



**Annual Meeting  
October 24, 2019  
Independence Public Library 7 pm  
“Enhancing Special Habitats in  
Polk County”**

The theme for our annual meeting on October 24 is conservation of special habitats in Polk County. We arranged a panel of speakers to discuss four special areas: Luckiamute State Natural Area, Willamette Bluffs, and two projects near the Baskett Slough National Wildlife Refuge.

Kristen Larson, Director of the Luckiamute Watershed Council, will talk about The Luckiamute State Natural Area (LSNA) nearly 1,000 acres of land located near Buena Vista with spectacular views of the confluences of the Luckiamute, Santiam and Willamette Rivers. The LSNA is known for its large remnant of deciduous “gallery forest” – a forest of majestic cottonwoods and maples arching over an exceptionally diverse understory.

Matt Blakeley-Smith of Greenbelt Land Trust will talk about Willamette Bluffs a 120-acre property along the Willamette River that is a little north of the LSNA. Willamette Bluffs, previously in farm use, has an active restoration schedule to enhance and expand wetlands, woodlands and prairies to benefit local wildlife.

Rick and Judy Smith, private landowners, will talk about their property near Baskett Slough.

Rick and Judy have worked with various partners to restore wetlands, wet prairie, upland prairie, oak woodland and oak savannah on two parcels that total nearly 500 acres.

Bill Wainwright, private landowner, has worked with multiple state and federal conservation partners to restore and protect highly-valuable oak habitat on his 400-acre ranch that is also near Baskett Slough. His efforts led to the return of Fender’s blue butterfly and many other wildlife.

We invite you to come hear about these special habitat gems in Polk County. The forum is free and open to the public.

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## Message from FOPC Vice-President

Friends of Polk County has engaged in a number of land use issues in the past year. We submitted testimony to LCDC (Land Conservation and Development Commission) on the siting of commercial solar installations on EFU (exclusive farm use) land. While firmly supporting the buildout of alternative sources of energy we testified that all other siting options for such installations should be considered first before allowing them on high value farmland. The result was a compromise ruling that allows commercial solar on class 3 and 4 soils but not on class 1 and 2 which are the highest value soils.

We submitted testimony to the legislature against a proposal that would allow an additional dwelling on family forestland parcels. Unfortunately this bill did pass.

Our testimony on HB 2225 (forest template dwellings) was more successful. A compromise bill passed that tightened some loopholes in the law defining where non-forest dwellings can be permitted on forestland parcels.

At our 2018 annual meeting Jim Johnson, land use and water expert at the Oregon Department of Agriculture, spoke on the history and future of land use planning laws particularly as related to rural lands. It was an excellent and well attended program.

Currently we are working on testimony in opposition to a recent local application to rezone 228 acres in the Eola Hills from EFU (exclusive farm use) to 10 acre rural residential. Would you like to help? \*

\*Please contact one of us if you are interested in land use advocacy in Polk County. We need additional board members. One evening meeting a month can make a lot of difference.

## Officers and Board Members

Vice-President (and Acting President)–  
Sarah Deumling (503 585-6380)  
Treasurer – Pat Wheeler (503 838-1436)  
Secretary – Karen Farmer (503 917-9875)  
Board Members  
Suzanne Reingans (503 586-4324)  
Thron Riley (503 363-1546)  
Marti Sohn (503 399-1797)

## Winter Calendar

- Oct 17 Membership Renewal & Ballots Due
- Oct 24 Annual Meeting, 7 pm  
“Enhancing Special Habitats”  
Independence Public Library
- Nov 9 1000 Friends Affiliate Conference  
Corvallis
- Nov 21 FOPC Board Meeting, 7 pm  
Independence Public Library

## **1000 Friends Expanding Rural Lands Involvement**

One of our goals is to ensure that Polk County’s farm and forest lands remain in use as working lands to provide agricultural and forests products to support our economy and wellbeing. We are happy to report that over the last year 1000 Friends of Oregon has expanded their rural lands involvement to assist groups like ours. Several new staff members have been added.

Andrew Mulkey is the new Rural Lands Attorney and will be running the Cooperating Attorney Program. In 2017, Andrew started his own land use practice in Eugene, where he provided low cost legal services to non-profits, farmers and woodland owners seeking to protect Oregon’s working farm and forest lands. At 1000 Friends, Andrew will continue to serve residents and communities across the state to protect Oregon’s rural lands.

Jasmine Zimmer-Stucky is the new Working Lands Engagement Coordinator. Jasmine assists in the amplification of the rural network of land use advocates by supporting the Farmer Advisory Committee and the Affiliate Program at 1000 Friends. She organized the 1000 Friends Legislative Recap in Salem on August 27, which was attended by over 40 participants. She is also organizing an Affiliates and Allies Conference to be held November 9 in Corvallis.

Scott Hilgenberg serves as the Rural Lands Legislative Attorney for 1000 Friends. Scott focuses on guiding development of land use legislation and rule making agendas on issues of farm, forest, and natural resources. He advocates for progressive land use policies, defends against threats to rural land protections, and works with local activists and affiliates by providing technical assistance on local and state-wide land use issues.

### **Loss of Farm Land in Eola Hills?**

In 2015 we engaged legal representation to oppose an application submitted to rezone 230 acres of Exclusive Farm Use land to an Agriculture/Forestry 10-acre minimum zone. The Planning Department and the Hearings Officer recommended denial of the application because the applicants failed to demonstrate that the property was unsuitable for farming and forestry. Several neighbors also testified in opposition of the application based on water and safety issues.

The applicant has recently resubmitted the application with minor changes. Public hearings are scheduled for October 15 and November 20. Once again, we engaged legal representation to oppose the application. If approved the rezoning would allow 16-18 new dwellings with no requirements for the owners to continue farming or forestry. The property is in a ground water limited area, and additional wells could deplete water resources for neighboring land owners. Furthermore, additional dwellings would increase cost of fighting wildfires. If you are

interested in learning more about this application for rezoning farm and forest land contact the Polk County Planning Department about PA 18-01 and ZC 18-02 (Sidney Mulder, 503 623-9237).

Our financial base for covering fees for legal representation is in need of replenishment. Please consider giving an additional contribution when you renew your membership this year.

### **Victory in Douglas County LUBA Case**

On August 2 the Land Use Board of Appeals sided with the Department of Land Conservation and Development (DLCD), Friends of Douglas County, 1000 Friends of Oregon, and Oregon Department of Fish and Wildlife (ODFW), remanding an attempt by Douglas County to revise its state-approved comprehensive plan by re-designating more than 22,000 acres of productive farm and forest land for residential development.

In addition to the county's failure to comply with Goals 3 and 4 (which protect agricultural and forest lands, respectively), LUBA cited failures related to Goal 2 (land use planning process), as well as Goals 7, 10, and 11. Of particular note is the Goal 7 issue, which was highlighted by 1000 Friends Staff Attorney Meriel Darzen: "The county should have considered the wildfire risks associated with allowing so many new structures in a highly fire-prone landscape."

Douglas County is also especially vulnerable to devastating wildfire. For instance, the Milepost 97 wildfire, which broke out in Douglas County in late July and burned over 13,000 acres. Over 100 firefighters were assigned to the fire. During the 2019 Legislative Session, 1000 Friends of Oregon was instrumental in the passage of HB 2225, restricting the building of new structures in wildfire-prone areas of the state, and protecting the people and communities of places like Douglas County from unnecessary wildfire risk.

## 2019 Legislative Review

Of 3000 bills introduced in this session, 700 were passed. 1000 Friends of Oregon supported 17, opposed 9 and tracked many others. The big win statewide had little to do with rural Polk County but will take some of the pressure off residential expansion into rural farm and forestland. HB 2001 relegalizes middle housing (duplexes, triplexes, etc.) in single family zones in cities with populations over 10,000.

HB 2579 added \$10 million to the “Farm-to-School Program. Other partial successes included HB 2225 tightened up some existing loopholes in the siting of homes on forest land.

HB 2790 was also a compromise bill that passed and requires Mass Gatherings of over 3000 people in 72 hours to go through a land use permitting process and “allows” counties to assess fees based on number of attendees.

Several bills that would have had potentially negative consequences for land use were stopped including

SB 88 which would have allowed the building of ADUs on rural residential properties and HB 2456 which would have allowed far Eastern Oregon counties bordering Idaho to rezone EFU land for residential development under certain circumstances - flying directly in the face of our land use laws.

Other bad bills did pass including one allowing a second dwelling on family forestland properties.

The Oregon Agricultural Heritage Program remained alive but, once again, was not funded. This program, when funded, will access a substantial pot of federal money to help pay for several types of easements on farmlands as well as for facilitation of the transition of farms to the next generation. Stay tuned.

All in all, considering the makeup of the legislature and the Governor’s office, this was not a stellar session for land use advocates. The importance of land use is not as front-and-center for either legislators or the public as they once were. If you would like to help us keep land use alive and well in our beautiful state please consider joining the board of Friends of Polk County.



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