



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2540

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: March 18, 2016

Jurisdiction: Lane County

Local file no.: 509-PA-05807

DLCD file no.: 004-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 03/17/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 36 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 004-15 {24151}

Received: 3/17/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Lane County

Local file no.: **Ordinancen No. PA 1320 / 509-PA14-05807**

Date of adoption: March 15, 2016

Date sent: 3/17/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): December 1, 2011

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No.

Local contact (name and title): Lindsey Eichner, Associate Planner

Phone: 541-682-3998

E-mail: [Lindsey.Eichner@co.lane.or.us](mailto:Lindsey.Eichner@co.lane.or.us)

Street address: 3450 N. Delta Hwy

City: Eugene

Zip: 97408-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

#### **For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

#### **For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

Change from F to ML 19.07 acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Change from to acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 18-04-08-00-00100

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from F-2	to ML	Acres: 60.07
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 18-04-08-00-00100 & 18-04-05-00-04901

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List affected state or federal agencies, local governments and special districts: Zumwalt RFPD, City of Eugene, Lane Electric Co-op, City of Eugene Airport, Oregon Department of Water Resources.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

The Ordinance, adopted plan map, adopted zoning map, findings, exhibits to findings

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON**

**ORDINANCE NO. PA 1320** IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE PLAN TO REDESIGNATE LAND FROM "FOREST" TO "MARGINAL LAND" AND REZONE LAND FROM "IMPACTED FOREST LAND (F-2)" TO "MARGINAL LAND (ML/SR) WITH SITE REVIEW", AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES (File No. 509-PA14-05807; Applicant: Kerby)

**WHEREAS**, Lane Code 16.400 sets forth procedures to amend the Rural Comprehensive Plan, and Lane Code 16.252 sets forth procedures for rezoning lands within the jurisdiction of the Rural Comprehensive Plan; and;

**WHEREAS**, on December 2014, application No. 509-PA14-05807 was made for a minor amendment to re-designate the southern 19.7 acres of Tax Lot 100 of Map 18-04-08, from "Forest Land" to "Marginal Land" and to concurrently rezone the entire Tax Lot 100 of Map 18-04-08 and Tax Lot 4901 of Map 18-04-05 from "F-2/Impacted Forest Land" to "ML/SR Marginal Land With Site Review"; and

**WHEREAS**, the Lane County Planning Commission reviewed the proposal in a public hearing on January 5, 2016, deliberated on January 19, 2016, and forwarded the matter to the Board with a recommendation for approval; and

**WHEREAS**, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 16, and the requirements of applicable state and local law; and

**WHEREAS**, the Board of County Commissioners has conducted a public hearing and is now ready to take action;

**NOW, THEREFORE**, the Board of County Commissioners of Lane County Ordains as follows:

Section 1. The Lane County Rural Comprehensive Plan is amended to re-designate the northern 19.7 acres of Tax Lot 100 of Map 18-04-08, from "Forest Land" to "Marginal Land". This is depicted on the Official Lane County Plan maps and further identified as Exhibit "A" attached and incorporated herein.

Section 2. The Lane County Official Zoning Map is amended to change the zone of Tax Lot 100 of Map 18-04-08 and Tax Lot 4901 of Map 18-04-05, from "F-2/Impacted Forest Land" to "ML/SR" "Marginal Land with Site Review". This is depicted on the Official Lane County Zone maps and further identified as Exhibit "B" attached and incorporated herein. The exclusive purpose of the Site Review suffix is to require Fire Siting Standards of Lane Code 16.211(8) be applied to all new structures on the subject property.

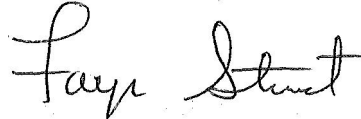
**FURTHER**, although not a part of this Ordinance, the Board of County Commissioners adopts Findings of Fact and Conclusions of Law as set forth in Exhibit "C" attached, in support of this action.

The prior designation and zone repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.



If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity to the remaining portions hereof.

ENACTED this 15<sup>th</sup> day of March, 2016.



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Faye Stewart, Chair  
Lane County Board of County Commissioners



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Recording Secretary for this Meeting of the Board

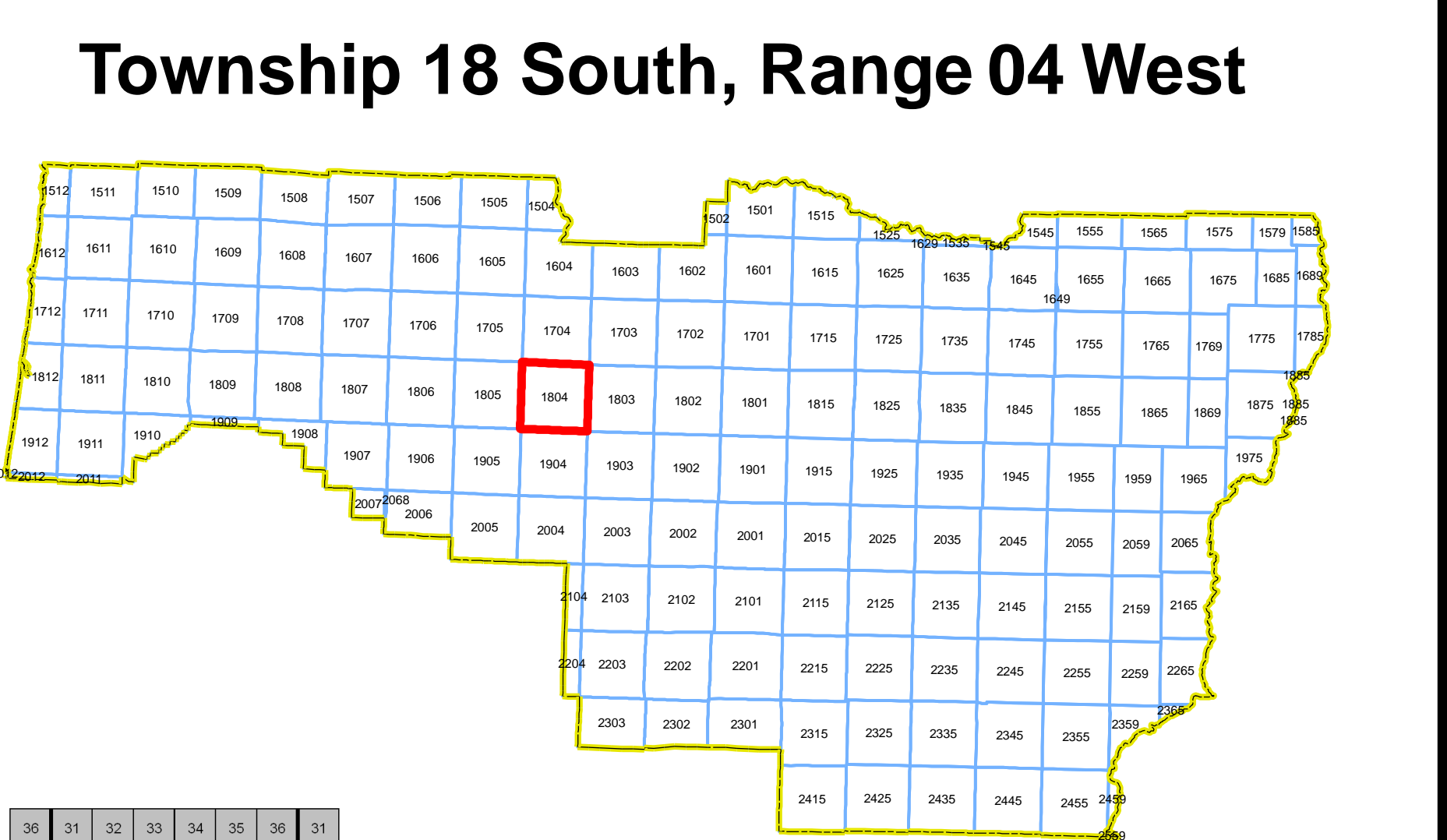
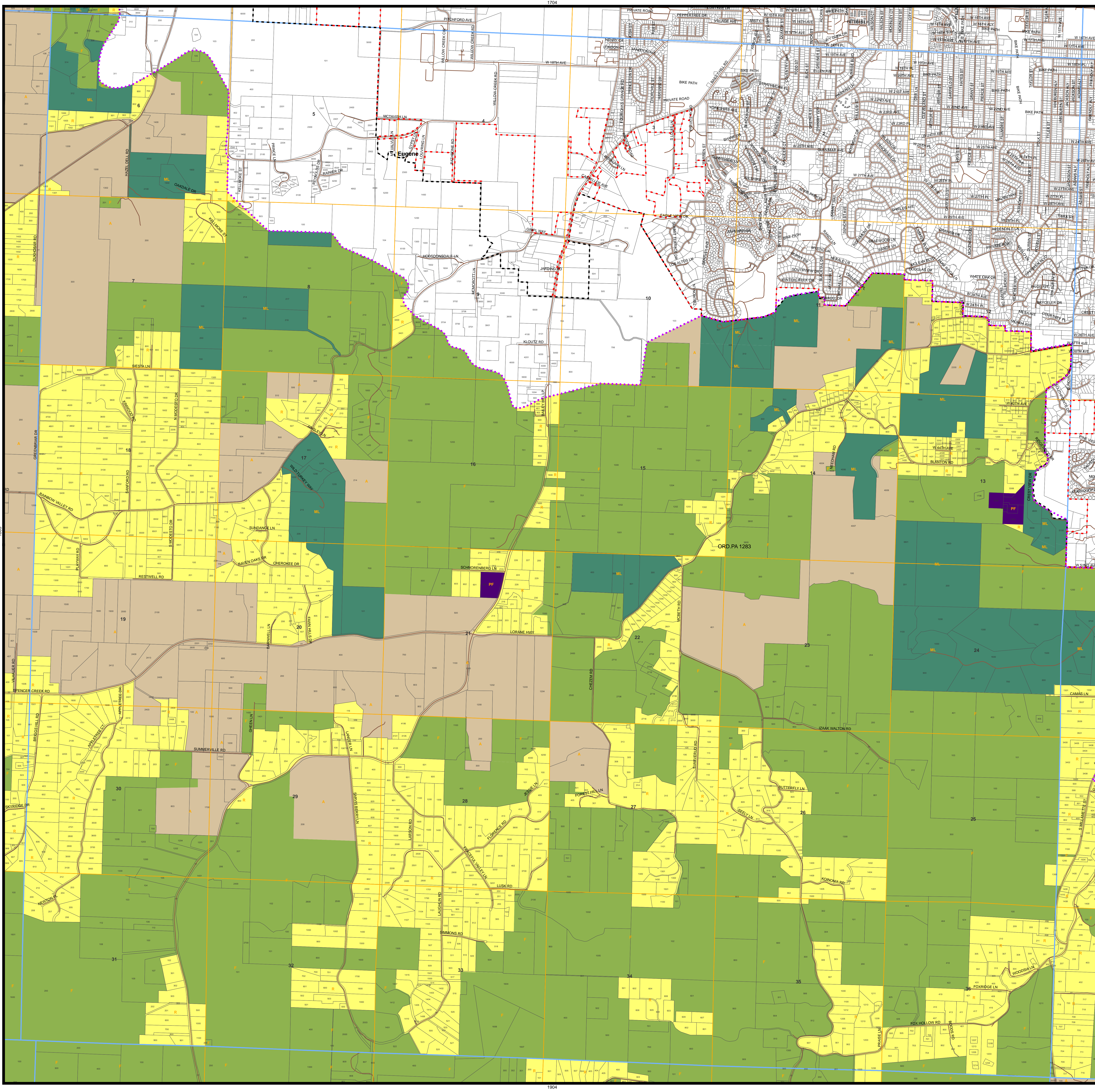
APPROVED AS TO FORM  
Date 2-23-16 Lane County



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OFFICE OF LEGAL COUNSEL





Section Legend

1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32

**Ordinance No. PA 1320**  
**Exhibit A**

**RCP Plan Designations**

- F - Forest
- A - Agricultural
- ML - Marginal
- C - Commercial
- I - Industrial
- R - Residential
- NRES - Non Resource
- P - Parks
- AIR - Airport
- NR:CA - Natural Resource Conservation Area
- NR:M - Natural Resource : Mineral
- NR:W - Natural Resource : Wildlife
- E - Estuary
- DR - Destination Resort
- PF - Public Facility

- UGB**  
 UGB
- City Limits**  
 City Limits
- Communities**  
 Rural  
 Urban
- Township Range**  
 Township Range
- Sections**  
 Sections
- Metro Plan Boundary**  
 Metro Plan Boundary
- Parcels**  
 Parcels
- Roads**  
 Roads
- Surface Water**  
▶ Surface Water

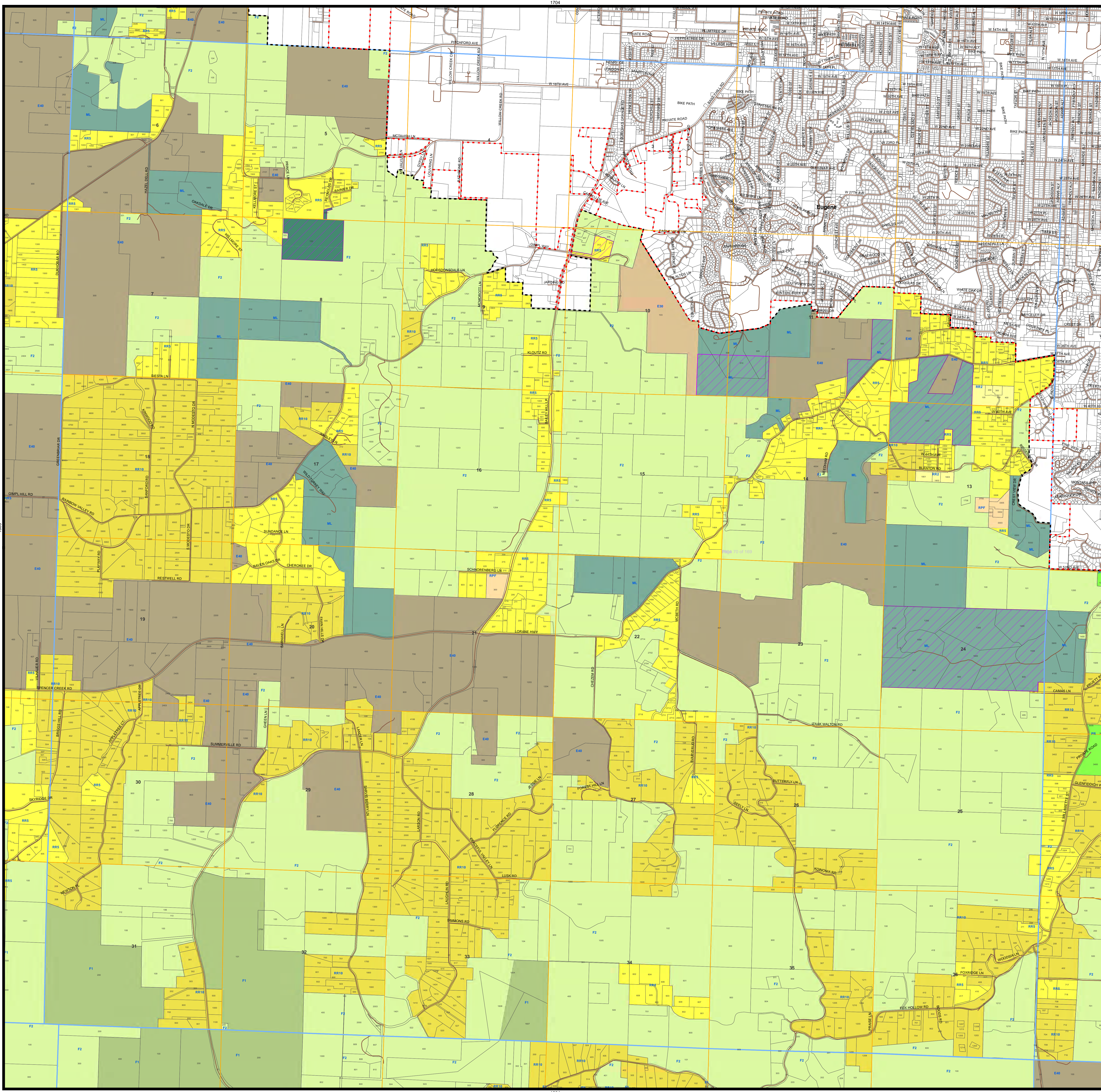
ORIGINAL ADOPTING ORDINANCE NUMBER: **ORD.PA1246**

Revision	Ordinance or Order Number	Date Effective	Planning Action Number	Revision Description
1	ORD.PA1246	July 11, 2008	NA	Map Adopted
2	ORD.PA 1294	Nov 1, 2013	509-PA 11-5500	18-04-11 TL 901 Forest to Marginal Land
3	ORD.PA 1295	Nov 1, 2013	509-PA 11-5501	18-04-11 TL 500 Forest to Marginal Land
4	ORD.PA 1296	Oct 15, 2013	509-PA 11-5502	18-04-13 TL 1300 Agricultural to Marginal Land
5	ORD.PA 954	Aug 3, 1988	PA 2781-91	Settlement area converted under LC 18-01(N) 18-04-13 TL 3802 NRES to P
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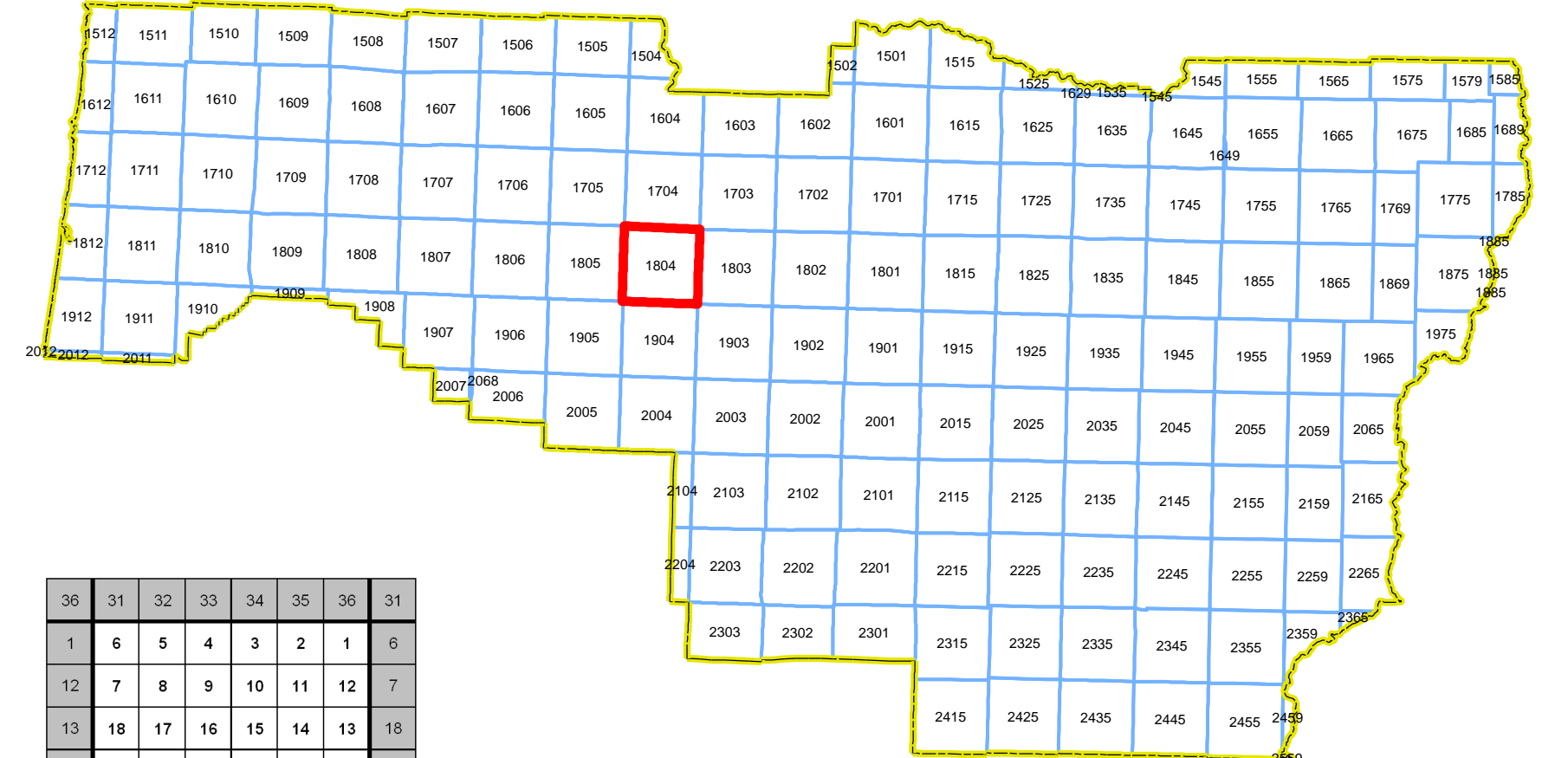
**PROPOSED**

**Official Lane County Plan Map**





Township 18 South, Range 04 West



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31

Ordinance No. PA 1320  
Exhibit B

Zoning

- F1 - Non-Impacted Forest
- F2 - Impacted Forest
- E25 - Exclusive Farm Use (25 acre minimum)
- E30 - Exclusive Farm Use (30 acre minimum)
- E40 - Exclusive Farm Use (40 acre minimum)
- E60 - Exclusive Farm Use (60 acre minimum)
- ML - Marginal Lands
- RC - Rural Commercial
- RI - Rural Industrial
- LI - Light Industrial
- GI - General Industrial
- RPF - Rural Public Facility
- RR1 - Rural Residential (1 acre minimum)
- RR2 - Rural Residential (2 acre minimum)
- RR2-NRES - Non Resource (2 acre minimum)
- RR5 - Rural Residential (5 acre minimum)
- RR5-NRES - Non Resource (5 acre minimum)
- RR10 - Rural Residential (10 acre minimum)
- RR10-NRES - Non Resource (10 acre minimum)
- PR - Park and Recreation
- RPR - Rural Park and Recreation
- AO - Airport Operations
- CLWP - Clear Lake Watershed Protection Area
- NR - Natural Resource
- NE - Natural Estuary
- DR - Destination Resort
- QM - Quarry and Mining Operations
- SG - Sand, Gravel and Rock Products
- SG/CP - Sand, Gravel and Rock Products Combining Processing
- CR - Rural Commercial
- C2 - Neighborhood Commercial
- C3 - Commercial
- M2 - Light Industrial
- PF - Public Facility

- Site Review: UGB (dashed line), Township Range (solid line)
- City Limits: (dotted line)
- Sections: (numbered boxes)
- Roads: Surface Water (blue line)

ORIGINAL ADOPTING ORDINANCE NUMBER: **ORD.PA1246**

Revision	Ordinance or Order Number	Date Effective	Planning Action Number	Revision Description
1	ORD.PA1246	July 11, 2008	NA	Map Adopted
2	ORD.PA06-6170	April 29, 2009	PA06-6170	Somehow was combined with LC 18-048 TL: 3900, 4000, 4100, 4200, 4300
3	ORD.PA00-6018	Feb 20, 2001	PA00-6018	Somehow was combined with LC 18-048 TL: 3900-4000, TL: 399, F2 & RR20R
4	ORD.PA 1294	Nov 1, 2013	509-PA 11-5500	18-04-11 TL 201 F2 to ML/SR
5	ORD.PA 1295	Nov 1, 2013	509-PA 11-5501	18-04-11 TL 500 F2 to ML/SR
6	ORD.PA 1296	Oct 15, 2013	509-PA 11-5502	18-04-13 TL 1300 640-940R
7	ORD.PA 954	Aug 3, 1988	PA 2781-91	Somehow was combined with LC 18-048 TL: 1804-13 TL: 3802, 3803 & F2
8				
9				
10				

PROPOSED

Official Lane County  
Zoning Map



**ORDINANCE NO. PA 1320  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**I. INTRODUCTION**

This decision approves a minor amendment to re-designate the southern 19.7 acres of Tax Lot 100 of Map 18-04-08, from "Forest Land" to "Marginal Land" and concurrently rezones the entire Tax Lot 100 of Map 18-04-08 and Tax Lot 4901 of Map 18-04-05 from "F-2/Impacted Forest Land" to "ML/SR Marginal Land with Site Review". See Ordinance No. PA 1320 Exhibits A and B.

In these findings the full text of the relevant criteria appears in **bold** face font without quotation marks. The findings and conclusions addressing the standards appear in regular font.

The balance of Part I. addresses the subject property and surrounding property in general, as these facts are relevant to all of the following sections:

Part II. addresses the Marginal Land Criteria (ORS 197.247; 1991 edition).

Part III. addresses the Lane Code criteria for Plan amendments & Zone Changes.

Part IV. addresses the Rural Comprehensive Plan Policies.

Part V. addresses the Metro Plan Policies.

Part VI. addresses the Statewide Planning Goals. These are the most general standards that apply to plan and zone amendments.

**Proposal Description**

Applicant: David Kerby

Agents: Karl Mueller, Mueller Consulting, Jed Truett, Metro Planning Inc.

Proposal: Amend the Rural Comprehensive Plan diagram to re-designate the portion of the property within the boundary of the Rural Comprehensive Plan property from Forest Land to Marginal Land (ML) and a concurrent zoning map amendment from Impacted Forest (F-2) to Marginal Land (ML/SR) for both the portion of the property within the Metro Plan boundary and the portion of the property within the area covered by the Rural Comprehensive Plan.

Map and Tax Lot: 18-04-08 TL100, 18-04-05 TL4901

**Proposal Summary**

Most generally, the application seeks to re-designate the subject property from forest land to

Marginal Land and to the rezone the property to Marginal Land (ML).

The subject property is entirely within the jurisdiction of Lane County. However, the subject property is bisected by the Metro Plan boundary. (Exhibit A of Ordinance No. PA1320.)

The practical consequence of this is that the applicant must propose to amend the Rural Comprehensive Plan diagram to Marginal Land and to change the zoning of the subject property to Marginal Land for that portion of the property outside the Metro Plan boundary. For that portion inside the Metro Plan boundary only a zone change to Marginal Land is required. There is no need to amend the Metro Plan diagram.

Lane County has jurisdiction over lands within the Metro Plan boundary but outside city limits and the UGB. (Metro Plan I-6) The Metro Plan designation of the subject property is "Forest".

The subject property is adjacent to resource land that will not qualify as Marginal Land, therefore, the most likely result of the plan amendment/zone change is application for a land division and the development of two residences on no less than twenty acres each. The maximum potential residential density is three dwelling units on approximately sixty acres.

Evidence supporting these claims shall be supplied in more detail in this narrative statement.

The proposal is also consistent with the Lane County Rural Comprehensive plan, specifically: Goal 4 Forest Land Policy (1), (3); RCP Goal 5 Water Resources Policies (3), (4) and (5); Goal 5 Flora and Fauna Policies (1), (2), (3), (8), (11), (12); and Goal 11 Policy (6)(j), (6)(e).

The application is also consistent with the Board of County Commissioners' interpretation and administration of Marginal Lands applications, specifically: Lane County Working Paper: Marginal Land (1983); Lane County Information Sheet: Requirements for Marginal Land Designation and Zoning; and, the Supplement to Requirements for Marginal Lands Information sheet (1997). The proposal is consistent with state requirements set forth in ORS 197.247 as embodied in LC 16.214 and complies with ORS 215.327.

The subject property satisfies all the statutory criteria for a Marginal Land designation.

## General Information

### A. Location

Assessors Map Number:	18-04-05 TL4901, 18-04-08 TL100
Zoning:	Impacted Forestland, F-2 (RCP)
Area of Request:	60.07 acres (RLID)
Existing Land Use:	Vacant
Access	Private Road off Reynolds Drive

## B. Site Location and Description

The subject property is located south of Reynolds Drive off Willow Creek Rd. between Bailey Hill and Bertelsen roads approximately one mile south-west of the former Hyundai site. (Exhibit 2, Aerial Map). The Eugene city limits are approximately one mile distant from the subject property.

The Metro Plan diagram map boundary bisects the subject property and as such that portion of the property within the plan boundary is considered included within the Metro Plan.

The subject property is in an area characterized by a mix of uses that is relatively densely developed by county standards. (Exhibit 2, Broad Vicinity Zoning Map) Rural residential uses dominate the area adjacent to the northern boundary of the subject property. A portion of the western boundary of the subject property is also adjacent to a rural residential area. Not too distant from the subject property to the southeast and south there are additional rural residential areas. There is a Marginal Land area to the west of the subject property as well as the southwest. Residential densities, calculated by the number of addresses within a one, two and three mile squares centered on the subject property vary slightly but are 13.9 acres/address (1 mile), 16.6 acres/address (2 mile) and 13.1 acres/ address (3 mile) (Exhibit 3, Residential Density Maps). The remainder of the area including the area adjacent to the eastern and southern boundaries of the property is in resource use and is zoned F-2.

The subject property, though sloped, is composed primarily of relatively gentle terrain. An existing gravel access road ascends from an elevation of approximately seven hundred twenty feet (720') over tax lot 5901 and to a central relatively flat portion of the property at approximately eight hundred forty feet (840'). The highest point on the subject property is located on the central portion of the western side of the property where the elevation reaches approximately one thousand twenty feet (1020'). There are no slopes over 35% on the subject property. Most slopes are under 25% and a substantial portion of the slopes are 0-15%. Steepest slopes are located on the western boundary as well as on the eastern boundary of the subject property. The property also slopes off relatively steeply to the south. The flattest portion of the site is centrally located. Please see the attached slope/contour map for a more complete understanding off the topographic features of the site. (Exhibit 1, Slope Map).

The subject property is an undeveloped tract. The only improvements are the existing access road which is gated at Reynolds Drive. There is a fence along Reynolds Drive. There are also wells located on tax lot 100. (Exhibit 4, Well Logs, Exhibit 16, Water Well Report, Lane 131) The subject property is sparsely forested after the site was logged in the early 1990's. At this time, there are a limited amount small noble fir as well as a few Ponderosa pine and Oregon oak. There is a small stand of Douglas fir on the northern portion of the property. Please see the attached Current Aerial Photo (Exhibit 5, Current Aerial Photo) for evidence of the lack of improvements and sparseness of on-site vegetation.

Lawrence E. Loeber and Kathleen J. Loeber purchased the subject property from Fred and Pearl Reynolds in early 1974. (Exhibit 6, Recorded Documents, Rec#(s) 7518017, 8109651, 8308243),(Exhibit 7, Partition) The Loebers owned the property until 1990 when they conveyed the property to the Western Wire Rope Co. Profit Sharing trust. (Exhibit 6,

The evidence proves that the Loebers did not undertake any agricultural activities on the subject property during their ownership and particularly for the period between 1978. (Exhibit 8) Aerial photography shows there were no improvements on the subject property in 1979 and the property remained unchanged in 1986. Forest productivity was then and still remains poor. The property is only capable of producing approximately 46 cubic feet per acre per year and the site was not capable of producing \$10,000 in merchantable timber annually utilizing 1978-1983 log prices as required by statute (Exhibit 9, Consulting Forester's Report).

## **II. COMPLIANCE WITH MARGINAL LANDS CRITERIA (1991 EDITION OF ORS 197.247)**

Marginal Land proposals are primarily governed by the 1991 version of ORS 197.247. Lane County is one of two Oregon counties that have adopted the Marginal Lands Plan/Zone designations. Lands that are designated as "marginal lands" are considered a subset of resource lands, but have lower minimum lot size requirements than other resources lands. Residential dwellings are also a permitted use pursuant to Marginal Land zone under Lane Code 16.214(2)(b).

Marginal Land law has changed since its inception in Lane County in 1984 (Ordinance 884). Lane County Marginal Lands cases have been appealed to Land Use Board of Appeals and beyond, often resulting in remands back to the County with changing methodology of Marginal Lands applications. As a result and as mentioned previously above, to eliminate multiple interpretations and offer guidance, in March 1997 the Lane County Board of Commissioners issued a Supplement to Marginal Lands Information Sheet (Exhibit 5) summarizing the seven issues that changed policy.

ORS 197.247 was repealed in 1993, but ORS 215.316 allows for counties who had previously applied the marginal lands provisions to continue to apply the 1991 editions of the marginal lands provisions. Lane County is authorized to use the 1991 editions of the provisions.

Qualification for a marginal land designation is a two-fold test. Any proposal must comply with the income test, and a parcelization test or productivity test. In this instance applicant has chosen to demonstrate compliance with the income test and productivity test.

The subject property has essentially been in its present configuration since at least 1974 when Lawrence E. Loeber and Kathleen J. Loeber purchased it from Fred and Pearl Reynolds. The Loebers owned the property until 1990 when they conveyed the property to the Western Wire Rope Co. Profit sharing trust. A small portion of the original lot owned by Loebers was removed from the parcel in 1991. This excepted area is approximately 1.07 acres in size and may be identified as TRS 18-04-08 TL103. The Loebers owned the entire parcel including TL103 for the statutory period between 1978 and 1983.

For this reason, the applicant has included TL103 in his analysis of site timber productivity and for the purposes of the agricultural soils test even though TL103 is not under control of the applicant at this time. (Exhibit 9, Consulting Foresters Report)

## ORS 197.247(1)

(a) The proposed marginal land was not managed, during three of the five calendar years preceding, as part of a farm operation that produced \$20,000 or more in annual gross income or a forest operation capable of producing on average, over the growth cycle, of \$10,000 in gross annual income.

These requirements seek to answer the following questions: Was the property part of a farm operation that produced on average \$20,000 in annual gross income between 1978 and 1983; and, was the property managed as part of a forest operation capable of producing \$10,000 of merchantable timber over the requisite period (1978-1983) using the appropriate log prices. These questions naturally lead to the question of what it means to be managed as part of a farm or forest operation.

The 1997 supplement to the Marginal Lands Ordinance explains what it means for land to be “managed”. It provides:

### ISSUE 2 Definition of “Management”

When considering forest land, the entire growth cycle must be considered for evidence of management. This is because even the best managed forest operations may have nothing occurring on the land during the five year window (1978-1982) stated in the marginal lands statute (ORS 197.247(1)(a) (1991 edition). For farm operations, however, it is difficult to conceive of an operating farm on which nothing occurred for five years.

Boards Direction:

No evidence of human activity on the land is required for forest land to be “managed”. The conscious decision not to convert the land to another use is enough evidence of management to meet the statutory intent, provided there is a significant amount of merchantable or potentially merchantable trees on the property . . . For farm land, no evidence of farm use during the five year statutory window would indicate the land was not managed for farm use. (Board of County Commissioners Direction Regarding the Interpretation and Administration of Marginal Land, Supplement to Marginal Lands Information Sheet, 1997)

There have been no changes to the definitions of management since 1997. The Marginal Lands: Training for the Lane County Planning Commission (March 6, 2012) repeats this definition of “management” essentially verbatim. Given this definition and the evidence supplied as part of this application, the conclusion must be reached that the property was not managed for farm use.

The Loebers did not undertake any agricultural activities on the subject property during their ownership and particularly for the period between 1978 and 1983. The 1979 aerial photo supplied as Exhibit 8, Sheet 1 to this narrative clearly shows that the property was forested in its entirety. There was no farmhouse. There were no clearings, sheds, outbuildings, barns, or fences. There is no documented evidence of any farming activities. There was no farm and



no farming on the subject property. The Loebers did not own any nearby land. The aerial photo dating from 1986 shows the condition of the subject property was unchanged from 1979 (Exhibit 8, sheet 2). There was still no farmhouse nor any clearing, shed, outbuilding or any farming associated improvement on the subject property. The Loebers still did not own any adjacent property. It follows that if there was no farming activity on the site in 1979 or in 1986, nor any changes to the site between 1979 and 1986, that there were no farming activities on the site during the statutory period, much less any farming activities generating twenty thousand dollars annually.

Therefore, the property could not have been “managed” as a farm that produced any income at all much less at an amount that would disqualify the applicant from obtaining the desired plan designation and zoning district.

There is no evidence of farm use or any other activity on the subject property between 1978 and 1983. As such, the property was not managed as part of a farm. However, given the Board's direction, ***the property was managed as part of a forest operation***. No signs of management except sufficient merchantable timber and the decision not to convert the property to another use are presumptive evidence of forest management. Therefore, the property was managed as a part of a forest operation during the statutory window. This fact is not fatal to the application as the subject property was not capable of producing, on average, \$10,000 annually over the growth cycle.

The Consulting Forester's report (using methodologies affirmed by LUBA) concludes that the subject property is capable of producing 414,269 MBF (thousand board feet) over a fifty year growth cycle. As noted, the Loebers also owned what is now tax lot TL103 and the applicant has included this area in the timber productivity and income analysis supplied by Consulting Forester Marc Setchko as part of this application. (Exhibit 9, Consulting Foresters Report)

For the purposes of estimating income, the Forester used the highest log prices that occurred throughout the statutory period. The highest log prices for the period between 1978 and 1983 occurred in 1980. Utilizing 1980 log prices, the property could generate \$2,690 in average annual income over the growth cycle. This is far below the \$10,000 threshold set by ORS 197.247(1)(a). For a more detailed discussion of the data sources, methods, assumptions and methodologies please see the “Forest Productivity and Income Analysis” (Exhibit 9, Consulting Forester's Report).

From the foregoing analysis, the subject property meets the requirements of ORS 197.247(1)(a) and may be designated and zoned Marginal Land.

**(b) The proposed marginal lands meets one of the following tests:**

**(C) The proposed marginal land is composed predominately of soils in agricultural capability classes V through VIII in the Agricultural Capability Class Classification in use by the United States Department of Agriculture Conservation Service on October 15, 1983, and is not capable of producing eighty-five cubic feet of merchantable timer in those counties west of the summit of the Cascade Range.**

The proposed marginal land is composed predominately of soils in agricultural capability

classes V through VIII. The applicant has sourced the soil types present on the site utilizing Lane County Regional Land Information Database data (Exhibit 10, RLID Property Summaries) and has supplied this information as part of this application. The applicant has also supplied a soils map sourced from Lane Council of Governments (LCOG) as an exhibit to this application. (Exhibit 11, Soils Map)

Soil Unit	Acres	Site Index	Cubic ft./acre/year	Total Production (cu. ft)	Soil Class	Percentage of Total
11E	0.24	115	163	37.49	4	0.38%
43E	11.23	na	45	505.35	4	18.37%
52D	10.04	na	40	401.6	4	16.42%
108F	36.15	na	45	1627.7	6	59.16%
138E	3.48	na	70	242.9	6	5.68%

The subject property is predominately Class 6 soil as 64.83% of the soil is in Agricultural Class 6. This does not change whether one utilizes the Soil Conservation Survey utilized in 1983 or the most recent update.

The subject property is also only capable of producing 46.07 cubic feet of merchantable timber per acre per year (2,816.4 cu. ft. / 61.14 acres = 46.07). The forest productivity numbers are taken from the *Lane County Soil for Forestry and Agriculture* produced by the Lane County Council of Governments and approved by the Oregon Department of Forestry. In order to be designated as Marginal Land, a parcel must not be capable of producing 85 cubic feet of merchantable timber per acre per year. The subject property's 46.07 productivity number is far below the statutory threshold.

As such, the requirements of ORS 197.247 are met and all state statutory requirements are met by the proposal.

### **III. COMPLIANCE WITH LANE CODE PLAN AMENDMENT AND ZONE CHANGE CRITERIA**

#### **Lane Code 16.400(6) Plan Adoption or Amendment – General Policies**

##### **(h) Method of Adoption and Amendment:**

**(i) The adoption or amendment of a Rural Comprehensive Plan component shall be by Ordinance.**

If approved, the adoption of the RCP amendments shall be by Ordinance.

**(ii) The adoption or amendment shall be concurrent with an amendment to LC 16.400(4) above. In the case of a Rural Comprehensive Plan adoption, the Code**

**amendment shall place such Plan in the appropriate category. In the case of a Rural Comprehensive Plan amendment, the Code amendment shall insert the number of the amending Ordinance.**

The adoption is concurrent with an amendment to category (a) listed in LC 16.400(4), The Code Amendment will insert the number of the amending Ordinance within the document.

**(iii) The board may amend or supplement the Rural Comprehensive Plan upon making the following findings:**

**(aa) For major and minor plan amendments defined in LC 16.400(8)(a) below, the plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.**

This request is classified as a Minor Plan Amendment as it is a change request to the Plan diagram (map) only and not a change in RCP text. Findings on applicable local and state law, including Statewide Planning Goals are addressed in this section.

**(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:**

**(i-i) necessary to correct an error in the application of the plan; or**

The proposal identifies and corrects an error in the Rural Comprehensive plan: The land is designated as resource land and zoned F-2 and this designation is inconsistent with site capabilities and limitations. The soils on the subject property fail to meet the definition of agricultural land in Lane County; timber productivity on the site is poor and does not produce 50 cubic feet of timber per acre per year which is the general threshold used to define forest land. Furthermore, the F-2 designation is not necessary to permit farm or forest practices on the nearby or adjacent land. As such, the F-2 zoning district is applied in error. This amendment is proposed to correct that error.

The Marginal Lands designation will correct this error as it is the proper zone for the subject property. The Marginal Lands zone is a designation applied to marginally productive resource land intended to make economically beneficial use of marginally productive resource land in Lane County.

**(ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; or**

**(iii-iii) necessary to comply with the mandate of local, state or federal policy or law; or**

The above criteria do not apply to this proposal.

**(iv-iv) necessary to provide for the implementation of adopted plan policy or elements; or**

The property is currently designated Forest, thus RCP Goal 4 applies (see Section IV. for RCP findings). The marginal land statute and RCP policies (Goal 4 Policy 3) anticipate that Ordinance No. PA 1320

Forest land can be redesignated as marginal land. Also, the description of the Marginal Lands plan designation, under Goal 11 of the RCP, states: "Land that satisfy the requirements of ORS 197.246 may be designated Marginal Lands in accordance with other Plan policies." A Marginal Lands application that complies with these Plan policies implements the RCP.

**(v-v) otherwise deemed by the Board, for reasons set forth in its decision to be desirable, appropriate or proper. (LC 16.400(6)(h))**

The Board finds that if the subject property qualifies for Marginal Land designation then it is desirable, appropriate and proper to apply that designation.

**(cc) For minor amendments as defined in LC 16.400(8)(a) below, the plan amendment or component is compatible with the existing structure of the Rural comprehensive plan and, and if possible, achieves policy support.**

This plan amendment identifies numerous policies that support the proposed amendment RCP Goal 4 Forest Land Policy (1),(3); RCP Goal 5 Water Resources Policies (3), (4) and (5); Goal 5 Flora and Fauna Policies (1), (2), (3), (8), (11), (12); and Goal 11 Policy (6)(e), (6)(j).

All plan policies that are applicable to the request support the proposal. Consistency with the Rural Comprehensive Plan is specifically addressed in great detail in Section IV of this report.

**(dd) For minor amendments as defined in LC 16.400(8)(a), the plan amendment or component is compatible with the existing structure of the rural Comprehensive Plan, and is consistent with the unamended portions of the plan.**

The Rural Comprehensive Plan allows for the designation of a parcel as Marginal land provided certain criteria are met. In this matter, all of the relevant approval criteria are met. The proposed amendment is compatible with the existing structure of the plan and is consistent with the unamended portions of the plan such as the applicable plan policies. Consistency with the Rural Comprehensive Plan is also more specifically addressed in the portion of this narrative devoted to Comprehensive Plan Policy compliance.

#### **Lane Code 16.400(6) Plan Adoption or Amendment – General Policies**

**(i) A change of zoning to implement a proposed amendment may be considered concurrently with such an amendment. In such case, the board shall also make the final zone change decision, and the Hearings Official consideration need not occur.**

The applicant has requested a change in zoning for all portions of the subject property and requests that this be heard concurrently with the Comprehensive Plan amendment. The zone change criteria are addressed below.

**Lane Code 16.400(8) Additional Amendment Provisions. In addition to the general procedures set forth in LC 16.400(6) above, the following provisions shall apply to any amendment of Rural Comprehensive Plan components:**

**(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:**

**(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring exception to Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by an applicable goal.**

**(ii) Major Amendment. Any Amendment that is not classified as a minor amendment.**

This is a minor plan amendment request. No Plan text is proposed to be changed. No Goal exception is being requested. The change is from one resource plan designation to another.

**(b) Amendment proposals, either minor or major, may be initiated by the County or by individual application. Individual application shall be subject to a fee established by the Board and submitted pursuant to LC 14.050.**

This is a minor amendment, initiated by the owner, with payment of the application fee.

**(c) Minor amendment proposals initiated by an applicant shall provide adequate documentation to allow complete evaluation of the proposal to determine if the findings required by LC 16.400(6)(h)(iii) above can be affirmatively made. Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:**

**(i) A complete description of the proposal and its relationship to the plan.**

The applicant has supplied a complete description of the proposal and its relationship to the plan. The proposal is to change to Comprehensive Plan diagram of the portion of the property outside the Metropolitan Plan boundary from a plan designation of Forest Land to Marginal Land. The proposal also is to amend the official zoning map and change the zoning of the subject property from Impacted Forest (F-2) to Marginal Land (ML). No modification to the Plan diagram is required for that portion of the property within the Metro Plan boundary. The property shall remain planned forestland and be zoned Marginal Land as a subset of that plan designation.

**(ii) An analysis responding to each of the required findings of LC 16.400(6)(h)(ii) above.**

This is addressed within these findings.

**(iii) An assessment of the probable impacts of implementing the proposed amendment, including the following:**

**(aa) Evaluation of land use and ownership patterns in the area of the proposed amendment;**

The subject property is in an area characterized by a mix of uses that is relatively densely developed by county standards (Exhibit 2, Broad Vicinity Zoning Map), (Exhibit 3, Residential Density Maps), (Exhibit 12, Extended Area Aerial Vicinity). Rural residential uses dominate the area adjacent to the northern boundary of the subject property. A portion of the western boundary of the subject property is about 30 feet from a rural residential area. Not far distant from the subject property to the southeast and south there are additional rural residential areas. There is a Marginal Land area to the west of the subject property as well as the southwest. The remainder of the area including the area adjacent to the eastern and southern boundaries of the property is in resource use and is zoned F-2.

The proposed density would be consistent with existing densities in the vicinity of the subject property. Please see Exhibit A of Ordinance No. PA 1320 and Exhibit 2 for general confirmation of existing zoning. As more specific analysis, the applicant has also supplied Exhibit 3, Residential Density Maps. This exhibit details the number of lots with addresses in the vicinity of the subject property within one, two and three square miles centered on the subject property. The result of this analysis indicates that the density proposed by the applicant is entirely consistent with existing development patterns in the area.

There are 46 lots with addresses within one square mile of the subject property equating to a residential density of one unit per 13.9 acres. Within two square miles, 154 lots translate to a density of one unit per 16.6 acres. There is one unit per 13.1 acres in a three square mile area. (Exhibit 3, Residential Density, Sheet 1, 2 3) The applicant has proposed residential density lower than the existing residential density within both the immediate vicinity or when viewed in a broader context consistent with existing development patterns. This exhibit also demonstrates that the topographic feature upon which the subject property is located is ringed with residential development and that the proposed development is within this arc of residential development.

The area is fully developed with transportation infrastructure. The applicant has supplied a Road way Map (Exhibit 13, Existing Transportation Infrastructure) that shows existing transportation infrastructure in the vicinity including Crow Rd., Gimple Hill Rd. and others. The transportation map follows the same development arc identifiable in the Residential Densities map. The transportation infrastructure also encircles the hill upon which the subject property is located.

The applicant has also examined road densities in the vicinity in one, two and three mile squares centered on the subject property. Road density within one square mile of the subject property is 1.96 miles of roadway/ mile<sup>2</sup>. Within a two mile square there are 2.46 miles of roadway/ mile<sup>2</sup>. Within three square miles, there are 7.3 miles roadway/mile<sup>2</sup>. See Exhibit 13, Road Density, Sheets 1; 2; and 3.

Transportation infrastructure and residential density is higher in the vicinity of the subject property than in the far lesser developed areas of the county immediately to the west especially in the eastern foothills of the coast range and beyond where industrial forestry and government ownership predominate. However, development in the immediate vicinity of the subject property is far less than in the urban areas within Eugene city limits which are approximately one mile from the subject property. The applicant's Extended Area Aerial Vicinity confirms this development pattern (Exhibit 12).



The applicant has supplied the required evaluation. Based on this information Impacts from the proposed development are negligible.

**(bb) Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal.**

The following rural services are available to the property:

Fire: Zumwalt RFPD  
Police: County  
Sewer/water: Proposed on-site septic/individual wells or a shared well  
School District: Eugene / 4J  
Power: EPUD  
Access: Reynolds Drive, a public road that intersects with Willow Creek Road.

**(cc) Impact of the amendment on proximate natural resources, resource lands or resource sites, including a Statewide Planning Goal 5 “ESEE” conflict analysis where applicable.**

The application is not expected to have any impact on resource sites or natural resources. There is no indication that residential density at one unit per twenty acres will interfere with ongoing resource activities on nearby resource lands.

Residential density proposed by the applicant conflicts with an acknowledged Goal 5 resource. The subject property is designated Peripheral Big Game Habitat. Residential densities under one unit per forty acres are presumed to conflict with Big Game in the Peripheral Big Game Range. The applicant has performed the required ESEE analysis and has supplied that analysis as an addendum to these findings.

**(dd) Natural Hazards affecting or affected by the proposal;**

The RCP Goal 7 states natural hazards inventories are contained in the 1982 Natural Hazards Working Paper. Potential hazards inventoried on this property include Natural Resource Conservation Service (NRCS) soil data and the Flood Insurance Rate maps. The subject property is not at risk from any inventoried natural hazards.

**(ee) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an assessment of employment gain or loss, tax revenue impacts and public service/facility costs, as compared to equivalent factors for the existing uses to be replaced by the proposal;**

This criterion is not applicable to the proposed amendment.

**(ff) For proposed amendment to a nonresidential, nonagricultural or nonforest designation, an inventory of reasonable alternative sites now appropriately designated by the Rural Comprehensive Plan, within the jurisdictional area of the Plan and located in the general vicinity of the proposed.**

This criterion is not applicable to the proposed amendment.

**(gg) For a proposed amendment to a Nonresource designation or a Marginal Land designation, an analysis to the criteria for the respective request as cited in the Plan document entitled “Working Paper: Marginal Lands” (Lane County, 1983).**

The standards listed in the Marginal Lands Working paper cite Senate Bill 237 in 1983 (Marginal Lands Working Paper, pgs. 4-7). The Marginal Lands law was amended in 1991 and the Working Paper was never amended. As such, the appropriate criteria to base the Marginal Lands Plan Amendment is derived from state law under ORS 197.247 (Marginal Lands ORS criteria, refer to findings of consistency under section G.2.a.) and guided by RCP Goal 3, Policy 14 and RCP Goal 4, Policy 4 (refer to findings of consistency under section IV.C.).

#### **Lane Code 12.050 Method of Adoption and Amendment:**

**(1) The adoption of the comprehensive plan or an amendment to such plan shall be by an ordinance.**

The method of adoption is by a proposed ordinance.

**(2) The Board may amend or supplement the comprehensive plan upon a finding of:**  
**(a) an error in the plan; or**  
**(b) changed circumstances affecting or pertaining to the plan; or**  
**(c) a change in public policy; or**  
**(d) a change in public need based on a reevaluation of factors affecting the plan;**  
**provided, the amendment or supplement does not impair the purpose of the plan as established by LC 12.005 above.**

The above criterion is duplicative of LC 16.400(6)(h)(iii)(bb), refer to findings above, which demonstrate consistency with this criterion.

#### **Lane Code Zone Change Criteria**

#### **Lane Code 16.252 Procedures for Zoning, Rezoning, and Amendments to the RCP:**

**(1) Purpose. As the Rural Comprehensive Plan for Lane County is implemented, changes in zone and other requirements of this chapter will be required. Such Amendments shall be made in accordance with the procedures of this section.**

**(2) Criteria. Zonings, rezonings and changes in the requirements of this chapter**



shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners or the Hearings Official in accordance with the procedures in this section.

The proposed zoning district is consistent with the general purpose of Lane Chapter 16. It ensures that the applicable zoning district is applied “commensurate with the character and physical limitations of the land” (LC 16.003 (1)). The subject property is marginally productive resource land as demonstrated by the soil types and timber productivity of the site. As such, the Marginal Land district should be applied. The proposal also conserves “forest land[s] for the production of timber products” (LC 16.003(4)) because the marginal lands district is applied to marginally productive forest lands in order to make continued resource utilization more likely. The proposal also makes “sound economical use of land” (LC 16.003(6)) because the pursuit of resource activities marginal resource lands requires more intensive energy inputs.

The proposal is not contrary to the public interest. The development of the type proposed is entirely consistent with existing development patterns in the vicinity of the proposed development. The proposed development is not likely to result in harmful impacts to any significant resources in need of protection.

The applicant’s proposal is consistent with the purpose of the Marginal Lands zone which provides that the Marginal Lands zone is intended to make economically beneficial use of marginally productive lands and to allow people to reside in a rural environment.

#### **LC 16.214 Marginal Lands Zone (ML-RCP)**

- (1) Purpose. The Marginal Lands Zone is intended to:**
  - (a) Provide an alternative to more restrictive farm and forest zoning.**
  - (b) Provide opportunities for persons to live in a rural environment and to conduct intensive or part time farm or forest operations.**

Approval of this request is desirable, appropriate and proper as it will further the purpose of the Marginal Lands District.

Finally, the applicant’s proposal is consistent with the applicable portions of the Rural Comprehensive Plan as well as the Statewide Planning goals.

The application meets the criteria for a zone change application.

## **IV. COMPLIANCE WITH LANE COUNTY RURAL COMPREHENSIVE PLAN**

Consistency with the Rural Comprehensive Plan is one of the main criteria of approval set forth in LC 16.400(6). The proposed plan amendment and zone change complies with the Lane County Rural Comprehensive Plan. All applicable policies support the proposed amendment. No policies have been identified that conflict with the applicant's proposal.

#### **RCP Goal 4: Forest Lands**

- 1. Conserve forest lands by maintaining the forest lands base and protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture.**

**Forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water, and fish and wildlife resources**

The Marginal Lands designation requested by the applicant is consistent with this policy and reflects a determination that marginally productive forest land such as the subject property is more likely to be managed for forest use when smaller lot sizes are permitted. The Marginal Lands designation is still a resource designation and zone and supports farm and forest uses.

The applicant's proposal is also consistent with those policies set forth the Goal Five portion of the Rural Comprehensive Plan. The Statewide Planning Goal Five currently requires Lane County to comply with goal 5 requirements for wetlands, riparian corridors and wildlife habitat as well as other natural resources.

- 3. Forest lands that meet the requirements of ORS 197.247 (1991 Edition), may be designated as Marginal lands and such designations shall also be made in accordance with other plan policies. Uses and land divisions allowed on Marginal Lands shall be those allowed by ORS 197.247 (1991 Edition).**

The applicant's proposal complies with ORS 197.247 as previously discussed.

This plan amendment complies with Flora and Fauna policy 1 which states:

#### **RCP Goal 5, Flora and Fauna Policies:**

- 1. Implement construction development and other land use activities which significantly alter natural systems only after evaluating the effects on wildlife habitats and other areas.**

There is no evidence to suggest that development at the proposed density would significantly alter natural systems, the county has considered the effects of this type of development. Lane County has adopted the State/National Wetlands Inventory. There are no inventoried

Wetlands on the subject property.

The county has also considered impacts through the adoption of the significant riparian corridors map. There are no significant riparian corridors present on the development site as evidenced by the adopted map.

The Applicant provided evidence that the only significant Goal 5 resource on the subject property is Peripheral Big Game habitat. The effects of the proposal were evaluated through an ESEE Analysis, which is attached as Exhibit 17.

Furthermore, the effects of the proposed development on natural systems and Goal Five Resources are addressed in the ESEE Analysis provided as a separate supplement to this narrative.

- 9. Residential building permits issued within Major or Peripheral Big Game Range, as identified in the 1982 Lane County Working Paper on Flora and Fauna, and as revised and updated in 1983, shall include an indication of that Range and a note that compatibility problems, such as damage to vegetation, may occur.**

Lane County staff notifies applicants of building permits within Major and Peripheral Big Game Range of potential compatibility problems at time of submittal, such as damage to vegetation.

- 11. Oregon Department of Fish and Wildlife recommendations on overall residential density for protection of big game shall be used to determine the allowable number of residential units within regions of the County. Any density above that limit shall be considered to conflict with Goal 5 and will be allowed only after resolution in accordance with OAR 660-16-000. The County shall work with Oregon Department of Fish and Wildlife officials to prevent conflicts between development and Big Game Range through land use regulation in resource areas, siting requirements and similar activities which are already a part of the County's rural resource zoning program.**

In previous Marginal Land applications the County Board found that the County and the ODFW have implemented Policy 11 through application of county land use regulations, siting requirements, and other elements of the County's rural resource zoning program. That is, residential densities that will be allowed by the Marginal Land designations (20 acre per unit in this instance) will not exceed any limits recommended by the ODFW, as directed by RCP Goal 5, Flora and Fauna, Policy 11.

However, beginning with the Sues Marginal Lands application in 2013 (Planning File No. 509-PA11-05502), an economic, social, environmental, and energy (ESEE) analysis was completed in connection with Marginal Lands zone change requests and is now considered a normal requirement, for Marginal Lands applications. As such, refer to Policy 12 & RCP Goal 5 ESEE Analysis, attached as Exhibit 15.

- 12. If uses are identified (which were not previously identified in the Plan) which would conflict with a Goal 5 resource, an evaluation of the economic, social, environmental and energy consequences shall be used to determine the level of**

**protection necessary for the resource. The procedure outlined in OAR 660-16-000 will be followed.**

The applicant has conducted an economic, social, environmental, and energy (ESEE analysis) analysis in connection with the Marginal Land application analysis. The ESEE analysis is considered necessary because the analysis was not done on this subject property in the 1984 RCP adoption. Now with this submittal, the applicant has conducted the ESEE analysis related to certain Goal 5 Resources addressed in the Goal 5 ESEE Analysis addendum to these findings.

The applicant's Goal 5 ESEE Analysis concludes that the proposed plan amendment/zone change will have minimal impact on big game populations in this area.

### **RCP Goal 5, Water Resources:**

- 3. Adequacy of water resources, particularly those relying on groundwater sources, shall be a major consideration when reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the hearing official or planning commission.**

For the purpose of this policy, this application qualifies as a major land use change. Planning Commission review is required; hence, the availability and adequacy of groundwater supplies is a major consideration.

The groundwater supply is adequate to support development of the type and density facilitated by this application. As noted previously, if designated as Marginal Land, the most likely result of this amendment is the eventual partition of the subject property into no more than three lots. This is because the minimum lot size in the Marginal Lands zoning district is twenty (20) acres where, as here the subject property is adjacent to resource land that itself would not qualify as marginal. The subject property is adjacent to 18-04-08 TL101 that is too productive to meet the definition of marginal land.

Also as noted though the tax accounts, an overall area of 60.07 acres. The Applicant's agent mapped the legal descriptions, which results in an area of 59.43 acres. The densest development that may result from this application is an eventual residential density of approximately one home per approximately 20 acres. There are sufficient groundwater resources to support development at this density.

The first evidence supporting that assertion is that there is an existing well on-site with a flow rate of approximately two gpm. (Exhibit 16, Water Well Report 131) This is a fairly low rate of flow; however, utilizing a holding reservoir it is adequate to serve residential development at the contemplated density. There are numerous residences to the north of the subject property supported by lower flow wells on significantly smaller properties. There are also however; relatively higher flow wells in the vicinity of and even adjacent to the subject property. The applicant has supplied the well log query results that show every well in the vicinity of the subject property and has attached it to this application. (Exhibit 4, Well Log Query Results) The applicant has supplied a map of the flow rates of all wells whose precise location

identifiable from the Query Results in the general vicinity of the subject property. (Exhibit 15, Well Map) The settlement pattern in the area is further evidence of the adequacy of water resources in the area to support domestic uses at the proposed density. Finally, there was also a well present on the subject property in 1975 with a flow rate of 20 gpm. In 1975 Mr. Loeber had a 20 gpm well drilled. (Exhibit 4, Well Log Query Results, Lane 16919, at 4 of 5) While this well has not been recently tested or even located this is further evidence that there are sufficient water resources to support the plan amendment.

The Lane County Watermaster, Michael Mattick, confirmed with both the Applicant's Agent on November 2, 2014, and Lane County Planning Staff on February 11, 2016, that 20-acre parcels have a low probability of well interference in this area (Exhibit 18, Email from M. Mattick)

The groundwater resources in the vicinity of the proposed property are adequate for the proposed use.

4. **The primary means of evaluating groundwater resources for land use planning purposes shall be through the land division review process. The Little Butte Volcanics, Eugene Formation, Fisher Formation, Spencer Formation, Flourney Formation, Alluvium and Older Dunes geological units shall be designated as quality and/or quantity limited aquifers. As such the provisions of Chapter 13, Lane Code (Land Divisions) regarding areas so designated will apply.**

The application is consistent with this policy. The adequacy of the water supply shall be considered at this time as well as during the land division / development process.

5. **Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.**

The proposed land use designation is commensurate with groundwater aquifer capabilities. The proposed designation could result in two, possibly three residences on the subject property with a minimum residential density of one dwelling unit on a lot or parcel no less than twenty acres in size. As noted, Michael Mattick, Lane County Watermaster, indicated that the groundwater aquifer was adequate to support the proposed use. The attached well log query also indicates that the water supply is adequate to support the proposed use. There is adequate water on-site and in the aquifer to support the zoning designation.

#### **RCP Goal 11: Public Facilities and Services**

6. **Land Designations and service levels:**

- j. **Marginal Lands (ML)**

**Description:** Lands that satisfy the requirements of ORS 197.247 may be designated Marginal Lands in accordance with other Plan policies.

**Service Level:** Consistent with service levels for Rural Residential outside a community designation.

The applicant's amendment proposal complies with the appropriate and required level of rural service. Goal 11, Policy (6)(e) sets forth the appropriate service level:

- e. **Rural Residential (RR-1, RR-2, RR-5, RR-10) (Outside Communities)**  
**Service Level: schools, on-site sewage disposal, individual water supply system, electrical service, telephone service, rural level fire and police protection, reasonable access to solid waste disposal facility.**

The subject property has service levels consistent with Rural Residential service levels outside of communities. The property is in the Eugene school district. There was an approved on-site drain field. The subject property is nearly sixty acres in size and sewage disposal at the contemplated density shall not be problematic. In any event, the appropriate time to deal with the specifics of siting a drainfield is during the land development process. There are existing wells on-site evidenced by the well logs and the subject is in the Lane Electric Service area. Telephone service is available in the area, and there is access to solid waste disposal. The designation of the subject property as marginal land is consistent with the minimum service levels established for that category.

Remaining goals and policies of the Rural Comprehensive Plan are inapplicable to this request. As such, the applicant's proposal complies with all relevant provisions and policies of the Rural Comprehensive Plan.

## **V. COMPLIANCE WITH THE METRO PLAN**

As noted throughout this application and shown in Exhibit A of Ordinance No. PA1320, the Metro Plan Boundary bisects the subject property. For this reason, this portion of the findings addresses compliance with the Metro Plan.

The Metro Plan provides:

**The plan boundary shown on the Metro Plan diagram in Chapter II is adjacent to the boundaries of the Lane County Rural Comprehensive Plan that surround the Eugene-Springfield metropolitan area. There is no overlap between the boundaries of the Metro Plan and the Rural Comprehensive Plan. Lane Code Chapter 16 is applied in the area between the UGB and Plan Boundary to implement the Metro Plan. (Metro Plan, I-6)**

The applicant has requested the County apply LC Chapter 16 in the area between the UGB and Rural Comprehensive Plan Boundary as required by the Metro Plan. The application further complies with Metro Plan Forest Land policies:

### **Chapter III Specific Elements:**

- C. **Environmental Resources Element**  
**Forest Lands (Goal 4) Policies:**

**C.7 In addition to any of the above policies, the following policies apply to**



**forest lands within the Plan boundary of the Metro Plan but outside the UGB:**

- a. Conserve forest lands by maintaining the forest land base and protect the states forest economy.**

The Marginal lands designation will make economically productive use of marginally productive forest land more likely.

- c. Forest lands that satisfy the requirements of ORS 197.247 (1991 edition) may be designated Marginal Lands. Uses and land divisions allowed on Marginal Lands shall be those allowed by ORS 197.247 (1991 Edition).**

The proposal complies with ORS 197.247 and findings addressing the criteria have been addressed above. This policy allows for the portion of the subject property located within the Metro Plan Boundary to remain with a Forest Land Designation, yet re-zone it to Marginal Land.

- h. New structures must comply with the Siting and Fire Safety Standards of Lane County 16.210 and 16.211.**

Any residential development on the subject property shall be required to comply with these standards. The Board has included a Site Review overlay to the entirety of the subject property to require all new structures to comply with Lane Code 16.211(8) fire siting standards.

## **VI. COMPLIANCE WITH STATEWIDE PLANNING GOALS**

The application is consistent with the Statewide Planning Goals. The Statewide Planning Goals provide the overarching policy framework under which all land use planning in Oregon exists. The Oregon Land Department and Development Goals and Guidelines are incorporated here by reference.

The goal statements are summarized.

### ***Goal 1 Citizen Involvement***

Goal one requires that citizens and affected public agencies be provided opportunity to comment on the proposed amendment and zone change.

The application was formally noticed (750' around the subject property) to adjacent property owners and agencies prior to the Lane County Planning Commission and the Lane County Board of Commissioners public hearings. Publication of both hearings was given to the Register Guard requesting the application be noticed in the Legal Ad section. Additionally, siting of the application request was posted at the entrance of the subject property prior to

both hearings. During the hearings, the public is given an opportunity to give public testimony or submit written material to the record. The application is also appealable to the Land Use Board of Appeals. The Board finds the Plan Amendment / Zone Change is consistent with Goal 1.

## **Goal 2                      *Land Use Planning***

This goal establishes a land use planning process and policy framework as a basis for all land use decisions and requires the development of an adequate factual base to support all land use decisions.

Lane County has adopted a Comprehensive Plan amendment process with specific standards that must be addressed and met in order to support a land use change of the type proposed. Compliance with LC 16.400 (Rural Comprehensive Plan amendments), and LC 16.252(2) (Zone Changes) requires applicants to develop an adequate factual base to support the proposed amendment. Compliance with this ordinance constitutes compliance with the applicable provisions of Goal 2.

This application complies with the above referenced requirement and this statewide planning goal.

## **Goal 3                      *Agricultural Lands***

This goal strives to maintain and preserve agricultural lands.

In western Oregon agricultural lands are defined as lands consisting of primarily class I-IV soil as identified by the Soils Conservation service. This land designation also includes other lands suitable for farm use taking into consideration soil fertility, suitability for grazing, climactic conditions, energy inputs and accepted farming practices. Lands in other soil classes which are necessary to permit farm practices on nearby and/ or adjacent land will be included as agricultural lands.

The proposed development does not involve any agricultural land. The proposed parcel is itself not zoned agricultural land nor is it predominately Agricultural Class I-IV soil. The subject property is not adjacent to any agricultural land in zoning or practice.

The proposal complies with this statewide planning goal.

## **Goal 4 *Forest Land***

This goal strives to maintain and preserve forestland.

Where, as here a plan amendment is proposed, forest lands are considered those that are suitable for a commercial use including lands that are necessary to permit forest uses on nearby or adjacent lands. Forest land also includes other forested lands that maintain, soil, air, water and fish and wildlife resources.

The subject property is not forest land as defined by this goal. The property is not suitable for Ordinance No. PA 1320  
Exhibit C. Findings of Fact and Conclusions of Law



commercial forest use. Productivity is poor. At forty six cubic feet per acre per year, timber productivity falls below the threshold used to define such land in western Oregon. Also, there is no evidence to suggest that an F-2 designation is necessary to permit forest use on nearby or adjacent lands. Finally, the subject property does not maintain significant soil, water, fish or wildlife resources.

Forest uses exist with Marginal Lands designations harmoniously. Additionally, the Marginal Lands designation is intended to preserve the forest economy by encouraging more intensive resource management practices on more marginally productive parcels in compliance with this goal.

### **Goal 5            *Open Spaces, Scenic and Historic Areas and Natural Resources***

This goal requires the conservation of open space and the protection of natural and scenic resources.

The subject property does not contain significant natural resources such as federal wild and scenic rivers, approved recreational trails, natural areas, wilderness areas, mineral or aggregate resources, energy resources or scenic views or sites. The property does contain one significant Goal Five Resource.

The property is designated as Peripheral Big Game Range in the Rural Comprehensive Plan. Where a use is proposed that “conflicts” with an acknowledged Goal Five resource, an applicant must undertake a ESEE analysis as required by Goal Five. That analysis should provide a clear understanding of the economic, social, environmental and energy consequences of prohibiting or allowing the proposed use.

The applicant has supplied the required Goal 5 analysis and findings as a supplement to this narrative.

Compliance with this Goal has been achieved.

### **Goal 6            *Air, Water and Land Resource Quality***

This goal is intended to maintain and improve the quality of the air, water and land resources of the state.

This goal is generally implemented at the time of Comprehensive Plan development and during the comprehensive planning process. To the extent that this goal is site specific it requires adequate measures be taken to protect air, water and land quality. Compliance with this goal has been established through particularly when addressing RCP Goal 5 compliance.

### **Goal 7            *Areas subject to natural disasters or hazards.***

This goal is intended to protect life and property from natural hazards. There are no risks of natural hazards on the subject property that are distinct from the natural hazards that generally exists in this region including earthquake, wildfire, landslide, high winds or other natural disasters.

The application complies with this Goal.

**Goal 8                      *Recreational Needs***

This goal addresses the recreational needs of residents and visitors to the state.

This goal does not affect the subject property.

**Goal 9                      *Economy of the State***

The purpose of this goal is to diversify and improve Oregon's economy.

This goal is primarily applicable to commercial and industrial development. To the extent that it is applicable to this application, the requested zoning district is intended to make economically productive use of marginally productive resource lands thereby improving the economy of the state.

**Goal 10                  *Housing***

This goal is intended to provide for the housing needs of Oregon's citizens.

This plan amendment request would facilitate the development of two, possibly three dwellings on the subject property. To the extent that it is applicable, the requested zoning district is intended to allow persons to reside in a rural environment.

**Goal 11                  *Public Facilities and Services***

The purpose of Goal 11 is to provide for the planning, development and provision of public facilities and services in a timely, orderly and efficient manner. All required services exist at appropriate levels or are readily available as previously addressed in this narrative.

**Goal 12                  *Transportation***

The purpose of Goal 12 is to provide and encourage a safe, convenient and efficient transportation network. The goal is not implicated in a specific action such as this but rather at the comprehensive planning stage.

The subject property has access to Reynolds Drive, a local paved public road. This application would not do anything to significantly impact the existing transportation infrastructure.

The proposal complies with Goal 12.

**Goal 13                  *Energy Conservation***

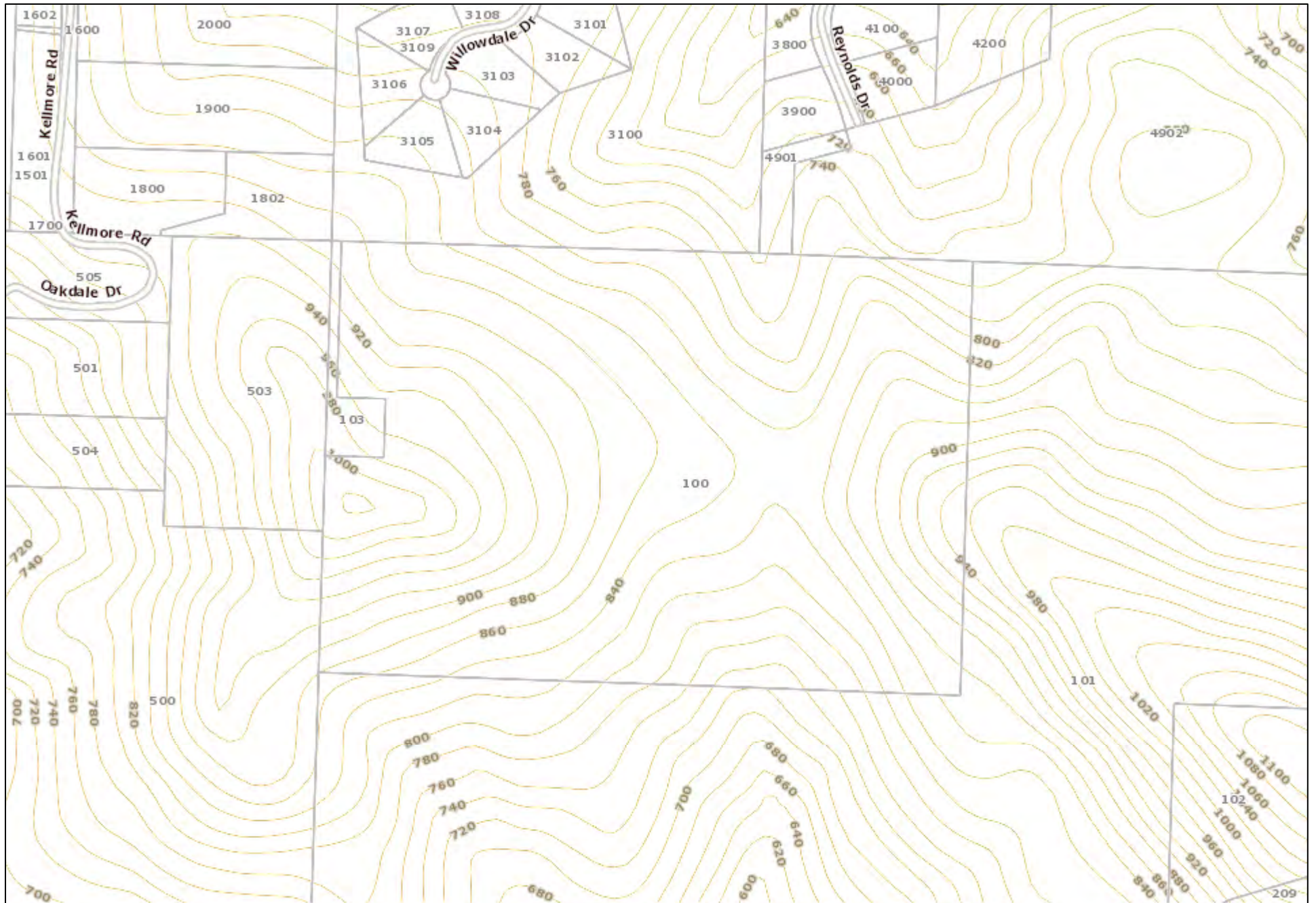
This goal is not applicable to this plan amendment request.

**Goal 14      *Urbanization***

The density and character of any residential development eventually facilitated by this application would be rural in nature. Given the rural nature of this and all land adjacent to the proposed development this goal is not applicable to this request.

**Goals 15-19**

These goals are not applicable to the request. They are geographically oriented to the Willamette River or the Coast.



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

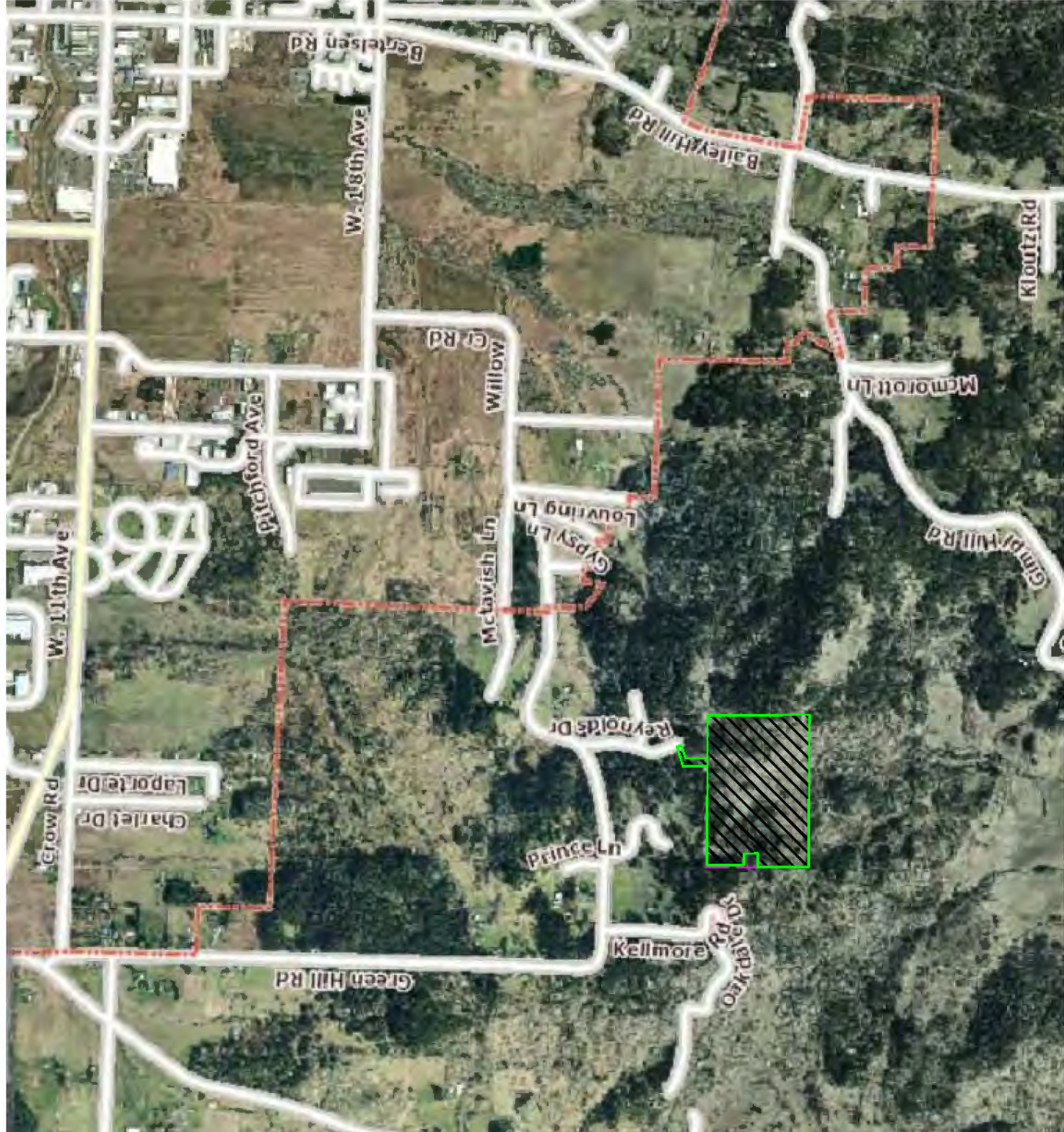


Contours - 20ft

Lane County, Oregon

Ordinance No. PA1320  
Exhibit 1 to Findings

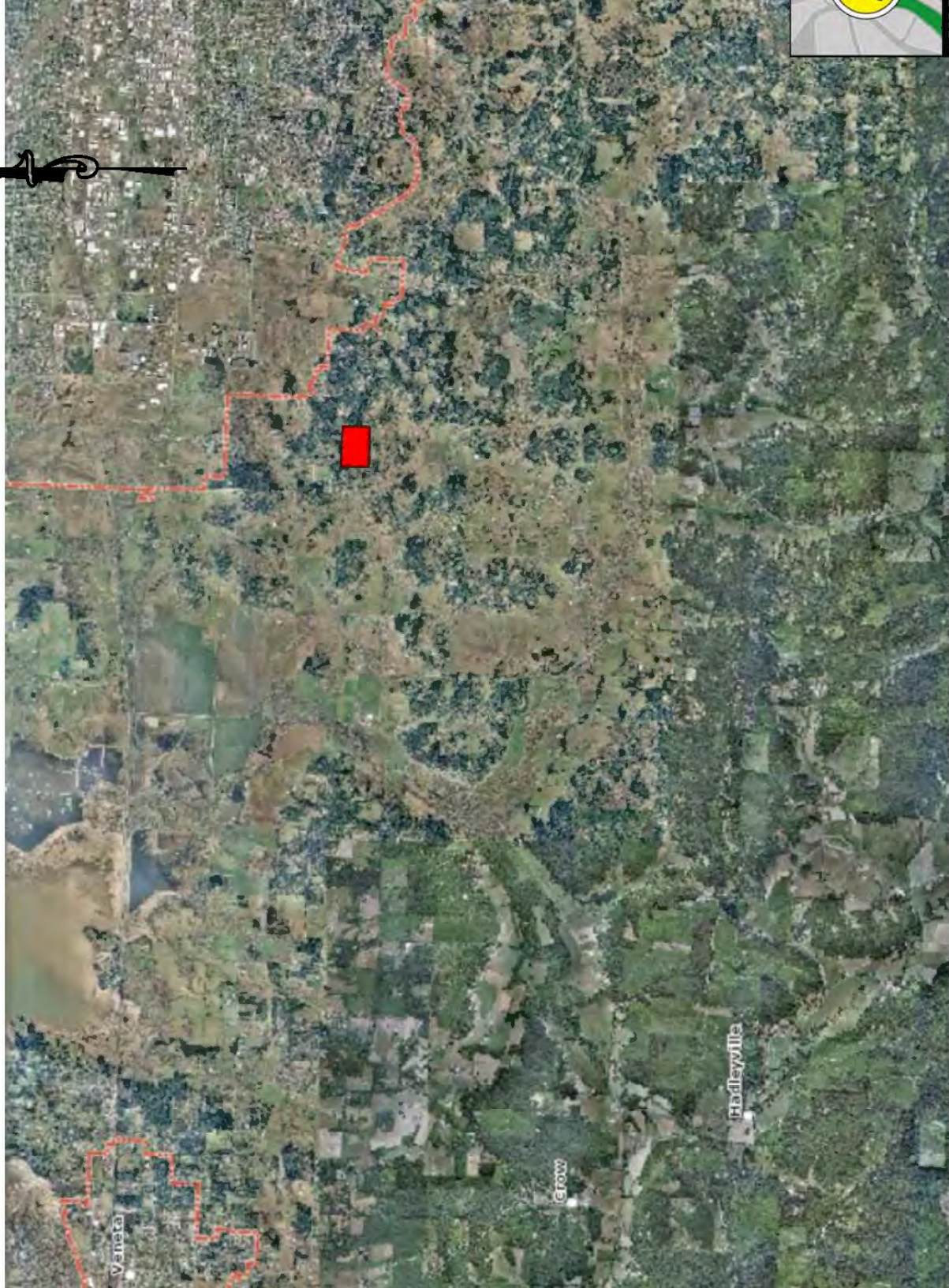




MAP: 18-04-05 TAX LOT 4901 & ASSESSOR'S MAP: 18-04-08 TAX LOT 100



**Extended Area Aerial**  
**LANE COUNTY, OREGON**  
**Date prepared: October 15, 2015**



541-5  
metropl

R'S MAP: 18-04-05 TAX LOT: 4901  
R'S MAP: 18-04-08 TAX LOT: 100



**Residential Density within 1 square mile  
centered on property  
LANE COUNTY, OREGON  
Date prepared: October 15, 2015**



SCALE 1" = 800'



Lots with Addresses per  
LCGIS

**27,878,400** square feet  
**640** acres  
**46** Lots with addresses

Summary

640 acres  
46 lots

Average Residential  
Density: 1 lot per  
every 13.9 acres



METROPLANNING

541-302-9830

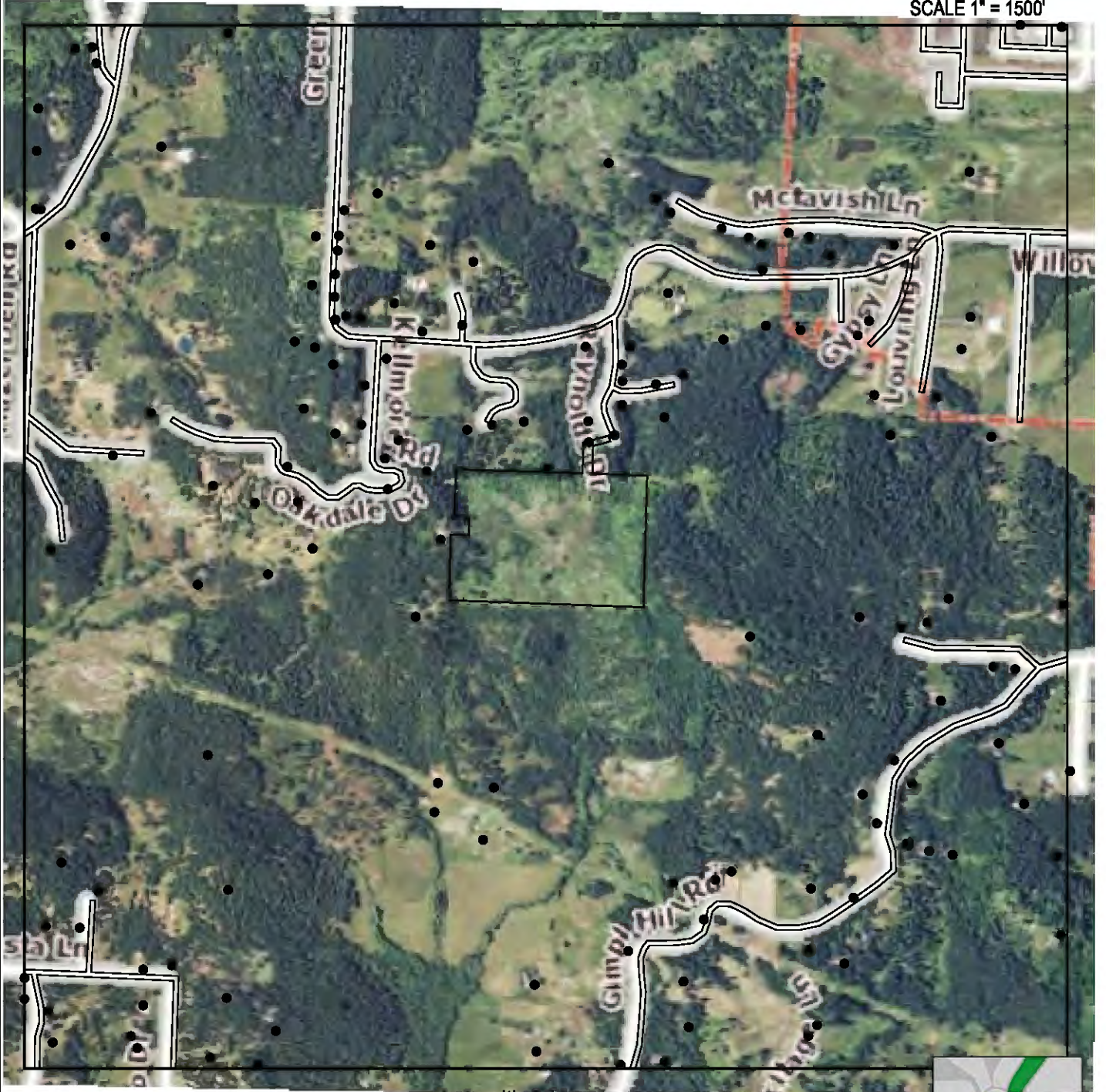
metroplanning.com

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



**Residential Density within 2 square mile  
centered on property  
LANE COUNTY, OREGON  
Date prepared: October 20, 2015**

SCALE 1" = 1500'



Lots with Addresses per  
LCGIS

**111,513,600** square feet  
**2,560** acres  
**154** Lots with addresses

Summary

2560 acres  
154 Lots

Average Residential  
Density: 1 lot per  
every 16.6 acres



**541-302-9830**  
[metroplanning.com](http://metroplanning.com)

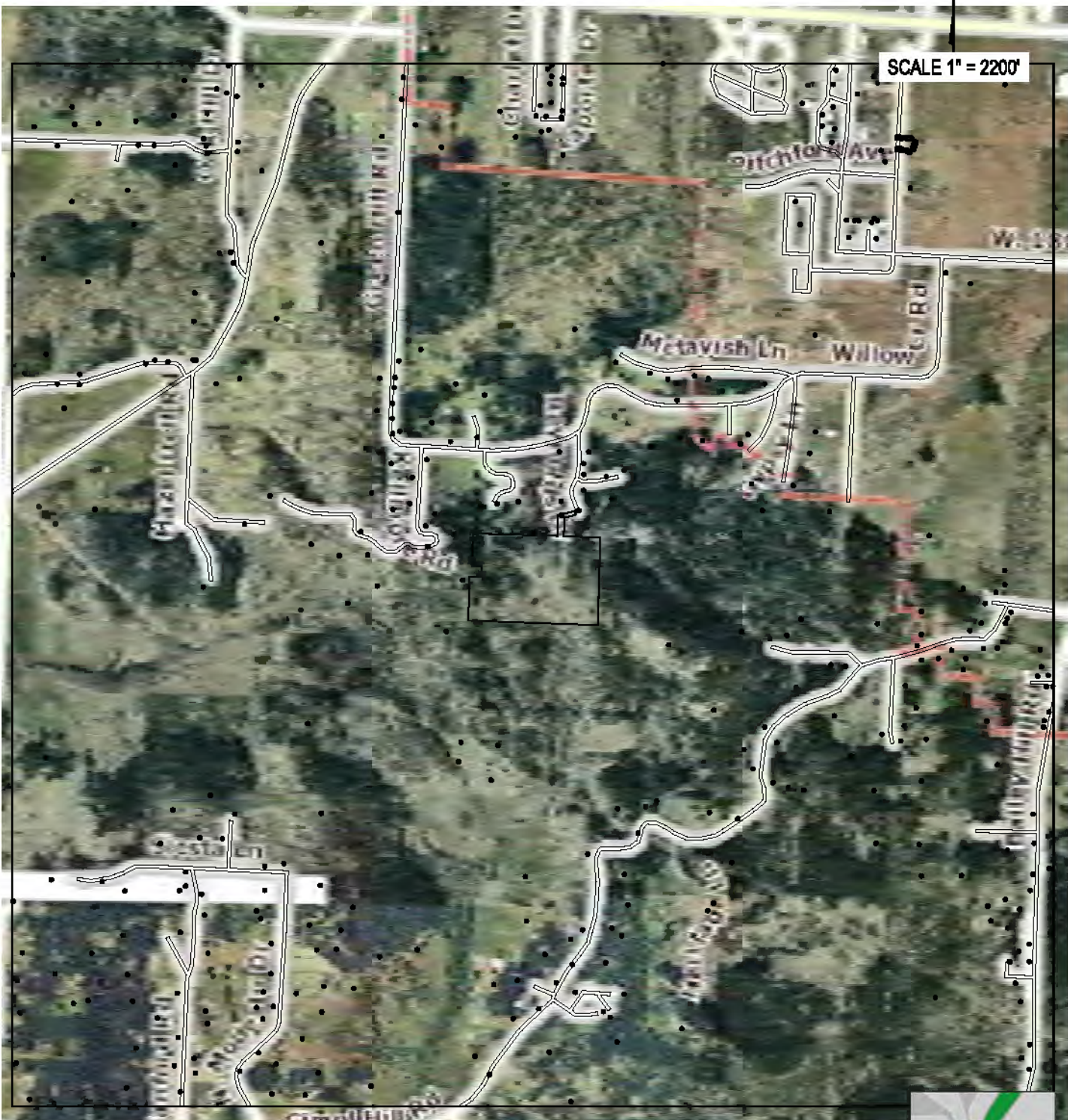
ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



**Residential Density within 3 square mile  
centered on property  
LANE COUNTY, OREGON  
Date prepared: October 20, 2015**



SCALE 1" = 2200'



**Lots with Addresses per  
LCGIS**

**250,905,600 square feet  
5,760 acres  
439 Lots with addresses**

**Summary**

**5760 Acres  
439 Lots**

**Average Residential  
Density: 1 lot per  
every 13.1 acres**



**METROPLANNING  
541-302-9830  
metroplanning.com**

**ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100**

# Well Logs

## Well Query Report

H 13

### Well Log Query Results *NEW! GPS points, where available, have been added to the far right of the table. Click link to view on map*

Township: 18 S, Range: 4 W, Sections: 5,8, Type of Log: W

Well Log	T-R-S/ QQ-Q	Taxlot	Street of Well	Owner	Company	Special Standards	Well Type	First Water	Completed Depth	Static Water Level	Yield	Completed Date	Received Date	Bonded Constructor	Startcard
LANE 16803	18.00S-4.00W-5			TENEYCK, RUTH PO BOX 2214 EUGENE OR 97402			W	0.00	0.00	0.0		05/26/1977	06/20/1977	CHRISTENSEN, MARK W	
LANE 16804	18.00S-4.00W-5			TENEYCK, RUTH PO BOX 2214 EUGENE OR 97402			W	520.00	600.00	384.0		06/02/1977	06/23/1977	CHRISTENSEN, MARK W	
LANE 16815	18.00S-4.00W-5			MARX, DOUGLAS ROUTE 6 BOX 1259 EUGENE OR			W	0.00	257.00	0.0		09/02/1967	10/03/1967	JONES, DELBERT S CASEY JONES WELL DRILLING CO	
LANE 16817	18.00S-4.00W-5			MARX, DOUGLAS ROUTE 6 BOX 1259 EUGENE OR			W	0.00	233.00	0.0		09/20/1967	10/03/1967	JONES, DELBERT S CASEY JONES WELL DRILLING CO	
LANE 16818	18.00S-4.00W-5			MARX, DOUGLAS ROUTE 6 BOX 1259 EUGENE OR			W	0.00	258.00	0.0		09/18/1967	10/03/1967	JONES, DELBERT S CASEY JONES WELL DRILLING CO	
LANE 16822	18.00S-4.00W-5			REGINA, CARMELOT MARIA RT 5 BOX 1209 EUGENE OR			W	0.00	151.00	40.0		11/07/1962	02/26/1963	CHRISTENSEN, MARK W	
LANE 16824	18.00S-4.00W-5			PRINCE, MRS R V RT 5 EUGENE OR			W	0.00	105.00	0.0		07/03/1964	08/18/1964	PAGE, DELL	
LANE 16835	18.00S-4.00W-5 NW-SW			MADSON, CURTIS RT 5 BOX 1236 EUGENE OR			W	0.00	596.00	25.0		03/10/1962	04/27/1962	JONES, DELBERT S	
LANE 16852	18.00S-4.00W-5 NW-SW			WOOLLEY, LARRY 87341 GREEN HILL RD EUGENE OR			W	0.00	565.00	0.0		10/10/1981	11/06/1981	HOLTE, ART	
LANE 16855	18.00S-4.00W-5			PITCHFORD, GENE 29519 WILLOW CREEK RD EUGENE OR			W	0.00	480.00	0.0		04/12/1980	05/07/1980	PITCHER, CARL	
LANE 53669	18.00S-4.00W-5	501		MOZER, THOMAS & CYNTHI 87451 GREENHILL RD EUGENE OR 97402			W					02/26/1996		WELL ID APPLICATION WELL ID APPLICATION	54
LANE 55192	18.00S-4.00W-5	4200		KIRKLAND, ROBERT 29142 RAINIER DR EUGENE OR 97402			W					09/02/1998			21
LANE 58482	18.00S-4.00W-8 SW-SE	206	29175 GIMPL HILL RD	NELSON, EVELYN 410 W 27TH EUGENE OR 97405			W		150.00			07/28/2000	08/07/2000	JONES JR, CASEY CASEY JONES WELL DRILLING	129563 21
LANE 62881	18.00S-4.00W-5 SW-NW	700	87367 GREEN HILL RD	MOORE, RONALD 87367 GREEN HILL RD EUGENE OR 97402			W		440.00			09/28/2003	10/21/2003	LOVING, DONALD J MID VALLEY DRILLING, INC	158594 64
LANE 66891	18.00S-4.00W-5	4400	WILLIRO CREEK ESTATES	HECKMAN, HARLEM	HECKMAN INVESTMENTS 1505 JUHL ST EUGENE OR 97402		W		70.00	0.0		08/31/1978	09/26/1978	GORDINIER, LLOYD E C E GORDINIER AND SON	
LANE 69122	18.00S-4.00W-5 NW-NE	2202	87442 PRINCE LANE	ANDERSON, ROGER 2355 S LOUIS LANE EUGENE OR 97405			W		161.00			09/24/2008	10/27/2008	FIELDER, WILLIAM 'BILL' E BILL, FIELDER WELL DRILLING & PUMP	196105 94
LANE 69915	18.00S-4.00W-5		87165 KELLMORE	KINSMAN, JIM	KINSMAN, KATHRIN 87165 KELLMORE EUGENE OR 97402		W					09/10/2009		WELL ID APPLICATION WELL ID APPLICATION	11
LANE 3702	18.00S-4.00W-5 SE-NW	2200	WILLOW CR RD	CORNEAU, CALVIN J 380 E 4TH EUGENE OR 97405			W	0.00	395.00	0.0	0.0	03/10/1993	04/13/1993	LOVING, DONALD J	50472
LANE 3773	18.00S-4.00W-5 SE-NW	2200	WILLOW CREEK RD, EUGENE	BARRETT, CLARENCE 91060 NELSON MOUNTAIN RD GREENLEAF OR 97445			W		305.00		0.0	04/21/1993	05/21/1993	LOVING, DONALD J	53245
LANE 59093	18.00S-4.00W-5 NE-SE		87221 REYNOLDS DR, LOT 2 BLOCK 3	HECKMAN, HARLEY 87221 REYNOLDS DR EUGENE OR 97402			W		380.00		0.0	11/27/2000	12/08/2000	LOVING, DONALD J MID VALLEY DRILLING, INC	135584 44
LANE 60598	18.00S-4.00W-5 NE-SE	2	87221 REYNOLDS DR	HECKMAN, HARLEY 87221 REYNOLDS DR EUGENE OR 97402			W	260.00	300.00	250.0	0.0	12/14/2001	12/31/2001	FIELDER, WILLIAM 'BILL' E BILL, FIELDS WELL DRILLING & PUMP	140656 41
LANE 3703	18.00S-4.00W-5 SE-NW	2200	WILLOW CR RD	SMEJKAL, DEBBIE PO BOX 133 VIDA OR 97488			W	189.00	335.00	170.0	1.0	03/09/1993	04/13/1993	LOVING, DONALD J	47105
LANE 3774	18.00S-4.00W-5 SE-NW	2200	WILLOW CREEK RD, EUGENE	BARRETT, CLARENCE 91060 NELSON MOUNTAIN RD GREENLEAF OR 97445			W	107.00	230.00	75.0	1.0	04/22/1993	05/21/1993	LOVING, DONALD J	53246
LANE 24077	18.00S-4.00W-5 NW-SE	2900		LUDINGTON, LANE 87299 REYNOLDS DR EUGENE OR 97402			W	165.00	245.00	61.0	1.0	07/28/1995	08/04/1995	JONES JR, CASEY	73840
LANE 16859	18.00S-4.00W-5			ALVORD, JOHN 29193 MCTAVISH LANE EUGENE OR 97402	Lot 3 Willow Creek Estates		W	0.00	200.00	100.0	1.0	07/16/1980	08/21/1980	JONES, CASEY L	
LANE 16863	18.00S-4.00W-5		WILLOW CREEK ESTATES	MARX, DOUG D	MARX, DONNA 29145 RAINIER DRIVE EUGENE OR 97402		W	0.00	285.00	225.0	1.0	02/11/1977	02/24/1977	GORDINIER, LLOYD E	
LANE 16864	18.00S-4.00W-5 NE-			KOHLER, ED 28921 WILLOW CREEK RD EUGENE OR			W	0.00	600.00	65.0	1.0	05/17/1978	06/12/1978	CARTER, JAMES I	
LANE 16866	18.00S-4.00W-5			FOX, FRED 87165 KELLMORE ROAD EUGENE OR			W	210.00	360.00	160.0	1.0	03/23/1978	05/23/1978	JONES, CASEY L	

N/A  
N/A  
N/A

LANE 10915	18.00S-4.00W-8			NELSON, HOWARD PO BOX 1491 EUGENE OR		W	0.00	183.00	70.0	1.0	02/17/1969	02/17/1969	CARTER, JAMES I	
LANE 70405	18.00S-4.00W-8 NW-NW	503	87151 KELLMORE EUGENE, OR	EVANS, CONNIE 87151 KELLMORE EUGENE OR 97402		W	360.00	520.00	390.0	1.3	03/17/2010	03/18/2010	JONES JR, CASEY CASEY JONES WELL DRILLING CO INC	1009680 11
LANE 549	18.00S-4.00W-5 SW-NE	2400	29193 MCTAVISH LANE	ALVORD, JOHN 29193 MCTAVISH LANE EUGENE OR 97402		W	150.00	338.00	81.0	2.0	11/24/1990	12/18/1990	PAGE, DELL	25097
LANE 1371	18.00S-4.00W-5	4400	87239 REYNOLDS DR	JACQUE, MIKE 87239 REYNOLDS DR EUGENE OR 97402	TL 4400	W	82.00	375.00	62.0	2.0	08/19/1988	08/25/1988	CHRISTENSEN, MARK	2598
LANE 1374	18.00S-4.00W-5			ROLLINS, DR TROY 87365 GREENHILL RD EUGENE OR 97402		W	62.00	920.00	345.0	2.0	01/26/1977	03/21/1977	JONES, CASEY L CASEY JONES WELL DRILLING CO	
LANE 3701	18.00S-4.00W-5 SE-NW	2200	WILLOW CR RD	CORNEAU, CALVIN J 380 E 4TH EUGENE OR 97405		W	155.00	230.00	90.0	2.0	03/12/1993	04/13/1993	LOVING, DONALD J	50473
LANE 431	18.00S-4.00W-8 NE-NW	100	END OF REYNOLDS LN TURN RIGHT, FOLLOW RD	LARSON, CHUCK	TOM SLOCUM (C/O) 1950 GRAHAM DRIVE EUGENE OR 97405	W	160.00	320.00	137.0	2.0	06/08/1990	07/09/1990	PAGE, DELL	18573
LANE 16808	18.00S-4.00W-5			NORDSTEN, ERIC 87296 GREEN HILL RD EUGENE OR		W	118.00	120.00	90.0	2.0	01/27/1977	02/08/1977	CHRISTENSEN, MARK W	
LANE 16840	18.00S-4.00W-5			EVENS, GRIFFIN R 5 EUGENE OR		W	0.00	375.00	106.0	2.0	03/05/1962	04/19/1962	ZEHNER, ROBERT D BONNIE BRAE DRILLING CO	
LANE 16847	18.00S-4.00W-5	1802	87153 KELLMORE ST	DOUVROUX, GARY 87153 KELLMORE ST EUGENE OR 97402		W	120.00	145.00	60.0	2.0	07/24/1986	08/04/1986	PITCHER, CARL A	
LANE 16860	18.00S-4.00W-5			HEATH, MR JIM 555 BENDIX ST EUGENE OR 97401		W	240.00	310.00	128.0	2.0	02/24/1980	03/04/1980	PITCHER, CARL A	
LANE 62315	18.00S-4.00W-5 SW-SW	2800	29282 MCTAVISH LANE	SANDGATHE, JOYCE 29282 MCTAVISH LANE EUGENE OR 97402		W	138.00	340.00	94.0	2.0	05/06/2003	05/27/2003	FIELDER, WILLIAM 'BILL' E BILL FIELDS WELL DRILLING & PUMP	155090 6
LANE 63886	18.00S-4.00W-5 NW-NE	2202	87442 PRINCE LANE	ANDERSON, ROGER 2355 S LOIS LANE EUGENE OR 97405		W	120.00	200.00	103.0	2.0	09/04/2004	10/01/2004	FIELDER, WILLIAM 'BILL' E BILL FIELDER WELL DRILLING & PUMP	169069 7
LANE 73189	18.00S-4.00W-8 SE-SE	2200	29230 GIMPL HILL RD EUGENE, OREGON		GIMPL HILL PROPERTIES LLC PO BOX 51505 EUGENE OR 97405	W	0.00			2.0	06/19/2014	06/24/2014	JONES JR, CASEY CASEY JONES WELL DRILLING CO INC	1023406 11
LANE 1373	18.00S-4.00W-5			GREGORY, JOSEPH 88 LINCOLN ST APT C2 EUGENE OR 97401		W	44.00	135.00	39.0	3.0	09/21/1977	10/21/1977	JONES, CASEY L CASEY JONES WELL DRILLING CO	
LANE 16914	18.00S-4.00W-8			OLIN, MICHAEL 1409 OAK PATCH EUGENE OR		W	309.00	313.00	173.0	3.0	07/29/1970	09/16/1979	CHRISTENSEN, MARK W	
LANE 1369	18.00S-4.00W-5 -NE			KOHLER, ED RT 6 BOX 1254 EUGENE OR 97402		W	195.00	274.00	55.0	4.0	12/01/1976	12/13/1976	CARTER, JAMES I CARTERS DRILLING & PUMP SERVIC	
LANE 16818	18.00S-4.00W-5			MARX, DOUGLAS R 6 BOX 1259 EUGENE OR		W	0.00	105.00	94.0	4.0	09/23/1967	10/03/1967	JONES, DELBERT S CASEY JONES WELL DRILLING CO	
LANE 16823	18.00S-4.00W-5			IRVING, RAY RT 5 BOX 1239 EUGENE OR		W	0.00	110.00	48.0	4.0	06/06/1961	06/23/1961	JONES, DELBERT S	
LANE 69233	18.00S-4.00W-5 NW-SW	2100	28921 WILLOW CREEK RD	KOHLER, EDWARD 28921 WILLOW CREEK RD EUGENE OR 97402		W	48.00	210.00	20.0	4.0	06/28/2006	06/29/2006	JONES JR, CASEY CASEY JONES WELL DRILLING	196251 8
LANE 16805	18.00S-4.00W-5			ADAMS, HOWARD 1621 ADKINS EUGENE OR 97401		W	80.00	161.00	65.0	5.0	06/03/1974	12/30/1974	CHRISTENSEN, MARK W	
LANE 16813	18.00S-4.00W-5			ANIBAL, VERN RT 5 BOX 1275 EUGENE OR		W	0.00	282.00	176.0	5.0	02/07/1968	03/05/1968	WILSON, WALT GROUND WATER SYSTEMS INC	
LANE 16829	18.00S-4.00W-5			HAEK, W A 845 DORRIS EUGENE OR		W	0.00	60.00	35.0	5.0	10/31/1963	11/08/1963	CHRISTENSEN, MARK W	
LANE 16834	18.00S-4.00W-5 SW-SE			HIGLEY, MARK 87275 REYNOLDS DR EUGENE OR 97402		W	0.00	200.00	0.0	5.0	08/03/1976	08/17/1976	COX, GARLAND	
LANE 24382	18.00S-4.00W-5 SW-SW	2001	28888 WILLOW CREEK RD	STIRLING, TOM 28888 WILLOW CREEK RD EUGENE OR 97402		W	163.00	223.00	63.0	5.0	10/03/1995	10/13/1995	JONES, CASEY JR	83717
LANE 67301	18.00S-4.00W-5	1600		ADAMS, MR HOWARD	ADAMS, MRS HOWARD L 3600 S 8TH ST COTTAGE GROVE OR 97424	W	104.00	163.00	95.0	5.0	10/24/1972	11/20/1972	GORDINIER, LLOYD E C E GORDINIER AND SON	
LANE 72988	18.00S-4.00W-5 NW-SW	900	87341 GREENHILL RD EUGENE	BOWDEN, JOHN 1096 DIAMOND STREET SPRINGFIELD OR 97477		W	312.00	523.00	305.0	5.0	02/20/2014	02/25/2014	JONES JR, CASEY CASEY JONES WELL DRILLING CO INC	1022245 1
LANE 3775	18.00S-4.00W-5 SE-NW	2200	WILLOW CREEK RD, EUGENE	BARRETT, CLARENCE 91060 NELSON MOUNTAIN RD GREENLEAF OR 97445		W	84.00	205.00	30.0	6.0	05/11/1993	05/21/1993	LOVING, DONALD J	53251
LANE 16837	18.00S-4.00W-5 SW-SW			WEBKING, W E 720 PARK AVE EUGENE OR		W	0.00	59.00	22.0	6.0	09/15/1955	05/20/1957	SCHULER, BOB	



LANE	18.00S-4.00W-8	505		ROGERS, GRANT W 87141 KELLMOR ST EUGENE OR		W	115.00	310.00	150.0	6.0	08/27/1982	09/08/1982	JONES, CASEY L	
LANE 16917	18.00S-4.00W-8			KOFFLER, JOHN M 29310 GIMPLE HILL RD EUGENE OR 97402		W	290.00	340.00	230.0	6.0	05/06/1976	06/24/1976	JONES, CASEY L	
LANE 50639	18.00S-4.00W-8 SE-NE	206	29175 GIMPL HILL RD	NELSON, EVELYN L 410 W 27TH AVE EUGENE OR 97405		W	360.00	103.00		6.0	03/28/1996	04/16/1996	OLDHAM, SEAN	82681
LANE 69121	18.00S-4.00W-5 NW-NE	2202	87442 PRINCE LANE	ANDERSON, ROGER 2355 S LOUIS LANE EUGENE OR 97405		W	185.00	400.00	169.0	6.0	10/11/2008	10/27/2008	FIELDER, WILLIAM 'BILL' E BILL FIELDER WELL DRILLING & PUMP	194354 94
LANE 16833	18.00S-4.00W-5 NE-SE			MOORE, E L PO BOX 103 HARRISBURG OR 97446		W	140.00	260.00	0.0	7.0	03/16/1977	03/31/1977	WILSON, WALT GROUND WATER SYSTEMS INC	
LANE 16850	18.00S-4.00W-5		GREEN HILL RD	BOYLES, DARWARD 3415 BALDVIEW DR SPRINGFIELD OR		W	120.00	400.00	60.0	7.0	10/20/1983	10/25/1983	PITCHER, CARL A	
LANE 16867	18.00S-4.00W-5			FOX, FRED 87165 KELLMORE RD EUGENE OR		W	178.00	400.00	150.0	7.0	03/24/1978	05/23/1978	JONES, CASEY L	
LANE 58121	18.00S-4.00W-5 NE-SE	4400	87239 REYNOLDS DR	SNOW, SHARON	SHAW, BRUCE 87239 REYNOLDS DR EUGENE OR 97402	W	230.00	300.00	90.0	7.0	04/07/2000	05/10/2000	LOVING, DONALD J MID VALLEY DRILLING, INC	128781 34
LANE 16851	18.00S-4.00W-5 NW-SW		87341 GREEN HILL RD	WOOLLEY, LARRY 87341 GREEN HILL RD EUGENE OR 97402		W	300.00	542.00	430.0	8.0	10/22/1981	11/06/1981	HOLTE, ART	
LANE 16868	18.00S-4.00W-5			HEATH, JAMES 555 BENDIX EUGENE OR 97401		W	130.00	150.00	60.0	8.0	08/02/1978	08/25/1978	PITCHER, CARL A	
LANE 60416	18.00S-4.00W-5 SW-NE	2203	87349 PRINCE RD	WOLF, DOUG	WOLF, DEBBIE PO BOX 26224 EUGENE OR 97402	W	131.00	170.00	60.0	8.0	10/16/2001	11/05/2001	LOVING, DONALD J MID VALLEY DRILLING, INC	142591 44
LANE 70995 Exempt Use Mbr	18.00S-4.00W-8 SW-SE	211	29155 GIMPL HILL RD EUGENE, OREGON 97402	KNIGHT, LINDA PO BOX 26456 EUGENE OR 97402		W	103.00	145.00	66.0	8.0	03/09/2011	03/09/2011	JONES JR, CASEY CASEY JONES WELL DRILLING CO INC	1012585 11
LANE 1370	18.00S-4.00W-5 NW-SW			NORDSTEN, ERIC GREENHILL RD EUGENE OR 97402		W	175.00	195.00	80.0	9.0	08/03/1976	08/26/1976	WILSON, WALT WV DRILLING & PUMP SERVICE	
LANE 4979	18.00S-4.00W-5 SE-NW			WOLFE, DEBBIE 87349 PRINCE LANE EUGENE OR 97405		W	184.00	245.00	163.0	10.0	07/29/1994	08/23/1994	LOVING, DONALD J	68780
LANE 16892	18.00S-4.00W-5		WILLOW CREEK ESTATES, BLOCK 3	MARX, DOUG D	MARX, DONNA 29145 RAINIER DR EUGENE OR 97402	W	0.00	200.00	195.0	10.0	02/18/1977	05/18/1977	GORDINIER, LLOYD E	
LANE 16839	18.00S-4.00W-5 SW-SW			SMITH, OLIVER GREEN RIDGE DRIVE, RT 5 BOX 404 EUGENE OR		W	0.00	76.00	35.0	10.0	08/06/1955	04/24/1957	SCHELER, BOB	
LANE 16865	18.00S-4.00W-5	3000		TRAVER, JIM 4730 CENTER WAY EUGENE OR 97405		W	90.00	150.00	8.0	10.0	02/21/1978	03/24/1978	GORDINIER, LLOYD E	51
LANE 16872	18.00S-4.00W-5		WILLOW CREEK ESTATES	MARX, DOUG D	MARX, DONNA 29145 RAINIER DR EUGENE OR 97402	W	0.00	0.00	108.0	10.0	04/11/1977	02/24/1977	GORDINIER, LLOYD E	
LANE 16909	18.00S-4.00W-8 NE-SE	203	29323 GIMPLE HILL RD	STAUFFER, DALE 29323 GIMPLE HILL RD EUGENE OR 97402		W	95.00	280.00	77.0	10.0	10/26/1989	11/08/1989	JONES, CASEY L	15829
LANE 16913	18.00S-4.00W-8 -SW			NELSON, HOWARD 29175 GIMPLE HILL RD EUGENE OR		W	192.00	197.00	88.0	10.0	01/21/1977	02/22/1977	CARTER, JAMES I	
LANE 58223	18.00S-4.00W-5 SW-SW	2800	29282 MCTAVISH LANE	SANDGATHE, ED 29282 MCTAVISH LANE EUGENE OR 97402		W	285.00	300.00	95.0	10.0	05/11/2000	06/05/2000	FIELDER, WILLIAM 'BILL' BILL FIELDS WELL DRILLING & P U	129152 34
LANE 16826	18.00S-4.00W-5	913		MCTAVISH, R RT 5 BOX 411 EUGENE OR		W	0.00	220.00	70.0	12.0	01/22/1959	02/17/1959	MCTAVISH, R E	
LANE 16838	18.00S-4.00W-5 SW-SW			FOX, FRED RT 5 BOX 4030 EUGENE OR		W	0.00	75.00	0.0	12.0	08/22/1958	09/04/1958	SCHELER, BOB	
LANE 16848	18.00S-4.00W-5	3102			SPECTRA PHYSICS, INC 3333 N FIRST ST SAN JOSE CA	W	172.00	380.00	170.0	12.0	08/02/1984	09/04/1984	JONES, CASEY L	
LANE 16921	18.00S-4.00W-8 -SW			KOFFLER, JOHN 29310 GIMPLE HILL ROAD EUGENE OR		W	365.00	400.00	80.0	12.0	08/29/1978	09/08/1978	CARTER, JAMES I	
LANE 16922	18.00S-4.00W-8			SODARO, AL 1865 BRITTANY DRIVE EUGENE OR 97402		W	220.00	300.00	74.0	12.0	06/16/1978	07/12/1978	CHRISTENSEN, MARK W	
LANE 61877	18.00S-4.00W-5 NE-SW	401	87221 REYNOLDS DR	HECKMAN, HARLAN L 87221 REYNOLDS DR EUGENE OR 97402		W	320.00	365.00	78.0	12.0	10/08/2002	11/01/2002	OLDHAM, SEAN C WHITE WATER WELL DRILLING	150858 64
LANE 4723	18.00S-4.00W-5 SE-NE	4600	N SIDE OF WILLOW CREEK RD, W OF MCTARISH RD	THIESS, EDWIN 86484 MODESTO DR N EUGENE OR 97402		W	45.00	100.00	20.0	13.0	06/04/1994	06/16/1994	OLDHAM, SEAN	54836
LANE 16830	18.00S-4.00W-5			WOOLLEY, LARRY RT 5 EUGENE OR		W	0.00	475.00	365.0	13.0	06/26/1961	07/20/1961	JONES, DELBERT S	
LANE 1372	18.00S-4.00W-5			PITCHFORD, GENE 29519 WILLOW CREEK EUGENE OR 97402		W	50.00	495.00	35.0	15.0	09/08/1980	09/17/1980	PITCHER, CARL PITCHER PUMP & DRILLING CO	
LANE 3985	18.00S-4.00W-5 SE-NW	2200	WILLOW CREEK RD, EUGENE	BARRETT, CLARENCE 91060 NELSON MOUNTAIN RD GREENLEAF OR 97445		W	73.00	200.00	28.0	15.0	06/21/1993	07/29/1993	LOVING, DONALD J	53287
LANE 16809	18.00S-4.00W-5	4400	WILLOW CR ESTATES, PLOT 2	HECKMAN, HARLAN	HECKMAN INVESTMENTS 1505 JUHL ST EUGENE OR 97402	W	220.00	239.00	100.0	16.0	09/06/1978	09/26/1978	GORDINIER, LLOYD E	
LANE 16811	18.00S-4.00W-5			NORDSTEN, ERIC 87296 GREEN HILL RD EUGENE OR		W	120.00	120.00	79.0	15.0	02/01/1977	02/08/1977	CHRISTENSEN, MARK W	
LANE 16832	18.00S-4.00W-5 NW-SW			FEENEY, DR RR 6 BOX 1215 GREENHILL DR EUGENE OR		W	0.00	175.00	60.0	15.0	07/27/1973	09/04/1973	WILSON, FRANK	

LANE 16841	18.00S-4.00W-5 SW-SE		REYNOLDS, WILLIAM F WILLOW CR RD, R 5 EUGENE OR		W	0.00	125.00	45.0	15.0	08/23/1966	09/13/1961	ZEHNER, ROBERT D BONNIE BRAE DRILLING CO		
LANE 16843	18.00S-4.00W-5 SW-SW	3100	87198 WILLOWDALE DR	DEOJET, LOUIS		W	167.00	200.00	28.0	15.0	01/24/1990	02/06/1990	LOVING, DONALD J	15719
NA LANE 16844	18.00S-4.00W-5 SE-NE	4800	29290 MCTAVISH	SCOTT, RICHARD		W	82.00	200.00	48.0	15.0	01/26/1990	02/06/1990	LOVING, DONALD J	16280
LANE 16854	18.00S-4.00W-5 NE-SW			HOMESTEAD DEVELOPMENT 1317 N 18TH ST SPRINGFIELD OR 97477		W	0.00	285.00	36.0	15.0	12/22/1980	01/23/1981	WHITE, WALTER N	
LANE 16818	18.00S-4.00W-8			KOFFLER, JOHN RT 3 BOX 515 B EUGENE OR		W	0.00	264.00	136.0	15.0	04/15/1965	08/10/1965	CHRISTENSEN, MARK W	
LANE 16820	18.00S-4.00W-8			STOFFER, DALE R RT 3 EUGENE OR		W	0.00	110.00	15.0	15.0	05/24/1965	07/19/1965	WILSON, WALT GROUND WATER SYSTEMS INC	
LANE 56636	18.00S-4.00W-8 SW-NW	500	87141 KELLMORE DR, EUGENE	BERGIN, MARIE 87141 KELLMORE DR, EUGENE OR 97402		W	40.00	165.00	17.0	15.0	05/30/2001	06/04/2001	JONES JR, CASEY CASEY JONES WELL DRILLING	140454 4
LANE 70896 Exempt Use M&P	18.00S-4.00W-8 NE-SE	208	29319 GIMPLE HILL	RICHESON, JERRY 29319 GIMPLE HILL EUGENE OR 97402		W	273.00	300.00	174.0	15.0	01/08/2011	01/26/2011	LOVING, DONALD "JOE" MID VALLEY DRILLING INC	206567 10
LANE 16856	18.00S-4.00W-5			PITCHFORD, GENE 29519 WILLOW CREEK RD EUGENE OR 97402		W	160.00	300.00	52.0	16.0	05/05/1980	07/21/1980	PITCHER, CARL A	
LANE 16842	18.00S-4.00W-5 NW-SE			LUDINGTON, LANE RT 6 BOX 1261 A EUGENE OR 97402		W	40.00	80.00	27.0	17.0	10/30/1974	12/06/1974	COX, GARLAND	
NA LANE 16861	18.00S-4.00W-5	300		RAMSEY LARSEN FENNEL MUX 1317 N 18TH SPRINGFIELD OR		W	180.00	230.00	52.0	17.0	05/03/1979	05/08/1979	GORDINIER, LLOYD E	
LANE 24390	18.00S-4.00W-8 NE-SE	209	W OF 29323 GIMPL HILL RD	KITLESON, CHARLES 877 ELKAY DR EUGENE OR 97404		W	103.00	115.00	77.0	17.0	10/09/1995	10/13/1995	JONES, CASEY JR	83726
NA LANE 24460	18.00S-4.00W-8 SE-SE	203	NEXT DRIVEWAY PAST 29323 GIMPL HILL RD, EUGENE	MCBEE, BILL 2100 HAYDEN BRIDGE RD SPRINGFIELD OR 97477		W	110.00	125.00	57.5	17.0	10/27/1995	11/13/1995	JONES, CASEY L	85594
NA LANE 73192	18.00S-4.00W-8 SE-SE	2200	29230 GIMPL HILL RD EUGENE			W	50.00	325.00	22.0	17.0	06/23/2014	06/24/2014	JONES JR, CASEY CASEY JONES WELL DRILLING CO INC	1023452 1
LANE 16858	18.00S-4.00W-5			FOX, MR FRED 87185 KELLMORE RD EUGENE OR 97402		W	75.00	100.00	64.0	18.0	07/10/1980	07/21/1980	PITCHER, CARL A	
LANE 16819	18.00S-4.00W-5			HACK, BILL ROUTE 3 BOX 302 A EUGENE OR		W	0.00	160.00	76.0	19.0	08/12/1966	09/23/1966	CHRISTENSEN, MARK W	
NA LANE 3704	18.00S-4.00W-5 SE-NW	2200	WILLOW CR RD	SMEJKAL, DEBBIE PO BOX 133 VIDA OR 97488		W	155.00	170.00	83.0	20.0	03/16/1993	04/13/1993	LOVING, DONALD J	50474
LANE 24102	18.00S-4.00W-5 SE-SE	3500	WILLOW CREEK LANE	TAROS, DEREK 31030 FOX RIDGE LANE EUGENE OR 97405		W	130.00	148.00	20.0	20.0	07/29/1995	08/11/1995	CARTER, JAMES I	66951
LANE 16812	18.00S-4.00W-5			HECKMAN, HARLAN 1520 BUCK EUGENE OR		W	0.00	220.00	62.0	20.0	08/05/1968	02/24/1969	CHRISTENSEN, MARK W	
LANE 16821	18.00S-4.00W-5			STIRLING, TOM BOX 5888 EUGENE OR		W	0.00	140.00	35.0	20.0	03/05/1965	05/17/1965	JONES, DELBERT S	
LANE 16829	18.00S-4.00W-5			WESTON, DON 2071 FOUR OAKS GRANGE RD EUGENE OR		W	143.00	230.00	83.0	20.0	05/28/1976	08/16/1976	CHRISTENSEN, MARK W	
NA LANE 16862	18.00S-4.00W-5	300		RAMSEY LARSEN FENNEL MUX 1317 N 18TH SPRINGFIELD OR		W	171.00	175.00	30.0	20.0	04/02/1979	05/08/1979	GORDINIER, LLOYD E	
LANE 16871	18.00S-4.00W-5			ROLLINS, DR TROY 87365 GREENHILL ROAD EUGENE OR 97402		W	370.00	390.00	120.0	20.0	01/29/1977	03/21/1977	JONES, CASEY L	
LANE 16911	18.00S-4.00W-8			LAWRENCE, DENNIS 29223 GIMPLE HILL RD EUGENE OR 97402		W	75.00	160.00	44.0	20.0	08/07/1979	10/31/1979	PITCHER, CARL A	
NA LANE 16919	18.00S-4.00W-8			LOEBER, MR LARRY 1800 HWY 99 N EUGENE OR		W	56.00	120.00	38.0	20.0	08/22/1975	10/28/1975	PITCHER, CARL A	
NA LANE 3705	18.00S-4.00W-5 SE-NW	2200	WILLOW CR RD	CORNEAU, CALVIN J 380 E 4TH EUGENE OR 97405		W	167.00	185.00	90.0	22.0	03/18/1993	04/13/1993	LOVING, DONALD J	50475
LANE 2012	18.00S-4.00W-5 SE-SW	3107		KIMBLE, CHUCK 3483 RIVER RD N SALEM OR 97303		W	68.00	105.00	45.0	25.0	05/02/1991	05/08/1991	JONES, CASEY L	31716
NA LANE 16848	18.00S-4.00W-5		29145 RAINIER ST	MARX, DOUG 29145 RAINIER ST EUGENE OR 97402	TL 4500	W	100.00	225.00	80.0	25.0	05/30/1985	06/10/1985	PITCHER, CARL A	
NA LANE 57309	18.00S-4.00W-5 SW-NW	401	87365 GREENHILL RD	DISHER, BILL 87365 GREENHILL RD EUGENE OR 97402		W	370.00	410.00	265.0	25.0	07/30/1999	08/12/1999	LOVING, DONALD J MID VALLEY DRILLING, INC.	118480 3
NA LANE 68955	18.00S-4.00W-8 SE-SE	205	29195 GIMPL HILL RD	ROLL, MIKE 29195 GIMPL HILL RD EUGENE OR 97402		W	85.00	140.00	75.0	28.0	08/06/2008	09/09/2008	FIELDER, WILLIAM "BILL" E BILL FIELDER WELL DRILLING & PUMP	199170 9
LANE 1379	18.00S-4.00W-8 NE-SW			SPADY, BILL RT 5 BOX 1256 N MODESTO DR EUGENE OR 97402		W	95.00	105.00	15.0	30.0	06/07/1975	07/16/1975	WILSON, FRANK WW DRILLING & PUMP SERVICE	
LANE 18814	18.00S-4.00W-5			RUNYAN, MR RT 2 BOX 510 SPRINGFIELD OR 97477		W	0.00	75.00	18.0	30.0	10/05/1967	10/10/1967	JONES, DELBERT S	
LANE 16820	18.00S-4.00W-5			MCGOWAN, MR R E WILLOW CREEK ROAD EUGENE OR		W	0.00	200.00	0.0	30.0	06/21/1965	07/21/1965	JONES, DELBERT S	
LANE 16831	18.00S-4.00W-5 NW-SW			WURN, BILL 2915 BAILEY HILL RD EUGENE OR 97405		W	90.00	150.00	37.0	30.0	05/07/1975	05/12/1975	COX, GARLAND	

NA	LANE 18809	18.00S-4.00W-5	300			RAMSEY LARSEN FENNEL INVESTMENTS 1317 N 18TH SPRINGFIELD OR		W	171.00	175.00	30.0	30.0	04/28/1978	05/01/1978	GORDINIER, LLOYD E	
	LANE 18870	18.00S-4.00W-5				FRANZ, RICHARD 1832 BRITTANY ST EUGENE OR 97405		W	95.00	150.00	90.0	33.0	03/21/1978	06/06/1978	CHRISTENSEN, MARK W CHRISTENSEN WELL DRILLING CO	
	LANE 18808	18.00S-4.00W-5 NW-SE				LUDINGTON, LANE RT 6 BOX 1261 A EUGENE OR 97402		W	105.00	110.00	27.0	35.0	08/05/1975	08/21/1975	COX, GARLAND	
	LANE 57042	18.00S-4.00W-8 SE-NE	206	29175 GIMPL HILL		NELSON, EVELYN L 410 W 27TH AVE EUGENE OR 97405		W	78.00	96.00	28.5	36.0	05/20/1999	05/25/1999	LEE, NEIL W WESTERN WELL DRILLING	101724 2
	LANE 58525	18.00S-4.00W-8 SW-SE	206	29175 GIMPL HILL RD		NELSON, EVELYN 410 W 27TH EUGENE OR 97405		W	88.00	110.00	87.0	40.0	08/08/2000	08/17/2000	JONES JR, CASEY CASEY JONES WELL DRILLING	129570 4:
	LANE 18848	18.00S-4.00W-5	1800	87153 KELMORE ST		DOEVROUX, GARY 87153 KELMORE ST EUGENE OR 97402		W	140.00	200.00	87.0	45.0	09/23/1986	10/01/1986	PITCHER, CARL A	
NA	LANE 18853	18.00S-4.00W-5	1500	87296 GREEN HILL RD		NORDSTEN, ERIC 87296 GREEN HILL RD EUGENE OR 97401		W	170.00	220.00	132.0	45.0	06/17/1982	06/21/1982	PITCHER, CARL A	
NA	LANE 3548	18.00S-4.00W-5 SE-NW	2200	28947 WILLOW CREEK RD		WILKERSON, DONNA 474 HORIZON RD EUGENE OR 97405		W	58.00	110.00	14.0	50.0	01/25/1993	02/10/1993	LOVING, DONALD J	50459 3:
	LANE 18836	18.00S-4.00W-5 NW-SW				EMVNG, FRED TRENT OR		W	0.00	85.00	12.0	50.0	03/27/1962	04/27/1962	JONES, DELBERT S	
	LANE 18857	18.00S-4.00W-5				PITCHFORD, GENE 29519 WILLOW CREEK RD EUGENE OR 97401		W	105.00	160.00	25.0	50.0	05/12/1980	07/21/1980	PITCHER, CARL A	
	LANE 18812	18.00S-4.00W-8				SIPE, TED 2000 W 24TH ST EUGENE OR		W	109.00	160.00	30.0	50.0	06/15/1979	08/09/1979	PITCHER, CARL A CARL A PITCHER	
	LANE 18916	18.00S-4.00W-8		GIMPLE HILL RD		WITZELL, DICK 2420 ADAMS EUGENE OR		W	0.00	92.00	24.0	50.0	02/07/1967	02/24/1967	CHRISTENSEN, MARK W	
NA	LANE 69609	18.00S-4.00W-8 SE-SE	400	NEXT TO 29230 GIMPL HILL RD, EUGENE, OREGON		HAFFNER, WESLEY		W	179.00	199.00	69.0	50.0	05/14/2009	05/15/2009	JONES JR, CASEY CASEY JONES WELL DRILLING	1006755 1:
NA	LANE 4590	18.00S-4.00W-8 SW-SE	212			HARRIS, ROBERT 11247 BRIARCLIFF LANE STUDIO CITY CA 91604		W	110.00	145.00	54.0	60.0	03/28/1994	04/15/1994	JONES JR, CASEY	63697
	LANE 18827	18.00S-4.00W-5 -SW				NORDSTEN, ERIC RT 5 EUGENE OR		W	0.00	82.00	50.0	60.0	06/30/1961	07/17/1961	JONES, DELBERT S	
NA	LANE 58141	18.00S-4.00W-8 SW-SE	212	29141 GIMPL HILL RD		TRENDSETTER HOMES PO BOX 25509 EUGENE OR 97402		W	65.00	142.00	42.0	60.0	04/28/2000	05/18/2000	JONES JR, CASEY CASEY JONES WELL DRILLING	127571 4:
	LANE 18845	18.00S-4.00W-5	1900	WILLOW CR RD		WEBKING, GERALD W 1952 LAMBERT DR EUGENE OR 97405		W	68.00	100.00	53.0	285.0	09/14/1988	09/19/1988	LOVING, DONALD J	7938
	LANE 18825	18.00S-4.00W-5				MCGOWEN, R E 1493 11TH AVENUE WEST EUGENE OR		W	0.00	400.00	235.0	360.0	07/24/1963	09/30/1963	JONES, DELBERT S	

[Download Data](#)  
[Return to Well Log Query](#)







**AERIAL PHOTO**

Source: Land

Year: 2013-



MAP: 18-04-05 TAX LOT 4901 & ASSESSOR'S MAP: 18-04-08 TAX LOT 100

# Recorded Documents

7518017

## WARRANTY DEED

FRED W. REYNOLDS, JR. and PEARL M. REYNOLDS, husband and wife  
Grantor,  
conveys and warrants to LAWRENCE E. LOEBER and KATHLEEN J. LOEBER, husband  
and wife  
Grantee,

the following described real property free of encumbrances except as specifically set forth herein situated in  
Lane County, Oregon, to-wit:

PARCEL "A":

Beginning at the Northwest corner of the Northeast 1/4 of the North-  
west 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette  
Meridian, thence South along the West line of said Northeast 1/4  
of the Northwest 1/4, 900 feet to a point; thence East 360 feet;  
thence North parallel to the West line of the Northeast 1/4 of the  
Northwest 1/4, 900 feet, more or less, to the North line of Section  
8; thence West along said North line to the place of beginning.

ALSO: PARCEL "B":

Beginning at the North 1/4 corner of Section 8 in Township 18 South,  
Range 4 West of the Willamette Meridian; thence East along the  
North line of said Section 8, 100.1 feet to a point; thence South  
60 feet to a point; thence West parallel with the North line of  
said Section 8 to a point on the East line of Parcel "A"; thence  
North along the East line of said tract 60 feet to the North line  
of Section 8; thence East along the North line of said Section 8  
to the point of beginning, in Lane County, Oregon.

The said property is free from encumbrances except easements, restrictions, reservations  
and conditions of record

The true consideration for this conveyance is \$ None  
(Here comply with the requirements of ORS 93.030)

Dated this 17<sup>th</sup> day of February, 1975.

*Fred W. Reynolds Jr.*  
*Pearl M. Reynolds*

STATE OF OREGON, County of Lane ) ss. February 17, 1975.

Personally appeared the above named FRED W. REYNOLDS, JR. and  
PEARL M. REYNOLDS, husband and wife  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *Max L. Ingerson*  
Notary Public for Oregon—My commission expires: 5/24/75



Grantees Address

PIONEER TITLE CO., of Lane and Deschutes Counties

WARRANTY DEED

FRED W. REYNOLDS, JR. and PEARL M. REYNOLDS, husband and wife GRANTOR  
LAWRENCE E. LOEBER & KATHLEEN J. LOEBER GRANTEE  
1800 PACIFIC HIGHWAY 99N, EUGENE, OR 97402 GRANTEE'S ADDRESS, ZIP

After recording return to:

LAWRENCE E. LOEBER & KATHLEEN J. LOEBER  
1800 HIGHWAY 99 NORTH  
EUGENE, OREGON 97402  
NAME, ADDRESS, ZIP

Until a change is requested, all tax statements shall be sent to the following address:

1800 PACIFIC HIGHWAY 99NORTH  
EUGENE, OREGON 97402  
NAME, ADDRESS, ZIP

STATE OF OREGON

County of \_\_\_\_\_ ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book \_\_\_\_\_ on page \_\_\_\_\_ or as file/reel number \_\_\_\_\_, Record of Deeds of said County. Witness my hand and seal of County affixed.

Recording Officer

By \_\_\_\_\_ Deputy

SPACE RESERVED FOR RECORDER'S USE

7518017

OF LANE & DESCHUTES COUNTIES

**PIONEER TITLE CO**

800 Pearl St. • Eugene 342-1894  
223 N. "A" St. • Springfield 746-2262  
103 Oregon Ave. • Bend 389-2126

State of Oregon, County of Lane ss.

I, D. M. Penfold, Director of the Department of Records and Elections, in and for the said County, do hereby certify that the within instrument was received for record at

1975 MAR 12 AM 11 23

Reel 742 R

Lane County OFFICIAL Records.

D. M. PENFOLD, Director of the Department of Records & Elections.

By *D Penfold* Deputy  
C29-083-05

Empty rectangular box for stamp or signature.

WAT-12-75 33942 200



8308243  
WARRANTY DEED

1-29-74

FOR VALUE RECEIVED FRED W. REYNOLDS, JR. and PEARL M. REYNOLDS, husband and wife,

herein referred to as grantors, hereby grant, bargain, sell, and convey unto LAWRENCE E. LOEBER and

KATHLEEN J. LOEBER, husband and wife,

herein referred to as grantees, the following described real property, with tenements, hereditaments, and appurtenances, to wit:

The Northeast 1/4 of the Northwest 1/4 and the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian in Lane County, Oregon.

Together with: Beginning at the South Quarter Corner of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; thence North 0°19'45" West 316.67 feet to the initial point of Willow Creek Estates, as platted and recorded in Book 47, Page 13, Lane County Oregon Plat Records; thence along the Southerly line of said plat North 73°09'20" East 265.61 feet; thence leaving said Southerly line South 16°50'40" East 60.00 feet; thence South 73°09'20" West 179.11 feet; thence South 0°19'45" East 284.65 feet to the South Section line of said Section 5; thence along said Section line North 89°48'18" West 100.01 feet to the Point of Beginning, in Lane County, Oregon.

EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian, and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof.

TO HAVE AND TO HOLD the said premises unto said Grantees, their heirs and assigns forever, and the said Grantors hereby covenant that they are lawfully seized in fee simple of said premises; that they are free from all incumbrances, except easements and restrictions of record

and that they will warrant and defend the above granted premises against all lawful claims whatsoever, except as above stated.

The true and actual consideration for this transfer is \$75,000.00

Dated January 29, 1974

(Seal)

(Seal)

*Fred W. Reynolds, Jr.* (Seal)  
*Pearl M. Reynolds* (Seal)

STATE OF OREGON, County of Lane, ss.

Personally appeared the above named

Fred W. Reynolds, Jr. and Pearl M. Reynolds, husband and wife

and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

Dated January 29, A.D. 1974

My Commission Expires February 25, 1975

Notary Public for Oregon



8308243

Compliments of  
CASCADE TITLE COMPANY  
Eugene, Oregon  
WARRANTY DEED

State of Oregon,  
County of Lane-ss.  
I, the County Clerk, in and for the said  
County, do hereby certify that this within  
instrument was received for record at

To REC 03 11: 07

1236R

Lane County OFFICIAL RECORDS.

Lane County Clerk

*EBB*

Deputy

c 12-11

Return To:

*Clayton Walker*

8109651

1080

MEMORANDUM OF CONTRACT

NOTICE IS HEREBY GIVEN, that FRED W. REYNOLDS, JR. and PEARL M. REYNOLDS, husband and wife (Seller) and LAWRENCE E. LOEBER and KATHLEEN J. LOEBER, husband and wife (Purchaser) entered into a Land Sale Contract dated January 28, 1974, whereby Seller agreed to sell and Purchaser agreed to purchase a fee simple interest in the real property described in Exhibit A attached.

The terms and conditions of the contract are incorporated by reference as if set forth herein. This memorandum is made for the purpose of recording in the Official Records of Lane County, Oregon.

The true and actual consideration for this transfer is \$75,000.

B 9 • 100 5929 000 10.50

Until a change is requested, all tax statements should be sent to the following address:

DATED this 30<sup>th</sup> day of January, 1981.

Betty Lou Beck  
Betty Lou Beck  
Co-Personal Representative of the Estate of Fred W. Reynolds, Jr.

William F. Reynolds  
William F. Reynolds  
Co-Personal Representative of the Estate of Fred W. Reynolds, Jr.

Pearl M. Reynolds  
PEARL M. REYNOLDS

SELLER

LAWRENCE E. LOEBER

KATHLEEN J. LOEBER

PURCHASER

\*by Clayton W. Walker, Attorney in fact



After recording return to: Western Wire Rope Co. Profit Sharing Trust <i>P.O. Box 10365</i> <b>9012577</b> Eugene, Oregon <i>97440</i> NAME, ADDRESS, ZIP	
Until a change is requested, mail all tax statements to: Same	
NAME, ADDRESS, ZIP	

**WARRANTY DEED—STATUTORY FORM**

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify use.

*LL*  
LAWRENCE E. LOEBER and KATHLEEN J. LOEBER      Grantor  
conveys and warrants to WESTERN WIRE ROPE CO. PROFIT SHARING TRUST, Charles F. Larson, Trustee

Grantee, the following described real property free of encumbrances, except as specifically set forth herein.

See attached legal Exhibit "A"

B239MAR.16'90HD6REC      10.00  
B239MAR.16'90HD6PFUND      10.00  
B239MAR.16'90HD6A&T FUND 20.00

(IF INSUFFICIENT SPACE, CONTINUE DESCRIPTION ON ADDITIONAL PAGE)

The said property is free from all encumbrances except conditions, REstrictions & easements of record, ALSO 1987-88-89-90 taxes plus interest which grantee agrees to assume and pay; Grantors agree to remain responsible for trust deed to Builder's Electric, Inc. Employees Retirement Plan & Trust dated 3-81, Recorded 3-17-81, Reel 1125, Reception #8111743 and trust deed dated 6-30-81 recorded 7-10-81, Reel 1145, Reception #8129917 and Mortgage dated 6-30-81, recorded 7-10-81, Reel 1145, Reception #8129918 for benefit of William E. Spangler, M.D.P.C. profit Sharing & Retirement Plan & Trust.

True consideration for this conveyance is \$ .125,000.00.  
Dated March 13 19 90

*Kathleen J. Loeber*  
Kathleen J. Loeber

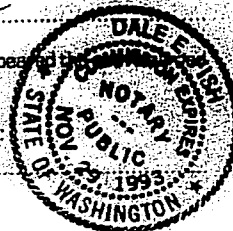
WASHINGTON King  
STATE OF OREGON, County of Lane, ss.  
Lawrence E. Loeber and Kathleen J. Loeber

Personally appeared by

and acknowledged the foregoing instrument to be their... voluntary act and deed. Before me:

Dated March 13 A.D. 19 90  
My Commission Expires: Nov 29, 1993

Notary Public for Oregon



CASCADE TITLE CO.



1075 Oak Street, Eugene

Form No. 107

9012577

PARCEL 1

Parcel A

Beginning at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 18 South Range 4 West of the Willamette Meridian; thence South along the West line of said Northeast 1/4 of the Northwest 1/4, 900 feet to a point; thence East 360 feet; thence North parallel with the West line of the Northeast 1/4 of the Northwest 1/4, 900 feet, more or less, to the North line of Section 8; thence West along said North line to the place of beginning, in Lane County, Oregon.

Parcel B

Beginning at the North 1/4 corner of Section 8 in Township 18 South, Range 4 West of the Willamette Meridian; thence East along the North line of said Section 8, 100.1 feet to a point; thence South 60 feet to a point; thence West parallel with the North line of said Section 8 to a point on the East line of Parcel "A"; thence North along the East line of said tract 60 feet to the North line of Section 8; thence East along the North line of said Section 8 to the point of beginning, in Lane County, Oregon.

PARCEL 2

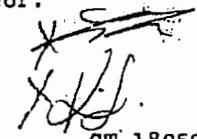
The Northeast 1/4 of the Northwest 1/4 and the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian, in Lane County, Oregon;  
EXCEPTING the property described in Parcel 1 above.

PARCEL 3

Beginning at the South quarter corner of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; thence North 0° 19' 45" West 316.67 feet to the initial point of WILLOW CREEK ESTATES, as platted and recorded in Book 47, Page 13, Lane County Oregon Plat Records; thence along the Southerly line of said plat North 73° 09' 20" East 265.61 feet; thence leaving said Southerly line South 16° 50' 40" East 60.00 feet; thence South 73° 09' 20" West 179.11 feet; thence South 0° 19' 45" East 284.65 feet to the South section line of said Section 5; thence along said section line North 89° 48' 18" West 100.01 feet to the point of beginning, in Lane County, Oregon;

EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof.

Legal for Warranty deed Exhibit "A"

  
CT-180594

9012577

RECORDED

9012577

State of Oregon,  
County of Lane--ss.

I, the County Clerk, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

16 MAR 90 2:03

Reel

**1621R**

Lane County OFFICIAL RECORDS  
Lane County Clerk

By: John E. Taylor  
County Clerk

After recording return to:

Larry W. Kerby <sup>15</sup>  
 4635 NE Elliott Circle <sup>10</sup>  
 Corvallis, OR 97330 <sup>20</sup>  
NAME, ADDRESS, ZIP

---

Until a change is requested, mail all tax statements to:

SAME AS ABOVE **9127917**  
NAME, ADDRESS, ZIP

WARRANTY DEED—STATUTORY FORM

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify use."

WESTERN WIRE ROPE CO. PROFIT SHARING TRUST, CHARLES F. LARSON, TRUSTEE Grantor  
 conveys and warrants to LARRY W. KERBY

Grantee, the following described real property free of encumbrances, except as specifically set forth herein.

SEE ATTACHED EXHIBIT "A"

TAX ACCOUNT: 723062	2371 JUN. 17 '91 HO1 REC 15.00
1110632	2371 JUN. 17 '91 HO1 PFUND 10.00
1109642	2371 JUN. 17 '91 HO1 A&T FUND 20.00

(IF INSUFFICIENT SPACE, CONTINUE DESCRIPTION ON ADDITIONAL PAGE)

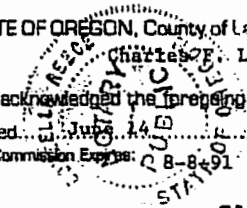
The said property is free from all encumbrances except SEE EXHIBIT "B"

True consideration for this conveyance is \$ 150,000.00  
 Dated June 14, 1991

*Charles F. Larson*  
 Charles F. Larson

STATE OF OREGON, County of Lane, ss. Personally appeared the above named  
 Charles F. Larson

and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:  
 Dated June 14, A.D. 1991  
 My Commission Expires 8-8-91  
*Donnella Reese*  
 Notary Public for Oregon



CASCADE TITLE CO.  1075 Oak Street, Eugene



9127917

EXHIBIT "A"

PARCEL 1

The Northeast 1/4 of the Northwest 1/4 and the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West, Willamette Meridian, in Lane County, Oregon;

EXCEPT the following described property: Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 4 West, Willamette Meridian; thence South along the West line of said Northeast quarter of the Northwest quarter, 660 feet to a point; thence East parallel with the North line of said Section 8, 180 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 180 feet to a point; thence West parallel with the North line of said Section 8, 150 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 480 feet to the North line of said Section 8; thence West 30 feet to the point of beginning, in Lane County, Oregon;

ALSO EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof.

PARCEL 2

Beginning at the South quarter corner of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; thence North  $0^{\circ} 19' 45''$  West 316.67 feet to the initial point of WILLOW CREEK ESTATES, as platted and recorded in Book 47, Page 13, Lane County Oregon Plat Records; thence along the Southerly line of said plat North  $73^{\circ} 09' 20''$  East 265.61 feet; thence leaving said Southerly line South  $16^{\circ} 50' 40''$  East 60.00 feet; thence South  $73^{\circ} 09' 20''$  West 179.11 feet; thence South  $0^{\circ} 19' 45''$  East 284.65 feet to the South section line of said Section 5; thence along said section line North  $89^{\circ} 48' 18''$  West 100.01 feet to the point of beginning, in Lane County, Oregon;

EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof, in Lane County, Oregon.

CT-185530

Notarized

9127917

EXHIBIT "B"

1. As disclosed by the tax roll the premises herein described are classified as forest lands. In the event of declassification, said premises will be subject to additional taxes and interest pursuant to the provisions of ORS Chapter 321, which grantee herein assumes and agrees to pay.
2. Rights of Amos S. Johnson and successors in interest to use spring and to take water as granted in the Deed from E. A. McCornack to Amos S. Johnson, recorded in Book 145, Page 383, Lane County Oregon Deed Records.
3. Access road easement granted to United States of America, by instrument recorded June 25, 1979, Reception No. 7936807, Lane County Oregon Records.

9127917

State of Oregon,  
County of Lane--ss.

I, the County Clerk, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

17 JAN 91 10: 22

Recd **1701R**

Lane County OFFICIAL RECORDS.  
Lane County Clerk

By: John E. Fow  
County Clerk

After recording return to:

Larry W. Kerby, et al **9129416**

5  
10  
20  
4635 NE Elliott Circle  
Corvallis, OR 97330  
NAME, ADDRESS, ZIP

Until a change is requested, mail all tax statements to:

SAME AS ABOVE

NAME, ADDRESS, ZIP

WARRANTY DEED—STATUTORY FORM

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify uses."

LARRY W. KERBY Grantor  
conveys and warrants to DAVID W. KERBY, an undivided 1/2 interest

Grantee, the following described real property free of encumbrances, except as specifically set forth herein.

SEE ATTACHED EXHIBIT "A"

3099 JUN. 25 '91 H08REC 15.00

3099 JUN. 25 '91 H08PFUND 10.00

3099 JUN. 25 '91 H08A&T FUND 20.00

(IF INSUFFICIENT SPACE, CONTINUE DESCRIPTION ON ADDITIONAL PAGE)

The said property is free from all encumbrances except SEE ATTACHED EXHIBIT "B"

True consideration for this conveyance is \$ .....

Dated June 24, 19 91

*Larry W. Kerby*  
Larry W. Kerby

STATE OF OREGON, County of Lane, ss.  
Larry W. Kerby

Personally appeared the above named

and acknowledged the foregoing instrument to be his voluntary act and deed. Before me:

Dated June 24, A.D. 19 91

My Commission Expires 8-8-91

*Marjella Keese*  
Notary Public for Oregon

CASCADE TITLE CO.



1075 Oak Street, Eugene

9123416

EXHIBIT "A"

PARCEL 1

The Northeast 1/4 of the Northwest 1/4 and the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West, Willamette Meridian, in Lane County, Oregon;

EXCEPT the following described property: Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 4 West, Willamette Meridian; thence South along the West line of said Northeast quarter of the Northwest quarter, 660 feet to a point; thence East parallel with the North line of said Section 8, 180 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 180 feet to a point; thence West parallel with the North line of said Section 8, 150 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 480 feet to the North line of said Section 8; thence West 30 feet to the point of beginning, in Lane County, Oregon;

ALSO EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof.

PARCEL 2

Beginning at the South quarter corner of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; thence North 0° 19' 45" West 316.67 feet to the initial point of WILLOW CREEK ESTATES, as platted and recorded in Book 47, Page 13, Lane County Oregon Plat Records; thence along the Southerly line of said plat North 73° 09' 20" East 265.61 feet; thence leaving said Southerly line South 16° 50' 40" East 60.00 feet; thence South 73° 09' 20" West 179.11 feet; thence South 0° 19' 45" East 284.65 feet to the South section line of said Section 5; thence along said section line North 89° 48' 18" West 100.01 feet to the point of beginning, in Lane County, Oregon;

EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof, in Lane County, Oregon.

CT-185530



9129416

EXHIBIT "B"

1. As disclosed by the tax roll the premises herein described are classified as forest lands. In the event of declassification, said premises will be subject to additional taxes and interest pursuant to the provisions of ORS Chapter 321, which grantee herein assumes and agrees to pay.
2. Rights of Amos S. Johnson and successors in interest to use spring and to take water as granted in the Deed from E. A. McCornack to Amos S. Johnson, recorded in Book 145, Page 383, Lane County Oregon Deed Records.
3. Access road easement granted to United States of America, by instrument recorded June 25, 1979, Reception No. 7936807, Lane County Oregon Records.

9129416

State of Oregon,  
County of Lane--ss.

I, the County Clerk, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

25 JUN 91 9 : 42

Reel 1703R

Lane County OFFICIAL RECORDS.  
Lane County Clerk

By:

*John E. Felt*  
County Clerk

100-585-1000

NA

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That \*DAVID W. KERBY\*

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto \*LARRY W. KERBY\*

hereinafter called grantees, and unto grantees heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lane, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

5870

5841MAY.17'96#08REC 10.00

5841MAY.17'96#08PFLND 10.00

5841MAY.17'96#08A&T FUND 20.00

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$.....00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.070.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 12th day of May, 1996; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.830.

David W. Kerby
DAVID W. KERBY

STATE OF OREGON, County of Benton ss.

This instrument was acknowledged before me on May 12th, 1996,

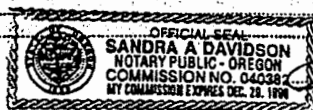
by DAVID W. KERBY

This instrument was acknowledged before me on May 13th, 1996

by

as

of



Sandra A. Davidson
Notary Public for Oregon
My commission expires 12-28-98

STATE OF OREGON,

County of ss.

I certify that the within instrument was received for record on the day of 19... at o'clock M., and recorded in book/reel/volume No... on page... or as fee/file/instrument/microfilm/reception No... Record of Deeds of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By Deputy

Grantor's Name and Address: Larry W. Kerby, 3595 E AMAZON, EUGENE, OR 97405
Grantee's Name and Address:
After recording return to (Name, Address, Zip):
After Recording Return To: KEY-TITLE COMPANY, P.O. Box 1458, Eugene, OR 97440
Until requested otherwise send all tax statements to (Name, Address, Zip): no charge

SPACE RESERVED FOR RECORDER'S USE

9632634

EXHIBIT "A"

PARCEL 1

The Northeast 1/4 of the Northwest 1/4 and the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West, Willamette Meridian, in Lane County, Oregon;

EXCEPT the following described property: Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 4 West, Willamette Meridian; thence South along the West line of said Northeast quarter of the Northwest quarter, 660 feet to a point; thence East parallel with the North line of said Section 8, 180 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 180 feet to a point; thence West parallel with the North line of said Section 8, 150 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 480 feet to the North line of said Section 8; thence West 30 feet to the point of beginning; in Lane County, Oregon;

ALSO EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof.

PARCEL 2

Beginning at the South quarter corner of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; thence North 0° 19' 45" West 316.67 feet to the initial point of WILLOW CREEK ESTATES, as platted and recorded in Book 47, Page 13, Lane County Oregon Plat Records; thence along the Southerly line of said plat North 73° 09' 20" East 265.61 feet; thence leaving said Southerly line South 16° 50' 40" East 60.00 feet; thence South 73° 09' 20" West 179.11 feet; thence South 0° 19' 45" East 284.65 feet to the South section line of said Section 5; thence along said section line North 89° 48' 18" West 100.01 feet to the point of beginning, in Lane County, Oregon;

EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof, in Lane County, Oregon.

9632634

RECORDED

State of Oregon  
County of Lane -- ss.  
I, the County Clerk, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

17 MAY 96 111 25

Reel **2174R**

Lane County OFFICIAL Records  
Lane County Clerk

By: Donal S. Surhan  
County Clerk





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20

Until a change is requested,  
send tax statements to:

After recording return to:

David W. Kerby  
30602 Oakview Drive  
Corvallis, OR 97333

David W. Kerby  
30602 Oakview Drive  
Corvallis, OR 97333

The true and actual consideration paid for this conveyance is distribution of estate.

PERSONAL REPRESENTATIVE'S DEED

VERNA G. KERBY, the duly appointed, qualified and acting personal representative of the Estate of Larry W. Kerby, deceased, Grantor, conveys to DAVID W. KERBY, Grantee, and to Grantee's heirs, successors and assigns, all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in and to the following described real property situated in Lane County, Oregon, to-wit:

4104NOV.02'98#04REC 15.00  
4104NOV.02'98#04PFUND 10.00

PARCEL 1

The Northeast 1/4 of the Northwest 1/4 and the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West, Willamette Meridian, in Lane County, Oregon; EXCEPT the following described property: Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 8, Township 18 South, Range 4 West, Willamette Meridian; thence South along the West line of said Northeast quarter of the Northwest quarter, 660 feet to a point; thence East parallel with the North line of said Section 8, 180 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter, 180 feet to a point; thence West parallel with the North line of said Section 8, 150 feet to a point; thence North parallel with the West line of the Northeast quarter of the Northwest quarter to the North line of said Section 8; thence West 30 feet to the point of beginning, in Lane County, Oregon; ALSO EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; and running in a Southerly direction across the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof.

4104NOV.02'98#04A&T FUND 20.00

PARCEL 2

Beginning at the South quarter corner of Section 5, Township 18 South, Range 4 West of the Willamette Meridian; thence North 01° 19' 45" West 316.67 feet to the initial point of WILLOW CREEK ESTATES, as platted and recorded in Book 47, Page 13, Lane County Oregon Plat Records; thence along the Southerly line of said plat North 73° 09' 20" East 265.61 feet; thence leaving said Southerly line South 16° 50' 40" East 60.00 feet; thence South 73° 09' 20" West 179.11 feet; thence South 0° 19' 45" East 284.65 feet to the South section line of said Section 5; thence along said section line North 89° 48' 18" West 100.01 feet to the point of beginning, in Lane County, Oregon; EXCEPT: A 60 foot strip of land over an existing logging road commencing at ending point of Reynolds Drive in the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 18 South, Range

## 9887008

4 West of the Willamette Meridian; and running in a Southerly direction across the West ½ of the Northwest ¼ of the Northeast ¼ of Section 8, Township 18 South, Range 4 West of the Willamette Meridian to the South line thereof, in Lane County, Oregon.

### PARCEL 3

Lot 10, Block 7, SUNNYSIDE ADDITION TO SPRINGFIELD as platted and recorded in Book 4, Page 31, Lane County Oregon Plat Records, in Lane County, Oregon.

### PARCEL 4

The Pasadena, Hobart and McKinley Lode Mining Claims, Section 20, Township 23 South, 02' East of the Willamette Meridian, Lane County, Oregon, described as:

Beginning for the description of the Pasadena lode claim at corner No. 1, a fir post 8 inches square, 3 5/10ths feet long, marked 1-819-Pas. with mound of earth, from which U.S. Mineral Monument, established in Survey No. 229, bears North 46 degrees 41' 30" West 7,012 and 9/10ths feet distant; thence, first course, North 32 degrees 30' East 600 feet to corner No. 2, a pine post 6 inches square, 3 ½ feet long, marked 2-819-Pas. with mound of earth and stone; thence, second course, South 76 degrees 11' East 1,430 and 85/100ths feet to corner No. 3, an andesite outcrop in place 5×6×2.5 feet above ground marked a cross and nail in crack and 3-819-Pas.; thence, third course, South 32 degrees 30' West 300 feet to a point from which discovery cut bears North 76 degrees 11' West 172 feet distant; 600 feet to corner No. 4, a hemlock post 9 inches square, 3 5/10ths feet long marked 4-819-Pas. with mound of earth and stone; thence, fourth course, North 76 degrees 11' West 1,430 85/100ths feet to corner No. 1, the Place of Beginning; the survey of the lode claim, as above described, extending 1,430 85/100ths feet in length along said Pasadena vein or lode.

Beginning for the description of the Hobart lode claim, at corner No. 1, identical with Corner No. 4 of said Pasadena lode claim also marked 1-819-Hob. from which said U.S. Mineral Monument Survey No. 229 bears North 51 degrees 34' West 8,288 35/100ths feet distant; thence, first course, North 32 degrees 30' East 600 feet to corner No. 2 identical with corner No. 3 of said Pasadena lode claim also marked 2-819-Hob.; thence, second course, South 58 degrees 49' West 1,482 5/10ths feet to corner No. 3, a fir post 5 inches square, 3 ½ feet long, marked 3-819-Hob. with mound of earth and stone; thence, third course, South 32 degrees 30' West 300 feet to a point from which discovery cut bears North 58 degrees 49' West 8 feet distant; 600 feet to corner No. 4, a cedar post 6 5/10ths inches in diameter, 3 5/10ths feet long, marked 4-819-Hob. with mound of earth and stone; thence, fourth course, North 58 degrees 49' West 1,482 5/10ths feet to corner No. 1, the Place of Beginning; the survey of the lode claim, as above described, extending 1,482 5/10ths feet in length along said Hobart vein or lode.

Beginning for the description of the McKinley lode claim, at corner No. 1, identical with corner No. 4, of said Hobart lode claim, also marked 1-819-McK. from which U.S. Mineral Monument Survey No. 229, bears North 52 degrees 40' West 9,760 55/100ths feet distant; thence, first course, North 32 degrees 30' East 300 feet to a point from which discovery cut bears South 44 degrees 17' East 180 feet distant; 600 feet to corner No. 2, identical with corner No. 3 of said Hobart lode claim, also marked 2-819-McK.; thence, second course, South 44 degrees 17' East 1,500 feet to corner No. 3 a hemlock post 6 inches square, 3 5/10ths feet long, worked 3-819-McK., with mound of earth;

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thence, third course, South 32 degrees 30' West 600 feet to corner No. 4, a fir post 6 inches square, 3 1/2 feet long, marked 4-819-McK., with mound of earth and stone; thence, fourth course, North 44 degrees 17' West 1,500 feet to corner No. 1, the Place of beginning; the survey of the lode claim, as above described extending 1,500 feet in length along said McKinley vein or lode.

As to *All* PARCELS, SUBJECT TO all taxes, liens and encumbrances thereon or secured thereby.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

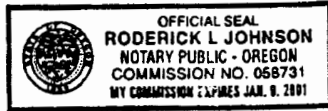
IN WITNESS WHEREOF, the Grantor has duly executed this instrument this 29th day of October, 1998.

Estate of Larry W. Kerby, deceased

By *Verna G. Kerby*  
Verna G. Kerby, Personal Representative

STATE OF OREGON    )  
                                  ) ss.  
County of Benton    )

Personally appeared before me this 29th day of October, 1998, Verna G. Kerby who being duly sworn, did swear that she was the personal representative of the Estate of Larry W. Kerby, deceased, and acknowledged said instrument to be her voluntary act and deed.



*[Signature]*  
Notary Public for Oregon

State of Oregon  
County of Lane — ss.  
I, the County Clerk, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

'98 NOV 2 AM 8:34

2480R

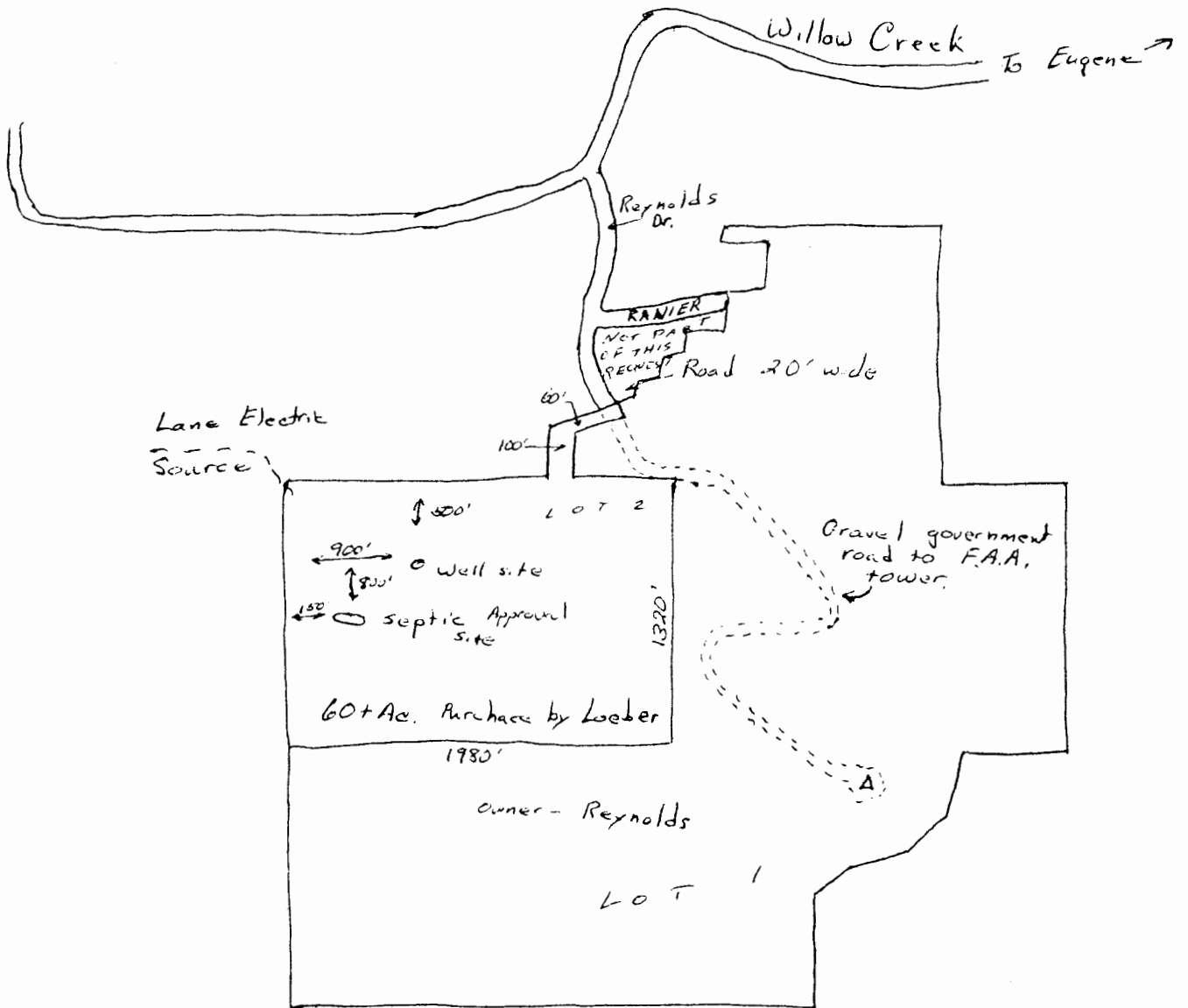
File  
Lane County Official Records  
Lane County Clerk

By: *David S. Lusk*  
County Clerk

MINOR  
 MAJOR

# partition

lane county



No approvals for SDS are available at this time for lot one  
 Lot two meets DEQ standards for SDS  
 JED 25 Sept 75

SCALE: None

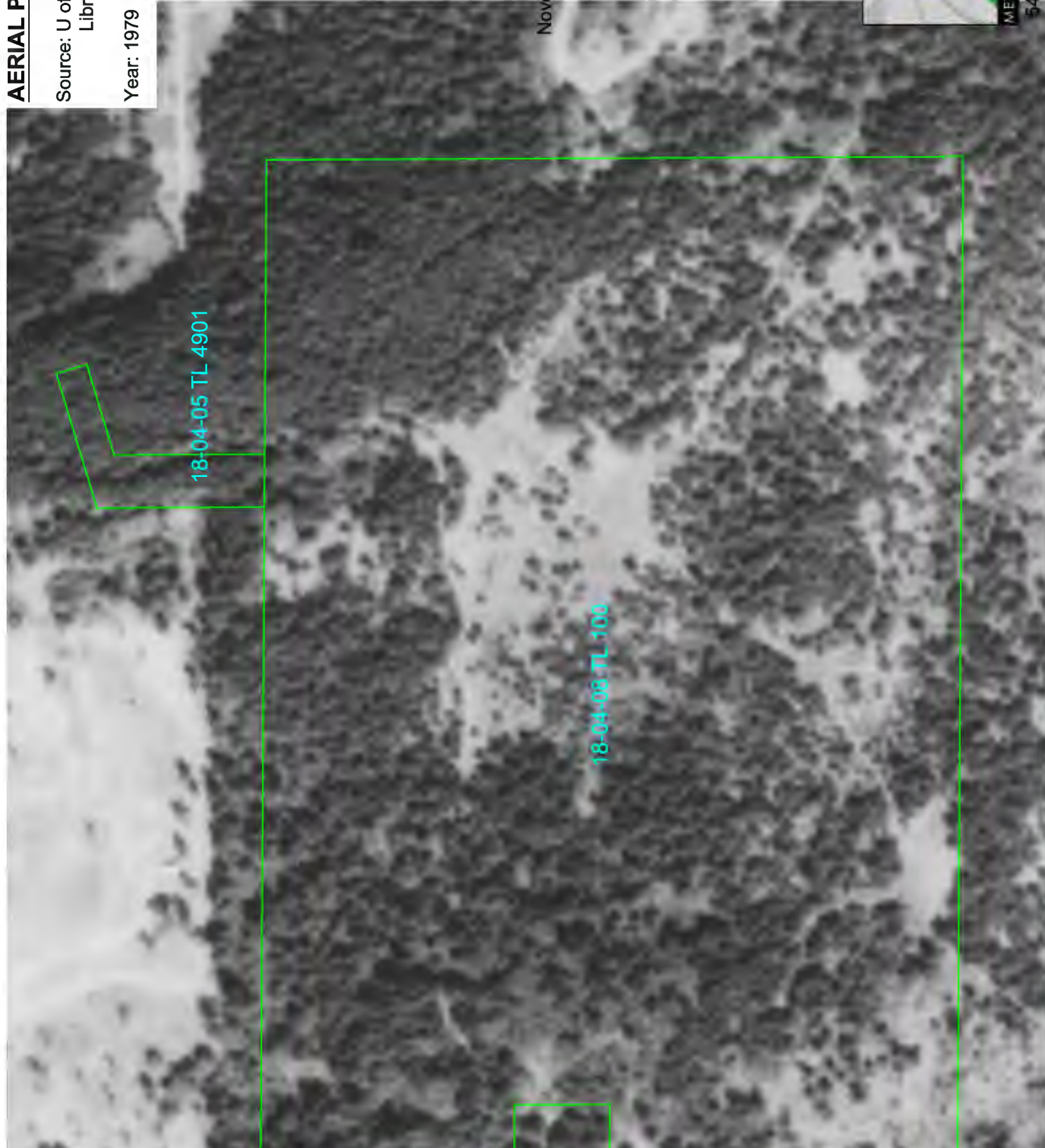
ZONE: ACT

FILE NO: 44-329-75



**AERIAL PHOTO**

Source: U of  
Libr  
Year: 1979



MAP: 18-04-05 TAX LOT 4901 & ASSESSOR'S MAP: 18-04-08 TAX LOT 100

**AERIAL PHOTO**

982 photo

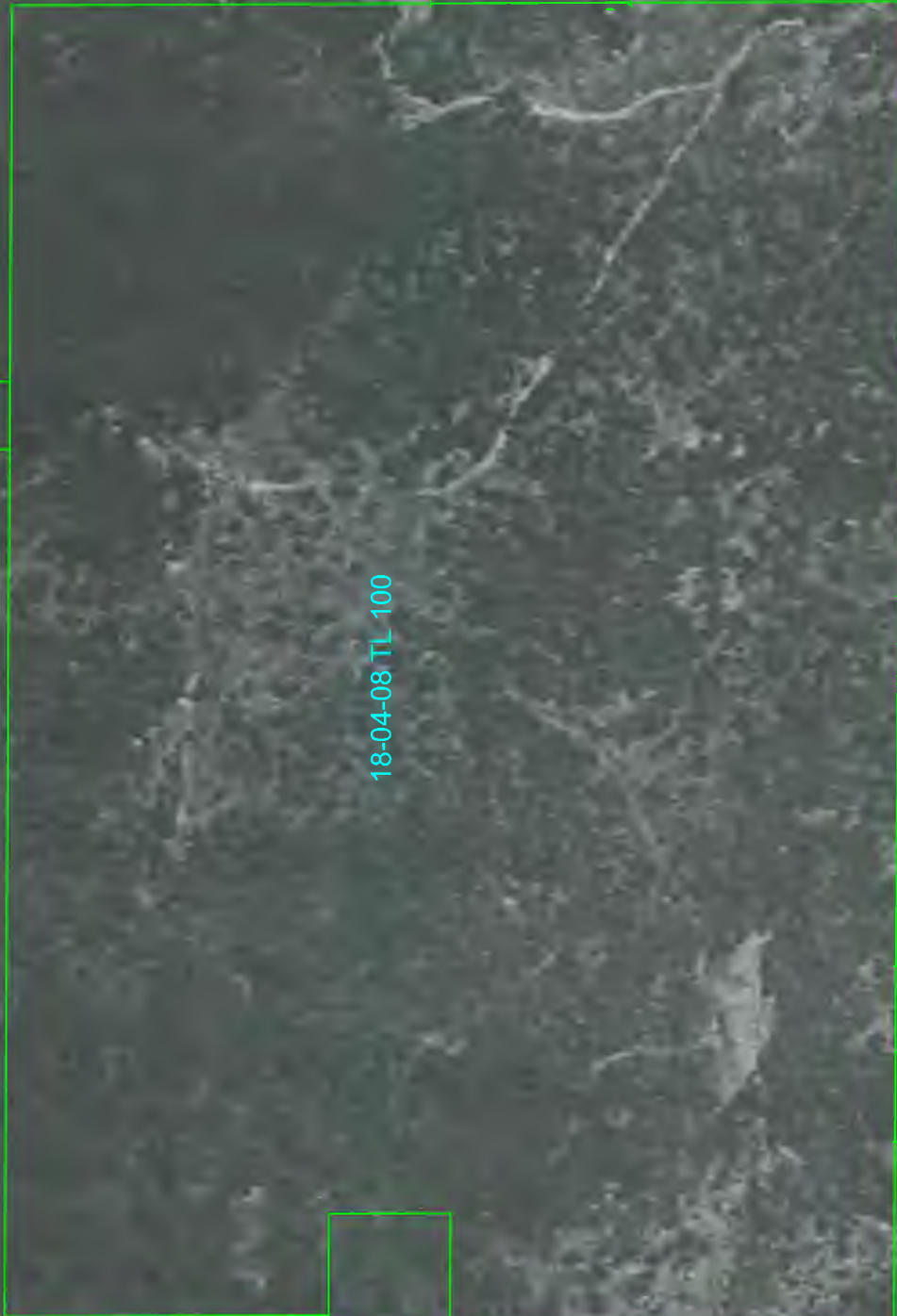


Source: Land Survey

Year: North-South

18-04-05 TL 4901

1986 photo



18-04-08 TL 100

Nov

MAP: 18-04-05 TAX LOT 4901 & ASSESSOR'S MAP: 18-04-08 TAX LOT 100

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metr





**Marc E. Setchko**  
CONSULTING FORESTER

870 Fox Glenn Avenue  
Eugene, Oregon 97405  
Phone: (541) 344-0473  
FAX: (541) 344-7791

**FOREST PRODUCTIVITY AND INCOME ANALYSIS  
REYNOLDS DRIVE TRACT  
For  
David Kerby**

**SUBJECT PARCEL: ASSESSORS MAP NO. 18-04-08, Tax Lot #100, ±59.09 acres  
ASSESSORS MAP NO. 18-04-05, Tax Lot #4901, ±0.98 acre  
ASSESSORS MAP NO. 18-04-08, Tax Lot #103, ±1.07 acres**

**QUALIFICATIONS:** Society of American Foresters Certified Professional Forester (#2953), with 34 years of experience including 24 years as a consultant, with Bachelor of Science (Cal Poly, SLO) and Master of Forestry (Oregon State) Degrees. As a consultant I have extensive experience in all phases of forestry, including preparation of forest management plans, handling the administration of these plans and maximizing the return to my clients. My productivity analyses are based on sound and "reasonable" forest management practices, with the ultimate goal of establishing fully stocked stands of conifer.

**I. INTRODUCTION**

An evaluation of the site, from a timber productivity and income-producing standpoint, is presented in this analysis, to determine if the parcel meets the criteria for a marginal lands designation. The analysis demonstrates that the subject property qualifies for the following reasons:

1. The subject property is not capable of producing 85 cu.ft./ac./yr. of merchantable timber volume. This has been determined by Lane County, and the State of Oregon, to be the measuring parameter for marginal soils west of the Cascade Range; as defined in ORS 197.247 (1)(b)(C).
2. The income generated from the subject property averages less than \$10,000/year, based on 1978 through 1982 log prices. This level of income meets the following statutory test for Marginal Lands: ORS 197.247 (1)(a): The proposed marginal land was not managed, during three of the five calendar year preceding January 1, 1983, as a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income.

**II. SITE INFORMATION**

The subject parcel is ±61.14 acres in size. (see Exhibits 1 & 2). Terrain throughout the site is gentle. The parcel is composed of five soil types (see Exhibit 3). Over half of the parcel (≈59%) is composed of the Philomath cobbly silty clay (Soil Type 108F). The majority of the remaining acreage (≈36%) is composed of the Dixonville-Philomath-Hazelair complex (Soil Type 43E) and Hazelair silty clay loam (Soil Type 52D). The rest of the parcel is composed of Witzel very cobbly loam (Soil Type 138E) and a trace (<1%) of Bellpine silty clay loam (11E). All of these soils, except for the Bellpine soil, are very poor from a forest productivity standpoint. Since the Bellpine soil comprises less than a ¼ acre it does not have much influence on the overall productivity of the parcel.



### III. RESULTS OF PRODUCTIVITY AND INCOME CALCULATIONS

#### PRODUCTIVITY – Cubic feet per acre per year growth.

The timber productivity (cu.ft./ac./yr.) figures for Douglas-fir were obtained from the August 2011 Update of *Lane County Soil Ratings for Forestry and Agriculture* produced by the Lane County Council of Governments. This superseded the 1997 *Lane County Soil Ratings for Forestry and Agriculture*. The figures presented in these ratings have been approved by the Oregon Department of Forestry. No further review or approval of site productivity determinations are needed when this data source is used.

By summing up the cubic foot per acre per year productivity (growth of the timber stand) of each soil type, and dividing by the total acreage, an average per acre productivity figure for the entire parcel can be calculated.

Douglas-fir was used because it is the primary conifer species in the area, and it will grow in pure stands. All of the productivity figures shown in the August 2011 Lane County Soils Ratings for Forestry and Agriculture assume a fully stocked stand of trees. Grand fir could possibly grow on this site. However, it does not grow in pure stands; it is a minor species that grows intermixed with Douglas-fir. The only other species, which could possibly grow on this site, are incense cedar and ponderosa pine. Incense cedar does not grow as fast as Douglas-fir, therefore it was not considered. Ponderosa pine, which will grow in pure stands, was not considered because there are no credible growth tables for Willamette Valley Pine (see Exhibit 4, page 3). In western Oregon locations, such as the parcel in question, Douglas-fir is most often the dominant species. Hardwood species, such as oak, ash and madrone are slow growing, and do not come close to competing with Douglas-fir cubic foot production.

**Therefore, Douglas-fir shall be used for productivity calculations.**

Douglas-fir cubic foot productivity numbers are available for all of the above listed soils. The numbers shown below were obtained from the aforementioned tables (see above). The calculations shown below are based on the acreage of the parcel, as it existed in 1978-1983.

#### SOIL RATINGS for Douglas-fir (see Exhibit 5)

Soil Unit	Acres	Site Index	Cf/Ac Per Yr	Total Cu.Ft. Productivity
11E Bellpine silty clay loam	0.23	115	163	37.49
43E Dixonville-Philomath-Hazelair complex	11.23	NA	45	505.35
52D Hazelair silty clay loam	10.04	NA	40	401.60
108F Philomath cobbly silty clay	36.17	NA	45	1,627.65
138E Witzel very cobbly loam	<u>3.47</u>	NA	70	<u>242.90</u>
	61.14			2,814.99

**Total - 2,814.99 cu.ft. ÷ 61.14 acres = 46.04 cubic feet per acre per year**

In summary, even if fully stocked stands existed on the entire parcel, **it is incapable of producing 85 cf/ac/yr.**



## **INCOME TEST – Average revenue per year over the growth cycle.**

The income test must be calculated for the parcel, as it existed for the five calendar years preceding January 1, 1983. The income is based on the value of the **potential volume** that the parcel can produce. This is determined by the total board feet in the timber stands on the parcel at 50 years of age. This time span was adopted as the standard, by a consensus of the Marginal Lands Information Sheet. **LUBA has reaffirmed this time span.**

**Merchantable** timber volume, in board feet per acre, for each soil type is needed for the income test. Income calculations are based on **dollars per thousand scaled board feet, not cubic feet.** That is the manner in which the vast majority of conifer and hardwood logs are purchased. An exception to this is the junk wood or tops that are purchased by the ton (at a lower price than scaled wood), which is a weight, not a scaled measurement. Hardwoods sold for pulp are also purchased by the ton as well. Currently, there is no mill in the northwest purchasing anything based on cubic foot measurements.

Douglas-fir is the only species considered for the income test, because it is the most valuable **merchantable** tree species, which will grow on this site. Alder, red and incense cedar have values similar to, or higher than Douglas-fir. Neither red, or incense cedar, grow in pure stands; they grow intermixed with other species. Even if they did grow in pure stands, cedar trees have such a high taper (the trees grow like upside carrots, rather than poles), that each individual tree will not produce the measured board foot, or cubic foot, volume that a Douglas-fir tree will. While alder will grow in pure stands it does not produce anywhere near the volume per acre that Douglas-fir will. Even planted, and managed, red alder stands will not produce anywhere near the volume per acre that Douglas-fir will.

Measured, or scaled, board foot volume is the number a mill uses for payment when purchasing logs. Therefore, even if these species were used to calculate income for the parcel, the considerably lower volumes per acre would result in a lower total dollar figure.

**For all of the above reasons Douglas-fir is used for the income test.**

**VOLUME CALCULATIONS** – Douglas-fir board foot volumes per acre, for fully stocked stands at 50 years, were used. Empirical Yield Tables, calculated using King's 50 year site class index, were used to obtain a scribner board foot volume, per acre, for each soil type. Adding all the soil types together will give a total volume for the entire parcel. A total value is calculated using these total volume figures; then divided by 50 (fifty year rotation) to obtain the average income per year that the parcel is capable of generating. For a soil with a known site index number this is simply a matter of using the tables to obtain a board foot per acre volume.

The approved tables (discussed earlier) show Site Index numbers for many of the Lane County soil types. The Bellpine soil (Soil type 11) has a site index of 115 (see Exhibit 5). However, no site index numbers are shown for any soils with productivity ratings of 100 cf/ac/yr or less; which includes four of the five soils on the subject parcel. The lowest site index shown for a soil in the tables is SI100 (Soil Type 37). The corresponding cubic foot production is 136 cf/ac/yr. This soil has the lowest cubic foot productivity number shown with a corresponding site index number. Any soil with a lower cubic foot productivity number will not show a site index number in the tables. The productivity numbers for better soils increase geometrically, not linearly. Therefore, a soil with the lowest cubic foot productivity number, which also has a corresponding site index number, is the most appropriate to use when looking at soils with even lower productivity numbers.

A proportion ratio can then be calculated, by comparing the cubic foot production of the soils on the subject parcel with the above cubic foot production. Even this number will err on the high side from a productivity standpoint, due to the geometric nature of the productivity curve. The calculated proportion ratio can then be applied to the volume obtained from site index 100 in the Empirical Yield Tables. In this manner a board foot volume per acre can be calculated for the soils in question.

Cupola cobble loam (Soil Type 37) with a site index of 100 (see Exhibit 5) will produce 19,972 board feet per acre at 50 years of age (see Exhibit 6), assuming fully stocked stands. The corresponding cubic foot production is 136 cf/ac/yr. The calculations for obtaining a volume per acre at 50 years, for the soils on the subject property, are shown below.

43E - DPH complex	45 cf/ac/yr ÷ 136 cf/ac/yr = .331 X 19,972 bf/ac = 6,611 bf/ac
52D - Hazelair	40 cf/ac/yr ÷ 136 cf/ac/yr = .294 X 19,972 bf/ac = 5,872 bf/ac
108F - Philomath	45 cf/ac/yr ÷ 136 cf/ac/yr = .331 X 19,972 bf/ac = 6,611 bf/ac
138E - Witzel	70 cf/ac/yr ÷ 136 cf/ac/yr = .515 X 19,972 bf/ac = 10,286 bf/ac
11E - Bellpine	Site Index 115 (see Exhibit 6) 27,219 bf/ac

The total potential volume, at 50 years, can now be calculated for the entire parcel.

Volume Total for Entire 61.14 acres	Total Volume (Board Feet)
11E - Bellpine silty clay loam	0.23 ac @ 27,219 bf/ac 6,260
43E - Dixonville-Philomath-Hazelair complex	11.23 ac @ 6,611 bf/ac 74,242
52D - Hazelair silty clay loam	10.04 ac @ 5,872 bf/ac 58,955
105A - Pengra silt loam	36.17 ac @ 6,611 bf/ac 239,120
120B -Salkum silt loam	<u>3.47 ac @ 10,286 bf/ac 35,692</u>
Totals	61.14 ac 414,269

### INCOME PROJECTIONS YEAR BY YEAR

The following calculations will show the average gross income for each year from 1978 through 1982, as well as the average price for those five years. The highest log prices occurred from the first quarter of 1980 and continued through the third quarter of 1981. The calculations presented below will show that the **highest** possible average gross income per year would be obtained using 1980 log prices. Furthermore, since the log prices remained the same throughout the entire year, the calculations for 1980 would also show the highest possible average gross income if only the highest quarters were used.

A 50 year old stand on good site ground should have approximately 40% 2 SAW, 50% 3 SAW and 10% 4 SAW. On poor sites the percentage of 2 SAW would most likely be 30% or less. However, for the following calculations these percentages will be used; in order to err on the high (or optimistic) side. See Exhibit 7 for the prices shown below.

**1978** Total Volume - 414.27 MBF (thousand board feet)

165.71 MBF of 2 SAW @ \$276/MBF	\$ 45,736
207.13 MBF of 3 SAW @ \$235/MBF	48,676
41.43 MBF of 4 SAW @ \$190/MBF	<u>7,872</u>
Total Projected Gross Revenue	\$102,284

AVERAGE GROSS INCOME -- \$102,284 ÷ 50 YEARS = **\$2,046/YEAR**

**1979** Total Volume – 414.27 MBF (thousand board feet)

165.71 MBF of 2 SAW @ \$338/MBF	\$ 56,010
207.13 MBF of 3 SAW @ \$296/MBF	61,310
41.43 MBF of 4 SAW @ \$269/MBF	<u>11,145</u>

Total Projected Gross Revenue \$128,465

AVERAGE GROSS INCOME -- \$128,465 ÷ 50 YEARS = **\$2,569/YEAR**

**1980** Total Volume – 414.27 MBF (thousand board feet)

165.71 MBF of 2 SAW @ \$354/MBF	\$ 58,661
207.13 MBF of 3 SAW @ \$310/MBF	64,210
41.43 MBF of 4 SAW @ \$281/MBF	<u>11,642</u>

Total Projected Gross Revenue \$134,513

AVERAGE GROSS INCOME -- \$134,513 ÷ 50 YEARS = **\$2,690/YEAR**

**1981** Total Volume – 414.27 MBF (thousand board feet)

165.71 MBF of 2 SAW @ \$346/MBF	\$ 57,336
207.13 MBF of 3 SAW @ \$292/MBF	60,482
41.43 MBF of 4 SAW @ \$263/MBF	<u>10,896</u>

Total Projected Gross Revenue \$128,714

AVERAGE GROSS INCOME -- \$128,714 ÷ 50 YEARS = **\$2,574/YEAR**

**1982** Total Volume – 414.27 MBF (thousand board feet)

165.17 MBF of 2 SAW @ \$267/MBF	\$44,100
207.13 MBF of 3 SAW @ \$208/MBF	43,083
41.43 MBF of 4 SAW @ \$174/MBF	<u>7,209</u>

Total Projected Gross Revenue \$94,392

AVERAGE GROSS INCOME -- \$94,392 ÷ 50 YEARS = **\$1,888/YEAR**

**1978-1982 AVERAGE** Total Volume – 414.27 MBF (thousand board feet)

165.17 MBF of 2 SAW @ \$316/MBF	\$ 52,194
207.13 MBF of 3 SAW @ \$268/MBF	55,511
41.43 MBF of 4 SAW @ \$235/MBF	<u>9,736</u>

Total Projected Gross Revenue \$117,441

AVERAGE GROSS INCOME -- \$117,441 ÷ 50 YEARS = **\$2,349/YEAR**

All of these calculations show that the property is incapable of producing more than \$10,000 per year in income.

#### IV. CONCLUSION


The analyses presented show conclusively that this property would not support a merchantable stand of timber, of sufficient production capability, to meet or exceed the Marginal Lands Income and Cubic Foot Productivity Statutes (ORS 197.247).

- 1) The subject property produces **46.04 cubic feet per acre per year**. This is less than 85 cu.ft./ac./yr. of merchantable timber production, the parameter used in those counties west of the summit of the Cascade Range, as that term is defined in ORS 477.001(21).
- 2) The estimated gross income would have ranged from a low of \$94,392 in 1982 to a high of \$134,513 in 1980. **The average annual gross income would have ranged from a low of \$1,888/year in 1982 to a high of \$2,690/year in 1980. These figures are based on a 50 year rotation of fully stocked stands of timber covering the entire parcel.** All of the above figures are less than \$10,000/year, therefore the property meets the statutory test for Marginal Lands: ORS 197.247(1)(a) "The proposed marginal land was not managed during three of the five calendar years preceding January 1, 1983, as part of a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income".

All of the data used in these analyses are from Oregon Department of Forestry approved sources. The findings presented here meet all of the parameters for marginal land designation, as outlined by Lane County statutes. Several of the parameters, such as the 50-year growth cycle to harvest, have been reaffirmed by LUBA.

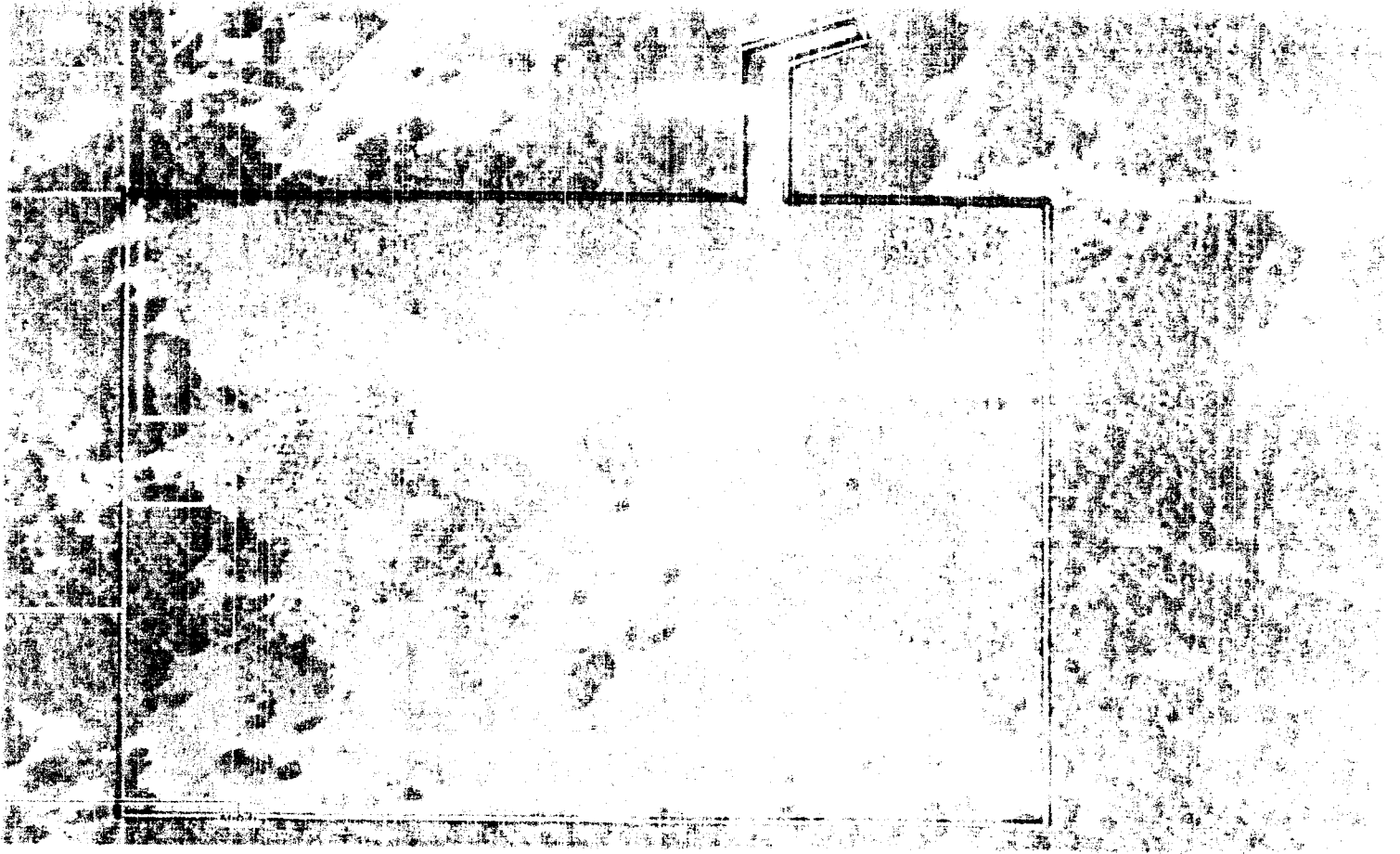
In summary, I find from the specific site conditions present, empirical yield tables, NRCS data, Lane County data, Oregon Department of Forestry data and experience with similar lands, that this property is poorly suited to the production of merchantable timber and use as land for forestry purposes. The parcel is marginal from a forest production standpoint.

Sincerely,



Certified Forester #2953





18040800

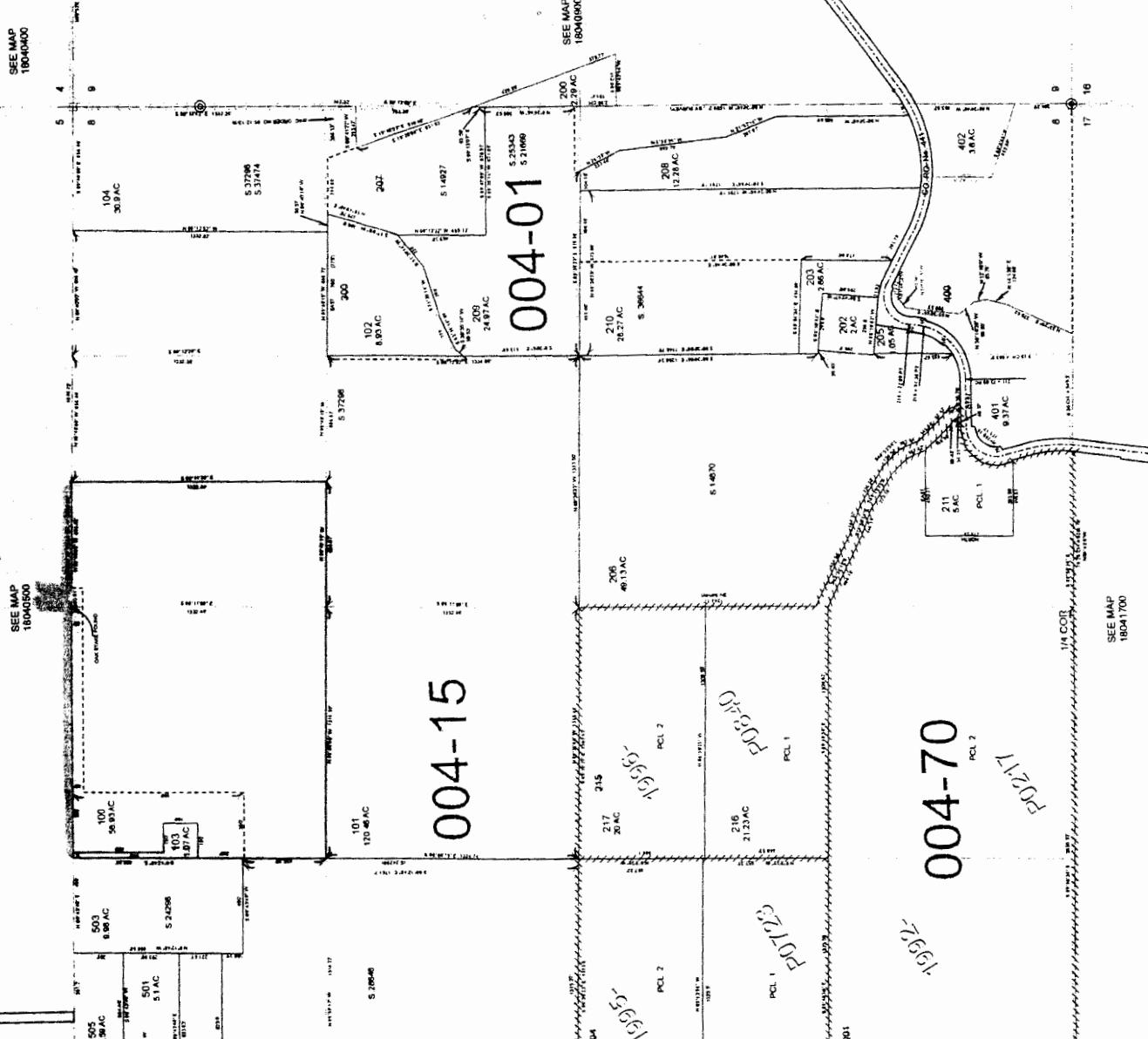
SECTION 8 T.18S. R.4W. W.M.  
Lane County

1" = 400'

CSE DATA  
10/7/2010 8:48:29 AM hwp9

CANCELLED

- 201
- 204
- 207
- 215
- 216
- 400



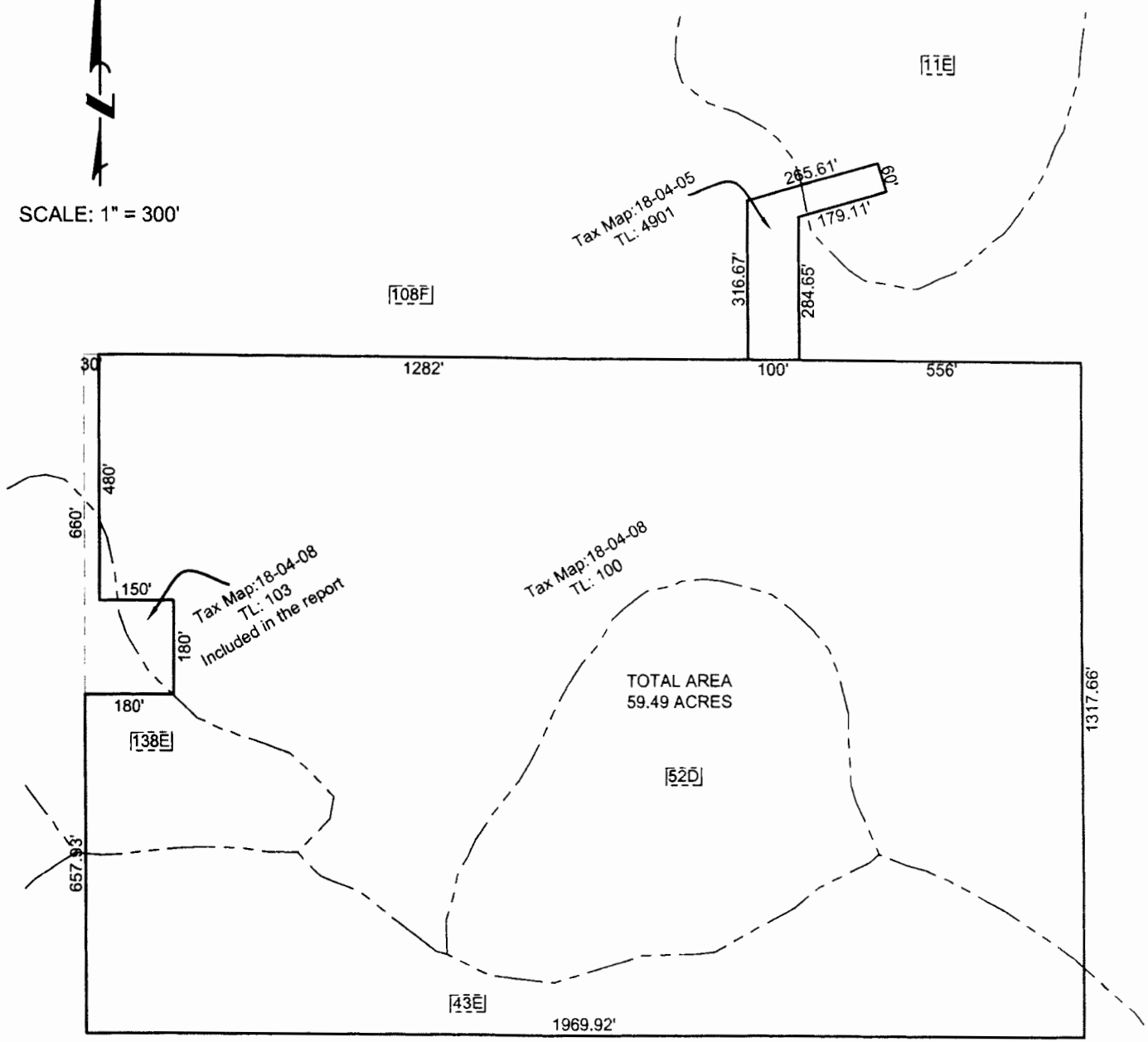
REVISIONS TO CSE DATA, CONVEYER MAP 110 038  
APPROVED FOR CANCELLATION BY THE REGISTERED SURVEYOR  
10/7/2010 10:41:11 AM CASC 080 TO THE REGISTERED SURVEYOR

18040800

# EXHIBIT 3



SCALE: 1" = 300'



## NOTES

### 1. SOILS TYPES ON PROPERTY:

- 11E** BELLPINE SILTY CLAY LOAM 20%-30% SLOPES
- 43E** DIXONVILLE- PHILOMATH- HAZELAIR COMPLEX 2%-35% SLOPES
- 108F** PHILOMATH COBBLY SILTY CLAY 12%-45% SLOPES
- 52D** HAZELAIR SILTY CLAY LOAM 7%-20% SLOPES
- 138D** WITZEL VERY COBBLY LOAM 3%-30% SLOPES



# Oregon

Theodore R. Kulongoski, Governor

November 21, 2008

Mr. Kent Howe  
Lane County Land Management Division  
125 E 8<sup>th</sup> Street  
Eugene, Oregon 97401

Dear Mr. Howe:

I am writing to clarify the Oregon Department of Forestry's responsibilities related to specific elements of Oregon Administrative Rule 660-006-0005 (2) and (3). This letter is intended to address recent Lane County public inquiries regarding this administrative rule and was developed following consultations with the Oregon Department of Land Conservation and Development and the Oregon Department of Justice.

Please note that previous Department of Forestry policy position statements or technical findings contained in the May 23, 2008, letter from former Department of Forestry Private Forests Chief Ted Lorensen to Goal One Coalition Executive Director Jim Just that are in conflict with this letter are hereby rescinded and replaced with the policy statements and technical findings articulated here. All other statements in that correspondence remain valid.

Applicable Administrative Rule Language:

OAR 660-006-0005 (2) and (3) state:

2) "Cubic Foot Per Acre" means the average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry."

(3) "Cubic Foot Per Tract Per Year" means the average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry." (Emphasis added)

EXHIBIT 4

Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

503-945-7200

FAX 503-945-7212

TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



STEWARDSHIP IN FORESTRY



Using the Best Possible Forest Site Productivity Information:

The administrative rule, in combination with *Land Use Planning Technical Note Number 3*, establishes a hierarchy of forest site productivity information that should be considered in land use decisions subject to the rule. Listed in order of preference, the information sources are:

1. Data sources cited specifically in the administrative rule;
2. Other existing data sources determined by the State Forester to be of comparable quality to the data sources cited specifically in the administrative rule;
3. Alternate methods to develop site productivity data based on direct tree measurements and calculations using applicable Douglas-fir, western hemlock, or ponderosa pine site tables, with priority given to the species among these three that dominates the area being evaluated;
4. Alternate methods based on direct tree measurements and calculations using other native forest tree species site tables; or
5. Site-specific soil surveys.

Applicable existing data from USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps should always be consulted and used first (Tier 1). If these three data sources are determined by the county and/or NRCS to be inaccurate or do not exist, only then should other applicable, existing data sources determined to be of comparable quality by the State Forester be consulted (Tier 2). Alternate methods for collecting new site productivity data are only needed when data from these first two tiers are determined by the county and/or NRCS to be inaccurate or do not exist. To be approved by the Department of Forestry such alternate methodologies must be consistent with the methodologies described or contemplated in the technical note. Alternate methods based on direct tree measurements and calculations using applicable Douglas-fir, western hemlock, or ponderosa pine site tables (Tier 3) should be considered before using site tables for other tree species (Tier 4) or site-specific soil surveys without direct tree measurements (Tier 5).

Consistent and credible site productivity determinations should be an important facet of the land use planning process. To meet that objective, this hierarchy should be adhered to. Attempts to consider a variety of methods simultaneously in hope of finding a "preferred" site productivity determination should be avoided.

Lane County Data Sources of Comparable Quality

The State Forester has determined the following existing site productivity data sources to be of comparable quality to the data sources cited specifically in the administrative rule when applied on appropriate locations in Lane County:

1. February 8, 1990, *Forest Lands Soils Ratings – Revisions* produced by the Oregon Department of Forestry
2. Undated *Lane County Forest Soils Ratings* based on published Soil Conservation Service data and the February 9, 1990, Oregon Department of Forestry report
3. August 1997 *Lane County Soil Ratings for Forestry and Agriculture* produced by the Lane County Council of Governments

No further Department of Forestry review or approval of site productivity determinations are needed when these data sources are used.

#### Ponderosa Pine in the Willamette Valley

In most western Oregon locations where both Douglas-fir and ponderosa pine are present, Douglas-fir will be the dominant species and, therefore, whenever possible that species should be used for selecting site trees. In infrequent cases where ponderosa pine is the dominant species in western Oregon, *Land Use Planning Technical Note Number 3* states that Meyer's ponderosa pine site table may be used in calculations of site productivity. However, the technical note also states Meyer's site table must not be used for ponderosa pine in the Willamette Valley. For the purpose of implementing this section of the technical note, the Department of Forestry will rely on the definition provided in OAR 660-033-0020 (12) in which "Willamette Valley" means "Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties and that portion of Benton and Lane Counties lying east of the summit of the Coast Range."

The Department of Forestry has not been able to locate credible site index or yield tables for ponderosa pine applicable in the Willamette Valley. In a May 23, 2008, letter, Ted Lorensen noted that the department had used tables for ponderosa pine from Douglas County for the Forest Resource Trust, and that in the current absence of standard tables, ODF "would likely approve of methodology using the pine tables for Douglas County and appropriate interpolation." However, the Department of Forestry has since determined that interpolation of either Douglas County or Eastern Oregon ponderosa pine yield tables for the more highly productive Willamette Valley would not be technically sound.

Instead, energy should be focused on obtaining or developing, if possible, technically credible Willamette Valley-specific ponderosa pine site index tables. The Department of Forestry is willing to work cooperatively with county governments, Oregon State University Forestry Extension, forest landowners, and other parties to develop such information. Until a credible Willamette Valley ponderosa pine site table becomes available and is acknowledged in a revised ODF Technical Note, the Department of Forestry's position is that it is inappropriate to use ponderosa pine to determine site productivity for under OAR 660-006-0005

(2) and (3) in the Willamette Valley and use of such methodologies cannot be approved by the agency.

Outside the Willamette Valley, Meyer's ponderosa pine site table may continue to be used on sites where ponderosa pine is the dominate species and the Tier 1 and Tier 2 site productivity data sources cited above are determined by the county and/or NRCS to be inaccurate or do not exist.

#### Stockable Area

Cubic foot site productivity determinations assume fully stocked stands. In this context, "stockable area" means the proportion of an area that can be physically stocked with trees. Rock outcrops, impervious soils, or high water tables are examples of factors that may result in less than 100 percent of the site being stockable. The technical note anticipates this issue by referencing the USDA Forest Service Pacific Northwest Research Station *Field Instructions for forest surveys in Washington, Oregon, and Northern California* where consideration of stockable area factors are addressed. Upon request by a county government, the Department of Forestry will evaluate and consider approval of reductions in site productivity from fully stocked stand levels based on such factors.

#### Limits on Department of Forestry Approvals

As stated in the technical note, the Department of Forestry does not measure site productivity for landowners. The Department of Forestry's involvement in site productivity determinations applicable to Oregon Administrative Rule 660-006-0005 (2) and (3) is in evaluating the quality of existing data sources other than those cited in the rule and evaluating alternative methodologies with respect to the technical note. The Department of Forestry will not issue findings on whether these data sources or alternate methodologies have been employed correctly or if the resulting site productivity determination are accurate. The Department of Forestry is not responsible for verifying field measurements.

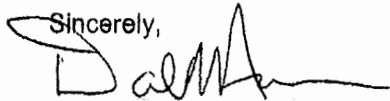
#### Oregon Forest Practices Act Minimum Site Productivity Requirements for Reforestation

While not directly applicable to land use planning decisions, Department of Forestry believes it is important to note the Oregon Board of Forestry has established that all forestlands with a site productivity of at least 20 cubic feet per acre per year shall be subject to the reforestation requirements of the Oregon Forest Practices Act. Other technical references use 20 cubic feet per acre per year as the minimum threshold for defining commercial forestland. Local governments are encouraged to consider this information when establishing site productivity standards for land use planning processes.



Mr. Kent Howe  
November 21, 2008  
Page 5

In summary, the content of this letter is intended to further explain, and not alter, the requirements of Oregon Administrative Rule 660-006-0005 (2) and (3) and *Land Use Planning Technical Note Number 3*. Please contact me if you have any questions. If unresolved issues continue to arise, clarifying changes to the administrative rule and/or the Technical Note may eventually be necessary and the Department of Forestry will work together with county governments, the Oregon Department of Land Conservation and Development, and other interested parties on such changes.

Sincerely,  


David Morman, Director  
Forest Resources Planning Program

cc: Katherine Daniels, DLCD  
Carmel Bender, DLCD  
Michele Logan, DOJ

EXHIBIT 5



**Lane County  
Land Management Division**

**August 2011 Update**

PREPARED BY  
**LCOG**  
LANE COUNCIL OF GOVERNMENTS

**Lane County Soil Ratings for Forestry**  
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
01A	Abiqua silty clay loam, 0 - 3% slopes	135	203	---	
01B	Abiqua silty clay loam, 3 - 5% slopes	135	203	---	
02E	Astoria silt loam, 5 - 30% slopes	130	193	---	
03E	Astoria Variant silt loam, 3 - 30% slopes	No rating	---	181	
03G	Astoria Variant silt loam, 30 - 60% slopes	No rating	---	181	
04G	Atring-Rock outcrop complex, 30 - 60% slopes	No rating	---	86	
05	Awbrig silty clay loam	No rating	---	est. 40	
06	Awbrig-Urban land complex	No rating	---	est. 20	
07B	Bandon sandy loam, 0 - 7% slopes	105	145	---	
07C	Bandon sandy loam, 7 - 12% slopes	105	145	---	
07F	Bandon sandy loam, 12 - 50% slopes	105	145	---	
08	Bashaw clay	No rating	---	est. 30	
09	Bashaw-Urban land complex	No rating	---	est. 20	
10	Beaches	No rating	---	---	No trees expected
11C	Bellpine silty clay loam, 3 - 12% slopes	115	163	---	
11D	Bellpine silty clay loam, 12 - 20% slopes	115	163	---	
→ 11E	Bellpine silty clay loam, 20 - 30% slopes	115	163	---	
11F	Bellpine silty clay loam, 30 - 50% slopes	115	163	---	
12E	Bellpine cobbly silty clay loam, 2 - 30% slopes	115	163	---	
13A	Nekoma-Fluvaquents complex, 0 - 3% slopes	No rating	---	No rating	Highly variable; on-site determination
13F	Blachly clay loam, 30 - 50% slopes	119	173	---	
13G	Blachly clay loam, 50 - 70% slopes	119	173	---	
14E	Blachly silty clay loam, 3 - 30% slopes	125	184	---	
14F	Blachly silty clay loam, 30 - 50% slopes	125	184	---	
15E	Blachly-McCully clay loam, 3 - 30% slopes	No rating	---	155	
16D	Bohannon gravelly loam, 3 - 25% slopes	118	171	---	
16F	Bohannon gravelly loam, 25 - 50% slopes	118	171	---	
16H	Bohannon gravelly loam, 50 - 90% slopes	118	171	---	
17	Brallier muck, drained	No rating	---	---	No trees expected
18	Brallier Variant muck	No rating	---	---	No trees expected
19	Brenner silty clay loam	No rating	---	---	No Douglas-fir expected
20B	Briedwell cobbly loam, 0 - 7% slopes	103	141	---	
21B	Bullards-Ferrelo loams, 0 - 7% slopes	No rating	---	est. 80	
21C	Bullards-Ferrelo loams, 7 - 12% slopes	No rating	---	est. 80	



**Lane County Soil Ratings for Forestry**  
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
21E	Bullards-Ferrelo loams, 12 - 30% slopes	No rating	---	est. 80	
21G	Bullards-Ferrelo loams, 30 - 60% slopes	No rating	---	est. 80	
23	Camas-Urban land complex	No rating	---	est. 20	
24	Chapman loam	No rating	---	est. 140	
25	Chapman-Urban land complex	No rating	---	est. 100	
26	Chehalis silty clay loam, occasionally flooded	No rating	---	est. 100	
27	Chehalis-Urban land complex	No rating	---	est. 90	
28C	Chehulpum silt loam, 3 - 12% slopes	No rating	---	est. 40	
28E	Chehulpum silt loam, 12 - 40% slopes	No rating	---	est. 40	
29	Cloquato silt loam	No rating	---	est. 120	
30	Cloquato-Urban land complex	No rating	---	est. 100	
31	Coburg silty clay loam	No rating	---	est. 100	
32	Coburg-Urban land complex	No rating	---	est. 90	
33	Conser silty clay loam	No rating	---	est. 45	
34	Courtney gravelly silty clay loam	No rating	---	est. 40	
36D	Cumley silty clay loam, 2 - 20% slopes	114	162	---	
→ 37C	Cupola cobbly loam, 3 - 12% slopes	100	136	---	
37E	Cupola cobbly loam, 12 - 30% slopes	100	136	---	
38	Dayton silt loam, clay substratum	No rating	---	est. 40	
39E	Digger gravelly loam, 10 - 30% slopes	102	140	---	
39F	Digger gravelly loam, 30 - 50% slopes	102	140	---	
40H	Digger-Rock outcrop complex, 50 - 85% slopes	No rating	---	114	
41C	Dixonville silty clay loam, 3 - 12% slopes	109	152	---	
41E	Dixonville silty clay loam, 12 - 30% slopes	109	152	---	
41F	Dixonville silty clay loam, 30 - 50% slopes	109	152	---	
42E	Dixonville-Hazelair-Urban land complex, 12 - 35% slopes	No rating	---	est. 35	
43C	Dixonville-Philomath-Hazelair complex, 3 - 12% slopes	No rating	---	est. 45	
→ 43E	Dixonville-Philomath-Hazelair complex, 12 - 35% slopes	No rating	---	est. 45	
44	Dune land	No rating	---	---	No trees expected
45C	Dupee silt loam, 3 - 20% slopes	No rating	---	est. 70	
46	Eilertsen silt loam	133	199	---	
47E	Fendall silt loam, 3 - 30% slopes	125	184	---	

**Lane County Soil Ratings for Forestry**  
August 2011 Update *(with June 2012 revision)*

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
50G	Formader-Hembre-Klickitat complex, 50 - 80% slopes	No rating	---	170	
51B	Haflinger-Jimbo complex, 0 - 5% slopes	No rating	---	161	
52B	Hazelair silty clay loam, 2 - 7% slopes	No rating	---	est. 40	
→ 52D	Hazelair silty clay loam, 7 - 20% slopes	No rating	---	est. 40	
53	Heceta fine sand	No rating	---	est. 20	
54D	Hembre silt loam, 5 - 25% slopes	127	188	---	
54G	Hembre silt loam, 25-60% slopes	127	188	---	
55E	Hembre-Klickitat complex, 3 - 30% slopes	No rating	---	170	
55G	Hembre-Klickitat complex, 30 - 60% slopes	No rating	---	168	
56	Holcomb silty clay loam	No rating	---	est. 100	
58D	Honeygrove silty clay loam, 3 - 25% slopes	122	178	---	
58F	Honeygrove silty clay loam, 25 - 50% slopes	122	178	---	
59E	Hullt loam, 2 - 30% slopes	121	176	---	
59G	Hullt loam, 30 - 60% slopes	121	176	---	
61	Jimbo silt loam	121	176	---	
62B	Jimbo-Haflinger complex, 0 - 5% slopes	No rating	---	167	
63C	Jory silty clay loam, 2 - 12% slopes	122	178	---	
63D	Jory silty clay loam, 12 - 20% slopes	122	178	---	
63E	Jory silty clay loam, 20 - 30% slopes	122	178	---	
65G	Kilchis stony loam, 30 - 60% slopes	90	116	---	
65H	Kilchis stony loam, 60 - 90% slopes	90	116	---	
66D	Kinney cobbly loam, 3 - 20% slopes	122	178	---	
67F	Kinney cobbly loam, 20 - 50% north slopes	122	178	---	
67G	Kinney cobbly loam, 50 - 70% north slopes	122	178	---	
68F	Kinney cobbly loam, 20 - 50% south slopes	122	178	---	
68G	Kinney cobbly loam, 50 - 70% south slopes	122	178	---	
69E	Kinney cobbly loam, slump, 3 - 30% slopes	122	178	---	
70E	Klickitat stony loam, 3 - 30% slopes	112	158	---	
71F	Klickitat stony loam, 30 - 50% north slopes	112	158	---	
71G	Klickitat stony loam, 50 - 75% north slopes	112	158	---	
72F	Klickitat stony loam, 30 - 50% south slopes	112	158	---	
72G	Klickitat stony loam, 50 - 75% south slopes	112	158	---	
73	Linslaw loam	No rating	---	est. 80	
74B	Lint silt loam, 0 - 7% slopes	117	169	---	
74C	Lint silt loam, 7 - 12% slopes	117	169	---	
74D	Lint silt loam, 12 - 20% slopes	117	169	---	
74E	Lint silt loam, 20 - 40% slopes	117	169	---	
75	Malabon silty clay loam	No rating	---	est. 65	
76	Malabon-Urban land complex	No rating	---	est. 50	

**Lane County Soil Ratings for Forestry**  
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
101	Oxley-Urban land complex	No rating	---	est. 60	
102C	Panther silty clay loam, 2 - 12% slopes	No rating	---	est. 45	
103C	Panther-Urban land complex, 2 - 12% slopes	No rating	---	est. 40	
104E	Peavine silty clay loam, 3 - 30% slopes	125	184	---	
104G	Peavine silty clay loam, 30 - 60% slopes	125	184	---	
105A	Pengra silt loam, 1 - 4% slopes	No rating	---	est. 45	
106A	Pengra-Urban land complex, 1 - 4% slopes	No rating	---	est. 30	
107C	Philomath silty clay, 3 - 12% slopes	No rating	---	est. 45	
108C	Philomath cobbly silty clay, 3 - 12% slopes	No rating	---	est. 45	
108F	Philomath cobbly silty clay, 12 - 45% slopes	No rating	---	est. 45	
109F	Philomath-Urban land complex, 12 - 45% slopes	No rating	---	est. 20	
110	Pits	No rating	---	---	No trees expected
111D	Preacher loam, 0 - 25% slopes	128	190	---	
111F	Preacher loam, 25 - 50% slopes	128	190	---	
112G	Preacher-Bohannon-Slickrock complex, 50 - 75% slopes	No rating	---	185	
113C	Ritner cobbly silty clay loam, 2 - 12% slopes	107	149	---	
113E	Ritner cobbly silty clay loam, 12 - 30% slopes	107	149	---	
113G	Ritner cobbly silty clay loam, 30 - 60% slopes	107	149	---	
114	Riverwash	No rating	---	---	Highly variable; on-site determination required
115H	Rock outcrop-Kilchis complex, 30 - 90% slopes	No rating	---	34	
116G	Rock outcrop-Witzel complex, 10 - 70% slopes	No rating	---	21	
117E	Salander silt loam, 12 - 30% slopes	125	184	---	
118	Salem gravelly silt loam	No rating	---	est. 130	
119	Salem-Urban land complex	No rating	---	est. 100	
120B	Salkum silt loam, 2 - 6% slopes	116	167	---	
121B	Salkum silty clay loam, 2 - 8% slopes	116	167	---	
121C	Salkum silty clay loam, 8 - 16% slopes	116	167	---	
122	Saturn clay loam	123	180	---	
123	Sifton gravelly loam	124	182	---	
124D	Slickrock gravelly loam, 3 - 25% slopes	137	209	---	
124F	Slickrock gravelly loam, 25 - 50% slopes	137	209	---	
125C	Steiwer loam, 3 - 12% slopes	No rating	---	est. 30	





**Lane County Soil Ratings for Forestry**  
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
125D	Steiwer loam, 12 - 20% slopes	No rating	---	est. 30	
125F	Steiwer loam, 20 - 50% slopes	No rating	---	est. 30	
126F	Tahkenitch loam, 20 - 45% slopes	124	182	---	
126G	Tahkenitch loam, 45 - 75% slopes	124	182	---	
127C	Urban land-Hazelair-Dixonville complex, 3 - 12% slopes	No rating	---	est. 45	
128B	Veneta loam, 0 - 7% slopes	108	150	---	
129B	Veneta Variant silt loam, 0 - 7% slopes	124	182	---	
130	Waldo silty clay loam	No rating	---	est. 45	
131C	Waldport fine sand, 0 - 12% slopes	No rating	---	29	
131E	Waldport fine sand, 12 - 30% slopes	No rating	---	29	
131G	Waldport fine sand, 30 - 70% slopes	No rating	---	29	
132E	Waldport fine sand, thin surface, 0 - 30% slopes	No rating	---	29	
133C	Waldport-Urban land complex, 0 - 12% slopes	No rating	---	est. 20	
134	Wapato silty clay loam	No rating	---	---	
135C	Willakenzie clay loam, 2 - 12% slopes	110	154	---	
135D	Willakenzie clay loam, 12 - 20% slopes	110	154	---	
135E	Willakenzie clay loam, 20 - 30% slopes	110	154	---	
135F	Willakenzie clay loam, 30 - 50% slopes	110	154	---	
136	Willanch fine sandy loam	No rating	---	est. 40	
138E	Witzel very cobbly loam, 3 - 30% slopes	No rating	---	70	
138G	Witzel very cobbly loam, 30 - 75% slopes	No rating	---	70	
139	Woodburn silt loam	No rating	---	est. 170	
140	Yaquina loamy fine sand	No rating	---	---	
141	Yaquina-Urban land complex	No rating	---	est. 45	
2024A	Malabon silty clay loam, rarely flooded, 0 - 3% slopes	123	180	---	Best available data
2025A	Coburg silty clay loam, rarely flooded, 0 - 3% slopes	No rating	Est. 100	---	No data available; the estimate is for Coburg map unit 31, a similar soil
2208B	McAlpin silty clay loam, 3 - 6% slopes	144	222	---	
2718E	Jory-Nekia complex, 20 - 30% slopes	122	178	---	Data is for the Jory component only
2733C	Willakenzie loam, 2 - 12% slopes	112	158	---	
2733E	Willakenzie loam, 2 - 12% slopes	110	157	---	

EXHIBIT 6

DOUGLAS FIR EMPIRICAL YIELD TABLE

TABLE 5  
SITE 100

Total Age	Normal Basal Area	Mean Diameter	CV1S	CV4	SV6 (32')	C/SCR Ratio
20	17	8.53	85	85	335	.254
26	70	9.33	1,324	1,236	2,561	.483
30	97	9.85	2,130	1,913	4,601	.416
40	146	11.14	4,071	3,703	11,450	.323
41	150	11.27	4,259	3,886	12,248	.317
50	181	12.39	5,909	5,541	19,972	.277
60	209	13.59	7,643	7,325	29,247	.250
70	232	14.71	9,273	8,982	38,528	.233
80	252	15.75	10,799	10,468	47,294	.221
90	269	16.69	12,222	11,750	55,131	.213
100	284	17.53	13,541	12,805	61,760	.207
110	297	18.24	14,756	13,624	66,922	.204
120	310	18.81	15,867	14,190	70,448	.201
130	321	19.24	16,875	14,502	72,234	.201

TABLE 6  
SITE 110

Total Age	Normal Basal Area	Mean Diameter	CV1S	CV4	SV6 (32')	C/SCR Ratio
20	30	8.74	327	327	666	.491
26	83	9.63	1,668	1,494	3,299	.453
30	109	10.23	2,574	2,253	5,812	.388
40	158	11.69	4,717	4,275	14,125	.303
41	162	11.83	4,925	4,482	15,074	.297
50	194	13.11	6,757	6,345	24,305	.261
60	222	14.47	8,693	8,344	35,244	.237
70	245	15.76	10,525	10,200	46,141	.221
80	264	16.97	12,253	11,663	56,425	.210
90	281	18.09	13,898	13,304	65,675	.203
100	296	19.09	15,398	14,503	73,549	.197
110	310	19.97	16,815	15,448	79,636	.193
120	322	20.72	18,129	16,126	84,358	.191
130	333	21.31	19,338	16,528	86,957	.190

TABLE 7  
SITE 120

Total Age	Normal Basal Area	Mean Diameter	CV1S	CV4	SV6 (32')	C/SCR Ratio
20	51	9.11	819	770	1,355	.568
26	101	10.10	2,294	1,961	4,810	.408
30	126	10.77	3,257	2,821	7,992	.353
40	173	12.39	5,592	5,093	18,116	.281
41	177	12.55	5,820	5,324	19,255	.277
50	208	13.98	7,823	7,389	30,132	.245
60	235	15.50	9,951	9,588	42,783	.224
70	258	16.96	11,974	11,611	55,265	.210
80	277	18.33	13,894	13,424	66,954	.200
90	294	19.60	15,710	14,992	77,437	.194
100	309	20.76	17,423	16,297	86,410	.189
110	322	21.80	19,031	17,334	93,643	.185
120	334	22.70	20,536	18,091	98,946	.183
130	345	23.45	21,937	18,561	102,187	.182

27,219  
BD FT

EXHIBIT 7

DOUGLAS FIR LOG PRICES 1978-1982, 1983

REGION 1 - WESTERN OREGON UNIT

Reporting format: ODF reporting as of 4<sup>th</sup> quarter 1981

Source: Oregon Department of Forestry Forest Management Division  
[http://www.odf.state.or.us/divisions/management/asset\\_management/logprices/logP483.HTM](http://www.odf.state.or.us/divisions/management/asset_management/logprices/logP483.HTM)

Domestically Processed Logs (Delivered to a mill; "Pond Value")

1978

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 460	475	475	475	471
#2P	\$ 415	435	435	435	430
#3P	\$ 358	389	389	389	381
SM	\$ 283	338	338	338	324
#2S	\$ 242	287	287	287	276 -
#3S	\$ 191	250	250	250	235
#4S	\$ 161	200	200	200	190
SC	\$ 125	157	157	157	149
Utility	\$ 70	80	80	80	78

1979

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 531	531	584	584	555
#2P	\$ 476	476	523	523	500
#3P	\$ 425	425	467	467	446
SM	\$ 385	385	423	423	404
#2S	\$ 322	322	354	354	338 -
#3S	\$ 282	282	310	310	296
#4S	\$ 256	256	281	281	269
SC	\$ 160	160	176	176	168
Utility	\$ 90	90	99	99	95

1980

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 584	584	584	584	584
#2P	\$ 523	523	523	523	523
#3P	\$ 467	467	467	467	467
SM	\$ 423	423	423	423	423
#2S	\$ 354	354	354	354	354 -
#3S	\$ 310	310	310	310	310
#4S	\$ 281	281	281	281	281
SC	\$ 176	176	176	176	176
Utility	\$ 99	99	99	99	99

Douglas-fir prices

1981

Douglas-Fir Grade		Quarter				Average
		1st	2nd	3rd	4th	
#1P	\$	584	584	584	648	648
#2P	\$	523	523	523	550	550
#3P	\$	467	467	467	439	439
SM	\$	423	423	423	390	415
#2S	\$	354	354	354	323	346
#3S	\$	310	310	310	238	292
#4S	\$	281	281	281	208	263
SC	\$	176	176	176	212	185
Utility	\$	99	99	99	104	100

1982

Douglas-Fir Grade		Quarter				Average
		1st	2nd	3rd	4th	
1P	\$	600	512	512	512	534
2P	\$	510	439	439	439	457
3P	\$	425	370	370	370	384
SM	\$	375	316	316	316	331
2S	\$	295	258	258	258	267
3S	\$	225	202	202	202	208
4S	\$	190	169	169	169	174
SC	\$	190	164	164	164	171
Utility	\$	90	123	123	123	115
CR (2S & better)	\$	--	303	303	303	303
CR (2S, 3S, and 4S)	\$	--	243	243	243	243

1983

Douglas-Fir Grade		Quarter				Average
		1st	2nd	3rd	4th	
1P	\$	512	505	505	505	507
2P	\$	439	410	425	425	425
3P	\$	370	325	340	340	343
SM	\$	316	275	285	285	290
2S	\$	258	250	255	255	255
3S	\$	202	210	215	215	211
4S	\$	169	195	200	200	191
SC	\$	164	130	140	140	144
Utility	\$	123	75	75	75	87
CR (2S & better)	\$	303	--	--	--	303
CR (2S, 3S, and 4S)	\$	243	240	240	240	241



**DOUGLAS FIR LOG PRICES 1978-1982, 1983**

DF Grade	1978-1982 Average	1983 Average	%+	% -
1P	\$ 558	507		- 9.1%
2P	\$ 492	425		-13.6%
3P	\$ 423	343		-18.9%
SM	\$ 379	290		-23.5%
2S	\$ 316	255		-19.3%
3S	\$ 268	211		-21.3%
4S	\$ 235	191		-18.7%
SC	\$ 170	144		-15.3%
Utility	\$ 97	87		-10.3%
CR (2S & better)	\$ 303	303		n/c
CR (2S, 3S, and 4S)	\$ 243	241		- 0.8%
Average*	\$ 326	273	19.4**	-16.3

\*In the absence of information concerning distribution of grades, it is not possible to assign the different grades their proper weight in calculating an overall average. This calculation assigns each grade equal weight, with the exception of the CR grades which were used only during the years 1982 and 1983 years and are not included.

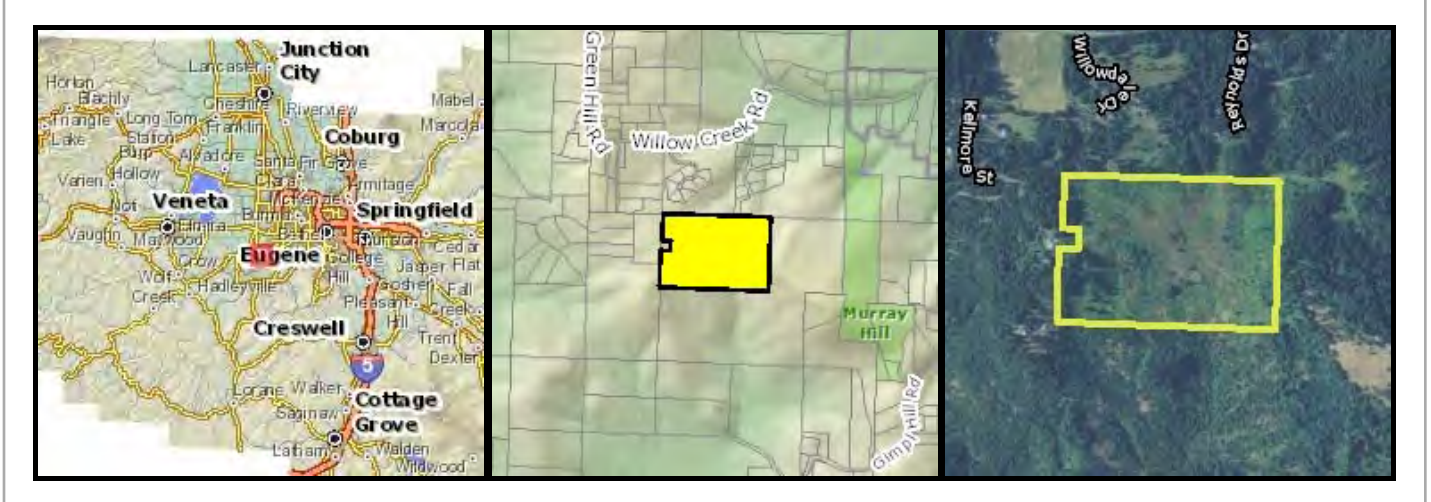
\*\* % by which 1978-82 prices exceed 1983 prices

**Detailed Property Report**

**Site Address** N/A  
**Map & Taxlot#** 18-04-08-00-00100  
**SIC** N/A  
**Tax Account#** 0723062

**Property Owner 1**  
 KERBY DAVID W  
 30602 OAKVIEW DR  
 CORVALLIS, OR 97333  
[Approx. taxlot acreage](#) 59.09  
[Tax account acreage](#) 58.93

**Map & Taxlot # 18-04-08-00-00100**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

No assessor photos, assessor sketches or building characteristic information is available for this tax account.

**Site Address Information**

No site address associated with this tax account number

**General Taxlot Characteristics**

▣ Geographic Coordinates

**X** 4211328 **Y** 870624 (State Plane X,Y)  
**Latitude** 44.0241 **Longitude** -123.1994

▣ Zoning

**Zoning Jurisdiction** Lane County  
 Lane County  
**Parent Zone** F2 IMPACTED FOREST  
**Overlay** CAS Commercial Airport Safety

▣ Land Use

**General Land Use**  
**Code Description**  
 V Vacant

**Detailed Land Use**

**Code Description**  
 9100 Vacant, Unused, Undeveloped Land

**Taxlot Characteristics**

Incorporated City Limits	none
Urban Growth Boundary	none
Year Annexed	N/A
Annexation #	N/A
<a href="#">Approximate Taxlot Acreage</a>	59.09
Approx Taxlot Sq Footage	2,573,960
2010 Census Tract	1002
2010 Census Block Group	2
Plan Designation	Metro Plan Map
Eugene Neighborhood	N/A
Metro Area Nodal Dev Area	No
Historic Property Name	N/A
City Historic Landmark?	No
National Historical Register?	No

**Service Providers**

Fire Protection Provider	Zumwalt RFPD
Ambulance Provider	Eugene Fire & EMS
Ambulance District	WC
Ambulance Service Area	West/Central
LTD Service Area?	Yes
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	UPPER WILLAMETTE / data not available
Emerald People's Utility District	N

**Environmental Data**

FEMA Flood Hazard Zone				
<b>Code Description</b>				
X	Areas determined to be outside of 500-year flood.			
FIRM Map Number	41039C1115F			
Community Number	data not available			
Post-FIRM Date	data not available			
Panel Printed?	Yes			
<b>Soils</b>				
<b>Soil Map Unit#</b>	<b>Soil Type Description</b>	<b>% of Taxlot</b>	<b>Ag Class</b>	<b>Hydric</b>
108F	PHILOMATH COBBLY SILTY CLAY, 12 TO 45 PERCENT SLOPES	59%	6	No
43E	DIXONVILLE-PHILOMATH-HAZELAIR COMPLEX, 12 TO 35 PERCENT SLOPES	19%	4	No
52D	HAZELAIR SILTY CLAY LOAM, 7 TO 20 PERCENT SLOPES	17%	4	No
138E	WITZEL VERY COBBLY LOAM, 3 TO 30 PERCENT SLOPES	5%	6	No

**Schools**

	<b>Code</b>	<b>Name</b>
School District	4J	EUGENE
Elementary School	530	Twin Oaks
Middle School	519	Kennedy
High School	540	Churchill

**Political Districts**

Election Precinct	718	State Representative District	8
City Council Ward	N/A	State Representative	Paul R. Holvey
City Councilor	N/A	State Senate District	4
County Commissioner District	5 (East)	State Senator	Floyd Prozanski
County Commissioner	Faye Stewart		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Liens**

RLID does not contain any lien data for this jurisdiction

**Building Permits**

RLID does not contain any building permit data for this jurisdiction

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

**Petitions**

RLID does not contain any petition data for this jurisdiction

**Tax Statements (current and previous tax years)**

**ACCOUNT#:** 0723062  
View tax statement(s) for: [2013](#) [2012](#)

**Owner/Taxpayer**

<u>Owners</u>		
Owner	Address	City/State/Zip
KERBY DAVID W	30602 OAKVIEW DR	CORVALLIS, OR 97333
<u>Taxpayer</u>		
Party Name	Address	City/State/Zip
KERBY DAVID W	30602 OAKVIEW DR	CORVALLIS, OR 97333

Data source: Lane County Assessment and Taxation

**Account Status**

**Status** Active Account Current Tax Year

Account Status	none
Remarks	Potential Additional Tax; Small Tract Forestland
Special Assessment Program	Small Tract Forestland Option

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage	58.93
Fire Acres	58.93
Property Class	640 FOREST, DEFERRAL BY APPLICATION, VACANT
Statistical Class	N/A
Neighborhood Code	424500
Category	Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00100	Recording Number	N/A

Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total	Total Assessed Value	Tax
	Land	Improvement				
2013	\$300,252	\$0	\$300,252	\$112,624	\$1,142.14	



2012	\$377,079	\$0	\$377,079	\$109,343	\$1,133.80
2011	\$377,079	\$0	\$377,079	\$106,159	\$1,117.44
2010	\$377,078	\$0	\$377,078	\$103,067	\$1,077.09
2009	\$380,465	\$0	\$380,465	\$100,065	\$2,116.17
2008	\$183,369	\$0	\$183,369	\$2,659	\$ 82.81
2007	\$163,427	\$0	\$163,427	\$2,582	\$ 74.01
2006	\$124,093	\$0	\$124,093	\$2,507	\$ 74.58
2005	\$89,191	\$0	\$89,191	\$2,434	\$ 66.94
2004	\$80,881	\$0	\$80,881	\$2,363	\$ 63.70
2003	\$78,111	\$0	\$78,111	\$2,942	\$ 67.93
2002	\$58,722	\$0	\$58,722	\$2,837	\$ 65.89
2001	\$61,492	\$0	\$61,492	\$2,755	\$ 62.34
2000	\$66,477	\$0	\$66,477	\$2,674	\$ 67.92
1999	\$65,920	\$0	\$65,920	\$2,580	\$ 56.17
1998	\$55,390	\$0	\$55,390	\$2,521	\$ 50.71
1997	\$54,300	\$0	\$54,300	\$2,448	\$ 54.49
1996	\$50,750	\$0	\$50,750	\$2,900	\$ 54.77
1995	\$44,520	\$0	\$44,520	\$2,720	\$ 50.91

Current Year Assessed Value \$112,624  
 Less Exemption Amount \* N/A  
 Taxable Value **\$112,624**  
 \* Frozen Assessed Value






Data source: Lane County Assessment and Taxation

**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00401  
 Taxing Districts for TCA 00401 EUGENE SCHOOL DISTRICT 4J  
 LANE COMMUNITY COLLEGE  
 LANE COUNTY  
 LANE EDUCATION SERVICE DISTRICT

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
10/29/1998	\$0	1998-87008		6	data not available	KERBY, LARRY W EST	data not available
05/13/1996	\$0	1996-32634		6	data not available	KERBY, DAVID W	data not available
06/24/1991	\$0	1991-29416		6	data not available	KERBY, LARRY W	data not available
06/14/1991	\$150,000	1991-27917		N	data not available	LARSON, CHARLES F	data not available
03/13/1990	\$125,000	1990-12577		N	data not available	LOEBER, KATHLEEN J	data not available

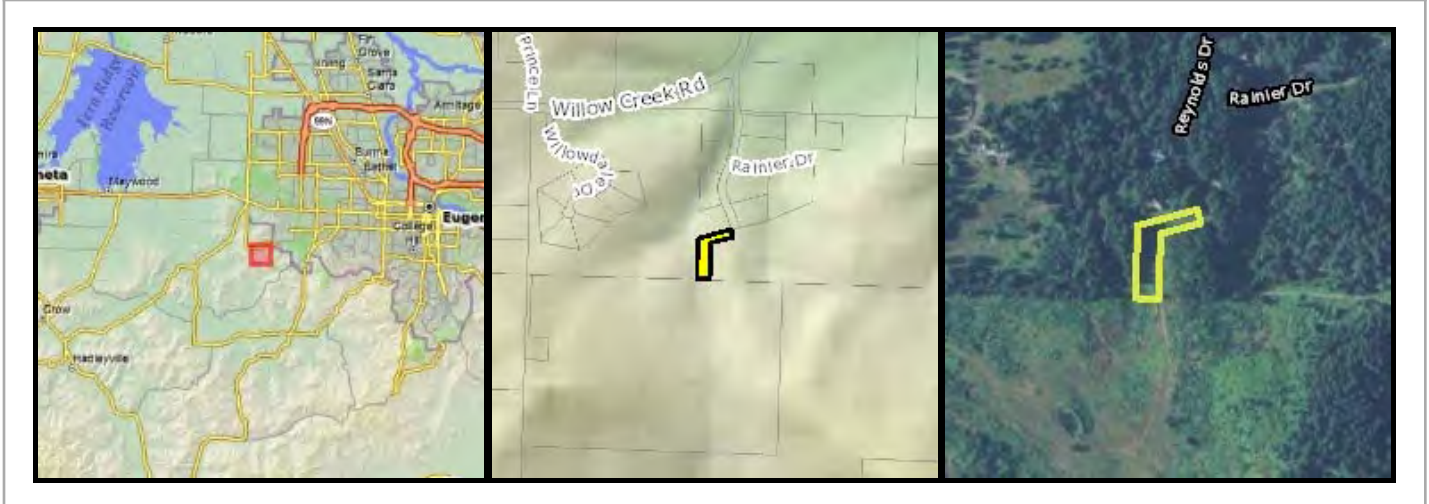
Data source: Lane County Assessment and Taxation

**Detailed Property Report**

**Site Address** N/A  
**Map & Taxlot#** 18-04-05-00-04901  
**SIC** N/A  
**Tax Account#** 1109642

**Property Owner 1**  
 KERBY DAVID W  
 30602 OAKVIEW DR  
 CORVALLIS, OR 97333  
[Approx. taxlot acreage](#) 0.98  
[Tax account acreage](#) 1.00

**Map & Taxlot # 18-04-05-00-04901**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

No assessor photos, assessor sketches or building characteristic information is available for this tax account.

**Site Address Information**

No site address associated with this tax account number

**General Taxlot Characteristics**

▣ Geographic Coordinates

**X** 4211746 **Y** 871486 (State Plane X,Y)  
**Latitude** 44.0265 **Longitude** -123.1979

▣ Zoning

**Zoning Jurisdiction** Lane County  
 Lane County  
**Parent Zone** F2 IMPACTED FOREST  
**Overlay** CAS Commercial Airport Safety

▣ Land Use

**General Land Use**  
**Code Description**  
 V Vacant

**Detailed Land Use**

**Code Description**  
 9100 Vacant, Unused, Undeveloped Land

**Taxlot Characteristics**

Incorporated City Limits	none
Urban Growth Boundary	none
Year Annexed	N/A
Annexation #	N/A
<u><a href="#">Approximate Taxlot Acreage</a></u>	0.98
Approx Taxlot Sq Footage	42,689
2010 Census Tract	1002
2010 Census Block Group	2
Plan Designation	Metro Plan Map
Eugene Neighborhood	N/A
Metro Area Nodal Dev Area	No
Historic Property Name	N/A
City Historic Landmark?	No
National Historical Register?	No

**Service Providers**

Fire Protection Provider	Zumwalt RFPD
Ambulance Provider	Eugene Fire & EMS
Ambulance District	WC
Ambulance Service Area	West/Central
LTD Service Area?	Yes
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	UPPER WILLAMETTE / data not available
Emerald People's Utility District	N

**Environmental Data**

FEMA Flood Hazard Zone				
<b>Code Description</b>				
X	Areas determined to be outside of 500-year flood.			
FIRM Map Number	41039C1115F			
Community Number	data not available			
Post-FIRM Date	data not available			
Panel Printed?	Yes			
<b>Soils</b>				
<b>Soil Map Unit#</b>	<b>Soil Type Description</b>	<b>% of Taxlot Ag Class 1 Hydric</b>		
108F	PHILOMATH COBBLY SILTY CLAY, 12 TO 45 PERCENT SLOPES	76%	6	No
11E	BELLPINE SILTY CLAY LOAM, 20 TO 30 PERCENT SLOPES	24%	4	No

**Schools**

	<b>Code</b>	<b>Name</b>
School District	4J	EUGENE
Elementary School	530	Twin Oaks
Middle School	519	Kennedy
High School	540	Churchill

**Political Districts**

Election Precinct	718	State Representative District	8
City Council Ward	N/A	State Representative	Paul R. Holvey
City Councilor	N/A	State Senate District	4
County Commissioner District	5 (East)	State Senator	Floyd Prozanski
County Commissioner	Faye Stewart		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Liens**

RLID does not contain any lien data for this jurisdiction

**Building Permits**

RLID does not contain any building permit data for this jurisdiction

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

**Petitions**

RLID does not contain any petition data for this jurisdiction

**Tax Statements (current and previous tax years)**

**ACCOUNT#:** 1109642  
View tax statement(s) for: [2013](#) [2012](#)

**Owner/Taxpayer**

<b><u>Owners</u></b>		
<b>Owner</b>	<b>Address</b>	<b>City/State/Zip</b>
KERBY DAVID W	30602 OAKVIEW DR	CORVALLIS, OR 97333
<b><u>Taxpayer</u></b>		
<b>Party Name</b>	<b>Address</b>	<b>City/State/Zip</b>
KERBY DAVID W	30602 OAKVIEW DR	CORVALLIS, OR 97333
Data source: Lane County Assessment and Taxation		

**Account Status**

<b>Status</b> Active Account Current Tax Year	
Account Status	none
Remarks	Potential Additional Tax; Small Tract Forestland
Special Assessment Program	Small Tract Forestland Option
Data source: Lane County Assessment and Taxation	

**General Tax Account Information**

Tax Account Acreage	1.00
Fire Acres	1
Property Class	640 FOREST, DEFERRAL BY APPLICATION, VACANT
Statistical Class	N/A
Neighborhood Code	424500
Category	Land and Improvements
Data source: Lane County Assessment and Taxation	

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 04901	Recording Number	N/A
Data source: Lane County Assessment and Taxation					

**Property Values & Taxes**

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2013	\$51,500	\$0	\$51,500	\$67	\$ 19.48
2012	\$8,357	\$0	\$8,357	\$65	\$ 19.39
2011	\$8,357	\$0	\$8,357	\$63	\$ 19.38
2010	\$2,304	\$0	\$2,304	\$62	\$ 19.37
2009	\$2,325	\$0	\$2,325	\$60	\$ 19.36



2008	\$2,283	\$0	\$2,283	\$58	\$ 21.23
2007	\$2,035	\$0	\$2,035	\$56	\$ 18.56
2006	\$1,545	\$0	\$1,545	\$55	\$ 18.56
2005	\$1,110	\$0	\$1,110	\$53	\$ 18.50
2004	\$1,007	\$0	\$1,007	\$52	\$ 18.47
2003	\$972	\$0	\$972	\$69	\$ 18.57
2002	\$731	\$0	\$731	\$66	\$ 18.58
2001	\$765	\$0	\$765	\$64	\$ 18.53
2000	\$827	\$0	\$827	\$62	\$ 15.57
1999	\$820	\$0	\$820	\$60	\$ 18.51
1998	\$690	\$0	\$690	\$60	\$ 18.52
1997	\$680	\$0	\$680	\$58	\$ 18.50
1996	\$640	\$0	\$640	\$70	\$ 18.56
1995	\$560	\$0	\$560	\$60	\$ 18.47

Current Year Assessed Value \$67  
 Less Exemption Amount \* N/A  
 Taxable Value **\$67**  
 \* Frozen Assessed Value






Data source: Lane County Assessment and Taxation

**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00401  
 Taxing Districts for TCA 00401  
 EUGENE SCHOOL DISTRICT 4J  
 LANE COMMUNITY COLLEGE  
 LANE COUNTY  
 LANE EDUCATION SERVICE DISTRICT

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
10/29/1998	\$0	1998-87008		6	data not available	KERBY, LARRY W EST	data not available
05/13/1996	\$0	1996-32634		6	data not available	KERBY, DAVID W	data not available
06/24/1991	\$0	1991-29416		6	data not available	KERBY, LARRY W	data not available
06/14/1991	\$150,000	1991-27917		N	data not available	LARSON, CHARLES F	data not available
03/13/1990	\$125,000	1990-12577		N	data not available	LOEBER, KATHLEEN J	data not available

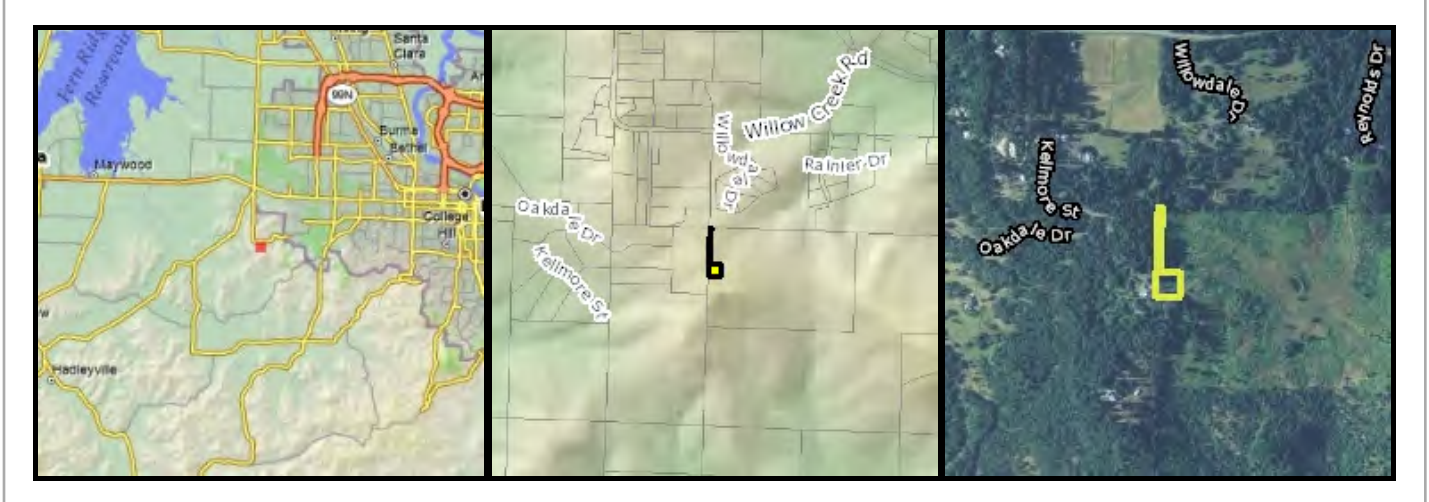
Data source: Lane County Assessment and Taxation

**Detailed Property Report**

**Site Address** N/A  
**Map & Taxlot#** 18-04-08-00-00103  
**SIC** N/A  
**Tax Account#** 1110632

**Property Owner 1**  
 EWEB  
 PO BOX 10148  
 EUGENE, OR 97401  
[Approx. taxlot acreage](#) 1.07  
[Tax account acreage](#) 1.07

**Map & Taxlot # 18-04-08-00-00103**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

No assessor photos, assessor sketches or building characteristic information is available for this tax account.

**Site Address Information**

No site address associated with this tax account number

**General Taxlot Characteristics**

▣ Geographic Coordinates

**X** 4210398 **Y** 870853 (State Plane X,Y)  
**Latitude** 44.0246 **Longitude** -123.2030

▣ Zoning

**Zoning Jurisdiction** Lane County  
 Lane County  
**Parent Zone** F2 IMPACTED FOREST  
**Overlay** CAS Commercial Airport Safety

▣ Land Use

**General Land Use**  
**Code Description**  
 V Vacant

**Detailed Land Use**

**Code Description**  
 9100 Vacant, Unused, Undeveloped Land

**Taxlot Characteristics**

Incorporated City Limits	none
Urban Growth Boundary	none
Year Annexed	N/A
Annexation #	N/A
<a href="#">Approximate Taxlot Acreage</a>	1.07
Approx Taxlot Sq Footage	46,609
2010 Census Tract	1002
2010 Census Block Group	2
Plan Designation	Metro Plan Map
Eugene Neighborhood	N/A
Metro Area Nodal Dev Area	No
Historic Property Name	N/A
City Historic Landmark?	No
National Historical Register?	No

**Service Providers**

Fire Protection Provider	Zumwalt RFPD
Ambulance Provider	Eugene Fire & EMS
Ambulance District	WC
Ambulance Service Area	West/Central
LTD Service Area?	Yes
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	UPPER WILLAMETTE / data not available
Emerald People's Utility District	N

**Environmental Data**

FEMA Flood Hazard Zone			
<b>Code Description</b>			
X	Areas determined to be outside of 500-year flood.		
FIRM Map Number	41039C1115F		
Community Number	data not available		
Post-FIRM Date	data not available		
Panel Printed?	Yes		
<b>Soils</b>			
<b>Soil Map Unit#</b>	<b>Soil Type Description</b>	<b>% of Taxlot Ag Class 1 Hydric</b>	
108F	Philomath cobbly silty clay, 12 to 45 percent slopes	51%	6 No
138E	Witzel very cobbly loam, 3 to 30 percent slopes	49%	6 No

**Schools**

	<b>Code</b>	<b>Name</b>
School District	4J	EUGENE
Elementary School	530	Twin Oaks
Middle School	519	Kennedy
High School	540	Churchill

**Political Districts**

Election Precinct	718	State Representative District	8
City Council Ward	N/A	State Representative	Paul R. Holvey
City Councilor	N/A	State Senate District	4
County Commissioner District	5 (East)	State Senator	Floyd Prozanski
County Commissioner	Faye Stewart		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Liens**

RLID does not contain any lien data for this jurisdiction

**Building Permits**

RLID does not contain any building permit data for this jurisdiction

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

**Petitions**

RLID does not contain any petition data for this jurisdiction

**Tax Statements (current and previous tax years)**

**ACCOUNT#:** 1110632  
View tax statement(s) for: [2014](#) [2013](#)

**Owner/Taxpayer**

<u>Owners</u>		
Owner	Address	City/State/Zip
EWEB	PO BOX 10148	EUGENE, OR 97401
<u>Taxpayer</u>		
Party Name	Address	City/State/Zip
EWEB	PO BOX 10148	EUGENE, OR 97401

Data source: Lane County Assessment and Taxation

**Account Status**

**Status** Active Account Current Tax Year

Account Status	none
Remarks	none
Special Assessment Program	N/A

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage	1.07
Fire Acres	N/A
Property Class	400 TRACT, VACANT
Statistical Class	N/A
Neighborhood Code	424500
Category	Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00103	Recording Number	N/A

Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total	Total Assessed Value	Tax
	Land	Improvement				
2014	\$55,712	\$0		\$55,712	\$24,397	\$ 0.00
2013	\$53,569	\$0		\$53,569	\$23,686	\$ 0.00
2012	\$60,796	\$0		\$60,796	\$22,996	\$ 0.00
2011	\$60,796	\$0		\$60,796	\$22,326	\$ 0.00
2010	\$60,796	\$0		\$60,796	\$21,676	\$ 18.75



2009	\$61,411	\$0	\$61,411	\$21,045	\$ 18.75
2008	\$60,207	\$0	\$60,207	\$20,432	\$ 20.64
2007	\$53,757	\$0	\$53,757	\$19,837	\$ 18.00
2006	\$40,725	\$0	\$40,725	\$19,259	\$ 18.00
2005	\$29,299	\$0	\$29,299	\$18,698	\$ 18.00
2004	\$26,636	\$0	\$26,636	\$18,153	\$ 18.00
2003	\$25,612	\$0	\$25,612	\$17,624	\$ 18.00
2002	\$22,272	\$0	\$22,272	\$17,111	\$ 18.00
2001	\$23,200	\$0	\$23,200	\$16,613	\$ 18.00
2000	\$21,890	\$0	\$21,890	\$16,129	\$ 15.00
1999	\$21,670	\$0	\$21,670	\$15,659	\$ 18.00
1998	\$18,210	\$0	\$18,210	\$15,203	\$ 18.00
1997	\$16,710	\$0	\$16,710	\$14,760	\$ 18.00
1996	\$15,910	\$0	\$15,910	\$15,910	\$ 18.00
1995	\$16,400	\$0	\$16,400	\$16,400	\$ 18.00

Current Year Assessed Value \$24,397  
 Less Exemption Amount \* (\$24,397)  
 Taxable Value \$0  
 \* Frozen Assessed Value

**Exemption Type** Municipal Other

Data source: Lane County Assessment and Taxation

**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00401  
 Taxing Districts for TCA 00401 EUGENE SCHOOL DISTRICT 4J  
 LANE COMMUNITY COLLEGE  
 LANE COUNTY  
 LANE EDUCATION SERVICE DISTRICT

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
12/30/1991	\$0	1991-62919		3	data not available	LARSON, CHARLES F	data not available
03/13/1990	\$125,000	1990-12577		N	data not available	LOEBER, KATHLEEN J	data not available

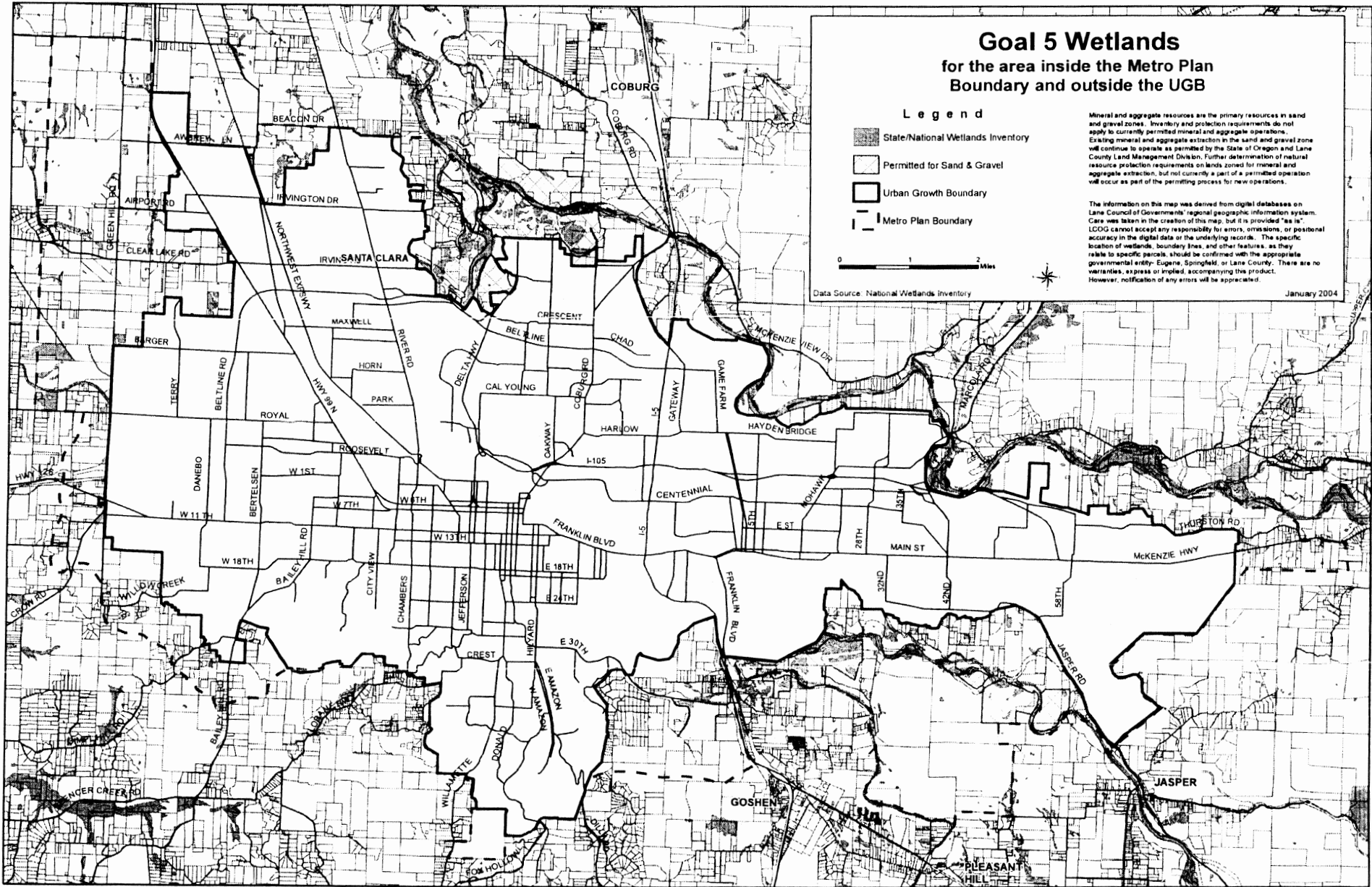
Data source: Lane County Assessment and Taxation











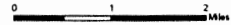
## Goal 5 Wetlands for the area inside the Metro Plan Boundary and outside the UGB

### Legend

- State/National Wetlands Inventory
- Permitted for Sand & Gravel
- Urban Growth Boundary
- Metro Plan Boundary

Mineral and aggregate resources are the primary resources in sand and gravel zones. Inventory and protection requirements do not apply to currently permitted mineral and aggregate operations. Existing mineral and aggregate extraction in the sand and gravel zone will continue to operate as permitted by the State of Oregon and Lane County Land Management Division. Further determination of natural resource protection requirements on lands zoned for mineral and aggregate extraction, but not currently a part of a permitted operation will occur as part of the permitting process for new operations.

The information on this map was derived from digital databases on Lane Council of Governments' regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". LCOG cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. The specific location of wetlands, boundary lines, and other features, as they relate to specific parcels, should be confirmed with the appropriate governmental entity: Eugene, Springfield, or Lane County. There are no warranties, express or implied, accompanying this product. However, notification of any errors will be appreciated.



Data Source: National Wetlands Inventory

January 2004

# **Lane County Statewide Planning Goal 5 Compliance for Wetland, Riparian Corridor, and Wildlife Habitat**

## **Introduction**

Oregon's statewide planning goals provide the framework for planning within the state. Statewide Planning Goal 5 requires all Oregon cities and counties "to conserve open space and protect natural and scenic resources." The goal itself, plus Oregon Administrative Rules (OARs) 660-23, establishes specific procedures and criteria for Goal 5 compliance.

The Department of Land Conservation and Development (DLCD) currently requires Lane County, through the periodic review work program, to comply with Goal 5 for wetlands, riparian corridors, and wildlife habitat. This report describes the Goal 5 requirements and documents how the County has complied with them for the area outside the urban growth boundary (UGB) and within the Metro Plan boundary.

## **Background**

The new Goal 5 rule, adopted in 1996, allows local jurisdictions to choose between two processes: (a) the standard process, and (b) the "safe harbor" process. Each approach has trade-offs in the subsequent analysis and policy steps. The standard process allows the jurisdiction more flexibility in determining which sites are significant for further analysis, and in policy choices for dealing with the site, but requires an analysis of every site for environmental, social, economic, and energy (ESEE) consequences of allowing, limiting, or prohibiting conflicting uses. Jurisdictions using the safe harbor approach may skip the analysis step, but must gather resource data from specified sources and adopt the protection measures required in the Goal 5 rule.

Local elected officials decided in spring 1997 to take a two-pronged approach to the inventory for the Eugene/Springfield Metropolitan Natural Resources Study (NR Study). The officials directed staff to use the standard process for sites inside the UGB, and to use the safe harbor approach for the area outside the UGB. Until Spring of 2002, the three jurisdictions have been working together on one Metropolitan-wide natural resources study. Currently, the work program of the NR Study is divided into four separate work program subtasks to address the requirements of Periodic Review and the Goal 5 Rule within the Metro Plan boundary for wetlands, riparian corridors, and wildlife habitat. The two cities and the county will split the NR study into independent work programs, leaving in the NR Study only the policies that the jurisdictions must do as part of the Metro Plan revisions. The goal of splitting the NR Study into separate work programs, is to address Goal 5 requirements for wetlands, riparian corridors, and wildlife habitat in a timely and efficient manner. This report focuses on Lane County's compliance with Goal 5, for the area outside of the UGB and within the Metro Plan boundary.

## **Citizen and Public Official Involvement**

Work on an inventory of wetlands, riparian and upland wildlife habitat sites started several years ago, as a joint effort among the cities of Eugene and Springfield, and Lane County. The Joint Planning Commission Committee approved the Public Involvement Plan for the Study in May 2000. In May-June 2000, the Planning Commissions of Eugene and Springfield, plus the elected officials of Lane County and Springfield, received initial briefings on the study. A number of public workshops and comment sessions on the Metro-wide inventory occurred between June 2000 and October 2001 as part of processing the inventory and significance criteria.

Two public workshops (one in Eugene, one in Springfield) were held in June 2000 on the draft inventory. Over 15,000 affected property owners, property owners living within 150 feet of affected property, and interested citizens were notified of the public meetings. Approximately 150 citizens attended the public

workshops. Staff received almost 200 comments about the NR Study from June through September 2000, in the form of letters, e-mails, and comment forms. The Citizens' Nature Project submitted 136 of the comments on inventory forms that they created to propose additional sites and modifications of site boundaries. The Citizens' Nature Project, comprised of representatives of 11 environmental interest groups, formed in July 2000 to help organize citizen input to the NR Study.

On March 6, 2001, the Planning Commissions of the three jurisdictions had a joint work session followed by a public comment session on updated *Draft NR Study Inventory and Significance Criteria*. Approximately 10,000 notices were sent to affected property owners and interested parties. To satisfy the public's expressed desire to have more time to review and comment on the inventory, another public information session was held on April 18, 2001. At this session, the public had a chance to review the *Draft NR Study Inventory and Significance Criteria*, ask questions of staff, hear a staff presentation, and submit comments. A follow-up Joint Planning Commission work session and public comment session was held on May 8, 2001.

After the May 8<sup>th</sup> meeting, the elected bodies of the three jurisdictions met separately to provide direction on using the significance criteria and the resulting inventory in the remaining steps of the study. The Eugene City Council met on October 22, 2001. The Springfield City Council met on December 10, 2001. The Lane County Board of Commissioners met on January 16, 2002 and on February 19, 2002. The Eugene City Council directed staff to move forward with the study without any modifications to the significance criteria. The Springfield City Council suggested changes to four of the Significance Criteria. The Lane County Board of Commissioners supported the revisions suggested by the Springfield City Council. After additional reviews by the agencies within the metropolitan area and consultation with DLCD, each agency agreed to address its own portion of the metro area for Goal 5 compliance. As of January 2003 there were 376 public comments related to the metro-wide effort.

### **Compiling the Inventory and Protection Measures**

The inventory relies on existing state agency data, such as the State/National Wetland Inventory (S/NWI) and fish-bearing stream maps, for inventory information. The methodology does not involve collecting information from site-specific field visits. The intent of the safe harbor approach is to ensure compliance with, and meet the intent of, Goal 5, while reducing time, costs, and the potential for legal challenge sometimes associated with the standard process. The Goal 5 rules (OARs 660-023-0000-0250), specify protection measures that must be applied.

For wetlands and riparian corridors, Goal 5 provides for the identification and protection of the same wetlands and waterways that are currently identified and protected with Lane County practices and code (see maps). The County will continue to notify DSL of development proposals on sites potentially containing wetlands. Slight modifications to the Lane Code integrate safe harbor riparian corridor protection standards. The following table summarizes the data sources and significance determination for the inventoried resources and how the County conforms to required implementation measures.

**Appendix 1**

**Statewide Planning Goal 5 Safe Harbor Riparian Corridor Requirements and  
Lane County's Code Provisions to Meet Goal 5 Requirements**

<p align="center"><b>Goal 5 Safe Harbor Riparian Corridor Requirements (OAR 660-023-0090)</b></p>	<p align="center"><b>Existing code section and/or changes made</b></p>
<p>(5) As a safe harbor in order to address the requirements under OAR 660-023-0030, a local government may determine the boundaries of significant riparian corridors within its jurisdiction using a standard setback distance from all fish-bearing lakes and streams shown on the documents listed in subsections (a) through (f) of section (4) of this rule, as follows:</p> <p>(a) Along all streams with average annual stream flow greater than 1,000 cubic feet per second (cfs) the riparian corridor boundary shall be 75 feet upland from the top of each bank.</p> <p>(b) Along all lakes, and fish-bearing streams with average annual stream flow less than 1,000 cfs, the riparian corridor boundary shall be 50 feet from the top of bank.</p> <p>(c) Where the riparian corridor includes all or portions of a significant wetland as set out in OAR 660-023-0100, the standard distance to the riparian corridor boundary shall be measured from, and include, the upland edge of the wetland.</p> <p>(d) In areas where the top of each bank is not clearly defined, or where the predominant terrain consists of steep cliffs, local governments shall apply OAR 660-023-0030 rather than apply the safe harbor provisions of this section.</p>	<p>Currently, each zone in the zoning code requires a setback distance of 50 feet for non-resource zones and 100 feet for farm and forest resource zones.</p> <p>Zoning code setback distance changed as required for each zone.</p>
<p>(8) As a safe harbor in lieu of following the ESEE process requirements of OAR 660-023-0040 and 660-023-0050, a local government may adopt an ordinance to protect a significant riparian corridor as follows:</p> <p>(a) The ordinance shall prevent permanent alteration of the riparian area by grading or by the placement of structures or impervious surfaces, except for the following uses, provided they are designed and constructed to minimize intrusion into the riparian area:</p> <p>(A) Streets, roads, and paths;</p> <p>(B) Drainage facilities, utilities, and irrigation pumps;</p>	<p>The Lane County zoning code currently prevents permanent alteration by grading or structure placement in each zone.</p> <p>Exceptions added to current code.</p>



<p align="center"><b>Goal 5 Safe Harbor Riparian Corridor Requirements (OAR 660-023-0090)</b></p>	<p align="center"><b>Existing code section and/or changes made</b></p>
<p>(C) Water-related and water-dependent uses; and</p> <p>(D) Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area.</p>	
<p>(b) The ordinance shall contain provisions to control the removal of riparian vegetation, except that the ordinance shall allow:</p> <p>(A) Removal of non-native vegetation and replacement with native plant species; and</p> <p>(B) Removal of vegetation necessary for the development of water-related or water-dependent uses;</p>	<p>As specified in 16.253 (2), (2)(a), (2)(b), (2)(b)(I), (2)(b)(ii), (2)(b)(iii), (2)(b)(iv), and (2)(c)</p> <p>As specified in 16.253 (5)(b), (5)(b)(i), (5)(b)(ii), (5)(b) (iii), (5)(c), (5)(c)(I), (5)(c)(ii), (5)(c)(iii)</p> <p>Existing code amended to include water-related or water-dependent uses exemption.</p>
<p>(c) Notwithstanding subsection (b) of this section, the ordinance need not regulate the removal of vegetation in areas zoned for farm or forest uses pursuant to statewide Goals 3 or 4;</p> <p>(d) The ordinance shall include a procedure to consider hardship variances, claims of map error, and reduction or removal of the restrictions under subsections (a) and (b) of this section for any existing lot or parcel demonstrated to have been rendered not buildable by application of the ordinance;</p>	<p>Riparian setback distances will not change in areas related to forest or farm practices.</p> <p>Undue hardship variance is specified in 16.253 (3) (C)</p> <p>Existing code amended to include language related to map error including specifying review by ODFW or DSL.</p>
<p>(e) The ordinance may authorize the permanent alteration of the riparian area by placement of structures or impervious surfaces within the riparian corridor boundary established under subsection (5)(a) of this rule upon a demonstration that equal or better protection for identified resources will be ensured through restoration of riparian areas, enhanced buffer treatment, or similar measures. In no case shall such alterations occupy more than 50 percent of the width of the riparian area measured from the upland edge of the corridor.</p>	<p>As specified in 16.253 (3) (a), (3) (b), (4), (4) (a), (5), (5) (a), (5) (b), (5) c), (5) (d), (5) (e), (5) (f), and (5) g).</p> <p>Amended code to include the 50 percent width limitation. This requirement lessens existing standards for most lots except small lots with less than 100 feet of water frontage.</p>

**Goal 5 Data Sources, Significance Determination and Implementation  
For the Area Between the Urban Growth Boundary and Metro Plan Boundary**

<b>Goal 5 Resource</b>	<b>Inventory Data Sources</b>	<b>Significance Determination</b>	<b>Implementation</b>
Wetlands	State/National Wetland Inventory (S/NWI)* – based on USGS 7.5 minute quadrangle maps with wetland data from 1989 and 1990 based on air photos from 1982.	Significance determination for wetlands is not required outside the UGB.	Adopt map showing S/NWI wetlands in the area between the UGB and Metro Plan boundary (see attached map).  New policy added to the Metro Plan Environmental Element directing that Lane County notify Division of State Lands of proposed development on sites indicating S/NWI wetlands (see Appendix 1).
Riparian Corridors	Maps of fish-bearing streams compiled by the Oregon Department of Forestry (ODF). Obtained in 2000. The data were verified and augmented by the lead fisheries biologist with the ODFW, Springfield office.	The significant riparian corridor area setback is 75 feet from the top of bank of a waterway with a stream flow greater than 1,000 cubic feet per second (the Willamette and McKenzie Rivers), and 50 feet for other fish-bearing streams.	Adopt map showing significant riparian corridors in the area between the UGB and Metro Plan boundary (see attached map).  Amended Lane Code to incorporate Goal 5 riparian protection requirements (see Appendix 2)  New policy added to the Metro Plan Environmental Element directing that Lane County apply protection measures in amended code (see Appendix 1).
Wildlife Habitat	Oregon Natural Heritage Program (data obtained in 2001)  Oregon Department of Fish and Wildlife (ODFW)	Areas where one or more of the following occur: (1) The habitat has been documented to perform a life support function for a wildlife species listed by the federal government as a threatened or endangered species or by the state of Oregon as a threatened, endangered, or sensitive species; (2) The habitat has documented occurrences of more than incidental use by a species; (3) The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons (4) The area is identified and mapped by ODFW as habitat for a wildlife species of concern and/or as a habitat of concern	New policy added to the Metro Plan Environmental Element directing that development proposals on sites with significant wildlife habitat, be subject to ODFW review and comment and to mitigation measures approved by ODFW (see appendix 1).  Adopt map showing significant wildlife habitat sites in the area between the UGB and Metro Plan boundary (see list of quarter section in Appendix 3)

\* Both state and federal agencies confirm that the SWI is the same inventory as the NWI for the area between the UGB and the Springfield/Eugene Metro Plan boundary.

**Table 1.** List of Wildlife Habitat ¼ Sections outside the Eugene-Springfield UGB, but inside the *Metro Plan* boundary.

Section	1/4 Sections	Species
17-02-25	1, 2, 3, 4	Western pond turtle
17-02-26	1, 2, 3, 4	Western pond turtle
17-02-27	1, 2	Western pond turtle
17-02-28	1, 2, 3, 4	Western pond turtle
17-02-29	3	Western pond turtle
17-02-30	1, 4	Great blue heron, Western pond turtle
17-03-06	2	Western pond turtle, Bald eagle, great blue heron rookery
17-03-07	1, 2, 3, 4	Western pond turtle
17-03-08	1, 2	Western pond turtle
17-04-01	1	Western pond turtle
17-04-07	3, 4	Western pond turtle
17-04-12	1, 3, 4	Western pond turtle
17-04-16	2, 3	Western pond turtle
17-04-19	1, 2, 3, 4	Western pond turtle
18-02-04	3, 4	Western pond turtle
18-02-05	2	Western pond turtle
18-02-06	3, 4	Western pond turtle
18-02-07	1, 2	Western pond turtle
18-02-08	1, 2, 4	Western pond turtle, Bald eagle
18-02-09	1, 2, 3, 4	Western pond turtle
18-02-17	1	Bald eagle
18-02-18	1, 2, 3, 4	Western pond turtle, Painted turtle
18-02-19	1, 2	Western pond turtle
18-02-20	2	Western pond turtle
18-03-01	1, 3, 4	Western pond turtle
18-03-09	1, 3, 4	Purple martin nests
18-03-10	1, 2, 3, 4	Purple martin nests
18-03-11	1, 2	Western pond turtle
18-03-12	1, 2, 3, 4	Great blue heron, Western pond turtle
18-03-15	1, 2, 3, 4	Purple martin nests
18-03-16	1, 2, 4	Purple martin nests

The data source for the list of quarter-sections is the Oregon Natural Heritage Program<sup>2[2]</sup> database, which is the most comprehensive documentation of statewide data regarding threatened, endangered, sensitive, and other species. From this database, staff extracted only that data that pertains to threatened, endangered, and sensitive species. To ensure a complete list, staff also met with ODFW staff, who both confirmed the quality of the Oregon Natural Heritage

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The Oregon Natural Heritage Information Center, part of Oregon State University Institute for Natural Resources, manages the Oregon Natural Heritage Program (ONHP) under an interagency agreement with the Division of State Lands. The ONHP is Oregon's Natural Areas Program, its Invertebrate Species Protection Program, and the state's center for information on natural areas. Additional information about ONHP is available at <http://oregonstate.edu/ornhic/ORNHP.html>

**Program data and mapped several other sites, particularly regarding a species of concern, the western pond turtle.**

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STATE OF OREGON  
WATER WELL REPORT  
(as required by ORS 537.765)

LANE  
131

JUL - 9 1990  
WATER RESOURCES DEPT.  
DIVISION (START CARD) # 18573

18s/4w/8ba

(1) OWNER: Well Number: \_\_\_\_\_  
Name CHUCK LARSON & TAM SLODUM  
Address 1950 GRAHAM DRIVE  
City EUGENE State OREGON Zip 97405

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other \_\_\_\_\_

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval Yes No Depth of Completed Well 320 ft.  
Explosives used Yes No  Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
6"	0 120	DRILLED PREVIOUSLY BY ANOTHER DRILLER		
6"	120 320			
10"	0 18	CEMENT	0 18	5 sacks
6"	0 105	CEMENT	10 105	12 sacks

How was seal placed: Method  A  B  C  D  E  
 Other \_\_\_\_\_  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	0	110'	1.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>INSTALLED BY ORIGINAL DRILLER</i>							
4"	0	320	1.6075	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) NONE

(7) PERFORATIONS/SCREENS:  
 Perforations Method SKIN SAW  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing, Liner
140	320	1/4" x 2"	216			inner casing <input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing Artesian  
Yield gal/min 4 Drawdown 175 Drill stem at 320 Time 4 hrs

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom Water Analysis & Consulting  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County LANE Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 18S N or S, Range 4W E or W, WM.  
Section 8 NE 1/4 NW 1/4  
Tax Lot 100 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) END OF REYNOLDS LN. TURN RIGHT, FOLLOW ROAD

(10) STATIC WATER LEVEL:  
137 ft. below land surface. Date 6-8-90  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:

Depth at which water was first found 160'

From	To	Estimated Flow Rate	SWL
<u>160'</u>	<u>and 300'</u>	<u>4</u>	<u>137</u>

(12) WELL LOG: Ground elevation \_\_\_\_\_

Material	From	To	SWL
DRILLED PREVIOUSLY BY ANOTHER DRILLER	0	120'	47
GRAY SEDIMENTARY ROCK WITH REDDISH SEDIMENT - OCCASIONAL SOFT SPOTS	120	320	137
<i>ORIGINAL WELL WAS NOT ADEQUATELY SEALED. CONDITION CORRECTED BY OVERREAMING AND PUMPING CEMENT TO 15'</i>			
<i>SMALL AMOUNT OF WATER COMING IN AT APPROX 160' WITH STATIC LEVEL OF 47' WAS SEALED BUT BY CEMENT GROUTING TO 105' BETWEEN CASING &amp; INNER CASING-LINER</i>			

Date started 5-9-90 Completed 6-8-90

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed Dell Page WWC Number 104  
Date 6-8-90

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
Signed Dell Page WWC Number 104  
Date 6-8-90

## Goal Five “ESEE” Analysis for Marginal Lands Application PA 14-05807

### A. A Goal 5 ESEE Analysis is Required

Goal Five requires Lane County to inventory the locations as well as the quantity and quality of specific natural resources. Where no conflicting uses are identified the county is directed to preserve the resource. Where conflicting uses are identified, the economic, social, environmental and energy consequences of the conflicting use shall be determined and programs developed to achieve the goal of conserving and protecting natural and scenic resources.

Goal 5, implemented by the Goal 5 Rule adopted by the LCDC in 1996 appears in OAR Chapter 660, Division 23: Procedures and Requirements for complying with Goal 5. The rule applies to “Post Acknowledgment Plan Amendments”, “PAPAS” such as the change to the acknowledged Lane County Rural Comprehensive Plan diagram proposed by the applicant.

When undertaking a PAPA, the local government is obliged to perform a Goal Five analysis when a conflicting use is proposed. OAR 660-023-00250(3) provides:

(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 Resource only if:

(b) The PAPA *allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list*; (emphasis supplied)

This proposal to amend the Rural Comprehensive plan proposes a use that conflicts with a Goal 5 resource. As such, a Goal 5 analysis is required.

### B. What Goal 5 Requires

Goal Five requires an ESEE conflicts analysis when a use is proposed that may conflict with an inventoried Goal Five resource. “ESEE” stands for economic, social, environmental and energy. The basic steps for performing this analysis are laid out in OAR 660-023-0040. The provisions of 660-023-0040 explain that there are four steps in the ESEE process and that a jurisdiction has discretion as to how to complete each step. Each step must be completed and the analysis need not be lengthy or complex. What the analysis should provide is a *clear understanding* of the conflicts and consequences of allowing or prohibiting the proposed use. The four steps in the ESEE process are as set forth in OAR 660-023-0040(1) which provides:

Local governments shall develop a program to achieve Goal 5 for all significant resource sites based on an analysis of the economic, social, environmental and energy (ESEE) consequences that could result from a decision to allow, limit or prohibit a conflicting use .... The analysis need not be lengthy or complex, but should enable the reviewers to get a clear idea of the conflicts and consequences to be expected. The steps in the standard ESEE process are as follows:

- (a) Identify conflicting uses;
- (b) Determine the impact area;

- (c) Analyze the ESEE consequences; and
- (d) Develop a Program to Achieve Goal 5.

The following narrative satisfies the requirements of Goal Five.

### **C. Inventoried and Acknowledged Goal 5 Resources on the Subject Property**

Consistent with the applicability provisions in OAR 660-023-0250, the Goal 5 process shall be applied only for those Goal 5 resources inventoried in the acknowledged plan that are known to be present on the subject property. The following portion of this ESEE analysis identifies those Goal 5 resources present on the subject property.

**Historic Resources:** The Lane County acknowledged list of Goal Five historic resources is listed as “Historic Site or Sites.” The subject property does not appear on that list.

**Mineral and Aggregate Resources:** The significant Mineral and Aggregate sites are listed in several appendices in the Mineral and Aggregate Working Paper. The subject property is not listed.

**Energy:** The subject property is not listed on any inventory of sites designated for protection for the purposes of energy production.

**Water Resources:** The Water Resources Working Paper inventories county wide water resources. The only water resource present on site is groundwater. There is no significant water resource present on-site.

**Riparian Resources:** The Flora and Fauna Working Paper and Addendum inventories riparian resources. Riparian areas are inventoried to include all land within one hundred feet of the banks of a Class I stream. There are no Class I streams on the subject property.

**Wetland Resources:** At the time the *Working Paper: Flora and Fauna* was prepared, the United States Fish and Wildlife Service had not completed its National Wetlands Inventory (“NWI”) mapping for the entire county. As a result, the Lane County wetlands inventory was limited to five major wetlands areas, none of which include the subject property. Consideration of adding other wetland areas to the inventory has been deferred by the county to a later date following completion of the NWI mapping. As of yet, reconsideration has not occurred. The county inventory of wetland resources does not include any wetland resources on-site.

The NWI mapping for the county is complete. No wetlands are shown on the subject property. Despite this fact, all wetland areas, including mapped and unmapped wetlands are protected as a matter of state and federal law. They are protected from filling as “waters of the United States” under 33 USC § 1344 and as waters of the State under ORS 196.800(14).

**Sensitive Fish and Waterfowl Areas:** The inventory of these sites appears in the *Working Paper: Flora and Fauna*, addendum at pages 1-4. The subject property is not included on this inventory.

**Natural Areas:** The inventory of these sites appears in the *Working Paper: Flora and Fauna*, at 26-32. The subject property is not included in the inventory.

**Big Game Range:** The county inventory of this Goal Five resource divides the entire county into three categories of Big Game Range, using the ODFW classifications; Major, Peripheral and Impacted. ODFW defines Big Game Range as “[a] geographic area occupied by deer, elk, cougar, black bear, mountain sheep, mountain goat, moose, silver gray squirrel or antelope, often on a seasonal basis.” OAR 635-405-0005 (5). For management purposes, Peripheral Big Game range are those areas that may have some potential for habitat use but where management options are already limited by existing development. There is no occurrence or possibility of occurrence of mountain sheep, goats or antelope seasonally or otherwise on the subject property. The applicant’s ESEE analysis conflict analysis will also be limited to the species known to or likely to exist on the subject property.

Major Big Game Range “**supports the majority of big game**,” (emphasis supplied) generally on sparsely developed commercial forest land.” See *Working Paper: Flora and Fauna* at 23. “Peripheral Big Game Range generally is in the foothills area “between commercial forest land and the valley floors.” *Id.* Peripheral Range supports substantial big game populations but has existing levels of development that limits big game use and management options. *Id.* Impacted Big Game Range are other areas that “have existing levels of land use which preclude future wildlife management options.” *Id.* “Impacted Big Game Range has essentially been ‘written off’ for big game management.” *Id.* at 24.

The ODFW’s Big Game maps in the plan are generalized. All lands in the county that are committed to nonresource use, (zoned for rural residential use) are considered “Impacted” for the purposes of Big Game, which means that they have been written off for the purposes of big game value and conflicting uses are fully allowed without consideration of the ESEE consequences to big game. *Id.*

For the remaining Big Game Ranges, the County uses the ODFW’s recommended residential densities as a **general standard for identifying conflicts**. *Id.* The primary conflict with big game, as mentioned previous, is residential use at certain densities. The density at which this conflict occurs is dependent upon classification. ODFW has recommended overall residential densities for Peripheral Big Game Range as one dwelling unit per 40 acres; and for Major Big Game Range at one dwelling per 80 acres.

The Big Game maps classify the subject property as Peripheral Big Game Range. The applicant has proposed a zoning district that could likely result in a density of one dwelling unit/ 20 acres on the subject property. Thus, there is a conflict with an inventoried Goal 5 resource and the county must undertake a Goal Five analysis as part of this application.

#### **D. ESEE Decision Process for Inventoried Goal 5 Resources Present On-Site.**

The basic requirements for carrying out a conflicts analysis and developing a program for inventoried and acknowledged resources are set forth in OAR 660-023-0040. The introductory provisions of that rule explain that there are four steps in the ESEE process and further clarify that the county has discretion how it proceeds with these steps so long as each step is completed.



As previously cited, a Goal Five conflicts analysis need be neither lengthy nor complex. The end result of the analysis should simply create a clear understanding of the consequences of allowing or prohibiting the proposed use.

The four steps set forth in OAR 660-023-0040 are:

- (a) Identify conflicting uses;
- (b) Determine the impact area;
- (c) Analyze the ESEE consequences; and
- (d) Develop a program to achieve Goal 5.

The Goal 5 rule provides additional instructions on how to conduct each of the four steps listed above. The approach in this analysis will be to address each of the Goal 5 resources inventoried on the site in the acknowledged plan and to conduct the required four step analysis consistent with the requirements of this administrative rule.

### 1. ESEE Analysis for Big Game Range

As noted above, the acknowledged county plan inventories Big Game Range as a significant Goal 5 resource. The county has not completed the Goal 5 process for this resource. The plan documents simply defer the issue for future resolution by working with the Oregon Department of Fish and Wildlife. *The Working Paper: Flora and Fauna* outlines the counties planned approach to the issue:

“The premise is to work overall density figures into **minimum lot size recommendation for regions of the county** . . . The anticipated result is to base zoning by region on the overall residential densities or ODFW minimum parcel sizes . . . . The county will be divided into regions convenient for planning purposes . . . . Within these regions, determinations will be made of acreages, number of existing residences and additional allowable numbers of residences allowable to still fall within the density level. Built upon and committed areas are subtracted out as they are treated as impacted range. From the figure of remaining residences and acreage, a residential carrying capacity will be determined. This figure, or the ODFW figure of 40 or 80 acres, whichever is lesser, will be recommended in the region for residential density for big game purposes. This, along with other resource land requirements will be used to determine appropriate zoning in an area.” *Working Paper: Flora and Fauna*, at 24-25.

The balance of that analysis has not yet been performed. The county has not been divided into regions nor have any of the above determinations been made. At this point, Lane County has recognized that the resource is significant and that there are degrees of significance and the balance of the Goal 5 analysis has been deferred to a later date.

Site specific analysis of Goal 5 conflicts is required where, as here, the applicant has proposed a site specific PAPA that would increase **overall residential density on the development site** to a level above that recommended by ODFW in Peripheral Big Game Range.

#### (a) Identify Conflicting Uses

The approach to identifying conflicting uses is stated in OAR 660-0023-0040(2). The existing and potential conflicts with the Goal 5 Resource, in this instance, Peripheral Big Game Range must be determined. To determine what conflicts may occur governments are advised to analyze uses likely to occur as a result of approval or prohibition of the proposed use. “Local governments shall examine land uses allowed outright or conditionally within the resource site and in its impact area.” *Id.* This requires looking at the uses allowed by the proposed Marginal Lands zone.

The Marginal Lands zone is a resource designation; however, it allows higher residential densities and smaller lot sizes than those that are allowable in other resource zones. The Lane Code provides that lands designated as marginal may be divided as follows:

- (a) Into lots or parcels containing at least 10 acres if the lots or parcels are not adjacent to land zoned Exclusive Farm Use (E), Nonimpacted Forest Land (F-1), Impacted Forest Land (F-2), or if it is adjacent to such land, the land qualifies for designation as marginal land pursuant to ORS Chapter 197.
- (b) Into lots or parcels containing 20 acres or more if the lots or parcels are adjacent to ... [resource land] and that land does not qualify as marginal land.

In this matter, the subject property is adjacent to resource land that does not qualify as marginal land. Therefore, approval of this application could result in lots no smaller than 20 acres in size. A dwelling or mobile home is an outright permitted use one twenty acre lots in the zone subject to LC 16.214(6). Residential uses at the density allowable in the district are in conflict with big game in Peripheral Big Game Range.

**(b) Determine Impact Area**

The entire county is mapped into three categories of game range Impacted, Peripherhal and Major. The subject property is shown in its entirety as Peripheral Big Game Range. The required approach to determining the impact area is stated in OAR 660-023-0040(3). Here the impact area for the PAPA is the entire 60 acre subject property as the entire parcel is designated Peripheral Big Game Range.

Impacts are not limited to the subject property as certain Goal 5 resources (big game) do not respect property boundaries. As such, analysis of impacts to big game range by development on the subject property is analyzed in this document in a broader context as well.

**(c) Analyze the ESEE consequences**

The approach to analyzing the ESEE consequences is stated in OAR 660-023-0040(4). “ESEE consequences” are the positive and negative economic, social, environmental, and energy consequences that could result from a decision to allow, limit, or prohibit the conflicting use.

In order to accurately analyze the consequences ESEE consequences of the proposed development on Big Game Range it is critical to determine what types of Big Game are present and how they may be impacted by the proposed density. Knowledge of the status of these populations as well as their habitat needs provides context to this Goal 5 analysis.

Given the ODFW's definition of big game range, the applicant has analyzed the consequences of the proposed development on elk, deer, cougar and black bear.

The following summarizes the status of the relevant game animals in Oregon.

**(i) Status of Relevant Big Game Animals in Oregon**

The present status and population sizes of big game animals in the state of Oregon indicates that historically, the most important factor influencing the population size of each big game animal is not residential density, forage availability, habitat reduction or any other factor but is rather human tolerance for the species ie. harvest, culling, and predation rates. For example, there are more elk in Oregon presently than there were in 1910. Forest management practices, particularly the reduction of clear cut harvest practices on federal forest lands may be reducing forage habitat on lands covered under the Northwest Forest Plan.

Generally speaking, the status of big game animals in Oregon is strong. Populations of deer, elk, cougar and bear are at or near historic levels even at a time that human population is at its highest level. There is ample habitat for big game animals throughout Lane County. Industrial forest land is a large amount of the land base in Lane County. Vast swaths of Lane County are in various and diverse federal ownership. Please see attached Exhibit 1, Atlas of Land Ownership Types in Lane County. These public lands are the anchor habitats for big game animals.

Elk: Of the two species of elk present in Oregon, Roosevelt elk occupy the western portion of the state with population concentrations in the Coast Range and Cascade Mountains. *Oregon's Elk Management Plan*, at 2, (ODFW, February 2003). The early history of elk populations in Oregon is one of overhunting to the point of near extirpation.

By the 1880's elk populations were already seriously depleted in Oregon. *Id* at 3. Elk populations in Oregon reached their lowest point by 1910 when they were reduced to small remnant populations in the Coast Range, Cascades and Northeast Oregon. *Id*. Elk hunting was closed from 1909 to 1932, resuming in Eastern Oregon in 1932 and in western Oregon in 1938. *Id*. Recovery of elk in Oregon and their expansion and recolonization of their native range is believed the result of the protection of these remnant herds. *Id*. Generally speaking, Elk continue to increase their numbers in the Cascade Range and Coast Range. In 2005 Roosevelt Elk numbered approximately 60,000 animals. *Id*. at 4.

Black Tailed Deer: Colombian black-tailed deer are one of two cervid species native to Oregon and are the primary deer species west of the Cascade Mountains. *Oregon Black-Tailed Deer Management Plan*, at 1, (ODFW, November 14, 2008). Black tail deer are secretive and tend to rely on stealth rather than speed for escape.

"Since the late 1980's the total black-tailed deer population in western Oregon appears to be declining based on department data including hunter harvest, hunter success rate and field surveys conducted by biologists. While the department believes there has been a widespread decline, it should be noted that the decline is not apparent

or to the same extent in all areas. The reduction is likely due to the quality and quantity of habitat, increased incidences of disease, and higher rates of predation.” *Id* at 2.

In 1979, the total number of black-tailed deer statewide was estimated at 500,000 animals. Presently, the population estimate is 320,000 animals. *Id* at 5. This is likely the result of changing forest management practices rather than as a result of development of the type proposed in this application. Despite this general population decline there are a large number of deer in the south hills area of Eugene and surrounding environments.

Deer are an incredibly common sight within Eugene City limits even in residential areas such as those around the Eugene portion of Lorraine highway and other parts of the Eugene-Springfield-Lane County rural/ urban interface. Deer area also very common in other developed and committed exception areas even where zoning districts as dense as RR-2 have been applied. This is particularly true where, as here, there is cover and adequate forage nearby.

Cougar: Cougar are the largest felid species present in Oregon and historically occurred throughout North America. *2006 Oregon Cougar Management Plan*, at 1, (ODFW, 2006). Cougar are generally solitary animals and movement tends to be at night. *Id* at 6. The size of the average home range varies: male home ranges average between 126-826 km<sup>2</sup> and for females between 29-625 km<sup>2</sup>. Density ranges are highly variable but best estimates indicate approximately 4.3 adults per 100 km<sup>2</sup> in the Jackson Creek Study. Oregon home ranges appear to be within average limits. *Id* at 7.

The ODFW’s present cougar management plan formalized in 2006 has five objectives that “seek to maintain viable, healthy cougar populations in Oregon, reduces conflicts with cougars and manage cougars in a manner compatible with other game species.” The plan aims to manage cougar at a level far above minimum numbers for a sustainable population. The plan sets the minimum population abundance at 3000 individuals. *Id* at 1.

That document provides that (as of 2003) there are approximately 5,100 cougar in the state. *Id* at 11. This figure is far above the minimum baseline established by the plan. The majority of these animals are in northeast and southwest Oregon though they occur throughout Oregon. *Id* at 14. Density ranges in our portion of cougar range may be relatively high compared to statewide averages. Cougar density may be as much as 4.3 adults per 100km<sup>2</sup> in the county if we assume populations are consistent with the Jackson Creek study population (the closest studied population) for purposes of comparison. *Id* at 8.

That the population of cougar is stable and/or growing even at a time when human population is larger than ever suggests that a primary limiting factor in cougar population numbers is human tolerance for cougar.

Bear: Black bears are the smallest of three species of North American bears. *Oregon Black Bear Management Plan*, at 8, (ODFW, September 10, 2012). In Oregon, black bear densities are highest in the Coast Range, Cascade Range and Blue Mountains. *Id*. In the early part of the twentieth century predatory species became very uncommon Oregon. Now, after a period of protection these species have once again become common. *Id* at 6.



Oregon's black bear population appears to be stable or growing in most areas and statewide population estimates put the animal's total number between 25,000 and 35,000 individuals. *Id.* The ODFW has shifted its management objectives from population recovery to managing abundance. *Id.*

**ii. Analysis of ESEE Consequences on the relevant resource**

**Economic Consequences:** Allowing the subject property to be developed with residential uses at 20 acres or greater will have short term positive economic consequences in terms of construction activity. In the longer term, development of the site with up to three residences will increase the property value of the subject property with attendant impacts on tax revenue.

Another possible economic consequence is that property owners undertake economic activities in accordance with the purpose statement of the Marginal Lands zone which is intended to allow persons to conduct intensive or part time farm or forest operations on marginally productive lands. The beneficial impacts are any of those economic activities (farm or forest operations) considered more likely to occur as a result of a marginal lands zoning designation.

The Marginal Lands designation is a zone that is intended be applied in order to make economically beneficial use of marginally productive resource land in Lane County. The smaller lot size requirements reflect a determination that these valuable uses are more likely to be undertaken on smaller tracts as they will require more intensive management due to their marginal productivity.

Economic impacts as a result of conflict that arises from the proposed zoning to big game range are likely to be nominal, if any. There is no indication that the proposal would be harmful to local big game animals to the extent that the economic activities supported by these populations, hunting, wildlife viewing, etc. will be impacted in any way.

Economic losses attributed to conflict with big game animals should be minimal and most likely limited to human economic loss due to browsing activities undertaken by ungulates. These conflicts are readily resolved with minimal economic investments. Other conflicts that could result include losses attributable to predation on domestic livestock by cougar or economic loss due to predation by black bear or loss attributable to bear foraging activities that strip trees of their bark.

Other economic considerations include the impact of the proposed development on adjacent resource land and non-resource land. The subject property is adjacent to areas to the north that are developed with rural residential uses. To the south there are additional exception areas as well as Marginal Lands. Much of the surrounding area is in resource use. Please see attached Exhibit 2, Zoning Map which shows zoning in the broader area. There is no indication that the approval of up to three additional residences on the subject property will have any deleterious economic impact on surrounding resource extraction/ utilization activities.

Prohibiting the use will have no economic benefits. The subject property is vacant and is not being managed for agriculture or any other forest use.

Prohibiting the use **will have an adverse economic impact** on the property owner, David Kerby. Mr. Kerby is an area resident who owns a dry walling company. This property is an important portion of his assets that have been acquired over a lifetime. The subject property otherwise meets the statutory requirements for a Marginal Lands application (Poor agricultural soils, poor timber productivity, not managed as part of a farm or forest operation). Denial of this application based on a Peripheral big game classification will adversely and impact Mr. Kerby, his dependents, heirs and assigns by diminishing the value of his assets.

One final potential economic effect of prohibiting the proposed use is the potentially chilling effect that denial of this application based on impacts to Big Game Range may have on future Marginal Lands applications.

The economic benefits of approval this application clearly outweigh any immeasurable economic consequences that could result from approval.

The economic portion of this ESEE analysis supports approval of the use.

**Social Consequences:** Allowing the residential use would mean that the site would be developed with uses similar in residential density to the Marginal land area to the south and lesser than the developed and committed areas to the north and in the area surrounding the subject property. The proposed density would be consistent with existing densities in the vicinity of the subject property. Please see Exhibit 2 for general confirmation of existing zoning. As more specific analysis, the applicant has also supplied Exhibit 3, Residential Density, Sheets 1; 2; and 3. This exhibit details the number of lots with addresses in the vicinity of the subject property within one, two and three square miles centered on the subject property.

The result of this analysis indicates that the density proposed by the applicant is entirely consistent with existing development patterns in the area. There are 46 lots with addresses within one square mile of the subject property equating to a residential density of one unit per 13.9 acres. Within two square miles, 154 lots translate to a density of one unit per 16.6 acres. There is one unit per 13.1 acres in a three square mile area. (Exhibit 3, Residential Density, Sheet 1, 2 3) The applicant has proposed residential density lower than the existing residential density within both the immediate vicinity or when viewed in a broader context consistent with existing development patterns.

There is no indication that approval of this zoning district will result in any social conflicts between residences on resource land and ongoing resource use in the area. Existing development patterns do not interfere with resource management activities (forestry). If anything, there will be beneficial social consequences.

As noted, the subject property meets the statutory requirements for a Marginal Lands designation. The Lane Code provides that the purpose of the Marginal lands zone is to:

- (1) Purpose. The Marginal Lands Zone (ML-RCP) is intended to:
  - (a) Provide an alternative to more restrictive farm and forest zoning.

- (b) Provide opportunities for persons to live in a rural environment and to conduct intensive or part time farm or forest operations.

Approval of this application will have the social impact intended by the creation of the zoning district and carry forth the intent of the Lane County Code. Approval will have the socially beneficial result of allowing persons to reside in a rural environment.

There will be no adverse social consequences that result from the conflict with Big Game Range. There is no evidence to suggest that big game numbers will be adversely impacted by the proposed development to the extent that negative social consequences will ensue.

In fact, the history of big game management in the state suggests that social factors are the biggest factor influencing big game populations in the state rather than the perceived conflict with residential densities at lesser than forty acres or 80 acres.

The various ODFW Species management plans generally tend to indicate that Oregonians experience satisfaction in the knowledge that big game animals persist in abundance throughout the state. As such, many of the human/wildlife interactions such as wildlife viewing or simply seeing wildlife from the window of a residence made more likely on the subject property as result from this application are socially positive. From a human standpoint living in proximity to wildlife is likely to be viewed as a socially positive aspect of the propose use.

***Big game populations are at or near historic high levels for elk, deer, cougar and bear even as human population and therefore population density has increased substantially.*** Populations of these animals have grown in the state of Oregon from lower levels of abundance earlier in the 20<sup>th</sup> century even though human population densities are much higher. Social attitudes toward wildlife and sound management practices are the primary driver of this population growth for all big game animals.

The Goal Five analysis of the social consequences of the proposed development on balance fall on the side of approval of the application.

**Environmental Consequences:** The environmental consequences on Oregon's population of big game animals resulting from proposed uses are likely to be minimal. The development should not have an appreciable negative impact on big game populations in the area or in Lane County as a whole.

The applicant has reached this conclusion after analysis of the environmental consequences of the proposed development on elk, deer, cougar and black bear consistent with the ODFW's definition of big game.

Deer likely utilize the subject property browsing on vegetation and retreating into the forest canopy when feeling threatened. Development at the proposed density will not likely much alter this pattern.

Evidence of this assertion is the abundant, some may even term it the over-abundant black-tailed deer in the urban fringe area between Lane County and the Eugene-Springfield. Deer even frequent the

southern areas of Eugene that are developed at an urban-suburban level of population density, densities that are far in excess of that proposed in this development request.

Development on the subject property will likely take place on the upper “bench portion of the property” (please see Exhibit 4, Slope Map.) Forested portions will remain on the lower elevation portion of the subject property to the north that will continue to provide cover. The southern sloped portion of the parcel will likely remain undeveloped. The treed northeastern portion of the site adjacent to the largest tract of forest land/ forest cover in immediate vicinity will likely also remain undeveloped. Exhibit 5, Aerial Photo.

The evidence also suggests that deer often utilize forage resources that are supported by human irrigation activities in residential areas both suburban and rural and that these activities may increase the amount of forage available for deer.

As noted, the overall size of the black-tailed deer population in the state of Oregon may near or even above historic levels. This indicates primary driver of deer densities is not human population density, especially as here, where that increase in density takes place close to urban population centers but rather human management practices.

A similar analysis applies to environmental consequences resulting from impacts and conflict with elk that could result from the proposed development. Elk may seasonally or intermittently utilize the subject property for cover or forage though there is no documented presence of Roosevelt Elk on the subject property.

The applicant’s agent attempted to perform a “Wisdom analysis” for elk habitat in the vicinity of the subject property. The “Wisdom Model” is derived from “A Model to Evaluate Elk Habitat in Western Oregon”, Michael Wisdom, et al, United States Forest Service, March 1986.

The Wisdom Model provides guidance for evaluating habitat effectiveness for elk based on four variables: size and spacing of cover and forage, cover quality, forage quality, and road density. The equation is intended to provide a habitat effectiveness score. This score is developed utilizing the mean of the four variables. This is because a high habitat score in one area of the analysis only partially compensates for low scores in other areas. Where one feature of habitat is lacking, it may effectively act as a limit elk utilization of the habitat despite other positive habitat attributes.

The Wisdom Model alone was not sufficient to make a determination because there are deficiencies in the Wisdom Model that limit its utility as a tool for this analysis. In certain areas of analysis, the Wisdom model was inadequate for our purposes: first, in terms of cover quality, we were unable to adequately differentiate the types of cover (hiding, thermal, optimal) from aerial photography alone. Secondly, the cover quality variable did not provide any guidance for how to treat existing residential development as there must be some avoidance behavior by elk. Apparently the model was primarily intended to analyze industrial forest practices. It also assumes a level of knowledge regarding land treatments (hayed,



fertilized, unfertilized) etc. on surrounding private lands that are beyond the applicants knowledge. Therefore, we are unable to obtain an actual habitat effectiveness score.

Nonetheless, our relatively primitive analysis indicated that there is adequate cover and forage in the vicinity of the subject property for Elk if one disregards existing limiting factors such housing development and the extensive transportation infrastructure. Our analysis area included a one, two and three mile squares centered on the subject property. Please see Exhibit 6, Cover and Forage Maps, Sheets 1, 2 and 3.

Almost all of the open area in the analysis areas is within 100 yards of cover which is the forage area most utilized by Elk. Cover quality and availability and forage also appear adequate based on our analysis; please note though that these are the variables that we are unable to effectively analyze.

Nonetheless, the area appears to contain natural meadows and cleared agricultural areas for elk to browse; however, the applicant's cover and forage analysis includes areas that are developed with housing that are likely marginal for elk if they are used at all. The subject property is adjacent to some of these areas.

Furthermore, the obtrusiveness of the proposed development will likely be limited by the topography of the site (Exhibit 4). It is likely that housing will be developed on the upper portion of the site. The northern portion of the site near Reynolds then slopes relatively steeply upward to the central elevations of the site. This central portion of the site contains the gentlest terrain and most likely building sites. The southern portion of the property will likely remain undeveloped even if the proposed use is allowed as the subject property slopes steeply downward from the central portion of the site. There will be a large relatively favorable habitat contiguous to other resource land remaining. (Please see Exhibit 7, Immediate Vicinity Zoning, demonstrating the property is adjacent to forest land, Exhibit 8 Extended Area Aerial Photo, demonstrating that habitat will remain accessible.

Road densities and types near the subject property are a limiting factor for elk in the vicinity of the subject property as the area is settled and crossed by major transportation infrastructure including Lorraine Highway. The applicant has examined road densities in the vicinity in one, two and three mile squares centered on the subject property. Road density within one square mile of the subject property is 1.96 miles of roadway/ mile<sup>2</sup>. Within a two mile square there are 2.46 miles of roadway/ mile<sup>2</sup>. Within three square miles, there are 7.3 miles roadway/mile<sup>2</sup>. See Exhibit 9, Road Density, Sheets 1; 2; and 3. Habitat effectiveness is greatly diminished as road density increases. The Wisdom Model provides that where road density reaches 6 miles/ mile<sup>2</sup>, as here, that the habitat has essentially no value for elk. A point one (.1) score is assigned to that density where the optimum value is 1.0. The road density in the vicinity of the subject property even exceeds that figure (6 miles/ mile<sup>2</sup>) meaning the habitat is extremely marginal for elk as a result. *A Model to Evaluate Elk Habitat in Western Oregon*, Michael Wisdom, United States Forest Service, March 1986.

In short, our attempts obtaining "Wisdom Model" habitat effectiveness index score confirmed what is already known:

***The area in the vicinity of the subject property has habitat that may be marginally suitable for use by Elk and other wildlife as a result of human development impacts. In other words, the property is Peripheral game range.***

One context then for analyzing alternatives of allowing, limiting or prohibiting the existing use is the existing development pattern on surrounding property.

Approval of the application will not appreciably change development patterns in the area. The subject property is adjacent to rural residential property developed at a much higher density than allowed in the proposed zoning designation on the subject property. Please see Exhibit 2, Broader Area Zoning and Exhibit 7, Immediate Vicinity Zoning. The placement of three additional dwellings on the subject property will not appreciably change density in the area. Residential densities vary but average between 13.1 acres (1 mile <sup>2</sup>), 16.6 acres (2 mile <sup>2</sup>) and 13.9 acres (3 mile <sup>2</sup>). (Exhibit 3, Sheets 1,2,3) The applicant's proposal will not result in lots smaller than twenty acres in size.

Additional housing developed on the subject property will be primarily served by the existing transportation infrastructure, both public and the existing private road on the subject property, further minimizing the environmental impacts of this proposal. Eugene city limits are less than one mile from the subject property and it should also be noted that Eugene's Metro Plan Boundary crosses the subject property. Exhibit 7. This means that it has already been determined that at some point in the future a majority of this property will be included in Eugene City limits and the property will be completely written off in terms of habitat value. It also means that the remainder of the property will ultimately be adjacent to the city limits with correspondingly higher levels of development. This will further marginalize the property's value as big game range.

The proposal cannot lead to additional development as the Marginal Lands designation is self-limiting due to the challenge of meeting the approval criteria. There is no land adjacent to the subject property that qualifies under the Marginal lands statute so there is no possibility of a "slippery slope" effect as part of this development.

In addition to the GIS data analysis, generally speaking elk are generally known to be more reclusive and avoid human settlement more than black tailed deer. Where elk are observed in areas with developed with housing it is generally in more agricultural areas near the forest fringe closer to industrial forestland and national forest/ blm land. Given existing development patterns, the subject property is already very marginal for elk and as such this does not impact overall elk numbers and does not rise to sufficient grounds to prohibit the use, especially where there is adequate high quality elk habitat and abundant elk throughout the county.

The assumption that this habitat is not critically important was in view generally confirmed by the applicant's discussions with local ODFW biologist Brian Woofer who stated via verbal communication that there is a herd of Elk in the Crow area and that this herd is primarily observed in the Crow Rd area in the edges of agricultural field near forested areas.

It appears from this that that elk in the area are as expected staying primarily staying in deeper cover closer to the industrial/private/federal forest land complex in the upper Siuslaw/ Smith River headwaters area. Aerial photography illustrates the relatively fragmented habitat in the vicinity of the subject property as opposed to the sparsely settled vast tract of forestland to the west that supports the area's Elk population, at least in the vicinity of the subject property. Exhibit 8, (the Extended Area Map) shows the larger more contiguous forest to the west as well as the more fragmented nature of the habitat in the vicinity of the subject property. Finally, Exhibit 8 and Exhibit 10 (Extended Road Network) shows how the transportation structure has fragmented the habitat in the vicinity of the subject property.

A final point in this analysis regarding environmental impacts of the proposed development on elk: In 1910 by which time elk were virtually extirpated in Oregon there were 672,000 residents of the state. In 2000, there were 3.4 million Oregonians and yet the number of Elk has risen to 60,000. This expansion of Elk range and numbers occurred concurrently with the greatest increase in human population Oregon has ever seen.

Population density is not the primary limiting factor for Elk in Oregon. The environmental consequences of this proposal on Elk are absolutely minimal and should have no serious or detrimental effect on regional elk populations.

The proposal is also not expected to have any negative environmental impacts on Cougar. Cougar are elusive, solitary and occupy extensive home ranges. Cougar populations are primarily a function of prey densities.

As this proposal is not expected to have any appreciable impact on big game populations it will not have any impact on cougar populations.

The proposal is also not expected to have any negative environmental impacts on black bear. Bear, as cougar, are elusive, solitary and occupy extensive home ranges. Their populations are primarily a function of prey densities and forage availability. As this proposal is not expected to have any appreciable impact on these factors and as such it will not have any appreciable impact on bear populations.

The environmental consequences of allowing the proposed use are minimal and are outweighed by the beneficial impacts of the proposed development.

**Energy:** The net energy consequences are negligible as this development could attract residential development that may occur elsewhere in the county. In fact, the net energy impact of the development is potentially positive if the development were to attract rural residential development that may take place elsewhere in the county. This positive result is a result of the location of the subject property.

The Metropolitan plan boundary crosses the subject property and the Eugene city limits are very nearby. (Exhibit 7) The property is not within the UGB but a substantial portion of the property is planned for

eventual inclusion within the City of Eugene. In other words, the subject property is as close as possible to the developed urban area of the City of Eugene as is possible for a zoning district of this type.

This means that the energy consequences of the development will be lesser than equivalent development further from the Eugene as it is likely that any future residents of the subject property will obtain the majority of their supplies, goods and services from the City of Eugene. This development is essentially as close as possible to the City meaning that goods and services are more readily available (ie. closer) to the subject property than in many other areas of the county, including many exception areas thus requiring less energy to support residences on the subject property than on equivalent property further from the city limits.

**(d) Develop a program to achieve Goal 5 for Big Game range**

The proposed program to achieve the Goal is to allow the conflicting low density residential use, one unit/ 20 acres that would come with the Marginal Lands designation.



# LAND OWNERSHIP

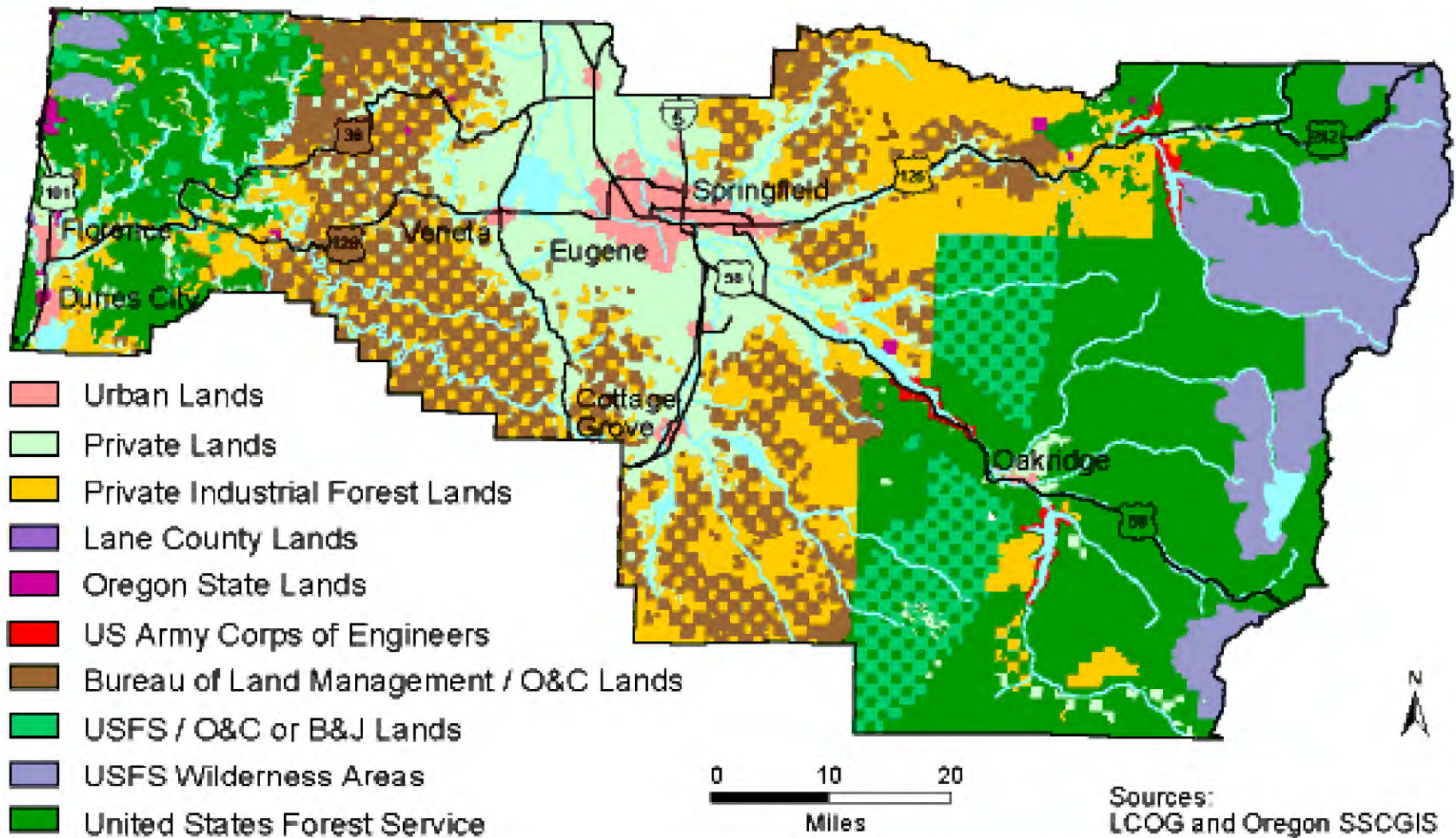


Exhibit 1

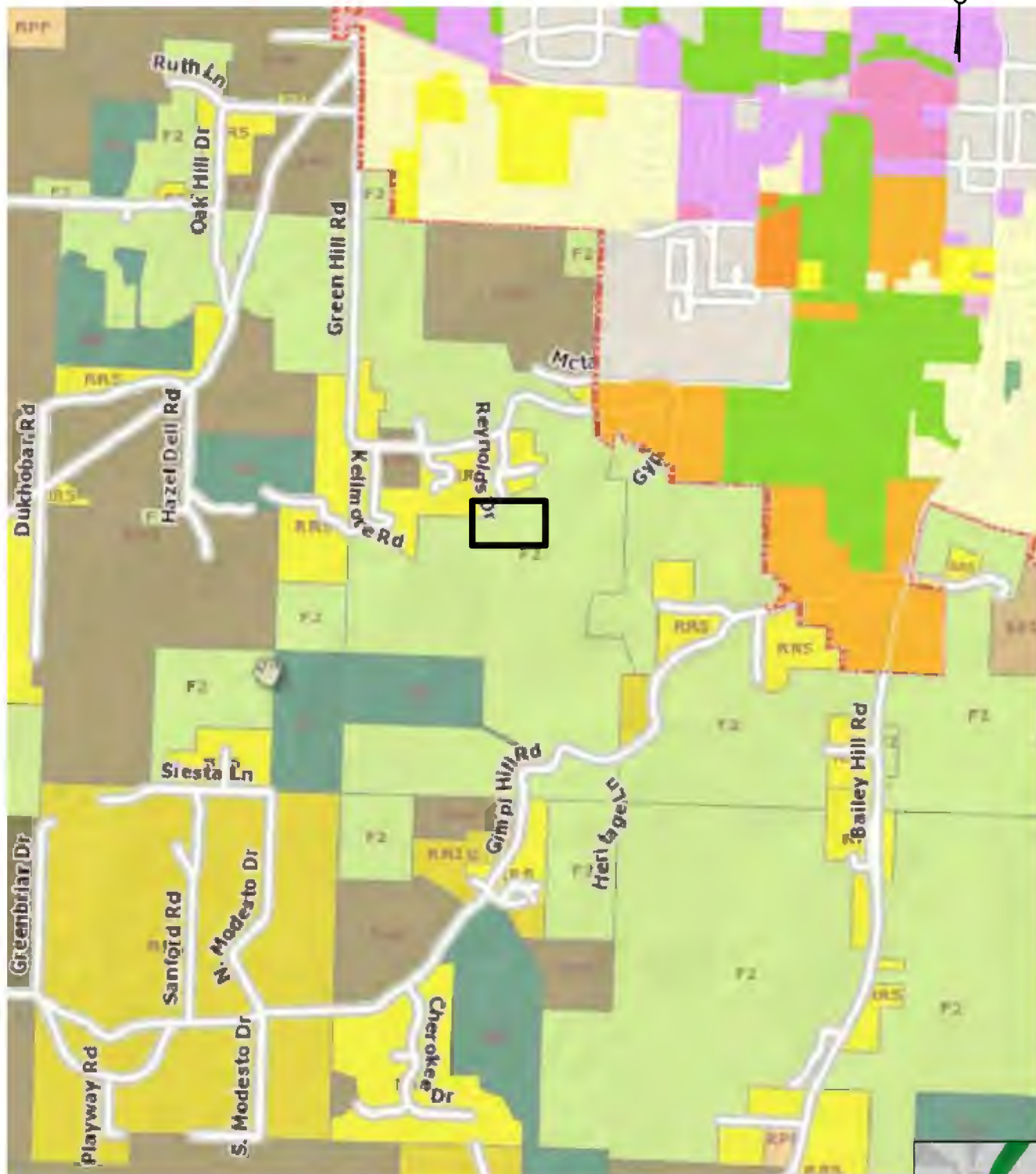
*Lane County, Oregon*

M. Forest, 1999; T. Stopa and C. Grey 1996

<http://geog.uoregon.edu/infographics/lcweb/lcownerindex.htm>

# Exhibit 2

**EXISTING ZONING**  
LANE COUNTY, OREGON  
Date prepared: October 15, 2015



ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



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# Exhibit 3

Sheet 1

Residential Density within 1 square mile  
 centered on property  
 LANE COUNTY, OREGON  
 Date prepared: October 15, 2015



SCALE 1" = 800'



Lots with Addresses per  
 LCGIS

**27,878,400** square feet  
**640** acres  
**46** Lots with addresses

Summary

640 acres  
 46 lots

Average Residential  
 Density: 1 lot per  
 every 13.9 acres



541-302-9830  
 metroplanning.com

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
 ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



# Exhibit 3

Sheet 2

Residential Density within 2 square mile  
 centered on property  
 LANE COUNTY, OREGON  
 Date prepared: October 20, 2015

SCALE 1" = 1500'



Lots with Addresses per  
 LCGIS

**111,513,600** square feet  
**2,560** acres  
**154** Lots with addresses

Summary

2560 acres  
 154 Lots

Average Residential  
 Density: 1 lot per  
 every 16.6 acres



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 541-302-9830  
 metroplanning.com

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
 ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



# Exhibit 3

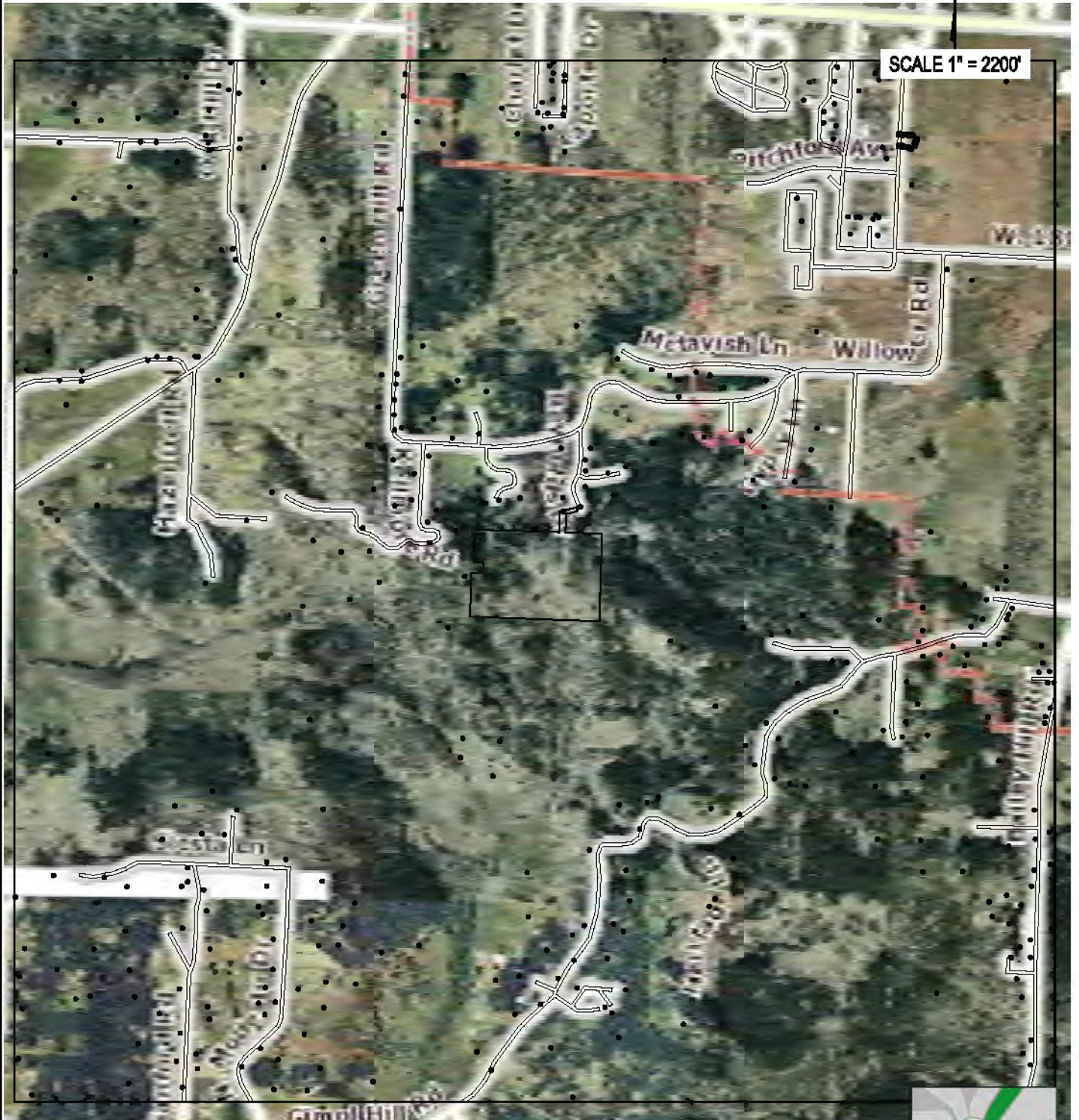
Sheet 3

Residential Density within 3 square mile

centered on property

LANE COUNTY, OREGON

Date prepared: October 20, 2015



SCALE 1" = 2200'

Lots with Addresses per  
LCGIS

250,905,600 square feet  
5,760 acres  
439 Lots with addresses

Summary

5760 Acres  
439 Lots

Average Residential  
Density: 1 lot per  
every 13.1 acres



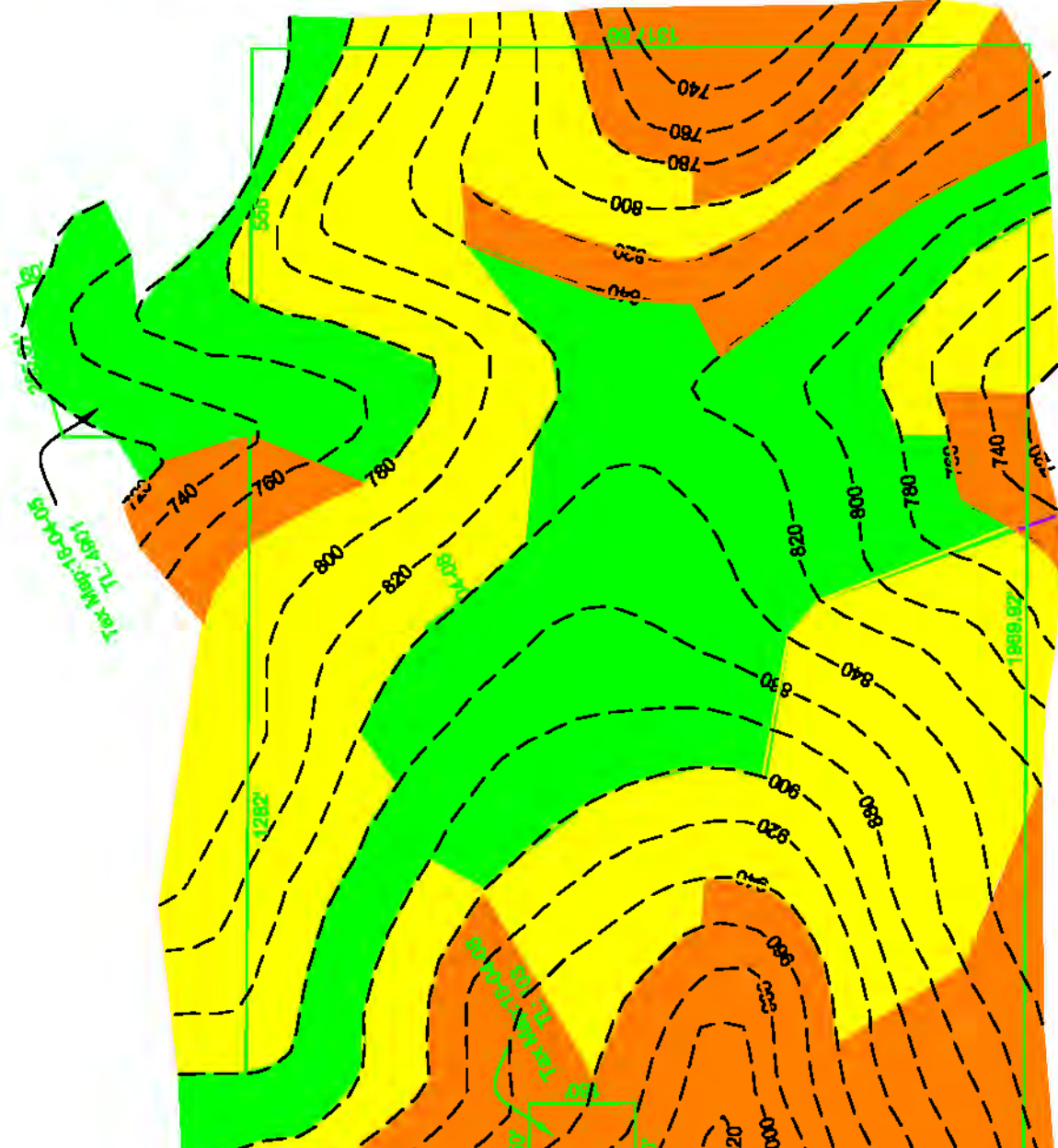
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ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100

SLOPES

-  SLOPE CLASS 0%
-  SLOPE CLASS 15%
-  SLOPE CLASS 25%
-  SLOPE CLASS OVER 25%



SCALE: 1" = 300'  
September 24, 2014

M MAP: 18-04-05 TAX LOT 4901 & ASSESSOR'S MAP: 18-04-08 TAX LOT 100

ME 54

metr







# Exhibit 6

Sheet 1

**Cover and Forage Areas for Big Game**  
**within 1 square mile centered on property**  
**LANE COUNTY, OREGON**  
Date prepared: October 15, 2015



SCALE 1" = 800'



Open Area per LCGIS  
Aerial photo

**5,846,929.32** square feet  
**134.23** acres

**Optimal Coverage**

21,212,007.61 sq ft  
486.96 acres

**Hiding Coverage**

705,829.97 sq ft  
16.20 acres

**Thermal Coverage**

2,704,006.57 sq ft  
62.08 acres

Open Areas



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ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



# Exhibit 6

Sheet 2

Cover and Forage Areas for Big Game  
within 2 square mile centered on property  
LANE COUNTY, OREGON  
Date prepared: October 15, 2015

SCALE 1" = 1500'



Open Area per LCGIS  
Aerial photo

**38,431,838.43** square feet  
**882.27** acres

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100

**Optimal Coverage**  
61,783,509.22 sq ft  
1,418.35 acres

**Hiding Coverage**  
12,001,766.93 sq ft  
275.52 acres

**Thermal Coverage**  
4,440,466.79 sq ft  
101.94 acres

Open Areas



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# Exhibit 6

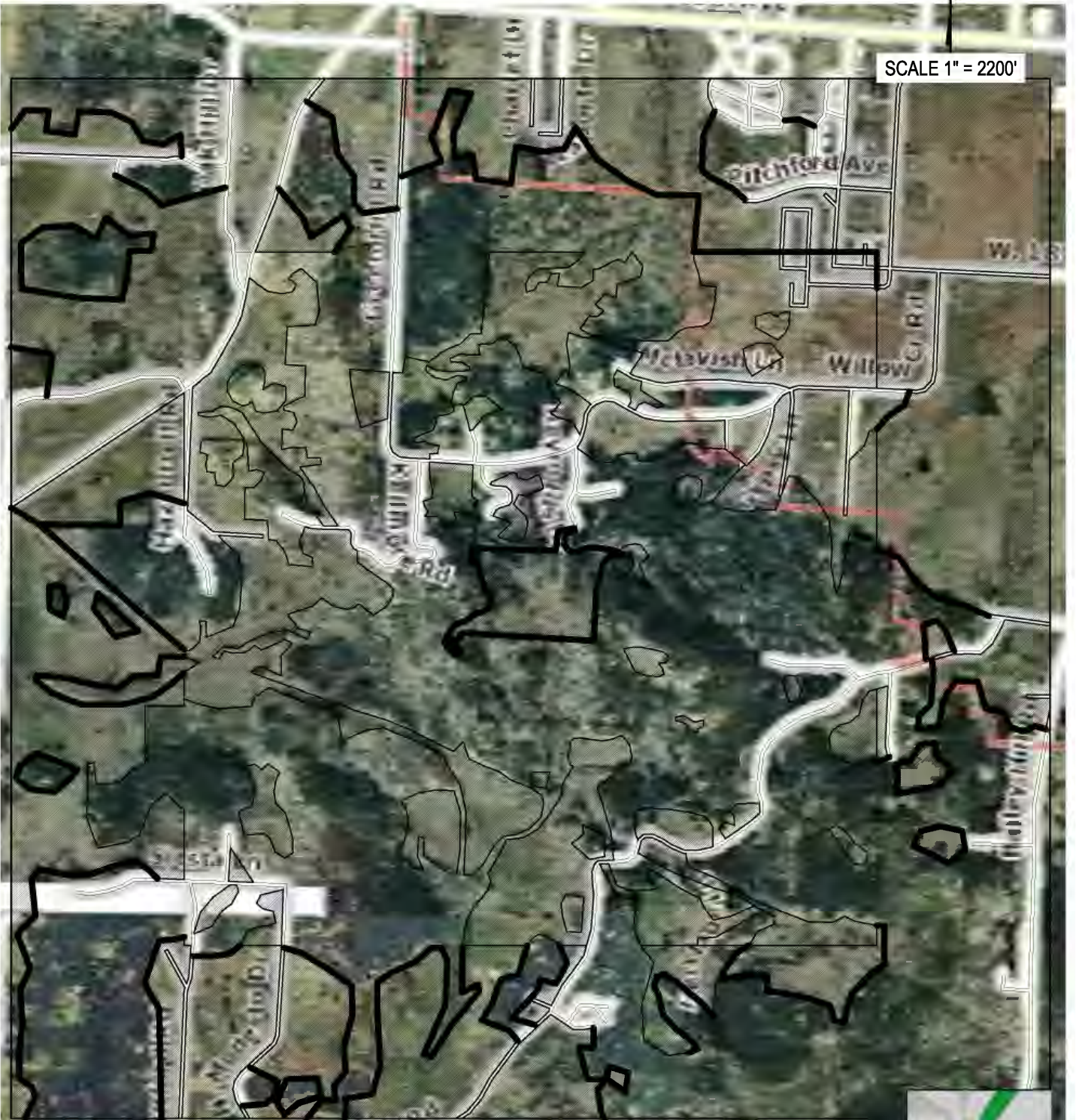
Sheet 3

## Cover and Forage Areas for Big Game within 3 square mile centered on property

LANE COUNTY, OREGON

Date prepared: October 15, 2015

SCALE 1" = 2200'



Open Area per LCGIS Aerial photo

**114,746,759.18** square feet  
**2634.22** acres

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100

**Optimal Coverage**  
82,982,523.44 sq ft  
1,905.02 acres

**Hiding Coverage**  
47,685,680.15 sq ft  
1,094.71 acres

Open Areas

**Thermal Coverage**  
4,892,889.06 sq ft  
112.33 acres



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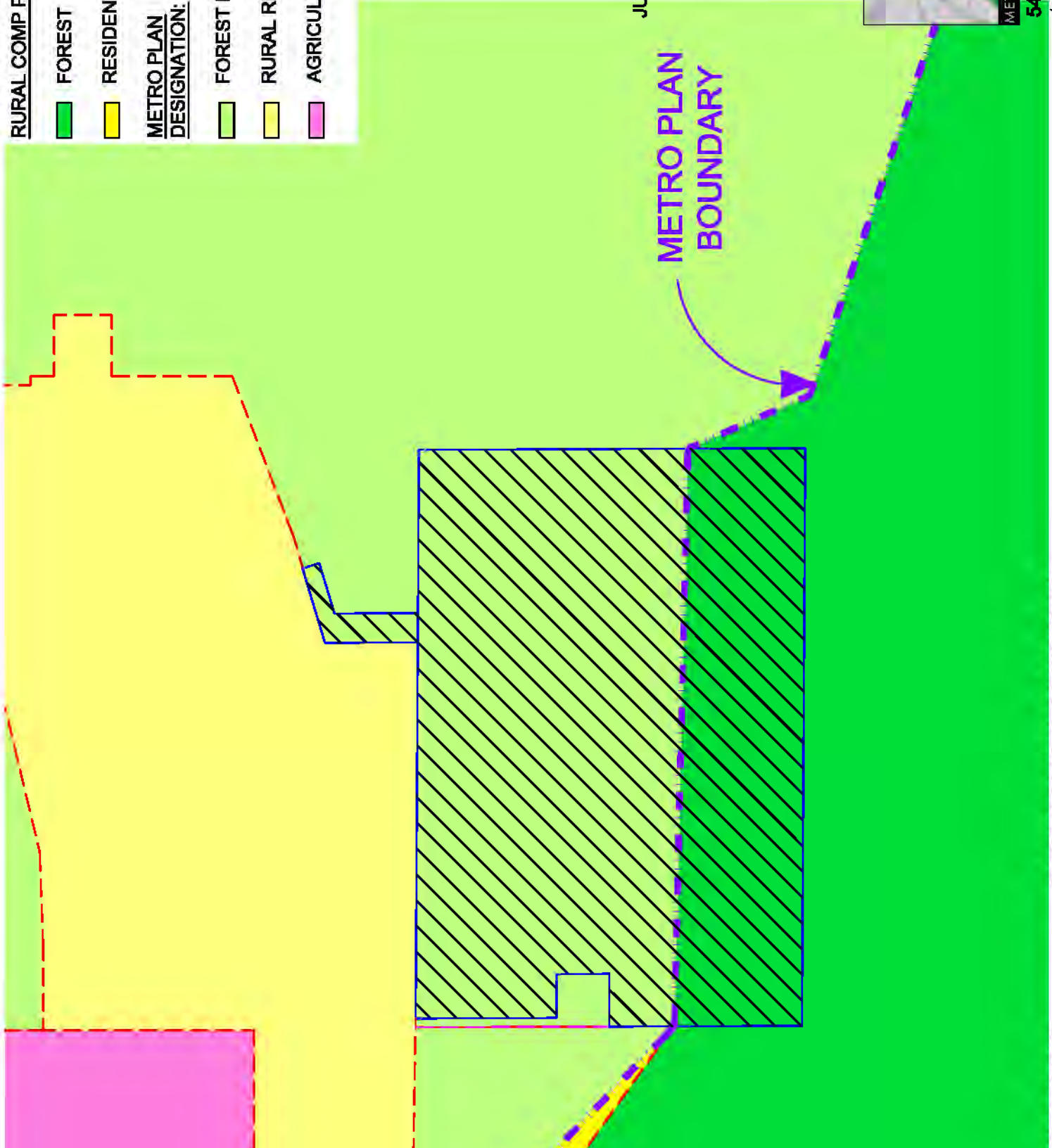


**RURAL COMP F**

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**METRO PLAN DESIGNATION:**

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	AGRICUL

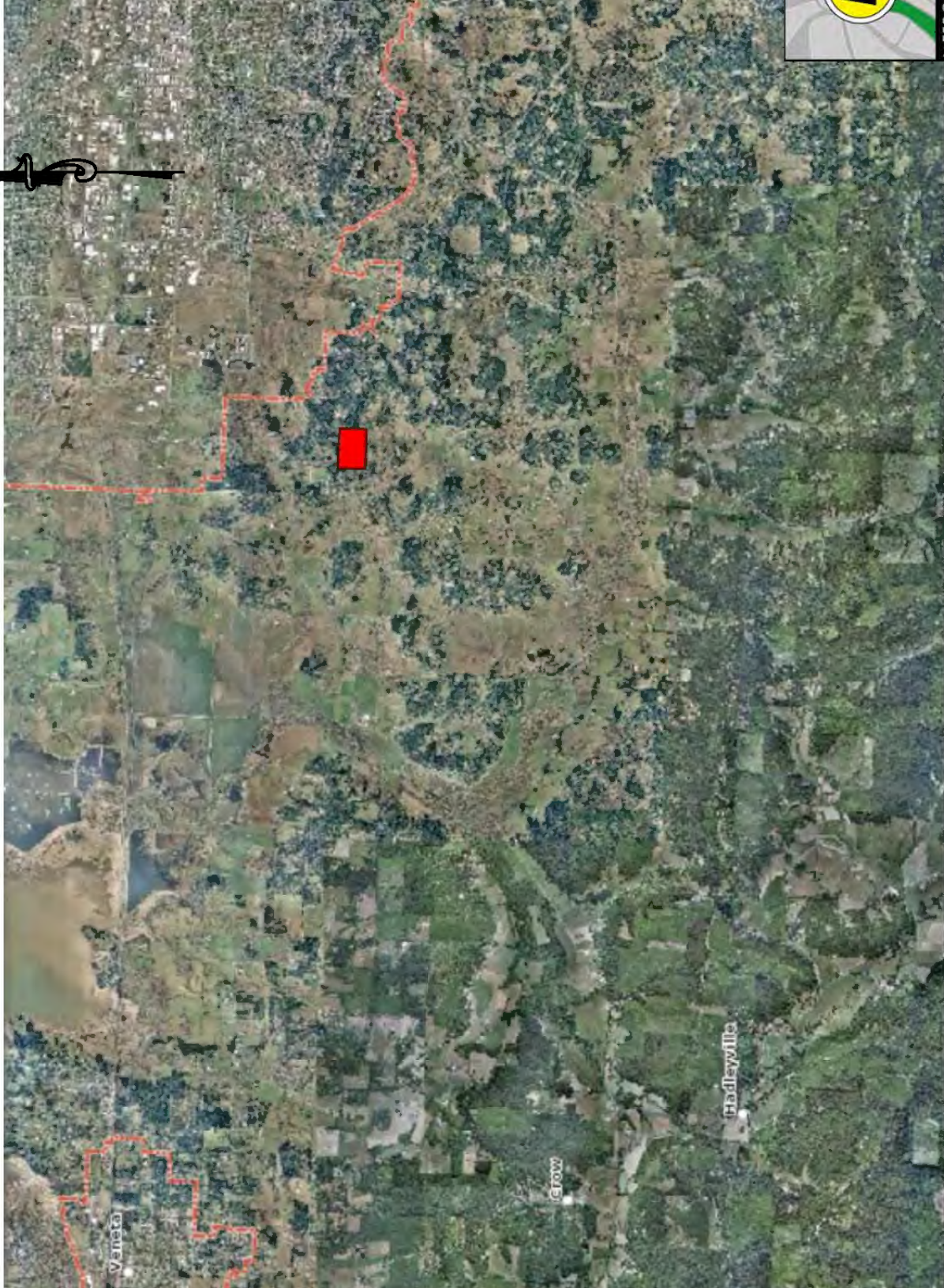


MAP: 18-04-05 TAX LOT 4901 & ASSESSOR'S MAP: 18-04-08 TAX LOT 100

metr 54



**Extended Area Aerial**  
LANE COUNTY, OREGON  
Date prepared: October 15, 2015



R'S MAP: 18-04-05 TAX LOT: 4901  
R'S MAP: 18-04-08 TAX LOT: 100

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METRO



# Exhibit 9

Sheet 1

Road Density within 1 square mile

centered on property

LANE COUNTY, OREGON

Date prepared: October 15, 2015



SCALE 1" = 800'



Roadways per LCGIS  
Aerial photo

**10,324.78** linear feet  
**1.96** miles of roadway

Summary

1.96 miles of roadway  
1 square mile

1.96 miles of Roadway per  
square mile

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100



METROPLANNING

541-302-9830  
metroplanning.com



# Exhibit 9

Sheet 2

Road Density within 2 square mile  
centered on property  
LANE COUNTY, OREGON  
Date prepared: October 15, 2015



SCALE 1" = 1500'



Roadways per LCGIS  
Aerial photo  
  
**51,973.04** feet  
**9.84** miles of roadway

Summary  
  
9.84 miles of roadway  
2 square miles  
  
4.92 miles of roadway per  
1 square mile



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metroplanning.com

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100

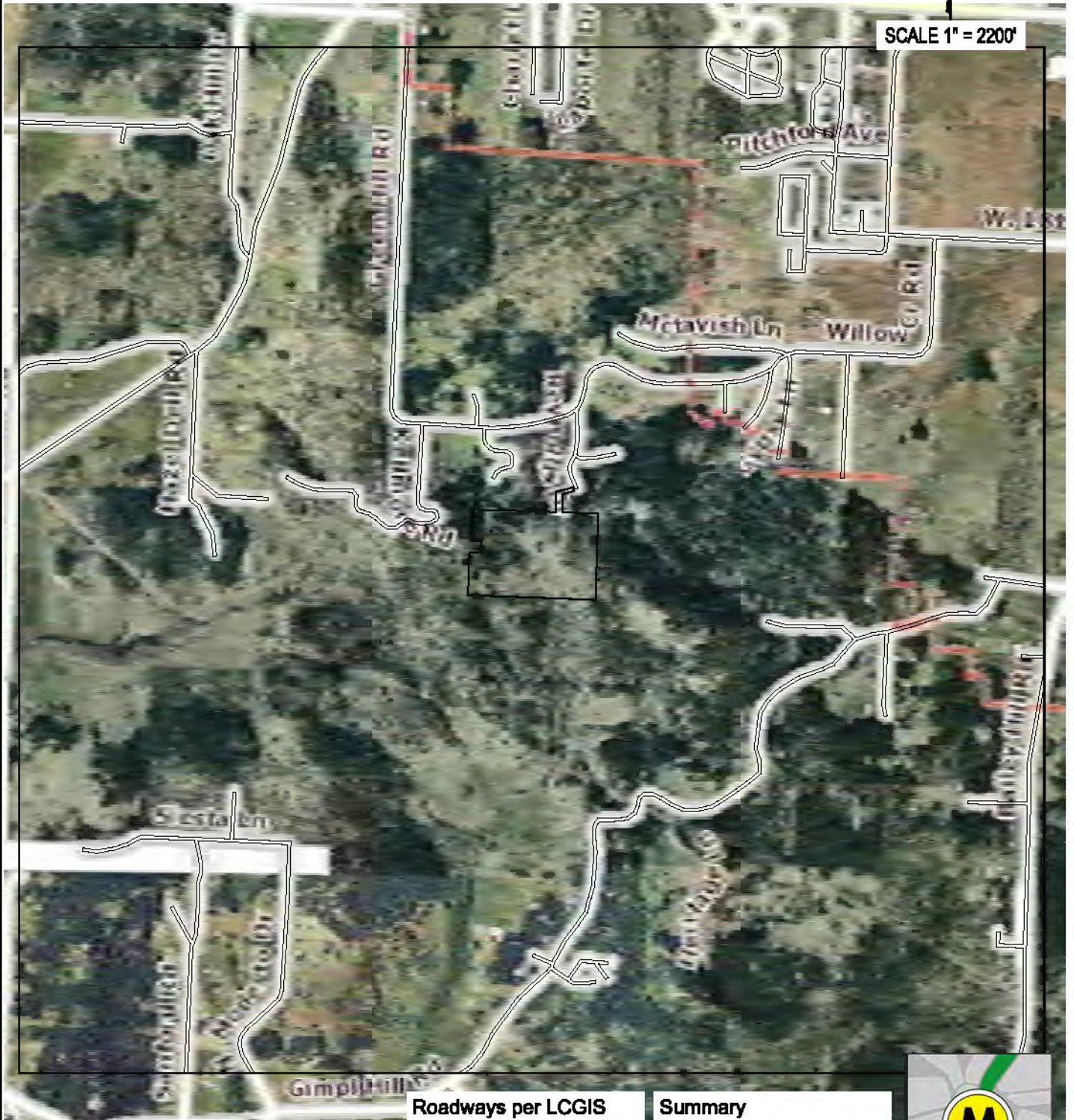


# Exhibit 9

Sheet 3

**Road Density within 3 square mile  
centered on property  
LANE COUNTY, OREGON  
Date prepared: October 15, 2015**

SCALE 1" = 2200'



Roadways per LCGIS  
Aerial photo

**115,517.23 feet  
21.88 miles of roadway**

**Summary**

**22 miles of roadway  
3 square miles**

**7.3 miles of roadway per  
1 square mile**



METROPLANNING

541-302-9830  
metroplanning.com

ASSESSOR'S MAP: 18-04-05 TAX LOT: 4901  
ASSESSOR'S MAP: 18-04-08 TAX LOT: 100





**From:** [MATTICK Michael J](#)  
**To:** [EICHNER Lindsey A](#)  
**Subject:** RE: Verification of statement  
**Date:** Thursday, February 11, 2016 11:04:29 AM

---

Hi Lindsey,

I expect that with 20 acre parcels, unless two wells are placed near the same boundary, the probability of well interference is low in this area.

Let me know if I can be of any other help.

MM

Michael J. Mattick ph. 541 682-3620  
Watermaster, District 2  
125 East 8th Avenue  
Eugene, OR 97401-2926

my email: [matticmj@wrđ.state.or.us](mailto:matticmj@wrđ.state.or.us)  
Agency Web Site: [www.oregon.gov/owrd](http://www.oregon.gov/owrd)

---

**From:** EICHNER Lindsey A [mailto:Lindsey.EICHNER@co.lane.or.us]  
**Sent:** Thursday, February 11, 2016 10:32 AM  
**To:** MATTICK Michael J  
**Subject:** Verification of statement

From Karl Mueller:

The applicant's agent has also confirmed the adequacy of the water supply in the area through personal communication with Michael Mattick, Lane County Water Master dated November 7, 2014 at approximately 2:00 pm. Mr. Mattick indicated that the probability of interference with other wells is very low given the contemplated density and based on the fact that the water would be utilized for domestic purposes.

Does this sound correct?

TRS 18-04-08-00-00100 & 18-04-05-00-04901.

Regarding a property at the end of Reynolds Lane, currently vacant 60 acres with a potential for three 20-acre parcels, one dwelling per parcel.

This statement was questioned at the Planning Commission and I thought a direct statement from you in the record would be better for the Board of Commissioners.

Feel free to call me with any questions or concerns.

Thank you,

**Lindsey Eichner**

Associate Planner  
Lane County Land Management  
3050 N. Delta Hwy  
Eugene, Oregon 97408  
(541)682-3998  
(541)682-3947 fax