



ACTIVIST CHRONICLES 2011-2012

Challenges, Accomplishments, Reflections

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Neighbors Against Apple Valley Expansion (NAAVE)
Report to WC CAN Citizen Action Summit, 2012

David Bratton and Ellen Saunders, Co-chairs

In the spring of 2005 a group the citizens of the Buxton and Manning area started experiencing a barage of low level helicopter flights that were originating from the grass airstrip along Highway-26 at Buxton (Apple Valley airstrip). The new owner/developer, we learned, had plans for a full on airport with flight-seeing tours of the valley, flight training ala Hillsboro airport type hovering and the general aviation aviator flying in to fuel up his/her private plane.

In late 2005 NAAVE (Neighbors Against Apple Valley Expansion) was formed by a group of impacted and concerned citizens of the area. Our concerns were presented to the Washington County Commissioners in early 2006. We were informed by our Commisioner Andy Duyck that the commissioners could really 'do nothing to intercede' and that the 'land use process was the only avenue available to contest these things'.

We engaged the process going to the Land Use Board of Appeals (LUBA) twice in addition to several other Washington County level hearings, ultimately to the tune of over \$130,000 for legal and professional representation. What we achieved through the appea;s process, a very well defined set of rules and standards, has since been slowly but methodically set aside by Washington County in favor of virtually everything this developer originally wanted.

We are presently awaiting the acceptance of our THIRD appeal to LUBA. Washington County and the developer filed motions to Dismiss our case.

INTRODUCTION TO NEIGHBORS FOR SMART GROWTH by Jake Mintz

[Neighbors for Smart Growth](#) is a new organization evolved from the previous Save Cedar Mill effort opposed to a WalMart in the Sunset Light Rail Station area. We are working hard to defend an appeal (**Feb 7th**), filed by a group of our neighbors, of several Beaverton zoning amendments that would significantly change the Character of future development for the Sunset Light Rail Station Community.

Current Washington County plans, were adopted over years of working with the Property Owners, TriMet, Metro, Community Representatives and others, including many of us to ensure a vibrant, pedestrian friendly and liveable Sunset Light Rail Station Community. Neighbors are concerned that Beaverton's new zoning for this recently annexed land will allow for excessively large Business and Commercial development without any residential housing essential for a vibrant Station Community. Rather than a light rail station with an Orenco Station type of mixed commercial and residential development that serves our local community, as currently required, the City Planning Commission has recommended approval of amendments to Beaverton code to provide the property owner with an enormous amount of development discretion and loop holes that allow for a huge office building or all commercial development several times larger than Washington Square and draws business from the entire region without requiring residential housing at the station.

We are not opposed to development. Whether we like it or not, it's going to be developed, but we can insist that State and Regional Planning Policy and Inter-agency agreements are followed for the good of our community.

Editor's note: Despite a huge turnout and hours of impressive testimony against the zoning change favored by Beaverton staff and Planning Commission, only one Councilor -- Cathy Stanton, Council President who will be retiring after 20+ years as a Councilor-- voted with the appellants.

Oregon Aviation Watch Accomplishments 2011-2012

The past year has been one of growth and outreach highlighted by a major legal victory.

Non-Profit Status

In May of 2011, OAW received IRS approval of 501(c)(3) status.

Legal Decisions

In August 2011 the U.S. Court of Appeals remanded the environmental assessment on the third runway back to the FAA for an indirect effects analysis. Barnes vs. US DOT brief pg. 16285. "To trigger the need for an EIS, a plaintiff need not show that significant effects will in fact occur, 'raising substantial questions whether a project may have significant effect is sufficient'...The effects that must be considered are both direct and indirect...Indirect effects are 'caused by the action and are later removed in time or farther removed in distance, but are still reasonably foreseeable...Indirect effects include growth inducing effects."

Outreach Activities

In the interest of building public awareness and providing educating on the complexities of aviation issues, OAW developed and gave a PowerPoint presentation on Hillsboro Airport legal challenges and court rulings. This was made available to neighborhood groups and at public gatherings.

In December of 2011, OAW organized a presentation by speakers from other communities to address the adverse impacts of aviation activities related to Aurora, Salem McNary, Scappoose, Vernonia and Stark's Twin Oaks airports.

In the fall of 2011, members of OAW began meeting with Salem neighbors who are negatively impacted by runway expansion plans at the Salem McNary Airport. OAW members attended a Salem Neighborhood meeting and gave a PowerPoint presentation on Hillsboro issues insofar as they related to the Salem situation. This involved reviewing and researching pertinent data including master planning documents, environmental assessments, newspaper articles, and FAA forecasting data. In December of 2011, a member of OAW attended a Salem Airport Advisory Council meeting and an open house on the runway extension project. OAW is currently in the process of establishing a Salem branch of Oregon Aviation Watch. Towards this end, a Salem resident has recently agreed to serve as a Director on our board.

In January of 2012 OAW gave a presentation at a Friends of French Prairie board meeting. This community is currently addressing concerns related to a runway extension proposal, the siting of an air traffic control tower, potential loss of prime farmland, erosion of livability, and other airport related issues. OAW provided information on legal challenges, land use issues and the environmental assessment and environmental impact study process and continues to participate in regular email discussions. These activities involve reviewing and researching pertinent documents related to this airport including the Master Plan, Oregon Department of Aviation reports, FAA forecasting data, FAA advisory circulars, National Environmental Protection Act requirements, and other documentation provided by members of this group via email and on their Friends of French Prairie website.

OAW Website Articles and Updates

During the past year, OAW has posted and distributed articles by a number of different writers on various topics including:

Guest Authors

Article by Cameron LaFollette, Land Use Director of the Oregon Coastal Alliance
Oregon Coast Alliance Disagrees With County's Plans to Expand Cape Blanco Airport by

Article by Ben Williams, President of Friends of French Prairie
Aurora Airport and Farmland Destruction

OAW Authors

Articles by Jim Lubischer, Vice President of OAW
Children and Leaded Aviation Fuel
Hillsboro Airports Issues Roundtable (HAIR) Membership Composition

Article by Miki Barnes, President of OAW and Jim Lubischer, Vice President of OAW
Hillsboro Airport In Top One Percent of Airports In Lead Emissions

Articles and Updates by Miki Barnes, President of OAW
What is an Aerotropolis?
Hillsboro Airport (HIO) Overview
Hillsboro Airport Zoning Revision Process Underway
Community Denied Voice on Hillsboro Airport Issues
Ninth Circuit Court Remands Environmental Study to FAA
No Supreme Court Appeal on the Hillsboro Airport Third Runway Proposal
Salem Airport Planning Publicly Funded Runway Extension

Press Releases and Announcements

US-Wide Activist Network To Be Set Up To Oppose Aviation Growth **by Aviation Justice**
Lead Toxicity and GA Aircraft **by Avi Allison of Earthjustice**

How to Recall an Elected Public Official

by: Brad Coffey

**The September, 2011 Cornelius recall was remarkable in several ways:
There were three separate recalls simultaneously
The results were very decisive (70%-30% in favor of recall)
The turnout was very high (37% in a special election)**

How were we able to achieve such success?

There are many reasons for the lopsided results. I would like to tell you about our experience so that you can learn how to become better activists.

My name is Brad Coffey and I was the chief petitioner for the recalls of Mayor Neal Knight and Councilors Mari Gottwald and Jamie Minshall. Collectively, these three called themselves Team 3. They were elected in November 2010 to the city council of Cornelius. Before he even took office, Neal Knight asked for the resignation of the city manager. It was clear that they had history, but the city manager in question, Dave Waffle, was one of the best things to have happened to the city in the recent past.

After their first meeting, Team 3 scheduled a vote on the dismissal of the city manager. The vote failed after the two new councilors realized that getting a budget done without a city manager would be extremely difficult. The hours of public testimony in favor of the city manager had no apparent influence on any member of Team 3. After this meeting, there were rumblings of "recall".

Things were very tense and it was clear that Team 3 did not trust any of the city staff even though they made little effort to understand the public process or the content of presentations. The city manager was eventually dismissed without cause and this set in motion a recall effort. There were many people that wanted to recall the mayor and the two new councilors. I was part of a group that began discussing recall specifics. This group is what led to the eventual successful recall.

When we first met, it was not to begin the process of recall, but to discuss whether it was the right thing to do and if we could commit to it. We determined, after discussing the requirements and reasons for recall, that we would go ahead with three recalls. I volunteered to be the chief petitioner and we had someone else be the treasurer. Our team determined that we were going to stick to the facts that we could prove and not get sidetracked on rumors and ancient history.

The organizers of the recall effort worked on many different things. We started collecting money. We set up a quick website that had information about the reasons for recall and even allowed people that registered to post comments for and against the recall. We scheduled a rally. We ordered bumper stickers, business cards and made flyers to hand out to the public while we were gathering signatures. We had to collect 391 valid signatures.

I purchased the registered voter list and made lists based on address to give out to people that volunteered to go door-to door for signatures. We collected more than 700 signatures and our petition was approved. The election was scheduled for September 27th.

Once the election was scheduled, we ordered signs and began holding the signs at different locations during high traffic times and handed out flyers. We mailed out an informational flyer in English and Spanish to all registered voters. Team 3 wrote a one page flyer to defend themselves. Within 24 hours of receiving a copy of this, we had a two page response that included all of their original text. Some of our signs were removed in the middle of the night. Team 3 started posting signs (illegally). We were out waving signs up to the day of the election.

I was very nervous about the returns. Had we done enough? What else could we have done? Will we win? What if we lose? After all, who can predict the results of a special election? Nobody knows how many people will actually vote.

We did prevail on all three counts. The real reason that we were successful was that we worked together and made decisions as a group. The work did not fall on one person. We are people from different age groups, all political stripes, and different areas of town. We have different levels of past public engagement. Some of us have lived here their whole lives and some of us, like me, were relative newcomers. We spent a lot of time determining what we would include in our 200 word complaint.

The thing that I want to leave you with is the knowledge that this kind of thing is possible. A recall is an extreme action. It is not an easy undertaking and it shouldn't be. But, when called for by the actions of any elected public official, you should not hesitate to get the ball rolling. Recall is the ultimate feedback for an elected. Unfortunately, the City of Cornelius is still recovering from these actions.

To be successful, you must:

- Resist the temptation of spreading rumors no matter how likely they seem.
- Know and follow the rules.
- Be open to others and they will help.
- Prepare to be flexible and responsive to the group desires.
- Clearly explain why you are doing what you are doing.
- Get your message out in as many different ways as you can.
- Have a thick skin. There are politics involved. People will say crazy things about you and your cause.

When it is time to send that elected official the ultimate feedback, don't wait around for someone else to act!

Brief Timeline and Notes on the Oak Hills/Bethany Boulevard Saga

by Amy Barton and Darla Castagno

May 1965 – The Oak Hills community opened as the first Planned Urban Development (PUD) in the Pacific Northwest. Sits on 265 acres plus 26 acres of open green space. Buildings include a Recreation Center with pool, tennis courts, and baseball, soccer, lacrosse and volleyball fields. 652 homes on well-shaped, generous sized lots all fit the topography with long blocks, safe intersections, sidewalks, curvilinear streets, bike and walking paths. Well defined boundaries of West Union (north), 143rd (east), Cornell Road (south), and Bethany Blvd. (west).

1965 – Bethany Blvd. (formerly known as 158th) was a gravel road stopping at West Union (north). Only three farm houses on the west side of the road.

1979 – 2001 Washington County allowed 8 cul-de-sac subdivisions to be built – all of these families attend elementary school in Oak Hills, plus play sports on Oak Hills facilities year-round. The kids must travel by bus or car just a few blocks to arrive safely at school. They can see the school from their homes; but cannot walk or ride their bike across Bethany.

1988 – Washington County transportation plan adopted. THE COUNTY MADE THE MISTAKE HERE. THEY DID NOT LEAVE ENOUGH RIGHT-OF-WAY FOR THEIR PRESENT WIDENING PROPOSAL. Concerned residents were unable to get any information over many years – they were told, “not the time to discuss it,” “not funded,” and to “follow the process.”

ENTER PROCESS:

March 30, 2010 – Washington County first open house regarding Bethany Blvd.

March 2010 - *Business Week* picks Oak Hills as the most affordable, livable place in the State of Oregon.

Oct. 13, 2010 – Darla Castagno met with Steve Conway (Senior Planner), Steve Roberts (Senior Planner) and Matt Costigan (Project Manager) to make them aware of the National Historic Register and Oak Hills eligibility and intentions.

Nov. 23, 2010 - 1700 petitions signed by residents in the 8 neighborhoods along Bethany Blvd. were presented by 3not5.org to the Board of County Commissioners requesting 3 lanes. Darla Castagno presented a letter from the State Historic Preservation Office (SHPO) regarding Oak Hills’ eligibility for the Historic Register plus explanation of Statute ORS 358.653 and Washington County responsibility. Oak Hills resident, Eudora Goganion (11 years old), spoke and asked the county to choose people, not cars.

January 17, 2011 – Letters to all County Commissioners from Peggy Moretti, Executive Director of the Historic Preservation League of Oregon, asking them to vote “no” on the Bethany Blvd. expansion because of the negative impact to Oak Hills and the Historic District.

January 23, 2011 – Hundreds attended the Oak Hills Rally for 3 lanes and “This Place Matters.”

January 27, 2011 – Washington County Open House at Sunset Presbyterian on different road solutions (3 lanes, 4 lanes, or 5 lanes). 361 comment cards collected by participants of which 323 voted for 3

lanes.

February 3, 2011 -- State Representative Chris Harker came to Oak Hills to tour the neighborhood and see Bethany Blvd. first hand.

February 22, 2011 – Board of County Commissioners voted 3-2 for the road expansion. State Rep. Harker spoke for us, asking the County to preserve the Oak Hills neighborhood, and build 3 lanes. Malinowski and Schouten supported the 3-lane solution.

During this time information packets were given to Rep. Harker, Senator Bonamici, Governor Kitzhaber and ultimately Lynn Peterson (the Governor's Transportation Policy Advisor).

April 7, 2011 -- Cultural resource survey for Bethany released. 16 Oak Hills' properties impacted with proposed design. Oak Hills recognized as a historic resource.

May 21, 2011 – Historic Preservation League of Oregon and Darla Castagno co-sponsor a tour of Rummer homes as a fundraiser for the Historic Register nomination.

Sept. 23 and 30, 2011 – SHPO came to Oak Hills to survey the 652 homes for the National Register.

Oct. 3, 2011 – SHPO does not concur with Washington County that the expansion of Bethany Blvd. will have “no adverse effect on Oak Hills.” The county must mitigate with Oak Hills' reps.

Nov. 17, 2011 – Amy Barton and Darla Castagno speak before Metro about Bethany Blvd., and the Oak Hills Historic Register nomination status.

January 5, 2012 – First mitigation meeting between Oak Hills and Washington County.

January 26, 2012 – Second mitigation meeting between Oak Hills and Washington County.

February 7, 2012 -- Darla Castagno and Amy Barton speak before the Board of County Commissioners asking them to reverse decision and protect the historic resource of Oak Hills.

95 Total meetings from March 18, 2010 – January 26, 2012
(38 of which were county-sponsored)

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