

LAND USE
BOARD OF APPEALS

Nov 19 1 55 PM '80

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

MARY COOKMAN, et al.,
Petitioner,

v.

DOUGLAS COUNTY,
Respondent.

JAMES COOKMAN, et al.,
Petitioner,

v.

DOUGLAS COUNTY,
Respondent.

LUBA No. 80-105

FINAL ORDER

LUBA No. 80-106

FINAL ORDER

Counsel for the parties herein have stipulated below that the above appeals may be dismissed and that the petitioners herein shall recover their deposits for costs, based upon the attached resolution of the Douglas County Commissioners dated October 8, 1980, withdrawing a previous resolution, dated September 10, 1980, entitled "Resolution in the Matter of Construction of the Galesville Dam" and a previous letter by the Board of Commissioners dated August 13, 1980.

Based upon the stipulation herein, IT IS SO ORDERED this
December
1st day of November, 1980.

/s/ William C. Cox

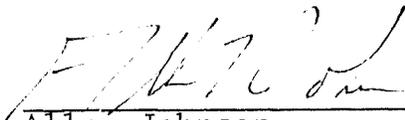
For the Board of Appeals

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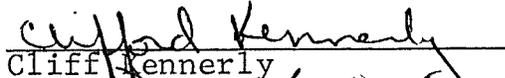
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1 IT IS SO STIPULATED:

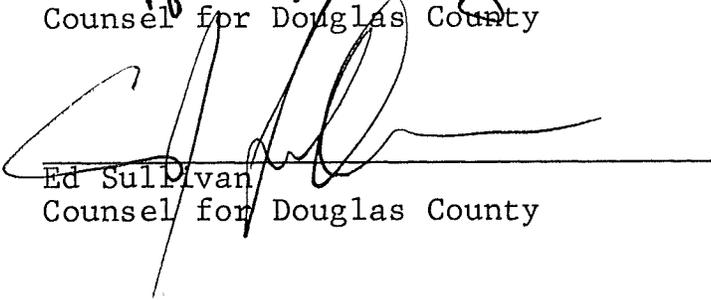
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Allen Johnson
Counsel for Petitioners



Cliff Kennerly
Counsel for Douglas County



Ed Sullivan
Counsel for Douglas County

Goal Five, which requires that, where conflicting uses for natural resources have been identified, the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal. The process also assures that issues relating to other plan and goal requirements will be identified and properly resolved.

The County intends to apply for federal assistance. It is probable, therefore, that an environmental assessment and potentially an environmental impact statement will have to be prepared.

Douglas County's citizen participation program, the statewide citizen participation goal, and federal environmental policy regulations require that all pertinent information concerning alternatives be available to citizens and public officials before choices are made. Further, federal regulations require that federal assessment procedures be integrated with state and local review, participation, and consultation procedures where possible in order to save time and money. See 40 Code of Federal Regulations 1500.4-5.

On September 10, 1980, the Board of County Commissioners adopted a "Resolution in the Matter of the Construction of the Galesville Dam," selecting the Galesville site and directing the Department of Public Works to proceed with all activities necessary for implementing the project. The resolution confirmed

a letter of the Board of County Commissioners dated August 13, 1980.

Upon reconsideration, the Board finds that said letter and resolution were premature.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT

1. The letter of August 13, 1980, and the resolution of September 10, 1980, described above, are hereby withdrawn.
 2. The County Planning and Public Works Departments are hereby directed to take all steps necessary to complete the site selection process which has already been commenced with respect to the South Umpqua drainage. Sites to be considered shall not be limited to those identified in Phase II of the County Plan, but shall include all sites which have been or shall be identified as part of the selection and citizen participation process. Each site shall be given the degree of consideration which is appropriate in light of the facts pertaining to each site.
 3. Although its current preference for the Galesville site is a matter of record, the Board of Commissioners will fully and carefully consider the information developed through the evaluation process before making a final determination as to its choice of sites. Concerned citizens will be given timely and accurate information on the status and substance of the site selection process. Citizens will also be given ample opportunity to present written and oral comments on any draft site selection report before final selection of a site.
- DATED this 8th day of October, 1980.

BOARD OF COMMISSIONERS
OF DOUGLAS COUNTY OREGON
BY Bill View
BY Paul Malinski
BY Mary