

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION NO. 96-10-16-3

) IN THE MATTER OF OPPOSING SITING OF
) A STATE CORRECTIONAL FACILITY
) IN THE EUGENE/SPRINGFIELD
) METROPOLITAN AREA

WHEREAS, in 1995, the Oregon Legislature adopted, and the Governor signed, House Bill (HB) 2214 to establish an expedited process for the siting of additional correctional facilities in this state. Pursuant to that process, the Oregon Department of Corrections (ODOC) solicited from local governments statements of interest in the siting of correctional facilities in or near the local jurisdictions. Numerous local governments adopted resolutions expressing such an interest. Neither the City of Eugene, City of Springfield nor Lane County adopted a resolution expressing any interest in having the State locate a correctional facility in or around the Eugene-Springfield metropolitan area (metro area). Among other factors to be considered in determining whether to nominate a site, HB 2214 requires that ODOC base its decision on (a) the interest demonstrated by local jurisdictions in having a site selected for a corrections facility within their jurisdiction; (b) the availability of, or the ability of the local jurisdictions to provide, adequate infrastructure (such as water and sewer) to serve the facility; and (c) the availability of, or ability to provide local support facilities. There was no interest expressed by any of the three governments, there are unanswered questions about the ability to adequately serve the proposed facility with needed infrastructure and there are unanswered questions about the ability to provide local support facilities, and

WHEREAS, on October 2, 1996, officials from ODOC met with local officials to inform them that ODOC was considering nominating a site in the metro area for a medium security correctional facility. Prior to that date, no state official had indicated any intent to site such a facility in this area, nor had Eugene, Springfield, or Lane County expressed any interest in having the State locate such a facility in the area, and

WHEREAS, ODOC indicated that the site under consideration was located near the Eugene Airport. The site is approximately 400 acres in size. Half the site is located within the urban growth boundary (UGB), and the other half is located outside. The medium security prison would incarcerate up to 1600 medium security prisoners. Up to 600 correctional facility guards and staff would work at the prison. The facility would require approximately 2.4 million gallons of water per day, and produce up to 1.4 million gallons of wastewater. ODOC's consultant indicated that the facility would obtain its water from the Eugene Water and Electric Board (EWEB), and would need to dispose of its wastewater to the regional wastewater treatment facility, and

WHEREAS, for several reasons, sufficient or adequate water may not be available to serve the proposed correctional facility. First, EWEB may not have the capacity to provide on a daily basis an additional 2.4 million gallons of water without jeopardizing EWEB's ability to provide full water service to its current customers. Second, it is unlawful for EWEB to provide water service to the portion of this site located outside the UGB. The correctional facility would be located at least partially, and possibly entirely, outside the UGB. State law (ORS 199.464) prohibits EWEB from extending water service beyond the UGB. Resolution No. 2643, adopted by the Eugene City Council on March 28, 1977, also prohibits EWEB from extending water service to areas outside the UGB, and

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COUNTY CLERK
BY Liam DeWitt

WHEREAS, similarly, sanitary service legally is not available, and may not be made available, to the portion of the prison site located outside the UGB. Sanitary service in the metro area is provided by the Metropolitan Wastewater Management Commission (MWMC). State law (ORS 199.464) prohibits MWMC from providing such service outside the UGB. MWMC also is prohibited from providing such service by the intergovernmental agreement creating MWMC, and

WHEREAS, other than information from ODOC's consultants about water and sewer, and the identification of the site and numbers of prisoners and staff, ODOC has not, to date, provided sufficient information about the site, the operation, the effects on the metro area, the demands for local support services such as police, prosecution and judicial services or similar information which Eugene, Springfield and Lane County could use to further evaluate the possible nomination, and

WHEREAS, it is possible that the siting of a medium security correctional facility on a site just outside the UGB may have detrimental effects on the metro area and local services or facilities. The facility may result in increased costs to the local communities -- in terms of law enforcement, social services and growth impacts. In the event that the metro area is nominated, the local jurisdictions need time and information from ODOC in order to analyze the potential impacts, identify possible conditions to alleviate those impacts, and then prepare as best as possible to deal with those impacts. Other communities -- those which expressed an interest in having a correctional facility located within their jurisdiction -- have had months to contemplate such issues. Therefore, the consideration and development of those sites should precede consideration of a site in the metro area, now, therefore, be it

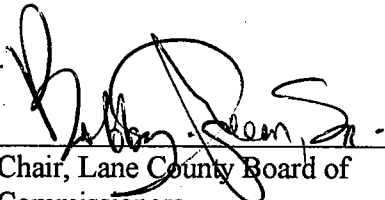
RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON, as follows:

Section 1. At this time, Lane County opposes the siting of a medium security correctional facility in the metro area. The site does not appear to meet the mandatory criteria established for nominating a site, including the requirements for adequate water, sanitary sewer and local support facilities, such as police, prosecution and judicial services.

Section 2. In the event that ODOC nevertheless nominates the metro area, the State Corrections Facilities Siting Authority should schedule the hearing on the metro area site as late as possible, in order to provide the community a meaningful opportunity to respond to that nomination.

Section 3. Lane County wants to cooperate with ODOC in determining the feasibility of using the site near the Eugene Airport for a prison and directs the County Administrator to make staff time available to assist ODOC.

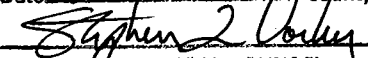
Adopted this 16th day of October, 1996.



 Chair, Lane County Board of
 Commissioners

APPROVED AS TO FORM

Date 10-16-96 Lane County


 OFFICE OF LEGAL COUNSEL

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WHEREAS, for several reasons, sufficient or adequate water may not be available to serve the proposed correctional facility. First, EWEB may not have the capacity to provide on a daily basis an additional 2.4 million gallons of water without jeopardizing EWEB's ability to provide full water service to its current customers. Second, it is unlawful for EWEB to provide water service to the portion of this site located outside the UGB. The correctional facility would be located at least partially, and possibly entirely, outside the UGB. State law (ORS 199.464) prohibits EWEB from extending water service beyond the UGB. Resolution No. 2643, adopted by the Eugene City Council on March 28, 1977, also prohibits EWEB from extending water service to areas outside the UGB, and

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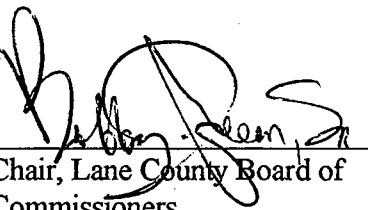
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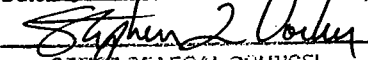
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Chair, Lane County Board of
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