14425 N.W. Springville Road
Portland, Oregon 97229

DEPT OF
OCT 08 2010
LAND CONSERVATION
AND DEVELOPMENT
4:45 L Smith

October 6, 2010

HAND DELIVERED

Land Conservation and Development Commission
635 Capital Street, N.E.
Suite 150
Salem, OR 97301

RE: Urban and Rural Reserves

We would like to formally file a written exception to the Department of Land Conservation and Development Report on Objections to Portland Metro Area Urban and Rural Reserve Designations for the "L"-shaped portion of land in the southwestern portion of Rural Reserve 9B.

While staff suggests that Multnomah County considered the required factors in designating this area as a Rural Reserve, it is highly improbable that a political boundary (The Multnomah County line) also forms a natural boundary between land that contains "significant landscape features" and land that does not. We don't believe that political jurisdictions were meant to be a factor for consideration in this process. This strikes us as an egregious violation of the guidelines established by SB1011.

As we have stated previously, we believe the process was highly political, and since the County could not justify it's decision for preserving "conflicted" agricultural land, it justified it's decision by declaring the area to have "medium to high suitability for providing long-term protection of important natural landscape features". In fact, most of the properties in this "L" shaped area have very few unique landscape features, and there is a large amount of horse pasture and other barren land.

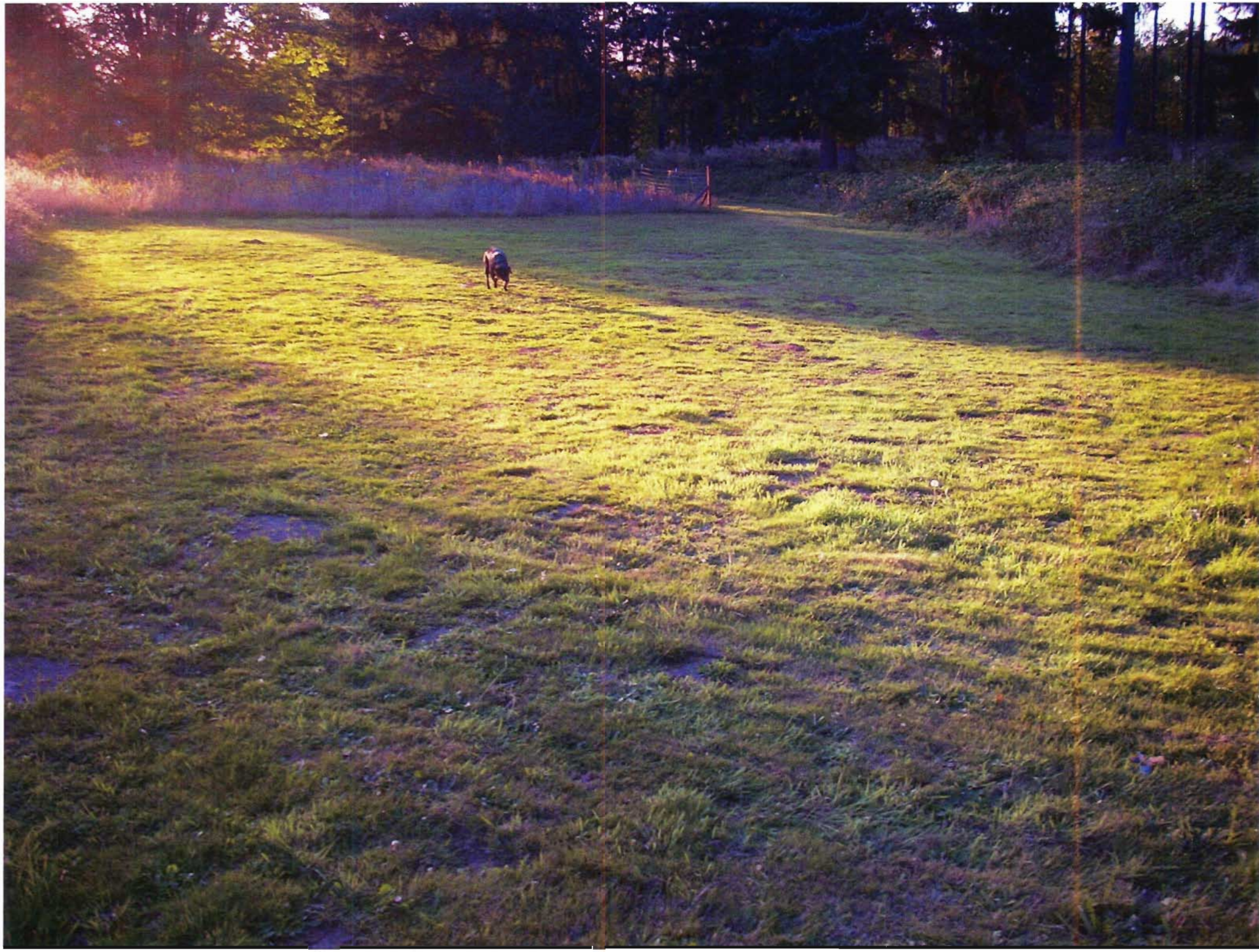
Our property is a case in point. An engineer has previously determined that approximately 65% of our property would be developable, even after allowing generous set-backs for the creeks on the property. There is a large, barren horse pasture, and almost none of the remaining timber is harvestable.

So, now the Metro region is about to urbanize thousands of acres of prime, foundation agricultural land in other areas, and preserve for 50 years this "conflicted" agricultural land (that has been deemed suitable for urbanization by many governmental bodies) simply because it is on the eastern side of the Washington County/Multnomah County line. Is this result really what the Legislature envisioned in 1973 when it enacted legislation making Oregon the first state in the United States to adopt statewide land-use planning? Was this result envisioned when Metro was created in 1978 to govern land-use planning in a unified fashion for the three metropolitan counties? Does this result equitably allocate the benefits and burdens of land-use planning envisioned in 2009 by ORS 197.010(2)(a)? We don't think so.

Likewise, we don't believe that the Urban and Rural Reserve designations have achieved the balance that the Legislature intended. Instead, a largely disproportionate amount of land has been set aside for Rural Reserves.

In all, we believe that there are a number of legal issues raised by this process, and we strongly urge you to remand this decision to Multnomah County. Thank you for your consideration.

Sincerely,

Hank Skade

Dorothy Partlow