

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Friday, October 10, 2025 5:11 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package
Attachments: IMG_3759.jpeg; IMG_3760.jpeg; Transparency_Issue_Letter October 7.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Dawn, Carla, Brandon, Amanda, and Members of the Planning Commission:

I am submitting this correspondence so that it is incorporated into the official local record for the City of Boardman’s Transportation System Plan (TSP) update, with a courtesy copy to DLCD for its administrative file to go before the Boardman planning commission meeting October 16th 2025. This letter also serves as a public records and open meetings request for the supporting materials cited in the Draft TSP.

1. Incomplete Record – Missing Volume II Appendices

The Draft TSP (September 2025) is expressly presented in two volumes. Volume II is to contain Appendices D–J (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, and Public Outreach Summary). These appendices are repeatedly cited in Volume I as the technical basis for traffic forecasts, buildable lands classifications, and project prioritization.

Yet in response to my public records request, the City Clerk confirmed these appendices were “not submitted.” DLCD likewise has received only Volume I. If these appendices exist, they have been withheld from the record in violation of ORS 192. If they do not exist, the Draft TSP is materially misleading, since it cites documents that are not available for review.

2. Procedural Defect – Notice and Hearing Timeline

The City’s own flyer promised the Draft TSP would be “ready for comment by October 9, 2025.” As of October 10 (this morning) the critical appendices remain missing. Proceeding to a hearing on October 16 with only seven days between the promised availability and the hearing—without the full record—deprives affected landowners of meaningful opportunity to review and rebut, contrary to ORS 197.763(6)(a).

3. Piecemealing and Inconsistent Sequencing

The City's own October meeting calendar (attached) shows that advisory committees are still meeting after the Planning Commission hearings:

- October 13, 2025: Comprehensive Plan / Development Code PAC
- October 28, 2025: Economic Opportunities Analysis PAC

These PAC meetings are directly tied to the BLI/EOA, which in turn form the foundation for the TSP and any UGB amendment. Scheduling Commission hearings before this work is complete constitutes piecemealing, contrary to OAR 660-024, and further demonstrates that the record is incomplete.

4. Transparency and Access Issues

I am also attaching my October 7, 2025 Transparency Issue Letter, documenting repeated difficulties in gaining equal access to advisory committee proceedings and records. Goal 1 – Citizen Involvement requires that landowners and the public be allowed to meaningfully participate (please see attached documentation about not being able to speak in public comments). Providing materials to PAC/TAC members while withholding them from affected landowners violates both Goal 1 and ORS 192.

Requested Action

For these reasons, I respectfully request that the City of Boardman and DLCD:

1. Produce the complete Volume II Appendices D–J and the unaltered mapping record cited in the Draft TSP.
 2. Provide an indexed list of all appendices, dated PDFs, and GIS files that constitute the full record.
 3. Continue the October 16 hearing until the full record is posted and the public has had the statutory opportunity to review.
 4. Incorporate this correspondence, the October meeting calendar screenshot, and my October 7 Transparency Issue Letter into the official local record.
-

Transparency is the backbone of trust in land use planning. Moving forward without the complete technical record, while advisory committees are still meeting on related elements, creates a procedurally defective process that cannot withstand appeal.

Thank you for your attention to these concerns. Please confirm by reply email that this letter and attachments have been entered into the record.

Respectfully,

Jonathan Tallman

Attachments:

1. City of Boardman October 2025 Meeting Calendar (showing October 13 and October 28 PACs)
2. Transparency Issue Letter – October 7, 2025
3. October 9th update that goes to missing internet link. Today is October 10th.

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"....which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn



Dawn Marie Hert [◀ Hear my name](#)

Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that “all supporting calculations, inventories, spreadsheets, and maps used to classify properties” could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared “under separate cover.”

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a “New RV Site.”
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon’s open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.

2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City's findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD's review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane

<mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan. Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3 - 5

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** ([no such document was submitted, the City submitted a Transportation System Plan](#)) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** ([the Appendices package was not submitted](#)) (Code Assessment ([not submitted](#)), Methodology ([not submitted](#)), Existing Conditions Inventory and Analysis ([not submitted, TSP Page PAC 1/29/25](#)), Future Conditions Analysis ([not submitted, TSP Page PAC 1/29/25](#)), Proposed Solutions ([not submitted, TSP Page PAC 5/13/25](#)), Implementing Ordinances ([no such document](#)), Public Outreach Summary ([no such document](#))).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. [This can be found on the Economics Opportunity Page, PAC Meeting 7/29/25, Appendix B Buildable Land Inventory](#)
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. [As stated earlier, no such document was submitted, the City submitted a Transportation System Plan.](#)

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx



From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Sunday, October 12, 2025 8:39 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Follow Up Flag: Follow up
Flag Status: Flagged

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.
-

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
 2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon's statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is too big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

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6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
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- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"....which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert  [Hear my name](#)

Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD



Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that “all supporting calculations, inventories, spreadsheets, and maps used to classify properties” could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared “under separate cover.”

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a “New RV Site.”
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon’s open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.

2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City's findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD's review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3 - 5

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a [Transportation System Plan](#)) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the [Appendices package was not submitted](#)) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a [Transportation System Plan](#).

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx



Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Sunday, October 12, 2025 6:58 PM
To: Carla McLane; Brandon Hammond
Cc: Derrin Tallman; HERT Dawn * DLCD; Amanda Mickles; Amanda Mickles
Subject: Request to Keep Record Open – October 13 & 28 PAC Meetings / Transparency Concerns
Attachments: IMG_3790.jpeg; IMG_3789.png; IMG_3788.png; Transparency_Issue_Letter October 7.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Hi All,

I'm following up regarding the October 13 Comprehensive Plan/Development Code PAC meeting and the October 28 EOA PAC meeting. Both are posted as public meetings, yet there are no packets available and the public comment option has been restricted. Under ORS 192.610 – 192.690 and Statewide Planning Goal 1 (OAR 660-015-0000(1)), the City must provide advance access to meeting materials and ensure meaningful public participation.

Given that these materials remain unavailable (see below pictures), I'm requesting that the record for both meetings remain open until the packets are posted and the public has been given adequate time to review and add information. Please confirm when the packets will be released and when the record will officially close so I can plan additional submissions after adequately reviewing them.

I'm also attaching my October 7 Transparency Issue Letter that was sent to Mayor Keefer and forwarded to City Manager Brandon Hammond, which documents ongoing problems with inconsistent access, unclear comment policies, and restricted participation. These transparency issues directly relate to the current lack of materials and should be included in the record for both meetings.

Please confirm that this correspondence along with the attached Transparency Issue Letter will be entered into both the City and DLCD records.

Thank you,

Jonathan Tallman

Land owner

Boardman, Oregon

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Monday, October 13, 2025 4:55 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and

2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting
 - Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
 - What is the City’s current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
 - Has OWRD approved any pending transfer, modification, or “water-for-water” exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
 - If not, under what authority is the City assuming future water capacity in this plan?
2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
 - Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
 - If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?
3. Goal 11 and Goal 5 Compliance
- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
 - Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
 - If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?
4. Transparency and Public Access
- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
 - Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
 - If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key items

missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any

future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and

- The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is too big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.
3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"...which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert  [Hear my name](#)



Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon's open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City's findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD's review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it

repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3 - 4

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** ([no such document was submitted, the City submitted a Transportation System Plan](#)) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** ([the Appendices package was not submitted](#)) (Code Assessment ([not submitted](#)), Methodology ([not submitted](#)), Existing Conditions Inventory and Analysis ([not submitted, TSP Page PAC 1/29/25](#)), Future Conditions Analysis ([not submitted, TSP Page PAC 1/29/25](#)), Proposed Solutions ([not submitted, TSP Page PAC 5/13/25](#)), Implementing Ordinances ([no such document](#)), Public Outreach Summary ([no such document](#))).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a Transportation System Plan.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Monday, October 13, 2025 1:10 PM
To: Carla McLane; Brandon Hammond
Cc: Derrin Tallman; HERT Dawn * DLCD; Amanda Mickles; Amanda Mickles
Subject: Re: Request to Keep Record Open – October 13 & 28 PAC Meetings / Transparency Concerns
Attachments: Transparency_Issue_Letter October 7.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Hi all,

Following up on my note below:

1. I plan to attend the October 13 Comprehensive Plan/Development Code PAC meeting and the October 28 EOA PAC meeting and provide updates, consistent with what the Mayor said at the October 7 City Hall meeting. To do that meaningfully, I need the meeting packets in advance.
2. Both meetings are noticed as public meetings. Under Oregon's Public Meetings Law, notice must be "reasonably calculated" to inform the public of the meeting, and the law's stated policy is that decisions be made openly and on the information upon which such decisions were made (ORS 192.640; policy statement in ORS 192.620). Please post the packets and confirm when they will be available for public review.
3. For land use planning, Statewide Planning Goal 1 requires meaningful public participation, including effective two-way communication and making technical information easy to understand. That means materials should be available far enough in advance for the public to review and comment (OAR 660-015-0000(1), Goal 1). Please confirm how and when public comments (written and, if allowed, oral) will be accepted for these PAC meetings.
4. Because packets are still unavailable, I again request that the record remain open for both meetings until the packets are posted and the public has had adequate time to review and submit information pursuant to Goal 1. Please confirm the packet release date and the record-close date for each meeting.

I'm also re-attaching my October 7 Transparency Issue Letter (sent to Mayor Keefer and forwarded to City Manager Brandon Hammond). Given the repeated difficulty accessing materials and unclear comment procedures, please enter this email and the attached letter into both the City's and DLCD's records for the October 13 and October 28 PAC meetings.

Thank you, and I look forward to your confirmation on packet availability, participation procedures, and the record-close dates.

Best,

Jonathan Tallman

Land owner, Boardman OR

On Sun, Oct 12, 2025 at 6:58 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Hi All,

I'm following up regarding the October 13 Comprehensive Plan/Development Code PAC meeting and the October 28 EOA PAC meeting. Both are posted as public meetings, yet there are no packets available and the public comment option has been restricted. Under ORS 192.610 – 192.690 and Statewide Planning Goal 1 (OAR 660-015-0000(1)), the City must provide advance access to meeting materials and ensure meaningful public participation.

Given that these materials remain unavailable (see below pictures), I'm requesting that the record for both meetings remain open until the packets are posted and the public has been given adequate time to review and add information. Please confirm when the packets will be released and when the record will officially close so I can plan additional submissions after adequately reviewing them.

I'm also attaching my October 7 Transparency Issue Letter that was sent to Mayor Keefer and forwarded to City Manager Brandon Hammond, which documents ongoing problems with inconsistent access, unclear comment policies, and restricted participation. These transparency issues directly relate to the current lack of materials and should be included in the record for both meetings.

Please confirm that this correspondence along with the attached Transparency Issue Letter will be entered into both the City and DLCD records.

Thank you,

Jonathan Tallman

Land owner

Boardman, Oregon

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Tuesday, October 14, 2025 5:11 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles; Tamra Mabbott; Clint Shoemake
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Follow Up Flag: Follow up
Flag Status: Flagged

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City’s compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting
 - Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?

- What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
 - Has OWRD approved any pending transfer, modification, or "water-for-water" exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
 - If not, under what authority is the City assuming future water capacity in this plan?
2. Water-for-Water Exchange Oversight
- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
 - Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
 - If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?
3. Goal 11 and Goal 5 Compliance
- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
 - Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
 - If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?
4. Transparency and Public Access
- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
 - Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
 - If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City's official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: "Copies of the staff report and all relevant documents will be available on or before October 9, 2025," and directs the public to obtain the materials before the hearing. With the portal down and key

items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any

future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and

- The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is too big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.
3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"...which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert  [Hear my name](#)



Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon's open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City's findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD's review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it

repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3 -

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in blue) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a **Transportation System Plan**) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the **Appendices package was not submitted**) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a **Transportation System Plan**.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Tuesday, October 14, 2025 9:29 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles; Tamra Mabbott; Clint Shoemake
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Follow Up Flag: Follow up
Flag Status: Flagged

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquiries.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>

Public Adv Meeting #4

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City's compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurbed across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting
 - Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
 - What is the City’s current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
 - Has OWRD approved any pending transfer, modification, or “water-for-water” exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
 - If not, under what authority is the City assuming future water capacity in this plan?

2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
- Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
- If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?

3. Goal 11 and Goal 5 Compliance

- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
- Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
- If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?

4. Transparency and Public Access

- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
- Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
- If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key

items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
 2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.
3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be

amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"....which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert  [Hear my name](#)



Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon's open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City’s findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD’s review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City’s own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and

it repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3 -

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in blue) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a Transportation System Plan) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the Appendices package was not submitted) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a Transportation System Plan.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Tuesday, October 14, 2025 10:49 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles; Tamra Mabbott; Clint Shoemake
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package
Attachments: IMG_3817.png; IMG_3816.png; Transparency_Issue_Letter October 7.pdf; IMG_3817.png; IMG_3816.png

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can’t speak at that doesn’t have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquires.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>

Public Adv Meeting #4

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City's compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting
 - Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
 - What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
 - Has OWRD approved any pending transfer, modification, or "water-for-water" exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
 - If not, under what authority is the City assuming future water capacity in this plan?

2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
- Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
- If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?

3. Goal 11 and Goal 5 Compliance

- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
- Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
- If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?

4. Transparency and Public Access

- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
- Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
- If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and

key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
 2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.
3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be

amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"...which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and

Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert  [Hear my name](#)



Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon's open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully

review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City's findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD's review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,



Mon, Oct 13 2025, 3 -

[Add to your calendar](#) +

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On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a [Transportation System Plan](#)) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the [Appendices package was not submitted](#)) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a [Transportation System Plan](#).

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Tuesday, October 14, 2025 8:34 PM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles; Tamra Mabbott; Clint Shoemake
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Subject: Clarification Needed: TSP Volume II, Staff Report, and OWRD Coordination for 10/16

Hi Carla,

Thanks for confirming my emails will be provided to the Planning Commission and included in the record. Like you have said there is a lot to unpack since you are pushing so much through at once unlike what is normally done. So I am glad you understand the complexities that need to be sorted out.

To avoid procedural errors on 10/16/2025 could you please confirm the following by reply email and provide direct links (not general webpages):

1. TSP Volume II (Appendices D–J)

Is the full Volume II—Appendix D (Code Assessment), E (Methodology), F (Existing Conditions), G (Future Conditions), H (Proposed Solutions), I (Implementing Ordinances), J (Public Outreach Summary)—posted as final PDFs and accessible to the public? If so, please share the direct URLs. PAC slide decks are not a substitute for the official technical appendices referenced “under separate cover” in the draft.

2. Signed, dated staff report

Has the signed and dated staff report for the 10/16 Planning Commission hearing been posted? If so, please provide the direct link.

3. OWRD coordination and water-capacity materials

Has the City coordinated with the Oregon Water Resources Department (OWRD) regarding assumed water capacity, water-for-water exchanges, or related consumptive-use questions tied to TSP growth assumptions? If any OWRD communications, memoranda, or analyses exist, please post them and share the links so the public can review before the hearing.

4. Seven-day availability

The public notice states that all relevant materials would be available “on or before October 9.” Please confirm that all of the above items were available by that date. If any were not, please confirm the City will either continue the hearing or keep the record open for 7 days under ORS 197.763(6)(c) to preserve due process.

For clarity: I am not asking the City to create new records. I am requesting the specific existing documents the draft TSP cites and relies upon. If these are already online, please provide the direct URLs so I can review them prior to 10/16. Please make this email part of the record.

Thank you for your attention to these points and for ensuring the record is complete and accessible.

Respectfully,

Jonathan Tallman

Mr. Tallman,

Your multiple emails have been received and will be made available to the Planning Commission prior to this Thursday's (10/16) Planning Commission meeting, which will make them part of the decision maker's record. The materials for Thursday's meeting have been posted on the City's website since last Thursday afternoon, as is standard practice at the City, and are available at this [link](#). The meeting packet for the October 13 Comprehensive Plan/Development Code PAC meeting has been posted online since before the meeting, and is still available at this [link](#). The EOA PAC meeting agenda will be posted to the [project page](#) closer to the actual meeting date of 10/28.

We will continue to review your input, but if you are requesting a copy of a specific document that hasn't otherwise been posted to the respective committee's website, then you will need to make a formal public records request for that specific document using the City's standard form, available [here](#). Please note that the City is not required to create new public records; it is only required to make available records that are actually in the public body's custody at the time the request is made.

Cordially,

Carla McLane

Planning Official

On Tue, Oct 14, 2025 at 10:48 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can’t speak at that doesn’t have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquires.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>

Public Adv Meeting #4

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City's compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting
 - Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
 - What is the City’s current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
 - Has OWRD approved any pending transfer, modification, or “water-for-water” exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?

- If not, under what authority is the City assuming future water capacity in this plan?
- 2. Water-for-Water Exchange Oversight
 - Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
 - Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
 - If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?
- 3. Goal 11 and Goal 5 Compliance
 - How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
 - Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
 - If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?
- 4. Transparency and Public Access
 - Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
 - Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
 - If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and

key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
 2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.
3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language

proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"....which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and

Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert



Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon's open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully

review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City's findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD's review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,



Jonathan Tallman

Mon, Oct 13 2025, 3 -

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a Transportation System Plan) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the Appendices package was not submitted) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a Transportation System Plan.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





TALLMAN EMAIL #10

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Wednesday, October 15, 2025 7:08 AM
To: HERT Dawn * DLCD; Carla McLane; Brandon Hammond; Amanda Mickles; Amanda Mickles; Tamra Mabbott; Clint Shoemake
Cc: derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package
Attachments: IMG_3520.jpeg; IMG_3568.jpeg; IMG_3566.jpeg; IMG_2684.jpeg; IMG_3657.png; IMG_0188.jpeg

Subject: Clarification and Record Update – BPA Easement, RV Site Mapping, Morrow County trail Missing Documentation, and Incomplete TSP Appendices update 10/15/2025

Dear Carla & Tamra,

A couple of important items I want to address and have entered into the record:

The images I sent previously are not displaying correctly in the materials or packets, and several visual references are missing or only partially shown. This includes the series of maps and exhibits illustrating the BPA Easement East corridor and the area labeled as “New RV Site” in the City’s Parks and Master Plan documents.

I also request that the attached images be included in full in the official record. They show the progression of mapping—from the City’s plan where the RV site was clearly marked, to later versions where the same area appears blurred out or replaced by a generic BPA trail alignment that does not accurately represent the site’s full context.

For the record, this RV site location is my private property, and I have repeatedly submitted public-records requests asking for the underlying documentation explaining why and when these changes were made. To date, no explanatory notes, staff memoranda, or change logs have been provided. The absence of this documentation raises procedural concerns and prevents the public from understanding the basis for the City’s map revisions.

Additionally, during the April 15, 2025 Parks Master Plan PAC meeting (timestamp 1:52:51 – 1:53:04 on the City’s official YouTube recording), it was stated on record that Amazon was potentially funding development of an RV park, with the City indicating it could be completed within approximately 18 months. This further underscores the importance of transparency regarding how this area—my property—has been referenced, modified, and represented in subsequent City planning materials which also effects the county’s trail.

It is also important to note that the October 16, 2025 Planning Commission packet references both TSP Volume I and Volume II (Technical Appendices). Specifically, the “Acknowledgements & TSP Organization” section states that “Volume II Technical Appendices (Under Separate Cover) includes Appendix A through J—Methodology Memorandum, Existing Conditions Inventory and Analysis, Future Conditions Analysis, Proposed Solutions, Implementing Ordinances, and Public Outreach Summary.” However, the packet released for public review includes only Volume I; none of the technical appendices

are attached or made available for review before the October 16 hearing. Without these appendices—particularly the Methodology Memorandum (Appendix E)—the public cannot verify the assumptions, modeling, or data that support the plan.

Because these technical materials are missing, I am preparing to provide drone imagery and supplemental analysis to demonstrate discrepancies between mapped data and on-the-ground conditions. However, without the methodology and data appendices, I cannot “show my math” or quantify how vacant and developable properties—including my own—are being undercounted or misclassified in the City’s inventory. That methodological transparency is required for meaningful review and for compliance with Statewide Planning Goals 1 (Public Involvement), 9 (Economic Development), and 10 (Housing).

These inconsistencies, whether by omission or error, materially affect the accuracy of the public record and the representation of my property within the City’s adopted plans. Transparency and accuracy are essential, particularly in the context of public hearings and decisions that affect landowner rights.

Please ensure that all the referenced images and this correspondence are added to the public record for both the TSP and Parks Master Plan proceedings, and that they are included in the packet and visibly presented before the October 16 Planning Commission vote and in the County’s records as well.

Finally, I want to reiterate that under ORS 192.630(4), public meetings must allow equal access and participation, and Statewide Planning Goal 1 (OAR 660-015-0000(1)) requires meaningful public involvement at all stages of the planning process. Omitting or altering key site information without documentation—and withholding the full technical appendices—conflicts with both the letter and the spirit of those requirements.

Thank you for your attention to this matter and for ensuring the complete and transparent inclusion of these materials before the October 16 vote.

Respectfully,

Jonathan Tallman

Please note integrity is at stake. Will you stand up and do the right thing and show the truth?

On Tue, Oct 14, 2025 at 8:34 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Clarification Needed: TSP Volume II, Staff Report, and OWRD Coordination for 10/16

Hi Carla,

Thanks for confirming my emails will be provided to the Planning Commission and included in the record. Like you have said there is a lot to unpack since you are pushing so much through at once unlike what is normally done. So I am glad you understand the complexities that need to be sorted out.

To avoid procedural errors on 10/16/2025 could you please confirm the following by reply email and provide direct links (not general webpages):

1. TSP Volume II (Appendices D–J)

Is the full Volume II—Appendix D (Code Assessment), E (Methodology), F (Existing Conditions), G (Future Conditions), H (Proposed Solutions), I (Implementing Ordinances), J (Public Outreach Summary)—posted as final PDFs and accessible to the public? If so, please share the direct URLs. PAC slide decks are not a substitute for the official technical appendices referenced “under separate cover” in the draft.

2. Signed, dated staff report

Has the signed and dated staff report for the 10/16 Planning Commission hearing been posted? If so, please provide the direct link.

3. OWRD coordination and water-capacity materials

Has the City coordinated with the Oregon Water Resources Department (OWRD) regarding assumed water capacity, water-for-water exchanges, or related consumptive-use questions tied to TSP growth assumptions? If any OWRD communications, memoranda, or analyses exist, please post them and share the links so the public can review before the hearing.

4. Seven-day availability

The public notice states that all relevant materials would be available “on or before October 9.” Please confirm that all of the above items were available by that date. If any were not, please confirm the City will either continue the hearing or keep the record open for 7 days under ORS 197.763(6)(c) to preserve due process.

For clarity: I am not asking the City to create new records. I am requesting the specific existing documents the draft TSP cites and relies upon. If these are already online, please provide the direct URLs so I can review them prior to 10/16. Please make this email part of the record.

Thank you for your attention to these points and for ensuring the record is complete and accessible.

Respectfully,

Jonathan Tallman

Mr. Tallman,

Your multiple emails have been received and will be made available to the Planning Commission prior to this Thursday's (10/16) Planning Commission meeting, which will make them part of the decision maker's record. The materials for Thursday's meeting have been posted on the City's website since last Thursday afternoon, as is standard practice at the City, and are available at this [link](#). The meeting packet for the October 13 Comprehensive Plan/Development Code PAC meeting has been posted online since before the meeting, and is still available at this [link](#). The EOA PAC meeting agenda will be posted to the [project page](#) closer to the actual meeting date of 10/28.

We will continue to review your input, but if you are requesting a copy of a specific document that hasn't otherwise been posted to the respective committee's website, then you will need to make a formal public records request for that specific document using the City's standard form, available [here](#). Please note that the City is not required to create new public records; it is only required to make available records that are actually in the public body's custody at the time the request is made.

Cordially,

Carla McLane

Planning Official

On Tue, Oct 14, 2025 at 10:48 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can't speak at that doesn't have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing

bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:
Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquires.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman



<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>

Public Adv Meeting #4

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City's compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting
 - Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
 - What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?

- Has OWRD approved any pending transfer, modification, or “water-for-water” exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
- If not, under what authority is the City assuming future water capacity in this plan?
- 2. Water-for-Water Exchange Oversight
 - Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
 - Are these credits verified through OWRD’s Water Rights Division or based on consultant projections?
 - If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?
- 3. Goal 11 and Goal 5 Compliance
 - How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
 - Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
 - If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?
- 4. Transparency and Public Access
 - Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
 - Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
 - If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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No page could be found at

[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and

key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
 2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
 3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
 4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
 5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.
3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language

proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"...which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.
 - *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report

and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert

 [Hear my name](#)



Eastern Oregon Regional Representative | Community
Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall,
Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, October 2, 2025 7:32 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx

Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon's open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot

meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City’s findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD’s review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City’s own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan . Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,



Jonathan Tallman

Mon, Oct 13 2025, 3 -

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a Transportation System Plan) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the Appendices package was not submitted) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a Transportation System Plan.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Wednesday, October 15, 2025 7:03 PM
To: Carla McLane
Cc: HERT Dawn * DLCD; Brandon Hammond; Amanda Mickles; Tamra Mabbott; Clint Shoemake; derrin@tallman.cx; fletcher@cfsilage.com
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package
Attachments: lmes_email_citation Carla.pdf; 2022 collectors.pdf; IMG_3520.jpeg; IMG_2684.jpeg; IMG_3657.png; IMG_3568.jpeg; IMG_3566.jpeg

Subject: Request to Continue Hearing and Keep Record Open – Missed October 9 Deadline, Pending LUBA Remand, Access Permit Limitations, and BLI Acreage Analysis

Dear Carla,

Thank you for your reply and for confirming that the Transportation System Plan appendices were posted today (10/15/2025 at 1:58 p.m. Pacific). Today is the first day I have been able to fully review and process that information.

After comparing the newly released appendices with prior case materials, I have identified continuing procedural and evidentiary deficiencies under ORS 197.763(2)(b) and (6)(c) that require either (a) a continuance of the October 16 hearing, or (b) that the record remain open for at least seven (7) days following the hearing to ensure due process and a complete evidentiary record.

1. Record Availability – Missed October 9 Posting Deadline

The City's public hearing notice stated that all relevant materials would be available "on or before October 9, 2025." The appendices and technical data were posted after that date, depriving the public of the required seven-day pre-hearing review window under ORS 197.763(2)(b) and Statewide Planning Goal 1. A continuance is necessary to correct this procedural defect.

2. Unresolved LUBA Remand (2022-062)

In 1st John 2:17 LLC v. City of Boardman (2022-062), LUBA remanded for failure to adopt findings on (a) the functional classification of the Laurel / Yates (Loop Road) corridor and (b) required lateral improvements under BDC 3.4.100. Those findings have not been re-adopted, yet the same corridor is

relied upon in the current TSP/BLI. Proceeding without curing the remand conflicts with ORS 197.625(2)(b) and Goal 1 due-process standards.

3. Access Permit and IAMP Limitation – Confirmation from Morrow County

Morrow County Public Works (Eric Imes, 6/2/2025) confirmed development did not advance because “the county never obtained an access permit. The IAMP does not allow for a commercial access where our easement is—only farm/residential.” This conflicts with the TSP’s commercial/industrial circulation assumptions. Until that restriction is resolved with ODOT and documented in the record, adoption would lack substantial evidence under ORS 197.835(7).

4. Quantitative Analysis Needed – Buildable Land and Acreage Comparison

These parcel-by-parcel calculations will establish how much developable employment land already exists within the current UGB, eliminating any need to justify expansion at this time. Because the analysis necessarily relies on Appendix E (Methodology) and the City’s parcel-acreage tables, the evidentiary record must remain open long enough to submit the verified math, worksheets, and exhibits. I will also submit date-stamped drone imagery documenting current on-the-ground conditions showing that areas labeled “constrained” or “non-employment” are, in fact, open and serviceable. In addition, because development capacity is tied to municipal water availability and any OWRD-administered “water-for-water” exchanges, related OWRD materials should be included in the record before any recommendation.

5. Procedural Requirement to Keep Record Open

Under ORS 197.763(6)(c), when new evidence is submitted, the hearing body must leave the record open at least seven (7) days. After that, a seven-day rebuttal period under ORS 197.763(6)(d) applies before any final vote. Failing to honor these periods would be procedural error subject to appeal.

6. Process Safeguard if the Record Is Not Left Open

To ensure the process is handled correctly and to avoid prejudice to any party:

- Primary request: Continue the October 16 hearing so all materials (including appendices) are publicly available for at least seven (7) days before testimony.
- Alternative: If the Commission declines to continue, please confirm in writing that:
 1. The evidentiary record will remain open for at least seven (7) days after the hearing under ORS 197.763(6)(c) for additional evidence (including my drone imagery and BLI parcel math); and
 2. If the Commission elects to close the record to new evidence, it will still provide no less than seven (7) days for final written argument under ORS 197.763(6)(e), with the City specifying the exact date and time the evidentiary record closes and the argument period begins and ends.

- Re-notice if needed: If significant materials are posted within seven (7) days of any decision date, please re-notice to preserve due process and avoid prejudice to participants.

7. Water Rights / “Water-for-Water” Coordination (Goal 11; OWRD Oversight)

Because TSP growth assumptions imply future service capacity, please include in the record any coordination with the Oregon Water Resources Department (OWRD)—specifically the Water Rights Division—regarding municipal water availability and any contemplated “water-for-water” exchanges or transfers. In Oregon, exchanges and transfers are reviewed and administered by OWRD to ensure no injury to other rights and to document the lawful source and quantity of water. For transparency:

- Identify current certificated municipal water rights (annual AF), current use, and surplus/deficit assumptions tied to the TSP.
- Identify whether any exchanges or transfers are proposed, filed, or approved with OWRD to support the growth scenario, and include related correspondence in the record.

This ensures consistency with Goal 11 (Public Facilities and Services) and prevents adoption based on unverified capacity assumptions.

Given the missed October 9 posting deadline, the outstanding LUBA remand, the IAMP access limitation, the pending acreage verification and imagery, and the need to document OWRD coordination on water assumptions, I respectfully request that the Planning Commission continue the October 16 hearing.

If the Commission declines to continue, please confirm in writing that the record will remain open for at least seven (7) days under ORS 197.763(6)(c); and if the evidentiary record is closed, that a seven-day final-argument period will be provided under ORS 197.763(6)(e), with exact close/open timestamps stated on the record.

Please ensure this correspondence is included in the official record and circulated to the Planning Commission and City Council, together with the original, unaltered documentation I have submitted (including the attached Eric Imes email and the LUBA Case No. 2022-062 materials). Also with the video and time stamp of the April 15th PAC meeting mentioning Amazon is paying for an RV site. If any redactions are made, please log them with the legal basis.

Respectfully,

Jonathan Tallman

Please note: Because these matters directly affect Morrow County’s trail corridor and County-owned parcel 3211, please also include this correspondence and attachments in the County’s official record for the Heritage Trail and TSP coordination process. Michaela Rimerez thank you and Clint Shoemake.

On Wed, Oct 15, 2025 at 1:58 PM Carla McLane <mclanec@cityofboardman.com> wrote:

Mr. Tallman,

All TSP draft appendices have been posted to the city's website since last week and are still available [here](#). Information concerning the Parks Master Plan can be found [here](#). All other requested documents do not exist. Future requests for public records that do not utilize the city's standard public request [form](#) will be denied for failing to abide by the procedures set forth in city policy.

Cordially,

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Wednesday, October 15, 2025 7:08 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; Carla McLane <mclanec@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Amanda Mickles <Amanda@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; Tamra Mabbott <tmabbott@morrowcountyor.gov>; Clint Shoemake <cshoemake@morrowcountyor.gov>

Cc: derrin@tallman.cx

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Subject: Clarification and Record Update – BPA Easement, RV Site Mapping, Morrow County trail Missing Documentation, and Incomplete TSP Appendices update 10/15/2025

Dear Carla & Tamra,

A couple of important items I want to address and have entered into the record:

The images I sent previously are not displaying correctly in the materials or packets, and several visual references are missing or only partially shown. This includes the series of maps and exhibits illustrating the BPA Easement East corridor and the area labeled as “New RV Site” in the City's Parks and Master Plan documents.

I also request that the attached images be included in full in the official record. They show the progression of mapping—from the City's plan where the RV site was clearly marked, to later versions where the same area appears blurred out or replaced by a generic BPA trail alignment that does not accurately represent the site's full context.

For the record, this RV site location is my private property, and I have repeatedly submitted public-records requests asking for the underlying documentation explaining why and when these changes were made. To date, no explanatory notes, staff memoranda, or change logs have been provided. The

absence of this documentation raises procedural concerns and prevents the public from understanding the basis for the City’s map revisions.

Additionally, during the April 15, 2025 Parks Master Plan PAC meeting (timestamp 1:52:51 – 1:53:04 on the City’s official YouTube recording), it was stated on record that Amazon was potentially funding development of an RV park, with the City indicating it could be completed within approximately 18 months. This further underscores the importance of transparency regarding how this area—my property—has been referenced, modified, and represented in subsequent City planning materials which also effects the county’s trail.

It is also important to note that the October 16, 2025 Planning Commission packet references both TSP Volume I and Volume II (Technical Appendices). Specifically, the “Acknowledgements & TSP Organization” section states that “Volume II Technical Appendices (Under Separate Cover) includes Appendix A through J—Methodology Memorandum, Existing Conditions Inventory and Analysis, Future Conditions Analysis, Proposed Solutions, Implementing Ordinances, and Public Outreach Summary.” However, the packet released for public review includes only Volume I; none of the technical appendices are attached or made available for review before the October 16 hearing. Without these appendices—particularly the Methodology Memorandum (Appendix E)—the public cannot verify the assumptions, modeling, or data that support the plan.

Because these technical materials are missing, I am preparing to provide drone imagery and supplemental analysis to demonstrate discrepancies between mapped data and on-the-ground conditions. However, without the methodology and data appendices, I cannot “show my math” or quantify how vacant and developable properties—including my own—are being undercounted or misclassified in the City’s inventory. That methodological transparency is required for meaningful review and for compliance with Statewide Planning Goals 1 (Public Involvement), 9 (Economic Development), and 10 (Housing).

These inconsistencies, whether by omission or error, materially affect the accuracy of the public record and the representation of my property within the City’s adopted plans. Transparency and accuracy are essential, particularly in the context of public hearings and decisions that affect landowner rights.

Please ensure that all the referenced images and this correspondence are added to the public record for both the TSP and Parks Master Plan proceedings, and that they are included in the packet and visibly presented before the October 16 Planning Commission vote and in the County’s records as well.

Finally, I want to reiterate that under ORS 192.630(4), public meetings must allow equal access and participation, and Statewide Planning Goal 1 (OAR 660-015-0000(1)) requires meaningful public involvement at all stages of the planning process. Omitting or altering key site information without documentation—and withholding the full technical appendices—conflicts with both the letter and the spirit of those requirements.

Thank you for your attention to this matter and for ensuring the complete and transparent inclusion of these materials before the October 16 vote.

Respectfully,

Jonathan Tallman

Please note integrity is at stake. Will you stand up and do the right thing and show the truth?

On Tue, Oct 14, 2025 at 8:34 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Clarification Needed: TSP Volume II, Staff Report, and OWRD Coordination for 10/16

Hi Carla,

Thanks for confirming my emails will be provided to the Planning Commission and included in the record. Like you have said there is a lot to unpack since you are pushing so much through at once unlike what is normally done. So I am glad you understand the complexities that need to be sorted out.

To avoid procedural errors on 10/16/2025 could you please confirm the following by reply email and provide direct links (not general webpages):

1. TSP Volume II (Appendices D–J)

Is the full Volume II—Appendix D (Code Assessment), E (Methodology), F (Existing Conditions), G (Future Conditions), H (Proposed Solutions), I (Implementing Ordinances), J (Public Outreach Summary)—posted as final PDFs and accessible to the public? If so, please share the direct URLs. PAC slide decks are not a substitute for the official technical appendices referenced “under separate cover” in the draft.

2. Signed, dated staff report

Has the signed and dated staff report for the 10/16 Planning Commission hearing been posted? If so, please provide the direct link.

3. OWRD coordination and water-capacity materials

Has the City coordinated with the Oregon Water Resources Department (OWRD) regarding assumed water capacity, water-for-water exchanges, or related consumptive-use questions tied to TSP growth assumptions? If any OWRD communications, memoranda, or analyses exist, please post them and share the links so the public can review before the hearing.

4. Seven-day availability

The public notice states that all relevant materials would be available “on or before October 9.” Please confirm that all of the above items were available by that date. If any were not, please confirm the City will either continue the hearing or keep the record open for 7 days under ORS 197.763(6)(c) to preserve due process.

For clarity: I am not asking the City to create new records. I am requesting the specific existing documents the draft TSP cites and relies upon. If these are already online, please provide the direct URLs so I can review them prior to 10/16. Please make this email part of the record.

Thank you for your attention to these points and for ensuring the record is complete and accessible.

Respectfully,

Jonathan Tallman

Mr. Tallman,

Your multiple emails have been received and will be made available to the Planning Commission prior to this Thursday's (10/16) Planning Commission meeting, which will make them part of the decision maker's record. The materials for Thursday's meeting have been posted on the City's website since last Thursday afternoon, as is standard practice at the City, and are available at this [link](#). The meeting packet for the October 13 Comprehensive Plan/Development Code PAC meeting has been posted online since before the meeting, and is still available at this [link](#). The EOA PAC meeting agenda will be posted to the [project page](#) closer to the actual meeting date of 10/28.

We will continue to review your input, but if you are requesting a copy of a specific document that hasn't otherwise been posted to the respective committee's website, then you will need to make a formal public records request for that specific document using the City's standard form, available [here](#). Please note that the City is not required to create new public records; it is only required to make available records that are actually in the public body's custody at the time the request is made.

Cordially,

Carla McLane

Planning Official

On Tue, Oct 14, 2025 at 10:48 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can’t speak at that doesn’t have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquiries.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>



Public Adv Meeting #

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City’s compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting

- Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
- What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
- Has OWRD approved any pending transfer, modification, or "water-for-water" exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
- If not, under what authority is the City assuming future water capacity in this plan?

2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
- Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
- If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?

3. Goal 11 and Goal 5 Compliance

- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
- Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
- If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?

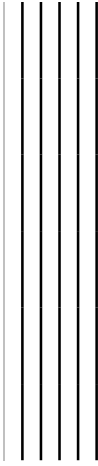
4. Transparency and Public Access

- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
- Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
- If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,



Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City's official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: "Copies of the staff

report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"...which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.

- Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.
- Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert

 [Hear my name](#)



Eastern Oregon Regional Representative | Community Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall, Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Thursday, October 2, 2025 7:32 AM
To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx
Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman’s Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that “all supporting calculations, inventories, spreadsheets, and maps used to classify properties” could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared “under separate cover.”

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a “New RV Site.”
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon’s open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City’s findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD’s review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan. Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without the very appendices and supporting documentation

that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3 .

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in blue) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a Transportation System Plan) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the Appendices package was not submitted) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a Transportation System Plan.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

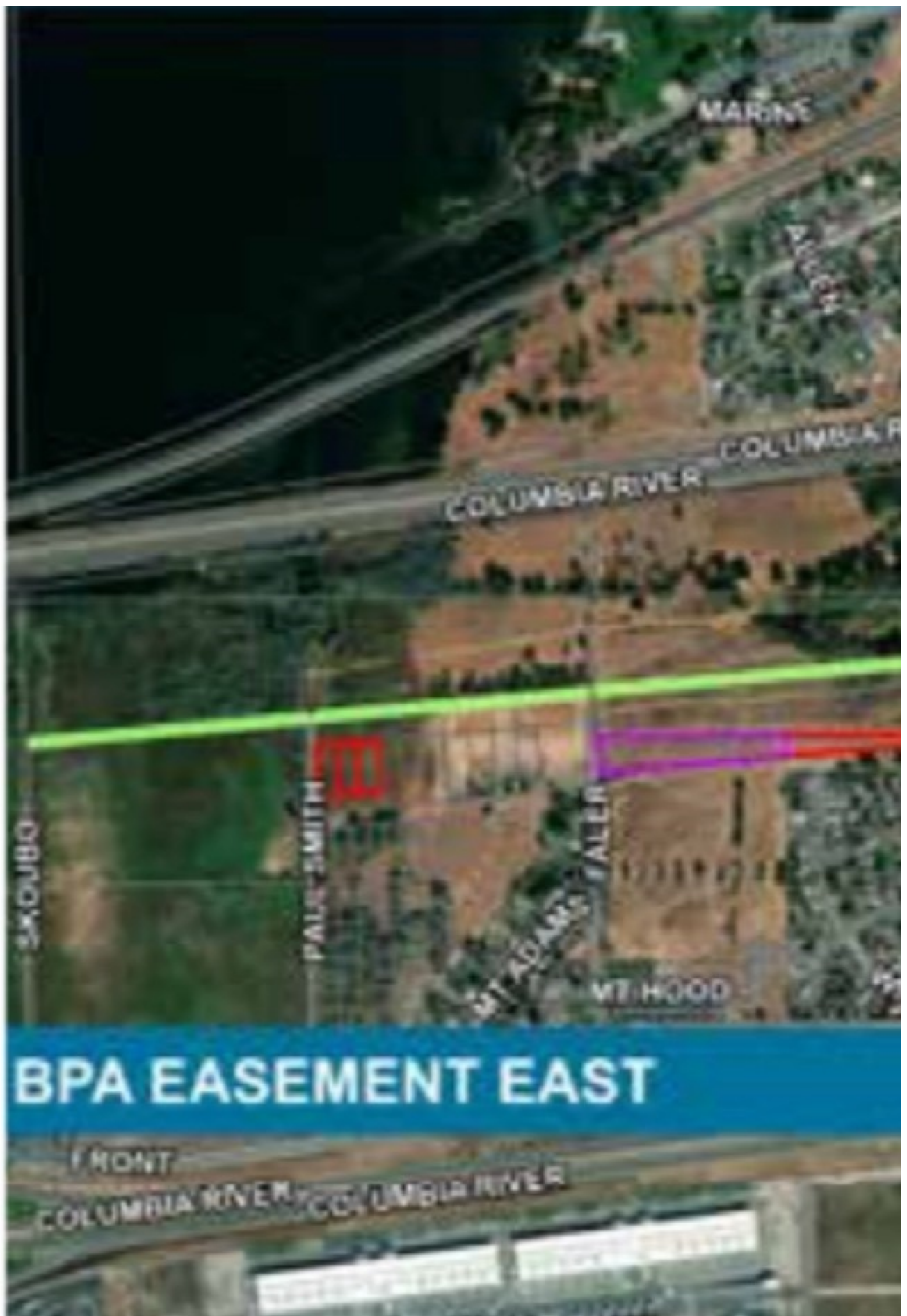
Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Thursday, October 16, 2025 8:30 AM
To: Carla McLane
Cc: HERT Dawn * DLCD; Brandon Hammond; Amanda Mickles; Tamra Mabbott; Clint Shoemake; derrin@tallman.cx; fletcher@cfsilage.com
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package
Attachments: Boardman_Goal_Compliance_Report_WRAPPED.pdf

Subject: Request to Add Goal Compliance Report to City and County Records and Postpone Vote Pending OWRD.

Date: October 16, 2025

Dear Brandon, Dawn, and Carla,

I am submitting the attached document, City of Boardman – Goal Compliance and Coordination Summary, for inclusion in both the City of Boardman and Morrow County official records. This material directly relates to the Transportation System Plan (TSP), Urban Growth Boundary (UGB) amendment, and the Columbia River Heritage Trail corridor—all of which affect City and County jurisdiction.

Based on my review, 11 of the 12 applicable Oregon Statewide Planning Goals contain deficiencies or incomplete findings. In particular, Goals 11 and 14—covering public facilities, water supply, and orderly urbanization remain unverified because there is no documented coordination with the Oregon Water Resources Department (OWRD) confirming municipal water-right capacity.

OWRD Coordination Request

Please provide the correspondence or coordination record between the City of Boardman and the Oregon Water Resources Department verifying that adequate municipal water rights and capacity exist to support the proposed Transportation System Plan and UGB amendment.

If this has not occurred, I respectfully request that OWRD’s North Central Region Watermaster be formally consulted before any recommendation or adoption.

Citizen Involvement – Goal 1

Goal 1 requires that citizens have a meaningful opportunity to participate in all stages of the planning process. Several essential materials—such as TSP Volume II (technical appendices) and trail-related documentation—have not been available for public review before hearings, and public testimony has

been limited. These omissions create compliance concerns under ORS 197.763(5)–(6) and ORS 192.630(4). I respectfully request that the record remain open to allow full public participation and agency review.

Summary of Statewide Planning Goals and Status

Goal	Topic	Status Summary
1	Citizen Involvement	Public access incomplete; record must remain open
2	Land-Use Planning / Coordination	No OWRD coordination record; DLCD review incomplete
5	Open Spaces & Natural Resources	Trail alignment inconsistencies unresolved
6	Air, Water & Land Resources Quality	Pending OWRD/DEQ confirmation
9	Economic Development	City's land-supply data requires verification
10	Housing	Transient workforce distorts vacancy data
11	Public Facilities & Services	OWRD verification of water rights missing
12	Transportation	TSP Volume II appendices absent
13	Energy Conservation	No efficiency analysis provided
14	Urbanization	Depends on Goal 11 data – not met
16–19	Farm & Forest Lands	No mitigation for lost farm deferral

Out of these twelve goals, only two show substantial support in the current record, while the remainder are incomplete or deficient pending further agency coordination.

I am open to negotiating fair market value asking the same price other people have been paid for their land for right of ways for the trail and the road to be built up to code. Carla said it could be done in 18 months from April 15, 2025 let's make that happen.

Requested Actions

1. Add this correspondence and the attached report to both the City's and Morrow County's official records, given the shared jurisdiction over the TSP and Heritage Trail.
 2. Postpone or continue tonight's hearing and keep the record open until written confirmation from OWRD is received.
 3. Ensure future coordination between City, County, DLCD, and OWRD staff to resolve these issues transparently and cooperatively.
-

My goal is to work together toward a fair, transparent, and coordinated resolution that protects all parties from procedural or legal challenges while supporting sustainable growth for Boardman and Morrow County.

Thank you for your attention and for ensuring that this correspondence and the attached report are entered into both records.

Respectfully,

Jonathan Tallman

1st John 2:17 LLC

Boardman, Oregon

Attachment: Boardman_Goal_Compliance_Report_WRAPPED.pdf

On Wed, Oct 15, 2025 at 7:02 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request to Continue Hearing and Keep Record Open – Missed October 9 Deadline, Pending LUBA Remand, Access Permit Limitations, and BLI Acreage Analysis

Dear Carla,

Thank you for your reply and for confirming that the Transportation System Plan appendices were posted today (10/15/2025 at 1:58 p.m. Pacific). Today is the first day I have been able to fully review and process that information.

After comparing the newly released appendices with prior case materials, I have identified continuing procedural and evidentiary deficiencies under ORS 197.763(2)(b) and (6)(c) that require either (a) a continuance of the October 16 hearing, or (b) that the record remain open for at least seven (7) days following the hearing to ensure due process and a complete evidentiary record.

1. Record Availability – Missed October 9 Posting Deadline

The City's public hearing notice stated that all relevant materials would be available "on or before October 9, 2025." The appendices and technical data were posted after that date, depriving the public of the required seven-day pre-hearing review window under ORS 197.763(2)(b) and Statewide Planning Goal 1. A continuance is necessary to correct this procedural defect.

2. Unresolved LUBA Remand (2022-062)

In 1st John 2:17 LLC v. City of Boardman (2022-062), LUBA remanded for failure to adopt findings on (a) the functional classification of the Laurel / Yates (Loop Road) corridor and (b) required lateral improvements under BDC 3.4.100. Those findings have not been re-adopted, yet the same corridor is relied upon in the current TSP/BLI. Proceeding without curing the remand conflicts with ORS 197.625(2)(b) and Goal 1 due-process standards.

3. Access Permit and IAMP Limitation – Confirmation from Morrow County

Morrow County Public Works (Eric Imes, 6/2/2025) confirmed development did not advance because “the county never obtained an access permit. The IAMP does not allow for a commercial access where our easement is—only farm/residential.” This conflicts with the TSP’s commercial/industrial circulation assumptions. Until that restriction is resolved with ODOT and documented in the record, adoption would lack substantial evidence under ORS 197.835(7).

4. Quantitative Analysis Needed – Buildable Land and Acreage Comparison

These parcel-by-parcel calculations will establish how much developable employment land already exists within the current UGB, eliminating any need to justify expansion at this time. Because the analysis necessarily relies on Appendix E (Methodology) and the City’s parcel-acreage tables, the evidentiary record must remain open long enough to submit the verified math, worksheets, and exhibits. I will also submit date-stamped drone imagery documenting current on-the-ground conditions showing that areas labeled “constrained” or “non-employment” are, in fact, open and serviceable. In addition, because development capacity is tied to municipal water availability and any OWRD-administered “water-for-water” exchanges, related OWRD materials should be included in the record before any recommendation.

5. Procedural Requirement to Keep Record Open

Under ORS 197.763(6)(c), when new evidence is submitted, the hearing body must leave the record open at least seven (7) days. After that, a seven-day rebuttal period under ORS 197.763(6)(d) applies before any final vote. Failing to honor these periods would be procedural error subject to appeal.

6. Process Safeguard if the Record Is Not Left Open

To ensure the process is handled correctly and to avoid prejudice to any party:

- Primary request: Continue the October 16 hearing so all materials (including appendices) are publicly available for at least seven (7) days before testimony.
- Alternative: If the Commission declines to continue, please confirm in writing that:
 1. The evidentiary record will remain open for at least seven (7) days after the hearing under ORS 197.763(6)(c) for additional evidence (including my drone imagery and BLI parcel math); and

2. If the Commission elects to close the record to new evidence, it will still provide no less than seven (7) days for final written argument under ORS 197.763(6)(e), with the City specifying the exact date and time the evidentiary record closes and the argument period begins and ends.
- Re-notice if needed: If significant materials are posted within seven (7) days of any decision date, please re-notice to preserve due process and avoid prejudice to participants.

7. Water Rights / “Water-for-Water” Coordination (Goal 11; OWRD Oversight)

Because TSP growth assumptions imply future service capacity, please include in the record any coordination with the Oregon Water Resources Department (OWRD)—specifically the Water Rights Division—regarding municipal water availability and any contemplated “water-for-water” exchanges or transfers. In Oregon, exchanges and transfers are reviewed and administered by OWRD to ensure no injury to other rights and to document the lawful source and quantity of water. For transparency:

- Identify current certificated municipal water rights (annual AF), current use, and surplus/deficit assumptions tied to the TSP.
- Identify whether any exchanges or transfers are proposed, filed, or approved with OWRD to support the growth scenario, and include related correspondence in the record.

This ensures consistency with Goal 11 (Public Facilities and Services) and prevents adoption based on unverified capacity assumptions.

Given the missed October 9 posting deadline, the outstanding LUBA remand, the IAMP access limitation, the pending acreage verification and imagery, and the need to document OWRD coordination on water assumptions, I respectfully request that the Planning Commission continue the October 16 hearing.

If the Commission declines to continue, please confirm in writing that the record will remain open for at least seven (7) days under ORS 197.763(6)(c); and if the evidentiary record is closed, that a seven-day final-argument period will be provided under ORS 197.763(6)(e), with exact close/open timestamps stated on the record.

Please ensure this correspondence is included in the official record and circulated to the Planning Commission and City Council, together with the original, unaltered documentation I have submitted (including the attached Eric Imes email and the LUBA Case No. 2022-062 materials). Also with the video and time stamp of the April 15th PAC meeting mentioning Amazon is paying for an RV site. If any redactions are made, please log them with the legal basis.

Respectfully,

Jonathan Tallman

Please note: Because these matters directly affect Morrow County’s trail corridor and County-owned parcel 3211, please also include this correspondence and attachments in the County’s official record for the Heritage Trail and TSP coordination process. Michaela Rimerez thank you and Clint Shoemake.

On Wed, Oct 15, 2025 at 1:58 PM Carla McLane <mclanec@cityofboardman.com> wrote:

Mr. Tallman,

All TSP draft appendices have been posted to the city's website since last week and are still available [here](#). Information concerning the Parks Master Plan can be found [here](#). All other requested documents do not exist. Future requests for public records that do not utilize the city's standard public request [form](#) will be denied for failing to abide by the procedures set forth in city policy.

Cordially,

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Wednesday, October 15, 2025 7:08 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; Carla McLane <mclanec@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Amanda Mickles <Amanda@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; Tamra Mabbott <tmabbott@morrowcountyor.gov>; Clint Shoemake <cshoemake@morrowcountyor.gov>

Cc: derrin@tallman.cx

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Subject: Clarification and Record Update – BPA Easement, RV Site Mapping, Morrow County trail Missing Documentation, and Incomplete TSP Appendices update 10/15/2025

Dear Carla & Tamra,

A couple of important items I want to address and have entered into the record:

The images I sent previously are not displaying correctly in the materials or packets, and several visual references are missing or only partially shown. This includes the series of maps and exhibits illustrating the BPA Easement East corridor and the area labeled as “New RV Site” in the City's Parks and Master Plan documents.

I also request that the attached images be included in full in the official record. They show the progression of mapping—from the City's plan where the RV site was clearly marked, to later versions where the same area appears blurred out or replaced by a generic BPA trail alignment that does not accurately represent the site's full context.

For the record, this RV site location is my private property, and I have repeatedly submitted public-records requests asking for the underlying documentation explaining why and when these changes were made. To date, no explanatory notes, staff memoranda, or change logs have been provided. The absence of this documentation raises procedural concerns and prevents the public from understanding the basis for the City's map revisions.

Additionally, during the April 15, 2025 Parks Master Plan PAC meeting (timestamp 1:52:51 – 1:53:04 on the City's official YouTube recording), it was stated on record that Amazon was potentially funding development of an RV park, with the City indicating it could be completed within approximately 18 months. This further underscores the importance of transparency regarding how this area—my property—has been referenced, modified, and represented in subsequent City planning materials which also effects the county's trail.

It is also important to note that the October 16, 2025 Planning Commission packet references both TSP Volume I and Volume II (Technical Appendices). Specifically, the "Acknowledgements & TSP Organization" section states that "Volume II Technical Appendices (Under Separate Cover) includes Appendix A through J—Methodology Memorandum, Existing Conditions Inventory and Analysis, Future Conditions Analysis, Proposed Solutions, Implementing Ordinances, and Public Outreach Summary." However, the packet released for public review includes only Volume I; none of the technical appendices are attached or made available for review before the October 16 hearing. Without these appendices—particularly the Methodology Memorandum (Appendix E)—the public cannot verify the assumptions, modeling, or data that support the plan.

Because these technical materials are missing, I am preparing to provide drone imagery and supplemental analysis to demonstrate discrepancies between mapped data and on-the-ground conditions. However, without the methodology and data appendices, I cannot "show my math" or quantify how vacant and developable properties—including my own—are being undercounted or misclassified in the City's inventory. That methodological transparency is required for meaningful review and for compliance with Statewide Planning Goals 1 (Public Involvement), 9 (Economic Development), and 10 (Housing).

These inconsistencies, whether by omission or error, materially affect the accuracy of the public record and the representation of my property within the City's adopted plans. Transparency and accuracy are essential, particularly in the context of public hearings and decisions that affect landowner rights.

Please ensure that all the referenced images and this correspondence are added to the public record for both the TSP and Parks Master Plan proceedings, and that they are included in the packet and visibly presented before the October 16 Planning Commission vote and in the County's records as well.

Finally, I want to reiterate that under ORS 192.630(4), public meetings must allow equal access and participation, and Statewide Planning Goal 1 (OAR 660-015-0000(1)) requires meaningful public involvement at all stages of the planning process. Omitting or altering key site information without documentation—and withholding the full technical appendices—conflicts with both the letter and the spirit of those requirements.

Thank you for your attention to this matter and for ensuring the complete and transparent inclusion of these materials before the October 16 vote.

Respectfully,

Jonathan Tallman

Please note integrity is at stake. Will you stand up and do the right thing and show the truth?

On Tue, Oct 14, 2025 at 8:34 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Clarification Needed: TSP Volume II, Staff Report, and OWRD Coordination for 10/16

Hi Carla,

Thanks for confirming my emails will be provided to the Planning Commission and included in the record. Like you have said there is a lot to unpack since you are pushing so much through at once unlike what is normally done. So I am glad you understand the complexities that need to be sorted out.

To avoid procedural errors on 10/16/2025 could you please confirm the following by reply email and provide direct links (not general webpages):

1. TSP Volume II (Appendices D–J)

Is the full Volume II—Appendix D (Code Assessment), E (Methodology), F (Existing Conditions), G (Future Conditions), H (Proposed Solutions), I (Implementing Ordinances), J (Public Outreach Summary)—posted as final PDFs and accessible to the public? If so, please share the direct URLs. PAC slide decks are not a substitute for the official technical appendices referenced “under separate cover” in the draft.

2. Signed, dated staff report

Has the signed and dated staff report for the 10/16 Planning Commission hearing been posted? If so, please provide the direct link.

3. OWRD coordination and water-capacity materials

Has the City coordinated with the Oregon Water Resources Department (OWRD) regarding assumed water capacity, water-for-water exchanges, or related consumptive-use questions tied to TSP growth assumptions? If any OWRD communications, memoranda, or analyses exist, please post them and share the links so the public can review before the hearing.

4. Seven-day availability

The public notice states that all relevant materials would be available “on or before October 9.” Please confirm that all of the above items were available by that date. If any were not, please confirm the City will either continue the hearing or keep the record open for 7 days under ORS 197.763(6)(c) to preserve due process.

For clarity: I am not asking the City to create new records. I am requesting the specific existing documents the draft TSP cites and relies upon. If these are already online, please provide the direct URLs so I can review them prior to 10/16. Please make this email part of the record.

Thank you for your attention to these points and for ensuring the record is complete and accessible.

Respectfully,

Jonathan Tallman

Mr. Tallman,

Your multiple emails have been received and will be made available to the Planning Commission prior to this Thursday’s (10/16) Planning Commission meeting, which will make them part of the decision maker’s record. The materials for Thursday’s meeting have been posted on the City’s website since last Thursday afternoon, as is standard practice at the City, and are available at this [link](#). The meeting packet for the October 13 Comprehensive Plan/Development Code PAC meeting has been posted online since before the meeting, and is still available at this [link](#). The EOA PAC meeting agenda will be posted to the [project page](#) closer to the actual meeting date of 10/28.

We will continue to review your input, but if you are requesting a copy of a specific document that hasn’t otherwise been posted to the respective committee’s website, then you will need to make a formal public records request for that specific document using the City’s standard form, available [here](#). Please note that the City is not required to create new public records; it is only required to make available records that are actually in the public body’s custody at the time the request is made.

Cordially,

Carla McLane

Planning Official

On Tue, Oct 14, 2025 at 10:48 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can’t speak at that doesn’t have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquiries.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>



Public Adv Meeting #

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City’s compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting

- Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
- What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
- Has OWRD approved any pending transfer, modification, or "water-for-water" exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
- If not, under what authority is the City assuming future water capacity in this plan?

2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
- Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
- If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?

3. Goal 11 and Goal 5 Compliance

- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
- Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
- If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?

4. Transparency and Public Access

- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
- Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
- If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,



Jonathan Tallman
Property Owner,
Boardman, Oregon
[Link broken.](#)

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City’s official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>) has been inaccessible. The Planning Commission public notice states: “Copies of the

staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. **Continue the October 16 hearing until:**
 - **The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and**
 - **The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).**
 2. **Publish the full technical record:**
 - **Volume II Appendices D–J (final PDFs),**
 - **All referenced tech memos, staff reports, and TPAU/ODOT inputs,**
 - **Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).**
 3. **Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.**
 4. **Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).**
 5. **If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.**
-

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"....which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.

- *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert

 [Hear my name](#)



Eastern Oregon Regional Representative | Community Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall, Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Thursday, October 2, 2025 7:32 AM
To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx
Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman's Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that "all supporting calculations, inventories, spreadsheets, and maps used to classify properties" could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared "under separate cover."

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a "New RV Site."
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon’s open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City’s findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD’s review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan. Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has

already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in blue) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a **Transportation System Plan**) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the **Appendices package was not submitted**) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify properties as "vacant", "partially vacant", or "constrained" in the City's findings.
 - a. This can be found on the [Economics Opportunity Page](#), PAC Meeting 7/29/25, Appendix B Buildable Land Inventory
3. All correspondence, notices, or submissions sent by the City to the Department of Land Conservation and Development (DLCD) related to this **TSP/UGB** amendment package, including confirmation of the DLCD Notice/File Number assigned.
 - a. As stated earlier, no such document was submitted, the City submitted a **Transportation System Plan**.

Amanda Mickles

City Clerk | [City of Boardman](#)



From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Thursday, September 25, 2025 3:05 PM

To: Amanda Mickles <Amanda@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Carla McLane <mclanec@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; derrin@tallman.cx <derrin@tallman.cx>

Subject: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Amanda,

Please find attached my completed Public Records Request form pursuant to ORS 192.311–192.478.

I am specifically requesting the full set of supporting documents submitted by the City of Boardman to DLCD as part of its Transportation System Plan / Urban Growth Boundary amendment package under ORS 197.610–197.650. This includes staff reports, technical memoranda, methodology documents, inventories, maps, and correspondence referenced in the City’s submittal.

Because these materials are part of the official record for a pending legislative land use action, and are required to be available for public inspection during review, I am also requesting a waiver of any fees associated with this request.

Please confirm receipt of this request and let me know when the documents will be available. If possible, I would appreciate electronic copies by email to ensure timely review.

Thank you for your assistance.

Sincerely,

Jonathan Tallman

706 Mt. Hood

jonathan@tallman.cx





TALLMAN EMAIL #13

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Thursday, October 16, 2025 8:46 PM
To: Carla McLane
Cc: HERT Dawn * DLCD; Brandon Hammond; Amanda Mickles; Tamra Mabbott; derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Carla and Members of the Planning Commission,

I am submitting this written objection (as I did at the meeting and as my mother Cheryl Tallman did) for the record regarding the October 16, 2025 Planning Commission hearing on the Transportation System Plan (TSP).

As stated during my testimony, the supporting TSP materials — including the methodology and appendices — were not made publicly available until October 15, one day before the hearing. Under ORS 197.763(3)(a), all staff materials relied upon must be available to the public at least seven (7) days before the first evidentiary hearing, which would have been October 9. Please see email chain below.

Proceeding with a vote “as amended” without meeting this statutory deadline constitutes a procedural violation of ORS 197.763(3)(a) and Goal 2 (Land Use Planning). I am therefore formally requesting:

1. That the record remain open for at least 21 days;
2. That the City Council hearing be delayed until this error is corrected; and
3. That all materials relied upon by staff or consultants after October 9 be identified and entered into the record with their release dates.

Please include this email in the official record for the October 16, 2025 hearing.

Sincerely,

Jonathan Tallman

On Thu, Oct 16, 2025 at 8:29 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request to Add Goal Compliance Report to City and County Records and Postpone Vote Pending OWRD.

Date: October 16, 2025

Dear Brandon, Dawn, and Carla,

I am submitting the attached document, City of Boardman – Goal Compliance and Coordination Summary, for inclusion in both the City of Boardman and Morrow County official records. This material directly relates to the Transportation System Plan (TSP), Urban Growth Boundary (UGB) amendment, and the Columbia River Heritage Trail corridor—all of which affect City and County jurisdiction.

Based on my review, 11 of the 12 applicable Oregon Statewide Planning Goals contain deficiencies or incomplete findings. In particular, Goals 11 and 14—covering public facilities, water supply, and orderly urbanization remain unverified because there is no documented coordination with the Oregon Water Resources Department (OWRD) confirming municipal water-right capacity.

OWRD Coordination Request

Please provide the correspondence or coordination record between the City of Boardman and the Oregon Water Resources Department verifying that adequate municipal water rights and capacity exist to support the proposed Transportation System Plan and UGB amendment.

If this has not occurred, I respectfully request that OWRD’s North Central Region Watermaster be formally consulted before any recommendation or adoption.

Citizen Involvement – Goal 1

Goal 1 requires that citizens have a meaningful opportunity to participate in all stages of the planning process. Several essential materials—such as TSP Volume II (technical appendices) and trail-related documentation—have not been available for public review before hearings, and public testimony has been limited. These omissions create compliance concerns under ORS 197.763(5)–(6) and ORS 192.630(4). I respectfully request that the record remain open to allow full public participation and agency review.

Summary of Statewide Planning Goals and Status

Goal	Topic	Status Summary
1	Citizen Involvement	Public access incomplete; record must remain open
2	Land-Use Planning / Coordination	No OWRD coordination record; DLCD review incomplete
5	Open Spaces & Natural Resources	Trail alignment inconsistencies unresolved
6	Air, Water & Land Resources Quality	Pending OWRD/DEQ confirmation
9	Economic Development	City’s land-supply data requires verification
10	Housing	Transient workforce distorts vacancy data
11	Public Facilities & Services	OWRD verification of water rights missing
12	Transportation	TSP Volume II appendices absent
13	Energy Conservation	No efficiency analysis provided

Goal	Topic	Status Summary
14	Urbanization	Depends on Goal 11 data – not met
16–19	Farm & Forest Lands	No mitigation for lost farm deferral

Out of these twelve goals, only two show substantial support in the current record, while the remainder are incomplete or deficient pending further agency coordination.

I am open to negotiating fair market value asking the same price other people have been paid for their land for right of ways for the trail and the road to be built up to code. Carla said it could be done in 18 months from April 15, 2025 let's make that happen.

Requested Actions

1. Add this correspondence and the attached report to both the City's and Morrow County's official records, given the shared jurisdiction over the TSP and Heritage Trail.
 2. Postpone or continue tonight's hearing and keep the record open until written confirmation from OWRD is received.
 3. Ensure future coordination between City, County, DLCD, and OWRD staff to resolve these issues transparently and cooperatively.
-

My goal is to work together toward a fair, transparent, and coordinated resolution that protects all parties from procedural or legal challenges while supporting sustainable growth for Boardman and Morrow County.

Thank you for your attention and for ensuring that this correspondence and the attached report are entered into both records.

Respectfully,

Jonathan Tallman

1st John 2:17 LLC

Boardman, Oregon

Attachment: Boardman_Goal_Compliance_Report_WRAPPED.pdf

On Wed, Oct 15, 2025 at 7:02 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request to Continue Hearing and Keep Record Open – Missed October 9 Deadline, Pending LUBA Remand, Access Permit Limitations, and BLI Acreage Analysis

Dear Carla,

Thank you for your reply and for confirming that the Transportation System Plan appendices were posted today (10/15/2025 at 1:58 p.m. Pacific). Today is the first day I have been able to fully review and process that information.

After comparing the newly released appendices with prior case materials, I have identified continuing procedural and evidentiary deficiencies under ORS 197.763(2)(b) and (6)(c) that require either (a) a continuance of the October 16 hearing, or (b) that the record remain open for at least seven (7) days following the hearing to ensure due process and a complete evidentiary record.

1. Record Availability – Missed October 9 Posting Deadline

The City’s public hearing notice stated that all relevant materials would be available “on or before October 9, 2025.” The appendices and technical data were posted after that date, depriving the public of the required seven-day pre-hearing review window under ORS 197.763(2)(b) and Statewide Planning Goal 1. A continuance is necessary to correct this procedural defect.

2. Unresolved LUBA Remand (2022-062)

In 1st John 2:17 LLC v. City of Boardman (2022-062), LUBA remanded for failure to adopt findings on (a) the functional classification of the Laurel / Yates (Loop Road) corridor and (b) required lateral improvements under BDC 3.4.100. Those findings have not been re-adopted, yet the same corridor is relied upon in the current TSP/BLI. Proceeding without curing the remand conflicts with ORS 197.625(2)(b) and Goal 1 due-process standards.

3. Access Permit and IAMP Limitation – Confirmation from Morrow County

Morrow County Public Works (Eric Imes, 6/2/2025) confirmed development did not advance because “the county never obtained an access permit. The IAMP does not allow for a commercial access where our easement is—only farm/residential.” This conflicts with the TSP’s commercial/industrial circulation assumptions. Until that restriction is resolved with ODOT and documented in the record, adoption would lack substantial evidence under ORS 197.835(7).

4. Quantitative Analysis Needed – Buildable Land and Acreage Comparison

These parcel-by-parcel calculations will establish how much developable employment land already exists within the current UGB, eliminating any need to justify expansion at this time. Because the analysis necessarily relies on Appendix E (Methodology) and the City’s parcel-acreage tables, the evidentiary record must remain open long enough to submit the verified math, worksheets, and exhibits. I will also submit date-stamped drone imagery documenting current on-the-ground conditions showing that areas labeled “constrained” or “non-employment” are, in fact, open and serviceable. In addition, because development capacity is tied to municipal water availability and any OWRD-administered “water-for-water” exchanges, related OWRD materials should be included in the record before any recommendation.

5. Procedural Requirement to Keep Record Open

Under ORS 197.763(6)(c), when new evidence is submitted, the hearing body must leave the record open at least seven (7) days. After that, a seven-day rebuttal period under ORS 197.763(6)(d) applies before any final vote. Failing to honor these periods would be procedural error subject to appeal.

6. Process Safeguard if the Record Is Not Left Open

To ensure the process is handled correctly and to avoid prejudice to any party:

- Primary request: Continue the October 16 hearing so all materials (including appendices) are publicly available for at least seven (7) days before testimony.
- Alternative: If the Commission declines to continue, please confirm in writing that:
 1. The evidentiary record will remain open for at least seven (7) days after the hearing under ORS 197.763(6)(c) for additional evidence (including my drone imagery and BLI parcel math); and
 2. If the Commission elects to close the record to new evidence, it will still provide no less than seven (7) days for final written argument under ORS 197.763(6)(e), with the City specifying the exact date and time the evidentiary record closes and the argument period begins and ends.
- Re-notice if needed: If significant materials are posted within seven (7) days of any decision date, please re-notice to preserve due process and avoid prejudice to participants.

7. Water Rights / “Water-for-Water” Coordination (Goal 11; OWRD Oversight)

Because TSP growth assumptions imply future service capacity, please include in the record any coordination with the Oregon Water Resources Department (OWRD)—specifically the Water Rights Division—regarding municipal water availability and any contemplated “water-for-water” exchanges or transfers. In Oregon, exchanges and transfers are reviewed and administered by OWRD to ensure no injury to other rights and to document the lawful source and quantity of water. For transparency:

- Identify current certificated municipal water rights (annual AF), current use, and surplus/deficit assumptions tied to the TSP.
- Identify whether any exchanges or transfers are proposed, filed, or approved with OWRD to support the growth scenario, and include related correspondence in the record.

This ensures consistency with Goal 11 (Public Facilities and Services) and prevents adoption based on unverified capacity assumptions.

Given the missed October 9 posting deadline, the outstanding LUBA remand, the IAMP access limitation, the pending acreage verification and imagery, and the need to document OWRD coordination on water assumptions, I respectfully request that the Planning Commission continue the October 16 hearing.

If the Commission declines to continue, please confirm in writing that the record will remain open for at least seven (7) days under ORS 197.763(6)(c); and if the evidentiary record is closed, that a seven-day final-argument period will be provided under ORS 197.763(6)(e), with exact close/open timestamps stated on the record.

Please ensure this correspondence is included in the official record and circulated to the Planning Commission and City Council, together with the original, unaltered documentation I have submitted (including the attached Eric Imes email and the LUBA Case No. 2022-062 materials). Also with the video and time stamp of the April 15th PAC meeting mentioning Amazon is paying for an RV site. If any redactions are made, please log them with the legal basis.

Respectfully,

Jonathan Tallman

Please note: Because these matters directly affect Morrow County's trail corridor and County-owned parcel 3211, please also include this correspondence and attachments in the County's official record for the Heritage Trail and TSP coordination process. Michaela Rimerez thank you and Clint Shoemake.

On Wed, Oct 15, 2025 at 1:58 PM Carla McLane <mclanec@cityofboardman.com> wrote:

Mr. Tallman,

All TSP draft appendices have been posted to the city's website since last week and are still available [here](#). Information concerning the Parks Master Plan can be found [here](#). All other requested documents do not exist. Future requests for public records that do not utilize the city's standard public request [form](#) will be denied for failing to abide by the procedures set forth in city policy.

Cordially,

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Wednesday, October 15, 2025 7:08 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; Carla McLane <mclanec@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Amanda Mickles <Amanda@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; Tamra Mabbott <tmabbott@morrowcountyor.gov>; Clint Shoemake <cshoemake@morrowcountyor.gov>

Cc: derrin@tallman.cx

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Subject: Clarification and Record Update – BPA Easement, RV Site Mapping, Morrow County trail Missing Documentation, and Incomplete TSP Appendices update 10/15/2025

Dear Carla & Tamra,

A couple of important items I want to address and have entered into the record:

The images I sent previously are not displaying correctly in the materials or packets, and several visual references are missing or only partially shown. This includes the series of maps and exhibits illustrating the BPA Easement East corridor and the area labeled as “New RV Site” in the City’s Parks and Master Plan documents.

I also request that the attached images be included in full in the official record. They show the progression of mapping—from the City’s plan where the RV site was clearly marked, to later versions where the same area appears blurred out or replaced by a generic BPA trail alignment that does not accurately represent the site’s full context.

For the record, this RV site location is my private property, and I have repeatedly submitted public-records requests asking for the underlying documentation explaining why and when these changes were made. To date, no explanatory notes, staff memoranda, or change logs have been provided. The absence of this documentation raises procedural concerns and prevents the public from understanding the basis for the City’s map revisions.

Additionally, during the April 15, 2025 Parks Master Plan PAC meeting (timestamp 1:52:51 – 1:53:04 on the City’s official YouTube recording), it was stated on record that Amazon was potentially funding development of an RV park, with the City indicating it could be completed within approximately 18 months. This further underscores the importance of transparency regarding how this area—my property—has been referenced, modified, and represented in subsequent City planning materials which also effects the county’s trail.

It is also important to note that the October 16, 2025 Planning Commission packet references both TSP Volume I and Volume II (Technical Appendices). Specifically, the “Acknowledgements & TSP Organization” section states that “Volume II Technical Appendices (Under Separate Cover) includes

Appendix A through J—Methodology Memorandum, Existing Conditions Inventory and Analysis, Future Conditions Analysis, Proposed Solutions, Implementing Ordinances, and Public Outreach Summary.” However, the packet released for public review includes only Volume I; none of the technical appendices are attached or made available for review before the October 16 hearing. Without these appendices—particularly the Methodology Memorandum (Appendix E)—the public cannot verify the assumptions, modeling, or data that support the plan.

Because these technical materials are missing, I am preparing to provide drone imagery and supplemental analysis to demonstrate discrepancies between mapped data and on-the-ground conditions. However, without the methodology and data appendices, I cannot “show my math” or quantify how vacant and developable properties—including my own—are being undercounted or misclassified in the City’s inventory. That methodological transparency is required for meaningful review and for compliance with Statewide Planning Goals 1 (Public Involvement), 9 (Economic Development), and 10 (Housing).

These inconsistencies, whether by omission or error, materially affect the accuracy of the public record and the representation of my property within the City’s adopted plans. Transparency and accuracy are essential, particularly in the context of public hearings and decisions that affect landowner rights.

Please ensure that all the referenced images and this correspondence are added to the public record for both the TSP and Parks Master Plan proceedings, and that they are included in the packet and visibly presented before the October 16 Planning Commission vote and in the County’s records as well.

Finally, I want to reiterate that under ORS 192.630(4), public meetings must allow equal access and participation, and Statewide Planning Goal 1 (OAR 660-015-0000(1)) requires meaningful public involvement at all stages of the planning process. Omitting or altering key site information without documentation—and withholding the full technical appendices—conflicts with both the letter and the spirit of those requirements.

Thank you for your attention to this matter and for ensuring the complete and transparent inclusion of these materials before the October 16 vote.

Respectfully,

Jonathan Tallman

Please note integrity is at stake. Will you stand up and do the right thing and show the truth?

On Tue, Oct 14, 2025 at 8:34 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Clarification Needed: TSP Volume II, Staff Report, and OWRD Coordination for 10/16

Hi Carla,

Thanks for confirming my emails will be provided to the Planning Commission and included in the record. Like you have said there is a lot to unpack since you are pushing so much through at once unlike what is normally done. So I am glad you understand the complexities that need to be sorted out.

To avoid procedural errors on 10/16/2025 could you please confirm the following by reply email and provide direct links (not general webpages):

1. TSP Volume II (Appendices D–J)

Is the full Volume II—Appendix D (Code Assessment), E (Methodology), F (Existing Conditions), G (Future Conditions), H (Proposed Solutions), I (Implementing Ordinances), J (Public Outreach Summary)—posted as final PDFs and accessible to the public? If so, please share the direct URLs. PAC slide decks are not a substitute for the official technical appendices referenced “under separate cover” in the draft.

2. Signed, dated staff report

Has the signed and dated staff report for the 10/16 Planning Commission hearing been posted? If so, please provide the direct link.

3. OWRD coordination and water-capacity materials

Has the City coordinated with the Oregon Water Resources Department (OWRD) regarding assumed water capacity, water-for-water exchanges, or related consumptive-use questions tied to TSP growth assumptions? If any OWRD communications, memoranda, or analyses exist, please post them and share the links so the public can review before the hearing.

4. Seven-day availability

The public notice states that all relevant materials would be available “on or before October 9.” Please confirm that all of the above items were available by that date. If any were not, please confirm the City will either continue the hearing or keep the record open for 7 days under ORS 197.763(6)(c) to preserve due process.

For clarity: I am not asking the City to create new records. I am requesting the specific existing documents the draft TSP cites and relies upon. If these are already online, please provide the direct URLs so I can review them prior to 10/16. Please make this email part of the record.

Thank you for your attention to these points and for ensuring the record is complete and accessible.

Respectfully,

Jonathan Tallman

Mr. Tallman,

Your multiple emails have been received and will be made available to the Planning Commission prior to this Thursday's (10/16) Planning Commission meeting, which will make them part of the decision maker's record. The materials for Thursday's meeting have been posted on the City's website since last Thursday afternoon, as is standard practice at the City, and are available at this [link](#). The meeting packet for the October 13 Comprehensive Plan/Development Code PAC meeting has been posted online since before the meeting, and is still available at this [link](#). The EOA PAC meeting agenda will be posted to the [project page](#) closer to the actual meeting date of 10/28.

We will continue to review your input, but if you are requesting a copy of a specific document that hasn't otherwise been posted to the respective committee's website, then you will need to make a formal public records request for that specific document using the City's standard form, available [here](#). Please note that the City is not required to create new public records; it is only required to make available records that are actually in the public body's custody at the time the request is made.

Cordially,

Carla McLane

Planning Official

On Tue, Oct 14, 2025 at 10:48 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can’t speak at that doesn’t have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquires.

The YouTube recording is posted, but the meeting packet and materials are not available on the City's website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>



Public Adv Meeting #

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City’s compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting

- Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
- What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
- Has OWRD approved any pending transfer, modification, or "water-for-water" exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
- If not, under what authority is the City assuming future water capacity in this plan?

2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
- Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
- If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?

3. Goal 11 and Goal 5 Compliance

- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
- Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
- If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?

4. Transparency and Public Access

- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
- Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
- If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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No page could be found at

[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City's official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>)

has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"...which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.

- *Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.*
- Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert



Eastern Oregon Regional Representative | Community Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall, Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Thursday, October 2, 2025 7:32 AM
To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx
Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman’s Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that “all supporting calculations, inventories, spreadsheets, and maps used to classify properties” could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared “under separate cover.”

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a “New RV Site.”
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon’s open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City’s findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD’s review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan. Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has

already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3

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On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in blue) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** (no such document was submitted, the City submitted a Transportation System Plan) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** (the Appendices package was not submitted) (Code Assessment (not submitted), Methodology (not submitted), Existing Conditions Inventory and Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Future Conditions Analysis (not submitted, [TSP Page PAC 1/29/25](#)), Proposed Solutions (not submitted, [TSP Page PAC 5/13/25](#)), Implementing Ordinances (no such document), Public Outreach Summary (no such document)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Friday, October 17, 2025 3:29 AM
To: Carla McLane
Cc: HERT Dawn * DLCD; Brandon Hammond; Amanda Mickles; Tamra Mabbott; derrin@tallman.cx
Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Carla,

This is an addendum to my October 12–16 submittals.

1) Record status for City Council:

Because the Planning Commission only made a recommendation on 10/16 (no final decision), please confirm in writing that the evidentiary record remains open for the City Council hearing under ORS 197.763(6) and Goal 1. If the City intends to treat the record as closed before Council adoption, please identify (a) the person making that decision, (b) the date/time of closure, and (c) the specific legal authority relied upon.

2) Proffer of exhibits:

I am submitting additional evidence (drone imagery; BPA/Heritage Trail and “New RV Site” mapping set; lmes access-permit email; April 15 PAC video timestamp and notes; OWRD coordination requests). If staff declines to accept any item, please log it as “Proffered Exhibit” and note the refusal in the record index with date/time.

3) Council hearing logistics:

Please confirm the Council hearing date/time, and the exact open-record period(s) the Council will provide:

- at least 7 days for additional evidence (ORS 197.763(6)(c));
- followed by 7 days for rebuttal (ORS 197.763(6)(d)); and, if the evidentiary record is closed, 7 days for final written argument (ORS 197.763(6)(e)).

If any new staff/consultant material is posted within 7 days of the hearing, please re-notice to preserve due process.

For transparency, please ensure this email and all attached exhibits are added to the administrative record and forwarded to the City Council.

Respectfully,

Jonathan Tallman

On Thu, Oct 16, 2025 at 8:46 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Carla and Members of the Planning Commission,

I am submitting this written objection (as I did at the meeting and as my mother Cheryl Tallman did) for the record regarding the October 16, 2025 Planning Commission hearing on the Transportation System Plan (TSP).

As stated during my testimony, the supporting TSP materials — including the methodology and appendices — were not made publicly available until October 15, one day before the hearing. Under ORS 197.763(3)(a), all staff materials relied upon must be available to the public at least seven (7) days before the first evidentiary hearing, which would have been October 9. Please see email chain below.

Proceeding with a vote “as amended” without meeting this statutory deadline constitutes a procedural violation of ORS 197.763(3)(a) and Goal 2 (Land Use Planning). I am therefore formally requesting:

1. That the record remain open for at least 21 days;
2. That the City Council hearing be delayed until this error is corrected; and
3. That all materials relied upon by staff or consultants after October 9 be identified and entered into the record with their release dates.

Please include this email in the official record for the October 16, 2025 hearing.

Sincerely,

Jonathan Tallman

On Thu, Oct 16, 2025 at 8:29 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request to Add Goal Compliance Report to City and County Records and Postpone Vote Pending OWRD.

Date: October 16, 2025

Dear Brandon, Dawn, and Carla,

I am submitting the attached document, City of Boardman – Goal Compliance and Coordination Summary, for inclusion in both the City of Boardman and Morrow County official records. This material directly relates to the Transportation System Plan (TSP), Urban Growth Boundary (UGB) amendment, and the Columbia River Heritage Trail corridor—all of which affect City and County jurisdiction.

Based on my review, 11 of the 12 applicable Oregon Statewide Planning Goals contain deficiencies or incomplete findings. In particular, Goals 11 and 14—covering public facilities, water supply, and orderly urbanization remain unverified because there is no documented coordination with the Oregon Water Resources Department (OWRD) confirming municipal water-right capacity.

OWRD Coordination Request

Please provide the correspondence or coordination record between the City of Boardman and the Oregon Water Resources Department verifying that adequate municipal water rights and capacity exist to support the proposed Transportation System Plan and UGB amendment.

If this has not occurred, I respectfully request that OWRD’s North Central Region Watermaster be formally consulted before any recommendation or adoption.

Citizen Involvement – Goal 1

Goal 1 requires that citizens have a meaningful opportunity to participate in all stages of the planning process. Several essential materials—such as TSP Volume II (technical appendices) and trail-related documentation—have not been available for public review before hearings, and public testimony has been limited. These omissions create compliance concerns under ORS 197.763(5)–(6) and ORS 192.630(4). I respectfully request that the record remain open to allow full public participation and agency review.

Summary of Statewide Planning Goals and Status

Goal	Topic	Status Summary
1	Citizen Involvement	Public access incomplete; record must remain open
2	Land-Use Planning / Coordination	No OWRD coordination record; DLCD review incomplete
5	Open Spaces & Natural Resources	Trail alignment inconsistencies unresolved
6	Air, Water & Land Resources Quality	Pending OWRD/DEQ confirmation
9	Economic Development	City’s land-supply data requires verification
10	Housing	Transient workforce distorts vacancy data
11	Public Facilities & Services	OWRD verification of water rights missing
12	Transportation	TSP Volume II appendices absent
13	Energy Conservation	No efficiency analysis provided
14	Urbanization	Depends on Goal 11 data – not met
16–19	Farm & Forest Lands	No mitigation for lost farm deferral

Out of these twelve goals, only two show substantial support in the current record, while the remainder are incomplete or deficient pending further agency coordination.

I am open to negotiating fair market value asking the same price other people have been paid for their land for right of ways for the trail and the road to be built up to code. Carla said it could be done in 18 months from April 15, 2025 let's make that happen.

Requested Actions

1. Add this correspondence and the attached report to both the City's and Morrow County's official records, given the shared jurisdiction over the TSP and Heritage Trail.
 2. Postpone or continue tonight's hearing and keep the record open until written confirmation from OWRD is received.
 3. Ensure future coordination between City, County, DLCD, and OWRD staff to resolve these issues transparently and cooperatively.
-

My goal is to work together toward a fair, transparent, and coordinated resolution that protects all parties from procedural or legal challenges while supporting sustainable growth for Boardman and Morrow County.

Thank you for your attention and for ensuring that this correspondence and the attached report are entered into both records.

Respectfully,

Jonathan Tallman

1st John 2:17 LLC

Boardman, Oregon

Attachment: Boardman_Goal_Compliance_Report_WRAPPED.pdf

On Wed, Oct 15, 2025 at 7:02 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request to Continue Hearing and Keep Record Open – Missed October 9 Deadline,

Pending LUBA Remand, Access Permit Limitations, and BLI Acreage Analysis

Dear Carla,

Thank you for your reply and for confirming that the Transportation System Plan appendices were posted today (10/15/2025 at 1:58 p.m. Pacific). Today is the first day I have been able to fully review and process that information.

After comparing the newly released appendices with prior case materials, I have identified continuing procedural and evidentiary deficiencies under ORS 197.763(2)(b) and (6)(c) that require either (a) a continuance of the October 16 hearing, or (b) that the record remain open for at least seven (7) days following the hearing to ensure due process and a complete evidentiary record.

1. Record Availability – Missed October 9 Posting Deadline

The City’s public hearing notice stated that all relevant materials would be available “on or before October 9, 2025.” The appendices and technical data were posted after that date, depriving the public of the required seven-day pre-hearing review window under ORS 197.763(2)(b) and Statewide Planning Goal 1. A continuance is necessary to correct this procedural defect.

2. Unresolved LUBA Remand (2022-062)

In 1st John 2:17 LLC v. City of Boardman (2022-062), LUBA remanded for failure to adopt findings on (a) the functional classification of the Laurel / Yates (Loop Road) corridor and (b) required lateral improvements under BDC 3.4.100. Those findings have not been re-adopted, yet the same corridor is relied upon in the current TSP/BLI. Proceeding without curing the remand conflicts with ORS 197.625(2)(b) and Goal 1 due-process standards.

3. Access Permit and IAMP Limitation – Confirmation from Morrow County

Morrow County Public Works (Eric Imes, 6/2/2025) confirmed development did not advance because “the county never obtained an access permit. The IAMP does not allow for a commercial access where our easement is—only farm/residential.” This conflicts with the TSP’s commercial/industrial circulation assumptions. Until that restriction is resolved with ODOT and documented in the record, adoption would lack substantial evidence under ORS 197.835(7).

4. Quantitative Analysis Needed – Buildable Land and Acreage Comparison

These parcel-by-parcel calculations will establish how much developable employment land already exists within the current UGB, eliminating any need to justify expansion at this time. Because the analysis necessarily relies on Appendix E (Methodology) and the City’s parcel-acreage tables, the evidentiary record must remain open long enough to submit the verified math, worksheets, and exhibits. I will also submit date-stamped drone imagery documenting current on-the-ground conditions showing that areas labeled “constrained” or “non-employment” are, in fact, open and serviceable. In addition, because development capacity is tied to municipal water availability and any OWRD-administered “water-for-water” exchanges, related OWRD materials should be included in the record before any recommendation.

5. Procedural Requirement to Keep Record Open

Under ORS 197.763(6)(c), when new evidence is submitted, the hearing body must leave the record open at least seven (7) days. After that, a seven-day rebuttal period under ORS 197.763(6)(d) applies before any final vote. Failing to honor these periods would be procedural error subject to appeal.

6. Process Safeguard if the Record Is Not Left Open

To ensure the process is handled correctly and to avoid prejudice to any party:

- Primary request: Continue the October 16 hearing so all materials (including appendices) are publicly available for at least seven (7) days before testimony.
- Alternative: If the Commission declines to continue, please confirm in writing that:
 1. The evidentiary record will remain open for at least seven (7) days after the hearing under ORS 197.763(6)(c) for additional evidence (including my drone imagery and BLI parcel math); and
 2. If the Commission elects to close the record to new evidence, it will still provide no less than seven (7) days for final written argument under ORS 197.763(6)(e), with the City specifying the exact date and time the evidentiary record closes and the argument period begins and ends.
- Re-notice if needed: If significant materials are posted within seven (7) days of any decision date, please re-notice to preserve due process and avoid prejudice to participants.

7. Water Rights / “Water-for-Water” Coordination (Goal 11; OWRD Oversight)

Because TSP growth assumptions imply future service capacity, please include in the record any coordination with the Oregon Water Resources Department (OWRD)—specifically the Water Rights Division—regarding municipal water availability and any contemplated “water-for-water” exchanges or transfers. In Oregon, exchanges and transfers are reviewed and administered by OWRD to ensure no injury to other rights and to document the lawful source and quantity of water. For transparency:

- Identify current certificated municipal water rights (annual AF), current use, and surplus/deficit assumptions tied to the TSP.
- Identify whether any exchanges or transfers are proposed, filed, or approved with OWRD to support the growth scenario, and include related correspondence in the record.

This ensures consistency with Goal 11 (Public Facilities and Services) and prevents adoption based on unverified capacity assumptions.

Given the missed October 9 posting deadline, the outstanding LUBA remand, the IAMP access limitation, the pending acreage verification and imagery, and the need to document OWRD coordination on water assumptions, I respectfully request that the Planning Commission continue the October 16 hearing.

If the Commission declines to continue, please confirm in writing that the record will remain open for at least seven (7) days under ORS 197.763(6)(c); and if the evidentiary record is closed, that a seven-day final-argument period will be provided under ORS 197.763(6)(e), with exact close/open timestamps stated on the record.

Please ensure this correspondence is included in the official record and circulated to the Planning Commission and City Council, together with the original, unaltered documentation I have submitted (including the attached Eric Imes email and the LUBA Case No. 2022-062 materials). Also with the video and time stamp of the April 15th PAC meeting mentioning Amazon is paying for an RV site. If any redactions are made, please log them with the legal basis.

Respectfully,

Jonathan Tallman

Please note: Because these matters directly affect Morrow County's trail corridor and County-owned parcel 3211, please also include this correspondence and attachments in the County's official record for the Heritage Trail and TSP coordination process. Michaela Rimerez thank you and Clint Shoemake.

On Wed, Oct 15, 2025 at 1:58 PM Carla McLane <mclanec@cityofboardman.com> wrote:

Mr. Tallman,

All TSP draft appendices have been posted to the city's website since last week and are still available [here](#). Information concerning the Parks Master Plan can be found [here](#). All other requested documents do not exist. Future requests for public records that do not utilize the city's standard public request [form](#) will be denied for failing to abide by the procedures set forth in city policy.

Cordially,

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>

Sent: Wednesday, October 15, 2025 7:08 AM

To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; Carla McLane <mclanec@cityofboardman.com>; Brandon Hammond <HammondB@cityofboardman.com>; Amanda Mickles <Amanda@cityofboardman.com>; Amanda Mickles <micklesa@cityofboardman.com>; Tamra Mabbott <tmabbott@morrowcountyor.gov>; Clint Shoemake <cshoemake@morrowcountyor.gov>

Cc: derrin@tallman.cx

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

Subject: Clarification and Record Update – BPA Easement, RV Site Mapping, Morrow County trail Missing Documentation, and Incomplete TSP Appendices update 10/15/2025

Dear Carla & Tamra,

A couple of important items I want to address and have entered into the record:

The images I sent previously are not displaying correctly in the materials or packets, and several visual references are missing or only partially shown. This includes the series of maps and exhibits illustrating the BPA Easement East corridor and the area labeled as “New RV Site” in the City’s Parks and Master Plan documents.

I also request that the attached images be included in full in the official record. They show the progression of mapping—from the City’s plan where the RV site was clearly marked, to later versions where the same area appears blurred out or replaced by a generic BPA trail alignment that does not accurately represent the site’s full context.

For the record, this RV site location is my private property, and I have repeatedly submitted public-records requests asking for the underlying documentation explaining why and when these changes were made. To date, no explanatory notes, staff memoranda, or change logs have been provided. The absence of this documentation raises procedural concerns and prevents the public from understanding the basis for the City’s map revisions.

Additionally, during the April 15, 2025 Parks Master Plan PAC meeting (timestamp 1:52:51 – 1:53:04 on the City’s official YouTube recording), it was stated on record that Amazon was potentially funding development of an RV park, with the City indicating it could be completed within approximately 18 months. This further underscores the importance of transparency regarding how this area—my property—has been referenced, modified, and represented in subsequent City planning materials which also effects the county’s trail.

It is also important to note that the October 16, 2025 Planning Commission packet references both TSP Volume I and Volume II (Technical Appendices). Specifically, the “Acknowledgements & TSP Organization” section states that “Volume II Technical Appendices (Under Separate Cover) includes Appendix A through J—Methodology Memorandum, Existing Conditions Inventory and Analysis, Future Conditions Analysis, Proposed Solutions, Implementing Ordinances, and Public Outreach Summary.” However, the packet released for public review includes only Volume I; none of the technical appendices are attached or made available for review before the October 16 hearing. Without these appendices—particularly the Methodology Memorandum (Appendix E)—the public cannot verify the assumptions, modeling, or data that support the plan.

Because these technical materials are missing, I am preparing to provide drone imagery and supplemental analysis to demonstrate discrepancies between mapped data and on-the-ground conditions. However, without the methodology and data appendices, I cannot “show my math” or quantify how vacant and developable properties—including my own—are being undercounted or misclassified in the City’s inventory. That methodological transparency is required for meaningful review and for compliance with Statewide Planning Goals 1 (Public Involvement), 9 (Economic Development), and 10 (Housing).

These inconsistencies, whether by omission or error, materially affect the accuracy of the public record and the representation of my property within the City’s adopted plans. Transparency and accuracy are essential, particularly in the context of public hearings and decisions that affect landowner rights.

Please ensure that all the referenced images and this correspondence are added to the public record for both the TSP and Parks Master Plan proceedings, and that they are included in the packet and visibly presented before the October 16 Planning Commission vote and in the County’s records as well.

Finally, I want to reiterate that under ORS 192.630(4), public meetings must allow equal access and participation, and Statewide Planning Goal 1 (OAR 660-015-0000(1)) requires meaningful public involvement at all stages of the planning process. Omitting or altering key site information without documentation—and withholding the full technical appendices—conflicts with both the letter and the spirit of those requirements.

Thank you for your attention to this matter and for ensuring the complete and transparent inclusion of these materials before the October 16 vote.

Respectfully,

Jonathan Tallman

Please note integrity is at stake. Will you stand up and do the right thing and show the truth?

On Tue, Oct 14, 2025 at 8:34 PM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Clarification Needed: TSP Volume II, Staff Report, and OWRD Coordination for 10/16

Hi Carla,

Thanks for confirming my emails will be provided to the Planning Commission and included in the record. Like you have said there is a lot to unpack since you are pushing so much through at once unlike what is normally done. So I am glad you understand the complexities that need to be sorted out.

To avoid procedural errors on 10/16/2025 could you please confirm the following by reply email and provide direct links (not general webpages):

1. TSP Volume II (Appendices D–J)

Is the full Volume II—Appendix D (Code Assessment), E (Methodology), F (Existing Conditions), G (Future Conditions), H (Proposed Solutions), I (Implementing Ordinances), J (Public Outreach Summary)—posted as final PDFs and accessible to the public? If so, please share the direct URLs. PAC slide decks are not a substitute for the official technical appendices referenced “under separate cover” in the draft.

2. Signed, dated staff report

Has the signed and dated staff report for the 10/16 Planning Commission hearing been posted? If so, please provide the direct link.

3. OWRD coordination and water-capacity materials

Has the City coordinated with the Oregon Water Resources Department (OWRD) regarding assumed water capacity, water-for-water exchanges, or related consumptive-use questions tied to TSP growth assumptions? If any OWRD communications, memoranda, or analyses exist, please post them and share the links so the public can review before the hearing.

4. Seven-day availability

The public notice states that all relevant materials would be available “on or before October 9.” Please confirm that all of the above items were available by that date. If any were not, please confirm the City will either continue the hearing or keep the record open for 7 days under ORS 197.763(6)(c) to preserve due process.

For clarity: I am not asking the City to create new records. I am requesting the specific existing documents the draft TSP cites and relies upon. If these are already online, please provide the direct URLs so I can review them prior to 10/16. Please make this email part of the record.

Thank you for your attention to these points and for ensuring the record is complete and accessible.

Respectfully,

Jonathan Tallman

Mr. Tallman,

Your multiple emails have been received and will be made available to the Planning Commission prior to this Thursday's (10/16) Planning Commission meeting, which will make them part of the decision maker's record. The materials for Thursday's meeting have been posted on the City's website since last Thursday afternoon, as is standard practice at the City, and are available at this [link](#). The meeting packet for the October 13 Comprehensive Plan/Development Code PAC meeting has been posted online since before the meeting, and is still available at this [link](#). The EOA PAC meeting agenda will be posted to the [project page](#) closer to the actual meeting date of 10/28.

We will continue to review your input, but if you are requesting a copy of a specific document that hasn't otherwise been posted to the respective committee's website, then you will need to make a formal public records request for that specific document using the City's standard form, available [here](#). Please note that the City is not required to create new public records; it is only required to make available records that are actually in the public body's custody at the time the request is made.

Cordially,

Carla McLane

Planning Official

On Tue, Oct 14, 2025 at 10:48 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Follow-Up – Public Advisory Committee Packet and Policy Transparency

Dear Carla and Brandon,

This is to glaring not to speak on and make it as comments.

During the October 13, 2025 Public Advisory Committee Meeting, City staff stated that “policy making does not happen in a vacuum” and that all Comprehensive Plan updates are being rooted in factual data and coordinated with other City plans (TSP, EOA, HPS, Parks Plan, etc.). Please see attached time stamp that shows that below.

However, I have repeatedly requested access to the meeting packet, data, and technical materials underlying those discussions and have not received any information. Without access to the same factual basis that staff refer to, the public cannot meaningfully participate or verify that these plans are aligned in good faith. Please see attached pdf file documenting that as well at the October 7th city council meeting.

This lack of transparency effectively creates the very “vacuum” the City and its paid contracting partners doing the work that says does not exist at the meeting I can’t speak at that doesn’t have public comments in the agenda. Please provide the October 13 PAC #4 packet and supporting data, and ensure that these materials are published in accordance with ORS 192.630(1) (meetings of governing bodies to be open to the public) and ORS 192.640(2) (requiring public notice and materials reasonably calculated to give notice of the matters to be considered).

I ask that this correspondence be made part of the official record for the Comprehensive Plan Update. Once I receive the packet, I will review it and follow up with additional comments once I receive the full packet. Please note legally under ORS 192.610–192.690, the October 13, 2025 Public Advisory Committee meeting is an open meeting, and all materials reviewed or relied upon—such as the meeting packet—must be made available to the public under ORS 192.630(1) and 192.640(2) before any related action or recommendation proceeds to the Planning Commission for consideration or vote.

Respectfully,

Jonathan

YouTube video of the meeting:

<https://youtu.be/M5xq-1W2h-U?si=3922ndtqyVtPpdXM>

On Tue, Oct 14, 2025 at 9:28 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Public Advisory Committee Packet – Comprehensive Plan Update (October 13, 2025)

Dear Carla and Brandon,

I am requesting a copy of the Public Advisory Committee Meeting #4 packet for the Boardman Comprehensive Plan Update held on October 13, 2025. I see that things are moving forward but have not received any responses to my past inquires.

The YouTube recording is posted, but the meeting packet and materials are not available on the City’s website. I have previously requested to be kept informed on this topic and to receive related materials but have not received any updates or documentation.

Please consider this a formal public records request under ORS 192.311–192.355 and ensure this communication is made part of the official record for the Comprehensive Plan update process.

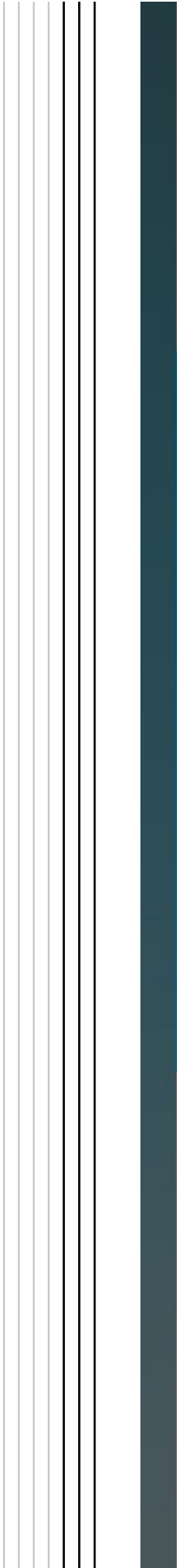
Once the packet is provided, I will review the contents and follow up with additional questions or comments as needed once I receive the packet.

Thank you for your attention to this matter and for including this request in the official project file to the record.

Respectfully,

Jonathan Tallman

<https://youtu.be/M5xq-1W2h-U?si=pRzYdaFMau5Oadc3>



Public Adv Meeting #

On Tue, Oct 14, 2025 at 5:10 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Subject: Request for Full Record – Missing TSP Volume II (Methodology & Appendices) and OWRD Coordination follow up

Dear Carla, Dawn, and Tamra,

I am writing regarding the City of Boardman Transportation System Plan (TSP) scheduled for public hearing before the Planning Commission on October 16, 2025. The meeting packet currently posted references a second document—Volume II (Technical Appendices, Under Separate Cover)—which includes:

- Appendix E – Methodology Memorandum
- Appendix F – Existing Conditions Inventory and Analysis
- Appendix G – Future Conditions Analysis
- Appendix H – Proposed Solutions
- Appendix I – Implementing Ordinances
- Appendix J – Public Outreach Summary

These materials are essential to the City’s compliance with OAR 660-012 (Transportation Planning Rule) and OAR 660-018 (Post-Acknowledgment Plan Amendments). However, the public link now directs only to a simplified engagement webpage that does not include the methodology or technical appendices referenced in the draft findings.

I respectfully request that the complete Volume II, including Appendix E (Methodology Memorandum), be made available for public review before adoption. Under OAR 660-018-0020, all supporting documents used to evaluate or justify a plan amendment must be accessible to the public prior to a legislative hearing.

Additionally, please confirm whether the Oregon Water Resources Department (OWRD) has been consulted as part of this TSP update. Transportation expansion and future urban-growth assumptions directly affect water-for-water exchange requirements and consumptive-use allocations under Division 509. If OWRD has provided any coordination, memoranda, or review comments, please include them in the public record to ensure consistency with Goal 12 (Transportation) and Goal 5 (Water Resources).

For the record, I will be attending the October 16 Planning Commission meeting and would like the opportunity to review the complete TSP record, including Volume II, before the Commission makes any recommendation for adoption. Transparency and full technical disclosure are essential for meaningful public participation.

The link below now goes to a webpage but is still missing the above listed items and methodology.

Thank you for confirming receipt of this letter and advising when the missing materials and any OWRD coordination documents will be available while adding this email to the record and keep it open for 7 days to clarify the record.

Sincerely,

Jonathan Tallman

Link:

<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>

On Mon, Oct 13, 2025 at 4:55 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Dear Planning Commissioners and Ms. McLane,

After reviewing it in its entirety this weekend and spending time on this all day Sunday. Below is a link that still does not open up for the information.

Please add this message to the official record for the October 16, 2025 Planning Commission hearing on the Boardman Transportation System Plan (TSP). This is a supplement to my previously submitted Request to Continue the hearing as a follow up of more information I have gleaned.

After reviewing the October 16 Planning Packet, I have identified additional procedural and evidentiary deficiencies that independently warrant a continuance:

1. Public Access Failure (ORS 197.763(2)(b); Goal 1):

The City's posted TSP portal has been inaccessible, while the public notice promised materials "on or before October 9." The public has not had the required 7-day access to "all relevant materials and staff reports."

2. Missing Technical Record — Volume II "Under Separate Cover" (ORS 197.610–650; ORS 197.835(7)):

Volume II (Appendices D–J, including Methodology, Existing/Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) is referenced but not included in the packet or portal. The draft relies on these materials; proceeding without them leaves the decision unsupported by substantial evidence.

3. No Signed/Dated Staff Report (ORS 197.763(4)(a)):

The packet lacks a signed, dated staff report presenting findings and analysis by the responsible official. A placeholder is not a staff report.

4. No Transportation Financing Program (OAR 660-012-0040(4)):

There is no cost/funding plan (projects × probable funding sources × timing). This is a required component of a compliant TSP.

5. Unclear/Missing Functional Classification Details:

Collector/arterial designations (e.g., Oregon Trail Blvd, Laurel Lane) are not accompanied by a clear Functional Classification Map, termini, or cross-sections consistent with ODOT criteria.

6. No Goal 5 / Environmental Constraints Integration (Goal 5; OAR 660-012-0045(2)(e)):

Proposed corridors (roadway/trail) intersect BPA easements and potential resource areas, but no constraints mapping or mitigation analysis is provided.

7. Mapping Inconsistencies / Version Control (ORS 197.835(7)):

The corridor east of the Dog Park appears re-labeled/blurred across versions (e.g., “New RV Site” vs. trail/BPA park block) with no version history, author, or rationale disclosed.

8. No Demonstrated Link to Current BLI/EOA (OAR 660-024):

Growth/land-need assumptions are used, yet no current BLI/EOA documentation is included or incorporated. The City calendar shows PACs on Comp Plan/EOA after the PC hearing (10/13; 10/28), indicating piecemealing and an incomplete record.

9. No DLCD/ODOT Technical Coordination Memos (Goal 12 Coordination):

The packet contains no agency review letters indicating state technical coordination prior to the first evidentiary hearing.

10. No Draft Adopting Ordinance/Resolution Text (ORS 197.610(1)):

The packet lacks the exact adoption language (text/map exhibits) the Commission is being asked to recommend.

11. Outdated/Uncoordinated Base Data (OAR 660-012-0045(2)(a)):

Tables reference older counts/forecasts without tying to the County’s coordinated projections used for current BLI/EOA work.

12. Inter-Jurisdictional Coordination Is Unresolved (Goals 1 & 12):

The Morrow County Planning Commission tabled the Columbia River Heritage Trail item. The City cannot claim regional coordination for a facility the County has not adopted.

Requested Actions (Reiterated and Expanded):

A. Continue the Oct 16 hearing until:

1. The full record (including Volume II D–J) and a signed staff report are posted and publicly accessible for at least 7 days; and
2. Morrow County acts on the Heritage Trail corridor (or the City removes/defers uncoordinated elements).

B. Publish an Indexed Record:

Provide a document index listing all TSP materials (title, author, date, version, checksum/hash), including:

- Volume II Appendices D–J (final PDFs),
- Staff report and any consultant technical memoranda,
- Dated GIS layers and every map/exhibit version, with who/when/what changed.

C. Provide Required Program Elements:

- Transportation financing program (costs × revenue sources × timing) per OAR 660-012-0040(4).
- Functional classification map & cross-sections, consistent with ODOT criteria.
- Goal 5/resource constraints mapping and mitigation strategy for proposed corridors.

D. If the Commission Declines to Continue:

Please keep the record open for 7 days under ORS 197.763(6)(c) so I may submit additional evidence, including date-stamped drone photos of existing conditions and a parcel comparison memo (e.g., Good Shepherd, County Parcel 3211) demonstrating inconsistent treatment.

These defects collectively show that the public record is incomplete, Goal 1 access has not been satisfied, and Goal 12 coordination is lacking. Proceeding on October 16 would create appealable error; a continuance is the proper remedy.

Public Record Questions Requiring Response specifically:

1. OWRD Coordination and Permitting

- Has the City of Boardman formally notified or coordinated with the Oregon Water Resources Department (OWRD) regarding the TSP and UGB expansion?
- What is the City's current certificated water right quantity (in acre-feet per year), and how much of that right is presently in use?
- Has OWRD approved any pending transfer, modification, or "water-for-water" exchange authorizing the City to expand municipal service to new development areas shown in the TSP or Parks Plan?
- If not, under what authority is the City assuming future water capacity in this plan?

2. Water-for-Water Exchange Oversight

- Has the City documented where offsetting conservation or exchange credits will come from to support new development allocations?
- Are these credits verified through OWRD's Water Rights Division or based on consultant projections?
- If the City intends to rely on Umatilla Electric Cooperative (UEC) or Amazon-funded infrastructure, have those transfers been approved or filed with OWRD as required under OAR 690-410?

3. Goal 11 and Goal 5 Compliance

- How has the City demonstrated compliance with Statewide Planning Goal 11 (Public Facilities and Services), which requires verification of water and wastewater capacity prior to plan adoption?
- Has the City submitted a water availability analysis or adopted a coordinated facilities plan reviewed by OWRD or DEQ?
- If not, why is the Planning Commission proceeding with a TSP adoption that depends on unverified municipal water capacity?

4. Transparency and Public Access

- Will the City commit to publishing all communications, memoranda, and consultant reports concerning water capacity and UWRD review before the October 16 hearing?
- Has any portion of this process been withheld under a Non-Disclosure Agreement (NDA) involving Amazon, UEC, or a related party?
- If so, how can the public meaningfully comment on water, wastewater, or growth assumptions that are being developed outside of the public record?

I am requesting that these specific questions be entered for the October 16 Planning Commission hearing and that written responses from the City, the planning commission and OWRD be provided prior to any recommendation or adoption vote.

Thank you for confirming by reply that this email has been entered into the record for the October 16 hearing.

Respectfully,

Jonathan Tallman

Property Owner,

Boardman, Oregon

Link broken.

4:50 

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[Home](#)

On Sun, Oct 12, 2025 at 8:39 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Formal Request to Continue October 16 TSP Hearing – Incomplete Public Access, Uncoordinated County Elements, and Missing Technical Record

To: City of Boardman Planning Commission

Attn: Carla McLane, Planning Official — mclanec@cityofboardman.com

Cc: Boardman City Council; Dawn Hert (DLCD) — Dawn.Hert@dlcd.oregon.gov; Morrow County Planning Commission

From: Jonathan Tallman, Property Owner (1st John 2:17 LLC)

Date: October 12, 2025

Subject: Request to Continue 10/16/2025 Hearing on Draft Transportation System Plan (TSP)

Dear Planning Commissioners and Staff,

I respectfully request that the October 16, 2025 hearing on the Draft Transportation System Plan (TSP) be continued. Multiple defects prevent lawful public review and required inter-jurisdictional coordination.

1) Failure of Public Access (ORS 197.763(2)(b); Goal 1 – Citizen Involvement)

- The City's official TSP engagement portal (<https://zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan>)

has been inaccessible. The Planning Commission public notice states: “Copies of the staff report and all relevant documents will be available on or before October 9, 2025,” and directs the public to obtain the materials before the hearing. With the portal down and key items missing, the City has not made the relevant materials available at least 7 days prior as required by ORS 197.763(2)(b) and Goal 1.

2) Incomplete Technical Record (ORS 197.610–650; ORS 197.835(7))

- The TSP is expressly two volumes. The packet’s TSP Organization page states “Volume II Technical Appendices (Under Separate Cover)”, listing Appendix D (Code Assessment), Appendix E (Methodology), Appendix F (Existing Conditions), Appendix G (Future Conditions), Appendix H (Proposed Solutions), Appendix I (Implementing Ordinances), Appendix J (Public Outreach Summary). These are the technical basis for the TSP’s findings but are not attached in the packet and were not posted for public access.
 - The packet’s Preliminary Findings of Fact page also lists “ATTACHMENTS: • DRAFT TSP Volume I • DRAFT TSP Volume II,” yet Volume II is not provided in the packet posted to the public. Proceeding without Volume II leaves the decision unsupported by substantial evidence under ORS 197.835(7).
-

3) Lack of Coordination with Morrow County (Goals 1 & 12)

- The Draft TSP and City Parks mapping rely on the Columbia River Heritage Trail corridor extending into Morrow County/BPA easement. At the September 30, 2025 meeting, the Morrow County Planning Commission tabled discussion on that trail (no adoption). Without County action, the City cannot show Goal 12 coordination or consistency. Adoption now would be premature and uncoordinated.
-

4) Procedural Defect – Notice/Timeline vs. Record Availability

- The public notice promises the full materials “on or before October 9, 2025.” As of October 10–12, Volume II and other critical appendices remain unavailable; the City portal is/was inaccessible. Proceeding on October 16 deprives affected landowners of meaningful review/rebuttal, contrary to ORS 197.763(6)(a) (opportunity to present and rebut evidence).
-

5) Piecemealing / Inconsistent Sequencing (TPR & Goal 14 context)

- City calendars show PACs still meeting after the Planning Commission date (Comp Plan/Dev Code PAC 10/13; EOA PAC 10/28). Those BLI/EOA products inform TSP priorities and any future UGB actions. Scheduling the TSP hearing before related technical work is completed indicates piecemealing and supports that the record is incomplete.
-

6) Conflicting/Withheld Mapping Record

- Prior exhibits show inconsistent labeling of the corridor east of the Dog Park (e.g., “New RV Site” vs. BPA park/trail corridor; later blurred/re-labeled), with no version history or GIS provenance disclosed. These inconsistencies must be cured by producing the dated GIS layers, map versions, and who/when/why of edits.
-

7) DLCD Clarifications in the Record

- DLCD (email from Dawn Hert, 10/9/2025) confirms DLCD’s PAPA site has Volume I and that the City is the official record-keeper; DLCD expects appendices/staff report to be provided by the City, and DLCD cannot upload materials from private parties. This reinforces that the City must publish Volume II and the full record before the local hearing.
-

Legal Consequences if the Hearing Proceeds

If the City proceeds on October 16 without curing these defects, there will be grounds to appeal to LUBA for:

- Goal 1 / ORS 197.763 – Inadequate public involvement/access;
- Goal 12 – Failure to coordinate with Morrow County on inter-jurisdictional facilities;
- ORS 197.835(7) – Adoption unsupported by substantial evidence (missing Volume II/methodology);
- ORS 197.610–650 – Incomplete submittal/record deficiencies.

A LUBA remand would be likely and will delay acknowledgment.

Requested Actions

1. Continue the October 16 hearing until:
 - The TSP website and all documents (including Volume II D–J) are fully accessible to the public; and
 - The Morrow County Planning Commission has taken action on the Heritage Trail corridor (or the City removes uncoordinated references).
2. Publish the full technical record:
 - Volume II Appendices D–J (final PDFs),
 - All referenced tech memos, staff reports, and TPAU/ODOT inputs,
 - Dated GIS layers and PDF exhibits with version history for all maps (who/when/what changed).
3. Provide an indexed record list (document titles, dates, authors, checksum/hashes) to prevent silent edits.
4. Keep the record open 7 days once the full record is posted (ORS 197.763(6)(c)).
5. If significant new materials are posted within 7 days of any re-scheduled hearing, re-notice the hearing to preserve due process.

Reservation of Rights

If the Commission does not continue the matter, I formally request on the record that the hearing body keep the record open for 7 days after the hearing under ORS 197.763(6)(c) so I may submit additional evidence (including drone photos documenting existing undeveloped conditions and a comparative memo addressing Good Shepherd, County parcel 3211, and similarly situated parcels).

Conclusion

Until the full Volume II and supporting record are publicly accessible and County coordination is achieved (or uncoordinated elements removed), any recommendation or adoption would be procedurally defective and contrary to Oregon’s statewide planning goals. Please continue the hearing and acknowledge this objection in the record.

Sincerely,

Jonathan Tallman

Property Owner, 1st John 2:17 LLC — Boardman, Oregon

Link to attachment it is to big to send over email.

<https://mccmeetings.blob.core.usgovcloudapi.net/boardmanor-pubu/MEET-Packet-1b3ae3757166455aba0a98d22317a64c.pdf>

On Thu, Oct 9, 2025 at 3:29 PM HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov> wrote:

Hello Jonathan,

Thank you for reaching out and for your patience in my response. I have been on the road for work and have some much needed few days at my home office to catch up on all my emails. 😊

Currently the City of Boardman has been working to update several of their master planning documents: Transportation System Plan(TSP), Parks Master Plan(PMP), Economic Opportunities Analysis(EOA), Buildable Lands Inventory(BLI, as well as Comprehensive Plan Updates possibly through the Periodic Review process. Some of these projects have started, some have not. Some are just now getting to the public hearings processes that my agency requires the Proposed Acknowledge Plan Amendment(PAPA) notification due to the modifications to the local Comprehensive Plan, whether it be recommended text amendments, updated maps, or ancillary guidance documents being added. (State law requires local governments to notify the public when a Comprehensive Plan is under review or when changes are proposed or adopted. Part of the process includes noticing to DLCD regarding these changes.)

Prior to these proposed amendments making their way to my agency's PAPA notification, they have been through Public Advisory Committees(PACs) or Technical Advisory Committees(TACs) and possibly workshops with the Planning Commission and City Council so that they are aware of upcoming recommendations coming from these projects.

Our PAPA notification requires the following:

1. Except under certain circumstances,¹ proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal.
2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. Hard-copy submittals are permitted and require a separate process.
4. Electronic submittals are encouraged via DLCD's PAPA Online process.
5. File format: detailed on our webpage.
6. Text: Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.
7. Staff report: Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.
8. Local hearing notice: Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.
9. Maps: Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.
10. Goal exceptions: Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

In response to your specific questions/requests:

- As detailed above, these materials are necessary for our PAPA team to post on our online system. Materials are required to be submitted by the local government and sometimes come in stages as they are prepared and available. The minimum requirements are detailed above. My team here at DLCD cannot add materials provided by someone other than the local jurisdiction to their PAPA.
- TSP documents submitted to our PAPA include the Volume I at this time, which meets the minimum for our notification requirement. I anticipate the Volume II to be downloaded in the prior to their first evidentiary hearing as well as their staff report. There are a number of appendices that you mention on Boardman's TSP webpage: [Transportation System Plan | Boardman OR](#). Look through the PAC meeting documents and you should find what you are looking for. The city is the official record; we only have copies of what they have submitted.
- I am not sure what exactly was requested in your public records request, but I did notice that you refer to "UGB Amendment Package"....which is entirely different than a TSP. Currently, Boardman has not completed their EOA or BLI to move forward with the appropriate documents to request a UGB Amendment. I do anticipate that may come after the EOA/BLI has been completed identifying a need for industrial land supply. But at this time, no application has been started.
- I reviewed the maps that you attached to this email, and they appear to be from the Parks Master Plan, and not the TSP. The Parks Master Plan is a completely different document, that may be why you are seeing discrepancies from the TSP maps.
- The first evidentiary meeting is scheduled before the Planning Commission on October 16th. The public hearing notice that was downloaded to our PAPA system states "Copies of the staff report, and all relevant documents will be available on or before October 9, 2025. For more information, contact Carla McLane, Planning Official, at (541) 481-9252 or by email at mclanec@cityofboardman.com." I anticipate that the staff report will be downloaded to our system today. I would suggest that you reach out to Carla and ask for a copy. My agency has been involved in the PAC and had access to review the supporting documents both submitted online as well as on Boardman's website. I plan to review the staff report and will work with my agency transportation planners to see if the report warrants a comment from our agency.
- Your request: *For these reasons, I respectfully ask that DLCD:*
 - *Add this letter and my prior correspondence with the city to the official record for the Boardman TSP/UGB amendment.*
 - Response: As stated earlier in my email, Boardman keeps the official record. You should provide your comments and concerns to the Planning Commission and/or City Council at their public hearings. We do not facilitate public comments on local applications.
 - *Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.*
 - Response: Boardman keeps the official record. If you are unable to locate the appendices of the TSP on their website, you should reach out to them to ask them to identify where these documents are located.

- Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.
 - Response: DLCD received the required documents for the PAPA submittal, which allowed the notice to be posted to our website. I anticipate the staff report and Appendices will be provided as detailed in their public notice. I will reach out to their Planning Director to verify.

Thank you for reaching out and I agree that transparency is vital to trust. You should reach out to staff to ask for the location of the documents. You also have public hearings where you can submit these comments and concerns directly to Boardman. My PAPA system is not where public comments are received for local decisions. I hope my explanations help answer your questions and help you to move forward with comments to the city.

Take care,
Dawn

Dawn Marie Hert



Eastern Oregon Regional Representative | Community Services Division

Pronouns: She/Her/Hers

Oregon Department of Land Conservation and Development

Eastern Oregon University, One University Blvd, Badgely Hall, Room 233A | LaGrande, OR 97850-2807

Cell: 503-956-8163 | Main: 503-373-0050

dawn.hert@dlcd.oregon.gov | www.oregon.gov/LCD

Regional Representative for the ten most eastern Counties and 59 Cities.

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Thursday, October 2, 2025 7:32 AM
To: HERT Dawn * DLCD <Dawn.Hert@dlcd.oregon.gov>; derrin@tallman.cx
Subject: Fwd: Public Records Request – Boardman TSP/UGB Amendment Package

Dear Dawn,

I am writing to request that the following concerns and documentation be added to the DLCD record regarding the City of Boardman’s Transportation System Plan (TSP) and Urban Growth Boundary (UGB) process.

I submitted a public records request to the City of Boardman seeking the supporting materials referenced in the Draft TSP (dated September 10, 2025). In response, the City Clerk denied that such records exist and told me that “all supporting calculations, inventories, spreadsheets, and maps used to classify properties” could be found on the PAC Meeting 7/29/25 Economic Opportunity Page, Appendix B – Buildable Lands Inventory.

However, the Draft TSP itself makes clear that it is presented in two volumes:

- Volume I – the policy document
- Volume II (under separate cover) – containing the technical appendices, including:
 - Appendix D: Code Assessment
 - Appendix E: Methodology
 - Appendix F: Existing Conditions Inventory and Analysis
 - Appendix G: Future Conditions Analysis
 - Appendix H: Proposed Solutions
 - Appendix I: Implementing Ordinances
 - Appendix J: Public Outreach Summary

The plan repeatedly cites these appendices as the technical basis for its findings (traffic forecasts, land classifications, project prioritization, etc.). If the appendices exist, the City is withholding them. If they do not exist, then the Draft TSP is misleading the Planning Commission, DLCD, and the public. Referring me to a PAC meeting packet is not the same as producing the official, final appendices that the plan says were prepared “under separate cover.”

In addition, the TSP maps and related exhibits show serious inconsistencies. For example:

- In one version, the corridor east of the Dog Park is labeled as a “New RV Site.”
- In earlier exhibits, the same corridor is shown as a BPA easement or trail connection to Laurel Lane.
- Later maps appear blurred or re-labeled, with no record of who changed them, when, or why.

These inconsistencies have not been explained in open meetings or in response to records requests, despite requirements under ORS 192.610–192.690 (Oregon’s open meetings laws) that materials considered in a legislative land use process be made available to the public.

The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has already been submitted to DLCD without these appendices or the complete supporting record. That raises a serious procedural problem: DLCD cannot meaningfully review or acknowledge the submittal without the very technical appendices and mapping record the plan itself relies upon.

For these reasons, I respectfully ask that DLCD:

1. Add this letter and my prior correspondence with the City to the official record for the Boardman TSP/UGB amendment.
2. Require the City to provide the full Volume II appendices (D–J) and the unaltered mapping record before any DLCD review proceeds.
3. Clarify whether DLCD has actually received a complete submittal, or whether the City has provided only the policy document without its technical record while representing it as final.

Please also note: I will be sending supporting exhibits and documentation in piecemeal form because the files are too large to transmit all at once. Thank you for your understanding. I have drone photos that are big.

Transparency is the backbone of government trust. Without the missing appendices and consistent mapping record, the public cannot evaluate the City’s findings, and any approval risks being procedurally defective. Those documents are needed and I am asking to see them.

Thank you for ensuring these concerns are documented and addressed in DLCD’s review.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: **Jonathan Tallman** <1stjohn217llc@gmail.com>

Date: Thu, Oct 2, 2025 at 7:12 AM

Subject: Re: Public Records Request – Boardman TSP/UGB Amendment Package

To: Amanda Mickles <micklesa@cityofboardman.com>

CC: Brandon Hammond <HammondB@cityofboardman.com>, Carla McLane <mclanec@cityofboardman.com>, Derrin Tallman <derrin@tallman.cx>

Amanda,

Thank you for your response. However, there is a direct contradiction between your email and the City's own Draft Transportation System Plan (TSP) dated September 10, 2025.

The draft TSP itself states the plan is presented in two volumes, with Volume II (Under Separate Cover) containing the technical appendices (Code Assessment, Methodology, Existing Conditions, Future Conditions, Proposed Solutions, Implementing Ordinances, Public Outreach Summary) and it repeatedly cites those appendices for the technical basis of the plan. Given that, I have the following questions that require clear answers before any hearing or vote:

1. Does the City acknowledge that the draft TSP references a Volume II with technical appendices? If yes, where are those appendices? Were they prepared, and if so, why were they not produced in response to my request?
2. If the appendices do not exist, why does the draft TSP represent that they do and cite them as the basis for analyses (traffic volumes, operations, forecasts, project evaluation, etc.) ?
3. How does the City intend to proceed with DLCD under ORS 197.610–650 without submitting the supporting methodology, inventories, analyses, proposed solutions, implementing ordinances, and outreach record that the plan itself says exist?
4. Why are these foundational materials being withheld behind public-records denials when they should be available under open meetings laws (ORS 192.610–192.690) as part of the public process?
5. Mapping inconsistencies: City exhibits and plan graphics show the corridor east of the Dog Park differently across versions—an identified “New RV Site” in one, versus a BPA park block/easement corridor and trail connection in others; later versions appear blurred or re-labeled with no explanation.
 - What is the official, current depiction for this corridor (including the Laurel Lane connection)?
 - Who changed it, when, and where is the documented rationale and version history?
 - Please provide the underlying GIS layers and dated map files used to produce these exhibits.
6. Buildable Lands/EOA materials: Your email directed me to an “Economic Opportunity” page/Appendix B for the Buildable Lands Inventory. Please confirm the full, indexed list of all supporting calculations, spreadsheets, and map layers used to classify parcels as vacant/partially vacant/constrained, and produce those records.

These are not minor details; they go to the integrity of the record. The Planning Commission is scheduled to vote on this package on October 16, 2025, and I understand that a draft has

already been submitted to DLCD without the very appendices and supporting documentation that the draft plan itself cites. If that is correct, it raises serious questions about the adequacy and legality of the submission.

Before the Planning Commission is asked to vote, and before DLCD proceeds any further, the public is entitled to review the complete basis for the TSP including the appendices the draft references and the unaltered mapping record.

Please provide clarification on items (1)–(6) above and explain how the City intends to resolve this conflict between what the TSP says and what has actually been submitted.

Respectfully,

Jonathan Tallman

Mon, Oct 13 2025, 3

[Add to your calendar](#) +

[Back to Calendar](#)



On Wed, Oct 1, 2025 at 4:39 PM Amanda Mickles <micklesa@cityofboardman.com> wrote:

Good afternoon, Jonathan,

I have received your request for records and have information to provide in response (in [blue](#)) to the specific requested information.

1. All staff reports, technical memoranda, and appendices included in or referenced by the City of Boardman's **Transportation System Plan/Urban Growth Boundary amendment packages** [\(no such document was submitted, the City submitted a Transportation System Plan\)](#) submitted under ORS 197.610-197.650, including but not limited to **Volume II, Appendices D-J** [\(the Appendices package was not submitted\)](#) (Code Assessment [\(not submitted\)](#), Methodology [\(not submitted\)](#), Existing Conditions Inventory and Analysis [\(not submitted, TSP Page PAC 1/29/25\)](#), Future Conditions Analysis [\(not submitted, TSP Page PAC 1/29/25\)](#), Proposed Solutions [\(not submitted, TSP Page PAC 5/13/25\)](#), Implementing Ordinances [\(no such document\)](#), Public Outreach Summary [\(no such document\)](#)).
2. All supporting **calculations, inventories, spreadsheets, and maps** used to classify

On Wed, Oct 8, 2025 at 6:19 AM Jonathan Tallman wrote:

Dear Mayor Keefer,

I am forwarding the attached email correspondence with City Manager Brandon Hammond, as it illustrates the ongoing transparency issues that were raised with me directly at the recent Council meeting last night October 7th 2025.

You stated to me in person that I should attend City meetings and participate (which I am glad you mentioned). I have done so in good faith in the past. Yet, when I attempt to speak at advisory or committee meetings, I am told I do not have the right to talk. This directly contradicts Brandon's earlier written encouragement that I "continue to attend the various meetings (Planning Commission, City Council, advisory committees, etc.) to share your insights and thoughts." His later email, however, walks this back by saying advisory committees and workshops do not call for public comment opportunities.

This is at the heart of the transparency issue. On paper or out loud, the City tells me my input is welcome at the city council meeting. In practice, when I show up and try to participate, I am shut down. The result is confusion, unnecessary confrontation (which I don't want), and an appearance at public meetings that questions are being acknowledged, when in reality they are being deflected or silenced on purpose like I stated in all my examples last night.

I am not seeking special treatment only clarity and consistency. If the City intends for certain meetings to be closed to public comment, then that should be clearly stated in advance and on the agenda, not left to the discretion of staff during the meeting. Conversely, if the City's leadership is going to encourage landowners and business owners to participate, then that commitment should be honored.

Transparency is not achieved when words in writing or in public forums differ from the actions that follow. To restore public trust, I respectfully ask that this matter be clarified in writing and reflected in future agendas. I also ask that the City ensure all landowners and residents are given equal and fair opportunities to participate in the processes that directly impact their property and livelihoods.

Thank you for your attention to this matter.

Sincerely,

Jonathan Tallman

----- Forwarded message -----

From: Jonathan Tallman

Date: Tue, Jul 29, 2025 at 4:55 PM

Subject: Re: Public Comment Regarding July 29th EOA Meeting & Request for Fair Dialogue

To: Brandon Hammond

CC: Derrin Tallman , Amanda Mickles

Brandon,

You wrote, and I quote:

"Thank you for your thoughts and insights. I agree, there needs to be an open and transparent process. I would encourage you to continue to attend the various meetings (Planning Commission, City Council, advisory committees, etc.) to share your insights and thoughts."

Your inclusion of "advisory committees" led me to believe that I was welcome to speak and share my insights at those meetings. I participated based on that good faith understanding.

To prevent any future confusion or unintended confrontation, I respectfully ask for clarification. The disconnect between what is stated in writing and how participation is handled during meetings creates

uncertainty and undermines transparency and accountability. This kind of inconsistency discourages meaningful public engagement.

Could you ensure that this matter is clearly addressed and reflected in future agendas? I simply want to avoid any unnecessary conflict (especially with Carla because she has called cops in the past on me) that stems from written words not aligning with how policies are applied in practice by the city of Boardman.

I am not asking for too much here am I? Thank you for your time and attention to this matter.

Jonathan Tallman

On Tue, Jul 29, 2025 at 4:31 PM Brandon Hammond wrote:

Johnathan,

During our planning commission and city council meetings there are specified public comment times, as these are governing bodies, which allows any public input. The advisory committee's and workshops do not call for the same public comment opportunities.

From: Jonathan Tallman

Sent: Tuesday, July 29, 2025 3:21 PM

To: Brandon Hammond

Cc: Derrin Tallman

Subject: Re: Public Comment Regarding July 29th EOA Meeting & Request for Fair Dialogue

Hi Brandon,

Thank you for allowing me to speak during today's meeting and for your prior message encouraging continued engagement. I appreciate your acknowledgment that an open and transparent process is essential. As both a business owner and a landowner in the City of Boardman, I've made a genuine effort to participate constructively and provide insights that I believe are important for the community.

However, I'm confused by the inconsistency between your written encouragement and what occurred at the meeting. When I raised my hand to speak, Carla stated that I was not a PAC member and would decide whether I could speak or not. This seemed to contradict the inclusive message you had expressed in writing, and frankly, it felt dismissive of my efforts to engage in good faith in the future.

This kind of disconnect is exactly what causes meetings to become confrontational—it's when the words don't align with the actions. I would have asked you for clarification during the meeting, but I wasn't sure if you were present, and I didn't want to escalate the situation in that setting.

To prevent future confusion or tension, I'd appreciate your clarification: moving forward, as a business and land owner in Boardman, am I permitted to speak during Planning Commission, City Council, and advisory committee meetings when I attend? This issue needs to be addressed clearly so that I and others can participate without conflict or second-guessing whether our voices will be heard.

Thank you again for your time and for addressing this matter directly and in writing.

Sincerely,

Jonathan Tallman

On Mon, Jul 28, 2025 at 4:50 PM Brandon Hammond wrote:

Jonathan,

Thank you for your thoughts and insights. I agree, there needs to be an open and transparent process. I would encourage you to continue to attend the various meetings (planning Commission, City Council, advisory committees, etc.) to share your insights and thoughts.

From: Jonathan Tallman

Sent: Sunday, July 27, 2025 1:33 PM

To: Derrin Tallman ; Brandon Hammond

Subject: Public Comment Regarding July 29th EOA Meeting & Request for Fair Dialogue

Dear Brandon,

As I continue reviewing the July 2025 Economic Opportunities Analysis (EOA) prepared for the City of Boardman, I feel compelled to submit this letter in advance of the July 29th meeting to formally express my concerns, outline considerations, and request a good faith dialogue moving forward.

Although I have NOT received previous communications related to economic development on record requests, I have been removed from past meetings after raising legitimate questions—despite having written documentation supporting involvement and requests for meeting notes and related materials.

I must again note the troubling pattern of repeated code inspections and what I believe to be retaliatory enforcement actions against my property. These actions have occurred while the value of my land has been significantly diminished due to Amazon-driven expansion and infrastructure plans. A primary driver of this expansion—the 230kV powerline—has directly harmed my land while increasing revenue for the City. From 2019 to 2026, the Boardman city budget has grown from \$21 million to over \$90 million, largely funded through corporate projects and specifically UEC excise fee taxes tied to this infrastructure buildout.

I do not wish to dwell on past grievances, but I am committed to avoiding the same entanglements that have already harmed this community. The Windwave complaint filed by the Oregon Department of Justice illustrates the real consequences when public officials suppress financial transparency, manipulate valuations, and prioritize private corporate gain over the public good. I bring this up not to cast accusations, but to express clear concern: Boardman's UGB expansion and future development must not follow the same closed-door patterns and selective dealings.

My Recommendation

As a lifelong resident, business owner, and developer in Boardman, I want to see this community grow—but it must happen responsibly. I would like to either develop or sell my property, but not under conditions where I am excluded, undervalued, or unfairly treated.

I am open to a fair and reasonable offer—one that reflects what other people have been paid for on their property. However, I cannot accept a process that proceeds while impacted landowners like myself are sidelined. I intend to participate more actively going forward and will present documentation that challenges any misrepresentation of my property's value or role in the city's development plans.

If the City Proceeds Without Expanding the UGB:

Boardman may face constraints under Oregon's land use laws, such as Statewide Planning Goal 14, which limits urban-style development on rural lands. This could restrict Amazon-related infrastructure, residential growth, and commercial zoning changes—potentially exposing the City to legal risk or development delays.

If the City Expands the UGB Without a Good Faith Process:

Under ORS 197.298, ORS 197.626, and LCDC rules, the UGB amendment must be supported by a transparent, data-driven process, public involvement, and clear alignment with statewide planning goals. Failure to do so could result in legal challenges before the Land Use Board of Appeals (LUBA), especially if favoritism or exclusion is evident. Oregon Rural Action has this same concern.

Given the Windwave Precedent in Morrow County:

The Windwave case shows the consequences of insider manipulation, lack of transparency, and the suppression of public input. If similar behavior emerges in Boardman's UGB process—such as selective treatment or undisclosed arrangements with Amazon or other developers—it could invite further scrutiny from the Oregon DOJ or other regulatory bodies. The community is already burdened by the fallout, including rising property taxes. Boardman must not compound that damage.

I am formally requesting a transparent, written dialogue regarding the EOA, the proposed UGB expansion, and a fair path forward for my property. I will also be submitting a formal response to the EOA report. All I ask is for equity, transparency, and the same respect afforded to others and emails on all future meetings times going forward as I have asked before.

I am still awaiting responses to my public records, open meetings requests, including meeting documents, notes, audio, and video. I can show you on meetings that show the redlining specifically referenced. The continued advancement of meetings without addressing these concerns is deeply troubling. If this pattern continues, I will have no choice but to show these matters further, but that is not my intent. It is to get this resolved.

Thank you for your time and attention. I welcome your written response.

Sincerely,

Jonathan Tallman



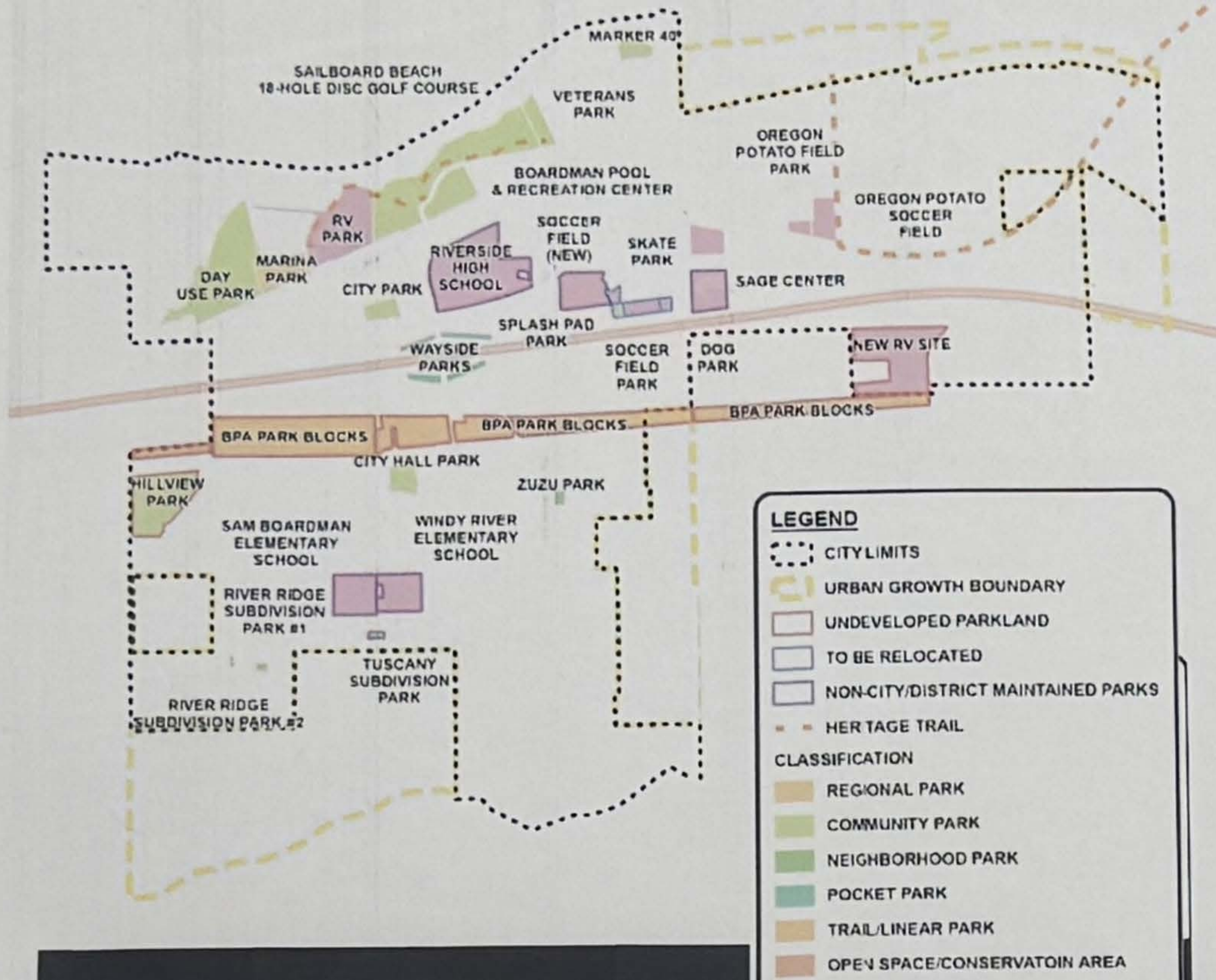
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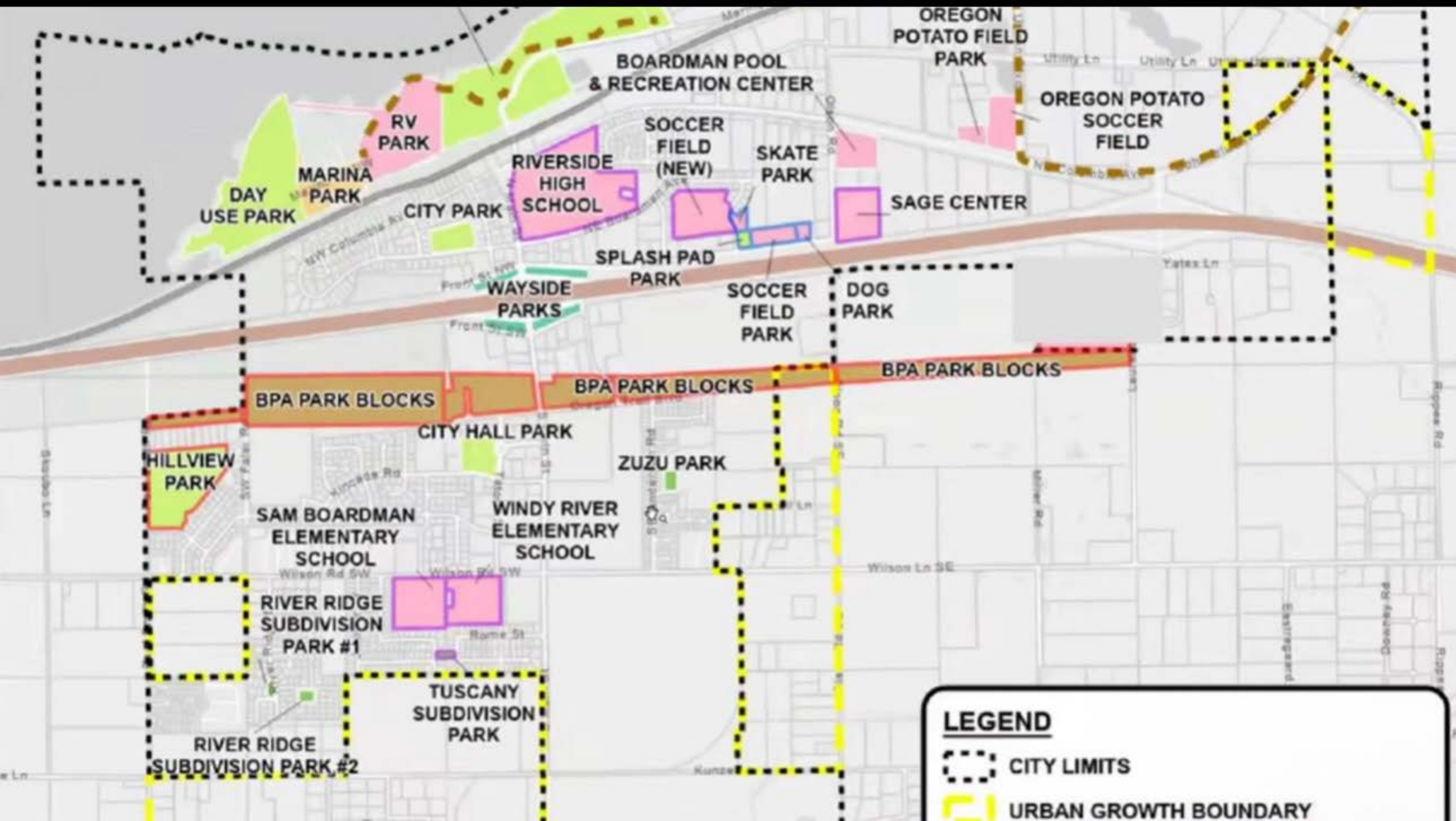
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1:52:43

his name? Is it Did I hear a a rumor that he sold that? There's Amazon. No,

1:52:51

this this Oh, well, so Amazon is potentially funding um the development

1:52:57

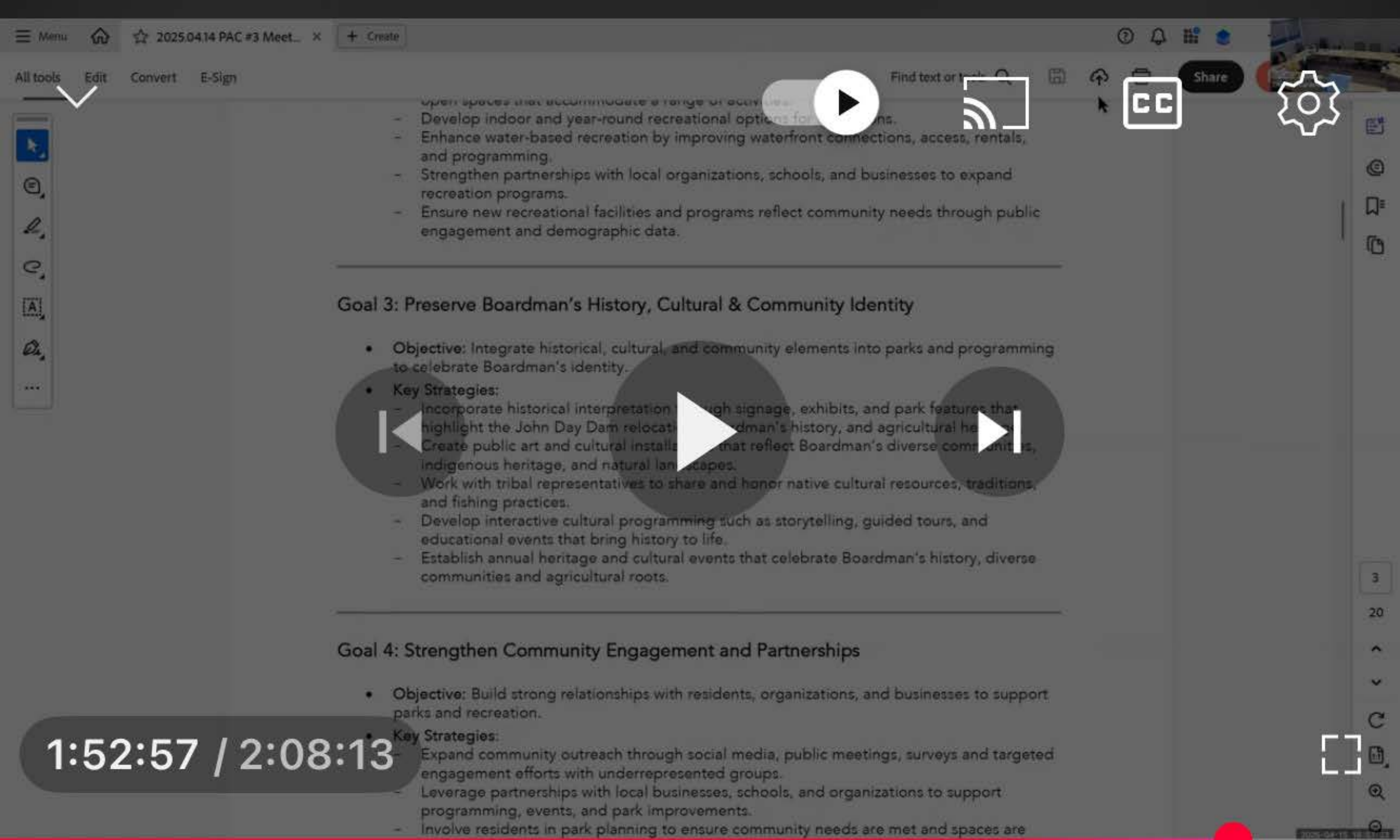
of an RV park. Yeah. Not for a data center. I didn't mean that way, but for that Yes. Oh, wait. Don't That's where

1:53:04

that sun that cafe or that coffee shop is at the port exit.

1:53:10

Farmers somewhere in there What's What was J's name? Terry Tolman. Yeah



Boardman, OR PMP PAC Meeting 4/15/25

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City of Boardman, Oregon

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Key Concepts



Economic growth

In economics, economic growth is an i...

View concept



BPA EASEMENT EAST



ons

BPA) transmission corridors is subject to BPA review coordinated with BPA early in design to confirm the Park Blocks corridor contains 500 kV lines with the contains 230 kV lines with somewhat more flexibility.

es such as trails, signage, site furnishings, and t to BPA confirmation.

ctures (e.g., play features, poles, or lighting that



Boardman Transportation System Plan

September 2025 Update

About the plan

The City of Boardman completed and adopted a Transportation System Plan (TSP) in 2001. Since the adoption of the 2001 TSP, the City of Boardman has seen significant levels of population growth, new residential and commercial development, and continues to see the adjacent Port of Morrow grow as a major regional employment center. In recognition of this, the City of Boardman is undertaking a major update to its TSP.

To ensure the City has a modern multimodal transportation system for the next 20 years, the TSP will focus on:

- Incorporating the needs and desires of all current and future residents and businesses.
- Developing modern, safe, comfortable, and inclusive multimodal facilities that accommodate users of all ages, incomes, and abilities.
- Identifying projects that will address gaps and improve connections between key destinations such as schools, shopping centers, parks, and employment centers.
- Making walking, rolling, biking, and taking the bus safer and easier.
- Supporting regional transit options.

The draft TSP is in development and will be ready for public comments by October 9, 2025. You can find more information and documents about the project on the website.

Schedule

*Completed items are available
on the project website*

**Plans and Policy Review
and Project Framework**
Complete

**Transportation System Inventory and
Existing and Future Conditions**
Complete

Public Involvement and Outreach
Complete

Solution Development and Evaluation
Complete

Draft TSP
*In development - Ready for comment by
October 9, 2025*

Adoption
*Boardman Planning Commission
- October 16, 2025*

*Boardman City Council
- November 18, 2025*



**City of
Boardman OR**

Stay informed:

zanassoc.mysocialpinpoint.com/boardman-transportation-system-plan

Project contacts

Carla McLane | Planning Official | 541-481-9252 | mclanec@cityofboardman.com

Department

Community Development

Boards & Commissions

- Any -

Apply

Reset



today

October 2025

October 13, 2025		Monday
3:00pm - 5:00pm	●	Comprehensive Plan/Development Code PAC
October 28, 2025		Tuesday
9:00am - 11:00am	●	Economics Opportunities Analysis PAC



Project Page:

<https://www.cityofboardman.com/community-development/page/parks-master-plan>

Public Comment: Oregon's Public Meetings Law generally requires that meetings of public bodies be open to the public and that the public be given notice of those meetings. While the law guarantees the public's right to attend, it does not automatically guarantee the right to speak or participate in public comment. Governing bodies set their own rules for public participation, including the length and format of public comment periods. Agendas posted will indicate whether or not the meeting allows for public comment.

Join Zoom Meeting:

<https://us06web.zoom.us/j/88028808804?pwd=3Pza3tanAmO2MxPDaxDO9RK9nsvI2>



COMPREHENSIVE PLAN/DEVELOPMENT CODE PAC

Mon, Oct 13 2025, 3 - 5pm

[Add to your calendar](#) +

[Back to Calendar](#)



Project Page:

<https://www.cityofboardman.com/community-development/page/parks-master-plan>

Public Comments: Oregon's Public



cityofboardman.com



October 2025

October 7, 2025		Tuesday
6:00pm	●	Joint City Council/Planning Commission Workshop
7:00pm	●	City Council Meeting w/ Executive Session
October 13, 2025		Monday
3:00pm - 5:00pm	●	Comprehensive Plan/Development Code PAC
October 14, 2025		Tuesday
6:00pm - 8:00pm	●	Morrow County Clean Water Consortium
October 16, 2025		Thursday
6:00pm	●	<u>Planning Commission Meeting</u>
October 28, 2025		Tuesday
9:00am - 11:00am	●	Economics Opportunities Analysis PAC

Next Steps

- **Identify key policy considerations**
- **Engage this PAC with other stakeholders** (agencies, service providers and community leaders)
- **Align various City planning efforts** with the Comprehensive Plan Update, including:
 - TSP
 - EOA
 - HPS
 - Parks Master Plan
 - And others!
- **Drive implementation** (Zoning Map, Development Code updates) through a new Comprehensive Plan policy framework



Transcript



1:22:37

okay, it's almost redundant to say in a more comprehensive way. Is there an acronym or is there a synonym for that

1:22:43

word? it it's going to take some of these things that are already related and further interrelate them so that

1:22:50

when we're talking about natural resources, that's kind of goal six, but it's kind of goal 11 and it's goal five.

1:22:56

And it's going to kind of pull all of those parts and pieces together. So, I think it's going to be an interesting

1:23:01

outcome when we get to policy around how we make policy and then how it fits into

1:23:06

what our future comprehensive plan will look like. I probably said way too much, but I I think it's important for people

1:23:13

to understand what is a comprehensive plan. Um maybe what ours has been historically and kind of where we're our

1:23:20

focus is moving us to. So, thank you for letting me use a little of your time.

Next Steps

- **Identify key policy considerations**
- **Engage this PAC with other stakeholders** (agencies, service providers and community leaders)
- **Align various City planning efforts** with the Comprehensive Plan Update, including:
 - TSP
 - EOA
 - HPS
 - Parks Master Plan
 - And others!
- **Drive implementation** (Zoning Map, Development Code updates) through a new Comprehensive Plan policy framework

< Transcript



1:23:28 That was a great recap, Carla. Thank you. Um and yeah at the next the next time this group convenes um maybe we can

1:23:36 spend some time looking at examples of comp plan and then also take a look at your existing comp plan so everyone is

1:23:41 coming from the same level of understanding for what you know we're currently working with. Um and there are

1:23:49 as Carla said many ways to organize information. Um I will also just say you

1:23:55 know policy making does not happen in a vacuum. Um they must you know language

1:24:01 policy language needs to be rooted in factual basis. Um so all of these updated factual bases that the city is

1:24:08 currently undertaking are really important efforts for making sure that our policies are also up to date um and

1:24:16 are reflective of of what's currently on the ground and and what we're forecasted to um to experience in the future.

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Monday, November 10, 2025 2:42 PM
To: Amanda Mickles; Amanda Mickles
Cc: Brandon Hammond; Derrin Tallman; Carla McLane; HERT Dawn * DLCDC; dlcd.info@dlcd.oregon.gov; Tamra Mabbott; Michaela Ramirez; Clint Shoemake
Subject: Request for Notice of Final Decision – Ordinance 10-2025 (Transportation System Plan Adoption)
Attachments: 2840364713308872431.png; 2840364713308872431.png
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Mickles & others,

I am writing as a participating property owner and interested party regarding the City of Boardman's proposed adoption of Ordinance 10-2025, the Transportation System Plan (TSP) update.

Please notify me in writing when Ordinance 10-2025 becomes final and when the official Notice of Decision is mailed, pursuant to ORS 197.830(3). This request ensures I receive proper notice for any potential review or appeal deadlines before the Land Use Board of Appeals (LUBA).

Because this TSP directly affects inter-jurisdictional coordination and public-facility planning under Goal 2 (Land Use Planning) and Goal 11 (Public Facilities and Services), I am copying this correspondence to the Department of Land Conservation and Development (DLCD) and the Morrow County Planning Department so they are aware of the timing and coordination requirements between jurisdictions.

I also request written confirmation of the exact date when the City transmits the final adopted TSP and Ordinance 10-2025 to DLCD under ORS 197.615 and OAR 660-018-0040. This transmittal date is essential for calculating the 21-day appeal period and maintaining a clear record of the City's compliance with state notice and coordination procedures.

Additional Context for Record and Coordination

My brother (Derrin Tallman) recently contacted the City and was informed directly by City Manager Brandon Hammond during a phone call that the offer previously discussed for November 18, 2025 will now be delayed even though we were told it would be talked about at November 18th 2025 meeting. See below the call made to him today November 10th 2025.

1st John 2:17 LLC understands that despite this change, the City still intends to proceed with adoption of the Transportation System Plan at the same meeting.

1st John 2:17 LLC reserves all rights related to any potential impacts or encumbrances that could constitute an inverse-condemnation effect on our property.

Given this development, 1st John 2:17 LLC respectfully requests written acknowledgment of when the adopted plan is transmitted to DLCD, and that a copy of this acknowledgment also be provided to Morrow County for their records on December 2nd 2025 meeting.

This will help ensure transparent coordination among all affected agencies, particularly in light of the Heritage Trail, roadway access, and public-facility planning matters that remain pending.

Please include this correspondence in the official record for the November 18, 2025 hearing.

This request does not waive any rights under ORS 35 or affect any pending or future negotiations with the City, County, or other entities.

Thank you for your attention to this request and for confirming receipt.

Sincerely,

Jonathan Tallman

1st John 2:17 LLC

706 Mt Hood Ave

Boardman, Oregon 97818

1stJohn217llc@gmail.com

(208) 570-7589

2:05 



B

-
1. CALL TO ORDER
 2. FLAG SALUTE
 3. ROLL CALL/EXCUSED ABSENCES
 4. FORMAL PROCEEDINGS
 - A. The request is to update the City of Boardman as the Goal 12 Transportation element of the C

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Tuesday, November 11, 2025 7:09 AM
To: Brandon Hammond
Cc: Derrin Tallman; Carla McLane; Amanda Mickles; HERT Dawn * DLCD; Tamra Mabbott; Amanda Mickles; Clint Shoemake; Justin Nelson; director@dlcd.oregon.gov; Michaela Ramirez
Subject: November 18th 2025 Request to Keep Record Open, Defer TSP Adoption & ROW Actions, and Notify DLCD/County of Procedural Flaws
Attachments: 4281848296191888395.png; 4993042932318612847.png; 9035991945834686473.png; 6525810444024661037.png; IMG_3657.png; IMG_3566.jpeg; IMG_3520.jpeg; IMG_2684.jpeg; IMG_3568.jpeg; IMG_1585.jpeg; IMG_4137.jpeg; Boardman_PRR_9262025_Filled.pdf; Transparency_Issue_Letter October 7.pdf; 2022 collectors.pdf; Amazon NDA - Profitt 5.2.23 Redacted.pdf; Amazon NDA - Orellana 9.5.23 Redacted.pdf; Amazon NDA - McLane 5.3.23 Redacted.pdf; Amazon NDA - Baumgartner 5.2.23 Redacted.pdf; Amazon NDA - Hammond 8.1.23 Redacted.pdf; Amazon NDA - Rockwell 5.2.23 Redacted.pdf; Amazon NDA - Cambero, A. 10.4.24 Redacted.pdf; Amazon NDA - Keefer 5.2.23 Redacted.pdf; Amazon NDA - Pettigrew 5.2.23 Redacted.pdf; Amazon NDA - Cuevas 5.2.23 Redacted.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear City of Boardman Officials and others listed above,

I am writing as the owner of 1st John 2:17 LLC and the affected property under the proposed Transportation System Plan (TSP), Columbia River Heritage Trail alignment, and related right-of-way (ROW) proposals.

Please enter this email into the official record for:

- The City of Boardman TSP adoption proceedings, including the November 18 2025 city council and November 20 2025 planning commission meetings; and
- The Morrow County Planning Commission and Board of Commissioners hearings on the Columbia River Heritage Trail and related code or plan amendments (including the December 2 2025 meeting).

I am also deliberately copying DLCD and Morrow County to ensure they are aware of the coordination and procedural issues outlined below.

1. Request to Keep the Record Open (7-7-7)

I formally request that the record remain open under the seven-seven-seven schedule described in ORS 197.763(6)(c)–(d) on the the city November 18th 2025 and City Planning commission meeting on November 20th 2025:

1. Seven days for additional testimony after the initial hearing,
2. Seven days for written responses, and
3. Seven days for final rebuttal.

This is essential so citizens can submit coordinated testimony after Morrow County's December 2 2025 hearing on the Heritage Trail and so that all agencies (City, County, DLCD, ODOT, and OWRD) are working from the same, complete record. Please send to this email address as well as add them to the records.

2. Procedural and Legal Flaws in the City's Current TSP Process

Below is a detailed list of procedural flaws that make it premature and legally risky for the City to adopt or transmit the TSP to DLCD at this time (with more documentation coming and waiting on a city Of Boardman documented records requests) I am reserving all my rights as well once they are produced:

A. Lack of City-County Coordination

The Heritage Trail and related collector system changes are still before Morrow County and have been continued to December 2, 2025.

Under Goal 2 and ORS 197.175(2)(b), the City cannot lawfully adopt a TSP and transmit it to DLCD while coordinated components remain unresolved.

B. Closing the Record Before County Action

If the City closes the record around November 18 2025 while the County will not act until December 2, 2025 the public is denied a fair opportunity to comment on a coordinated plan package.

This violates Goal 1 (Citizen Involvement) and ORS 197.763(6)(c), which require an open and responsive record process.

C. Adopting a Draft or Incomplete Plan During DLCD PAPA Review

The TSP, Volume II Appendices, and supporting data are still under DLCD PAPA review.

Adopting an incomplete draft during an active review window violates ORS 197.610–650 and risks remand for adopting a plan not yet acknowledged.

D. Implementing Dependent Projects Before Plan Acknowledgment

The City is moving forward with dependent actions—the Heritage Trail alignment, related CIP projects, and IAMP-related right-of-way work—before the underlying TSP is finalized.

Under OAR 660-012-0020, implementing measures cannot lawfully proceed until the plan itself is adopted and acknowledged.

E. Failure to Incorporate LUBA No. 2022-062 Remand Standards

LUBA remanded the City's collector road standards in Case No. 2022-062, requiring updated standards and findings through a coordinated process.

The current draft does not fully incorporate or address that remand, leaving the plan vulnerable.

F. Missing Goal 12 Mobility and Safety Findings

The City claims compliance with Goal 12 and the ODOT Interchange Area Management Plan (IAMP), yet the record lacks final traffic modeling, spacing analysis, and access-management findings.

Without those, the plan fails Goal 12 consistency requirements.

G. Lack of OWRD Water-Rights Coordination (Goal 11)

There is no documentation of coordination with the Oregon Water Resources Department (OWRD) verifying adequate municipal water rights and capacity to serve the growth projected in the TSP and CIP.

This omission violates Goal 11 (Public Facilities & Services) and undermines infrastructure planning.

H. Conflicts of Interest and Funding Bias

Significant portions of the TSP, Heritage Trail, and IAMP appear funded or advanced by entities—such as, the Port of Morrow, and Amazon-related developments—with direct financial stakes in outcomes. Please see attached signed NDA's of Boardman city officials below.

That raises ORS 244 Government Ethics concerns and undermines the impartiality required by Goal 2. Please see April 15, 2025 meeting Transcript where Carla McClane admits Amazon (with a map which is blurred out later) is funding an RV park with that map it is at 1st John 2:17 llc owned property.

3. Problems With the Land Offer and IAMP-Related Actions

1. Verbal Offer Without Agenda Authority

City Manager Brandon Hammond verbally communicated that the City would be sending me a written offer for my property. See Attached call log below that has not come to fruition and now the email from November 10th, 2025 delaying it.

However, the November 18 City Council agenda lists no item authorizing or discussing any land transaction.

This raises questions about transparency and public authorization, since property negotiations or offers should appear on a noticed agenda and be approved by Council motion.

2. Land transaction Offer Before TSP Acknowledgment

Any land transaction offer for a transportation project should occur only after the TSP and alignment are fully adopted and acknowledged. Acting before acknowledgment effectively initiates condemnation without plan justification.

3. Lack of ORS 35 Good-Faith Offer and Certified Appraisal

If the offer concerns a public project, the City must follow ORS Chapter 35—a written good-faith offer backed by a certified appraisal. I have received neither. 1st John 2:17 llc needs proper time to review any agreement before signing and if/when that a new offer is ever presented in writing.

From the DLCD’s standpoint, Umatilla Electric Cooperative v. 1st John 2:17, LLC (CA No. A184850) highlights that any city, county, or utility acquiring land for a public project must first comply with ORS 35.346(1) by making a certified, a 40 day good-faith offer supported by an appraisal, ensuring the owner’s due-process rights before filing suit or incorporating the property into a plan. The case reinforces DLCD’s expectation that such acquisitions be lawful, transparent, and coordinated under Goals 1, 2, and 11, meaning a jurisdiction cannot rely on an invalid or premature condemnation offer as the basis for an acknowledged transportation or public-facility plan.

Furthermore, once a related appeal or condemnation issue like this is pending, the TSP or any amendment involving that property cannot move forward through the PAPA process until DLCD formally acknowledges that all coordination and statutory requirements have been met, meaning the City must pause action until the appellate and coordination issues are resolved and acknowledged on the record.

Under ORS 197.175(2)(b) and ORS 197.610–197.625, a city may not adopt or forward a plan amendment for DLCD acknowledgment unless it demonstrates full coordination with affected jurisdictions and compliance with all applicable statutes, including ORS 35.346(1) governing lawful right-of-way offers. In addition, OAR 660-018-0020(1) requires that any Post-Acknowledgment Plan Amendment (PAPA) be “based on an acknowledged plan” and “supported by adequate factual findings,” meaning a plan relying on an unacknowledged or disputed condemnation cannot proceed until DLCD issues an acknowledgment or determines the record is complete.

4. Alignment Not Final and Subject to Change

The corridor depends on alignments still under County review and possible LUBA appeal, exposing the City and or the County to future risk. Please see offer below that shows this as well.

5. Potential Violation of the 2022-062 LUBA Remand

Any ROW tied to the remanded collector-road network may contravene the pending remand order if pursued prematurely.

4. Oregon Water-Rights Verification and Goal 11

Oregon’s “water-for-water” exchanges and municipal water-supply capacity are regulated by OWRD, typically through the North Central Region Watermaster.

Because the TSP and CIP assume substantial growth and increased water use, the City must document coordination showing that adequate legal and physical water rights exist.

I therefore request:

Please provide the correspondence or coordination record between the City of Boardman and OWRD verifying that adequate municipal water rights and capacity exist to support the proposed TSP, related CIP projects, and the Columbia River Heritage Trail concept.

If this has not occurred, I request that OWRD’s North Central Region Watermaster be formally consulted before any recommendation or adoption.

5. Requests and Remedies

Given these issues, I respectfully ask the City to:

1. Keep the record open under the seven-seven-seven schedule and publicly announce the deadlines.
2. Defer any final TSP adoption vote until after:
 - Morrow County completes its December 2 hearing;
 - The TSP, Volume II, and appendices are complete; and
 - Agency coordination letters (OWRD, ODOT, DLCD, Morrow County) are in the record.
3. Defer any ROW/land acquisition or IAMP-based commitments until the TSP is acknowledged and all procedures under ORS Chapter 35 are met, with explicit Council agenda authorization.
4. Obtain and disclose OWRD coordination documenting municipal water rights and any water-for-water exchanges.
5. Provide written explanations showing how the City will satisfy Goals 1, 2, 11, and 12 and comply with LUBA 2022-062 before proceeding.

6. Notice of Future Review

If the City or the planning commission’s proceeds with adoption of the Transportation System Plan while these coordination and procedural issues remain unresolved, I will forward the matter to the appropriate state agency for review and oversight under Oregon law.

7. Request for Complete Written Record under ORS 197.615(3)

In addition, I formally request that when the City of Boardman transmits the adopted Transportation System Plan (Ordinance 10-2025) to DLCD, it also provide to me and all parties of record a complete written copy of the transmitted record, including all findings, exhibits, appendices, maps, correspondence, and hearing materials. This request is made pursuant to ORS 197.615(3) and OAR 661-010-0025(1) to ensure full transparency,

coordination with Morrow County, and preservation of the official record for any potential review.

8. I would also like to add this offer from April 5th, 2021 to the record because it seems to be overlooked by the city in my public records requests.

Supporting Evidence and Transparency Concerns

Attached Exhibit Blanc below (April 5, 2021 Blanc Firm letter) confirms that the City of Boardman, through its own attorney, initiated a right-of-way offer for the Laurel Lane/Loop Road corridor years before the Transportation System Plan was acknowledged. This action demonstrates that the City began implementing a transportation project without an adopted or coordinated plan, directly implicating Goal 1 (Citizen Involvement), Goal 2 (Planning Coordination), and OAR 660-012-0020(1) prohibiting premature implementation. Exhibit B (September 26 2025 Public Records Request) shows I was never notified of this prior offer nor provided related NDA or Amazon coordination records, despite requesting them under ORS 192.311–478. Exhibit C (October 7 2025 Transparency Issue Letter) further documents that City officials encouraged public participation in writing but then restricted my ability to speak or receive full information. Together these records show a consistent lack of transparency and coordination that DLCD and the City must address before any acknowledgment or adoption of the TSP on November 18, 2025.

I reserve all rights under ORS 35, ORS 197, ORS 244, and any other applicable laws to participate, comment, and, if necessary, appeal. I would highly recommend a way to resolve this with a Memorandum of Understanding (MOU) to resolve this the quickest once negotiations in good faith take place.

Thank you for your attention to these concerns and for ensuring that DLCD and Morrow County are fully informed as you move forward.

Sincerely,

Jonathan Tallman

1st John 2:17 LLC

1stjohn217llc@gmail.com

Blanc Firm ROW offer representing the city of Boardman. We are still waiting for the public records request of this file too which is being delayed since 9/26/2025.

David M. Blanc
danc@blancfirm.com
Licensed in OR & WA

Mark R. Blanc
manc@blancfirm.com
Licensed in OR & CA

The
BLANC
LLC

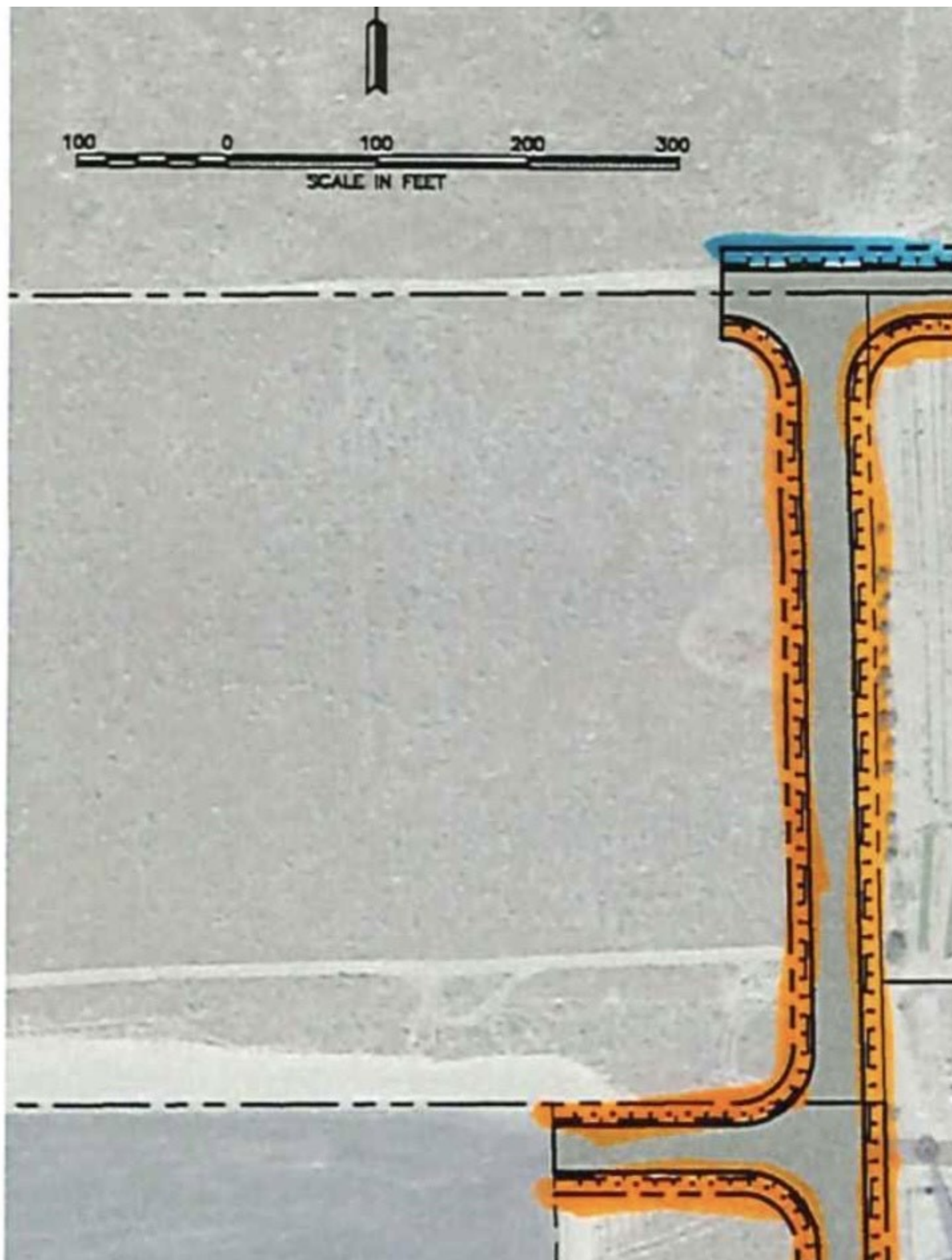
April 5, 202

Mr. and Mrs. Terry Tallman
706 SE Mt. Hood Ave.
Boardman, OR 97818

RE: City of Boardman
Loop Road Right-of-Way

Dear Mr. and Mrs. Terry Tallman:

I represent the City of Boardman, who has asked for the necessary right-of-way to construct a loop road on the



Carla McLane

From: The Farmers Cup <thefarmerscup@gmail.com>
Sent: Wednesday, November 12, 2025 4:27 PM
To: brandon.hammond@cityofboardman.co; Amanda Mickles; Carla McLane; Amanda Mickles
Cc: derrin@tallman.cx; 1stjohn217llc@gmail.com
Subject: Request for Written Good-Faith Offer and Agenda Inclusion — Laurel Lane Property / The Farmer's Cup The Farmer's Cup – Request for Good-Faith Offer Process

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from thefarmerscup@gmail.com. [Learn why this is important](#)

Hi Brandon,

This is Cheryl Tallman with The Farmer's Cup on Laurel Lane. I am the owner of the coffee shop.

I've been reviewing the City's Transportation System Plan and wanted to reach out after my sons let me know that no written offer has ever been made by the City regarding the property where my business operates, even though we were told verbally that one would be.

Since The Farmer's Cup is a tenant on that site, I just want to make sure everything is handled properly and in good faith before the City moves forward. Would you please confirm whether the City intends to start the good-faith-offer process meaning a written offer and appraisal for any affected areas so this can be resolved fairly?

Because the November 18 agenda lists adoption of the Transportation System Plan immediately before an executive session for real-property negotiations, I respectfully request that any discussion or action involving the Laurel Lane / Loop Road property be deferred until a written good-faith offer and certified appraisal have been completed under ORS 35.346. That way everyone knows the process is transparent and by-the-book.

I'd also like to ask that this matter be added as an agenda item at or following the November 18 2025 meeting, so there's a clear public record that the City is working toward a fair resolution for both the property owner (1st John 2:17 LLC) and my business.

For clarity, The Farmer's Cup is only a tenant and not the landowner, so any good-faith payment or offer would need to be directed to 1st John 2:17 LLC. I'm simply asking to be included and kept informed so everything is handled transparently and respectfully for everyone involved.

I'm also concerned that, if the City moves forward without completing the required good-faith offer and certified appraisal, it may affect other actions that are scheduled for the November 20 2025 Planning Commission meeting. Several of the items on that agenda relate to future road connections, walking paths, and land-use modifications that depend on clear coordination and an accurate understanding of what is happening on the Laurel Lane and Loop Road property. For that reason, I hope the City will make sure the proper good-faith steps are completed before any decisions that involve this area move forward.

Please add this email to the official record for the November 18, 2025 City Council hearing on Ordinance 10-2025 (Transportation System Plan).

Thank you for your time and for the work that goes into these projects. Please let me know by email what the City's intentions are. I plan to make a short statement at the November 18 2025 meeting just to ask the City Council to resolve this matter properly.

Best regards,

Cheryl Tallman

Owner, The Farmer's Cup

Laurel Lane, Boardman OR 97818

thefarmerscup@gmail.com

11:48 



B

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1. **CALL TO ORDER**
 2. **FLAG SALUTE**
 3. **ROLL CALL/EXCUSED ABSENCES**
 4. **FORMAL PROCEEDINGS**

A. The request is to update the City of Boardman as the Goal 12 Transportation element of the C applicable within the Urban Growth Boundary ; needs and desires of all current and future resi modern, safe, comfortable, and inclusive multi of all ages, incomes, and abilities; identifying p improve connections between key destinations parks, and employment centers; making walkir safer and easier; and supporting regional trans found at the Boardman Development Code Ch Review Procedures. specifically 4.1.600 Tyne

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Friday, November 14, 2025 5:16 AM
To: Brandon Hammond; Carla McLane; Amanda Mickles; Tamra Mabbott; Clint Shoemake; HERT Dawn * DLCD; Michaela Ramirez; August Peterson
Cc: Derrin Tallman; timesjournal1886@gmail.com; mrogoway@oregonian.com
Subject: Re: Request to Move Public Comment to Beginning of Meeting & Notice of Pending Planning Commission Issues Request to Move Public Comment to the Beginning of the Agenda & Reservation of Rights

Follow Up Flag: Follow up
Flag Status: Completed

Subject: Request for Complete Record Alignment, Production of Missing Documents, and Scheduled Appointment for Written Copies — Add to Official Record

Dear City of Boardman Officials,

Please add this letter to the official record for Ordinance 10-2025 (Transportation System Plan), the Heritage Trail coordination process, and all related land-use, transportation, or right-of-way matters affecting the Laurel Lane property.

Over the last seven years, I have submitted extensive documentation to the City, including emails, photographs, attachments, maps, and printed materials related to the TSP, Heritage Trail alignment, County coordination, and potential land-acquisition impacts. I have retained printed copies of nearly everything I submitted.

However, after reviewing the recent City packets and publicly available materials online (1,065 pages), I have identified significant discrepancies between my files and the City's files, including:

- Many of my previously submitted documents do not appear in the public record.
- Several materials appear incomplete, missing attachments, or reformatted.
- Certain PDF drafts, maps, and NDA-referenced files contained in City materials do not match the versions provided to me.
- My retained copies do not align with the City's published TSP or Planning Commission packets.

Because City Hall was closed on November 13–14 for “Record Retention,” and because DLCD and the County rely on the City's version of the legislative record, I am concerned that DLCD may not receive the full history of materials I have previously submitted. Missing documents could affect Goal 1 participation, Goal 2 coordination, and Goal 11 public-facility compliance.

Accordingly, I respectfully request the following:

1. A scheduled time to come into City Hall and obtain a complete printed set of all documents.

Please provide a date and time when I may come in and receive:

- all documents, emails, draft PDFs, attachments, maps, and NDA-related materials associated with my past submissions; and
- a printed list of records reviewed or organized during the November 13–14 “Record Retention” closure (not privileged content—only what was reviewed or retained).

I want to compare the City’s printed records directly with my retained documents to identify discrepancies and ensure a complete and accurate process going forward.

2. Confirmation that all emails, photographs, documents, and attachments I previously sent have been preserved and included in the record.

This includes all materials submitted since 2018.

3. Assurance that DLCD and the County will receive the complete, accurate record, including every document previously submitted by me.

Given the interconnected nature of the TSP, Heritage Trail, BPA corridor, and County transportation planning, it is important that the full record is transmitted.

4. A parallel request for the County record when the County initiates its land-use adoption of the TSP draft.

When the Morrow County Planning Commission and Board of Commissioners initiate their formal land-use adoption of the TSP draft, I will likewise request:

- a date and time to review the County’s printed record;
- a complete printed set of County-held materials; and
- the ability to compare the County’s version of the record to both my documents and the City’s version.

This ensures accurate Goal 2 coordination and prevents discrepancies between City and County records.

5. Preservation of all previously submitted materials and all rights.

All of my past emails, photographs, statements, and documentation remain preserved, and all rights remain reserved.

My intent is simple:

To ensure transparency, accuracy, and a fair process.

To avoid misunderstandings.

And to ensure the City, County, DLCD, and myself are all working from the same complete set of documents.

Thank you for confirming that this letter has been added to the official record and for providing a time when I may come in to receive the printed copies requested above. I welcome to find a path a legal forward together that is fair.

Sincerely,

Jonathan Tallman

1st John 2:17 LLC



Boardman and Morrow Co

Joel Edwards · 7m · 

Curious, why city hall is closed to
can't retain records dur operating

City Of Boardman

**RECORD RETE
CITY HALL CL**

Thu, Nov 13 - Fri, Nov 1

On Thu, Nov 13, 2025 at 7:27 AM Jonathan Tallman <1stjohn217llc@gmail.com> wrote:

Brandon,

I am writing to request one procedural adjustment for the November 18, 2025 City Council meeting. In the interest of clarity, transparency, and proper public participation or agenda item, I respectfully ask that Public Comment be moved to the beginning of the meeting as well too before the Council considers Ordinance 10-2025 or any Transportation System Plan (TSP) actions.

This request will help ensure a clear and complete record under Goal 1, Goal 2, and ORS 197.763, and it will allow relevant testimony to be presented before the Council takes action.

I also request that my mother, Cheryl Tallman, be allowed to speak during Public Commentor please have an agenda item for both of us at the beginning of the meeting. As the business owner of The Farmer's Cup and a tenant affected by proposed land acquisitions, she will provide a brief statement for the record too.

Notice of Issues With Records, Documentation, and Coordination

I want the City Council to be aware that I have identified several issues in recent Planning Commission records, including documentation gaps, missing materials, and concerns regarding how TSP-related information has been presented, transmitted, and preserved.

I intend to formally raise these concerns during the November 20, 2025 Planning Commission meeting, where the NEW TSP draft is again listed for discussion even though it has not been reviewed, coordinated, or approved by the Morrow County Planning Commission or Board of Commissioners.

Additionally, the County Planning Commission is scheduled to consider matters related to the Heritage Trail on December 2, 2025, yet the City's proposed TSP and other materials appear to rely on portions of the trail alignment that lack County approval and are not yet adopted as part of any coordinated Comprehensive Plan framework.

These issues affect:

- the completeness of the legislative record
- the City's Goal 2 coordination obligations
- the accuracy of both City and County processes
- the legality of adopting the TSP before County action is complete
- and the good-faith offer process required for any land acquisitions affecting my property

Because the City and County records are inter-connected, I am notifying both bodies that I will be raising these procedural concerns formally and placing them into the record at the City meeting on November 18, the City Planning Commission meeting on November 20, and the County Planning Commission meeting on December 2.

Preservation of Rights

All previously reserved rights including objections, requests to keep the record open under the 7-7-7 rule, procedural concerns, City–County coordination issues, and required good-faith negotiations for potential land acquisitions remain fully preserved.

My goal is to work together to ensure the process complies with Oregon law, avoids unnecessary conflict, and protects all parties involved.

Thank you,

Jonathan Tallman

1st John 2:17 LLC

11:48 🔔



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1. CALL TO ORDER
 2. FLAG SALUTE
 3. ROLL CALL/EXCUSED ABSENCES
 4. FORMAL PROCEEDINGS

A. The request is to update the City of Boardman as the Goal 12 Transportation element of the applicable within the Urban Growth Boundary needs and desires of all current and future residents; modern, safe, comfortable, and inclusive multi-modal transportation system; identifying and improve connections between key destinations, parks, and employment centers; making walking safer and easier; and supporting regional transportation found at the Boardman Development Code Chapter Review Procedures, specifically 4.1.600 Type

City planning commission meeting more documents and pictures to come.

3. ROLL CALL

4. APPROVAL OF MINUTES

A. Planning Commission Meeting October 16, 2025

5. PUBLIC HEARINGS

A. Conditional Use Permit, CUP25-000002: Port of Boardman to approve a non-potable booster pump station located on the City of Boardman. Property is described as tax lots 4N25E21 and is zoned Residential (Future Urban). The request is found in the Boardman Development Code Chapter 4.7 Conditional Use Permits. This is being processed as a Type IV decision with the final decision made by the Planning Commission.

B. Amendment LND25-000005: Unity Partners LLC requesting an amendment to Chapter 2.1 of the Boardman Development Code to allow to accommodate higher-density residential development. The request is at the BDC Chapter 4.7 Land Use District Map Amendment. This is being processed as a Type IV decision with the final decision made by the Planning Commission.

C. Major Modification, LND25-000007: City of Boardman requesting a major modification to the Boardman Development Code. Property is described as tax lots 6500, 7200, 7300, 7400, 7500 and 7600 of Assessor's Map 1000 Residential. The request is for a major modification to the Boardman Development Code to allow for a major modification to the Boardman Development Code. This is being processed as a Type IV decision with the final decision made by the Planning Commission.

|

Carla McLane

From: Jonathan Tallman <1stjohn217llc@gmail.com>
Sent: Monday, November 17, 2025 4:36 PM
To: Brandon Hammond; Carla McLane; Amanda Mickles; Tamra Mabbott; Clint Shoemake; Michaela Ramirez; August Peterson; HERT Dawn * DLCD
Cc: Derrin Tallman; timesjournal1886@gmail.com; mrogoway@oregonian.com
Subject: Re: Request to Move Public Comment to Beginning of Meeting & Notice of Pending Planning Commission Issues Request to Move Public Comment to the Beginning of the Agenda & Reservation of Rights
Attachments: Karen PUC authority letter.pdf; IMG_7495.jpeg; IMG_2969.jpeg
Follow Up Flag: Follow up
Flag Status: Completed

Dear Brandon, Carla, and all copied recipients,

I am writing in advance of the November 18, 2025 City Council meeting to provide formal notice that I will be submitting the attached February 18, 2020 letter from former City Manager Karen Pettigrew as a stand-alone exhibit for inclusion in the official record for Ordinance 10-2025 (Transportation System Plan), the Heritage Trail coordination process, and all related right-of-way matters affecting the Laurel Lane property.

I am providing this notice ahead of time so the City, County, and DLCD have an opportunity to review the document prior to the meeting and to avoid any surprise during the legislative process.

The Pettigrew letter is significant because it asserts that the 230 kV transmission line is a permitted outright use and that the City “does not directly regulate this use.” Subsequent City actions—including both the previous and current TSP drafts—treat that same corridor as a City-regulated facility subject to transportation alignment control and public-facility planning. It is important that the legislative record accurately reflect this discrepancy so that the City, County, DLCD, and the public are all working from the same complete information.

My intent is the same as it has been throughout this process:

to ensure the record is complete, coordinated, accurate, and legally consistent not to create conflict.

I still hope the City will address these issues in a good-faith manner before moving toward adoption of the TSP.

Good-Faith Offer and Negotiation

As you know, the outstanding requirement for a written good-faith offer and appraisal for any potential right-of-way or access impacts remains unresolved. After seven years of attempting to work through these issues informally, I welcome the opportunity for the City to take a formal, written step toward resolution.

If the City is willing to engage in that process, I am ready to participate. If agreeable terms cannot be reached, 1st John 2:17 LLC intends to continue holding the property, and all rights are expressly reserved.

If the City Proceeds With TSP Adoption

If the City chooses to move forward with TSP adoption on November 18 without addressing these issues or completing negotiations, then it would indicate that there is still a significant misunderstanding or irregularity in the legislative process. I do not believe the City intends to move forward on an incomplete or inconsistent record, but if that occurs, I will have no choice but to preserve all remedies available under Oregon law, including seeking review before the Land Use Board of Appeals (LUBA).

I am not threatening litigation—I am simply acknowledging the procedural steps that the law requires when inconsistencies remain unresolved.

Formal Request for Inclusion in the Record

If negotiations do not occur prior to the November 18 agenda item on TSP adoption, please treat this correspondence and the attached Pettigrew letter as a formal request to include the document in the legislative record for Ordinance 10-2025 and all related proceedings, including:

- The TSP adoption
- The Heritage Trail coordination process
- Any right-of-way or public-facility matters involving the Laurel Lane property

Ongoing Cooperation

Despite the difficulties of the last seven years, my sentiment remains the same:

I prefer to work collaboratively with the City, County, and DLCD to resolve these matters properly and fairly.

A good-faith offer would be an important first step.

Please confirm that this letter and the attached exhibit will be placed in the official record.

Sincerely,

Jonathan Tallman

1st John 2:17 LLC

Boardman, Oregon

Please have written copy of packet tomorrow for us to pickup before the meeting. Thank you.

☰ Search contacts



All

Missed

Contacts

Non-spam

Favorites ^

View contacts



Add

Today



Jonathan Tallman
↗ Mobile • 2 min ago



+1 541-303-5557
↙ Oregon • 6 min ago



Yesterday



Jonathan Tallman
↙ Mobile • Sun 7:00 PM



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Alejandra Orozco
↙ Mobile • Fri 6:10 PM



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Voicemail

 Search contactsJonathan Tallman 

↗ Mobile • Jul 29, 3:46 PM

Jonathan Tallman 

↖ Mobile • Jul 29, 3:07 PM

Jonathan Tallman 

↗ Mobile • Jul 28, 11:11 AM

+1 541-303-5557  

↖ Oregon • Jul 28, 11:03 AM

Jonathan Tallman  

↖ Mobile • Jul 27, 11:29 AM

Alpine Automotive Service 

↖ Yakima, WA • Jul 25, 11:52 AM



Voicemail

↗ Washington State • Jul 24, 8:...

Jonathan Tallman  (2)

↗ Mobile • Jul 23, 7:03 PM

Jonathan Tallman 

Home



Keypad



1

Voicemail

 Search contacts

v...

↗ Washington State • Aug 30, 6:...



+1 541-303-5557 ✓

↖ Oregon • Aug 28, 3:48 PM



Suntides Golf Course

↗ Yakima, WA • Aug 28, 3:34 PM



(541) 303-5557 HD

↗ Oregon • Aug 28, 3:24 PM



Jonathan Tallman ✓ HD (3)

↖ Mobile • Aug 27, 8:03 AM



(509) 895-9637 HD

↗ Washington State • Aug 19, 12:...



Palouse Ridge Golf Club HD (2)

↗ Washington State • Aug 12, 6:...



Suntides Golf Course HD

↗ Yakima, WA • Aug 12, 8:25 AM



Spam Risk



Home



Keypad



Voicemail

1

 Search contacts

↵ Mobile • Jun 26, 8:15 PM

Jonathan Tallman 

↗ Mobile • Jun 25, 5:48 PM

+1 541-303-5557 

↗ Oregon • Jun 25, 5:42 PM

+1 541-303-5557 

↵ Oregon • Jun 25, 5:02 PM

(541) 303-5557 

↗ Oregon • Jun 25, 4:36 PM

Jonathan Tallman   (3)

↵ Mobile • Jun 25, 4:27 PM

(541) 303-5557 

↗ Oregon • Jun 25, 3:11 PM

Jonathan Tallman  

↵ Mobile • Jun 25, 3:02 PM

Terick's Early Learni...   (4)

↵ Washington State • Jun 25, 12



Home



Keypad



1

Voicemail

 Search contactsJonathan Tallman 

↗ Mobile • Oct 24, 9:41 AM

+1 541-303-5557   (2)

↙ Oregon • Oct 24, 9:39 AM

+1 541-303-5557 

↙ Oregon • Oct 24, 8:13 AM



Spam Risk

↙ Washington State • Oct 22, 4:...

Jonathan Tallman  

↙ Mobile • Oct 21, 2:14 PM

+1 541-303-5557  

↙ Oregon • Oct 17, 8:51 AM

Elks Lodge 

↗ Selah, WA • Oct 16, 11:01 AM

Jonathan Tallman  

↙ Mobile • Oct 15, 10:19 AM



Spam Risk



Home



Keypad



Voicemail

1

David M. Blanc
danc@blancfirm.com
licensed in OR & WA

David R. Blanc
danc@blancfirm.com
licensed in OR & CA

The
BLANC FIRM
LLC

39 SE Court
Pendleton, OR 97150
Phone: (541) 215-1111
Fax: (541) 215-1111
www.blancfirm.com

April 5, 2021

Mr. and Mrs. Terry Tallman
706 SE Mt. Hood Ave.
Boardman, OR 97818

RE: City of Boardman
Loop Road Right-of-Way

Dear Mr. and Mrs. Terry Tallman:

I represent the City of Boardman, who has asked that I write to you about obtaining the necessary right-of-way to construct a loop road on the west and east sides of Laurel Lane.

First, enclosed you will find a letter to Karen Pettigrew from Matt Scrivner, Morrow County Public Works Director, dated March 25, 2021. Please be advised Morrow County has provided notice that it will be closing and removing the unpermitted access within 30 days of March 25, 2021 if an approved approach permit and safety concerns have not been met. To comply and prevent closure, the City is required to finalize its plans to construct the loop road as shown on the map provided by the City to you with the letter dated March 1, 2021.

Second, the City has asked that I respond to your letter to Karen Pettigrew, dated March 17, 2021. In your letter you asked if the City had any objections to using the west 10 acres for residential housing. The property is zoned Service Center. The property must be used as allowed for that zone pursuant to the Boardman Development Code, unless a zone change is requested. The City cannot advise you on whether you should retain a lawyer or have your son, Jonathan, handle negotiations. If you choose to retain a lawyer, this letter should be delivered to that individual.

Third, with the deadline of the County to close the unpermitted access, action needs to be taken as soon as possible to resolve this issue. As an offer of compromise, the City is offering to pay the sum of \$30,000 for the necessary right-of-way. I need to hear from you on or before April 16, 2021. In the event this offer is not accepted by April 16, 2021, the City will have no choice but to proceed to the next step.



Crop

BPA EASEMENT EAST

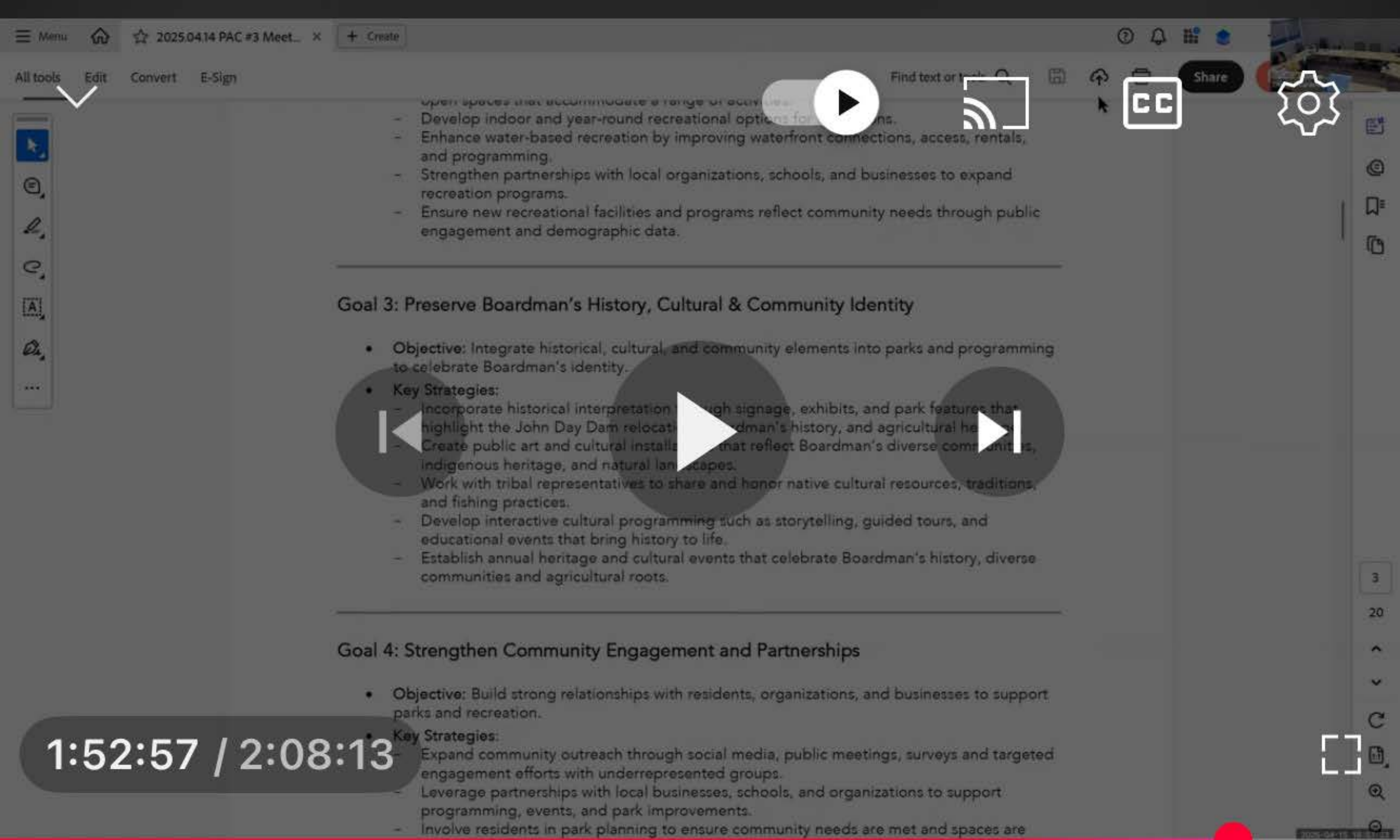


ons

BPA) transmission corridors is subject to BPA review coordinated with BPA early in design to confirm the Park Blocks corridor contains 500 kV lines with the contains 230 kV lines with somewhat more flexibility.

es such as trails, signage, site furnishings, and t to BPA confirmation.

ctures (e.g., play features, poles, or lighting that



Boardman, OR PMP PAC Meeting 4/15/25

90 views 5mo ago ...more



City of Boardman, Oregon

29

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 Share

 0

 Remix

 Downl...

Key Concepts



Economic growth

In economics, economic growth is an i...

View concept

away from what's

1:52:43

his name? Is it Did I hear a a rumor that he sold that? There's Amazon. No,

1:52:51

this this Oh, well, so Amazon is potentially funding um the development

1:52:57

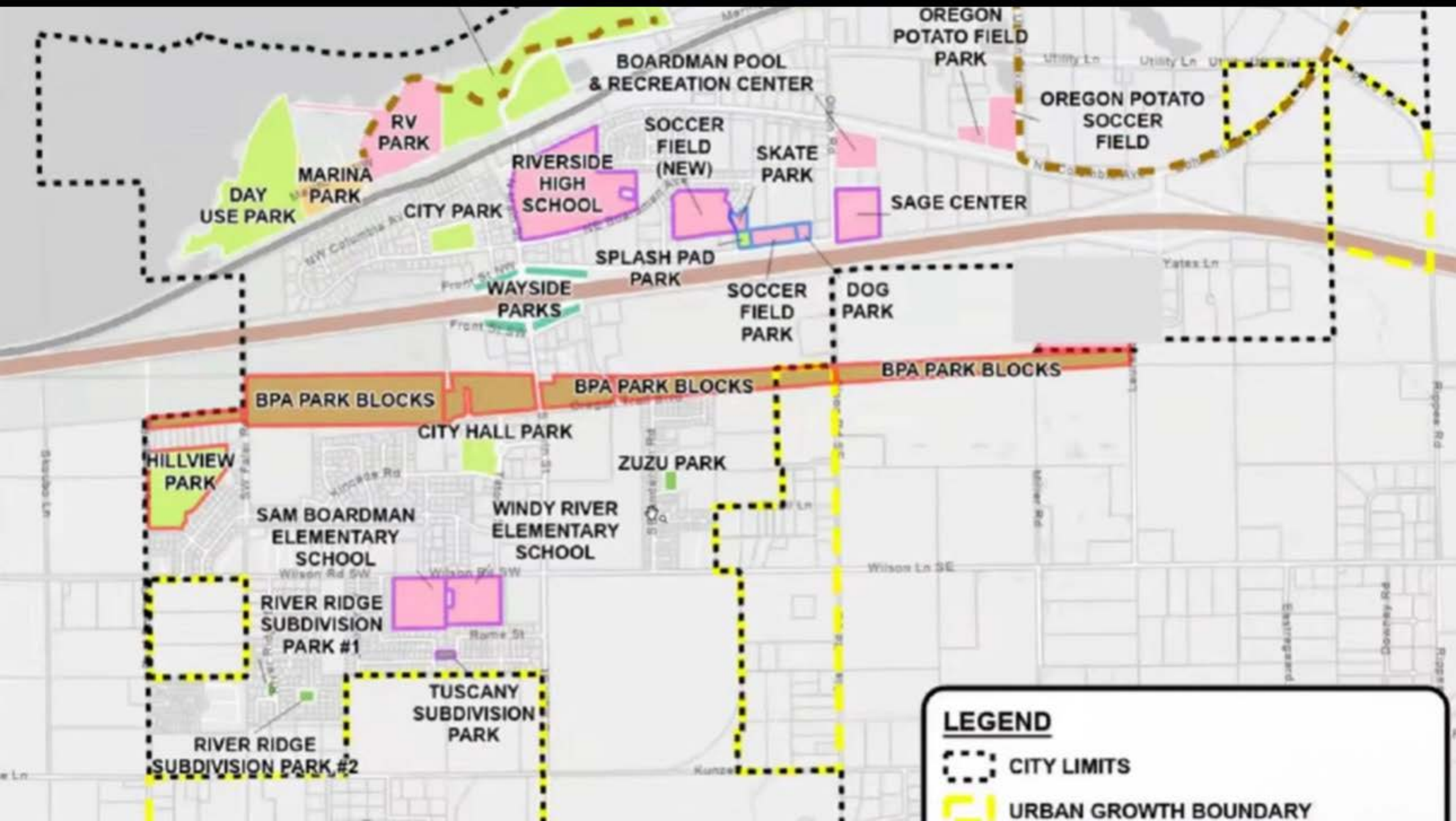
of an RV park. Yeah. Not for a data center. I didn't mean that way, but for that Yes. Oh, wait. Don't That's where

1:53:04

that sun that cafe or that coffee shop is at the port exit.

1:53:10

Farmers somewhere in there What's What was J's name? Terry Tolman. Yeah



LEGEND

 CITY LIMITS

 URBAN GROWTH BOUNDARY

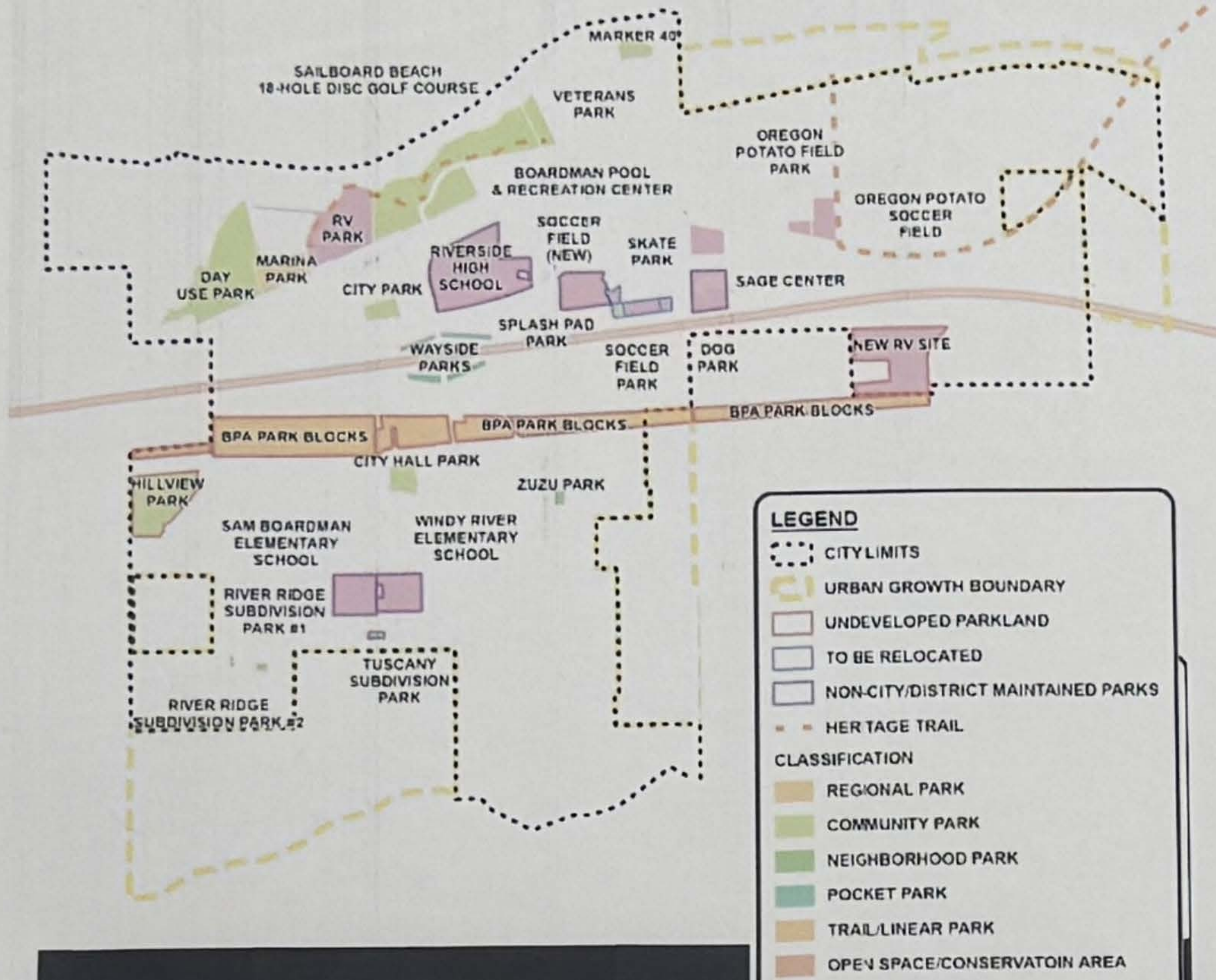
4 miles)
Cross Marina
crosswalk on

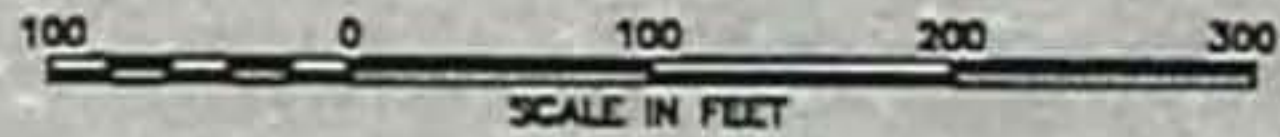
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ay Use Park
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with future
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anned along
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n County





Fletcher

LAUREL LANE



CITY OF BOARDMAN

REQUEST FOR PUBLIC RECORD

Date of Request: 9/26/2025

I, Jonathan Tallman, pursuant to ORS 192.311–192.478, am requesting the following public record(s) from the City of Boardman:

1. Any and all Non-Disclosure Agreements (NDAs), confidentiality agreements, or similar contracts signed by the Mayor, City Councilors, the City Manager, City Recorder, Planning Staff, or consultants from January 1, 2018 to present, including agreements with Amazon, Umatilla Electric Cooperative (UEC), Bonneville Power Administration (BPA), or any data center–related entities.
2. All emails, text messages, meeting notes, or correspondence between City officials/staff/consultants and Amazon, UEC, BPA, or their representatives concerning: • The Laurel Lane / Loop Road corridor; • The 'New RV Site' near the BPA Park Blocks (including records of its later blurring/removal from maps); • Road access classifications under the IAMP; • Development of Parcels 3302, 3207, and 3205.
3. All maps, exhibits, or draft planning materials that depict or reference park and RV site siting south of I-84, including Zuzu Park, Hillview Park, BPA Park Blocks, Tuscany/River Ridge subdivision parks, and the 'New RV Site' — provide both pre-blurred and post-blurred/removed versions.
4. All staff reports, findings, technical memoranda, and supporting documentation included in or relied upon for the City's September 15, 2025 Transportation System Plan (TSP) and Urban Growth Boundary (UGB) amendment submission to DLCD, especially those referencing my property (28.11 acres, Laurel Lane).
5. All agendas, minutes, recordings, and transcripts of the April 15, 2025 City/Planning meeting, in which Amazon's potential funding of an RV park was discussed.

Fee Waiver Request: This request should be fulfilled without charge because these records are already required to be part of the City's public record and included in the DLCD draft submission under ORS 197.610–197.650. They directly affect the public interest and my ability to participate in TSP/UGB planning proceedings.

Signature of Requester: Jonathan Tallman
Email Address: [Insert Email]
Mailing Address: 706 Mt Hood Ave, Boardman, OR 97818
Phone Number: 208-570-7589

NONDISCLOSURE AGREEMENT (AGENCY)

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Agency Name: <u>City of Boardman</u>	
By (signature): 	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>Richard Rockwell</u>	Fax No.: <u>[541] 481-3244</u>
Title: <u>City Council</u>	Email Address: <u>rockwellr@cityofboardman.com</u>
Date Signed: <u>3/2/23</u>	

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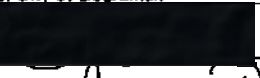
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Agency Name: City of Boardman	
By (signature) 	Address: 200 City Center Circle, PO Box 229 Boardman, Oregon 97818
Printed Name: {...} Brenda Proffitt	Fax No.: {541} 481-3244
Title: Councilor	Email Address: {...}
Date Signed: May 2, 2023	

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Agency Name: <u>City of Boardman</u>	
By (signature): 	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>KAREN Pettigrew</u>	Fax No.: <u>[541] 481-3244</u>
Title: <u>COUNCILOR</u>	Email Address: <u>[] pettigrewk@cityofboardman</u>
Date Signed: <u>May 2, 2023</u>	

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Agency Name: <u>City of Boardman</u>	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
By (signature): 	Fax No.: <u>541-481-3244</u>
Printed Name: <u>Nancy M Orellana</u>	Email Address: <u>orellanan@cityofboardman.com</u>
Title: <u>Planning Assistant</u>	
Date Signed: <u>09/05/2023</u>	

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NONDISCLOSURE AGREEMENT (AGENCY)**AGENCY: Complete BOX below and provide signed copy to your Amazon contact.**

Agency Name: <u>City of Boardman</u>	
By (signature): 	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>Carla McLane</u>	Fax No.: <u>(541) 481-3244</u>
Title: <u>Planning Official</u>	Email Address: <u>j.mclane@cityofboardman.com</u>
Date Signed: <u>May 3, 2023</u>	

This Nondisclosure Agreement (this "Agreement") is entered into by Agency for the benefit of Amazon.com, Inc. and its Affiliates ("Amazon"). In connection with Amazon's evaluation of various sites for operations and businesses, Agency may receive information on Amazon's operations and businesses. In consideration of the receipt of such information, Agency agrees as follows:

1. **Confidential Information.** "Affiliate" means, with respect to any entity, any other entity that directly or indirectly controls, is controlled by or is under common control with that entity, and "Confidential Information" means all nonpublic information relating to Amazon or disclosed by Amazon to the above-referenced agency, its Affiliates or agents of any of the foregoing (collectively, "Agency") that is designated as confidential or that, given the nature of the information or the circumstances surrounding its disclosure, reasonably should be considered as confidential.

2. **Exclusions.** Confidential Information excludes information that (i) is or becomes publicly available without breach of this Agreement, (ii) can be shown by documentation to have been known to Agency at the time of its receipt from Amazon, (iii) is disclosed to Agency from any third party who did not acquire or disclose such information by a wrongful or tortious act, or (iv) can be shown by documentation to have been independently developed by Agency without reference to any Confidential Information.

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4. **Agency Personnel.** Agency will restrict the possession, knowledge and use of Confidential Information to each of its employees who (i) has a need to know the Confidential Information, and (ii) is legally obligated to protect the Confidential Information to the same or greater degree as required under this Agreement. Agency will ensure that its employees comply with this Agreement.

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6. **Ownership of Confidential Information.** All Confidential Information will remain the exclusive property of Amazon. Amazon's disclosure of Confidential Information will not constitute an express or implied grant to Agency of any rights to or under Amazon's patents, copyrights, trade secrets, trademarks or other intellectual property rights. Agency will not use any trade name, trademark, logo or any other proprietary rights of Amazon in any manner without prior written authorization of such use by a Vice President of Amazon.com, Inc. (or its applicable Affiliate).

7. **Notice of Unauthorized Use.** Agency will notify Amazon immediately upon discovery of any unauthorized use or disclosure of Confidential Information or any other breach of this Agreement. Agency will cooperate with Amazon in every reasonable way to help Amazon regain possession of such Confidential Information and prevent its further unauthorized use and disclosure.

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NONDISCLOSURE AGREEMENT (AGENCY)**AGENCY: Complete BOX below and provide signed copy to your Amazon contact.**

Agency Name: <u>City of Boardman</u>	
By (signature): <u>[Signature]</u>	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>Paul E Keeter</u>	Fax No.: <u>541-481-3244</u>
Title: <u>Mayer</u>	Email Address: <u>[Redacted]</u>
Date Signed: <u>5/2/2023</u>	

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NONDISCLOSURE AGREEMENT (AGENCY)

CC NDA 00090719 2023 TR

AGENCY: Complete BOX below and provide signed copy to your Amazon contact.

Agency Name: <u>City of Boardman</u>	
By (signature): <u>[Signature]</u>	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>Brandon Hammond</u>	Fax No.: <u>[Blank]</u>
Title: <u>City Manager</u>	Email Address: <u>hammond@cityofboardman</u>
Date Signed: <u>8/1/2023</u>	

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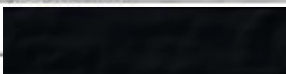
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NONDISCLOSURE AGREEMENT (AGENCY)

AGENCY: Complete BOX below and provide signed copy to your Amazon contact.

Agency Name: <u>City of Boardman</u>	
By (signature): 	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>Cristina Cuevas</u>	Fax No.: <u>[541] 481-3244</u>
Title: <u>City Council</u>	Email Address: <u>CUEVAS.C@cityofboardman.com</u>
Date Signed: <u>5/2/23</u>	

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Agency Name: <u>City of Boardman</u>	
By (signature): 	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>(...) Arley Camber</u>	Fax No.: <u>(...)</u>
Title: <u>Planner I</u>	Email Address: <u>(...) Arley Camber 0919@gmail.com</u>
Date Signed: <u>10.04.2024</u>	

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Agency Name: <u>City of Boardman</u>	
By (signature): 	Address: <u>200 City Center Circle, PO Box 229 Boardman, Oregon 97818</u>
Printed Name: <u>Heather L. Baumgartner</u>	Fax No.: <u>(541) 481-3244</u>
Title: <u>City Council President</u>	Email Address: <u>baumgartnerhe@cityofboardman.com</u>
Date Signed: <u>5-2-2023</u>	

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1. **Confidential Information.** "Affiliate" means, with respect to any entity, any other entity that directly or indirectly controls, is controlled by or is under common control with that entity, and "Confidential Information" means all nonpublic information relating to Amazon or disclosed by Amazon to the above-referenced agency, its Affiliates or agents of any of the foregoing (collectively, "Agency") that is designated as confidential or that, given the nature of the information or the circumstances surrounding its disclosure, reasonably should be considered as confidential.

2. **Exclusions.** Confidential Information excludes information that (i) is or becomes publicly available without breach of this Agreement, (ii) can be shown by documentation to have been known to Agency at the time of its receipt from Amazon, (iii) is disclosed to Agency from any third party who did not acquire or disclose such information by a wrongful or tortious act, or (iv) can be shown by documentation to have been independently developed by Agency without reference to any Confidential Information.

3. **Use of Confidential Information.** Agency may use Confidential Information only in pursuance of its business relationship with Amazon. Except as provided in this Agreement, Agency will not disclose Confidential Information to anyone without Amazon's prior written consent. Agency will take all reasonable measures to avoid disclosure, dissemination or unauthorized use of Confidential Information, including, at a minimum, those measures it takes to protect its own confidential information of a similar nature.

4. **Agency Personnel.** Agency will restrict the possession, knowledge and use of Confidential Information to each of its employees who (i) has a need to know the Confidential Information, and (ii) is legally obligated to protect the Confidential Information to the same or greater degree as required under this Agreement. Agency will ensure that its employees comply with this Agreement.

5. **Permitted Disclosures.** Agency may disclose Confidential Information as required to comply with applicable public disclosure or open records laws (collectively, "Laws"). Prior to making any such disclosure, however, Agency shall (i) give Amazon prior written notice sufficient to allow Amazon to seek a protective order or other remedy (except to the extent that Agency's compliance would cause it to violate any Laws), and (ii) disclose only such information as is required under those Laws.

6. **Ownership of Confidential Information.** All Confidential Information will remain the exclusive property of Amazon. Amazon's disclosure of Confidential Information will not constitute an express or implied grant to Agency of any rights to or under Amazon's patents, copyrights, trade secrets, trademarks or other intellectual property rights. Agency will not use any trade name, trademark, logo or any other proprietary rights of Amazon in any manner without prior written authorization of such use by a Vice President of Amazon.com, Inc. (or its applicable Affiliate).

7. **Notice of Unauthorized Use.** Agency will notify Amazon immediately upon discovery of any unauthorized use or disclosure of Confidential Information or any other breach of this Agreement. Agency will cooperate with Amazon in every reasonable way to help Amazon regain possession of such Confidential Information and prevent its further unauthorized use and disclosure.

8. **Return of Confidential Information.** Agency will return or destroy all tangible materials embodying Confidential Information (in any form and including, without limitation, all summaries, copies and excerpts of Confidential Information) promptly following Amazon's written request.

9. **Injunctive Relief.** Agency acknowledges that a breach of its obligations under this Agreement could cause irreparable harm to Amazon as to which monetary damages may be difficult to ascertain or an inadequate remedy. Agency agrees that Amazon will have the right, in addition to its other rights and remedies, to seek injunctive relief for any violation of this Agreement.

10. **Scope; Termination.** This Agreement covers Confidential Information received by Agency prior and subsequent to the date hereof. This Agreement is effective as of the date Confidential Information is first received and will continue for 3 years, after which it automatically renews unless either party terminates this Agreement by providing at least 90 days prior written notice to the other party, provided, that Agency's obligations with respect to Confidential Information will survive for 5 years following termination of this Agreement, and Sections 5, 6, 9, 10, and 11 will survive indefinitely and the confidentiality obligations of this Agreement will continue to apply to the Confidential Information for as long as the information continues to constitute a trade secret or does not otherwise fall within an exclusion described in Section 2.

11. **Miscellaneous.** This Agreement constitutes the entire agreement between the parties relating to the matters discussed herein and may be amended, modified, or waived only with the mutual written consent of the parties. Agency may not assign this Agreement without Amazon's written consent. If a provision of this Agreement is held invalid under applicable law, such invalidity will not affect any other provision of this Agreement that can be given effect. This Agreement

will be governed by internal laws of the State of Washington, without reference to its choice of law rules. Exclusive jurisdiction over and venue of any suit arising out of or relating to this Agreement will be in the state and federal courts in King County, Washington, and each of the parties hereto consents to the personal jurisdiction of, and venue in, those courts. All notices hereunder will be in writing and will be sent by overnight courier, confirmed facsimile transmission, or certified mail. Notices to Agency will be delivered to the address set forth above. Notices to Amazon will be delivered, Attn. General Counsel, to: 410 Terry Avenue North, Seattle, WA 98109-5210; Fax No. 206/266.7010.

BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

1st JOHN 2:17, LLC and JONATHAN TALLMAN,
Petitioners,

vs.

CITY OF BOARDMAN,
Respondent.

LUBA No. 2022-062

FINAL OPINION
AND ORDER

Appeal from City of Boardman.

Sarah C. Mitchell filed the petition for review and reply brief and argued on behalf of petitioners. Also on the brief was Kellington Law Group, PC.

Christopher D. Crean filed the respondent's brief and argued on behalf of respondent. Also on the brief was Beery, Elsner & Hammond, LLP.

RYAN, Board Chair; ZAMUDIO, Board Member, participated in the decision.

RUDD, Board Member, did not participate in the decision.

REMANDED

10/27/2022

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

NATURE OF THE DECISION

Petitioners appeal a city council decision approving improvements to an existing intersection and an existing street, and construction of a new collector.

FACTS

Yates Lane is an existing, unpaved street that extends east from Laurel Lane in the Commercial district and the Service Center (SC) subdistrict. Laurel Lane is a north-south arterial that connects to I-84 north of the Laurel Lane/Yates Lane intersection, forming what is referred to as the Port of Morrow Interchange. The Port of Morrow Interchange is subject to the Port of Morrow Interchange Area Management Plan (IAMP), which the city adopted in 2012 as part of its Transportation System Plan (TSP). The IAMP lists as a city transportation project improvements to the Laurel Lane/Yates Lane intersection and the construction of a new collector, Devin Loop. Devin Loop would begin on Yates Lane east of the Laurel Lane/Yates Lane intersection, loop south and west from Yates Lane, and connect to Laurel Lane south of the Laurel Lane/Yates Lane intersection, just north of a Bonneville Power Administration (BPA) transmission easement.

On November 16, 2021, city staff filed an application seeking planning department approval to improve the Laurel Lane/Yates Lane intersection and construct Devin Loop, as described in the IAMP. In addition, the application proposed improving to neighborhood collector standards the Yates Lane right-of-way between the Laurel Lane/Yates Lane intersection and the Yates

1 Lane/Devin Loop intersection. We refer to Devin Loop and Yates Lane, together,
2 as the “Loop Road,” and we refer to the proposed construction, collectively, as
3 the “Loop Road project.”

4 On March 11, 2022, city staff approved a “Zoning Permit” authorizing the
5 Loop Road project. The city provided notice of the Zoning Permit to persons,
6 including petitioners, who own property west of Laurel Lane. After petitioners
7 attempted to file a local appeal of the Zoning Permit, the city chose to proceed
8 under its “Type II” land use procedures, effectively allowing petitioners to appeal
9 the Zoning Permit to the planning commission.

10 The planning commission held a public hearing on May 18, 2022, and
11 ultimately denied petitioners’ appeal, affirming city staff’s approval of the Loop
12 Road project. Petitioners appealed the planning commission’s decision to the city
13 council. The city council conducted a public hearing on June 28, 2022, and denied
14 the appeal, adopting in support of its decision city staff’s findings, the planning
15 commission’s findings, and its own findings. The city council expressly adopted
16 any code interpretations made in city staff’s and the planning commission’s
17 findings. This appeal followed.

18 **FIRST ASSIGNMENT OF ERROR**

19 In its March 11, 2022 decision, city staff noted that the SC subdistrict
20 allows as permitted uses (1) installation of improvements within the existing
21 right-of-way and (2) projects identified in the TSP. Record 11. The city council
22 concluded that the Loop Road project involves uses that are permitted in the SC

1 subdistrict and, therefore, “do not require further land use review.” Record 6. The
2 city council stated:

3 “Because the permit approves a transportation facility that is
4 authorized by and consistent with the IAMP and [Boardman
5 Development Code (BDC)], it is not a land use decision and the city
6 was not required to process the permit application under its land use
7 procedures. Nonetheless, after the City mailed notice of the decision
8 to area property owners, [petitioners] sought to file a local appeal
9 and, out of an excess of caution and to ensure full public
10 participation, the City agreed to process the permit as if it was a
11 Type II land use decision. Accordingly, an appeal was heard before
12 the Planning Commission on May 18, 2022.” Record 5.

13 On appeal to LUBA, petitioners do not dispute that the Loop Road project
14 involves uses that are permitted in the SC subdistrict. However, petitioners
15 dispute the view that the city’s approval of the project is not a “land use decision”
16 and, in particular, the implication that, because the approval is not a land use
17 decision, no land use standards apply to the project.¹ Petitioners argue that it is
18 clear that the project is subject to many land use standards, including the IAMP
19 and a number of city land use regulations.

20 The city responds that petitioners misunderstand the above-quoted
21 findings and that the city does not dispute that the project is subject to land use

¹ ORS 197.015(10)(a) defines “land use decision,” in relevant part, as a “final decision or determination made by a local government” that “concerns” the application of a comprehensive plan provision or land use regulation. The city does not dispute that the challenged decision concerns the application of one or more comprehensive plan provisions or land use regulations, and is a “land use decision,” as defined at ORS 197.015(10)(a).

1 standards, as evidenced by the fact that, in approving the project, the city applied
2 a number of land use standards.

3 We agree with the city that petitioners' arguments under the first
4 assignment of error provide no basis for reversal or remand. The city's
5 characterization of the Loop Road as a "permitted use" and its conclusion that
6 approving an application for a use that is permitted in the SC subdistrict does not
7 result in a "land use decision" or necessarily trigger the city's Type II procedures
8 are merely *dicta* because the city proceeded to apply land use regulations to the
9 application.

10 The first assignment of error is denied.

11 **SECOND ASSIGNMENT OF ERROR**

12 Under the second assignment of error, petitioners advance four
13 subassignments of error that challenge the city's conclusions that the Loop Road
14 project complies with applicable land use regulations.

15 **A. Neighborhood Collector**

16 The IAMP designates the Loop Road as a "City Collector," but it does not
17 determine what kind of collector. The TSP identifies two kinds of collectors:
18 neighborhood and minor. The city concluded that the Loop Road is functionally
19 classified as a "neighborhood collector" and, therefore, subject to standards that
20 apply to that functional classification. Petitioners argued below, however, that
21 the Loop Road is more properly classified as a "minor collector" subject to

1 different, more demanding standards. For example, the minimum right-of-way
2 width for a neighborhood collector is 60 feet; that of a minor collector is 68 feet.

3 The city rejected those arguments, noting that the existing, graveled Yates
4 Lane right-of-way is 60 feet in width and classified as a neighborhood collector,
5 and concluding that Devin Loop will also qualify as a neighborhood collector
6 under the applicable IAMP, TSP, and BDC standards.²

7 On appeal, petitioners argue that the city council's findings fail to explain
8 why the Loop Road is properly classified as neighborhood collector. Petitioners
9 note that the TSP includes the following descriptions:

10 *"Minor Collectors*

11 "Collector facilities link arterials with the local street system. As
12 implied by their name, collectors are intended to collect traffic from
13 local streets and sometimes from direct land access, and channel it
14 to arterial facilities. Collectors are shorter than arterials and tend to
15 have moderate speeds.

16 "* * * * *

17 *"Neighborhood Collectors*

² The city council's findings state, in relevant part:

"[Petitioners] argue that the proposed roads 'on balance' are a minor collector, not a neighborhood collector. Staff disagrees. Under the applicable standards in the IAMP, TSP and [BDC] described in the findings above, staff concludes that the proposed roadways are a neighborhood collector and comply with all of the relevant standards for a neighborhood collector." Record 8.

1 “Neighborhood collectors are a subset of collectors serving the
2 objective of penetrating local neighborhoods to provide direct land
3 access serviced and traffic circulation. These facilities tend to carry
4 lower traffic volumes at slower speeds than typical collectors. On-
5 street parking is more prevalent and bike facilities may be exclusive
6 or shared roadways.” (*Italics in original.*)

7 Petitioners note that the TSP description under the heading “Minor Collectors”
8 mentions linking arterials with the local street system, while the description under
9 the heading “Neighborhood Collectors” does not mention linking to arterials.
10 Because the Loop Road will connect to an arterial, Laurel Lane, at both ends, and
11 because it could carry heavy truck traffic when adjoining properties develop,
12 petitioners argue that, on balance, the Loop Road is more like a minor collector
13 than a neighborhood collector.

14 The city responds that the TSP describes neighborhood collectors as a
15 “subset” of the general category of collectors, and the city suggests that the
16 description under the heading “Minor Collectors” is not limited to that
17 subcategory but, instead, describes the overall category of “collector facilities,”
18 which includes both neighborhood and minor collectors. Under that
19 interpretation, the city argues, both neighborhood and minor collectors are
20 intended to “link arterials with the local street system.”

21 We agree with petitioners that the city’s findings on this point are
22 inadequate. The city council’s finding refer to “applicable standards in the IAMP,
23 TSP and [BDC] described in the findings above.” *See* n 2. However, we see no
24 preceding findings that identify the applicable standards that the city used to

1 determine that the Loop Road is properly classified as a neighborhood collector
2 rather than a minor collector. The respondent's brief also does not identify what
3 criteria city staff used to determine the functional classification of the Loop Road.
4 The interpretation of the TSP descriptions suggested in the respondent's brief
5 might be sustainable, if it were adopted by the city council. However,
6 interpretations of a local code provision offered for the first time in a respondent's
7 brief at LUBA are not interpretations made by the local government. *Munkhoff*
8 *v. City of Cascade Locks*, 54 Or LUBA 660, 665-66 (2007). Because the decision
9 must be remanded in any event, as discussed below, the better course is to also
10 remand under this subassignment of error for the city council to adopt more
11 adequate findings, supported by any necessary local plan or code interpretations,
12 to explain its conclusion that the Loop Road is properly classified as a
13 neighborhood collector.

14 The first subassignment of error is sustained.

15 **B. Street Standards**

16 **1. Minor Collector Standards**

17 The findings address a number of BDC standards that apply to
18 neighborhood collectors and conclude that the Loop Road meets those standards.
19 For example, the findings note that the Yates Lane right-of-way is 60 feet wide,
20 which complies with the 60-foot minimum right-of-way width for a
21 neighborhood collector. Petitioners first argue that these findings are erroneous
22 if, in fact, the proper classification for the Loop Road is minor collector. We agree

1 with petitioners that, if, on remand, the city concludes that minor collector is the
2 appropriate functional classification, then the city must address compliance with
3 the standards for a minor collector.

4 **2. Roadway Width**

5 Alternatively, petitioners argue that, even if neighborhood collector is the
6 appropriate functional classification, the city still erred in two respects.
7 Petitioners cite evidence that the paved roadway width for some portions of the
8 Loop Road will be only 32 feet, and they argue that the minimum paved roadway
9 width for a neighborhood collector under BDC Table 3.4.100(F) is 38 feet. The
10 city does not respond to this argument or cite any findings addressing the
11 minimum roadway width. We agree with petitioners that, on remand, the city
12 must address compliance with the appropriate paved roadway width.

13 **3. Lateral Improvements**

14 Finally, petitioners argue, even if the Loop Road is classified as a
15 neighborhood collector, the city erred in failing to require construction of lateral
16 improvements such as sidewalks, planter strips, bicycle lanes, curbs, streetlights,
17 and other improvements, as required by BDC 3.4.100(J), (O), and (X).

18 BDC 3.4.100(J) provides, “Sidewalks, planter strips and bicycle lanes shall
19 be installed in conformance with the standards in Table 3.4.100, applicable
20 provisions of the [TSP], the Comprehensive Plan, and adopted street plans.
21 Maintenance of sidewalks, curbs, and planter strips is the continuing obligation
22 of the adjacent property owner.” BDC 3.4.100(O) provides, “Concrete curbs,

1 curb cuts, wheelchair, bicycle ramps and driveway approaches shall be
2 constructed in accordance with the standards specified in Chapter 3.1 - Access
3 and Circulation.” BDC 3.4.100(X) provides, “Streetlights shall be installed in
4 accordance with City standards which provides for installation at intervals of 300
5 feet.”

6 The planning commission’s decision explains that the full standards at
7 BDC 3.4.100 will be met when adjoining properties are developed:

8 “The City is purposefully not improving the street to the full
9 standards identified in the BDC leaving those future improvements
10 to be the responsibility of development along the roads being
11 installed to the east of Laurel Lane. Those additional improvements
12 that will be required at the time of development include curb,
13 sidewalk, access cuts, and other associated street improvements. A
14 four-foot-wide paved walking and bicycle path is included in the
15 pavement width to support limited multi-path utilization.” Record
16 21.

17 The city council also adopted findings rejecting petitioners’ arguments that the
18 requirements of BDC 3.4.100(J) and (X) must be met when the Loop Road is
19 constructed:

20 “Staff finds that [BDC 3.4.100(J)] is intended to apply at the time of
21 site development of the adjacent property; it does not apply to the
22 installation of a public roadway that provides access to the adjacent
23 property. In this case, the ‘applicable standards’ of the TSP is the
24 IAMP which does not include standards for sidewalks, planters and
25 bike lanes. Further, under the Comprehensive Plan and adopted
26 street plans (if any), the location, nature and extent of the sidewalks,
27 planter strips and bike lanes will vary depending on the type and
28 nature of development on the adjacent property. Moreover, any
29 continuous curbs, planter strips or sidewalks that are installed now
30 would be subject to frequent cuts, removal and damage as the

1 adjacent properties develop with driveways, underground utility
2 installations, construction traffic and other related impacts.
3 Accordingly, staff finds that this criterion is intended to apply in
4 coordination with [BDC 3.4.100(O)] concurrent with development
5 of the adjacent property. * * * Finally, staff finds that it would be
6 inappropriate and the city did not intend to impose a maintenance
7 obligation for public improvements on the adjacent property owner
8 until such time as the adjacent property develops. For these reasons,
9 staff finds that this criterion does not apply. It will apply at the time
10 the adjacent property develops and the design, location and
11 installation of the improvements will be determined based on the
12 nature of the development.” Record 7.

13 The city council adopted a similar finding regarding the streetlights required
14 under BDC 3.4.100(X).³

15 Petitioners argue that the city council’s code interpretations are
16 inconsistent with the express language of the relevant code provisions, which

³ The city council’s findings state:

“For the same reasons described in the findings above for [BDC 3.4.100(J)], staff concludes that [BDC 3.4.100(X)] does not apply. Staff interprets this standard to apply at the time the adjacent property develops. Until the site design of development on the subject properties is known, the City cannot determine the proper spacing for streetlights. Simply placing streetlights every 300 feet could conflict with the site plan for development on the adjacent properties (for example, driveway locations), which would then require lights to be removed and replaced. This results in unnecessary costs and potentially wasting public resources. Moreover, until the adjacent properties develop, there will be little need for street lights because there will be few if any pedestrians. Accordingly, staff finds that the city does not intend this criterion to apply to the installation of roadways except when provided in conjunction with development of the adjacent property.” Record 8.

1 provide that certain infrastructure “shall be installed” and “shall be constructed.”
2 Petitioners contend that the required infrastructure may be long delayed, or never
3 installed, if adjoining property owners fail to develop their properties. Petitioners
4 also note that some of the properties that will be served by the Loop Road are
5 already developed, and the city does not explain when and how the infrastructure
6 for those properties will be constructed.

7 The city responds that nothing in the relevant code sections or elsewhere
8 requires that such infrastructure be installed at the same time a roadway is built.
9 We understand the city to argue that the relevant code provisions are silent or
10 ambiguous on this point and that the city council’s interpretation resolving that
11 ambiguity is plausible and should be affirmed under the deferential standard of
12 review that LUBA applies to a governing body’s code interpretations under ORS
13 197.829(1).⁴ *Siporen v. City of Medford*, 349 Or 247, 243 P3d 776 (2010).

⁴ ORS 197.829(1) provides:

“[LUBA] shall affirm a local government’s interpretation of its comprehensive plan and land use regulations, unless the board determines that the local government’s interpretation:

- (a) Is inconsistent with the express language of the comprehensive plan or land use regulation;
- (b) Is inconsistent with the purpose for the comprehensive plan or land use regulation; [or]
- (c) Is inconsistent with the underlying policy that provides the basis for the comprehensive plan or land use regulation[.]”

1 We agree with petitioners. Although the relevant code provisions do not
2 explicitly require concurrency between roadway construction and lateral
3 improvements, the code provisions mandate that lateral improvements be
4 constructed, with the strong implication that lateral improvements must be built
5 at the same time as the roadway. As petitioners argue, if adjoining property is
6 never developed, then, under the city council's interpretation, no lateral
7 improvements will be constructed, contrary to the express requirements of the
8 code. The city council's interpretation also provides no mechanism or process to
9 require lateral improvements for already-developed properties that are adjacent
10 to the new roadways. The clear purpose of the relevant code provisions is to
11 require lateral improvements to be constructed along city roadways. The city
12 council's interpretation may not be inconsistent with any *express* language in the
13 cited code provisions, but it is certainly inconsistent with the purpose of those
14 code provisions. Accordingly, we cannot affirm that interpretation. ORS
15 197.829(1)(b).

16 The second subassignment of error is sustained.

17 **C. Other City Land Use Regulations**

18 Petitioners argue that the city erred in failing to apply a number of other
19 city land use regulations, including BDC chapter 4.2 (Development Review and
20 Site Design Review); BDC chapter 3.1 (Access and Circulation); BDC chapter
21 3.2 (Landscaping, Street Trees, Fences and Walls); BDC 3.4.100(A)
22 (Development Standards); BDC 3.4.100(G) (Traffic Signals and Traffic Calming

1 Features); BDC 3.4.100(I) (Street Alignment and Connections); BDC 3.4.100(K)
2 (Intersection Angles); BDC 3.4.100(L) (Existing Rights-of-Way); BDC
3 3.4.100(Q) (Development Adjoining Arterial Streets); BDC 3.4.100(T) (Street
4 Names); BDC 3.4.100(U) (Survey Monuments); BDC 3.4.100(V) (Street Signs);
5 BDC 3.4.100(W) (Mail Boxes); BDC 3.4.100(Y) (Street Cross-Sections); BDC
6 3.4.400 (Storm Drainage); BDC 3.4.500 (Utilities); and BDC chapter 3.5
7 (Stormwater Management).

8 To explain why petitioners believe the foregoing are applicable approval
9 criteria for the challenged decision, petitioners direct us to the jurisdictional
10 section of the petition for review and to unspecified arguments in the first
11 assignment of error. However, the jurisdictional section simply lists the same
12 code provisions, in a footnote, without providing any basis to conclude that the
13 cited code provisions are applicable approval criteria. Petition for Review 10 n 4.
14 The only argument we can find in the first assignment of error that bears on any
15 of the cited code provisions is a single paragraph arguing that transportation
16 improvements are subject to site design review standards at BDC chapter 4.2.
17 Petition for Review 27. The planning commission adopted findings rejecting this
18 contention. Record 21. Petitioners do not challenge that finding or provide any
19 basis to conclude that site design review standards or the other cited code
20 provisions apply to the Loop Road project.

21 The third subassignment of error is denied.

1 **D. BPA Subdistrict**

2 Petitioners argue that the city erred in finding that the Loop Road is located
3 entirely within the SC subdistrict.⁵ According to petitioners, a portion of Devin
4 Loop would be located within the BPA easement south of the Loop Road.
5 Petitioners argue that property located within the BPA easement is subject to an
6 entirely different subdistrict, the BPA Transmission Easement (BPA) subdistrict,
7 which has its own regulations that the city did not apply.

8 The city responds first that petitioners failed to raise any issue during the
9 proceedings below that the BPA subdistrict regulations apply, and petitioners are
10 precluded from raising that issue for the first time at LUBA. ORS 197.835(3);
11 ORS 197.797(1). In the reply brief, petitioners respond that ORS 197.835(4)(a)
12 allows them to raise the issue raised in the fourth subassignment of error because
13 the notices for the city's hearings failed to list the criteria that apply to the BPA

⁵ Again, rather than supply argument in support of this subassignment of error, petitioners direct us to unspecified arguments made in the jurisdictional section of the petition for review. Simply directing LUBA to unidentified arguments made in other sections of a brief runs the risk that LUBA will fail to locate those arguments. In addition, relying on arguments in the jurisdictional section of a petition for review to establish a basis for reversal or remand on the merits, especially in an appeal where jurisdiction is undisputed, runs the risk that such arguments will be overlooked. *See Regency Centers, L.P. v. Washington County*, 265 Or App 49, 61, 335 P3d 856 (2014) (LUBA was not required to scour the petition for review for material that potentially could have supported an argument that the county's decision involved a "proposed development of land" when the petitioners did not make that argument for themselves).

1 subdistrict.⁶ The waiver question depends on whether the provisions of the BPA
2 subdistrict are applicable criteria. We therefore turn to that question.

3 We agree with the city's response to the substance of the fourth
4 subassignment of error that petitioners are mistaken and that the BPA easement
5 is not subject to the BPA subdistrict, which is located a mile to the west. The city
6 attaches to its brief a zoning map showing the different locations of the subject
7 property and the BPA subdistrict.

8 The city is correct that the BPA easement south of the Loop Road is not
9 subject to the BPA subdistrict. Petitioners' unsupported arguments under this
10 subassignment of error do not provide a basis for reversal or remand.

11 The fourth subassignment of error is denied.

12 The second assignment of error is sustained, in part.

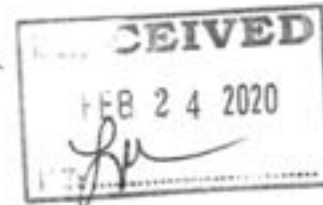
13 The city's decision is remanded.

⁶ ORS 197.835(4)(a) provides that a petitioner at LUBA may raise new issues that were not raised below if "[t]he local government failed to list the applicable criteria for a decision under ORS * * * 197.797(3)(b)[.]"



City of Boardman

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TTY Relay 711
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February 18, 2020

Mr. Robert Echenrode
General Manager
Umatilla Electric Cooperative
750 W. Elm
P.O. Box 1148
Hermiston, OR 97838

Dear Mr. Echenrode:

The Community Development Director has performed a review of the Umatilla Electric Cooperative's ("UEC") proposed route for construction of a 230 Kv transmission line. Based on the information provided, the proposed line will extend from the planned Hwy 730 Switchyard at the intersection of Hwy 730 and I-84 to the planned Olson Rd. Substation south of Boardman, total transmission line length is approximately 4.3 miles. This route would pass through two commercial areas of the City of Boardman which include the Service Center Sub District (SC) and General Industrial (GI).

Within the SC zone, transmission lines are permitted outright pursuant to City of Boardman Development Code Table 2.2.200.B §(2)(b). The SC Zone is designed to accommodate heavy commercial uses and light industrial uses along portions of the I-84 corridor.

Within the GI zone, transmission lines are permitted outright pursuant to City of Boardman Development Code Table 2.3.110.A §(2)(b). As outright permitted uses, no land use approval is required, and the City does not directly regulate this use.

Please let me know if you require any additional information.

Respectfully Submitted,

Karen Pettigrew

Karen Pettigrew
Boardman City Manager

Problematic -

*City does regulate this
use.*

Fire Protection

The City's Fire Services are provided by the Boardman Rural Fire Protection District. The District and the City combined provisions in 1997 to provide an area (District) with fire services as a way to more economically meet the fire protection needs of the City. The City and District are currently (2003) drafting a Cooperative and Urban Services Agreement to further clarify this agreement. This Agreement is expected to be adopted by both parties by 2004.

Health Services

Public health services, such as Mental Health and a Public Health Nurse, Children's Services, and Public Welfare, are administered through the Morrow County Health Services Division and the State of Oregon.

Energy and Communication

The City is served by a variety of local utility companies, including electricity, gas, telephone, and TV cable. The City requires underground installation of all utilities within new developments, as well as many main utility feeder lines.

GOAL XI: PUBLIC FACILITIES POLICIES

1. The City shall assure urban services (water, sewer and storm drainage services and transportation infrastructure) to residential, commercial and industrial lands within the City's Urban Growth Area as these lands are urbanized.

Community Development

NOTICE OF DECISION

DATE: July 26, 2021

TO: Boardman Planning Commission and Interested Parties

FROM: Barry C. Beyeler, Community Development Director

SUBJECT: ZP21-031 Umatilla Electric Cooperative Olson Rd. Transmission Project

On May 19, 2021, Umatilla Electric Cooperative (UEC) submitted an application for zoning approval for the Olson Rd Transmission Project, a 230kv electrical transmission line in the Service Center Subdistrict. This project affects Tax lots #402, #403, #405 of Tax Lot Map 4N 25E 11, and tax lot #3201. Tax lots #3202 and #3205, of Morrow County Tax Map 4N 25E 10 were withdrawn by UEC for this project.

Approval of an outright allowable use is processed using a Type II - Administrative decision in accordance with Boardman Development Code (BDC) Chapter 4.1- Types of Applications and Review. The Type II decision process requires public notice to be sent to all properties within 250' of the parent property and posting notice on local reader boards and on the property. Public notice was mailed and the proper posting was accomplished on October 1, 2020, meeting the 20-day notification requirements.

File: ZP21 – 031

Applicant: Umatilla Electric Cooperation

Project: Olson Rd. 230kv Transmission Line

FINDINGS OF FACT

- 1) In 2018, Umatilla Electric Co-op approached the city about construction of a 230kv transmission line from a substation which was to be built at the I-84/US 730 junction to south Boardman. This transmission line is to provide increasing service pressure with existing and projected residential growth.
- 2) The city informed UEC where the line would go through many lots in the Service Center Sub-district, some evidence of property owner support would be needed.
- 3) UEC held numerous meeting with city and county staff members, and potentially affected property owners about the project.
- 4) UEC had obtained tentative agreements from most of the property owners for easements for the line. The Tallman family had not reached an agreement with UEC.
- 5) At this point UEC petitioned the Oregon Public Utilities Commission (PUC) for a Certificate of Public Convenience and Necessity (CPCN).
- 6) The PUC began their review of the petition as PCN4.
- 7) On March 5, 2021, The PUC, by Order 21-074, rendered their decision to Grant UEC a CPCN for this 230kv transmission line.
- 8) On April 15, 2021, Umatilla Electric Co-op submitted a Conditional Use Permit application