

July 2, 2010

Urban and Rural Reserves Specialist  
Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301



Dear URR Specialist and County Representatives:

As an Oregonian over the past 62 years, I have been a businessman, investor and protector of Oregon's natural resources, specifically its forestland, and more specifically on the west side of Portland in Washington, Yamhill and Multnomah counties. This long-time combined role gives me a global perspective as I, too, work hard to maintain the beauty of Portland yet recognizing growth and realities.

It is with serious reservation that all these years of conservation and protection may be completely nullified if the Multnomah County Commissioners and/or State of Oregon vote to universally impose sanctions against the very property I am both preserving for Portland residents and maintaining options for those same city residents as I have been as the land owner for the best interests of all. It is not selfish, developmental purposes that I have but it is becoming ever-impossible to preserve this for the benefit of the very people who stand to lose this to surrounding timber companies. Historically, Portland has tried to reach certain goals by making incorrect proposals to get there (see SB 100 from 1972 and Measures 37 & 49) and they stand to repeat the history that went bad before.

I appreciate the opportunity to be able to register my objections to the rural reserve designations and submit the following three points as required by your recent letter:

1. My wife and I attended the meeting in October, 2009, where we officially registered our complaint and concern over this blanket designation of western timberland of Multnomah Co. My concerns were well stated by previous speakers at that meeting, so I was in attendance and prepared to speak but chose to allow time for different views to be addressed.
2. My concerns are endless, but best summarized in three categories, the global determination without addressing the smaller best-use possibilities; imposing such designations for such a long period of time, some 50 years; and the loss of my basic inalienable rights as a US citizen.
  - a. The people of Portland will lose both the timber beauty and the right to make decisions in the best interest of each specific area if global designations are imposed, best stated as the "careful what you wish for" mistake which none of us want (see SB 100 from 1972 and Measures 37 & 49). This specific piece was recently designated by Retired State Forester Jay Worley representing Multnomah County as the land with "most potential" between Portland and Astoria! I am sure other local landowners in this same area share the same pride in carefully treating our investments in a community of very conservation-minded and careful-growth oriented residents.

- b. Fifty years is too long. To imagine there being 10 years remaining on a restriction imposed in 1969, or to only being able to revisit a designation now, that was put in place the year I graduated from Oregon State in 1959 is incomprehensible to me. With the advancements, studies and extensive tools available to Oregonians now, it would be a huge disservice to everyone involved to impose a sanction, such as this, for 50 years.
- c. The specific laws I refer to stem from the basic American rights of US citizens. Amendment 14 of the US Constitution assures me, as a citizen, the following:

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

and from from the Oregon Constitution, Article I of the Bill of Rights states:

**Section 18. Private property or services taken for public use.** Private property shall not be taken for public use nor the particular services of any man be demanded without just compensation; nor except in the case of the state without such compensation first assessed and tendered; provided that the use of all roads ways and waterways necessary to promote the transportation of the raw products of mine or farm or forest or water for beneficial use or drainage is necessary to the development and welfare of the state and is declared a public use. [Const. of 1859; Amendment proposed by S.J.R. 17 1919 and adopted by the people 5/21/1920; Amendment proposed by S.J.R. 8 1923, adopted by the people 11/4/1924]

and further laws by Oregon, counties or DLCD cannot supersede those stated above.

3. The solution is simple when the people of Portland realize that those representing them, the Commissioners of Multnomah County, are using tremendous foresight to rise above global designations imposed by the State of Oregon and closely protect the very land I have been protecting for many years. Multnomah County merits special consideration because they are no way near the needs of other counties.

Simply do not remove the rights I purchased with my investment without more specifically reviewing all the parameters of what that might mean. The extent of damages I am happy to submit but will be far beyond the scope of this letter with consequences that radiate beyond this forested area and long after the 50 year plan! (See SB 100 from 1972 and Measures 37 & 49)

It is with this careful planning and preservation balanced with the same cautious growth that Portland was just announced as the #1 Most Patriotic City just this morning on NWCN network! Honors such as this did not come with hap-hazard, random regulations and I beg you to consider the full ramifications of what the Rural Reserves Designation would mean. Knowing this property as intimate as any study can get, I can guarantee that this ruling will NOT give the desired results.

From this, we all stand to lose! Oregon must continue to protect the landowners and investors who **do** have there very best interests at heart and in a more intense nature than they would ever realize.

Please do not limit the community values I have been trying to promote for the citizens of Oregon and look at what this global determination stands to do. I could go on with so many reasons, specific actions, and examples for the point #2 above, and **it all comes down to us working against each other for the very same goal.**

I thank you for your time and I am honestly reassured that I have concisely yet completely stated the massive concerns I have with what this general categorization means to those who share my same goals! I would welcome the chance to speak or supply additional information or whatever is needed to further my case to the benefit of all.

Respectfully,



Arthur Dummer

cc: Chuck Beasley, Multnomah County, 1600 SE 190<sup>th</sup> Avenue, Portland, OR 97233  
Maggie Dickerson, Clackamas County, 150 Beaver Creek Rd, Oregon City, OR 97045  
Steve Kelley, Washington County, 155 N First Ave., Suite 350-14, Hillsboro, OR 97124  
Laura Dawson Bodner, Metro Regional Government, 600 NE Grand Ave., Ptd, OR 97232

DLCD Notice of

Adoption of Metro Urban Reserve Areas

(See second page for submittal requirements)

Arthur Dummer  
Prop ID R326348  
State ID: 3N2W36100

Metro: Ordinance No. 10-1238A Adoption Date-Metro: 06-03-10  
(Must be filled in) (Must be filled in)

Jurisdiction County: Clack Co Ord. No. ZDO-233 Adoption Date-County: 05-27-10  
(Must be filled in) (Must be filled in)

Jurisdiction County: Mult Co Ord. No. 2010-1161 Adoption Date-County: 05-13-10  
(Must be filled in) (Must be filled in)

Jurisdiction County: Wash Co Ord. No. 733 Adoption Date-County: 06-15-10  
(Must be filled in) (Must be filled in)

Local File No: None Date adoption notice mailed: 06-23-10  
(If no number, use none) (Must be filled in)

Has this URA Adoption previously been submitted to DLCD? Yes  No  Date: \_\_\_\_\_

ORS 197.145 been addressed? Yes  No

OAR 660-21-0040 been addressed? Yes  No

OAR 6660-021-0050 been addressed? Yes  No

Statewide Goal 14 been addressed? Yes  No

Other Applicable Statewide Goals: Yes  No  Goal No: 1-15

Briefly summarize the adoption designating the Urban Reserve Area or Areas:

Location: Clackamas, Multnomah and Washington Counties Acres Involved: 28,615

Applicable Statewide Planning Goals: 1-15

Was an exception adopted? Yes  No  Briefly describe:

Local Contact: Laura Dawson-Bodner Phone Number: 503-813-7577

Address: Metro Regional Government, 600 NE Grand Ave City: Portland OR

Email: laura.dawson-bodner@oregonmetro.gov Zip Code + 4: 97232

DO NOT WRITE IN THIS SPACE

DLCD No.: \_\_\_\_\_ DLCD 120-Day Action Date: \_\_\_\_\_ DLCD Referral Date: \_\_\_\_\_

Appeal Rec'd Date: \_\_\_\_\_ 21-Day Object Mail Date: \_\_\_\_\_ LCDC 90-Day Action Date: \_\_\_\_\_

DLCD Notification of LCDC Meeting Date: \_\_\_\_\_ Extension of LCDC 90-Day action Date: \_\_\_\_\_

AA Dummer  
56860 NW Schmidt Hill  
Forest Gales Creek, OR 97117

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JUL 06 2010  
LAND CONSERVATION  
AND DEVELOPMENT

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