 feet to the southwest corner of said Lot 1; thence North 37°25'42" East 200.08 feet to the POINT OF BEGINNING, containing 3,001 square feet of land, more or less.

END DESCRIPTION

By that resolution, the Council set August 9, 2022, at 7:00 p.m. via Zoom and in the Kent L. Taylor Civic Hall, 200 NE Second Street, McMinnville, as the time and place for a hearing on the vacation of the area and any objections to that vacation.

Pursuant to the resolution, the City gave notice of the hearing by publication of a notice in the News Register on the week of July 25, 2022 and the week of August 1, 2022, and by the posting of a notice entitled "Notice of Street Vacation" at the ends of the vacation area.

Additionally, notice of the hearing was sent to all affected utilities in the vicinity of the proposed vacation.

On August 9, 2022, at 7:00 p.m., the public hearing on the proposed vacation was opened, any objections filed against the proposed vacation were considered, and the Council considered the matter.

After Recording,
return to: City of McMinnville
231 NE Fifth Street
McMinnville OR 97128

NOW, THEREFORE, THE CITY OF McMinnville Ordains as follows:

1. Findings.

(a) The above-Recitals are incorporated as if fully set forth herein. The Council also adopts the accompanying Staff Report as findings of the Council. The Council finds that the public interest will not be prejudiced by the vacation of the area and that the area should be vacated and that the City provided notice of the public hearing.

2. That the alley way right-of-way as described herein and shown on the attached Exhibit "A" is hereby fully and forever vacated and the title to the vacated property shall attach to the lot(s) bordering the property subject to the following conditions:

(a) SUBJECT TO:

There were no conditions to attach

Passed by the Council this 9th day of August 2022 by the following votes:

Ayes: _____

Nays _____

Approved this 9th day of August 2022.

INTERIM MAYOR

Attest:

Approved as to form:

CITY RECORDER

INTERIM CITY ATTORNEY


EXHIBIT:

A. Road Vacation Exhibit Map prepared by: Leland MacDonald & Assoc., LLC

RENEWES 31 DECEMBER 2022

Leland MacDonald & Assoc., LLC
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 472-7904
Fax: 472-0367

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 16, 2002
Leland A. MacDonald
53226

EXHIBIT "A"

23 September 2021

Description of real property for: VVC INVESTMENT FUND, LLC – Description of alley to be vacated in Block 3, OAK PARK ADDITION.

A tract of land located in Section 21, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being all that portion of an alleyway inuring to Lots 1-8 inclusive, of Block 3 of OAK PARK ADDITION, in the City of McMinnville the boundary of said alley being more particularly described as follows:

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END DESCRIPTION

Alley Vacation Map for : WVC Investments, LLC

Location: NW 1/4 Section 21, T. 4 S., R. 4 W., WM.,
Lots 4 & 5 of Block 3, OAK PARK ADDITION,
City of McMinnville, Yamhill County, OR

Tax Lot: R 4421BA - 3400, 3500

Date: 23 September 2021

Scale: 1" = 50'

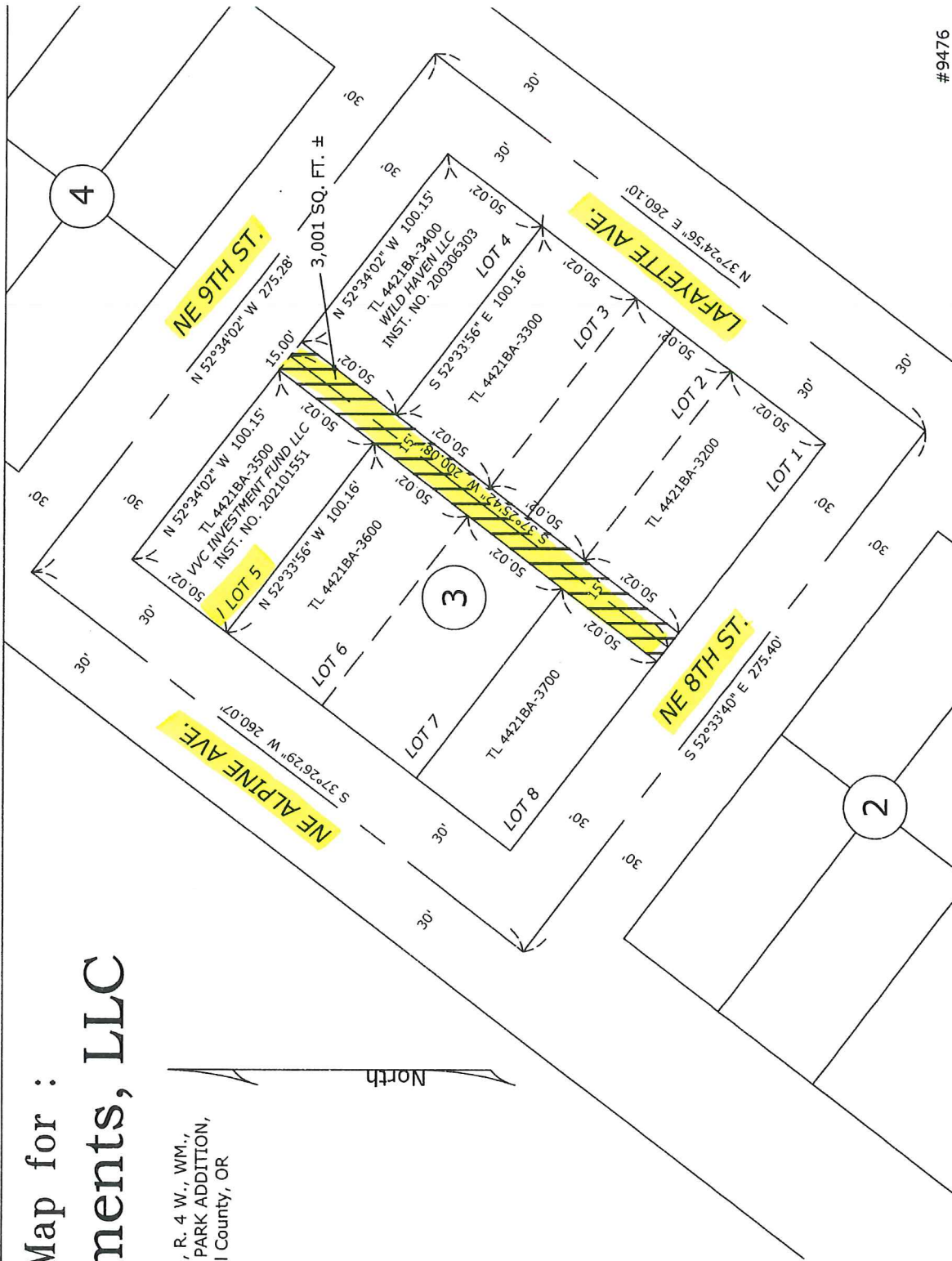
NOTE: DIMENSIONS OF BLOCK 3 ARE
RECORD OF CS-12152. NO FIELD
MEASUREMENTS HAVE BEEN TAKEN AT
THIS TIME.

By : Leland MacDonald & Assoc., LLC
Formerly dba Matt DuncKel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone : 503-472-7904
Fax: 503-472-0367
Email: lee@macdonaldsurveying.com

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Leland MacDonald
OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Expires 31 December 2016



RESOLUTION NO. 2022 – 45

A Resolution initiating the proceedings and setting a date and time for a public hearing to vacate an Alley Way.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

1. That proceedings be initiated for the purpose of vacating the area as described as follows and as shown on attached Exhibit "A":

Description of real property for: VVC INVESTMENT FUND, LLC - Description of alley to be vacated in Block 3, OAK PARK ADDITION.

A tract of land located in Section 21, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being all that portion of an alleyway inuring to Lots 1-8 inclusive, of Block 3 of OAK PARK ADDITION, in the City of McMinnville the boundary of said alley being more particularly described as follows:

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END DESCRIPTION

2. That this resolution, having been duly discussed by the Council, shall constitute an initiation of such vacation proceedings.
3. That the Council does hereby and herein fix the 9th day of August 2022 at the hour of 7:00 p.m. in the McMinnville Civic Hall in the City of McMinnville, Oregon, as the time and place for the hearing upon said proposed vacation and objections thereto, if any.
4. That the Recorder is hereby instructed to give notice of such hearing by publishing a notice in the News Register, the City's official newspaper, once each week for two consecutive weeks prior to said hearing, which notice shall describe the area to be vacated, and within five days after the date of the first publication of said notice, to post or cause to be posted at or near each end of said proposed vacation, a copy of such notice which shall be headed, "Notice of Street Vacation", and such notice shall be posted in at least two conspicuous locations in such proposed vacation as above described.

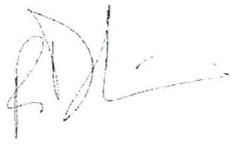
5. That this Resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 28th day of June 2022 by the following votes:

Ayes: Geary, Chenoweth, Payne, Peralta, Garvin

Nays: _____

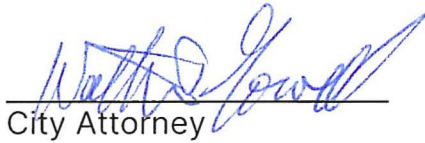
Approved this 28th day of June 2022.



INTERIM MAYOR

Approved as to form:

Attest:



City Attorney



City Recorder

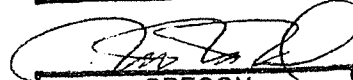
EXHIBITS:

A. Description of Property and Alley Vacation Map

RENEWS 31 DECEMBER 2022

Leland MacDonald & Assoc., LLC
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 472-7904
Fax: 472-0367

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
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Leland A. MacDonald
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EXHIBIT "A"

23 September 2021

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END DESCRIPTION

Alley Vacation Map for : VVC Investments, LLC

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Lots 4 & 5 of Block 3, OAK PARK ADDITION,
City of McMinnville, Yamhill County, OR

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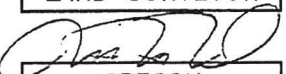
Date: 23 September 2021

Scale: 1" = 50'

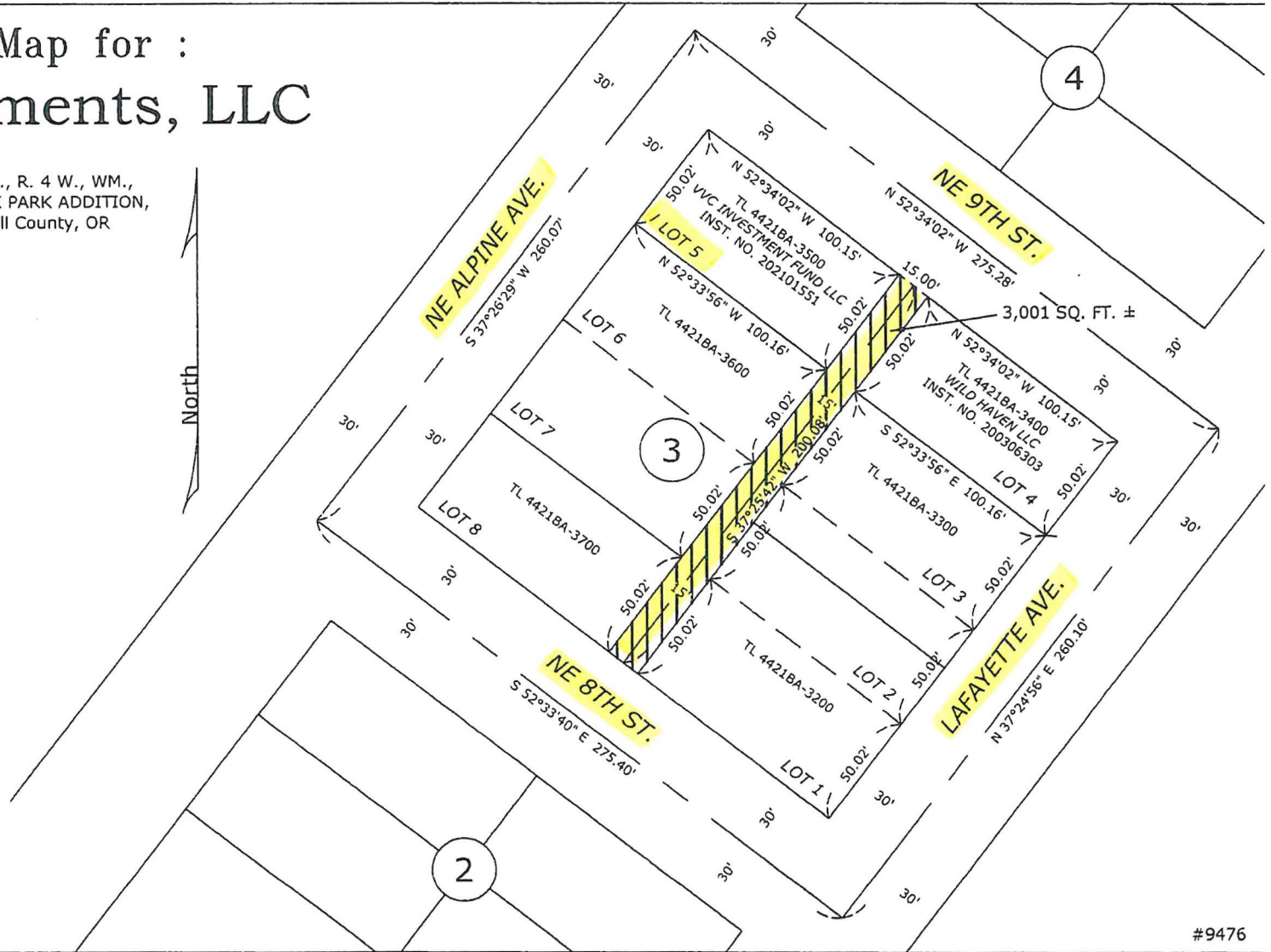
NOTE: DIMENSIONS OF BLOCK 3 ARE
RECORD OF CS-12152. NO FIELD
MEASUREMENTS HAVE BEEN TAKEN AT
THIS TIME.

By : Leland MacDonald & Assoc., LLC
Formerly dba Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone : 503-472-7904
Fax: 503-472-0367
Email:lee@macdonaldsurveying.com

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OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Expires 31 December 2016



#9476



RECEIVED
APR 27 2022
COMMUNITY DEVELOPMENT
CENTER

RV-1-22

#509-22-000164
PLNG

Engineering Department
231 NE Fifth Street
McMinnville, Oregon 97128
(503) 434 - 7312 Office
(503) 474 - 4955 Fax
www.mcminnvilleoregon.gov

ROAD/STREET VACATION APPLICATION

We, the undersigned, request the described vacation and hereby acknowledge that we have read the above application and its attachments, understand the requirements described herein, and state that the information supplied is as complete and detailed as is currently possible, to the best of our knowledge.

Site Information

Site Address: 834 NE Alpine Ave., McMinnville, OR 97128

Subdivision Name: Oak Park Subdivision

Lot Number(s): Lot 5 of Block 3

Map & Tax Lot(s): Tax Lot 4421BA - 3500

Type of Vacation: Street Right-of-way Easement Other

Reason for Vacation: The alley between NE 8th St and NE 9th Ave is an unused, unimproved section of land that is neglected and blocked by trees, debris and other obstructions. The applicants are planning to improve the back portion of their property with new fencing, landscaping and off-street parking for their property and the adjacent property at 910 NE Alpine Ave to avoid vehicle congestion.

Proposed Use: Off-street parking and improved landscape design to improve the appearance and functionality of the land.

Applicant Information

Applicant's Name: VVC Investment Fund, LLC (Owner) by Kevin Kump and Sarita Springer, Managers

Mailing Address: 1271 NE Hwy 99W, #281

City, State, Zip: McMinnville, OR 97128

Phone Number: (503) 563-0505 Fax Number: (310) 861-8668

Email Address: kkump@aol.com and 1sdspringer@gmail.com

Applicant's Signature: [Signature] Date: April 25, 2022

Applicant's Signature: [Signature] Date: April 25, 2022

Note: A metes and bounds legal description and a map of the property to be vacated, prepared and stamped by a licensed surveyor, must be attached to this vacation application.

Office Use Only:				
File No. _____	Date Received _____	Fee _____	Receipt No. _____	Staff Member _____
Council Date: _____	Published Date(s): _____	Public Hearing Date: _____		



Engineering Department
231 NE Fifth Street
McMinnville, Oregon 97128
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VACATION PETITION

To: The Honorable Mayor and Council
of the City of McMinnville, Oregon

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, being the owners of the respective lots and parcels of land set opposite our respective names, do hereby consent to the vacation for purpose of Council jurisdiction and consideration, of all that portion of:

(insert metes and bounds legal description here)

See Attached Exhibit "A"

in the City of McMinnville, County of Yamhill, State of Oregon, and we do hereby represent and guarantee that we are the lawful owner of the property set opposite our respective names.


Reason for vacation: The unimproved, neglected alleyway has never been developed or used as an alley. As it currently sits, the alley is impeded by trees, shrubs, debris and other obstructions. As such, it is not accessible by car from NE 8th St to NE 9th Ave. The owners propose to use the alley for additional off-street parking behind their newly renovated bungalow at 834 NE Alpine Ave. When Alpine Avenue was redeveloped by the City as a pedestrian-friendly street, much needed parking was eliminated, including the sole parking spaces that were directly in front of the applicants' property (now blocked by planter boxes). Adding dedicated, off-street parking will alleviate congestion as the NE Gateway continues to be developed and improved.

Proposed use of vacated property: For dedicated off-street parking and enhanced landscape design that will serve to improve the area and benefit the neighborhood by alleviating parking / traffic congestion.

RENEWES 31 DECEMBER 2022

Leland MacDonald & Assoc., LLC
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 472-7904
Fax: 472-0367

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END DESCRIPTION

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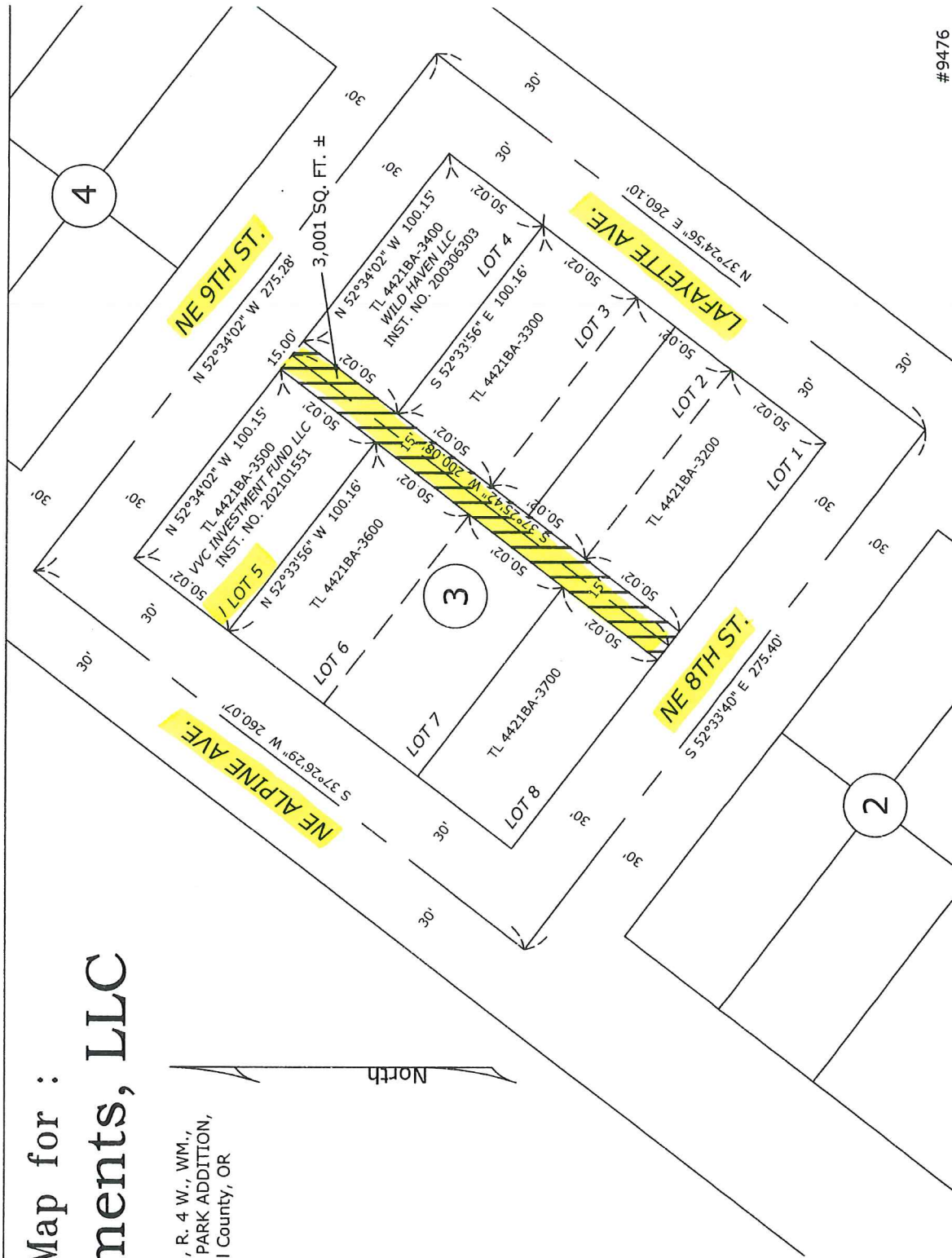
By : Leland MacDonald & Assoc., LLC
Formerly dba Matt DuncKel & Assoc.
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Phone : 503-472-7904
Fax: 503-472-0367
Email: lee@macdonaldsurveying.com

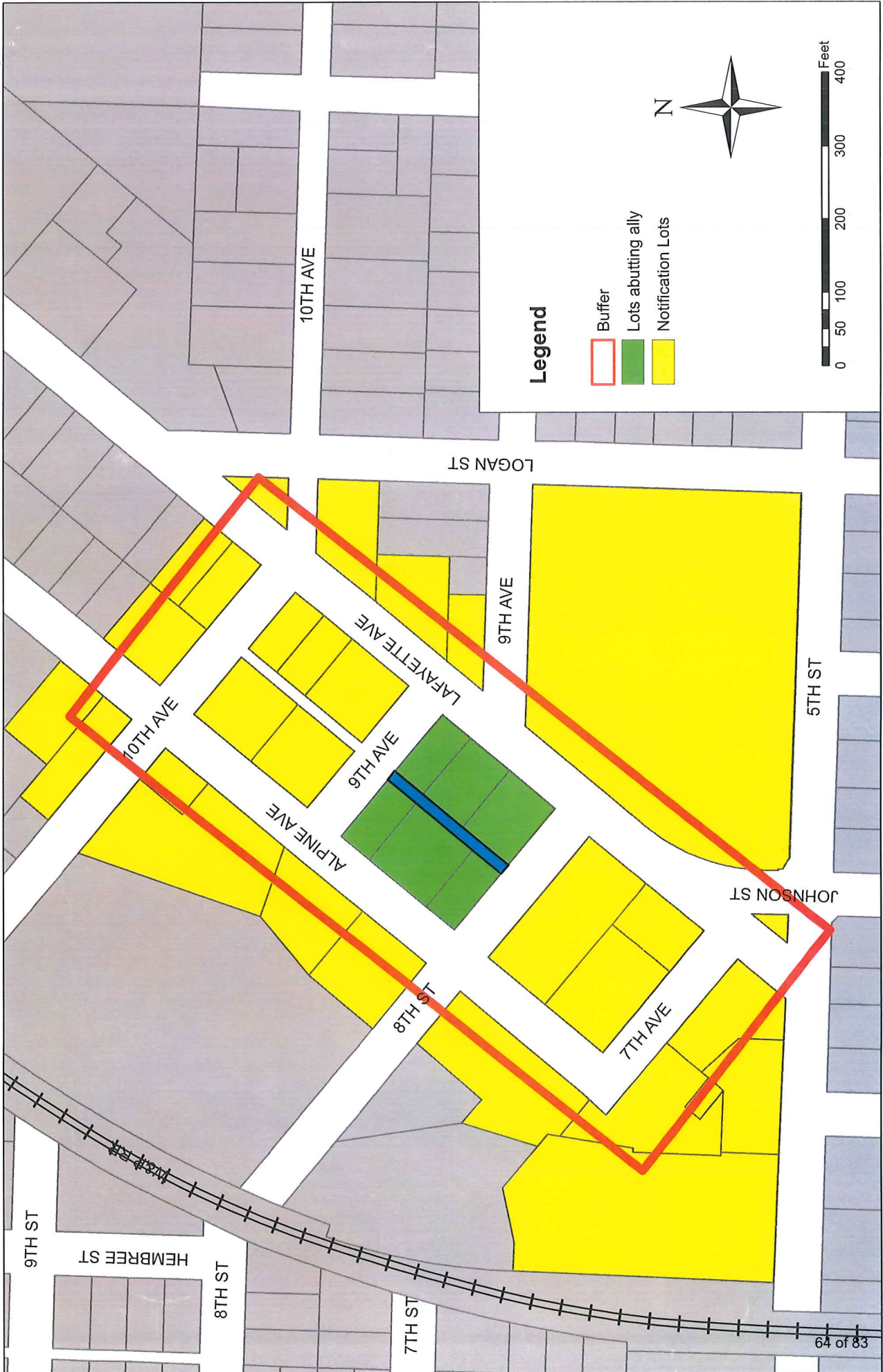
REGISTERED
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LAND SURVEYOR



OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Expires 31 December 2016





Legend

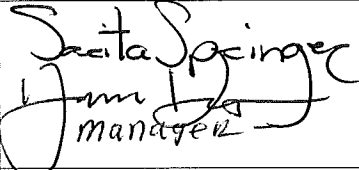
- Buffer
- Lots abutting ally
- Notification Lots

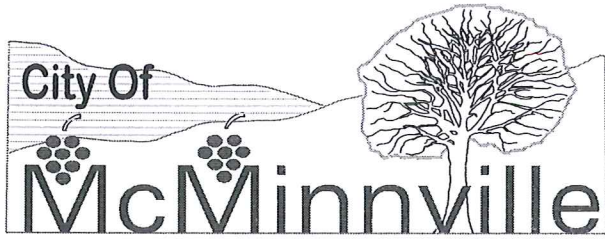




Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
 (503) 434 – 7312 Office
 (503) 474 – 4955 Fax
www.mcminnvilleoregon.gov

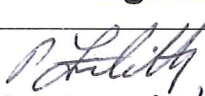
ABUTTING PROPERTY OWNER SIGNATURES (100%)

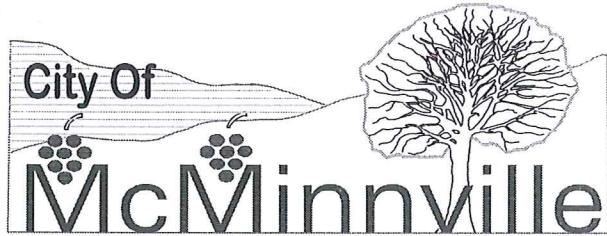
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: VVC Investment Fund LLC Address: 834 NE Alpine Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03500		2/24/2022



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
 (503) 434 – 7312 Office
 (503) 474 – 4955 Fax
www.mcminnvilleoregon.gov


ABUTTING PROPERTY OWNER SIGNATURES (100%)

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: WILD HAVEN LLC Address: 833 NE Lafayette Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03400	 Phillip Frischmuth Managing Member Wild Haven LLC	1/31/22



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 McMinnville, Oregon 97128
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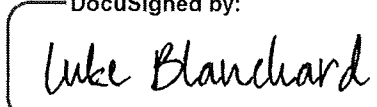
ABUTTING PROPERTY OWNER SIGNATURES (100%)

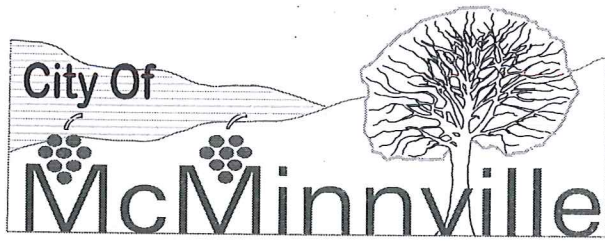
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: Richard and Mary Park Address: 813 NE Lafayette Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03200		7/17/2012



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
 (503) 434 – 7312 Office
 (503) 474 – 4955 Fax
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ABUTTING PROPERTY OWNER SIGNATURES (100%)

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: Lucas J Blanchard Address: 823 NE Lafayette Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03300	DocuSigned by:  288D2CF58BE144E...	2/22/2022



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
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ABUTTING PROPERTY OWNER SIGNATURES (100%)

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: Stephen and Anna Druse Address: 810 NE Alpine Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03600		



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ABUTTING PROPERTY OWNER SIGNATURES (100%)

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: Pereda Conrado & Ma-Auxilio Address: 802 NE Alpine Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03700	<i>See attached consent form signed by owner, Conrado Pereda, on 2/17/2022</i>	



Engineering Department
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 McMinnville, Oregon 97128
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~~AFFECTED~~ PROPERTY OWNER SIGNATURES (2/3^{rds})

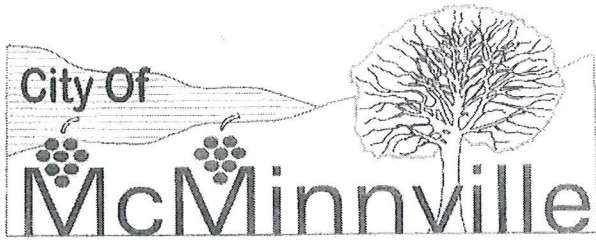
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: SCHREIBER MTN DEVELOPMENT LLC 12% & WINTERS MTN DEVELOPMENT LLC 8% & STEPHAN MTN DEVELOPEMT LLC 20% & Address: 845 NE 5TH ST SUITE 200, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA04702		
862 Alpine McMinnville Or Conrado Pereda & Ma Auxilio Conrado Pereda		2-17-22



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
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 (503) 474 – 4955 Fax
www.mcminnvilleoregon.gov



AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: Peggy Talmadge Address: 950 NE ALPINE AVE, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA93000		4/11/22



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
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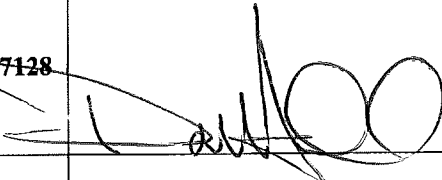
AFFECTED PROPERTY OWNER SIGNATURES (2/3rds)

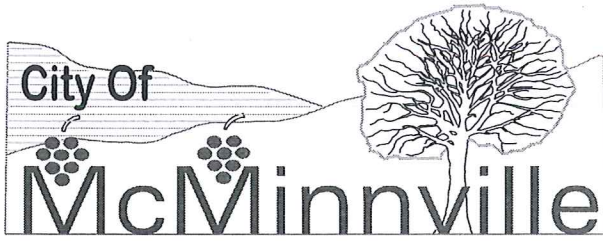
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: Ricardo Ramirez and Anarosa Bautista Address: 925 NE LAFAYETTE AVE, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA02800		2-19-22
		



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
 (503) 434 – 7312 Office
 (503) 474 – 4955 Fax
www.mcminnvilleoregon.gov


AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: OHANA MAC LLC Address: 920 NE 10TH AVE, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03801		2/15/22



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 231 NE Fifth Street
 McMinnville, Oregon 97128
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AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

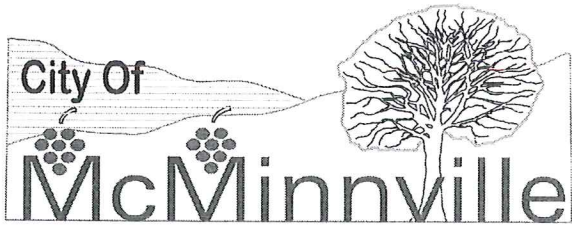
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: S R Yutzy Address: 1005 NE LAFAYETTE AVE, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA00100		2-7-22



Engineering Department
 231 NE Fifth Street
 McMinnville, Oregon 97128
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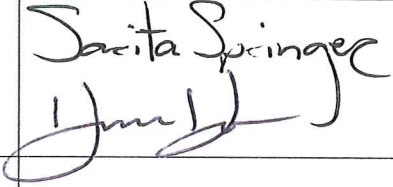
AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

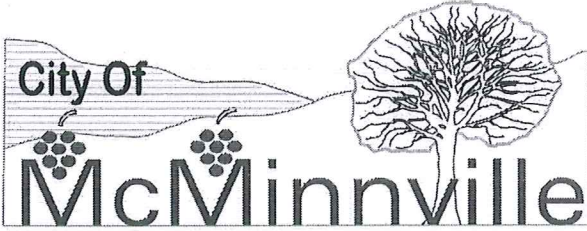
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: CARE FOR KIDS, INC Address: 835 NE 3th St., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03804	Sandra Stevenson Executive Director	2.3.22



Engineering Department
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 McMinnville, Oregon 97128
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www.mcminnvilleoregon.gov


AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: The Boutique Retreat LLC Address: 910 NE Alpine Ave., McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03001		3/1/2022



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 McMinnville, Oregon 97128
 (503) 434 – 7312 Office
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AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: SCHREIBER MTN DEVELOPMENT LLC 12% & WINTERS MTN DEVELOPMENT LLC 8% & STEPHAN MTN DEVELOPEMT LLC 20% & Address: 845 NE 5TH ST SUITE 200, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA04702		2/7/22



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 McMinnville, Oregon 97128
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AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owner: Legard Family LLC Address: 855 NE 5th Street, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA04701		4-25-2022
Owner: Legard Family LLC Address: No Situs Listed Map & Tax Lot Number: R4421BA03901		4-25-2022



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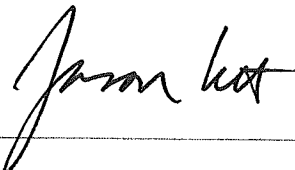
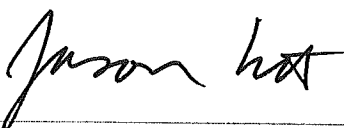


AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

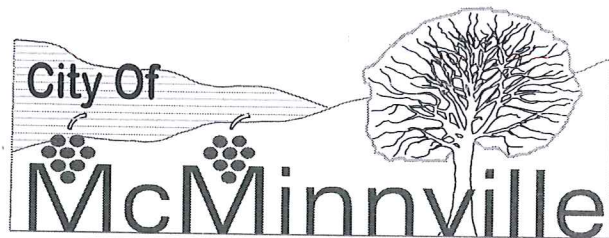
Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: ULTIMATE RB INC Address: 835 NE Alpine Ave, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA03805		4-6-22



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AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: D & D Vineyards Inc Address: 1011 NE ALPINE AVE, McMINNVILLE, OR 97128 Map & Tax Lot Number: R4421BA02100		2/16
Owners: D & D Vineyards Inc Address: 935 NE 10TH AVE, McMINNVILLE, OR 97128 Map & Tax Lot Number: R4421BA01400		2/16
Owners: D & D Vineyards Inc Address: No Situs Listed Map & Tax Lot Number: R4421BA03806 (1015 NE 10 th Ave?)		2/16
Owners: D+D Vineyards Inc Address: 1026 Alpine Map & Tax Lot Number:		2/16



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AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
Owners: McDonald Industrial Properties LLC, Zalina Mtn Development LLC, Schreiber Mtn Development LLC Address: 845 NE 5TH ST 100, McMINNVILLE, OR 97128 Map & Tax Lot Number: R4421BA04700		2/7/22
Owners: McDonald Industrial Properties LLC, Zalina Mtn Development LLC, Schreiber Mtn Development LLC Address: No Situs Listed Map & Tax Lot Number: R4421BA04800		2/7/22
Owners: McDonald Industrial Properties LLC, Zalina Mtn Development LLC, Schreiber Mtn Development LLC Address: 925 NE 7TH AVE, McMINNVILLE, OR 97128 Map & Tax Lot Number: R4421BA03900		2/7/22
Owners: McDonald Industrial Properties LLC, Zalina Mtn Development LLC, Schreiber Mtn Development LLC Address: 750 NE ALPINE AVE, McMINNVILLE, OR 97128 Map & Tax Lot Number: R4421BA04000		2/7/22
Owners: McDonald Industrial Properties LLC, Zalina Mtn Development LLC, Schreiber Mtn Development LLC Address: 755 NE ALPINE AVE, McMINNVILLE, OR 97128 Map & Tax Lot Number: R4421BA04400		2/7/22



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AFFECTED PROPERTY OWNER SIGNATURES (2/3^{rds})

Owner Name/Address/Map & Tax Lot Number	Signature*	Date Signed
<p><i>Trust Holder</i> → Owners: Alan T and Nancy J White, Trustees Trustees of the Alan T and Nancy J Living Trust Address: 1015 NE Alpine Ave, McMinnville, OR 97128 Map & Tax Lot Number: R4421BA01605</p>		
<p><i>Property Owner</i> AMC LLC. Nathan Zook, Greg White 1015 NE Alpine Ave. McMinnville Or, 97128</p>	<p><i>[Signature]</i> President.</p>	<p>2-14-22</p>