

Title: Exception to DLCD's Ruling of My 'Objection' with Respect to the Lower Springville Area of Multnomah County as Invalid

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Date: October 6, 2010

Although I have participated in the Reserves process, including attending all meetings of the Multnomah County Citizen's Advisory Committee on Reserves after March 2009, all meetings of the Multnomah County Planning Commission and the Multnomah Commissioners during which the Reserves recommendations were considered as well as many of the Washington County meetings, I am very much an amateur when it comes to the LCDC part of the process. I apologize for my amateurism here, but, feel compelled to carry on with trying to participate to help consolidate the right outcome with respect to the Lower Springville area.

It appears that I made an amateur mistake by not explicitly stating a remedy. I believe my remedy is implicit in my Objection, but I will try to state it here. As you will see, it is a little complicated:

My 'objection' is that it is clear from the record that Lower Springville does not meet the factors for Urban Reserves and that, if you consider not accepting the current designation based on the arguments in quite a few filed objections from the advocates of designating it as Urban Reserves, please use my objection to assist you making an informed decision.

My remedy is that you not consider changing the designation without considering both sides.

First, I am not at all sure that the above remedy meets the letter of the 'rules' that are in effect for the LCDC part of this process. Again, I am an amateur here. After reviewing the DLCD report, it appears to me that if I had properly stated my objection, that DLCD might have rejected my Objection under the category of No Objection.

I believe there is a potential weakness with the rules in effect as I understand them.

Let me describe the specific situation here in order to explicate the 'weakness'.

A set of landowners in Lower Springville formed a coalition to try to get their land into Urban Reserves and into the UGB. They contracted with a consultant with many contacts within the Multnomah and Metro planning organization. The consultant came up with a plausible sounding plan called the West Forest Park Concept. This involved a complex combination of Lower Springville and land closer to Forest Park that might allow both sets of land to be developed while preserving and improving various stream and habitat areas. The consultant advocated one-on-one with the planners. He got them intrigued about this global plan. Those planners 'voted' to consider both Lower Springville and the nearby lands as Urban Reserves or Undesignated. These votes occurred before the Multnomah Citizen's Advisory Committee (CAC) met and considered any issues with respect to the area.

The consultant was permitted to present the concept to the CAC. Initially, a fair number of members of the CAC were intrigued and in a preliminary vote listed the area as possible for Urban Reserve. Subsequently, people familiar with the area, including myself, presented arguments about flaws in the plan and various reasons why both the larger area and Lower Springville should not be Urban Reserves and should be Rural Reserves, based on both sets of the factors and even larger issues.

Once they had reviewed the arguments over a series of meetings, everyone on the CAC, except for those who had a clear financial interest, voted to designate all of the area as Rural Reserve. This included one member who strongly advocated for the West Forest Park Plan, but was brought around by the preponderance of the facts.

It appears that technically only advocates can file an objection to the decision actually made. They have proven to be adept at 'selling' their idea when there are no counter-arguments.

Although I believe the decision here is not close if the decision is made based only on the Factors, I am concerned that in a less clear case, the advocates could sway the commission if the 'other side' is not allowed to speak. I am also concerned given the effectiveness that the advocates have shown in the past.

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I attempted to bring together, in one place, the arguments, from the public record, against what the advocates might try to sell, to assist the commission in making a more informed decision. A key issue may be is that much of the presentations in the record concerned both Lower Springville and the area closer to Forest Park. My material collects much of the latest parts of the public record that evaluate the factors for Lower Springville while assuming the rest of the area is designated Rural Reserves.

I would like the opportunity to request that LCDC accept my objection as valid and the information as useful for the upcoming meeting.

Again, I am not sure what happens next with this, but I think it means that I request to appear during the Section 2 of the hearing on Tuesday afternoon September 19, 2010 to request that my Objections

Thank you



Joe Rayhawk

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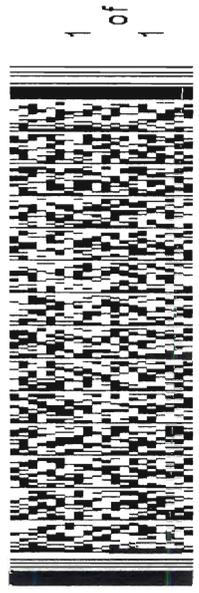
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