

STAFF REPORT

Agenda Item No.:	F
Work Plan Title:	State Forests
Work Plan:	Land Sale Approval
Presentation Title:	ODOT Hwy. 97 Passing Lane Project
Date of Presentation:	January 9, 2019
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SUMMARY

The purpose of this Staff Report is to seek Board approval of the sale to the Oregon Department of Transportation (ODOT) of 7.72 acres of the Gilchrist State Forest along the east side of US Highway 97 as shown on the vicinity map, Attachment 1.

CONTEXT

ODOT is in the process of planning construction of a 2 mile passing lane project North of Gilchrist (MP 180.1-182.4) on US Highway 97. An additional 50 feet of right of way is needed on the East side of the highway on the Gilchrist State Forest to accommodate the passing lanes.

ODF has access rights in a few locations along US Highway 97, within the project area, with only one access point currently being used. As part of the project, the existing access points will be closed and ODOT will establish a new access point to the Gilchrist State Forest south of the project area, as shown on the vicinity map. The new access point will be reserved by ODF in the conveyance document to ODOT.

BACKGROUND AND ANALYSIS

The Board of Forestry has authorization under ORS 530.025(3) to sell lands acquired after July 28, 2009 to other parties if the Board determines that the other parties are better suited to manage the lands for the long term. The land needed by ODOT for this project was acquired by the Board in 2010 and 2011.

ODOT obtained an appraisal of the property in March 2018 which determined the value of the 7.72 acres to be \$4,632 or \$600/acre if fee title is acquired.

ALTERNATIVES CONSIDERED

A permanent easement was considered instead of selling the property to ODOT. However, ODOT has requested to purchase the property to allow for unrestricted maintenance of the highway and any facilities that are placed within this area. This area will eventually have a wildlife fence and an animal undercrossing that will also require regular maintenance.

RECOMMENDATION

The Department recommends that the Board approve the sale of the 7.72 acres to ODOT for the appraised value of \$4,632. This requires the Board to make the following two findings. The Department believes that the facts in support of these findings are adequate to support the approval.

Board Finding #1:

Board determines that the characteristics of the 7.72 acres make it valuable for the proposed use and that the proposed use better meets the Greatest Permanent Value (GPV) standard than the current use. The proposed sale will not have an impact on the ability of the Department to manage the remaining forestlands in compliance with the GPV standard.

Facts in Support:

- a) Currently this land has been cleared of all timber and serves as an open right of way along US Highway 97.
- b) The project will improve the overall safety and mobility for the freight industry and travelers on the east side of the Cascade Mountain Range.
- c) The new road approach that will be established south of the project, will provide safe access to the Gilchrist State Forest off US Highway 97.

Board Finding #2:

Board finds ODOT is better suited and more qualified than ODF to manage the property over the long term.

Facts in Support:

- a) Sale of the property to ODOT allows for unrestricted maintenance of the highway and any facilities that are placed within this area.
- b) ODF would have limited management options for this property due to its proximity to the highway.

NEXT STEPS

- If the sale is approved by the Board, ODF will execute the attached Conveyance of Access Rights, Attachment 2.
- ODOT plans to begin the project in the spring of 2019 and have it completed by the end of 2019.
- ODOT will construct a new access road to the Gilchrist State Forest to replace the access roads which will be removed with this project. The District will work with ODOT on the timing of the closure of the existing access and the construction of the new access to minimize impacts to the public.
- ODOT will issue ODF a Permit to Operate, Maintain and Use a State Highway Approach at the new road approach at the conclusion of the project.

ATTACHMENTS

- (1) Vicinity Map – ODOT Hwy 97 Passing Lane
- (2) Conveyance of Access Rights and Bargain and Sale Deed