

From: [Frank Cobb](#)
To: [Lori Barlow](#)
Subject: Painted Hills PRD Project Re-submittal based on Fill
Date: Friday, November 16, 2018 1:29:56 PM

Lori Barlow,

This revision of the original plan for this development is puzzling. Whether the 100 acres is filled or not, the spring flooding has to be mitigated. In both the original and the revised engineering the question remains; who is responsible and liable for the maintenance and operation of the flood mitigation system? In the March 20, 2018 City Council Study Session where you, John Hohman and Cary Driscoll spoke, from the minutes; "Councilmember Wick asked who would be responsible for the mitigating factors put into the the plan. Mr. Hohman said we would need to look at the features put in and the level of oversight needed; he said this floodplain flows every year and would need to be properly managed and nothing has been resolved on that. He said in looking at what the legal requirements would be, there is a lot of risk that would fall on the City or the homeowners association and discussion of any mitigation measures would likely go before the Council. Mr. Hohman said this is a very complicated floodplain and will take very detailed analysis to make sure flood solutions are looked at appropriately." Have the City, County and developer reached a consensus on a plan? And doesn't FEMA get involved in this as well?

After reading and reviewing the CLOMR Draft, I found this about operation and maintenance: Appendix J Note: O & M Plans Awaiting Completion Per Jurisdiction Comments. Are we to understand at this time the developer has no M&O plan?

The flood mitigation includes the unnamed stream that flows from Highway 27 west into a gravel pit on McDonald Lane. The developer does not own the pit yet he includes it in his plans. How is that possible?

My wife and I live at 3922 S. Eagle Lane. Our Greens At Midilome community borders this project on the project's North border line. My company, Gremy, Inc. built all the homes in the Greens that border this project. At the time of construction in the 1990's and into early 2000's we were under Spokane County jurisdiction. All the homes on the south of our community bordering the project had to be surveyed by a registered engineer. That survey of basement slab elevation was filed with The Spokane County Engineers to insure it was above the Base Flood Elevation of 2009.0. Our slab elevation is certified at 2011.5. What guarantee do we and our neighbors have that we will not be put at risk of flooding in the event of a catastrophic weather event and/or failure of the mitigation system? Makes no sense to import all this fill into a compensatory flood storage area.

This project is wrong for this piece of land. Approximately 30 acres of this project are above the base flood elevation and could be developed. We're okay with that.

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