



FOREST PARK NEIGHBORHOOD ASSOCIATION

2257 NW Raleigh Street
Portland, Oregon 97210

Jerry Grossnickle, President
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DEPT OF
OCT 08 2010
LAND CONSERVATION
AND DEVELOPMENT

October 6, 2010

Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540
Attn: Larry French
Jennifer Donnelly
Rob Hallyburton

Re: Exceptions to the Department's Report on the Objections to Portland Metro Area Urban and Rural Reserves Designations, dated September 28, 2010

Greetings:

Forest Park Neighborhood Association (FPNA) submitted valid written Objections through our attorney Dan Kearns on July 14, 2010. As President of FPNA, I would like to submit the following Exceptions to the DLCD's Report pursuant to OAR 660-025-0160:

1. The DLCD Report, on pages 104 and 105, uses descriptions of Area 9 and Area 9B that are incorrect. This is not surprising given the confusing maps that were provided to the Department. Evidently staff used area descriptions that were used in the 12/10/09 Multnomah County Board of County Commissioners report. These areas were changed between that date and the final submission.

The description of Area 9 on page 104 states:

" b. Area Description. Area 9 lines [sic] south of Germantown Road and the power-line corridor where it rises from the toe of the west slope of the Tualatin Mountains up to the ridge at Skyline Blvd. MC Rec. at 3004-3015. The north edge of the area is the start of the Conflicted Agricultural Land section that extends south along the Multnomah/Washington county line to the area around Thompson Road and the Forest Heights subdivision in the City of Portland. The area is adjacent to unincorporated urban land in Washington County on the west, and abuts

the City of Portland on the east. Most of the area is mapped as Important Landscape Features that begin adjacent to Forest Park and continue west down the slope to the county line. MC Rec. at 1767. The area is a mix of headwaters streams, upland forest and open field wildlife habitat.”

This appears to describe only part of Area 9, which actually extends all the way to the Columbia County line, and from the Washington County line to Multnomah Channel.

The description of Area 9B on page 105 states:

“b. Area Description. Area 9B is defined on the west by the Washington County line, a line that is approximately mid-way between the county line and Skyline Blvd. on the east, and areas adjacent to Forest Heights subdivision on the south, and a power line right-of-way on the north. MC Rec. at 3011, 3015. The area is a mix of headwater streams upland forest and open fields. The specific L-shaped portion of Area 9B referred to in most of the objections is located on the southwestern portion of the study area on the Washington/Multnomah county line, and is bisected by Lower Springville Road.”

This appears to describe all of 9A, 9B and 9C, not just 9B.

Area 9 is all of the Multnomah County’s rural west hills plus Multnomah Channel. 9B is also known as the Lower Springville “L” which is located adjacent to the Washington County line but does not extend nearly as far in other directions as the Report’s description indicates.

We ask that these technical errors in the report be corrected.

We assume that Metro and Multnomah County staff can provide you with more accurate area descriptions. But if you are unable to reconcile these erroneous descriptions with current and correct area designations provided by Multnomah County, please let me know. We can provide a hand-drawn map that may help clarify the area descriptions.

2. FPNA filed an Objection through our attorney, Dan Kearns, that the Director’s Report recommends that LCDC deny (page 104). Several individuals joined us in the Objection, and they are named in the report. After naming these individuals, the report refers to them and FPNA as “collectively, ‘FPNA.’” We are concerned that by doing so the Department is indicating that only one individual will be allowed to testify at the LCDC hearing scheduled for October 19-22 at Metro. We note that several of the individuals who joined our objection are not members, nor are they eligible to be members, of FPNA. FPNA is a nonprofit Oregon corporation with specific boundaries, recognized by both the City of Portland and Multnomah County as representing the

defined area. As such, we do not represent individuals who do not own property or live within our boundaries. These individuals want to maintain their own standing to participate in the LCDC hearing and any subsequent steps.

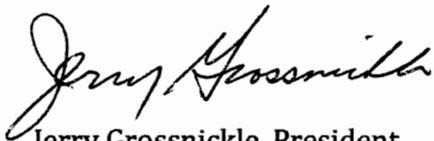
We ask you to ensure that each named individual will be permitted to testify at the hearing and they maintain their full standing to participate throughout this process as individuals.

3. Finally, we ask LCDC to incorporate our proposed supplemental findings, described in our Objection, since the additional information cited is available in the record.

FPNA objected to the Multnomah County and Metro submission only to the extent that we do not believe that it fully reflects the record. We agree with the County's and Metro's Reserves decisions in our neighborhood, but we are concerned that if the official record of the decision is not supplemented by our references to the record beyond the summary provided to LCDC, the decision may not withstand scrutiny of an appeal, if that appeal is based only on the record available to LCDC.

Thank you for your consideration of these Exceptions.

Sincerely,



Jerry Grossnickle, President
Forest Park Neighborhood Association

French, Larry

From: Jerry [jerrygbw@aol.com]
Sent: Friday, October 08, 2010 1:01 AM
To: larry.french@state.or.us; jennifer.donnelly@state.or.us; rob.hallyburton@state.or.us
Subject: Exceptions to DLCD Report on Objections to Reserves Designations
Attachments: Final Exceptions DLCD.pdf

Attn: Rob Hallyburton, Jennifer Donnelly and Larry French

Greetings:

I have attached the Forest Park Neighborhood Association's Exceptions to the Department's recent report on the objections that were filed re the Reserves designations. I have also faxed the 3-page document to the Department's fax number (503-378-5518).

I am e-mailing this to you specifically for the technical issue we bring up concerning the Multnomah County area maps. It is apparent that the Department used an out-of-date set of area maps in its analysis of the objections. This is certainly the case with respect to the area designations and descriptions of the rural west hills of Multnomah County, where Forest Park Neighborhood Association is located. I am sure you will want to correct this problem before submitting the final Report to LCDC. The County or Metro should be able to supply the correct area maps with proper designations. However, if you find their explanations or maps confusing, please let me know. Carol Chesarek, a FPNA Board member, will certainly be able to help clarify the boundaries for you.

Thanks.

Jerry Grossnickle, President
Forest Park Neighborhood Association
503-289-3046

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