

MORROW COUNTY BOARD OF COMMISSIONERS MEETING AGENDA

Wednesday, February 20, 2019 at 9:00 a.m.

Port of Morrow Riverfront Center, Wells Springs Room

2 Marine Drive, Boardman, Oregon

1. **Call to Order and Pledge of Allegiance: 9:00 a.m.**
2. **City/Citizen Comments:** Individuals may address the Board on issues not on the agenda
3. **Open Agenda:** The Board may introduce subjects not already on the agenda
4. **Consent Calendar**
 - a. Accounts Payable dated February 21st; Three Payroll Payables - \$187,846.53, Feb. 4th ; \$166,586.18, Feb. 12th; and Employee Final, \$1,491.93, Feb. 1st
 - b. Minutes: January 16th
 - c. Request to Surplus Vehicles – Sheriff’s Office
5. **Legislative Updates**
6. **Business Items**
 - a. Compensation Update (Karmen Carlson, Human Resources Director)
 - b. Second Reading & Adoption, ORD-2019-2 – Columbia Mill Site Rezone (Carla McLane, Planning Director)
 - c. Draft comment letter on the Preliminary Request for Amendment #4 for Wheatridge (Carla McLane)
 - d. Olson Road Discussion (Darrell Green, Administrator)
 - e. Proposed replacement of Homestead Canal Bridge in partnership with Columbia Improvement District (Matt Scrivner, Public Works Director)
7. **Department Reports** (None Scheduled)
8. **Correspondence**
9. **Commissioner Reports**
10. **Sign documents**
11. **Adjournment**

Agendas are available every Friday on our website (www.co.morrow.or.us/boc under “Upcoming Events”). Meeting Packets are also available the following Monday.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Roberta Lutcher at (541) 676-5613.

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Board may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media. The Board may recess for lunch depending on the anticipated length of the meeting and the topics on the agenda. If you have anything that needs to be on the agenda, please notify the Board office before noon of the preceding Friday. If something urgent comes up after this publication deadline, please notify the office as soon as possible. If you have any questions about items listed on the agenda, please contact Darrell J. Green, County Administrator at (541) 676-2529.

**Morrow County Board of Commissioners Meeting Minutes
January 16, 2019
Port of Morrow Riverfront Center
Boardman, Oregon**

Present

Chair Jim Doherty

Commissioner Melissa Lindsay

Commissioner Don Russell

Darrell Green, Administrator

Kate Knop, Finance Director

Karmen Carlson, Human Resources Director

Richard Tovey, County Counsel

Roberta Lutcher, Executive Assistant

Call to Order & Pledge of Allegiance: 9:00 a.m.**City & Citizen Comments:** No comments**Open Agenda:** No items**Consent Calendar**

Commissioner Lindsay requested to remove the Accounts Payable.

Commissioner Lindsay moved to approve the following items in the Consent Calendar:

1. *Minutes: December 19, 2018*
2. *Interagency Collaboration Agreements between Umatilla-Morrow Head Start/WIC Program and Morrow County Health Department – Heppner Clinic & Boardman Clinic; to be reviewed annually by WIC Manager and Health Department Representative; and authorize Chair Doherty to sign on behalf of the County.*

*Commissioner Russell seconded. Unanimous approval.*Accounts Payable

Commissioner Lindsay had questions concerning the last payment for the audit and that the presentation to the Board by Barnett & Moro will take place after it's been submitted to the state and Internal Revenue Service. Finance Director Kate Knop said she received the final audit and, following past and best practice, submitted it to the state and IRS according to required deadlines, where it received approval by both. However, due to scheduling, the presentation to the Board could not take place until next week, she said. Commissioner Lindsay asked that in the future the presentation to the Board take place before the submittals to the state and IRS.

Commissioner Lindsay moved to approve the Accounts Payable, dated January 17th in the amount of \$97,191.97; and the Manual Check Run, dated January 11th in the amount of \$24,200. Commissioner Russell seconded. Unanimous approval.

Greater Eastern Oregon Development Corporation Update & Equity Loan Fund Update

Susan Christensen, Executive Director

Ms. Christensen explained Loan Officer Christina Smith was scheduled to attend today but circumstances prevented her doing so. She went on to discuss the following:

- The current balance on the seven Equity Fund loans is \$393,649. All loans are current with no issues.
- Requested to revisit the agreement between GEODC and the County, which currently has an annual fee of \$2,000 and two-percent of the annual balance. She proposed raising the annual fee to \$5,000 and two-and-a-half percent of the annual balance. It was decided Commissioner Lindsay and Mr. Green will discuss this further with Ms. Christensen, and bring it back to the Board for discussion.
- There is a loan program available to those with low to moderate incomes for home repairs, particularly regarding health and safety. Available to loan: \$94,886.
- In an effort to complete a five-year update to its strategic plan, GEODC has been meeting with economic development groups in the County to determine projects of interest to the communities so they can be ranked and added to the strategic plan. An application for state or federal funding is often times given more credibility if the project is listed in the strategic plan. Commissioner Lindsay and Mr. Green will meet with Ms. Christensen to discuss this in greater detail and report back to the Board.
- GEODC is partnering with Northeast Oregon Water Association to assist with the Basalt Banking Project using Business Oregon funding. A series of educational meetings will take place.

Business Items

Finley Buttes Fee Increase Request & Fee Increase on Certain Materials at Transfer Station Scale Houses

Kevin Green, District Manager, Finley Buttes Landfill Company

Kevin Green explained, according to contract, annual fee increases/decreases to the License Fee Fund and the (Bombing Range) Road Fund have been linked to the Consumer Price Index for Urban Wage Earners and Clerical Workers (1967=100) for the Portland, Oregon Standard Metropolitan Statistical Area (SMSA). However, that particular index is only published on an annual basis, not semi-annual, so he requested to switch to the Consumer Price Index for Urban Wage Earners and Clerical Workers West Region All Items (1982-84=100). Discussion.

Kevin Green’s letter outlined the increase, if approved:

Prior to November 1, 2018:

- License Fee - \$2.224/ton
- Road Fund - \$0.533/ton

As of November 1, 2018 (3.5%)

- License Fee - \$2.302/ton
- Road Fund - \$0.551/ton

Commissioner Russell moved to approve the fee increase using the CPI for Urban Wage Earners and Clerical Workers West Region All Items (1982-84=100), retroactive to November 1, 2018 as follows: License Fee - \$2.302/ton; Road Fund - \$0.551/ton; as well as the fee increase of .07¢ per ton on certain materials at the scale house. Commissioner Lindsay seconded. Unanimous approval.

Signing Authority for Office of Developmental Disabilities Services 2019-2021

Intergovernmental Agreement

Commissioner Russell moved to designate the Administrator as primary signer and the Board Chair as secondary signer of the Office of Developmental Disabilities Services 2019-2021 Intergovernmental Agreement. Commissioner Lindsay seconded. Unanimous approval.

Design-Build Request for Proposals (RFP) Consultant

Darrell Green, Administrator

Mr. Green requested to bring in Robynne T. Parkinson, via video conference, as a resource for the County's Design-Build RFP for the Irrigon Building. Her fee would be \$325/hour, and it may take two hours, said Mr. Green. Discussion.

Commissioner Russell moved to direct the Administrator to set up a video conference with Robynne Parkinson for a Design-Build education and training Work Session. Commissioner Lindsay seconded. Unanimous approval.

Road Committee Appointment

Matt Scrivner, Public Works Director

Mr. Scrivner said the following positions on the Road Committee remain vacant: Boardman – Alternate, Irrigon – Alternate, North County – Alternate, and North County At Large – Alternate. He said Luke Maynard expressed interest in the North County At Large – Alternate position.

Commissioner Russell moved to appoint Luke Maynard to the North County At Large – Alternate position on the Road Committee; term to be January 16, 2019 through January 16, 2022. Commissioner Lindsay seconded. Unanimous approval.

Appoint Commissioner and Alternate to the Eastern Oregon Jobs Council

Commissioner Russell moved to appoint Commissioner Lindsay as the primary representative and Chair Doherty as the alternate to the Eastern Oregon Jobs Council. Chair Doherty seconded. Unanimous approval.

Department Reports

The Loop Quarterly Report

Anita Pranger, Coordinator

A few points of discussion from Ms. Pranger's report included:

- Stokes Landing Senior Center Committee in Irrigon updated the lease agreement for the bus barn, increasing it from \$600 per year to \$1,800. Commissioner Lindsay said this is another example of long-standing contracts that need to be reviewed on a more frequent basis.
- Ridership numbers decreased statewide, perhaps due in Morrow County to a shortage of drivers.
- Governor Kate Brown's budget reduced the Special Transportation Fund by 40%. The actual budget will not be known until June.

Juvenile Department Quarterly Report

Tom Meier, Juvenile Director

Mr. Meier said the Referral to Services statistic for the 2018-19 second quarter (October-December 2018) was on pace to equal as high a rate as 2011-12. During the second quarter, 42 kids generated 72 Referrals to Services, while those numbers for 2011-12 were 96 kids and 123 referrals. Mr. Meier also provided an overview of a recent meeting with the Umatilla/Morrow County Trial Court Administrator, Roy Blaine, Commissioner Lindsay, Mr. Green, Deputy District Attorney Richard Tovey and incoming Circuit Court Judge Rob Collins who will be handling juvenile cases for Morrow County. Mr. Meier said it was an opportunity to convey Morrow County's philosophy regarding juveniles and how it is similar and differs from Umatilla County's. He said Mr. Tovey had an important message when he asked that Morrow County be given an even playing field and be allowed to make its cases. Discussion.

Emergency Management Quarterly Report

Administrative Lieutenant Melissa Ross

The report compiled by Undersheriff John Bowles was reviewed.

Correspondence

- Official Notice of Business Closure and that Lost Valley Farm will be conducting staged layoffs

Commissioner Reports

- Commissioner Russell discussed a meeting he will attend today at 1:00 p.m. with Mr. Scrivner and representatives from Vadata regarding the Olson Road interchange area near Boardman. He explained Bureau of Reclamation land could impact the construction timeline.
- Commissioner Lindsay provided updates on the Fair Board meeting and the ICABO (Ione community Agri-Business Organization) meeting.
- Chair Doherty discussed activity related to the Association of Oregon Counties and a land use bill coming forward for eastern Oregon counties.

Signing of documents, followed by 11:00 break

11:10 a.m. Executive Session: Pursuant to ORS 192.660(2)(i) – To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing

Closed Executive Session

After reconvening in open session, the Board expressed the following general evaluation of Administrator Green:

“The Board of Commissioners collectively agrees that the performance for the inaugural year of Administrator Green be reflected as appropriately satisfactory and trending positively. Given the

complexity of the position, Mr. Green's understanding of the role and function are developing. His pursuit of advancing the policies and projects of the County, as well as his more structured administrative responsibilities are as desired, at this juncture. The Board felt Administrator Green showed proper clarity and introspection in his self-assessment where he noted his strengths and imperfections, the Board mirrored in its assessment.

Time, experience and scheduled collegial courses set the best plan for expedited advancement. Of note were two strengths recognized by both the Board and Administrator Green – namely his upbeat interpersonal skills and “never miss a meeting” commitment to the cause. Both attributes recognized as positive. It was cautioned, however, that structured “downtime” is healthier for the extended outlook of the job and is necessary at times to be assertive and effective.

The Board of Commissioners looks forward to a supported and unified vision with Mr. Green for 2019.”

Adjourned: 12:15 p.m.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

TAG #	VIN#	LIC#	YEAR	MAKE	MODEL	COLOR
1 BWK	2C3CDXA49H639740	375BWK	2009	DODGE	CHARGER	BROWN
2 917	2C3CDXKTZEH288401	E261917	2014	DODGE	CHARGER	WHITE
3 312	2C3CDXKT2EH288404	E264312	2014	DODGE	DURANGO	WHITE
4 885	2C3CDXAT7DH660352	E256885	2013	DODGE	CHARGER	WHITE
5 079	1FMJU1G53BEF04589	E267079	2011	FORD	EXPEDITION	BLACK
6 615	1D8HB38PX9F714181	E245615	2009	DODGE	DURANGO	SILVER

2. FISCAL IMPACT:

These are surplus vehicles and my recommendation is to sale them at state surplus.

3. SUGGESTED ACTION(S)/MOTION(S):

Move to:

Grant permission to Undersheriff Bowles to surplus the listed vehicles and transport them to Salem to be sold.

OR:

Advise where you want these vehicles to go.

Attach additional background documentation as needed.

MORROW COUNTY SHERIFF'S OFFICE SURPLUS VEHICLE

Ready as of February 2019

2009 Dodge Charger

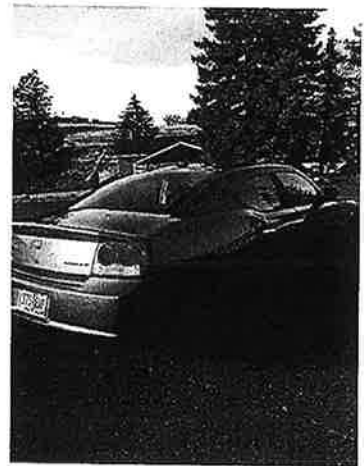
Oregon license #375BWK

VIN number 2C3CDXA49H639740

135,167 miles

Scratches on left doors paint deep

Interior in very good condition



MORROW COUNTY SHERIFF'S OFFICE SURPLUS VEHICLE

Ready as of February 2019

2014 Dodge Charger

Oregon license E261917

VIN number 2C3CDXKTZEH288401

91,561 miles

Minor damage right front corner

Interior in very good condition



MORROW COUNTY SHERIFF'S OFFICE SURPLUS VEHICLE

Ready as of February 2019

2014 Dodge Charger

Oregon license E264312

VIN number 2C3CDXKT2EH288404

White 4 door

114,109 miles

Body and interior in very good condition



MORROW COUNTY SHERIFF'S OFFICE SURPLUS VEHICLE

Ready as of February 2019

2013 Dodge Charger

Oregon license E256885

VIN number 2C3CDXAT7DH660352

104,346 miles

Body and interior in very good condition



MORROW COUNTY SHERIFF'S OFFICE SURPLUS VEHICLE

Ready as of February 2019

2011 Ford Expedition

Oregon license E267079

VIN number 1FMJU1G53BEF04589

115,325 miles

Body and interior in very good condition





AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
6a

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Staff Contact: Karmen Carlson
Department: Human Resources

Phone Number (Ext): 5620
Requested Agenda Date: 2/20/2019

Short Title of Agenda Item: Compensation Conversation
(No acronyms please)

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time:
Purchase Pre-Authorization
Other

N/A
Purchase Pre-Authorizations, Contracts & Agreements
Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Department Head Required for all BOC meetings
Admin. Officer/BOC Office Required for all BOC meetings
County Counsel *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Karmen Carlson email signature 2/19/2019 Human Resources *If appropriate

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

A conversation for the board to advise on what information they will want from Human Resources when the discussion on March 6th occurs regarding Elected Compensation Recommendations from the Compensation Committee as well as the decision as to a COLA for Management and Supervisors.

At the BOC on March 6th, I will be bringing information on Total compensation costs for Management employees and elected officials based on a 2%, a 2.5% and a 3% COLA for 19/20 as well as the Compensation Committee's recommendations from the February 12th, 2019 meeting.

Today I am asking if you have any other items of information that would be valuable in that discussion so that I may prepare it.

Next week I will be at a CIS Convention and will be gathering information from our CIS Team.

2. FISCAL IMPACT:

None at this time

3. SUGGESTED ACTION(S)/MOTION(S):

Conversation to discuss the March 6th, 2019 BOC Agenda Item and what information would be helpful to the Board.

Attach additional background documentation as needed.



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
 (Page 1 of 2)

(For BOC Use)
 Item #
 46

Please complete for each agenda item submitted for consideration by the Board of Commissioners
 (See notations at bottom of form)

Staff Contact: Carla McLane

Phone Number (Ext): 541-922-4624

Department: Planning

Requested Agenda Date: 02-20-2019

Short Title of Agenda Item: **Port of Morrow Columbia Mill Site Rezone**
 (No acronyms please) **Adopting Ordinance 2nd Reading (ORD-2019-2)**

This Item Involves: (Check all that apply for this meeting.)

- | | |
|--------------------------------------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Order or Resolution | <input type="checkbox"/> Appointments |
| <input checked="" type="checkbox"/> Ordinance/Public Hearing: | <input type="checkbox"/> Update on Project/Committee |
| <input type="checkbox"/> 1st Reading <input checked="" type="checkbox"/> 2nd Reading | <input type="checkbox"/> Consent Agenda Eligible |
| <input type="checkbox"/> Public Comment Anticipated: | <input type="checkbox"/> Discussion & Action |
| Estimated Time: | Estimated Time: |
| <input type="checkbox"/> Document Recording Required | <input type="checkbox"/> Purchase Pre-Authorization |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Other |

N/A Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
 Contractor/Entity Address:
 Effective Dates – From: Through:
 Total Contract Amount: Budget Line:
 Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Carla McLane	02112019	Department Head	Required for all BOC meetings
	2/19/19	Admin. Officer/BOC Office	Required for all BOC meetings
Rich Tovey (via email)	02062019	County Counsel	*Required for all legal documents
		Finance Office	*Required for all contracts; other items as appropriate.
		Human Resources	*If appropriate

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Based on the outcome of the Public Hearing that was held on January 3 and continued to January 9, the item before you is the 2nd Reading of the Adopting Ordinance.

2. FISCAL IMPACT:

There is no direct fiscal impact based on this action.

3. SUGGESTED ACTION(S)/MOTION(S):

After the 2nd Reading the motion would be,
"I move approval of Ordinance Number ORD-2019-2 amending the Morrow County Comprehensive Plan taking an Exception to Goals 3, 11 and 14, changing the Comprehensive Plan designation from Agricultural to Industrial, changing the Zoning Map from Resource Related Industrial to Port Industrial, and authorizing this to be effective on April 1, 2019."

Attach additional background documentation as needed.

**BEFORE THE BOARD OF COMMISSIONERS
FOR MORROW COUNTY, OREGON**

AN ORDINANCE AMENDING THE MORROW)	Ordinance Number
COUNTY COMPREHENSIVE PLAN TAKING AN)	ORD-2019-2
EXCEPTION TO GOALS 3, 11 AND 14, CHANGING THE)	
COMPREHENSIVE PLAN DESIGNATION FROM)	
AGRICULTURAL TO INDUSTRIAL, AND CHANGING)	
THE ZONING MAP FROM RESOURCE RELATED)	
INDUSTRIAL TO PORT INDUSTRIAL)	

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the County over matters of County concern; and

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan which was first acknowledged by the Land Conservation and Development Commission on January 15, 1986, with the Economic Element update acknowledged in May 2016; and

WHEREAS, the Morrow County Planning Department received an application for exceptions to Goals 3, 11 and 14, to change the Comprehensive Plan designation from Agricultural to Industrial, and to change the zoning map from Resource Related Industrial to Port Industrial, utilizing Oregon Revised Statute (ORS) 197.719 pertaining to industrial use of abandoned and diminished mill sites; and

WHEREAS, the Morrow County Planning Commission held a public hearing on Tuesday, December 4, 2018, at the Port of Morrow Riverfront Center in Boardman, Oregon, to consider the request; and

WHEREAS, the Morrow County Planning Commission received testimony in favor of the application, and after discussion, recommended approval of the request to the Morrow County Board of Commissioners. In doing so, the Morrow County Planning Commission adopted the Final Findings of Fact recommending approval of the Exceptions to Goals 3, 11 and 14, the change in Comprehensive Plan designation from Agricultural to Industrial, and the change in zoning from Resource Related Industrial to Port Industrial; and

WHEREAS, the Morrow County Board of Commissioners held a public hearing to consider the Exceptions to Goals 3, 11 and 14, the change in Comprehensive Plan designation from Agricultural to Industrial, and the request to rezone the subject property from Resource Related Industrial to Port Industrial that came to the Board of Commissioners with a 'do adopt' recommendation from the Morrow County Planning Commission on January 3, 2019, at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Board of Commissioners continued the public hearing to Wednesday, January 9, 2019, to further consider the request; and

WHEREAS, the Morrow County Board of Commissioners received testimony in favor of the request; and

WHEREAS, the Morrow County Board of Commissioners accepted the Planning Commission recommendation, determined the effective date to be April 1, 2019, and approved the request in a 2-1 vote.

NOW THEREFORE BE IT ORDAINED THAT THE MORROW COUNTY BOARD OF COMMISSIONERS AMENDS THE MORROW COUNTY COMPREHENSIVE PLAN URBANIZATION ELEMENT TO REFLECT APPROVAL OF EXCEPTIONS TO GOALS 3, 11 AND 14, A CHANGE IN COMPREHENSIVE PLAN DESIGNATION FROM AGRICULTURAL TO INDUSTRIAL, AND A CHANGE IN ZONING FROM RESOURCE RELATED INDUSTRIAL TO PORT INDUSTRIAL ON AN APPROXIMATELY 48 ACRE PARCEL.

Section 1 Title of Ordinance:

This Ordinance shall be known, and may be cited, as the "2019 Columbia Mill Site Rezone."

Section 2 Affected and Attached Documents:

The Morrow County Comprehensive Plan Urbanization Element is amended to include information about this Exception to Goals 3, 11 and 14 and reflect the change in Comprehensive Plan designation from Agricultural to Industrial (Exhibit A). The Morrow County Zoning Map is changed from Resource Related Industrial to Port Industrial (Exhibit B).

Section 3 Effective Date:

The Morrow County Board of Commissioners does declare the effective date of this adoption to be April 1, 2019, to allow the Port Industrial use zone to be in place timely after the full closure of the Columbia Mill Site in accordance with ORS 197.719 in March 2019.

This ordinance shall be effective on April 1, 2019

Date of First Reading: February 6, 2019
Date of Second Reading: February 20, 2019

ADOPTED BY THE MORROW COUNTY BOARD OF COMMISSIONERS THIS 20TH DAY OF FEBRUARY 2019.

**BOARD OF COMMISSIONERS OF
MORROW COUNTY, OREGON**

Jim Doherty, Chair

Melissa Lindsay, Commissioner

Don Russell, Commissioner

Approve as to Form:

Morrow County Counsel

Application to Amend the Morrow County Comprehensive
Map and Zoning Map Implementing ORS 197.719
Authorizing Local Counties to Re-Zone Abandoned or
Diminished Wood-Product Mill Sites to Industrial, with
Supporting Findings of Fact and Statement of Reasons

Map #4N 26E

Tax Lot # 3420

Current Zoning: Resource Related Industrial (RRI)

Proposed Zoning: Port Industrial (PI)

Applicant: Port of Morrow
C/O Ryan Neal, General Manager
P.O. Box 200
2 Marine Drive
Boardman, Oregon 97812

Owner: Upper Columbia Mill, LLC
1618 SW 1st Avenue, Suite 500
Portland, Oregon 97201

I. Introduction.

Applicant Port of Morrow (the Port) requests Morrow County approval of this application to amend the Morrow County Comprehensive Plan and Zoning Map to convert approximately a 48.6-acre parcel encompassing a soon to be abandoned mill site, the "Upper Columbia Mill," currently zoned Resource Related Industrial (RRI) to industrial land zoned Port Industrial (PI).

The 48.6 acres identified for conversion from Resource Related Industrial to Port Industrial use abuts the west side of Pole Line Road and is located approximately 3 miles south of the intersection of Pole Line Road and the County Frontage Road and Interstate 84. See attachment 1 for the vicinity map showing the subject property.

The plan and zoning amendments to convert agricultural land to industrial land to allow port-related industrial use generally require exceptions to Statewide Planning Goals 3 (Agricultural Lands), 11 (Public Facilities and Services) and 14 (Urbanization). These exceptions extend to those Morrow County Comprehensive Plan policies and land use regulations adopted pursuant to those goals which would otherwise prohibit authorizing port-related industrial uses on the subject property or otherwise function to frustrate the purpose of this exception. As defined in ORS 197.732, an "exception" is a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan, that: (1) is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability; (2) does not comply with some or all goal requirements applicable to the subject properties or situations; and (3) complies with the standards for goal exceptions.

In 2003, ORS 197.719 was codified which allows "the governing body of a county [to] amend the county's comprehensive plan and land use regulations to allow an abandoned or diminished mills site to be zoned for any level of industrial use."¹ ORS 197.719 explicitly states that a local governing body can utilize the justification provided within ORS 197.719 notwithstanding statewide planning goals protecting agricultural lands (Planning Goal 3) or forest lands, or goals pertaining to urbanization (Planning Goal 14) or public facilities and service (Planning Goal 11).

Under Oregon Administrative Rules (OAR) 660-004-0015(1), a local government approving an exception must adopt, as part of its comprehensive plan, findings of fact that demonstrate that the standards for an exception have been met. While the normal exception standards contained within ORS 197.732 are not required for this rezone request, findings of fact are still necessary for Morrow County to document compliance with ORS 197.719 and compliance with statewide planning goals, the Morrow County Comprehensive Plan & Development Code regarding this Post Acknowledgement Plan Amendment Process to codify a zone change from resource related industrial to Port Industrial **This document has been prepared to serve as findings of fact and a statement of reasons why ORS 197.719 applies to this zone change request. Should Morrow County approve this application, the Port asks that the County incorporate this document into its comprehensive plan as its findings of fact in support of the application.**

Because this is a zone change request utilizing the criteria for industrial use of abandoned or diminished mill sites, applicable criteria include those found in ORS 197.719 (1-7). Further, plan amendments must demonstrate compliance with the statewide planning goals and with applicable Morrow County comprehensive plan policies. The relevant goals and policies are addressed below.

¹ See Attachment 2 for full text of ORS 197.719

ii. Background.

The Upper Columbia Mill site encompasses a total of 48.6 acres and has been developed through a series of land use approvals since 2003².

Potlatch Corporation originally purchased the subject property and a very large tract of land to develop a hybrid poplar farm. In 2003 Potlatch obtained a Conditional Use Permit to establish a log merchandising and wood chip manufacturing facility on the subject parcel which at the time was a portion of a large, +/- 7,800 acre parcel of land. In 2005 Potlatch obtained a second Conditional Use Permit to add a chip manufacturing facility and log merchandizing facility on the subject property. Potlatch, at that time, also proposed to partition the wood manufacturing facility and associated land involved in the operation of the wood manufacturing facility away from the +/- 7,800 acre parcel zoned for Exclusive Farm Use. The actions were completed in 2006 which effectively created a parcel specifically created and sized to accommodate long-term wood manufacturing activities (Tax Lot 3420).

Between 2006 and 2007 Greenwood Resources and Upper Columbia Mill, LLC acquired the parcel from Potlatch and operated the mill until 2016 when the companies sold the poplar producing acreage to various other owners. Upper Columbia Mill, LLC notified Morrow County of their impending closure of the mill on July 21, 2016. The Port of Morrow and Upper Columbia Mill, LLC entered into a purchase option on the subject property contingent upon the ability of the Port to convert the abandoned mill into Port Industrial zoning. This application followed.

² See attachment 3 to review a letter from Morrow County Planning Director Carla McLane to Don Rice of Greenwood Resources describing past land use permits issued on the subject property.

III. Compliance with ORS 197.719 (Industrial Use of Abandoned or Diminished Mill Sites)

197.719 Industrial use of abandoned or diminished mill sites; amendment of comprehensive plans and land use regulations; sewer facilities. (1) As used in this section, "abandoned or diminished mill site" means a mill, plant or other facility engaged in the processing or manufacturing of wood products, including sawmills and facilities for the production of plywood, veneer, hardboard, panel products, pulp and paper, that:

(a) Is located outside of urban growth boundaries;

The applicant has provided a vicinity map (attachment 1) documenting that the subject property is located outside of the urban growth boundaries of both the City of Boardman and the City of Irrigation. This criterion is met.

(b) Was closed after January 1, 1980, or has been operating at less than 25 percent of capacity since January 1, 2003; and

The Upper Columbia Mill officially notified Morrow County of its closure on July 21, 2016 which meets this criterion requiring that a mill be closed after January 1, 1980.

(c) Contains or contained permanent buildings used in the production or manufacturing of wood products.

The subject property contains multiple permanent buildings on site including a wood manufacturing building with attached office, a scale and scale house as well as associated outbuildings and storage buildings. All buildings located on-site were used in the production of wood products on site. The application meets this criterion.

(2) Notwithstanding statewide land use planning goals protecting agricultural lands or forestlands or administrative rules implementing those goals, the governing body of a county may amend the county's comprehensive plan and land use regulations to allow an abandoned or diminished mill site to be zoned for industrial use.

The applicant is requesting that the current mill site be converted from Resource Related Industrial to Port Industrial under the authorization provided above. The application meets this criterion.

(3) Notwithstanding a statewide land use planning goal relating to urbanization or administrative rules implementing that goal, the governing body of a county may amend the county's comprehensive plan and land use regulations to allow an abandoned or diminished mill site to be zoned for any level of industrial use.

Pursuant to this section the applicant is requesting a zone change from Resource Related Industrial to Port Industrial to allow for urban scale industrial uses consistent with other industrial zoned property owned by the Port of Morrow.

(4) Notwithstanding a statewide land use planning goal relating to public facilities and services or administrative rules implementing that goal, the governing body of a county or its designee may approve:

(a) The extension of sewer facilities to lands that on June 10, 2003, are zoned for industrial use and that contain an abandoned or diminished mill site. The sewer facilities may serve only industrial uses authorized for the mill site and contiguous lands zoned for industrial use.

This criterion is not applicable as the site was not zoned for industrial use on or before June 10, 2003. The applicant intends to develop water and sewer facilities to service the site consistent with the criteria in 4(b) below.

(b) The extension of sewer facilities to an abandoned or diminished mill site that is rezoned for industrial use under this section only as necessary to serve industrial uses authorized for the mill site.

The applicant has provided a facilities and service map showing existing and proposed water and sewer extensions to the proposed site (attachment 4) The map proves that the applicant intends to only provide for the extension of sewer service outside of existing urban growth boundaries to the abandoned mill site. This criterion is met.

(c) The establishment of on-site sewer facilities to serve an area that on June 10, 2003, is zoned for industrial use and that contains an abandoned or diminished mill site or to serve an abandoned or diminished mill site that is rezoned for industrial use under this section. The sewer facilities may serve only industrial uses authorized for the mill site and contiguous lands zoned for industrial use.

This criterion is not applicable as the site was not zoned for industrial use on June 10, 2003. Additionally, the applicant has already proven that their sewer plan meets 4(b) above.

(5)(a) A local government, as defined in ORS 174.116, may not authorize a connection to any portion of a sewer facility located between an urban growth boundary or the boundary of an unincorporated community and the boundary of the mill site or the industrial zone containing the mill site, except as provided under a statewide land use planning goal relating to public facilities and services or under ORS 197.732.

The applicant owns the sewer line and will ensure that no sewer connections between the abandoned mill site and any urban growth boundary or boundary of an unincorporated community are allowed unless compliance with ORS 197.732 is established.

(b) Sewer facilities approved under subsection (4) of this section shall be limited in size to meet the needs of authorized industrial uses and may not provide service to retail, commercial or residential development, except as provided under a statewide land use planning goal relating to public facilities and services or under ORS 197.732. The presence of the sewer

facilities may not be used to justify an exception to statewide land use planning goals protecting agricultural lands or forestlands or relating to urbanization.

The applicant agrees to this standard and supports any conditions Morrow County may need to add to ensure compliance with this criterion.

(6)(a) The governing body of a county or its designee shall determine the boundary of an abandoned or diminished mill site. For an abandoned or diminished mill site that is rezoned for industrial use under this section, land within the boundary of the mill site may include only those areas that were improved for the processing or manufacturing of wood products.

A land partition to pare the land encompassing the Upper Columbia Mill site away from a larger resource zone was approved by Morrow County in 2005 and legally completed and recorded in 2006³. As a condition of the approval of both the Conditional Use and Land Partition the parcel partitioned away from the resource parcel (Tax Lot #3420) was required to be no larger than necessary to accommodate the needs of the Upper Columbia Mill. The applicant is requesting a zone change on the Tax Lot #3420 which has already proven, via previous conditions of approval or previous land use request applications, that it includes only those areas that were improved for the processing or manufacturing of wood products. The application meets this criterion.

(b) For an abandoned or diminished mill site subject to subsection (2), (3) or (4) of this section, the governing body of a city or county or its designee may approve a permit, as defined in ORS 215.402 or 227.160, only for industrial development and accessory uses subordinate to such development on the mill site. The governing body or its designee may not approve a permit for retail, commercial or residential development on the mill site.

The applicant is proposing a zone change to Port Industrial which specifically limits commercial uses and is designed to be used as "an industrial sanctuary." In addition to the limitations on retail, commercial or residential development already guaranteed by imposition of the Port Industrial zone, the applicant agrees to any conditions deemed necessary by Morrow County to ensure current and future compliance with this criterion.

(7) For land that on June 10, 2003, is zoned under statewide land use planning goals protecting agricultural lands or forestlands and that is rezoned for industrial use under subsections (2) and (3) of this section, the governing body of the county or its designee may not later rezone the land for retail, commercial or other nonresource use, except as provided under the statewide land use planning goals or under ORS 197.732. [2003 c.252 §2; 2003 c.688 §3]

³ See attachment 3 describing all previous land use approvals and permits related to the Upper Columbia Mill site

The applicant agrees to any conditions or references by Morrow County which would ensure current and future compliance with this statutory requirement.

IV. Compliance with Statewide Planning Goals.

While ORS 197.719 enables the local governing body to utilize the criteria within ORS 197.719 in lieu of normally relevant exception standards, the statewide planning goals apply to all plan amendments and require findings documenting compliance. The goals identified below are the only goals applicable to the plan amendments requested in this application. Goals not identified do not apply.

A. Goal 1 (Citizen Involvement).

Goal 1 requires opportunity for citizens to be involved in all phases of the planning process. For plan amendments, Goal 1 is satisfied when a local government follows the public involvement procedures for plan amendments set out in its acknowledged comprehensive plan and land use regulations.

Morrow County's regulations for comprehensive plan amendments include notice to the public and to the Department of Land Conservation and Development (DLCD)⁴; public hearings before the Morrow County Planning Commission (which makes a recommendation to the County Court); and public hearings before the Morrow County Court. Compliance with these regulations results in compliance with Goal 1.

B. Goal 2 (Land Use Planning), Part I.

Goal 2, Part I requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. The proposed amendments' consistency with applicable provisions in Morrow County's Comprehensive Plan is demonstrated in Section V. below.

Goal 2, Part I also requires coordination with affected governments and agencies, and an adequate factual base. In preparing the application, the Port met with Morrow County's planning director and contacted representatives of both DLCD and the Oregon Department of Transportation (ODOT) through its 35 day notice requirement.

The process followed, findings and supporting documentation showing compliance with ORS 197.719 meet the requirement of Goal 2 Part I. For these reasons, Goal 2, Part I is met.

C. Goal 2 (Land Use Planning), Part II.

⁴ ORS 197.610 requires local governments to provide DLCD with notice of proposed comprehensive plan or land use regulation amendments.

Goal 2, Part II sets out the standards for goal exceptions. For urban uses and urban scale public facilities and services on rural lands, Goal 2 Part II is implemented through OAR 660, Division 4 and OAR 660-014-0040. Goal 2, Part II is not applicable due to the provisions within ORS 197.719. Therefore compliance with Goal 2, Part II is not applicable to this request.

D. Goal 3 (Agricultural Lands).

Goal 3 requires counties to preserve and maintain agricultural lands for farm uses. Counties must inventory agricultural lands and protect them by adopting exclusive farm use zones consistent with ORS 215.203 et. seq.

Goal 3 does not allow nonfarm uses like industrial development on lands zoned for exclusive farm use unless a local government adopts findings justifying an exception to Goal 3 or, as in this case, the development involves industrial use of abandoned or diminished mill sites consistent with the statutory requirements of ORS 197.719. Based upon ORS 197.719 the application is compliant with this statewide planning goal.

E. Goal 6 (Air, Water and Land Resources Quality).

Goal 6 addresses the quality of air, water and land resources. In the context of comprehensive plan amendments, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards.

Industrial uses at the new location may increase impervious surface, although by no more than could have occurred at the site when the mill was in operation. Where areas are paved, water cannot penetrate the soils so it rushes over the surface. This can increase erosion, increase the movement of fine sediments, and increase pollutant loads in watercourses. However, these impacts can adequately be mitigated using effective land-based stormwater treatment systems. The use of construction techniques that include temporary and permanent Best Management Practices for erosion and sediment control and spill control and prevention also can achieve compliance with clean water standards.

Noise is defined as unwanted sound. The uses authorized by the requested plan amendments should not create noise that differs from the types of industrially-related or agricultural noise already in the area. All noise related to uses authorized by the proposed Port Industrial zone will be of a nature that is consistent with the previous noise generated by wood processing and manufacturing on the subject property. Additionally, the site is located in an area of intense agricultural operations where activity and noise generation occurs

frequently and at all hours of the day and night. Therefore, any noise generated from re-development of the subject property should not cause any additional impacts to neighboring landowners or property uses.

F. Goal 9 (Economic Development).

Goal 9 requires local governments to adopt comprehensive plans and policies that "contribute to a stable and healthy economy in all regions of the state." Morrow County's comprehensive plan has been acknowledged to comply with Goal 9. The plan recognizes and encourages port-related industrial development on lands suitable for industrial development (Morrow County Economic Goal #4) and to expand job opportunities and reduce unemployment (Morrow County Economic Goal #2). Industrial development of an abandoned mill site should enable Morrow County to back fill lost jobs resulting from the closure of the mill as well as expand job opportunities for the work force.

In addition to Goal 9 compliance by Morrow County, The Oregon Department of Land Conservation and Development partnered with the Oregon Department of Environmental Quality, the Oregon Health Authority and Business Oregon to promote the reuse of Oregon mill sites. Attachment 5 includes a white paper documenting the coalition that supports the redevelopment of mill sites for rural economic development.

G. Goal 11 (Public Facilities and Services).

Goal 11 requires local governments to plan and develop a timely, orderly and efficient arrangement of public facilities and services. The goal provides that urban and rural development "be guided and supported by types and levels of services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served." The Public Facilities Planning Rule, OAR 660, Division 11, implements Goal 11.

ORS 197.719 allows the County to authorize urban level sewer services to the abandoned mill site as well as authorizes the applicant and county to enable services to be rendered to the site of a scale necessary to accommodate industrial development of the subject property. Based upon ORS 197.719 the application is compliant with Goal 11

H. Goal 12 (Transportation).

Goal 12 requires local governments to "provide and encourage a safe, convenient and economic transportation system." Goal 12 is implemented through the Transportation Planning Rule, OAR 660, Division 12. That rule encourages a multi-modal transportation system.

OAR 660-012-0060 provides that where a plan amendment would significantly affect an existing or planned transportation facility, measures must be taken to assure that the allowed land uses are consistent with the identified function, capacity and performance standards of the facility. The public access to the subject property is primarily through Pole Line road which is classified as a major collector road within the Morrow County Transportation System Plan. It would not appear that the zone change from Resource Related Industrial to Port Industrial would lead to a significant change in trip generation as the same amount of acreage (48.6 acres) will remain in an industrial zone that was found to be in compliance with Goal 12 during a zone change in 2007. Additionally, through the provisions codified within the Morrow County Zoning Ordinance and through a site development review process required by Morrow County of any future development requests, the County has the codified tools necessary to ensure both current and future compliance of this zone change request with Statewide Planning Goal 12.

I. Goal 13 (Energy Conservation).

Goal 13 directs cities and counties to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. The Oregon State Buildings Codes will ensure that any new industrial structures built on-site as a result of this zone change request meet the standards of Oregon for energy conservation.

J. Goal 14 (Urbanization).

As relevant to this application, Goal 14 prohibits urban uses on rural lands. Usually, to locate urban uses on rural lands, local governments either must expand their UGBs to include the subject property or take a Goal 14 exception setting forth reasons why urban development should be allowed on rural land and explaining why the urban use cannot reasonably be located inside the UGB. ORS 197.719 enables a local governing body to rezone an abandoned mill site to include urban uses on rural lands if they meet the requirements contained within that statute. Based upon the findings of fact above that the application meets the requirements of ORS 197.719 the normal procedures requiring findings to show justification for an exception to Statewide Planning Goal 14 are not relevant. Based upon the applications compliance with ORS 197.719 the application is also compliant with Statewide Planning Goal 14.

V. Compliance with Morrow County Comprehensive Plan and Land Use Regulations.

A. Compliance with Morrow County Comprehensive Plan.

The Morrow County Comprehensive Plan policies identified below are the policies that are relevant and applicable to the plan amendments identified in this application. No other policies apply. Some of the applicable policies contain

mandatory ("shall") language. The application must demonstrate compliance with these policies to gain approval. The remaining policies are either more aspirational or directory to the County or more general in nature, directing or encouraging or supporting an action or result rather than requiring that action or result. While it is appropriate to address these policies where relevant to this application, the policies do not in themselves constitute applicable review criteria upon which approval or denial is based.

1. Citizen Involvement.

The Citizen Involvement Goal is to develop and implement a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. Citizen Involvement Policy 3 encourages people to attend and participate in Morrow County Planning Commission and County Court meetings and hearings. The goal and policy are satisfied through the opportunities afforded to the public to participate at public hearings before the Planning Commission and County Court on the proposed amendments, as provided for by state law and the County's land use regulations.

2. General Land Use.

General Land Use Policy 9 requires that all plan and zone changes comply with all applicable statewide planning goals and County policies and procedures. This policy is satisfied for the reasons set out in the analysis of compliance with the statewide goals, the Morrow County Comprehensive Plan, and applicable County zoning provisions that are contained in this application.

3. Agricultural Lands.

Agricultural Land Objective 3 seeks to minimize and prevent conflict between farm and nonfarm uses. The proposed exceptions are consistent with this policy because, as demonstrated by their decades of co-existence, port-related industrial and agricultural uses are compatible. Indeed, Port industrial users provide effluent used by agriculture as irrigation water for crops.

Agricultural Land Policy 1 is an aspirational policy that seeks to balance economic and environmental considerations, limit incompatible nonagricultural development, and maintain a high level of livability in the County. While not a mandatory review criterion, this policy is met because this application seeks to rezone a parcel to Port Industrial that has already been developed to industrial uses with minimal to no conflict since 2003.

Agriculture Policy 2 permits development outside of urban growth boundaries only where conflicts with productive agricultural areas are minimal and where the development complies with the Comprehensive Plan. As described above, conflicts between port industrial and agricultural uses are minimal. Port industrial

development is consistent with the Comprehensive Plan, as reflected by the existence of a Port Industrial zone.

4. Economy.

Several Economic goals and policies apply to these proposed plan amendments. Most of these goals and policies are aspirational or directory to the County, rather than mandatory to an applicant.

Economic Goals 1 and 2 and Economic Policy 1 promote the improvement and diversification of the County's industrial potential and overall economy. Goal 5 seeks diversity in local businesses, industries and commercial activities and the promotion of economic growth and stability in Morrow County.

Economic Goal 3 seeks to ensure an adequate water supply to economic interests. For reasons set out in the findings of compliance with exceptions criteria, the Port has the capability to provide that supply. Economic Goal 6 and Policies 10 and 11 seek new industries that will hire local residents and accommodate the growth of the County labor force. Through this zone change, the Port wishes to provide economic and job opportunities to the lands, previously lost by the notice of the closure. One of the businesses that would have had to re-locate (owned by Nash Contracting) will be able to remain in business as a result this zone change as the business will be able to source materials from outside of the original boundaries of the farm operation. Currently that opportunity is precluded by the current zoning and would require the business to either cease operation or re-locate out of the area.

5. Public Facilities and Services.

Several Public Facilities and Services goals and policies apply to this application. These include General Policies A, B, C, D, E, F, G, and K; Utilities Policy F; Water and Sewer Policy A; and Solid Waste Policies A and B.

General Policy A provides for a level of service appropriate for, but limited to, the needs of the development to be served. General Policy B provides that such service levels support optimum (maximum density) development, and General Policy C provides that rural areas shall be provided with public facilities and services appropriate for rural use. General Policy A is met through the criterion included within ORS 197.719 allowing urban scale public facilities and services to serve urban uses of an abandoned mill site This includes extensions of public sewer and water to the area that originally encompassed the boundaries of the abandoned or diminished mill site. General Policy B is met because the services to be provided will be at levels developed to be in compliance with ORS 197.719(4)(b).

General Policy D requires that the provision of public facilities and services to rural areas being changed to urban use shall be based on (1) the least time required to provide the service; (2) the most reliable service; (3) lowest financial cost; and (4) adequate levels of service that satisfy long range needs. General Policy E calls for the coordinated development of all necessary urban facilities and services appropriate to an urban area. Because the existing industrial park already has adequate levels of facilities and services in the ground and available to serve existing and future development, such services can be extended to the subject site in the least amount of time and in the most reliable manner at lowest cost. Further, the Port can and will coordinate with local service providers, including the Boardman Rural Fire District, Century Telephone, Cascade Natural Gas, and local law enforcement officials, to provide those needed facilities and services that the Port is not providing.

General Policy F calls for the siting of utility lines and facilities on or adjacent to existing public or private right-of-way or through generally unproductive lands to avoid dividing existing farm units. Utility lines already serve the abandoned mill site. No other farm units would be divided by utility lines or facilities.

General Policy G requires that public facilities and services not exceed the carrying capacity of the air, land and water resources. The Boardman area is an area with very good air quality, with pollution concentrations far below the average ambient air quality standards for the state. Through compliance with DEQ air quality regulations for industries, high air quality standards can be maintained. Similarly, water quality can be maintained through the permitting process.

General Policy K is an aspirational policy that establishes a goal of achieving a maximum balance of public costs versus benefits and revenues in the provision of public facilities and services. While this policy is not a mandatory review criterion, it will be satisfied because industrial development locating at the abandoned mill site will contribute to the costs of the facilities and services they use.

Utilities Policy F calls for coordination of development with utilities providing electrical, natural gas, cable television and telephone services. The Port uses services provided by Umatilla Electric Cooperative, Cascade Natural Gas, and Century Telephone to serve the industrial park.

Water and Sewer Policy A provides that when development occurs in unincorporated areas, minimum State sanitation and health requirements be met, including an approved subsurface sewage disposal system. The Port has an approved community sewage system that can accommodate industrial development at the abandoned mill site. Solid Waste Policies A and B can be met by new industrial development using the same processes for which solid waste management occurs elsewhere on port owned lands.

6. Transportation.

The Comprehensive Plan contains transportation policies and objectives. Transportation goals and policies also are included in the 1998 Morrow County Transportation System Plan, addressed in Subsection B below. This section deals only with those policies contained in the Comprehensive Plan.

The applicable Transportation Policies are policies 6, 7, 9, 10, and 11. Policy 1 parrots LCDC Goal 12.

Transportation Policy 6 seeks to avoid dividing existing economic farm units unless no feasible alternative exists. Because goal exceptions are justified to convert existing farm land to industrial land, economic farm units won't be divided. No public roads will divide lands as internal road networks and a major collector road (Pole Line Road) currently exist.

Transportation Policy 7 provides that plans for transportation systems shall consider the carrying capacity of the air, land and water resources and be consistent with applicable Comprehensive Plan policies. The road system will not impact any water resources as the road system is already in existence with no major changes planned for Pole Line Road.

Policy 9 provides for Morrow County to consider transportation according to street classification policies in extending existing development or approving new development. The affected road is Pole Line Road, a major collector road. movement of freight by trucks from one portion of the region to another or from this region to other regions of the state will occur through an already classified major collector road of the County.

Policy 10 requires that road improvements necessitated by development be constructed in accordance with street classification policies and financed by the developer. Future improvements within the area to be added can and will be paid by the Port.

Policy 11 requires the County to limit development that would prevent streets from serving their identified functions. Pole Line Road is already classified as a major collector road. Changing the zoning of the subject property from Resource Related Industrial to Port Industrial will not result in any changes to the intended function of Pole Line Road.

7. Energy Conservation.

Energy Conservation Policies 1 and 14 are applicable to these proposed plan and land use regulation amendments. As with many other Comprehensive Plan policies identified herein, these policies are directory or aspirational in nature,

rather than mandatory to an applicant. While they are not standards upon which approval or denial is based, all development that would occur as a result of this zone change request would be required to meet Oregon State Building Code standards for energy conservation and therefore can meet the guidelines and recommendations of this chapter.

8. Urbanization.

The Urbanization element of the Morrow County Comprehensive Plan contains provisions to allow nonresource uses outside of urban growth boundaries. As this zone change is specifically allowed under ORS 197.719, ORS 197.719 can be used to justify that the subject property is one of the areas where non-resource use outside of urban areas is legally allowed.

9. Review and Revision Processes.

The Comprehensive Plan provides a process to consider major plan revisions. Major revisions include land use changes that have wide-spread and significant impacts beyond the immediate area, such as quantitative changes producing large traffic volumes and qualitative changes in the character of the land use itself. The Plan allows for amendments when such revisions occur.

The Comprehensive Plan establishes standards for biennial review of the Comprehensive Plan. Because these amendments are Port-initiated rather than County-initiated, they fall more into the category of quasi-judicial amendments rather than legislative amendments, and the standards for biennial review do not apply. Still, this application is generally consistent with those standards, as its review will include public notice, opportunity for public review and comment, review and recommendation by the Planning Commission, and review and decision-making by the County Court.

The Comprehensive Plan element addressing plan review and revision also contains language requiring that the plan and its implementing regulations be evaluated in relation to changing public policies and circumstances. Because this provision is directory to the County and appears in the context of a discussion calling for periodic plan review and update, it is not a mandatory approval standard applicable to landowner-initiated quasi-judicial amendments.

B. Compliance with Morrow County Transportation System Plan.

The Morrow County Transportation System Plan (TSP) is an element of the County's Comprehensive Plan that Morrow County adopted pursuant to LCDC's Transportation Planning Rule, OAR 660, Division 12. It includes transportation related goals and policies, some of which are relevant to this application. The

applicable goals and policies are identified below. Those not identified do not apply to this application.

TSP Goal 1 addresses coordination and process. The goal is to ensure that the Morrow County TSP is coordinated with other transportation providers, meets applicable regulations, and considers the needs of all transportation system users.

TSP Goal 2 requires that land use planning be supported with appropriate transportation improvements. Policy 2.3 requires that new development proposals, plan amendments and zone changes conform to the TSP, as required by OAR 660-012-0045(2)(g). Under that rule, local governments must adopt regulations that assure "that amendments to land use designations, densities and design standards are consistent with the functions, capacities and levels of service of facilities identified in the TSP." Compliance with this policy is addressed in the analysis of compliance with OAR 660-012-0060, set out in Section IV above. Policy 2.4 requires new development to provide appropriate access to the transportation system. The area proposed for industrial development will be provided with internal circulation connecting it Pole Line Road, a major collector in the County road network.

Policy 2.5 requires new development to identify transportation impacts and provide appropriate mitigation. This standard can be met through the provisions of the Zoning Ordinance for Zoning Approval and Site Development Review, as well as the Traffic Impact Analysis component to ensure that any future uses are manageable relative to their potential impacts.

Policy 2.6 requires new development to dedicate right-of-way for transportation system improvements where appropriate. To the extent Port property is affected, required right-of-way can be dedicated if required.

TSP Goal 3 and Policy 3.1 address economic development. The goal seeks to enhance economic development through transportation improvements.

TSP Goal 4 directs the County to promote a high quality of life by providing a well developed transportation system that is appropriate to its surroundings.

TSP Goal 5 calls for a safe and efficient roadway system. Consistent with the Goal and Policy 5.1, roadway improvements can and will be constructed in accordance with applicable County or State of Oregon design standards. Policy 5.7 provides for improved roadway connectivity in the county. Policy 5.8 provides for improved access for emergency vehicles. An existing road network meeting these policies has already been developed to serve the abandoned mill site.

TSP Goal 8 promotes efficient movement of freight and goods throughout the county. Pole Line Road, a major collector road, has been constructed and maintained to meet this Goal.

C. Compliance with Morrow County Zoning Ordinance.

Section 8.050 of the Morrow County Zoning Ordinance sets out criteria for the Morrow County Planning Commission and Morrow County Court to consider, respectively, in preparing a recommendation for and reaching a decision on a proposed zoning ordinance text or map amendment. Through the discussion provided below, these matters are considered as required by the ordinance.

Section 8.050(A) provides for consideration of whether conditions have changed since the adoption of the Comprehensive Plan and zoning map that warrant an amendment, or whether there was a mistake in the original designation. The principal change in conditions since initial plan adoption is the development and abandonment of a wood manufacturing facility and the codification of ORS 197.719 that allows a local governing body to approve zone changes for industrial use of abandoned mill sites.

Section 8.050(B) provides for the County to consider the sufficiency of public facilities and services to support a change in designation, including streets and roads. The adequacy of public facilities and services, including transportation, to support the industrial uses permitted by this plan amendment, is addressed in Section IV of this application, incorporated herein by this reference.

Section 8.050(C) provides for the County to consider whether the proposed amendment is consistent with unamended portions of the Comprehensive Plan and supports the goals and policies of the Comprehensive Plan, and whether there is a public need for the proposal that would best be served by allowing the request. If there are other areas of the county designated for the requested use, then the County must consider why it is necessary to introduce the use into an area not now so zoned and why the owners there should bear the burden of introducing that zone into their area.

Section 8.050(D) directs the County to consider the factors listed in ORS 215.055 or others that relate to public need for healthful, safe and aesthetic surroundings and conditions. This section no longer appears applicable because it requires consideration of factors in a statute, *former* ORS 215.055, that was repealed in 1977 following LCDC's adoption of the statewide planning goals. The thrust of that former statute was to direct counties to adopt comprehensive plans that promote the public health, safety and general welfare, based on considerations such as characteristics of the county, the suitability of areas for particular land uses, the land uses and improvements in the area, the need for economic enterprise in the future development of the areas, needed access, natural

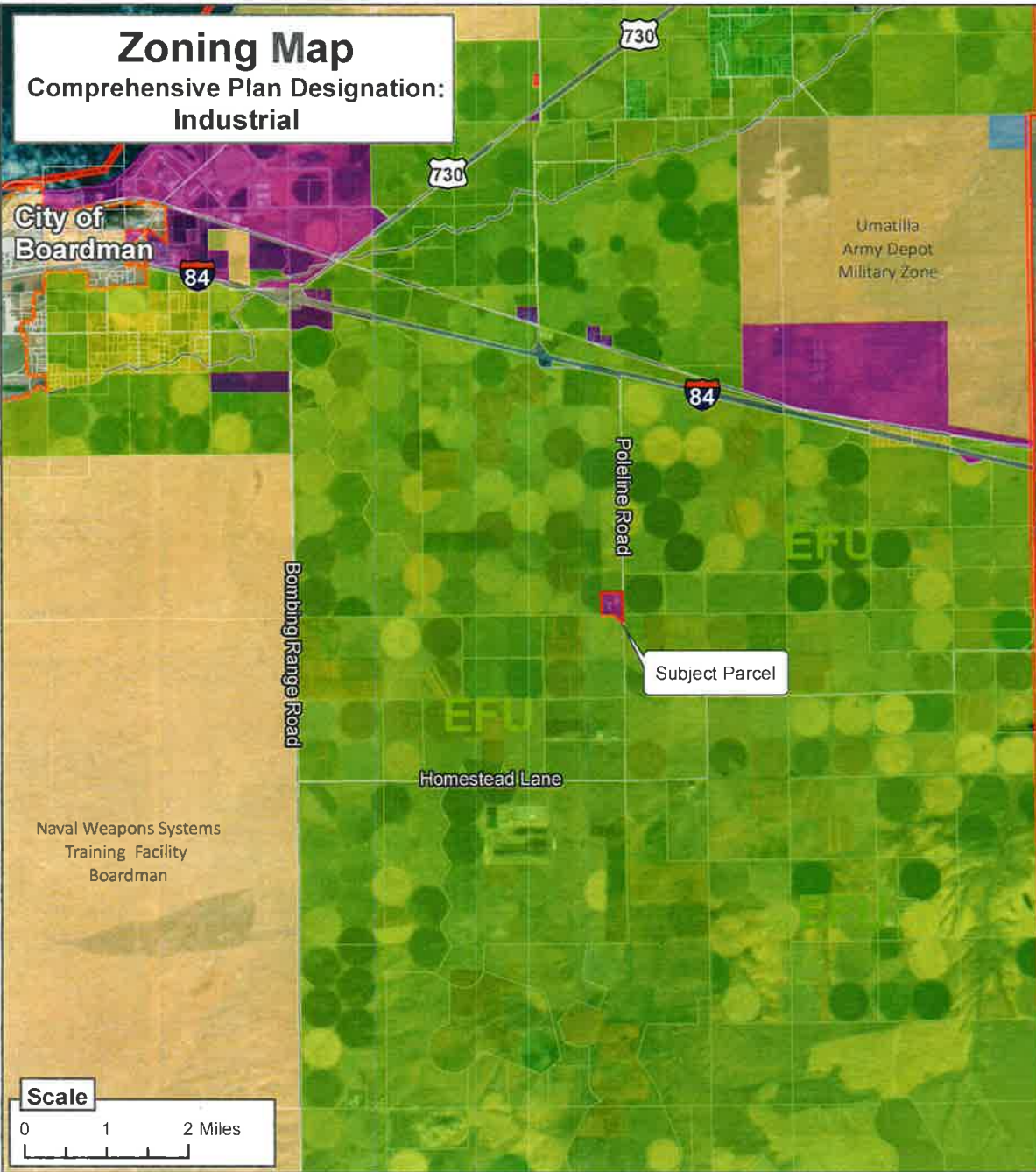
resources, prospective needs for development, and the public need for healthful, safe and aesthetic surroundings and conditions. These issues are addressed in the application, although in the context of compliance with statewide planning goals and acknowledged comprehensive plan policies in this section and in Section IV of this application.

In addition to Section 8.050, this application considers Section 3.110 of the Zoning Ordinance, which describes the purpose and overlay zone requirements of the Limited Use (LU) Overlay Zone. The zone's purpose is to limit the list of permitted uses and activities allowed within the allowing zone to only those uses and activities which are justified in the comprehensive plan "reasons" exception statement. The "requirements" section provides that when the LU zone is applied, the uses permitted in the underlying zone shall be limited to those uses and activities specifically referenced in the ordinance adopting the LU zone. This section also authorizes the County to impose reasonable conditions that it deems necessary to carry out the provisions of the Comprehensive Plan and Zoning Ordinance. A limited use overlay zone is not necessary because the PI zone limits the uses to those that are consistent with the proposed plan amendment to industrial. The PI zone was specifically developed for Port-owned lands identified for industrial uses.

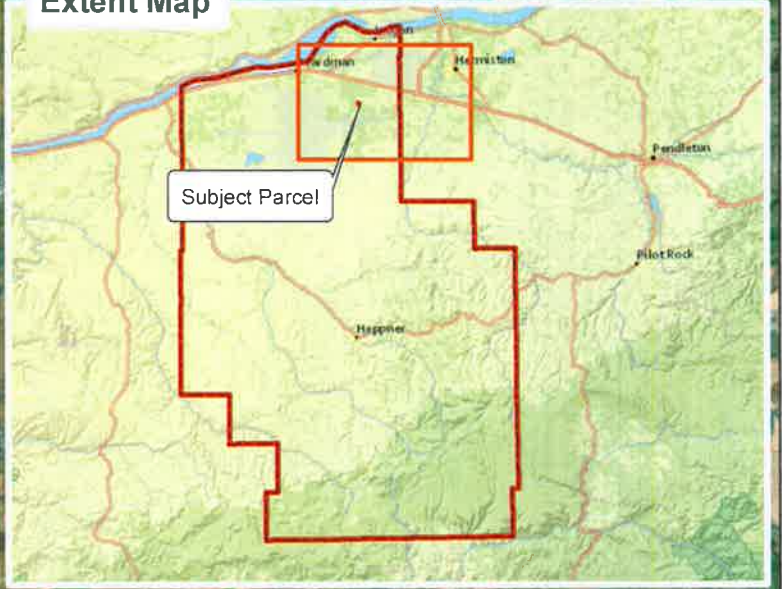
Zoning Map

Comprehensive Plan Designation:
Industrial

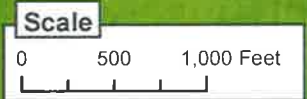
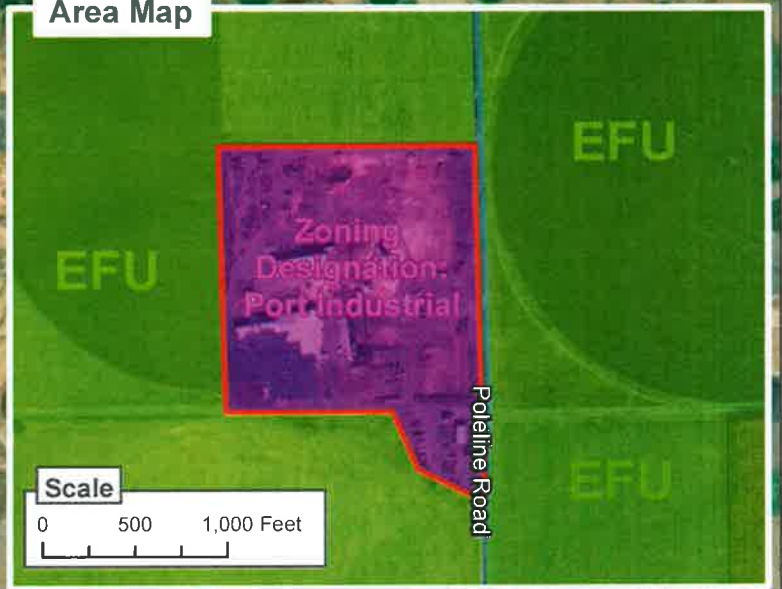
City of Boardman



Extent Map



Area Map



ORD-2019-2
Exhibit B

Legend

Taxlots



City Limits



Subject
Parcels



Cartography By: Stephen Wrecsics
Morrow County Planning Department
Date Saved: 2/1/2019 9:40:40 AM

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN



AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

The Oregon Department of Energy (ODOE) has requested comment on the preliminary Request for Amendment 4 (pRFA4) on the Wheatridge Energy Facility. This pRFA4 addresses the addition of solar components, associated battery storage, and increase in the size of a previously approved substation. Nothing earth shattering was discovered during review of the submittal. We do want to continue to have our Solid Waste Management Plan and Ordinance to be applicable as outlined in the comment letter.

2. FISCAL IMPACT:

3. SUGGESTED ACTION(S)/MOTION(S):

"I move approval of the Planning Director letter to Sarah Esterson with the ODOE concerning the preliminary Request for Amendment 4 for the Wheatridge Energy Facility."

Attach additional background documentation as needed.



PLANNING DEPARTMENT

PO Box 40 • 205 Third Street NE
Irrigon, Oregon 97844
(541) 922-4624

February 21, 2019

Sarah Esterson, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE, 1st Floor
Salem, OR 97301

RE: Wheatridge Wind Energy Facility - Request for Amendment 4

Dear Ms. Esterson:

The following comments are on behalf of the Morrow County Board of Commissioners serving as a Special Advisory Group for this project. The purpose of this letter is to address the preliminary Request for Amendment (pRFA4) which is a request to amend the site boundary, extend the construction commencement deadline to December 31, 2023, and to construct and operate the following additional components: 150 MW photovoltaic solar energy system, distributed energy storage system sites, and expansion of a previously approved substation.

Morrow County has reviewed the applicant's submitted materials for a Type A review, and while a number of errors or omissions have been identified (please see the listing at the conclusion of this letter), there are no glaring concerns or problems with the application. Most of the previously approved Conditions continue to be applicable and would not change based on the proposed additional system components. The Morrow County Solid Waste Management Plan and Ordinance continue to be applicable as discussed during the previous amendment process and should be reviewed in Exhibit V Solid Waste and Wastewater. Morrow County would request either a new or revised condition to address disposal of the photovoltaic components.

The County would support the type of installation the application describes in Exhibit B under 2.1 Photovoltaic Modules and Racking, specifically installation without concrete foundations. The reason for supporting this type of installation is related to the nature of the Goal 3 Exception proposed in Exhibit K, allowing for the Exception to be removed at the end of the project's life. If there are concrete foundations, both removal of the Exception and reclamation of the land could be significantly negatively impacted.

Concerns continue related to how Exceptions are taken by the Energy Facility Siting Council without a clear mechanism for those same Exceptions to be incorporated into local Comprehensive Plans. In this instance the applicant is suggesting a Condition that they be responsible for removing the Exception at the conclusion of the project, but there is no mention as to how that Exception will be incorporated to begin with.

Should the Energy Facility Siting Council (EFSC) approve this amendment the applicant needs to make application to amend the Morrow County issued Conditional Use Permit (CUP)

Wheatridge Wind Energy Facility
Request for Amendment 3

February 21, 2019
Page 1 of 2

specifically addressing these changes. Without an amendment to the local CUP there will be inconsistencies between the EFSC Site Certificate and the local CUP.

The opportunity to comment is much appreciated. It has been a pleasure working with you and other Department staff to date, and I anticipate that will continue. Should you have any questions about this comment letter, previous comment letters, or need additional information, please do not hesitate to contact me.

Cordially,

Carla McLane
Planning Director

cc: Jesse Marshall, NextERA
Mike Pappalardo, NextERA
Morrow County Board of Commissioners
Matt Scrivner and Sandra Putnam, Morrow County Public Works

Comment to pRFA4
Wheatridge Energy Facility

Page	Concern, error or omission
Exhibit L Table L-1	Quesnal Park is not listed; it is located north and west of the Tower Road Interchange and is owned and operated by the ACOE
Exhibit V	The Morrow County Solid Waste Management Plan and Ordinance would be applicable. Conditions applied during previous amendments concerning disposal of battery waste are applicable. Additional Condition should be applied that would be similarly worded concerning disposal of the photovoltaic panels.
Exhibit K	Proximity to other solar facilities: Morrow County has approved the HARP facility, however it is approximately three miles from this proposed development. Reference to UEC is stated as Umatilla Energy Commission. It is actually Umatilla Electric Cooperative. (this reappears several times)
Exhibit S Table S-2	Both Bombing Range Road and Strawberry Lane are identified as ODOT ownership; both are county roads.

AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Vadata needs access from Olson Rd to their property. We anticipate there will be some significant changes to Wilson and Olson Rd and possibly Laurel Lane. We need a Road Agreement to identify the responsibilities of both Parties, Vadata and Morrow County.

2. FISCAL IMPACT:

The expectation is there will not be any fiscal impact to Morrow County

3. SUGGESTED ACTION(S)/MOTION(S):

Motion to have a negotiating committee consisting of Matt Scrivner, Darrell Green, Justin Nelson and a Commissioner meet with Vadata to finalize a Road Agreement.

Attach additional background documentation as needed.

**CITY OF BOARDMAN
RESOLUTION NO. 3-2019**

**A RESOLUTION ACCEPTING THE TRANSFER OF JURISDICTION OVER A PORTION OF
COLUMBIA AVENUE FROM MORROW COUNTY TO THE CITY OF BOARDMAN**

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the County over matters of County concern; and

WHEREAS, Morrow County received a request from the Port of Morrow dated August 15, 2018, and the City of Boardman dated November 28, 2018, to transfer jurisdiction over various roads from Morrow County to either the Port or the City; and

WHEREAS, the Morrow County Public Works and Planning Directors worked with Port of Morrow staff to determine the best of their ability the current status of the roads in question; and

WHEREAS, the Morrow County Board of Commissioners agreed in principle to the transfer of road jurisdiction from Morrow County to either the Port or the City; and

WHEREAS, the Morrow County Board of Commissioners discussed the transfer of road jurisdiction in public meetings on August 22, 2018, at the Bartholomew Building in Heppner, Oregon; October 17, 2018, at the Irrigon Branch of the Oregon Trail Library in Irrigon, Oregon; and on December 5, 2018, at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Board of Commissioners held a public hearing on Wednesday, January 9, 2019, at the Irrigon Branch of the Oregon Trail Library in Irrigon, Oregon, and

WHEREAS, the Morrow County Board of Commissioners accepted the Public Works Director and Planning Director recommendation to transfer jurisdiction of the road to the City of Boardman for the portion of Columbia Avenue defined below.

WHEREAS, Oregon Revised Statute 373.270 provides authority for the transfer of road jurisdiction from Morrow County to the City of Boardman.

NOW, THEREFORE, BE IT RESOLVED: The City of Boardman accepts the order of the Morrow County Board of Commissioners transferring authority to the City of Boardman as follows:

1. Columbia Avenue from the intersection with Olson Road eastward to the Union Pacific Rail Road overpass and as depicted on the attached map marked Attachment A.
2. This Order shall be effective upon its adoption, or February 5, 2019.

3. This Order is consistent with order OR-2019-1.

Passed by the Boardman City Council this 5th day of February, 2019.


CITY OF BOARDMAN




Mayor – Sandy Toms



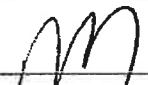
Councilor- Brandon Hammond



Councilor – Toni Connell



Councilor – David Jones



Councilor – Roy Drago, Jr.



Councilor – Art Kegler



Councilor – Brenda Proffitt

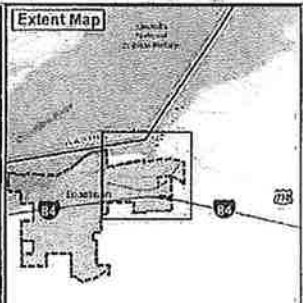
Attest:



Heather Baumgartner - City Recorder



Morrow County
Attachment A
Order Number: OR-2019-1
Columbia Avenue



- Legend**
- Subject Road
 - City Limits
 - County Boundary

Naval Weapon Systems
Training Facility Boardman

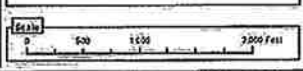
Geographic Information Systems
Morrow County Planning Department

Cartography By: Map on Wheels
Date: 04/17/2019

Order Notes

Columbia Avenue from the intersection with Olson Road eastward to the Union Pacific Rail Road overpass.

Order Number OR-2019-1 shall be effective upon its adoption, or January 9, 2019



**CITY OF BOARDMAN
RESOLUTION NO. 4-2019**

**A RESOLUTION ACCEPTING THE TRANSFER OF JURISDICTION OVER A PORTION OF
LAUREL ROAD FROM MORROW COUNTY TO THE CITY OF BOARDMAN**

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the County over matters of County concern; and

WHEREAS, Morrow County received a request from the Port of Morrow dated August 15, 2018, and the City of Boardman dated November 28, 2018, to transfer jurisdiction over various roads from Morrow County to either the Port or the City: and

WHEREAS, the Morrow County Public Works and Planning Directors worked with Port of Morrow staff to determine the best of their ability the current status of the roads in question; and

WHEREAS, the Morrow County Board of Commissioners agreed in principle to the transfer of road jurisdiction from Morrow County to either the Port or the City; and

WHEREAS, the Morrow County Board of Commissioners discussed the transfer of road jurisdiction in public meetings on August 22, 2018, at the Bartholomew Building in Heppner, Oregon; October 17, 2018, at the Irrigon Branch of the Oregon Trail Library in Irrigon, Oregon; and on December 5, 2018, at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Board of Commissioners held a public hearing on Wednesday, January 9, 2019, at the Irrigon Branch of the Oregon Trail Library in Irrigon, Oregon, and

WHEREAS, the Morrow County Board of Commissioners accepted the Public Works Director and Planning Director recommendation to transfer jurisdiction of the road to the City of Boardman for the portion of Columbia Avenue defined below.

WHEREAS, Oregon Revised Statute 373.270 provides authority for the transfer of road jurisdiction from Morrow County to the City of Boardman.


NOW, THEREFORE, BE IT RESOLVED: The City of Boardman accepts the order of the Morrow County Board of Commissioners transferring authority to the City of Boardman as follows:

1. The portion of Laurel Road north of the Interstate 84 interchange to its intersection with Columbia Avenue and as depicted on the attached map marked Attachment A.
2. This Order shall be effective upon its adoption, or February 5, 2019.

3. This Order is consistent with order OR-2019-2.

Passed by the Boardman City Council this 5th day of February, 2019.

CITY OF BOARDMAN



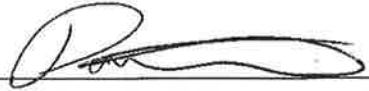
Mayor – Sandy Toms



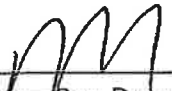
Councilor- Brandon Hammond



Councilor – Toni Connell



Councilor – David Jones



Councilor – Roy Drago, Jr.



Councilor – Art Kegler



Councilor – Brenda Proffitt

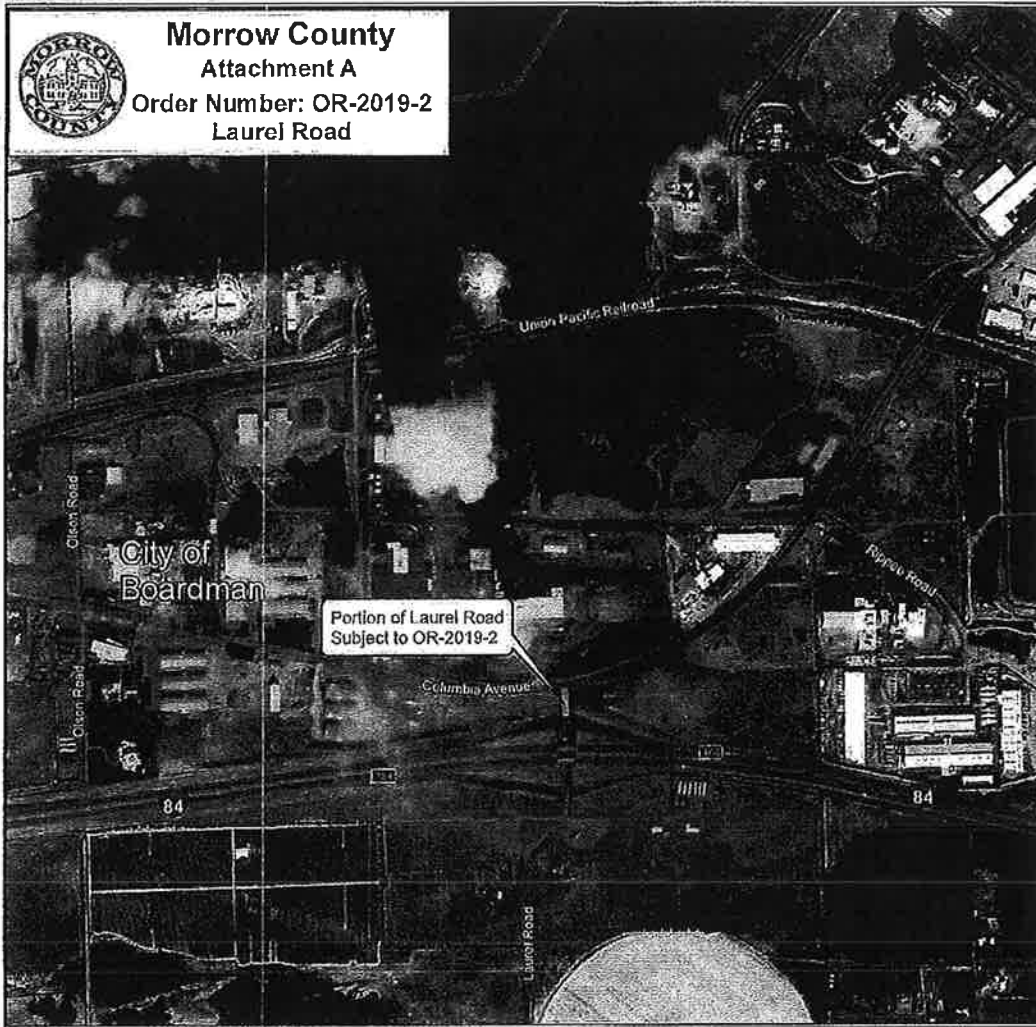
Attest:



Heather Baumgartner - City Recorder



Morrow County
Attachment A
Order Number: OR-2019-2
Laurel Road



Extent Map

Legend

- Subject Road
- City Limits
- County Boundary

Naval Weapon Systems Training Facility Boardman

Approved: Stephen R. Hild, 1/22/2019, Scale: Plan, Oregon Map 1979, 2019, 84
 Approved: Laurel County Council
 Date: 1/22/2019
 Cartography By: Stephen Wallace
 Date: 1/22/2019
 Morrow County Planning Department

Order Notes

The portion of Laurel Road north of the Interstate 84 interchange to its intersection with Columbia Avenue.

Order Number OR-2019-2 shall be effective upon its adoption, or January 9, 2019

Scale

Roberta Lutcher

From: Carla McLane
Sent: Tuesday, February 12, 2019 3:32 PM
To: Roberta Lutcher
Cc: Darrell Green
Subject: FW: Population Forecast Meetings March 2019

Roberta,
Would you please print for the BOC as correspondence?
Thanks,
Carla

From: Population Research Center - PSU [mailto:loftus2@pdx.edu]
Sent: Tuesday, February 12, 2019 1:00 PM
To: Carla McLane <cmclane@co.morrow.or.us>
Subject: Population Forecast Meetings March 2019



Population Research Center
PORTLAND STATE UNIVERSITY

Spring 2019 Public Meetings
Population Forecast Program

Baker, Gilliam, Grant, Lane, Malheur, Morrow, Sherman,
Umatilla, Union, Wallowa, and Wheeler Counties

(Region 2)

Web Conference or Call-in Instructions

The connection information and meeting ID is the same for all four meetings. You will be connected to the meeting that is in progress when you call or log-in (see schedules below).

To Join from PC, Mac, Linux, iOS or Android: [Click Here](#)

or copy and paste or type in your browser address bar

<https://zoom.us/j/7304748492>

Or iPhone one-tap : US: +14086380968,,7304748492# or
+16468769923,,7304748492#

Or Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1-408-638-0968 or +1-646-876-9923 or +1-669-900-6833

Meeting ID: 730-474-8492

International numbers available: <https://zoom.us/u/aYWsqDWzw>

Baker City, Oregon

March 11, 2019 - 10:00 am to 2:15 pm

City Hall Council Chamber
1655 First Street, Baker City, OR

[Directions](#)

Meeting Schedule

Baker Co. 10:00 am - 11:15 am

(Baker City, Greenhorn, Haines, Halfway, Huntington, Richland, Sumpter, Unity)

Malheur Co. 11:30 am - 12:45 pm

(Adrian, Jordan Valley, Nyssa, Ontario, Vale)

Grant Co. 1:00 pm-2:15 pm

(Canyon City, Dayville, Granite, John Day, Long Creek, Monument, Mt.
Vernon, Prairie City, Seneca)

[Click here to RSVP](#)

(appreciated but not required)

La Grande, Oregon

March 12, 2019 10:00 am - 2:15 pm

Eastern Oregon University

Integrated Services Building #147

1607 Gekeler Lane

La Grande, OR 97850

Directions

campus parking permits \$2.00 per day

Meeting Schedule

Union Co. 10:00 am - 11:15 am

(Cove, Elgin, Imbler, Island City, La Grande, North Powder, Summerville, Union)

Umatilla Co. 11:30 am - 12:45 pm

(Adams, Athena, Echo, Helix, Hermiston, Milton-Freewater, Pendleton,
Pilot Rock, Stanfield, Ukiah, Umatilla, Weston)

Wallowa Co. 1:00 pm - 2:15 pm

(Enterprise, Joseph, Lostine, Wallowa)

Click here to RSVP

(appreciated but not required)

Boardman, Oregon

March 13 , 2019 9:30 am - 3:15 pm

Workforce Training Center

251 Olson Road

Boardman, OR 97818

Directions

Meeting Schedule

Morrow Co. 9:30 am - 10:45 am

(Boardman, Heppner, Ione, Irrigon, Lexington)

Gilliam Co. 11:00 am- 12:15 pm

(Arlington, Condon, Lonerock)

Sherman Co. 12:30 pm - 1:45 pm

(Grass Valley, Moro, Rufus, Wasco)

Wheeler Co. 2:00 pm - 3:15 pm

(Fossil, Mitchell, Spray)

[Click here to RSVP](#)

(appreciated but not required)

Lane County

March 14, 2019 10:00 am to 11:15 am

(Coburg, Cottage Grove, Creswell, Dunes City, Eugene, Florence, Junction City, Lowell, Oakridge, Springfield, Veneta, Westfir)

Web conference only

See log-in details above

[Click here to RSVP](#)

(appreciated but not required)

What are these meetings about?

Beginning in 1973 with the passage of Senate Bill (SB) 100, Oregon's growth management system has relied on population forecasts as the primary tool for determining Urban Growth Boundary (UGB) expansions, as well as for crafting planning policy. By estimating future populations based on historic and current trends, as well as assuming the likelihood of future events, population forecasts provide necessary information to help planners, public officials, private firms, and developers better understand the short and long-term implications of population growth in local areas.

In the recent past, Oregon law required that counties prepare coordinated population forecasts according to "generally accepted" demographic methods, which yielded forecasts produced with a highly diverse set of methods. Equally important, the prohibitive cost of forecasting meant that not all communities could update their forecasts on a regular basis. Recognizing the need to be more responsive to accounting for current population trends by preparing population forecasts on a more

regular basis, and with a consistent forecast methodology for communities across the state, the Oregon House of Representatives and Senate [approved legislation in 2013](#) assigning coordinated population forecasting to the Population Research Center (PRC) at Portland State University (PSU).

[Sign up for the Oregon Population Forecast Program mailing list to ensure you receive future notices](#)

Portland State University
Population Research Center
PO Box 751
Portland OR 97207
(503) 725-3922 askprc@pdx.edu

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Portland State University | Population Research Center PO Box 751
Portland, OR | 97207-0751 US

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emma



ENERGY FACILITY SITING COUNCIL

Energy Facility Siting Council Meeting Notice and Agenda

Columbia Gorge Discovery Center
5000 Discovery Drive
The Dalles, OR

Friday, February 22, 2019 at 8:30 a.m.

Please Note: Every effort will be made to consider items as they are indicated. However, the Council agenda and the order of agenda items are subject to change.

Friday, February 22, 2019

A. Consent Calendar – Approval of minutes; Council Secretary Report; and other routine Council business.

B. Stateline Wind Project, Request for Amendment 5 – Certificate Holder Referral to Council of Department’s Type A Amendment Review Process Determination (Action Item) – Maxwell Woods, Senior Policy Advisor. The Council will consider the certificate holder’s referral of the Department’s January 9, 2019 determination that the “Type A” amendment review process is appropriate for Request for Amendment 5. Request for Amendment 5 seeks Council approval to change the facility name; re-power 43 existing wind turbines (i.e. replacement of existing nacelles and turbine blades that would increase total turbine height from 416 to 440 feet); temporarily disturb previously approved temporary laydown areas and access roads; and new and amended site certificate conditions. The Council will allow the certificate holder and members of the public an opportunity to provide oral comment limited to the certificate holder’s “Type B” review amendment determination request and the Department’s “Type A” review determination. The Council will not accept general public comment on the facility or the amendment request during its deliberation. The Council may concur, modify or reject staff’s January 9, 2019 determination.

C. [10:00 a.m.] Summit Ridge Wind Farm, Public Hearing on the Draft Proposed Order on Request for Amendment 4 of the Site Certificate (Hearing) – Luke May, Siting Analyst. The hearing will begin after Council receives a brief overview from staff. The purpose of the hearing is to provide comments to Council members on Request for Amendment 4 and the Draft Proposed Order on Request for Amendment 4. Request for Amendment 4 seeks approval by the Energy Facility Siting Council to extend the construction commencement and completion deadlines by 2 years. The facility is not yet built, and would be located in Wasco County. The comment period on the Draft Proposed Order and amendment request closes at the end of the hearing.

Break

D. [WORKING LUNCH] Summit Ridge Wind Farm, Request for Amendment 4 of the Site Certificate (Action Item) – Luke May, Siting Analyst. The Council will review the Draft Proposed Order on Request for Amendment 4 of the Summit Ridge Wind Farm site certificate. Request for Amendment 4, processed under Type A Review, seeks approval by the Energy Facility Siting Council of a fourth amended site certificate to extend the construction commencement and completion deadlines by 2 years. The amendment request and draft proposed order can be found on the Department’s website at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/SRW.aspx>

E. Public Comment – This time is reserved for the public to address the Council regarding any item within the Council’s jurisdiction that is not otherwise closed for comment.

Break

F. The Climate Trust (Information Item) – Todd Cornett, Assistant Director/Council Secretary. Discussion to include: 1) 60% obligation of offset funds; and 2) 5 Year Report Preparation.

G. Type A/B Amendment Determination Notice (Information Item) – Todd Cornett, Assistant Director/Council Secretary. Council will receive a report regarding current and possible future amendment determination request notifications to the public.

H. Solar PV Rulemaking Update (Information Item) – Chris Clark, Rules Coordinator. Council will receive an update on the status of the Solar PV Rulemaking Project, including a summary of the Rulemaking Advisory Committee Meeting held on Jan. 30, 2019. Following discussion with staff, Council will provide staff with direction on next steps.

I. Appointment of Rules Coordinator (Action Item) – Chris Clark, Rules Coordinator. The Council will consider appointing Christopher Clark as Rules Coordinator in accordance with ORS 183.330(2).

J. Adoption of 2019 Rulemaking Calendar (Action Item) – Chris Clark, Rules Coordinator. The Council will consider approving its 2019 Rulemaking Schedule. Staff will provide a summary of potential rulemaking projects; make recommendations for how to obtain public input, and provide a draft schedule of when each rulemaking project would be brought before the Council for additional Council direction, approval, or authorization of rulemaking proceedings. The Council will allow members of the public an opportunity to provide oral comment related to potential rulemaking projects.

K. Executive Session to Consider Attorney-Client Privileged Communication – ORS 192.660(2)(f) allows the Council to enter into executive session to consider “information or records that are exempt by law from public inspection.” This includes consideration of records of privileged communications between the Council and its attorney. See ORS 192.502(9); ORS 40.225.

Adjourn

Anticipated Future Energy Facility Siting Council Meetings: March 21-22; April 18-19; May 23-24; June 20-21; July 25-26; Aug. 22-23; Sept. 26-27; Oct. 24-25; Nov. 21-22; Dec. 19-20. Locations to be determined.

To participate by teleconference please call toll-free: 1-877-873-8017 and enter code 799345.

Webinar Information: [Join Skype Meeting](#)
<https://meet.oregon.gov/esther.kooistra/KS60951Z>

Meeting Materials associated with the agenda items will be available at:
<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Council-Meetings.aspx>

Requests to the Council to Address an Issue:

Pursuant to Oregon Administrative Rule 345-011-0035, the public may ask the Council formally to address relevant issues within the Council's jurisdiction at future meetings. Please be sure to include information about why the issue should be on the agenda. Your request must be in writing and received at least 14 days before the Council meeting.

To ask the Council to address an issue, call or write:

EFSC Secretary	Toll-Free (in Oregon): 1-800-221-8035
Energy Siting Division/ODOE	Phone: 503-378-8328
550 Capitol St. NE	https://www.oregon.gov/energy/facilities-safety/facilities
Salem, OR 97301-3737	

Americans with Disabilities Act: The Oregon Department of Energy will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call Esther Kooistra at 503-378-3895; Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.