

CPRD Board needs to disengage from YWT

Guard your Credibility with Funding Sources

- Property Tax Paying Public
- State and Federal Grant Issuing Bodies
- Bond Credit Rating Services

Land Use Law which LUBA followed consistently

A non-conforming use (recreation),

In an exclusive farm use (EFU) zone,

Requires a Conditional Use Permit (CUP)

CUP, given only after an agriculture impact study
specified by ORS 215.296 shows no harm to farms

An agriculture impact study of the YWT won't pass the test

- Economic harm to farm business, no spray zones
- Trespass & Squatters Jeopardize Food Safety
- Disputes between conflicting uses not indemnified
- Potential for expensive or cancelled insurance

CPRD Board and staff are decision makers with access to information and ample time for deliberation

March 25, 2021 Board vote 3-1 for Don Clements to query Ken Huffer, ODOT & Parks

April 2021 letter to Board & staff from plaintiffs' attorney explaining the legal situation

Booklet now presented showing improprieties characterized the process since 2012

Summary

- Legally, the Yamhelas-Westsider Trail has no way forward
- Trail Applicants' legal advice is under Oregon Bar Investigation
- ODOT expressed concern over grant management June 2020
- ODOT demanded and received grant reimbursement from YamCo. in 2021 after LUBA permanently stayed bridge construction June 2020.
- With a fiduciary responsibility to protect cash reserves and funding sources does the Board or staff have questions?