

FARM, FOREST, AND RURAL ECONOMY AND MINERAL RESOURCE
SUBCOMMITTEE MEETING
5TH FLOOR COPPER ROOM, MULTNOMAH BUILDING
501 SE HAWTHORNE BLVD, PORTLAND OR
APRIL 1, 2015 3:00-5:00 PM

MEETING SUMMARY

I. Welcome, Introductions and Announcements

In attendance:

Subcommittee members

Aaron Blake
George Sowder
Paula Sauvageau
Linden Burk

Project Team

Rich Faith
Rithy Khut

Public: Charles Swindell, Phyllis Theiman, Jim Kessinger

The committee, staff members, and visitors introduced themselves.

II. Mineral Resource Policies

The committee reviewed the policy and strategies related to mineral resources as revised from the first meeting. Much discussion centered around the question of what is meant by “coordination” in strategy F. Who currently monitors mining operations for compliance with conditions of approval that go with the land use permit? How can the county and various agencies be held accountable to monitor and enforce permit conditions? In order for coordination to occur, there should be a mechanism by which all the regulatory agencies involved with mineral resource operations periodically share information with the county so it is known whether the operation is being conducted in compliance with the rules and conditions applicable to it. There should be a strategy that speaks to that.

Committee members asked staff to draft strategy language that would require the county to take the lead in conducting a biennial review of a mining operation. This would involve compiling compliance related information from the other regulatory agencies to determine whether there is need for enforcement action against the business for violating the conditions of its permit.

Another issue the committee discussed was how to apply this same concept to new mining operations. For new mineral extraction operations and whenever the permit for an existing one is up for renewal, there should be a condition with the conditional use

permit that requires an automatic review of the that operation every 2-5 years. The committee asked staff to draft a strategy statement to accomplish that.

Rich offered the following language as a starting point on these two strategy statements with the understanding that they ought to be further refined.

- The county will lead the coordination effort by conducting a biennial compliance review that compiles information among the regulatory agencies pertaining to the mining operation.
- New or renewed mining operations shall be reviewed every two years during the life of the land use permit for that mining operation.

The final discussion point was that there doesn't seem to be a policy statement about protecting the nearby community from the possible negative impacts of a mining operation. For example, physical impacts to the roads and traffic problems experienced by those living along these roads.

III. Farm and Forest Use Policies

A. Farm and Forest Dwellings

The committee reviewed the information on farm and forest dwellings from the previous meeting. In response to the question, "Should the county adjust policies and implementing ordinances to allow the maximum amount of farm and forest dwellings consistent with state law", committee members expressed a preference for being more restrictive than state law allows. One member expressed concern that the current rules are broken because they don't allow legitimate farming operations to have the additional housing for family members and other farm help who ought to be on the farm site in order to effectively run it. The restrictions can sometimes force farmers out by not accommodating their needs for additional housing to run the farm.

Guest Charles Swindell talked about a problems a client of his is having getting approval to build a house in the West Hills CFU zone because of how the county applies the template test. There was considerable discussion about this topic but it will have to be revisited at a later time.

In considering the policy options presented on the topic of dwellings in the EFU zones (A1-A3 on p. 3 of the policy options paper), the committee preferred A3 which reflects different policies from the rural plans. These policies speak to applying more restrictions than the minimums of state law. The committee liked aspects of each of the A3 policy statements and asked staff to come back with one or several policies that capture the best of these.

B. Agri-Tourism

A range of policy options were presented for the committee's review (B1-B3 on p. 3 of the policy option paper). Two committee members liked B-1 which would not adopt the agri-tourism provisions possible under state law. Two other committee members were

OK with the county adopting these provisions as long as there is a review process and the potential impacts listed under B3 are addressed in the permit conditions.

It was pointed out that since we are still waiting for the final outcome of the Sauvie Island/ Multnomah Channel Plan on this issue, the agri-tourism policy for that area and the West Hills could be different from that in the East County. This is one topic where different policies may be appropriate.

Because the committee was equally divided on their preference, a consensus decision was not reached. They decided to forward this policy issue onto the full CAC to be decided there.

C. Impacts on Farm and Forest activities on surrounding uses.

Rich briefly summarized his memorandum on this topic in the packet. The conclusion of his research on this topic is that because of the priority state laws gives to farm and forest uses and protecting them from incompatible use, there is very little to nothing the county can do in protecting nonfarm and non-forest uses from the negative impacts associated with agricultural and forestry operations. One committee member asked about impacts to roads that surrounding property owners have to use. Can the community at large be protected from traffic impacts caused by agricultural and timber harvesting operations.

One of the guests mentioned that there is nothing about wineries or mass gatherings. Should there be a policy addressing wineries, which are regulated under state law differently than farm stands and agri-tourism? There was no answer to this question, but it is understood that wineries are allowed in the EFU zones and can now conduct promotional events as allowed by law. Mass gatherings are also allowed subject to state laws.

VII. Adjourn

The meeting adjourned at approximately 5:05 pm.