

"I'll bet a kidney that [the McDougal land] is all houses in 20 years," he says. "At that point we won't get the open land at all. While we have this offer on the table, we should take it."

### Open space in Laurel Hill Valley

If the land swap goes through, the city plans to purchase the McDougals' Laurel Hill Valley property for incorporation into the Ridgeline Trail. The Laurel Hill Valley Citizens (LHVC), a neighborhood association, is all for that. Last summer, the group's executive committee voted unanimously in favor of the deal, calling it "an exceptional opportunity to acquire parkland for Eugene citizens."

Laurel Hill Valley residents stand to gain protected open space from the deal, at least for a few years. But in comparison with the land swap's opponents, LHVC has been very quiet. According to group member Rich Hazel, the group communicated its support for the deal only once, in an e-mail to Mayor Jim Torrey and the City Council last July. "It doesn't seem to be a hot-button issue" in the neighborhood, Hazel says.

## ARGUMENTS AGAINST IT

### Feeling disenfranchised

Ken Hamacher moved his family from Boise in 2001 to take a job with Hynix in Eugene. His house in Santa Clara is within the city limits and abuts the McDougal property. He is a member of Santa Clara Citizens for Sensible Parks and Open Space (SCCSPOS), and he started a petition against the land swap. To date, more than 1,000 residents have signed it.

One of SCCSPOS's major complaints is that the city developed the land swap proposal without seeking adequate feedback from Santa Clara residents. According to 1000 Friends of Oregon Lane County Planning Advocate Lauri Segel, the city was pushing for the swap years before inviting the public into the discussion.

The McDougals proposed the land swap to the city in 2001. In 2002, pro-tem City Manager Jim Carlson told Segel that the city would seek a "legislative fix" to the UGB laws to usher the land swap through. That effort went nowhere, Segel says, because the city was unable to legally justify locating the park on high-grade farm soils.

In the summer of 2003, the city created the Santa Clara Community Park Advisory Committee — comprising members from local nonprofits, industries, neighborhood groups and government agencies — to discuss the land swap proposal in a series of workshops. But Segel, a member of the committee, says that the workshops were poorly attended and didn't include a broad enough cross-section of citizens. "The city didn't have enough of the issues flushed out," she says. "I didn't feel like they had made a good-faith effort to look at alternatives."

On July 12, 2004, the City Council opened discussion of the land swap to the public. Several citizens spoke in opposition to the deal; none spoke in support. But after Mayor Torrey broke the tie against Councilor Bonny Bettman's motion to buy the McDougal property outright using eminent domain, the council voted in favor of allowing Parks to begin the application to shift the UGB for the land swap.

Parks wrote up a sample sales agreement and laid out several possible configurations for the Santa Clara community park before hosting a series of public workshops. Hamacher, who attended the workshops, was surprised that Parks had already gone so far.

"We were led to believe that these workshops were an opportunity for us to say yes or no to this project," he says. "Instead it was more like, 'How do you want to configure?'"

Riner says that Parks has solicited more public input regarding the land swap than for any other parks acquisition proposal. In response to the Santa Clara citizens' complaints, the city pledged to administer a city-wide telephone survey about the proposed land swap. Hamacher is glad that the city is making a gesture to gauge public opinion, but he is suspicious of the method. "I think the survey may be designed to get approval for the park, not to find out what the citizens truly would like to have," he says. "The city wants this park and they're going to work to get a yes vote."

McDougal representative Mike Evans of Land Planning Consultants failed to return *EW*'s repeated phone calls, but he replied to two of eight questions via e-mail, stating that the McDougals are unwilling to sell their properties without the land swap. Although Evans said at a public workshop

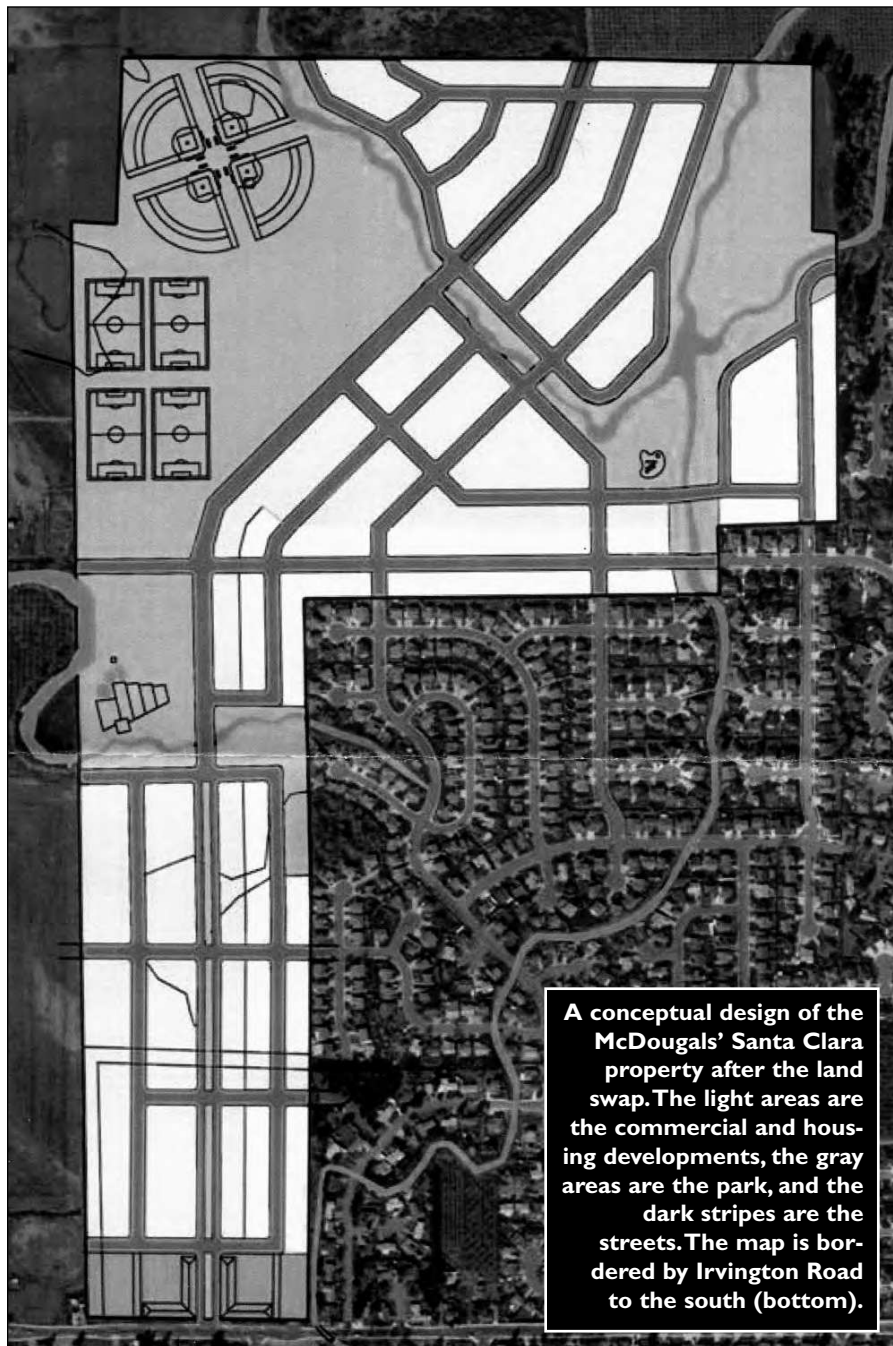
that the McDougals are not interested in pursuing the deal if the public doesn't support it, he declined to confirm that by e-mail.

### A big inconvenience

Hamacher objects to the scale and the location of the park. "What they're proposing here is a giant complex that few people will be able to walk to. The majority who will be using it will be driving to it," he says. And that could turn his street — now in a quiet residential neighborhood — into a major thoroughway. SCCSPOS members worry that the land swap could feed Santa Clara's problems rather than solving them. With the addition of 1,000 houses and a commercial district will come more residents, putting a larger burden on already-strained resources. Irving Elementary School is overcrowded today, Hamacher says, so how will the city make room for the children who move into the new housing development? And traffic on the Northwest Expressway is routinely backed up during rush hour; the development could make that



Swap supporter Jerry Finigan



A conceptual design of the McDougals' Santa Clara property after the land swap. The light areas are the commercial and housing developments, the gray areas are the park, and the dark stripes are the streets. The map is bordered by Irvington Road to the south (bottom).

worse. "That's just bad planning," Hamacher says.

Riner says that Parks will address those issues upon completion of the phone survey if the city decides to continue pursuing the land swap proposal.

### Class 1 soil

For local farmer Kate Perle, an employee of Full Circle Community Farm, an unfortunate and possibly illegal result of the land swap would be the loss of prime farm soil. The McDougals' Santa Clara property is beside a river, and it contains Class 1 agricultural soil — the most fertile kind. "It's a very finite resource," Perle says. "There's a perpetual benefit from agricultural activity that you don't get from urban sprawl."

A state statute dictates that the better the farmland, the lower its priority for development. State Planning Goal 14 states that Class 1 soils are not to be developed when less desirable soils are available. Even if the City Council and County Commission approve the land swap, the high quality of the soil on the Santa Clara property may stymie the deal when the application for the UGB shift reaches state agencies. "If someone is able to demonstrate that the city has violated a statute, they may argue that the [state] commission should deny it," DLCD Legislative Liaison Bob Rindy says.

Riner isn't especially concerned about that. "The Class 1 soils are one of maybe a dozen factors that are important to weigh with and against each other," she says. "It's a loss of farmland, but it's a gain overall for the community." And historically, the city has had no trouble paving over prime farmland. According to Perle, Class 1 soil sits beneath the Valley River Center, Gateway Mall and the Sony plant.

Even if the land swap falls through, agriculture advocates like Perle will probably face an uphill battle to preserve the farmland in perpetuity. Still, she's dedicated to that struggle. "If we can't protect our Class 1 soils, we're fouling our own nest," Perle says.

### Shady deals and ghost funding

An ECONorthwest analysis estimates that McDougals would profit \$2.6 million to \$2.9 million from the land swap while saving the city a similar amount in park acquisition costs. The city would receive property taxes from the new development in Santa Clara, but taxpayers would shoulder the costs of services and infrastructure such as streets, sewer lines and stormwater drainage. "If this goes through, the McDougals have won the sweepstakes at the expense of the taxpayers," Bettman says.

Perle agrees that the land swap would be a bad deal for the city. "For every dollar that a household pays in taxes, they use closer to \$1.35 worth of services that are paid for in taxes," she says. "Farmland uses only about \$0.25 per dollar in services per dollar paid in taxes."

To date, the city has spent about 10 percent of the funds earmarked for the Santa Clara park, which Riner says is normal for park acquisition planning. But she admits that the city currently lacks the funds for promised park facilities like the community and aquatics centers. "Any park in Eugene is developed over time and not done in one fell swoop," she says.

For Hamacher, the plan doesn't make sense if residents have to wait decades for the fully developed park. "There's no guarantee