

LU-24-027 IN-PERSON TESTIMONY SUBMITTAL COVER SHEET

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Benton County

FOR BOC OFFICE STAFF USE ONLY

BOC ID: BOC 2

IDENTIFIER: T0648

GEOLOGICAL Risk

- ~~Geological~~ ~~aspects~~
- Highly Expansive Soils } compromise liner integrity, slope stability
- High plasticity } & surface infrastructure
- Variable Depth to Competent Bedrock
- Groundwater in Fractured Bedrock

M-80 went down Soap Creek
~10 yrs ago

Not all Landuse Decisions are equal. A landfill is a perfect example of this. When the experts discuss ~~Area of Facility~~ ~~to~~ ~~Not all~~ ~~Landfill~~ ~~landfill~~ areas that are affected by a landfill the ~~use a different~~ there is a special term. I believe the term is "Area of ^{or Full} Facility". I know it ~~means the~~ includes the land that the groundwater can reach from the landfill

I would include ~~the~~ down river from the water treatment center in this Full Facility

of Tom McCall

In the 60s-70s Oregon under the leadership Showed America
that we could have prosperity AND a clean environment. ~~Answer~~
~~Followed our lead The Nation followed our lead. You have~~
~~In fact there was a plan~~
~~What I have not heard is~~

The Question that has not been asked or answered is Why?
Why

Q:

It is time For Oregon, And I believe I could start
with this community. It is time we come together and
show the nation once again that we can

The farm Lease confirms that Valley Landfills Inc retains full discretionary control over 80 acres of land leased to Agri-Industries Inc for crop production

The lease allows termination with just 30 days' Notice if the land is needed for landfill development
This undermines claims that buffer lands are permanently protected for farm use

It is my opinion that this process has served to separate our community from our elected officials. While decisions were being made that will effect our way of life. And ~~BS~~ will prosper.

I have researched "How did plans of yester year result in the crisis we have today. We must know this so that we can ensure any plans we make today do not result as a crisis for future generations."

My research did not focus on who. But who will need to be answer to determine how and why. I would like to hand this off to _____
Benton County has a desire to lead the way. Spend some time with me and make sure your path is lit. Before going any further please & thank you

Comprehensive Rebuttal to LU-24-027 Application

Prepared by Marcy Follett, Adjacent Property Owner and Impacted Resident

1. Introduction

This rebuttal addresses the Conditional Use Permit application LU-24-027 for the proposed expansion of Coffin Butte Landfill. It responds to the applicant's technical submissions, legal memoranda, and revised conditions of approval. It is grounded in lived experience, proximity, and persistent exposure — not speculative mitigation or procedural framing the record now includes, over *in* exhibits that document real-world impacts across odor, noise, hydrology, slope stability, wildlife, and aesthetics.

2. Compatibility with Character of the Area

The applicant's legal memorandum (Exhibit 54) argues that zoning alone defines compatibility. This ignores the core compatibility standard: whether the proposed use will "seriously interfere" with adjacent uses and the character of the area. Exhibits 21 and 48 confirm that the County itself anticipates impacts — requiring odor patrols, noise monitoring, lighting shields, and tree buffers. These are not theoretical concerns: they are codified responses to persistent interference.

The applicant's framing of "adjacent" properties is expansive when convenient, but dismissive when inconvenient. My own home lies within the area of impact, and the record shows that compatibility must be measured by exposure and persistence — not by zoning overlays or future promises.

3. Odor and Air Quality

Exhibits 12, 14, 33, 53, and 55 document a pattern of odor complaints, underestimated dispersion modeling, and contested

hydrogen sulfide readings. The applicant's own consultants admit that only 1% of complaints were deemed "likely" – but 70% were indeterminate. That is not exoneration; it is uncertainty.

The meteorological data used in modeling is from 2004-2005 (Exhibit 55), and the control efficiency assumes 75% containment – yet tarps and covers are not designed to contain gas. The revised odor study (Exhibit 53) remains unprocessed, but its existence confirms that the original modeling was insufficient.

Odor patrols and Nasal Ranger surveys (Exhibit 48) are reactive, not preventative. They acknowledge the problem but do not eliminate it.

4. NOISE AND VISUAL IMPACTS

Exhibits 18, 19, 36, and 56 show that noise levels will increase – especially during quiet hours. Even with mitigation, the applicant's own modeling predicts a 6 db increase at the most sensitive location (Exhibit 36). Weekly noise measurements and triennial audits are now required – a tacit admission that noise will persist.

Visual impacts are compounded by the reflection of perimeter noise barriers (Exhibit 56) and the continued use of tarps and temporary covers. The applicant's claim that the expansion will not be visible from the south side of Tampico Ridge is contradicted by photographic evidence (Exhibit 56).

5. Hydrology, Slope, and Drainage

Exhibits 16, 17, 44, and 55 confirm that stormwater modeling relies on assumptions about infiltration, emergency overflow, and soil type. The revised drainage report (Exhibit 17) includes a 6.4-inch rainfall event and a 764,000 cf basin – but still discharges attenuated flow north of Coffin Butte Road.

Slope stability is addressed in Exhibit 30, but the liner system and leachate infrastructure are clustered near the southern edge, with limited buffer to adjacent properties. My own home lies within the

area of influence, and the record shows that slope and hydrology risks are real.

6. Wildlife and Habitat

Exhibit 26 and OA-5 (from Exhibit 48) confirm the presence of a Great Blue Heron rookery. The applicant proposes monitoring and protection – but only until the rookery is deemed “abandoned.” This is not stewardship; it is conditional preservation.

7. Traffic and Infrastructure

Exhibits 15 and 45 (pending) show that haul routes, peak hour impacts, and road safety remain contested. The applicant proposes improvements to Coffin Butte Road – but also seeks flexibility through bonding and deferred construction (Exhibit 48). Compatibility cannot be deferred.

8. Regulatory Framing and Procedural Gaps

Exhibits 13, 22, 23, 24, 25, 30, and 31 show that DEU oversight does not replace compatibility review. The applicant’s reliance on future permits, future modeling, and future mitigation is speculative. The County must judge this application based on current evidence and current impacts.

9. Conclusion

The applicant has not met the burden of proof to demonstrate compatibility. The record shows persistent odor, elevated noise, contested hydrology, and proximity to sensitive receptors – including my own home. Mitigation promises do not erase real-world exposure. Compatibility must be measured by lived experience, not by procedural compliance.

I respectfully urge the Planning Commission to deny LU-24-027.

Compatibility and Procedural Framing

Exhibit 48 - Revised Conditions of Approval

★ The County itself anticipates serious impacts: odor patrols, noise monitoring, lighting shields, and tree buffers.

These are not theoretical concerns — they are codified responses to persistent interference.

Testimony Anchor: "If compatibility were assured, we wouldn't need daily odor patrols and triennial noise audits."

Exhibit 54 - Legal Arguments Memorandum

Applicant argues zoning alone justifies expansion — ignoring the lived experience of adjacent residents.

Dismisses 2021 findings and community testimony as irrelevant

Testimony Anchor: "Compatibility must be measured by exposure and persistence — not by selective legal framing."

Odor and Air Quality

Exhibit 12 - Odor Complaints and Timing

Shows a pattern of complaints clustered around key operational windows.

Testimony Anchor: "Odor isn't theoretical — it's documented, persistent, and linked to landfill operations."

Exhibit 14 - Odor Dispersion Modeling Assumptions

Relies on 2004–2005 meteorological data and assumes 75% control efficiency.

Testimony Anchor: "Outdated data and optimistic assumptions don't reflect what we breathe today."

Exhibit 33 - Methane Memo Addendum

Confirms exceedances and regulatory scrutiny.

Testimony Anchor: "Methane isn't just a modeling variable — it's a documented exceedance."

Exhibit 53 - Revised 2025 Odor Study (pending)

Signals that the original modeling was insufficient — a tacit admission

of underestimation.

Testimony Anchor: "If the original study were sufficient, we wouldn't need a revised one."

Exhibit 55 - Response to Beyond Toxics

Attempts to discredit community H₂S readings but confirms most complaints are indeterminate.

Testimony Anchor: "Indeterminate doesn't mean harmless — it means unresolved."

☞ Noise and Visual Impact

Exhibit 56 - Additional Noise Mitigation Memorandum

Predicts up to 6 db increase during quietest hour — even with mitigation.

Weekly and triennial monitoring now required.

★ Testimony Anchor: "If noise weren't a problem, we wouldn't need weekly measurements and upgraded mufflers."

Exhibit 36 - Adjacent Farm and Forest Photography

Visual evidence contradicts claims of invisibility from Tambico Ridge.

Testimony Anchor: "The view from my home is not hypothetical — it's documented."

★ ☞ Hydrology and Slope Stability

Exhibit 16 - Conceptual Hydrogeologic Model

Reveals assumptions about infiltration and flow direction.

Testimony Anchor: "Assumptions don't protect homes — containment does."

Exhibit 17 - Preliminary Drainage Report

★ Models a 6.4-inch rainfall event but still discharges attenuated flow north of Coffin Butte Road.

Testimony Anchor: "Attenuated doesn't mean eliminated — it means redirected."

Exhibit 44 - Revised Sheet 6

Shows leachate infrastructure clustered near southern edge — close to adjacent properties.

Testimony Anchor: “The infrastructure map doesn’t lie — it’s right on top of .us.”

Wildlife and Habitat

Exhibit 26 - Archaeological Findings

Confirms cultural and ecological sensitivity.

Testimony Anchor: “Legacy matters — and it’s mapped.”

OA-5 from Exhibit 48 - Heron Rookery Monitoring

Protection is conditional — only until deemed “abandoned.”

 Testimony Anchor: “We don’t protect by waiting for abandonment — we protect by design.”

Traffic and Infrastructure

Exhibit 15 - Traffic Report

Initial modeling of haul routes and peak hour impacts.

Testimony Anchor: “Compatibility includes the roads we all share.”

Exhibit 45 - Traffic Report Addendum (pending)

Signals that original traffic assumptions were insufficient.

Testimony Anchor: “If the roads weren’t strained, we wouldn’t need an addendum.”

Chemical and Leachate Risk

Exhibit 27 - Leachate Management Summary

Maps out sump, loadout, and storage pond near slope edge.

Testimony Anchor: “Leachate doesn’t stay put — it follows gravity.”

Exhibit 29 - Arsenic Memo Addendum *AND IT is trucked to town*

Confirms persistent elevation in samples.

Testimony Anchor: “Arsenic doesn’t disappear — it accumulates.”

 Exhibit 32 - PFAS Omissions

Reveals gaps in sampling and regulatory framing.

✱ Testimony Anchor: "What's missing matters — especially when it's toxic."

Exhibit 57 - DEQ Cleaner Air Oregon Results (pending)

Will confirm or challenge air quality thresholds.

Testimony Anchor: "Cleaner Air Oregon isn't a formality — it's a threshold."

Vesting Deeds: Timeline, Tax Lot Mapping & Stipulations

Y Tax Lot Mapping (from CUP Application & BOP)

Tax Lot	Address	Zoning	Use in Project	Ownership Evidence
1107	29000 Coffin Butte Rd	LS		Landfill area

Deeds from 1988, 1991, 1999, 2011

801	29175 Coffin Butte Rd	LS/FC		Access road
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Deeds from 1988, 1991, 1999

1101	28972 Coffin Butte Rd	FC		Employee building & parking
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Ratliff deed (1991)

1108	(No address)	LS	Access road	Not explicitly traced in current deeds
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1200	29160 Coffin Butte Rd	FC		Leachate ponds, shop, road
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Likely covered by 1999 deed (Tract B)

Key Deeds & Stipulations

◆ 1940s-1970s: Federal & Utility Easements

Easements for electric and telephone lines (1940, 1971, 1972) — affect boundaries along Coffin Butte Rd and County Rd 05450.

Federal deed restrictions (1949) — may include conservation or land use limitations.

Road dedications to Benton County and the State of Oregon (1947) — portions of land conveyed for public use.

● Implication: These easements and dedications may limit

expansion, require coordination with utilities, or restrict certain uses near roadways.

◆ 1988-1999: Core Acquisitions by VLI

1988 & 1991 deeds: Acquired large tracts including Tax Lots 801, 1101, and 1107.

1999 deeds: Corrected vesting and consolidated ownership; include standard land use disclaimers.

● Implication: While these deeds confirm ownership, they also reinforce that land use approvals are still required and that existing easements remain in force.

◆ 2011: Internal Transfer

Special Warranty Deed from VLI to itself (likely for legal restructuring).

Includes all improvements, water rights, and easements — but also subject to all covenants, conditions, and restrictions of record.

■ Implication: This deed reaffirms that any existing limitations or encumbrances remain binding, even after internal transfers.

△ Denial

Encroachments into public right-of-way (e.g., Coffin Butte Rd) may violate deed boundaries or require separate approvals not yet secured.

Utility easements could conflict with proposed infrastructure (e.g., leachate ponds, roads, or buildings).

Land use disclaimers in the deeds place the burden on VLI to prove compliance — and they haven't met that burden in several areas (e.g., odor, fire risk, stormwater).

Lack of deed clarity for Tax Lot 1108 may raise questions about completeness of ownership documentation.



□ 1. Camp Adair Legacy: Potential for Underground Artifacts

Camp Adair was a WWII military training base covering over 56,000 acres, including the Coffin Butte area.

The landfill site was originally used by the Army for waste disposal in a quarry on the southwest flank of Coffin Butte – now referred to as the “Closed Landfill”.

Military use raises the possibility of buried artifacts, unexploded ordnance, or historic infrastructure. Your neighbor’s experience supports this concern.

The applicant’s Burden of Proof mentions an archaeological consultant (Eva Hulse, Ph.D., R.P.A.) but does not provide a full cultural resource survey or confirm whether subsurface testing was conducted on the expansion site.

● Implication: The County could require a full archaeological survey under ORS 358.905-358.961 (Oregon’s cultural resource protection laws), especially given the known Camp Adair footprint and nearby findings.

⊙ 2. Historical Restriction on Landfilling South of Coffin Butte Road

According to the Benton County Talks Trash (BCTT) report, the original landfill designation in the 1970s explicitly excluded landfilling south of Coffin Butte Road.

While the exact legal language of that restriction isn’t quoted in the CUP materials, the applicant acknowledges that landfilling south of the road requires a new conditional use permit, even though the land is zoned LS or FC.

The original restriction may have been based on:

Proximity to wetlands and wildlife habitat (e.g., E.E. Wilson Wildlife Area)

Slope stability and seismic risk on Tampico Ridge

Buffering from residential and agricultural uses

Preservation of historical or ecological value tied to Camp Adair



■ **Implication:** The applicant bears the burden of proving that the original rationale for exclusion is no longer valid — and they haven't done that. In fact, many of the same risks (e.g., wetlands, slope, fire, odor, cultural resources) still exist.

⊙ Potential Grounds for Denial

1. Encroachment Beyond Property Boundaries

Engineering plans show landfill-related improvements extending into the Coffin Butte Road right-of-way.

This violates standard land use principles requiring containment within the applicant's property.

Even though they propose to expand the road, this would require separate approvals and coordination, which are not yet secured.

2. Incomplete or Inconsistent Technical Documentation

Several key engineering details are missing or deferred:

- ★ Underdrain system lacks hydrostatic pressure analysis.
- ★ Septic tank design lacks feasibility data.
- ★ Drainage pathways and riprap sizing are not fully supported by calculations.

These omissions suggest the application is not technically complete and may pose environmental risks.

3. Odor Dispersion Modeling Flaws

The odor study uses questionable emission rate assumptions that are not based on actual or predicted data.

It excludes major sources of odor like flares, leachate ponds, and diesel equipment.

This undermines the credibility of the impact assessment on nearby residential and commercial areas.

4. Fire Risk Assessment Gaps

- ★ The report omits recent fire incidents and relies on outdated

suppression methods (e.g., water instead of soil).

It lacks details on water supply capacity and logistics for fire suppression.

- ✧ Battery fires and spontaneous combustion risks are not adequately addressed.

5. Drainage and Stormwater Management Concerns

- ✧ The design does not account for storms exceeding the 25-year 24-hour threshold.
- ✧ No analysis of downstream capacity or culvert sizing is provided. This could lead to flooding or erosion, especially given the landfill's topography.

6. Leachate Management Uncertainties

- ✧ The plan lacks quantitative data on peak generation, storage, and disposal.

Agreements with wastewater facilities are referenced but not detailed. *Not guaranteed*

- ✧ No contingency plan is provided if those agreements lapse or are insufficient.

✧ 7. Seismic Risk Assessment

No seismic survey was conducted to confirm site class.

Assumptions about soil and rock velocity may not reflect actual conditions.

This could affect slope stability and liner integrity in an earthquake.

📄 Vesting Deeds: Stipulations and Timeline

📋 Stipulations Included

Most of the deeds contain standard limitations and easements, including:

Public rights-of-way: Portions of the land lie within roads, streets, or highways.

Utility easements:

Benton-Lincoln Electric Cooperative (1941)

Consumers Power, Inc. (1971 and 1972)

Federal deed restrictions: Conditions from a 1949 deed from the U.S. government to Bernard Hanson.

Land use disclaimer: Each deed includes a warning that the property may not be used in violation of applicable land use laws — placing the burden on the buyer to verify approved uses with the County.

These stipulations don't prohibit landfill use outright, but they do limit certain activities and require coordination with utility and transportation agencies. They also reinforce the need for land use review and compliance — which strengthens your case if the applicant is trying to bypass or downplay those requirements.

📅 Timeline of Deeds

The vesting deeds trace ownership and conveyance back to:

1940s-1970s: Original easements and federal land transfers

1988-1999: Key acquisitions by Valley Landfills, Inc.

2011: Internal transfer and consolidation of parcels under VLI

This long paper trail shows that VLI has held and consolidated ownership for decades, but also that some of the land was acquired under conditions that may not align with current expansion plans — especially where easements or public access are involved.

📅 Vesting Deeds: Timeline, Tax Lot Mapping & Stipulations

📍 Tax Lot Mapping (from CUP Application & BOP)

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★ ● Implication: This deed reaffirms that any existing limitations or encumbrances remain binding, even after internal transfers.

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Encroachments into public right-of-way (e.g., Coffin Butte Rd) may violate deed boundaries or require separate approvals not yet secured.

Utility easements could conflict with proposed infrastructure (e.g., leachate ponds, roads, or buildings).

Land use disclaimers in the deeds place the burden on VLI to prove compliance – and they haven't met that burden in several areas (e.g., odor, fire risk, stormwater).

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The applicant's Burden of Proof mentions an archaeological consultant (Eva Hulse, Ph.D., R.P.A.) but does not provide a full cultural resource survey or confirm whether subsurface testing was conducted on the expansion site.

● Implication: The County could require a full archaeological survey under ORS 358.905-358.961 (Oregon's cultural resource protection laws), especially given the known Camp Adair footprint and nearby findings.

ORS 358.905 - 358.961

⊙ 2. Historical Restriction on Landfilling South of Coffin Butte Road
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While the exact legal language of that restriction isn't quoted in the CUP materials, the applicant acknowledges that landfilling south of the road requires a new conditional use permit, even though the land is zoned LS or FC.

The original restriction may have been based on:

Proximity to wetlands and wildlife habitat (e.g., E.E. Wilson Wildlife Area)

Slope stability and seismic risk on Tampico Ridge

Buffering from residential and agricultural uses

Preservation of historical or ecological value tied to Camp Adair

■ Implication: The applicant bears the burden of proving that the original rationale for exclusion is no longer valid — and they haven't done that. In fact, many of the same risks (e.g., wetlands, slope, fire, odor, cultural resources) still exist.

"The applicant has not addressed why the land south of Coffin Butte Road was originally excluded from landfill use when ~~the LS zone~~ ^{as the local landfill} was created. This omission is critical. If the original restriction was based on environmental, cultural, or public safety concerns — and those concerns still exist — then expansion into this area is not just premature, it may be fundamentally incompatible with the intent of Benton County's land use framework."

⊙ Historical Context: Why Land South of Coffin Butte Road Was Restricted

Despite extensive searching, there's no publicly available document that explicitly states why the land south of Coffin Butte Road was originally excluded from landfill use when the ~~LS zone~~ ^{Landfill} was ~~created~~ ^{designated} in

the 1970s. However, several clues point to a likely rationale:

□ 1. Camp Adair Legacy

The area was part of the Camp Adair military base, which operated during WWII.

Much of the land was later transferred to state and county agencies, including the E.E. Wilson Wildlife Area, which borders the landfill.

Military use raises the possibility of buried infrastructure, artifacts, or contamination – especially in undeveloped areas south of the road. Where work further south has taken place after taking the land from its owner

□ 2. Environmental Buffering

The south side includes Palustrine wetlands, mapped heron rookeries, and steep forested slopes.

These features likely contributed to the original zoning intent: to preserve ecological integrity and prevent expansion into sensitive terrain.

🏠 3. Residential and Agricultural Proximity

South of Coffin Butte Road lies RR-10 and EFU zoning, with active farming and rural homes.

The original restriction may have been designed to protect these uses from landfill impacts – odor, noise, traffic, and visual intrusion.

📋 4. County Planning Precedent

Benton County's 1970s ~~zoning code~~ ^{Landfill Decision} created the Landfill Site ~~HS~~ ^{zone}, but only applied it north of Coffin Butte Road.

The south side remained Forest Conservation (FC) or Exclusive Farm Use (EFU) – zones that require conditional use permits and stricter scrutiny.

This suggests an intentional boundary: landfilling was permitted only in the original quarry footprint, not in expansion areas.

🔍 What We Still Need

To fully confirm the original restriction, we'd ideally locate:

The 1970s ~~zoning ordinance~~ ^{Discussion} that created the LS zone

Any Board of Commissioners minutes or Planning Commission records from that era

Historical land use maps showing the landfill boundary

 Historical Zoning Intent & Cultural Resource Risk

Here's the draft request we can return to and refine:

 Draft Public Records Request Needed (Benton County or Oregon State Archives)

Subject: Request for Historical Land Use Records - Coffin Butte Landfill Area

To: Benton County Community Development / Oregon State Archives

Request: I am seeking historical land use records, zoning ordinances, and planning commission minutes related to the original designation of the Coffin Butte Landfill site in the 1970s. Specifically, I am looking for documentation that explains:

Why landfilling was originally restricted to the north side of Coffin Butte Road.

Whether any formal stipulations, findings, or environmental concerns were cited in excluding the south side from landfill use.

Any references to Camp Adair legacy infrastructure, cultural resources, or archaeological risk assessments in the area.

Relevant Parcels: Tax Lots 1107, 801, 1101, 1108, and 1200 (T10S R4W Sec 18)

Timeframe: 1965-1985

Thank you for your assistance in locating these foundational records.

 Wildlife Displacement as Evidence of Ecological Harm

 Observation

The applicant acknowledges mapped Great Blue Heron rookeries on Tax Lots 1107 and 1200.

They claim these rookeries are "likely abandoned," without providing

ecological data or a timeline of decline.

⚠ Interpretation

Abandonment implies prior suitability – the land once supported nesting herons, a sensitive indicator species.

Their absence now suggests that landfill operations have degraded habitat quality, either through noise, odor, traffic, or landscape disruption.

This pattern could repeat if landfill expansion encroaches further into adjacent undeveloped or unassessed areas.

🗣 Testimony

“The applicant’s own documentation confirms that Great Blue Heron rookeries once existed on the proposed expansion site but are now abandoned. This is not evidence of ecological neutrality – it is evidence of ecological loss. The disappearance of sensitive species like herons signals that landfill operations are incompatible with wildlife habitat. Expanding into adjacent parcels risks compounding this harm, especially where no thorough wildlife assessment has been conducted.”

□ Geotechnical Exploration (Exhibit 5)

What We Know

Based on the Burden of Proof and CEC’s responses:

The Wallace Group conducted subsurface exploration across the site. They encountered Willamette Silt, weathered basalt, and volcanic saprolites.

Depth to competent basalt varies significantly – from 10 to 65 feet, depending on slope and location.

The applicant assumes Seismic Site Class D, but no seismic survey (e.g., ReMi test) was conducted to confirm this.

✱ ● Implication: Without a full seismic survey, the slope stability and liner integrity under seismic loading remain uncertain – especially on the steeper southern slopes of Tampico Ridge.

□ Geotechnical Risk Summary

⚠ Key Concerns Identified

1. Highly Expansive Soils

Willamette Silt and alluvial clay show very high expansion potential, with plasticity indices up to 53.

These soils are prone to volume change with moisture, which can compromise liner integrity, slope stability, and surface infrastructure.

2. Variable Depth to Competent Bedrock

Depth to competent basalt ranges from 10 to 65 feet, depending on location.

Eastern slopes are weaker and thicker — requiring blasting or heavy equipment to excavate.

This variability complicates grading, anchoring, and seismic resilience.

3. Groundwater in Fractured Bedrock

Groundwater was encountered between 4.6 and 67 feet below ground surface.

Flow is governed by fracture networks, which are unpredictable and may affect leachate migration or slope saturation.

4. Seismic Vulnerability

Site is classified as Seismic Site Class D (Stiff Soil) — but only one CPT shear wave velocity test was conducted.

Peak ground acceleration (PGA) is estimated at 0.9g, which is high. Nearby faults (Corvallis and Owl Creek) may be reactivated, and the site lies within a zone of amplified shaking due to soft sediments.

5. No Full Seismic Survey

The report relies on generalized models (ODOT, USGS) and one CPT test.

No ReMi or MASW survey was conducted to confirm seismic site class across the full footprint.

This leaves critical gaps in slope stability modeling and seismic

design.

Testimony

“The geotechnical report reveals highly expansive soils, unpredictable groundwater in fractured bedrock, and seismic vulnerabilities that have not been fully assessed. The applicant relies on generalized models and a single CPT test to justify seismic safety, despite proposing excavation into steep terrain with variable bedrock depth. Without a full seismic survey and slope stability analysis, the County cannot reasonably conclude that this expansion is safe or sustainable.”

⚠ Additional Geotechnical Red Flags (Pages 21-22)

1. Extreme Excavation Depths

Up to 155 feet of cut on the western knob of Tampico Ridge.

Requires drilling and blasting — especially on the eastern slope, where rock is more competent.

Excavation will encounter groundwater, requiring dewatering during leachate pond construction.

● Risk: Blasting near fractured bedrock and groundwater increases risk of slope instability, leachate migration, and long-term erosion.

2. Slope Stability Modeling

Uses SLIDE2 and Hoek-Brown criteria, but relies on assumed values and limited field data.

Acceptable safety factors: 1.3 for static, 1.0 for seismic — but no full seismic survey was conducted.

Eastern slope is weaker, with very soft to hard silt and clay over basalt.

● Risk: Without full seismic verification, these models may underestimate failure risk — especially during a Cascadia event.

3. Rockfall Mitigation

Eastern and western slopes may require mesh, ditches, or scaling to

prevent rockfall.

Cuts steeper than 53 degrees are discouraged – yet the design pushes close to that limit.

● Risk: Long-term safety and maintenance costs could be significant, especially if mitigation fails or is underfunded.

⚠ Additional Geotechnical Red Flags (Pages 23-26)

1. Leachate Pond Slope Stability

Modeled seismic factor of safety is exactly 1.0 – the bare minimum.

Wallace Group warns that localized slope failures are possible.

Long-term safety factor of 1.5 would require horizontal drains, which are not guaranteed.

● Implication: The design is operating at the edge of failure tolerance. Any deviation in groundwater, fill quality, or seismic intensity could trigger slope instability.

2. Settlement Risk

Up to 24 inches of landfill settlement projected over 50 years.

Road embankments may settle 8-10 inches, requiring future repairs.

Settlement modeling assumes ideal conditions and uniform fill – which may not hold in practice.

● Implication: Long-term deformation could compromise liner integrity, leachate containment, and road safety – especially if maintenance is deferred.

3. Reliance on Construction Oversight

Wallace Group emphasizes that contractors are responsible for maintaining safe slopes.

Their own recommendations are contingent on real-time field adjustments and ongoing observation.

No contingency plan is outlined if Wallace Group is not retained throughout construction.

● Implication: The safety of this expansion hinges on assumptions about future oversight — not on inherent site stability.

Geotechnical Red Flags (Pages 23-26)

1. Leachate Pond Stability

Modeled seismic safety factor is exactly 1.0 — the minimum threshold.

Wallace Group warns of possible localized slope failures.

Achieving a safer long-term factor of 1.5 would require horizontal drains, which are not guaranteed in the design.

● Implication: The design is operating at the edge of acceptable risk. Any deviation in groundwater, fill quality, or seismic intensity could trigger slope instability.

2. Settlement Risk

Up to 24 inches of landfill settlement projected over 50 years.

Road embankments may settle 8-10 inches, requiring future repairs.

Settlement modeling assumes ideal conditions and uniform fill — which may not hold in practice.

● Implication: Long-term deformation could compromise liner integrity, leachate containment, and road safety — especially if maintenance is deferred.

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⚠ Page 28 Highlights: Excavation & Slope Modeling

1. Extreme Excavation Depths

Excavations will reach up to 155 feet on the western knob and 110 feet on the eastern knob.

Leachate ponds will be cut to 50 feet, with slopes continuing up Tampico Ridge.

Excavation into intact basalt will require drilling and blasting, especially on the eastern slope.

● Implication: These depths and methods introduce long-term risks of slope instability, groundwater disruption, and erosion – especially if blasting fractures the bedrock unpredictably.

2. Slope Stability Modeling

Uses SLIDE2 software and assumes minimum safety factors: 1.3 for static, 1.0 for seismic.

Transitions between soil and rock slopes are approximate and must be adjusted during construction.

Excavation slopes vary by material:

Colluvium: 1.5H:1V west, 2.5H:1V east

Volcanic breccia & basalt: 0.75H:1V

● Implication: The design relies on field confirmation and adjustment, meaning actual conditions may differ – and safety depends on real-time oversight.

3. Leachate Pond Stability

Seismic loading modeled at 0.25g, with groundwater assumed at 5-17 feet bgs.

Safety factor for seismic condition is exactly 1.0.

Wallace Group warns of possible localized slope failures and recommends structural fill and benches.

● Implication: The design is at the edge of acceptable risk. Any deviation in groundwater, fill quality, or seismic intensity could trigger slope instability.

⚠ Page 29-30 Highlights: Slope Stability & Excavation Limits

1. Assumed Soil and Rock Strengths

Tables show wide variability in cohesion, friction angle, and unconfined compressive strength (UCS).

Willamette Silt has a friction angle of just 9° , indicating poor shear resistance.

Volcanic/colluvium soils range from 0° to 33° , depending on moisture and compaction.

Basalt UCS ranges up to 480,000 psf, but only in intact zones — brecciated areas are weaker.

● Implication: The site's stability depends heavily on accurate mapping of transitions between soil and rock — and on maintaining compaction and moisture control during construction.

2. Excavation Angle Limits

Delve Underground recommends no cuts steeper than 53° (0.75H:1V). Even at that angle, rockfall mitigation (mesh, ditches, scaling) may be required.

Excavation slope transitions must be confirmed and adjusted in the field, not assumed.

● Implication: The design pushes slope angles to their safe limit. Without precise field verification and mitigation, the risk of slope failure or rockfall increases — especially during seismic events or heavy rain.

Geotechnical Risk Summary (Tagged for Testimony)

Section	Key Concern	Risk
Soil Conditions	Highly expansive silts and clays	Settlement, slope instability
Excavation Depths	Cuts up to 155 feet, blasting required	
Groundwater	disruption, erosion	
Slope Stability	Seismic factor of safety = 1.0	Marginal
	safety, field-dependent	

Settlement Up to 24" landfill settlement over 50 years
Liner deformation, infrastructure damage
Oversight Safety depends on real-time field adjustments No
contingency if Wallace Group not retained

Final Geotechnical Caveats (Pages 34-35)

1. Wallace Group's Role Is Not Guaranteed

Their recommendations assume they'll be retained for design review and construction oversight.

If they're not involved throughout, key safety adjustments may be missed.

● Implication: The geotechnical safety of this expansion is contingent on continuous oversight — not guaranteed by the design alone.

2. Limitations Disclaimer

Wallace Group explicitly states that subsurface conditions may vary and could require design modifications.

Their findings are based on a limited scope of exploration, and they do not guarantee safety.

They disclaim responsibility for site safety, which is left to the contractor.

● Implication: The report itself acknowledges uncertainty and risk — reinforcing the need for caution, contingency planning, and independent review.

Key Visual Insights from Figures 2a-13

1. Exploration Location Maps (Figures 2a & 2b)

Show dense clustering of borings, CPTs, and test pits across the expansion area.

Elevation differences and groundwater monitoring wells reinforce the complexity of subsurface conditions.

2. Surface Geology (Figure 3)

Confirms presence of Missoula Flood Deposits, weathered terrace deposits, and Siletz River Volcanics.

Highlights the transition from soft valley soils to hard volcanic uplands — a key slope stability concern.

3. Cross-Sections A-G (Figures 5-11)

Visually confirm steep excavation slopes, variable soil layering, and groundwater presence.

Show transitions from soft volcanic and alluvial soils to weathered and intact basalt.

Reinforce the need for real-time slope angle adjustments and rockfall mitigation.

4. Excavation Plan (Figure 12)

Maps proposed leachate ponds, access roads, and cut/fill contours.

Confirms slope angles: 0.75:1 in rock, 2:1 in soil, 2.5:1 near ponds — all near safety thresholds.

5. Settlement Estimates (Figure 13)

Shows projected settlement up to 41 inches in some areas.

Confirms non-uniform deformation risk across the site — especially where Willamette Silt remains.

Appendix A Highlights (Pages 54-56)

1. Field Exploration Scope

19 borings (BH-01 to BH-19), 15 test pits, 9 CPTs with adjacent geoprobes.

Some test pits (TP-06, TP-07, TP-14) were not excavated due to access issues or equipment failure.

● Implication: The subsurface model is based on incomplete field coverage, which may limit the accuracy of slope and settlement predictions.

2. Depths and Methods

Borings reached up to 165 feet deep, with a mix of hollow-stem auger, mud rotary, and HQ rock coring.

CPTs reached 10-65 feet, with pore pressure and shear wave velocity data collected.

● Implication: While deep data was gathered, variability in methods and depths introduces uncertainty in correlating soil strength across the site.

3. Groundwater Observations

Groundwater was encountered during drilling and logged in Appendix A.

Piezometers installed at BH-16 and BH-17 to depths of 20 ft and 100 ft, respectively.

● Implication: Groundwater presence is confirmed and variable – a critical factor for slope stability and leachate containment.

▣ Classification Standards That Reinforce Risk

1. Plasticity Index Thresholds

Soils with $PI > 20$ are considered high plasticity, and $PI > 40$ is very high.

These thresholds help confirm the expansive behavior of Willamette Silt and volcanic clays noted earlier.

● Implication: High plasticity soils are prone to volume change, settlement, and slope instability – especially when saturated.

2. SPT-Based Consistency Ratings

“Very soft” soils: $N < 2$, $UCS < 0.25$ tsf

“Soft” to “Medium stiff”: $N = 2-8$, $UCS < 1.0$ tsf

● Implication: These match the field descriptions of soft alluvial deposits and silty clays in the valley – reinforcing the need for stabilization and conservative slope design.

3. Rock Strength and Weathering

“Moderately severe” to “Severe” weathering: >50% decomposition, rock goes “clunk” when struck.

RQD < 50 = poor to very poor rock quality

● Implication: Brecciated volcanic rock and weathered basalt may not behave like competent rock — especially under seismic loading or blasting.

🔑 Appendix B Highlights: Lab Data That Reinforces Risk

1. High Plasticity Soils Confirmed

Multiple samples show Plasticity Index (PI) > 30, with some reaching 53.

Soil types include CH (fat clay) and MH (elastic silt) — both prone to expansion, settlement, and instability when saturated.

● Implication: These lab-confirmed properties match the field descriptions and reinforce the risk of long-term deformation and slope failure.

2. Moisture Content and Saturation

Moisture contents range from 30% to over 80%, especially in MH and ML units.

Saturation levels near 100% in several Shelby tube samples.

● Implication: High moisture and saturation increase the risk of liquefaction, settlement, and reduced shear strength during seismic events.

3. Variable Rock Strength

Point load tests on brecciated basalt range from 223 psi to 18,061 psi — a massive spread.

Some zones show very low strength, contradicting assumptions of uniformly competent bedrock.

● Implication: The brecciated nature of the basalt introduces unpredictable failure zones, especially under blasting or seismic loading.

4. Permeability and Shear Strength

Permeability values as low as 4.11×10^{-6} cm/sec suggest poor drainage, increasing pore pressure risk.

Triaxial tests show low cohesion and friction angles in saturated fine-grained soils.

● Implication: These properties reduce slope stability and increase the likelihood of localized failures – especially near leachate ponds.

✍ Final Appendix B Highlights (Pages 145-165)

1. Plasticity Index Extremes

Multiple samples show PI values between 30 and 53, placing them in high to very high plasticity categories.

Soil types include CH (fat clay) and MH (elastic silt) – both prone to expansion, shrinkage, and instability.

● Implication: These soils are highly reactive to moisture and stress, increasing the risk of settlement, slope failure, and liner deformation.

2. Moisture & Fines Content

Moisture contents reach up to 80.7%, with fines passing #200 sieve as high as 77.8%.

Samples from BH-11, BH-12, and BH-14 show saturation and fine content well above safe thresholds.

● Implication: High fines and moisture reduce shear strength and increase pore pressure – a dangerous combination for slope stability and seismic resilience.

3. Consolidation Behavior

Consolidation tests show significant compression under modest loads (0.5-2.0 ksf).

Specimens from BH-7, BH-11, and BH-12 compressed by 20-40%, with

final dry unit weights increasing sharply.

● Implication: These soils are highly compressible, confirming long-term settlement risks — especially under landfill loading and leachate pond construction.

□ Geotechnical Risk Summary

1. Slope Stability Risks

Seismic factor of safety for leachate pond slopes is exactly 1.0 — the minimum threshold.

Wallace Group warns of localized slope failures and recommends horizontal drains, benches, and structural fill.

Excavation slopes (up to 155 ft deep) require real-time field adjustment, especially in brecciated basalt zones.

● Testimony Anchor: The design operates at the edge of acceptable risk and depends on future oversight, not inherent stability.

2. Settlement Risks

Up to 24 inches of landfill settlement projected over 50 years.

Road embankments may settle 8-10 inches, requiring future repairs.

Consolidation tests show 20-40% compression under modest loads.

● Testimony Anchor: Highly compressible soils threaten liner integrity, infrastructure, and long-term safety.

3. Groundwater & Drainage

Groundwater encountered at multiple depths, with saturation levels near 100% in fine-grained units.

Permeability values as low as 4.11×10^{-6} cm/sec suggest poor drainage and elevated pore pressure risk.

● Testimony Anchor: Saturated soils reduce shear strength and increase slope failure risk — especially during seismic events.

4. Soil Plasticity & Expansion

Plasticity Index (PI) values range from 30 to 53, placing soils in high to very high plasticity categories.

Soil types include CH (fat clay) and MH (elastic silt) — both prone to expansion and shrinkage.

● Testimony Anchor: These soils are moisture-sensitive and reactive, increasing the risk of deformation and instability.

5. Rock Quality & Excavation

Brecciated basalt UCS values range from 223 psi to 18,061 psi — a massive spread.

Some zones show very low strength, contradicting assumptions of uniformly competent bedrock.

Excavation will require blasting, which may further fracture the rock mass.

● Testimony Anchor: Rock strength is highly variable and excavation may compromise slope integrity.

6. Reliance on Oversight

Wallace Group's safety recommendations are contingent on real-time field adjustments and ongoing observation.

No contingency plan is outlined if Wallace Group is not retained throughout construction.

● Testimony Anchor: Safety is not guaranteed by design — it depends on future decisions and oversight continuity.

△ Groundwater & Subsurface Profile

Exhibit 6: PW-2 and Berkland Well Logs Tag:

TestimonyAnchor_GeotechRisk

1. Deep Saturated Zones

PW-2 encountered water at 196 feet below ground surface, with a static level at 31 feet.

Air-lift testing at 95 ft produced ~10 gpm, confirming active

groundwater flow.

● Implication: Groundwater is present at multiple depths and under pressure — increasing risk of pore pressure buildup, slope instability, and liner uplift.

2. Complex Stratigraphy

Alternating layers of silty clay, gravelly clay, weathered basalt, and sandstone.

Basalt transitions from moderately weathered to fresh, with variable drilling resistance.

● Implication: The subsurface is heterogeneous and unpredictable, complicating excavation, slope modeling, and groundwater control.

3. Well Construction Details

PW-2 includes:

Bentonite seal from 0-94 ft

Steel casing to 94 ft

Open borehole from 94-199 ft

PVC liner with perforations from 149-199 ft

● Implication: The well design confirms the need for deep monitoring and engineered containment, especially near leachate zones.

This exhibit reinforces the groundwater and stratigraphy risks already tagged in Exhibit 5.

▲ Slope Stability

Seismic factor of safety for leachate pond slopes is exactly 1.0 — minimum acceptable.

Excavation slopes require real-time field adjustment due to variable rock strength and weathering.

Wallace Group warns of localized slope failures, recommending benches, drains, and structural fill.

☒ Settlement & Compressibility

Projected landfill settlement: up to 24 inches over 50 years.

Road embankments may settle 8-10 inches, requiring future repairs.

Consolidation tests show 20-40% compression under modest loads.

△ Groundwater & Drainage

Groundwater encountered at multiple depths, with saturation near 100% in fine-grained units.

PW-2 well log confirms active groundwater flow at 95 ft and static level at 31 ft.

Permeability values as low as 4.11×10^{-6} cm/sec suggest poor drainage and elevated pore pressure risk.

✎ Soil Plasticity & Expansion

Plasticity Index (PI) values range from 30 to 53, confirming high to very high plasticity.

Soils include CH (fat clay) and MH (elastic silt) — moisture-sensitive and prone to deformation.

☐ Rock Quality & Excavation

Brecciated basalt UCS values range from 223 psi to 18,061 psi — highly variable.

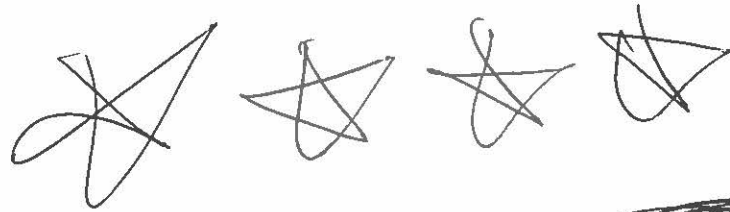
Some zones show very low strength, contradicting assumptions of uniformly competent bedrock.

Excavation will require blasting, which may further compromise slope integrity.

⊗ Oversight Dependency

Safety recommendations depend on ongoing field observation and Wallace Group's continued involvement.

No contingency plan is outlined if Wallace Group is not retained



during construction.

☉ Why “Adjacent and Nearby” Should Encompass the Full Facility

1. Functional Impact, Not Just Legal Boundaries

Landfills are integrated systems: leachate ponds, haul roads, buffer zones, and support infrastructure all contribute to environmental and community impacts.

Residents and agencies experience odor, noise, traffic, and groundwater risks from the entire facility – not just the expansion footprint.

2. Precedent in Environmental Review

Regulatory frameworks (e.g., NEPA, Oregon DEQ) often require analysis of cumulative impacts and area-wide effects, not just parcel-specific ones.

“Adjacent” in land use law is often interpreted functionally – meaning proximity to the use or activity, not just the property line.

3. Zoning and Compatibility

Exhibit 8 shows a patchwork of RR-5, RR-10, EFU, FC, and OS zones surrounding the landfill.

Many of these parcels are residential or resource-zoned, and their compatibility with landfill operations depends on actual proximity to landfill activity, not just paper boundaries.

4. Testimony Anchor

● “When assessing compatibility and potential impacts, it is not sufficient to consider only the expansion parcel. The entire landfill facility – including its existing operations, infrastructure, and cumulative footprint – must define the area of influence. Adjacent and nearby properties are those that experience the real-world effects of the landfill, regardless of zoning lines or ownership.”

△ Groundwater Extends the Facility’s Impact Zone

1. Hydrogeologic Connectivity

Groundwater flows through interconnected aquifers, not isolated tax lots.

The PW-2 well log shows water encountered at 196 ft, with a static level at 31 ft, and active flow at 95 ft — confirming vertical and lateral movement.

Saturated zones in fine-grained soils (CH, MH, CL) can transmit pore pressure and contaminants across long distances.

2. Contaminant Migration Risk

Leachate, perched water, and landfill gases can migrate laterally and vertically through fractured basalt, siltstone, and clay layers.

Even with liners and seals, failure or overflow events can affect wells and ecosystems hundreds of feet away.

3. Regulatory Precedent

Oregon DEQ and EPA groundwater monitoring often requires wells outside the immediate footprint to detect migration.

The presence of PVC liners and perforated zones in PW-2 confirms the need for deep and distributed monitoring.

4. Testimony Anchor

● “Groundwater is not confined to the expansion parcel. It flows beneath and beyond the entire facility, connecting distant properties and ecosystems. Any assessment of adjacent and nearby impacts must account for the full hydrogeologic footprint — not just surface boundaries.”

⊗ Expanded Definition of “Adjacent and Nearby Properties”

● “The area of influence for a landfill cannot be confined to the expansion parcel or even the immediate tax lots. Groundwater, odor, noise, and visual impacts extend far beyond those boundaries. In fact, a map submitted as part of Grieg’s testimony includes my own home — located well beyond the proposed expansion — as part of the impacted area. This inclusion is not incidental. It reflects the real-world reach of landfill operations and must be acknowledged in

any zoning or compatibility analysis. To ignore it would be to ignore the lived experience of those affected.”

☉ Selective Mapping Undermines Transparency

● “The submitted map in Exhibit 8 appears to carefully exclude the composting facility located just east of the landfill boundary. This omission is not trivial — the composting operation is a known source of odor, truck traffic, and environmental impact. My own property lies just two parcels beyond that facility, and yet it is absent from the visual narrative presented. This selective mapping distorts the true area of influence and undermines the credibility of the compatibility analysis. If my home is close enough to be included in Grieg’s testimony map, it is close enough to be impacted — and must be acknowledged.”

☉ Odor Complaints Confirm Extended Impact Zone

Exhibit 9

● “The applicant’s own Exhibit 9 shows odor complaints extending well beyond the landfill’s immediate footprint — across multiple years and seasons. These complaints are mapped within an ‘analysis area’ that reaches far into the surrounding community. Notably, this area includes locations east of the landfill, near the composting facility, and within proximity to my own property. The fact that my land lies just two parcels beyond the composting site — and that odor complaints are documented in this zone — confirms that the operational impact of the facility is not confined to the expansion parcel. It is regional, persistent, and measurable. Any zoning or compatibility analysis must reflect this reality.”

🗺 Topography & Road Network Reinforce Regional Impact

Exhibit 10

● “The aerial image in Exhibit 10 shows the landfill embedded within a web of roads, slopes, and drainage pathways. These features do not stop at parcel boundaries — they connect the landfill to

surrounding properties, ecosystems, and residential zones. Odors, runoff, and truck traffic follow these contours and corridors. The composting facility to the east, notably absent from other exhibits, is clearly part of this network. My own property lies just two parcels beyond it, and is directly affected by these flows. The topography confirms what the odor complaints and groundwater data already show: this is a regional facility with regional impacts.”

Odor Mitigation Claims vs. Community Experience

Exhibit 12

● “Weaver Consultants Group asserts that odor impacts are minimal due to daily cover, gas collection, and surface monitoring. But their memo fails to address the core issue raised by the Planning Commission: that residents — including myself — experience odors that inhibit the use and enjoyment of our property. The memo leans heavily on regulatory compliance and internal monitoring, but it does not explain why odor complaints persist across multiple years and locations, including areas well beyond the landfill boundary.”

Key Gaps You Can Challenge in Oral Testimony

1. Atmospheric Conditions Ignored

No mention of wind direction, temperature inversions, or topographic amplification — all of which affect odor travel.

This omission mirrors what we suspect in the noise study: modeling without meteorological context is incomplete.

2. Composting Facility Excluded

The memo focuses solely on the landfill, ignoring the adjacent composting operation, a known odor source.

Your property lies just two parcels beyond it — and odor complaints in that zone are documented in Exhibit 9.

3. Complaint Dismissal Framing

The memo implies that the spike in complaints during the expansion

review was due to “public comment,” not actual odor events. This minimizes lived experience and attempts to reframe community reporting as political noise.

● “To suggest that odor complaints are a function of public comment rather than public impact is dismissive and unsubstantiated. The complaints are real, repeated, and geographically distributed – including in areas east of the landfill and composting facility. If the mitigation measures were truly effective, these complaints would not exist.”

Odor Dispersion Modeling: Assumptions vs. Reality

Exhibit 14

● “The odor dispersion modeling study uses AERMOD and includes meteorological data, but it relies on generic vertical velocity and odor concentration values from other landfills – not field measurements from Coffin Butte. It models odor emissions as uniform 100m x 100m sources and excludes building downwash, composting operations, and terrain-driven amplification. The result is a model that predicts no nuisance-level odors, despite documented complaints from residents miles away. This disconnect between modeled assumptions and lived experience undermines the credibility of the analysis.”

Key Gaps You Can Challenge in Oral Testimony

1. No Site-Specific Emission Measurements

Odor concentration (500 D/T) and vertical velocity (0.0001 m/s) are borrowed from other landfills.

No field sampling was conducted at Coffin Butte – meaning the model is not calibrated to actual site conditions.

2. Composting Facility Omitted

The model focuses solely on landfill sources.

The composting operation east of the landfill – a known odor

contributor — is not modeled, despite proximity to your property.

3. Terrain and Atmospheric Amplification Downplayed

While terrain data is included, the model does not simulate valley channeling, temperature inversions, or early morning stagnation — all of which are common in the Willamette Valley and documented in odor complaint timing.

4. Complaint Data Contradicts Model

Over 70 complaints were reviewed, with 55.7% occurring in winter and peak timing at 8:00 AM — exactly when atmospheric conditions trap odors.

Yet the model predicts no exceedance of the 7 D/T nuisance threshold in any scenario.

● “If the model predicts no nuisance-level odors, but residents continue to report them — including myself — then the model is not capturing reality. It is a theoretical exercise, not a reflection of lived experience.”

✍ Regulatory Compliance ≠ Community Protection

Exhibit 13

● “The memo from Ian Macnab emphasizes compliance with Title V air permits and DEQ solid waste regulations. But it does not explain why residents — including myself — continue to experience odors that inhibit outdoor use of our property. The hydrogen sulfide sampling cited is from 2019, with only three samples taken directly from the gas pipeline. No surface-level emissions testing was conducted, and no data is provided for VOCs or seasonal variation. Compliance with minimum cover requirements does not guarantee odor control — especially when atmospheric conditions amplify emissions.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. Outdated and Limited Sampling

Only three samples from 2019, two of which were non-detect.
No surface-level or ambient air testing — just pipeline data.

No seasonal or time-of-day variation considered, despite Exhibit 14 showing winter mornings as peak complaint times.

2. No VOC Data

The memo acknowledges VOCs as odor contributors but provides no measurements or mitigation data.

3. Cover Compliance ≠ Odor Control

Daily and interim cover are cited as compliant, but Exhibit 12 and community complaints show persistent odor despite cover.

DEQ inspections may verify cover thickness, but do not measure odor dispersion or community impact.

4. Dismissive Framing

● “The memo implies that regulatory compliance is sufficient to dismiss community concerns. But odor is a lived experience, not just a permit condition. If residents continue to report impacts, then the mitigation measures are not working — regardless of whether they meet minimum standards.”

Regulatory Compliance vs. Lived Experience

Exhibit 13

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Conceptual Models vs. Ground-Level Reality

Exhibit 16

 ● “The memo from Tuppan Consultants presents a conceptual hydrogeologic model suggesting that groundwater flows north from Tampico Ridge, away from properties to the south and southeast. But this model is based on limited piezometer data, assumes uniform fracture connectivity, and has not yet been validated by a full monitoring network. My property lies just two parcels beyond the composting facility — an area omitted from the model and from the mapped zone of influence. Until the monitoring wells are installed and real data is collected, this conceptual model remains speculative and cannot be used to dismiss community concerns.”

Key Gaps You Can Challenge in Oral Testimony

1. Unvalidated Assumptions

The memo admits that the monitoring network is incomplete and that

data is “forthcoming.”

Yet it uses the conceptual model to argue that groundwater will not be impacted — a leap not supported by current data.

2. Limited Piezometer Coverage

Only two temporary piezometers were installed near the upslope boundary.

No data yet from downgradient wells near your property or the composting facility.

3. Fracture Connectivity Downplayed

The memo acknowledges that basalt fractures are discontinuous and often altered to clay — limiting flow.

Yet it assumes consistent flow directions and divides based on topography alone.

4. Composting Facility Omitted Again

The composting operation east of the landfill is not mentioned, despite its proximity to your land and its known impact on odor and groundwater recharge.

● “A conceptual model is not a substitute for field data. Until the full monitoring network is installed and validated, no claim about groundwater protection can be considered conclusive — especially when the area of impact includes my property and others omitted from the mapped zone.”

Visual Framing and Selective Sightlines

Exhibit 18

● “The renderings in Exhibit 18 present carefully curated views of the landfill from public roads, but they omit key perspectives — including those from the east, where the composting facility and my own property lie just two parcels away. These images are not neutral documentation; they are visual arguments, designed to downplay the scale, visibility, and proximity of the expansion. The absence of views from impacted residential zones — especially those documented in odor complaint maps — undermines the credibility of this exhibit as a

comprehensive visual assessment.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. Omission of Eastern and Southeastern Views

No renderings from the direction of the composting facility or your property.

These are precisely the areas where odor complaints and groundwater concerns have been raised.

2. Framing and Perspective Bias

Views are taken from low angles and long distances, minimizing vertical scale and visual prominence.

Vegetation and topography may be used to obscure or soften the appearance of the landfill.

3. No Seasonal or Atmospheric Context

All images appear to be taken in clear, summer conditions — no fog, rain, or winter inversion layers that trap odor and amplify visual impact.

● “If the applicant’s goal is to demonstrate compatibility, then the views of those most affected — including residents east of the landfill — must be included. Anything less is selective representation, not full disclosure.”

💡 Site Lighting and Visual Impact

Exhibit 19

● “The lighting summary claims that new fixtures will be shielded, motion-activated, and compliant with Benton County code. But it does not address cumulative visual impact — especially when paired with early morning operations, elevated tipping faces, and expanded visibility from nearby properties. My home lies just two parcels beyond the composting facility, and light pollution from mobile lighting plants and security fixtures can disrupt rural character and nighttime use. Compatibility must consider not just code compliance, but lived experience.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. No Visual Impact Assessment

No modeling of light spread, glare, or visibility from adjacent residential zones.

No mention of how mobile lighting plants affect early morning and winter operations.

2. Assumes Code Compliance = Compatibility

Shielding and motion sensors may meet code, but do not eliminate impact.

The expansion brings lighting closer to sensitive receptors – including your property.

3. No Seasonal or Atmospheric Context

Winter fog, inversion layers, and low cloud ceilings can amplify light diffusion.

These conditions are common in the Willamette Valley and should be addressed.

● “Lighting is not just a technical detail – it’s a lived experience. If I can see it from my home, it affects me. Compatibility must be measured by impact, not just compliance.”

🔥 Fire Risk Rebuttal Framed as Operational Assurance

Exhibit 20

● “This addendum responds to prior testimony by emphasizing compliance with industry standards and internal SOPs. But it relies heavily on generalized claims – such as ‘robust procedures’ and ‘no history of gas well fires’ – without providing site-specific risk modeling, ignition source mapping, or quantified suppression capacity. My property lies just two parcels beyond the composting facility, and any fire event – especially under inversion conditions – could have serious consequences. Compatibility must be measured by risk exposure, not just procedural intent.”

🔗 Reclamation Plan as Compatibility Rebuttal

Exhibit 22

● “The Reclamation Plan outlines a 30-year post-closure care period and promises a final cover system that blends into the landscape. But it does not address how the expansion’s impacts — including odor, groundwater risk, and visual intrusion — will be mitigated during the active life of the landfill. My property lies just two parcels beyond the composting facility, and the compatibility question is not about distant closure promises, but about daily impacts now and in the years ahead.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. Closure ≠ Compatibility

The plan focuses on post-closure aesthetics and monitoring — but does not address compatibility during active operations, which is the core issue raised in your testimony.

2. No Visual Impact Modeling

The final cover is described as a “grassy savanna,” but there’s no modeling of sightlines, elevation profiles, or visibility from adjacent properties — including yours.

3. No Odor or Noise Mitigation During Active Life

The plan is silent on how odor, noise, and lighting will be managed during the decades before closure.

This omission is especially glaring given the documented complaints and proximity of residential zones.

4. Post-Closure Use Assumes Passive Acceptance

● “The assumption that the community will accept the final landfill as open space ignores the lived experience of those impacted during its operation. Compatibility must be earned through mitigation, not assumed through reclamation.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. No Quantified Suppression Capacity

The memo references a 4,000-gallon water truck and access to Adair Village water, but does not confirm sustained flow rates or refill logistics.

LFCI recommended 1,000 gallons per minute – no confirmation this can be met.

2. No Mapping of Ignition Risk Zones

No visual or spatial analysis of flare zones, grassland buffers, or proximity to residential areas.

Your property and the composting facility are not mentioned – again.

3. Reliance on SOPs Over Site-Specific Data

Republic Services' SOPs are cited as sufficient, but no site-specific fire modeling or slope vulnerability analysis is provided.

Infrared monitoring and bar-hole punch testing are acknowledged but not committed to.

4. Minimization of Spontaneous Combustion Risk

The memo claims spontaneous combustion “will not occur” due to sound management – but this is not a guarantee, especially with expanding fill areas and changing topography.

● “The applicant’s rebuttal relies on procedural confidence, not empirical evidence. Until site-specific fire modeling, suppression logistics, and ignition zone mapping are provided – including proximity to my property – compatibility remains unproven.”

📄 DEQ Permit ≠ Compatibility Guarantee

Exhibit 23

● “Exhibit 23 outlines the DEQ Solid Waste Permit #306, which governs landfill operations through 2030. It details prohibitions, monitoring requirements, and operational standards. But it does not address the core compatibility question: whether the expansion is appropriate for this location, given the proximity to homes, the

composting facility, and documented odor and groundwater concerns. Regulatory compliance is necessary — but not sufficient — to ensure compatibility.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. Permit Is Not a Compatibility Determination

The permit is based on a Land Use Compatibility Statement from 2000 — not updated to reflect current conditions or expansion impacts. DEQ does not assess compatibility with adjacent residential use — that’s the Planning Commission’s role.

2. Monitoring ≠ Prevention

The permit requires groundwater, leachate, and gas monitoring — but does not guarantee zero impact.

Monitoring is reactive; it does not prevent odor, noise, or visual intrusion.

3. No Mention of Composting Facility

The permit governs the landfill, but does not include or regulate the adjacent composting operation, which is a major source of odor and impact.

4. No Public Health Impact Assessment

● “The permit outlines technical standards, but it does not assess how landfill operations affect the health, safety, and welfare of nearby residents — including myself. That’s why compatibility must be evaluated independently of the permit.”

📄 DEQ Work Plan as Procedural Rebuttal

Exhibit 24

● “Exhibit 24 likely outlines the applicant’s technical work plan submitted to DEQ in support of the expansion permit. While it may detail monitoring, construction, and compliance procedures, it does not address the core compatibility concerns raised by residents — including myself. The DEQ work plan is a procedural document, not a compatibility determination. It cannot substitute for a full

assessment of real-world impacts on adjacent properties, groundwater flow, odor dispersion, and slope stability.”

🔍 Strategic Positioning in Testimony

Even without full access to the document, you can:

Reference it as procedural, not protective: It shows what the applicant plans to do, not whether it will protect nearby residents.

Demand independent validation: Ask whether DEQ has independently verified the assumptions in the work plan — especially regarding groundwater divides, odor modeling, and slope stability.

Reinforce the Planning Commission’s role: Compatibility is a land use question, not a DEQ permit compliance issue.

● “The DEQ work plan may satisfy procedural requirements, but it does not answer the question of compatibility. That’s why this hearing matters — to ensure that real-world impacts are not buried beneath technical paperwork.”

📄 DEQ Work Plan Approval ≠ Impact Validation

Exhibit 25

● “Exhibit 25 shows that DEQ approved the applicant’s site characterization work plan. But this approval pertains to procedural adequacy — not to the validity of the conceptual hydrogeologic model, the sufficiency of the monitoring network, or the compatibility of the expansion with adjacent residential use. My property lies just two parcels beyond the composting facility, and the impacts I’ve documented — including odor, groundwater risk, and slope vulnerability — require independent scrutiny beyond procedural sign-off.”

🔍 Strategic Leverage in Testimony

Clarify the scope of DEQ approval: It confirms that the work plan meets DEQ’s format and procedural expectations — not that the conclusions drawn from it are accurate or complete.

Reinforce the Planning Commission's role: DEQ does not assess land use compatibility, community impact, or testimony validity. That's the Commission's job — and your testimony is central to that.

Demand validation of assumptions: The work plan approval does not confirm that groundwater divides, slope stability, or odor dispersion models are correct — especially when your property lies within the area of impact.

● “DEQ's approval of the work plan is procedural. It does not validate the assumptions, models, or conclusions that affect my home and my community. That's why this hearing matters.”

□ Cultural Legacy and Irreversible Disturbance

Exhibit 26

● “The archaeological survey confirms that the expansion area contains intact pre-contact Native American artifacts, including one site eligible for the National Register of Historic Places. While the report recommends monitoring and avoidance below 12 inches, it also acknowledges that inadvertent discoveries are likely. This raises serious concerns about irreversible disturbance to cultural resources — especially given the scale of excavation, grading, and fill proposed. Compatibility must include respect for cultural heritage, not just mitigation after the fact.”

🔍 Key Points You Can Raise in Oral Testimony

1. One Site Is NRHP-Eligible

Artifacts below 12 inches are considered intact and significant.

The report recommends avoiding grading below that depth — but the expansion plan includes deep excavation and fill.

2. Inadvertent Discoveries Are Likely

Even at the disturbed site, the report anticipates inadvertent discoveries.

This suggests that the area has not been fully characterized — and that cultural impacts remain uncertain.

3. Monitoring Is Not Prevention

The report recommends a monitoring plan and Inadvertent Discovery Plan – but these are reactive, not protective.

Once disturbed, cultural resources cannot be restored.

● “This land holds more than just soil and stone – it holds memory. If we allow excavation to proceed without full protection of these sites, we risk erasing a history that predates all of us. Compatibility must include cultural stewardship.”

⇒ Methane Management and Regulatory Framing

Exhibit 28

● “Republic Services acknowledges 61 methane exceedances documented by the EPA in June 2022, including 21 considered significant. Their letter attributes these to temporary construction activities and disputes EPA methodology. But the core issue remains: methane emissions occurred, and the community was not informed until long after. My property lies just two parcels beyond the composting facility, and methane migration – especially under inversion conditions – poses serious health and safety risks. Compatibility must be measured by transparency and impact, not corporate framing.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. Methane Exceedances Confirmed

61 exceedances, 21 significant – during active operations.

No public notification at the time; no real-time community alerts.

2. Methodology Dispute ≠ Invalid Findings

Republic critiques EPA’s probe height and calibration – but does not deny the exceedances.

This is a framing tactic, not a refutation.

3. No Modeling of Migration Risk

No discussion of how methane might travel through fractured basalt or under inversion layers.

Your property's proximity makes this omission critical.

4. Sustainability Narrative as Deflection

● “Republic’s letter emphasizes investments and national goals, but it does not address the specific risks to nearby residents.

Sustainability is not a shield against accountability.”

🔑 Arsenic Framing and Historical Oversight

Exhibit 29

● “Republic Services acknowledges that arsenic levels exceeded drinking water standards at the compliance boundary for Cells 4 and 5. While they attribute this to natural background conditions, they also confirm a 1994 leachate seepage event that elevated arsenic, chloride, sodium, and bicarbonate. My property lies just two parcels beyond the composting facility, and groundwater vulnerability — especially in fractured basalt — cannot be dismissed as historical or naturally occurring. Compatibility must be measured by current risk, not past remediation.”

🔑 Key Gaps You Can Challenge in Oral Testimony

1. Confirmed Leachate-Driven Arsenic Spike

The 1994 seepage event caused elevated arsenic — directly linked to landfill operations.

This undermines the claim that all arsenic is naturally occurring.

2. Current Exceedances at Compliance Boundary

Cells 4 and 5 show arsenic above drinking water standards.

Republic attributes this to background levels — but no independent validation is cited.

3. No Modeling of Migration Risk

No discussion of how arsenic might migrate through fractured basalt or under seasonal recharge conditions.

Your property's proximity makes this omission critical.

4. Framing as “Resolved”

● “Republic’s letter frames arsenic as a historical issue, but current

exceedances persist. Without independent hydrogeologic modeling and downgradient sampling near my property, compatibility remains unproven.”

🌐 Seismic Design and Slope Stability Framing

Exhibit 30

● “The seismic design memo confirms that slope stability and earthquake response will be modeled according to federal and state codes. But it does not provide actual modeling outputs, site-specific acceleration data, or slope vulnerability analysis for the expansion area. My property lies just two parcels beyond the composting facility, and the topographic saddle between Coffin Butte and Tampico Ridge creates complex subsurface dynamics. Compatibility must be measured by risk exposure — not just design intent.”

🔍 Key Gaps You Can Challenge in Oral Testimony

1. No Site-Specific Modeling Provided

The memo promises modeling — but does not include results.

No factor-of-safety values, no slope profiles, no seismic acceleration maps.

2. Topographic Saddle Not Addressed

The saddle between Coffin Butte and Tampico Ridge is a known zone of concern.

No discussion of how seismic energy might concentrate or propagate through this zone.

3. No Analysis of Liner Integrity Under Seismic Load

The memo says the liner will be designed to resist seismic forces — but does not show how.

No mention of differential settlement, gas system rupture risk, or leachate migration under seismic stress.

● “Design intent is not design proof. Until site-specific seismic modeling is shared — including slope stability and liner integrity under load — compatibility remains unproven.”

Conditions of Approval: Procedural Safeguards vs. Real-World Impact

Exhibit 31

● “The proposed conditions of approval attempt to address odor, noise, lighting, wetlands, wildlife, and seismic concerns. But they rely heavily on internal monitoring, self-reporting, and deferred mitigation. My property lies just two parcels beyond the composting facility, and the impacts I’ve documented — including odor, groundwater risk, and slope vulnerability — cannot be resolved through procedural conditions alone. Compatibility must be measured by enforceable outcomes, not promises.”

Key Gaps You Can Challenge in Oral Testimony

1. Odor Monitoring Is Internal and Reactive

Odor patrols are conducted by landfill staff using subjective tools (Nasal Ranger, H₂S monitors).

No independent verification, no real-time public alerts, and no enforcement mechanism if mitigation fails.

2. Noise Study Deferred

Noise mitigation is only triggered if future studies show exceedance. Your property is already impacted — mitigation should be proactive, not conditional.

3. Lighting and Visual Impact Minimization

Shielded lighting is required, but no modeling of visibility from adjacent properties is provided.

Exhibit 18 omits views from the east — including your home.

4. Wetlands and Wildlife Protections Are Conditional

Rookery protection is contingent on future surveys.

Wetland delineation and fill permits are deferred — yet excavation and grading could begin once Phase 1 is complete.

5. No Enforcement Mechanism for Compatibility

● “The conditions rely on internal compliance and annual reporting.

But compatibility is not a checkbox – it’s a lived experience. If impacts persist, what recourse do residents have?”

△ Leachate Management Plan for the Expansion Cell

Exhibit 27

● Collection System Design

Leachate will be collected using drainage layers and piping similar to the existing landfill.

These systems are embedded in the liner and designed to channel leachate to sumps for removal.

● Storage and Transport

New leachate storage ponds will be constructed and connected to existing discharge piping north of Coffin Butte Road.

Once operational, the existing ponds will be decommissioned, with sediment and liners disposed of in the landfill.

● Disposal Agreements

Leachate is currently split:

50% to Corvallis Wastewater Treatment Plant (CWWTP) – permit expires Dec 31, 2025

50% to Salem Wastewater Treatment Plant (SWWTP) – permit expires Dec 31, 2027

If CWWTP phases out, all leachate will go to SWWTP or another approved facility.

● Minimization Measures

Strategies to reduce leachate generation include:

Grading to divert stormwater

Synthetic covers over inactive areas

Final cover systems on closed cells

● Hazard Classification

Leachate is not classified as hazardous waste under EPA definitions. August 2023 sampling showed no exceedances of toxicity thresholds in 40 CFR 261.24.

● PFAS Testing

PFAS are not currently tested, as they're not regulated by Oregon or EPA.

CBL states it will comply once regulations are established.

△ Leachate Management and Downstream Risk

Exhibit 27

● “The leachate management summary outlines plans for new storage ponds, discharge piping, and transport agreements with Corvallis and Salem. But it confirms that leachate quantities may increase during liner installation and that PFAS are not currently tested. My property lies just two parcels beyond the composting facility, and the fractured basalt terrain makes groundwater vulnerable to vertical and lateral migration. Compatibility must be measured by containment certainty – not deferred testing or transport limits.”

⇒ Methane Emissions and Regulatory Framing

Exhibit 28

● “Republic Services confirms 61 methane exceedances documented by the EPA in June 2022, including 21 considered significant. While they attribute these to temporary construction impacts and dispute EPA methodology, the core fact remains: methane emissions occurred, and the community was not informed in real time. My property lies just two parcels beyond the composting facility, and methane migration through fractured basalt – especially under inversion conditions – poses serious health and safety risks. Compatibility must be measured by transparency and exposure, not corporate framing.”

🔍 Persistent Arsenic and Groundwater Vulnerability

Exhibit 34

● “Republic Services confirms that arsenic levels in groundwater well MW-9S have remained elevated – between 27 and 41.8 µg/L – for over 30 years. While they attribute this to natural background conditions, the well lies on the northeast side of the landfill, in

fractured basalt terrain where groundwater flow is anisotropic and unpredictable. My property lies just two parcels beyond the composting facility, and the persistent elevation of arsenic raises serious questions about long-term groundwater integrity. Compatibility must be measured by exposure and persistence — not attribution.”

Burden of Proof and Compatibility Framing

Exhibit 30

● “The Burden of Proof narrative asserts that the proposed expansion will not ‘seriously interfere’ with adjacent properties or impose an ‘undue burden’ on public services. But it relies heavily on procedural compliance and internal modeling, without fully addressing the lived experience of nearby residents — including myself. My property lies just two parcels beyond the composting facility, and the impacts I’ve documented — odor, groundwater vulnerability, methane exceedances, and ^{OK 2023} ~~slope instability~~ — are not hypothetical. Compatibility must be measured by exposure and persistence, not by zoning allowances or internal assurances.”

Methane Exceedances and Systemic Vulnerability

Exhibit 33

● “Republic Services confirms that 22 of the 61 methane exceedances documented by the EPA in 2022 occurred in the construction zone — but also acknowledges that gas system disruptions can extend beyond that zone. My property lies just two parcels beyond the composting facility, and methane migration through fractured basalt terrain is not constrained by surface boundaries. Compatibility must be measured by systemic vulnerability and exposure, not by containment assumptions.”

Farm Lease and Strategic Land Control

Exhibit 35

● “The farm lease confirms that Valley Landfills, Inc. retains full discretionary control over 80 acres of land leased to Agri-Industries,



Inc. for crop production. The lease allows termination with just 30 days' notice if the land is needed for landfill development. This undermines claims that buffer lands are permanently protected for farm use. My property lies just two parcels beyond the composting facility, and the strategic control of adjacent parcels – including this lease – reveals how compatibility can be eroded incrementally.”

🌲 Adjacent Land Use and Visual Proximity

Exhibit 36

● “Exhibit 36 provides photographic evidence of adjacent farm and forest parcels, including views from Soap Creek Road and the landfill office. These images confirm that the landfill is not visually or spatially isolated – it is embedded in a landscape of active rural use. My property lies just two parcels beyond the composting facility, and the visual proximity documented here reinforces the need for compatibility to be measured by lived experience, not zoning abstractions.”

📄 Exhibit 20 vs. Exhibit 37: Fire Risk Assessment Documents

Feature	Exhibit 20	Exhibit 37
Title	Fire Risk Assessment	Addendum to Fire Risk Assessment
Author	James Walsh, P.E., SCS Engineers	James Walsh, with comments from MFA and Dr. Tony Sperling (LFCI)
Date	September 24, 2024	January 14, 2025
Content	Original fire risk assessment	Annotated responses to expert critiques of the original report
Purpose	Establishes baseline fire risk and mitigation practices	
	Responds to County consultant concerns and updates mitigation details	

📄 Tag for Exhibit 37

Exhibit 37

● “The fire risk addendum confirms that Coffin Butte has experienced at least five fire events since 1999, and that spontaneous combustion, gas well flare-outs, and slope breakthroughs are known risks. While Republic Services outlines mitigation practices, the document also acknowledges that fire risks extend beyond the working face and can manifest laterally. My property lies just two parcels beyond the composting facility, and the proximity to active slopes and gas infrastructure makes fire risk a compatibility issue – not just a procedural one.”

📖 Engineer Plans and Site Layout

Exhibit 2

● “Exhibit 2 contains the engineer plans and site layout for the proposed expansion, including the new cell, haul roads, leachate ponds, and infrastructure placements. While I cannot review every detail here, the exhibit is repeatedly cited across the application as the definitive source for grading, elevation, and buffer assumptions. ~~My property lies just two parcels beyond the composting facility, and~~ any errors or omissions in slope modeling, drainage, or visual screening directly affect compatibility. Compatibility must be measured by lived proximity – not by abstract plan sheets.”

📖 Engineer Plans and Site Layout

Exhibit 2

● “Exhibit 2 contains the engineer plans and site layout for the proposed expansion, including the new cell, haul roads, leachate ponds, and infrastructure placements. While I cannot review every detail here, the exhibit is repeatedly cited across the application as the definitive source for grading, elevation, and buffer assumptions. ~~My property lies just two parcels beyond the composting facility, and~~ any errors or omissions in slope modeling, drainage, or visual screening directly affect compatibility. Compatibility must be measured by lived proximity – not by abstract plan sheets.”

● Strategic Rebuttal Opportunity

This revised memo is more polished and regulatory-facing, but it also confirms key vulnerabilities:

Groundwater flow is still modeled, not proven — new wells are proposed but not yet installed.

Liner system is described in theory — no construction or QA data yet exists.

Surface water treatment relies on engineered wetlands — which may be overwhelmed in extreme events.

✱ Seismic risks are acknowledged — but no modeling outputs are provided.

● “Compatibility must be measured by exposure and persistence — not by planned mitigation or deferred data.”

● Strategic Rebuttal Opportunity

This revised report is more polished and regulatory-facing, but it also confirms key vulnerabilities:

Attenuated flow still discharges north of Coffin Butte Road — toward existing detention pond.

Emergency overflow pipes are designed for exceedance events — but rely on assumptions about soil infiltration and pipe capacity.

Runoff from Tampico Ridge is acknowledged and modeled — confirming that offsite flows do reach the development area.

Design is based on 2015 standards — which may not reflect current climate volatility or PFAS concerns.

● “Compatibility must be measured by exposure and persistence — not by modeled containment or design assumptions.”

● Strategic Rebuttal Opportunity

~~This revised sheet confirms:~~

Emergency overflow is now explicitly designed — reinforcing that stormwater exceedance is a known risk.

Leachate infrastructure is tightly clustered near the southern edge — with limited buffer to adjacent properties.

✱ Perimeter road is limited to small vehicles — which may affect

emergency access or fire response.

Liner systems are now explicitly mapped – which helps you challenge assumptions about containment and slope stability.

● “Compatibility must be measured by exposure and persistence – not by revised drawings that still place critical infrastructure near vulnerable slopes and homes.”

● Strategic Rebuttal Opportunity

This revised E21 confirms: ★

Odor, noise, and lighting impacts are real enough to require mitigation – undermining claims of negligible interference.

Wetland and rookery protections are now codified – which you can use to challenge any future encroachment.

Emergency overflow and stormwater controls are acknowledged – reinforcing your slope and hydrology concerns.

The County is requiring triennial noise studies and daily odor patrols – which validates your lived experience as a compatibility metric.

● “Compatibility must be measured by exposure and persistence – not by conditional promises of mitigation.”

● Strategic Rebuttal Opportunities

This memo confirms several key framing tactics by the applicant:

Minimizes historical promises: Argues that past representations are irrelevant unless codified in zoning.

Frames odor, noise, and visual impacts as mitigated: Cites new modeling and monitoring plans.

Claims consistency with FC zoning: Points to conditional use allowances in BCC 60.215(11).

Dismisses 2021 findings: Calls them irrelevant due to changed scope and record.

Defends traffic and drainage plans: Asserts sufficiency and compliance with County standards.

● “Compatibility must be measured by cumulative exposure and lived experience – not by selective legal framing that dismisses

decades of community impact.”

● Strategic Rebuttal Opportunity

This memo confirms:

Odor modeling is being used to downplay complaint credibility – but also admits most complaints are indeterminate.

Meteorological data is dated (2004-2005) – which you can challenge as potentially ~~outdated~~ for current dispersion patterns.

H₂S thresholds are contested – and the applicant is relying on dilution modeling rather than lived experience.

Monitoring gaps (calibration, certification) are used to discredit community data – which you can counter by emphasizing transparency and community impact.

● “Compatibility must be measured by lived exposure and community persistence – not by selective modeling or dismissal of public testimony.”

● Strategic Rebuttal Opportunity

This memo confirms:

Noise impacts are real enough to require weekly monitoring and triennial audits – validating community concerns.

Mitigation is based on future equipment assumptions – which you can challenge as speculative and unenforceable.

Perimeter barriers were rejected due to site complications – undermining claims of visual and acoustic buffering.

Ambient-sensing alarms are proposed – but still acknowledge tonal alarms were present during baseline study.

● “Compatibility must be measured by persistent exposure and community impact – not by future promises of quieter equipment.”

1. Encroachment Beyond Property Boundaries

Status: Partially addressed, not fully resolved

Exhibit 44 (Revised Sheet 6) confirms that landfill infrastructure (e.g., leachate loadout, sump, and stormwater basin) extends into the Coffin Butte Road right-of-way.

Exhibit 48 (Revised Conditions of Approval) includes provisions for public works coordination and dedication of improvements – but does not confirm secured approvals.



Rebuttal Anchor: “Expansion into public right-of-way requires separate approvals – compatibility cannot be granted on speculation.”

2. Incomplete or Inconsistent Technical Documentation

Status: Still partially incomplete



Exhibit 17 (Revised Drainage Report) improves modeling but still lacks hydrostatic pressure analysis for underdrains and septic feasibility data.



Exhibit 44 shows infrastructure layout but omits detailed calculations for riprap sizing and drainage pathways.

Rebuttal Anchor: “Technical completeness is not a formality – it’s a safeguard against environmental failure.”

3. Odor Dispersion Modeling Flaws

Status: Challenged but not corrected

Exhibit 14 uses limited emission sources and outdated meteorological data (2004-2005).

Exhibit 55 (Response to Beyond Toxics) defends the modeling but admits most complaints are indeterminate and excludes flares and diesel equipment.

Exhibit 53 (Revised Odor Study) is pending – signaling that the original study was insufficient.

Rebuttal Anchor: “If the modeling were sound, it wouldn’t need revision – and it wouldn’t exclude the sources we smell.”

4. Fire Risk Assessment Gaps

Status: Still lacking operational detail

Exhibit 20 (Fire Risk Addendum) updates suppression framing but still

relies on water-based methods and omits battery fire protocols.
No detailed water supply logistics or capacity modeling provided.
Rebuttal Anchor: “Fire risk isn’t theoretical — it’s historical. And water alone won’t stop a battery fire.”

5. ☁ Drainage and Stormwater Management Concerns

Status: Partially addressed, key gaps remain

✧ Exhibit 17 models a 6.4-inch storm but does not address events exceeding the 25-year threshold.

No downstream culvert sizing or capacity analysis provided.

Exhibit 44 shows emergency overflow but lacks full hydraulic modeling.

Rebuttal Anchor: “Attenuated flow still flows — and without downstream analysis, it may flood.”

6. ♾ Leachate Management Uncertainties

Status: Still unresolved

✧ Exhibit 27 outlines infrastructure but lacks peak generation data and disposal volumes.

✧ Agreements with wastewater facilities are referenced but not included.

✧ No contingency plan for system failure or agreement lapse.

Rebuttal Anchor: “Leachate doesn’t wait for paperwork — and neither should we.”

7. 🌐 Seismic Risk Assessment

Status: Unaddressed

✧ Exhibit 30 (Seismic Design) includes conceptual design but no seismic survey or confirmed site class.

Soil and rock velocity assumptions remain unverified.

Rebuttal Anchor: “Slope stability in an earthquake isn’t a guess — it’s a geotechnical imperative.”

✓ Summary: Grounds for Denial Status

Concern	Status	Rebuttal Strength
Encroachment	Partially addressed	◆ Strong
Technical Completeness	Still incomplete	● Very Strong
Odor Modeling	Challenged, not corrected	● Very Strong
Fire Risk	Still lacking	◆ Strong
Drainage	Partially addressed	◆ Strong
Leachate Unresolved		● Very Strong
Seismic	Unaddressed	● Very Strong

🔍 Conflicts and Weaknesses in the Applicant's Burden of Proof

1. 🔄 Internal Contradictions in Compatibility Claims

Claim: The expansion will not “seriously interfere” with adjacent uses.

Conflict: Exhibit 48 (Revised Conditions of Approval) includes daily odor patrols, triennial noise audits, lighting shields, and tree buffer maintenance – all of which acknowledge persistent interference.

Rebuttal Anchor: “If compatibility were assured, we wouldn’t need daily patrols and mitigation protocols.”

2. 📏 Selective Definition of “Adjacent” Properties

Claim: Impacts on adjacent properties are minimal.

Conflict: Exhibit 54 (Legal Memo) uses an expansive definition of “adjacent” when convenient, but narrows it when addressing real-world exposure – including your own home.

Rebuttal Anchor: “My home is adjacent by any reasonable definition – and the impacts are persistent.”

3. 🏠 Modeling Assumptions vs. Lived Experience

Claim: Odor modeling shows minimal impact.

Conflict: Exhibit 14 excludes flares, diesel equipment, and leachate

ponds. Exhibit 55 admits most complaints are indeterminate. Exhibit 53 (Revised Odor Study) exists because the original was insufficient. Rebuttal Anchor: “If the modeling were sound, it wouldn’t need revision – and it wouldn’t exclude the sources we smell.”

4. 🗣️ Noise Mitigation Promises vs. Predicted Impact

Claim: Noise will not exceed ambient levels.

Conflict: Exhibit 56 shows predicted increases of up to 6 dB during quietest hours, even with mitigation. Weekly and triennial monitoring is now required.

Rebuttal Anchor: “If noise weren’t a problem, we wouldn’t need weekly measurements and upgraded mufflers.”

5. ☁️ Drainage and Stormwater Design vs. Topographic Reality

Claim: Stormwater will be safely managed.

Conflict: Exhibit 17 models a 6.4-inch storm but does not address events exceeding the 25-year threshold. No downstream culvert sizing or capacity analysis is provided.

Rebuttal Anchor: “Attenuated flow still flows – and without downstream analysis, it may flood.”

6. 💧 Leachate Management vs. Missing Data

Claim: Leachate will be safely stored and disposed.

Conflict: Exhibit 27 lacks peak generation data, disposal volumes, and contingency plans. Agreements with wastewater facilities are referenced but not provided.

Rebuttal Anchor: “Leachate doesn’t wait for paperwork – and neither should we.”

7. 🌐 Seismic Stability vs. Unverified Assumptions

Claim: The site is geotechnically sound.

Conflict: Exhibit 30 includes no seismic survey, no confirmed site

class, and relies on assumed soil and rock velocities.

Rebuttal Anchor: "Slope stability in an earthquake isn't a guess — it's a geotechnical imperative."

8. Fire Risk vs. Historical Incidents

Claim: Fire risk is minimal and manageable.

Conflict: Exhibit 20 omits recent fire incidents and relies on outdated suppression methods. Battery fires and spontaneous combustion risks are not addressed.

Rebuttal Anchor: "Fire risk isn't theoretical — it's historical. And water alone won't stop a battery fire."

9. Infrastructure Expansion vs. Legal Boundaries

Claim: All development is contained within the applicant's property.

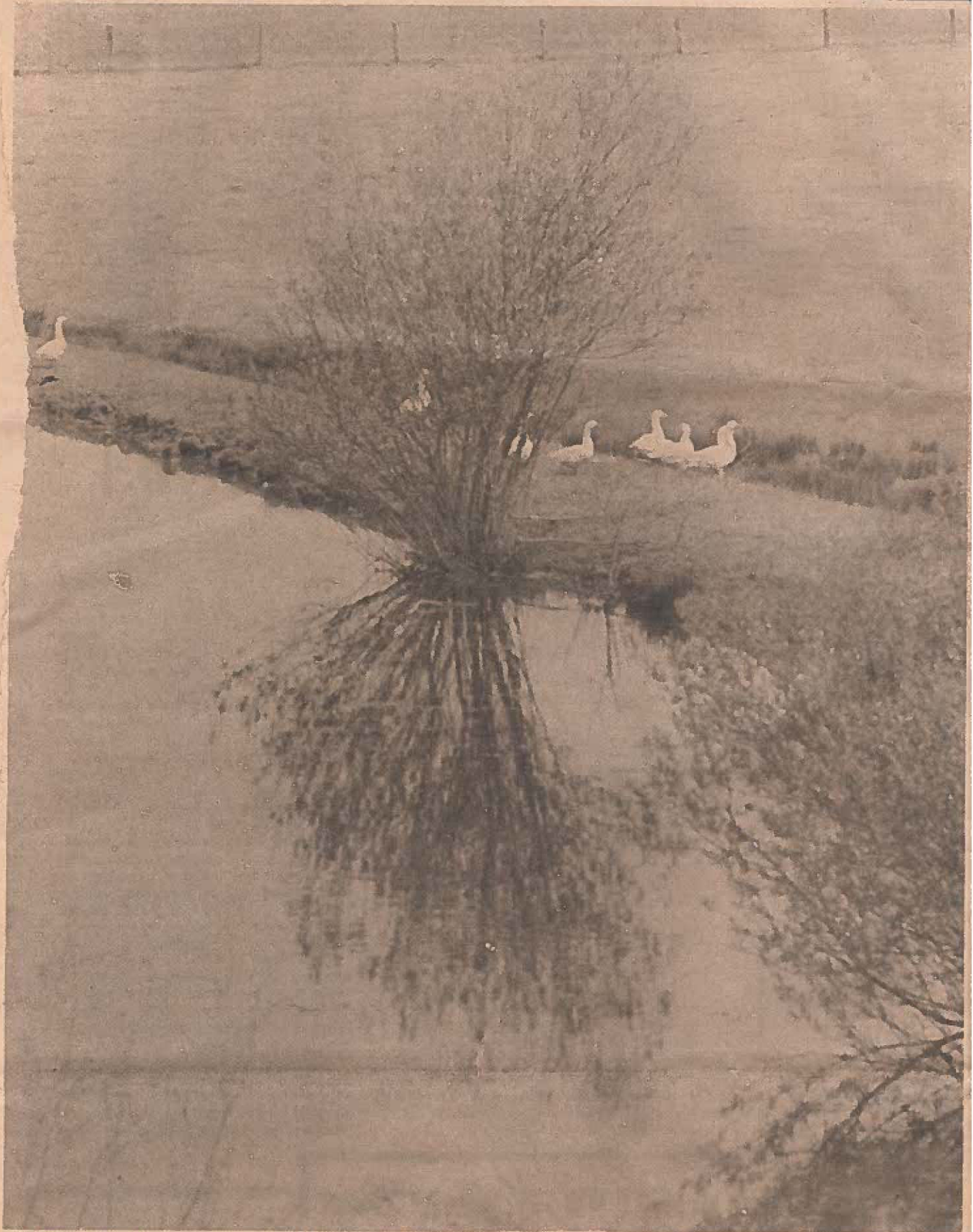
Conflict: Exhibit 44 shows infrastructure extending into the Coffin Butte Road right-of-way. Exhibit 48 proposes dedication but lacks secured approvals.

Rebuttal Anchor: "Compatibility cannot be granted on speculation — especially when it crosses public land."

THE POL *ITEMIZER*-

WEDNESDAY, MAY 4, 1977

DALLAS



LAZY AFTERNOON - One of the I-O
photographers took an afternoon drive last week
and found this serene picture of

everyone know what good things await us as
summer approaches.

Dump closes--transfer site sought

As of October of this year, Polk County will no longer have its own dump and although this could pose a problem for the residents of the county, the Polk County Solid Waste Committee is hard at work trying to solve the problems and at the same time please the people.

This was the main topic of concern at the committee's regular meeting held in the courthouse on Thursday, April 28. At the onset of the meeting, a letter was read from the Department of Environmental Quality (DEQ) which listed four reasons for the closure. These included: "The operator openly admits he cannot comply with the conditions of his permit even though he is allowed to operate a 'modified landfill' rather than a 'sanitary landfill'. The reasons he cannot comply are a combination of poor soil and site conditions." Darrell Brandt, owner and operator of the facility, is currently filling a trench which will last until October of 1977 at which time he does not desire to open a new one.

With the closure of the site in the fall, the letter calls for the transference of all solid waste to Coffin Butte in Benton County.

At this time, Bill Weber representing Valley Landfills, a privately owned company which owns and operates various sites throughout Oregon, suggested the use of transfer sites for the public.

Weber explained that there are two options open to the county. Residents can either haul their solid waste directly to Coffin Butte or there can be the placement of a transfer station somewhere in the county which would not serve the collectors, only the public.

The committee voted to go along with the transfer stations leaving it up to the

Valley Landfills to come up with a proposal for a site.

Weber stated, "Right now the main problem is coming up with an appropriate site. We would like it in a central location and preferably along Highway 99 so that the collectors can either go south to Benton County or north to McMinnville to a resource recycling center."

Once the site is chosen and approved by the Board of Commissioners the problems of what type of transfer station will then be tackled. There are several options open anywhere from constructing a large building where residents will dump their garbage into large containers approximately 50 feet long which can then be put directly on a truck and hauled to Benton County.

Weber listed eight possible sites for the transfer stations. "What we would like to see is a location in Rickreall but when we presented this idea to the citizens advisory committee they would not even listen. This would be ideal considering it is both a central location for the Dallas and Monmouth-Independence area and it is right on 99W."

Another possible location in which Weber is in favor is situated on land presently owned by the city of Dallas next to the Sewage Disposal site off Miller Avenue.

Weber has, within the past few weeks, traveled around the various area advisory committees, to the Dallas City Council and to the Polk County Planning Commission presenting his proposal for transfer sites and getting input from the citizens for a proper location.

According to Weber, not only would a transfer site be more convenient for the residents of the county, but it would also be a step towards resource recycling. At each station, containers would be provided to separate solid waste into glass, iron, tin, papers, etc. "It would not only help us to separate the materials for recycling, but it would also be less expensive for the people using the dump."

If people using the transfer stations separate their solid waste before they dump it into the containers, they will not have to pay for what they have separated.

With the approval of the transfer site by the committee, it is now up to Valley Landfills to pick a site and then have the Board of Commissioners approve it. The committee acts as an advisory body to the board.

Speed limit is Chan

Members of the Dallas Area Chamber of Commerce met in the Dallas Blue Garden Restaurant for the Monday noon meeting. President Clarence Peters conducted the business portion of the meeting.

Guest speaker was Cpl. Randy Sitton of the Oregon State Police, headquartered in Dallas. He spoke on the effort of the Oregon State Police and law enforcement agencies in enforcing the 55 mile per hour speed limit on the Oregon highways. The five western states Washington, California, Idaho, Arizona, and Oregon are designating the month of May to have the motorist realize it is up to him to drive the speed limit. It was expressed that it is the general public's responsibility just as much as the traffic police to abide by the law.

Special pins given to donors

Four blood donors were awarded special gallon pins at the April 18 blood drawing held at the Civic Center by the Willamette Chapter of the American Red Cross.

Keith Griffin received special recognition for achieving his 7-gallon pin; Patricia G. Wood completed her 2-gallon pin, and one-gallon pins were presented to Mrs. Betty Scott and Robert VanElverdinghe.

A total of 61 pints were drawn, falling short of the 75 pint goal, however ten deferrals were made among the volunteer donors for medical reasons. There were seven new donors registered for their first drawing.

The next regular visit of the Blood mobile Unit is scheduled for August 1 at the Dallas Civic Center.

The weather

DATE	H	L	Prec.
April 26	66(18.8)	37(2.7)	.01
April 27	72(22.2)	34(1.1)	.00
April 28	72(22.2)	39(3.8)	.00
April 29	70(21.1)	42(5.5)	.00
April 30	74(23.3)	43(6.1)	.22
May 1	70(21.1)	44(6.6)	.32
May 2	63(17.2)	50(10.0)	.13

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Walter Leppin

GETTING READY for customers are the motel and condominiums at Hayden Island, shown here. The Interstate Bridge is

in background. Hayden Island, Inc., plans to spend \$45-50 million on the development.

Staff Photo by Jim Vincent

Total Vegetable Value Puts Oregon In 4th Spot

Oregon ranked fourth in the nation last year in total value of vegetables grown for processing at an estimated \$31.4 million.

Only California, Wisconsin and Washington exceeded that figure, according to figures compiled by Robert Coppedge, Oregon State University extension agricultural economist.

Oregon continues as the nation's leading producer of snap beans, growing 25 per cent of the nation's crop.

The Beaver State also was first in production of sweet cherries and filberts last year.

The state was second in production of strawberries, pears

and walnuts, and fourth in onions.

Fresh market vegetables grown in Oregon had an estimated value of \$17.2 million.

The total vegetable crop was valued at \$48.6 million, according to the Oregon Crop and Livestock Reporting Service.

Even though actual vegetable tonnage was down 3 per cent last year from 1968, value was up more than \$4.5 million, largely because of higher prices for onions.

Vegetable crops grossing over \$1 million last year, ranked by value, were: snap beans, dry onions, sweet corn, green peas, broccoli, carrots and beets.

The 1969 potato crop was up 9 per cent from 1968, with gross value of \$25.8 million, up 10 per cent from a year earlier.

Last year's production of tree fruits and nuts totaled 353,300 tons, up 99 per cent from the 1968 crops, which were hard hit by freezes and wet harvest weather, Coppedge noted.

The 1969 value is estimated at \$4.6 million.

Value of a commercial apples crop totaling 160 million pounds — largest of record since 1938 — was down from 1968 because of lower prices.

Pear production reached 188,000 tons. Bartlett pear production was a record 80,000 tons. The sweet cherry and tart cherry crops were 35,000 tons and 4,900 tons, respectively.

Plums and prunes totaled 28,000 tons, and peach production was about 16 million pounds.

The filbert crop, hit by brown stain, reached 6,900 tons, down slightly from 1968. English walnut production was 2,500 tons, down from 3,600 tons in 1968.

The value of the 1969 berry crop was estimated at \$25.9 million, up 27 per cent from a year earlier. Production was 185.1 million pounds, up six per cent.

All berries except strawberries, boysenberries, youngberries and loganberries showed production increases.

Marylhurst Bills Talks

Speakers from as far as New York City will appear on the Marylhurst College campus beginning Monday when the school's Sixth Annual Financial Seminar for women begins at 10 a.m.

Registrations for the five consecutive Monday sessions will be open until the initial discussion begins Monday.

Speakers to address the women's gathering Monday will be John D. Gray, chairman and chief executive officer of Omark Industries, and Virgil Solso, president of Orbanco. Gerry Pratt, business editor of The Oregonian, will moderate the discussion covering the economic outlook, inflation and industry's changing role and prospects in Oregon.

Gray, builder of Salishan and Sunriver and the executive who built Omark into a major industrial empire, will cover industry's role. Solso will discuss inflation as it pertains to current individual financial management.

Charles A. Leach, national mutual funds manager of Harris Upham and Co., New York, will make up part of the investment panel in the second session.

Plan To Cut Idle Lands

WASHINGTON (AP) — Agriculture Department officials say the administration's proposal for limiting government farm payments on a graduated basis beginning in 1971 would include a provision for reducing idled acreage in return for farmers having payments reduced.

The limitation proposal, included in a bill draft sent Congress on Wednesday by the administration, would let a farmer receive all payments on each crop of cotton, feed grains and wheat up to \$20,000.

But further payments would be reduced by increments of 10 per cent. Payments between \$20,000 and \$40,000 would be cut 10 per cent; between \$40,000 and \$60,000 cut 20 per cent and so on.

Spokesmen said if a farmer's payment is cut in half, he would only have to idle half as much land under the so-called "set-aside" requirement aimed at taking excess acres from production.

If payments were reduced one-third under the formula, the farmer would need to comply with only two-thirds of his set-aside. Thus, he would be permitted to grow a larger acreage of crops to compensate for reduced payments.

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TOKYO (AP) — Mitsui and Co., Hokkai Jidosha Kogyo Co., both of Japan, and Sperry Rand Corp. of the United States will establish a joint firm in Tokyo next Monday for the import and sale of farm machinery.

Mitsui and Hokkai, of Hokkaido, Japan's northernmost main island, said the new firm will be 40 per cent owned by Mitsui and 60 per cent by Sperry Rand and the other two.

An annual joint firm equipment

Oregon Land Conservation And Development Commission



STATEWIDE PLANNING GOALS AND GUIDELINES

Adopted by the

Land Conservation
& Development Commission
December 27, 1974

Operative Date:
January 1, 1975

The preparation of this report was financed in part through a Comprehensive Planning Grant from the Department of Housing and Urban Development under the provisions of Section 701 of the Housing Act of 1954, as amended.

INTRODUCTION TO THE GOALS AND GUIDELINES

BACKGROUND

In 1973, the 57th Legislative Assembly adopted Senate Bill 100 (ORS Chapter 197), otherwise known as the 1973 Land Use Act. This represented the latest in a series of actions by the State of Oregon to promote comprehensive land use planning to assure the highest level of livability for its citizens. The Act provides for the coordination of local comprehensive plans through state standards and review. Furthermore, the statute mandated active citizen involvement in the on-going land use planning process at all governmental levels.

Until the 1973 Act, efforts in Oregon had been guided by ORS Chapter 215.515, enacted in 1969. That statute set forth broad goals and objectives for comprehensive physical planning. Although, the goals in the 1969 Act were not mandatory, they were made required interim goals under provisions of SB 100, Section 48.

To guide local comprehensive planning, the 1973 Act directed the Land Conservation and Development Commission (LCDC) to adopt statewide planning goals and guidelines by January 1, 1975. These planning goals, adopted by the LCDC, replace the interim goals and are regulations. The goals and guidelines are to be used by state agencies, cities, counties and special districts in preparing, adopting, revising and implementing comprehensive plans.

Using the ten broad goals and objectives from the 1969 law as a foundation, the LCDC expanded each and added forest lands; energy; citizen involvement; land use planning; and housing. The goal subjects include definitions, as well as, guidelines which provide alternative ways to accomplish the planning goals.

In developing the statewide land use goals and guidelines, LCDC conducted 56 public workshops in the Spring and Fall of 1974 to ascertain citizen attitudes and concerns about land use and comprehensive planning. In November and December, 1974, the Commission conducted 18 public hearings and a number of public work sessions on the drafts of the statewide goals. The goals and

guidelines were formally adopted December 27, 1974.

The Citizen Involvement goal was also adopted as an administrative rule on December 27, 1974 so that it would become effective January 25, 1975. This action was taken to assure that citizen involvement opportunities would be created throughout the plan review and development in 1975.

All goals are of equal importance. The order in which the goals are printed does not indicate any order of priority.

Comprehensive plans, and any ordinances or regulations implementing the plans, are to comply with the statewide goals by January 1, 1976. Extensions may be granted by the Commission in those situations where satisfactory progress is demonstrated.

FUTURE CHANGES

Substantive changes in the statewide planning goals and guidelines will be kept to a minimum so that governmental units will have an opportunity to incorporate the goals into their comprehensive plans.

The refinement of goals and guidelines will be on-going to assure that they reflect the State's current needs and provide for regional differences. The various needs of these areas will be incorporated into more specific regionalized goals and guidelines in the future.

GOAL-GUIDELINE DESCRIPTION

"Goals are intended to carry the full force of authority of the state to achieve the purposes... of the Act." Goals are regulations and the basis for all land use decisions relating to that goal subject.

"Guidelines... are suggested directions that would aid local governments in activating the mandated goals. They are intended to be instructive, directional and positive, but not limiting local governments to a single course of action when some other course would achieve the same result... guidelines are not intended to be a grant of power to the state to carrying zoning from the state level..." - The Senate Journal - 1973 --

Guidelines following most goals are divided into two sections -- planning and implementation. Planning guidelines relate primarily to the process of bringing plans into conformance with the goals. Implementation guidelines relate primarily to the process of carrying out the goals once they have been dealt with in the plans. Both of these sections are to be considered during the preparation of land use plans.

ACKNOWLEDGEMENTS

The Land Conservation and Development Commission and its Department gratefully acknowledge the steadfast participation of Oregon citizens in developing the statewide land use goals and guidelines. Through the sharing of their land use ideas and concerns, and through constant evaluation of the Commission's work, citizens of this state have taken a significant step in building a foundation for a more livable Oregon.

The Commission also acknowledges the contributions of several hundred technical advisors who helped bring together the concerns of Oregonians in many, timely committee meetings and through their individual comments. Many worked tirelessly to assist in the completion of this important task and the Commission is indebted for their dedication and leadership.

The Land Conservation and Development Commission

L. B. Day
Chairman
Steven Schell
Vice Chairman

Commissioners

Dorothy Anderson Albert Bullier, Jr.
Richard Gervais Dr. Paul Rudy
James Smart

FOR FURTHER INFORMATION

For further information about the goals and guidelines, contact the Department of Land Conservation and Development, 1175 Court Street N.E., Salem, OR 97310, or phone 378-4926 (Salem).

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DEFINITIONS

AGRICULTURAL LAND: See definition in Agricultural Lands Goal.

CARRYING CAPACITY: Level of use which can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land and water resources.

CITIZEN: Any individual within the planning area; any public or private entity or association within the planning area, including corporations, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens.

CONSERVE: To manage in a manner which avoids wasteful or destructive uses and provides for future availability.

CONSERVATION: The act of conserving the environment.

DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

DEVELOPMENT: The act, process or result of developing.

ENCOURAGE: Stimulate; give help to; foster.

IMPACT: The consequences of a course of action; effect of a goal, guideline, plan or decision.

INSURE: Guarantee; make sure or certain something will happen.

KEY FACILITIES: Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.

MAINTAIN: Support, keep and continue in an existing state or condition without decline.

NATURAL RESOURCES: Air, land and water and the elements thereof which are valued for their existing and potential usefulness to man.

PLANNING AREA: The air, land and water resources within the jurisdiction of a governmental agency.

POLLUTION: The violation or threatened violation of applicable state or federal environmental quality statutes, rules and standards.

PRESERVE: To save from change or loss and reserve for a special purpose.

PROGRAM: Proposed or desired plan or course of proceedings and action.

PROTECT: Save or shield from loss, destruction, or injury or for future intended use.

PROVIDE: Prepare, plan for, and supply what is needed.

PUBLIC FACILITIES AND SERVICES: Projects, activities and facilities which the planning agency determines to be necessary for the public health, safety and welfare.

QUALITY: The degree of excellence or relative goodness.

RURAL LAND: Rural lands are those which are outside the urban growth boundary and are:

- (a) Non-urban agricultural, forest or open space lands or,
- (b) Other lands suitable for sparse settlement, small farms or acreage homesites with no or hardly any public services, and which are not suitable, necessary or intended for urban use.

SOCIAL CONSEQUENCES: The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

STRUCTURE: Anything constructed or installed or portable, the use of which requires a location on a parcel of land.

URBAN LAND: Urban areas are those places which must have an incorporated city. Such areas may include lands adjacent to and outside the incorporated city and may also:

- (a) Have concentrations of persons who generally reside and work in the area
- (b) Have supporting public facilities and services.

URBANIZABLE LAND: Urbanizable lands are those lands within the urban growth boundary and which are identified and

- (a) Determined to be necessary and suitable for future urban uses
- (b) Can be served by urban services and facilities
- (c) Are needed for the expansion of an urban area.

1

CITIZEN INVOLVEMENT

GOAL: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement program established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. **Citizen Involvement** -- To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized citizen advisory committee or committees broadly representative of geographic areas and interests related to land use and land use decisions. Citizen advisory committee members shall be selected by an open, well-publicized public process.

The citizen advisory committee shall be responsible for: assisting the governing body with the development of a program that promotes and enhances citizen involvement in land use planning, assisting in the implementation of the citizen involvement program and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the State Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is used, its members shall be selected by an open, well-publicized public process.

2. **Communication** -- To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. **Citizen Influence** -- To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goal and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan and Implementation Measures.

4. **Technical Information** -- To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions

shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. **Feedback Mechanisms** -- To assure that citizens will receive a response from policymakers. Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policymakers. The rationale used to reach land use policy decisions shall be available in the form of a written record.
6. **Financial Support** -- To insure funding for the citizen involvement program. Adequate human, financial and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

GUIDELINES FOR CITIZEN INVOLVEMENT GOALS

1. **CITIZEN INVOLVEMENT**
 - A. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).
 - B. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land use planning should provide information on land use education to citizens, as well as develop and offer courses in land use education which provide for a diversity of educational backgrounds in land use planning.

(Continued on page 3)

1 CITIZEN INVOLVEMENT

(Continued from page 2)

C. In the selection of members for the Citizen Advisory Committee, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on citizen advisory committees; citizen advisory committee appointees should receive official notification of their selection; and, citizen advisory committee appointments should be well publicized.

2. COMMUNICATION

A. Newsletters, mailings, posters, mailback questionnaires, and other available media should be used in the citizen involvement program.

3. CITIZEN INFLUENCE

A. **Data Collection** - The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

B. **Plan Preparation** - The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals,

develop policy guidelines and evaluate alternative land conservation and development plans for the preparation of the comprehensive land use plans.

C. **Adoption Process** - The general public, through the local citizen involvement programs, should have the opportunity to review and recommend change to the proposed comprehensive land use plans prior to the public hearing process to adopt comprehensive land use plans.

D. **Implementation** - The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption and application of legislation that is needed to carry out a comprehensive land use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

E. **Evaluation** - The general public, through the local citizen involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

F. **Revision** - The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land use

plans prior to the public hearing process to fully consider the proposed changes.

4. TECHNICAL INFORMATION

A. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, water construction, transportation, sub-division studies and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

B. Technical information should include, but not be limited to: energy, natural environment, political, legal, economic and social data and places of cultural significance, as well as those maps and photos necessary for effective planning.

5. FEEDBACK MECHANISM

A. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policymakers.

B. A process for quantifying and synthesizing citizen's attitudes should be developed and reported to the general public.

6. FINANCIAL SUPPORT

A. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.

2

LAND USE PLANNING

GOAL:

PART I - PLANNING: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable state-wide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances. Affected persons shall receive understandable notice by mail of proposed changes in plans or zoning ordinances sufficiently in advance of any hearing to allow the affected person reasonable time to review the proposal.

Affected Governmental Units - are those local governments, state and federal agencies and special districts which have programs, land ownerships or responsibilities within the area included in the plan.

Affected Persons - includes those owners of record of real property located within not less than 500 feet, exclusive of street areas, from the area subject to the proposed change.

Comprehensive Plan - as defined in ORS 197.015(4). **Coordinated** - as defined in ORS 197.015(4). Note: It is included in the definition of comprehensive plan.

Implementation Measures - are the means used to carry out the plan. These are of two general types:

- (1) management implementation measures such as ordinances, regulations or project plans, and
- (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

Plans - as used here encompass all plans which guide land use decisions, including both comprehensive and single purpose plans of cities, counties, state and federal agencies and special districts.

PART II - EXCEPTIONS: When, during the application of the statewide goals to plans, it appears that it is not possible to apply the appropriate goal to specific properties or situations, then each proposed exception to a goal shall be set forth during the plan preparation phases and also specifically noted in the notices of public hearing. The notices of hearing shall summarize the issues in an understandable and meaningful manner.

If the exception to the goal is adopted, then the compelling reasons and facts for that conclusion shall be completely set forth in the plan and shall include:

- (a) Why these other uses should be provided for;
- (b) What alternative locations within the area could be used for the proposed uses;

- (c) What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use;
- (d) A finding that the proposed uses will be compatible with other adjacent uses.

PART III - USE OF GUIDELINES: Governmental units shall review the guidelines set forth for the goals and either utilize the guidelines or develop alternative means that will achieve the goals. All land use plans shall state how the guidelines or alternative means utilized achieve the goals.

Guidelines - are suggested directions that would aid local governments in activating the mandated goals. They are intended to be instructive, directional and positive, not limiting local government to a single course of action when some other course would achieve the same result. Above all, guidelines are not intended to be a grant of power to the state to carry out zoning from the state level under the guise of guidelines. (Guidelines or the alternative means selected by governmental bodies will be part of the Land Conservation and Development Commission's process of evaluating plans for compliance with goals).

GUIDELINES:

1. PREPARATION OF PLANS AND IMPLEMENTATION MEASURES

Preparation of plans and implementation measures should be based on a series of broad phases, proceeding from the very general identification of problems and issues to the specific provisions for dealing with these issues and for interrelating the various elements of the plan. During each phase opportunities should be provided for review and comment by citizens and affected governmental units.

The various implementation measures which will be used to carry out the plan should be considered during each of the planning phases.

The number of phases needed will vary with the complexity and size of the area, number of people involved, other governmental units to be consulted, and availability of the necessary information.

Sufficient time should be allotted for:

- (a) collection of the necessary factual information
- (b) gradual refinement of the problems and issues and the alternative solutions and strategies for development
- (c) desires and development of broad citizen support
- (d) identification and resolution of possible conflicts with plans of affected governmental units.

2. REGIONAL, STATE AND FEDERAL PLAN CONFORMANCE

It is expected that regional, state and federal agency plans will conform to the comprehensive plans of cities and counties. Cities and counties are expected to take into account the regional, state and national needs. Regional, state and federal agencies are expected to make their needs known during the preparation and revision of city and county comprehensive plans. During the preparation of their plans, federal, state and regional agencies are expected to create opportunities for review and comment by cities and counties.

In the event existing plans are in conflict or an agreement cannot be reached during the plan preparation process, then the Land Conservation and Development Commission expects the affected governmental units to take steps to resolve the issues. If an agreement cannot be reached the appeals procedures in ORS chapter 197 may be used.

3. PLAN CONTENT

A. Factual Basis for the Plan

Inventories and other forms of data are needed as the basis for the policies and other decisions set forth in the plan.

This factual base should include data on the following as they relate to the goals and other provisions of the plan:

- (1) Natural resources, their capabilities and limitations
- (2) Man-made structures and utilities, their location and condition
- (3) Population and economic characteristics of the area
- (4) Roles and responsibilities of governmental units.

B. Elements of the Plan

The following elements should be included in the plan:

- (1) Applicable state-wide planning goals
- (2) Any critical geographic area designated by the Legislature
- (3) Elements that address any special needs or desires of the people in the area
- (4) Time periods of the plan, reflecting the anticipated situation at appropriate future intervals

All of the elements should fit together and relate to one another to form a consistent whole at all times.

4. FILING OF PLANS

City and county plans should be filed, but not recorded, in the Office of the County Recorder. Copies of all plans should be available to the public and to affected governmental units.

5. MAJOR REVISIONS AND MINOR CHANGES IN THE PLAN AND IMPLEMENTATION MEASURES

The citizens in the area and any affected governmental unit should be given an opportunity to review and comment prior to any changes in the plan and implementation ordinances. There should be at least 30 days notice of the public hearing on the proposed change. In determining the affected persons to receive notice by mail of proposed changes, renters should be considered among those affected. Also, in the event that all of the property within a single ownership is not included in the area to be changed, the boundary for those to receive notice by mail should be measured from the property line and not from the boundary line of the area to be changed.

When adopted, the changes should be suitably noted in a prominent place in the document, filed with the recorder, and copies made available to the public.

A. Major Revisions

Major revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships.

The plan and implementation measures should be revised when public needs and desires change and when development occurs at a different rate than contemplated by the plan. Areas experiencing rapid growth and development should provide for a frequent review so needed revisions can be made to keep the plan up to date; however, major revisions should not be made more frequently than every two years, if at all possible.

The plan and implementation measures should be reviewed at least every two years and a public statement issued on whether any revision is needed. They can be reviewed in their entirety or in major portions. The review should begin with re-examining the data and problems and continue through the same basic phases as the initial preparation of the plan and implementation measures.

B. Minor Changes

Minor changes, i.e., those which do not have significant effect beyond the immediate area of the change, should be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change should be established. Minor changes should not be made more frequently than once a year, if at all possible.

6. IMPLEMENTATION MEASURES

The following types of measures should be considered for carrying out plans:

(Continued on page 4)

2 LAND USE PLANNING

(Continued from page 3)

A. Management Implementation Measures:

- (1) Ordinances controlling the use and construction on the land such as building codes, sign ordinances, subdivision and zoning ordinances. ORS Chapter 197 requires that the provisions of the zoning and subdivision ordinances conform to the comprehensive plan.
- (2) Plans for public facilities that are more specific than those included in the comprehensive plan. They show the size, location and capacity serving each property but are not as detailed as construction drawings.

- (3) Capital improvement budget which sets out the projects to be constructed during the budget period.

- (4) State and federal regulations affecting land use.

- (5) Annexations, consolidations, mergers and other reorganization measures.

B. Site and Area Specific Implementation Measures

- (1) Building permits, septic tank permits, driveway permits, etc.; the review of subdivisions and land partitioning applications, the changing of zones and granting of conditional uses, etc.

- (2) The construction of public facilities (schools, roads, water lines, etc.)

- (3) The provision of land-related public services such as fire and police.

- (4) The awarding of state and federal grants to local governments to provide these facilities and services.

- (5) Leasing of public lands.

7. USE OF GUIDELINES FOR THE STATE-WIDE PLANNING GOALS

Guidelines for most state-wide planning goals are found in two selections -- planning and implementation. Planning guidelines relate primarily to the process of developing plans that incorporate the provisions of the goals. Implementation guidelines should relate primarily to the process of carrying out the goals once they have been incorporated into the plans. Techniques to carry out the goals and plans should be considered during the preparation of the plan.

3

AGRICULTURAL LANDS

GOAL: To preserve and maintain agricultural lands.

Agriculture lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space. These lands shall be inventoried and preserved by adopting exclusive farm use zones pursuant to ORS Chapter 215. Such minimum lot sizes as are utilized for any farm use zones shall be appropriate for the continuation of the existing commercial agricultural enterprise within the area. Conversion of rural agricultural land to urbanizable land shall be based upon consideration of the following factors: (1) environmental, energy, social and economic consequences; (2) demonstrated need consistent with LCDC goals; (3) unavailability of an alternative suitable location for the requested use; (4) compatibility of the proposed use with related agricultural land; and (5) the retention of Class I, II, III and IV soils in farm use. A governing body proposing to

convert rural agricultural land to urbanizable land shall follow the procedures and requirements set forth in the Land Use Planning goal (Goal 2) for goal exceptions.

Agricultural Land -- in western Oregon is land of predominantly Class I, II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event.

More detailed soil data to define agricultural land may be utilized by local governments if such data permits achievement of this goal.

Farm Use -- is as set forth in ORS 215.203 and includes the non-farm uses authorized by ORS 215.213.

GUIDELINES:

A. Planning

1. Urban growth should be separated from

agricultural lands by buffer or transitional areas of open space.

2. Plans providing for the preservation and maintenance of farm land for farm use, should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Non-farm uses permitted within farm use zones under ORS 215.213(2) and (3) should be minimized to allow for maximum agricultural productivity.
2. Extension of services, such as sewer and water supplies into rural areas should be appropriate for the needs of agriculture, farm use and non-farm uses established under ORS 215.213.
3. Services that need to pass through agricultural lands should not be connected with any use that is not allowed under ORS 215.203 and 215.213, should not be assessed as part of the farm unit and should be limited in capacity to serve specific service areas and identified needs.
4. Forest and open space uses should be permitted on agricultural land that is being preserved for future agricultural growth. The interchange of such lands should not be subject to tax penalties.

4

FOREST LANDS

GOAL: To conserve forest lands for forest uses.

Forest land shall be retained for the production of wood fibre and other forest uses. Lands suitable for forest uses shall be inventoried and designated as forest lands. Existing forest land uses shall be protected unless proposed changes are in conformance with the comprehensive plan.

In the process of designating forest lands, comprehensive plans shall include the determination and mapping of forest site classes according to the United States Forest Service manual "Field Instructions for Integrated Forest Survey and Timber Management Inventories - Oregon, Washington and California, 1974."

Forest Lands -- are (1) lands composed of existing and potential forest lands which are suitable for commercial forest uses; (2) other forested lands for watershed protection, and fisheries habitat and (3) lands where extreme climate, soil and the maintenance of the land in urban and

agricultural areas which provide urban buffers, wind breaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use.

Forest Uses -- are (1) the production of trees and the processing of forest products; (2) open space, buffers from noise, and visual separation of conflicting uses; (3) watershed protection and wildlife and fisheries habitat; (4) soil protection from wind and water; (5) maintenance of clean air and water; (6) outdoor recreational activities and related support services and wilderness values compatible with these uses; and (7) grazing land for livestock.

GUIDELINES:

A. Planning:

1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses.
2. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Before forest land is changed to another

use, the productive capacity of the land in each use should be considered and evaluated.

2. Developments that are allowable under the forest lands classification should be limited to those activities for forest production and protection and other land management uses that are compatible with forest production. Forest lands should be available for recreation and other uses that do not hinder growth.
3. Forestation or reforestation should be encouraged on land suitable for such purposes, including marginal agricultural land not needed for farm use.
4. Road standards should be limited to the minimum width necessary for management and safety.
5. Highways through forest lands should be designed to minimize impact on such lands.
6. Rights-of-way should be designed so as not to preclude forest growth whenever possible.
7. Maximum utilization of utility rights-of-way should be required before permitting new ones.
8. Comprehensive plans should consider other land uses that are adjacent to forest lands so that conflicts with forest harvest and management are avoided.

AREA ADVISORY COMMITTEES TO BE FORMED IN POLK COUNTY

JUNE, 1976

This past February, the Polk County Board of Commissioners appointed a Committee for Citizen Involvement in the County for the purpose of creating and maintaining a program involving the County's citizenry in land use planning. The whole scheme of citizen participation in planning is a bold and innovative step by Oregon, and its success or failure will surely be a guide to more or less citizen involvement in other states. The Committee for Citizen Involvement's program is not, however, an entirely new entity in the County, but rather an update of the twelve area advisory groups that formerly met throughout the County. It is the desire of the Committee for Citizen Involvement to recreate these groups. With this goal in mind, the Committee for Citizen Involvement is now staging a campaign to solicit active citizen participation in nine Area Advisory Committees.

HOW DO I BECOME A MEMBER OF MY AREA ADVISORY COMMITTEE?

1. Fill out and return the enclosed reply card.
2. Phone TOLL FREE from: Dallas 623-8171 x 60; Monmouth-Independence 838-0580 x 60; Salem 363-2353 x 60.
3. Attend the Area Advisory Committee meeting scheduled for your area. (see schedule)

WHAT IS AN AREA ADVISORY COMMITTEE?

An Area Advisory Committee is an organization for all persons interested and concerned in matters related to land use planning in Polk County.

WHAT WILL AN AREA ADVISORY COMMITTEE DO?

Members of the Area Advisory Committees will: Have the opportunity to become involved in all phases of land use planning; receive, review, and report on proposals for land conservation and development within the Committee's area; study and become familiar with the Oregon Revised Statutes, as they relate to land use planning, Goals and Guidelines for comprehensive planning, Polk County Comprehensive Plan Policies, Polk County zoning law and other ordinances pertaining to your area.

WHO CAN BELONG TO AN AREA ADVISORY COMMITTEE?

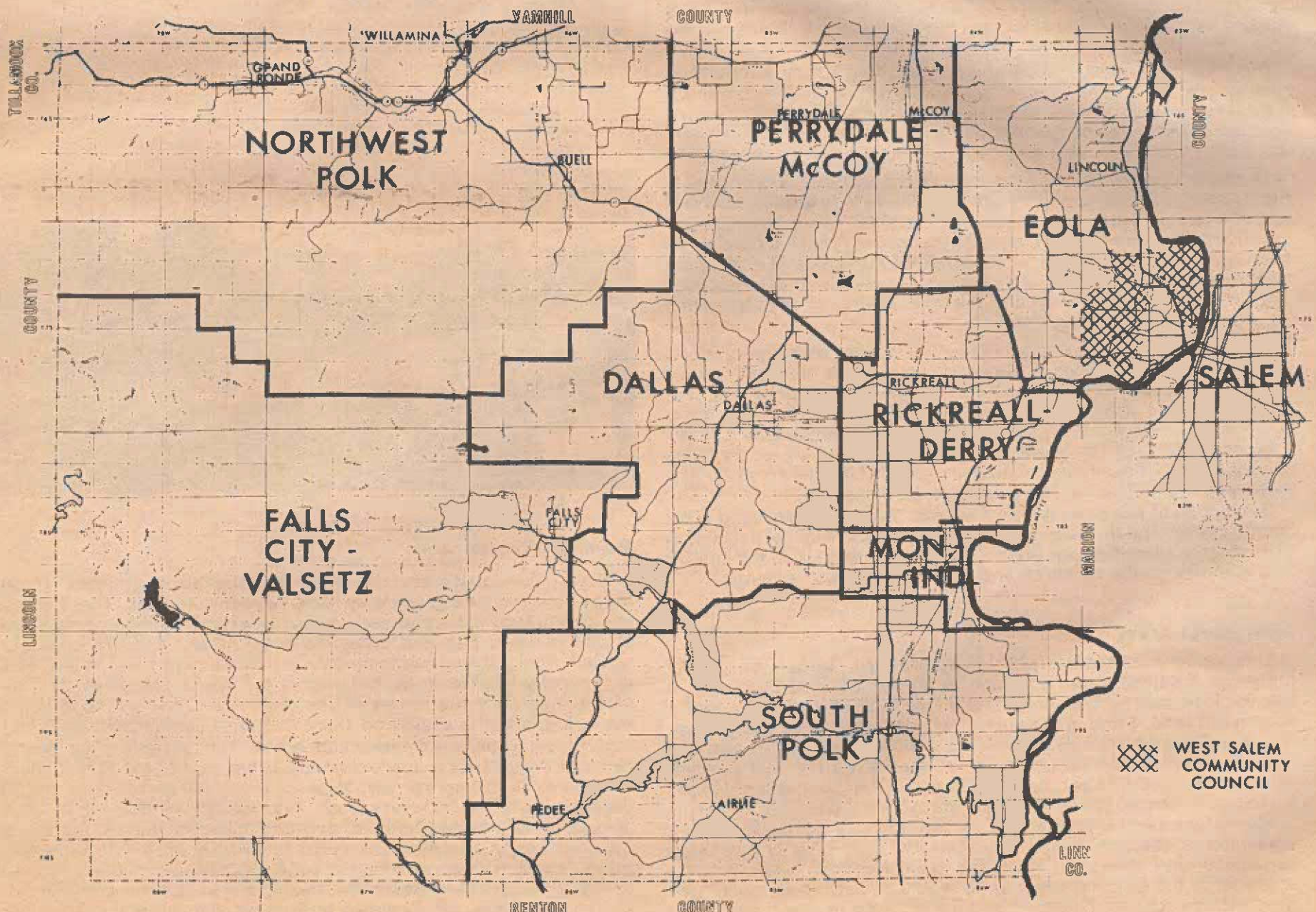
All citizens living or owning property in one of the nine advisory areas of Polk County. (see map)

WILL THE AREA ADVISORY COMMITTEES BE HEARD?

Yes! Your recommendations will be received and responded to by the Polk County Board of Commissioners and the Planning Commission.

SCHEDULE OF AREA ADVISORY COMMITTEE MEETINGS

Dallas	Thursday, June 24	7:30 p.m.	Dallas Civic Center
Falls City - Valsetz	Monday, June 28	7:30 p.m.	Falls City Elem. School
Monmouth-Independence	Thursday, July 1	7:30 p.m.	Talmadge Jr. High School
Northwest Polk	Wednesday, July 7	7:30 p.m.	Grand Ronde School
Perrydale-McCoy	Thursday, July 8	7:30 p.m.	Perrydale School
Rickreall-Derry	Monday, July 12	7:30 p.m.	Polk County Fairgrounds
South Polk	Thursday, July 15	7:30 p.m.	Bridgeport School
Eola	Monday, July 19	7:30 p.m.	Myers Elementary School
West Salem Community Council	MEETING SCHEDULE ONGOING		
	Contact Planning Department, Polk County Courthouse for information.		



POLK COUNTY COMPREHENSIVE PLAN POLICIES

AS ADOPTED BY POLK COUNTY BOARD OF COMMISSIONERS, DECEMBER 4, 1975

As a result of increasing developmental pressure on our most valuable resources, air, land, and water, the Oregon Legislature has seen the need to establish an agency to coordinate and provide direction to statewide efforts at land-use planning. This agency is the Land Conservation and Development Commission. In keeping with the intent of the Legislature, Polk County will be engaging in a process of revising the Polk County Comprehensive Plan Policies to meet the requirements of the LCDC established Goals and Guidelines for land-use planning. The citizens of Polk County will have the opportunity through the Area Advisory Committees to be involved in this revision process.



RURAL LAND CONSERVATION AND DEVELOPMENT POLICIES

As a specific framework for guiding future development and conservation decisions, the rural area of the county has been designated for agricultural areas, rural residential areas, forest areas, and rural community centers.

The rural land conservation and development policy attempts to identify the areas and circumstances under which land will be preserved for agricultural use. It is apparent that a great deal of land is not being farmed or not being farmed as intensively as is possible.

The farm community provides both direct and indirect benefits to the county. The farm and related agriculturally based business employment provides direct economic benefits. The open space and pastoral setting are indirect benefits that society receives due to the farm community. When the farm community is viewed in light of the local economy, social and environmental benefits and long range projections, then a plausible argument for preservation of this farm land can be made and sustained.

The county as a whole and particularly the farm community, must be committed to the goal of preservation of farm areas free from further encroachment. Agricultural areas should be preserved. Some land area will be converted to more intensive uses in those areas designated Rural Residential and Rural Community Center.

Areas designated for impoundment sites will be protected from development that would jeopardize such projects, unless a study has been conducted showing the project to be infeasible.

Extraction of minerals within the county may be approved after county review and the holding of public hearings. Mineral extraction sites shall be identified and inventoried with emphasis on the quality and quantity of the resource and site rehabilitation potential.

Agricultural Areas

This area is characterized by agriculture, larger ownership patterns, and little urban intrusion. A portion of these lands are in known flood plains. Topographically, they contain level to gently rolling hill land. Some areas within this designation do have steep, brush and tree covered slopes which are sometimes used as pasture.

The suitability for septic tanks is approximately five percent (9,662 acres) good, 15 percent (28,988 acres) fair, 50 percent (96,625 acres) poor and 30 percent (57,975 acres) very poor.

The intent of the agriculture designation is to preserve the agricultural economy of the county by strictly limiting nonagricultural development in the area. Nonfarm uses that are essential to the farming community would be permitted; such uses may include schools, churches and parks. Such nonfarm uses may

be permitted only after review by the Planning Commission and County Board and determination that such use will not be detrimental to the purpose and intent of the Comprehensive Plan to conserve this area for farm purposes. Subdivision should not be permitted. Zoning in the area shall be protective of land devoted to accepted farming practices.

The fact that some areas will experience non-farm development will result in conflicts in land uses. Within these areas, the predominant (most extensive) use will remain agriculture, and there is a need to afford these prior activities some protection for their usual and normal operational practices. The particular policy statements follow.

- 1) Encroachment of urban influences onto the best and most productive agricultural land in the areas designated for agriculture shall be discouraged through implementing ordinances.
- 2) Residential use within the agriculture and forest areas shall be limited to one dwelling for the owner or operator of the activity. Additional dwellings, including those for farm help, may be provided upon approval of the County after the holding of a public hearing.
- 3) In agricultural areas, conversion of farm lands to nonfarm, urban uses shall be discouraged by implementing ordinances.
- 4) In areas designated for agriculture, all proposed land divisions shall be submitted to the Planning Commission. Fragmentation of large farm units for nonagricultural purposes shall be discouraged by implementing ordinances. An affirmative decision may be granted only if one or more of the following conditions are found to exist:
 - a. The division is for the purpose of expansion or consolidation of adjoining farming activities.
 - b. The division is for the purpose of disposing of a second dwelling which has existed on the property.
 - c. The parcels to be created are of such an expansive nature so as to impose minimum threat to adjoining farm operators.
 - e. The division clearly follows a physical feature which would hinder normal and necessary farming activities.
 - e. The division is required to obtain construction financing for housing to be occupied by those engaged in the farming operation.
 - f. The division is for the purpose of establishing a labor intensive agricultural activity meeting the definition of farm use as contained in ORS 214.203.



Rural Residential Area

Within the county several areas totaling approximately 51,000 acres have been designated as rural residential areas. These areas are characterized by generally hilly topography, a high percentage of poorer soils, oak and brush covered slopes, and are sparsely settled. Agriculture is an extensive use in many of these areas, and is generally located on the smaller valley floors. Densities shall be maintained very low and shall be determined by soil condition, water availability, slope and slope stability, conflict with farming activities and proximity to urban areas. The suitability for septic tanks on these lands is approximately 15 percent (7,650 acres) good, 20 percent (10,200 acres) fair, 35 percent (17,850 acres) poor and 30 percent (15,300 acres) very poor. The maximum density in such areas shall be one dwelling unit per acre, however in most instances the densities will be less. The rural residential area will allow farming, low density rural subdivisions and other uses subject to land use policy guidelines and commission approval, such as commercial recreational uses, farm related businesses and mineral extraction.



In order to avoid unnecessary conflicts and community costs in areas designated as agriculture and rural residential, conversion of rural land to residential purpose may be permitted when all of the conditions listed under 1 below are met.

1. Mandatory conditions for all rural residential development.

A. All building development in areas of known flood plains and geologic hazards shall be permitted only after public hearings have been held and an affirmative decision reached.

B. The proposed residential use will be compatible with existing farm and rural activities in the area.

C. The impact on public services such as roads and schools is not detrimental to the community.

2. When it is determined that a parcel of land is suitable for development under the rural land development policy, then the following standards should apply to such developments:

A. Partitioning Land (as defined in ORS Chapter 92.010)

1. The availability or lack of water shall be verified for each parcel proposed to be created.

2. Every parcel proposed to be created shall be evaluated for Department of Environmental Quality approved sewage disposal methods prior to approval or verification shall be submitted to the county that an evaluation has not been made or is not necessary.

B. Subdividing Land (as defined in ORS Chapter 92.010)

1. An adequate quantity and quality of water, approved by the State Health Department, shall be available at each individual lot prior to its being offered for sale.

2. Every parcel proposed to be created shall have an approved sewerage system available at the lot line prior to their being offered for sale.

D. Direct access from abutting properties onto collector and arterial roads and streets shall be discouraged whenever alternative access is or can be made available.

E. Subdivision streets shall be constructed to County specifications for acceptance into the County road system.

3. In the rural residential areas, the density of development will be related to the capabilities of soils, topography, proximity to cities and adjacent rural activities.

4. In any known geologic hazard area, it shall be the developer's responsibility to provide the necessary detailed engineering geology studies performed by engineers licensed in the State of Oregon that will ensure a safe development of the land prior to any consideration for development.

5. Rural developments should utilize the planned unit development approach to insure future livability in the development and compatible relationship with adjoining land. The clustering of structures will insure the retention of open space and allow the provision of buffers between development and adjacent farmland.

6. Acreage subdivisions within urban growth boundaries shall be designed with redivision plans incorporated to urban densities and reservations made for the necessary streets.

Forest

This area designates the 183,800 acres of the county that is mainly within the Coast Range, held in large ownership patterns, and is covered by commercial stands of Douglas Fir, True Fir, Hemlock, Cedar, Spruce and other varieties of merchantable species. Consideration is given soil type and the existing timber stand. The primary use of this area shall be the raising and harvesting of the forest crop. Interspersed throughout the area are agricultural activities which are recognized as a compatible use. Uses of land not associated with the management and development of forests shall be discouraged to minimize the potential hazards of damage from fire, pollution and conflict caused by urbanization. Land division, public park and recreational uses may be allowed subject to the notification of surrounding property owners and the holding of a public hearing.

Rural Community Centers

These areas are existing service communities where small lots have been platted, commercial service has developed and community facilities are located. These are areas where utility systems are generally lacking and may be impractical during the next 20

years. Residential densities should be subject to County Health Department approval. Commercial and industrial activities should be limited to those which are essential and compatible to the surrounding rural activities and/or development.

Proposed changes to create or expand commercial or industrial areas within the rural community centers must be approved by the county following the holding of public hearings.

URBAN LAND DEVELOPMENT POLICIES

The leading edge of expansion outward from the existing urban communities is a concern of the county plan. The fostering of the necessary cooperation and coordination of planning among cities and the county is essential if logical patterns of land use are to be developed adjacent to and ultimately within these jurisdictions.

The Dallas Plan calls for future growth to be directed to the low coastal foothills to the west and north of the city.

The Monmouth Plan defines an area immediately adjacent to that community that can reasonably expect urbanization in the next twenty years.

The Proposed Land Use Plan for Independence indicates increased urban growth potential to the south and southwest of the city. The central area between Independence and Monmouth is proposed to develop within the two cities as a residential / commercial service center.

The population of Falls City is not projected for any substantial increase over the planning period. However, developing urban services and the possibility of a major impoundment site to be developed close by have resulted in a proposal for urban growth to be directed to areas south and east of the current city boundaries.

The Salem Comprehensive Plan delineates an Urban Growth Boundary surrounding the city limits in the Eola Hills where growth is planned. That plan generally conforms to the Land Use Plan adopted for that area in 1971 by the County Board.

Development of the area between the existing Salem city limits and the Urban Growth Boundary is to be guided by policies which were adopted by the Polk County Board and City of Salem in April of 1974 and which are currently under review by the signatories of that agreement.



A proposed change in the existing Salem Urban Growth Boundary adopted in April of 1974 is suggested. The proposed change is delineated on the Eola Hills Area Land Use Map.

All urban growth boundaries proposed are subject to review, negotiation and approval among the jurisdictions involved.

Development of lands within adopted urban growth boundaries shall have maximum densities of one dwelling unit per acre, except within Urban Growth Boundaries where either previously platted subdivisions exist or where plans for subdivisions are being actively considered by the County at the time of the adoption of this ordinance. Review of any proposals in these areas should be made by the local community in anticipation of future annexation and for the purpose of coordinating design of urban services.

Within areas designated for urban growth on the General Land Use Map, the following general development policies should be adhered to:

1) The general policies and plans established in this report shall serve as guidelines for specific development plans within urban areas.

2) Expansion of urban areas should occur outward from existing development in an orderly, efficient and logical manner. This will involve the staging of roads, water and other services.

3) Urbanization should not encroach into known flood plains, geologically unstable areas or other physically hazardous areas.

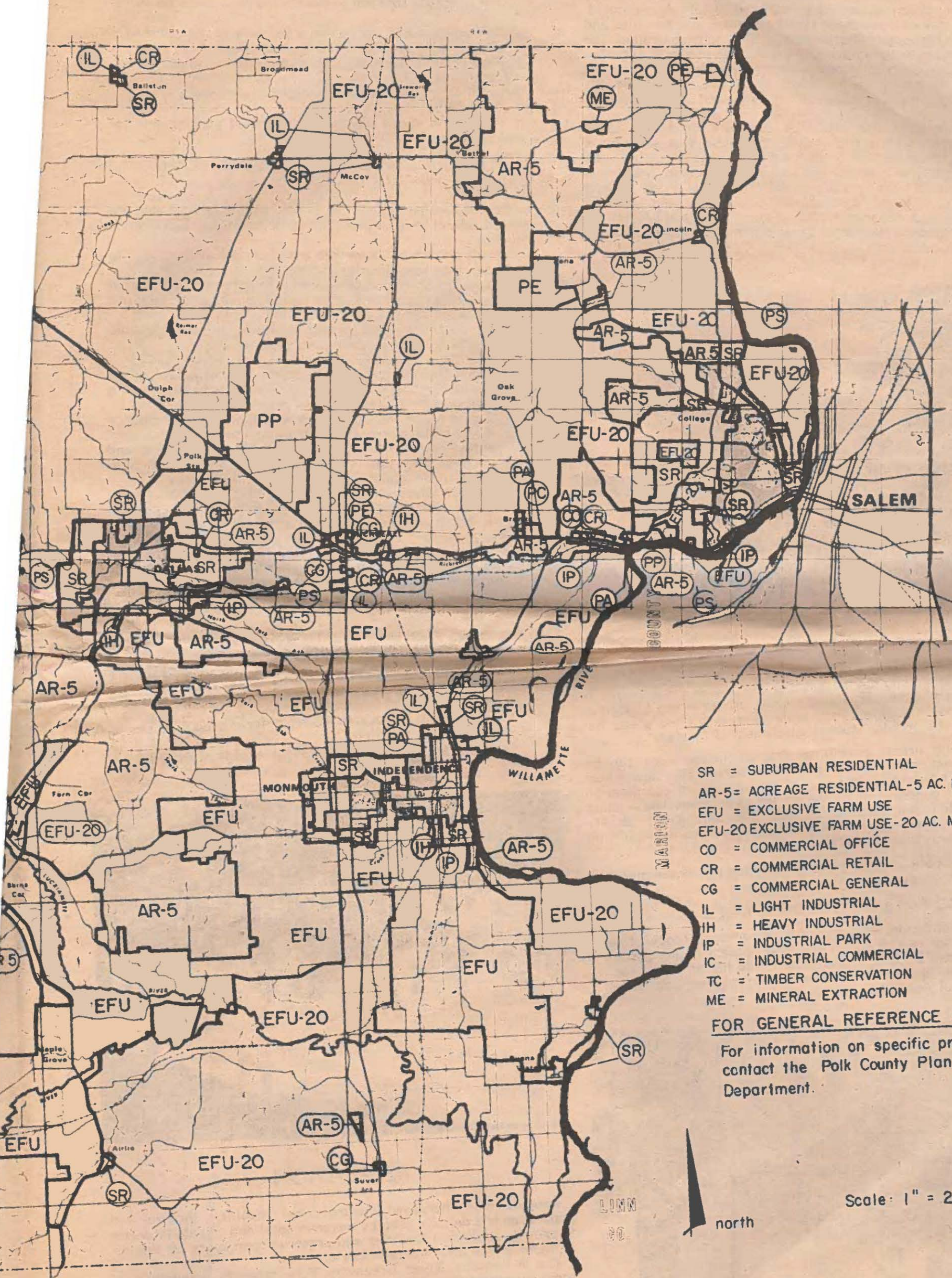
4) Municipal sewer and water services shall be restricted to the municipalities' corporate limits except where a legal binding agreement is in being prior to the adoption by ordinance of this plan.

(Continued on Page 6)

GENERALIZE



ZONING



- SR = SUBURBAN RESIDENTIAL
- AR-5 = ACREAGE RESIDENTIAL-5 AC. MIN.
- EFU = EXCLUSIVE FARM USE
- EFU-20 EXCLUSIVE FARM USE-20 AC. MIN.
- CO = COMMERCIAL OFFICE
- CR = COMMERCIAL RETAIL
- CG = COMMERCIAL GENERAL
- IL = LIGHT INDUSTRIAL
- IH = HEAVY INDUSTRIAL
- IP = INDUSTRIAL PARK
- IC = INDUSTRIAL COMMERCIAL
- TC = TIMBER CONSERVATION
- ME = MINERAL EXTRACTION

FOR GENERAL REFERENCE ONLY

For information on specific properties contact the Polk County Planning Department.

Scale: 1" = 2 miles

north

JAN. 1976

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any new use shall comply with the General Land Use Plan and the uses permitted by the zone affecting the property.

+ Contiguous is defined as property held in the same name not divided by a railroad, roadway or river.

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(Continued from Page 3)

Urban density potential exists in the Rickreall-Derry-Highway 99W area. This area is viewed as having long term potential only if the necessary "public" utilities and flood protection can be provided. Its central location, accessibility to both rail and highway transportation gives it potential for industrial development. However, the lack of a sewerage system dictates that densities and industries with high waste discharge must be strictly controlled. The area shall remain in agricultural use until that potential has been affirmed by the County. Site design review techniques, i.e. planned development or resolution of intent to rezone, should be the mechanism by which development is reviewed and ultimately permitted.

Where commercial and industrial uses are developed along principal arterials, such as Highway No. 22 and No. 99W, setbacks of 125 feet from the centerline of such facilities should be observed.

Another alternative to encourage well planned, clean industry at this location would be to investigate the creation of a port district with authority to grant development bonds to cover costs of developing the high capacity water, sewer, (and flood protection) systems so vital to the successful development of a viable industrial park.



PUBLIC FACILITIES AND UTILITIES

Schools

The projected population increase for Polk County is expected to occur primarily in and around the incorporated areas of Dallas, West Salem, Monmouth and Independence. It is in these areas that 90 percent of the present student enrollment is located.

In influencing urban growth so that public services can be provided at least cost and in the most efficient manner, new school locations and school expansions shall be planned in coordination with the overall general plan for the growth of the area. The existing needs for additional classrooms and the anticipated facility requirements for future enrollments should serve as an input into the overall county planning effort.

The following policies shall guide the location and development of schools in Polk County.

I. GUIDELINES FOR LOCATION OF SCHOOLS.

1. Selection of School sites should be based upon cooperative planning. Prior to acquisition and development of any school site, the School District should inquire into the following factors with the appropriate Planning Commission and other Governmental Agencies.



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2. Factors which should be considered in the selection of future school sites include:

- Development trends.
- Population patterns and projections.
- Consistency with existing comprehensive plans.
- Zoning ordinances.

3. Other factors to consider in evaluating proposed school sites are:

- Convenience and accessibility to users of the building.
- Character of neighborhood environment.
- Physical characteristics, including soil limitations and susceptibility to flooding.
- Location in relation to urban growth boundary.
- Availability of services.
- Size of site and adequacy for off-street parking and for athletic areas.

II POLICIES FOR THE LOCATION AND DEVELOPMENT OF SCHOOLS IN URBANIZING AREAS.

1. Schools which serve the urban populations should be located to conform with the intent of the adopted Urban Growth Policies.

2. Schools should be located to avoid serious distractions to study or classroom activity.

3. School sites should be developed with parks and recreation areas whenever possible to allow joint acquisition and joint use of both school and recreation facilities.

4. Each school should be located to provide the best possible access to the student population served.

a. Elementary Schools

(1) Should be located in the center of existing or future residential neighborhoods within safe and reasonable walking distance of as many students as possible.

(2) Should be located in such a way that their attendance areas will be bounded, rather than intersected, by barriers presenting obstacles or dangers to children walking to and from school. Such barriers include major streets and highways, railroads, waterways and heavy industrial areas.

(3) Should, whenever possible, be on residential streets which provide sufficient access for buses and other necessary traffic but have a minimum of nonschool related vehicle activity.

b. Secondary Schools

(1) Should have adequate, safe and direct access from the community's principal street network.

(2) Should be in locations which are geographically central to the population served.

III. POLICIES FOR THE LOCATION AND DEVELOPMENT OF SCHOOLS IN THE RURAL AREAS

1. Schools should be located to provide the best possible access to the student population.

2. Schools should be built to serve only the projected rural population.

3. Schools should be located to avoid serious distractions to study or classroom activity.

4. Schools should be located near but not adjacent to the counties' major streets.



RECREATION

Coupled with increased leisure time, mobility, income and population is a definite need by governmental and private interests to provide additional facilities and preserve open space for the enjoyment of the inhabitants of the area.

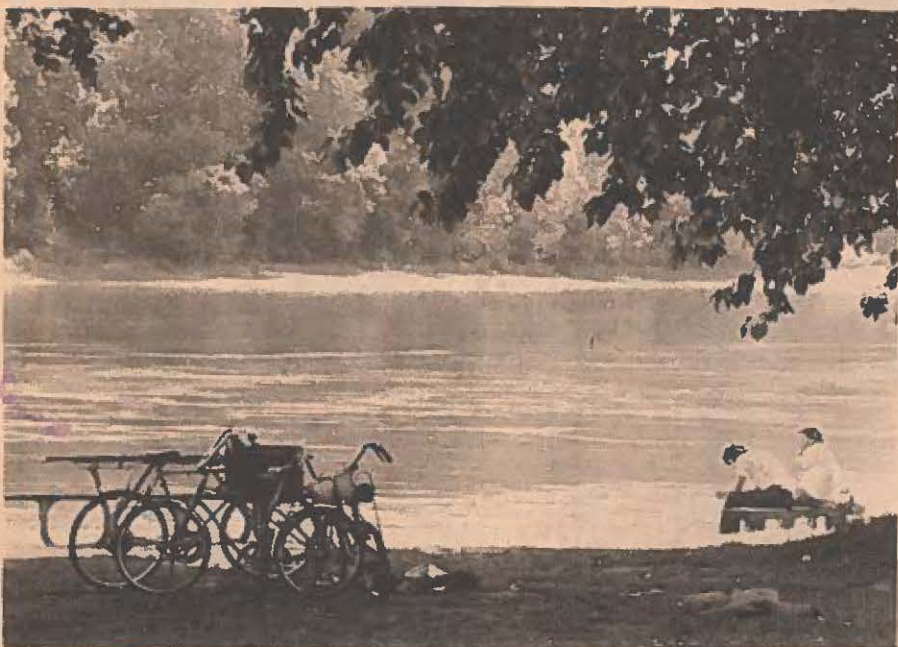
The Willamette River Greenway Plan proposes acquisition of some riverfront property in Polk County and regulation of activities occurring within the boundaries of the Greenway. The Spring Valley, Eola Hills, Greenwood, Independence-Monmouth Peripheral and South Polk land use plan maps indicate Polk County's greenway boundary as proposed for acceptance to the LCDC.

Implementation of the Greenway Plan is to be the responsibility of the affected jurisdictions through local comprehensive plans. Until

such time as the county's proposed boundaries as delimited in Exhibit "B" of this Ordinance and implementation policies have been accepted by the State, LCDRC proposes to require that counties and cities enact interim measures establishing permit procedures for regulating and controlling any intensification of activity within the Greenway boundaries established by the State. At such time as the Greenway Goal has been complied with, the local implementation measures would take full affect and the State controls would lapse.

The County, therefore, shall support the interim policies established by the LCDRC for protection of the Greenway and shall adopt the implementation procedures as required.

The Regional Parks Plan is also under consideration at the present time and is being updated. When finally adopted, those elements pertinent to Polk County shall be amended into this Plan for implementation.



Sewer and Water

Adequate water for domestic use and stock watering is needed throughout much of the county for both the current and future needs of the farmers and rural residents. With water, this land has additional demands for use other than farm land or idle brush and scrub lands. Care shall be exercised to retain farmland for future agricultural activities.

Rural development with proper soils for septic tank development shall be encouraged on lands of limited agricultural potential. Creation or extension of sewer and water services to lands that are outside of urban growth boundaries shall be made only after public hearings have been held, the problems have been carefully evaluated, and an affirmative decision rendered by the County Board. Municipal sewer and water services shall be restricted to the municipality's corporate limits, except as provided in subsection (4) of page 3.

Transmission lines and Pipelines

As future needs for these energy sources increase, additional facilities may be required. Right-of-way acquisition should be coordinated with and reviewed by the county so as to minimize adverse impacts on the community. Specifically, such facilities shall:

- 1) Utilize or parallel existing utility, rail or highway rights-of-way.
- 2) Minimize impacts on land owners by paralleling property boundaries wherever possible.
- 3) Minimize impact on crops and field drain tile installations.
- 4) Recognize and respect accepted farming practices in the affected areas for preservation and replacement of topsoil and to minimize erosion potential



- 5) Prevent the creation of unuseable parcels in and adjacent to urban areas.
- 6) Consider utilization of parts of rights-of-way for bicycle paths or other multiple uses where conditions warrant and conflicts would not be created with adjacent land uses.

TRANSPORTATION

The Land Use Plan Maps designate a functional classification system for highways in the county. (Contact the Planning Department for information)

Airports

Polk County is not served by scheduled commercial passenger or freight air service. It is anticipated that Salem and Portland airports will continue to provide this type of service to county residents over the next twenty years.

However, to ensure the future viability of all existing and potential airports and landing fields in the county, the following policies are recommended:

1. That development of heliports and private landing strips be allowed in industrial, farm and timber areas after public hearing.
2. That the county submit any development proposal that has the potential to interfere with the safe operation of aircraft of any existing airport or heliport to the State Aeronautics Division and the Federal Aviation Administration for comments.
3. That the county honor all height restrictions established by the Oregon Aeronautic Division and the Federal Aviation Agency which pertains to minimum standards for flight safety.
4. That the county, in conjunction with Independence, Monmouth and Dallas, offer aid in the development of protective zoning around the Independence and Dallas airports.

Rail Service

Existing rail facilities provide freight service to Polk County. Potential does exist, over the long range, for rapid rail passenger service to the Dallas-Salem-Independence areas.

It is therefore the recommendation of the plan that, during the interim period, rail rights-of-way be preserved and protected for possible future use. Where feasible, rights-of-way that have been abandoned may serve for trails and bikeways.

POLICY IMPLEMENTATION

Strong, responsible citizen input through active involvement in the planning process coupled with regulatory measures such as zoning and subdivision ordinances, building codes, etc. will ensure proper implementation of the policies set forth in the plan.

Because the plan serves as a long-range guide for developing the county's resources, it is intended to be broad and general in nature, thereby allowing for flexibility in its interpretation by the County. Further, recognizing the need to conform the implementing ordinances to the Plan, it is intended that it be accomplished over the time frame of the plan being careful not to exceed the intensity of development prescribed by the adopted policies.

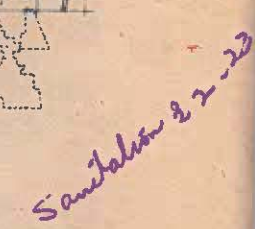
It should be realized, however, that as conditions that affect the county change, and as the needs and desires of its citizens change, it will be necessary to re-evaluate the basic policies and proposals in the plan and make whatever modifications are appropriate to the situation. This type of planning review shall be done systematically every three to five years (or whenever circumstances demand) and essentially would consist of replanning to new, long and short range, planning horizons. This will require that the county develop within its own ranks a basic understanding and capability to continue the process of planning the systematic management and use of all of its resources.

Non-conforming Pre-existing Uses

The existing use that any lot or parcel of record or building is put to at the time of adoption of the Comprehensive Plan and Map shall be allowed to continue as a pre-existing use, even though not in conformance with the plan for the area. + Non-contiguously owned parcels existing at the date of adoption of this Ordinance may be developed providing County Health Department and State Department of Environmental Quality sewage disposal requirements are complied with. Any expansion of those pre-existing activities beyond 10 per cent of the original floor area, or any other expansion of the use shall require the approval of the Planning Commission and the County Board after the holding of a public hearing. In the event of destruction of a pre-existing, nonconforming structure, the use may be rebuilt without the approval of the Planning Commission provided the rebuilt floor area does not exceed 110 per cent of the floor area of the original structure. In the event a nonconforming, pre-existing use is abandoned for a consecutive period of 12 months, the new use shall comply with the General Land Use Plan and the uses permitted by the zone affecting the property.

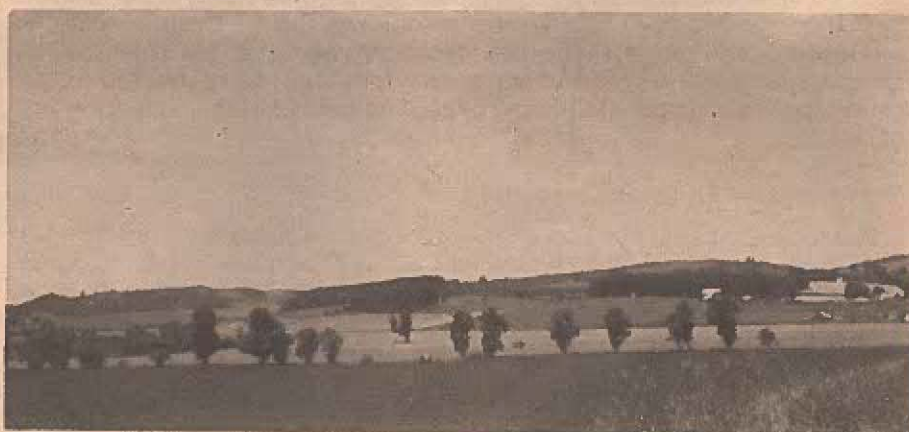
+ Contiguous is defined as property held in the same name not divided by a railroad, roadway or river.

Last Week
End of July
27-



-
- 1 0 1 2 3
- SCALE IN MILES
- NORTH

Due to complex problems relating to contemporary and future development, people must be concerned with the necessity of developing an up to date comprehensive land-use plan. The Plan must be responsive to the issues of environmental concern, economic and population growth factors as well as reflect community needs and desires.



303

at Tarpayers - Rock Creek ^{III}
Rock Creek II Septis situation
Property Taxes goes on

BULK RATE
U.S. POSTAGE
PAID
Dallas, Or.
Permit No. 122

The ultimate purpose of the planning program is to establish a system of sound information, public goals, criteria, standards, policy guidelines and organizational structure that will enable the people to systematically manage the development of their lands and waters so that the future use of these resources will preserve or enhance the rural environment and will be beneficial to all interests, both public and private.

Soil class 1 2 3 4 - at must
be designated farm use -

5 OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

GOAL: To conserve open space and protect natural and scenic resources.

Programs shall be provided that will: (1) insure open space, (2) protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character. The location, quality and quantity of the following resources shall be inventoried:

- Land needed or desirable for open space;
- Mineral and aggregate resources;
- Energy sources;
- Fish and wildlife areas and habitats;
- Ecologically and scientifically significant natural areas, including desert areas;
- Outstanding scenic views and sites;
- Water areas, wetlands, watersheds and ground-water resources;
- Wilderness areas;
- Historic areas, sites, structures and objects;
- Cultural areas;
- Potential and approved Oregon recreation trails;
- Potential and approved federal wild and scenic waterways and state scenic waterways.

Where no conflicting uses for such resources have been identified, such resources shall be managed so as to preserve their original character. Where conflicting uses have been identified the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

Cultural Area -- refers to an area characterized by evidence of an ethnic, religious or social group with distinctive traits, beliefs and social forms.

Historic Areas -- are lands with sites, structures and objects that have local, regional, statewide or national historical significance.

Natural Area -- includes land and water that has substantially retained its natural character and land and water that, although altered in character, is important as habitats for plant, animal or marine life, for the study of its natural historical, scientific or paleontological features, or for the appreciation of its natural features.

Open Space -- consists of lands used for agricultural

or forest uses, and any land area that would, if preserved and continued in its present use:

- Conserve and enhance natural or scenic resources;
- Protect air or streams or water supply;
- Promote conservation of soils, wetlands, beaches or tidal marshes;
- Conserve landscaped areas, such as public or private golf courses, that reduce air pollution and enhance the value of abutting or neighboring property;
- Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- Promote orderly urban development.

Scenic Areas -- are lands that are valued for their aesthetic appearance.

Wilderness Areas -- are areas where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. It is an area of undeveloped land retaining its primeval character and influence, without permanent improvement or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) may also contain ecological, geological, or other features of scientific, educational, scenic or historic value.

GUIDELINES:

A. Planning:

- The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.
- Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.
- Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.
- Plans providing for open space, scenic and historic areas and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

5. The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.

6. In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.

7. As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans should not provide for the reclassification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710 (23).

B. Implementation:

- Development should be planned and directed so as to conserve the needed amount of open space.
- The conservation of both renewable and non-renewable natural resources and physical limitations of the land should be used as the basis for determining the quantity, quality, location, rate and type of growth in the planning area.
- The efficient consumption of energy should be considered when utilizing natural resources.
- Fish and wildlife areas and habitats should be protected and managed in accordance with the Oregon Wildlife Commission's fish and wildlife management plans.
- Stream flow and water levels should be protected and managed at a level adequate for fish, wildlife, pollution abatement, recreation, aesthetics and agriculture.
- Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory Committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological and recreational needs for significant natural areas.
- Local, regional and state governments should be encouraged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this goal.
- State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.
- Areas identified as having non-renewable mineral and aggregate resources should be planned for interim, transitional and "second use" utilization as well as for the primary use.

6 AIR, WATER AND LAND RESOURCES QUALITY

GOAL: To maintain and improve the quality of the air, water and land resources of the state.

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Waste and Process Discharges -- refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards.

GUIDELINES:

A. Planning:

- Plans should designate alternative areas suitable for use in controlling pollution including but not limited to waste water treatment plants, solid waste disposal sites and sludge disposal sites.
- Plans should designate areas for urban and rural residential use only where approval sewage disposal alternatives have been clearly identified in such plans.
- Plans should buffer and separate those land uses which create or lead to conflicting requirements and impacts upon the air, water and land resources.
- Plans which provide for the maintenance and improvement of air, land and water resources of the planning area should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
- All plans and programs affecting waste and process discharges should be coordinated within the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan.
- Plans of state agencies before they are adopted, should be coordinated with and reviewed by local agencies with respect to the impact of these plans

on the air, water and land resources in the planning area.

7. In all air quality maintenance areas, plans should be based on applicable state rules for reducing indirect pollution and be sufficiently comprehensive to include major transportation, industrial, institutional, commercial, recreational and governmental developments and facilities.

B. Implementation:

- Plans should take into account methods and devices for implementing this goal, including but not limited to the following: (1) tax incentives and disincentives, (2) land use controls and ordinances, (3) multiple-use and joint development practices, (4) capital facility programming, (5) fee and less-than-fee acquisition techniques, and (6) enforcement of local health and safety ordinances.
- A management program that details the respective implementation roles and responsibilities for carrying out this goal in the planning area should be established in the comprehensive plan.
- Programs should manage land conservation and development activities in a manner that accurately reflects the community's desires for a quality environment and a health economy and is consistent with state environmental quality statutes, rules, standards and implementation plan.

7 AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

GOAL: To protect life and property from natural disasters and hazards.

Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safeguards. Plans shall be based on an inventory of known areas of natural disaster and hazard.

Areas of Natural Disasters and Hazards -- are areas that are subject to natural events that are known to result in death or endanger the works of man, such as stream flooding, ocean flooding, ground water, erosion and deposition, landslides, earthquakes, weak foundation soils and other hazards unique to local or regional areas.

GUIDELINES:

A. Planning:

- Areas subject to natural hazards should be evaluated as to the degree of hazard present. Proposed developments should be keyed to the

degree of hazard and to the limitations on use imposed by such hazard in the planning areas.

- In planning for flood plain areas, uses that will not require protection through dams, dikes and levies should be preferred over uses that will require such protection.
- Low density and open space uses that are least subject to loss of life or property damage such as open storage, forestry, agriculture and recreation should be preferred in floodplains, especially the floodway portion. The floodway portion should be given special attention to avoid development that is likely to cause an impediment to the flow of floodwaters.
- Plans taking into account known areas of natural disasters and hazards should consider as major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
- Planning for known areas of natural disasters and hazards should include an evaluation of the beneficial impact on natural resources and the environment from letting such events naturally reoccur.

B. Implementation:

- Cities and counties not already eligible should qualify for inclusion in the National Flood Insurance Program, provided under the National Flood Insurance Act of 1968 (Public Law 90-448). The Act requires that development in flood-prone areas be appropriate to the probability of flood damage, and the danger to human life. The Flood Disaster Protection Act of 1973 (P.L. 93-234) and other pertinent federal and state programs should be considered. The United States Department of Housing and Urban Development should identify all flood and mud-slide prone cities and counties in Oregon, and priority should be given to the completion of flood rate maps for such areas.
- When locating developments in areas of known natural hazards, the density or intensity of the development should be limited by the degree of the natural hazard.
- When regulatory programs and engineering projects are being considered, the impacts of each should be considered.
- Natural hazards that could result from developments, such as runoff from paving and soil slippage due to weak foundations, should be considered, evaluated and

RECREATIONAL NEEDS

GOAL: To satisfy the recreational needs of the citizens of the state and visitors.

The requirements for meeting such needs, now and in the future shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise, (2) in appropriate proportions and (3) in such quantity, quality and location as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

Recreation Areas, Facilities and Opportunities -- provide for human development and enrichment, and include but are not limited to; open space and scenic landscapes; recreational lands; history, archeology and natural science resources; scenic roads and travelways, sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities.

Recreation Needs -- refers to existing and future demand by citizens and visitors for recreation areas, facilities and opportunities.

GUIDELINES:

A. Planning:

1. An inventory of recreation needs in the planning

area should be made based upon adequate research and analysis of public wants and desires.

2. An inventory of recreation opportunities should be made based upon adequate research and analysis of the resources in the planning area which are available to meet recreation needs.
3. Recreation land use to meet recreational needs and development standards, roles and responsibilities should be developed by all agencies in coordination with each other and with the private interests. Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.
4. The planning for lands and resources capable of accommodating multiple uses should include provision for appropriate recreation opportunities.
5. The STATE COMPREHENSIVE OUTDOOR RECREATION PLAN could be used as a guide when planning, acquiring and developing recreation resources, areas and facilities.
6. When developing recreation plans, energy consequences should be considered, and to the greatest extent possible non-motorized types of recreational activities should be preferred over motorized activities.
7. Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that (a) meet recreational needs requirements for high density population centers, (b) meet recreational needs of persons of limited mobility and finances, (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation

of persons to the facility or area and in the recreational use itself, (d) minimize environmental deterioration, (e) are available to the public at nominal cost, and (f) meet needs of visitors to the state.

8. Unique areas or resources capable of meeting one or more specific recreational needs requirements should be inventoried and protected or acquired.
9. All state and federal agencies developing recreation plans should allow for review of recreation plans by affected local agencies.
10. Comprehensive plans should be designed to give a higher priority to enhancing recreation opportunities on the public waters and shorelands of the state especially on existing and potential state and federal wild and scenic waterways and Oregon Recreation Trails.
11. Plans which provide for satisfying the recreation needs of persons in the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Plans should take into account various techniques in addition to fee acquisition such as easements, cluster developments, preferential assessments, development rights acquisition, subdivision park land dedication which benefits the subdivision, and similar techniques to meet recreation requirements through tax policies, land leases, and similar programs.

ECONOMY OF THE STATE

GOAL: To diversify and improve the economy of the state.

Both state and federal economic plans and policies shall be coordinated by the state with local and regional needs. Plans and policies shall contribute to a stable and healthy economy in all regions of the state. Plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability; labor market factors; transportation; current market forces; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Economic growth and activity in accordance with such plans shall be encouraged in areas that have underutilized human and natural resource capabilities and want increased growth and activity. Alternative sites suitable for economic growth and expansion shall be designated in such plans.

Diversify -- refers to increasing the variety, type, scale and location of business, industrial and commercial activities.

Improve the Economy of the State -- refers to a beneficial change in those business, industrial and commercial activities which generate employment, products and services consistent with the availability of long term human and natural resources.

Areas Which Have Underutilized Human and Natural Resource Capabilities -- refer to cities, counties or regions which are characterized by chronic unemployment or a narrow economic base, but have the capacity and resources to support additional economic activity.

GUIDELINES:

A. Planning:

1. A principal determinant in planning for major industrial and commercial developments should be the comparative advantage of the region within which the developments would be located. Comparative advantage industries are those economic activities which represent the most efficient use of resources, relative to other geographic areas.
2. The economic development projections and the comprehensive plan which is drawn from the projections should take into account the availability of the necessary natural resources to support the expanded industrial development and associated populations. The plan should also take into account the social, environmental, energy and economic impacts upon the resident population.
3. Plans should designate the type and level of

public facilities and services appropriate to support the degree of economic development being proposed.

4. Plans should strongly emphasize the expansion of and increased productivity from existing industries and firms as a means to strengthen local and regional economic development.,
 5. Plans directed toward diversification and improvement of the economy of the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
- B. Implementation:**
1. Plans should take into account methods and devices for overcoming certain regional conditions and deficiencies for implementing this goal, including but not limited to (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) preferential assessments; (4) capital improvement programming; and (5) fee and less-than-fee acquisition techniques.
 2. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those private and governmental bodies which operate in the planning area and have interests in carrying out this goal and in supporting and coordinating regional and local economic plans and programs.

HOUSING

GOAL: To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Buildable Lands -- refers to lands in urban and urbanizable areas that are suitable, available and necessary for residential use.

Household -- refers to one or more persons occupying a single housing unit.

GUIDELINES:

A. Planning:

- [illegible]

and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.

2. Plans should be developed in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.
3. Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.
4. Plans providing for housing needs should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.
2. Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the

dwelling of individuals who cannot on their own afford to meet such codes.

3. Decisions on housing development proposals should be expedited when such proposals are in accordance with zoning ordinances and with provisions of comprehensive plans.
4. Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.
5. Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local health and safety costs; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

11 PUBLIC FACILITIES AND SERVICES

GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served. A provision for key facilities shall be included in each plan. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

A Timely, Orderly and Efficient Arrangement -- refers to a system or plan that coordinates the type, location and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

Rural Facilities and Services -- refers to facilities and services which the governing body determines to be suitable and appropriate solely for the needs of rural use.

Urban Facilities and Services -- refers to key facilities and to appropriate types and levels of at least the following: police protection; fire protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.

GUIDELINES:

A. Planning:

1. Plans providing for public facilities and services should be coordinated with plans for designation or urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.
2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.
3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.
4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.
5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.
6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.
7. Plans providing for public facilities and services should consider as a major determinant and carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for

by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Capital improvement programs, and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.
2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.
3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.
4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.
5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

12 TRANSPORTATION

GOAL: To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Transportation -- refers to the movement of people and goods.

Transportation Facility -- refers to one or more transportation facilities that are planned, developed, operated and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas.

Mass Transit -- refers to any form of passenger transportation which carries members of the public on a regular and continuing basis.

Transportation Disadvantaged -- refers to those individuals who have difficulty in

obtaining transportation because of their age, income, physical or mental disability.

GUIDELINES:

A. Planning:

1. All current area-wide transportation studies and plans should be revised in coordination with local and regional comprehensive plans and submitted to local and regional agencies for review and approval.
2. Transportation systems, to the fullest extent possible, should be planned to utilize existing facilities and rights-of-way within the state provided that such use is not inconsistent with the environmental, energy, land-use, economic or social policies of the state.
3. No major transportation facility should be planned or developed outside urban boundaries on Class I and II agricultural land, as defined by the U. S. Soil Conservation Service unless no feasible alternative exists.
4. Major transportation facilities should avoid dividing existing economic farm units and urban social units unless no feasible alternative exists.
5. Population densities and peak hour travel patterns of existing and planned developments should be considered in the choice of transportation modes for trips taken by persons. While high density developments with concentrated trip origins and destinations should be designed to be principally served by mass transit, low-density developments with dispersed origins and destinations should be principally served by the auto.
6. Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation

and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. The number and location of major transportation facilities should conform to applicable state or local land use plans and policies designed to direct urban expansion to areas identified as necessary and suitable for urban development. The planning and development of transportation facilities in rural areas should discourage urban growth while providing transportation service necessary to sustain rural and recreational uses in those areas so designated in the comprehensive plan.
2. Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems and (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities.
3. Lands adjacent to major mass transit stations, freeway interchanges, and other major air, land and water terminals should be managed and controlled so as to be consistent with and supportive of the land use and development patterns identified in the comprehensive plan of the jurisdiction within which the facilities are located.
4. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

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ENERGY CONSERVATION

GOAL: To conserve energy.

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

GUIDELINES:

A. Planning:

1. Priority consideration in land use planning should be given to methods of analysis and implementation measures that will assure achievement of maximum efficiency in energy utilization.
2. The allocation of land and uses per-

mitted on the land should seek to minimize the depletion of non-renewable sources of energy.

3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.
4. Land use planning should, to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency.
5. Plans directed toward energy conservation within the planning area should consider as a major determinant the existing and potential capacity of the renewable energy sources to yield useful energy output. Renewable energy sources include water, sunshine, wind, geothermal heat and municipal, forest and farm waste. Whenever possible, land conservation and

development actions provided for under such plans should utilize renewable energy sources.

B. Implementation

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
 - a. Lot size, dimension and siting controls;
 - b. Building height, bulk and surface area;
 - c. Density of uses, particularly those which relate to housing densities;
 - d. Availability of light, wind and air;
 - e. Compatibility of and competition between competing land use activities; and
 - f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

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URBANIZATION

GOAL: To provide for an orderly and efficient transition from rural to urban land use.

Urban growth boundaries shall be established to identify and separate urbanizable land from rural land.

Establishment and change of the boundaries shall be based upon consideration of the following factors:

- (1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDDC goals;
- (2) Need for housing, employment opportunities, and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

The results of the above considerations shall be included in the comprehensive plan. In the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable land from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning goals (Goal 2) for goal exceptions.

Any urban growth boundary established prior to January 1, 1975 which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Establishment and change of the boundaries shall be a cooperative process between a city and the county or counties that surround it.

Land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses. Conversion of urbanizable land to urban uses shall be based on consideration of:

- (1) Orderly, economic provision for public facilities and services;
- (2) Availability of sufficient land for the various uses to insure choices in the market place;
- (3) LCDDC goals; and,
- (4) Encouragement of development within urban areas before conversion of urbanizable areas.

GUIDELINES:

A. Planning:

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area, (2) population needs (by the year 2000), (3) the carrying capacity of the planning area, and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels.
3. Plans providing for the transition from rural to urban land use should take into

consideration as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation Related:

1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.
2. The type, design, phasing and location of major public transportation facilities (i.e., all modes: air, marine, rail, mass transit, highways, bicycle and pedestrian) and improvements thereto are factors which should be utilized to support urban expansion into urbanizable areas and restrict it from rural areas.
3. Financial incentives should be provided to assist in maintaining the use and character of lands adjacent to urbanizable areas.
4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.
5. Additional methods and devices for guiding urban land use should include but not be limited to the following: (1) tax incentives and disincentives; (2) multiple use and joint development practices; (3) fee and less-than-fee acquisition techniques; and (4) capital improvement programming.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.