WRITTEN PUBLIC COMMENTS RECEIVED

PRIOR TO THE

BOARD OF COMMISSIONERS' SESSION

ON

Thursday, January 22, 2026

AT

10:00 A.M.

Questions, concerns or comments about these items can be directed
to staff or the Commissioners by contacting the Commissioners' office at

(503) 434-7501

OR

BOCINFO@yamhillcounty.gov

From: Luke Bonham
To: BOC Info
Subject: Eloheh Indigenous Center
Date: Wednesday, January 14, 2026 7:45:05 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I support Eloheh Indigenous Center's appeal for religious accommodation. They are respected community and religious leaders for me as a Christian that seeks to understand the many ways that spirituality can be practiced.

I've learned through the Woodleys, who teach, preach, write, and live it, indigenous spirituality requires extended, land-based gathering—it cannot be practiced in a building for an hour on Sunday

The Woodleys are respected educators and authors who have served Indigenous communities for over 30 years. Religious freedom should protect all faiths.

Please find a way to accommodate their religious practice rather than restrict it.

Sincerely,

Luke Bonham

From: Josh Hren
To: BOC Info
Subject: February 12 Religious Accommodation Hearing
Date: Wednesday, January 14, 2026 8:50:24 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Commissioner King, Starrett, and Johnston,

As a resident of Newberg, I am writing to express my support for Eloheh Indigenous Center's request for religious accommodation.

Indigenous spiritual practices often require extended, land-based gatherings and cannot be confined to a brief, indoor setting. The Woodleys are respected educators and authors who have faithfully served Indigenous communities for more than 30 years. Religious freedom is strongest when it protects all faiths, including those whose practices may look different from mainstream Christianity.

I have been personally impacted by the Woodleys' teachings, as well as the hospitality, patience, and care they have shown to me and to the church I attend, West Hills Covenant Church. I respectfully ask that you find a way to accommodate their religious practice rather than restrict it.

Thank you for your time and consideration.
Josh Hren

From: Timm McLagan
To: BOC Info
Subject: Support for Religious Accommodation for Eloheh Indigenous Center
Date: Thursday, January 15, 2026 2:31:09 AM

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Dear Yamhill County Board of Commissioners,

I write as a Salem-born, OSU Alumni, mainstream Christian pastor, husband of an Indigenous, multicultural woman to express my support for the Eloheh Indigenous Center's request for religious accommodation. My Christian faith has taught me the importance of protecting religious freedom for all people, not only for traditions that resemble my own. Indigenous spiritual practices are deeply rooted in land and community and deserve the same respect and legal protection afforded to churches and other faith communities. Randy and Edith Woodley's work represents a sincere and long-standing religious practice, and I respectfully urge you to seek accommodation rather than restriction, so that all faiths may be treated with fairness and dignity.

Sincerely,
Timothy McLagan

From:	Tanie Miller
To:	BOC Info
Cc:	eloheheagleswings@mailman.bloomerang-mail.com
Subject:	Eloheh Indigenous Center"s appeal for religious accommodation
Date:	Thursday, January 15, 2026 6:40:31 AM

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Dear friends,

My name is Tanie Kabala, and I am writing in support of Eloheh Indigenous Center's appeal for religious accommodation.

Through my studies of religion and psychology, I have learned that Indigenous spirituality requires extended, land-based gatherings, gatherings that cannot be practiced in a building for an hour on Sunday. These gatherings are central to their peaceful religious practices, and Freedom of Religion should protect all faiths in our country, including those whose practices look different from mainstream Christianity.

The Woodleys are respected educators and authors who have served Indigenous communities for over 30 years, and they have inspired me personally with their gentle practices that respect the Earth.

I respectfully ask that you find a way to accommodate their religious practice rather than restrict it.

Thanks so much for your attention to this matter,
Tanie Kabala

Tanie Miller Kabala, Ph.D.
Licensed Clinical Psychologist
828 Paoli Pike West Chester, PA 19380

From: Melissa Power
To: BOC Info; Kit Johnston; Mary Starrett; Bubba King
Subject: Yamhelas-Westsider corridor
Date: Thursday, January 15, 2026 10:23:58 AM

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Good morning Board of Commissioners,

I reached out previously in November about this same topic, but as I have been made aware that there will be a vote on the removal of the corridor from the Transportation System Plan, I wanted to reach out and make my thoughts known again. A refresher, if you will.

I have been a Yamhill county resident for 10 years now and strongly OPPOSE the Yamhelas Westsider Trail. Please continue with dismantling any efforts to renew this unnecessary project and its associated expenses. Selling off the property purchased for this hypothetical trail is the best option for the county. I urge you to vote for the best option for our county and community.

Melissa A. Power

From: Peggy Kilburg
To: BOC Info
Subject: Removal of YWT from TSP
Date: Thursday, January 15, 2026 11:36:33 AM

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I am writing to add my voice of reason and support for the removal of this failed, dead project from the County's Transportation System Plan. It's my understanding that this project was abandoned about five years ago -- in 2021! It seems silly that people are seeing this simple administrative "housekeeping" action as an opportunity to again rally around this ill-advised, defunct project.

I hope you will vote to remove it at your January 22nd meeting.

God bless each of you for your service. I pray for you often, especially that Good would protect you and give you His wisdom as you carry out your work throughout Yamhill County.

Sincerely,

Peggy Kilburg
Newberg resident
Sent with Proton Mail secure email.

From: Beth Caster
To: BOC Info
Subject: Support for Yamhelas Trail
Date: Thursday, January 15, 2026 11:41:00 AM

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Dear Commissioners,
I respectfully ask that you keep the tail in the long term plan. There are many of us that really enjoy walking for mental and physical health. The trail offers a safe and easily accessible option.

Thank you for your consideration,
Respectfully submitted,
Beth Caster

Beth Caster, REALTOR
Beth Caster Group
Keller Williams Premiere Property
220 NE 7th St
McMinnville Oregon 97128

971-241-2509 text or cell
beth@bethcaster.com

2018 OAR Distinguished Service Award

Sent with respect, gratitude, peace and kindness

From: Paul Swanson
To: BOC Info
Subject: Support for Eloheh Indigenous Center's Appeal
Date: Thursday, January 15, 2026 1:23:09 PM

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Dear fine folks at Yamhill County Board of Commissioners,

I am writing to you today in support of Eloheh Indigenous Center's appeal for religious accommodation. I have known Randy and Edith Woodley for a few years now, and hold them in the highest esteem as friends and teachers who care deeply about the community. Their record stands as respected educator and authors serving Indigenous communities for over three decades. Their books serve those of us who learn from afar. Indigenous spirituality requires extended in-person and land-based gatherings, something I have much to learn from. I am grateful for religious freedom and want to ensure that includes all faiths. As a Christian, I have deepened in my own practice and faith thanks to the wisdom the Woodleys. Their kindness, good humor, and love of neighbor and planet is evident. My hope and prayer is that this Board can find ways to accommodate their religious practice rather than restrict it. Thank you for your consideration.

Best,

Paul Swanson

From:	Ben Lucas
To:	BOC Info
Cc:	eloheh.assistant@gmail.com
Subject:	Support for Eloheh Indigenous Center"s Religious Accommodation Request
Date:	Thursday, January 15, 2026 1:59:21 PM

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I'm writing to support the Eloheh Indigenous Center's request for religious accommodation.

I've supported their organization over the years and have had the opportunity to attend services where Randy Woodley has spoken. Hearing him explain the significance of Indigenous faith and perspectives has really deepened my understanding of how different these practices are from what most of us are used to.

Indigenous spirituality isn't something that can be practiced in a building for an hour on Sunday morning. It requires extended, land-based gathering—the land itself is integral to the practice, not just a backdrop. You can't separate the two.

The Woodleys have spent over 30 years serving Indigenous communities as respected educators and authors. They're not newcomers to this work, and their commitment to these communities and practices is well-established.

I think true religious freedom means protecting all faiths, even when their practices look very different from mainstream Christianity. I hope you'll find a way to accommodate their religious practice rather than restricting it. This is exactly the kind of situation where accommodation matters most.

Ben Lucas

From: Pamela Ryan
To: BOC Info
Subject: In support of Eloheh
Date: Thursday, January 15, 2026 2:51:31 PM

Spam

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Commissioners
I am writing to support Eloheh Indigenous Center's appeal for religious accommodation. I have been volunteering on the farm for several years as an individual and through my church. Actually, Eloheh is an integral partner of our church providing a unique opportunity to broaden our understanding of how we are called to live out our faith in community and on the land, beyond the bounds of a set church service. Randy is a guest preacher in our church, and he invites us to join him at Eloheh. Please grant their request.
Pamela Ryan

From: ellendburns@gmail.com
To: BOC Info
Subject: Eloheh Indigenous Center appeal for religious accommodation
Date: Thursday, January 15, 2026 8:45:06 PM

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Dear Board of County Commissioners;
This week I read a meditation on the connectedness of all things written by Dr. Randy Woodley on Father Richard Rohr's Center for Action and Contemplation blog.

The connectedness of an action taken to achieve a reasonable end might have unintentional unreasonable consequences. The Yamhill County restrictions on overnight gatherings on private property will have an unreasonably negative impact on the religious practices that take place at the Eloheh Indigenous Center.

Dr. Woodley is an internationally respected man of faith and a supporter of the way of life of the first peoples of this land, a way that honors all creation. I support the Eloheh Indigenous Center's appeal for religious accommodation to allow them to continue their ancient spiritual practices.

Ellen D. Burns
7550 Charolais Ct
Gladstone, OR 97027

From: Naomi Kosek
To: BOC Info
Cc: Naomi Kosek
Subject: Appeal for Religious Freedom
Date: Thursday, January 15, 2026 11:09:40 PM

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Dear Yamhill County Board of Commissioners,

As a US citizen and Christian who works for Christian non-profits internationally, I first encountered Randy and Edith Woodley and their Eloheh Indigenous Center's Indigenous Jesus-following and Creator-centered work almost 5 years ago.
It has been a lifeline that is outside of traditional Western US Christianity Sundays and Wednesday evenings only practice, especially given my role in the anti human trafficking sector that puts me face to face daily with human horrors.
I have financially supported the building of Eloheh Indigenous Center's physical land based resources in Yamhill County so that now others can and someday I will benefit from a multi-day religious learning retreat.
Please allow for the local laws to accommodate this by recognizing that though different from traditional Christian Church building use, the ministry of Eloheh Indigenous Center is vital religious practice.
In closing, I support Eloheh Indigenous Center's appeal for religious accommodation and I hope you will, too.
Sincerely,
Naomi Kosek
Network Facilitation Team
European Freedom Network
europeanfreedomnetwork.org

From:	Julia Huston
To:	BOC Info
Cc:	eloheh@gmail.com
Subject:	Please support Eloheh Indigenous Center"s appeal for religious accommodation (hearing on February 12 at 10am)
Date:	Friday, January 16, 2026 5:33:31 AM

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Yamhill County Board of Commissioners
535 NE Fifth Street
McMinnville, OR 97128

Dear Yamhill County Board of Commissioners,

I understand that the County is imposing permit restrictions that would limit the ability of the Eloheh Indigenous Center (Eloheh) to practice its religious traditions - such as sweat lodges, cedar fire ceremony, and seasonal gatherings - on the land that it owns, and that Eloheh is requesting an exemption for religious reasons.

I very much hope that you will act favorably on Eloheh's request. In these times, more than ever, it is important to be guided by indigenous wisdom and spirituality. Although I do not live in Yamhill County, I am a financial supporter of Eloheh, because it is important to me that Indigenous people be able to farm their own land and practice their religious traditions. Randy and Edith Woodley very generously give their time and space to allow this to happen, and have been serving Indigenous communities for over 30 years. Eloheh should be able to host religious gatherings on its own land at the times that align with Indigenous cycles, which will not always be on Sunday mornings, and we as a society will all be better off if this is allowed to occur without county government involvement or interference.

I am hopeful that that you will rule in favor of Eloheh at the hearing on February 12. Thank you for your consideration.

Peace,
Julia

Julia Huston
71 Fordham Road
Newton, MA 02465

From: Lynn Gibson
To: BOC Info
Subject: Feb 12 2026 Hearing
Date: Friday, January 16, 2026 7:18:21 AM

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Dear Yamhill County Board of Commissioners,

It has come to my attention recently that there is a hearing scheduled for Thursday, February 12, at 10:00am.

I am writing today to let you know that I will not be in attendance; however, I would like to express my support for the Eloheh Indigenous Center's appeal for religious accommodation and right to practice Indigenous spirituality on their own land.

Randy and Edith Woodley's work is well regarded across many fields of academia and religion. They are both respected educators and authors and have served Indigenous communities for many decades. In recent years, I have been personally blessed with Randy's work in integrating Christian traditions with Indigenous wisdom to foster peace and harmony among all people.

The protection of our religious freedom is vital and a true pillar of our great nation (regardless of political affiliation). As such, I fully support the Woodley's right to gather, teach, and share food on their own land inside this jurisdiction.

I do appreciate your prompt consideration and due diligence to this important matter. Thank you all for faithfully serving this community.

With kind regards, I am sincerely,

Lynn

C. Lynn Gibson, PhD, DPhil, CFSP

From: Leslie Stevens
To: BOC Info
Subject: Eloheh Indigenous Center"s appeal for religious accommodation.
Date: Friday, January 16, 2026 7:24:00 AM

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Good Morning,

I am writing today in support Eloheh Indigenous Center's appeal for religious accommodation. I have been following and supporting the Woodleys for a few years now. I had the pleasure to meet them and hear them teach and share their story at a conference in Albuquerque and have been following them and supporting them since that time.

I believe in protection of all faiths to practice as they are called. I think of my Catholic friends who have the opportunity to attend mass daily or Jewish friends who attend synagogue on Saturdays and practice Sabbath from sundown Friday to sundown Saturday. I see no difference in these practices and those practiced by our Indigenous friends, which don't always align with mainstream religions in the US.

I urge you to find a way to accommodate the Woodley's religious practices rather than restrict it. Thank you for your consideration.

Peace and every good,

Leslie Stevens
815.258.1067

"One of the basic rules of the universe is that nothing is perfect. Perfection simply doesn't exist … Without imperfection, neither you nor I would exist." Stephen Hawking

From: Philip Forve
To: BOC Info
Subject: Vote to keep trail corridor in the TSP
Date: Friday, January 16, 2026 11:16:26 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I am writing to encourage Commissioner Kit Johnston to vote no on the legislative amendment to remove the project known as the Yamhelas Westsider Trail from the Yamhill County Transportation Plan.

Kit, you represent the deciding vote on this three member County Commission. You are up for re-election in 2026. The trail has become a more widely recognized issue among the voters in Yamhill County, and the vast majority of voters want to see this trail developed for reasons of safety, transportation, and healthy outdoor activities. Your chances of being re-elected if you vote to remove the trail and then begin dismantling this valuable resource through sales to private parties, will be, as they say in Texas, "Slim to None, and Slim just left town!" Is the trail the hill you want to end your political career on? You have some great ambitions to improve Yamhill County, including relocation and expansion of the County Fairgrounds. I support you on that idea. We need to widely celebrate the agricultural roots in our county and have a better facility for education and celebration of our bounty and what that entails.

As a farmer, you know that any operator that does not adjust and improve farming practices on a regular basis has a going out of business plan. Will the trail impact some farming practices? I certainly won't deny that possibility. However, you, Kit, are in the best position to have meaningful conversations with the farmers and the developers of the trail to mitigate any unnecessary impacts and to reach sustainable solutions. That's why you were elected.

Kit, you can be a living Yamhill County hero if you make the decision and cast the deciding vote to keep the corridor in the TSP.

Sincerely,

Philip Forve
2089 NW Doral ST
McMinnville OR 97128

From: Irene Doody
To: BOC Info
Subject: Eloheh Indigenous Center for Earth Justice
Date: Friday, January 16, 2026 2:16:11 PM

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Members of Yamhill County Board of Commissioners,

I am writing to you concerning the Hearing on Thursday, February 12, 2026 at 10:00 AM where there is consideration of restricting the holy rituals and practices of the Indigenous Spirituality of Eloheh.

As a Christian I believe in the religious freedom of and for all people. I have been privileged to participate in the holy rituals and practices of Indigenous Spirituality that have helped me to live in ways of deep respect honoring the sacredness of Earth and its gifts to humanity.

Please find a way to support and protect this Community of Eloheh in its spirituality rather than restrict its sacred practices.

Thank you,
Irene Doody

From: Barbara Kahl
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info
Subject: WST Opposition, Remove from Transportation Plan
Date: Friday, January 16, 2026 6:14:00 PM
Attachments: Opposition WST.PDF

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

County Commissioners:

Please find my attached letter. I'd like this read at the upcoming hearing. I'm sure many people are unaware of the hidden agenda in the WST plan. It needs to be vocalized, not hidden any longer. Let's get this trail lie out in the open and out of the transportation plan permanently.

We are not Beaverton or Hillsboro. Before the max line went in to those areas, a trail was adjacent to the active railroad tracks. The areas were primarily agricultural; Max ended that permanently.

I lived through the destruction of farming and rural life, pollution, vandelism, loss of forests and fields, increased gang violence and gang territory spread, violent crime increases, drug trafficking increases, loss of the fairgrounds for FFA and 4Hers, loss of safety and privacy in those areas all due to Max line encroachment, as buried in the WST plan. Our priority is agriculture, let's keep Yamhill County focused that way.

Thank you,
Dr Kahl

Dr Barbara J Kahl DVM
15500 Highway 47
Yamhill, Oregon 97148

January 16, 2026

Yamhill County Board of Commissioners
535 NE 5th Street
McMinnville, OR 97128

Re: **Request to Remove the Yamhelas Westsider Trail from the Yamhill County Transportation System Plan**

Dear Commissioners:

I am writing as a concerned resident to formally request the immediate removal of the Yamhelas Westsider Trail (WST) from the Yamhill County Transportation System Plan (TSP). The proposed trail, traversing Exclusive Farm Use (EFU)-zoned agricultural lands, violates key state statutes and local ordinances designed to protect farming operations. Its inclusion in the TSP lacks legal basis, imposes undue burdens on adjacent farm owners without adequate funding mechanisms or safeguards, and conceals elements of a broader "hidden agenda" not transparently communicated to the public or adequately addressed in approvals. This agenda, many refer to as "the devil in the deal," appears aimed at achieving gradual urbanization and commercialization of protected agricultural lands under the guise of a recreational trail, potentially leading to takings of private property for expanded easements and infrastructure. Below, I outline the primary grounds for this request, supported by relevant legal provisions, prior decisions, and details from the original proposal, including comprehensive violations of EFU codes and Oregon statutes.

Interference with Accepted Farming Practices and Increased Costs (ORS 215.296):

Under ORS 215.296, conditional uses in EFU zones must not force significant changes in accepted farm practices on surrounding lands or significantly increase their costs. The WST would introduce recreational users into active agricultural areas, leading to conflicts such as restricted pesticide applications, machinery operations, and harvest activities due to safety concerns. Adjacent farmers would incur higher costs for fencing, insurance, and monitoring to mitigate these impacts. This statute requires denial of approvals failing these standards, rendering the trail incompatible with EFU zoning under ORS 215.203, which mandates exclusive farm use.

Lack of Basis for Installation and Maintenance Without Dedicated Taxation or Funding:

The trail's development and ongoing maintenance have no secure, non-tax funding source identified in county plans, potentially burdening taxpayers or diverting agricultural resources. Yamhill County Zoning Ordinance Section 402.04, which governs conditional uses like transportation facilities, requires compliance with state standards but provides no exemption for unfunded projects that encroach on EFU lands. Without a dedicated revenue stream (e.g., via voter-approved taxation), inclusion in the TSP violates the preservation intent of Statewide Planning Goal 3 (Agricultural Lands), as it risks unsustainable implementation that could further disrupt farming without accountability.

Prior Land Use Board of Appeals (LUBA) Decisions as Precedent:

Multiple LUBA rulings on the WST, including Van Dyke v. Yamhill County (LUBA Nos. 2019-047, 2020-032/033, 2020-066/067), have remanded county approvals for failing to properly classify the project as a conditional use and inadequate findings under ORS 215.296. These decisions highlight the trail's incompatibility with EFU zones, emphasizing unaddressed agricultural impacts. Retaining the WST in the TSP ignores these precedents and invites further legal challenges, wasting public resources.

Violation of Farm Owners' Privacy and Risks from Trespassers:

The trail's proximity to private farmlands would enable unauthorized access, trespassing, and vandalism, compromising owners' privacy and security. This exacerbates interference under ORS 215.296 and OAR 660-033-0130, which set minimum standards for conditional uses to avoid adverse effects on agricultural operations. Increased public intrusion could lead to litter, theft of crops/equipment, and liability issues, all of which undermine the exclusive farm use mandated by ORS 215.283.

Comprehensive Violations of EFU Codes and Oregon Statutes:

The WST proposal contravenes multiple provisions protecting agricultural lands:

ORS 215.203: Establishes EFU zones for exclusive farm use, prohibiting non-farm developments like recreational trails unless they qualify under limited exceptions. The WST's recreational focus encroaches on this exclusivity, potentially converting agricultural corridors to public use.

ORS 215.283: Limits permitted and conditional uses in EFU zones. While subsection (2) allows certain public parks or transportation facilities, the WST does not fit without demonstrating minimal impact; it risks permanent conversion of land, violating restrictions on high-value farmland.

Yamhill County Zoning Ordinance Section 402: Mirrors state law, restricting non-farm uses in EFU districts (e.g., EF-80, EF-40). Conditional approvals for parks or transportation require site design review and compliance with agricultural protections, which the WST fails to meet due to unmitigated farm conflicts.

OAR 660-033: Administrative rules enforcing Goal 3, prohibiting uses that adversely affect agriculture. OAR 660-033-0120 and -0130 demand no significant impacts, yet the trail's design invites such effects.

Statewide Planning Goal 3 and ORS 197.732: Require preservation of agricultural lands; non-conforming uses need a goal exception, which has not been granted here. The WST's inclusion in the TSP bypasses this, risking unlawful development.

These violations collectively demonstrate the project's incompatibility with Oregon's land use framework, prioritizing agriculture over non-essential recreation.

Taking of Property for Additional Easements and Related Concerns:

The WST's implementation may necessitate takings of private property through eminent domain or expanded easements for access points, bridges, or buffers, violating property rights under the Oregon Constitution (Article I, Section 18) and U.S. Constitution (Fifth Amendment). The existing rail right-of-way is insufficient for the full vision; additional land could be required for safety setbacks or connections, burdening farmers without just compensation. This exacerbates EFU violations by fragmenting farms and introducing non-agricultural elements, contrary to ORS 215.243's policy against encroachment.

Hidden Agenda of the WST – Not Publicized on Purpose ("The Devil in the Deal"):

Elements of the original WST proposal reveal a broader vision beyond a simple recreational trail, including potential future rail reactivation adjacent to the path and commercial developments like shops and large parking areas—details that appear to have been downplayed or not fully disclosed in public discussions and approvals to avoid scrutiny over agricultural impacts, funding, and property takings. This "devil in the deal" suggests the actual plan aims to achieve incremental urbanization: transforming protected EFU lands into a commercial and transportation hub, eroding agricultural viability for economic gain under the pretext of community benefits.

The proposed easement (right-of-way) is generally 60 feet wide, far exceeding what is needed for a basic pedestrian/bicycle path (typically a 10-16 foot surface with buffers), suggesting room for additional infrastructure and potential takings for expansion.

Early planning documents describe the corridor as a "multi-use transportation corridor, with pedestrian and bicycle paths that eventually would parallel commuter (light) rail,"

indicating a "rail-with-trail" intent that preserves options for future rail service alongside the recreational path—potentially transforming the EFU-zoned land into a more intensive transportation facility without clear compliance with EFU restrictions, and requiring further easements or takings.

Visions for economic development, in the WST plan, include "tourist-oriented shops" (e.g., ice cream or fast food themed like railroad cars), bike rental/repair facilities (e.g., in converted grain silos in Carlton), and "giant new parking areas" e.g. from the plan: a five-acre lot near Gaston in a riparian zone that floods annually, and extensive parking swaths along Highway 47 in agriculture zoned areas of private property, positioning the trail as a catalyst for commercial growth and tourism that would further encroach on agricultural lands through associated parking, access, and visitor traffic—violating EFU codes by introducing non-farm commercial uses and necessitating or forcing property acquisitions.

These aspects suggest the project was framed narrowly as a benign recreational trail while harboring ambitions for expanded transportation and commercial uses incompatible with EFU protections. This lack of transparency exacerbates the violations outlined above and further justifies removal from the TSP to prevent misleading future approvals.

In light of these violations, concealed elements, and risks of property takings, I urge the Board to amend the TSP to exclude the WST, consistent with Oregon's commitment to agricultural preservation. This action would prevent further litigation, protect local farmers, and align with statutory requirements. Please confirm receipt of this request.

Thank you for your attention to this matter.

Sincerely,

Dr Barbara J Kahl DVM

From: Nick Grinich
To: BOC Info
Subject: Keep Yamhelas Right of Way in TSP
Date: Saturday, January 17, 2026 9:15:43 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 16, 2026

Dear Commissioners,

We are writing in strong support of preserving the Yamhelas-Westsider Trail in Yamhill County's Transportation System Plan.

We are community members who raised our children here, and Nick served as a physician for decades to care for County residents. Kelli's family came to Yamhill County in the 1800's when the railroads were paid for. While we are not one of the few families that live along the trail, we are deeply rooted in Yamhill county.

Avid cyclers and outdoor exercisers, we take our life in our own hands every time we bike over the Youngbird Hill road with zero lane shoulders. Nick bikes with community groups, but avoids all routes that lead onto the highways. As a physician, he's seen what a car can do to a cyclist. We see families with their children riding bikes in traffic along our city streets. The trail would be a safe place for all of our residents to use.

We spoke to the Vernonia City Administrator, Josette Mitchell, who told us that their business community relies heavily on income from the influx of seasonal visitors to the Banks-Vernonia Trail to survive through the winter slow-down months. Joylynn Becker, City Manager of Banks, tells a similar story of the positive benefits of the Trail to their local businesses. Similarly, the Oakridge Oregon Bike Trail visitors contribute an estimated $3.2 million to that community. Shouldn't Yamhill County business' also benefit from the estimated $1.5 Billion Oregonian recreation cycling economy? The Trail would be an economic boost to the County, as trails in other communities have done.

We value this public land as an amazing resource that belongs to many, many people beyond those who simply border it. The ownership of the land was always meant to serve the people.

We urge you to keep the Yamhelas-Westsider Trail in the TSP, preserving the County ownership of this valuable property . This asset belongs to all of us. Keep it in the Plan for the benefit of all County residents, and future generations.

Respectfully submitted,

Kelli and Nick Grinich

From: Tom Hammer
To: BOC Info
Subject: Docket G-01-25 January 22, 2026 BOC
Date: Saturday, January 17, 2026 10:13:46 AM
Attachments: BOC - testimony Jan. 22, 2026.docx

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear County Commissioners

Attached is my testimony regarding Docket G-01-25 for the January 22, 2026 meeting.

Tom Hammer

BOC Testimony January 22, 2026

Tom Hammer
23701 Wallace Rd. NW
Wheatland, OR 97304

Yamhill County Commissioners
535 NE 5th St.
McMinnville, OR 97128

I am in favor of removing the Yamhelas-Westsider from the Transportation System Plan. The Trail was entered into the TSP when the volunteer leader of the FYWT deliberately deceived the 2012 Commissioners by saying farmers had no objections to it. Former Commissioner, Kathy George, documented that 2012 deceit in a letter recently. That same misrepresentation was made to the Mid-Willamette Valley Area Commission on Transportation, MWACT by a former County Commissioner in order to secure a grant for initial design of the Trail which included two light rail bridges. Anyone with experience in construction can see those bridge designs are of a bearing weight, elevation and course to accommodate a light rail train at speed. The option for light rail was written into the original description of the YWT but no trail advocate mentions that they're promoting a dream of Metro. After an initial LUBA ruling that remanded the County to follow land use law for a non-conforming use in EFU zoning, two commissioners voted that the County follow that LUBA remand. Three unelected staff met with one, now former Commissioner, in an illegal exparte meeting and coerced him into changing his vote to support their desire that the County ignore the LUBA remand. Two of those officials are currently County staff leaders. That illegal meeting was the subject of a News Register story. Should the County follow the LUBA remand, it would have to facilitate an Agricultural Impact Study. If the study showed no substantial financial harm to farmers along the abandoned ROW, the County could then apply for a Conditional Use Permit. Emails obtained under the Freedom of Information Act found that current top unelected officials in the County and

one former Commissioner conspired with FYWT to circumvent land use law and to conduct PR stunts designed to inflame an uninformed public. Those emails are featured in a booklet named “The Truth About the Trail”. Those unrepentant and compromised unelected officials are still in County staff leadership. Many of the uninformed public are still inflamed. Being informed includes knowing land use law, knowing the business needs of a farm and its reliance on private property rights, knowing costs of trail construction and understanding the economic structure of our County.

Advocates of the YWT, which includes private citizens, plus both current and former County staff, could have initiated an Ag Impact Study, but they chose not to. That is because it is certain that a recreational trail through EFU zoning would do substantial financial harm to farms along the ROW by eliminating farm practices on a great number of acres.

Exercise is an essential human activity. It nurtures mind, body and soul. Providing recreation for exercise is not an essential activity of government, but government can and should do much to facilitate recreation. Recreation that blatantly breaks the law and brazenly violates private property rights is wrong and unnecessary.

Trails constitute just a fraction of the recreational facilities government provides to the public. There are over 200 trails for recreation in our beautiful state, paid for and maintained. Some are close by. A potential for a new trail from Metzger Park to Baker Creek Falls is worth looking into. It would not cause harm to family farm businesses. It would be much more affordable than the YWT would have been. It would not pretend that walking and riding a bike for recreation is transportation any more than paddle boards and kayaks are transportation. Only those with Trail Derangement Syndrome will cling to a notion that has been fraught with deceit and malfeasance throughout its entire life and ignore the many opportunities to do recreation right.

Truly,

Tom Hammer

From: Susan Chambers
To: Planning; BOC Info; BOC Info
Subject: Support for Yamhelas Westsider Trail
Date: Saturday, January 17, 2026 4:02:14 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Chair Johnston, Commissioner Starrett, and Commissioner King,

I am writing to express my strong support for the **Yamhelas Westsider Trail** and to urge the Board not to remove this vital project from the county's Transportation System Plan (TSP) during the upcoming public hearing on **January 22, 2026**.

The Yamhelas Westsider Trail represents a unique opportunity for Yamhill County. This 17-mile multi-use corridor provides a protected recreational space away from high-speed vehicular traffic. As an avid cyclist, I would regularly use such an off-road option for a safer recreational opportunity.

I believe there is an overwhelming public desire for a safe, accessible recreational trail. Since the County already owns this public right-of-way, keeping it within the TSP ensures this community asset remains protected for future generations rather than being sold off.

I ask that you listen to the many voices in our community who value such outdoor recreational activities. Please don't remove the Yamhelas Westsider Trail from the Transportation System Plan.

Sincerely,

Susan Chambers

Susan Chambers
susanlanechambers@gmail.com
503-435-9952

From: Judith Bernards
To: BOC Info
Subject: Pamela"s Wes
Date: Saturday, January 17, 2026 4:58:26 PM

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* Spam *
CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Please do not remove our much needed & treasured Yamelas Weststsider trailider trail. It’s important to our entire community’s health & well being.

Thanks for thinking of us.
Judith Bernards

From: Judith Bernards
To: BOC Info
Subject: Yamelas trail
Date: Saturday, January 17, 2026 5:15:11 PM

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Commissioners,

I am a long time citizen of Yamhill County and would like to request that you do not remove our treasured Yamelas Westsider trail from the county's transportation plan. Or at least give our community an opportunity to decide yay or nay. After all, keep in mind that the trail is for all of the community.

Thank you,
Judith Bernards

From: Samantha Kress
To: BOC Info
Subject: Jessy Feltus and Samantha Warren
Date: Saturday, January 17, 2026 9:09:45 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I would like to bring it to your attention 100% attention that Mac PD cord wood the captain or Top Dog that one yeah he owes me a hundred bucks. It's not just Mac PD either it's this fucking hospital here it's the EMTs and the firefighters so please let me know. I made cord wood a bet that is Mac PD douche fuck with their body cams in there audio and he asked me how do you know they do that. Because I said they always have their hands by their cameras in the buttons and the everything and I s*** you not I had video and audio of that day now every single one of those officers didn't get that's weird and that is why and he lost. I would love for you all to come talk to me or me to come talk to you guys. If you were just give me a chance the time of day I promise it will be worth your time. Because all in all I think we need to have a discussion. And yes it has to do with the entire county. And on top of that my phone number is 503-998-3511. If you want to set up that meeting I be grateful. We have a lot of things that we need to discuss and work out. Thank you for your time.

Yahoo Mail: Search, Organize, Conquer

From: Mollie Shibley
To: BOC Info
Subject: Eloheh Indigenous Center
Date: Sunday, January 18, 2026 6:41:03 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Yamhill County Board of Commissioners,

Please support the Eloheh Indigenous Center in their request to accommodate their religious activities.

Religious freedom should be for all faiths and although the religious practices at the Center might not look like yours or mine, they should have the right to use their land to support Indigenous Spirituality, which inherently requires a connection to the land.

In Gratitude for your Prayerful Consideration,

Mollie Shibley

From: Jessica Callahan
To: Planning; BOC Info
Subject: Yamhelas Corridor
Date: Sunday, January 18, 2026 8:12:48 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Yamhill County Commissioners,
I am writing first in support of the Yamhelas Corridor and Trail, and second in support of a public vote on the matter.
I am wondering what benefit selling this land will have to the taxpayers of Yamhill county? I imagine the land will sell for a nominal price and in the event that we ever were to need to land for public use again for something as simple as a utilities corridor, we would not be able to do so for the same nominal price as we sold it for. No matter which logical way I do the math, the sale doesn't make sense. When I consider it through the lens of greed and secret handshakes, I can see easily how this solution to a non problem has developed. If we never develop it, fine, but at least we won't have sold off the public's property without a vote to a few wealthy landowners concerned only for themselves.
I appreciate any critical thinking you can do on this matter to turn things around here. It's wildly disappointing to watch some of y'all visibly check out whenever sale of this property comes up.
Thank you,
Jessica Callahan
McMinnville resident

From: Susan Stubberfield
To: Planning; Susan Stubberfield; BOC Info
Subject: Do what is best for Yamhill County Residents - Yamhelas-Westsider Trail
Date: Sunday, January 18, 2026 11:51:12 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Hello Commissioners,

As a longtime Yamhill County resident, Linfield graduate, retired McMinnville School District educator of 30 years, and current realtor, I urge you to make the right decision for our county by keeping the Yamhelas–Westsider Trail in the county's transportation plan.

Communities across the country have seen significant, lasting benefits from investing in multi-use trails as part of their transportation networks. Trails such as the Banks–Vernonia State Trail here in Oregon, the Katy Trail in Missouri, and the Great Allegheny Passage in Pennsylvania have become vital assets, supporting local economies, encouraging tourism, and improving safety for residents of all ages.

While some neighbors have raised concerns about land use and trail impacts, studies from similar rail-trail conversions show that careful planning and community engagement effectively address these issues, while delivering safety, economic, and health benefits. Trails are not optional amenities—they are long-term infrastructure investments that strengthen communities.

Having spent decades working with local families and now helping people choose to live and invest in Yamhill County, I see firsthand how projects like this enhance property values, attract new residents, and demonstrate a commitment to responsible growth.

Removing the Yamhelas–Westsider Trail from the transportation plan would be a serious step backward. Keeping it signals that Yamhill County prioritizes safety, connectivity, and a high quality of life for current and future residents.

Thank you for your time, service, and thoughtful consideration.

Sincerely,
Susan Stubberfield
503-435-9274

From: Shauna Theiss
To: BOC Info
Subject: Public Comment for Docket G-01-25
Date: Sunday, January 18, 2026 5:06:18 PM

Spam

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Dear Chair and Commissioners,

Thank you for the opportunity to submit testimony on the Yamhill County Transportation System Plan and the future of the Yamhelas Westsider corridor. I am writing as a Yamhill County resident who supports keeping this corridor in the Transportation System Plan as a future trail project.

Before moving to Yamhill County, I lived in Boise, Idaho for nearly 30 years. In Boise, an extensive network of trails and paths became a defining feature of community life. The Boise Foothills Ridge to Rivers system includes roughly 200 miles of interconnected trails. Our neighborhood was one of many neighborhoods that had direct access to recreational activity and nature. The Boise River Greenbelt, a continuous multi-use path along the river, adds several dozen more miles of off-street routes for walking and biking, linking parks, neighborhoods, and nearby communities. Together, these systems provide residents with well over 200 miles of connected, non-motorized transportation and recreation corridors.

Those systems did not appear by accident. Boise made them possible through long-term land use and transportation planning that intentionally protected corridors, included trails and paths in its transportation plans, and pursued funding whenever opportunities arose. The city and its partners used a combination of local public investment, regional collaboration, grants, and development requirements to assemble segments, secure easements, and gradually build out the network. **Over time it has become part of the city's identity, a reason people choose to live and invest there, and a nationally admired example of what long-term planning, partnership, and land stewardship can achieve.**

I have seen how powerful it is when a community commits to this kind of vision over decades. The Yamhelas Westsider corridor offers Yamhill County a rare opportunity to do something similar: to preserve a continuous corridor that can one day connect communities, provide safe off-road routes for walking and biking, and support local businesses and recreation. Once a corridor like this is removed from a long-range transportation plan and allowed to fragment or be sold off, it is effectively impossible to recreate.

Crucially, keeping the Yamhelas Westsider in the Transportation System Plan does not obligate the County to build a trail immediately or dedicate specific funding today. It simply preserves the option for future boards, planners, and voters to pursue funding—whether through grants, partnerships, or future local investments—when conditions are right. That is exactly the kind of long-term, incremental approach that enabled Boise to develop its trail network over many years.

As a resident who volunteers locally and cares deeply about the long-term health and attractiveness of this region, I urge you to retain the Yamhelas Westsider corridor in the Yamhill County Transportation System Plan. Please keep this infrastructure designation in place so that future generations have the chance to benefit from a trail system that could become one of Yamhill County's greatest assets.

Thank you for your service and for considering my testimony.

Sincerely,

Shauna Theiss
Resident of McMinnville, Oregon

From: Samantha Kress
To: BOC Info
Subject: Re: Automatic reply: Jessy Feltus and Samantha Warren
Date: Sunday, January 18, 2026 8:09:49 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

How do I sue the county and the emts and the judges and the hospital. They deserve to be held accountable for everything they have done to my spouse and I. I need help and not one person from this county will help us.

Yahoo Mail: Search, Organize, Conquer

On Sat, Jan 17, 2026 at 9:09 PM, BOC Info <bocinfo@yamhillcounty.gov> wrote:

> Thank you for your email/comments. The Board of Commissioners is given each week's public comments on Wednesday afternoon. Public comments received after 5:00 p.m. on Wednesdays will be included in the following week's public comment packet. This serves as your confirmation receipt that your email was received and will be included in the record. If you have any questions, please call our office at 503-434-7501. Thank you!

From: Williams Family
To: BOC Info
Subject: Yamhelas Trail
Date: Sunday, January 18, 2026 8:37:46 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Regarding the Yamhelas Trail-

I am very concerned of the intent of our County Commissioners deciding without our voices being heard, the fate of public land that belongs to us, the public.

We must protect access to county-owned land. This trail would give us safer outdoor access for families and those on bikes, improved physical and mental health, and long-term economic benefits through recreation and tourism. These benefits serve the entire community.

Our elected officials are entrusted to represent the public interest and I am asking them and all those involved in this decision to put their community they represent, first. The majority supports protecting public land, public access, and decisions grounded in facts and fairness.

The Yamhelas Trail belongs to Yamhill County. Let the public decide. Let us vote.

Kim Williams
McMinnville, OR

Sent from my T-Mobile 5G Device
Get Outlook for Android

Sent from my T-Mobile 5G Device
Get Outlook for Android

From: Zoe Whyte
To: BOC Info
Subject: Eloheh Indigenous Center"s Appeal for Religious Accommodation
Date: Monday, January 19, 2026 7:29:54 AM

Spam

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Dear Yamhill County Board of Commissioners,

I am writing to express my support of Eloheh Indigenous spirituality requires extended, land-based gathering—it cannot be practiced in a building for an hour on Sunday. The Woodleys are respected educators and authors who have served Indigenous communities for over 30 years and are trusted members of a wide community, and their work stretches far beyond just Yamhill County. I have been personally impacted by Randy's writing and work over the years, and know how much value Eloheh's work brings to a wider community.

Religious freedom should protect ***all faiths***, including those whose practices look different from mainstream Christianity.

I know that your Board has the power to find a way to accommodate their religious practice rather than restrict it, and I trust that you will do so for the good of the community.

Best,
Zoe Whyte, LMSW

From: Tanya Tompkins
To: Planning; BOC Info
Subject: Yamhelas Westside Corridor should remain in the TSP
Date: Monday, January 19, 2026 12:23:12 PM
Attachments: YWC letter.pdf

Spam

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Please see my attached testimony in favor of keeping the corridor in the TSP.

Thank you for your thoughtful consideration.

Tanya Tompkins

January 18, 2006

Dear Chair and Commissioners,

I am writing as a resident of Yamhill County who is deeply concerned about recent actions proposed by the Board of Commissioners and reflected in recommendations from the Yamhill County Planning Commission regarding the publicly owned Yamhelas-Westsider corridor. This corridor belongs to the county and all of its' citizens as a long-term, public investment and it would be foolish to remove it from the Transportation System Plan (TSP), with the ultimate goal of subdividing and/or selling it. At stake is not only the future of a potential trail, but the preservation of a strategic public corridor that holds long-term value for so many potential uses that benefit all YC citizen (e.g., transportation, safety, emergency access, utility infrastructure, recreation, community connection). Once fragmented or privatized, these opportunities are *permanently* lost.

It is my understanding that the Planning Commission has recommended removing the corridor from the county's TSP and that the Board is now positioned to consider final action. There were hundreds of individuals at the Planning Commission meeting last month opposing the removal from the TSP because this decision is short-sighted and raises serious concerns not only about outcomes, but about the integrity, independence and transparency of the planning process itself.

Below are my main concerns:

1. **Conflict of Interest, Appointment History and Perception of Bias**
During the December 4h Planning hearing, Mark Gaibler was asked directly whether he had ever served as a petitioner in an Oregon Land Use Board of Appeals (LUBA) case concerning the Yamhelas-Westsider Trail. Commissioner Gaibler stated that he did not know. He either has cognitive problems that deserve medical attention or he was attempting to minimize his involvement in opposing the trail. News reports and readily accessible public records indicate that Mr. Gaibler has served as a petitioner in multiple LUBA cases related to the Yamhelas-Westsider Trail, as part of a group of adjacent landowners who appealed county actions associated with the corridor's development. At minimum, this raises concerns about the adequacy of disclosure, the accuracy of testimony provided during a public hearing, and the standards applied when evaluating conflicts of interest for commission members making recommendations on matters in which they have previously taken adversarial legal positions.

Concerns about impartiality are further compounded by the appointment history of the Planning Commission itself. Public campaign finance records show heavy investment in Yamhill County elections from the George family (directly and through political action committees), who are prominent agricultural landowners whose property interests are adjacent to the corridor with the matriarch, Kathy George, serving as a former county commissioner. They made substantial financial contributions to support the election of then-County Commissioner

Lindsay Berschauer, a vocal opponent of the trail. Following her election, and prior to losing reelection as an incumbent after facing a recall effort, Commissioner Berschauer, along with fellow commissioners Mary Starrett and Kit Johnson (who have also received campaign finance support from the George Family), appointed Christy (George) Cooke, a member of the same family, to the Planning Commission.

At the December 4 hearing, Commissioner Cooke acknowledged these relationships but stated that her family's campaign contributions and her subsequent appointment would not influence her vote. Regardless of intent, the combination of campaign contributions, appointment authority, and policy outcomes affecting family-adjacent property interests creates a substantial appearance of bias that should have triggered recusal under best-practice governance standards. While Commissioners Steven Belt and Lee Schrepel, both owners of land adjacent to the corridor, did state that they were recusing themselves, they remained seated at the dais throughout the hearing and offered comments during the proceedings. Standard land-use and quasi-judicial protocols typically require recused members to fully remove themselves from participation, including physical presence and informal commentary, to avoid influencing deliberations. They could have easily joined to observe the proceedings on Zoom. Their continued presence undermined the integrity of the recusal process and further erodes public confidence. Another commission member, Brett Veach, is a real estate agent specializing in agricultural land. During most of the meeting he was reclined and appeared to be taking a nap. I assume he will be poised to take on the property if the commission decides to sell it!

Taken together (i.e., the litigation history, land ownership interests, campaign contributions, appointment relationships, incomplete recusals, and the tenor of the hearing), despite thoughtful and impassioned testimony it was difficult to conclude that this meeting represented a genuine, open-minded evaluation of the evidence and the pros and cons of keeping the corridor in the TSP. It was clear that many self-serving and hand-picked commission members knew exactly what they planned to do because it had been the plan for years. Public trust in land-use planning depends on the clear avoidance of both actual and perceived conflicts of interest. I respectfully request clarification regarding how conflicts were evaluated, whether recusals occurred where appropriate, and how appointment processes ensure impartial decision-making when public assets are under consideration.

2. **Public Investment and the Corridor's Long-Term Value**

Yamhill County acquired the corridor in 2017 using public funds, explicitly preserving it for future public use. While the corridor has often been discussed in the context of a trail, its importance extends well beyond recreation alone.

Preserving the corridor maintains options for:

- Safe non-vehicular travel
- Emergency and service access
- Utility and infrastructure corridors
- Community connectivity between rural and urban areas
- Economic development, including agritourism
- Future transportation planning

Long-range planning exists precisely to safeguard such corridors *before* specific uses are fully realized. Removing the corridor from the TSP forecloses future possibilities and undermines the rationale for the original public acquisition. The investment was first made in May of 2012, when the current BOC promised a 10% match ($246 480.00) for the Transportation Enhancement Grant to purchase the right-of-way from the corridor and December of that year added the trail to the TSP (at its' height the price was $9 million). Since that time using federal and state grand funding they were able to purchase an approximately 12-mile segment, with private donors providing additional easements and grant funding for master planning as well. Updates to the TSP in 2018 acknowledging the purpose and plans to develop the Carlton to Yamhill county section of the corridor began opponent LUBA petitions, with the last sent to the count in December, 2020 stating, "We are not convinced that the Trail is prohibited by farm impact standards as a matter of law". After the 2020 elections when Berschauer was seated they voted (2 to 1) to stop responding to LUBA issues and abandoning the master plan process even though this cost the county (and its' citizens) millions in time, effort and grant funding which had to be paid back.

3. **Transparency, Precedent, and Community Engagement**
Altering the status of a publicly owned corridor with countywide implications requires the highest standards of transparency and public engagement. Many residents reasonably view the proposed rollback as inconsistent with decades of planning precedent, Ordinance 880, and prior county commitments.

Decisions that *permanently* reduce public options should not be driven by the preferences of a limited set of adjacent landowners or shaped by BOC members and planning bodies whose neutrality may reasonably be questioned.

Accordingly, I respectfully urge the Board to:

- Publicly affirm that all planning and advisory members complied with state ethics requirements and county conflict-of-interest policies.
- Confirm that any individual with prior litigation involvement or adjacent property interests was appropriately recused from deliberations.
- Recognize the Yamhelas-Westsider corridor as a multi-use public asset, not solely a trail project.
- Retain the corridor within the Transportation System Plan to preserve future flexibility and planning.
- Recommit to a transparent, inclusive process that reflects the long-term interests of the broader Yamhill County community.

Once a public corridor is relinquished, it cannot be reclaimed. In the words of County Commissioner Leslie Lewis (2012), "If you're not a long-term thinker in the transportation world, you're not going to go anywhere… if you allow Union Pacific to sell off the line piecemeal, you will never re-establish it. It all begins with acquiring the right of way, and that begins with putting it in our transportation plan." Preserving the corridor keeps options open,

for future generations, evolving transportation needs, and community priorities that may not yet be fully visible today. We have a group working to put this issue on the ballot. As elected leaders of *all* YC citizens (not just wealthy land owners who are friends and donate to your campaigns) you need to hit the pause button and have the integrity to hear what the Yamhill County voters want. To not do so impugns your reputations, credibility and harms generations of citizens from the potential use of this public asset.

Thank you for your consideration

Tanya Tompkins, Ph.D.
925 SE Davis Street
McMinnville, OR 97128
503.435.7860

From: Rick Marshall
To: BOC Info
Subject: 19 Jan 2026 Agenda Item I.1 -- Docket G-01-25
Date: Monday, January 19, 2026 1:26:43 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Honorable Board of Commissioners:

I write to encourage you to vote against the proposal to amend the Yamhill County Transportation System Plan by deleting the Yamhelas Westsider Trail.

I have reviewed the staff report for the item, and observe that the main criteria of concern is the compatibility of a trail in this corridor with adjacent farm uses. Specifically, the primary concern cited is with the common farming practice of spraying pesticides or herbicides.

I am familiar with two outstanding examples of trails in similar agricultural settings that are coexisting successfully with adjacent farming activities. The primary example most familiar to Yamhill County residents is the nearby Banks-Vernonia Trail.

However, I have direct experience with another trail project, located in another well-known wine region. I had the privilege to work on implementation of the Napa Valley Vine Trail (NVVT) in my work prior to retirement as the Deputy Public Works Director for the County of Napa. The NVVT, when complete, will provide a continuous 47-mile multi-use trail through the heart of some of the most-valuable vineyard land in the world. (33 miles of the trail have been completed to date.) The project was developed in collaboration with the local agricultural community -- grape-growers and wine-makers were literally at the table every step of the way. One of the key elements of its success was the early development of an Ag Respect program, which directly addresses the concern of placing trail users directly adjacent to active agricultural uses. I commend their project website to your reading for further information: https://www.vinetrail.org/ and in particular, the page on Ag Respect: vinetrail.org

In conclusion, I request that you vote against the proposal to remove the Yamhelas Westsider Trail from the Yamhill County Transportation System Plan. I am confident that issues around compatibility with adjacent farming practices can be successfully mitigated to the satisfaction of all concerned.

Thank you for your consideration of this input.

Rick Marshall
Newberg, Oregon
MarshallGrande@yahoo.com
(707) 738-4977

From: Suzanne Meenahan
To: BOC Info
Subject: Subject: Preserve the Yamhill County Rail Corridor as a Public Asset
Date: Monday, January 19, 2026 1:42:59 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Board of Commissioners,

I am writing as a Yamhill County resident to urge you to keep the former railroad corridor in public ownership and not sell it to private individuals.

This corridor was purchased with public funds for a public purpose. Once sold, it is gone permanently. Retaining it preserves future options for the county and its residents, including potential use as a bike and pedestrian trail serving families, seniors, and communities across Yamhill County. Selling it now eliminates those options and benefits only a limited few, not the broader public.

Keeping the corridor public does not require immediate construction or new county tax funding. Across Oregon, counties have preserved rail corridors first and responsibly developed them later using grants, private donations, nonprofit partnerships, and volunteer stewardship. The decision before you is not whether to build a trail today, but whether to protect or permanently dispose of a publicly owned asset.

Votes like this define a commissioner's legacy. Years from now, this decision will be referenced not by rhetoric used at the time, but by the outcome: whether this Board preserved a rare, continuous public corridor for future generations…or knowingly sold it off despite sustained public concern and opposition.

This vote will be part of the permanent public record, and county residents will remember exactly which commissioners chose privatization over public stewardship.

Thank you for your attention and careful consideration.

Sincerely,

Suzanne Meenahan

Yamhill County Resident

From: Nikki Morrison
To: BOC Info
Subject: Eloheh Indigenous Centre
Date: Monday, January 19, 2026 5:30:15 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To whom it may concern,

Thank you for choosing to give your time to understanding an issue that deeply matters to so many of us.

I write to you of my support of Eloheh Indigenous Center's appeal for religious accommodation

Indigenous spirituality requires extended, land-based gathering—it cannot be practiced in a building for an hour on Sunday

The Woodleys are respected educators and authors who have served Indigenous communities for over 30 years, providing a sense of community, welcome and belonging for so many.

Religious freedom should protect all faiths, including those whose practices look different from mainstream Christianity

I implore you to consider how your Organisation can justly and respectfully accommodate their religious practice.

Thank you.

Warmly,

Nikki Morrison

From: Wayne Wiebke
To: BOC Info
Subject: January 22nd public meeting Yamhelas Westside Trail to stay in YCTSP
Date: Monday, January 19, 2026 5:59:28 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To the full board of commissioners,
I am writing to state my objection to the Yamhelas Westsider Trail being taken out of the YCTSP because it will create a situation where Yamhill County will be out of compliance with both LUBA and LCDC goals for having viable safe and accessible multi modal systems that include bicycle and pedestrian use. Widening county roads is not fiscally viable for nor reasonable because condemnation through eminent domain would be necessary as it has been in previous county road expansion or widening. The corridor at issue, which is already in ownership of the county, is the only reasonable path forward to stay in compliance.
In addition the corridor will be lost as a wildlife migratory corridor which is another Oregon land use issue if at some time it were to be sold off as farm land with the potential for the spraying of chemicals toxic to among others, migratory birds.
Wayne Wiebke
1235 NW Driftwood Place
Mcminnville, Oregon 97128
503-435-9120

Sent from Yahoo Mail for iPhone

From: Janelle Huserik
To: BOC Info; planning@yamhillcounty.org
Subject: Yamhelas-Westsider Trail Input
Date: Monday, January 19, 2026 5:59:36 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Good evening,

My name is Janelle Huserik, and I have been a Yamhill County resident for almost 20 years. I also own property adjacent to the proposed Yamhelas Westsider trail, and have followed the matter for years. I strongly urge the Board of Commissioners to proceed with removing the Yamhelas Westsider Trail from the transportation system plan.

I've been highly disappointed in the management of the Trail plans to date. For example, proceeding to put funds into a bridge without clear oversight or proper authority is very disturbing. It shows clear waste in the use of public funds, and caused a loss of trust in county management. To move forward with not only a Trail, but the potential of light rail, would be disgraceful after the show of management thus far.

I see many opportunities for a more productive use of the land, and more fitting with the "country charm" Yamhill County still has, outside of the current Trail. Personally, I would love the opportunity to purchase the land adjacent to my property, with hopes to expand our farming operation. With farmland dwindling all around us, the rare opportunity to have more in the productive Willamette Valley would be wonderful. This would also keep more money locally, immediately generate income for the county by selling the land along with annual tax income.

Aside from what I read online, there are many people, myself included, that do not support the trail. Those of us that live near the proposed trail have real concerns of trespassing, safety of our crops and livestock, and especially the safety of our children. My husband and I paid a premium years ago for a home out of town to raise our kids in a country lifestyle, and this trail would infringe on that added value by placing strangers regularly in our back yard.

Those that don't live adjacent to the trail have also expressed concerns. Added traffic to the poorly kept roads, lack of benefit for students commuting because of the distance and trail location between Carlton and Yamhill, and concerns of the financial burden on the county.

I've heard comparisons of those against the Trail to those in the past that were against the Newberg Dundee bypass. Landowners' concerns were disregarded for the benefit of

the majority. While there is a time and place to prioritize the benefits of the majority, doing so for recreational purposes seems superficial. I don't think it should be precedence to disregard longtime residents whenever a popular new plan comes up.

I do see the value of outdoor recreational space in the county, and I have tried to see the reasons to support a trail, but with the flaws I've seen and concern I've heard, I feel it is overall a much better use of public funds to focus on improving and maintaining existing parks and recreation opportunities.

Please consider these reasons and the true value of the country life Yamhill County still provides, and remove the Yamhelas–Westsider Trail from the county's transportation plan.

Thank you for your time,
Janelle Huserik
Yamhill County resident

From: Karen Willard
To: Planning
Cc: BOC Info
Subject: Don"t Sell Public Land
Date: Monday, January 19, 2026 6:08:44 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To Whom This Concerns,

I am in support of trails and protecting our public land. This decision to sell public land was never put before the Yamhill County voters. Please reconsider and think about our community as a whole. We need public, natural places for future generations to come. Please try and think big picture here.

In support and concern,

Karen Willard

“Between stimulus and response there is a space. In that space is our power to choose our response. In our response lies our growth and our freedom.”

— Viktor E. Frankl

From: Ken Wessels
To: BOC Info; Planning
Subject: Please support the trail
Date: Monday, January 19, 2026 6:17:52 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Commissioners,

I am writing to strongly advocate for the continued preservation and development of the Yamhelas–Westside Trail. This project is undeniably in the public's best interest and provides substantial benefits to the people of Yamhill County.

The trail promotes health, offers safer transportation alternatives, strengthens local businesses, and preserves outdoor access that is essential to community well-being. To abandon or diminish this project would mean losing an invaluable long-term investment in our county's future.

I urge the Commission to stand firmly in support of the Yamhelas–Westside Trail and prioritize the long-term well-being of Yamhill County residents.
I also ask that you keep it in the County Transportation Plan. If changes need to be made regarding the corridor it should be put to a vote of the people not left to the decision of special interest groups and their money!

Thank you for your dedication and thoughtful consideration.

Sincerely,
Kenneth Wessels
McMinnville Or 97128

From: Kris Reed
To: BOC Info
Subject: Please preserve the Yamhelas–Westsider Corridor as a Public Trail!
Date: Monday, January 19, 2026 6:32:16 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Yamhill County Board of Commissioners,

I am writing to express my strong support for preserving the Yamhelas–Westsider corridor as a public multi-use trail.

The Yamhelas–Westsider Trail is not simply a recreational path—it is one of the county's most valuable public assets. For more than a century, this corridor has connected communities as a vital transportation route. Preserving it keeps that historic connection alive while meeting present and future needs.

Maintaining this corridor for public use provides significant benefits, including:

- A safe, off-highway alternative to Highway 47 for families, cyclists, and pedestrians
- Expanded opportunities for recreation, physical health, and community connection
- Economic benefits for nearby towns through tourism, agritourism, and local businesses
- Protection of a transportation and recreation corridor that cannot be replaced once lost
- Ensuring future generations retain access to the lands and infrastructure we inherited

Once a corridor like this is privatized or fragmented, it is gone forever. Preserving it now is a forward-thinking investment in safety, economic resilience, and quality of life for the entire county.

Thank you for your consideration and for your work on behalf of our community.

Sincerely,

Kristen Reed

McMinnville, Oregon

From: Robin Ricker
To: BOC Info
Subject: In support of bike trail
Date: Monday, January 19, 2026 7:28:23 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To whom it may concern:

In support of the rails to trails bike corridor: Please keep this valuable public land public.

My husband and I have spent many miles on rails to trails in northern idaho, washington state, Cottage Grove Oregon, Banks-Vernonia. My husband rode across the USA 2 years ago and loved the Katy Trail, the C & O trail, the Gap and many states including Missori, Pennsylvania, and Washington DC.

The trails are safe ways to be off of highways, often parallel to them, but buffered by vegetation, or other barriers. We have encountered kind, helpful people, small towns with museums, cafe's and simple lodging. We have not encountered any crime, illegal camping or panhandling or trash. We have encountered wetlands, birds, wildlife and interesting landscapes we never would have seen by car.

Access to the out of doors is necessary for healthy communities, free beneficial activities for families, safe commuting to schools, work and lunch in another small town.

We host cyclists from all over the world thru Warmshowers. They are taking on adventures that few attempt--riding their bikes from Banff to Argentina, riding around the world, riding to all the national parks or baseball stadiums, one was riding to breweries to do commercial art.

These are all kind, educated, dynamic people: engineers, educators, computer scientists, medical workers, musicians. Some are trying to figure out life or recovering from illness or loss.

Many have had scary experiences in Yamhill country specifically, very dangerous roads, no should, a truck not giving way on a two lane shoulderless road while blaring it's horn, someone throwing full cans of beer at them from a moving vehicle.

Yamhill County needs this vital trail for all of us including welcoming others.

Sincerely,

Robin Ricker
526 NW 13th Street
McMinnville, OR 97128
971-221-8919

From: Paula Strawser
To: BOC Info
Subject: Yamhelas Trail
Date: Monday, January 19, 2026 7:40:50 PM

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I support the Yamhelas Trail. It is planned for recreational purposes on what is currently public land. Abandoning the trail is a giveaway to private interests. It will bring tourists. It will be a draw for hikers and bikers. What better way to celebrate the beauties of Yamhill County?

From: Matthea Brown
To: Planning; BOC Info
Subject: Yamhelas-Westsider Corridor
Date: Monday, January 19, 2026 7:49:55 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Hello—

I have heard about the upcoming vote to remove the Yamhelas-Westsider Corridor land from our county transportation plan, and I want to express to you all how much I disagree with this idea.

This is publicly owned land, and the commissioners are going to vote on this without getting input from voters (aka taxpayers aka the public who owns said land), which feels very out of line.

I support trails like this one, and I support protecting our public land, and removing this project from the county transportation plan feels incredibly shortsighted.

A healthy and strong community needs more than hospitals and retail stores and schools and wineries—we need safe public outdoor spaces where we all can move, breathe, connect with our friends and neighbors, and enjoy nature.

Thank you for your time,

Matthea Brown

12 Year McMinnville resident
206-409-7306

From: stevencarol.wick@gmail.com
To: Planning; BOC Info
Subject: RE; removing the Yamhelas Trail from the TSP
Date: Monday, January 19, 2026 8:48:36 PM
Attachments: VCTC Santa Paula Branch Line Study - Final.pdf

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear County Commissioners

In your staff report of 12/4/ 25 you stated the following:

"As stated in the statute the County needed to find that the use of the trail would neither force a significant change in farm or forest practices on surrounding lands, nor would it increase the cost of accepted farm or forest practices on those lands.

One of the key farming issues specific to the trail application involves the accepted farming practice of spraying pesticides and herbicides A good summation of the issue can be found on the bottom of page 18 and the top of page 19 in the LUBA Remand covering LUBA No. 2020-066 and -067.

The remand decision states: "The farm practice of spraying crops has been a recurring issue over the course of this extended land use dispute. In Van Dyke II, we agreed with the county that overspray from adjacent farms onto the county's property is not an accepted farm practice.

However, we agreed with the petitioners that the county was required to respond to petitioners' argument that the Trail would force them to supply spray setbacks on their own lands and cease use of certain pesticides and herbicides within the appropriate setback area, which petitioners argued is a significant change in the accepted farm practice of applying pesticides and herbicides."

Due to the fact that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test in three separate attempts, the majority of the Board of Commissioners initiated the removal of the Yamhelas-Westsider Trail from the TSP in order to pursue other projects."

Reading this staff report further, I can find no other stated reason for "the removal of the Yamhelas-Westsider Trail from the TSP".

Since this "spraying issue" is your only concern, it seems reasonable that addressing this could solve the problem.

If you talked to your Planning Advisory Commissioners you would find that a solution was proposed, and presented at the hearing on Dec 4th.

It is simple; you just shut down the trail when the farmers need to spray. They can spray the edges of their fields, or affected areas, then open the trail back up. (see enclosed VCTC Santa Paulina Branch Line Study)

This is not a novel idea: it is used by other trails in the U.S. If other trails can manage this.....why can't we do the same?

Below is some of the specific comments that I supplied to the Planning Commissioners regarding filbert/hazelnut orchards. It addresses the spraying concerns, and many other concerns put forth by the farmers.

In the Stay granted by LUBA on June 19 2020 they concluded, in one of their arguments, that Ben Van Dyke would suffer "*Irreparable Injury*" because he would be "*hindered or prohibited from spraying the herbicides and pesticides required to protect his crop.*"

(It should be noted that the proposed Yamhelas Westsider trail right-of-way is approximately 60 feet wide, with the trail itself being 12 feet wide. That means that there is a 24 feet buffer on either side of the trail that Ben Van Dyke, and others, say is not sufficient to mitigate spray drift.)

LUBA also stated "*Van Dyke explained that filbert trees should live 75 years or more and that, if he was unable to spray his filbert trees, those trees could die due to Eastern Filbert Blight. Given the long-lived nature of the filbert trees and the potential for protracted crop and yield loss if spraying cannot occur, we conclude that the injury Van Dyke specified is not and injury that could be adequately compensated in money damages.*"

They also concluded that Van Dyke could lose his food safety certification if litter and debris from the construction site enter his hazelnut orchard.

These conclusions, and the following assumptions;

A. that Van Dyke must be able to spray his trees for Eastern Filbert Blight; "*If I am unable to spray as required, I risk my trees dying of Eastern Filbert Blight that could result in the loss of all crops on a tree that should last 75 plus years.*"

B. that Van Dyke, and others, would be unable to spray during trail construction (or during trail use)

C. that Van Dyke uses the herbicide sprays Gramoxone and Parazone (Paraquat), which state *"do not use around...recreational parks...."*

D. that Van Dyke would lose his food safety certification if litter and debris enter his orchard from trail construction (or trail use)

...can be totally mitigated with a few simple actions.

A. Spraying for Eastern Filbert Blight. This is not necessary for Van Dyke's trees. Van Dyke has previously stated that his trees are two years old; *"Our hazelnuts were planted in 2018, and our second year trees,..."*. BUT; **All the new filbert varietals are "blight resistant".**

OSU wrote the bible on hazelnuts. No one in the world has the experience and knowledge that they possess regarding the entire hazelnut spectrum. They update info yearly for growers. The Pest Management Guide, Pacific Northwest Plant disease, Insect, and Weed management handbooks constitute our bible. We refer to these and their other hazelnut publications and missives yearly for the most up-to-guide guidance. Shawn Mehlenbacher has been working on EFB (Eastern Filbert Blight) for over 30 years, and his breeding programs, and the spraying programs developed by Professor Jay Pscheidt, have enabled our industry to survive.

New trees only have to be sprayed the first spring after planting, and only if they are adjacent to a heavily infected orchard. OSU has documented this in their 2020 Pest Management Guide for Hazelnuts. See p17: *"Cultivars such as Jefferson or McDonald, with the single dominant gene for resistance only, need protection the first spring after planting, when located near heavily infected orchards."* https://catalog.extension.oregonstate.edu/em8328/html

Per OSU's Pacific NW Handbook; *''Dorris', 'Jefferson', 'McDonald', 'PollyO', 'Santiam', 'Wepster', and 'Yamhill' are highly resistant with the single dominant-resistance gene from 'Gasaway'."*
https://pnwhandbooks.org/plantdisease/host-disease/hazelnut-corylus-avellana-eastern-filbert-blight

B. Spraying chemicals next to the trail poses no problem, if the trail is shut down when the spraying must be done. This is simple to do. Other trails do this! The farmers and trail owners coordinate operations. Spraying chemicals in filbert orchards usually occurs less than a dozen times during the year, but young orchards could require more, and non-common diseases or pests would increase the number of spray occurrences required.

In 2015 a study was done of many trails (see attached Santa Paula Branch Line Study) That study specifically addressed farming and how the impacts to farming were dealt with on trails throughout farming acreages. Below you will see some excerpts from that study. It should be noted that many of the trails just shut down while the farmer sprays his fields.

San Pasqual Valley Trail: Ca. • Specific fencing was designed for the trail, modified from the park

department's standard lodgepole fencing. Chicken wire inserts were

added approximately one foot from the ground to allow wildlife to pass

through;

• Gates allow sections of the trail to be closed;

• Signage installed to alert the trail-users of trail closure for spraying and

to stay on the trail;

• Farmers can dictate trail closure (within reason, i.e., preferably not on

weekends) for maintenance and crop spraying. This protocol was

developed and approved by the County Farm Bureau, County Farm

Advisor's Office, and the affected farmers

Feedback from Involved Parties

• Shawna Anderson: There have been no reported incidents of theft,

vandalism, or liability issues to this date.

• Many farmers who were initially opposed to the trail now support it.

• An agreement was made early after the SDRP JPA listened to the

concerns of the farmers and created specific design and management

plans to create a mutually beneficial relationship between the trail and

agricultural industry.

Cowel-Purisima Coastal Trail • Stout fencing

• Large gates to accommodate cattle and equipment passage while trail is closed

• Gates to close trail during spraying and operations

• Information and regulatory signs

• Maintained by volunteer docents

• Farmer has ability to close gates for maintenance

Feedback from Involved Parties

• Paul Ringgold: The ability to work as a team, such as on a section where bluff erosion was impacting the trail, is key to success.

• POST recently asked whether there were any security issues that would benefit from additional gates and was told that there were none.

• POST hasn't received any negative comments from owner John Giusti, or Giusti's agricultural tenant on the southern half of the property, Bob Marsh.

• John Guisti reported 8/25/14 that the trail project "has not interfered with his operation at all, and he considers it a successful project." The fence is very important.

Obern Trail, Ca. • Little to no physical barrier in most places. Oleander hedges and chainlink fence.

• Each farmer decides on fencing – not installed by the County.

• High levels of use create a self-policing scenario.

• The trail is lit throughout, at all hours.

Feedback from Involved Parties

• Matthew Dobberteen: In over ten years managing trails for Santa Barbara County, I have never received a complaint about the Obern Trail. Our trails that run near agriculture are never the trails we have problems with. The only issue is every few years we may get some graffiti on a retaining wall. "A bike path will make theft harder, not easier, by bringing light, attention, people, eyes to the trail." "If someone wanted to steal from a farm, they'd find a place where no one could see them, not a trail with steady use."

• John Givens: No significant impacts from the trail. Occasionally homeless pass through and there is minor vandalism, but it has not been serious enough to involve the County or other authorities. Trail users don't cut through the farm property

Cedar Valley Trail, Ia.

• Fencing with gates;

• Reinforced crossing to accommodate equipment;

• Easement allowing farm equipment access;

• Signage to warn trail users of crossing farm vehicles.

Feedback from Involved Parties

• Joyce Squires: She and her husband were initially opposed to the trail, with concern about trespassing,

but this has not been an issue;

• Generally the trail has been very positive, she and her family use it;

West County Trail, Ca. • Farmers put A-frame signs on their property stating when spraying will occur.

• Spraying generally limited to early morning, before most trail users are present.

• Aerial spraying not conducted near the trail.

• Some vineyard owners have built connections between their properties and the trail.

• "No Trespassing" signs have been installed by some vineyard owners.

• The County patrols the trail and regularly talks with neighbors.

Feedback from Involved Parties

• Kenneth Tam: The County conducted a record of survey and title search, then reached out individually to agricultural land owners and operators who appeared to be using the railroad ROW without the legal right to do so and requested they provide documentation that they were using the ROW legally. None were able to provide documentation.

There was a blueberry farmer using the railroad ROW to access his crops. The farmer has since opened a stand along the trail to sell blueberries and blueberry ice cream.

The main concerns voiced during the planning stages included the potential for crime and trespass.

Most spraying is done early in the morning. All spraying must be done with as little wind as possible. At the very worst case, the minimum notice that a farmer could provide would be 24 hours, but generally he would be able to schedule spraying a few days prior and/or schedule a tentative window weeks in advance. An example of this would be the spraying that I just did in my filbert orchard the first week of July for Filbert Worm. The orchard had to be monitored for several weeks for filbert moths. When the level got to a certain point, I had only a few days to get my first air blast spray applied. I consulted weather forecasts for rain, and then looked at the wind forecasts, and found that I could spray immediately. (Wind forecasts are extremely accurate, and with aps like "Windy", can be used to forecast flow and speeds, hour by hour, quite a few days ahead of time.) The spray I used was effective for two to three weeks, and then a second application was required if filbert moths were still present.

To make it a win-win for both the farmer and trail users, the farmer can schedule the trail shutdown for only the very short time he needs to spray the edges of his field, adjacent to the trail. Then he can open up the trail, and continue spraying the balance of his fields.

Foliar sprays (sprays that must cover all the leaves of the tree) require the most setback, since they are accomplished thru "air blast " sprays that force the spray up and over the tops of the trees. Examples of these sprays are the pesticides and fungicides that must be sprayed to minimize pests or diseases. Two rows of trees are sprayed at the same time while the spray operator drives down the aisle. The spray operator can also shut down either side of the air blast sprayer, allowing him to spray the outside edge of a row, and not spray neighboring properties. If a farmer wanted to be positively safe, he could simply power blast spray the first 8 rows, on the edge of the trail, while the trail was closed, and then open up the trail. (filbert trees are generally planted in rows 18 to 20 feet wide).

Herbicides used to control weeds, grasses and for eliminating suckers, are applied on the ground, or on the very bottom/base of trees using booms, while driving down the aisle between two rows of trees. Herbicides must be selectively sprayed; the spray must be kept on the ground or the base of the tree. They cannot be allowed to drift, even to the foliage above the weeds or suckers! If they reach the foliage they can damage or kill the tree. The label on Gramoxone states the following: https://www.syngenta-us.com/current-label/gramoxone_sl_2.0

It would be quite easy to spray a couple of the outside rows (36 to 40 feet) from the edge of the trail Right of Way, and then open up the trail while he sprayed the balance of his field. And, since the spray operator was adjacent to the trail ROW when he was spraying the outside rows, it would be very easy for him to monitor the ROW to ensure that no one was on it during his spray operation.

Van Dyke stated that he "must be able to spray his orchid for filbertworm, which can destroy an entire crop, from June through September" But spraying equipment cannot enter an orchard after Labor Day, since the nuts start falling to the orchard floor, and anyone driving equipment on the orchard floor could damage the nuts.

"Blank nuts fall before good nuts. After blanks have fallen and just before good nuts begin to drop (usually at the end of August), it might be desirable to do a final flailing and floating to fill small depressions in the ground."

https://catalog.extension.oregonstate.edu/sites/catalog/files/project/pdf/em9079.pdf

'Hazelnuts begin to drop to the ground during the month of September. Prior to nut drop, the orchard floor is made level and smooth, and weeds are flail-mowed to facilitate harvest. Harvest generally occurs during October and is usually a two-step operation."

https://catalog.extension.oregonstate.edu/sites/catalog/files/project/pdf/em9223.pdf

C. Van Dyke also noted that he stocks and sprays the chemicals Gramoxone and Parazone (Paraquat). Paraquat is a very dangerous chemical. It is so dangerous that the EPA has changed the packaging containers to a new "closed system", and mandated Paraquat specific special training, and the training must be re-newed every three years. https://www.epa.gov/pesticide-worker-safety/paraquat-dichloride-training-certified-applicators

http://wssroc.agron.ntu.edu.tw/note/Paraquat.pdf

"Paraquat is the most highly acutely toxic herbicide to be marketed over the last 60 years. Yet it is one of the most widely used herbicides in the world, and in most countries where it is registered, it can be used without restriction. It is used on more than 100 crops in about 100 countries. Gramoxone, manufactured by Syngenta, is the most common trade name for paraquat, but the herbicide is also sold under many different names by many different manufacturers. China is now the world's largest manufacturer of paraquat, producing more than 100,000 tonnes per year. Paraquat has been banned, or use disallowed, in 32 countries. Many international organisations, such as Rainforest Alliance, Fairtrade, Forest Stewardship Council, and food giants like Dole have voluntarily banned it from their production systems. Paraquat is highly acutely toxic and enters the body mainly by swallowing, or through damaged skin, but may also be inhaled. Thousands of deaths have occurred from ingestion (often suicide) or dermal exposure (mainly occupational) to paraquat.

Paraquat is corrosive to the skin and once the skin is damaged it is easily absorbed into the body. One farmer died after just 3.5 hours spraying diluted paraquat with a leaking knapsack. Others have died from spilling the concentrate on their skin. Thousands more have suffered severe acute and chronic effects from occupational use. It represents a severe public health problem in many countries despite the fact that paraquat is considered safe by its manufacturers, who believe they have no responsibility for the suicides. Yet experience has shown that where paraquat is banned or restricted deaths from suicides drop dramatically."

The Gramoxone and Parazone (Paraquat) that Van Dyke has in stock have the old labels that state : "Do not use around home gardens, schools, recreational parks, golf courses or playgrounds."

But the labels on both products were updated by December of 2019, and the nebulous statement "around" was taken off the new labels:

https://www.syngenta-us.com/herbicides/gramoxone-sl-2.0

"DIRECTIONS FOR USE

RESTRICTED USE PESTICIDE

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only

protected handlers may be in the area during application. For any requirements specific

c to your State or Tribe,

consult the agency responsible for pesticide regulation.

NEVER USE THIS PRODUCT IN RESIDENTIAL OR PUBLIC RECREATIONAL SETTINGS (E.G., HOMES, HOME GARDENS,

SCHOOLS, RECREATIONAL PARKS, GOLF COURSES, AND/OR PLAYGROUNDS"

A check with the manufacturers revealed that the chemical did not change....only the label changed. (see attached (FW: Gramoxone SL 2.0 email)

Parazone 3SL updated their label in Dec of 2019 to say the same thing.

https://www3.epa.gov/pesticides/chem_search/ppls/005481-00615-20191230.pdf

But no matter what the new label states, federal law says that you MUST follow the instructions on the container that you are using. (again, read Gramoxone SL 2.0 email)

The simple solution is to purchase some of the new label Gramoxone or Parazone and use the new chemical on the edges of his field, then continue to use the old material on the inside. It seems ridiculous to do this, since the chemical in the old label containers, and the chemical in the new label containers, is exactly the same, but the law is the law. And, per Ben Van Dyke, "since the chemical does not have an expiration date" either chemical can be used for future sucker or weed spraying.

Another option is to use one or more of the other less lethal herbicides, (that readily mix with Gramoxone or Parazone) to spray the edges. Spray the edges with Aim(carfentrazone) and/or Rely (glufosinate),or a mix of Aim and Rely, or just spray with Saber (2,4-D), and then re-fill the spray tank with Gramoxone or Parazone (Paraquat) and do the balance of the orchard.

.. contact herbicides e.g. glyphosate, glufosinate (Rely), and ***paraquat (Gramoxone/Parazone)*** *may be tank mixed with* **AIM** *(carfentrazone) EC for broader spectrum weed control ...*

https://us01.l.antigena.com/l/WnSH0cCUrTZNH0Pj~n41xCVw3TCkvzzIqhBK7JiSoDZJebgbZKtWe5RH2gz254DS32wN0N3h4lY8v0CKSWoJZqg6nqOfhr9hr5lFqIgZUGzkHljV1otrtMZxSyR_XT-bh-p~D9W~tMzxLpj-RWQ2pGkeebchbONYeU3.ld5L1010.pdf

Rely **(Glufosinate)** ***or a combination of Rely and Aim are good options for young trees that are fully barked over and robust. Rely lasts a little longer than just Aim by itself and is a good combination for strip spraying as it controls both small grasses and broadleaves. Rely works best when temperatures are warm. Contact only so coverage is important.***

Gramoxone ***(Paraquat)*** **is an inexpensive option for older trees, especially when you are also wanting to do a strip spray or full floor spray. A restricted product that has human health risks when used inappropriately, this chemistry isn't for everyone. Contact only so coverage is important.**

as per the Hazelnut Growers of Oregon; https://www.hazelnut.com/spring-sucker-control/

D. Loss of Food Safety Certification. Van Dyke stated that "*Construction workers have already littered the area with lunch bags and other detritus have found the way to our farm that we have had to clean up. This causes food safety issues. In that regard, we are strictly regulated by the USDA and any litter on our farms, risks losing food safety certifications that are necessary for the marketability of our brand as well as to maintain our certifications.*"

Mr. Van Dyke shared a document from Cascade Foods of Albany Oregon, titled "*food safety requirements for delivered product to Cascade Foods*". (dated April 16, 2020, see attached) In this document Cascade Foods stated;

" *Cascade Foods LLC requires that growers adhere to the Good Agricultural Practices manual set by the Hazelnut Industry office*". (see attached pdf 202006251).

But nowhere in the Good Agricultural Practices manual is there any reference to a farm losing food safety certification because of litter.

http://oregonhazelnuts.org/wordpress/wp-content/uploads/2016/05/Haz-GAP-8-12-13.pdf

It DOES say that the orchards must be constantly cleaned and inspected *prior to harvest.* This is a critical time. Of course, cleanliness during the year is important, but a clean orchard just before the nuts drop to the floor is strategically important.

Throughout the summer the orchard floor is repeatedly cleaned and leveled by use of drags and/or flail mowers. All debris is eliminated as the floor is pummeled by the repeated passes of the flail mower. Clouds of dust are sometimes seen as the floor is cleaned and manicured over and over. This goes on until the nuts start to fall at the end of August. Now the falling nuts are contained on a clean and pristine orchard floor. Prior to harvest in September/October the operator often inspects the orchard for debris, and removes any. The sweeper and harvester cannot function effectively if there is debris on the orchard floor.

The GAP manual that Mr. Van Dyke has agreed to follow states: "*....orchard floors are cleaned throughout the summer to assure a smooth clean orchard floor during harvest. Of utmost importance to all growers is the need to deliver hazelnuts to the dryer or processor as clean as possible. The Hazelnut lends itself to inherent food safety simply because it is encased in a solid hard shell. It falls to the ground mostly free of the husk, which is a vegetative bract rather than a surgery attraction for microbes. Harvest also lends itself to ensuring safe product. In addition, the product delivered to the washer/dryer or the processor is not ready to eat. It will go through a wash process before it is dried. Growers are committed to employing practices to keep the risk of pathogen contamination as low as possible. As the nuts move to processors and packers more safeguards are in place to ensure safe products leave the plants.*"

Litter is NOT a game stopper...it is a item that is constantly evaluated and addressed.

Cascade Food goes on to say; "*The following are a few of the recommendations outlined in the manual; "Grower must participate in traceability. Growers receive a delivery ticket for each load taken to a wash/dryer operator or processor. This ticket corresponds to a specific orchard; Should a food borne pathogen be identified that lot cannot be used for food and will be discarded".*

But the statement; *"Should a food borne pathogen be identified that lot cannot be used for food and will be discarded"* is NOT in the Good Agricultural Manual, and is far from the truth.

In 2017 Salmonella was found in Hazelnuts sold by the Schmidt farm of McMinnville. But the food safety people of the Oregon Department of Agriculture were not worried: **"Wholesalers have steps in place that kill any Salmonella on the hazelnuts they handle before the nuts reach consumers," said Stephanie Page, the agriculture department's director of food safety and animal services, in the public warning. "To date, we have no indication there were any issues with this part of the process."** https://www.foodsafetynews.com/2017/01/salmonella-outbreak-traced-to-hazelnuts-from-oregon-farm/

In fact the GAP manual repeatedly states that orchards must be inspected, (H1 pg 6); *A preharvest assessment is made in the orchard. Risks and possible sources of crop contamination are noted and assessed.'* and (H7 pg 6) states; *"In case of product contamination....., product is separated and disposed of separately*" Nowhere does it state that a farmers complete crop will be discarded if contamination is found in one area.

One thing that I had not previously discussed was the fact that there is a thriving **organic** filbert industry in Oregon, which makes 25% more $$$ on their nut sales then we do using horrible chemicals. They don't use any of the noxious chemicals! If they can maintain a successful business without noxious chemicals, why will Ben loose thousands of dollars if he does not spray his edges?

http://organicfarmermag.com/2020/01/growing-practices-at-the-oldest-us-organic-hazelnut-orchard/

Taking the organic leap was difficult, but worth it—not only for Jim's conscience and the good of the earth, but also monetarily. He was able to mark up his organic nuts about 25 percent over conventional-farmed nuts.

Jim said. But gradually, he struck a balance with nature. In 1997, Meridian Orchards was certified organic

In managing the suckers, David said it's easiest to hit them with an organic herbicide when they're less than eight inches tall. Another grower in the crowd said he uses a side cutter on his mower

For weed control they tried Supress and then Homeplate, "which is easier to work with," said David about the latter

"Some growers using conventional farming methods think it's impossible to grow hazelnuts organically," Mary said

A trail and farming are not mutually exclusive! A trail is an opportunity for the farmer to display his skills and to educate the public. And the Yamhelas Trail is an opportunity for the Yamhill Valley to provide a safe mode of transporation for future generations. No one will suffer "irreparable injury" during its construction or future use. Farmers can still spray their fields. Litter/and or unwanted people, etc. can be controlled by fencing and signage. All it takes is for farmers and trail supporters to sit down and mutually work together to develop a solution that enables us to develop a wonderful asset.

Please do NOT remove the Yamhelas Trail from the TSP!

Thank You

Steve Wick

Gaston Oregon, Yamhill County



Santa Paula Branch Line Recreational Trail Compatibility Survey

April, 2015

VCTC

alta PLANNING + DESIGN

rails-to-trails conservancy

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1 INTRODUCTION

This report is an inventory and analysis of existing trails in agricultural settings, with a focus on trails that are most comparable to the context of the Santa Paula Branch Line (SPBL) in Ventura County. The objective was to find trails that have been successfully implemented and are currently operating in active agricultural areas similar to the proposed SPBL trail, and identify the challenges they faced and the factors that made them successful. Significant effort was made to contact the agricultural owner/operators adjacent to the trail in regard to their experience and perspective, as well as that of the trail owner/operator. While this study was conducted specifically for the SPBL, the findings are applicable to other areas where trails may traverse agricultural properties.

Criteria for comparable examples included:

1. Trail corridors that pass through active agricultural areas; particularly high-value row crops and orchards;
2. Paved trails that have a range and level of use comparable to what is envisioned for the SPBL;
3. Trails in California or those with a comparable agricultural/environmental setting;
4. Trails for which detailed information could be obtained for the trail owner/operator, and if possible from the adjacent agricultural owner(s)/operators;
5. Presence of or history of rail use near the trail corridor.

Over thirty trails were identified matching the first criteria, as listed in Section 3.3. Of those, nine trails with the greatest similarity to the SPBL have been selected for detailed profiles in Section 4. Information gathered for the remaining trails is presented in Section 5.

In addition to the trail research and case studies, a review of technical literature and guidelines related to trails in agricultural settings was performed. The most relevant literature, themes, and findings are summarized in Section 3.4.

2 Background & Context

Stretching 32 miles from Highway 101 in the west to the Los Angeles County line in the east, the Santa Paula Branch Line (SPBL) rail corridor passes through the cities of Santa Paula and Fillmore as well as active agricultural areas. While 29 miles of track remain in active use, the future use of the corridor is to be determined. The Ventura County Transportation Commission (VCTC) purchased the corridor in 1995 from the Southern Pacific Transportation Company and manages the corridor with the potential to develop freight, commuter rail, utilities, and/or recreational trails and parks. The right-of-way averages 100 feet wide, but varies in places from 30 to 250 feet wide.

In the year 2000, VCTC adopted the Santa Paula Branch Line Recreational Trail Master Plan and certified the Santa Paula Branch Line Recreational Trail Master Plan Environmental Impact Report (EIR). The SPBL Recreational Trail Master Plan provides design guidelines, preliminary engineering, and a preferred alignment for the trail, traversing the cities of Ventura, Santa Paula, Fillmore, the community of Piru, and agricultural areas in unincorporated Ventura County. To date, three trail segments have been constructed in Santa Paula, Fillmore, and Piru. In response to significant concerns and protest from agricultural interests, trail construction in the agricultural areas of the unincorporated County was prohibited by a 15-year agreement between VCTC, the County, and property owners adjacent to the SPBL. This agreement expires in February 2015.

The rail corridor is owned in fee by VCTC. Along much of the SPBL, agricultural operations line both the north and south sides of the VCTC right-of-way and in some areas encroach onto the 100-foot right-of-way, pursuant to existing lease agreements between VCTC and the agricultural operators. Many agricultural crossings are legally entitled; of these, some are location-specific while others are generally or vaguely located. Some farmers are traveling on the right-of-way laterally without the legal right to do so. Agricultural uses along the SPBL change in response to market demand and crop viability. Currently, the adjacent properties generally include row crops and orchards (e.g., avocados and lemons).

In 2013, the County prepared engineering plans and an EIR addendum for its Piru Commuter Bicycle Path Phase III Project, which proposed construction and operation for an approximately 1-mile segment of the larger SPBL Recreation Trail in the Piru area. The project was met with significant opposition from agricultural interests, including the Farm Bureau; the Ventura County Coalition of Labor, Agriculture and Business; and the County Agricultural Commissioner. Concerns expressed by agricultural landowners and interests included vandalism, litter, increased liability, trespassing, the potential loss of the ability to cross the SPBL corridor, and the potential loss of existing farmland to buffers between recreational and agricultural uses.

As the 15-year agreement between VCTC, the County, and property owners adjacent to the SPBL approaches its end, new strategies are sought to address the relationship between agricultural and recreational interests, in the hope that the constructed portions of trail along the SPBL can be joined into a continuous whole reaching the coast. This report investigates trails that have been implemented in active agricultural areas, and reviews how they affected agricultural operations and food production. Outreach methods, negotiations between interested parties, trail and buffer design, and trail management policies and strategies are evaluated for their success or failure in balancing the needs of all stakeholders.

3 SUMMARY OF FINDINGS

Trails and active agriculture areas can and do exist in harmony, as demonstrated by examples from across the United States, including a wide range of use levels, trail surfaces, and management policies. The following strategies have been essential to the success of trails in agricultural areas:

- Indemnification of farmers against liability from trail use (in California there are existing statutes that provide strong protections);
- Fencing to clearly delineate trail and agricultural areas and provide barriers;
- Policies and agreements that give farmers the ability to close portions of the trail when agricultural operations would otherwise be limited by or hazardous to trail users;
- Controlled crossings that allow farm equipment to reach both sides of the trail, where necessary;
- Signage to alert trail users to the presence of active agricultural operations and instructing users to stay on the trail;
- Maintaining and observing the trail at a level to minimize vandalism and encourage a self-policing environment.

3.1 Design and Management Strategies

The most common thread in successful trail planning and management in agricultural settings has been one-on-one cooperation between trail operators and adjacent farmers and landowners. By developing these individual relationships, trail managers are able to accommodate concerns of farmers that are specific to the land features, crops, operations and machinery required for unimpeded farming. While farm bureaus and other agricultural representative bodies have, as a matter of policy, opposed recreational uses adjacent to farmland, individual farmers adjacent to the trails analyzed in this study have reported very little, if any, conflict with trail operations, trail users, or have had their farming operations hampered by adjacent trails. Illegal dumping, when it has been documented, has been the responsibility of the trail operator to clean up, and the presence of the trail removes the farm operator's responsibility. Concerns of trespassing, theft, and vandalism have not been supported by evidence.

Of all documented management practices, one of the most common is the ability to close the trail, or portions thereof, to allow agricultural operations such as spraying to occur without the danger of affecting trail users. Design measures that have helped minimize conflict include fencing and/or planted buffers between trails and crops, and the design and maintenance of regular trail crossings and gates for farmers.

The topic of trails through agricultural areas deserves additional ongoing study. As evidenced in this report, existing studies of trails, policies, and guidelines to address the interactions of recreation with farms are scarce. This study attempts to bring some of the strategies already in place in trails throughout the nation into an organized collection, while highlighting the most effective management techniques, design elements, and outreach methods. Of utmost importance is that trail planners and operators make direct contact with adjacent farmers and landowners and allow flexibility in trail design and management to meet the individual needs of affected stakeholders.

3.2 Indemnification

The California Government Code includes protections for landowners and facility operators from legal claims by recreational users. Counties and trail operators have, in some cases, chosen to implement specific policies to further indemnify trail-adjacent farmers and landowners from liability for any harm that may come to trail users. Applicable California codes and a selection of county and operator-specific policies are reproduced below.

California Government Code § 831.4 provides protection to public entities and easement grantors from liability to users of recreational trails, regardless of trail surface:

> 831.4. A public entity, public employee, or a grantor of a public easement to a public entity for any of the following purposes, is not liable for an injury caused by a condition of: (a) Any unpaved road which provides access to fishing, hunting, camping, hiking, riding, including animal and all types of vehicular riding, water sports, recreational or scenic areas and which is not a (1) city street or highway or (2) county, state or federal highway or (3) public street or highway of a joint highway district, boulevard district, bridge and highway district or similar district formed for the improvement or building of public streets or highways. (b) Any trail used for the above purposes. (c) Any paved trail, walkway, path, or sidewalk on an easement of way which has been granted to a public entity, which easement provides access to any unimproved property, so long as such public entity shall reasonably attempt to provide adequate warnings of the existence of any condition of the paved trail, walkway, path, or sidewalk which constitutes a hazard to health or safety. Warnings required by this subdivision shall only be required where pathways are paved, and such requirement shall not be construed to be a standard of care for any unpaved pathways or roads.
>
> *(California Government Code Section 831.4. http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=00001-01000&file=830-831.8)*

Further, California Civil Code § 846 specifically indemnifies private land owners against liability for any recreational users entering their property:

> 846. An owner of any estate or any other interest in real property, whether possessory or nonpossessory, owes no duty of care to keep the premises safe for entry or use by others for any recreational purpose or to give any warning of hazardous conditions, uses of, structures, or activities on such premises to persons entering for such purpose, except as provided in this section.
>
> A "recreational purpose," as used in this section, includes such activities as fishing, hunting, camping, water sports, hiking, spelunking, sport parachuting, riding, including animal riding, snowmobiling, and all other types of vehicular riding, rock collecting, sightseeing, picnicking, nature study, nature contacting, recreational gardening, gleaning, hang gliding, winter sports, and viewing or enjoying historical, archaeological, scenic, natural, or scientific sites.
>
> An owner of any estate or any other interest in real property, whether possessory or nonpossessory, who gives permission to another for entry or use for the above purpose upon the premises does not thereby (a) extend any assurance that the premises are safe for such purpose, or (b) constitute the person to whom permission has been granted the legal status of an invitee or licensee to whom a duty of care is owed, or (c) assume responsibility for or incur liability for any injury to person or property caused by any act of such person to whom permission has been granted except as provided in this section.

> This section does not limit the liability which otherwise exists (a) for willful or malicious failure to guard or warn against a dangerous condition, use, structure or activity; or (b) for injury suffered in any case where permission to enter for the above purpose was granted for a consideration other than the consideration, if any, paid to said landowner by the state, or where consideration has been received from others for the same purpose; or (c) to any persons who are expressly invited rather than merely permitted to come upon the premises by the landowner.
>
> Nothing in this section creates a duty of care or ground of liability for injury to person or property.
>
> *(California Civil Code Section 846. http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=00001-01000&file=840-848)*

San Diego County Ordinance Number 9233 (the "Trail Defense and Indemnification Ordinance") provides a similar indemnification agreement, but specifically for owners of parcels containing or adjacent to recreational trails. Specific indemnification language from the ordinance is below:

> Sec. 812.103. INDEMNITY. The County of San Diego will defend and indemnify an owner of a parcel of land as described in this chapter, from all claims, demands or liability for injury to person or property that occurs on the trail, or incidental to use of the trail, when used for any recreational purpose, excluding injury occurring in any of the following circumstances:
>
> a) The owner's willful or malicious failure to guard or warn against a dangerous condition, use, structure or activity;
> b) Where permission for recreational use was granted for a consideration other than the benefit received at the time of dedication;
> c) Where the person suffering injury was expressly invited by the owner to use the trail for a recreational purpose rather than merely permitted to use it;
> d) Where the person suffering injury is a member of the owner's household.
>
> *(San Diego County Ordinance Number 9233. http://www.sandiegocounty.gov/cob/ordinances/ord9233.pdf)*

Also in San Diego County, the San Dieguito Joint Powers Authority (JPA), operator of the San Pasqual Valley Agricultural Trail (see page 11), passed a resolution to specifically indemnify farmers adjacent to the trail against claims from trail users. The JPA carries insurance to assist in the legal defense of suits brought against land owners, and also assists with legal counsel. This resolution, as applied to the Mule Creek Trail (with a similar agricultural adjacency) appears in Appendix A.

In areas with active agricultural operations, adequate signage alerting trail users to farming activities and equipment should be installed to alert users to the possibility of hazardous conditions.

3.3 National Trail Inventory

In order to identify trails that are most applicable to the SPBL, a nationwide inventory was completed of trails that pass through or adjacent to active agricultural lands. Data was gathered for each of these trails and used to determine which trails were most comparable to the SPBL. Trails included in this national inventory are shown in Table 1. From this list the most pertinent nine examples were selected for more detailed case studies. Information on the remaining trails is provided in Section 5.

Table 1 – National Trail Inventory – Trails in Agricultural Settings

NAME OF PROJECT	STATE	COUNTY	CITY
Arundell Barranca Bike Path	CA	Ventura	Unincorporated
Bob Jones Pathway	CA	San Luis Obispo	Avila Beach
Catskill Scenic Trail	NY	Delaware, Schoharie	
Cedar Valley Nature Trail	IA	Linn	
Conewago Recreational Trail	PA	Lebanon, Lancaster	
Cowell-Purisima Coastal Trail	CA	San Mateo	South of Half Moon Bay
Fred Meijer Heartland Trail	MI	Montcalm	Edmore, MI
Goleta Bicycle Route	CA	Santa Barbara	
Hanover Trolley Trail	PA	York	
Harlem Valley Rail Trail	NY	Dutchess, Columbia	
Hart-Montague Trail	MI	Muskegon and Oceana	
Hennepin Canal Parkway	IL	Bureau, Henry, Whiteside	
Ice Age Trail	WI	Statewide	
Joe Rodota Trail	CA	Sonoma	Santa Rosa to Sebastopol
John Wayne Pioneer Trail	WA	King, Kittitas	
Lake Wobegon Trail	MN	Stearns	
Lakelands Trail	MI	Ingham, Livingston, and Washtenaw	
Latah Trail	ID	Latah	Moscow
Macomb Orchard Trail	MI	Macomb	
Mokelumne Coast to Crest Trail	CA	Alameda, Calaveras, Contra Costa, Tuolumne	

NAME OF PROJECT	STATE	COUNTY	CITY
Monterey Bay Scenic Sanctuary Trail	CA	Santa Cruz	3 miles east of Santa Cruz
Mullet Hall Equestrian Trail System	SC	Charleston	
Musketawa Trail	MI	Ottawa, Muskegon	
Norwottuck Rail-Trail	MA	Hampshire	Belchertown, Northampton
Oak Creek Trail	NE	Butler, Saunders	
Obern Trail (Atascadero Bike trail)	CA	Santa Barbara	
Ohlone Rail Trail	CA	Santa Cruz	
Raccoon River Valley Trail	IA	Dallas	
Row River Trail	OR	Lane	
Russell Boulevard Bike Path	CA	Yolo, Solano	Between Davis and Winters
San Pasqual Valley Agricultural Trail/ Mule Hill Historic Trail	CA	San Diego	San Diego
Sauk Rail Trail	IA	Carroll, Sac	Carroll, Lake View
Slippery Elm Trail	OH	Wood	
South Prong Rocky River Greenway (SE Greenway, Davidson Greenway)	NC	Mecklenburg	Davidson
Stavich Bike Trail	PA/OH	Mahoning (OH), Lawrence (PA)	
Ventura River Trail (Ojai Valley Trail Extension)	CA	Ventura	Ventura
West County Trail	CA	Sonoma	

3.4 Literature Review

A search and review of related literature highlights the need for research of this kind. The vast majority of existing research on the combination of recreational and agricultural uses involves either low-intensity grazing land or the establishment of agritourism. While agritourism can provide benefits to both farmers and trail users, it presents a very different situation to the SPBL, where agricultural operations are large scale and intensive. The literature summarized in Table 2 addresses trails in agricultural settings in a general way, or agritourism in a way that provides guidelines applicable to trails in agricultural areas.

Table 2 - Literature Review Summary

TITLE	GEOGRAPHICAL REGION	AUTHOR/ AGENCY/ PUBLICATION	YEAR PUBLISHED	NOTES/DESCRIPTION
Trails through Agriculture Areas	British Columbia	British Columbia Ministry of Agriculture	2005	A guidebook, brochure, and series of pictures to address conflict between trail users and agriculture. Directed at user education.
A Guide to Using and Developing Trails in Farm and Ranch Areas	British Columbia	British Columbia Ministry of Agriculture and Lands	2005	The guide contains suggestions and recommendations for people who are directly involved in the planning, design, development and maintenance of trails that go through agricultural lands.
Land Trusts and the Choice to Conserve Land with Full Ownership or Conservation Easements	United States	Dominic P. Parker	2004	Conservation easements, descriptions, examples where owners adjacent to easements have built fences, maintained trails.

TITLE	GEOGRAPHICAL REGION	AUTHOR/ AGENCY/ PUBLICATION	YEAR PUBLISHED	NOTES/DESCRIPTION
Recreation, tourism and the farmer	England/Wales	Michael Dower	1973	Details common concerns and conflicts. Encourages farmers to embrace tourism, provide services for visitors. Recommends the development of information similar to the materials in British Columbia.
Governing recreational activities in Ireland: a partnerships approach to sustainable tourism	Ireland	Thomas van Rensburg	2006	
Protecting and managing private farmland and public greenways in the urban fringe	Hartford, CT	Robert L. Ryan	2004	Bring recreation and conservation organizations together with local farmers in greenway planning decisions.
Rail-Trails and Community Sentiment	United States	RTC	1998	General strategies for reducing conflict
Ag Respect	Napa Valley, CA	Napa Valley Vine Trail Coalition	Online, ongoing	Media campaign created by the Napa Valley Vine Trail Coalition in partnership with the Napa County Farm Bureau and Napa County Regional Park and Open Space District, to promote awareness among recreational users visiting agricultural areas.

4 Detailed Trail Information

The following section provides nine trails that were found to be most applicable to the SPBL. A general summary of each trail's context and history is provided, along with details on the trail's physical characteristics; specific design features to accommodate agriculture; and management strategies essential to the trail's operation in an agricultural setting. Where possible, contact information for and feedback from trail and agricultural operators is supplied.

4.1 San Pasqual Valley Agricultural Trail, San Diego County, CA

Summary

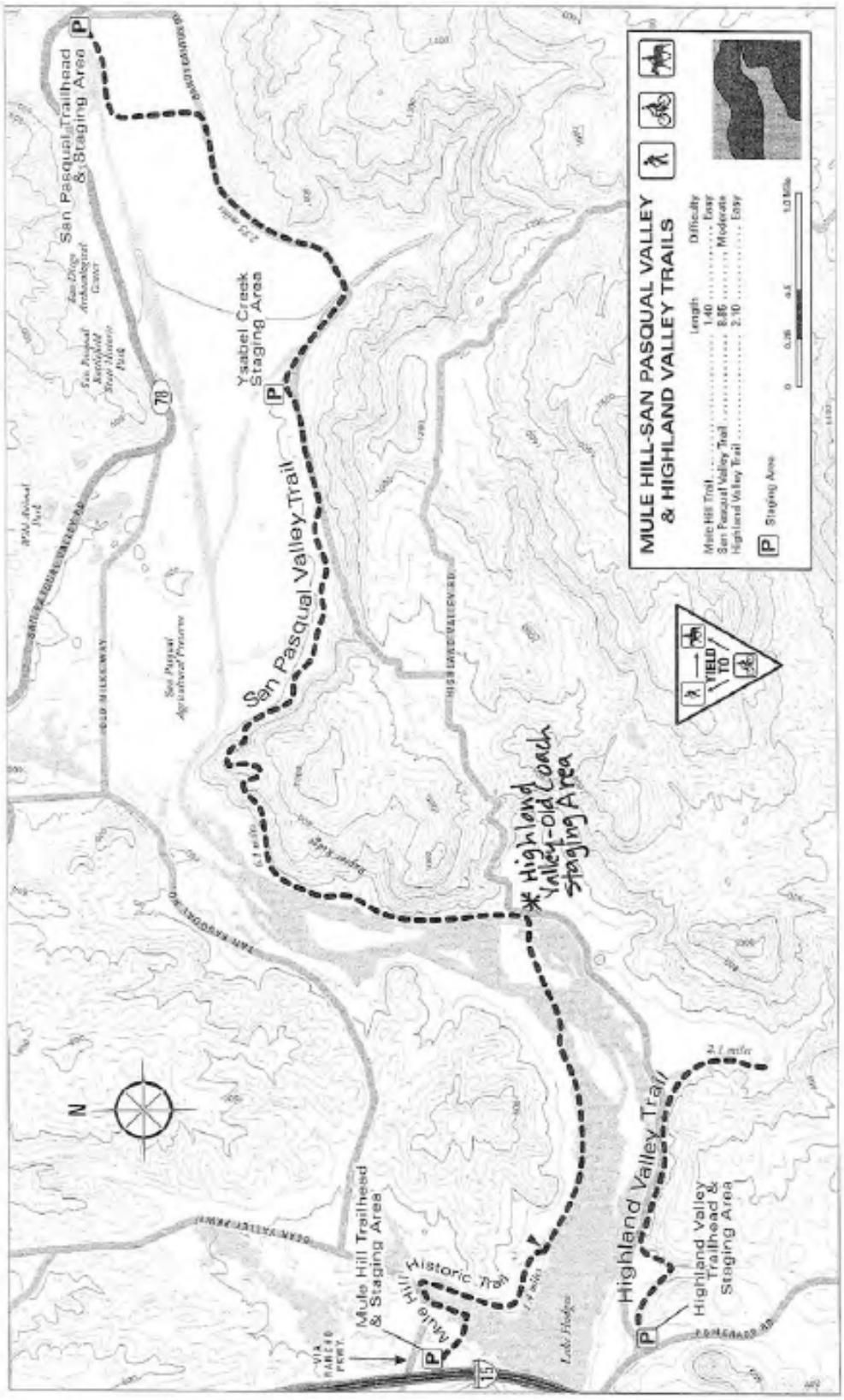
The San Pasqual Valley Agricultural Trail (SPVAT) was opened in June 1, 2002. The trail goes through an agricultural preserve owned by the City of San Diego, which leases the land to private farmers. During the planning phase of the trail, significant resistance was presented by local farmers and the San Diego Farm Bureau, primarily out of fear of theft and vandalism. The trail follows the edges of farm properties; farmers occasionally need to bring equipment across the trail.

(continued on next page)

(San Pasqual Valley Agricultural Trail, continued)

Trail Features	Specific Design and Management Measures
Trail operator: San Dieguito River Park Joint Powers Authority (SDRP JPA) **Length:** 8.75 miles **Trail width:** 12' overall. 4' in oak grove areas, 6-8' in other constrained areas. **ROW/Corridor width:** Varies; generally 20' **Trail surface**: Unpaved native surface **Trail use**: Equestrian, hiking, and biking **Type of crops and operations**: Orange groves, avocados, asparagus, squash, ornamental flowers, and row crops **Trail owner/operator contact information:** Shawna Anderson, San Dieguito River Park, 858-674-2275 x13, shawna@sdrp.org **Agricultural operator contact information:** Matt Witman, Witman Ranch	• Specific fencing was designed for the trail, modified from the park department's standard lodgepole fencing. Chicken wire inserts were added approximately one foot from the ground to allow wildlife to pass through; • Gates allow sections of the trail to be closed; • Signage installed to alert the trail-users of trail closure for spraying and to stay on the trail; • Farmers can dictate trail closure (within reason, i.e., preferably not on weekends) for maintenance and crop spraying. This protocol was developed and approved by the County Farm Bureau, County Farm Advisor's Office, and the affected farmers; • The SDRP JPA chose to indemnify the farmers against liability issues relating to those using the trail. **Feedback from Involved Parties** • Shawna Anderson: There have been no reported incidents of theft, vandalism, or liability issues to this date. • Many farmers who were initially opposed to the trail now support it. • An agreement was made early after the SDRP JPA listened to the concerns of the farmers and created specific design and management plans to create a mutually beneficial relationship between the trail and agricultural industry. • One segment required the removal of orange trees to make space for the trail. The owner of the trees was compensated for the value of the trees and their future crop value. • Matt Witman: Citrus farmer, primarily orange groves, some organic farming; • Heavily involved in the early planning process. Primary concerns were trespassing and litter from the trail contaminating crops and affecting farm inspections; • Indemnification of farmers was "a dealbreaker" – the farmers and farm bureau would have never supported the trail without it; • Trespassing has not been a major problem overall, there was one instance where a bicycle race took place on the trail, and one of the racers got lost and strayed onto the farm and a pack of racers followed. No damage was done but it was not an ideal scenario; • Chainlink fencing is important, as it provides a better psychological barrier for trail users than lodgepole, and also keeps dogs off the farm; • If he could do it all over again, he would have pushed for more stringent trash cleanup requirements from the trail operator.

Trail Map



Source: http://www.sdrp.org/images/mule_hill_trailmap.jpg

Project Photos



Source: http://www.fsdrv.org/photosRVViews.html (friends of San Diego River Valley



Source: http://jamescoffeestudios.smugmug.com/San-Dieguito-River-Park/Hikes/Valley/20090228-Ysabel-Creek-to-1

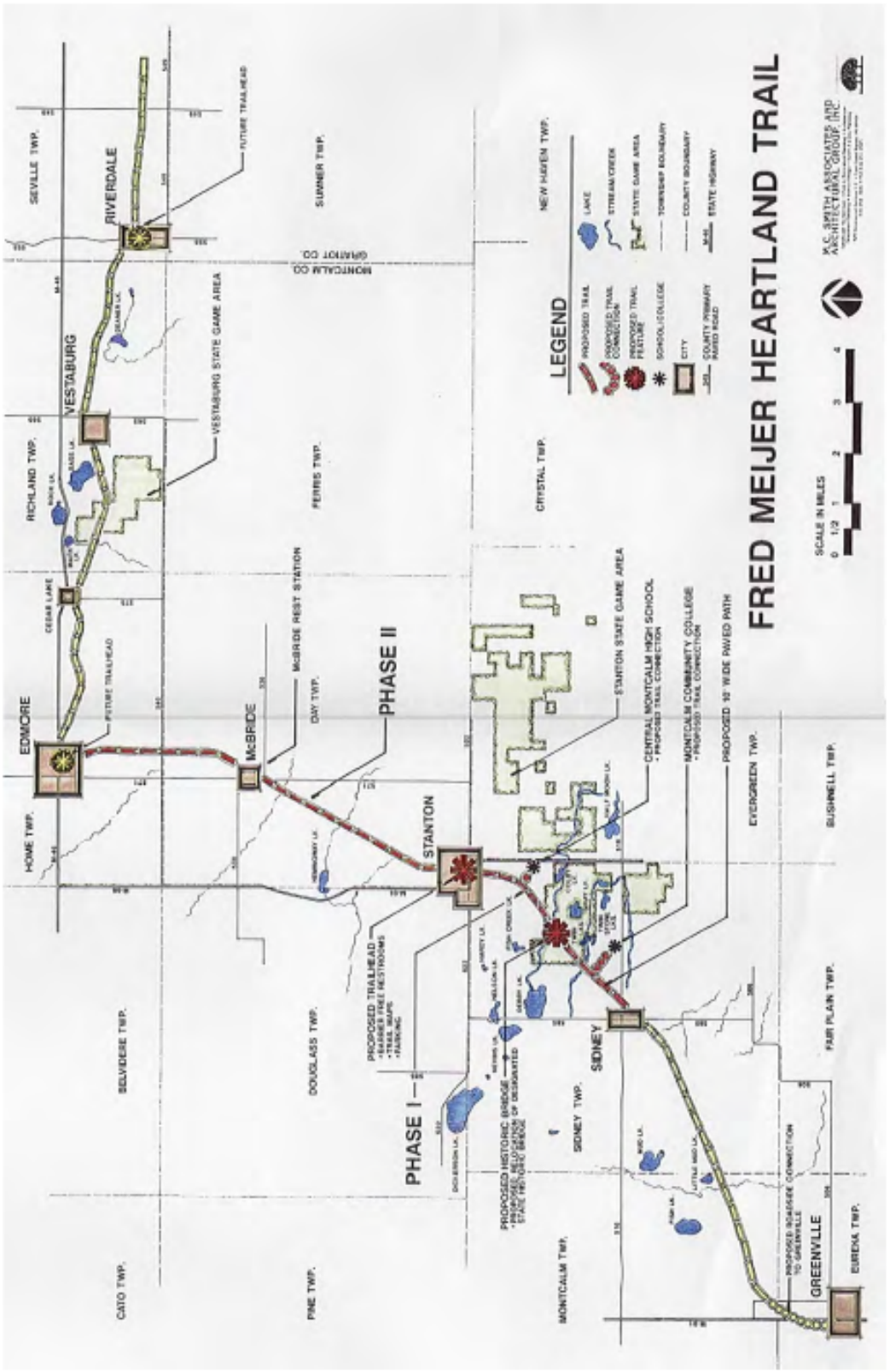
4.2 Fred Meijer Heartland Trail, Montcalm County, MI

Summary

In 1994 Fred Meijer and other donors funded the purchase of the abandoned rail line and its transformation into a recreation trail. Paving was begun with grants from ISTEA, DALMAC, and many generous private donations. Concerns from farmers included trespassing fears and restricted access to land on both sides of the trail. Other than agriculture, hunters also opposed the trail as it was used for hunting prior to development. During the trails development there were multiple outreach events between the trail developers and the public. Two hearings were held and there were petitions both for and opposing the trail. While an agreement with all adjacent farmers could not be reached, the trail was constructed with overall public support. All trail funding is from private donations and trail memberships.

Trail Features	Specific Design and Management Measures
Trail operator: Friends of the Fred Meijer Heartland Trail **Length**: 41 miles **Trail width:** 10' with 2' shoulders; 14' total **ROW/Corridor width:** 50' on each side of center line **Trail surface:** Paved asphalt **Trail use:** Bikers, walkers, roller blade enthusiasts and joggers **Type of crops and operations:** Potatoes, soy, hops, corn, beans, hay, wheat, alfalfa, oats **Owner/operator contact information**: Don Stearns, President, 989-235-6170 dkstearns@centurylink.net **Agricultural owner/operators:** Ned Welder; Jan Pearl (property owner, leases to a farmer); Robert Spencer	• Bollards were put in place on the trail to limit vehicular use and dumping. All keyed the same with emergency responders having access to keys. • Gates installed to allow farmers to cross. • MI state law indemnifies farmers for injury to trail users. • When trail was constructed, a wide apron was installed to allow combines and semis to cross. • Signs posted to warn users to watch for farm equipment crossing. **Feedback from Involved Parties** • Don Stearns: No reports of trespassing onto farmland. Occasionally farmers have encroached into the trail buffer, spraying the trail (4 incidents in 20 years) and snowmobiles entering the trail and causing accidents have been reported. Ray Christiensen, a corn farmer, was ruled against in federal court and had to pay damages for cutting down trees in the buffer within the trail's right-of-way. • Ned Welder: no problems with the trail. He walks along the trail to check on his crops. • Jan Pearl: very concerned about trespassing before the trail was built, but have had no problems with the trail or trail users. She said she was uncomfortable with change but is now a trail user and sees it as a very positive thing for the community • Robert Spencer: has generally experienced no problems with the trail. One issue was a deer hunter using the trail. Another is that potato farms nearby spray from the air and there has been concern about drift.

Trail Map



http://www.montcalm.org/trail/FrontPage%20Stuff/trail/images/Map-All2.jpg

Project Photos



.http://trailsmichigan.com/trailpage.php?nr=69_Fred-Meijer-Heartland-Trail-Entire-Trail



http://vanscyoc.net/blog/archives/841-Fred-Meijer-Heartland-Trail-Michigan.html

4.3 Cowell-Purisima Coastal Trail, San Mateo County, CA

Summary

The Peninsula Open Space Trust (POST), working with the California Coastal Conservancy, a state agency, bought the land to protect it from development, and later sold it to the farmer, Giusti, with conservation and trail easements in place. The design and implementation of the trail involved a lot of work with the owner/farmer to make the trail work in the agricultural setting; stout fencing; information and regulatory signs, trail gates the farmer has a right to close, within certain limits, to accommodate crop spraying and other operations; and special wide double gates to allow cattle and large equipment, such as disking tractors, to cross the trail while simultaneously closing the trail. The trail was open 7 days per week for the 1st year, except for month-long periods when it was closed on weekdays for field spraying. Then due to State parks closure of the north leg of the access due to budget constraints, the trail was closed weekdays and is currently only open weekends and holidays. POST uses volunteer docents for patrol and a local landscape restoration company for maintenance.

Trail Features	Specific Design and Management Measures
Trail operator: Peninsula Open Space Trust **Length:** 3.6 miles **Trail width:** 6 to 12 feet, depending on topography **ROW/Corridor width:** Varies; 20' minimum **Trail surface**: Unpaved, base rock surface **Trail use**: Hikers, bicyclists, handicap accessible at most parts, no dogs or horses due to food safety concerns with adjacent farm fields **Type of crops and operations**: Artichokes, Brussels sprouts, field crops, grazing **Owner/operator contact information**: Paul Ringgold, Vice President, Land Stewardship, Phone: (650) 854-7696 pringgold@openspacetrust.org **Agricultural owner/operator:** John Giusti, Giusti Farms, LTD. 650.726.9221.	• Stout fencing • Large gates to accommodate cattle and equipment passage while trail is closed • Gates to close trail during spraying and operations • Information and regulatory signs • Maintained by volunteer docents • Farmer has ability to close gates for maintenance **Feedback from Involved Parties** • Paul Ringgold: The ability to work as a team, such as on a section where bluff erosion was impacting the trail, is key to success. • POST recently asked whether there were any security issues that would benefit from additional gates and was told that there were none. • POST hasn't received any negative comments from owner John Giusti, or Giusti's agricultural tenant on the southern half of the property, Bob Marsh. • John Guisti reported 8/25/14 that the trail project "has not interfered with his operation at all, and he considers it a successful project." The fence is very important. There is never anybody crossing it, though sometimes there are people on the trail when it is supposed to be closed (such as for spraying - often runners. The project is a success because of the planning that took his concerns into consideration, and made it more of a partnership. The information about spraying and the allowance for closure was important.

Trail Map



Sourece: http://www.openspacetrust.org/images/Cowell_Purisima_Trail.pdf

Project Photos



http://www.wisdomportal.com/CowellRanchBeach/219-TrailheadToBeach.jpg



http://peninsulaopenspacetrust.files.wordpress.com/2014/08/cowell-purisimatrail-open_4562_cpaolovescia11.jpg

4.4 Bob Jones Bike Trail, San Luis Obispo County, CA

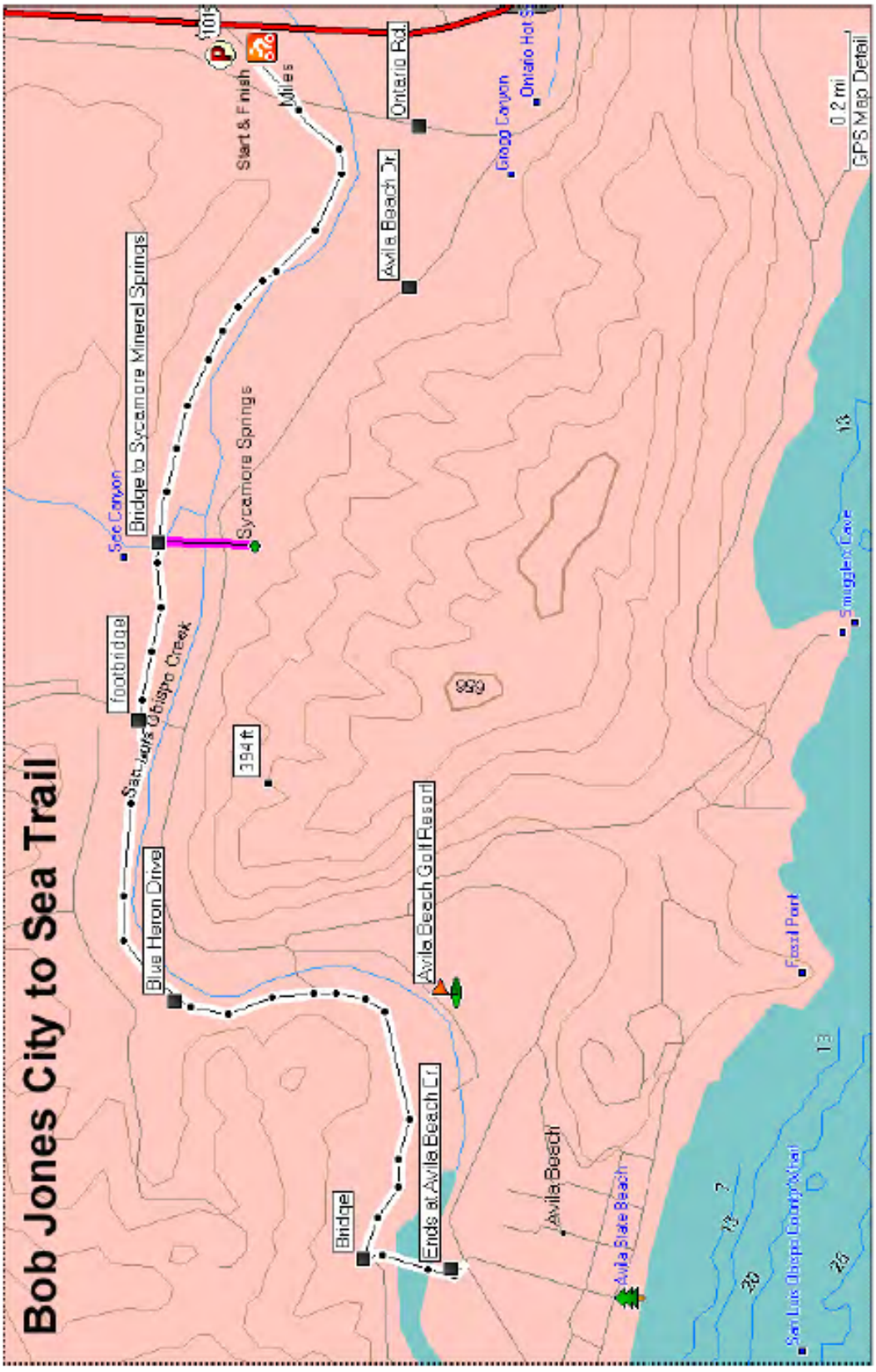
Summary

Previously Avila Beach Trail and the Bob Jones City to Sea Bike Trail. It follows the Pacific Coast Railroad right-of-way along the San Luis Obispo Creek to Avila Beach. The trail is being built on easements that are either purchased from or donated by landowners. The existing trail is adjacent to a creek, SLO golf course, and an apple orchard.

The new segment of the trail will be adjacent to more agriculture. Draft EIR is currently underway, and a second public workshop for the EIR is expected to be conducted in late October 2014. Extensive coordination with landowners for this phase. Concerns have been raised about access and interference with farm equipment. With federal funding, negotiations on acquisitions can't begin until EIR complete.

Trail Features	Specific Design and Management Measures
Trail operator: San Luis Obispo County Parks **Length**: 3 miles **Trail width:** Up to 10', narrower as topography demands **ROW/Corridor width:** **Trail surface**: Paved **Trail use**: Bicycle and pedestrian **Type of crops and operations**: Apple orchards **Owner/operator contact information**: Shaun Cooper, Senior Park Planner (805) 781-4388 secooper@co.slo.ca.us	• Fencing and other barriers are being considered for future portions of the trail. • Portions of the trail have been routed around specific parcels to reduce conflict. • In one circumstance, the route was adjusted to pass around a farm. The route originally followed farm frontage roads, but was moved to the back of properties instead.
	Feedback from Involved Parties
	• Shaun Cooper: Trail generally borders agriculture on one side only, with a creek or highway on the other. • The trail is generally on the edges of properties, where it's adjacent to either the creek or 101, so it's not interfering much with operations. The trail overall, being placed on easements, doesn't claim a great deal of property. It's taking a small overall percentage of property that it passes through.

Trail Map



Source: http://hikesin.com/wp-content/uploads/2012/07/Bob-Jones-City-to-Sea-Trail.jpg

Project Photos



Source: http://connectslocounty.org/2013/04/02/bob-jones-octagon-barn-connection-workshop-2/



Photo simulation of proposed new segment of trail. Source: Bob Jones Pathway Draft EIR
http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/bobjonespathway.htm

4.5 Obern Trail, Santa Barbara County, CA

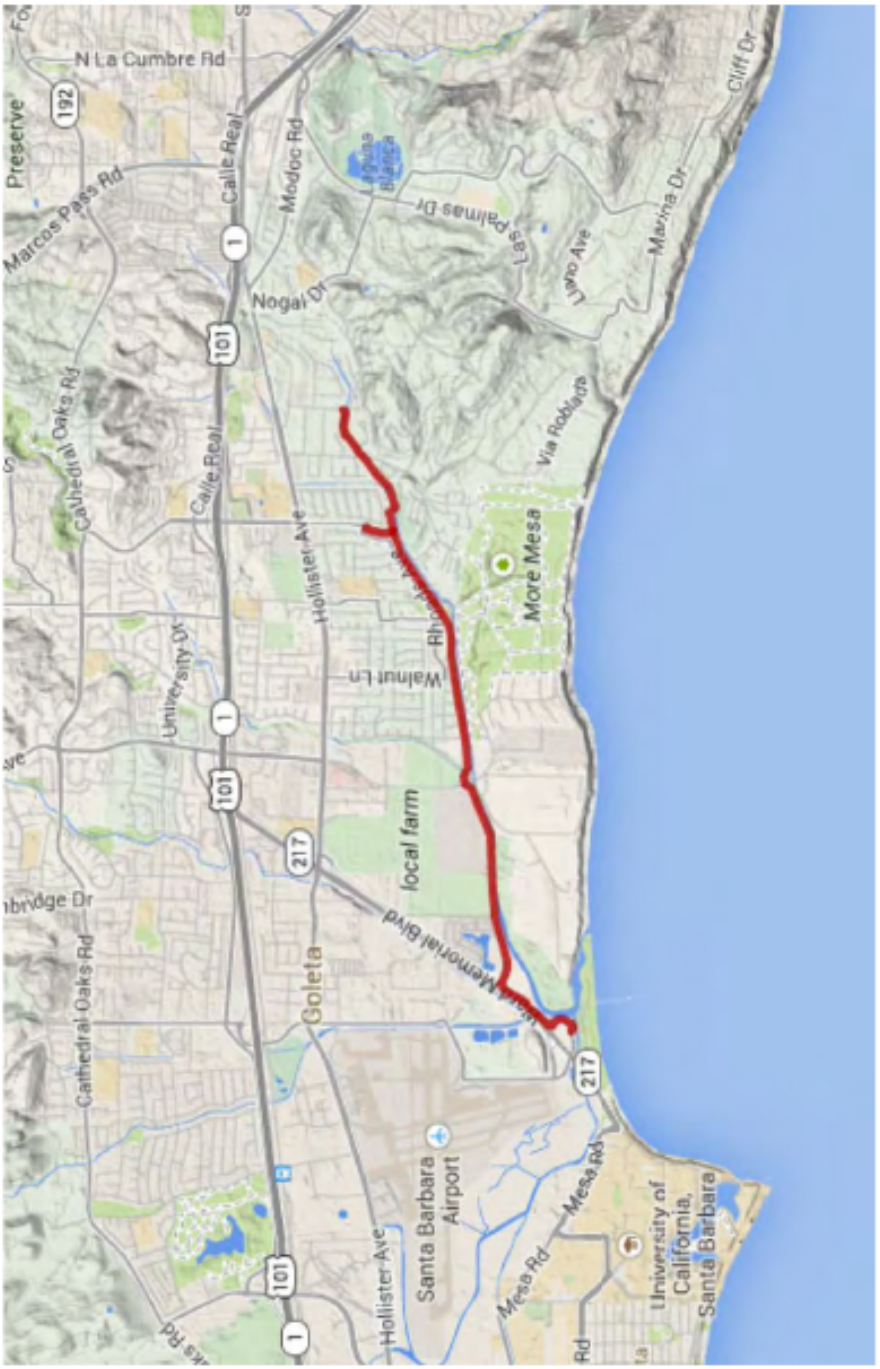
Summary

This trail was first proposed 1967, when housing developments and drainage creeks were being constructed in the area. George and Vie Obern lobbied for the creation of trails along these creeks, and the trail was named after them in 2004 (it was previously called the Atascadero Trail).

The surrounding agriculture includes some of the most productive in the county - it's in the flight path of the airport, not under threat from development, so there is heavy investment in irrigation, greenhouses, and equipment. The stretch from Patterson to Goleta Beach passes through high value crops.

Trail Features	Specific Design and Management Measures
Trail operator: Santa Barbara County **Length**: 3.5 Miles **Trail width:** 10' **ROW/Corridor width:** Varies, most often 20' **Trail surface:** Paved **Trail use**: Recreational and commuter cycling **Level of use**: High: thousands of users daily **Type of crops and operations**: Strawberries, tomatoes, nurseries, greenhouses, row crops, and orchards. **Owner/operator contact information**: Matthew Dobberteen, Alternative Transportation Manager, Santa Barbara County Department of Public Works 805-568-3576 **Agricultural owner/operator:** John Givens john.givens1@verizon.net - 805-964-4477	• Little to no physical barrier in most places. Oleander hedges and chainlink fence. • Each farmer decides on fencing – not installed by the County. • High levels of use create a self-policing scenario. • The trail is lit throughout, at all hours. **Feedback from Involved Parties** • Matthew Dobberteen: In over ten years managing trails for Santa Barbara County, I have never received a complaint about the Obern Trail. Our trails that run near agriculture are never the trails we have problems with. The only issue is every few years we may get some graffiti on a retaining wall. "A bike path will make theft harder, not easier, by bringing light, attention, people, eyes to the trail." "If someone wanted to steal from a farm, they'd find a place where no one could see them, not a trail with steady use." • John Givens: No significant impacts from the trail. Occasionally homeless pass through and there is minor vandalism, but it has not been serious enough to involve the County or other authorities. Trail users don't cut through the farm property.

Trail Map



Source: http://www.traillink.com

Project Photos



Source: http://www.edhat.com/site/tidbit.cfm?nid=52049



Source: http://www.edhat.com/site/tidbit.cfm?nid=52049

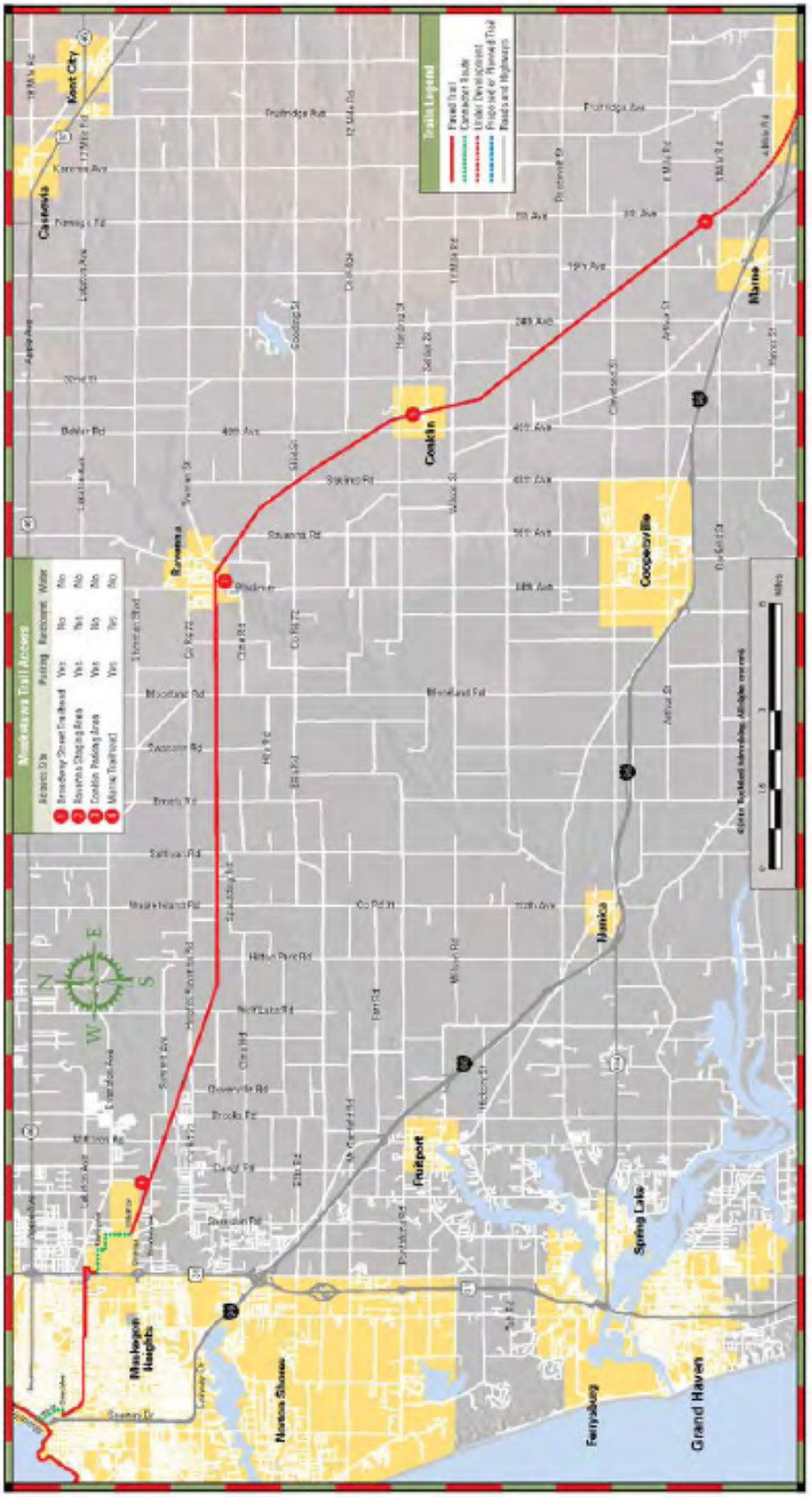
4.6 Musketawa Trail, Ottawa and Muskegon Counties, MI

Summary

This trail was converted from an unused railroad corridor that ran between Marne and Muskegon. It links with other trails in a statewide network. Public meetings were held from 1990-1992. A trail advisory board was formed, made up of representatives from Muskegon and Ottawa Counties from different user groups and local residents.

The first mile of trail was paved in Ravenna in 1997. The following year the eastern half between Marne and Ravenna was completed. The west end will eventually connect to the Hart-Montague Trail and the east end will be extended into Grand Rapids to connect with the White Pine Trail, Kent Trails and Paul Henry-Thornapple Trail.

Trail Features	Specific Design and Management Measures
Trail operator: Michigan Department of Natural Resources/Friends of the Musketawa Trail **Length**: 25 miles **Trail width:** 12', 4-8' gravel shoulder **ROW/Corridor width:** **Trail surface**: Asphalt **Trail use**: Multi-use: bicycling, equestrian, snowmobiling, pedestrian, roller/inline skating, cross-country skiing **Type of crops and operations**: Hay, blueberries, cucumber, corn, possible fruit orchards **Owner/operator contact information**: Wes Lomax, Michigan Department of Natural Resources, (231) 821-0553	• Chainlink or wire fencing. **Feedback from Involved Parties** • Wes Lomax: Conflicts with farmers during the planning phase were resolved early on; no conflicts or issues reported since.


Trails Legend
Paved Trail
Connector Route
Under Development
Proposed or Planned Trail
Roads and Highways
Muskegon Trail Access
Address Site
Parking
Restroom
Water
Broadway Street Trailhead
Yes
No
No
Bayshore Changing Area
Yes
Yes
No
Conklin Parking Area
Yes
No
No
Maple Trailhead
Yes
Yes
No
Kent City
Casnovia
Ravenna
Conklin
Coopersville
Marne
Muskegon Heights
Norton Shores
Fruitport
Muskegon
Spring Lake
Ferrysburg
Grand Haven

Trail Map

Source: http://musketawa.mwswebsites.com/uploads/newsletters/MusketawaTrail_VLS-1.pdf

Project Photos



Source: http://www.railstotrails.org/news/recurringfeatures/trailmonth/archives/0107.html



Source: http://trailsmichigan.com/trailpage.php?nr=79_Musketawa-Trail

4.7 Cedar Valley Nature Trail, Linn County, IA

Summary

Building this trail was a battle, with concerns ranging from trespassing and robbery to general safety for women and children. The trail bisects agricultural properties, so design measures to avoid conflicts were planned. Other issues such as trees along the trail sometimes prevented sunlight from reaching crops. Farmers have been helpful in allowing access to bridges from property. Many farmers and their families have been seen using this trail, while some are still upset due to feelings that the land should be their own. Rural towns and elected officials have become supportive of the trail, touting economic development benefits, connecting of the trail to local business. The trail abuts 3/4 miles of K&J Squires Farms, and bisects portions of their property. They have an easement allowing their equipment to cross the trail and access their fields.

Trail Features	Specific Design and Management Measures
Trail operator: Linn County Conservation Board **Length:** 52 miles **Trail width:** 12' **ROW/Corridor width:** 100' ROW **Trail surface**: Paved asphalt, crushed stone **Trail use:** Pedestrian and bicycles **Type of crops and operations:** Corn, dry beans, hay, wheat **Owner/operator contact information:** Dennis Goemaat, Deputy Director, Linn County Conservation Board, Iowa **Agricultural owner/operator:** Joyce Squires, K&J Squires Farms Inc.	• Fencing with gates; • Reinforced crossing to accommodate equipment; • Easement allowing farm equipment access; • Signage to warn trail users of crossing farm vehicles. **Feedback from Involved Parties** • Joyce Squires: She and her husband were initially opposed to the trail, with concern about trespassing, but this has not been an issue; • Generally the trail has been very positive, she and her family use it; • Only problem they have is that occasionally a trail user will not pay attention to the signs and will cut in front of farm equipment on the trail.



Trail Map

Source: http://www.co.black-hawk.ia.us/conservation/Publications/maps/CVNT%20Map.pdf

Project Photos



Source: Rails to Trails Conservancy

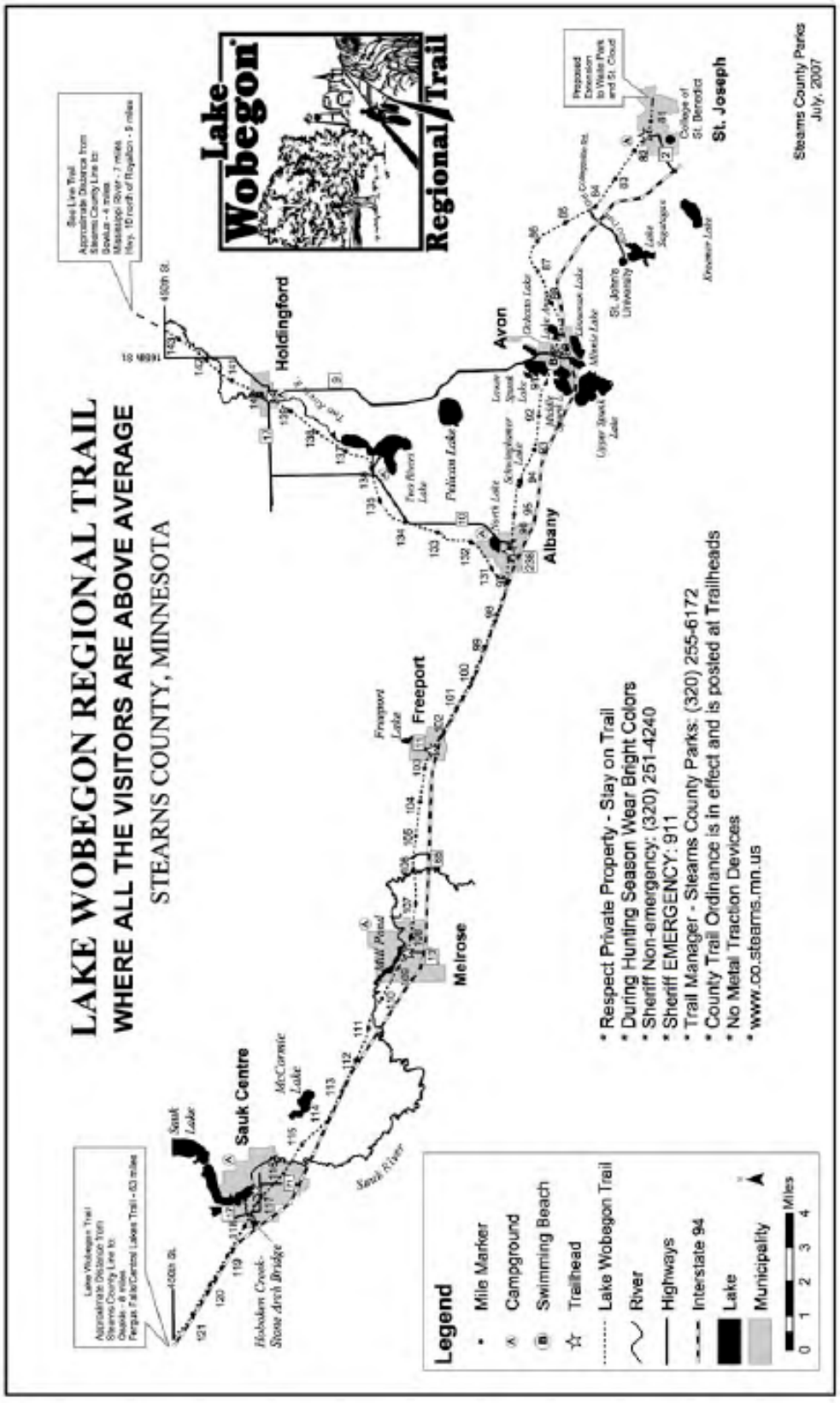
4.8 Lake Wobegon Trail, Stearns County, MN

Summary

Built on a Burlington Northern Railroad corridor, this rail-trail passes the towns of Osakis, St. Joseph, and Albany in Stearns and Todd Counties. The trail opened in 1998 with significant concerns about safety. In 2000-2001 landowners convinced commissioners to build fencing. Farmland is on both sides of the trail. There are generally no gates aside from grazing areas. During the initial phase of development, there was no opposition. During the second phase issues arose when the agricultural commissioner told farmers they would get the underlying property land back for free after the railroad left. There were significant concerns about trespassing, and some portions include a fence of 3-strand barbed wire for livestock and property demarcation. Opposition is now mostly gone, there have been a few people that have expressed concern about spraying for weeds on the trail that might impact crops.

Trail Features	Specific Design and Management Measures
Trail operator: Stearns County Parks **Length:** 62 mi **Trail width:** 10' **ROW/Corridor width:** 100' **Trail surface**: Asphalt, crushed stone, gravel **Trail use:** Bicyclists, cross-country skiers, snowmobilers, pedestrians **Level of use:** High on weekends; 100,000-150,000 users measured from April to October 2014 **Type of crops and operations:** Corn and soybeans **Owner/operator contact information:** Pete Theismann, Park Director Stearns County Parks, MN; 320-255-6172 parks dept. Lake Wobegon Trail	• Yield signs at crossing • Gates where livestock are present • 3 strand wire fence • 40' buffer through most of the corridor • Weekly trail maintenance • Local police are invited to patrol the trail • Trail crossings are minimized. Maintained where existing before the trail, but if new crossings are requested another must be closed **Feedback from Involved Parties** • Pete Theismann: Few problems have occurred, more issues are due to encroachment • Erosion with sand covering trails due to trees being cut down by farmers. • No problems reported with agricultural spraying, trespassing or littering from the public. • The trail is far more popular relative to the concerns that have been raised.

Trail Map



Source: http://saukcentrechamber.com/files/507.pdf

Project Photos



Source: Rails to Trails Conservancy



Source: Barry Weber - http://lwtrails.com/

4.9 West County and Joe Rodota Trails, Sonoma County, CA

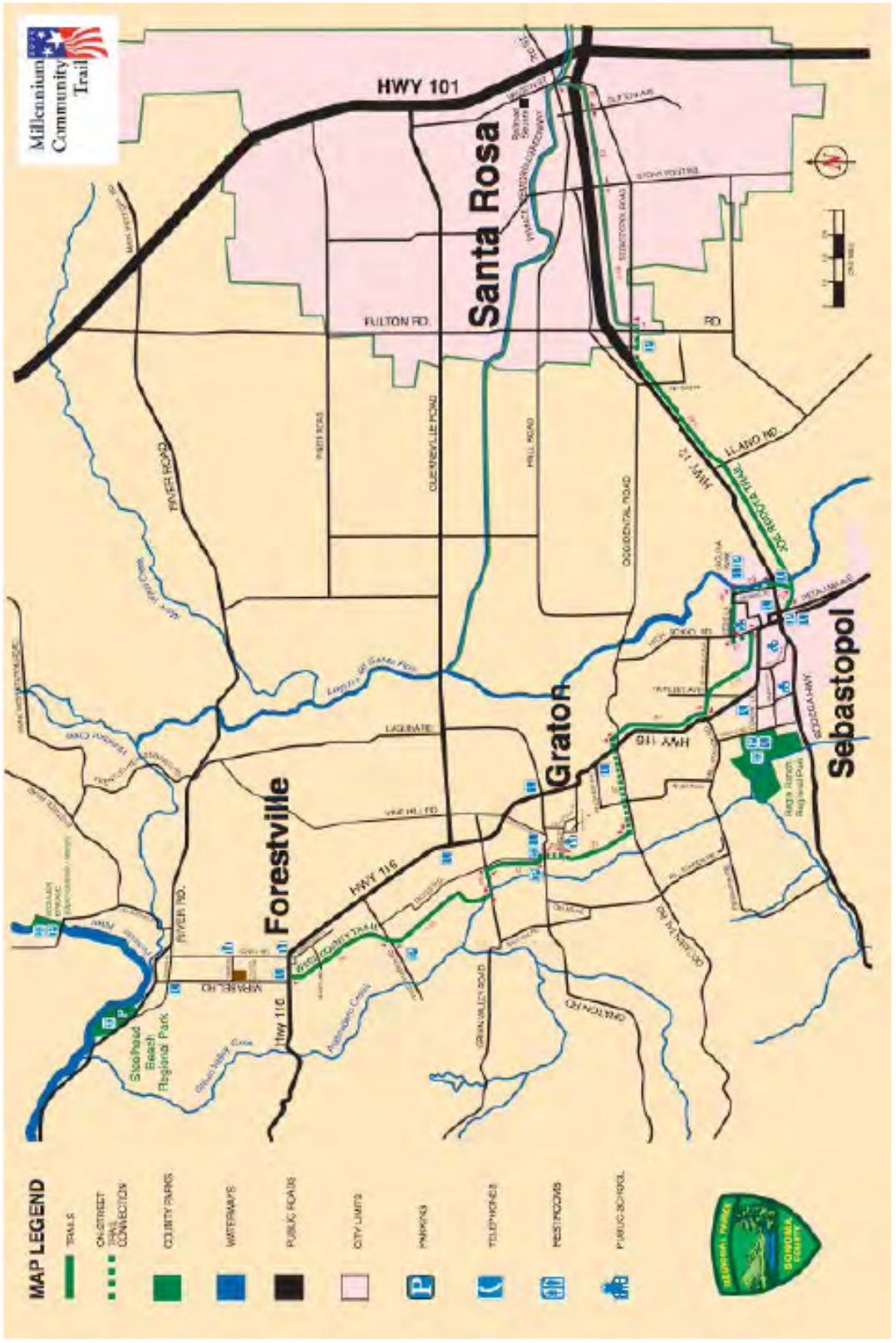
Summary

These trails are built along land that was once the Petaluma and Santa Rosa Railway, a line that linked Petaluma and Santa Rosa with Sebastopol and Forestville. An unpaved equestrian trail runs parallel to the paved trail.

The most common concerns prior to construction included impacts to spraying activities, crop loss, dogs, and turning radius for agricultural equipment. Vineyards have less frequent maintenance needs than row crops.

Trail Features	Specific Design and Management Measures
Trail operator: Sonoma County Regional Parks **Length:** 14 miles **Trail width:** 8' with shoulders **ROW/Corridor width:** 40' – 60' **Trail surface**: Asphalt **Trail use:** Mix of pedestrians and cyclists with limited equestrian use. **Type of crops and operations:** Vineyards, hay, blueberries **Owner/operator contact information:** Bert Whitaker (Maintenance and Operations Chief), Sonoma County Regional Parks. 707-565-2041 Kenneth Tam, Park Planner II, Sonoma County Regional Parks Department, 2300 County Center Drive, Suite 120A, Santa Rosa, Ca 95403 Phone: 707-565-3348 ken.tam@sonoma-county.org **Agricultural owner/operators:** Kendall Jackson, vineyard manager, Russian River Vineyards. Kozlowski Farms, Jam sellers. Daryl Davis.	• Farmers put A-frame signs on their property stating when spraying will occur. • Spraying generally limited to early morning, before most trail users are present. • Aerial spraying not conducted near the trail. • Some vineyard owners have built connections between their properties and the trail. • "No Trespassing" signs have been installed by some vineyard owners. • The County patrols the trail and regularly talks with neighbors. **Feedback from Involved Parties** • Kenneth Tam: The County conducted a record of survey and title search, then reached out individually to agricultural land owners and operators who appeared to be using the railroad ROW without the legal right to do so and requested they provide documentation that they were using the ROW legally. None were able to provide documentation. There was a blueberry farmer using the railroad ROW to access his crops. The farmer has since opened a stand along the trail to sell blueberries and blueberry ice cream. The main concerns voiced during the planning stages included the potential for crime and trespass. These concerns have not been realized. • Bert Whitaker: Some farmers have asked for temporary encroachments (e.g., to run equipment across the trail during harvest); however, the County has taken the stance not to allow this. It would be more convenient for farmers to be able to do this, but they find they can get the access the need using just their properties.

Trail Map



Source: http://parks.sonomacounty.ca.gov/uploadedFiles/Parks/Get_Outdoors/Parks/westcountyand%20joerodota_map_2012.pdf

Project Photos



Source: Rails to Trails Conservancy



Source: Rails to Trails Conservancy

5 OTHER TRAILS

The following trails were identified as potential candidates for further study, but did not meet as many criteria as the trails detailed in the previous section. The following trails all feature agricultural adjacencies, but are presented in summary form here due to inability to contact operators, inapplicable agriculture types, lower levels of use, lower levels of trail development and operations, and geographical distance from Ventura County. Lessons to be learned from these trails reinforce information gathered for the focus trails, and the following trails can provide additional guidance for trail planning and conflict mitigation, particularly regarding interactions between individual farmers and trail operators.

JOHN WAYNE PIONEER TRAIL

King and Kittitas Counties, WA

This is a gravel trail over an old rail bed that features bicycling and equestrian activities. It is owned and operated by Washington State Parks and Lake Easton State Park and was established in 2002. Between Beverly and the Columbia National Wildlife Refuge the trail passes through Crab Creek Wildlife area. About 110 acres of WDFW land on the east end is leased for farming. The major crops in the eastern and northern Crab Creek Sub basin are cereal grains. Agriculture within the irrigation project is more diverse and crops include alfalfa, wheat, corn, potatoes, various tree fruits and many different seed crops. Vineyards and pulp farms have begun to appear recently. The trail is part of Iron Horse State Park - 240 miles total. John Wayne Pioneer Trail is one of 4 or 5 total. The majority of the trails run through agriculture. They operate a "good neighbor policy" with the farmers - crossings are established, and many (70%) were grandfathered in from when the railroad operated. There is usually no fee for farmers to cross. Most farmers own land on both sides of the trail. When the trail was established there was heavy opposition, primarily to return the land to farmers, since rail was removed. Since establishment, most requests from farmers have been able to be addressed (85%) - crossings and access. The state is developing new policy now to handle this interaction. Complaints are usually regarding dumping - people break the gates and leave car bodies or other large junk on the ROW - farmers usually call just because they don't want to look at it. No issues of break-in to farmland.

The trail is unpaved, and farming operations are mainly grains. The trail itself is within a state park.

There were extensive meetings with farmers, and crossing agreements were put in place. Requests from farmers are handled on an individual basis, and are almost always related to crossings.

Trail operator and contact information: Steve Hahn, Property Management Program Manager, Washington State Parks.

MULLET HALL EQUESTRIAN TRAIL SYSTEM

Charleston County, SC

Soil trail used by pedestrians and equestrians. It is owned and operated by Charleston County Park & Rec and was established in 2005. The trails meander throughout the historic fields of the former Mullet Hall Plantation and the system boasts a swamp, active farm fields, deep forest, and meadows. The trail does go through and is adjacent to active farming of one farmer who usually grows grain. There was no conflict during the development of the trail, as the trail director and farmer had a close relationship.

No conflict between uses due to unique land ownership scenario. Soil Surface.

CONEWAGO RECREATIONAL TRAIL (Connects To Lebanon Valley Rail-Trail)

Lebanon and Lancaster County, PA

A crushed rock/compacted surface trail that accommodates cyclists, equestrians, and pedestrians, the trail is owned and operated by Lancaster County Department of Parks and Recreation-Lebanon Valley Rails-to Trails, Inc. It was established in 2004. Agriculture includes horse farms specifically mentioned along trail, and possibly corn, soybean, alfalfa grown in the watershed area in proximity to the trail, but no specifics of crops interacting with the trail. The majority of the Conewago Creek watershed is in agricultural production (approximately 53%) with many of the main stem and tributary floodplains actively pastured or cultivated for crop production. There is private farmland along the trail, but contact had no information about it. Mainly pasture adjacent to the trail.

OAK CREEK TRAIL

Butler and Saunders County, NE

A crushed limestone trail for bicycling, equestrian activities, walking, roller/inline skating, cross country skiing, and snowshoeing, the trail is owned and operated by Lower Platte South and was established in 2007. Resources state that "the route continues through natural prairie, open farmland and oak woodlands until the trail reaches its endpoint at the trailhead in the town of Valparaiso." Contact with the operator's office confirmed fields are corn, soybeans and other grains, but no orchards. No reports of conflicts with the farmers in the area.

ICE AGE TRAIL

Statewide, WI

Ice Age Trail Alliance owns and operates this trail, which passes through farmland. Approximately 650 miles of trails, most of which is through agricultural lands. Multiple agreements are made with farmers, worked out one at a time. There are all kinds of agriculture, but more crops than grazing. Portions of the trail are rail-trail. Some issues include very narrow corridors left by farmers and also many areas are on farmers' land. The trail operators have brought landowners together to fill gaps in the trail and have worked with each farmer to ensure farms remain viable. They have also purchased easements, going well with farmers. Farmers sometimes disliked the trail and were upset at the lack of ability to drive the length of the rail line, which was not legal prior to the trail's development, but crossings were provided to alleviate the conflicts. An example was given of a farmer whose land was acquired with an easement and had to modify his practices somewhat, but it worked out. There was also a band of landowners who wanted to buy out a portion of rail line so trail couldn't go in, which went to court and the landowners lost. Ice Age has an elaborate planning process that takes many years that includes a lot of community outreach in order to slowly build support. It is, for most of the trail's distance, a narrow footpath, rather than a heavy-use paved trail.

Individual agreements were arranged with farmers and communities, formed over decades. Many stories about these agreements are available from the trail operator.

Operator contact: Kevin Thusius, Director of Land Conservation (800) 227-0046 - kevin@iceagetrail.org

HANOVER TROLLEY TRAIL

York County, PA

Owned and operated by York County Rail Trail Authority. Portions of the trail were constructed in 2008, while others were scheduled for 2013, but have not yet been constructed. There was opposition from farm operators during the feasibility study for the non-constructed portions.

STAVICH BIKE TRAIL

Mahoning (OH) & Lawrence (PA) Counties, PA and OH

An asphalt paved greenway and rail trail that is owned and operated by Lowellville Hillsville Charitable Foundation and Lawrence County Tourism. It was established in 2003. While there are agricultural fields in the area, they do not directly come in contact with trail itself.

MACOMB ORCHARD TRAIL

Macomb County, MI

This trail was built on former orchard land. Current agricultural adjacencies are minimal, and the trail is inside a park.

LATAH TRAIL

Moscow, ID

This trail is owned and operated by Latah Trail Foundation. It passes near, but not directly adjacent to agricultural areas, and does not conflict with them.

ROW RIVER TRAIL

Lane County, OR

Asphalt paved equestrian, fitness, and mountain bike trail. The trail is also considered a nature trail, rail trail, and urban trail. It is owned and operated by the Eugene Bureau of Land Management and was established in 2005. It passes through "pastoral farms" but these are historical farmhouses, not active agricultural production areas.

MONTEREY BAY SCENIC SANCTUARY TRAIL

Santa Cruz County, 3 miles east of Santa Cruz, CA

This is an unpaved beach path that approaches row crops. A short stretch of the trail approaches farmland. Despite this limited agricultural interaction, the trail's master plan EIR includes detailed mitigation measures for trails passing near farmland. These measures are included in Appendix B.

HENNEPIN CANAL PARKWAY

Bureau, Henry & Whiteside Counties, IL

This trail is partially paved and partially natural surface, and is used by cyclists, equestrians, snowmobiles, pedestrians, and cross-country skiers. It is operated by the Illinois Department of Natural Resources and established in 2004. It passes through "rolling farmland," that consists predominantly of grazing land.

HARLEM VALLEY RAIL TRAIL

Dutchess and Columbia Counties, NY

This trail is paved, and used by bicyclists, pedestrians, roller/inline skaters, cross-country skiers, and snowshoers. It is operated by the Harlem Valley Rail Trail Association. The trail passes dairy farms and grazing land. Adjacent agriculture is grazing and dairy production.

ARUNDELL BARRANCA BIKE PATH

Ventura County, Unincorporated, CA

Established prior to 1999, this trail is a paved bicycle and walking trail that passes row crops. It follows a drainage channel, and is only minimally adjacent to crops.

VENTURA RIVER TRAIL (Ojai Valley Trail Extension)

Ventura County, Ventura, CA

Also called Ventura River Parkway Trail, this paved bicycle, equestrian and pedestrian trail has a short segment (1/4 mile long) that runs along row crops.

RUSSELL BOULEVARD BIKE PATH

Yolo and Solano Counties, unincorporated; between Davis and Winters, CA

This paved bicycle and pedestrian trail passes row crops, horse pastures, and nut tree orchards. Directly adjacent agriculture is predominantly pasture land.

RACCOON RIVER VALLEY TRAIL

Dallas County, IA

This trail is operated by the Dallas County Conservation Board, Guthrie County, and Greene County, and covers 88 miles, some of which is adjacent to farmland growing corn and soybeans. The trial surface is asphalt and concrete, with unpaved segments. Trail users include bicyclists, inline skaters, snowmobiles, pedestrians, and cross-country skiers. It receives approximately 125,000 visitors per year. Major concerns during development on this trail were trespassing and occasional snowmobile activities. This never became an issue. There has been a close working relationship between the trail and adjacent landowners, which has resulted in 99% cooperation, with the occasional encroachment on the trail by farmers. Fencing, maintained by the Conservation Board, is in place for grazing livestock. Enhanced crossings were installed for farm equipment, with signs indicating trail users to yield to farm equipment.

LAKELANDS TRAIL

Ingham, Livingston, and Washtenaw Counties, MI

The only opposition to the trail was an onion farmer. Other adjacent farmers, with orchards and soybean crops, did not express concern. The Michigan Department of Natural Resources worked with Michigan State University to address concerns. The trail is 26 miles long, with a surface that varies between asphalt, ballast, and crushed stone.

HART-MONTAGUE TRAIL

Muskegon and Oceana Counties, MI

An asphalt rail-trail that passes orchards and soybean crops, this trail runs for 22.7 miles, and is managed by Michigan Trails and Greenways.

CATSKILL SCENIC TRAIL

Delaware County, NY

This rail-trail opened in 1997, is 26 miles long, with cinder, crushed stone, and natural surfaces. It sees heavy equestrian use. Barbed wire fencing separates the trail from adjacent cornfields. User groups include cross-country skiers, horseback riders, bicyclists, snowmobilers, pedestrians. Primary crops include feed corn and livestock. The trail is occasionally used to move livestock between fields. Dan Riordan, Executive Director of the Catskill Revitalization Corporation, the trail management agency, reports that farmers do cross trail with tractors and ride along the trail for short distances, and this has not been a problem. There have been no trespassing issues on farms.

NORWOTTUCK RAIL TRAIL

Hampshire County, MA

This rail-trail is 14.9 miles long and has an asphalt surface. Corn fields are adjacent to portions of the trail. Bob Clark, of the Massachusetts Department of Conservation and Recreation, reports minimal trespassing issues. Occasionally local youth cut through farms to reach the nearby mall.

6 APPENDIX A – SAN DIEGUITO RIVER VALLEY JPA INDEMNIFICATION RESOLUTION

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE

SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK

JOINT POWERS AUTHORITY

ADOPTING DESIGN INDEMNITY RE MULE HILL TRAIL

WHEREAS, the San Dieguito River Valley Regional Open Space Park Joint Powers Authority ("JPA") is applying for a Site Development Permit ("Permit") from the City of San Diego for the construction of a 9.4 mile trail (the Trail) in the San Pasqual-Lake Hodges Community Planning Area which is a portion of the Trail; and

WHEREAS, conditions 21 through 23 of the City of San Diego ("City) Permit, impose certain design criteria for the design and construction of the Trail; and

WHEREAS, the JPA desires to design and construct portions of the Trail contrary to the normally applicable City requirements for setback and separation from the roadway, and such deviations from the normal design standards have been approved by the City conditioned on the JPA providing the City with design immunity; and

WHEREAS, the City and the affected leaseholders have requested indemnity for any expenses associated with a lawsuit brought against them by any person as a result of the design and construction of the Trail; and

WHEREAS, on June 16, 2000, the Board of Directors of the JPA adopted Resolution No. R00-7 agreeing to provide indemnification to the City and its agricultural leaseholders adjacent to the Trail as set forth in said Resolution, for any expenses associated with a lawsuit brought against them by a Trail user that may occur despite the broad array of statutory immunities; and

WHEREAS, the JPA desires to further indemnify the City and its affected leaseholders for any expenses associated with a lawsuit brought against them by any person as a result of the design and construction of the Trail as set forth in the Resolution.

THEREFORE BE IT RESOLVED THAT, in exchange for approval of the alternative design and construction of the Trail, the JPA shall provide the following additional indemnity and insurance coverage:

1.1 The JPA shall defend, indemnify, protect, and hold harmless the City, its agents, officers and employees, from and against all claims, demands, causes of action, liability or loss

asserted or established for damages or injuries to any person or property arising out of the design, construction and maintenance of the Trail. Claims, demands, causes of action, liability or loss that arise from, are connected with, or are caused or claimed to be caused by the acts or omissions of the JPA, the JPA's agents, officers and employees with respect to the design, construction and maintenance of the Trail are covered. Also covered are the claims, demands, causes of action, liability or loss arising from, connected with, caused by, or claimed to be caused by the active or passive negligent acts or omissions of the City, its agents, officers, or employees which may be in combination with the negligence of the JPA, its employees, agents or officers, or any third party. The JPA's duty to defend, indemnify, protect and hold harmless shall not include any claims or liabilities arising from the established sole negligence or sole willful misconduct of the City, its agents, officers or employees.

1.2 The JPA further agrees that the indemnification agreement referred to in Section 1.1 and the duty to defend the City require the JPA to pay any costs the City incurs that are associated with enforcing the indemnification provision, and defending any claims arising from the design, construction and maintenance of the Trail. If the City chooses, as its own election, to conduct its own defense, participate in its own defense or obtain independent legal counsel in defense of any claim related to work provided under this Agreement, the JPA agrees to pay the reasonable value of attorneys' fees and all of the City's reasonable costs to the extent covered by the JPA's insurance.

2. The JPA shall maintain a policy of public liability and property damage insurance, in which the City is named as an additional insured and secured in an amount of not less than $5 million.

3. All provisions of the indemnification agreement adopted by Resolution No. R00-7 remain in effect, except for #4, provided that the claimant/employee, agent, invitee or relative of the indemnified party was injured or damaged as a result of the alternative design, construction, or maintenance.

PASSED AND ADOPTED this _____ day of _____, 2001, by the following vote:_____ AYES; _____ NOES; _____ ABSENT; _____ ABSTAINED

CHAIR, SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JPA BOARD OF DIRECTORS

ATTEST:

CLERK, SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JPA BOARD OF DIRECTORS

7 Appendix B – Monterey Bay Sanctuary Scenic Trail Network Master Plan EIR Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party
AGRICULTURAL RESOURCES				
AG-1(a) Placement of Fencing: Placement of fencing shall be located in a manner which minimizes impacts related to accessibility to farmland and use of farming equipment (e.g., allowing turning radius area for farm equipment).	Review construction plans	During plans, specifications, and estimates for each segment	Once for each segment	Implementing Entity and/or RTC
AG-3(a) Notice of Agricultural Activities. The following information shall be added to the proposed notices on on-going agricultural activities: • Trail users are advised to stay on the trail and be alert to operating machinery and equipment near the trail. • Trail users are required to use restroom facilities in consideration of food hygiene issues on adjacent agricultural lands. • Where dogs are not prohibited, trail users are required to clean up after their dogs and prevent trespass by dogs on adjacent agricultural properties in consideration of food hygiene issues on adjacent agricultural lands. • The legal ramifications for trespassing on adjacent properties. • The legal ramification for trespassing or being on the trail after it is closed.	Install signs along trail	Prior to trail opening	Once for each segment	Implementing Entity and/or RTC
AG-3(b) Landscaping Coordination. For segments adjacent to agricultural operations in the northern and Watsonville reaches, any ornamental plant material used along the trail shall be comprised of native and indigenous species. The selected plant palate shall be reviewed by the Agricultural Commissioner's office prior to approval of landscape plans. Any plant material which may host pests destructive to agriculture shall be prohibited.	Review landscaping plans	During plans, specifications, and estimates for each segment	Once for each segment	Implementing Entity and/or RTC, Agricultural Commissioner
AG-3(c) Chemical Spraying Impact Reduction Options. On a case-by-case basis, the RTC and/or implementing entity for segments adjacent to agricultural operations shall work with the Agricultural Commissioner's office and adjacent farmers to reduce impacts to trail users from agricultural spraying, including pesticides. Non-buffer options shall be considered, including the use of alternative methods of pest and weed control and/or an agreement that farmers notify the Agricultural Commissioner's office or Trail Manager in advance of proposed agricultural spraying within 100 feet of the trail. This would allow the Agricultural Commissioner's office, in accordance with existing requirements, to inform the RTC and/or implementing or managing entity of all spraying within 100 feet of the trail so that appropriate action can be taken (e.g., posting notices or closure of that segment of the trail).	Coordinate with Agricultural Commissioner's office and adjacent farmers to consider non-buffer spraying reduction options	As needed	As needed	Implementing Entity and/or RTC, Agricultural Commissioner

Document source: http://www.sccrtc.org/wp-content/uploads/2013/05/MBSST-MMRP-Final.pdf

From: jgnoland@gmail.com
To: BOC Info
Subject: Yamhelas Trail
Date: Monday, January 19, 2026 8:52:23 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Rails to Trails are all around Oregon & Washington, and really all over America. This trail would provide a wonderful healthy and free activity for not only Yamhill County residents, but for the multitude of visitors who frequent our area. We already have bike tours that come through the County. Why not provide a healthy source of recreation for all ages of residents, and visitors who may not be part of the County wine scene, and for those who cannot afford the high prices of some of our County restaurants. There are no proven records of farmers suffering adverse affects from these trails, nor are there records of homeless camps springing up. It seems very unfair for a few farmers to have the final say compared to the thousands who would use this trail for recreation & health.

I urge you to keep this trail alive.

Jan Noland
15666 SW Shilo Way
McMInnville OR 97128
971-237-1626

From: Jane Harloff
To: BOC Info; Planning
Subject: Support the Yamhelas Westsider Trail
Date: Monday, January 19, 2026 9:07:40 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I strongly support retaining our public corridor in the TSP, and ultimately building the Yamhelas Westsider Trail.
It is obviously the choice of the majority of voters in Yamhill County, as evidenced by survey results and the numbers of supporters showing up at public meetings.
The fact that two commissioners - and one other who was VOTED OUT of office due to her stance on this issue - can derail this important project based on the false narratives put forth by a few adjacent landowners, is a tragic disservice to our community. The attempt to rush a decision before it is brought to a vote of the people tells you all you need to know about the cronyism, dishonesty, and self-serving policies of Kit Johnston and Mary Starrett.
It's no secret how this "vote" will go on Jan 22. But the people in Yamhill County will never back down from pursuing our right to have the use of OUR public right-of-way.
BRING IT TO A VOTE OF THE CITIZENS!

Jane Harloff
16175 NW Puddy Gulch Rd
Yamhill, OR 97148

From: Andy
To: Planning
Cc: BOC Info
Subject: Trail
Date: Monday, January 19, 2026 9:34:33 PM

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* Spam *
CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

We are writing in support of retention of the old rail line property and against any possible sale of this property. It seems reasonable to ask for a public vote on this very important issue before any action is taken. Please make the right choice and leave yourselves with no regrets.
Thank you
Andrew and Char Eldien
891 s park st
Carlton, OR 97111

Sent from my iPad

From: Bruce Goodman
To: Planning; BOC Info
Subject: Yamhales-Westsider Corridor
Date: Monday, January 19, 2026 9:50:02 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I urge the Board of Commissioners to preserve public ownership of the Yamhales-Westsider Corridor. It should not be sold to private interests. A safe public walkway/bike path in this area will be an asset to the residents of the area and the communities along the way. Please let the public decide its future. Do not sell the Yamhales-Westsider Corridor.

Bruce Goodman

Sent from my iPhone

From: Courtney Martin
To: BOC Info
Subject: Jan 22 Meeting
Date: Monday, January 19, 2026 10:08:20 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear County Commissioners,

I strongly encourage all Commissioners to vote to keep the Yamhelas–Westsider Trail Corridor and if there will be changes to give citizens of Yamhill County an opportunity to vote on this important issue. The citizens of Yamhill County should make this decision given what a tremendous opportunity this is to provide safe, healthy recreation in our County.

Thank you,
Courtney Martin
McMinnville Resident

From: Lori Workinger
To: Planning; BOC Info
Subject: Yamelas Westsider Trail
Date: Monday, January 19, 2026 10:18:56 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Please do not remove the 16 mile Yamelas Westsider trail from the county's transportation plan to sell off! We taxpayers have already paid for this.

I really am disappointed and frankly disheartened that Johnston and Starrett have decided to do this. We won't get another chance at this and it's really a shame.

Sincerely,
Lori Workinger
McMinnville, OR

From: Jenn Dederich
To: BOC Info
Subject: Jan 22nd Meeting comment
Date: Monday, January 19, 2026 10:23:53 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear County Commissioners,

I strongly encourage all Commissioners to vote to keep the Yamhelas–Westsider Trail Corridor.

If there will be changes the citizens of Yamhill County should be given the opportunity to vote on this important issue.

The citizens of Yamhill County have the right to make the decision, it is our community and we want to the opportunity to provide safe, healthy recreation in our County.

Thank you,
Jennifer Dederich
McMinnville Resident

"People forget what you said, people will forget what you did, but people will never forget how you made them feel." - Maya Angelou

From: Lige Dickson
To: BOC Info
Subject: Docket G-01-25
Date: Tuesday, January 20, 2026 3:10:56 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I request that all three county commissioners vote to keep the Yamhelas-Westsider Trail corridor in the Transportation System Plan (Docket G-01-25) and respect the people's right to vote for themselves to determine the future use of this valuable resource. The commissioners need to trust that the voters will make the best decision. Don't disinfracise the voters of Yamhill county.

Best regards,

Elijah Dickson
Newberg, Oregon



From: Cameron Backus
To: Planning; BOC Info
Subject: Re: Repeal of Ordinance 880 re: Yamhelas Westsider Trail
Date: Tuesday, January 20, 2026 6:02:50 AM

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

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Please include the following email in the record of the Planning Commission and Board of Commissioners hearings for Docket G-01-25 (Board Order 25-325, to remove the Yamhelas Rails to Trails project from the Yamhill County Transportation System Plan.)
===

Dear Planning Commission and Board of Commissioners,

In light of the upcoming vote which the Yamhill County Commissioners will take on Thursday, January 22, 2026, I an writing to express my support the Yamhelas-Westsider Trail and urge you to keep the trail Right of Way (ROW) in the Transportation System Plan (TSP).

I am a lifelong resident of Yamhill County. I have been excited about the Yamhelas-Westsider Trail ever since its inception, and I care deeply about it being completed. I grew up on Parrett Mountain, where there was absolutely nowhere I could walk or ride my bike where I wasn't in danger of getting run over by cars. A safe, level, multi-use, public trail like this one sounds like a dream come true to me. If this project had ever appeared on the ballots of Yamhill county residents, *which it never has*, I would have voted for it wholeheartedly.

It is frustrating that every couple of years we have to defend this project from getting cancelled, while in the meantime progress on it stalls. The outcomes of Yamhelas-Westsider Trail are positive only:

- Connecting the communities of Carlton, Yamhill, Cove Orchard, and Gaston, with potential expansions to Forest Grove and McMinnville
- Improving transportation safety, including providing a safe route to school between Carlton and Yamhill
- Expanding access to regional parks and trails (e.g. the Banks-Vernonia Linear Trail, the Chehalem Heritage Trail System, and the Wapato Lake National Wildlife Refuge)
- Providing outdoor recreational opportunities like biking, hiking, and equestrian trail riding
- Promoting tourism and economic development in our region
- Increasing our community's health and well-being

So what gives? I am with the majority of Yamhill County residents, who do not want to see the trail property get abandoned, sold off, and lost forever to future generations. **Please, do not repeal ordinance 880 and do not remove the Yamhelas-Westsider Trail from the county transportation plan.**

Regards,
Cameron Backus
Newberg, OR 97132

From: Mary Bonner
To: BOC Info
Subject: Save the Trail
Date: Tuesday, January 20, 2026 7:34:45 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Mary Bonner

9336 SE Eola Hills Road

Amity, Oregon 97101

January 20, 2026

Dear Yamhill County Board of Commissioners,

I am writing this letter in support of the Westsider Yamhelas Trail on our current Yamhill County owned property.

Most of the letters and public testimonies you have received from your constituents have been in favor of the trail, but two of the three of you have bowed down to the special interests who want to annex that land. You have chose to ignore the economic impact the trail will have on our local small businesses and the countless employees who rely heavily on tourism. Furthermore, your decision to sell our county's land rather than allowing voters to decide, will go down in our history as one of largest betrayals of the public trust and your names will for generations be associated with this pivotal moment.

You have this final opportunity to be courageous amid the minority voices of the special interests.

Sincerely,

Mary Bonner

From: Kristyn Komarnicki
To: BOC Info
Subject: Eloheh Indigenous Center"s appeal
Date: Tuesday, January 20, 2026 8:14:05 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Yamhill County Board of Commissioners,

I am writing in support of the Eloheh Indigenous Center's request for a religious accommodation, which is scheduled for hearing on February 12.

Indigenous spiritual practice is inherently land-based and communal, often requiring extended gatherings on the land. It cannot be confined to a brief gathering in the way many Christian worship services can.

Edith and Randy Woodley are widely respected educators and authors who have faithfully served Indigenous communities for more than 30 years. I've had the pleasure of learning from them via their books, in-person speaking events, and online teaching/writing for the last 25 years. I am currently in a cohort with them to develop storytelling around the theme of Gospel Hope. These are the kind of people you want to support in every way possible.

True religious freedom means protecting the full expression of all faith traditions, including—and perhaps especially—those whose practices differ from dominant Western Christian models.

I urge you to seek a path that honors and accommodates their sincerely held religious beliefs rather than restricting them.

Respectfully,

Kristyn Komarnicki
Director of the Oriented to Love program at
Christians for Social Action

From: William Murphy
To: Planning
Cc: BOC Info
Subject: Public Land Protection
Date: Tuesday, January 20, 2026 8:16:22 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

As a former Mayor for the City of Yamhill, I would like it on record that I support the protection of our public lands. The citizens of the county deserve the right to decide what ultimately happens to our publicly owned land not a 3 person commission.

Thanks for your consideration

Randy Murphy (citizen formerly known as Mayor)

From: Jana Kolsbun
To: BOC Info
Subject: Save the Yamhelas Trail Corridor!
Date: Tuesday, January 20, 2026 8:23:25 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

The Yamhelas Trail Corridor is PUBLIC LANDS and should not be sold. Especially without a public vote. Please consider the importance of serving the wider public and not just a few opponents with self interest! Let the trail be completed as originally planned.

Jana Kolsbun
McMinnville, OR

Sent from my iPad

From:	Sue
To:	planning@yamhullcounty.gov
Cc:	BOC Info
Subject:	Trails
Date:	Tuesday, January 20, 2026 8:46:23 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I am in support of the trails project. I am in the tourism business and over the years that this project has been in the works guest have been excited about a safe place to ride and walk as we are close to the proposed trail.

Highway 47 is dangerous for bike riders and hikers.

It is time to let this project get completed.

Sincerely,

Susan Stein

"Come stay where fine wines are born!"

Yamhill Vineyards Bed and Breakfast
7950 NE Cooper Lane
Yamhill, Oregon 97148
503-662-3840
sueinnkeeper@frontier.com
www.facebook.com/YamhillVineyardsBB
www.yamhillvineyardsbb.com

From: Leonard A. Rydell, PE, PLS, WRE
To: Planning; BOC Info
Subject: Yamhelas Trail
Date: Tuesday, January 20, 2026 8:48:44 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Board of Commissioners and Planning Commission,

Yamhill County was fortunate to obtain the right-of-way to use for a trail. It even had funding and construction had started.

THEN YOU STOPPED IT AND PAID TO UNDO THE CONSTRUCTION THAT HAD ALREADY STARTED.

THIS IS UNACCEPTABLE!

Having bicycled trails in other states, like the White Pine Trail in Michigan and the Champoeg Trail in Marion County/ Trails are recreational opportunities for all ages to get outside, get exercise and enjoy the outdoors.

The Yamhellis Trail needs to be added back to the transportation plan and added to the zoning plan.

Don't deny the opportunity for future generations to enjoy the trail and perhaps rely on it when automobiles become a thing of the past due to dwindling natural resources.

Thank you.

Leonard A. Rydell, PE, PLS, WRE, MASCE

Leonard A. Rydell, P.E., P.L.S., CWRE
601 E. Pinehurst Drive
Newberg, Oregon 97132-1625
Mobile: 503-781-4138

--
This email has been checked for viruses by AVG antivirus software.
www.avg.com

From: Cheryl Martin
To: BOC Info
Subject: Protect our public spaces
Date: Tuesday, January 20, 2026 8:55:28 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Good Morning,

I am writing this morning to encourage you to maintain our public lands for the public. Specifically the corridor that was meant to someday be part of the rails to trails system that has been successful all over the country, often referred to Yamhelas Trail project.

This might not be the time financially or have enough community interest to work on this public space for public access but if the lands are sold that means it can never be.

I am a fan of offering as much public spaces and community buildings as possible to encourage people to get outside and to gather and connect socially. These spaces make communities happier and more livable when cared for.

So please protect our public land

Thank you,

Cheryl Martin

From: Lia Harris
To: planning@yamhill.gov; BOC Info
Subject: Public lands belong to the people
Date: Tuesday, January 20, 2026 9:35:56 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Public land is a rare and fleeting resource. Two people should not be able to make the decision for the rest of us to sell it off.

This property cannot be rebuilt once it's gone.

Natural spaces are a huge part of what defines rural areas. Removing more land from county resources is a disservice to the people who live here and love this county.

Thank you
Lia Harris
23 year McMinnville resident
5th generation Oregonian

From: Anne Falla
To: Planning; BOC Info
Subject: Yamhelas-Westsider Trail Corridor
Date: Tuesday, January 20, 2026 10:04:23 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I support the trail and I feel we should protect our public land to be used in the future for a recreational trail for all.

We, Yamhill County owns this long stretch of land which is the perfect opportunity for a nice recreational trail. As it stands now, my family drives 45 minutes plus to any similar type trails outside the county and we are putting our time and money elsewhere when we could be keeping it here (we could be attracting that business here too).

I spend my days usually in the office and on my time off I like to head outside like many in our community. I like to find adventures to relax, unwind, and regroup for the next week. We live in a state that allows for year round recreation outside and that's a gift! (and an opportunity)

Many states, counties have similar type trails and they've found a way to make it work. Let's work together to find a way to save this corridor and to make it into a popular destination for all.

We might never have this chance again as Yamhill County grows and expands. The cost to buy something similar down the road...

Please save our public land. Yamhill County needs this opportunity.

Anne Falla
McMinnville Resident

From: Denise Guild
To: BOC Info
Subject: Eloheh"s request for religious accommodation
Date: Tuesday, January 20, 2026 10:15:23 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Hello Yamhill Board of Commissioners ,

I support Eloheh's Indigenous Center's appeal for religious accommodation. Please find a way to support their religeous practice.
I've been impacted by Randy's teachings primarily through his writings and teachings from the Center for Action and Contemplation in Albuquerque, NM. and also through his book. I know he is a Faculty Emeriti at George Fox University as Distinguished Professor of Faith and Culture.

Thank you for your consideration,

Denise Guild
1007 E. Fulton St., Apt. 114
Newberg, Or. 97132

From: Liesl Forve
To: Planning; BOC Info
Subject: Kit Johnston - Represent all of your constituents, not just your friends
Date: Tuesday, January 20, 2026 10:31:52 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Farmers are some of the luckiest people, in my eyes. They get to experience first hand the ripples of time and the regeneration of the earth on a daily basis. Tuning into the natural cycles of the world are treasured gifts.Farmers are also some of the hardest working people I know. Working the land is oftentimes unforgiving and deeply intense. There are no guarantees and a lot of uncertainty.

My respect for farmers comes naturally. My parents owned a wholesale, landscape nursery while I was growing up. I was unpaid child labor, but the benefits of being outdoors, working the soil, witnessing the rebirth of plants and the tide of the changing seasons made its way into my blood.

Participating in nature allows one to fully understand how we as humans fit into the world. Not everyone is lucky enough to experience a direct relationship with nature on a daily basis. But, everyone should have that opportunity.

History has shown some frayed relationships have now led to the potential to sell away the right-of-way of this trail corridor, frequently referred to as the Yamhelas Westsider Trail.Those relationships deserve to be heard, understood and appreciated. However, those relationships should not dictate the removal of that right-of-way from the county residents who want a place to safely engage in the outdoors.

A trail will allow residents to experience the glory of nature changing daily. A trail will allow residents the opportunity to see farming in practice (not everyone in Yamhill County grew up on or lives on a farm). A trail will allow a place for community. A trail will allow for highly needed utilities and resources to reach our neighbors in Yamhill and Carlton.

At a bare minimum, the decision about the fate of this trail deserves to be decided by the residents - WHO CURRENTLY OWN the property - not by one commissioner, Kit Johnston. Mary Starett has already fear-mongered belief around the trail and Kit Johnston, alone, is the vote that will decide the fate of everyone who lives or visits here.

Kit Johnston - as a farmer - you should want your constituents enjoying nature and gaining an appreciation of the gifts of the earth. Demonstrate that you truly represent the entire county, not just a few of your friends.

Liesl A. Forve

lieslhousehyde@gmail.com

(m) 971.267.9810

From: Candice
To: BOC Info; Planning
Subject: YAMHELAS-WESTSIDER TRAIL
Date: Tuesday, January 20, 2026 10:36:00 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I am opposed to the removal of the Yamhelas-Westsider trail from the county transportation plan. This trail system would benefit all county residents and it would be irresponsible to get rid of this valuable and unique public right-of-way.

I believe the county needs to seriously explore other options that would allow the development and use of this multi-use trail while considering the needs of adjacent property owners, as has been done elsewhere in the state.

Please listen to the many people who want to see this trail become a reality, reject the proposal to remove the property from the park plan, and keep this corridor under county ownership to use for the benefit of all residents.

Candice Sanders
1397 NW Meadows Drive
McMinnville

From: Sandra Robledo
To: BOC Info
Subject: Support trails
Date: Tuesday, January 20, 2026 10:45:44 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I support trails and protecting our public land, please give the community the benefits of having a nice and safe trail.

--

Sandra Robledo

From: Joan Littlefield
To: Planning; BOC Info
Subject: Yamhelas Trail
Date: Tuesday, January 20, 2026 10:47:24 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I would like to strongly encourage you to proceed with the development of the Yamhelas Trail. As a resident of Yamhill County since 1986 I have seen significant changes to our "country" roads. I live on North Valley Road and travel HWY 240 daily. The increased traffic and speed at which people drive our county roads is very dangerous for cyclists and or those who want to walk or jog. There are few safe places to do those activities nearby. This trail would allow many people to enjoy our beautiful county in a safe environment. Children would have a place to walk or bike. It would allow significant help to those traveling between Yamhill and Carlton. The Banks-Vernonia trail has proven to be a safe place for people to enjoy the outdoors without detrimental impact to the property owners. Please don't let this precious resource not be developed due to negative misinformation about its impact. You have a great responsibility to support the desires of this county. Please allow this development.

Sincerely,

Joan Littlefield

From: Susan Huwaldt
To: Planning
Cc: BOC Info; Bubba King; starrettm@yamillcounty.gov; Kit Johnston
Date: Tuesday, January 20, 2026 11:26:53 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To the Yamhill County Board of Commissioners,

This is the first time I have ever written to a public official. But I write to you today to ask you to keep the Yamhelas-Westsider corridor as part of the Transportation System Plan.

I have lived in McMinnville for 32 years now. My husband grew up here as a 4th generation Oregonian. We raised our 2 boys here and they have remained in town. I have a vivid memory of when I decided that we would not be riding bikes in McMinnville when I was out with one of the boys in a child seat on my bike on Hill Road as cars came dangerously close to us as I hugged the side of the road. I kept my eyes out for other safe roads from our home but never found an easy, SAFE path.

This might seem trivial to some. But as our society moves to a more sedentary lifestyle it is more important than any other time to have low cost options in place for families to remain active outdoors.

As Commissioners the least you could do is to leave the corridor in the transportation system plan and to allow the people of the county to vote on a trail development. Let the people decide whether this is how we want our money spent. I have followed along as the idea of this trail was first talked about, to the grants and lawsuits and to its current state but I have yet to meet someone when asked about the trail tell me they think it's a bad idea.

Please represent the majority of the people of Yamhill County, not just the farmers who have land along the corridor.

Respectfully,

Susan Huwaldt
McMinnville, OR

TO: BOARD OF COMMISSIONERS
OF YAMHILL COUNTY
RE: WESTSIDER TRAIL PROJECT

THE WIFE AND I ARE LIFELONG OREGONIANS AND TAX PAYERS. WE LIVE IN MCMINNVILLE, AND ARE FULLY AWARE OF OUR GOOD FORTUNE TO RESIDE IN THE PACIFIC NORTHWEST. WE HAVE COME TO REALIZE THAT THE AREA CAN BE EVEN MORE ENJOYED ON FOOT RATHER THAN BY SPEEDING DOWN THE ROAD IN A VEHICLE. HIKING HAS BECOME A DESIREABLE MEANS THAT IS AFFORDABLE AND CLIMATE FRIENDLY TO FURTHER EXPERIENCE OUR REGION. RAIL TO TRAILS ARE A GREAT WAY, ESPECIALLY FOR SENIORS, TO BE ABLE TO GET OUT AND ENJOY WHAT WE HAVE AROUND US. THEY TEND TO BE CLEAR STRAIGHT, AND FLATTER THAN OTHER

OPTIONS FOR FOOT OR BICYCLE TRAFFIC.

WE HAVE SPENT MANY PLEASANT HOURS ON SUCH TRAILS UP THE GORGE, AND THE VERNONIA AREA. IT WOULD REALLY BE NEAT TO HAVE ONE IN OUR BACK YARD.

IT IS HARD TO IMAGINE ANY DOWNSIDE TO SUCH A PROJECT FOR YOUNG AND OLD ALIKE. THE PLUSES FAR OUTWEIGH ANY MINUSES!

RESPECTFULLY
Wayne A. Gwilliam

WAYNE A. GWILLIAM
2710 N.W. GREGORY DR.
MCMINNVILLE, OR.
97128

Rev. Dr. Jacque Franklin
1025 Northfield Rd.
Colorado Spring, Colorado
80919

RECEIVED
JAN 20 2026
YAMHILL COUNTY BOC

January 13, 2026

Dear County Commissioners of Yamhill,

I am writing this letter to support Eloheh Indigenous Center's appeal for religious accommodation. I am an ordained clergy from Colorado Springs and graduated with Randy Woodley from Seminary in Pennsylvania. His career has been spent pastoring churches that include Indigenous folks and now he continues his work educating and worshipping with many people who are learning indigenous ways. The Woodleys were our Theologian in Residence at First Congregational Church in Colorado Springs in 2023. Our congregation supports their work. The religious freedom act is meant to protect all faiths including those that look different from mainstream Christianity. I am asking for Yamhill County to find a way to accommodate their religious practice rather than restrict it.

Sincerely,

Jacque Franklin

Rev. Dr. Jacque Franklin
Retired Clergy, United Church of Christ

RECEIVED
JAN 20 2026
YAMHILL COUNTY BOC

Christina L. Gates
10205 Lakeview Drive
Taylor, Michigan 48180
(219) 805-6568
christygates426@gmail.com

14 January 2026

Yamhill County Board of Commissioners
535 NE Fifth Street
McMinnville, Oregon 97128
bocinfo@co.yamhill.or.us

Dear Yamhill County Board of Commissioners,

It has come to my attention that your county has imposed permit restrictions affecting how often Eloheh Indigenous Center can host overnight gatherings on their land. Events like sweat lodges, cedar fire ceremonies, and seasonal gathering are central to their religious expression, but these practices do not fit into an assumption that religion can be expressed sufficiently during evenings and weekends.

I am writing to express my wholehearted support of Eloheh Indigenous Center's appeal for religious accommodation. As a Christian who believes in religious freedom, I see this as a great opportunity to protect the religious freedom of the entire community by making space for the accommodation of Eloheh. Religious freedom must protect all faiths or else it cannot be claimed as true religious freedom at all. Indigenous spirituality must be practiced in connection to the land across long periods of time and cannot be practiced in what Christians and those of many other faiths are accustomed to – meetings that last for a few hours in a designated building or place of worship.

Randy and Edith Woodley are not only major contributors to spiritual growth through their work as authors and educators, but I would also consider them friends. I donate monthly to support their work, and I am convinced of its significance among all the other important ministries serving Oregon. I only became acquainted with the Woodleys in the past five years through a week-long visit to their farm, but they have been serving Indigenous communities as well as many others for decades. I serve with a college student ministry that works with students at hundreds of campuses across the country, and the work of Randy and Edith has been a great source of encouragement and character formation among our students.

I am happy to share further in support of the Woodleys, if you would like to contact me.

Please adjust your permit processes so that the religious practices happening at Eloheh Indigenous Center can continue without restriction.

Sincerely,

ChLGates

Christina L. Gates

From: Veronica Haley Hinkes
To: BOC Info
Cc: Wayne Wiebke; Patty Williams; Matt Dolphin
Subject: Attached input for County Commission meeting 01/22/2025
Date: Tuesday, January 20, 2026 12:24:11 PM
Attachments: County commission input 12-22-25 copy.pdf

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Please see attached input for the County Commission meeting this week.

Thank you,

Veronica Hinkes

Virus-free.www.avast.com

Re: Docket G-01-25, regarding the proposal to remove the Yamhelas Westsider Trail from the County Transportation System Plan.

Dear Yamhill County Commissioners,

I strongly oppose removing the Yamhelas Westsider Trail project from the county's Transportation System plan.

The Yamhelas Westsider Trail effort was begun by a group of local citizens, after a child was hit and killed while walking along highway 47. They wanted to create a safe space for walkers, bicyclists and equestrians to get around, to get exercise, and to engage with their community.

That was decades ago, and there is still no safe route between our communities, while traffic on the roads has gotten even more dangerous. I live near Carlton and have grandkids in Newberg. They love to ride bikes, but there is nowhere in our county where we can safely go ride together.

In addition to safety considerations, trails have been proven economic boons for rural communities. Locally, look at Vernonia, Oakridge and Cottage Grove to see how trails have benefitted rural Oregon communities.

The trail forwards goals 2, 3,4, 6 and 8 of the Transportation System Plan, addressing safety, multi-modal transportation, transportation equity, economic development, potential energy conservation and environmental improvements.

Yamhill County residents have shown widespread support for the trail. A 2021 public opinion survey showed that 64% of Yamhill County residents supported developing the trail, while only 16% opposed it. Supporters have written letters, signed petitions and attended rallies.

A small but vocal group opposes the trail. They say they were not included in planning, which is not true. There have been at least 12 large public meetings, workshops and public hearings. Notices were sent to adjacent landowners using County tax records to locate them. In addition, FYWT board members met personally with and had email and phone conversations with concerned property owners numerous times to answer questions and address specific concerns.
Some adjacent landowners participated in the process early on, even coming up with potential solutions to their issues. Others declined to participate, then complained later they hadn't been included.

The Friends of the Yamhelas Westsider Trail's information booth has been at more than 30 festivals, farmers markets and other community events. Friends of the Yamhelas Westsider Trail also holds a public Annual Meeting every year.

Public input surveys were done in 2013 as part of a grant process and in 2015 as part of the Concept Plan process, and, as mentioned, in 2021.

Some opponents say that LUBA ruled the trail is illegal. In fact LUBA said exactly the opposite—that they did not think the trail was prohibited by the Farm Impacts Standard, and they declined to reverse the conditional use permit, issuing a remand instead. Opponents say that somehow our circumstances are so unique, that even though thousands of miles of trails have been successfully developed in agricultural areas around the country, somehow we here in Yamhill County just can't figure it out. That is disingenuous and insulting.

They'll point to the Springwater Trail in Portland and its homeless camps problem. But Portland has a homeless camping issue that is not specific to trails. If you look at the Trolley Trail, in Milwaukie right next to Portland, there are not homeless camps, nor are there camps on the Banks-Vernonia, the Row River, the Monmouth-Rickreall or other Oregon trails.

There are numerous studies that show that trails can and do peacefully co-exist in agricultural areas, and many examples of how to approach trail development to make it work for everyone. LUBA has in essence provided guidance on specific items to be addressed.

The county was in the midst of that detailed level of planning, through a grant-funded master plan, when commissioners decided to pull out of the process and even to rip out a nearly-completed bridge, all of which cost the county a million dollars. Now you're talking about taking the trail out of the TSP, presumably to be able to sell off sections of publicly owned property and killing the trail forever. This would probably prompt ODOT to request a refund of the $1.4 million it paid for acquisition of the right-of-way.

If the concern is really, as stated, language about future rail use, then remove that language, but don't use that as an excuse to remove the bicycle/pedestrian trail and endanger a valuable public asset.

This property has been a transportation corridor since the railroad bought it more than 150 years ago. It was not taken from the current adjacent landowners. County commissioners who oppose the trail have said they don't oppose all trails, just this trail, in this place. Yet they have thwarted every trail project in the county in recent years. And where would it make more sense to put a trail, than on an existing transportation corridor?

In addition to potential trail usage, this public property is an important corridor for other future possibilities, like utility lines and fire suppression access. Allowing this right-of-way to be broken up would be shortsighted and a waste of taxpayer dollars.

You already know all of this, so please do the right and sensible thing for our community, and keep the Yamhelas Westsider Trail in the county's Transportation System Plan.

Thank you for your consideration.

Sincerely,

Veronica Hinkes
Carlton, OR

From: April Bacewich
To: BOC Info
Subject: Tangela's Westsider Trail
Date: Tuesday, January 20, 2026 12:56:46 PM

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I am a Yamhill County Resident for 8 years. Moved to this country specifically to remove my family from the negative impacts of METRO and Washington Counties misguided decisions and policies including the gross misuse of tax dollars.

I 100% support to removal of the Yamhelas Westsider Trail to be removed from TSP. I DO NOT want to throw more tax dollars into this. I DO NOT want Lightrail in the county.

I 100% want the issue of the Yamhelas Trail to be removed from the agenda. It was already voted down in 2021 and that decision needs to stand!

I 100% support the sovereignty of farm land protection laws, and the rights of Farmers and personal property owners in this region.

I DO NOT support the mass amounts of vineyards, wineries, and their profit based ideologies, some of which, are owned by companies outside the state. I'm not talking about the Mom and Pop 20 acres of grapes. I'm talking about the mass corporate grab a farmlands and crop production in this county and who I believe are funding this resuscitation of an issues already resolved.

I DO NOT support any Commisioner or elected representative who is voting to continue to debate this, cause chaos, waste time and resources.

Regards,
April Bacewich
Newberg OR

Sent from my iPhone

From: Helen Morse
To: BOC Info
Subject: No Sale of Public Lands without a vote of the community
Date: Tuesday, January 20, 2026 12:57:59 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To Whom It May Concern:
I object to the sale of Public Lands without the vote of the affected community.

Helen Morse
Administrative Assistant

GEORGE FOX HONORS PROGRAM
George Fox University
414 N. Meridian St. #6283, Newberg, OR 97132
503.554.2152 I www.georgefox.edu/honors

From: Matt Saager
To: BOC Info
Subject: Written Comment: proposed YWT trail
Date: Tuesday, January 20, 2026 2:29:10 PM

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Hello,
As a citizen of and voter in Yamhill County, I am writing to express my opinion regarding the Yamhelas Westsider Trail (YWT).

This proposed trail has many negative implications that cannot be overstated:

- The trail will have a dramatically negative impact on the farmers along the route, both those directly adjacent and nearby the trail. During trail construction and throughout the life of the trail, the rural farmers will pay the price for a few urbanites who want a more convenient travel path.

- The trail will become a vagrant superhighway, similar to trails adjacent to other urban areas. This path will allow vagrants to more easily spread outward into rural areas, where they can squat on public or private land with less chance to be observed. There is no political willpower in Yamhill County to deal with vagrancy, so we should not encourage them to spread their camps, and garbage throughout rural Yamhill County.

- Along with the vagrants will come crime. The trail will encourage easy access for criminals to move freely and unobserved throughout the rural areas. The limited resources of our county law enforcement will be even more stretched, dealing with the criminals that move outward from urban areas, and come into the county to use the trail.

- This effort has always centered around the desire for those in urban areas to be able to "experience nature" on a trail through the farmland. But they do not understand (or more accurately simply do both care) that their desire to play, will effect those in rural areas who have work to do on their farms. Perhaps urban folks should build some trail systems in urban areas, where they can play to their heart's content.

To summarize, this proposed vagrant superhighway is a terrible idea which has been stopped multiple times. Now is the opportunity to stop it for good. Sell this surplus property, and stop the criminal-vagrant-trail once and for all.

Thank You,

Matt Saager
mwsaager@gmail.com

From: carlamchambers@gmail.com
To: BOC Info
Subject: Docket G-01-25 testimony
Date: Tuesday, January 20, 2026 2:45:38 PM
Attachments: BOC Trail Testimony 1.22.26.docx

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Attached is my testimony for the 1-22-26 BOC meeting.

Thank you.

Carla Chambers

Docket G-01-25

Commissioners Johnston, Starrett and King

What's the hurry?

Why must this Corridor be removed from the TSP right now? Isn't there time to address the issue of Farm Impact if the County took the lead and did a more transparent and thorough job than last time? I believe this land should be held for future use. Once removed, the Corridor potential is gone forever. My testimony focuses on two areas:

1) Tourism benefit
2) Recreation and the link to the County Parks system

I've been a winegrape and apple farmer in Yamhill County for 32 years and I've held leadership roles in both Yamhill-Carlton and the Eola Amity Hills grower groups. I'm familiar with how both of my farms impacted my neighbors and engaged in acceptable practices and good communication to eliminate any conflicts.

An Economic Travel Impact study prepared for Travel Oregon states that $161 million was spent by visitors to Yamhill County in 2024. An average person-trip lasted 2.2 days. These tourist visits created county revenue and supported local jobs. Can't we increase this dollar amount by offering visitors something to do besides wine tasting?

When considering the Recreation factor, I will reference the recently adopted Yamhill County Parks System Plan (PSP). The PSP is a public document found on the Parks page of the County website. **While I am a member of the Yamhill County Parks Advisory Board, I am presenting this testimony as an individual resident, not as a representative of the Advisory Board.**

Recreational factors (among others) regarding removal of the Corridor:

- It would hamper the ability to achieve two of the Goals identifies in the Parks System Plan:
  - Distinctive Park Lands and Experiences
  - Responsible Recreation and Tourism
- It would remove a large opportunity for walkers and hikers, which were listed as the #1 most popular activity by survey respondents.
- It would remove alignment with the Plan's focus on strategic land ownership
- It would maintain the poor comparison of County Parkland to neighboring counties. Per 1,000 residents, Yamhill County has 13% of the parkland compared to Benton County and 11% of the parkland in Linn County. The Corridor could eventually become parkland if we can successfully address the Farm Impact issues identified in the 2020 LUBA decision.

In closing, I encourage Yamhill County to publicly share its reasoning for removal of the Corridor. Is there a financial reason for such action that should be shared with local residents? At the very least, couldn't this issue be forwarded to the voters? **Can't we take some time and do better? What's the hurry?**

Carla Chambers
2984 SW 2nd, McMinnville, OR 97128, 503-883-1697

From: Judi Herubin
To: BOC Info
Cc: Planning
Subject: Yamhelas-Westsider Trail
Date: Tuesday, January 20, 2026 3:05:42 PM

Spam

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Dear Commissioner Starrett, Commissioner Johnston and Commissioner King:

I am writing today to express my support for the Yamhelas-Westsider Trail and continued protection of our public lands for the use by the public. I have seen first hand the positive impact public trail projects have had on the communities they serve including offering long-time residents a healthy outlet for recreation, attracting new residents by offering desired activities in the local area, and a significant economic boost for businesses near and associated with trail activities. In addition, the Yamhelas-Westsider Trail would offer a unequaled opportunity for local farmers like myself to educate the public about the vital work they do in the area with educational information on promotional materials regarding the trail as well as through informational signage along the route.

Sincerely, Judi Herubin

From: Cory VanDyke
To: Planning; BOC Info
Subject: Letter to BOC
Date: Tuesday, January 20, 2026 3:18:54 PM
Attachments: BOC Letter 1-20-2026.pdf

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Good afternoon, please find attached a letter for the BOC regarding the 1/22 meeting and docket item G-01-25.

Thank you!

Cory VanDyke
Carlton Seed, LLC
(503)852-7227

January 20, 2026

To The Yamhill County Board of Commissioners:

I am writing to voice my support for removing the Yamhelas Westsider Trail from the Transportation System Plan. The County has already wasted too many resources on this project, and it is vital that we direct future funds toward other viable projects and maintaining the recreational assets we already have in place.

The Yamhelas Westsider Trail project has been extremely flawed from day one. It's clear that it cannot pass farm impact standards, among a myriad of other issues. Previous Commissioners and County staff put the cart before the horse trying to shove this project through before they had proper land use approval, costing taxpayers thousands of dollars. Please put an end to this money pit for good.

Sincerely,



Cory VanDyke
Carlton Seed, LLC

From: LANA MCKAY BROWN
To: BOC Info
Cc: Planning
Subject: Feedback on Yamhelas-Westsider Trail Vote
Date: Tuesday, January 20, 2026 3:43:16 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Commissioners Johnston, Starrett and King,

Greetings and thank you for your service to Yamhill County. Our comments are directed toward the decision you will be making at the Commissioner's meeting on January 22, 2026 regarding the sale of the public land proposed for the Yamhelas-Westsider Trail.

We are curious as to why this decision needs to be made on the 22nd, especially since it has been approved to go before the voters in either May or November. As you know from the massive turnout at the Planning Committee meeting, many interested voters would like the opportunity to have this decision made by the citizens of this county, and you have the ability to allow that to happen.

Going forward, allowing the citizens to vote on the Yamhelas-Westsider Trail would provide you with an opportunity to prove you represent ALL the citizens of Yamhill County and are not acting or voting on behalf of special interests or deep pocket constituents. We believe you must want your actions to reflect those of public servants willing to abide by the choices made by the citizens of the County that elected you and trust that you are working in their best interests, even if those choices do not reflect what you would desire privately.

We strongly encourage you to vote NO, or defer the vote entirely, going forward with the sale of this public land until after the citizens of Yamhill County have the opportunity to vote on the ballot measure.

Thank you,

Lana and Barry Brown
2664 NE Cole Avenue
McMinnville, OR 97128

From: TRAILS PAC
To: Planning
Cc: Trails Pac; BOC Info
Subject: Missing public testimony in packet for docket G-01-25
Date: Tuesday, January 20, 2026 3:57:34 PM
Attachments: SaveOurTrail-Petition-2025-12-03.pdf

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

On December 4, 2025, our PAC director hand delivered to the Planning Director 843 online petition entries including public comment. This was also emailed in advance of the first hearing to the planning department on December 3 at 2:46PM. This collected public comment has not appeared in the packets for Docket G-01-25, depriving the public of their voice and the commissioners of the opportunity to consider the public's input in their deliberations.

We respectfully request that the submitted entries be included in the record as part of the hearing packet. Below, please find our original email and attachment.

~TRAILS PAC

=== FWD ===
TRAILS PAC <trailspac@gmail.com>
to: planning@yamhillcounty.gov
cc: TRAILS PAC <trailspac@gmail.com>
date: Dec 3, 2025, 2:46 PM
subject: Submission of 843 Petition Entries in Support of Protecting the Yamhelas–Westsider Trail (Docket G-01-25)
mailed-by: gmail.com

Dear Yammhill County Planning Commission Members,

On behalf of TRAILS PAC, we respectfully submit 843 petition entries collected through SaveOurTrail.com urging Yamhill County to protect the existing Yamhelas–Westsider Trail corridor and keep it in the County Transportation System Plan.

These signatures represent residents from across Yamhill County and the broader region who care deeply about safe transportation options, rural vitality, and protecting publicly owned assets. Again and again, petitioners emphasized that this corridor is a once-in-a-generation opportunity to create a safe route for walking and biking, reduce conflicts on Highway 47, strengthen small-town economies, and provide healthy, affordable recreation for families, seniors, and youth.

Removing this corridor from the TSP would close the door on those opportunities and undermine the County's long-term transportation, economic, and public-health goals. The public is asking—clearly and in large numbers—for the chance to move forward through a collaborative planning process rather than abandoning a valuable public right-of-way.

We ask that these 843 entries be included in the record for Docket G-01-25 and given full consideration as the Commission evaluates this proposed amendment.

Thank you for your service and for your attention to the voices of the community.

Sincerely,
Matt Dolphin
on behalf of
TRAILS PAC #24439

Transportation, Recreation, and Agritourism Infrastructure for Livability & Sustainability

From: TRAILS PAC
To: Planning
Cc: BOC Info; Trails Pac
Subject: More missing written testimony in packet for Docket G-01-25
Date: Tuesday, January 20, 2026 4:14:27 PM
Attachments: change-petition-2025-12-03.pdf

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

On Dec 3, 2025 at 3:47PM, our PAC director sent an email to the planning department with an attachment containing 3681 signatures to a change.org online petition in support of the Yamhelas Westsider Trail. This email and attachment have not appeared in the packet for Docket G-01-25. Public engagement, including the public's right to provide written testimony and petition their electeds and appointeds, is an essential component of the land use planning process. We are deeply concerned that this collected public input was not included in the packets for commissioners to consider prior to their deliberations.

We again respectfully request that they be included as part of the record along with this email. The original email and attachment are provided below.

~TRAILS PAC

=== FWD ===
from: TRAILS PAC <trailspac@gmail.com>
to: planning@yamhillcounty.gov,
bocinfo@yamhillcounty.gov
bcc: trailspac@gmail.com
date: Dec 3, 2025, 3:47 PM
subject: Additional 3,681 Petition Entries Supporting the Yamhelas–Westsider Trail (Docket G-01-25)
mailed-by: gmail.com

Dear Planning Commission Members,

As a follow-up to our earlier submission of 843 SaveOurTrail.com petition entries, TRAILS PAC is also providing 3,681 petition signatures collected on Change.org between 2021–2025, all urging Yamhill County to protect and complete the Yamhelas–Westsider Trail.

These signatures reflect years of sustained public support for preserving this public corridor, improving safety along Highway 47, and creating accessible walking and biking connections for our rural communities.

Please include the attached petition entries in the official record for Docket G-01-25.

We call on you to preserve the Yamhelas-Westsider Trail Corridor within Yamhill County's Transportation System Plan and to urge the Board of Commissioners to engage the entire public in meaningful dialogue and collaboration around the best use for our public land.

Thank you again for your time and for considering the strong and long-standing public interest in this project.

Sincerely,

Matt Dolphin
on behalf of
TRAILS PAC #24439
Transportation, Recreation, and Agritourism Infrastructure for Livability & Sustainability

From: carol foleyresearch.com
To: Kit Johnston; Mary Starrett; Bubba King
Cc: Planning; BOC Info
Subject: Yamhelas Westsider Trail
Date: Tuesday, January 20, 2026 5:00:16 PM
Attachments: CRPD Project Executive Summary.pdf

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To all,

Please reconsider taking off the Yamhelas Westsider Trail as a potential use of the abandoned rail corridor between Gaston and McMinnville. This corridor should be kept on the County's Transportation Plan, especially for the development of a multi-use trail. Even if people did not support development of a trail now, which they DO support, the Commissioners as stewards of the future, would protect this corridor as it was originally intended for transportation. As you already know, an objective survey in 2021 demonstrated that people do support the addition of a trail in that corridor now. If the master plan (discontinued by your board) had been finished, the concerns that had been expressed about the trail would have been highlighted, and recommendations made on how to address those concerns. Other trails throughout the nation on abandoned rail lines have successfully involved the community in a problem-and-solution process. There is no reason why that cannot happen in Yamhill County.

No reasons for taking the trail off the Transportation Plan have been given, except accusations that it is simply because a small number of farmers along the route who do not want the trail have made significant donations to some commissioners' campaigns. I hope that is not true. That kind of dealing is not what Yamhill County voters deserve.

Carol Foley
Yamhill, OR

CRPD PROJECT
SURVEY RESEARCH REPORT
EXECUTIVE SUMMARY
AUGUST 3, 2021

The following survey research report provides some valuable information regarding the public's perception of recreational opportunities in Yamhill County and a proposal to develop the Yamhelas Westsider Trail into a multi-use trail. This report should assist proponents in their planning and decision-making process in regard to the proposal.

Below, Nelson Research has highlighted the key results of the survey research report. Throughout this executive summary, Nelson Research identifies "key" demographics for many of the questions. Key demographics are those subgroups that respond at a higher percentage rate than the total sample for any given response. The key demographic groups for any given opinion are not necessarily the only subgroups in the survey who share that opinion. They are, however, the ones that hold that opinion most strongly.

A total of 400 respondents were interviewed between July 15 and July 22, 2021. The margin of error for this survey is +/-4.9% at the 95% level of confidence.

A large percentage of respondents, 61%, were older voters (45+ years old). It is important to note that this age demographic makes up a large majority of frequent voter groups (voters that voted in at least 3 out of the last 4 elections, or voted in all 4 of the last 4 elections). In addition, 59% of respondents were frequent or perfect voters (voters that voted in at least 3 out of the last 4 elections, or voted in all 4 of the last 4 elections).

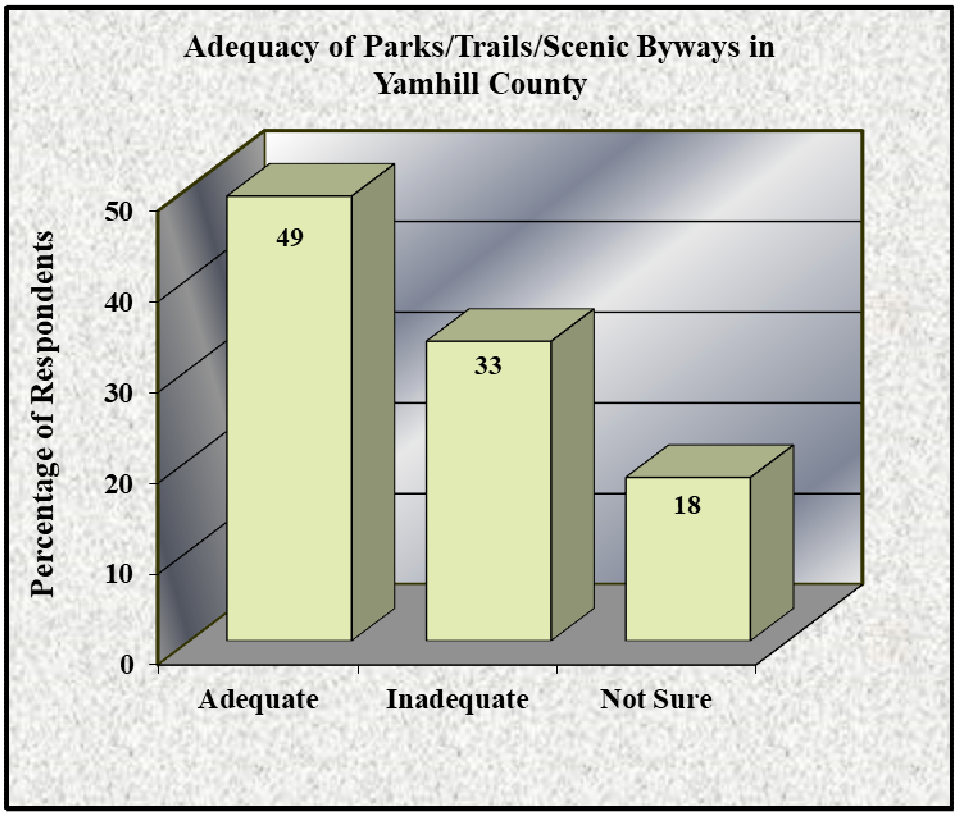
The reader can view the total percentages for each demographic group in the cross-tab report.

Not all open-ended responses are reflected in this summary. All open-ended responses can be found in the full open-ended report.

In addition, not all responses within this report total 100%. This is not due to any error, but because fractions of percentages have been rounded up or down.

ADEQUACY OF RECREATIONAL PARKS/TRAILS/SCENIC BYWAYS IN YAMHILL COUNTY

Slightly less than half of respondents, 49%, believed the number of recreational parks, trails and scenic byways available in Yamhill County for walking, bicycling, or horseback riding were adequate (very adequate-21%, somewhat adequate-28%), while 33% believed the number of recreational areas were inadequate (somewhat inadequate-17%, very inadequate-16%). Another 18% were not sure.



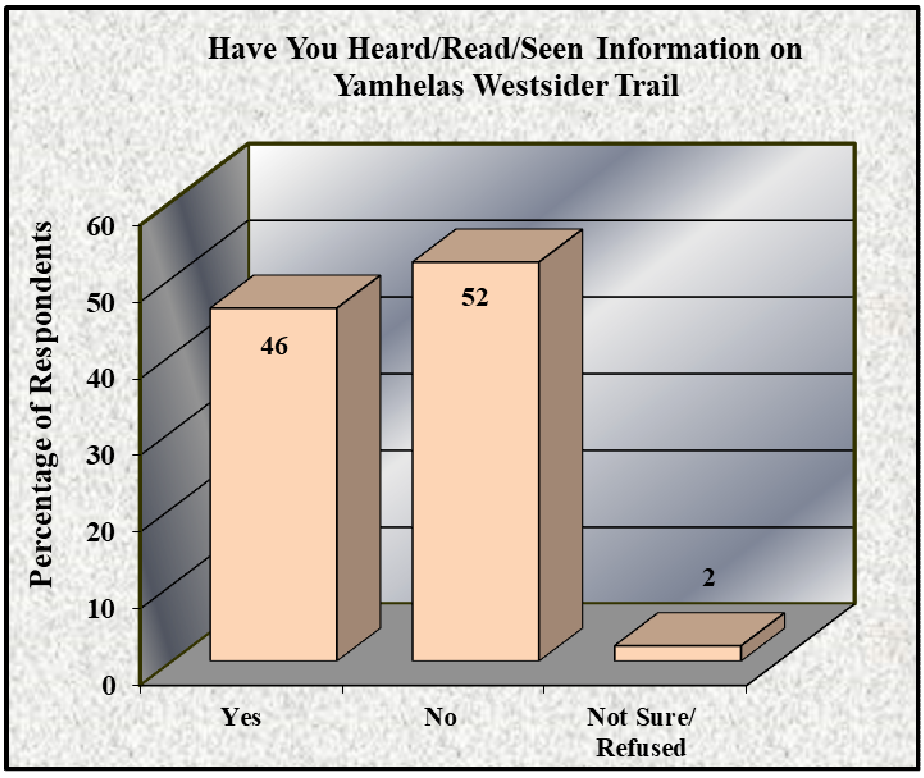
Key demographics that believed the number of recreational parks, trails and scenic byways were adequate were females (52%), 18-34 years old (63%), Independents/Others (52%), Republicans (50%), voters in 1 out of 4 elections (62%), 3 out of 4 and 4 out of 4 elections (50%), and other areas (50%).

Key groups that believed the number of recreational parks, trails and scenic byways were inadequate were males (34%), 35-44 years old (42%), 45-59 and 60+ years old (35%), Democrats (38%), non-voters (52%), voters in 2 out of 4 elections (40%), and Yamhill-Carlton SD (41%).

Key demographics that were not sure were males (21%), 18-34, 45-59 and 60+ years old (20%), Republicans (21%), voters in 3 out of 4 elections (20%), 1 out of 4 and 4 out of 4 elections (19%), and other areas (19%).

KNOWLEDGE ABOUT DEVELOPMENT OF YAMHELAS WESTSIDER TRAIL

Slightly over half of respondents, 52%, said they had **not** heard, read or seen any information about the development of the Yamhelas Westsider Trail, while 46% had. Another 2% were not sure.



Key demographics that had **not** heard, read, or seen information regarding the development of the Yamhelas Westsider Trail were males (53%), 18-34 years old (71%), 45-59 years old (53%), Independents/Others (60%), Republicans (55%), voters in 1 out of 4 elections (68%), 2 out of 4 elections (62%), non-voters (60%), and Newberg/Dundee SD (63%).

Key groups that had heard, read, or seen information regarding the development of the Yamhelas Westsider Trail were females (48%), 35-44 and 60+ years old (54%), Democrats (61%), voters in 4 out of 4 elections (58%), 3 out of 4 elections (48%), and Yamhill-Carlton SD (72%).

Main information heard/read/seen regarding trail were: (46% of all respondents)

		Of Total Universe
From what I've seen/read/heard	**20%**	**9%**
Controversy regarding farmland/negative impact on farmers	**9%**	**4%**
Trail development has been stopped	**8%**	**3%**
Trail is controversial/property rights issues	**5%**	**2%**
Farmers oppose the trail	**4%**	**2%**
County received grant money to develop trail	**4%**	**2%**
County commissioners killed the project/ money has to be paid back	**4%**	**2%**

WHO'S AHEAD: DEVELOPING THE YAMHELAS WESTSIDER TRAIL INTO MULTI-USE TRAIL

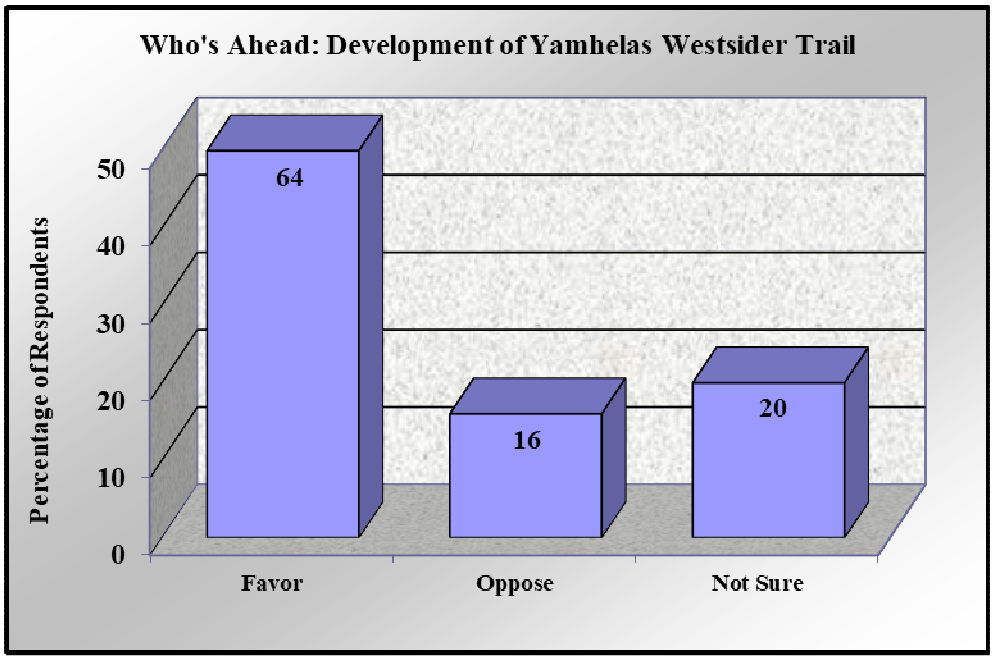
Next, respondents were given the following information and question:

"Yamhill County purchased a 92-acre parcel of railroad line to convert it into a multi-use path for pedestrians, bicyclists and horseback riders. This path, known as the Yamhelas Westsider Trail, has been planned to connect the communities of Carlton, Yamhill, Cove Orchard and Gaston.

Do you personally FAVOR or OPPOSE developing the Yamhelas Westsider Trail into a multi-use trail?

A large percentage of respondents, 64%, favored the development of the Yamhelas Westsider Trail into a multi-use trail (strongly favor-50%, somewhat favor-14%), while 16% opposed the development (somewhat oppose-3%, strongly oppose 13%). A relatively high 20% were not sure.

It is interesting to note that a strong majority of respondents in every demographic group favored developing the Yamhelas Westsider Trail.



Key demographics that favored developing the Yamhelas Westsider Trail were females (66%), 35-44 years old (68%), Democrats (75%), voters in 3 out of 4 elections (68%), 2 out of 4 elections (66%), Newberg/Dundee SD (66%), and other areas (65%).

Primary reasons for strongly favoring the trail were: (50% of all respondents)

		Of Total Universe
We need more space for local outdoor recreational activities	**27%**	**13%**
Provides safe outdoor recreation areas for walking/biking	**15%**	**7%**
Good use of land/railroad line that benefits everyone	**8%**	**4%**

Top reasons for somewhat favoring the trail were: (14% of all respondents)

		Of Total Universe
We need more space for local outdoor recreational activities	**15%**	**2%**
A lot of people/children would use it	**9%**	**1%**
Good option for unused land	**7%**	**1%**
Provides safe outdoor recreation areas for walking/biking	**7%**	**1%**

Key demographics that opposed developing the Yamhelas Westsider Trail were males (19%), 60+ years old (20%), 45-59 years old (17%), Republicans (20%), voters in 4 out of 4 elections (21%), non-voters (20%), 1 out of 4 elections (17%), 3 out of 4 elections (13%), and Yamhill-Carlton SD (28%).

Foremost reason for somewhat opposing the trail was: (3% of all respondents)

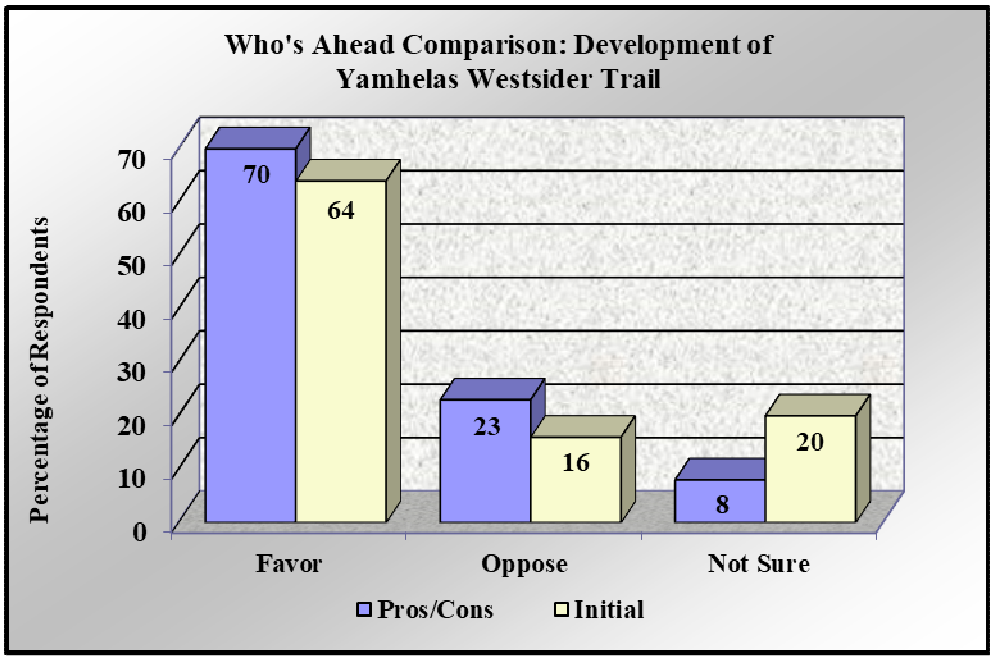
		Of Total Universe
Money could be spent elsewhere/waste of money	**33%**	**1%**

Principal reasons for strongly opposing the trail were: (13% of all respondents)

		Of Total Universe
Negative impact on farmers/farming practices	**19%**	**3%**
Concerned about homeless camps/ litter/safety issues	**13%**	**2%**
It's a waste of money/has negative impact	**11%**	**2%**

Furthermore, at the end of the survey, after listening to all the pros and cons, there was a slight increase (+6%) in the number of respondents that favored the development of the Yamhelas Westsider Trail. After listening to all the pros and cons, 70% favored the trail (strongly favor-55%, somewhat favor-15%), 23% opposed the trail (somewhat oppose-6%, strongly oppose-17%) and 8% were not sure. A comparison between results is displayed in the chart below.

It is important to note, there was a +5% increase in strongly favor responses after listening to all the pros and cons.



Key demographics increasing to favor were males (+7%), 18-34 years old (+9%), Independents/Others (+8%), non-voters (+8%), and Newberg/Dundee SD (+9%).

"IF YOU KNEW" RESULTS

Next, respondents were asked a series of questions designed to gauge the positive or negative impact of certain pieces of information. This methodology was used to ascertain which arguments produced the greatest net movement from the original "who's ahead" question.

The reader should keep in mind the "if you knew. . ." format. Certain arguments may push people "if they knew," but the nature of the argument may make it impossible to convince someone that it is factual. In addition, the resources required to do the convincing may be too great when compared to other arguments. This series was cross-checked later in the survey by the agree/disagree series. The results are ranked on the following page in descending positive order.

Question	Favor	Oppose	Not Sure	Net Gain/Loss
Who's Ahead Results: Development of Yamhelas Westsider Trail	**64**	**16**	**20**	
If you knew developing the Yamhelas Westsider Trail would create a safe and convenient transportation choice for walking, biking or horseback riding between the communities of Carlton, Yamhill, Cove Orchard and Gaston would you FAVOR or OPPOSE the proposal?	81	13	8	**+17**
If you knew that the proposed Yamhelas Westsider Trail was located on public land and did not require the taking of any private land, would you FAVOR or OPPOSE developing the Yamhelas Westsider Trail?	80	15	5	**+16**
If you knew before the actual development of the trail, all concerned parties would be invited to participate in the planning process to find solutions to their individual issues and concerns, would you FAVOR or OPPOSE the proposal?	80	16	5	**+16**
If you knew offering additional hiking, biking and horseback riding trails would provide more recreational opportunities for local residents and would improve their health and fitness, would you FAVOR or OPPOSE developing the Yamhelas Westsider Trail?	78	15	7	**+14**

Question	Favor	Oppose	Not Sure	Net Gain/Loss
Who's Ahead Results: Development of Yamhelas Westsider Trail	**64**	**16**	**20**	
If you knew Park Managers would use fencing, gates, trail closures, signage, and other methods to ensure that farming is not disrupted, or crops contaminated, would you FAVOR or OPPOSE the development of the Yamhelas Westider Trail?	77	19	5	**+13**
An economic study found that outdoor recreation brought nearly $69 million dollars in economic spending into Yamhill County in 2019. If you knew developing the Yamhelas Westsider Trail could bring additional dollars into the local economy by attracting visitors who would spend money on food, lodging and shopping, would you FAVOR or OPPOSE the proposal?	76	17	7	**+12**
If you knew some local residents are concerned that the culture and values of rural Yamhill County are being encroached upon by the Portland Metro Area, and the proposed trail is just another step in that direction, would you FAVOR or OPPOSE the proposal?	56	33	11	**-8**

Question	Favor	Oppose	Not Sure	Net Gain/Loss
Who's Ahead Results: Development of Yamhelas Westsider Trail	**64**	**16**	**20**	
If you knew some farmers believe developing the Yamhelas Westsider Trail could negatively impact some current farming practices such as access to fields, and spraying of pesticides in the area, would you FAVOR or OPPOSE the proposal?	51	38	10	**-13**
If you knew some local farmers are concerned that increased pedestrian traffic near their farms could cause food safety issues due to people and domestic animals trespassing and potentially contaminating their crops, would you FAVOR or OPPOSE the proposal to develop the Yamhelas Westsider Trail?	49	39	13	**-15**
If you knew some residents are concerned that the Yamhelas Westsider Trail could create a haven for homeless camps in the area that could increase litter, drug-use and cause safety concerns, would you FAVOR or OPPOSE the proposal?	44	46	10	**-20**

Key observations to this series were as follows (all the demographics in this series are key demographics. Those respondents highlighted in **bold** are those demographics that move consistently with each argument):

- The argument that produced the largest increase in support for developing the Yamhelas Westsider Trail (+17%) was information that developing the Yamhelas Westsider Trail would create a safe and convenient transportation choice for walking, biking or horseback riding between the communities of Carlton, Yamhill, Cove Orchard and Gaston. Key demographics increasing in support were **18-34 years old** (+21%), **Republicans** (+20%), **voters in 2 out of 4 elections** (+22%), **Yamhill-Carlton SD** (+24%), and **Newberg/Dundee SD** (+18%).

- Another argument soliciting strong levels of support for the trail (+16%) was knowledge that the proposed Yamhelas Westsider Trail was located on public land and **did not** require the taking of any private land. Key demographics responding to this information were **males** (+17%), **18-34 years old** (+25%), **Republicans** (+20%), Independents/Others (+18%), **voters in 2 out of 4 elections** (+22%), **1 out of 4 elections** (+19%), **Yamhill-Carlton SD** (+24%), and **Newberg/Dundee SD** (+17%).

- The fact that before the actual development of the trail, all concerned parties would be invited to participate in the planning process to find solutions to their individual issues and concerns moved +16% of respondents to favor the trail. Key demographics responding to this knowledge were **males** (+18%), **18-34 years old** (+22%), **Republicans** (+22%), **voters in 2 out of 4 elections** (+22%), **1 out of 4 elections** (+17%), and **Newberg/Dundee SD** and **Yamhill-Carlton SD** (+18%).

- On the other hand, information that some local residents are concerned that the culture and values of rural Yamhill County are being encroached upon by the Portland Metro Area, and the proposed trail is just another step in that direction decreased support for the Yamhelas Westsider Trail development (-8%). Key groups that decreased in support were **females** (-12%), **35-44** and **45-59 years old** (-12%), **Republicans** (-14%), **voters in 3 out of 4 elections** (-13%), and Yamhill Carlton SD (-11%).

- Knowledge that some farmers believe developing the Yamhelas Westsider Trail could negatively impact some current farming practices such as access to fields, and spraying of pesticides in the area significantly decreased support for the proposal (-13%). Key demographics impacted by this information were **females** (-18%), **35-44 years old** (-16%), **45-59 years old** (-14%), **Republicans** (-16%), voters in 1 out of 4 elections (-22%), **3 out of 4 elections** (-17%), and other areas (-16%).

- Similarly, information that some local farmers are concerned that increased pedestrian traffic near their farms could cause food safety issues due to people and domestic animals trespassing and potentially contaminating their crops substantially decreases support for the development of the trail (-15%). Key demographics responding negatively to this knowledge were **females** (-20%), 18-34 and **35-44 years old** (-20%), **45-59 years old** (-16%), **Republicans** (-22%), **voters in 3 out of 4 elections** (-25%), and Newberg/Dundee SD (-17%).

- Decreasing support for the Yamhelas Westsider Trail by the largest margin (-20%) was information that some residents are concerned that the Yamhelas Westsider Trail could create a haven for homeless camps in the area that could increase litter, drug-use and cause safety concerns. Key demographics decreasing in support were **females** (-25%), 18-34 years old (-23%), **35-44 years old** (-22%), **45-59 years old** (-21%), **Republicans** (-28%), **voters in 3 out of 4 elections** (-30%), 2 out of 4 elections (-23%), 1 out of 4 elections (-22%), and other areas (-23%).

TRUST SERIES

Next, respondents were read a list of people or organizations that may favor or oppose the development of the Yamhelas Westsider Trail and were asked to rate each one on a scale of one to four, with "1" representing no trust at all and "4" representing a lot of trust. The ones and twos have been collapsed into a low trust rating and the threes and fours into a high trust rating. Below, the projects are listed in descending order of trust.

Person/Organization	High Trust	Low Trust	Not Sure
Oregon Parks and Recreation Department?	69	22	10
Highest trust for males (68%), females (70%), 35-44 (76%), 45-59 (68%), 60+ (64%) Democrats (83%), Independent/Others (72%), 2 of 4 elections (73%), 3 of 4 elections (70%), 4 of 4 elections (66%) Newberg/Dundee SD (73%), Yamhill-Carlton SD (69%), other areas (66%).			

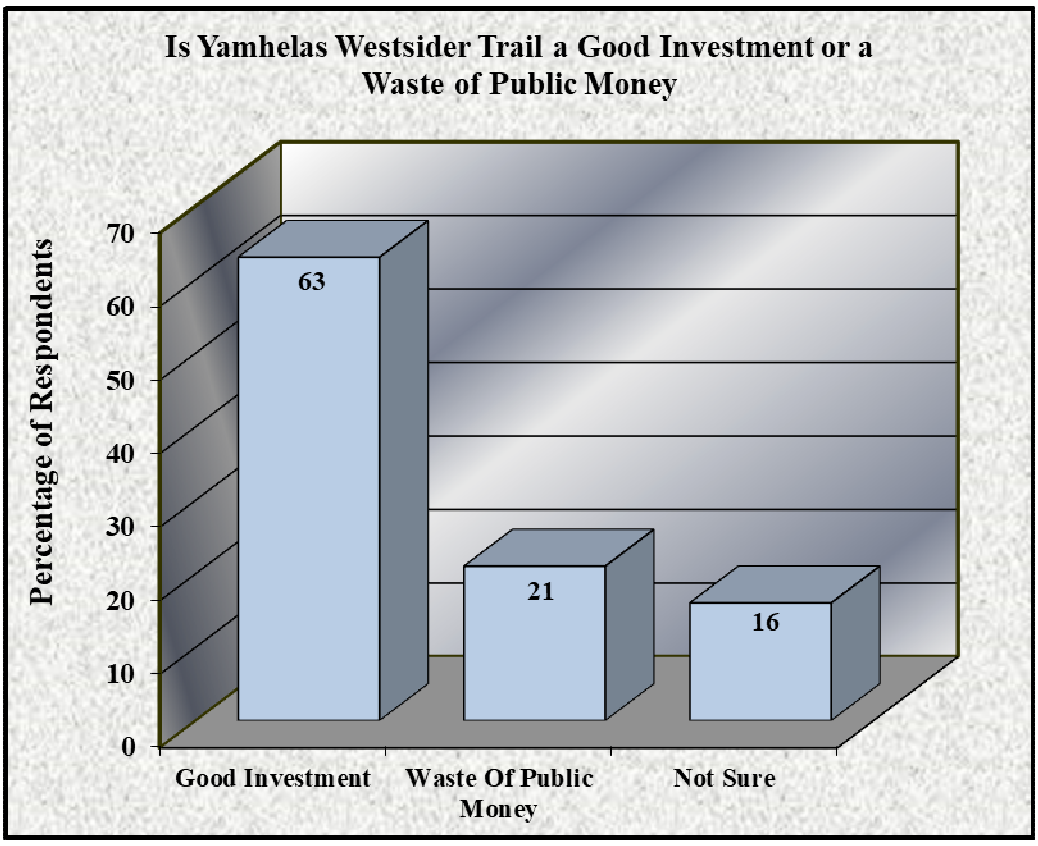
Project	High Trust	Low Trust	Not Sure
A local farmer with property near the proposed Trail?	64	27	9
Highest trust for 18-34 (73%), Republicans (76%), and 1 of 4 elections (77%).			
The Chehalem Park and Recreation District?	57	24	20
Oregon Trails Coalition?	48	25	28
Friends of the Yamhelas Westsider Trail?	46	34	20
Yamhill County Board of Commissioners?	37	48	17

A large number of respondents gave the Oregon Parks and Recreation District the highest trust rating, followed by a local farmer with property near the proposed Trail.

On the other hand, Friends of the Yamhelas Westsider Trail and the Yamhill County Board of Commissioners received much lower trust ratings.

IS YAMHELAS WESTSIDER TRAIL A GOOD INVESTMENT OR WASTE OF PUBLIC MONEY

A large percentage of respondents, 63%, believed the development of the Yamhelas Westsider Trail was a good investment of public dollars, while 21% believed it was a waste of public money and the county should abandon the project. Sixteen percent were not sure.



Key demographics that believed the Yamhelas Westsider Trail was a good investment of public dollars were females (64%), 18-34 years old (68%), 35-44 years old (66%), Democrats (74%), Independents/Others (68%), non-voters (72%), voters in 3 out of 4 elections (65%), and Newberg/Dundee SD (67%).

Key groups that believed the Yamhelas Westsider Trail was a waste of public money and the county should abandon the project were males (23%), 45-59 years old (23%), 60+ years old (22%), Republicans (28%), Independents/Others (22%), voters in 4 out of 4 elections (25%), non-voters (24%), and Yamhill-Carlton SD (30%).

QUESTION COMPARISONS/AGREE/DISAGREE

In this series, respondents were presented with a number of potentially prejudicial statements regarding the proposed Yamhelas Westsider Trail. This format was designed to serve as a cross-check on various closed-ended questions as well as to pick up variations on prejudices not readily apparent in those types of questions. This is an important series of questions, especially when cross-checked with the "if you knew" questions.

The results are displayed in two different tables. In the first table, the key push arguments have been isolated and set against their corresponding priority and/or agree/disagree questions. The second table simply displays all of the agree/disagree statements in descending order of agreement.

IF YOU KNEW: CONCERNED PARTIES INVITED TO PARTICIPATE IN PLANNING TO ADDRESS CONCERNS

If you knew before the actual development of the trail, all concerned parties would be invited to participate in the planning process to find solutions to their individual issues and concerns, would you FAVOR or OPPOSE the proposal?

Favor	Oppose	Not Sure
80	16	5

AGREE/DISAGREE

I would favor the Yamhelas Westsider Trail as long as local farmers' concerns are addressed and it doesn't negatively impact their current farming practices.

Agree	Disagree	Not Sure
78	14	8

IF YOU KNEW: TRAIL PROVIDES SAFE WALKING/BIKING/ HORSEBACK RIDING BETWEEN COMMUNITIES

If you knew developing the Yamhelas Westsider Trail would create a safe and convenient transportation choice for walking, biking or horseback riding between the communities of Carlton, Yamhill, Cove Orchard and Gaston would you FAVOR or OPPOSE the proposal?

Favor	Oppose	Not Sure
81	13	8

AGREE/DISAGREE

The Yamhelas Westsider Trail is a great example of how our local community is working to create safe outdoor walking, bicycling and horseback riding trails that will connect some of our rural communities.

Agree	Disagree	Not Sure
73	17	10

IF YOU KNEW: TRAIL WILL PROVIDE MORE OUTDOOR RECREATIONAL OPPORTUNITIES

If you knew offering additional hiking, biking and horseback riding trails would provide more recreational opportunities for local residents and would improve their health and fitness, would you FAVOR or OPPOSE developing the Yamhelas Westsider Trail?

Favor	Oppose	Not Sure
78	15	7

AGREE/DISAGREE

Yamhill County needs more outdoor recreational opportunities and trails for local residents to enjoy, like the Yamhelas Westsider Trail.

Agree	Disagree	Not Sure
71	20	9

IF YOU KNEW: TRAIL WILL IMPROVE ECONOMY BY ATTRACTING VISITORS TO THE AREA

An economic study found that outdoor recreation brought nearly $69 million dollars in economic spending into Yamhill County in 2019. If you knew developing the Yamhelas Westsider Trail could bring additional dollars into the local economy by attracting visitors who would spend money on food, lodging and shopping, would you FAVOR or OPPOSE the proposal?

Favor	Oppose	Not Sure
76	17	7

AGREE/DISAGREE

An economic study found that outdoor recreation brought nearly $69 million dollars in economic spending into Yamhill County in 2019. The Yamhelas Westsider Trail could bring additional dollars into the local economy by attracting visitors who spend money on food, lodging and shopping.

Agree	Disagree	Not Sure
73	18	10

IF YOU KNEW: PORTLAND METRO IS ENCROACHING ON RURAL CULTURE/VALUES

If you knew some local residents are concerned that the culture and values of rural Yamhill County are being encroached upon by the Portland Metro Area, and the proposed trail is just another step in that direction, would you FAVOR or OPPOSE the proposal?

Favor	Oppose	Not Sure
56	33	11

AGREE/DISAGREE

The Portland Metro area is invading our rural areas and changing our culture and values and the development of this trail is just another step in this process.

Agree	Disagree	Not Sure
33	57	10

IF YOU KNEW: TRAIL COULD NEGATIVELY IMPACT FARMERS

If you knew some farmers believe developing the Yamhelas Westsider Trail could negatively impact some current farming practices such as access to fields, and spraying of pesticides in the area, would you FAVOR or OPPOSE the proposal?

Favor	Oppose	Not Sure
51	38	10

If you knew some local farmers are concerned that increased pedestrian traffic near their farms could cause food safety issues due to people and domestic animals trespassing and potentially contaminating their crops, would you FAVOR or OPPOSE the proposal to develop the Yamhelas Westsider Trail?

Favor	Oppose	Not Sure
49	39	13

If you knew Park Managers would use fencing, gates, trail closures, signage, and other methods to ensure that farming is not disrupted, or crops contaminated, would you FAVOR or OPPOSE the development of the Yamhelas Westider Trail?

Favor	Oppose	Not Sure
77	19	5

AGREE/DISAGREE

The proposed trail will hurt our local farmers by encroaching on their farms and their property rights.

Agree	Disagree	Not Sure
34	51	15

I would favor the Yamhelas Westsider Trail as long as local farmers' concerns are addressed and it doesn't negatively impact their current farming practices.

Agree	Disagree	Not Sure
78	14	8

AGREE/DISAGREE STATEMENTS IN DESCENDING ORDER OF AGREEMENT

Statement	Agree	Disagree	Not Sure
I would favor the Yamhelas Westsider Trail as long as local farmers' concerns are addressed and it doesn't negatively impact their current farming practices.	78	14	8
An economic study found that outdoor recreation brought nearly $69 million dollars in economic spending into Yamhill County in 2019. The Yamhelas Westsider Trail could bring additional dollars into the local economy by attracting visitors who spend money on food, lodging and shopping.	73	18	10

Statement	Agree	Disagree	Not Sure
The Yamhelas Westsider Trail is a great example of how our local community is working to create safe outdoor walking, bicycling and horseback riding trails that will connect some of our rural communities.	73	17	10
Yamhill County needs more outdoor recreational opportunities and trails for local residents to enjoy, like the Yamhelas Westsider Trail.	71	20	9
The proposed trail will hurt our local farmers by encroaching on their farms and their property rights.	34	51	15
The Portland Metro area is invading our rural areas and changing our culture and values and the development of this trail is just another step in this process.	33	57	10

CONCLUSIONS

1. Slightly less than half of respondents believe the number of recreational parks, trails and scenic byways available in Yamhill County are adequate.

2. Slightly over half of respondents have **not** heard, read, or seen any information regarding the development of the Yamhelas Westsider Trail.

3. "From what I've seen/read/heard" tops the list of things heard about the development of the trail, followed by "controversy regarding farmland/negative impact on farmers," "trail development has been stopped" and "trail is controversial/property rights issues." It is interesting to note that many of the top things heard about the development of the trail are negative. This demonstrates a need for a positive communications campaign that outlines the benefits the trail will bring to the community.

4. A large percentage of respondents favor developing the Yamhelas Westsider Trail into a multi-use trail. It is important to note that a strong majority of respondents in every demographic group favor the development of the trail.

5. Primary reasons for favoring the development of the trail are "we need more space for local outdoor recreational activities," "provides safe outdoor recreation areas for walking/biking" and "good use of land/railroad line that benefits everyone."

6. Main reasons for opposing the Yamhelas Westsider Trail are "negative impact on farmers/farming practices," "waste of money" "and "concerned about homeless camps/litter/safety issues."

7. In addition, after listening to all the pros and cons, there was a slight increase in the number of respondents that favor developing the Yamhelis Westsider Trail, with the majority of movement going to the strongly favor category.

8. The argument that produces the largest increase in support for developing the Yamhelas Westsider Trail is information that developing the Yamhelas Westsider Trail would create a safe and convenient transportation choice for walking, biking or horseback riding between the communities of Carlton, Yamhill, Cove Orchard and Gaston. Safe walking/biking areas for recreation between communities is a **primary** issue for respondents. This message generates very strong majority support in every demographic group. This is the top positive message for females, 35-44 and 45-59 years old and voters in 3 out of 4 elections.

9. Another argument soliciting strong levels of support for the trail is knowledge that the proposed Yamhelas Westsider Trail was located on public land and **did not** require the taking of any private land. This is a **primary** issue for respondents and generated strong support across all demographic groups. This was the top message for 18-34 years old, Independents/Others and voters in 1 out of 4 elections.

10. The fact that before the actual development of the trail, all concerned parties would be invited to participate in the planning process to find solutions to their individual issues and concerns moves a large portion of respondents to favor the trail. Addressing the concerns of property owners, especially as it relates to farmers and farmland is a **primary** issue for respondents.

11. While information that some local residents are concerned that the culture and values of rural Yamhill County are being encroached upon by the Portland Metro Area, and the proposed trail is just another step in that direction decreases support for the Yamhelas Westsider Trail development, there is still a majority of support for the proposal.

12. Knowledge that some farmers believe developing the Yamhelas Westsider Trail could negatively impact some current farming practices such as access to fields, and spraying of pesticides in the area significantly decreases support for the proposal. The counter argument that park managers and the planning group will work directly with farmers to address these issues should help ease concerns.

13. Similarly, information that some local farmers are concerned that increased pedestrian traffic near their farms could cause food safety issues due to people and domestic animals trespassing and potentially contaminating their crops substantially decreases support for the development of the trail. Again, counter arguments that park managers and the panning group will work directly with farmers to address these issues and messages about using fencing, closures and signage should ease these concerns.

14. Decreasing support for the Yamhelas Westsider Trail by the largest margin is information that some residents are concerned that the Yamhelas Westsider Trail could create a haven for homeless camps in the area that could increase litter, drug-use and cause safety concerns. This is a significant concern for the community and will need to be addressed.

15. A large number of respondents give the Oregon Parks and Recreation District the highest trust rating, followed by a local farmer with property near the proposed Trail. On the other hand, Friends of the Yamhelas Westsider Trail and the Yamhill County Board of Commissioners receive much lower trust ratings.

16. A large percentage of respondents believe the Yamhelas Westsider Trail is a good investment of public dollars.

FINAL OBSERVATIONS

Clearly, there is strong support for the Yamhelas Westsider Trail as evidenced by strong support throughout the survey in both closed-ended and open-ended responses. Support increases even further when presented with information that the trail would create a safe and convenient transportation choice for walking, biking or horseback riding between communities and would **not** require the taking of any private land. In addition, knowing all concerned parties would be invited to participate in the planning process **before** the development of the trail also solicits very strong levels of support.

While respondents express significant concern about the trail's impact on farmers and farmland, it appears that counter arguments related to using fencing, gates, trail closures, signage, and other methods to ensure that farming is not disrupted substantially eases these worries. On the other hand, some respondents express significant anxiety about homeless camps, litter and safety issues on the trail. It will be **very** important for proponents of the trail to address these concerns and reassure residents that the proposed trail will be safe, free of homeless camps and provide a great benefit to the community.

If proponents for the trail can mount a **strong positive** education and communications campaign about the benefits of the proposed trail and how it will positively impact the community, it they should be able to solicit the level of support needed to be successful. It will be **very** important for proponents to weave their messages into a clear and concise strategy to counter those opposed to the development of the trail.

From: Ben Pierce Mendenhall
To: BOC Info
Subject: Support For Eloheh
Date: Tuesday, January 20, 2026 5:25:02 PM

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Please allow Eloheh to hold ceremonies as they need.
Thank you,
Ben Mendenhall
3826 SE 33rd Ave
Portland OR 97202
503-709-8492

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Communication via email is not considered highly secure.

From: Connor M
To: BOC Info
Subject: I support preserving Yamhelas Trail
Date: Tuesday, January 20, 2026 5:41:06 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Greetings

As a prior resident of Yamhill county, I strongly support preserving the Yamhelas trail for the use of the public. Selling the Yamhelas Westsider Trail would lessen the community, as so many of us use it for exercise, recreation, and safe travel, including the elderly and disabled. It attracts visitors who spend at our local shops, deepening both the City's resources and culture.

Furthermore, many of us residents remain proponents of the once planned train line connecting Mcminnville to the greater Portland area. This still viable proposition would undoubtedly elevate the City of Mcminnville once realized, as the ease and safety of transport will connect families and friends, as well as visitors to our shops, hotels, and amazing parades.

Thank you

Connor Miller
WLWV School District Educator
503-319-3660

From: Valerie Brooks
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning; board@co.yamhill.or.us
Subject: Yamalas Trail Planning
Date: Tuesday, January 20, 2026 5:48:29 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 22, 2026
Yamhill County Board of Commissioners
535 NE 5th Street
McMinnville, OR 97128

Dear Chair and Members of the Board,

My name is Valerie A Brooks. I live at 320 E. Chandler Drive, Newberg, OR 19132.

I have lived in or near Newberg for 20 years. For 15 years I lived on rural property and am aware of how County decisions impact landowners. I also patronize Yamhill County businesses and am supportive in general of policies that add value to the efforts of private enterprise.

I was very concerned at the process and attitudes of disrespect that surfaced from the railroad right-of-way trail advocates a few years ago. They showed disregard for land use planning and decisions. They showed no respect for the concerns of property owners whose farming could be impacted by foot and bike traffic through their fields; they argued with those who disagreed rather than seek alternatives. They spent tax money on plans that were not fully approved.

I see a new effort to revisit this trail. I have the same concerns as before,. Add to that—what tax dollar commitments are being made in a time our tax dollars are more precious because families are struggling to maintain housing, health care, and other necessities of life. Recreation is life affirming, but necessities come first. I recommend we not commit to this project until basic economic concerns are behind us, land use issues resolved, and farmers' concerns are fully addressed. We need a community that can come together in goodwill, not more of the same conflict.

Thank you,

Valerie Brooks
3209 E Chandler Dr
Newberg, OR 97132

From: Keyser B
Subject: Written Testimony for January 22, 2026 BOC meeting
Date: Tuesday, January 20, 2026 6:21:34 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 20, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,

The Yamhelas-Westsider Trail should not move forward. After years of litigation, the facts are clear: this project cannot meet Oregon land-use law on Exclusive Farm Use land. The Land Use Board of Appeals has repeatedly ruled in favor of affected landowners, confirming that the county has failed to lawfully justify this project. Continuing to pursue a recreational trail in protected farmland violates ORS 215.213, 215.283, and 215.296 and places agricultural livelihoods at risk. Recreation does not take precedence over farming, especially when state law exists specifically to protect food production and farm operations.

The financial risk to taxpayers grows the longer this project is pursued. Approximately $1.7 million has already been spent through grant funds tied to its classification as a transportation project. Removing the trail from the Transportation System Plan does not create a taxpayer burden but continuing to force an unlawful project does. Additional legal challenges, attorney fee awards, and the risk of grant repayment are the direct result of ignoring land-use reality. The fiscally responsible and lawful decision is to stop this project, remove it from the Transportation System Plan, and end further spending. Protect farmland, respect private property rights, and prevent additional taxpayer exposure by discontinuing the Yamhelas-Westsider Trail.

Sincerely,
Beth Keyser

Beth Keyser
503-730-2599
BethKeyser@outlook.com

From: Alice Patridge
To: BOC Info
Subject: "the Republic for which it stands"
Date: Tuesday, January 20, 2026 7:04:32 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I have a grateful heart today because I am in a country that is a Republic. I am grateful for those of you here on this board that take your oath of office seriously and bravely. Thank you for standing up for the rule of law when there are those seeking to skirt around laws in place and the guidelines that are set up to protect land use.

We need this protection because there are those who are coveting something they want to the point of interfering with landowner's rights to conduct farming and maintaining privacy.

This is where you stand as our vanguards against losing our established rights against the onslaught of people crying that WE are hurting THEM because it's what they WANT.

Again, thank you for being on this board and representing the voice of those who have the most to lose, not just those fighting to get what they want no matter the cost.

Respectfully submitted,

Alice Patridge
687 N Coolidge St
Carlton, Oregon 97111
(105ft of adjacent trail)

--
Alice Patridge

From: Mary Ryanhotchkiss
To: BOC Info
Subject: Eloheh Indigenoue Center and religious accommodation
Date: Tuesday, January 20, 2026 7:26:12 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Yamhill County Board of Commissioners

535 NE Fifth Street

McMinnville, OR 97128

email: bocinfo@co.yamhill.or.us

I support Eloheh Indigenous Center's appeal for religious accommodation. Our community in Beaverton, Spirit of Grace church, has had several interactions with the Eloheh Indigenous Center with our folks visiting and helping at the center and Randy Woodley visiting us.

Our interaction with Eloheh has been educational and spiritual. We have learned much from them and we hope to continue learning. I ask that you protect their and our religious freedom, indeed protect the freedom of all faiths, including those which may be different than mainstream Christianity.

Thank you,

Mary Ryan-Hotchkiss, PhD

From: Jacob Browning
To: Bubba King; BOC Info; Planning; Mary Starrett; Kit Johnston
Subject: Written Testimony – January 22, 2026, BCC Meeting
Date: Tuesday, January 20, 2026 7:29:49 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Commissioners,

A Transportation System Plan is not a wish list. It is a policy document with real legal and financial consequences. Listing a project in the TSP signals intent, priority, and future funding. Keeping the Yamhelas Westsider Trail in the TSP—even though the County formally abandoned the project years ago—misleads the public and undermines confidence in county planning.

Farmers depend on accurate planning documents to understand what uses may impact their land. Leaving a dead project in the TSP creates uncertainty and suggests the possibility of future action without transparency. The responsible course is to remove the trail so that County documents match County actions.

Sincerely,

Jacob Browning

Newberg, OR

From: Julie Vandyke
To: BOC Info; planning@yamhillcounty.gov.or
Subject: DOCKET G-01-25
Date: Tuesday, January 20, 2026 7:40:56 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 20, 2026
Docket:G-01-25

To the Board of Commissioners:
The Yamhelas Westsider Trail project needs to be removed from the transportation system plan. This project which was conceived from deception has already been litigated with LUBA with several remands.

It has been proven with LUBA that there is significant negative impacts to farming practices (215.296) that cannot be resolved.

LUBA even commissioned Yamhill County to payback attorney fees to the farmers of almost 50K.

Enough is enough. This project is dead and should no longer be part of the TSP.

Please send us an email confirming that you have received this letter.
jandjvandyke@gmail.com

Thank you,
Jim and Julie VanDyke
PO Box 400
Yamhill, Oregon 97148

From: vala@hahnenv.com
To: BOC Info
Subject: RE: The Yamhelas Westsider Trail
Date: Tuesday, January 20, 2026 7:47:09 PM

Spam

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I am writing in support of the Yamhelas Westsider Trail being put to a vote. And, most importantly, that the Commissioners put honest information about the trail out to the public.

Some of the comments on Facebook against the Trail are downright crazy and ignorant. I feel it is your responsibility to be honest about the pros and cons and not use scare tactics that all of Portland's homeless will come on down to Yamhill County, or TriMet wants to move in.

The people I know would love the trail, the new businesses it would bring it would be a huge asset. The whole county would benefit. I know everyone is comparing this with Banks/Vernonia trail and there are differences, but that has been a life saver for those communities.

There is nowhere around here I would ride a bike. It would be fantastic to have bike trail, that is safe (i.e. no cars whizzing by). And again, let's be honest about homeless invading the trail. I worked/lived in Portland for decades and half of my coworkers rode bikes into Old Town on the Springwater Trail. That trail had services nearby in downtown, I don't think Yamhill will be a mecca for them.

The voters of the county have a right to make a decision on this, it concerns all of us not just 3 Commissioners. Let us vote.

Thank you for your service to the County.

Valerie Parsons
Lafayette, Oregon

From: Brian Plett
To: Planning; BOC Info
Subject: The right of way belongs to the people of Yamhill County
Date: Tuesday, January 20, 2026 7:53:56 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Yamhill County Commissioners and the Planning Board,

I have been a resident of Yamhill County for over 20 years. Our county has many advantages from varied industries, beautiful towns, a long history, to its scenic beauty.

I am writing about the former rail line, the right of way that runs from outside McMinnville up through Carlton and Yamhill, and north towards Gaston. This is public property that belongs to the people of Yamhill County, set aside for the benefit and service of its people. It should not be sold or given to adjacent landowners for their personal use.

A corridor like this is irreplaceable. It allows for future industry, utilities, tourism, or other opportunities to benefit the county to be possible. If it was disposed of, it would cost hundreds of millions of dollars to replace when a future need for such a corridor arose. Doing so would be a great disservice to future generations of Yamhill County.

I urge you to leave this corridor as it is, and not remove it from the county plan or sell the land to private parties.

Thank you,
Brian Plett, Newberg

From: James Goings
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: James Goings – McMinnville, Oregon
Date: Tuesday, January 20, 2026 7:54:25 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

James Goings – McMinnville, Oregon
Yamhill County Board of Commissioners
Good morning, Chair Johnston, Commissioners Starrett and King.
My name is **James Goings**, and I live in **McMinnville**. I'm here as a Yamhill County taxpayer to urge you to **remove the Yamhelas Westsider Trail from the Transportation System Plan**.
This issue is actually very simple. The Yamhelas Westsider Trail project is over. The County ended it years ago. The land-use application was withdrawn, the bridge was dismantled, and the County chose not to start over with a master plan. That was a clear policy decision made by a previous Board of Commissioners in 2021.
What's before you today is not whether the trail is a good idea in theory. That debate is long past. What's before you is whether the Transportation System Plan should accurately reflect **current County policy and reality**. Right now, it does not.
The Planning Commission recognized this and, after reviewing the legal history, land-use requirements, and conflicting Comprehensive Plan goals, and after listening to hours of public testimony, voted **unanimously** to recommend removing the Trail from the TSP. I appreciate the seriousness with which they approached this issue, and I hope the Board will give that recommendation the weight it deserves.
As a taxpayer, I'm also concerned about accountability. Millions of dollars were spent on planning, legal defense, construction, and eventually tearing down a **bridge that should never have been built without proper approvals.** That money is gone. The responsible thing to do now is to make sure the County does not continue to devote time, attention, or future resources to a project that no longer exists.
It's also important to be honest with the public. For years, many residents were told this was "just a trail." **But recent testimony from trail supporters acknowledged that the long-term vision included light rail.** Whether someone supports that idea or not, it's clear that Yamhill County taxpayers were never fully informed about the potential costs or implications. Keeping the Trail in the TSP only perpetuates that confusion.
A Transportation System Plan is supposed to guide real, achievable priorities. It should not include abandoned projects that cannot be built legally, funded responsibly, or supported by current County policy.
Removing the Yamhelas Westsider Trail from the TSP doesn't prevent future ideas from being discussed openly and honestly. It simply closes the book on a project that has already been closed in every meaningful way.
The trail is gone. The Planning Commission has spoken **unanimously**. The policy decision is settled. I respectfully ask you to finish the job and remove the Yamhelas Westsider Trail from the Transportation System Plan.
Thank you for your time and your service to Yamhill County.

Sent from my iPad

From: Alice Patridge
To: BOC Info
Subject: Fwd: Not a democracy, a Republic
Date: Tuesday, January 20, 2026 8:00:03 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

---------- Forwarded message ---------
From: **Alice Patridge** <alicejuiceplus@gmail.com>
Date: Tue, Jan 20, 2026 at 7:28 PM
Subject: Not a democracy, a Republic
To: <bocinfor@yamhill.gov>, <planning@co.yamhill.or.us>

Thank you for being part of our Republic. As a Republic, we depend on our elected officials to make sure laws and rules are applied and followed.
We have borne witness to some of our leadership falling for the cries of some entitled people, many of which do not reside in Yamhill county and many more that do not reside directly against the ROW.
We have looked to you to defend our rights under LUBA guidelines and you have faced the battle bravely even to the point of personal attacks and threats.
Thank you for stepping up in this battle and please keep pressing forward. The county has lost enough money fighting this and it is time to put an end to this and remove the Yamhelas Westsider Trail from the TSP docket permanently.

Respectfully submitted,

--
Alice Patridge
687 N Coolidge St
Carlton, Oregon 97111
(I own 105Ft of land adjancent to the ROW)

--
Alice Patridge

From: Mary Adams
To: Planning; BOC Info
Subject: Please do not sell public land in Yamhill County
Date: Tuesday, January 20, 2026 8:42:19 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Leaving aside the whole issue of the Yamhelas Westsider Trail, I believe **very strongly** that two closely allied members of the Board of Commissioners (BOC) should not be allowed to divest the public land that has been held in trust for the county's citizens.

There is sufficient public concern that enough citizens have petitioned to have a vote on the future use of this land. Until that vote takes place, and the citizenry expresses its desire for the future use of the land in question, the commissioners should not be taking any permanent action. Most particularly, they should NOT vote to sell public land belonging to Yamhill County until it is clear that the will of the voters has been gauged and duly considered.

If the land is sold now, there is no going back, no second chances. That's why the public's will must be ascertained before the BOC takes any irrevocable action regarding this land. This matter has been hung up for years. Waiting a few more months for the voters to weigh in makes good sense.

Sincerely,
Mary K. Adams
128 NW 20th ST
McMinnville, OR

From: llamamini@aol.com
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: January 22,2026 Yamhill County Board Of Commissioners
Date: Tuesday, January 20, 2026 8:48:19 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 20, 2026
Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,
Years of appeals have established a clear record: the Land Use Board of Appeals consistently sides with the neighboring farmers affected by the Yamhelas-Westsider Trail.
These rulings demonstrate that the county has not satisfied Oregon land-use law requirements for placing a public trail through Exclusive Farm Use land. We have farmed in Yamhill County for over 30 years and our family has farmed in Oregon for nearly 150 years.
Government overreach has pushed farms and farmland into near extinction.
Ignoring these rulings erodes public trust and undermines confidence in county governance.
The county should not continue a project that repeatedly fails legal review.
Further delay only increases taxpayer exposure through legal fees, staff time, and potential grant complications.
Ending the project now is the prudent and lawful decision.

Sincerely,
Steve Langer
McMinnville, Oregon 97128

January 20, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

RE: Financial Responsibility

Dear Commissioners,

The County has already spent significant public funds on the Yamhelas Westsider Trail. Grant money tied to transportation classification was used for land acquisition, planning, and infrastructure that no longer exists. Those funds were spent, repaid where required, and the project was discontinued. Continuing to list the trail in the TSP only invites confusion and renewed financial risk.

Taxpayers should not be exposed to additional legal costs, staff time, or future grant entanglements for a project that has already failed and been abandoned. Fiscal responsibility means ending the matter completely by removing the trail from the TSP.

Sincerely,

Terri Crawford
3991 NE Riverside Loop
McMinnville, OR. 97128

From: llamamini@aol.com
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: Yamhelas-Westsider Trail Needing to be ended
Date: Tuesday, January 20, 2026 9:02:56 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 20, 2026
Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,

We have farmed in Yamhill County for over 30 years and prior to that we watched as our family farm in Washington County became encumbered by development and government overreach. We were no longer allowed to spray our crops because of this overreach and had to cease operations and destroy our Walnut trees.
Private property rights are foundational, especially for working farms that rely on uninterrupted operations to remain viable.

The proposed Yamhelas-Westsider Trail threatens those rights by introducing a use that interferes with accepted farm practices, access, security, and daily operations.

We have seen this happen first hand. There may be some who want to override the rights of those involved, I encourage you all to make the right decision and end this threat to farmers, farmland both current and in the future. Leave no doubt that a rail and trail option is not viable in this case as determined by Luba already.

LUBA's repeated rulings confirm that these impacts have not been adequately addressed. Forcing this project forward sends a troubling message that recreational interests outweigh lawful land protections. The county should respect private landowners, follow state law, and discontinue the trail before additional harm is done.

Although I will not be able to make it to the meeting on the 22nd, I would be more than happy to discuss this matter further if need be.

Sincerely,
Terry Brooks
McMinnville, Oregon

From:	Brian Keyser
To:	Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject:	Written Testimony – January 22, 2026, BOC Meeting
Date:	Tuesday, January 20, 2026 9:11:40 PM

Spam

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January 20, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,

The long-term consequences of continuing the Yamhelas-Westsider Trail are clear: ongoing litigation, escalating costs, and pressure on farmland that Oregon law is meant to protect. None of these outcomes benefit the county or its residents.

Choosing to end the project now prevents deeper financial and legal entanglements and preserves agricultural land for future generations.

I support the decision to remove the Yamhelas-Westsider Trail from the Yamhill County Transportation System.

Best Regards, Brian

Brian A. Keyser

(503) 939-7705 Cell Phone
BrianKeyser1@gmail.com

From: Logan Adams
To: BOC Info
Subject: Yamhelas Westsider Public Hearing - Submission of Public Testimony
Date: Tuesday, January 20, 2026 9:16:33 PM
Attachments: Yamhelas Westsider Public Hearing - Public Testimony.pdf

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Spam

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Hello,

Please find my public testimony for the Thursday (01/22/2026) meeting of the County Commissioners attached as a PDF. Please let me know if you need anything else.

Best,

Logan Adams

County Commissioners,

I am writing to express my support for the Yamhelas Westsider Trail. Yamhill County is an area known for its wine tourism and agriculture, and is now becoming a major metropolitan area. Increases in population have made McMinnville and Newberg the 19th and 27th largest cities in the state and Yamhill County's population is projected to continue to grow. Coupled with business-friendly practices, and opportunities in the industrial and service sectors, there is no reason to believe that the County won't continue to grow. As such, we should take advantage of opportunities to not only become the preferred destination for tourists but a great place to live for current and future residents.

One of the ways that the County can do that is to ensure that we have a plan in place to improve and diversify our parks and transportation opportunities. We need only to look to the North at the Banks-Vernonia trail and see the benefits of a rail-to-trail transition. The Banks-Vernonia trail brings millions of dollars and helps to support hundreds of jobs and provides a roadmap for how the Yamhelas Westsider Trail can improve Yamhill County and become a revenue generator rather than a cost burden.

The only other major concern brought up by the development of the Yamhelas Westsider Trail is that of public safety, a concern that is unfounded. No evidence has been presented that increased accessibility and use would increase incidence of crime, and in fact most park systems see a decrease in crime due to increased visibility. The presence of parks staff, as well as the public, makes these traffic corridors less conducive to crime, and thus increases public safety. In addition, creating a safe and separate pedestrian/bicyclist corridor increases public safety by decreasing rates of vehicle related accidents and fatalities. Cars and pedestrians do not mix, and by creating a safe and separate alternative you improve the experience for both. Cars no longer have to worry about bicyclists and pedestrians along county roads, and bicyclists and pedestrians no longer have to worry about distracted or speeding drivers. Nearly 100 Oregonians are killed each year in traffic fatalities, and the only sure way to make that number go down further is to improve and diversify our transportation system with the development of pedestrian/bicycle friendly infrastructure, like building the Yamhelas Westrider Trail.

The Yamhelas Westrider Trail is good for tourism, it's good for public safety and it's good for improving transportation. In short, it's good for Yamhill County and should be continued and given the full support of the Board of Commissioners.

Sincerely,

Logan Adams

From: Bryan W. Schmidt
To: Planning
Cc: BOC Info
Subject: Docket G-01-25 for BOC Jan. 22, 2026
Date: Tuesday, January 20, 2026 9:18:08 PM

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Dear Yamhill County Commissioiners Starret, Johnson, and King:

I respectfully request the removal of the trail project known as the "rails-to-trails and trails-to-rails Yamhelas project" Docket G-01-25, from the County's Transportation System Plan, as evaluated at the recent County Planning Commission hearing, who's board voted 5-0, three abstaining. My reasons for this have been presented then and at numerous past BOC and Planning Commission meetings over the past ten years. Also these reasons were made known in the projects past five LUBA cases, each of which resulted in a LUBA-ruling against the project, five times, three of which were specifically addressing the farm-impact studies. You might recall that the then-planning commission years ago voted to NOT RECOMMEND the project prior to the third LUBA ruling. Why oppose LUBA now? This project holds the record for the largest file in LUBA history of all projects adjudicated. I think that makes the choice most clear.

I urge you to be consistent with the past and present Planning Commission boards' advice to NOT proceed with this project, and so to honor your fiscal responsibilty, stop the cost bleeding, and REMOVE the said "Yamhelas project" from the county TSP.

Respectfully, -Bryan Schmidt
7580 NE Hendricks Rd.
Carlton, OR 97111
PS: Please include this letter in the public record. Docket G-01-25, for BOC hearing January 22, 2026, on the Agenda.

From: Edik L Keyser
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: BOC January 22, 2026
Date: Tuesday, January 20, 2026 9:21:31 PM

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January 20, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,

The question before you is no longer whether the trail is desirable, it is whether it is lawful and responsible. The Yamhelas-Westsider Trail has failed that test. Oregon land-use law, repeated LUBA rulings, and basic fiscal prudence all point to the same conclusion.

Please remove the trail from the Transportation System Plan, cease further development, and protect both our farmers and taxpayers by bringing this project to a close.

Sincerely,

Edik Keyser

EdikLKeyser@gmail.com
503-530-9147

From: Amber DAWSON
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: Fwd: BOC mtg Public Testimony
Date: Tuesday, January 20, 2026 9:25:38 PM

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

---------- Forwarded message ---------
Date: Tue, Jan 20, 2026, 4:10 PM
Subject: BOC mtg Public Testimony
To: <board@co.yamhill.or.us>

EFU Law and Agricultural Protection

January 20, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,

Exclusive Farm Use land exists to protect agriculture from incompatible development. Public recreational trails are not automatically permitted in EFU zones and must meet strict standards under ORS 215.213, 215.283, and 215.296. Approval depends on proving that the proposed use will not significantly interfere with accepted farm practices, including issues such as trespass, spraying restrictions, food safety, irrigation systems, and livestock operations.

The Yamhelas Westsider Trail FAILED that test. LUBA repeatedly found that the County did not demonstrate adequate protection for surrounding farms and did not complete the required agricultural impact analysis. That legal reality has not changed. Leaving the trail in the TSP suggests that EFU protections are optional, when they are not. The trail should be removed.

Respectfully,

Amber Dawson
Precinct 4
Newberg, OR

From: Bob Youngman
To: Kit Johnston; Bubba King; BOC Info; Planning@yamhillcounty.com; StarettM@yamhillcounty.gov
Subject: Yamhelas-WestSider Trail
Date: Tuesday, January 20, 2026 10:43:44 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

My Dear Commissioners & Staff,

The Yamhelas-Westsider Trail no longer functions as a legitimate, active transportation facility as the rail line has been discontinued. Continuing listing it in our County's TSP can understandably create confusion by treating what is effectively a recreational concept as essential infrastructure which has contributed to ongoing uncertainty and legal challenges. Removing the Trail from the TSP does not represent a failure but rather a practical acknowledgement of where the project stands today because, in my opinion, of the way it was managed. Taking this step will help prevent further expenditures, bring County planning documents into alignment with State land-use law and provide clarity for farmers, neighbors, landowners and the public. This approach allows the County to move forward collaboratively and responsibility. There are very many beautiful hiking trails in the County. Finally, I was born & raised on a farm adjoining these same tracks at the St. Joe Junction. So I know firsthand the social nuisance a permanent trail could evolve into for the neighbors.

Sincerely,

Bob Youngman

From: Ann-Marie Anderson
To: BOC Info
Subject: Public Comment in Support of Retaining the Yamhelas Westsider Trail in the YCTSP and Protecting Public Trust
Date: Wednesday, January 21, 2026 7:54:54 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Chair and Commissioners,

I am writing to express my opposition to the proposed removal of the Yamhelas Westsider Trail from the Yamhill County Transportation System Plan and to urge you to consider both the long-term impacts of this decision and the importance of maintaining public trust in the process.

Removing the trail from the YCTSP would be a permanent and consequential step. It would eliminate future options for public use of this corridor—whether for active transportation, recreation, or potential rail use—despite the fact that retaining it in the plan does not obligate the County to construct the trail now. Keeping the project in the plan simply preserves flexibility for future generations.

I also want to raise concerns that have been expressed by members of the public regarding the process leading to this proposal. Questions have been raised about the role of adjacent landowners with financial interests in the corridor, including those who have been active in opposing the trail, as well as about the influence of individuals with strong anti-trail positions serving in advisory capacities. In that context, proposals to remove the trail from the plan can understandably give rise to concerns about whose interests are being prioritized.

Even if no improper action is intended, the appearance of potential conflicts matters. Decisions involving valuable public assets demand especially high standards of transparency, clear ethical boundaries, and decision-making that unmistakably serves the broader public interest rather than a narrow set of private concerns.

I urge you to retain the Yamhelas Westsider Trail in the YCTSP and to approach this decision with a long-term perspective grounded in stewardship, fairness, and public confidence. Preserving this option keeps faith with prior planning decisions and ensures that future residents of Yamhill County are not foreclosed from opportunities we may not yet fully envision.

Thank you for your time, consideration, and service to Yamhill County.

Sincerely,
Ann-Marie Anderson
Dayton, Oregon

From: vandykeben@yahoo.com
To: BOC Info; Planning@yamhillcounty.gov.or
Subject: Fw: Request to Remove Rails-with-Trails Language from the Transportation System Plan
Date: Wednesday, January 21, 2026 8:19:58 AM

Spam

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Docket G-01-25

Ben VanDyke

VanDyke Farms Inc.
15221 NW Westside Rd.
Yamhill OR 97148
503 799 3873
https://us01.l.antigena.com/l/qQHybcAV33nj0rfDK6x6im4M5roFahttphf0ZRwLhK~Db~5k5s6xiUj0x4_xIAAZP7hfQSZbgpEPnw4__AQkFEXH8t9aJbPtf9rVEkaNTem9djP8mDapn~ik5po93s-Dp1HgqdXPQB-gGxutLccPJB8d5zLFdZ6

"Keeping a Good Thing Growing"

To the Members of the Yamhill County Board of Commissioners,

In light of the Planning Commission's unanimous decision, I respectfully request that the Board remove the "rails-with-trails" language from the County's Transportation System Plan (TSP) for the corridor extending from south of Carlton to Gaston.

This proposal has been under consideration for many years and has proven to be a divisive issue within our community. Allowing it to remain in the TSP—despite its cessation—only prolongs uncertainty and deepens divisions among residents who otherwise share a strong commitment to the future of Yamhill County. The history of this project, including the extensive debate and analysis surrounding it, is well documented in County records dating back many years.

None of us were present when the original railroad corridor was established. Whether land was conveyed voluntarily or otherwise, the fact remains that the railroad followed a predetermined path that divided farms and properties throughout the County. That historical use, however, has long since ended. The rail line has been abandoned, the tracks and ballast removed, and the land has gradually reverted to a condition consistent with the surrounding agricultural landscape.

Importantly, the County itself recognized this reality by applying Exclusive Farm Use (EFU) zoning to much of the corridor. That designation reflects deliberate policy choices made by the Oregon Legislature to preserve agricultural land as a highest and best use. At the time of zoning, County planners affirmed that this corridor met those criteria and deserved the same level of protection as adjacent farmland.

While there may have appeared to be limited opposition when the corridor was first placed into the TSP, that lack of response was largely due to landowners' unawareness of the action and its long-term implications. Multiple former Commissioners have since acknowledged on the record that adjacent property owners were not notified of the planning change or the ultimate intent behind it. Once the community became aware, public sentiment shifted markedly. Opposition grew not only among directly affected landowners, but also among a broader group of County residents who rely on Oregon's land use laws for both their livelihoods and the protection of private property rights.

Those property rights are foundational to our agricultural economy, our ability to invest in land, and the long-term stability of rural communities. As concerns were raised, many residents felt unheard. It was only after repeated remands by LUBA that the County ceased advancing what was ultimately determined to be an unlawful and imprudent project.

Now that the project has stopped—and given the clear weight of land use law and farmland protection—it is both appropriate and necessary to take the final step of removing the rails-with-trails concept from the TSP entirely. Doing so would provide clarity, restore trust, and allow our community to move forward together.

This is an opportunity for the Board of Commissioners to affirm its commitment to private property rights, lawful land use planning, and community cohesion. I urge you to act decisively and remove this language from the Transportation System Plan.

Respectfully,

Ben VanDyke

VanDyke Farms Inc.
15221 NW Westside Rd.
Yamhill OR 97148
503 799 3873
https://us01.l.antigena.com/l/qQHybcAV33nj0rfDK6x6im4M5roFahttphf0ZRwLhK~Db~5k5s6xiUj0x4_xIAAZP7hfQSZbgpEPnw4__AQkFEXH8t9aJbPtf9rVEkaNTem9djP8mDapn~ik5po93s-Dp1HgqdXPQB-gGxutLccPJB8d5zLFdZ6

"Keeping a Good Thing Growing"

From: Sally Thomas Tucker
To: BOC Info
Subject: Yamhill county Trail
Date: Wednesday, January 21, 2026 8:28:35 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

This issue involves public land and should be put up for a vote by the Public. Not just sold to the largest donors of Republican office holders.
Sent from my iPad

From:	nick hall
To:	Planning; Johnstonk@yamhill.gov; Mary Starrett; Bubba King; BOC Info
Subject:	Farming vs Recreation
Date:	Wednesday, January 21, 2026 9:08:38 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Commissioner,
Farming is essential infrastructure. Recreation is optional. Oregon's land-use system recognizes this by granting strong protections to Exclusive Farm Use land. The Yamhelas-Westsider Trail reverses that priority by placing recreation above food production, contrary to both statute and long-standing public policy.
Approving or continuing a recreational trail that disrupts agricultural land undermines the purpose of EFU zoning. The county should reaffirm its commitment to agriculture by ending this project.
Sincerely,
Celine Hall

From: D. Roelandt
To: BOC Info
Subject: Yamhelas Trail - please allow public vote on public lanf
Date: Wednesday, January 21, 2026 9:56:11 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Thank you for considering our input on this important issue. As a 40+ years resident of Yamhill, I've watched traffic on Hwy 47 increase - including vehicles, cyclists, and pedestrians. It's a dangerous road especially for the latter group of folks. Yet travel between our towns is important, even mandatory, for many. I strongly support the proposed use of this public corridor of land to plan for & create a Trail for the necessary as well as recreational use in our communities.

I have had regular opportunities to drive to Banks & Vernonia. Use of their Trail, and folks' enthusiasm for it, has been impressive. We deserve that same opportunity; and I believe a vote on preserving this corridor of public land toward that goal will show public support.

I look forward to the chance to volunteer for working on that project & especially to someday having use of a Trail here in Yamhill Co.

Thank You.

Diane Roelandt
290 N Olive St
Yamhill, OR 97148

From: Breeayn Ardianto
To: Planning; BOC Info
Subject: opinion on public land
Date: Wednesday, January 21, 2026 10:16:14 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Just a note to say that my family and I support trails and green spaces that are open to the whole community and that all can benefit from and enjoy. McMinnville is a wonderful community and much of this has to do with the beauty around us and our ability to enjoy nature through parks, trails, and so on. Please consider this input when making decisions about public land.

Thank you, Breeayn Ardianto

From: TRAILS PAC
To: Planning
Cc: Trails Pac; BOC Info
Subject: Re: More missing written testimony in packet for Docket G-01-25
Date: Wednesday, January 21, 2026 11:43:51 AM

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Thank you for posting these and providing them to the Board of Commissioners. Were they provided to the Planning Commissioners prior to the hearing on December 4?

Furthermore, we kindly request that the cover emails accompanying these petitions, sent on December 3, 2025, and links to the corresponding petition PDFs be incorporated within the Board Hearing Packet PDF (link provided below). This will ensure that the public and commissioners are informed that this additional written testimony is not part of the main packet but can be accessed as separate documents elsewhere.

https://www.yamhillcounty.gov/DocumentCenter/View/19351/G-01-25BOC-Packet-PDF

> On Jan 21, 2026, at 8:26 AM, Planning <planning@yamhillcounty.gov> wrote:
>
> https://yamhillcounty.gov/1294/Removal-of-Yamhelas-Trail-from-the-TSP
>
> Both petitions are part of the record, were presented to the Board of Commissioners, and can be found at the above link.
>
> ---
>
> **From:** TRAILS PAC <hello@trailspac.org>
> **Sent:** Tuesday, January 20, 2026 4:11 PM
> **To:** Planning <planning@yamhillcounty.gov>
> **Cc:** BOC Info <bocinfo@yamhillcounty.gov>; Trails Pac <trailspac@gmail.com>
> **Subject:** More missing written testimony in packet for Docket G-01-25
>
> CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.
>
> On Dec 3, 2025 at 3:47PM, our PAC director sent an email to the planning department with an attachment containing 3681 signatures to a change.org online petition in support of the Yamhelas Westsider Trail. This email and attachment have not appeared in the packet for Docket G-01-25. Public engagement, including the public's right to provide written testimony and petition their electeds and appointeds, is an essential component of the land use planning process. We are deeply concerned that this collected public input was not included in the packets for commissioners to consider prior to their deliberations.
>
> We again respectfully request that they be included as part of the record

along with this email. The original email and attachment are provided below.

~TRAILS PAC

=== FWD ===
from: TRAILS PAC <trailspac@gmail.com>
to: planning@yamhillcounty.gov,
bocinfo@yamhillcounty.gov
bcc: trailspac@gmail.com
date: Dec 3, 2025, 3:47 PM
subject: Additional 3,681 Petition Entries Supporting the Yamhelas–Westsider Trail (Docket G-01-25)
mailed-by: gmail.com

Dear Planning Commission Members,

As a follow-up to our earlier submission of 843 SaveOurTrail.com petition entries, TRAILS PAC is also providing 3,681 petition signatures collected on Change.org between 2021–2025, all urging Yamhill County to protect and complete the Yamhelas–Westsider Trail.

These signatures reflect years of sustained public support for preserving this public corridor, improving safety along Highway 47, and creating accessible walking and biking connections for our rural communities.

Please include the attached petition entries in the official record for Docket G-01-25.

We call on you to preserve the Yamhelas-Westsider Trail Corridor within Yamhill County's Transportation System Plan and to urge the Board of Commissioners to engage the entire public in meaningful dialogue and collaboration around the best use for our public land.

Thank you again for your time and for considering the strong and long-standing public interest in this project.

Sincerely,
Matt Dolphin
on behalf of

TRAILS PAC #24439
Transportation, Recreation, and Agritourism Infrastructure for Livability & Sustainability

This Isn't About Trails — It's About Government Integrity

Good evening, Planning Commissioners.

My name is Marcia Baker, and I want to begin by clarifying something important: I am not anti-trail. I support trails when they are planned responsibly, transparently, and in a way that respects land use law and community values. But the Yamhelas Westsider Trail was not one of those projects.

This project is not being removed because people don't like trails. It is being removed because the County failed to follow its own laws, ignored the requirements of Oregon's land-use system, and mismanaged public funds — repeatedly.

For taxpayers like me, this is fundamentally an issue of **government integrity**.

The County began constructing a bridge without having completed the conditional use process required for EFU land. It claimed there would be no negative farm impacts even though affected farmers said otherwise. It attempted to justify a massive, heavy-duty concrete bridge by saying it was needed for fire trucks, even though LUBA determined that argument lacked probable cause and was inconsistent with the County's own documents.

The County lost five LUBA cases in a row — something almost unheard of. LUBA had to issue stays to halt illegal construction. The County had to dismantle what it had built. It had to repay grant funds. It was ordered to pay attorney fees because of its unreasonable arguments.

No one should be proud of that record. But what matters is that the County finally did the right thing in 2021: it ended the project.

The remaining task — the only reason we are here — is to make the TSP reflect that decision.

Leaving the YWT in the TSP would signal to taxpayers that the County has not learned from past mistakes. That it is willing to leave incorrect information in official documents. That it may try to revive the project someday, despite all the legal failures and public frustration.

Removing the trail is not about relitigating past conflicts. It is about demonstrating that the County can correct mistakes, take responsibility, and move forward with integrity.

If the County wants to regain public trust, this is the kind of action that matters. Clear. Honest. Transparent. Responsible.

I ask you to remove the Yamhelas Westsider Trail from the Transportation System Plan.

Thank you.

From: Jane and Steve Harloff
To: BOC Info
Subject: Yamhelas Trail
Date: Wednesday, January 21, 2026 11:50:58 AM

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Steve Harloff
16175 Puddy Gulch Road
Yamhill, Oregon 97148

Commisioners:

I am encouraging you to keep the Yamhelas Trail as a part of the Yamhill County Transportation Plan when you meet on Thursday, January 22nd.

As I have suggested to you before, develpment of the Yamhelas is supported by a majority of people in Yamhill County.

The desire for this recreation facility for citizens of all ages here is very strong; most are incredulous that you are refusing to support the health and physical welfare of the county with your decision on property the County already owns.

A note: I can't be at the Board of Commissioners meeting on January 22nd, but I did attend the Planning Commission's meeting in December. I do hope the protocol will be more appropriate at your meeting: the Planning meeting started while citizens waited outside in the rain to come in the Courthouse. Most of us sat on steps, stood, or watched on small zoom screens. A few members of the Commission recused themselves (they were petitioners!) but they ran the meeting anyway. This was participatory government at its worst!

Your short - sighted refusal to protect public lands along the Yamhelas Trail will be your legacy in Yamhill County, unless you redouble your past efforts to create this needed recreational trail. The danger of Hwy 47 for riders and walkers is very real.

Steve Harloff
Puddy Gulch Road
Yamhill, Oregon

503-730-6781

From: vanfarm
To: BOC Info
Subject: Yam Trail
Date: Wednesday, January 21, 2026 11:56:47 AM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 21,2026
Docket G-01-25

To Commissioners Starrett, King and Johnston

Please remove the Yamhelas trail project from the TSP.
This trail idea was born under false pretenses and deception.
Property owners were never notified of project dissecting their lands.
Public assembly and due many times denied due to COVID and excuses.
County council, past commisioners, county staff and "friends" co-conspired unlawfully on trail proceedings.
Land use laws NOT followed.
No farm impact study performed.
No idea of cost to taxpayers, how to maintain, fire, emergency protection, no planning.
Monies were granted and construction began WITHOUT permits.
Does this sound like government over-reach to you?

Farmers / property owners were forced to sue their own county government to follow it's own laws.
LUBA sided multiple times with farmers because there are significant impacts to farming practices that cannot be resolved. { ORS 215.296.]
The illegal light rail bridge was dismantled and almost 50K of attorney fees were awarded to the farmers against the county.
It is time for this doomed, poorly orchestrated project to end.
What a disaster and embarrassment to Yamhill County.

I commend commissioners Starrett and Johnston to do the right thing.
PLESE REMOVE THE yam trail from the TSP.
Thank you for standing up proudly to the law and the rights of property owners and tax payers like me.

Sincerely,
John VanDyke
1255 E. Main St.
Yamhill, Oregon 97148

From: Chris Reed
To: BOC Info
Subject: Docket:G-01-25
Date: Wednesday, January 21, 2026 12:06:41 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Hello and good morning. I am writing you today to express my belief that the ywt needs to be put out of the tsp. My name is Chris Reed and have been a taxpayer and resident of yamhill county for around 15 years. I grew up in hillsboro and saw the mass transit explode and all the problems it brings. From litter, homeless problems, crime and drugs! My wife and i agreed to raise our 2 kids here in yamhill away from all that disgust. Keep yamhill county a nice safe place to be for future generations. Please remove the ywt from the tsp. Thanks

Testimony on the Yamhlas Westside trail by Bob Luoto

January 22, 2026

The public always needs to know the whole story to make informed decisions.

My name is Bob Luoto and I live at 13900 NW Fir Crest Rd. McMinnville Oregon. I was born and raised in Yamhill County and have lived and worked here for over 50 years. Our family has started two businesses and supplied jobs for thousands of people in Yamhill County and the surrounding areas in Oregon. I am speaking this morning because of the confusion that has happened involving the Yamhlas West side trail. For years the public was under the impression that it was a walking and biking path to be used by the public. The truth was hidden in the 880 ordinance that said it was really being reserved for a light rail system. Yamhill county taxpayers do not need to deal with the increased taxes and control that comes with a metro system coming out of Portland. The county planning commission has voted to remove the westside trail from the transportation package unanimously and the trail has failed Oregon's farm impact laws several times. It has already cost the county taxpayers millions of dollars. It will continue to do so as long as this language is in the transportation system package of Yamhill County. I believe the county needs to sell the land back to the farmers or other private investors and put the money in a rainy-day fund for county emergencies. All that the county has done is spent millions of dollars and the only thing we have to show for it is another bridge to nowhere and then spent the money to remove the bridge. End the wasted time and money and please vote to take the Yamhlas Westside trail out of the transportation package for Yamhill County. I urge the Yamhill County commissioners to permanently remove it from the transportation system package and end this controversial issue. If the county needs biking and walking paths, work with the cities to help establish them without using county tax dollars.

From: susan thomas
To: BOC Info
Cc: susan thomas
Subject: Comments on the hearing on January 22 related to sale of trail easement
Date: Wednesday, January 21, 2026 12:23:36 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Attached is my testimony opposing the commissioners' sale of the land purchased for the Yamelas Westsider Trail.

I attended the planning commission meeting held on December 4, 2025. I anticipated a fair hearing on both sides of the issue of the corridor owned by the county related to the Yamelas Westsider Trail.

Having served on a zoning board in the most populous county of a neighboring state, I had expectations of what the commission members and their activities would be like. When I was on this board, I understood my role to be that of learning about the applicable laws, regulations, and policies; studying applications for land use; listening to the views of county residents and stakeholders; and making a careful decision based on the facts. I understood that the offers of developers and landowners (incentives for me to vote a certain way) were not part of my decision-making process. I was adamant about refusing such offers and keeping my integrity intact.

I came to the planning commission meeting with that same expectation, that commission members would be acting in a way that demonstrated integrity and commitment to public service. What I found instead was a blatant demonstration of cronyism. It was quite surreal, as though Trumpian cronyism had descended upon Yamhill County. Numerous commission members recused themselves as they were landowners along the corridor. Were they appointed to the commission with the intent of their taking a particular stance on the trail? One of the commission members kept his eyes closed during most of the meeting. Was he asleep? Did he hear any of the hours of testimony provided about the trail and the disposal of the corridor? Did he see the sincerity of the wide variety of folks speaking and listening to the many views presented? A former county commissioner made a dramatic plea that all present should be respectful of those speaking and then spent the rest of the session chatting with her cohorts opposed to the trail when supporters of the trail were speaking.

After it was all done, well past 11:00 pm and after the planning commission's rushed vote made without discussion among themselves, I realized that it was a done deal when I walked in. The planning commission members appeared to have done what they were "hired" to do...make sure that the trail was dead.

I hope that the board of county commissioners will truly demonstrate on January 22 a commitment to public input on the trail, but I'm not holding my breath. I'm convinced that,

after the input is received, two will vote for the sale and one will not. The widespread public support for keeping the property for public use will most likely be irrelevant to all but one of the commissioners.

It may come as a surprise to board that the acceptance of widespread cronyism is not unanimous in this country, this state, and this county. It may come as a surprise to some that the overt actions of a moneyed few are not guaranteed to be successful in the future. It may come as a surprise to some that many people still see government as a means to accomplish the will of the people, not as a tool to put more money in the pockets of the rich.

Even though I'm not optimistic about the outcome of tomorrow's commissioner meeting, I am optimistic about county citizens finally saying "enough is enough." I look forward to having a slate of county commissioners who are not beholding to a few landholders and who listen to the many voices ringing out for the public good.

I am opposed to the sale of the easement for the trail and would appreciate consideration of my view. Thank you.

Susan Lowman-Thomas
11655 John's Landing Road
Carlton OR 97111
susanandsadie@hotmail.com

From: Celine Mccarthy
To: Planning; BOC Info
Subject: Yam trail Docket G-01-25
Date: Wednesday, January 21, 2026 12:39:07 PM

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January, 21, 2026
Docket G-01-25

To commissioners Mary Starrett
Kit Johnston
Bubba King

Oh how I wish I could give a nice skipping through the tulips testimony but alas I cannot....for I know our land use laws, the truth & the history of this trail.
I have lived it.

The PC (planning commission) knows the law too that's why they voted 5-0 to pull the trail from the TSP.
And the past county commissioners/staff knew it too and that's why they took a run at it & tried to develope the trail without a permit or any notification to land owners.
Due process was often denied (due to COVID) yet the county took advantage and proceeded ahead.
These trails do not exist in EFU zoning because of ORS 215.296 because it cannot pass the farm impacts test.
The county failed to go by it's own laws and perform a farm impact analysis in order to get a conditional use permit in EFU zoning. They did not get a permit to construct a light rail bridge.
Land owners & farmers were forced to sue.
LUBA sided multiple times with farmers so much so that almost $50,000 was paid for their attorney fees against Yamhill county which was the biggest payout in LUBA state history.
The other zones this trail goes through are AF-10 and heavy industrial, in which trails are outright NOT permitted. These are our land use laws.

Wallowa county just defeating a trail for the very same reasons. Commissioners Signal Denial of Rail Corridor Trail Plan, Formal Findings Set for Jan. 21 - Elkhorn Media Group



Commissioners Signal Denial of Rail Corridor Trail Plan, Formal Findings...

Tracy Christopher

WALLOWA COUNTY — Wallowa County Commissioners signaled what they described as an "essentially final" decision .....

There are massive farm impacts without resolution. This trail dissects peoples land that have horses, sheep & goats,
there's several filbert orchards, field crops, a cattle operation and even a dairy! Just how many gates & fences would it take for this gauntlet let alone crossing 2 highways, several roads, not to mention the enormous price tag,
no clue how to maintain, fire, police & rescue are tapped, it can't even be insured and you're inviting Portland's problems to come. We don't have the monies to fix our roads and yet folks want to spend zillions of recreation?
For the life of me, I cannot understand why recreation should overcede someones livelyhood? Esp agriculture the folks that feed you.

We are a conservation state. Our zoning laws were created to preserve and protect. Compare EFU with Wetlands.
It's ok to protect critters in their habitat but not a farmer in his? Besides, farmers are slowly becoming an endangered species...and so is their land. That's why they call it EXCLUSIVE farm use.

The reasons why the dump got shut down are some of the very reasons this trail will NEVER go through.
And if you don't understand it, ask a farmer. They're nice people, they'll be happy to explain. And they were a lot nicer before they had to spend their own money to sue their own county government to follow it's own land use laws.

So the project was stopped, funds returned and the illegal light rail bridge dismantled. It's been a long fight with over 2,000 pages of testimony in the LUBA files. This trail is done. The only thing left it to remove it from the TSP.

And it saddens me that it's still being promoted to a mis-informed public giving them false hope. I think that is just cruel.

To the pro-trail folks....You didn't ever "have it" to lose it. Please quit beating on this dead trail horse that's totally pulverized.
Give you passion and energy to the parks & rec dept.
They are working hard to develope new outdoor spaces and trails that are affordable and legal in the right zoning.

I support the BOC to make the correct decision and I thank them for their service to obey the law, uphold the truth and make responsible decisions that don't waste tax

payer dollars on illegal project.
I support our beloved Oregon land use laws that keep our state beautiful.

Thank you very much,
Celine McCarthy
PO Box 417
Gaston, Oregon

From: markhamcp@frontier.com
To: BOC Info
Cc: Kit Johnston; Mary Starrett; Bubba King
Subject: Hearing Testimony: I oppose Docket G-01-25 - Proposal to remove the Yamhelas Westsider Trail from the YCTSP
Date: Wednesday, January 21, 2026 1:01:16 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

21 Jan 2026
To: Yamhill County Board of Commissioners
RE: **OPPOSING Docket G-01-25** – Proposal to remove the Yamhelas Westsider Trail from the YCTSP
FROM: Craig Markham, Dundee, OR

A network of walkable, non-motorized trails connecting our communities is an essential component of a well-functioning transportation system. **I oppose removal of The Yamhelas Westsider Trail project from the Yamhill County Transportation System Plan (YCTSP).**

We will need this, or a similar corridor in the future. By reserving this existing publicly-owned right-of-way today, we can avoid the enormous costs and disruptions of acquiring a new one to replace it in the future. Removing this right-of-way from the transportation plan clearly telegraphs your intention to squander this opportunity by selling it off, just as this commission has already thrown millions of dollars in grants overboard in order thwart using the right-of-way for a trail.

Yamhill County, with its rapidly increasing traffic, perilously narrow, roadways, narrow or nonexistent shoulders, blind curves and yawning ditches has become notorious as a death trap for pedestrians and cyclists.

A grade-separated trail network will provide healthful, accessible connections between our communities, without requiring car-dependency for every trip. Instead of spending even more screen time slouched on the couch, our kids – and the rest of us too – can be enjoying the freedoms, responsibilities and savings of safely walking and riding our trails for work and play.

Why wouldn't you prefer to leave that as your legacy for our future generations?

The Yamhelas Westsider Trail has widespread support in the county. **I urge you to keep our right-of-way in the Yamhill County Transportation System Plan.**

Please include this testimony in the hearing record.

Craig Markham
Dundee, OR

From: Dan Armstrong
To: BOC Info
Subject: Docket # G-01-25 Save the Right-of-Way
Date: Wednesday, January 21, 2026 1:25:57 PM

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Board of Commissioners,

County Real Estate Property is the highest value asset that the county holds.

Breaking up the County owned Railroad Right-of-Way is shelfish and extreamily short sighted.

Future County Citizens will wonder what compelled such a colossil blunder of leadership.

I do now.

Dan Armstrong
7000 NE Krono Road
Yamhill, OR 97148

From: Mary Weil
To: BOC Info
Subject: rail and trail
Date: Wednesday, January 21, 2026 1:30:09 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

please allow the public to determine the use of their public land.
mary weil
dundee

January 21, 2026

Final Closure

Yamhill County Commissioners

535 NE 5th St.

McMinnville, OR 97128

Dear Commissioners,

This issue has already been decided through years of Litigation, analysis, and County action. The Yamhelas Westsider Trail as challenged, stayed, remanded, withdrawn, defunded, dismantled and abandoned. There is no active proposal and no legal pathway forward without starting entirely over—and the County has chosen not to do that.

The only question remaining is whether the Transportation System Plan will be accurate and honest. Leaving an abandoned project in a binding planning document is not responsible. We urge you to remove the Yamhelas Westsider Trail from the TSP and finally close a chapter that has imposed unnecessary burden on farmers and taxpayers alike.

It has come to our attention that there are still troublesome loose ends regarding the issue that should be eliminated.

Respectfully submitted,

John and Nanette Cramer

From:	Joni Zimmerman
To:	BOC Info; Planning
Subject:	Support for Yamhelas Westsider Trail - let the people vote!
Date:	Wednesday, January 21, 2026 1:55:40 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I am horrified that you seem to be blatantly ignoring overwhelming public support for the the Yamhelas Westsider trail project by proceeding with your plan to remove this transportation corridor from the TSP, destroying any future possibility of using this corridor for recreation, transportation, water, electricity, high speed internet or similar uses that benefit the public.

Government exists for the benefit of the people. We consent to being governed because there are functions that can more efficiently be performed collectively. This consent is given with the innate expectation that decisions made by our elected representatives will ALWAYS be in the best interests of we the people. There is NO POSSIBLE way that your decision to withdraw this corridor from the TSP can be construed as being in the best interests of the people.

The case has clearly been made that keeping this corridor benefits the people now and in the future, and removing the corridor from the plan and selling it off will cause multiple problems in the near and distant future. Over and over people have enumerated the health, recreational, safety and economic benefits to our county of having a trail and future rail. It's one thing to just not build the trail immediately. But it's a whole other arrogant, thoughtless, self serving thing to make it impossible for future generations to ever build a trail or light rail even as they are living with the consequences of people alive on earth now not doing anything about climate change.

It is absurd that you are trying to make it sound like proceeding with the approved plan for a future rails and trails project somehow limits farming practices and thereby hurts farmers. This corridor has existed alongside farmland for longer than a century. The practice of poisoning the earth, air and water with pesticides and herbicides is far more recent, and the harm to the public from these practices certainly outweighs the benefit to the few farmers. Perhaps the farmers along this corridor would actually benefit more if they had to switch to organic and regenerative farming practices on the small amount of their land that might be affected by a trail.

I strongly support keeping the potential for a rails and trails project along this corridor in the TSP. In fact, I would like to see our county use the TSP as a real blueprint and work towards implementing projects, especially this trail, bike lanes along our roads, and vastly improved public transportation, including connecting us to the rest of the world with light rail instead of forcing us to continue enduring the expense, hazards and environmental degradation of maintaining and driving cars. It is shortsighted, stupid, and bordering on criminal that we don't already have safe routes for people to ride bikes from place to place in this county. The recent paving of North Valley Road leaving 2" of paved shoulder for bikes and pedestrians is a prime example.

Please do not do something rash and irreversible without allowing the people to vote on this consequential decision.

Sincerely,
Joni Zimmerman
Newberg

From: Haley Cox
To: BOC Info; Planning
Cc: letters@newsregister.com; trailspac@gmail.com
Subject: Don"t Fumble the Trail Project!
Date: Wednesday, January 21, 2026 2:03:45 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To all who are Concerned,

What a complete mess Yamhill County has managed to make of the Yamhelas Westsider Trail issue. Having been intimately involved in the landfill expansion drama of the previous decade, I would have thought that County officials were well-versed in the "Farm Impacts Test" and the need for rigorous findings of fact in land use applications.

That said, just because the project application was lacking in substantial details, and officials have bungled the process at other points along the way, does not mean this unique and valuable opportunity for present and future generations should be tossed onto the proverbial dump that Yamhill County seems stubbornly set on manifesting for itself. The trail is truly a visionary project, one with many expansive public benefits, including for economic development, transportation safety, recreation, and wildlife, addressing many state and local goals for these issues.

Its very curious that Yamhill County recently adopted a new Park System Master Plan that makes no mention of this trail corridor, despite being roughly 60 acres of undeveloped land already owned by the County and planned to serve recreational uses dating back to 1996. The plan also states that Yamhill County provides just a tiny fraction per capita of recreation acreage and spending compared to its peers. By neglecting to include this important facility in the Parks Master Plan, the County officials have undermined the project at the expense of the public and many partners who have supported it in good faith.

Officials have mislead the public at many turns, and the gossip grapevine associated with the Yamhelas Westsider Trail is simply astounding- is there light rail being proposed in the trail corridor that will bring "bad types" to the area? Are the County officials planning to sell the property to political contributors? All this conjecture just reeks of a lack of public trust, which will be ever more entrenched if Commissioners take this bold and hasty action to kill the community's dream.

The staff report for this hearing states: "Due to the fact that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test..." now County officials just want to erase the project from all the County planning documents; Cities, citizens, and other entities who have contributed toward it's development be damned. There is no mention of how the County plans to address the need for safe biking and walking facilities between these rural towns, and for recreation opportunities within the County that this project was meant to provide.
OAR 660-012-0050 states that:
If a local government decides not to build a project authorized by the TSP, it must evaluate whether the needs that the project would serve could otherwise be satisfied in a manner consistent with the TSP.
Where is this evaluation??

Frankly, the County could still do much to implement this project as proposed in the TSP and envisioned by the public over many decades. Given that this has always been a transportation corridor, it makes no sense for it to be zoned EFU- why not rezone it to the Parks, Recreation,

and Open Space District, where hiking and biking trails are permitted outright? Why not finish the incomplete YWT Master Plan so that the project goals and parameters are clear, and issues can be worked out in a public forum in advance of the land use permitting process? This situation appears to be mostly one of political sabotage.

Commissioners, please put down your guns and think of the children. They are all getting fat and depressed because we are not putting their safety and well-being first. Don't fumble this trail, this beacon of hope and opportunity for a future that is more fun for everyone.

Respectfully,
Haley Cox

December 3, 2025

To the planning commissioners:

My name is Celine McCarthy and I am a native Oregonian who is now a senior citizen so I remember when Oregon's Land Use Laws were made back in the early 70's. I am not against trails. I am a physical therapist who promotes exercise & activity. I serve on the Parks & Rec board and would love to have more public spaces for recreational activity. However, I am not in favor of converting the abandoned railroad (RR right of way) into a trail & I urge the PC to pull it out of the TSP.

I stand with Oregon's land use laws that protect EFU farm ground. In fact, I don't think it's protected enough as the sprawl of progress continues to encroach on some on the most fertile soil. The farmers are also burdened with more & more restrictions & regulations & struggle with obtaining workers, high costs, etc. & they need to rely on predictability & clarity in order to run and invest in their farming operations. These are generational family farms & they are encroached by progress & folks that don't understand our states land use laws or have any understanding of farming practices.

Most of the abandoned RR is EFU zoning & in order to anything else that is not farm related, like a trail, one can apply for a conditional use permit but one must prove that there is not a significant impact to farming practices or costs. This was never obtained & the county recklessly bought & began developing the RR bed. Please tell me who gets to build something without a permit? On top of things no land owner was given notice about the project. When farmers raised that there were issues impeding their farming practices, their concerns were ignored, thus forcing a lawsuit. Bridge construction began during COVID lockdowns & even ODOT didn't know about it. LUBA (land use board of appeals) sided 5 times with the farmers & forced the county to dismantle the illegal bridge & payback attorney fees almost $50,000 the biggest in history. The repeals could have gone to more rounds but for what? The conclusion would be the same...that there is indeed an impact to farming practices & costs without solutions. The county could therefore not obtain a permit and thus this potential trail project died. The commissioners did the responsible thing and withdrew the county's application.

If you don't understand it and don't want to read the thousands of pages of testimony to LUBA, ask a farmer about it. They are really nice people and if they have time, they can explain the issues as to why it is haphazard for the general public to be passing through farming operations. From spray applications, to dust, to smell, to irrigation, to livestock crossings, crop contamination, garbage, trespass, potential lawsuits, the list is extensive.

But all of this has already happened years ago and yet folks are still beating on this dead horse thinking there could be a different result. And the worst part is the abandoned RR should have never been given a name and popularized as if it could be a potential trail. It is not legal nor can it be because of the zoning and yet to this day it is still promoted. So now it feels as if trail proponents had a trail and now it got taken away from them. Well, honestly I feel sad for them as it never was a trail & they were misinformed.

Everyone wants to know why we don't have these RR right of way trails throughout countryside? The answer is because we live in the Willamette Agriculture Valley and most towns are surrounded by EFU ground which is quite protected. In the early 70's the farmers got together with the state legislature and creating our precious land use laws to protect big block farmground. The farmers gave up their

right to sub-divide their ground to give to their children. They sacrificed this ability in order to preserve Oregon's fertile soil landscape.

This trail fight has been a zoning issue from the very beginning.
So it really doesn't matter if you are pro-trail for safe biking & economic development.
It really doesn't matter if you are anti-trail because of the enormous cost, harm to farming & not wanting the problems of metro to come. It's not a popularity contest. You can't put it to a vote.
This is about a farmers right to farm in a zone that was specifically created for them-EFU.

The county must have known this, must have known the implications & hazards and that's why I think they took a run for it & tried to push thru the YWT illegally. There was absolutely no plan, no idea on how much it would cost, no idea of how it would be maintained, no regard about fire, police or emergency protection, no idea of all the dangerous road crossings such as Flett rd, hwy 240 and gunclub rd to name a few. Just full steam ahead and "we'll figure things out as we go." Well sadly, the county chose absolutely the worst tactic to go about developing a trail and now they have to live with the consequences.

I keep hearing from trail advocate's...but if only this happened, but it only that happened, but if we could only talk with the farmers to compromise, if we could re-route the trail, if we could try other ideas etc....Well, if "Ifs and buts were candy & nuts then we could all have a Merry Christmas!" That ship has already sailed years ago. The farmers and property owners were treated very badly , in my opinion and all they wanted is to have their property rights upheld & not ignored.

So now there's just the blame game left. You can blame the commissioners & county staff that tried & failed to push through an illegal trail, you can blame the responsible commissioners trying to correct the wrong doings, you can blame the farmers for fighting back or you can blame the trail advocates in deceiving the public that such a trail was even possible & there continued promotion of it. But honestly the real blame falls on the state of Oregon & it's land use laws. EFU means what it says....Exclusive Farm Use.

I urge the planning commission to withdraw the YWT (which should not of even have had a name) out of the TSP. This is not policy only a clerical correction because this project is dead.

Best regards,
Celine McCarthy

PS: I do not support any light rail project

To the Board of Commissioners of Yamhill County

Kit Johnston, Mary Starrett, David King:

Concerning consideration to remove the Yamhelas Westsider Trail Corridor from the Transportation System Plan

I have 2 cousins that live in WA County. One is retired Law enfordement. One is retired WA county Fire Protection. Both told me don't let this trail happen. Stop it. They related incidents on the Banks-Vernonia trail that they'd been on call for. The retired LEO will not let his wife walk it unless he goes along, armed. They won't give a statement, because they're retired from unions.

This YWT project was started by some financially well off people. They talked to business people in Carlton. They got some national group that supports trails to help. They didn't come to us, the people working & living in the area, to get our thoughts. Our farm neighbors heard about a meeting, a Charrette. No one knew what that was or could be. Good way to alienate the locals. Only a couple farmers attended the meeting. That's how we learned about this.

A bunch of us went to other meetings, talked to people trying to figure out why here & why now. What about Land Use Law? We found out that Commissioners were being told that farmers supported it. We showed up to protest with tractors. The few people with certain influence got it passed. We got together, decided we needed at least someone on BOC that understood or at least would hear our point of view. It wasn't just 4 or 5 families. It wasn't just farmers. That's how we came to support Lindsay Berschauer. If you know a farmer, you know that they do not make snap decisions. In the neantime, the county went ahead with seeking finances and plans and began work.

We got a lawyer and took the county to LUBA. FOUR TIMES LUBA ruled against how the County was doing things. It was Remanded FOUR TIMES to correct them. Parts of the work were stopped, a bridge had to be dismantled, and some of the money returned. "Cart-before-thehorse" is not good government nor wise financial sense. And yet here we are with another contentious meeting.

The TSP is outdated. Plots the trail through areas no one asked for it. Still has light rail present. None of this was ever voted on by the people. It is not required to do so.

Please, I urge the BOC to vote removal of this from the TSP. GIVE THE CITIZENS of the North County, Yamhill-Carlton-Gaston areas, peace of mind.

Maybe some county citizens can form a new group from across the entire County to consider recreational spots. Oh wait, we have them already … the County Parks committee.

Thank you for taking the to read and consider my testimony on removing the Corridor from the Transportation System Plan.

Kathleen (Kathy) Sitton

11595 NW Cummins Road

Carlton, OR 97111

Public Comment from Susan Delventhal
21300 NE Bald Peak Road
Hillsboro, OR 97123
Yamhill County Resident
Submitted to the Yamhill County Board of Commission for the January 22, 2026 Meeting

Commissioners Mary Starrett, David “Bubba” King, and Kit Johnson,

I would like this submitted into the BOC Public Meeting Record.

I am against the removal of the Yamhales Westsider Trail Corridor from the Yamhill County Transportation Packet.

I have been a supporter of this trail for years and find it frustrating and disappointing how a small group of farmers and some board of commissioners have done everything in their power, including using tax payers money and lies to destroy the construction of a 17 mile long bike & walking trail.

The decision to remove the corridor from the transportation package is reckless, irresponsible, and short-sighted. This continuous corridor, which is owned by the county, is a valuable piece of land connecting multiple county cities together. In the future it may be needed as a utility corridor - delivering much needed water and/or Internet access to our growing communities, or as a safety corridor.

Let’s be honest, the removal of the corridor from the Transportation Package is a way to end the dream of so many families in this county of having a biking & walking trail that would increase health and fitness, family recreation, and boost our tourism industry, pumping money into our local economy. Removal from the transportation package would then allow the county to sell it in pieces. At that point buying the land back from multiple owners would be cost prohibitive.

Fear can be a powerful tool to convince people that a biking & walking trail is a bad thing for our community. Yet, commissioners in non-partisan seats and a handful of property owners have painted the trail as a boogeyman, to be feared and destroyed. Honestly the list of imagined fears is endless - fear of houseless camps, fear of trespassing, fear of littering, fear of agricultural activities, fear of drug use, and recently fear of defecation. I have biked the Verona-Banks Trail with my family, and have not found these problems along that trail, nor have I seen them along the 240 mile Katy Trail in Missouri. The Verona-Banks farmers and land owners along the trail have worked out issues they were worried about. That trail is an example of success, a win-win endeavor that has created a public asset for local residents and tourists.

I ask that you act wisely, about our growing communities, the value of the corridor, and keep it as an intact corridor for future use and needs. Thank you!

From: Tristan SS
To: Planning; BOC Info
Subject: Testamony Docket G-01-25
Date: Wednesday, January 21, 2026 2:12:17 PM
Attachments: COWA Trail support letter.pdf

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Please find attached letter of opposition of removal of corridor from YC TSP leading to its sale and dispersal.

Cove Orchard Water Association

January 21, 2026

Cove Orchard Water Association
PO Box 111
Yamhill, Or 97148

Dear Yamhill County Board of Commissioners,

The Board of Directors for the Cove Orchard Water Association (COWA) fully supports keeping the existing rail corridor under Yamhill County control for future use as a utility corridor. COWA serves 85 households, providing clean drinking water in an area where many private wells are brackish or otherwise unsuitable for potable use.

Our district is currently facing aging infrastructure and a maxed-out water supply line. At present, we rely on a 4-inch line that runs from Gaston to our pumping station north of Cove Orchard. Several properties within our service district cannot be served because this supply line has reached its capacity. Looking ahead, the need for increased water conveyance capacity is both immediate and long-term.

Further south, the communities of Yamhill and Carlton are also facing water supply challenges. Carlton has already been in discussions with Hillsboro regarding a potential supply line to address these issues. We anticipate that, in the near future, there will be a strong need to collaborate with these communities and other small districts to install a larger regional supply line capable of serving multiple areas. A shared corridor would allow communities to distribute costs for installation, maintenance, and future upgrades, making such projects more feasible and fiscally responsible.

The existing rail corridor represents the most practical and efficient route for future water conveyance and other utilities. Without access to this corridor, the only remaining option would be to locate new utility infrastructure along Highway 47. This alternative would be significantly more expensive and would likely result in prolonged construction delays on a major county transportation artery. Such delays would impact commuters, freight movement, emergency services, and local businesses, while also increasing project complexity and safety risks for construction crews.

Our current water line already runs within the utility easement along Highway 47, and this location makes repairs and upgrades complicated, costly, and hazardous for both our crews and our contractors. Preserving the rail corridor for utility use would provide a safer, more efficient, and more forward-looking solution to the region’s growing infrastructure needs.

For these reasons, COWA strongly supports maintaining county control of the rail corridor to preserve its future use as a multi-purpose utility corridor that can serve water, wastewater, and other essential infrastructure needs for Yamhill County communities.

Sincerely,

Board of Directors
Cove Orchard Water Association

From: Jennifer Nice
To: Planning; BOC Info
Subject: Please protect our public lands
Date: Wednesday, January 21, 2026 2:22:46 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear esteemed leaders,

I'm unable to attend the January 22nd meeting, so I'm writing in support of the Yamhelas Westsider trail. I respectfully implore you to listen to your constituents and acknowledge that public lands belong to the public and any decision should be made by voters.

The Yamhelas trail, which has already been paid for by taxpayers, would benefit so many: the health and well being of users who can exercise outside and breathe in the fresh air of our beautiful Yamhill Valley; the local business owners who would enjoy economic activity from tourists before or after they use the trail; young and old; families and friends; cyclists, walkers, strollers, joggers. There is truly no negative that would stem from this trail. As evidence, just 34 miles down Highway 47, the Banks-Vernonia trail has been thriving for 15+ years without problems for nearby landowners.

I'm a 4th generation McMinnville native. My grandmother, Mary Donnelly Mattecheck, grew up on her family farm on Donnelly Lane, just off Westside Road. My grandfather, Robert Mattecheck, opened the Mack Theater in 1941. My dad, Michael Mattecheck, worked as a local insurance agent in McMinnville for 40 years. I, along with countless others, care deeply about the best interests of Yamhill County and McMinnville residents. I believe the trail would enhance the lives and livability of Yamhill County.

Please keep the Yamhelas Westsider Trail in the county transportation plan for now and allow voters to decide whether it should be sold or not. Thank you.

Sincerely,
Jennifer Mattecheck Nice

From: allencsitton
To: BOC Info
Cc: planning
Subject: DOCKET NO. G-01-25
Date: Wednesday, January 21, 2026 2:28:15 PM

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Good Morning Board Of Commissioners

I Urge the BOC to remove the Yamhlas Westside Trail from the Yamhill County Transportation System Plan. The County has spent to much time and money on this project. The County doesn't need to spend any more time on this in the future years.

Respectfully Allen Sitton

Yamhill County Board of Commissioners
535 NE 5th St
McMinnville, OR 97128

Neyssa Hays
20375 Highway 47
Yamhill, OR 97148

Re: Docket G-01-25

Jan. 21, 2026

Dear Chair and Members of the Board of Commissioners,

I am writing to urge you to **oppose the removal of the Yamhelas Westsider corridor from the Yamhill County Transportation System Plan (YCTSP)**.

This corridor is a rare, continuous north–south right-of-way that has existed as a public transportation corridor since the 19th century. Removing it from the YCTSP would permanently foreclose future public uses and eliminate one of the County's most valuable long-term infrastructure assets. Once fragmented or sold off, this corridor cannot be reassembled.

While much of the public discussion has focused on recreational use, I ask you to consider the **broader and more consequential public interest**: the corridor's potential role as a **utilities and infrastructure corridor**. Preserving this alignment keeps open future options for water, sewer, power, broadband, and other essential public utilities—particularly for growing communities such as Carlton, Yamhill, and surrounding rural service areas. Securing linear infrastructure corridors becomes exponentially more difficult and expensive over time; eliminating this one now would be short-sighted and irreversible.

Keeping the corridor in the YCTSP does **not** require immediate development or construction. It simply preserves a public option so that future generations—facing different needs, technologies, regulations, and land-use conditions—can make informed decisions. Long-range transportation and comprehensive planning exist precisely to protect such opportunities from being lost to short-term pressures.

I also want to acknowledge that I support the Yamhelas Westsider Trail as a potential future recreational and alternative transportation facility, should conditions allow. Preserving the corridor today keeps that possibility alive for future residents, including students, families, seniors, and people with disabilities, while requiring no commitment to immediate implementation.

For transparency, I disclose that I serve as Chair of the Yamhill County Parks Advisory Board; however, I am **not speaking on behalf of that board**, and these comments reflect my personal views only. I also note that the Board of Directors of Outdoor Education Adventures (OEA), a Yamhill County nonprofit, has voted unanimously to support the Yamhelas Westsider Trail and to oppose removal of the corridor from the YCTSP, recognizing its long-term value for education, access, and community connectivity.

The question before you is not whether a specific project should be built today. The question is whether Yamhill County should permanently abandon a public corridor that has served transportation purposes for over 150 years. Removing it from the YCTSP would do exactly that.

I respectfully urge you to **retain the Yamhelas Westsider corridor in the Yamhill County Transportation System Plan** and preserve this irreplaceable public asset for future generations.

Thank you for your consideration and for your service to Yamhill County.

Sincerely,

Neyssa Hays
Yamhill, OR

From:	Kurt Kreitzer
To:	BOC Info
Subject:	public comment re G-01-25 Yamhelas trail being removed from TSP
Date:	Wednesday, January 21, 2026 3:08:18 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

bocinfo@yamhillcounty.gov

Dear Yamhill County Commissioners,

Keep the trail corridor in the TSP.

Your Staff Report attempts to justify removal because: "Due to the fact that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test in three separate attempts"

These are strongly flawed justifications to remove the trail corridor from the TSP:

1. The current state is not indicative of the final state. The corridor is in the middle of the process to satisfy the Farm Impacts Test; the county simply stopped mid-process, without completing arguments to address LUBA's remand. That's not failure to meet the Farm Impacts Test, that's failure to pursue solutions.

2. As one example, the county failed to pursue refining a very simple solution to the Farm Impacts Test: trail closure during spraying. LUBA indicated this could resolve the Farm Impacts Test, otherwise it wouldn't have issued a remand, it would have stopped dead this legal approach. In the proposed solution of a 72hr advance notice trail closure, LUBA's objection and remand was simply that the specifics of 72 hours had not been sufficiently substantiated; maybe more than 72hrs is simply needed, or maybe the farmers need explicit ability to directly close the trail, etc

3. There is no county law or ordinance saying 'give-up' after three attempts. Just because the government process isn't trivial, or because the law and process was interpreted differently by the county, LUBA, and opposition, is not a valid argument to stop pursuing a long running county plan, especially one with such strong and decades old citizens support.

4. This is not 'three strikes and you're out'!

The 'Yamhill County Park System Plan' p58, survey, Yamhill county citizens report, two of the top three citizen desires is more 'paved & unpaved recreation pathways'.

The commissioners seem to be suddenly pushing this decision based on hasty incomplete analysis and by not engaging in the LUBA remand process.

There is no valid benefit to the county, to suddenly act so quickly. This haste appears timed to avoid a citizen vote on the issue (citizen's initatives are in-progress), and appear timed to avoid a potential change of commissioners in next year's election. That's not representing Yamhill county citizens.

The county needs to wait, and let the people vote on removing the corridor from the TSP, let alone selling the valuable, irreplaceable county property.

Regards,

-Kurt & Natalia Kreitzer
Yamhill OR

From: Greg Mccarthy
To: BOC Info; Planning
Subject: Yam trail G-01-25
Date: Wednesday, January 21, 2026 3:17:31 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Yamhill county board of commissioners:

It's been said that this trail will bring a lot of economic developement but what about the loss the revenue for the farmers if this goes through EFU & all the set backs & changes to farming practices?
Farmers employ thousands of people and these workers and their families are part of our local community.

They are the backbone of local economics. They pay taxes, they live here, their kids go to school here, they buy groceries, gas, go to restaurants, fix their cars etc. All contributions to our local economy.
If farmers are forced to scale back because of all the restrictions placed by having a public trail dissect their lands, then job opportunities will be lost. Less employees. These are real concerns. EFU and our land use laws protect farmers ability to farm without negative impacts.

Consider the Banks-Vernonia trail. If you talk with anyone from Banks, they will tell you that the trail brings congestion & parking issues. Cyclists come, they unload their bikes, grab their picnic lunches, ride, come back, load their bikes and go home. They do not frequent the Banks business, by gas, nothing. I do not agree that the economic situation would improve. It's better to have folks employed by farmers.

But really all of this doesn't really matter at this point in time. What matters is that this proposed trail is in the wrong zoning, period. There are no trails in Oregon that cut through EFU. It is a very strict zone to develope trails as the people on them pose a negative impact to farming practices. ORS 215.296 This has been proven multiple times in LUBA. There's over 2000 pages of testimonies! The county dump was shut down due to negative farm impacts.
This Yam trail cannot be developed. It's in the wrong zoning.

Please remove the YWT from the transportation system plan. Support local farming. It's the right thing to do.

Respectively yours,
Greg McCarthy
Yamhill OR

From: David VanDeWalle
To: BOC Info
Subject: Yamhales western trail.
Date: Wednesday, January 21, 2026 3:22:55 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

As someone who lives one house away from the old railroad right of way I would like to say please stop messing around and sell the property off. Almost everyone I has spoken to about this trail doesn't live by it and doesn't understand we are the ones that will have to deal with the issues. People parking at the end of our street and in front of our houses or random homeless people or vagrants and vandalism that will occur.

Not to mention the lack of maintenance that has occurred over the last 30 years I have lived there. The property is a fire hazard and needs to be cleaned up and taken care of. If you sell it to adjoining property owners they will pay taxes on it and be responsible for the maintenance. Case in point the local winery owns a portion and they take care of it.

Please don't continue this just sell it and be done with it. If railroad was ever going to use it they would have never taken the tracks out and sold off the various pieces.

Thank you for your time.
Sincerely
David VanDeWalle
230 W McKinley st
Carlton Or 97111

Sent from my iPhone

From: darren sutherland
To: BOC Info
Subject: G 01-25
Date: Wednesday, January 21, 2026 3:35:14 PM

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I am in favor of removing the yamhelas trail out of the TSP
Darren Sutherland

From: Ellen Hoffmann
To: BOC Info
Subject: Docket G-01-25
Date: Wednesday, January 21, 2026 3:39:47 PM

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To the Yamhill County Commissioners:

I am in favor of removing the project known as the Yamhelas Westsider Trail from the YCTSP.

My reasons are as follows:

1. As a resident of northern Yamhill County, living within a few miles of the Highway 47 and Flett Road intersection, we often encounter serious road crashes that close this intersection. This intersection has no shoulders or turn lanes; the speed limit on Highway 47 is 55 mph. The Yamhelas Westsider Trail is immediately adjacent to this intersection, parallel to Highway 47 and crossing Flett Road in a north/south direction. Without considerable changes to the infrastructure of this intersection, there would likely be an increase in crashes. Vehicles transitioning from Highway 47 to Flett Road will need to stop for walkers/bicyclists crossing Flett Road, while remaining on Highway 47 until the trail/rail path is clear of Flett Road. Where would vehicles on Flett Road approaching Highway 47 stop - on the trail itself or further back from the intersection?

2. The Yamhelas Westsider Trail includes commuter and/or freight rail potential. In addition to the concern for safety at the intersection of Highway 47 and Flett Road, commuter and/or freight rail lines will pass through the Wapapto Lake National Wildlife Refuge. The WLNWR website details the conservation efforts for "the protection and restoration for specific key federally and state recognized species." The trail/rail location begins traversing the WLNWR on the north side of Flett Road. Is approval for this construction in a wetland likely?

Again I submit my support for removing Yamhelas Westsider Trail from the YSCTP. Thank you for the opportunity to address the board.

Regards,
Ellen Hoffmann
23000 NE Ridge Road
Gaston, OR 97119

From: Brandon Slyter
To: BOC Info; Planning
Subject: Public comment TSP
Date: Wednesday, January 21, 2026 3:48:08 PM

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To the Yamhill County Planning Dept. and County Commissioners,
I would like this email to be included in the public comments for the Transportation System Plan vote regarding the Yamhelas Trail.

My name is Brandon Slyter; I am one of the board directors for the Chehalem Park and Recreation District, but I am speaking on my own behalf and not for the board or district.

I am emailing in support of the Westsider Yamhelas Trail. Protecting public spaces, connecting communities, and encouraging recreation are three consistent topics I will always advocate for. Clearly this is a complicated matter and not as simple as, "build the trail," or, "don't build the trail." It is because of that complexity that I think it responsible for the county to educate the public and give them a chance to decide what they want; what we want. We want more trails. All of the data and surveys will support this. It appears that even the County supports this. I'm proud that George Fox University (my alma mater) has partnered with the county to address this very issue. And I can't help but wonder if they would want to help with the Yamhelas trail; however, it's been so highly politicized, they likely don't even want to mention it.

There are a few points I would like to bring up that I believe are important. We are elected officials. We are decision makers. And it is highly imperative we include the public in these decisions. Not simply the bare minimum legal requirements. Not just public comments when your mind might already be made up. Put the decision in the public's hands. If we make highly contentious decisions - justify it. So far, I've been quite confused about the justification.

Next, I've heard recently that the problem has always been about the potential inclusion of light rail. While a separate topic from recreation, I think if more Americans traveled abroad, they'd be highly impressed with rail infrastructure, and quite frankly, embarrassed of ours. That being said, if the county deems a train the main issue, why not amend the TSP? Remove the rail, build the trail? It seems like a win-win.

Finally, far too often we are victims of sensational exaggeration. Let's let our words speak truth. It's highly troubling to hear comments such as, "commissioners want to sell public land to their friends." And it would go a long way for each commissioner to pledge to protect a public asset for the good of the county. That their personal affairs and

connections have no involvement. I do not believe I've heard any of the commissioners speak to selling the public land as a favor to a friend or associate, so I prefer to assume good intentions. Please clear this up with the public and put to rest the sensationism. Likewise, there's sensationalism that this trail would destroy farms or take away private property rights. Countless examples of trails next to farmland should be example enough; it's simply not true. Please set the record straight, because words have power and truth has meaning.

I've had the pleasure of interacting with two of the commissioners, Starrett and King, who have shown kindness in our interactions and are well involved in our community. Whatever political convictions we all may differ on, we can still work together and build meaningful connections.

While the legal procedures for the trail's existence in the county TSP and the concerns over a train are something I cannot speak to, I can make this clear: we want this trail to exist in a form where we can walk, ride bikes or horses, and travel safely while enjoying our amazing Oregon nature. A place for our children to see and respect our farm lands in action. A place that connects communities.

Do you want to connect communities? Or do you want to divide them?

Thank you for your consideration,
~Brandon Slyter

To: Yamhill County Commissioners

RE: Docket #G-01-25 Amendment to Yamhill County Transportation System Plan (YCTSP)

January 21, 2026

Dear Commissioners,

I urge you to vote NO and not amend the YCTSP as proposed. A NO vote will keep the Yamhelas Westsider Trail in the Plan and allow for future flexibility in re-evaluating this important regional transportation link. We, the residents of the county, need safe places to hike and bike that are removed from the roads, while also providing a way to travel between our towns without getting into a car.

I am constantly frustrated by our lack of places to hike in the county, especially if you want a longer distance, have a dog, or children along. I often have to drive to Washington County to use the Banks-Vernonia Trail. The town of Banks has benefited from having the increased recreational use, with new restaurants etc. Why can't we have such a trail in Yamhill County? It seems very much in keeping with our future transportation and recreational needs, as well as supporting our smaller communities along the route. Sidewalks and bike lanes do not meet our all our needs and most bike lanes are full of debris and next to speeding vehicles. A separated, long distance trail would be a recreational and economic boon for us, your consituents.

While the funding may no longer be in place, keeping the trail within public ownership is essential. By removing it from the TSP you are apparently making it easier for future selling of the land. **That is unacceptable. We, the public, own this land, not three commissioners, two whom have long been hostile to this trail.** Do not take this opportunity for a future transportation/recreational trail away from us by this short-sighted amendment. Save it for the future.

Keep the Yamhelas Westsider Trail in the Transportation System Plan and do not sell off our public land. Put it to a public vote!

Please Vote NO.

Patricia Farrell & Robin Richard
Newberg, OR

From: Athlynn Reeves
To: BOC Info
Subject: Yamhelas Westsider Trail and the Transportation System Plan
Date: Wednesday, January 21, 2026 3:59:45 PM

Spam

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Board of Commissioners:

As a concerned citizen in Oregon for 40 years, U.S. voter for 50 years and tax payer in Yamhill County for 20 years I want to say thank you for maintaining the integrity, safety and beauty of Yamhill county while actively addressing and keeping ahead of the ever changing modernization of the world that impacts our county.

Having lived in Moscow, Paris suburbs (St Cloud) & Vienna , Chicago area suburbs, Salt Lake City, Denver, Boulder and Gresham - I have witnessed first hand urban sprawl managed and unmanaged. The most concerning least managed and disturbing result has been Gresham. I lived in Gresham before the light rail entered and after. All of Gresham used to be safe, a bedroom community to Mt Hood. Now I would never live there. It has pushed many families out. And it is not safe to walk around at night in many areas particularly around the MAX areas. Violent crime, overall crime and car theft all increased incrementally after the light rail was brought in.

You do know we pay lower automotive insurance rates because we live in Yamhill county versus Sherwood/Washington County? We are protected from crime. Parriott Mountain is a natural barrier to our safety and preservation of beauty and from urban sprawl. People migrated here during covid because we are different. Because citizen voters are active and commissioners listen and preserve what we like the most about Yamhill County.

I am sorry but I can't help but think anyone who even monetarily thinks light rail to Yamhill County is a good idea must have failed elementary school Math. The infrastructure cost is astronomical versus profit. When have you ever seen the light rail in Tualatin even moderately full? Light rail in rural areas such as ours in the wild wild west is never profitable. We do not want to give up our independence, we love our trucks and cars.. We are not Paris, Stuggart, London, Tokyo or Vienna. My friends, this is Yamhill County.

In addition, I found in my research that this case was closed in 2021 after a MILLION TAX DOLLARS already spent that could have been used to better the infrastructure we already have. I wish I had a million dollars. It was frivolously spent on a project most voters don't want if the truth was made known. And the trail already failed Oregon's farm-impact laws.

YWT please stop wasting valuable time and money on a case already closed. I wonder if administratively there are too many people in the office and you have nothing to do with your work hours other than bring up dead issues. Find a worthy project or get a different job. Please don't waste my tax dollars and ruin our beautiful, safe community. Please remove YWT from the TSP.

Sincerely and gratefully,
--

Athlynn Chuk-Reeves

Proverbs 31:25 - "strength and dignity are her clothing, and she laughs at the days to come".

From: dodaqueen@aol.com
To: BOC Info
Subject: Save the trail
Date: Wednesday, January 21, 2026 4:00:43 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Please don't give away public lands. I support a trail, but at least don't do away with a public corridor that could be used for lots of purposes that would drive economic development and provide a safe place to recreate in our county.

Thank you for letting it go to a vote.
Rebecca Wale
Resident of McMinnville

Sent from the all new AOL app for iOS Sent from the all new AOL app for iOS

From: Matt Dolphin
To: Planning; BOC Info
Cc: hello@trailspac.org
Subject: Keep the Yamhelas–Westsider Trail fin the Transportation System Plan
Date: Wednesday, January 21, 2026 4:01:03 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Yamhill County Board of Commissioners,

I am writing to formally oppose the proposed removal of the Yamhelas–Westsider Trail corridor from the Yamhill County Transportation System Plan (TSP). My opposition is based not only on the substance of the decision, but more fundamentally on the deeply inadequate and flawed public engagement process surrounding it.

The Transportation System Plan is one of the County's most consequential long-range planning documents. Decisions to remove an established transportation corridor - particularly one with decades of public interest and investment - demand robust, inclusive, and transparent public engagement. That standard was not met in this case.

Specifically:
1. There was no countywide survey or structured effort to gauge public awareness or support.

2. No focus groups, listening sessions, or public open houses were held to allow meaningful dialogue or problem-solving.

3. The public notice for the Planning Commission hearing included an erroneous address, creating unnecessary confusion and barriers to participation.

4. Members of the public were explicitly discouraged from attending the hearing in person and were instead directed to participate via Zoom, despite the County's awareness of strong public interest in the issue.

5. The meeting room selected for the hearing was demonstrably inadequate for the anticipated attendance, resulting in members of the public being forced to stand outside in the rain in order to participate.

6. Citizen testimony cards were reordered during the hearing in a manner that prioritized opponents and delayed supporters until late in the evening, raising concerns about fairness and viewpoint neutrality.

7. Opponents of the trail were granted additional time to testify, including an attorney who had previously represented the Planning Commission Chair in a LUBA appeal related to the trail, while members of the general public were subject to stricter time limits.

8. The Planning Commission has been designated by the Board of Commissioners as the County's Committee for Citizen Involvement. In that role, it did not adequately monitor, evaluate, or put forward recommendations to encourage meaningful public participation in this planning decision, as required by Oregon Statewide Planning Goal 1.

9. During testimony, recused Planning Commissioners made visible gestures, rolled their eyes, and made comments from the dais, behavior inconsistent with impartial public process.

10. At least one Planning Commissioner appeared to fall asleep during public testimony. (See attached photo)

Taken together, these failures do not reflect the spirit or the requirements of Oregon's land use planning framework—particularly Oregon Statewide Planning Goal 1—nor do they align with Oregon public meeting laws or the basic expectations of respectful civic process. More broadly, they fall short of the democratic norms that should underpin decisions of this magnitude.

Public engagement is not a procedural checkbox. It is the bedrock of public trust, especially when decisions affect shared community assets and long-term transportation policy. When the process itself appears rushed, dismissive, or structurally biased - and when a body formally charged with ensuring citizen involvement fails to fulfill that role - the legitimacy of the outcome is inevitably called into question.

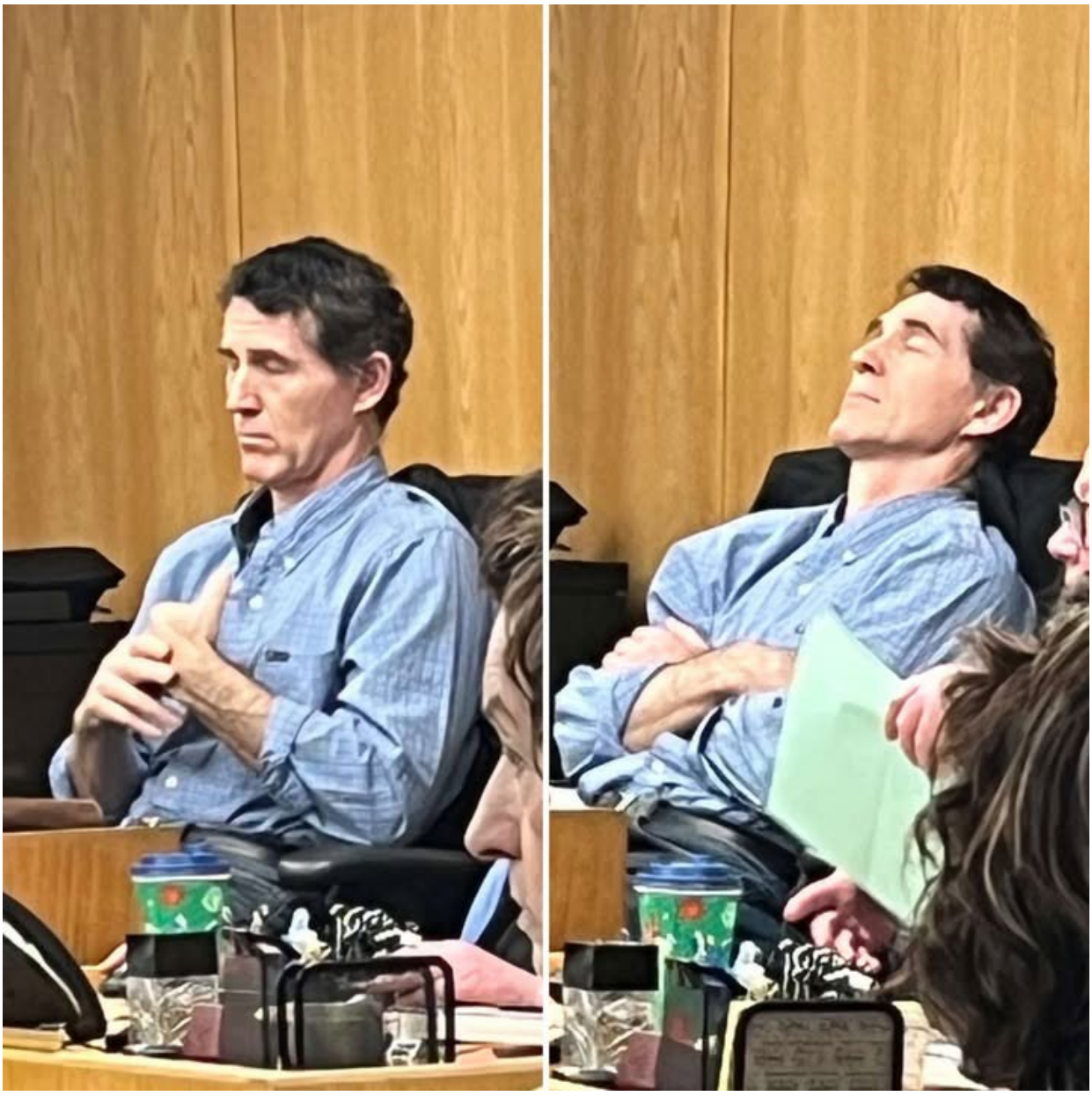
I urge the Board of Commissioners to reject the proposed removal of the Yamhelas–Westsider Trail from the Transportation System Plan and to direct staff to undertake a genuinely inclusive, fair, and transparent public

engagement process before any further action is considered. Anything less risks eroding public confidence not only in this decision, but in the County's planning processes more broadly.

Thank you for your time and for your consideration of these concerns.

Sincerely,

Matt Dolphin



From: Christine Peterson
To: BOC Info
Subject: Yam Trail G-01-25
Date: Wednesday, January 21, 2026 4:07:48 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Hello,

I am a resident of Yamhill County and I am in favor of removing the YWT from the TSP. It's a dead project.

Sincerely,
Christine Peterson
Gaston, OR

From: Val Blaha
To: BOC Info
Cc: letters@newsregister.com
Subject: public comment for 1/22/26 Agenda Item I1 Docket G-01-25
Date: Wednesday, January 21, 2026 4:19:56 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

re: 1/22/26 Agenda Item I1 Docket G-01-25

Dear Yamhill County Board of Commissioners,

I'm writing to encourage you to NOT amend the Yamhill County Transportation System Plan (YCTSP) to remove the Yamhelas Westsider Trail (YWT) project from the YCTSP. **Please keep the trail in the plan.**

As county commissioners, you do not just represent the interests of a few privileged landowners and/or donors. **You represent all of the county residents.** Is it in the interest of the landowners to not have a trail adjacent to their property? That's their belief. **Is it in the interest of many, many more country residents to have access to safe recreation and transportation corridors? Quite certainly.**

At the public hearing last month, multiple people insinuated that the LUBA process killed the trail, but in fact it was the two commissioners voting to end the LUBA process that stopped the trail, and also resulted in our county tax dollars being used to pay back money for work that had been started. Had the process been allowed to continue, there would have been work done to **mitigate neighboring landowner concerns**. But again, that process was stopped dead in its tracks by *two people*.

I realize that we now live in a country where **pay-to-play** and grift are how the game is rigged against us. So it makes sense that those few greasing the palms would be the ones whose voices are being heard most loudly. The welfare of the rest of us, who would benefit in many ways from having a trail like the YWT, is clearly not as important as **the comfort of a handful of loud NIMBYs**. While it's disheartening to witness this, it's obvious that smallness and greed are being championed from the highest level of government, so it's no wonder that those who support them at the lower levels would exhibit similar types of **short-sighted decision-making**.

Having followed this Board for many years, I'm quite sure that **writing this letter is an exercise in futility**. But given that rights in our country are dwindling day by day, and that we are likely to embark at any moment on WWIII due to having a senile sociopath in the White House, I figure I might as well voice my opinion. Although, I'm sure it will do nothing more than give **more fodder to the Gestapo** which will likely be coming for any of us who dare use the rights that are soon to be completely eliminated.

Please do not remove the trail from the YCTSP. Or, do whatever you already decided you were going to do based on your personal beliefs and donor alliances. It probably doesn't matter either way, since we'll be at war with our allies any day now, or simply annexed by Russia, since we've already sold them our American soul.

Oh, and **congratulations** for doing what (some of you) set out to accomplish… **destroying our faith in government** - at any level - actually caring about people.
Valerie Blaha
McMinnville, OR

From: Scott Bernards
To: BOC Info
Subject: Fwd: Yam trail G-01-25
Date: Wednesday, January 21, 2026 4:21:44 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

---------- Forwarded message ---------
From: **Celine Mccarthy** <forestgrovept@aol.com>
Date: Wed, Jan 21, 2026, 4:11 PM
Subject: RE: Yam trail G-01-25
To: Scott Bernards <scottbernardsfarm@gmail.com>

G-01-25
January 21, 2026
Dear board of commissioners:

I am a long time farmer in Carlton and I am in favor of removing the YWT project from the transportation system plan.
This trail fight has already been throughly litigated over years ago with LUBA siding with the farmers in 5 remands, that there are negative impacts to farming practices and costs. This trail is in the wrong zoning and cannot be developed as a public trail. This is old news. It's past time to remove it from the TSP.

Thank you very much and thank you for your service
Scott Bernards

From: marilyn blen
To: BOC Info
Subject: Yamhelas Westsider trail
Date: Wednesday, January 21, 2026 4:36:52 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

As two of the county commissioners will vote against the trail and will vote to remove the trail from the transportation plan on Jan 22, I oppose their actions. Shame on you. You know that a majority of Yamhill Co taxpayers want this trail. As public servants it is incumbent on you to vote for the good of the people, not just the few that funded your campaigns that are against the trail. Your indifference shows the short term thinking that will erase a great legacy for our children and grandchildren. You are ignoring the need to plan for our future with your myopic views. The trail not only represents the will of the people, but the best option for securing much needed utilities for our poorly served communities. Get a conscience and do the right thing. Your legacy will be discussed for generations. Make the right choice and to allow the people to vote on this issue via the ballot initiatives. Thank you for your attention to this matter. Marilyn Blen

From: Sahara Hawkins
To: BOC Info
Subject: Public Comment for 1-22 meeting - keep public lands public - someone can"t do math
Date: Wednesday, January 21, 2026 4:37:58 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I think it is deplorable that you would consider giving up the corridor to Gaston. It's a phenomenal asset to have on hand, and getting rid of it for (assumed) private development would be such a short-sighted thing to do. The fact that this project has sat in limbo for so long speaks volumes about how disorganized someone's set of priorities is. What's wrong, has no one figured out how to make money off of it yet?

Have any of you ever stopped to think about how positive public development would only look good to your voters? Think about it. You could be remembered for creating an amazing asset and credited for fixing a 100-year-old problem. You'd make headlines for it. You'd guarantee yourself re-elected. Conservationists would love you. You'd have solved a problem that no other administration could have. Wouldn't that make you look great?

If you allow this program to be taken over by people who are motivated to develop it for the public as a bike path or walking trail, you guarantee more economic growth and tourism dollars. Property values will go up, and the real estate folks will love that. Someone from the Portland Bird Alliance might give you a nice shiny medal if they can get involved. What is there to lose? I dare any of you business people to do the dollar math on "for the public good". Your tourists could practically walk to Hagg Lake, someone out there can make a neat little bonus on conduits for utilities, all of your planning committee friends and their private contractor buddies can walk away happy. Just think of the tax write-offs. Would you rather have all that money in one account, or in the pockets of everyone who got you elected last time? What would they say if you asked them?

Developing this for the public utility can generate more liquid capital for whatever slush fund you're trying to fill than selling it possibly could. Put it to a public vote, let the public submit plans for you if the planning committee is really that stubborn and stuck. You've got absolutely nothing to lose, and everything to be gained from this. Do the right thing and allow this land to be developed for the public good.

From: john wiser
To: BOC Info
Subject: G-01-25
Date: Wednesday, January 21, 2026 4:42:59 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

I am in support of removing the project known as the Yamhelas Westsider Trail from the YCTSP. Thank You.
Lynne Wiser at 7680 NE Gun Club Rd, Carlton, Or
Sent from my iPhone

From: Wanda
To: BOC Info
Cc: Candice Sanders; CANDICE SANDERS
Subject: Fwd: Do not sell off the Yamhelas Trail
Date: Wednesday, January 21, 2026 4:44:23 PM

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Subject: Do not sell off the Yamhelas Trail

I am opposed to the removal of the Yamhelas-Westsider trail from the county transportation plan.

The trail route and ownership of the taxpayer supported property should remain and be kept for future use as a recreational trail.

The trail system would benefit all county residents and it would be irresponsible to get rid of this valuable and unique public right-of-way.

The county needs to seriously explore other options that would allow the development and use of this multi-use trail while considering the needs of adjacent property owners, as has been done elsewhere in the state.

Among those options could be transferring the oversight and planning for the trail to the county parks board as was suggested by a county planning commission member after the trail hearing in December .

I believe that any plan to sell off the property to neighboring landowners is the worst possible option going forward.

Please listen to the many people who want to see this trail become a reality, I strongly urge you to reject the proposal to remove the property from the transportation plan, and keep this corridor under county ownership to use for the benefit of all residents.

Wanda Cochran

1397 NW Meadows Drive

McMinnville

From: Roger Martin
To: BOC Info; Planning
Subject: For the Public Record - Yamhelas Westsider Trail
Date: Wednesday, January 21, 2026 4:47:52 PM

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Please enter this into the public record.

I want to state my support for the Yamhelas Westsider Trail. Our public land should not be sold.

I used to live in Cove Orchard, and for a couple of years, my only form of transportation was bicycle. It was dangerous. The logging trucks and casino busses tried to see how close they could come to you, even though the road was clear. It would be a black stain on our government if the former railroad land is sold.

A bicycle trail was put in from about Dallas to Corvallis along highway 99W in the '70s. It was a great addition. Farmers didn't suffer.

When speculators wanted to put in a 36 inch natural gas line diagonally through the middle of my Cove Orchard property, the County government was silent. They should do the same with the trail.

Do not sell the land.

Roger Martin
5695 SW Dawson Lane
McMinnville, Oregon 97128

From: Allen Sitton
To: johnsonk@yamhillcounty.gov; starretm@yamhillcounty.gov; Bubba King; BOC Info; Planning
Subject: docketG-01-25 yam trail
Date: Wednesday, January 21, 2026 4:47:57 PM

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Good afternoon commissioners.
My name is Allen N. Sitton, I'm writing in support of removing the yamhelas westsider trail from the county's TSP.
It is time to remove the trail from the TSP as it should have never been put there in the first place.
Some of the reasons are as follows.
The trail being added to the TSP occured at least in part due to the lie that there was no objection from the farmers or adjacent landowners. This was a lie by omission the adjacent landowners and farmers were never asked. I know I'm one of them.
The purchase of the abandoned ROW was then pursued by the county. During this time was the first we learned of the county's intentions. A public meeting was finally held at the community center where there was much opposition to the purchase. unfazed and set on moving forward without any plan. Not for county level funding to build or maintain the property. Nor any data or studies on economic impact or who would provide public safety or sanitation. And most of all the opinion that the county did not need to comply with Oregon land use law and as such they would build the trail.
The County was taken before LUBA and lost repeatedly proving that it must pass the farm impact test. The trail can not pass this test and because it can not pass this test it is a project that should be removed from the TSP.

Hopefully the lessons learned from this can be applied to future projects where the planning and development are done openly and honestly and in accordance with the applicable rules and laws.

Allen N. Sitton

From: Stan Rogers
To: BOC Info
Subject: FW: Yamhelas Westsider Trail
Date: Wednesday, January 21, 2026 4:49:41 PM

Spam
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Greetings Commissioners and other Representatives involved in this meeting regarding the removal of the Yamhelas Westsider Trail from the Transportation System Plan/TSP, docket.

When is enough, enough?! The Trail issue has been settled already. As noted before the proposed trail is a very concern and conflict with the local Farming Community. Knowing the history and being a strong advocate for farming and ranching, I once again hope that the decision makers that serve Yamhill County will Remove and End any further discussion regarding the Yamhelas Westsider Trail from the TSP docket.

Thank you for your thoughtful and professional considerations regarding this matter that protects one of Oregon's bountiful farm and ranch areas.

Respectfully Submitted

Stan Rogers

Pallets For Agriculture, Inc.

503-585-0354 office

503-881-8081 mobile

rsistanr@gmail.com <mailto:rsistanr@gmail.com>

THINK SAFE AND BE SAFE!!!

From: Brady Drew
To: BOC Info
Subject: Support for the Yamhelas Westsider Trail
Date: Wednesday, January 21, 2026 4:56:22 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

To Whom it May Concern,

I am a voting resident of Yamhill County, and a student at George Fox University. As a regular runner and bicyclist, as well as an advocate for small businesses in my hometown of Yamhill, I support the Yamhelas Westsider Trail and the good that it can bring to Yamhill County. I strongly oppose selling our public lands without a ballot measure - I say let the people decide!

Sincerely,
Brady Drew.

_____

Brady Drew
Undergraduate Student (Civil Engineering) | George Fox University
Bdrew22@georgefox.edu - 503-858-9009 (Mobile)

From: Adam D. Garvin
To: BOC Info
Cc: Mayor Kim Morris; Patty Herzog
Subject: City of McMinnville Support for Countywide CPACE Program
Date: Thursday, January 15, 2026 8:14:27 AM
Attachments: City of McMinnville Letter of Support for a Yamhill County CPACE Program (KM.ADG).pdf

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CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Commissioners,

On behalf of the City of McMinnville, attached is a brief letter expressing the City's support for establishing a countywide Commercial Property Assessed Clean Energy (CPACE) program in Yamhill County.

Thank you for your consideration, and for your continued leadership on policies that support economic development and reinvestment across the county.

Regards,

Adam D. Garvin
Interim City Manager, City of McMinnville
O: 503-434-7302 / C: 503.560.8281
Adam.D.Garvin@mcminnvilleoregon.gov

January 14, 2026

Yamhill County Board of Commissioners
434 NE Evans Street
McMinnville, OR 97128
bocinfo@yamhillcounty.gov

Commissioners,

On behalf of the City of McMinnville, we write to express our support for establishing a countywide Commercial Property Assessed Clean Energy (CPACE) program in Yamhill County.

A CPACE program would provide an important financing tool for commercial and industrial property owners by enabling long-term, property based financing for eligible building improvements, including energy efficiency upgrades, renewable energy systems, HVAC improvements, and other qualifying capital investments. This structure helps reduce operating costs, improve building performance, and allows property owners to pursue needed upgrades while preserving capital for ongoing operations.

CPACE has been implemented successfully in other Oregon communities and leverages private capital without placing financial risk on the county. The program supports reinvestment in existing buildings, improves resiliency, and enhances property values while delivering measurable benefits to property owners and tenants.

From an economic development perspective, a countywide CPACE program would encourage modernization of Yamhill County's commercial and industrial building stock, improve business competitiveness, and support long-term economic vitality by lowering energy costs and supporting sustainable growth.

We appreciate the Board's consideration of a countywide CPACE program and your continued leadership on policies that support local businesses and community reinvestment.

In collaboration,

Kim Morris
Mayor
City of McMinnville
Kim.Morris@mcminnvilleoregon.gov

Adam D. Garvin
Interim City Manager
City of McMinnville
Adam.D.Garvin@mcminnvilleoregon.gov

From: Sue Aime
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: Written Testimony – January 22, 2026, BCC Meeting
Date: Wednesday, January 21, 2026 5:52:43 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

January 21, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

RE: Request for Final Closure of Yamhelas Westsider Trail

Dear Chair and Members of the Board,

This issue has already been decided through years of litigation, analysis, and County action. The Yamhelas Westsider Trail was challenged, stayed, remanded, withdrawn, defunded, dismantled, and abandoned. There is no active proposal and no legal pathway forward without starting over entirely—and the County has chosen not to do that.

The only question remaining is whether the Transportation System Plan will be accurate and honest. Leaving an abandoned project in a binding planning document is not responsible. I urge you to remove the Yamhelas Westsider Trail from the TSP and finally close a chapter that has imposed unnecessary burden on farmers and taxpayers alike.

Sincerely,

Carole Aime
McMinnville, OR

From: Kerri Patterson
To: BOC Info
Subject: I support Eloheh Indigenous center
Date: Wednesday, January 21, 2026 9:21:22 PM

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* Spam *
CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Commissioners,
I am writing to express my support of Eloheh Indigenous Center's appeal for religious accommodation.
I live in California so why does this matter to me? It matters to me because I have been impacted by their teachings and hope that many others will be exposed to them as well. Their beliefs and practices can't be separated from the land/earth so their spiritually will look much different than say a Sunday morning service. To me being open and making room for things that are different from us is one of the things that makes America richer.
Thank you for being open,
Kerri Patterson

From: Melody McMaster
To: BOC Info
Subject: Westsider Yamhelas Corridor
Date: Wednesday, January 21, 2026 9:41:35 PM

CAUTION: External Sender. Use caution when opening attachments, clicking links, or responding.

Dear Commissioners,

The Westsider Yamhelas Trail corridor represents an existing public asset designated for transportation and recreation purposes. It is a corridor capable of serving pedestrians, equestrians, and bicyclists, while remaining fully compatible with surrounding agricultural uses.

Comparable projects demonstrate the economic and land-use benefits of such corridors. The Banks–Vernonia Trail, a National Recreation Trail, generates an estimated $1.5 million annually for surrounding communities. In contrast, the Yamhelas Trail corridor currently generates no economic benefit for Yamhill County businesses, despite its potential to do so using land already owned by the public.

Importantly, development of this corridor would not remove farmland from production, nor would it require rezoning or conversion of agricultural land for commercial use. Instead, it would provide economic opportunity while preserving existing agricultural uses—a goal consistent with statewide land-use planning objectives.

During a Yamhill County Planning Department meeting, a landowner stated that no one had ever contacted him regarding the trail corridor, despite the project having been discussed for years and despite long-standing commissioner tenure. This raises concerns about whether the County has adequately engaged affected stakeholders or considered the full range of public testimony before advancing actions that would permanently alter the corridor's designation.

The proposed removal of the Westsider Yamhelas Corridor from the Transportation System Plan would require a clear demonstration that such an action serves the public interest and is supported by substantial evidence in the record. Removing a publicly owned corridor from the TSP would eliminate future multimodal transportation opportunities without identifying a comparable alternative or mitigation.

Additionally, there is concern that portions of the corridor are currently being used for private agricultural benefit, despite its public ownership. If accurate, this raises questions about equity and whether the County is prioritizing private use over long-term public benefit in its land-use decision-making.

Historically, this corridor was supported by the agricultural community when it functioned as a rail line that provided direct economic benefit. Today, that same corridor has the potential to provide regional economic benefit to neighboring communities, including Yamhill and Carlton, without diminishing agricultural productivity.

The decision to remove the Westsider Yamhelas Corridor from the Transportation System Plan would be irreversible. Such a decision should not be made without comprehensive analysis, meaningful public engagement, and clear findings demonstrating consistency with statewide planning goals, the County's Comprehensive Plan, and the Transportation Planning

Rule.

Sincerely,

Melody McMaster

Newberg, OR resident

To the Yamhill County Board of Commissioners,

I am writing this letter in support of the removal of the Yamhelas Westsider Trail from the Counties transportation plan. I have several reasons I don't believe this trail is a good idea.

First off as a fourth generation farmer in Yamhill County my family has worked hard to preserve our long heritage of quality production in this State. Farming is a very tough business and it gets tougher every day. From new restrictions, tax increases, price of inputs, the list goes on. And with this proposed trail we could lose hundreds of acres of the most productive ground in the nation. If a trail is created we could have "Buffer" areas of up to 100' on both sides of the corridor which we wouldn't be able to farm because of pedestrian traffic. We are already losing a lot of top quality ground every day to new developments and other commercial endevors. It may not be an issue now to get food but it will be an issue in the near future and land is the only thing we cant make more of.

Next is the issue of the financial burden this trail will create for all taxpayers. It will require a large budget just to get the trail built and then we have to maintain it. I don't think there is any numbers on what this would require but I guarantee it will be extremely costly. I think we should concentrate on real problems around the county like homelessness and drugs before we create a new avenue for these types of people to camp out on. And then there is the issue of emergency services accessing this trail, I think it's a huge liability for us.

I am not opposed to trails and I believe they have their place, but a trail along this much open producing ground and residential area is not the place.

Thank you for your time,

Casey Aschim

THE GREATER NORTHWEST AREA
OF THE UNITED METHODIST CHURCH

CEDRICK D. BRIDGEFORTH
RESIDENT BISHOP
RHONDALEI GABUAT
EXECUTIVE ASSISTANT
TO THE BISHOP

January 22, 2026

Dear Members of the Yamhill County Board of Commissioners,

I write to you as the Resident Bishop of the Oregon-Idaho Conference within the Greater Northwest Episcopal Area of The United Methodist Church to express my strong support for the Eloheh Indigenous Center's appeal for religious accommodation.

Religious freedom must protect all faiths—not only those whose practices resemble mainstream Christianity. Indigenous spirituality requires extended, land-based gatherings. It cannot be practiced in a building for an hour and only on Sunday morning. Ceremonies such as sweat lodges, cedar fire rituals, and seasonal gatherings are not optional activities; they are sacred expressions of faith, identity, and community - similar to communion and baptism in other traditions. Where, when, and how they happen are equally important as what happens and who is involved.

As a Christian bishop, I recognize and celebrate the expansiveness of spirituality and the deep need for diverse faith and cultural realities to coexist so that all people can be whole. True religious liberty requires more than tolerance—it requires understanding and accommodation.

I urge you to grant Eloheh Indigenous Center the religious accommodation they are seeking and to ensure that your policies protect the full breadth of spiritual expression in your county.

Thank you for your service and for your willingness to lead with wisdom, justice, and respect for all communities.

With respect,

Bishop Cedrick D. Bridgeforth

ALASKA | OREGON-IDAHO | PACIFIC NORTHWEST CONFERENCES
816 - SOUTH 216TH ST #2 | PO BOX 13650 | DES MOINES, WA 98198
(206) 870-6810 | BISHOP@GREATERNW.ORG

From: Derek Ogden
To: BOC Info
Subject: Status v incidence
Date: Thursday, January 22, 2026 5:48:24 PM

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. This complaint or more accurately suggestion is regarding the ordinances functional compliance with state law and the citizens affected, realistic availability to the services in their community. To open with a solution or two, there should be clarification on the term trespass whether it is an incident or a status that is referred to with citation. The state law is that a trespass status is decided by the property owners based on circumstances. Which gives them reference in their direct experience at least clerically, And then the offender can request a hearing to resume going to that store, business, etc. Currently only the police have any knowledge of who is 'trespassed' (prop management/owners aren't informed) and the police have no process to able to expunge or remove that status, because the parties involved aren't able to communicate or submit the forms to apply those considerations. I personally have spoken to every available employee in regard to my citations, all of whom expressed wanting me to return as a customer , and security when they had made the call initially. and none of them had the paperwork or technically authority to process the unavailable paperwork to resume shopping at places we depend on, and yet they can initiate the trespass status.. giving a single sided influence that doesn't bother to (or have availability to communicate with those whom it is obligated, the equity holders and primarily the community. I feel that whatever the citations resolution (innocent clerically removing the status and guilty then giving the community/property holders an obligation to personally suggest a continuance of that trespass status for an amount of time, reasonably. Untaxed property perhaps given further communal oversight.

These tickets for sleeping under a light for safety resulting in being stuck here for court are also constricting some, and more or over time, keeping myself for instance in a town I didn't want to be in for over 3 and a half years (court every couple weeks and needing to sleep in between. Not allowed at shelters etc because of negligence by the funding parties to ensure fair and safe practices at those facilities. Reminds me of the lack of Federal representation in our scholastic, historical and communal venues. I hope to hear back from you regarding this. I am willing to help by offering my own amended version of the ordinance, or presenting these concerns to the community council personally. in question and look forward to this being addressed.

From: Tod Butterfield
To: Kit Johnston; Mary Starrett; Bubba King; BOC Info; Planning
Subject: Written Testimony – January 22, 2026, BOC Meeting
Date: Thursday, January 22, 2026 5:54:40 PM

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January 22, 2026

Yamhill County Board of Commissioners
535 NE 5th St.
McMinnville, OR 97128

Dear Commissioners,

Approximately $1.7 million has already been spent on the Yamhelas-Westsider Trail through grants and planning costs tied to its classification as a transportation project. This prior spending does not justify the continued pursuit of a project that cannot legally proceed. Continuing to do so only increases the risk of further legal costs, attorney-fee awards, and grant complications.

Removing the trail from the Transportation System Plan reduces taxpayer exposure, while forcing it forward increases it. Fiscal responsibility requires ending this project now.

Also, I understand that there are those who want the YWT effort to be a back door to bringing in light rail, which I think would ruin that part of our county.

Sincerely,

Tod Butterfield

McMinnville

Jan 22, 2026

Re: Docket G-01-25 Proposed Amendment to the Transportation System Plan

Members of the Board of Commissioners,

My name is Matt Dolphin. I am a resident and taxpayer of Yamhill County and I submit this testimony regarding Docket G-01-25, the proposed amendment to remove the Yamhelas Westsider Trail from the Yamhill County Transportation System Plan (TSP) and Comprehensive Plan.

This testimony is not offered to re-litigate prior conditional use permit decisions or to dispute the importance of protecting agricultural lands. Rather, it addresses the legal and procedural requirements that apply when the County amends its Transportation System Plan. Those requirements are distinct from land-use permitting standards and must be satisfied independently.

1. The issue before the Board is a transportation planning decision

The action proposed in Docket G-01-25 is a legislative amendment to the County's Transportation System Plan, an element of the acknowledged Comprehensive Plan. As such, it must comply with Oregon's Transportation Planning Rule (TPR) in OAR chapter 660, division 012, as well as the County's own code requirements for legislative amendments.

The relevant question before the Board is not whether a specific trail project has proven difficult to permit at a particular location. The question is whether removing a designated bicycle and pedestrian corridor from the County's adopted transportation network complies with state transportation planning law and leaves the County with an adequate, connected system.

2. The Transportation Planning Rule requires evaluation of unmet needs when a TSP project is removed

When a local government decides not to pursue a project authorized by its Transportation System Plan, OAR 660-012-0050(5) requires the government to evaluate whether the transportation needs the project was intended to serve will be met in some other manner consistent with the TSP. If those needs cannot be met, the plan must be amended to ensure an adequate transportation system.

In addition, OAR 660-012-0020 requires that the TSP include a bicycle and pedestrian plan providing a network of routes throughout the jurisdiction.

These provisions make clear that the TSP is a systems-based planning document. Projects are not independent line items that can be removed without assessing the effect on the overall network.

3. The staff findings do not contain the evaluation required by the TPR

The staff report explains the history of prior land-use appeals and the County's difficulty in satisfying the farm impacts test in ORS 215.296 for a specific segment of the trail. That background may explain why the County no longer wishes to pursue a particular permitting strategy. However, it does not substitute for the evaluation required when amending a Transportation System Plan.

The staff findings do not include:

- An evaluation of the bicycle and pedestrian needs the Yamhelas-Westsider corridor was intended to serve;
- An analysis of how those needs will be met if the corridor is removed from the TSP;
- A system-level assessment of bicycle and pedestrian connectivity after the deletion; or
- Findings demonstrating that the TSP, as amended, continues to provide an adequate and connected bicycle and pedestrian network.

Instead, the findings rely almost entirely on past permitting outcomes under ORS 215.296. That statute governs approval of certain non-farm uses in exclusive farm use zones. It does not govern how a Transportation System Plan may be amended, and it does not displace the requirements of the Transportation Planning Rule.

4. The County code requires findings of consistency, not policy preference

Section 1207.01(D) of the Yamhill County Zoning Ordinance requires that approval of a legislative ordinance amendment include findings showing the amendment is consistent with the Comprehensive Plan goals and policies.

The staff report characterizes many Comprehensive Plan policies as "aspirational" and suggests that decision-makers need only weigh competing goals. However, the code requires findings of consistency, not merely acknowledgement that some goals were considered.

The Comprehensive Plan includes explicit transportation policies encouraging bicycle and pedestrian travel, development of an integrated and safe non-motorized system, and use of existing rights-of-way where consistent with the plan. The findings do not explain how removing a designated corridor from the transportation network is consistent with those policies, nor how those objectives will be met in the absence of the project.

5. Deleting a corridor without replacement analysis places the County at legal risk

The Transportation System Plan is not a symbolic or aspirational document. It is the County's adopted framework for providing a safe, connected, and multimodal transportation system over time. Removing a major bicycle and pedestrian corridor without evaluating how the identified transportation needs will be met undermines that framework.

Absent the analysis and findings required by OAR 660-012-0050(5) and OAR 660-012-0020, adoption of Docket G-01-25 would amend the Transportation System Plan in a manner that is inconsistent with state law and the County's own code, and it places the County at legal risk.

6. Request

For these reasons, I respectfully request that the Board decline to adopt the proposed amendment as drafted, or continue the matter and direct staff to prepare the evaluation, alternatives analysis, and findings required by the Transportation Planning Rule before taking final action.

Thank you for your time and consideration.

Respectfully submitted,

Matt Dolphin

Matt Dolphin
Yamhill County

Comments to the Yamhill County Commission

To: Members of the Commission and Planning Staff

From: Charles Van Genderen, Dayton Oregon

Date: January 21, 2025

Subject: Proposed Minor Amendment to the YCTSP to remove theYamhelas Westsider trail (YWT).

Since 2016, Yamhill County officials have put forth greater effort in the willful disregard of its own procedures and the needs of its constituents–both as your neighbors *and* under the law–than you have in planning and accomplishing the priorities and goals set forth by this very board thirty years ago.

Yamhill County citizens are tasked today with either swallowing the results of the County's egregious failure in executing a project that dozens of municipalities across the county have successfully accomplished (including our neighbor, Washington County), or objecting to the loss of a valuable solution to real problems. Removal of theYWT would not allow the county to best address the needs for improved safety, ADA requirements, and benefits of multimodal transportation.

To that end, the following are provisions of State Statute, Administrative Rule and Code that Yamhill County has failed to meet in pursuing the legislative amendment to remove the YWT from the Yamhill County Transportation System Plan (YCTSP):

ORS 197 and 215

The anemic staff report for the proposed amendment concludes:

> "Three attempts have been made to obtain land use approval to construct the 2.82-mile section of the trail located between the cities of Yamhill and Carlton. In each attempt the land use application was stopped due to the requirements in ORS 215.296 which is a statute that has become known as the "Farm Impacts Test".
>
> "Due to the fact that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test in three separate attempts, the majority of the Board of Commissioners initiated the removal of the Yamhelas-Westsider Trail from the TSP in order to pursue other projects. "

While it is true that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test, pathetically, this is of your own making. Failure to make the findings is a result of poor planning, lack of study or outreach, refusal to follow the directions of LUBA's multiple remands (LUBA No. 2020-066 and LUBA No. 2020-067), and the overall dereliction of the County's responsibilities under ORS 197 and 215. **The LUBA decision does not prohibit a trail from being built!**

It is also worth noting that the LUBA decision applies only to a 2.82-mile segment of the proposed trail that runs between the cities Yamhill and Carlton, not the entire 15.25-mile corridor

Table 4: Recommended Bicycle and Pedestrian Improvements

Location		Recommended Improvement	Cost	Funding Source	Time Frame
A	Old Sheridan Rd. - McMinnville to OR 18	• Widen travel lanes • Widen and pave shoulders to six feet	$2.0M + culvert replacement	County	Short-term
B	OR 47 - OR 99W to Washington County	• Yamhela's Westsider Trail	N/A	County/ Private	Short-term
C	OR 18B - Sheridan to Willamina	• Widen travel lanes • Widen and pave shoulders to six feet	$3.0M	ODOT	Medium-term
D	OR 99W - Newberg to Dundee	• Widen and pave shoulders to six feet*	See Location #17 in Table 3	ODOT	Medium-term or with Location #17 improvement
E	OR 99W - Lafayette to McMinnville	• Widen and pave shoulders to six feet	Reconstruction of two bridges**	ODOT	Medium-term
F	Lafayette Hwy. - Lafayette to OR 18	• Widen travel lanes • Widen and pave shoulders to six feet	$1.7M + utility pole relocation	County	Short-term

* Alternatively, the shoulders on Dayton Avenue could be widened, consistent with the Dundee TSP and Chehalem Heritage Trail Strategic Plan.
** South Yamhill River bridges only.

The remaining recommended improvements fall under the ownership and jurisdiction of the Oregon Department of Transportation. By removing Recommendation B, the County reduces its total potential obligation by 15.25 miles. This would amount to a 79.6% reduction and leaves a mere 3.91 miles of proposed improvements under the purview of the County, which are limited to the roadway. If the amendment passes and no justification is provided for how other parts of the plan meet identified needs in the TSP, Yamhill County proposes that widening the shoulders of 0.005% of the 716 miles of road it owns and maintains county-wide meets Objectives 1 and 2 under Goal 4 of Section 7 of the TSP to "Increase the Quality and Availability of Pedestrian and Bicycle Facilities." **This reduction is significant and needs further consideration under OAR 660-012**.

According to *ODOT Transportation System Plan Guidelines Best Practices and Emerging Topics* issued 5/31/17, which identifies and summarizes best practices to develop TSPs, Bicycle Level of Traffic Stress (BLTS) are defined as "a methodology that classifies four levels of traffic stress that a bicyclist can experience on the roadway, ranging from BLTS 1 (little traffic stress) to BLTS 4 (high traffic stress). A road segment that is rated BLTS 1 generally has low traffic volumes and travel speeds and is suitable for all cyclists, including children. A road segment that is rated BLTS 4 generally has high traffic volumes and travel speeds and is perceived as unsafe by most adults. Per the APM, BLTS 2 is considered a reasonable target for bicycle facilities due to its acceptability to the majority of people."

OR 47 has a BLTS rating of 4—the highest traffic stress (ODOT TransGIS). According to the *Population Forecasts for Yamhill County, its Cities and Unincorporated Area: 2011-2035* study commissioned by Yamhill County and provided by the Planning & Development website, "Yamhill County will undergo an increase of almost 43,000 persons from 99,851 in 2011 and population will reach almost 142,830 by 2035." **Failing to provide an adequate transportation system under this Goal that meets current needs and projected growth is unlawful.**

For these reasons, Yamhill County should not pass the legislative amendment to remove the project known as Yamhelas Westsider Trail from the Yamhill County Transportation System Plan.

Sincerely,

Charles Van Genderen,

Dayton, Oregon

BOC Testimony January 22, 2026

Tom Hammer
23701 Wallace Rd. NW
Wheatland, OR 97304

Yamhill County Commissioners
535 NE 5th St.
McMinnville, OR 97128

I am in favor of removing the Yamhelas-Westsider Trail from the Transportation System Plan. The Trail was entered into the TSP when the volunteer leader of the FYWT deliberately deceived the 2012 Commissioners by saying farmers had no objections to it. Former Commissioner, Kathy George, documented that 2012 deceit in a letter recently. That same misrepresentation was made to the Mid-Willamette Valley Area Commission on Transportation, MWACT by a former County Commissioner in order to secure a grant for initial design of the Trail which included two light rail bridges. Anyone with experience in construction can see those bridge designs are of a bearing weight, elevation and course to accommodate a light rail train at speed. The option for light rail was written into the original description of the YWT but no trail advocate mentions that they're promoting a dream of Metro. After an initial LUBA ruling that remanded the County to follow land use law for a non-conforming use in EFU zoning, two commissioners voted that the County follow that LUBA remand. Three unelected staff met with one, now former Commissioner, in an illegal exparte meeting and coerced him into changing his vote to support their desire that the County ignore the LUBA remand. Two of those officials are currently County staff leaders. That illegal meeting was the subject of a News Register story. If the County had followed the LUBA remand, it would have had to facilitate an Agricultural Impact Study. If the study showed no substantial financial harm to farmers along the abandoned ROW, the County could then apply for a Conditional Use Permit. Emails obtained under the Freedom of Information Act found that current top unelected officials in the County and

one former Commissioner conspired with FYWT to circumvent land use law and to conduct PR stunts designed to inflame an uninformed public. Those emails are featured in a booklet named "The Truth About the Trail". Those unrepentant and compromised unelected officials are still in County staff leadership. Many of the uninformed public are still inflamed. Being informed respecting includes knowing land use law, knowing the business needs of a farm and its reliance on private property rights, knowing costs of trail construction and understanding the economic structure of our County.

Advocates of the YWT, which includes private citizens, plus both current and former County staff, could have initiated an Ag Impact Study, but they chose not to. That is because it is certain that a recreational trail through EFU zoning would do substantial financial harm to farms along the ROW by eliminating farm practices on a great number of acres.

Exercise is an essential human activity. It nurtures mind, body and soul. Providing recreation for exercise is not an essential function of government, but government can and should do much to facilitate recreation. Recreation that blatantly breaks the law and brazenly violates private property rights is wrong and unnecessary.

Trails constitute just a fraction of the recreational facilities government provides to the public. There are over 200 trails for recreation in our beautiful state, paid for and maintained. Some are close by. A potential for a new trail from Metzger Park to Baker Creek Falls is worth looking into. It would not cause harm to family farm businesses. It would be much more affordable than the YWT would have been. It would not pretend that walking and riding a bike for recreation is transportation any more than paddle boards and kayaks are transportation. Only those with Trail Derangement Syndrome will cling to a notion that has been fraught with deceit and malfeasance throughout its entire life and ignore the many opportunities to do recreation right.

Truly,

Tom Hammer

1102 SW Russ Lane
McMinnville, Oregon, 97128
January 19, 2026

Yamhill County Department of Planning and Development
400 NE Baker Street
McMinnville, Oregon 97128

Attn: Yamhill County Board of Commissioners
RE: G-01-25

Dear Commissioners:

I am opposed to the passage of G-01-25.

The BCC has the authority to initiate this action (ORS 197: Comprehensive Land Use Planning) and public notice was duly given. However, ORS 197 also establishes the Department of Land Conservation and Development and charges it with review of local governments' acknowledged comprehensive plans to ensure land use goals are in compliance with all plans, programs, rules or regulations affecting land use adopted by a state agency. ORS 197.230 lists the conditions for a finding of need for adoption or amendment of county comprehensive land use goals.

The staff report to the Yamhill County Planning Commission gives the need for adoption of G-01-25 as their failure to "make findings to satisfy the Farm Impacts Test in three separate attempts," citing OAR 215.213 (1) or (11), 215.283(2) or (4), and 215.296. Review of the LUBA decisions, which should be part of the evidentiary record, show factual responses and significant good faith efforts of the county to comply with its Comprehensive Plan goals and to work cooperatively to respond to opponents concerns about farm impacts (*Appendix A: Board Order 20-164- Findings in Support of Approval of Docket No G-01-18 on Second Remand and Conditions of Approval*).

Little factual evidence was offered by the opponents although there were concerns about potential oversight of their spraying practices, predictions of illegal uses of the right of way (ROW), and fears of criminal behavior, vagrancy, illegal camping, and "thousands" of out-of-state people littering and trespassing. Worries about possible fires set by vagrants were highlighted in one case, and in the next case objections were raised when the county began constructing a bridge that would allow access to provide fire service. LUBA remands were often on procedural issues like the quality of audio recordings, although audible video recordings were available. Surely responsibility to challenge such allegations lay with the County and the failure to do so is no excuse for withdrawal of the trail from the YCTSP.

Perhaps the most serious omission in the evidentiary record is actual data.

1) The number and size of parcels that could be affected is not provided.
2) The amount of land currently being planted on the 60' right of way is not documented.
3) The type of crops planted on the abutting parcels is not documented.
4) The type of sprays used on those specific crops and parcels is not documented.
5) The potential harm to humans and animals that can occur by inhaling the sprays that are used is not documented.
6)The number of times spraying occurs each year and the duration of the spraying is not documented
7) The times of the year the spraying occur is not documented.
8) Are farmers spraying on windy days? If so, has any analysis been provided of wind drift distances? There is no documentation.
9) What are wind drift distances when spraying is done under approved conditions? This was not documented.

It is not possible to assess harm or damage to farmers, crops, hikers, bikers or hypothetical vagrants when absolutely no data are provided. If spraying only occurs 4 times a year, why should trail use be prohibited for the other 361? Why should the entire length of the trail be deleted from the YCTSP if any documented problems could be addressed by closing the affected section (2.8 miles) on the days spraying is being done? It is very hard to assess harm to farmers and farm practices, hikers, children in strollers, bicyclists and hypothetical vagrants with absolutely no hard data. Neither the trail opponents or the county met an evidentiary standard of providing the necessary data to determine harm to existing farm practices.

Since the Department of Land Conservation and Development (DCLD) is charged with review of proposed amendments to county comprehensive plan, the complete trial record, public statements, testimony, and letters of both the opponents and supporters must be provided to the DCLD to ensure objective evaluation of relevant state and local statutes, factual evidence, goals and policies using available data. failed to be rigorously data-driven in its response to LUBA's remand regarding farm practices.

However, an additional criterion cited in the public hearing notice for G-01-25 includes OAR 660-012 (Land Conservation and Development Department, Chapter 660, Division 12, Transportation Planning). OAR 660 addresses the responsibilities of local governments, i.e., cities and counties, to prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the DCLD. Throughout Chapter 660, there are multiple references to the importance of incorporating transportation facilities for pedestrians, bicyclists, and disadvantaged persons, e.g., handicapped, into local comprehensive transportation plans. If the Yamhill County Board of County Commissions approves a legislative amendment to the Yamhill County Transportation System Plan (YCTSP), this action must be reviewed by the DLCD to ensure that the county is meeting the acknowledged YCTSP needs, goals and facilities, particularly for bicyclists and pedestrians, as required under OAR 660. Attachment 1 lists relevant portions of Chapter 660 that are considered guiding principles for local transportation plans. Since Chapter 660 is long and complex, I offer these cites as examples of intent and policy while acknowledging all relevant sections of Chapter 660 should be considered.

The YCTSP was adopted under Yamhill County Ordinance 895 on 11/5/2015 and amended in 2018 to include the Yamhelas Westsider Trail. In the YCTSP Executive Summary the following statements are made:

- On page 10, "*Bicycle needs exist where there are higher bicycle and vehicle volumes and the roadway shoulders are either too narrow or not paved. These conditions exist along portions of OR 47 OR 99W, OR 154/Lafayette Hwy, Westside Road, and Old Sheridan Rd. Pedestrian needs exist where the shoulder width standards are not met. Because bicyclists and pedestrians share the roadway with traffic, the needs at these locations will increase as traffic volumes grow in the future.*"(page.8).

-On page 10, in "Goals, Objectives and Evaluation Criteria," desired goals include 2) *Provide for the safety of al (sic) transportation modes, 3), Provide an equitable, balanced and connected multi-modal transportation system, 4) Increase the quality and availability of pedestrian and bicycle facilities, 8) Provide a transportation system that conserves energy and protects and improves the environment, and 9) Coordinate with local and state agencies and transportation plans.*"

-On page 12, the county commits to designation of scenic routes.

-On page 12, under "Public Process," the YCTSP states that "*development of the TSP was a collaborative process among the County, ODOT, RIAC, key stakeholders and the community.*"

On page 13, the YCTSP notes "*There was also general interest in ensuring that bicycle and pedestrian improvements would be included in the TSP. A second open house was held on December 11, 2014 to provide an opportunity to the public to comment to comment on proposed improvement options for 21 priority roadway improvement locations and a list of proposed bicycle/pedestrian improvements.*" At the same open house "*There were also several comments about the general importance of adequate shoulders and the need to safely accommodate bicyclists.*" At the conclusion of this section, the summary notes... "*these improvement will benefit the entire population.*"

On page 24 under "Bicycle and Pedestrian Improvements," the YCTSP notes that "*The recommended bicycle and pedestrian improvements are located throughout the County and consist mainly*

of shoulder widening and/or paving to accommodate bicycle and pedestrian use. In some cases, lane widening is also recommended because having adequate lane width for vehicle traffic also improves safety for bicyclists and pedestrians. In addition to the shoulder and lane widening improvements, the Yamhela's (sic) Westsider Trail is also recommended, which will run parallel to OR 4 between OR99W and Gaston."

Appendix B to the YCTPS provides actual data, although it is not current nor is it particularly helpful in determining if Yamhill County has met the rules and requirements of Chapter 660. Yamhill County claims to satisfy the requirement for pedestrian and bicycle facilities by designating its rural roads as bicycle routes, despite lacking adequate shoulders, appropriate width, or designated bike or pedestrian lanes. Further, many of these same roads are identified as usable by freight trucks and heavy farm machinery. Despite a commitment to widen shoulders on these roads, the county has provided no updated information as to where, or if, this has actually occurred. Therefore, it is difficult to ascertain if there are any routes in the county dedicated for protected pedestrian and bicycle lanes that are safe, particularly for children or handicapped individuals. The only amendment to the YCTSP relating to pedestrian and bicycle facilities was Ordinance 880 which supports development of the Yamhelas Westsider Trail (Ordinance 880).

I request that the hearing regarding amendment of the YCTSP be continued until the county can provide 1) an inventory of "safe and convenient" bicycle and pedestrian networks, expressed in terms of miles and showing points of access; 2) document the location and number of injuries and deaths that have occurred on county roads since 2011; and 3) provide an inventory of county roads that have either defined bicycle lanes, pedestrian paths, or adequate shoulders to meet the "safe and convenient" standard set by OAR 660-012 and the goals and objectives of the YCTSP.

In summary, a thorough and careful evaluation of both land use and transportation issues and laws is necessary to objectively determine whether or not the Yamhill Board of County Commissioners is a) compliant with its own transportation plan and b) acting in the best interests of the general public as required under OAR 660. An additional consideration is the economic impact to the general public; $1.7 million taxpayer dollars were expended to purchase the right of way and additional costs will be incurred if state and federal grant monies need to be refunded from the county budget. Since some of the opponents to the trail have openly expressed their desire to both continue to use the public right of way for their personal use and to potentially own the property in question, it is not surprising that supporters of the trail are seeking a public referendum on the matter.

In my opinion, the Yamhill BCC is on shaky ground, factually, legally and ethically in its hasty decision to remove the Yamhelas Westsider Trail from the YCTSP. Financially, the decision causes a needless economic burden to the citizens while depriving people of all ages and abilities the opportunity enjoy a public right of way in a safe and convenient setting. The matter should be continued until the county can present actual evidence regarding its compliance with the requirements of OAR 660, current data on death and injuries incurred by bicyclists on county roads, and be specific about its plans to "pursue other projects." Framing the decision as primarily a land-use issue is disingenuous, as any thorough reading of the YCTSP, the evidentiary record and state statutes will confirm. I oppose passage of G-01-25.

Sincerely,

Margaret Cross

ATTACHMENT 1

The following statements are exerpted, with reference, from OAR Chapter 660, Division 12, Transportation Planning. They relevant insofar as they address state transportation goals, purposes, and requirements that apply to both cities and counties. Any amendment to the existing YCTSP should be reviewed within the context of all applicable OAR Chapter 660 rules and regulations as well as

Purpose

660-012-0000 (1) (c) - (To) provide a transportation that serves the mobility and access needs of those who cannot drive and other underserved populations.

660-012-000 (1) (d) - (To) provide for affordable, accessible and convenient transit, pedestrian, and bicycle access and circulation, with improved to connectivity to destinations people want to reach such as education facilities, workplaces, services, shopping places of worship, *parks, open spaces,* and community centers. (emphasis added)

660-012-0000 (1) (k) - Identify how transportation facilities are provided on rural lands consistent with statewide planning goals.

660-012-0000 (3) - For all communities, the mix of planned transportation facilities and services should be sufficient to promote economic, sustainable, and environmentally sound mobility and accessibility for all Oregonians.

Elements of Transportation System Plans 660-012-0020

660-012-2020(2)(a)(D)(a) - (The TSP shall include the following elements:) - a bicycle and pedestrian plan for a network of bicycle and pedestrian routes throughout the planning area. The network and list of facility improvements shall be consistent with the requirements of ORS 366.514.

660-012-2020 (3) - (Each element identified in subsections (2)(b)-(d) of this rule shall contain): An inventory and general assessment of existing and transportation facilities and services by function, type, capacity and condition:

Transportation Project Development 660-012-0050

660-012-0050 (5) If a local government decides not to build a project authorized by the TSP, it must evaluate whether the needs that the project would serve could otherwise be satisfied in a manner consistent with the TSP.

Transportation Improvements on Rural Lands 660-012-0065

This section should be considered in its entirety and care taken to ensure that the county, in requesting an amendment, has met statutory requirements.

Key Destinations 660-012-0360

660-012-0360 (1) Cities and counties shall use the best available data to identify key destinations for purposes of coordinated land use and transportation planning.

660-012-0360 (1) (f) Parks, recreation centers, paths, trails and open spaces;

Pedestrian Systems Projects 660-012-0520

This section should be considered in its entirety, with particular focus on the requirements listed in (1), (2), (3) (a), 3(b), 3 (d), 3(e), 3 (f), 3(g), and (4)

Bicycle System Planning 660-012-0600

This section should be considered in its entirety, with particular focus on (1) (a), (3) (a), and (4)

Bicycle System Inventory 660-012-0605

660-012-0605 (1) Bicycle system inventories must include information on bicycle lanes, bicycle routes, accessways, paths, and other types of bicycle facilities, including pedestrian facilities that may be used by bicycles. Inventories must include information in width, type, and condition.

660-012-0605 (3) Bicycle system inventories must include the crash risk factors of inventories bicycle facilities, including but not limited to speed, volume, separate and roadway width. Bicycle system inventories must also include the location of all reported injuries and deaths of people on bicycles. This must include all reported incidents from the most recent five years of available data prior to the year of adoption of the bicycle system inventory.

Bicycle System Requirements 660-012-0610

This section should be considered in its entirety. The underlying requirements are detailed in 660-012-0610 (1): This rule describes the minimum planned bicycle facilities that must be included in plans. Cities or counties may choose to exceed the requirements in this rule. Cities and counties may choose to apply bicycle functional classifications to bicycle facilities.

660-012-0610 (2): Cities and counties shall plan for a connected network of bicycle facilities that provides a safe, low stress, direct, and comfortable experience for people of all ages and abilities. All ages and abilities include: see (a) through (h) for the comprehensive listing.

Bicycle System Projects 660-012-0620

This section should be considered in its entirety

Jerry B. Hart
2490 NW Crimson Court
McMinnville, Oregon 97128
jerryhart54@gmail.com
971-241-3408

Delivered by email only to
planning@yamhillcounty.gov

January 19, 2026

RE: Yamhales Westsider Trail
Docket No. G-01-25
Public Hearing, 10:00 a.m. January 22, 2026

This is submitted in opposition to removing the Yamhales Westsider Trail from Yamhill County's Transportation System Plan.

Deleting the Trail from the TSP is a legislative action which must have an evidentiary basis. Such action must meet the criteria of YCZO Section 1207.01 and be consistent with the goals and policies of the Yamhill County's Comprehensive Plan. For reasons stated below, a Board vote deleting the Trail from the TSP will not meet the criteria of Section 1207.1 and is inconsistent with the County's Comprehensive Plan.

THERE IS NOT AN EVIDENTIARY BASIS TO DELETE THE TRAIL FROM THE TSP

YCZO 1207.01D provides that: *Approval of a legislative ordinance amendment shall include findings showing that the amendment is consistent with the comprehensive plan goals and policies.* Such amendments and findings must have an evidentiary basis; they cannot be based on mere political considerations.

There is not an evidentiary basis to support findings sufficient to delete the Trail from the TSP. The testimony and evidence submitted by proponents of the motion generally consist of variations of a single theme: LUBA ruled against the Trail so the Trail is dead; the County will never solve the Farm Impacts Test.

LUBA did not rule that the Trail cannot be built. The Trail was last before LUBA in the case involving the County's land use action to build the 2.28-mile section between Yamhill and Carlton. In that decision, LUBA did not reverse the case. Instead, it remanded the case back to the County to make necessary findings relating to the Farm Impacts Test of ORS 215.296.

In its December 30, 2020 opinion, LUBA stated that:

"However, we are not convinced that the Trail is prohibited by the farm impacts standards as a matter of law." LUBA No. 2020-066-67, page 62.

The Board of Commissioners' purported reason for wanting to delete the Trail from the TSP is stated in the Staff Report at page 2:

> *Due to the fact that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test in three separate attempts, the majority of the Board of Commissioners initiated the removal of the Yamhales-Westsider Trail from the TSP in order to pursue other projects.*

That passage in the Staff Report tells us the Board's rationale to delete the Trail from the TSP. However, Yamhill County has not attempted to do so since that LUBA remand. Plus, the County has not shown what other projects it intends to pursue nor has it shown how other potential projects prevent moving forward with the Trail

But what happened? Why did Yamhill County not make the effort to meet the Farm Impacts Test? The answer is that local politics happened. A new commissioner was elected to the Board in the 2020 election. That resulted in an anti-Trail majority of the Yamhill County Board voting on February 4, 2021, to withdraw the County's land use application.

The County has not demonstrated that the reasons the Trail was put into the TSP no longer exist. The reasons why the Trail was included in the TSP are cited in Ordinance 880. The provisions of Ordinance 880 which the Board proposes to delete are:

> *IT APPEARING TO THE BOARD that Yamhill County wished to consider amendments to the Yamhill County Transportation System Plan (YCTSP) as an element of the county comprehensive plan, to acknowledge the potential future use of a 15.25-mile section of the Union Pacific Railroad right-of-way between McMinnville and Gaston as a bicycle and hiking trail, and to provide for the potential future use of the same right-of-way for commuter and/or freight rail.*
> (Ordinance 880)
>
> / / /
>
> *4. Yamhill County supports the Hagg Lake to McMinnville, Rail With Trail Project (Yamhales Westsider Trail Project) and considers it important to both the County's trail/bikeway systems* . (Ordinance 880)

5.

The Hagg Lake to McMinnville Rail with Trail project is a multi-faceted solution to multiple issues. It would allow alternative access to destinations, increase tourism, and assist with the movement of goods in the Willamette Valley. Hagg Lake provides various facilities to the public, and cycling communities greatly utilize the roads surrounding the lake. From this destination and traveling south, the only access for cyclists is along a busy state highway (Hwy 47). There is a lack of off-street recreational trails in the area.

The proposed trail would also enhance economic development. Presently, tourism and the mobility of goods from Portland to Yamhill County happen via Highway 47. The long-term goal of this project is to have a rail line along with the trail component. The Rail With Trail project will improve regional accessibility for business owners and allow the connection to other rail lines in the area. Yamhill County is known for its agricultural production and wine industry. This project will also be a critical factor towards the long-term viability for manufacturing and tourism in the valley. (Ordinance 880)

Proponents of deleting the Trail from the TSP have not shown, or for that matter even suggested, that the problems and issues which led to the inclusion of the Trail in the TSP no longer exist. In fact, the evidence in the record shows the contrary—the problems and issues which the Trail addresses still exist. The proponents have not put into the record any alternative plans or proposals to address those problems and issues.

DELETING THE TRAIL FROM THE TSP IS NOT CONSISTENT WITH YAMHILL COUNTY'S COMPREHENSIVE PLAN

Deleting the Trail is not consistent with the County's Comprehensive Plan Goals and Policies relating to three areas addressed in the Goal and Policies: Transportation, Parks and Recreation, and Urban Development.

Transportation Element of Yamhill County's Comprehensive Plan

From Yamhill County's Comprehensive Plan:

11.05.03.01 Transportation.

a) Summary.

(iii) A major concern of the county is to develop a transportation system that will maintain and enhance the quality of life enjoyed by its residents.

(vi) The provision of adequate bicycling and pedestrian paths within the county is a concern of the county residents. Such modes of transportation lend themselves particularly to the rural nature of the county.

b) Goal Statement. To provide and encourage an efficient, safe, convenient, and economic transportation and communication system, including roads, rail, waterways, public transit, and air, to serve the needs of existing and projected urban and rural development within the county, as well as to accommodate the regional movement of people and goods and the transfer of energy, recognizing the economic, social, and energy impacts of the various modes of transportation.

(i). Policies

9. Yamhill County will encourage bicycle and pedestrian traffic as an element of the transportation system by coordinating with the cities within the county to develop an integrated system of safe and convenient bicycle and pedestrian ways to complement other modes of transportation.

Deletion of the Trail from the TSP is not just inconsistent with these policies and goals; deletion is directly contrary to those goals and policies. The Yamhill Westsider Trail will connect the cities of Carlton, Yamhill, and Gaston with a safe and convenient bicycle and pedestrian way. [Gaston is not Yamhill County but is linked by location to Yamhill and Carlton by both Highway 47 and the proposed Trail.]

Those three communities are connected by Highway 47, a major connection highway which carries a high volume of vehicle traffic, including commuters, farm vehicles, commercial vehicles, and tourists. It is the main highway from McMinnville to major urban areas, including Forest Grove and Hillsboro. Highway 47 is busy and dangerous for bicyclists and pedestrians. The Trail will provide a safe route for bikers and walkers.

A bicycle link would be especially important for Carlton and Yamhill. Those rural cities are about 3.5 miles apart on Highway 47. However, by the Trail, they would be only about 2.5 miles apart. The two towns are in the same school district. The district has one elementary school in Carlton. The district's middle school and high school are in Yamhill. The Trail will provide a safe and easy transportation route for students and their families.

There is no evidence that the County has made any effort to coordinate with Yamhill and Carlton about removing the Trail from the TSP—-inconsistent with the stated policy of coordination.

The Trail would do what is asked for by the Comprehensive Plan—connect the Yamhill and Carlton with an integrated, safe, and convenient bicycle path which would complement other modes of transportation.

Parks and Recreation— Section 4 of Yamhill County's Comprehensive Plan

1.05.04.02 Parks and Recreation.

a) Summary. The Oregon State Park Department, Yamhill County, Chehalem Parks and Recreation District, the school districts, and the Yamhill County cities provide a variety of different levels of park and recreation opportunities for county residents and the transient population. Most of the park land outside Yamhill County cities is accessible only by automobile. There is a lack of water-based recreational opportunities in Yamhill County.

b) Goal Statement. To provide adequate recreational opportunities in both the rural and urban environments to meet existing and projected needs.

(i) Policies

7. Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities, and park areas.

9. Yamhill County will encourage cooperation among government agencies to increase recreation opportunities, programs, and facilities for county residents and will explore the possibilities of providing recreation programs for the small towns and rural areas of the county.

Deleting the Trail from the TSP is in direct conflict with the development of an integrated bicycle and pedestrian trail system. Deletion would deprive Yamhill County residents of recreation opportunities.

The record is chock-full of the recreational benefits of the Trail. Citizens have testified at hearings and submitted written statements which show how the Trail will benefit them personally and the community as a whole. Can anyone seriously argue that deleting the Trail from the TSP is consistent with the Park and Recreation elements of the Comprehensive Plan?

Economic and Urban Development

An important objective of the Comprehensive Plan is to help urban communities develop diverse and thriving local economies. This is shown in the following excerpts from the Comprehensive Plan:

11.05.01.01 Urban Area Development.

b) Goal Statement. To encourage the containment of growth within existing urban centers, provide for the orderly, staged, diversified, and compatible development of all of the cities of Yamhill County, and assure an efficient transition from rural to urban land use.

d) Goal Statement. To create convenient and attractive residential neighborhoods which can be efficiently serviced with roads, utilities, schools, parks, and commerce, and can take advantage of desirable physical features; and to give a satisfactory range of choice to the prospective householder through the imaginative use of a variety of design concepts.

Tourism plays a key role in Yamhill County, especially tourism relating to the County's wine industry. Evidence has been submitted by members of the local tourism industry showing how the Trail would be beneficial to tourism. Indeed, benefits to tourism are specifically mentioned in Ordinance 880. Those potential benefits disappear when the Trail is abandoned.

It does not take a great imagination to predict how the Trail will economically benefit cities of Carlton, Yamhill, and Gaston. When the Trail is built, those three communities will be within a bike ride of each other. The Trail would increase the demand for tourist services in those urban areas—lodging, food, and entertainment service which would help the economies of those communities. The Trail will also help both Yamhill and Carlton to attract new residents and businesses thereby assist in the economic and urban development of those cities.

FARM LAND AND THE FARM ECONOMY

Agriculture plays an important role in Yamhill County's economy, and preservation of farm land is a critical part of Oregon's land use system. The Farm Impacts Test of ORS 215.296 plays a key role in the protection of farm land and the farm economy. Without question, the development of the Trail must be done in a way that complies with the protections given farm land and farming practices. The record is replete with written and oral evidence showing that bike and pedestrian trails can coexist with adjacent farms. There

is no good, compelling reason why the Yamhales Westsider Trail cannot coexist with neighboring farms.

SUMMARY

The Yamhales Westsider Trail should not be removed from Yamhill County's Transportation System Plan. There is not an evidentiary basis for removing the Trail from the TSP. Removing the Trail from the TSP is not consistent with Yamhill County's Comprehensive Plan.

Sincerely,

Jerry Hart

Jerry Hart

Sheryl Patterson
Attorney at Law (ret.)
Lafayette OR 97127
spattersn@gmail.com

January 13, 2026 HAND DELIVERED

Board of Commissioners
Yamill County
434 NE Evans Street
McMinnville OR 97128

RE: **January 22, 2026 Public Hearing; TSP Amendment; Yamhelas-Westsider Trail**

Two of the three Board of Commissioners have stated that they intend to vote to remove the 15.25 mile Yamhelas-Westsider Trail (Y-W Trail) from the Yamill County Transportation Systems Plan (TSP) at this upcoming public hearing, regardless of the overwhelming public support to retain and build this trail for the benefit of the citizens of Yamill County. These two Commissioners want to abandon this transportation project and sell the County land at a significant loss to benefit the abutting landowners.

Removing this recreation and transportation amenity from the TSP violates the County's Comprehensive Plan and conflicts with state law. The County is obligated to consult with the affected cities in the county, Washington County and the City of Forest Grove, the regional Metro government agency, the State Department of Parks and Recreation, and the State Department of Transportation (ODOT) over the impacts of removing this planned transportation improvement. The County also has to provide formal notice to ODOT, wait 30 days, and then hold a subsequent noticed public hearing before this prior railroad alignment can be abandoned and the land sold. (see ORS 271.310(3) and ORS 275.330(c)).

Any action to abandon the Y-W Trail and sell the land will surely be overturned by the electorate. With the prospect of two newly elected commissioners, the Y-W Trail project will be revived later this year. The pending TSP amendment proposed by the two Commissioners is not the end of the Y-W Trail saga.

Background
The 14 year history of the planning and acquisition of the Y-W Trail right of way is provided in Appendix 1. In 2017, the County paid $1.4 million to purchase 12.48 miles of the Union Pacific Railroad right of way for the Y-W Trail, and thereafter initiated studies to develop a master plan for the trail and the engineering designs for the necessary bridges.

Transportation Systems Plan
In 2012, the Board of Commissioners adopted Ordinance No. 880 to amend the TSP, an element of the County's Comprehensive Plan, to include the future use of the 15.25 mile section of the Union Pacific (previously Southern Pacific) Railroad right-of-way between Gaston and McMinnville as a bicycle and hiking trail. (Ordinance copy provided in Appendix 2). The proposed action of the two Commissioners at the upcoming hearing is to repeal this 2012 Ordinance.

The current TSP, dated November 12, 2015, adopted by Ordinance No. 895, includes a number of references to the need, benefits, and funding for the Y-W Trail. A copy of the following TSP references are provided in Appendix 3.

Need for this Pedestrian/Bicycle Trail - Under Existing Conditions, the TSP states that: "There were numerous comments from the stakeholders that conditions for bicycle and pedestrian travel are unsafe throughout the County, particularly in the rural areas." (TSP page 38). Figure 7 shows that there are pedestrian and bicycle needs along the Hwy 47 corridor. (TSP Page 39). Highway 47 links the small towns of Gaston, Yamill and Carlton to the county seat in McMinnville. Goal 3, Objective 4: "Support connectivity between the various communities in the County." (TSP page 57). Goal 4, Increase the Quality and Availability of Pedestrian and Bicycle Facilities, Objective 3 states: "Support the development of the Yamhela's Westsider Trail." (TSP Page 57). Eliminating the Y-W Trail from the TSP contradicts these goals and objectives. The Y-W Trail is also identified in the City of Carlton's 2009 Transportation Systems Plan as a priority pedestrian and bicycle improvement project.

Widening Hwy 47 is Not a Viable Alternative - The TSP determined that expanding the shoulder along Hwy 47 (as an alternative to the Y-W Trail) was not a safe option for pedestrians and bicyclists. The TSP states that: "The only exception to the lane/shoulder widening improvements is for OR 47 between OR 99W and the Washington County line. Here, the planned Yamhela's Westsider Trail was proposed, which will run parallel to OR 47, with connections via OR 47 and intersecting county roads." (TSP page 77).

Linking Towns is Needed - Under Bicycle Improvements, the TSP states: "In addition to the shoulder and lane widening improvements, the Yamhela's Westsider Trail is recommended (see Figure 13). The trail will run parallel to OR 47 from OR 99W to Gaston, linking up with the State Highway Bicycle trail to Forest Grove and to Hagg Lake. The cities of Gaston, Yamhill and Carlton are situated along the trail. Access will be available from intersecting county roads and nearby OR 47." (TSP page 89). The County has not identified an alternative location to provide an off-road pedestrian and bicycle link between these rural towns and the community of Cove Orchard. The high school in Yamill serves Carlton and Cove Orchard students and the Y-W Trail is needed to provide a safe route to school.

Grant Funding - The County used $1,884,280 in state grant funds to acquire the right of way and plan for its development, but had to repay most of the grant funds in 2021 when the County abandoned construction of the Stag Hollow Bridge that was needed for the Y-W Trail development. The County repaid the grant with local funds and the County still owns the right of way.

The TSP includes provisions to identify funding sources for trail construction and maintenance. Under Goal 7, Provide Transportation Facilities and Services that are Fiscally Responsible and Economically Feasible, Objective 2 provides: "Identify and develop diverse and stable funding sources to implement recommended projects in a timely fashion and ensure sustained funding for road maintenance and transportation improvement projects." (TSP Page 58). Goal 7, Objective 3, states that the County is to: "Actively seek state and federal transportation funds to finance programs and improvements." (TSP page 58).

Trail Funding Is Available

The argument of the two Commissioners who oppose the Y-W Trail claim that this transportation facility is too costly to construct and maintain. However, there are established state and federal grant fund programs available for acquiring the remaining three miles to complete the trail, as well as for construction and maintenance.

The Oregon State Department of Parks and Recreation annually issues $1.6 million in grants for trail development under its Recreation Trails Program (www.oregon.gov/oprd/GRA/Pages-rtp.aspx). The National Rails to Trails Act managed by FHWA allows for converting old railroad corridors into public recreation trails (www.fhwa.dot.gov/environment/recreational_trails). The federal Rural Surface Transportation Grants program provides $85 million in funding annually and offers grants of up to 80% for the costs of trail development, including acquisition, construction and maintenance. The County should also consider new revenue sources, like the proposed TOT tax to fund maintenance of the Y-W Trail, which would also benefit visitors to Yamill County.

Violation of the County's Comprehensive Plan

The Commissioners' pending action to remove the Y-W Trail from the TSP would violate the Yamill County Comprehensive Plan, which is codified in in Chapter 11.05 of the Yamill County Comprehensive Plan Code. A copy of the following references of the Comprehensive Plan Code provisions set forth in Title 11 Land Use, IV Public Land Facilities, and Services are provided in Appendix 4.

Goal 11.05.04.02 Parks and Recreation, section b) Goal Statement: "To provide adequate recreational opportunities in both rural and urban environments to meet existing and projected needs," includes the following Policies (Comprehensive Code, page 28):

> "7. Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities and park areas." ...
>
> "9. Yamhill County will encourage cooperation among government agencies to increase recreation opportunities, programs and facilities for county residents, *and will explore the possibilities of providing recreation programs for the small towns and rural areas of the county.*" (emphasis added)

The Y-W Trail would meet these Policies as follows:

- The Y-W Trail would promote bicycle and hiking recreational uses, similar to the use of the Banks-Veronia State Trail.
- The Y-W Trail is located next to the Wapato Lake Wildlife Refuge open space and provides a connection to the Henry Hagg Lake recreation area.
- The Y-W Trail would link the rural small town communities of Gaston, Yamill and Carlton, providing a safe transportation route and recreational opportunities for the children and families that live there.

Goal 11.05.04.01 Public Facilities and Services, Section a) Summary, includes the following statements (Comprehensive Code, Page 25):

> "(i) The county sees a need to integrate public facilities and services in an effort to eliminate costs and conserve energy."
>
> "(ii) Coordination with all jurisdictions and affected agencies is essential in the development and maintenance of adequate public facility systems."

The Carlton City Council at its December 2, 2025, meeting expressed strong support for retention of the Y-W Trail in the County's TSP to preserve the corridor for future public use, including the placement of infrastructure within the right of way that could improve water supplies within the County. The Council identified the Y-W Trail benefits for economic growth, tourism, and creating a safe north-south bicycle and pedestrian transportation corridor. The County has failed to coordinate with the cities along Highway 47 that would benefit from the retention of the Y-W Trail right of way for future development as an infrastructure and recreation corridor.

Violation of State Law

Under ORS 197.175, the County is required to have a Comprehensive Plan that is consistent with the goals established by the State Land Conservation and Development Commission (LCDC). State Goal 12 requires the county to create a transportation system plan that takes into account all relevant modes of transportation, including pedestrian and bicycle facilities. State Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. This goal places priority on non-motorized forms of recreation.

There is no alternative proposed to replace the off-street, recreation, and non-motorized Y-W Trail. As a result, the County first needs to consult with the LCDC before amending the TSP, which is part of the County's Comprehensive Plan.

State and Regional Coordination Required

Under ORS 390.974, the County should first consult with the State Parks and Recreation Department before abandoning the Y-W Trail right of way because it is suitable for expanding Oregon's recreation trails system. The Y-W Trail is planned to eventually connect to the State's Banks Vermonia Trail (see graph in Appendix 1). Since the County already owns most of the Y-W Trail alignment and originally used state funds to purchase the land, it should first consult with the State Department of Parks and Recreation and the State Department of Transportation to determine the State's interests in assuming responsibility for development of the Y-W Trail.

The Y-W Trail is also part of the Regional Trails Systems Plan adopted by Oregon Metro, the regional government agency whose boundaries abut Yamil County. The County's action to eliminate the Y-W Trail would impact Metro's ability to provide a regional transportation connection with Washington County. Abandoning the Y-W Trail project and selling the right of way would impact the transportation plans of the state, regional, and county governments, who have not been consulted prior to this TSP amendment hearing.

Trail is not Prohibited by Farm Impact Standards

The pending decision by the two Commissioners to abandon development of the Y-W Trail is based on the opposition of the few farmers who own property along the trail corridor because they oppose public access anywhere near their land. Most of the corridor along Hwy 47 is only 20 feet from the roadway and that portion of the landowners' property is not actively farmed.

Those landowners previously petitioned the State Land Use Board of Appeals (LUBA) over the trail development claiming that recreational and non-motorized use of the corridor would interfere with their farm operations. On December 30, 2020, LUBA rejected this claim in the petition, finding that the Y-W Trail is not in conflict with farm impact standards. The decision states that:

> "The county found that the Trail will not alter the character of the area, reasoning that rural and farm areas are commonly transected by transportation facilities and farming commonly occurs immediately adjacent to public rights-of-way. ... we are not convinced that the Trail is prohibited by the farm impacts standard as a matter of law." (LUBA No. 2020-066, page 62)

Rather, LUBA remanded the matter back to the County to adopt the necessary evidentiary findings to address farm impacts.

Summary

The reckless proposal by the two Commissioners to remove the Y-W Trail from the TSP after the efforts of many over the past 14 years to get this project built is shocking. I urge the Commission to faithfully consider the objections raised at the upcoming hearing and consider what is in the best interest of the citizens and their constituents who live in Yamill County.

Sincerely,



Sheryl Patterson
Lafayette OR

Cc: Yamill County Planning & Development Department

APPENDIX 1

BACKGROUND INFORMATION AND TIMELINE

SOURCES:

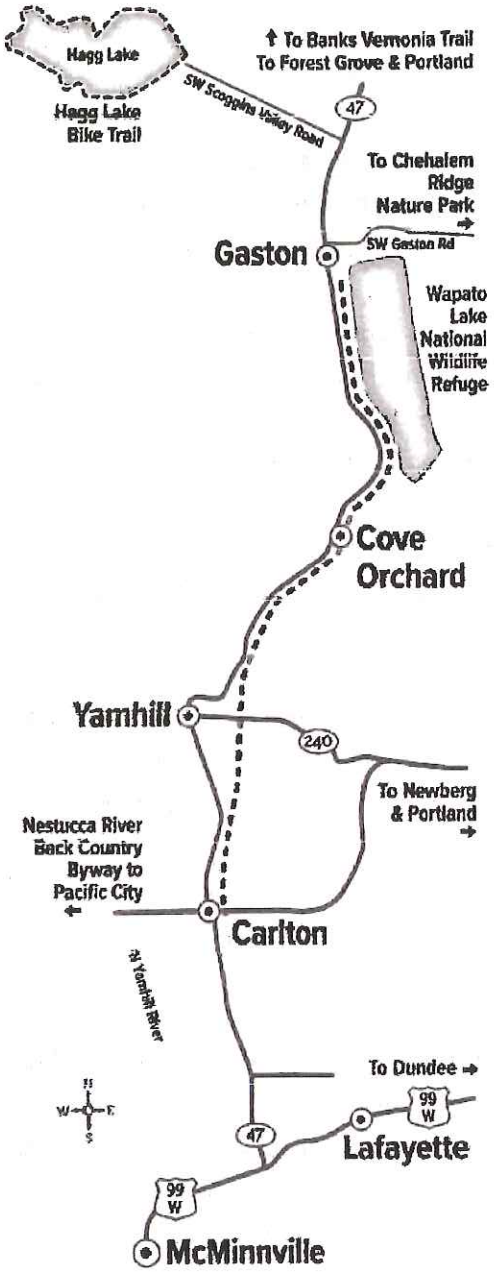
FRIENDS OF YAMELAS WESTSIDER TRAIL
WWW.YAMTRAIL.COM

NEWS REGISTER MCMINNVILLE NEWSPAPER
ARTICLE DATED DECEMBER 5, 2025

The questions always asked?

What is the current status of the Yamhelas Westsider Trail (YWT)? and Is it defunct?

To get to the answers requires looking back a few years and a story.



Yamhill County, following a 1971 State Transportation Plan that included a Bikeway Transportation Plan, adopted a Comprehensive Transportation Plan in 1974 following a major planning effort to chart the future for the community and follow through with a strong commitment to implementation. It is important to consider the forethought our county officials and county citizens gave to addressing the changes beginning to take place in the county and the visionary decisions and planning shown by county officials when they were considering the future of transportation in Yamhill County. They saw it important to project their thinking out 20 to 50 years to what would be best for not just transportation but for the livability of its residents.

The county and the country were experiencing dramatic economic and social changes. They were in a world recession, interest rates were high, house construction deeply impacted and high unemployment with lumber mills facing layoffs and closures. Trucks were taking over freight needs, planes and cars were replacing people's travel needs. Trucks were now becoming an important means of getting grain and lumber to port in Portland. Small towns were being isolated not only by highways bypassing them, but railroads giving up the spur lines that had been part of their economic lifeline.

In 1984 Southern Pacific Railroad (SP) abandoned their line north from Carlton to Scoggins Creek north of Gaston. It was at this time that the county considered acquiring and converting the line between Carlton and Yamhill to trail, the same section selected for the first phase of the YWT. In 1991 SP abandoned close to 3 miles of rail line south toward McMinnville. It was this year that the Intermodal Surface Compliance Transportation Efficiency Act (ISCTEA) gave funding and support to what had become known as Rails to Trails, a 1960's movement to prevent the permanent loss of thousands of miles of rail corridor. It was at this point the first of what would become the early inclusion of support and planning for what would become the YWT project.

In 1991 the County formed the Yamhill County Bikeway Task Force to develop County Bikeway Master Plan, which was to be a section of the Transportation Systems Plan (TSP) of 1996, they looked back to the1974 Plan viewing it as visionary, anticipating the linkage of transportation and land use. They recognized that included in the Plan was a thoughtful discussion of issues which are as meaningful and relevant then as they would be in 1996. The 1974 Plan had encouraged creating a Bikeway Pedestrian Plan that recognized that bicycle and pedestrian ways as an element of the transportation systems are most probably found in urban areas or between closely situated urban areas such as Sheridan and Willamina.

While considerable public interest was being expressed in increasing bicycle use it did not appear then that bicycle or pedestrian traffic was heavy. However, the lack of safe and convenient facilities was a likely deterrent to such traffic in the county and that the county must look ahead to the increasing demand for alternative modes of transportation to the automobile." The advisory group charged with the task was laying the groundwork for what was to become the YWT.

Between the time of the previous 1974 Plan and the 1996 Plan the SP south of Carlton to north of Gaston had been abandoned with track and bridges taken out. **The County adopted in the 1996 County TSP policy objective of pursuing the conversion of abandoned rail lines to trails that connect with the County's trail/bikeway system.** Then in 2012 the County updated its TSP to specifically include the YWT. It was a project consistent with the policy objectives provided in the 2003 Yamhill County Parks and Open space Master Plan, as well as the 2009 Yamhill County Agri- Business Economic and Community Development Plan, which indicated the need for transportation infrastructure and amenities, such as trails, to further support agri-tourism economic development efforts. The project is also identified in the 2009 Carlton TSP as a priority pedestrian and bicycle improvement project.

Timeline Of the Yamhelas Westsider Trail (YWT)

- **1971** State Transportation Plan includes a Bikeway Transportation Plan.
- **1974** Yamhill County included a Bikeway Transportation Plan in their Comprehensive Transportation Plan.
- **1984** Southern Pacific Railroad (SP) abandoned their line north from Carlton to Scoggins Creek north of Gaston.
- **1991** The County formed the Yamhill County Bikeway Task Force to develop a County Bikeway Master Plan.
- **1996** The County adopted the County Transportation Systems Plan (TSP) policy objective of pursuing the conversion of abandoned rail lines to trails that connect with the County's trail/bikeway system.
- **2003** Yamhill County Parks and Open Space Master Plan includes policy objective of pursuing the conversion of abandoned rail lines to trails that connect with the County's trail/bikeway system.
- **2009** Yamhill County Agri- Business Economic and Community Development Plan includes the same policy objective of pursuing the conversion of abandoned rail lines to trails that connect with the County's trail/bikeway system.
- **2009** The project is identified in the Carlton TSP as a priority pedestrian and bicycle improvement project.
- **2017 Yamhill County purchases the 12.48-mile section from 3 miles south of Carlton to South of Gaston.**
- **2018** On May 18 the County amended the TSP to acknowledge the purchase and to implement plans to develop the Carlton to Yamhill section of that purchase.
- **2018** On December 20 opponents of the trail petitioned the Land Use Board of Appeals (LUBA) for judicial review.
- **2020** On December 30 the LUBA decision was sent to Yamhill County. That LUBA decision stated: "We are not convinced that the Trail is prohibited by farm impact standards as a matter of law." noting specifically that the County could gain LUBA approval if they addressed some remaining issues.

NEWS REGISTER

By Scott Unger December 5, 2025

End of the road? A look at a decade-plus of planning and controversy of the Yamhelas Westsider Trail

Yamhill County has been involved with a potential trail stretching from McMinnville to Gaston for 13 years, but the idea dates to the 1990s.

In 2002, Union Pacific Railroad placed a $9 million price tag on the 15 miles of abandoned railway originally constructed in the 1800's. It was part of the Oregon and California Railroad, connecting St. Joseph, between Lafayette and McMinnville, to Portland. Union Pacific closed the line in 1990.
The asking price was considered too expensive, until Carlton winery owner Ken Wright commissioned an appraisal of the line that was used as leverage to reduce the asking price to $2.4 million.
Wright and other supporters applied for a grant to cover 90% of the purchase; the board of commissioners agreed to fund the remainder and amended the Transportation System Plan (TSP) to include the Hagg Lake to McMinnville Rail With Trail, or Yamhelas Westsider Trail, as a future project.

The amendment passed by Commissioners Leslie Lewis, Kathy George and Mary Stern in 2012 read: "The Rail with Trail project is a multi-faceted solution to multiple issues. It would allow alternative access to destinations, increase tourism and assist with the movement of goods in the Willamette Valley. Hagg Lake provides various facilities to the public and cycling communities greatly utilize the roads surrounding the lake. From this destination and traveling south, the only access for cyclists is along a busy state highway (Highway 47). There is a lack of off-street recreational trails in this area."
At that time, the goal was to eventually restore the rail line as well to provide commuter service, despite a 2008 study that concluded costs to upgrade the rail system to modern safety standards would be "prohibitive." The rail component of the plan was later dropped.

The following year, political action committee Friends of Yamhelas Westsider Trail was awarded $1.4 million in state grant funds to purchase approximately 10 miles of the trail. The county struck out on two subsequent grant requests totaling $5.5 million in 2014 but agreed to spend $16,000 to appraise the remaining seven miles.

The project moved along without much contention as the board sought additional funding for master planning and other projects; then Commissoner Mary Starrett joined the dais in the summer of 2014 in open opposition of the trail. Starrett was the lone dissenting vote on an application for $20,000 in master planning assistance from the National Park Service and would continue the trend of being outvoted on trail issues the rest of the year. She cited costs to the county and infringement on the rights of property owners.

Funding began stacking up in 2015. The parks service funds were allocated, along with a $362,000 grant from the state Department of Transportation for preliminary engineering and purchase of the land to supplement the $1.4 million previously awarded.

Opposition of the trail began to take form in March 2016, when a group of five farmers addressed the board. Scott Bernards, Lester Sitton, Jim Van Dyke and Steve Dumdi, who all owned property near of on the rail line, said they were concerned about the impact the trail might have on their ability to farm

adjacent land. They cited concerns that it would affect their ability to spray pesticides, create trespassing issues and lead to litter.

In 2017, Rick Olson joined the Board of Commissioner and issued support for the trail with the caveat that the county be more transparent with the public over the plan. The year also saw a concept plan developed by the parks service and the official purchase of 12 miles of right-of-way for $1.4 million. Starrett was outvoted on the purchase 2-1.

In 2018, Assistant County Counsel Todd Sadlo prepared a farm impact study that concluded a preliminary 2.8-mile section of the trail connecting Yamhill and Carlton would not create a significant change in farm practices or a crucial cost increase in farm practices. The report was originally rejected by commissioners; however, Olson changed his mind, and the study was approved on a second vote.

That year began a series of appeals by farmers to the Land Use Board of Appeals on county decisions. Opposition increased after LUBA remanded the impact study to the county in 2019. In March of that year, the board approved a contract to design three bridges on the initial portion of the trail. In public testimony, many from Yamhill and Carlton spoke about the benefits the trail would bring to their communities, while the opposition argued the decision was premature because there was no master plan. "You're going to commit yourselves to build a cart when you don't know what kind of cart you need, and you don't have a horse to pull the cart," Van Dyke said. Contrary to that line of thinking, Commissioner Rick Olson argued, "I don't believe it's a waste of money, because I believe that, at some point, this trail's going to be built."

The decision to award the contract was also appealed to LUBA. The county signed a contract for construction of one of the bridges over Stag Hollow Creek in early 2020; however, that work was paused in April by LUBA to allow farmers an opportunity to pursue yet another appeal.
Appeals and remands continued throughout the year, but the project moved forward. In August, the board voted 2-1 (with Starrett opposed) to accept a $122,280 ODOT grant to develop a master plan for the trail.

In early 2021, the momentum stalled with a second LUBA remand of the farm study and the election of Lindsay Berschauer to the board, whose campaign was heavily funded by trail opponents.
In February '21, the county halted any work on the trail when Berschauer and Starrett outvoted Commissioner Casey Kulla. Following the decision, Kulla pondered the opposition on a social media post. "It truly amazes me," he said, "that there is so much passion about whether or not to allow people to walk and cycle on an abandoned railroad grade that travels along farmland."

With the trail project officially ended, ODOT and the Parks Departments demanded the county repay the grants it received for the project; a total of $743,782. The county also agreed to decommission the mostly-built Stag Hollow Bridge and pay $35,000 to contractor Farline Bridge, which agreed to purchase back $71,000 in materials for the bridge. In May, the county transferred $1.1 million from three other county funds to repay the grants. Later in the year, a complaint was made to the Oregon Bar Association over Sadlo's handling of the farm study (which was later dismissed) and an effort to recall Berschauer was launched in part about her opposition to the trail and acceptance of special interest campaign money." Berschauer's political campaign collected campaign contributions from trail opponents who personally benefited from her actions," a recall press release stated.
The recall effort failed, 52.4% to 45.7%.

During his 2022 campaign, Commissioner Kit Johnston spoke in opposition of the defunct trail and open communication over decisions, saying the county shouldn't "waste our hard-earned money on stuff that probably won't end up coming to fruition." With Johnston, Berschauer and Starrett on the dais, there was no progress on trial issues the remainder of the year, but it impacted other potential projects in 2023.

In March, the planning commission denied a request from Chehalem Parks and Recreation District to build a footbridge across Chehalem Creek in Ewing Young Park, citing a LUBA decision over roads in agriculture-forestry zone. Trail opponents joined in opposition, saying the proposed bridge could lead to a trail resurgence.

Chehalem Parks recently restarted an effort for the bridge, with hopes the temperature has cooled. Meanwhile, the trail issue resurfaced in October when a late agenda addition from Johnston called for the project's removal from the TSP list. The board voted 2-1 (with Commissioner Bubba King opposed) to repeal the 2012 ordinance that started the whole saga. Following a recommendation from the planning commission, the matter will go before the Board of Commissioners at an unknown future date.

APPENDIX 2

YAMILL COUNTY ORDINANCE NO. 880

AMENDING THE YAMILL COUNTY TRANSPORATION SYSTEMS PLAN TO ACCOMMODATE THE YAMHELAS "RAILS TO TRAILS" PROJECT

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Amending the Yamhill County Transportation System Plan to Accommodate the Yamhelas "Rails to Trails" Project, Docket G-02-12	)))	Ordinance 880

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of County business on December 6, 2012, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

IT APPEARING TO THE BOARD that Yamhill County wished to consider amendments to the Yamhill County Transportation System Plan (YCTSP), an element of the county comprehensive plan, to acknowledge the potential future use of a 15.25-mile section of Union Pacific Railroad right-of-way between McMinnville and Gaston as a bicycle and hiking trail, and to provide for potential future use of the same right-of-way for commuter and/or freight rail, and

IT APPEARING TO THE BOARD that the Planning Commission and the Board heard this matter at a duly noticed joint public hearing on November 29, 2012, and the Planning Commission voted 8-1 to recommend approval, and immediately after receiving this recommendation the Board voted 3-0 to approve the application. NOW, THEREFORE,

IT IS HEREBY ORDAINED BY THE BOARD, that the application is approved and the Yamhill County Transportation System Plan is hereby amended as follows: the underlined sentences on pages 91, 97 and 139 (attached and incorporated into this ordinance by this reference) are hereby added.

DONE this 6th day of December, 2012, at McMinnville, Oregon.

ATTEST

REBEKAH STERN DOLL
County Clerk

By: Deputy Anne Britt

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chair LESLIE LEWIS

Commissioner KATHY GEORGE

Commissioner MARY P. STERN

APPROVED AS TO FORM:

RICK SANAI, Yamhill County Counsel

BO.12-677

5.5 AIR/RAIL/WATER/PIPELINE PLAN

AIR TRANSPORTATION PLAN

For the Air Service, the McMinnville Municipal Airport Master Plan provides forecasts of aviation activity, capacity and plans for the future together with a development program. The County zoning ordinance provides for an Airport Overlay (AO) zone. AO zone was established to prevent air space obstructions near public use airports and to ensure compatibility between the Airport use and surrounding land uses.

In addition to the McMinnville Airport, an airport site selection study was conducted for the City of Newberg and finalized in 1990. The study recommended that the City of Newberg not to purchase Sportsman Airpark or pursue development of a new airport facility at the time of the report.

Policies

1. Yamhill County is committed through its zoning ordinance and transportation plan to protect the McMinnville Municipal Airport as a vital county-wide transportation facility and efforts will be made to regulate land use in the environs of the airport to prevent the erection of further airport hazards and obstructions, at the same time preventing any residential encoarchment upon critical noise contours without informed consent.

2. The status and proposed location or expansion of all airport facilities shall be specifically designated in a plan map, as amended, and, if under county jurisdiction, will be accorded a planned -unit designation in the zoning ordinance, in order to assure a compatible association of airport growth with surrounding urban development.

FREIGHT RAIL TRANSPORTATION PLAN

It is recommended that effort to be made to maintain the existing rail service and expand it in the County. Currently, plans to ship freight north through Newberg to the Southern Pacific's Brooklyn rail yard are being considered. Willamette and Pacific (W&P) plans to ship commodities daily from/to Newberg and McMinnville through Eugene instead of Portland.

In addition, ODOT's 1994 Oregon Freight Rail Plan states that shipments on the Willamina Branch are weight limited to 240,000 per four-axle rail car, and track conditions limit train operating speed. A benefit/cost (B/C) evaluation of this line for eligibility for federal rehabilitation and improvement assistance shows the Willamina Branch to have the third highest B/C ratio of the eight rehabilitation projects considered eligible in Oregon.

B.O.12-677

Policies

1. Yamhill County does not support further rail abandonment or diminishment of service.

2. Yamhill County supports improvement of rail line conditions to retain railroads as effective freight carriers in Yamhill County.

3. Yamhill County will pursue, whenever possible, conversion of abandoned rail lines through the federal "Rails to Trails" program and seek to integrate these abandoned lines into the County's trail/bikeway system.

4. Yamhill County supports the Hagg Lake to McMinnville Rail With Trail Project (Yamhelas Westsider Trail Project) and considers it important to both the County's rail and trail/bikeway systems.

WATER TRANSPORTATION PLAN

The Yamhill County Transportation System Plan recognizes water-borne transportation as an important mode for the movement of goods and recreation, and recommends that future use of the Willamette River be preserved as a transportation system resource, especially for the shipment of large and heavy, bulk commodities.

Policies

1. Yamhill County supports the dredging of the Yamhill River throughout its entire length as it borders Yamhill County not only for the movement of goods but also for recreational activities.

PIPELINE TRANSPORTATION PLAN

Current pipeline transportation in and through Yamhill County includes transmission lines for electricity, cable television, telephone service, water, sewer, and natural gas. The Yamhill County Transportation System Plan encourages continued use of these pipelines to move goods throughout the County.

5.6 YAMHILL COUNTY TRANSPORTATION PROJECT LIST

A list of expected transportation projects over the next twenty years is provided below. The list has been compiled based on:

1) Analyzing accident data provided by the State on the County roadway network
2) Results of the County and State bridge inspection program
3) Expert knowledge of the County Public Works Department
4) Applying capacity analysis on the County roadway network
5) Efforts to enhance other modes of transportation.

Roadway improvement projects listed below include:

- ☐ Bikeways (Figure 26)
- ☐ Intersections
- ☐ Bridges
- ☐ Pavement improvement projects including:

    - Pavement maintenance and rehabilitation projects
    - Pavement of collector gravel roads
    - Pavement of local gravel roads

The list also includes public transportation improvement projects and short term projects listed in the 1994 Transportation Improvement Plan published by the Oregon Department of Transportation.

Other projects that are of major concern to the County are listed finally including the Dundee-Newberg bypass, McDougall Corner, Wheatland Ferry, and east-west minor arterial in north Newberg.

At least once a year, Yamhill County will review identified transportation projects and, if necessary, add, delete, and/or reprioritize them to accommodate new conditions.

A. YAMHILL COUNTY BIKEWAY SYSTEM SUGGESTED IMPROVEMENTS

PRIORITY LIST "A"

WESTSIDE ROAD PHASE I

Vicinity	McMinnville Area
Section	Baker Creek Road to Donnelly Lane
Length	1.4 miles
Alignment	
Horizontal	Generally straight with an assortment of flat and moderately sharp curves
Vertical	Mostly flat with an occasional valley
Traffic Volume	3,400 vehicles per day
Traffic Speeds	35 mph to 55 mph
Surface	Paved - Excellent Condition
Width	22 feet wide (11 feet per each travel lane)
Shoulders	Rock and earth shoulders
Recommended Action	Construct a 6 foot wide paved shoulder contiguous to each travel lane
Estimated Cost	$236,966 (1995 Dollars)

NORTH VALLEY ROAD/BELL ROAD PHASE I

Vicinity	Newberg Area
Section	Aspen Way to Tangen Road
Length	2.05 miles
Alignment	
Horizontal	Mostly straight with an occasional sharp or moderately sharp curve
Vertical	Generally flat with a limited number of severe grade changes
Traffic Volume	1,600 vehicles per day
Traffic Speeds	45 mph to 60 mph
Surface	Paved - Fair Condition on Bell Road and Good Condition on North Valley Road
Width	20 feet wide (10 feet per each travel lane)
Shoulders	No shoulders along some sections, rock and earth shoulders along the remaining sections
Recommended Action	Construct a 6 foot wide paved shoulder contiguous to each travel lane.
Estimated Cost	$418,176 (1995 Dollars)

HAGG LAKE TO McMINNVILLE RAIL AND TRAIL PROJECT

Vicinity	North Central Yamhill County
Section	Union Pacific Railroad From McMinnville to Hagg Lake
Length	15.25 miles in Yamhill County
Alignment	
Horizontal	Predominantly flat.
Surface	Gravel and rail
Recommended Action	Construct a multi-use path along the existing railroad right-of-way
Estimated Cost	TBD (ROW acquisition is $2.4 million)

4. NORTH NEWBERG EAST-WEST MINOR ARTERIAL

As part of the Newberg Transportation plan, an open public workshop was held to provide a forum for public participation, represented by Newberg's Citizen's Advisory Committee (CAC), in the assessment of the city-wide future transportation/land use system alternatives. It was agreed in the workshop that a major east/west minor arterial street in north Newberg was needed to provide local traffic access and circulation within a balanced transportation system. It was also agreed that the preferred alternative for Newberg's Transportation System Plan was the "Mountainview/Crestview Extension". However, a petition to stop the Crestview Drive Extension was presented by the Oxberg Neighborhood Residents in the Workshop. After reviewing the petition CAC decided to request from the City Staff and their consultant team to conduct additional study of more specific alternatives of an east/west minor arterial in the north Newberg area for improved local traffic circulation and access.

The study examined three alternatives:

1) Springbrook-only
2) Crestview/Mountainview Extension
3) Mountainview Extension.

These alternatives were compared based on:

- Travel time between Highway 99W (at proposed Bypass interchange) and Mountainview Drive at Springbrook Street
- Average travel speed between Highway 99W (at proposed Bypass interchange) and Mountainview Drive at Springbrook Street
- Vehicle miles of travel (VMT)
- Vehicle hours of travel (VHT)
- Vehicle delay
- Anticipated costs of roadway construction, and right-of-way acquisition.

Of the three alternatives, the Crestview/Mountainview Extension alternative was found to provide the greatest relief of traffic congestion on Springbrook Street and other collector streets in the immediate area. In terms of VHT, it had the lowest overall travel time. Total vehicle delay on Springbrook was found to be lowest under the Crestview/Mountainview alternative. This alternative was found to cost about $3.07 million.

Discussions with the City of Newberg have indicated that Benjamin Road was also considered by the City as an alternate east/west connector. However, it was found that there will be too much misdirection of traffic to provide the relief needed from traffic going to the middle of the City and turning north.

It is recommended that the Oregon Department of Transportation, in cooperation with the City of Newberg and Yamhill County, and possibly as part of OR 99W corridor study, determine the optimum location of the east-west minor arterial connection with Highway 99W in consideration to the location of by-pass interchange. As part of this study, the City of Newberg and Yamhill County shall work together on setting the criteria for selecting the optimum alternative.

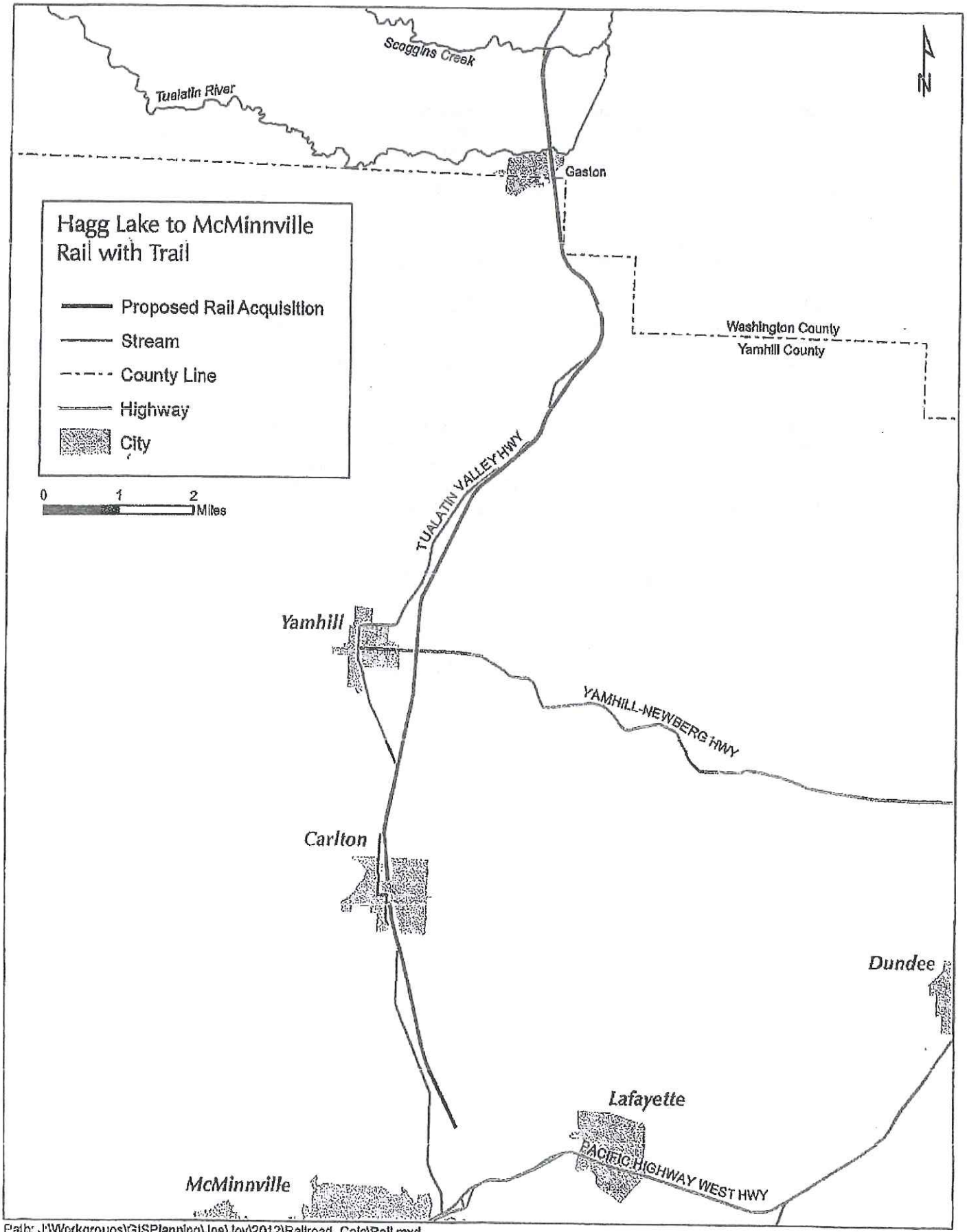
In addition, urban growth management agreements between the County and the cities in Yamhill County shall be strengthened to define the timelines, procedures, and responsibilities of involved parties in regard to management, planning, and annexation of roadways by the cities. Several roadways currently under County jurisdiction are located within the Urban Reserve Area (URA) for the city of Newberg as shown in Figure 31.

5. HAGG LAKE TO McMINNVILLE RAIL WITH TRAIL PROJECT (YAMHELAS WESTSIDER TRAIL PROJECT)

In 2002, Union Pacific Railroad proposed to sell 17-miles of abandoned railway for $9 million. In 2012 the asking price was reduced to $2.4 million. The abandoned railway runs from McMinnville to Hagg Lake. The corridor connects the cities of McMinnville, Carlton, Yamhill and Gaston. The Majority of the railway is in Yamhill County, with 1.75 miles entering into Washington County. (See Figure 31.1)

The Hagg Lake to McMinnville Rail with Trail project is a multi-faceted solution to multiple issues. It would allow alternative access to destinations, increase tourism, and assist with the movement of goods in the Willamette Valley. Hagg Lake provides various facilities to the public and cycling communities greatly utilize the roads surrounding the lake. From this destination and traveling south, the only access for cyclists is along a busy state highway (Hwy 47). There is a lack of off-street recreational trails in this area.

The proposed trail would also enhance economic development. Presently tourism and the mobility of goods from Portland to Yamhill County happen via Highway 47. The long term goal of this project is to have a rail line along with the trail component. The Rail with Trail project will improve regional accessibility for business owners and allow the connection to other rail lines in the future. Yamhill County is known for its agricultural production and wine industry. This project will also be a critical factor towards the long term viability for manufacturing and tourism in the valley.



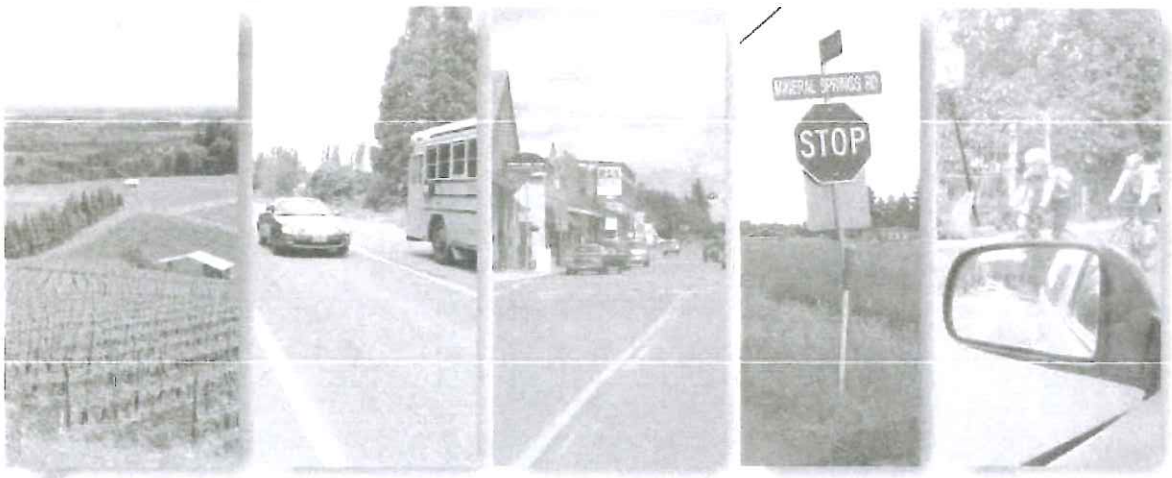
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B.O. 12-677

APPENDIX 3

YAMILL COUNTY TRANSPORTATION SYSTEMS PLAN

Yamhill County
Transportation System Plan



Prepared for

Prepared by DKS

Adopted by Ordinance 895
November 5, 2015

For pedestrians, shoulders are typically the most appropriate facility type in rural areas, because pedestrian volumes are too low to warrant sidewalks or paths. The *ODOT Bicycle and Pedestrian Guide*[15] states that the shoulder widths recommended in the *HDM*[16] are generally adequate to accommodate pedestrians. The County considers shoulders meeting their Maintenance Project shoulder width standards to be adequate for pedestrians. There were numerous comments from the stakeholders that conditions for bicycle and pedestrian travel are unsafe throughout the County, particularly in the rural areas. Figure 7 shows the existing bicycle and pedestrian needs within the study area.

Existing Corridor Health

A measure of the combined need of each roadway segment was developed by applying a Corridor Health Tool. The corridor health concept is based on the idea of measuring the "health" of each corridor segment within several different categories of performance, and then combining the measurements to obtain a picture of overall corridor health.

The Tool was applied for the same areas of need described in the previous sections. A combined health score was generated for each segment, which was used to assign a good, fair, or poor rating according to the following categories:

- Good – 75 – 100
- Fair – 50 – 74
- Poor - < 50

As shown in Figure 8, most corridor segments fall in the good or fair categories, with a handful of exceptions. The overall percentages of total state highway and county road mileage by category are shown in Table 1.

[15] Ibid.
[16] Ibid.

- Objective 2: Distribute the benefits and impacts of transportation decisions fairly and address the transportation needs and safety of all users, including the young, elderly, people with disabilities, and people of all races, ethnicities, and income levels.
- Objective 3: Provide connections to all modes that meet applicable County and Americans with Disabilities Act (ADA) standards.
- Objective 4: Support connectivity between the various communities in the County.

Goal 4: Increase the Quality and Availability of Pedestrian and Bicycle Facilities

- Objective 1: Improve bicycle and pedestrian facilities.

  Evaluation Criterion:

  - Type/level of bicycle/pedestrian facility improvement[25]

- Objective 2: Consider bicycle/pedestrian improvements that complement the basic provision of facilities to encourage higher levels of usage (e.g., wayfinding signage).
- Objective 3: Support the development of the Yamhela's Westsider Trail.

Goal 5: Work with Transit Service Providers to Provide Transit Service and Amenities that Encourage and Increase Ridership

- Objective 1: Identify areas that support additional transit services, and coordinate with transit providers and transit plans to improve the coverage, reliability and frequency of services.
- Objective 2: Promote transit accessibility for transportation-disadvantaged groups.
- Objective 3: Enhance intercity transit connectivity.

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[25] Type of improvement refers to the suitability of an improvement for addressing a specific type of need. Level of improvement represents the extent or degree of an improvement relative to the standard.

- Objective 4: Implement bus stops, park-and-ride lots, and transit centers identified in the *Yamhill County Coordinated Human Services Public Transportation Plan: The Next Steps.*[26]
- Objective 5: Identify needs for services to regional employment and activity centers.
- Objective 6: Consider transit user needs that complement the basic provision of service to encourage higher levels of usage (e.g., shelters and benches).

Goal 6: Manage the Transportation System to Support a Prosperous and Competitive Economy

- Objective 1: Enhance access to major employment and industrial locations.
- Objective 2: Enhance the efficiency, access, capacity and reliability of the freight system.

Goal 7: Provide Transportation Facilities and Services that are Fiscally Responsible and Economically Feasible

- Objective 1: Plan for an economically viable and cost-effective transportation system that makes the best use of limited transportation funds.

  Evaluation Criteria:

  - Minimization of construction cost

- Objective 2: Identify and develop diverse and stable funding sources to implement recommended projects in a timely fashion and ensure sustained funding for road maintenance and transportation improvement projects.
- Objective 3: Actively seek state and federal transportation funds to finance programs and improvements.

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[26] Mid-Willamette Valley Council of Governments, Coordinated Human Services Public Transportation Plan, 2007.

The improvement options were screened using the evaluation criteria described in Section 7 and the findings were reviewed with the County, ODOT, and the RIAC. There was general agreement about the improvement concepts and the results of the evaluation. Minor revisions were made to the options based on County and ODOT input. The evaluation scores are shown in the summary sheets at the end of the Improvement Alternatives memo in Appendix H.

Proposed Bicycle and Pedestrian Improvements

The proposed bicycle and pedestrian improvements presented at the second open house address the locations where improvements are needed to safely accommodate higher bicycle or pedestrian volumes. The improvements generally consist of widening travel lanes and/or shoulders to provide greater separation between bicyclists/pedestrians and vehicular traffic. These improvements were proposed at the following locations (see Figure 13):

a. Old Sheridan Rd. between McMinnville city limits and OR 18
b. OR 47 between OR 99W and Washington County line
c. OR 18B between Sheridan and Willamina
d. OR 99W between Newberg and Dundee
e. OR 99W between Lafayette and McMinnville
f. Lafayette Hwy. between Lafayette and OR 18
g. Westside Rd. between McMinnville and Meadowlake Rd.
h. Westside Rd. between Meadowlake Rd. and Moore's Valley Rd.

The only exception to the lane/shoulder widening improvements is for OR 47 between OR 99W and the Washington County line. Here, the planned Yamhela's Westsider Trail was proposed, which will run parallel to OR 47, with connections via OR 47 and intersecting county roads.

Bicycle/Pedestrian Improvements

Nearly all of the proposed bicycle/pedestrian improvements presented at the second open house are recommended for implementation. The improvements are located throughout the County, as shown in Table 4 and Figure 13. They consist mainly of shoulder widening and/or paving to a minimum of six feet, or to the County's or ODOT's standard if it is higher. In some cases, lane widening is also recommended because having adequate lane width for vehicular traffic also improves safety for bicyclists and pedestrians.

In addition to the shoulder and lane widening improvements, the Yamhela's Westsider Trail is recommended (see Figure 13). The trail will run parallel to OR 47 from OR 99W to Gaston, linking up with the State Highway Bicycle trail to Forest Grove and to Hagg Lake. The cities of Gaston, Yamhill and Carlton are situated along the trail. Access will be available from intersecting county roads and nearby OR 47.

All of the recommended improvements are based on existing needs, so they can be implemented as soon as funding becomes available.

Transit Improvements

The recommended improvements for transit service in Yamhill County were determined based on the needs identified in the *Yamhill County Coordinated Human Services Public Transportation Plan: The Next Steps*[36] and by YCTA staff, stakeholders, and the public. The recommended improvements are:

- Additional service during the evenings and on weekends
- More frequent bus stops
- Expanded service to large employers (e.g. Spirit Mountain Casino and the Riverside Drive industrial area)
- Improved service to outlying areas

[36] Mid-Willamette Valley Council of Governments, Coordinated Human Services Public Transportation Plan, 2007.

APPENDIX 4

YAMILL COUNTY COMPREHSIVE PLAN CODE

YAMHILL COUNTY CODE

TITLE 11: LAND USE

Chapter 11.05: Yamhill County Comprehensive Plan Code

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IV. PUBLIC LAND, FACILITIES, AND SERVICES
- 11.05.04.01 Public Facilities and Services
- 11.05.04.02 Parks and Recreation
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(i) *Policies.*

1. Yamhill County will review all right-of-way acquisitions for utility lines and facilities and, where appropriate, require:
    a. That the route or corridor chosen locate on or parallel to existing public or private right-of-ways and avoid the creation of unusable parcels;
    b. That the route or corridor chosen have a minimum visual impact along highways and in residential areas, blend well with the natural landscape, and create minimum conflict with present and planned uses of the land;
    c. That clearing for, and construction of, transmission lines, pipelines and other utility facilities be performed in a manner which will maximize preservation of natural beaty and conservation of natural resources, and which will minimize scarring of the landscape or siltation of streams;
    d. That following construction of utility facilities, construction areas will be cleaned up and efforts will be made to restore the landscape and the land capability to its original condition prior to constructions; and
    e. That a maintenance program for utility facilities include maintenance of the environmental preservation and restoration achieved during all phases of construction.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 4 – PUBLIC LAND, FACILITIES, AND SERVICES

11.05.04.01 Public Facilities and Services.

a) Summary.

(i) The county sees a need to integrate public facilities and services in an effort to eliminate costs and conserve energy.

(ii) Coordination with all jurisdictions and affected agencies is essential in the development and maintenance of adequate public facility systems.

(iii) The expansion of public facilities is a major factor in directing urbanization. The consolidation of water and sanitary sewer facilities can reduce the construction, operation and maintenance costs of such facilities.

(iv) The joint acquisition and use of school and park sites can represent a substantial economic benefit to the cities and the county.

(v) There are a number of sites of historic and archaeological significance worthy of preservation within the county.

(vi) It is necessary to identify, reserve and protect future domestic water supply sources in order to meet the increasing urban and rural needs.

(vii) It is a concern of the county to regulate public and quasi-public institutional uses within rural areas of the county.

(viii) Recycling of solid waste materials conserves natural resources and energy.

b) Goal Statement. To develop a timely, orderly and efficient arrangement of public services and facilities to serve as a framework for urban and rural development, including public lands and buildings, parks and recreation areas and facilities, schools, police and fire protection, domestic water supply, sanitary and storm sewerage and other drainage facilities, and power, gas and telephone services. (166)

(i) *Policies.*

1. Yamhill County will coordinate with the cities within its jurisdiction to provide an orderly phasing of water, sanitary sewerage, storm drainage and other public services and facilities within the urban growth boundaries.
2. Public facilities and services for rural areas will be provided and maintained at levels appropriate for rural use only.

water distribution lines will not create development levels incompatible with the basis county goal of preserving agricultural and forestry lands.

15. Groundwater supplies will be protected from critical draw-downs or disrupted flows occasioned by surrounding land use development or activities, such as mining and logging where municipal watersheds exist; surface water supplies will be protected from unusual increases in turbidity and sedimentation caused by farming, logging, mining excavation or grading; and both ground water and surface water supplies will be protected from contamination by subsurface sewage disposal systems, sewage lagoons, sanitary landfill sites and other sources of pollution. (184) R
16. Yamhill County will assist in the organization of special purpose districts such as sanitary districts, sanitary authorities, and county service districts which would be able to utilize federal and state funds to build collection and treatment facilities and provide the necessary services to their respective communities or clientele. (184)
17. The development of sanitary sewerage systems will be supported where such systems conform to all applicable federal and state standards pertinent to the collection, treatment, and final disposal of effluent; support will be given for the continued separation of sanitary and stormwater collection systems and the development of correction programs to reduce ground and surface water infiltration; support will be given for the separation and disposal of industrial wastes which differ significantly from normal domestic sewage in strength or composition, or which contains significant qualities of grease, chemicals or suspended metals; and the planning management criteria enunciated for domestic water systems should be applied with equal consideration to sanitary sewerage systems. (184)
18. The development of small biological and physical-chemical plants in areas of existing or planned urban densities in rural environments will be supported, provided they are operated by a public agency or licensed private corporation or homes association and meet established federal and state operational and water-quality standards. (185)
19. Yamhill County will encourage, where feasible, the land disposal of treated waste effluents and will consider in land use actions around the cities of the county, the future need for such applications of treated wastes. (185) R
20. Yamhill County will support any consolidation of water and sewer facilities to secure the potential economies of scale and organization, providing their potential environmental impacts are consistent with existing land-use plans, related urban growth goals and policies, established water quality standards, and where separate local facilities are shown to be more expensive.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.04.02 Parks and Recreation.

a) Summary. The Oregon State Park Department, Yamhill County, Chehalem Parks and Recreation District, the school districts and the Yamhill County cities provide a variety and different levels of park and recreation opportunities for county residents and the transient population. Most of the park land outside Yamhill County cities are accessible only by automobile. There is a lack of water-based recreational opportunities in Yamhill County.

b) Goal Statement. To provide adequate recreational opportunities in both the rural and urban environments to meet existing and projected needs.

(i) *Policies.*

1. Yamhill County will cooperate with all governments and recreation agencies within the region to identify recreation, open space, and scenic resources; determine resident and nonresident needs and formulate and implement measures for providing recreation services.
2. Yamhill County will seek the cooperation of the cities, school districts and Chehalem Park and Recreation district in the joint acquisition, development, operation and maintenance of combined school and neighborhood park and playground sites in harmony with projected neighborhood needs and surrounding uses. (175)

3. Yamhill County will seek to offer greater opportunities for water-based recreation on the Willamette and South Yamhill Rivers and their tributaries. (175) R
4. Yamhill County will encourage the location of urban parks in scenic areas which are easily accessible to much of the urban population and which can be developed to provide recreation opportunities for a variety of age and interest groups. (176)
5. Yamhill County will encourage the development of rural parks with appropriate spacing to serve the needs of county residents on sites which have unique aesthetic value, appropriate access by road or path, and are otherwise suitable for picnicking and water-related activities. (176)
6. Yamhill County will encourage an appropriate amount of park and recreation development designed to meet the needs of the transient and regional population. (177) R
7. Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities and park areas. (178) R
8. Yamhill County will explore the possibilities of placing a greater share of the burden of park acquisition on new residents of the county who generate an increased demand for parks and open space. (178)
9. Yamhill County will encourage cooperation among government agencies to increase recreation opportunities, programs and facilities for county residents, and will explore the possibilities of providing recreation programs for the small towns and rural areas of the county. (179)
10. For the purpose of implementing recreation programs and development, Yamhill County will investigate funding alternatives such as tax levies, bonding grants in aid, user fees and subdivision ordinance stipulation.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

11.05.04.03 Willamette Greenway.

a) Summary.
   (i) The Willamette River is a valuable resource, offering unique scenic and recreational opportunities.
   (ii) A sound management program will ensure that the Willamette River remains valuable for all to enjoy.

b) Goal Statement. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River.
   (i) *Policies.*
      1. Yamhill County will cooperate with appropriate governmental agencies and special districts to protect all Willamette Greenway lands and resources.
      2. Yamhill County will identify a Willamette Greenway Boundary on the county comprehensive plan and zoning maps, and will develop and adopt a greenway ordinance, providing for the review of intensifications, changes of use, or developments within the Willamette Greenway Boundary to ensure compatibility with the goal.
      3. Yamhill County will continue to cooperate with the Oregon Department of Transportation in examining the feasibility of future acquisition plans within the Willamette Greenway Boundary.

[ADOPTED VIA ORDINANCE NO. 206 eff 06/27/79]

SECTION 5 – ENVIRONMENTAL QUALITY

11.05.05.01 Air, Water and Land Resources Quality.

a) Summary. Yamhill County has retained an overall high-quality natural environment, yet the impact of human activities on the environment has upset the natural ecological balances and the high aesthetic quality of the county in the past, and poses the threat of future deterioration. The increasing demands put upon the air resources of the county affect the capability of those resources to provide for a clean, enjoyable and safe

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January 21, 2026

Via Electronic Email & Personal Delivery
Yamhill County Board of Commissioners
Attn: Kit Johnston, Chair
535 NE Fifth Street
McMinnville, OR 97128

RE: Docket G-01-25: Remove the Yamhelas Rails to Trails project from the Yamhill County Comprehensive Plan

Dear Chair Johnston and Members of the Board,

This firm represents Yamhill County farmers in connection with the above referenced matter, to include Ben Van Dyke, Van Dyke Farms, Celine and Greg McCarthy, Ground Zero Farms, Tom Hammer, Hammer Farms LLC, Chris Mattson, North Valley Seeds, Sitton Brothers Inc., Scott Bernard Farms, and Creekside Valley Farms. This letter expands upon our December 4, 2025 letter to the Yamhill County Planning Commission that details our clients' position regarding the proposed Yamhelas Westsider Trail and why it must be removed from Yamhill County's Comprehensive Plan and TSP. Please include this letter in the record of the above docket along with the December 4, 2025 letter that is enclosed for your convenience. We are also advised by the County that the LUBA records containing all the various LUBA and local proceedings on the YWT are also in the record of this matter. We have relied upon that representation and have not separately included those materials in the record to avoid unnecessary duplication and complexity.

This letter strongly supports Docket G-01-25 to repeal Ordinance 880 and 895 and remove the Yamhelas Westsider Trail ("YWT") project from the Yamhill County Transportation System Plan ("TSP") and Comprehensive Plan. Although the proposed YWT may have been interesting in concept, its implementation has proven to be an illusory project incapable of being constructed due to its inability to satisfy the farm impacts test despite multiple unsuccessful tries due to its documented severe adverse impacts on adjacent farms, as decided in five separate LUBA decisions. Due to the proposed trail's proven inability to pass the farm impacts test under ORS 215.296, maintaining the YWT in Yamhill County's TSP serves no legitimate purpose except to continue the contentious relations between local farmers and trail supporters, and confuse local citizens into believing that the trail is a viable development option. It is not and it is time to put it to rest.

Background

As stated in our December 4, 2025 letter in the record, our clients are farmers who spent years and thousands of dollars at the business end of an ill-considered County recreational trail plan pushed by former County authorities using a seemingly unlimited public fisc. Those former County authorities ignored public processes, County land use rules, state land use rules, and very serious adverse impacts of their plan on adjoining commercial farms in the headlong pursuit of the so-called Yamhelas Westsider Trail through some of the best farmland in the County, at any cost.

Yamhill County now seeks to remove the Yamhill Westsider Trail ("YWT") project from the Yamhill County Transportation System Plan ("TPR") and Comprehensive Plan. The removal/amendment is rooted in multiple LUBA decisions that repeatedly denied conditional use requests for the subject trail, opining, most significantly, that the YWT project would create significant adverse impacts on adjacent agricultural farmland for multiple privately owned farms. The proposed YWT project has repeatedly failed the substantive farm impacts test at ORS 215.296. There is nothing to suggest that it could ever meet that important state law test. Moreover, significant segments of the YWT are situated on land that prohibits it. It is simply not an allowed use of the land the abandoned rail bed sits on. Removing the YWT from the County planning documents simply recognizes this reality.

Below summarizes some of the reasons that the County's legislative choice to remove the YWT is fully justified and wholly within the County's authority to make.

1. **Development of the YWT has been proven infeasible and trail development cannot get to "yes" under the farm impacts test.**

Neither the Transportation Planning Rule nor any other statewide planning requirement obligates Yamhill County to designate this specific abandoned rail bed as a trail in its TSP. Ordinances 880 and 895 added the YWT as *one* optional bicycle/pedestrian improvement among many others in the TSP.

As the situation stands today, the YWT has been proven multiple times to be incapable of meeting the farm impacts test under ORS 215.296 due to its significant adverse impacts on adjacent farms and has been documented to be on land that is zoned to prohibit it. The fact that LUBA has repeatedly denied Yamhill County's requests to develop the YWT for these reasons makes its removal from the TSP a reasonable policy choice because, in reality, it is not an improvement that the County can lawfully establish. It is an illusory project in the County TSP and plan.

The County is not required to keep an infeasible project in its TSP, particularly one that has been denied by LUBA five times. Keeping it in the TSP only serves to confuse local citizens

into believing it is still a viable project and continue ongoing divisiveness between local farmers and YWT supporters, that has been ongoing for over eight years. A comprehensive plan, which includes the TSP, is a living planning document. The same statutes and rules that allowed the County to add this project as an aspiration also allows the County to remove it when later experience shows the project is not realistically buildable because of its significant adverse impacts on farming and being locate don land that prohibits it. In addition, no LUBA opinion has ever ordered the County to build the trail or to keep it in any plan. To the contrary LUBA has repeatedly told the County that there is a very high hurdle protecting farming to ever establishing the YWT, a hurdle that the County never met despite trying multiple times with County legal counsel.

For the above reasons, the County has rationally decided that it no longer wishes to pursue this infeasible plan, and to amend the YWT proposal out of its TSP to stop the divisiveness it has spawned.

2. **Removing the YWT project from the County's TSP is subject OAR Chapter 660, Division 12.**

Amendments to comprehensive plans acknowledged by LCDC must comply with statewide planning goals, and the County must demonstrate that the amendment to remove the YWT will cause the County's TSP to remain valid and consistent with the remainder of its Comprehensive Plan. (ORS 197.175(2)(a); *see also*, *1000 Friends of Oregon v. Jackson County*, 79 Or.App. 93, 97, 718 P.2d 573 (1986); *Nicita v. City of Oregon*, 317 Or.App. 709, 716, 507 P.3d 804 (2022)). Potential goal compliance issues raised by a plan amendment, should any exist, must be addressed and resolved at the time the plan amendment is adopted and showing compliance may not be deferred to a later date. *Coopman v. City of Eugene*, 327 Or.App. 6, 18, 534 P.3d 1105 (2023). The findings must also show whether the needs that the proposed YWT provided can be otherwise be satisfied in a manner that is consistent with the TSP's goals for bicycle and pedestrian facilities. (OAR 660-012-0050(5); *Setniker v. ODOT,* 66 Or LUBA 54, p. 24-25 (2012)).

Here, the County is removing a TSP feature which the County has determined cannot be legally approved and, therefore, is not worth the continuing Sisyphean effort. Under those circumstances, does removal of the YWT affect the Yamhill County Comprehensive Plan and TSP's continuing conformity with state planning goals (including the TPR) and internal consistency? An obvious answer is that removing a next to impossible project from the TSP affects nothing. But to be safe, precautionary findings of compliance with Oregon's Transportation Planning Rule ("TPR"), and, in particular, OAR 660-012-0050 and 0060, is wise. Under those provisions, the County will show that the remaining transportation system, without the YWT, can still meet the County's goals and plans as well as the statewide planning goals. (OAR 660-012-0050(5); *Setniker v. ODOT,* 66 Or LUBA 54, p. 24-25 (2012)).

(a) The Amendment does not significantly affect the County's TSP or Comprehensive Plan.

As a precaution, the County can demonstrate that removal of the proposed YWT from the TSP (as adopted under Ordinances 880 and 895) does not significantly affect the existing TSP or County's Comprehensive Plan or degrade performance of the TSP or Comprehensive Plan below minimum acceptable standards identified in it. (OAR 660-012-0060(1)&(2); *see also, Department of Transp. v. City of Klamath Falls,* 177 Or.App. 1, 5, 34 P.3d 667 (2001)). The applicable standards here are whether removal of the proposed YWT significantly affects Yamhill County's Comprehensive Plan Code under YCC 11.05.03.01 – Transportation, YCC 11.05.04.02 – Parks and Recreation, Yamhill County TSP at Goal 4 [*Pedestrian and Bicycle Facilities*], and whether it violates Oregon's Goal 12 under OAR Chapter 660, Division 12. It does not. It should be stressed that removal of the YWT transportation feature, where there is significant evidence that it cannot be approved, is simply removing a feature that has been repeatedly demonstrated cannot come to fruition. The amendment does not create an even exchange equation of facility-out facility-gained in this scenario. There is simply a facility that can only exist on paper, not in practice, that needs to be removed from the TSP.

The YWT is only one of eight proposed bicycle and pedestrian improvements in the County's TSP, and its removal does not significantly affect the existing TSP or County's Comprehensive Plan, particularly when OR 47 can be improved for bicycle and pedestrian use through shoulder paving in areas lacking the same along with the other seven roads and highways listed in the TSP, which are also high-speed corridors.[1] Additionally, nearby development on Westside Rd. between McMinnville and Moore's Valley Rd. near the City of Yamhill is also slated in the TSP for bicycle/pedestrian development, which is nearby and parallels the approximate bottom half of OR 47 and the YWT (within Yamhill County) from McMinnville to the Yamhill City area. For these reasons, the TSP's overall goal at Goal 4 of "[i]ncrease[ing] the quality and availability of pedestrian bicycle facilities" is met (TSP pp 10 & 57), and amending the YWT proposal out of the TSP does not significantly affect the County's existing TSP or Comprehensive Plan or degrade performance in either document below minimum acceptable standards.

Here, Goal 4 of the County's TSP is to "Increase the Quality and Availability of Pedestrian and Bicycle Facilities" by (1) improving bicycle and pedestrian facilities, (2) consider bicycle/pedestrian improvements that complement and encourage higher levels of usage of these

[1] *See* Yamhill County TSP at p. 77 and Figure 13 at p. 72 for the eight roadways recommended for proposed bicycle and pedestrian improvements.

facilities, such as wayfinding signage, and (3) support the development of the YWT. (TSP p 57). Clearly, Objective 3 at Goal 4 regarding YWT development will need to be removed, but for the reasons stated herein, removing the YWT does not significantly affect the TSP's overall plan of increasing the quality and availability of pedestrian and bicycle facilities.

Yamhill County addresses bicycle/pedestrian trail systems as part of its Comprehensive Plan under YCC Chapter 11.05. YCC 11.05.03.01(b)(i)(9) [*Transportation policy goals*] states that "Yamhill County will encourage bicycle and pedestrian traffic as an element of the transportation system by coordinating with the cities within the county to develop an integrated system of safe and convenient bicycle and pedestrian ways to complement other modes of transportation." YCC 11.05.04.02(b)(i)(7) [*Parks and Recreation policy goals*] states "Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities and park areas." These bicycle and pedestrian trail policy goals are further elaborated throughout the County's TPR.[2] Findings must be written to explain that the removal of the YWT is not inconsistent with these policies.

The Yamhill County TSP predominantly recommends bicycle and pedestrian improvements to "consist mainly of shoulder widening and/or paving to accommodate bicycle and pedestrian use." (TSP p 14). In some cases, lane widening is also recommended. (*Id.*) In addition to the shoulder and lane improvements, the Yamhela's Westsider Trail development is currently recommend to run parallel to OR 47 between OR 99W and Gaston as a replacement for bicycle and pedestrian improvements to OR 47. (*Id.*) However, it is important to note that the TSP does not state or imply anywhere that shoulder and/or lane development of OR 47 is somehow impractical or infeasible in comparison to the other seven roadways listed for the same development. It merely states that of the eight roadways requiring bicycle/pedestrian improvements, shoulder or lane development will not be necessary for OR 47 because of the proposed YWT. However, if the YWT is removed from the TSP, pedestrian and bicycle facilities can be developed along OR 47 through shoulder and/or lane improvements, the same as the other seven high-speed corridors. (*See* Yamhill County TSP at p. 77 and Figure 13 at p. 72 for the eight roadways recommended for proposed bicycle and pedestrian improvements.)

(b) **The amendment complies with OAR 660-012-0050(5) concerning removing the YWT from the TSP.**

OAR 660-012-0050(5) states "[i]f a local government decides not to build a project authorized by the TSP, it must evaluate whether the needs that the project would serve could

[2] Yamhill County TPR, Adopted by Ordinance 895, Nov. 5, 2015.

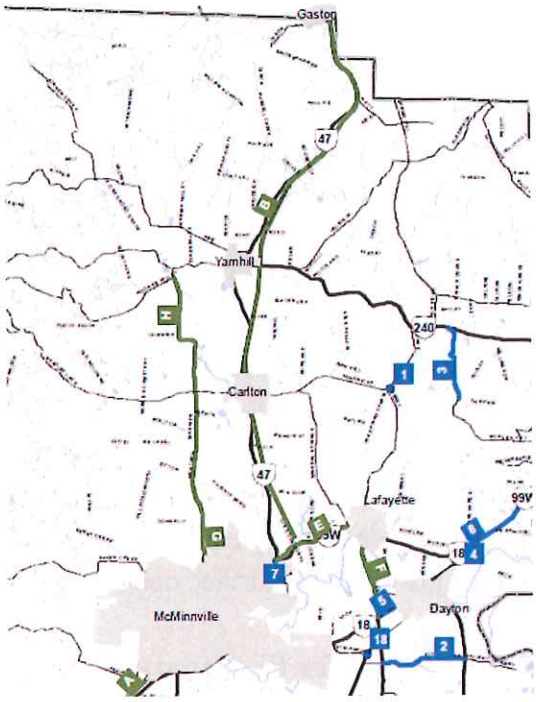
otherwise be satisfied in a manner consistent with the TSP. If identified needs cannot be met consistent with the TSP, the local government shall initiate a plan amendment to change the TSP or the comprehensive plan to assure that there is an adequate transportation system to meet transportation needs." As noted above, this provision does not apply here because the YWT is an illusory, infeasible project that cannot legally exist and so its removal requires no replacement – replacing nothing requires nothing.

Regardless, it is noted that the only LUBA decision or case law that directly addresses OAR 660-012-0050(5) in any depth is *Setniker v. ODOT,* 66 Or LUBA 54 (2012) [*aff'd without opinion* at *Setniker v. Oregon Dept. of Transp.* 253 Or.App. 607, 293 P.3d 1091 (2012)].

In *Setniker*, Petitioner challenged proposed ODOT amendments to the Oregon Highway Plan or "OHP" (the state's TSP), in response to Senate Bill 2011 SB 795. Petitioner argued that the proposed OHP amendments violated statewide planning goals, including Goal 12 (Transportation) and the Transportation Planning Rule (TPR). LUBA ruled in part, and the Court of Appeals affirmed, that when a government decides to not build a transportation project that is in an acknowledged plan, it must satisfy OAR 660-012-0050(5) and determine if the needs that were being served by the project can otherwise be satisfied under the relevant transportation plan. (*Setniker* at p. 24, ll 1-26). As noted, a key distinction here is that there are no needs being served by the YWT project at all, because it has been demonstrated to be legally infeasible – five (5) separate LUBA remands should be plenty to prove this.

Here, the Yamhill County TSP has listed portions of eight separate roadways for bicycle and pedestrian improvements, with OR 47 being one of them. The YWT is never listed in the TSP as a road requiring bicycle and pedestrian improvements and is only mentioned as a replacement to those improvements that would otherwise occur along OR 47. (TSP at p 77). The proposed YWT runs parallel to OR 47 from McMinnville to Gaston. However, a proposed bicycle/pedestrian improvement for Westside Rd. from McMinnville to Moore's Valley Rd. near Yamhill is also in the TSP, which runs parallel to OR 47 less than two miles to the west. (*Id.* at pp. 72 and 77).[3] So the bottom half of the YWT already has a proposed bicycle/pedestrian improvement running parallel to it that can take the place of the YWT. Below is a snapshot of a portion of Figure 13 on page 72 of the County's TSP showing how development of OR 47 and Westside Rd. can reasonably replace the YWT as follows: (1) Westside Rd. bike/pedestrian improvement is the green line from G to H; (2) OR 47 is the black line from McMinnville to Gaston; (3) the YWT is the green line from east of McMinnville to Gaston, closely paralleling OR 47.

[3] Mileage measurements taken from Google Earth Pro on January 15, 2026.



Additionally, based on the language already in the TSP, OR 47 can be improved for bicycle and pedestrian access through paving existing shoulders or widening them, just like all the other roads and highways mentioned in the TSP. (*Id.* at p 77).

The above should simply be reflected in the findings to satisfy OAR 660-012-0050(5) and demonstrate that removal of the YWT can be replaced through shoulder paving and/or widening improvements within the existing right of way along OR 47 consistent with improvements that are already contemplated in the TSP – and through development of the parallel Westside Rd. for the southern portion of the YWT that is also contemplated by the TSP. Such findings will also serve to resolve potential issues under OAR 660-012-0060(1) to demonstrate that amending the TSP by removing the YWT would not "significantly affect an existing or planned transportation facility."

The findings can also explain that per OAR 660-012-0050(3), that the development of the YWT does not comply "with all applicable acknowledged comprehensive plan policies and land use regulations." *Regency Centers, L.P. v. Washington County*, 265 Or.App. 49, 57-58, 265 Or.App. 49 (2014) *quoting Regency Centers, L.P. v. Washington County,* 69 Or LUBA 135, p. 20 ll. 22-31 (2014)). That further demonstrate that the removal of the YWT is appropriate. The TPR does not require the development of transportation facilities that violate Goal 3 and related laws protecting agriculture.

(c) **Development of OR 47 shoulders to accommodate bicycles and pedestrians is straightforward under the existing County plan and TSP**

Unlike the proposed YWT, which requires a farm impact test under ORS 215.296(1) for conditional use approval, developing the shoulders of OR 47, which is managed by ODOT, is straightforward. That is because ORS 215.283(1)(i) allows as a use permitted outright on land zoned EFU **"[r]econstruction of public roads and highways, *** along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.**" "[A]long the public right of way" *at least* means within the right-of-way. *Friends of Parrett Mountain v. NW Natural Gas Co.*, 336 Or 93 (2003) which decided that utilities could be placed beyond the paved portion of the road so long as they were in the right of way ("We conclude that, for purposes of ORS 215.283(1)(L)[4], the phrase 'public roads and highways' means the entire right-of-way within which those thoroughfares are constructed, not just the hard surface upon which traffic travels.").

3. **Proposed Amendments to Goal 4 for the County TSP.**

The following language is proposed for amending any reference to the YWT from the TSP's Goals for pedestrian and bicycle facility improvements. Removed language is stricken out and added language is in bold.

A. **Bicycle and Pedestrian Improvements** (TSP p 14)

The recommended bicycle and pedestrian improvements are located throughout the County and consist mainly of shoulder widening and/or paving to accommodate bicycle and pedestrian use. In some cases, lane widening is also recommended because having adequate lane width for vehicular traffic also improves safety for bicyclists and pedestrians. ~~In addition to the shoulder and lane widening improvements, the Yamhela's Westsider Trail is also recommended, which will run parallel to OR 47 between OR 99W and Gaston.~~

B. **Goal 4: Increase the Quality and Availability of Pedestrian and Bicycle Facilities** (TSP p 57)

Objective 1: Improve bicycle and pedestrian facilities. Evaluation Criterion: Type/level of bicycle/pedestrian facility improvement.

Objective 2: Consider bicycle/pedestrian improvements that complement the basic provision of facilities to encourage higher levels of usage (e.g., wayfinding signage).

~~Objective 3: Support the development of the Yamhela's Westsider Trail.~~

[4] Later renumbered to (i).

Objective 3: **Encourage and support ODOT to improve bicycle and pedestrian facilities along state roads.**

C. Proposed Bicycle and Pedestrian Improvements: (TSP p 77)

The proposed bicycle and pedestrian improvements presented at the second open house address the locations where improvements are needed to safely accommodate higher bicycle or pedestrian volumes. The improvements generally consist of widening travel lanes and/or shoulders, **or paving existing shoulders,** to provide greater separation between bicyclists/pedestrians and vehicular traffic. These improvements were proposed at the following locations (see Figure 13):

a. Old Sheridan Rd. between McMinnville city limits and OR 18
b. OR 47 between OR 99W and Washington County line
c. OR 18B between Sheridan and Willamina
d. OR 99W between Newberg and Dundee
e. OR 99W between Lafayette and McMinnville
f. Lafayette Hwy. between Lafayette and OR 18
g. Westside Rd. between McMinnville and Meadowlake Rd.
h. Westside Rd. between Meadowlake Rd. and Moore's Valley Rd.

~~The only exception to the lane/shoulder widening improvements is for OR 47 between OR 99W and the Washington County line. Here, the planned Yamhela's Westsider Trail was proposed, which will run parallel to OR 47, with connections via OR 47 and intersecting county roads.~~

D. Bicycle/Pedestrian Improvements (TSP p 89)

Nearly all of the proposed bicycle/pedestrian improvements presented at the second open house are recommended for implementation. The improvements are located throughout the County, as shown in Table 4 and Figure 13. They consist mainly of shoulder widening and/or paving to a minimum of six feet, or to the County's or ODOT's standard if it is higher. In some cases, lane widening is also recommended because having adequate lane width for vehicular traffic also improves safety for bicyclists and pedestrians.

~~In addition to the shoulder and lane widening improvements, the Yamhela's Westsider Trail is recommended (see Figure 13). The trail will run parallel to OR 47 from OR 99W to Gaston, linking up with the State Highway Bicycle trail to Forest Grove and to Hagg Lake. The cities of Gaston, Yamhill and Carlton are situated along the trail. Access will be available from intersecting county roads and nearby OR 47.~~

All of the recommended improvements are based on existing needs, so they can be implemented as soon as funding becomes available.

E. **Table 4: Recommended Bicycle and Pedestrian Improvements** (TSP p 90)

Note: Only Section "B" is shown here. All other sections from A-F in Table 4 remain as is.

Location	Recommended Improvement	Cost	Funding Source	Time Frame
B. OR 47 – OR 99W to Washington County	• **Widen and pave shoulders**	**TBD**	**County**	**Medium-term**

4. Conclusion

Opponents of removal of the YWT from the County plan assume that a potential recreation trail that existed only as an aspiration on paper, must be preserved forever, no matter how clearly it violates Oregon farmland and other land use laws, or what it costs the people who live and farm along the corridor. Oregon law does not work that way. The YWT clearly would violate ORS 215.296, and inconsistent with the EFU zoning applied to the abandoned rail bed it would occupy and is equally clearly prohibited in the AF-10, LI, and HI zones that also applies to parts of the abandoned rail bed. The unresolvable pesticide label and AEZ issues are hard legal prohibitions that would destroy the working farms the YWT would travel through. That is a fact. Destroying significant Yamhill County working farms is not a mere inconvenience, as trail supporters claim. Removing the legally improper YWT protects important Yamhill County farmland, maintains the County's TSP compliance with its Comprehensive Plan and statewide goals and is simply the right thing to do.

For all of the reasons above, we respectfully urge the Board of Commissioners to approve Docket G-01-25 and remove the YWT project from the County's TSP and Comprehensive Plan.

All the best,

Wendie L. Kellington

WLK:wlk
CC: Clients

December 4, 2025

Planning Commission
Yamhill County
400 NE Baker Street
McMinnville, Oregon 97128

RE Docket No.: G-01-25; Yamhelas Westsider Trail

Greetings Commissioners:

Let's be clear, the reason for this meeting is "*...to remove the project known as the Yamhelas Westsider Trail from the YCTSP*". That's all this is. Its a simple request. This hearing is not to contest, rebut, rehash or otherwise relitigate previous land use procedures regarding the Yamhelas Westsider Trail (YWT). Those activities would occur in any future land use approval process for the trail.

The Yamhelas Westsider Trail as proposed will be on former Union Pacific/Southern Pacific and before that, Oregon and California Railroad property. Before these companies The Oregon Central Railroad (West Side Company) earned this land through Land Grants authorized by the Pacific Railway Act of 1862 and subsequent legislation of July 1866, the Oregon and California Railroad Act. This has been a transportation corridor for 159 years.

There are three salient points to consider in this matter:
1. Is the YWT an element of a well rounded transportation system plan?
2. Is the YWT a valid component of State, County, and City land use goals?
3. Does the YWT have a path through the approval process of land use planning and permit acquisition for its construction activities and its ultimate use by citizens of this County?

The short answer to these questions is yes and here are just some reasons to support that yes:
1. The YWT is an element of a well rounded transportation system plan:
   a. Merriam Webster defines transportation as "*means of conveyance or travel from one place to another.*"
   b. Like roads, rivers, and rails, the Yamhelas Westsider Trail provides a means of transporting people, goods, and services in a broad region of Yamhill County.
   c. The Oregon Department of Transportation (ODOT) mission statement reads: "*We provide a safe and reliable **multimodal*** (emphasis added) *transportation system that connects people and helps Oregon's communities and economy thrive.*"
2. The YWT meets several of the State, County, and City land use goals:
   a. Oregon's statewide planning Transportation "*Goal 12 requires cities, counties and the state to create a transportation system plan that takes into account all relevant modes of transportation: mass transit, air, water, rail, highway, **bicycle and pedestrian*** (emphasis added)."
   b. The Oregon Land Conservation and Development Department's Chapter 660, Division 12. TRANSPORTATION PLANNING document lists several purposes for implementing Goal 12, these include:

"(c) Provide a transportation system that serves the mobility and access needs of those who cannot drive and other underserved populations;
(d) Provide for affordable, accessible and convenient transit, ***pedestrian, and bicycle access and circulation****, with improved connectivity to destinations people want to reach, such as* ***education facilities, workplaces****, services, shopping, places of worship,* ***parks, open spaces****, and community centers (empaisis added).*
(e) Reduce pollution from transportation to meet statewide statutory and executive goals to reduce climate pollution".

c. The Yamhill County Comprehensive Plan has several goals and policies that call for facilities like the YWT. These include 11.05.02.05 Open Space, 11.05.02.08 Outstanding Scenic Views and Sites, 11.05.02.09 Historic Areas, Sites, Structures and Objects and Cultural Areas, 11.05.03.01 Transportation, 11.05.04.02 Parks and Recreation. Within these goals are at least twenty supporting policies.
d. It needs to be noted that none of these goals and policies have been considered in this docket item.

3. The YWT has a path through the goals and policies of the State and County to gain approval for development
   a. The staff report states this process will be *"...based on ORS 197 and 215, OAR 660-012, the criteria in Section 1207.01 of the Yamhill County Zoning Ordinance and the goals and policies of the Yamhill County Comprehensive Plan."*
   b. ORS 215.213 and 215.283 both refer to ORS 215.296 *Standards for approval of certain uses in exclusive farm use zones.* The word *"significant"* is a key part of both of the criteria needed to be met. In order to have a use approved, it has to be demonstrated that the use will not significantly *"Force a change in accepted farm or forest practices..." or "Significantly increase the cost of accepted farm or forest practices."* LUBA has made many decisions regarding the *"Significant Impact Test"*, enough to discern a sense of what LUBA defines as significant. LUBA decision 48 Or LUBA 16 (2004) notes that to have a "significant impact" a land use decision must allow a different kind or **intensity of development**, change the land use status quo of the area, or create an actual, qualitatively or quantitatively significant impact on present or future land uses.
   c. The staff reports that LUBA has remanded back to the County prior decisions primarily due to not adequately responding *"...to petitioners' argument that the Trail would force them to supply spray setbacks on their own lands and cease use of certain pesticides and herbicides within the appropriate setback area, which petitioners argued is a significant change in the accepted farm practice of applying pesticides and herbicides."* In fact, proper farming activity, including applying fertilizers, herbicides and pesticides, properly applied, should not materially impact adjacent properties of which the Rail/trail ROW is one. In a call to the Oregon Department of Agriculture December 1 earlier this week, it was confirmed that aerial spraying of pesticides *"...can not drift on to neighboring properties."* **Assuming neighboring properties were using aerial spraying of pesticides lawfully, they should not have to change their aerial spraying of pesticides practices.** The Aerial Pesticide Applicator Responsibilities In Oregon document says it is the pesticide applicator (pilot) that is responsible to prevent drift off of a target site. This document states that *"Oregon is a "Zero Tolerance"* drift state." These findings regarding the practice of aerial spraying of pesticides in Oregon apparently were not provided in any response to LUBA remands.
   d. It needs to noted that the allowed uses of ORS 215.213 (2) or (11) or 215.283 (2) or (4) do not include trail or paths for walking or biking or any other similar terms. Both ORSs do have a

different subsection for *"Roads, highways and other transportation facilities and improvements ..."* in subsections 10 and 3 respectively. Each provides two methods to gain approval. First is to adopt an exception to the goal related to agricultural lands. Second is to follow the steps of ORS 215.296. Note that Yamhill County is familiar with the exceptions protocol having gone through the process for the Newberg Dundee Bypass.

e. It is interesting to note that on Docket No. G-01-15, three areas of criteria were used to base findings such that the County could decide the TSP could add the YWT as a necessary component of the TSP. Which of these findings have changed since 2015?
f. Testimony submitted to the County on this specific docket and provided in the staff report tallies of 60 unique people in support of the WYT (to deny this request) and only 7 unique people against.

In summary, the Yamhelas Westsider Trail meets the definition of a transportation element regardless of any talking points either for or against the trail. Its very clear that the State of Oregon believes that an asset like the YWT is important, so important that its codified in State law and Yamhill County's mandated Comprehensive Plan and TSP. Though cumbersome and complicated, there is a delineated path to obtaining local and State approval. Though the staff reports include three Conclusions for Approval, it is that the third one, *"The proposed amendments comply with the Yamhill County Comprehensive Plan goals and policies and state statutes."* obviously does not.

Lastly, it is puzzling to me why this is an issue at all. The topic of discussion is a transportation use on property that has a continuous line of ownership devoted to transportation going back 159 years. **There is no change in use**, the impact of this particular form of transportation is less impactful than trains rumbling down the tracks whether spewing smoke in the 1870's or diesel fumes in the 1970's. Neighboring farms and towns managed to adapt, coexist, and benefit from, the changing use patterns of the railroads, they can do so again with the Yamhelas Westsider Trail.

Jack Kriz

9185 NE Neumann Lane
Newberg, Oregon 97132
3fingerjack@comcast.net

January 21, 2026

Board of Commissioners
Yamhill County
535 NE 5th Street
McMinnville, Oregon 97128

RE Docket No.: G-01-25; Yamhelas Westsider Trail

Greetings Commissioners:

The proposed Yamhelas Westsider Trail (**YWT**) is, and will be, a one of a kind asset for Yamhill County citizens. It should not be removed from the Yamhill County (**YC**) Transportation System Plan (**TSP**). The YWT should be fully developed for use by the public.

I have several questions as a follow up to my written testimony submitted to the Planning Commission in their December 4th hearing:

1. The staff report provides just one goal and four policies in support of YWT removal from the TSP. (*To base findings such that the County could decide to add the YWT to the TSP, Docket No. G-02-12 from 2012 listed three areas of criteria*) The current staff report discussion focuses primarily on conflicts between uses, which is a valid concern. There are certainly more applicable criteria to consider. I found five goals and some twenty supporting policies in YC's Comprehensive Plan to support the YWT. Why didn't the staff report address at least a few these or others? (*See reference item R1 below*)
2. On December 6, 2012, Yamhill County added the YWT to the TSP by Ordinance 880. Why didn't the staff report for this hearing specifically address what has changed with respect to the goals and policies of 2015, and therefore refute them?
3. The staff report references ORS 215.213 and ORS 215.283 and cites four allowable uses subsections that do not include a category that fits the YWT. There are two other subsections that do. Why didn't staff consider them? (See reference item R2.c below)
4. YC lists the YWT as a transportation element in the TSP. Two other subsections *(Item 2 immediately above*) lists the *"Adoption of an exception to the goal related to agricultural lands..."* as a vehicle for land use approval for the YWT. YC is quite familiar with the Exceptions process utilizing it for the Newberg/Dundee Bypass project and as recently as September 11, 2025 for Docket PAZ-01-24/S-03-24. Both of these passed through, or were adjacent to, some EF lands. Why wasn't the Exceptions process explored and utilized to gain approval for the YWT?
5. The LUBA remands clearly note the application of pesticides as one sticking point for gaining land use approval. Pesticides need to be properly handled and applied. Farming interests cite restrictive pesticide label requirements. YC proposed a notification system for trail users. It required farmers to inform YC 72 hours prior to application. LUBA rejected that response due to the flexibility required for proper application due to weather and other factors. Why, in this day and age where we see rocket boosters land on their tails and Alexa locking and unlocking doors, could not a remote control system of signage be developed for the times when pesticides are being applied? Certified applicators and farmers could have access to this system for real time

notification and remote locking of trail head access gates. Trail head signage with very explicit information about the risk of pesticide exposure aimed at trail users could be deployed. Why doesn't YC think outside of the box regarding this and other conflicts?

6. According to the Rails to Trails Conservancy there are 2,423 rail-trails in the US, a distance of 25,934 miles, with a potential of another 9,029 miles of rail-trail. The Conservancy has a wealth of data on the positive and negative aspects of these trails. It also has reports and studies documenting actual outcomes. See the included Fall issue of Rails to Trails magazine and at least the article "A Nebraska Legacy" submitted with this testimony. Why hasn't YC consulted with leading organizations or other counties or states for examples and guidance on gaining approval for facilities like the YWT? (See reference item R3 below)
7. Lastly, it defies common sense that a transportation element such as the YWT, located on a long, skinny, piece of property, that has been a transportation corridor for over 150 years, needs to undergo an arduous process to be used as a transportation facility. Rhetorically, why is this?

The Board of Commissioners should consider the Public Good that the Yamhelas Westsider Trail will bring, Each of you should focus on that Public Good just as was done for the Bypass. Can you three Commissioners be truly non-partisan, consider all the facts that bear on this docket, keep in the forefront of your mind your obligation to serve all of the citizens of this county, and fairly decide the fate of the Yamhelas Westsider Trail and place in the Transportation System Plan.

It is unfortunate that in our current time, public discourse is at a point where every issue turns into an Us v.s. Them conflict. Reflecting on the Bypass, recall that it was a project envisioned 'long ago', in the early 1950's. Like any massive project it had its detractors. Over time, those issues were addressed, and while not everyone got what they wanted, compromise was found and accepted. Working through proper procedures, the Bypass has become a reality. This same truth can be found for the Yamhill Westsider Trail. Its promise can be fulfilled.

Jack Kriz



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References

R1. **Goals, policies, and approval processes relevant to Docket No.: G-01-25; Yamhelas Westsider Trail:** The Yamhill County Comprehensive Plan contains several goals and policies relevant to the Yamhelas Westsider Trail. These include:

a. **11.05.02.05 Open Space**, goal summary, statements, and policies include:

i. *"Summary. Yamhill County possesses an extensive open space network that contributes to the overall rural character and livability of the County."*

ii. Goal Statement is *"To insure the continuance of the open space character that has always existed in Yamhill County."*

(1) Policies (excerpts have been taken, see the Comprehensive Plan for the complete policy listing):

"1 Yamhill County will cooperate with all governmental and recreation agencies within the region to identify open space and scenic resources, to determine resident and non-resident recreation needs, and to formulate and implement measures for open space preservation and use. (94)

*2. The inventory will include, but not be limited to the location, quantity and quality of the following resources: fish and wildlife habitats; ecologically and scientifically significant natural areas; outstanding scenic view and sites; water areas, wetlands, watersheds, and groundwater resources; wilderness areas; historic areas, sites, structures and objects; cultural areas; **potential and approved Oregon recreation trails*** (emphasis added)*; potential parks and recreation sites.*

*3. Where **conflicting uses are identified*** (emphasis added) *concerning an open space, natural or scenic resources proposal, economic, social, environmental and energy consequences of the **conflicting uses will be determined and programs developed to achieve the goal*** (emphasis added)."

iii. Goal Statement is *"To **preserve and improve potential recreational*** (emphasis added) *and other open spaces in both urban and rural environments for all to enjoy."*

(1) Policies include: (excerpts below, see the Comprehensive Plan for the complete list of policies)

"1. Yamhill County will seek to establish a permanent County open space net; increased public access to areas of prime recreational significance; the development of additional water-based recreational opportunities; and continuity of scenic views, buffer areas, wildlife and natural habitat and associated natural environments. (95) R

*2. Yamhill County will continue to support State special assessment incentives and other similar legislative actions as well as federal incentive and grant-in-aid programs which are designed to secure and preserve elements of the open space net, provide increased recreational access, and develop low intensity use recreational reservoirs. Funding proposals and incentives to preserve open space including the following: **allocation of money in the County budget*** (emphasis

added) *for fee acquisition; acceptance of donations and bequests of land where the scenic or recreational value justifies its removal from the tax rolls, and* ***the on-going expense of its maintenance; easement acquisition; and acquisition of development rights.*** (emphasis added) *(96) R"*

b. **11.05.02.08 Outstanding Scenic Views and Sites**, goal summary and statements include:
   i. *"Summary. Outstanding scenic views and sites exist throughout Yamhill County. Scenic views are an important component of the livability, attractiveness, and economic health of the County."*
   ii. Goal Statement is *"To protect outstanding scenic views and sites for future generations."*
   iii. Policies include: (excerpt below, see the Comprehensive Plan for the complete list of policies)
      "1. Yamhill County will allow uses that may impact scenic resources in the County, subject to the protection offered by the Statewide Land Use Planning Goals, Yamhill County Comprehensive Plan and zoning provisions, particularly site design review, solid waste enforcement, and any other measures as may be adopted to protect the scenic attractiveness of the County."

c. **11.05.02.09 Historic Areas, Sites, Structures and Objects and Cultural Areas**, goal summary, statements, and policies include:
   i. *"Summary. As described more fully in Yamhill County's Revised Local Periodic Review Order for 1988-89, Yamhill County has surveyed and inventoried historic and cultural resources in the County and has established mechanisms for protection of significant historic and cultural resources."*
   ii. Goal Statement is *"To protect sites, structures and objects that have local, regional, statewide, or national historical significance, and areas characterized by evidence of an ethic, religious or social group with distinctive traits, beliefs, and social forms,* ***for future generations.***" (emphasis added)
      (1) Policies include: (excerpt below, see the Comprehensive Plan for the complete list of policies)
      (2) Yamhill County will continue to seek funding and otherwise promote activities designed to further the public's understanding of the cultural and historic diversity of the County."

d. **11.05.03.01 Transportation**, goal summary, statements, and policies include:
   i. Summary, among 10 summary items is:
   "(vi) The provision of adequate bicycling and pedestrian paths within the County is a concern of the County residents. Such modes of transportation ***lend themselves particularly to the rural nature*** *if* [sic] *the County."* (emphasis added)
   ii. Goal Statement is *"To provide and encourage an efficient, safe, convenient and economic transportation and communication system, including riads* [sic] *, rail, waterways, public transit and air, to serve the needs of existing and projected urban and rural development within the County, as well as to accommodate the regional movement of people and goods and the transfer of energy, recognizing the economic, social and energy impacts of the various modes of transportation."*

(1) Policies include: (excerpt below, see the Comprehensive Plan for the complete list of policies)

*"9. Yamhill County will **encourage bicycle and pedestrian traffic*** (emphasis added) *as an element of the transportation system by coordinating with the cities within the County to develop an integrated system of safe and convenient bicycle and pedestrian ways to complement other modes of transportation."*

11. All County transportation-related decisions will be made in particular consideration of energy efficiency and conservation.

13. Transportation needs for the disadvantaged, such as the low income, the handicapped, and the elderly, will be considered in the development of the County transportation system.

*14. Yamhill County will **utilize existing facilities and right-of-ways to the fullest extent possible*** (emphasis added) *provided that such use is consistent with the County comprehensive plan."*

e. **11.05.04.02 Parks and Recreation**, goal summary, statements, and policies include:

i. Summary. *"The Oregon State Park Department, Yamhill County, Chehalem Parks and Recreation District, the school districts and the Yamhill County cities provide a variety and different levels of park and recreation opportunities for County residents and the transient population. **Most of the park land outside Yamhill County cities are accessible only by automobile*** (emphasis added)***.*** *There is a lack of water-based recreational opportunities in Yamhill County.*

ii. Goal Statement is *"To provide adequate recreational opportunities in both the rural and urban environments to meet existing and projected needs."*

iii. Policies include: (excerpts below, see the Comprehensive Plan for the complete list of policies)

"1. Yamhill County will cooperate with all governments and recreation agencies within the region to identify recreation, open space, and scenic resources; determine resident and nonresident needs and formulate and implement measures for providing recreation services.

*2. Yamhill County will seek the **cooperation of the cities, school districts*** (emphasis added) *and Chehalem Park and Recreation district in the joint acquisition, development, operation and maintenance of combined school and neighborhood park and playground sites in harmony with projected neighborhood needs and surrounding uses. (175)*

4. Yamhill County will encourage the location of urban parks in scenic areas which are easily accessible to much of the urban population and which can be developed to provide recreation opportunities for a variety of age and interest groups. (176)

*5. Yamhill County will **encourage the development of rural parks*** (emphasis added) *with appropriate spacing to serve the needs of County residents on sites which have **unique aesthetic value*** (emphasis added)*, appropriate **access by road or path*** (emphasis added)*, and are otherwise suitable for picnicking and water-related activities. (176)*

6. *Yamhill County will encourage an appropriate amount of park and recreation development designed to meet the needs of the transient and regional population. (177) R*
7. ***Yamhill County will promote the development of an integrated bicycle and pedestrian trail system to provide recreational opportunities and to link open space, Yamhill County communities and park areas*** (emphasis added). *(178) R*
8. *Yamhill County will explore the possibilities of placing a greater share of the burden of park acquisition on new residents of the County who generate an increased demand for parks and open space. (178)*
9. *Yamhill County will **encourage cooperation among government agencies*** (emphasis added) *to increase recreation opportunities, programs and facilities for County residents, and will explore the possibilities of **providing recreation programs for the small towns and rural areas*** (emphasis added) *of the County. (179)*
10. *For the purpose of implementing recreation programs and development, Yamhill County will **investigate funding alternatives*** (emphasis added) *such as tax levies, bonding grants in aid, user fees and subdivision ordinance stipulation.*

R2. **A brief summary of ORS 215.213 (2) and (11) and ORS 215.283 (2) and (4):**

a. **ORS 215.213** Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993.
   i. ORS 215.213 (2) lists allowed uses subject to ORS 215.296. Uses listed here include:
      (a) A primary dwelling.
      (d) (B) Operations conducted for mining, crushing or stockpiling of aggregate and other mineral.
      (e) Community centers ... Public and private parks, playgrounds and campgrounds.
      (f) Golf courses.
      (h) Personal-use airports for airplanes.
      (q) Reconstruction or modification of public roads and highways.
      (s) A destination resort.
      (u) A living history museum.
      (y) Public or private schools.
      (For comparison, some of these listed uses likely would prove more burdensome to agricultural uses than the proposed Yamhelas Westsider Trail.)
   ii. ORS 215.213 (11) applies to agri-tourism and other commercial events or activities. (This subsection is apparently referenced with respect to Docket No.: G-01-25; Yamhelas Westsider Trail because it is listed in ORS 215.296.)

b. **ORS 215.283** Uses permitted in exclusive farm use zones in nonmarginal lands counties
   i. ORS 215.283 (2) also lists allowed uses subject to ORS 215.296. These are similar in scope and impact as those listed in ORS 215.213 (2).
      (b) (B) Operations conducted for mining, crushing or stockpiling of aggregate and other mineral.
      (d) Parks and playgrounds.

(f) Golf courses.
(h) Personal-use airports for airplanes.
(o) Residential homes.
® Reconstruction or modification of public roads and highways.
(t) A destination resort.
(x) A living history museum.
(aa) Public or private schools.

ii. Both ORS 215.283 (4) and ORS 215.213 (11) apply to agri-tourism.

c. The allowed uses of ORS 215.213 (2) or (11) or 215.283 (2) or (4) do not include trail or paths for walking or biking or any other similar terms. Both ORSs do have a different subsection for *"Roads, highways and other transportation facilities and improvements ..."* in subsections 10 and 3 respectively. Each provides two methods to gain approval. First is to adopt an exception to the goal related to agricultural lands. Second is to follow the steps of ORS 215.296. Note that Yamhill County is familiar with the exceptions protocol having gone through the process for the Newberg Dundee Bypass.

d. Both ORS 215.213 and ORS 215.283 refer to ORS 215.296:
   i. **ORS 215.296** Standards for approval of certain uses in exclusive farm use zones
      (1) ORS 215.296 refers explicitly to ORS 215.213 (2) and (11) and ORS 215.283 (2) an (4). Neither of these sections's subsections lists *"Roads, highways and other transportation facilities ..."* as allowable uses.

R3. **Rails to Trails Conservancy:**

a. National Rail-Trail and Trail Mileage Counts (scroll down a page or so): https://www.railstotrails.org/united-states/
b. Trails in Oregon (may need to enter Oregon in search box): https://www.traillink.com/trailsearch/?mmloc=oregon&utm_source=railstotrails.org&utm_medium=experience-trails_search-tool&utm_campaign=RTCreferrals
c. Maintenance Practices and Costs of Rail -Trails: https://www.railstotrails.org/wp-content/uploads/2024/01/Maintenance-Practices-and-Costs-of-Rail-Trails.pdf
d. Routine Trail Maintenance Costs Per Mile: https://www.railstotrails.org/resource-library/resources/routine-trail-maintenance-costs-per-mile/
e. Case study; A Nebraska Legacy: Examining the Cowboy Trail's Impact Across Three Decades: https://www.railstotrails.org/trailblog/a-nebraska-legacy-examining-the-cowboy-trails-impact-across-three-decades/
f. Case study; Circuit Trails Case Study: Pennsylvania and New Jersey: https://www.railstotrails.org/resource-library/resources/circuit-trails-case-study/
g. Case study; The Impact of the Little Miami Scenic Trail on Single Family Residential Property Values: https://www.railstotrails.org/resource-library/resources/the-impact-of-the-little-miami-scenic-trail-on-single-family-residential-property-values/

h. Case Study; Lamoille Valley Rail Trail Management Plan: https://www.railstotrails.org/resource-library/resources/lamoille-valley-rail-trail-management-plan/

R4. **Other trail rescources:**

a. Joseph Branch Trail Consortium: https://www.josephbranchtrail.org/
b. PBS/OPB: https://www.pbs.org/video/from-rails-to-trails-Qj9S1f/

R5. **Attachments:**

a. Four copies (including this one) of this document.
b. Four copies of the testimony at the Planning Commission Meeting December 4, 2025.
c. Four copies of the Fall 2025 issue of the Rails to Trails magazine with a tab marking the article "A Nebraska Legacy".

Leona and David Todd
15985 NE Yamhill Rd
Yamhill, OR 97148

Re: Position Statement on Proposed Rail Line Trail

I would like to preface our comments by clarifying that we are not opposed to trails in general—only to this proposed trail in its current form and location. We support the sale of the rail line by Yamhill County and believe it is time to bring this matter to a close.

There has already been extensive public discourse and significant funding spent on this issue. Parks and trails can provide broad community benefits when developed in appropriate locations, where there is overall community consensus, and where they do not impose disproportionate negative impacts on property owners of varying means and circumstances across the county. We believe the collective energy and resources of Yamhill County community members should be directed toward developing and improving projects that are well-supported and serve the broader community.

Respectfully,

Leona Todd
David Todd

Comments to the Yamhill County Commission

To: Members of the Commission and Planning Staff

From: Charles Van Genderen, Dayton Oregon

Date: January 21, 2025

Subject: Proposed Minor Amendment to the YCTSP to remove theYamhelas Westsider trail (YWT).

Since 2016, Yamhill County officials have put forth greater effort in the willful disregard of its own procedures and the needs of its constituents–both as your neighbors *and* under the law–than you have in planning and accomplishing the priorities and goals set forth by this very board thirty years ago.

Yamhill County citizens are tasked today with either swallowing the results of the County's egregious failure in executing a project that dozens of municipalities across the county have successfully accomplished (including our neighbor, Washington County), or objecting to the loss of a valuable solution to real problems. Removal of theYWT would not allow the county to best address the needs for improved safety, ADA requirements, and benefits of multimodal transportation.

To that end, the following are provisions of State Statute, Administrative Rule and Code that Yamhill County has failed to meet in pursuing the legislative amendment to remove the YWT from the Yamhill County Transportation System Plan (YCTSP):

ORS 197 and 215

The anemic staff report for the proposed amendment concludes:

> "Three attempts have been made to obtain land use approval to construct the 2.82-mile section of the trail located between the cities of Yamhill and Carlton. In each attempt the land use application was stopped due to the requirements in ORS 215.296 which is a statute that has become known as the "Farm Impacts Test".
>
> "Due to the fact that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test in three separate attempts, the majority of the Board of Commissioners initiated the removal of the Yamhelas-Westsider Trail from the TSP in order to pursue other projects. "

While it is true that Yamhill County has not been able to make findings to satisfy the Farm Impacts Test, pathetically, this is of your own making. Failure to make the findings is a result of poor planning, lack of study or outreach, refusal to follow the directions of LUBA's multiple remands (LUBA No. 2020-066 and LUBA No. 2020-067), and the overall dereliction of the County's responsibilities under ORS 197 and 215. **The LUBA decision does not prohibit a trail from being built!**

It is also worth noting that the LUBA decision applies only to a 2.82-mile segment of the proposed trail that runs between the cities Yamhill and Carlton, not the entire 15.25-mile corridor

set forth in the YCTSP (or even the 12.48-mile segment acknowledged in the LUBA decision). No other attempt to apply ORS 197 or 215 to the remainder of the 15.25-mile corridor is known and, should the amendment pass, it is reasonable to question whether Yamhill County's failure to make findings for the 2.82-mile segment subject to the LUBA dispute should be extrapolated to the entire 15.25-mile corridor under ORS 197, ORS 215, or Sections 402 or 1207 of the Yamhill County Zoning Code. **Therefore, this amendment should not move forward.**

Yamhill County Code

As stated above, Yamhill County does not acknowledge in its findings how provisions of Sections 402 or 1207 applied to the 2.82-mile segment of the trail subject to its Condition Use Permit (CUP) and the LUBA dispute can be extrapolated to the entire 15.25-mile segment under the law. The County's failure to engage in the process of constructing the 2.82-mile component of the trail in good faith under state and local laws should not apply to the corridor or the project in its entirety.

Once again, the LUBA decision does not preclude a trail from being built. Rather, it remands the County's CUP approval and asks for a complete response and justification for the CUP under ORS 197 and 215. Instead of stepping back from the process to plan the project appropriately and engage the community under the provisions of its Comprehensive Plan (Chapter 11.05: Yamhill County Comprehensive Plan Code), Transportation System Plan (OAR 660-012), and Zoning Ordinance (Sections 402 and 1207), the County has chosen to remove the trail from the plan altogether. Yet, the County's findings do not articulate how or why LUBA's remands for the 2.82-mile segment preclude pursuing the trail in the future or exploring alternatives short of abandoning the entire 15.25-mile project. **County staff have failed to comprehensively do their job and this is not adequate reason to amend the YCTSP.**

OAR 660-012

In removing the Yamhelas Westsider Trail from the YCTSP without evaluating whether the needs fulfilled by the project are otherwise adequately met under 660-012-0050(5), **Yamhill County has failed to meet the rule requirement**:

> "If a local government decides not to build a project authorized by the TSP, it must evaluate whether the needs that the project would serve could otherwise be satisfied in a manner consistent with the TSP. If identified needs cannot be met consistent with the TSP, the local government shall initiate a plan amendment to change the TSP or the comprehensive plan to assure that there is an adequate transportation system to meet transportation needs."

In terms of bicycle and pedestrian improvements under Yamhill County's exclusive ownership and purview, it proposes three (3) recommendations totaling 19.16 miles of improvements in the current TSP:

A. Old Sheridan Road - McMinnville to OR 18 = 2.01 miles,
A. Yamhelas Westsider Trail = 15.25,
F. Lafayette Highway - Lafayette to OR 18 = 1.90 miles.

Table 4: Recommended Bicycle and Pedestrian Improvements

	Location	Recommended Improvement	Cost	Funding Source	Time Frame
A	Old Sheridan Rd. - McMinnville to OR 18	• Widen travel lanes • Widen and pave shoulders to six feet	$2.0M + culvert replacement	County	Short-term
B	OR 47 - OR 99W to Washington County	• Yamhela's Westsider Trail	N/A	County/ Private	Short-term
C	OR 18B - Sheridan to Willamina	• Widen travel lanes • Widen and pave shoulders to six feet	$3.0M	ODOT	Medium-term
D	OR 99W - Newberg to Dundee	• Widen and pave shoulders to six feet*	See Location #17 in Table 3	ODOT	Medium-term or with Location #17 improvement
E	OR 99W - Lafayette to McMinnville	• Widen and pave shoulders to six feet	Reconstruction of two bridges**	ODOT	Medium-term
F	Lafayette Hwy. - Lafayette to OR 18	• Widen travel lanes • Widen and pave shoulders to six feet	$1.7M + utility pole relocation	County	Short-term

* Alternatively, the shoulders on Dayton Avenue could be widened, consistent with the Dundee TSP and Chehalem Heritage Trail Strategic Plan.
** South Yamhill River bridges only.

The remaining recommended improvements fall under the ownership and jurisdiction of the Oregon Department of Transportation. By removing Recommendation B, the County reduces its total potential obligation by 15.25 miles. This would amount to a 79.6% reduction and leaves a mere 3.91 miles of proposed improvements under the purview of the County, which are limited to the roadway. If the amendment passes and no justification is provided for how other parts of the plan meet identified needs in the TSP, Yamhill County proposes that widening the shoulders of 0.005% of the 716 miles of road it owns and maintains county-wide meets Objectives 1 and 2 under Goal 4 of Section 7 of the TSP to "Increase the Quality and Availability of Pedestrian and Bicycle Facilities." **This reduction is significant and needs further consideration under OAR 660-012**.

According to *ODOT Transportation System Plan Guidelines Best Practices and Emerging Topics* issued 5/31/17, which identifies and summarizes best practices to develop TSPs, Bicycle Level of Traffic Stress (BLTS) are defined as "a methodology that classifies four levels of traffic stress that a bicyclist can experience on the roadway, ranging from BLTS 1 (little traffic stress) to BLTS 4 (high traffic stress). A road segment that is rated BLTS 1 generally has low traffic volumes and travel speeds and is suitable for all cyclists, including children. A road segment that is rated BLTS 4 generally has high traffic volumes and travel speeds and is perceived as unsafe by most adults. Per the APM, BLTS 2 is considered a reasonable target for bicycle facilities due to its acceptability to the majority of people."

OR 47 has a BLTS rating of 4—the highest traffic stress (ODOT TransGIS). According to the *Population Forecasts for Yamhill County, its Cities and Unincorporated Area: 2011-2035* study commissioned by Yamhill County and provided by the Planning & Development website, "Yamhill County will undergo an increase of almost 43,000 persons from 99,851 in 2011 and population will reach almost 142,830 by 2035." **Failing to provide an adequate transportation system under this Goal that meets current needs and projected growth is unlawful.**

Removing the Yamhelas Westsider Trail from the TSP also negates the following objectives under Section 7:

> **Goal 3: Provide an Equitable, Balanced and Connected Multi-modal Transportation System**
>
> Objective 1: Provide adequate facilities for all transportation modes.
>
> Objective 2: Distribute the benefits and impacts of transportation decisions fairly and address the transportation needs and safety of all users, including the young, elderly, people with disabilities, and people of all races, ethnicities, and income levels.
>
> Objective 3: Provide connections to all modes that meet applicable County and Americans with Disabilities Act (ADA) standards.
>
> Objective 4: Support connectivity between the various communities in the County.

Under OAR 660-012-0105 for Transportation System Plan Updates the proposed amendment constitutes a minor change. Under the rule,

> (4) A city or county making a minor update to a transportation system plan shall, at a minimum:
>
> (b) Comply with the engagement requirements of **OAR 660-012-0120**; and
>
> (c) Identify areas with concentrations of underserved populations as provided in **OAR 660-012-0125** using best available data; and
>
> (d) Conduct an engagement-focused equity analysis as provided in **OAR 660-012-0135**.

Yamhill County has failed to meet —or present a justification for exemption from—**the following requirements** for Transportation System Planning Updates under OAR 660-012-0120, including:

(1) Cities and counties shall develop transportation system plans using methods of public engagement and decision making consistent with the statewide planning goals and the local acknowledged comprehensive plan.

(2) Public engagement and decision making shall follow the practices provided in OAR 660-012-0130 to place an increased emphasis on centering the voices of underserved populations identified in OAR 660-012-0125.

(3) Cities or counties engaged in an update of the transportation system plan as provided in OAR 660-012-0105, or an update of the future land use assumptions as provided in OAR 660-012-0340, shall make a special effort to ensure underserved populations, as identified in OAR 660-012-0125, are:

(a) Informed about the choices that need to be made in the planning process;

(b) Given a meaningful opportunity to inform the planning process; and

(c) Given an equitable share of the decision-making power over key decisions, to the extent possible.

For these reasons, Yamhill County should not pass the legislative amendment to remove the project known as Yamhelas Westsider Trail from the Yamhill County Transportation System Plan.

Sincerely,

Charles Van Genderen,

Dayton, Oregon

For several years I have attended meetings regarding the Salmonberry trail which for the first few miles is also know as the Banks
Vernonia Trail, from Banks until Manning where they will split. The Banks Vernonia trail continues to Vernonia going through farm ground and small acreage homes. I have personally talked to several of the people along the Banks Vernonia trail and heard their issues and continued concerns, such as people staring in the back windows of their house and thefts from properties along the trail, using the trail for access. We personally live along what is becoming the Salmonberry Trail. Every time the "trail" is promoted there is an uptick in people who want to walk the trail, even the portions that are not open yet. Several times this has led to issues with trespassers onto our property because they don't understand that when you get into rural and timber areas that everything is not public property. Almost weekly in the summer I see people parked illegally at one of our neighbors' gates and trespassing to gain access to the railway.
One of the key speaking points that pro trail people speak about is the businesses that will benefit from trail users. I go through Banks most weekends and have made a point to watch for bike racks at the grocery store, hardware store, and restaurants. Rarely do I see evidence of the trail users at businesses in banks, not to say it doesn't happen, but the economic benefit in my opinion seems very over inflated. The majority of the people along the Banks Vernonia that I know do not like the trail. The overwhelming majority of the people I talk to and know along the Salmonberry Trail are against it and many have already had issues and most of it is not officially open yet. One final note, it is interesting that the one field the state owns that is split by the Banks Vernonia trail is the only place along the BV trail that has the people fenced in. It is almost like the state knew it would be an issue.
John Hamel

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