



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

FAX (503) 378-5518

Web Address: <http://www.lcd.state.or.us>

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FOR IMMEDIATE RELEASE

DLCD to file state agency brief to LUBA supporting bio-refinery

SALEM – The Oregon Department of Land Conservation and Development (DLCD) will file a state agency brief in support of a Malheur County Court decision to allow a proposed bio-refinery near Ontario. The decision to file the brief came during a Land Conservation and Development Commission (LCDC) meeting March 10-12 in Hood River.

The DLCD brief could aid Treasure Valley Renewable Resources, Inc., a Fruitland, Idaho company that has proposed the bio-refinery just south of Ontario, in an upcoming Land Use Board of Appeals (LUBA) appeal brought by a group called Citizens Against Bio-Refinery.

In January, the Malheur County Court approved revisions to a county zoning ordinance establishing an ‘M-3 Agricultural Processing Plant Industrial Zone.’ The county court also approved an amendment to the county comprehensive plan and zoning map, applying the newly established M-3 Zoning District to a single rural property located directly south of the city of Ontario. The county’s decision to apply the M-3 Zoning District included a ‘reasons’ exception to statewide planning Goal 3 (Agricultural Lands).

On January 28, Citizens Against Bio-Refinery filed a Notice of Intent to Appeal the county’s decisions to LUBA.

Lane Shetterly, Director of DLCD, recommended to the Commission that the department file a brief in the case.

“Filing a brief in this appeal demonstrates the department’s commitment to this project and the governor’s economic development agenda,” Shetterly said. “The department helped the county site the Treasure Valley facility in the first place. Participating in the appeal is one more way we can help them get over the next hurdle.”

The Department will not *join* in the appeal of Malheur County’s decision, but a state agency brief will provide an explanation of the statewide planning goals and Commission rules that may support aspects of the county’s decisions. Filing a state agency brief to explain how the goals and rule operate could be helpful to LUBA in resolving the case and demonstrates the department’s continuing commitment to assisting local governments’ economic goals.

Additional information about the Commission meetings can be found on the department's Web site at: <http://www.lcd.state.or.us>

The next regular LCDC meeting will be April 22-23, 2004 in Salem.

Oregon's seven-member Land Conservation and Development Commission, assisted by the Department of Land Conservation and Development (DLCD), adopts state land-use goals, assures local plan compliance with the goals, coordinates state and local planning, and manages the coastal zone program. The Commissioners are unpaid citizen volunteers, appointed by the Governor and confirmed by the Senate. Commissioners are appointed to four-year terms and may not serve for more than two consecutive terms. The statute establishing the Commission, ORS 197, also directs that they be representative of the state. The Commission meets about every six weeks to direct the work of DLCD.

Current Commission members are:

1. John Van Landingham, chair (Eugene)
 2. Margaret Kirkpatrick, vice chair (Portland)
 3. Gary Harris (Madras)
 4. Dennis Derby (Portland)
 5. Marilyn Dell Worrix (McMinnville)
 6. Ron Henri (Talent)
 7. Tim Josi (Tillamook)
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Cliff Voliva
Communications Officer
Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540
Phone: (503) 373-0050 x268
Fax: (503) 378-5518
cliff.voliva@state.or.us
<http://www.lcd.state.or.us>