

Forest Rim development set to expand

BY CINDY YINGST
The Columbia Press

A project to expand the Forest Rim development east of Costco, adding an additional 74 houses, is in the works.

The Warrenton Planning Commission approved plans March 15 for a new road to the project that would run between the sheriff's office and the former Oregon Youth Authority facility. It would provide a shortcut to the new subdivision and already occupied portions of Forest Rim.

There is about half an acre of

wetlands that would be filled to make way for the road, which required a "hardship variance" from the city.

The new subdivision is in an area slated for an aluminum smelting plant in the 1960s. But after the land was cleared, the company went bankrupt, said Steve Fulton, who was representing Warrenton Fiber, the current property owner, and North River Homes, the developer.

"This has been a two-year process," Fulton said of the project's lengthy negotiations with the U.S. Army Corps of Engineers,

the Division of State Lands, Clatsop County and the city. "We have an agreement with Clatsop County to buy the easement for this road."

Warrenton's development code allows variances from building restrictions in protected wetlands areas when builders can prove it's in the best interest of the city and its residents. Chief among them is that the new road will provide a second access to the area in case of fire.

"There are six primary criteria in the code for dealing with a variance and the applicant met



each of the six," Planning Director Skip Urling told planning commissioners. "I recommend approval without any (additional) conditions." The road variance was approved unanimously.

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What Is the Warrenton City Commission Hiding From The Voters?

The City of Warrenton spent over \$120,000 to investigate misconduct by the Columbia River Estuary Task Force (CREST), an environmental engineering company, and the Skipanon Water Control District regarding the 8th Street Flood Control Structure. However, they are not willing to make the results public.

Historically, the Warrenton City Commission has been unwilling to say anything meaningful publicly about the 8th street flood control structure, which indicates they're not proud of what happened in the past. I'll be surprised if they make any meaningful public statement about the information I'm providing here.

I see no legal reason Warrenton City Commissioners won't make a public statement about this subject. If I'm allowed to know it, then all residents should be allowed to know it. I'm relaying this information as a public service. It appears there are people working behind the scenes to not be honest or transparent with the public.

I have reviewed over 500 pages of documents personally, and conclude the City is hiding this information from the public because it identifies potential conflicts of interest and wrongdoing done by City Commission members and high level city employees.

A quick summary of some of these documents:

- **At least 4** independent engineering reports identified a flooding risk or risk of flooding to property owners if the 8th Street flood control tide gates or structure were removed (these tide gates were removed without any permit around November 2015).

- **The City Manager** at the time was responsible for reviewing this project's impacts for the City and was CREST's Treasurer at the same time, with CREST standing to gain at least a \$1.3 million contract if this project were approved by the City (a strong conflict of interest).

- **A private citizen** made a Freedom of Information Request (FOIA) to the City of Warrenton requesting all e-mails containing the 8th Street Dam in its heading.

- **The City's engineering consultant** reviewed CREST's and the District's plans to remove the 8th Street flood control structure and had flooding concerns regarding the adequacy of the groups' engineering. It appears the City Manager at the time tried to discourage the City's engineer consultant from disclosing this to the Commission and the public in an e-mail chain. This e-mail chain was supposed to be included in the FOIA, but was left out.

- **The FOIA was** overseen by the City Manager at the time, along with the city recorder at that time (currently the Warrenton City Manager), preparing or supervising the gathering of all

information. It's unknown how this chain of e-mails failed to be included. It appears to be a potential tampering with public records, which is a civil and criminal offense.

- **The current City Mayor** personally received private e-mail informational copies regarding the project from CREST and the district along with the former city manager indicating the current City Mayor was personally receiving specific project documents from them. The other Commissioners were not included in this e-mail chain, and the current City Mayor never recused himself and never told the public that he received this ex-parte contact during the City's public review and discussion (a potential conflict of interest and what appears to be a non-disclosure of an ex-parte contact).

Here's questions and comments the commission should publicly respond to:

1. **Why was the Commission** willing to spend \$120,000 investigating CREST and the Skipanon Water Control District, but not spend any money to protect the property owners adjacent to the Skipanon River within the city limits of Warrenton based on the flood protection that has historically been in effect from 1963 until 2012?

2. **Does the Commission** believe property owners along the Skipanon River will be exposed

in the future to higher flood levels than happened in December 2015?

3. **Did the Commission know** that the Skipanon Water Control District had a legal charter and the state has administrative laws requiring them to provide flood control?

4. **Why does the Commission** believe the Skipanon Water Control District can violate its charter while this Commission knows they cannot violate their city's charter?

I'm dissatisfied with the conduct of the following areas of Warrenton City government:

- **None of the City Commissioners** at the time recognized that the Skipanon Water Control District had a legal charter issued in the Clatsop County Court that did not allow them to remove either the 8th Street flood control tide gates or the complete structure. I do not believe there should have ever been any discussion about taking either of these actions unless the Skipanon Water Control District charter was legally amended to allow for this.

- **None of the City Commissioners** recognized that the City Manager at the time was simultaneously working as the Treasurer of CREST, which would appear to be a very strong conflict of interest.

- **The Commissioners rely** too much on the City's staff and legal advisors without having

sufficient intellectual curiosity to look into details of why this controversy has gone on for so long with no mutually satisfactory solution.

- **The lawyers** responsible for providing the advice used during the discussions with CREST appear to have failed to bring this information to the attention of the commission during or after these talks collapsed.

- **At some point**, people who seek to be elected must rely on their own abilities to discover the real roots of a problem and not rely on the staff for answers and they must make their conclusions very clear to the public they serve.

- **Current Commissioner** Mark Baldwin was not on the commission during these CREST discussions. However, Commissioner Baldwin has seen the December 2015 flooding pictures and has been made aware of the history of this past controversy. Therefore, he needs to be part of dealing with this issue.

I have the documents that I've used as justification for the questions and comments I've made. I can show the documents to anyone who'd like to see them. Please mail your telephone number or e-mail address to Scott Widdicombe, PO Box 82, Warrenton OR 97146 and I'll contact you to work out a time and place for you to view the documents for yourself.