

STEWART SAVES BUCKS

Recently two citizens commented on Commissioner Faye Stewart's vote to break a 2-2 deadlock which resulted in his father's Ballot Measure 37 claim being approved. As the administrator charged with presenting Measure 37 claims to the Board of Commissioners, there are two additional facts that need discussion. First, Measure 37 places a mandatory duty on a governing body to pay compensation or grant a waiver if a valid claim is presented. If the county failed to take final action then the following provision of the Ballot Measure, now codified into Oregon law, would apply:

"If a land use regulation continues to apply to the subject property more than 180 days after the present owner of the property has made written demand for compensation under this section, the present owner of the property, or any interest therein, shall have a cause of action for compensation under this section in circuit court in which the real property is located, and the present owner of the real property shall be entitled to reasonable attorney fees, expenses, costs, and other disbursements reasonably incurred to collect the compensation." ORS 197.352(6).

It is not hard to present a valid Measure 37 claim. Of the 45 claims Lane County has considered so far (with 56 still pending), 40 have been approved, three denied and two withdrawn. Bruce Stewart presented a valid claim. Faye Stewart's vote saved Lane County from having to pay the compensation and attorney fees. It was a prudent financial decision on behalf of the taxpayers' money.

The second issue that has arisen is the fact that the vote occurred at the end of a board meeting without being separately listed on the agenda. That occurred because I raised the unresolved Bruce Stewart claim and asked the board how they wished to proceed. The chair, under the county's home rule charter, sets the order of business before the board. The chair said the board would consider it immediately. Faye Stewart then voted on the motion to approve after receiving advice from county counsel that he could do so under the rule of necessity. This all occurred in a public meeting with the TV cameras rolling in full public view.

Bill Van Vactor
Lane County Administrator

WEP NOT DEAD YET

The recent promise of the Oregon Department of Transportation to select "no build" for the West Eugene Parkway

Environmental Impact Statement (EIS) is a positive development, but it is not permanent cancellation of the project.

In June 2001, ODOT, the federal government, Lane County and the city of Eugene decided to select "no build," a promise that was quickly forgotten after the Papé clan and Mayor Torrey pushed to put the porkway on the ballot. (City votes cannot approve nor reject federal aid highways such as the WEP.)

In 1996, the previous EIS was withdrawn after citizens sued the Federal Highway Administration. While that withdrawal stopped immediate construction plans, it merely meant that the highwaymen had to write a new EIS.

Several other controversial, destructive highways have had similar bureaucratic histories — an EIS is withdrawn or rejected in court, but a revised EIS is quickly prepared.

The Inter County Connector Draft EIS (I-370, part of Washington Outer Beltway) was withdrawn in 1998, but a new draft EIS was rushed through after Bush created an express method and the record of decision was signed in May (it will be in court shortly).

The Chicago Outer Bypass (I-355) had its EIS rejected in court in 1997 (for a reason similar to the potential lawsuit against WEP). A new EIS was drafted under Bush and the road is now under construction.

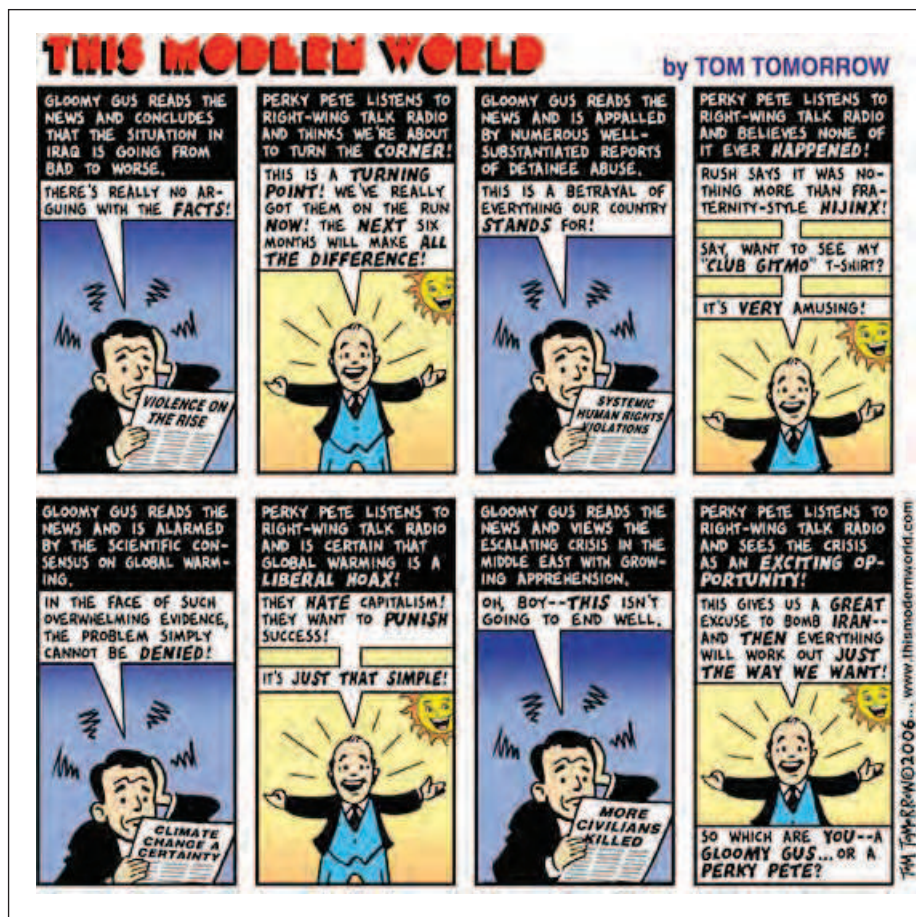
The Burlington, Vt., bypass (I-289) had an express path for the EIS worked out between Gov. Dean and the Bush administration in 2002. The EIS was rejected in court in 2004, but a new, streamlined EIS is now being prepared.

The WEP will be dead when ODOT (and the City) transfer or sell their land for the WEP to the BLM for conservation and restoration. Details on the WEP's hidden history, legal violations and the WETLANDS alternative are at www.permatopia.com

Mark Robinowitz
Eugene

TRIAD: BAD NEIGHBOR

McKenzie-Willamette/Triad wants to relocate and build a medical center on the River Ridge golf course. Having a full service hospital in Eugene is good. Putting it on that site is ludicrous. Triad lowballed the traffic impact estimate. Traffic engineers say the increase on North Delta Road will be at least 50 percent, not the 4 percent cited in Triad's analysis. That traffic will have to pass through the Beltline/Delta Highway intersection, already one of the most congested and dangerous intersections in the entire state.



Triad says they will fix traffic problems with a few ramp modifications and a traffic light at Delta and Ayres Road. That light will back up traffic on North Delta making it impossible for the residents of Delta Pines and Lakeridge manufactured home parks to enter or leave their neighborhoods. Given the current level of gravel truck traffic and other vehicles, left turns are already dangerous.

Triad says they will be good neighbors. A good neighbor would, at the very least, put traffic lights at the entrance to Lakeridge and the two entrances to Delta Pines. A better neighbor would find a more appropriate place to put such a large commercial development.

Mary Hoover
Eugene

OUT OF FOCUS

In response to "DeFazio Had Options" by John Hofer (6/1), it's the same old story. A politician NEVER focuses on the "issue." For a politician to demand enforcing existing laws will not get their name in the media — it might upset the career bureaucrats. So politicians always pass more legislation to show the voters they are really on top of everything. The issue is the criminals — but no politician ever focuses on the criminal.

Frank Skipton
Springfield

HISTORY LESSON

This is in response to Terry Heintz' letter of July 13, "Déjà Vu." During the last 113 years, the U.S. government has overthrown governments in the following countries: Hawaii, The Philippines, Cuba, Puerto Rico, Honduras, Nicaragua, Chile, Iran, Guatemala, South Vietnam, Panama, Grenada, Afghanistan and Iraq.

Hawaii was overthrown in the 1890s because plantation owners were losing money. In fact the majority of these actions were taken to protect American business interests while innocent civilians were murdered.

We are the users of products that may support businesses that influence this nation to go to war. We make a difference whether we're conscious or not of the global impact. Next time you vote (buy), make sure the company has your interest at heart.

Richard Hughes
Eugene

MISGUIDED VISION

Last week, world leaders gathered in Russia for the G-8 summit, one year after agreeing to cancel the debts of 18 impoverished countries in Africa and Latin America.

However, most of the world has yet to see any benefits from the G-8 debt deal. Only one out of 10 people living in impoverished coun-

BASKET MARKET

PREMIER BEDDING

MEMORY FOAM MATTRESS & BED

ON SALE:
\$599-\$1,399
(Regularly \$1,299-\$2,099)

Twin, Full, Queen, & King sizes available
8", 10", 11" thickness

Come in to **Basket Market**
& try **the best bed you will ever own!**
ON SALE NOW THROUGH AUGUST 12

FURNITURE • ACCESSORIES • SILK FLOWERS • GIFTS & MORE
475 W. 5th Ave., Eugene • 541-683-5614

STYLE FILE

buy : sell : trade

BuffaloExchange.com

Just bought.

Eugene: 131 E. 5th Ave.
(between Oak & Pearl)
687-2805

~ NEW in Corvallis ~
OSU: The Basement in the Memorial Union
737-BUFF (2833) osumu.org

Buffalo EXCHANGE

New & Recycled Fashion