1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	COLUMBIA RIVERKEEPER and
5	NW PROPERTY RIGHTS COALITION,
6	Petitioners,
7	
8	VS.
9	
10	CLATSOP COUNTY,
11	Respondent,
12	
13	and
14	
15	OREGON PIPELINE COMPANY, LLC,
16	Intervenor-Respondent.
17	LUDA N. 2010 100
18	LUBA No. 2010-109
19	EINIAL ODINIONI
20	FINAL OPINION AND ORDER
21 22	AND ORDER
23	Appeal from Clatsop County.
23 24	Appear from Classop County.
25	Lauren R. Goldberg and Brett VandenHeuvel, Hood River, represented
26	petitioners.
27	
28	Jeffrey J. Bennett, Portland, represented respondent.
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30	E. Michael Connors, Portland, represented intervenor-respondent.
31	
32	HOLSTUN, Board Member; RYAN, Board Chair; BASSHAM, Board
33	Member, participated in the decision.
34	
35	DISMISSED 06/27/2014
36	
37	You are entitled to judicial review of this Order. Judicial review is
38	governed by the provisions of ORS 197.850.

2	The lengthy history of this appeal is set out in Oregon Pipeline Company
3	v. Clatsop County, Or LUBA (LUBA No. 2013-106, June 27, 2014),
4	which is issued this date. Discussion of that history is not repeated here.
5	On January 13, 2011, the county withdrew the November 8, 2010

On January 13, 2011, the county withdrew the November 8, 2010 decision that is the subject of this appeal for reconsideration, pursuant to ORS 197.830(13)(b). LUBA received the county's October 16, 2013 decision on reconsideration on October 18, 2013. Under ORS 197.830(13)(b) and OAR 661-010-0021(5), petitioners Columbia Riverkeeper and NW Property Rights Coalition were entitled to refile their notice of intent to appeal or file an amended notice of intent to appeal in this appeal (LUBA No. 2010-109), within 21 days after LUBA received the county's decision on reconsideration on October 18, 2013. Neither petitioner refiled their notice of intent to appeal or filed an amended notice of intent to appeal in LUBA No. 2010-109. OAR 661-010-0021(5)(e) provides that if a notice of intent to appeal is not refiled or an amended notice of intent to appeal is not filed by petitioner within the 21-day deadline established by OAR 661-010-0021(5) "the appeal will be dismissed." No party moved to dismiss LUBA No. 2010-109. LUBA now dismisses this appeal on its own motion.

<sup>&</sup>lt;sup>1</sup> Oregon Pipeline Company did appeal the county's October 16, 2013 decision on reconsideration, and *Oregon Pipeline Company v. Clatsop County* is our final opinion and order in that appeal of the city's October 16, 2013 decision on reconsideration.