



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Bandon Marsh National Wildlife Refuge  
83673 North Bank Lane  
Bandon, OR 97411  
541-347-1470



March 31, 2021

Dear Planning Board:

At the hearing regarding Appeal #20-078 on Monday March 29th, Mary Schamehorn began with opening remarks on behalf of the City of Bandon. In those remarks she quoted me as saying,

*“We do not believe that the building of the new hotel will negatively affect the wildlife resources on the refuge, violating ordinance 1335. There is no contractual agreement between the City and the US Fish & Wildlife Service or the Refuge.”*

This quote was taken out of context and was not submitted by me or the U.S. Fish and Wildlife Service as testimony for this hearing. The words were written as part of a longer email between myself and private citizen Nancy Evans. We were surprised and disappointed that our correspondence was misrepresented by the city during the hearing. The full text of the email that I sent to Nancy on March 2, 2021 is reprinted here.

*“Hi Nancy,*

*I just wanted to send you a quick note to let you know that Ivars has been passing along your emails to us. I wanted to acknowledge that we appreciate your passion for protecting the refuge. We do not believe that the building of the new hotel will negatively affect the wildlife resources on the refuge, violating ordinance 1335. There is no contractual agreement between the City and the US Fish & Wildlife Service or the Refuge. Ordinance 1335 simply requires that the city consider impacts to the refuge in development around it. It is not a moratorium on development. The hotel is being replaced in its current location. However, due to the basement installation and changes to groundwater, we believe that it is possible that the building could negatively impact the refuge facilities, but we do not know for certain. We have expressed our concerns formally in writing to the city and the developers. We are currently in the process of having several water monitoring wells installed on the refuge to measure changes to ground water before and after the construction. We are continuing to monitor the movement of the 11th street stairway as well. We believe that these measures will give us sufficient evidence or causation as to whether the construction of the hotel negatively impacts our stairway. Hopefully, it will not. The developers have complied concerning our requests for wildlife safe lighting, bird safe glass, and native plantings.*

*We do not have any funding sources available to assist you in this effort to appeal the development.”*

By taking these two sentences out of context, we feel that Mayor Schamehorn suggests that the refuge has not expressed concern about any aspect of the hotel development and is satisfied with the permitting process. This is an inaccurate characterization of the refuge’s position. The Service has submitted multiple comments over the years to state that we are not satisfied with the conflicting geotechnical reports and believe the issue regarding groundwater remains unresolved.

At each hearing, the City states that issues regarding previous appeals, especially those involving groundwater, have been resolved. We have seen the additional data and continue to be unsatisfied.

Last week, the refuge took steps to collect our own independent data regarding refuge groundwater movement. Two groundwater monitoring wells were installed at Coquille Point on Thursday March 25, 2021 with the purpose of measuring groundwater levels pre and post construction. In addition, we have recently measured the location of monuments which were placed on and around the 11<sup>th</sup> street stairway in 2015. These measurements show that the land around the stairway is moving, though the stairway is stable at this time. Since 2019, we have been measuring the movement of the stairway itself as it shifts on this extremely sensitive landscape. We have compiled data to accurately reflect the current movements of the headland and we plan to continue to collect this information during construction and post construction so that we can independently determine changes to the site conditions resulting from the development of the hotel. There is no certainty that this development will not negatively impact refuge facilities.

The 11<sup>th</sup> street beach access is important to the citizens of Bandon and to tourists that visit from around the world. Because of its importance, the refuge is investing funds this year to implement a variety of rehabilitation measures to lengthen the life of the existing stairway. A 2020 structural engineering report (Coffman Engineers) estimated another 25 years of serviceability from the existing structure, but also noted unresolved geotechnical concerns identified in several associated reports.

As stated in our last letter, it should be clearly noted that we do not believe the development of the hotel will have an impact on nesting seabirds on Oregon Islands National Wildlife Refuge. We have cooperated with the developer on ways to make the new hotel environmentally friendly, including all native plantings, low levels of lighting and installation of bird safe glass. We appreciate their effort to fully comply with our requests in this regard.

Please receive these comments as part of the testimony for Appeal 20-078.

Sincerely,

Kate Iaquinto, Refuge Manager  
Oregon Coast National Wildlife Refuge Complex