

## Kattie Riggs

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**From:** Jesse A. Buss <jesse@wlgpnw.com>  
**Sent:** Wednesday, November 6, 2019 1:53 PM  
**To:** Denyse McGriff; Frank O'Donnell; Rocky Smith, Jr.; Rachel Lyles Smith; Dan Holladay; recorderteam  
**Subject:** Public comment - tonight's City Commission Meeting - Agenda item 6a  
**Attachments:** goal6.pdf

Mr. Mayor and Commissioners (and Kattie):

I likely won't be able to attend tonight's City Commission meeting, but I'd like to offer this email into the record as my personal public comment.

Tonight's agenda includes the first reading of Ordinance 19-1014, which would amend the Oregon City Comprehensive Plan by adopting a new Stormwater Master Plan (SMP). As an amendment to the Comprehensive Plan, the new SMP should comply with Statewide Land Use Goal 6 (Air, Water and Land Resources Quality). As currently proposed, it does not do so.

Attached is a copy of Goal 6. As you can see, Goal 6 requires that "All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards." This requirement (and the other associated provisions of Goal 6) should be incorporated into Oregon City's Comprehensive Plan through the adoption of this new SMP. However, the proposed SMP does not appear to adequately address Goal 6's requirements, such as the above-quoted language. Perhaps I am mistaken, but I do not see that Goal 6 is specifically addressed at all in the proposed SMP document. Considering that the SMP governs Oregon City's city-wide handling and management of polluted stormwater, there is no question that the statewide water-quality goal (Goal 6) applies.

I request that the Commission postpone tonight's hearing and direct staff to address the proposed SMP's noncompliance with Goal 6. Thank you.

Respectfully,

Jesse

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You may also contact my assistant, Michael Peck, at mpeck@WLGPnw.com and 503-655-5745.

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# Oregon's Statewide Planning Goals & Guidelines

## GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

### OAR 660-015-0000(6)

#### **To maintain and improve the quality of the air, water and land resources of the state.**

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

**Waste and Process Discharges --** refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards.

#### **GUIDELINES**

##### **A. PLANNING**

1. Plans should designate alternative areas suitable for use in controlling pollution including but not limited to waste water treatment plants,

solid waste disposal sites and sludge disposal sites.

2. Plans should designate areas for urban and rural residential use only where approvable sewage disposal alternatives have been clearly identified in such plans.

3. Plans should buffer and separate those land uses which create or lead to conflicting requirements and impacts upon the air, water and land resources.

4. Plans which provide for the maintenance and improvement of air, land and water resources of the planning area should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

5. All plans and programs affecting waste and process discharges should be coordinated within the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan.

6. Plans of state agencies before they are adopted should be coordinated with and reviewed by local agencies with respect to the impact of these plans on the air, water and land resources in the planning area.

7. In all air quality maintenance areas, plans should be based on applicable state rules for reducing indirect pollution and be sufficiently comprehensive to include major transportation, industrial, institutional, commercial recreational and governmental developments and facilities.

## **B. IMPLEMENTATION**

1. Plans should take into account methods and devices for implementing this goal, including but not limited to the following:

- (1) tax incentives and disincentives,
- (2) land use controls and ordinances,
- (3) multiple-use and joint development practices,
- (4) capital facility programming,
- (5) fee and less-than-fee acquisition techniques, and
- (6) enforcement of local health and safety ordinances.

2. A management program that details the respective implementation roles and responsibilities for carrying out this goal in the planning area should be established in the comprehensive plan.

3. Programs should manage land conservation and development activities in a manner that accurately reflects the community's desires for a quality environment and a healthy economy and is consistent with state environmental quality statutes, rules, standards and implementation plans.