Outlook

RE: Comments on Aurora State Airport Master Plan

From MORRIS Alexis <Alexis.MORRIS@odav.oregon.gov>
Date Mon 11/2/2026 1:26 PM
To Darlene Ferretti <Darlene.Ferretti@jordanramis.com>
Cc James D. Howsley <jamie.howsley@jordanramis.com>

Hello Darlene,

Thank you for submitting public comment to the State Aviation Board. Your comment will be forwarded to the board for their review, and I will add them to our website under the December 3rd board meeting after the public comment period deadline.

Thank you,
Alexis Morris
Communications & Administrative Specialist
State Aviation Board Administrator
Cell: (503) 507-6965
Alexis.morris@odav.oregon.gov

From: Darlene Ferretti <Darlene.Ferretti@jordanramis.com>
Sent: Monday, November 2, 2026 10:03 AM
To: Oregon Department of Aviation <mail.aviation@ODAV.oregon.gov>
Cc: James D. Howsley <jamie.howsley@jordanramis.com>
Subject: Comments on Aurora State Airport Master Plan

You don't often get email from darlene.ferretti@jordanramis.com. Learn why this is important

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good morning,

Please find attached a letter dated today from Mr. Howsley.

Please confirm receipt of this email.

Thank you,

Darlene Ferretti | Legal Assistant
Direct: (503) 598-5551

JORDAN RAMIS

1211 SW Fifth Ave, Suite 2700
Portland OR 97204

jordanramis.com | (888) 598-7070
Portland | Bend | Vancouver WA



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JORDAN RAMIS

Jamie D. Howsley
jamie.howsley@jordanramis.com
WA Direct Dial: (360) 567-3913
OR Direct Dial: (503) 598-5503

PacWest, 27th Floor
1211 SW Fifth Avenue
Portland, OR 97204
T (503) 598-7070
F (503) 598-7373

November 2, 2026

VIA EMAIL ONLY

Oregon Aviation Board
c/o mail.aviation@odav.oregon.gov

Re: Comments on Aurora State Airport Master Plan

Dear Oregon Aviation Board:

We represent Smith Gardens, Inc. regarding the properties owned by its affiliates on the west side of Hwy 551. Please confirm that this letter is included in the land use record and add me to the notice list for the Oregon Aviation Board's final decision for adoption of the Aurora State Airport Master Plan.

Two of our client's properties, tax lots 1400 and 1500 of map 041W02A, are slated for condemnation to accommodate expansion of the airport by moving the highway to the west. This condemnation is clearly illustrated on the Airport Layout Plan and other drawings, and the project is listed in Chapter 7, Capital Improvement Program.

Table 7-1 includes the line item "Realign Hubbard Highway - Easement/Property Acquisition $16,582,000." There is no indication that this cost estimate accounted for the improvements constructed on the Smith Gardens properties. These improvements include paved parking for sixteen WB-67 trucks and the large septic field serving the properties. The condemnation will displace those improvements and ODAV will be required to pay to replace them, as a cost to cure. *Tri–county Metropolitan Transportation District of Oregon v. Posh Ventures LLC*, 244 Or App 425, 261 P3d 33 (2011).

In addition, the remainder properties will need to be changed to accommodate the displaced parking and septic field. Most likely, some of the greenhouses will need to be removed. ODOT will be required to pay severance damages for the reduced value of the remainder properties. *Dept. of Transportation v. Lundberg*, 312 Or 568, 574, 825 P2d 641 (1992); *State Highway Comm. v. Hooper*, 259 Or 555, 560, 488 P2d 421 (1971).

It is important to emphasize that the Airport Layout Plan does not illustrate any upgrades to Highway 551 that might potentially benefit the remainder properties and thereby increase their value. For example, there is no indication that street lights or sidewalks will be added.

The draft Master Plan indicates cost estimates were based on "the best available public information on property values." Page 7-2. Publicly available information includes the Marion County permits for the properties and aerial photos from numerous public sources, including Google Maps, but apparently these sources were not used. There is no evidence about the actual value of the displaced improvements, nor any evidence of the cost to cure or the reduction in value of the remainder properties. There is not an adequate factual base to support the draft findings or the

Master Plan itself, as required by Goal 2, which is to assure an adequate factual base for all decisions and actions related to use of land. The 2026 Master Plan is a land use decision which must comply with Goal 2.

The relocation of Highway 551 violates Goal 12 for several reasons.

The purpose of Goal 12 is to "provide and encourage a safe, convenient and economic transportation system." The 2026 Master Plan violates Goal 12 because it fails to conserve energy by placing an urban transportation facility in a rural area. It fails to conform with local comprehensive land use plans because the proposed improvements and expansion are not included in the Marion County Rural Transportation System Plan, in violation of that plan and OAR 660-012-0020(2)(e).

To comply with Goal 12, the 2026 Master Plan must either comport with Goal 12 and its guidelines or develop an alternative means to achieve the goal. More specifically, Goal 2, Part III, requires the 2026 Master Plan to "either utilize the guidelines or develop alternative means that will achieve the goals. All land-use plans shall state how the guidelines or alternative means utilized achieve the goals." The draft Master Plan does neither, and thus violates Goal 2, Part III.

A Goal 12 exception is required for the 2026 Master Plan because it neither utilizes the Goal 12 guidelines nor proposes an alternative means of achieving Goal 12. The plan violates the guidelines because the plan expands an urban-scale transportation facility that serves national and international travel needs onto Class II agricultural land. The 2000 Aurora State Airport Master Plan Update described feasible alternatives at the Portland, Salem, McMinnville, and Hillsboro airports.

> "Within the mid and northern Willamette Valley, there are four airports designed to serve the large ARC D-II aircraft, including Portland International Airport, the Hillsboro Airport, the McMinnville Airport, and McNary Field in Salem. These four provide strategically located service for the referenced large aircraft."

Therefore, the Master Plan must develop an alternative means of achieving the goal, but fails to do so.

The airport expands onto Exclusive Farm Use (EFU) land on tax lot 600 of map 041W11D, tax lots 301 and 1400 of map 041W12D, tax lot 300 of map 041W02D, and tax lots 1100, 1200, 1300, 1400 and 1500 of map 041W02A, for expansion of the west portion of the airport and relocation of Highway 551. This relocation violates Goal 12 Guideline A.2 by failing to locate the highway within the existing right-of-way, where there is ample space for moving the travel lanes 80 feet. Instead, the Airport Layout Plan shows the entire right-of-way being moved so the travel lanes will be in the center of the new right-of-way, a clear violation of Guideline A.2. The highway relocation also violates Guideline A.3 by locating this major transportation facility on Class II agricultural land outside an urban growth boundary when feasible alternatives exist at the Salem Airport. As noted above, a second alternative is to relocate the travel lanes within the existing right-of-way. The Master Plan does not address these guidelines at all, nor does it perform an alternatives analysis. The Master Plan and findings neither utilize the guidelines nor develop alternative means to meet Goal 12, in violation of Goal 2, Part III.

Implementation Guideline B.1 of Goal 12 requires that major transportation facilities should:

> "direct urban expansion to areas identified as necessary and suitable for urban development. The planning and development of transportation facilities in rural areas should discourage urban growth."

The 2026 Master Plan and the Airport Layout Plan conflict with this guideline because they expand urban development in a rural area that is surrounded by EFU land. The Aurora State Airport has already been classified and acknowledged by the Court of Appeals as an urban use. The airport expansions to the south and east total roughly 50 acres, and the expansion to the west where Smith Gardens is located consumes about 15 acres. This expansion of the airport will serve national and international destinations. There is no information to demonstrate that these national and international flights require an airport that is located outside an urban growth boundary on EFU land. The 2026 Master Plan and the Airport Layout Plan do not comply with this Guideline of Goal 12.

Implementation Guideline B.2 of Goal 12 then requires detailed findings on five topics.

> "Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems and (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities."

The record erroneously lacks findings on these five Implementation Guideline B.2 factors. It also lacks the adequate factual base necessary to support findings that the 2026 Master Plan and the Airport Layout Plan have carefully evaluated or applied these five factors. For example, there is not any information in the record about the negative impacts on the local land use pattern, such as the displacement of existing farm uses, which is an adverse farm impact under ORS 215.296. Environmental quality issues are merely postponed to a later environmental assessment and environmental impact statement, contrary to Goal 6. There is not any information on the energy consequences of the pipeline on wheels that trucks drinking water in and sewage out from this airport which lacks public water and sewer service, or the energy consequences of increasing flight operations in this rural area, instead of at an existing urban airport, such as McNary Field in Salem.

Regarding the fourth factor, the information on the impact to existing surface transportation systems fails to meet Marion County standards for a transportation impact study. Finally, on the fifth factor, there are no reports on the fiscal impacts to local governments. The omission of findings and evidence regarding these five factors means the 2026 Master Plan and the Airport Layout Plan are not in compliance with Goal 12. Nor does the 2026 Master Plan provide an alternative means of meeting Goal 12 as required by Goal 2, Part III. The plan also fails to state how the guidelines or alternative means are utilized to achieve Goal 12. For these reasons, a Goal 12 exception is required.

The proposed airport runway extension also requires findings on the five elements of Implementation Guideline B.2. There is no evidence in the record to justify extension of the runway for D-II jet aircraft on rural land, when the alternative airports described in the 2000 master plan remain operational and capable of serving these jets.

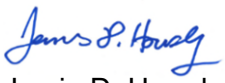
The airport is the largest land use in North Marion County in terms of employment and trip generation. However, the 2026 Master Plan does not include a traffic study in the conventional sense. The typical traffic study first examines existing conditions with specific traffic counts in the field and measurement of the level of service of nearby intersections. It then estimates the new traffic created by the project ("trip generation"). Next, it determines which direction the traffic to and from the site will go ("trip distribution"), and then what effect that additional traffic will have on surrounding roads and intersections, including intersections in the City of Aurora. The Master Plan fails to identify or recommend specific mitigation for the additional traffic caused by the Master Plan projects. These necessary elements of a traffic study are explained in more detail in Marion County's Traffic Impact Analysis Requirements.

The 2026 Master Plan lacks essential traffic information, and the lack of information on intersection operations is especially problematic. Thus, the Master Plan lacks an adequate factual base to support the necessary findings on vehicle traffic around the airport, as required by Goal 12.

The 2026 Master Plan unnecessarily proposes to move Highway 551 at enormous public cost, to serve a very small number of aircraft, which can easily use the Salem Airport instead. Oregon land use law requires that urban development on rural land obtain goal exceptions, which in turn require that no alternate lands inside urban growth boundaries can accommodate the proposed uses; here, a runway suitable for D-II aircraft. ORS 197.732(2)(c)(B). Because the Salem Airport can accommodate those aircraft, there is no basis for approving the 2026 Master Plan, which will only wreak havoc on Smith Gardens and its neighbors.

Sincerely,

JORDAN RAMIS PC



Jamie D. Howsley
Admitted in Oregon and Washington

cc: Client
Kathleen Bertero