

## LAW OFFICE OF BILL KLOOS PC

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April 21, 2017

Mr. Jim Rue, Director  
DLCD  
635 Capitol St. NE, Suite 150  
Salem, OR 97301-2540

By email to: [DLCD.PR-UGB@state.or.us](mailto:DLCD.PR-UGB@state.or.us)

Re: Supplemental Objection to:  
Springfield UGB, Comprehensive Plan and Zoning Changes &  
Lane County Rural Comprehensive Plan Updates

Dear Director Rue:

Three objections were filed by letter dated April 20. This is a supplemental objection, also filed by Johnson Crushers International (JCI) and the Willamette Water Company, both of whom participated in the local proceedings. This fourth objection is being filed as a precaution, to be sure that the objections are sufficiently fine-grained to catch the significant errors that are of concern to my clients.

*Objection 4: The City's findings and evidence, taken as a whole do not establish a basis for making the Seavey Loop area a lower priority than the Goal 9 sites that were selected.*

Our August 22, 2016, letter to the joint governing bodies critiqued the shortcomings in the findings and analysis that the City relied upon to reject the Seavey Loop area. See letter at pages 6-9. There are a variety of errors. The findings misstate the presence of higher class agricultural soils in the Seavey Loop area. The Seavey Loop area actually has the lowest quality soils of all the candidate areas. The analysis erroneously breaks down the Seavey Loop area into a number of subareas for purposes of analysis, which drives the conclusion that the area does not have parcels of sufficient size. The disaggregation of the site for purposes of analysis is not justified. The analysis ignores the potential aggregating smaller parcels into larger development sites. The analysis also makes attractive conclusions about the Seavey Loop area that are not founded on any evidence, such as finding that the Seavey Loop area has "topographic constraints" that relate to public facilities.

*Specific revisions needed:*

The Department should remand the decision to the City with instructions to analyze the Seavey Loop area in the same level of detail at the other sites, to limit its findings to those that are relevant to applicable standards in the statute and Goal 14, and to support each finding with reference to evidence in the record.

Thank you for your consideration.

DLCD

April 21, 2017

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Sincerely,

*Bill Kloos*

Bill Kloos

Cc: City of Springfield, City Manager, by personal delivery on April 20  
Lane County, County Administrator, by personal delivery on April 20