

Hearing on Apply Valley Airport Expansion says both yes and no

Washington County Department of Land Use and Transportation conducted a hearing on September 21 to consider the application made by Michael and Jennie Applebee of Banks to expand Apple Valley Airport beyond the 1996 level of operation. The hearing was also to determine the oper-

ational level of the existing Apple Valley Airport in 1996 and to conduct a 10 year review of conditions of the airport.

The staff recommended approval of the applicant's request to expand the number of aircraft, increase the level of flight activity and expand the agriculture-related flight activities. Staff also recommended denial of the applicant's request to provide helicopter and fixed wing aircraft flight training, scenic flight tours and to operate forest fire patrols. Denial was recommended on the basis that the applicant did not supply sufficient information about how the proposed new uses would impact existing land uses in the area, and did not demonstrate that adequate fire protection and aircraft crash rescue services could be provided on the site.

The original application asked for helicopter and fixed wing aircraft flight training and scenic flight tours as new uses. The county also included forest fire patrols as a new use because they don't consider it to be an agricultural application. On September 19, the applicant filed to withdraw the request for new uses at the airport. The reason for the withdrawal was the applicant's belief that sufficient evidence had

been found of those activities occurring during 1996. Thus, these activities would represent expansion of existing uses instead of new ones. The Hearings Officer decided to roll the withdrawal ruling into the rest of the case because of the late date at which it was received.

Attorney Wendy Kellington of LDC Design Group presented the applicants' case, arguing for a broad interpretation of state and county laws regarding expansion of private use airports. She contended that uses that occurred in 1996, even if they were illegal at the time, should be allowed to expand. She stated that an instructor stopping by the airport on one occasion in 1996 was evidence that flight training had occurred and should be allowed to expand. She also said that flying consisted of take-offs and landings and it shouldn't matter what the purpose of the flight is.

Experts in commercial agricultural aviation, traffic impact and sound impact testified on behalf of the applicant.

The commercial agricultural aviation expert testified that the applicant would need to store fuel on site because a typical flight carries very little fuel and approximately 500 gallons per day would be needed. He also said it would be best for the airplanes to be in a hangar. He said the strip was adequate for safety and that airplanes were compatible with wildlife. He also said that the pesticides in use today are safe enough that

the property's location in the 100-year flood plain would not be significant.

The sound engineer said that there was no significant impact on surrounding properties over the sound of traffic on the highway.

The traffic engineer testified that the total daily vehicle trips in the peak of summer would be 38 during the week and 50 on a Saturday. He said this wasn't a significant increase in traffic.

Ed Sullivan, land use lawyer for the opponents argued that the applicant should not be allowed to withdraw the new uses from the application because there was not sufficient evidence that any of those uses existed at the airport in 1996. He argued that only activities that were established should be included, not incidental uses or one-time events.

Another sound engineer testifying for the opponents, said that the applicants hadn't used appropriate numbers in the testing. Specifically, the impact zone was based on an airplane's pattern of take off and landing, but helicopters could go in any direction. Also that the analysis only looked at take-offs and landings, not hovering, run ups and maintenance noises. He added that the duration of activities should be considered and the loudest level identified, instead of the average level. He pointed out that different types of helicopters have different noise levels. Two helicopters were used in

the study, but the applicant owns others.

Bob Sallinger, a wildlife specialist who works with Portland International Airport, said that the risk to wildlife posed by this airport wasn't the noise as much as it was the collision risk. He said that collisions between aircraft and wildlife, both mammals and birds, is a safety risk for both animals and humans. Steps that have been taken at other airports to minimize these risks include killing wildlife, harassing them or completely denuding the habitat. He added that, of 25 species that have been identified as posing the greatest risks, 18 are highly likely to be on the site and he had seen 13 in one site visit. Since the airport property is in a wetland and wildlife area, loss of habitat would be a significant loss.

Letters protesting the expansion were received from 58 citizens. Another dozen testified at the hearing. They spoke to many concerns, including wildlife, noise impact on the school, the tendency of the property to flood, loss in property value for surrounding properties, the absence of limits of expansion if approval is given, biological impact on the area and fire control issues.

The hearings officer will submit a final decision by December 15. All new evidence must be submitted by October 20. The deadline for rebuttal to all evidence is November 3 and the applicants' final argument must be made by November 17.

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Voters are asked to fund libraries and public safety

The Board of County Commissioners is asking Washington County voters to consider two local option levies at the general election this November to provide funding for:

- Countywide Library Services – Measure 34-126 – This measure would maintain current services at 12 local libraries throughout Washington County, including the Banks Public Library. Levy passage would avoid likely additional reductions in hours, book purchases and programs and would restore open hours at some libraries. The levy would also provide annual summer reading programs and literacy programs for preschoolers to increase reading readiness.

The library levy proposes a fixed rate of 17 cents per \$1,000 of assessed value for four years, or an increase of roughly \$33 in 2007-2008 for a home with an average assessed value (not market value) of \$192,000.

- Countywide Public Safety – Measure 34-127 – This measure would continue public safety services approved by voters in 2000 to combat crimes such as homicide, domestic violence, crimes affecting children, property and methamphetamine crimes. The levy would provide funds to operate the County jail and work release center at full capacity, minimizing the early release of offenders. The levy would pay

for special enforcement teams, prosecutors, probation and parole officers, juvenile counselors and other public safety personnel serving all areas of the county. Finally, the levy would provide victims' assistance and emergency shelter for women and children who are victims of domestic violence. Because the County has determined it can provide roughly the same services at a lower tax rate, the public safety levy is proposed at 42 cents per \$1,000 assessed value, one-cent less than voters approved in 2000. Owners of a home with an average assessed value (not market value) of \$192,000 would pay \$81 in additional property taxes.